

7 January 2025

Statutory Planning
Melbourne City Council
90-120 Swanston Street
MELBOURNE 3000

By email to: vcat@melbourne.vic.gov.au

Dear Sir/Madam

**VCAT PROCEEDING P1148/2025
PLANNING PERMIT TP-2018-80
122-130 WELLINGTON PARADE, EAST MELBOURNE 3002**

We act for Sullivan Land Investments Pty Ltd, the Permit Holder and Applicant ('**Applicant**') in the above proceeding.

We have filed an application at the Victorian Civil and Administrative Tribunal ('**Tribunal**') pursuant to section 87A of the *Planning and Environment Act 1987* seeking amendment of Planning Permit P1148/2025 issued by Melbourne City Council.

In accordance with the Tribunal's Initiating Order dated 31 December 2025, we enclose the following by way of service:

1. Application for Review, including all attachments; and
2. Copy of the Tribunal's Initiating Order.

Due to size, the enclosures can be accessed at the following link:

https://pppartnersaustralia-my.sharepoint.com/:f/g/personal/edwards_pppartners_com_au/lgA0UT6GZbTXSI-m1wr1Sb5yAYLJyWnaDWWUW0K9uVQU9k?e=h95kMa

We request that Council provide our office with its notice requirements in accordance with Item 5 of the enclosed Initiating Order.

Please contact Tiffany Yeo on 03 8626 9008 (email: tyeo@pppartners.com.au) or our office on 03 8626 9000 (email: vcat@pppartners.com.au) if we can be of further assistance.

Yours faithfully



SCOTT EDWARDS
Planning & Property Partners Pty Ltd
Encl.

Schedule of Documents

S87A Application

122-130 Wellington Parade, East Melbourne

Tab no.	Document	Date
A. Site Context		
1.	VicPlan Planning Property Report	Retrieved 22 December 2025
2.	Cadastral Map (Landchecker)	Retrieved 22 December 2025
3.	Aerial Map (Landchecker)	Retrieved 22 December 2025
4.	Register Search Statements – Lots 1 to 8 & Common Property on PS309234D	Retrieved 22 December 2025
5.	Plan of Subdivision PS309234D	Retrieved 23 December 2025
B. Planning Permit TP-2018-80		
6.	Planning Permit TP-2018-80	11 April 2022
7.	Extension of Planning Permit Approval	20 December 2024
8.	Decision Plans prepared by <i>Co-lab Architecture</i>	Various 26 January 2022
9.	<i>Sullivan Land Investments Pty Ltd v Melbourne CC</i> [2022] VCAT 373	7 April 2022
C. S87A Application		
10.	Section 87A Application Form	23 December 2025
11.	Cover Letter Accompanying Application prepared by <i>Planning & Property Partners Pty Ltd</i>	23 December 2025
12.	Tracked proposed amendments to Planning Permit TP-2018-80	Undated
13.	Architectural Plans prepared by <i>Telha Clarke Architecture & Design (Application Plans)</i>	17 December 2025

Tab no.	Document	Date
14.	Statement of changes prepared by <i>Telha Clarke Architecture & Design</i>	17 December 2025
15.	ESD Memo prepared by <i>GIW Environmental Solutions Pty Ltd</i>	17 December 2025
16.	Heritage Memorandum prepared by <i>Bryce Raworth Conservation & Heritage</i>	18 December 2025
17.	Waste Management Plan prepared by <i>Traffix Group</i>	23 December 2025
18.	Traffic Engineering Assessment prepared by <i>Traffix Group</i>	23 December 2025

From www.planning.vic.gov.au at 22 December 2025 03:42 PM

PROPERTY DETAILS

Address: **126 WELLINGTON PARADE EAST MELBOURNE 3002**
 Lot and Plan Number: **Lot CM PS309234**
 Standard Parcel Identifier (SPI): **CM\PS309234**
 Local Government Area (Council): **MELBOURNE**
 Council Property Number: **567545**
 Planning Scheme: **Melbourne**
 Directory Reference: **Melway 2G E5**

www.melbourne.vic.gov.au

[Planning Scheme - Melbourne](#)

UTILITIES

Rural Water Corporation: **Southern Rural Water**
 Melbourne Water Retailer: **Greater Western Water**
 Melbourne Water: **Inside drainage boundary**
 Power Distributor: **CITIPOWER**

STATE ELECTORATES

Legislative Council: **NORTHERN METROPOLITAN**
 Legislative Assembly: **MELBOURNE**
OTHER
 Registered Aboriginal Party: **Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation**
 Fire Authority: **Fire Rescue Victoria**

[View location in VicPlan](#)

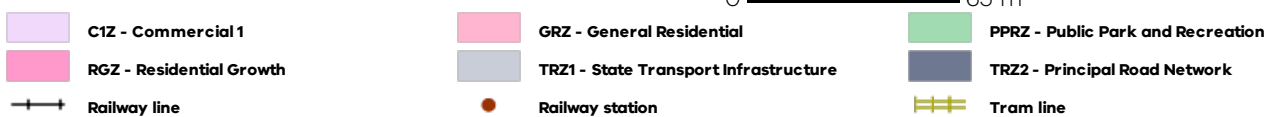
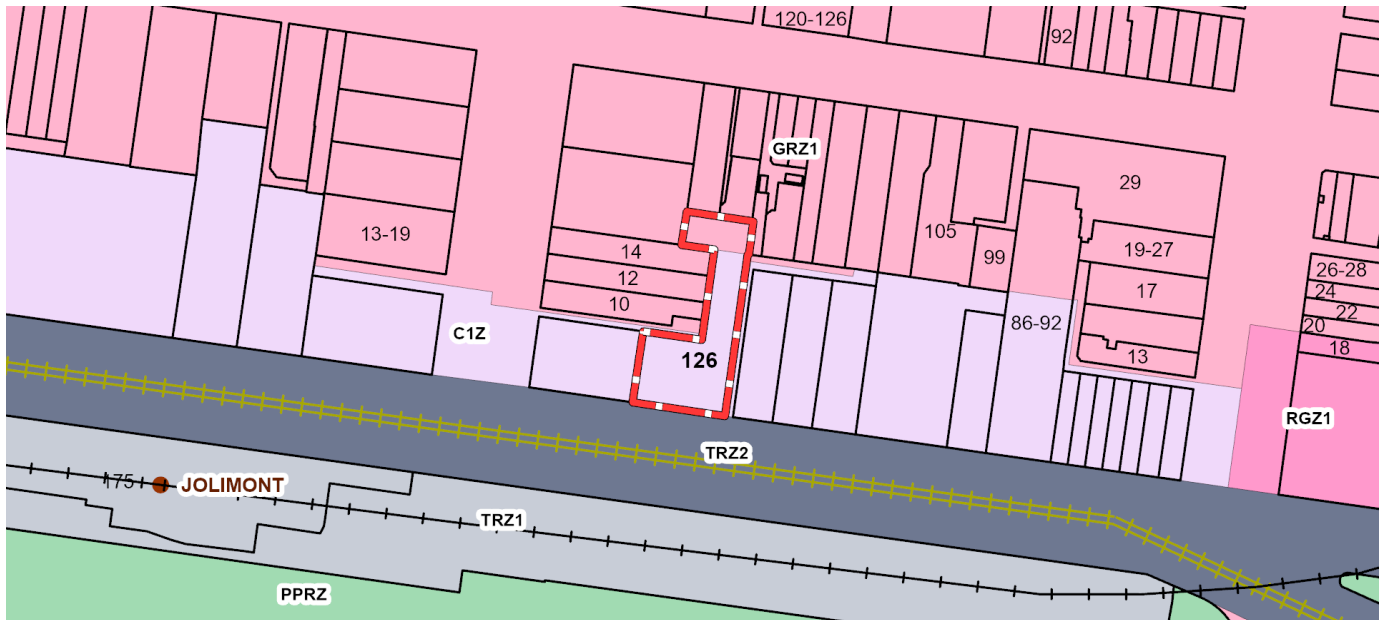
Planning Zones

[COMMERCIAL 1 ZONE \(C1Z\)](#)

[SCHEDULE TO THE COMMERCIAL 1 ZONE \(C1Z\)](#)

[GENERAL RESIDENTIAL ZONE \(GRZ\)](#)

[GENERAL RESIDENTIAL ZONE - SCHEDULE 1 \(GRZ1\)](#)



Note: labels for zones may appear outside the actual zone - please compare the labels with the legend.

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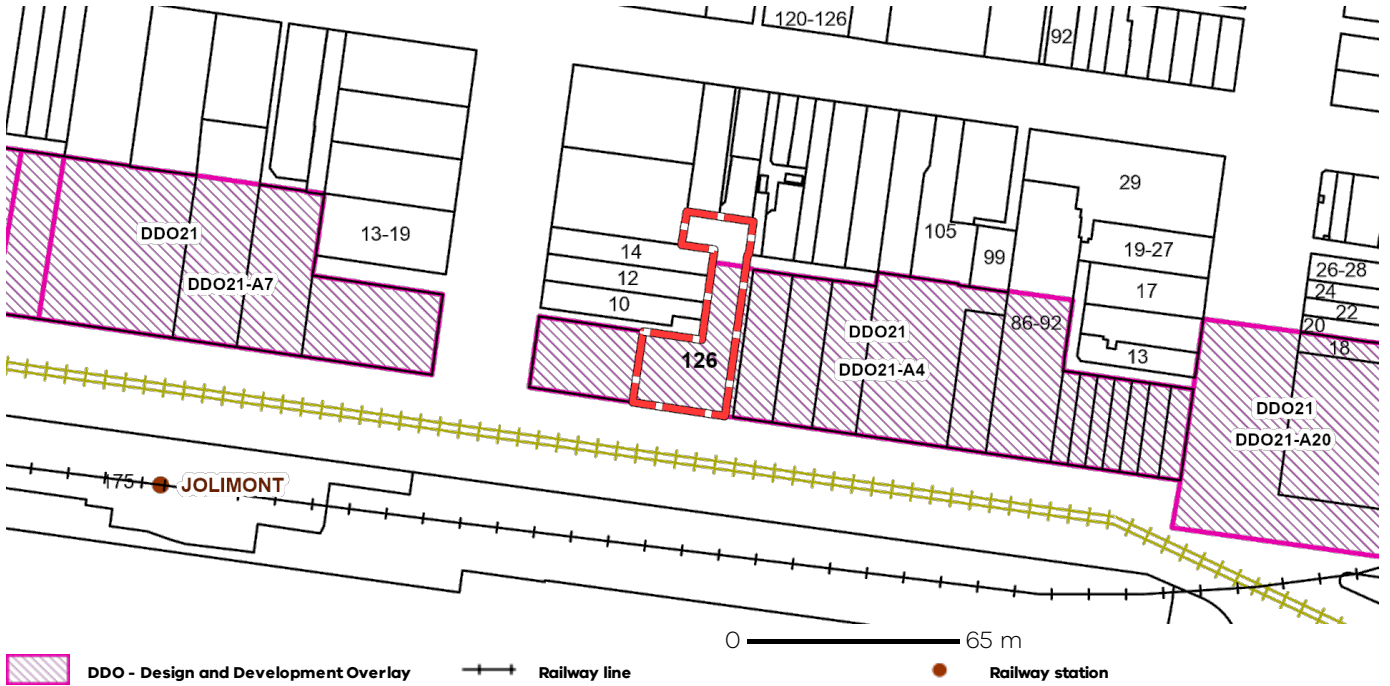
Notwithstanding this disclaimer, a vendor may rely on the information in this report for the purpose of a statement that land is in a bushfire prone area as required by section 32C (b) of the Sale of Land 1962 (Vic).

Planning Overlays

[DESIGN AND DEVELOPMENT OVERLAY \(DDO\)](#)

[DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 21 \(DDO21\)](#)

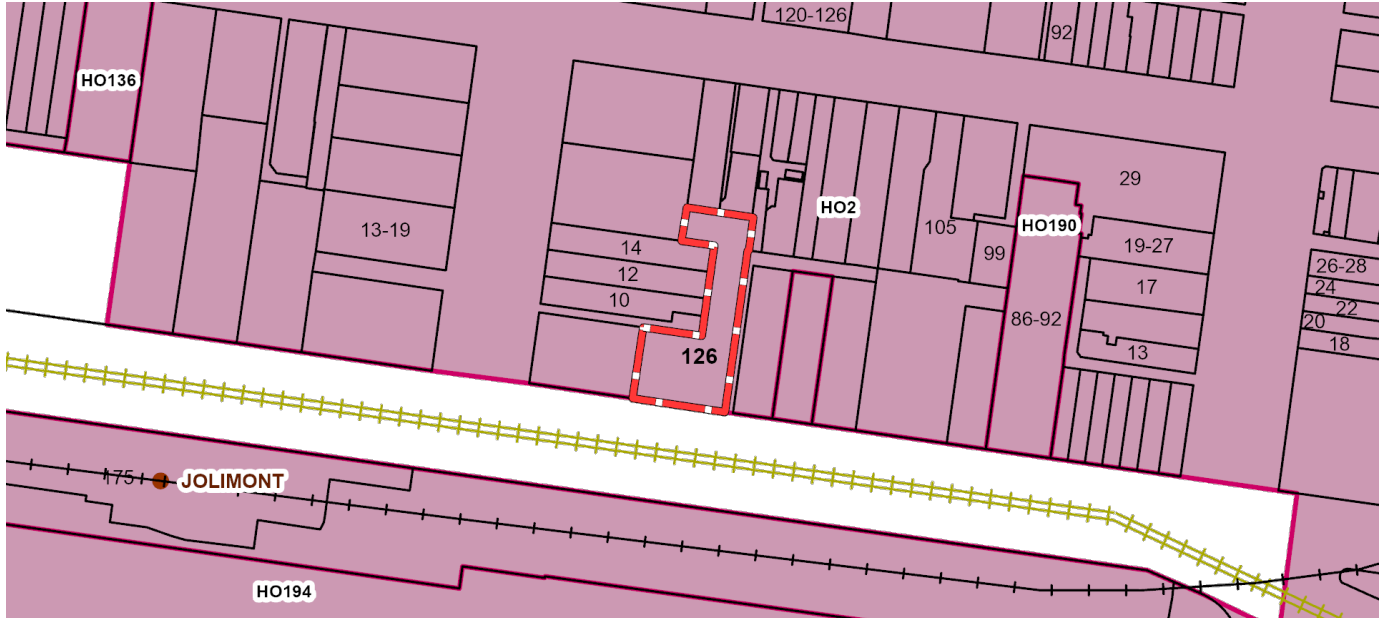
[DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 21 \(AREA 4\) \(DDO21-A4\)](#)



Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

[HERITAGE OVERLAY \(HO\)](#)

[HERITAGE OVERLAY - SCHEDULE \(HO2\)](#)



Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

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Planning Overlays

OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

[ENVIRONMENTAL SIGNIFICANCE OVERLAY \(ESO\)](#)

[PARKING OVERLAY \(PO\)](#)

[SPECIFIC CONTROLS OVERLAY \(SCO\)](#)



Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

Further Planning Information

Planning scheme data last updated on 22 December 2025.

A **planning scheme** sets out policies and requirements for the use, development and protection of land. This report provides information about the zone and overlay provisions that apply to the selected land. Information about the State and local policy, particular, general and operational provisions of the local planning scheme that may affect the use of this land can be obtained by contacting the local council or by visiting <https://www.planning.vic.gov.au>

This report is NOT a **Planning Certificate** issued pursuant to Section 199 of the **Planning and Environment Act 1987**. It does not include information about exhibited planning scheme amendments, or zonings that may affect the land. To obtain a Planning Certificate go to Titles and Property Certificates at Landata - <https://www.landata.vic.gov.au>

For details of surrounding properties, use this service to get the Reports for properties of interest.

To view planning zones, overlay and heritage information in an interactive format visit <https://mapshare.vic.gov.au/vicplan/>

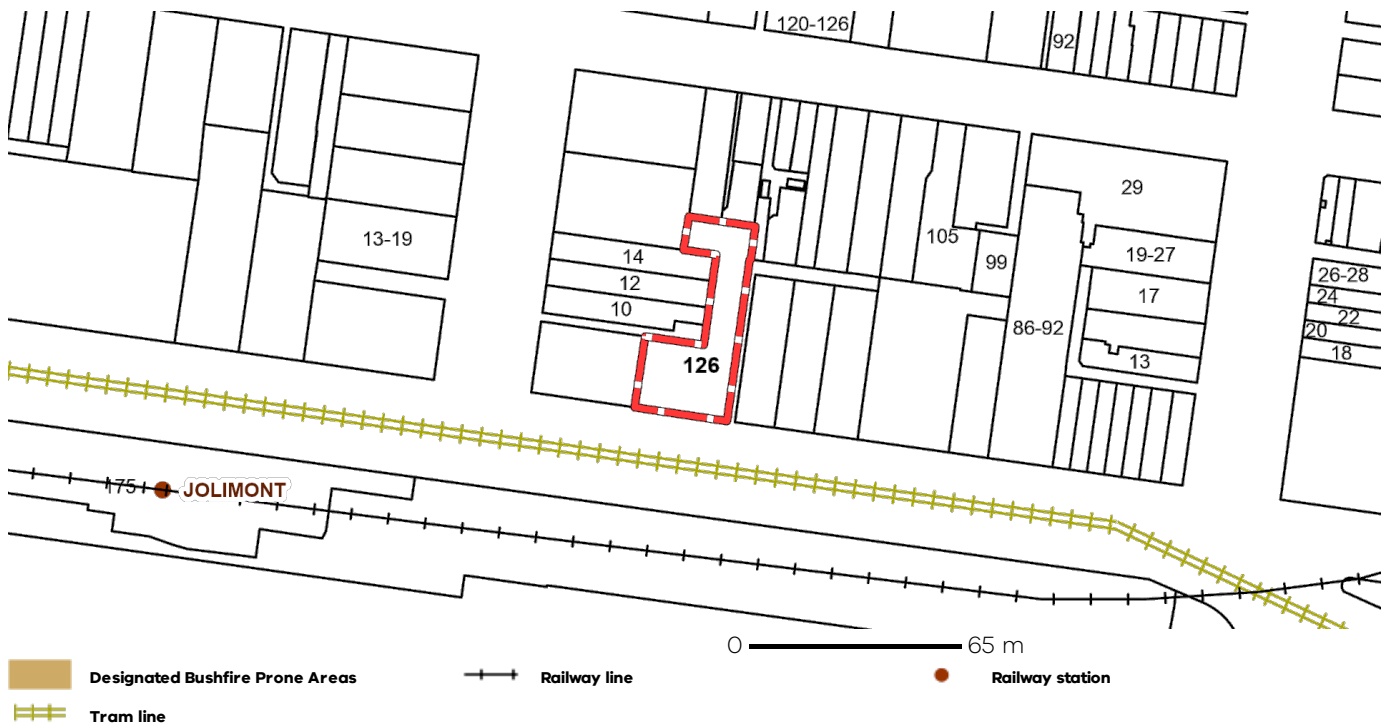
For other information about planning in Victoria visit <https://www.planning.vic.gov.au>

Designated Bushfire Prone Areas

This property is not in a designated bushfire prone area.
No special bushfire construction requirements apply. Planning provisions may apply.

Where part of the property is mapped as BPA, if no part of the building envelope or footprint falls within the BPA area, the BPA construction requirements do not apply.

Note: the relevant building surveyor determines the need for compliance with the bushfire construction requirements.



Designated BPA are determined by the Minister for Planning following a detailed review process. The Building Regulations 2018, through adoption of the Building Code of Australia, apply bushfire protection standards for building works in designated BPA.

Designated BPA maps can be viewed on VicPlan at <https://mapshare.vic.gov.au/vicplan/>, or at the relevant local council.

Create a BPA definition plan in [VicPlan](#) to measure the BPA.

Information for lot owners building in the BPA is available at <https://www.planning.vic.gov.au>.

Further information about the building control system and building in bushfire prone areas can be found on the Victorian Building Authority website <https://www.vba.vic.gov.au>. Copies of the Building Act and Building Regulations are available from <http://www.legislation.vic.gov.au>. For Planning Scheme Provisions in bushfire areas visit <https://www.planning.vic.gov.au>.

Native Vegetation

Native plants that are indigenous to Victoria and important for biodiversity might be present on this property. This could include trees, shrubs, herbs, grasses or aquatic plants. There are a range of regulations that may apply including need to obtain a planning permit under Clause 52.17 of the local planning scheme. For more information see [Native Vegetation \(Clause 52.17\)](#) with local variations in [Native Vegetation \(Clause 52.17\) Schedule](#)

To help identify native vegetation on this property and the application of Clause 52.17 please visit the Native Vegetation Regulations Map (NVR Map) <https://mapshare.vic.gov.au/nvr/> and [Native vegetation \(environment.vic.gov.au\)](http://www.environment.vic.gov.au) or please contact your relevant council.

You can find out more about the natural values on your property through NatureKit [NatureKit \(environment.vic.gov.au\)](http://www.environment.vic.gov.au)

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The Victorian Government acknowledges the Traditional Owners of Victoria and pays respects to their ongoing connection to their Country, History and Culture. The Victorian Government extends this respect to their Elders, past, present and emerging.

REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 10094 FOLIO 541

Security no : 124130962224K
Produced 22/12/2025 04:09 PM

LAND DESCRIPTION

Lot 1 on Plan of Subdivision 309234D.

PARENT TITLES :

Volume 06097 Folio 374 Volume 09484 Folio 938 Volume 09555 Folio 976
Volume 09796 Folio 637

REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

SULLIVAN LAND INVESTMENTS PTY LTD of 4 LEDBURY COURT TOORAK VIC 3142
AD503299S 16/03/2005

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AD503300M 16/03/2005

MACQUARIE BANK LTD

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE PS309234D FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

ADMINISTRATIVE NOTICES

NIL

eCT Control 18156Q MACQUARIE BANK LIMITED
Effective from 23/02/2018

OWNERS CORPORATIONS

The land in this folio is affected by
OWNERS CORPORATION PLAN NO. PS309234D

DOCUMENT END

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 10094 FOLIO 542

Security no : 124130962223L
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LAND DESCRIPTION

Lot 2 on Plan of Subdivision 309234D.

PARENT TITLES :

Volume 06097 Folio 374 Volume 09484 Folio 938 Volume 09555 Folio 976
Volume 09796 Folio 637

REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

SULLIVAN LAND INVESTMENTS PTY LTD of 4 LEDBURY COURT TOORAK VIC 3142
AD503299S 16/03/2005

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AD503300M 16/03/2005

MACQUARIE BANK LTD

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DIAGRAM LOCATION

SEE PS309234D FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: UNIT 2 GROUND FLOOR 126 WELLINGTON PARADE EAST MELBOURNE VIC 3002

ADMINISTRATIVE NOTICES

NIL

eCT Control 18156Q MACQUARIE BANK LIMITED
Effective from 23/02/2018

OWNERS CORPORATIONS

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 10094 FOLIO 543

Security no : 124130962219Q
Produced 22/12/2025 04:09 PM

LAND DESCRIPTION

Lot 3 on Plan of Subdivision 309234D.

PARENT TITLES :

Volume 06097 Folio 374 Volume 09484 Folio 938 Volume 09555 Folio 976
Volume 09796 Folio 637

REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

SULLIVAN LAND INVESTMENTS PTY LTD of 4 LEDBURY COURT TOORAK VIC 3142
AD503299S 16/03/2005

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AD503300M 16/03/2005

MACQUARIE BANK LTD

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DIAGRAM LOCATION

SEE PS309234D FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

ADMINISTRATIVE NOTICES

NIL

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 10094 FOLIO 544

Security no : 124130962217S
Produced 22/12/2025 04:09 PM

LAND DESCRIPTION

Lot 4 on Plan of Subdivision 309234D.

PARENT TITLES :

Volume 06097 Folio 374 Volume 09484 Folio 938 Volume 09555 Folio 976
Volume 09796 Folio 637

REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

SULLIVAN LAND INVESTMENTS PTY LTD of 4 LEDBURY COURT TOORAK VIC 3142
AD503299S 16/03/2005

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AD503300M 16/03/2005

MACQUARIE BANK LTD

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DIAGRAM LOCATION

SEE PS309234D FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

ADMINISTRATIVE NOTICES

NIL

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 10094 FOLIO 545

Security no : 124130962221N
Produced 22/12/2025 04:09 PM

LAND DESCRIPTION

Lot 5 on Plan of Subdivision 309234D.

PARENT TITLES :

Volume 06097 Folio 374 Volume 09484 Folio 938 Volume 09555 Folio 976
Volume 09796 Folio 637

REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

SULLIVAN LAND INVESTMENTS PTY LTD of 4 LEDBURY COURT TOORAK VIC 3142
AD503299S 16/03/2005

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AD503300M 16/03/2005

MACQUARIE BANK LTD

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE PS309234D FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

ADMINISTRATIVE NOTICES

NIL

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Effective from 23/02/2018

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 10094 FOLIO 546

Security no : 124130962225J
Produced 22/12/2025 04:09 PM

LAND DESCRIPTION

Lot 6 on Plan of Subdivision 309234D.

PARENT TITLES :

Volume 06097 Folio 374 Volume 09484 Folio 938 Volume 09555 Folio 976
Volume 09796 Folio 637

REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

SULLIVAN LAND INVESTMENTS PTY LTD of 4 LEDBURY COURT TOORAK VIC 3142
AD503299S 16/03/2005

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AD503300M 16/03/2005

MACQUARIE BANK LTD

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DIAGRAM LOCATION

SEE PS309234D FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

ADMINISTRATIVE NOTICES

NIL

eCT Control 18156Q MACQUARIE BANK LIMITED
Effective from 23/02/2018

OWNERS CORPORATIONS

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OWNERS CORPORATION PLAN NO. PS309234D

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 10094 FOLIO 547

Security no : 124130962222M
Produced 22/12/2025 04:09 PM

LAND DESCRIPTION

Lot 7 on Plan of Subdivision 309234D.

PARENT TITLES :

Volume 06097 Folio 374 Volume 09484 Folio 938 Volume 09555 Folio 976
Volume 09796 Folio 637

REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

SULLIVAN LAND INVESTMENTS PTY LTD of 4 LEDBURY COURT TOORAK VIC 3142
AD503299S 16/03/2005

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AD503300M 16/03/2005

MACQUARIE BANK LTD

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DIAGRAM LOCATION

SEE PS309234D FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

ADMINISTRATIVE NOTICES

NIL

eCT Control 18156Q MACQUARIE BANK LIMITED
Effective from 23/02/2018

OWNERS CORPORATIONS

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 10094 FOLIO 548

Security no : 124130962220P
Produced 22/12/2025 04:09 PM

LAND DESCRIPTION

Lot 8 on Plan of Subdivision 309234D.

PARENT TITLES :

Volume 06097 Folio 374 Volume 09484 Folio 938 Volume 09555 Folio 976
Volume 09796 Folio 637

REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

SULLIVAN LAND INVESTMENTS PTY LTD of 4 LEDBURY COURT TOORAK VIC 3142
AD503299S 16/03/2005

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AD503300M 16/03/2005

MACQUARIE BANK LTD

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DIAGRAM LOCATION

SEE PS309234D FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

ADMINISTRATIVE NOTICES

NIL

eCT Control 18156Q MACQUARIE BANK LIMITED
Effective from 23/02/2018

OWNERS CORPORATIONS

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OWNERS CORPORATION PLAN NO. PS309234D

DOCUMENT END

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The Victorian Government acknowledges the Traditional Owners of Victoria and pays respects to their ongoing connection to their Country, History and Culture. The Victorian Government extends this respect to their Elders, past, present and emerging.

REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 10094 FOLIO 549
No CofT exists

Security no : 124130962218R
Produced 22/12/2025 04:09 PM

LAND DESCRIPTION

Common Property on Plan of Subdivision 309234D.

PARENT TITLES :

Volume 06097 Folio 374 Volume 09484 Folio 938 Volume 09555 Folio 976

Volume 09796 Folio 637

Created by instrument PS309234D 15/12/1992

REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

OWNERS CORPORATION PLAN NO. PS309234D of 126 WELLINGTON PARADE EAST
MELBOURNE VIC 3002
PS309234D 15/12/1992

ENCUMBRANCES, CAVEATS AND NOTICES

Any encumbrances affecting Common Property that are derived from an encumbrance shown on titles to lots affected by the Owners Corporation.

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE PS309234D FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

OWNERS CORPORATIONS

The land in this folio is affected by
OWNERS CORPORATION PLAN NO. PS309234D

DOCUMENT END

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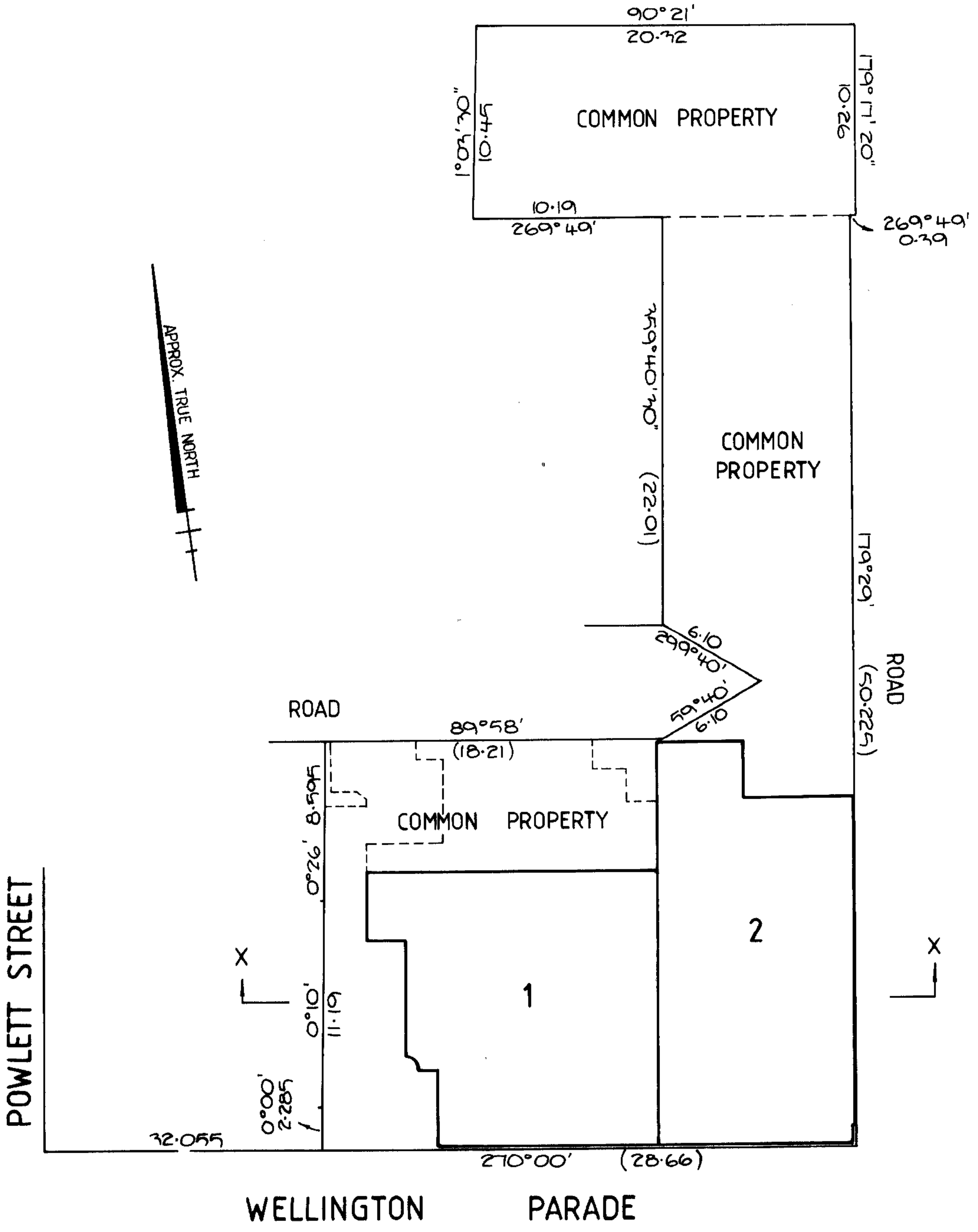
PLAN OF SUBDIVISION	STAGE NO. <hr/>	LTO use only EDITION 1	Plan Number PS 309234 D
Location of Land Parish: MELBOURNE NORTH CITY OF MELBOURNE Section: 16 Crown Allotment: 1, 2 & 17 (PARTS) Crown Portion: _____ LTO Base Record: CHART 74 ^B (3083) Title Reference: Last Plan Reference: Postal Address: 122-130 Wellington Parade (at time of subdivision) EAST MELBOURNE, 3002 AMG Co-ordinates E 322 600 Zone: 55 (of approx. centre of land N 5 812 500 in plan)		Council Certificate and Endorsement Council Name: City of Melbourne Ref: 57/3-5920/310 1. This plan is certified under section 6 of the Subdivision Act 1988. 2. This plan is certified under section 11(7) of the Subdivision Act 1988. Date of original certification under section 6 / / 3. This is a statement of compliance issued under section 21 of the Subdivision Act 1988. OPEN SPACE (i) A requirement for public open space under section 18 of the Subdivision Act 1988 has /has not been made. (ii) The requirement has been satisfied. (iii) The requirement is to be satisfied in Stage..... Council delegate Council seal Date 24 / 3 / 92 Re-certified under section 11(7) of the Subdivision Act 1988 Council Delegate Council Seal Date / /	
Vesting of Roads and/or Reserves			
Identifier	Council/Body/Person		
NIL	NIL		
Notations			
Staging		This is /is not a staged subdivision Planning Permit No.	
Depth Limitation Does not apply.			
The common property is all the land in the plan except lots 1-8 (All inclusive). Boundaries shown by thick continuous lines are defined by buildings. Location of boundaries defined by buildings:- Interior Face: All boundaries. <p style="text-align: right;">Survey This plan is/is not based on survey This survey has been connected to permanent marks no(s) In Proclaimed Survey Area No.</p>			
Easement Information			LTO use only
Legend: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)			Statement of Compliance/ Exemption Statement
			Received <input checked="" type="checkbox"/>
			Date 17 / 9 / 92
			LTO use only
			PLAN REGISTERED
			TIME 4 : 55
			DATE 15 / 12 / '92
			<i>K Osborne</i> Assistant Registrar of Titles
			Sheet 1 of 5 Sheets
JOHN I. TAYLOR & ASSOCIATES (VIC.) PTY. LTD. LAND SURVEYORS, TOWN PLANNERS AND CIVIL ENGINEERS. 464 St. Kilda Road, Melbourne, 3004 Phone 867 2222		LICENSED SURVEYOR (PRINT).....GEOFFREY LESLIE COOPER..... SIGNATURE..... DATE 17 / 12 / 91 REF 5884/BS VERSION 1 27-11-91 GR	
		DATE 24 / 3 / 92 COUNCIL DELEGATE SIGNATURE Original sheet size A3	

PS309234D

FOR CURRENT BODY CORPORATE DETAILS
SEE BODY CORPORATE SEARCH REPORT

Sheet 2

PLAN OF SUBDIVISION	Stage No. <hr style="width: 50px; margin: 0 auto;"/>	Plan Number PS 309234 D
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ORIGINAL	SCALE
SCALE 1:250	<p>LENGTHS ARE IN METRES</p>
SHEET SIZE A3	

LICENSED SURVEYOR (PRINT) GEOFFREY LESLIE COOPER
 SIGNATURE..... DATE **17 / 12 / 91**
 REF **5884 / BS** VERSION **1**
 27-11-91 G.R

Sheet **3** of **5** sheets

DATE **24 / 3 / 92**
 COUNCIL DELEGATE SIGNATURE
 Original sheet size A3

PLAN OF SUBDIVISION	Stage No. <hr style="width: 50px; margin: 0 auto;"/>	Plan Number PS 309234 D
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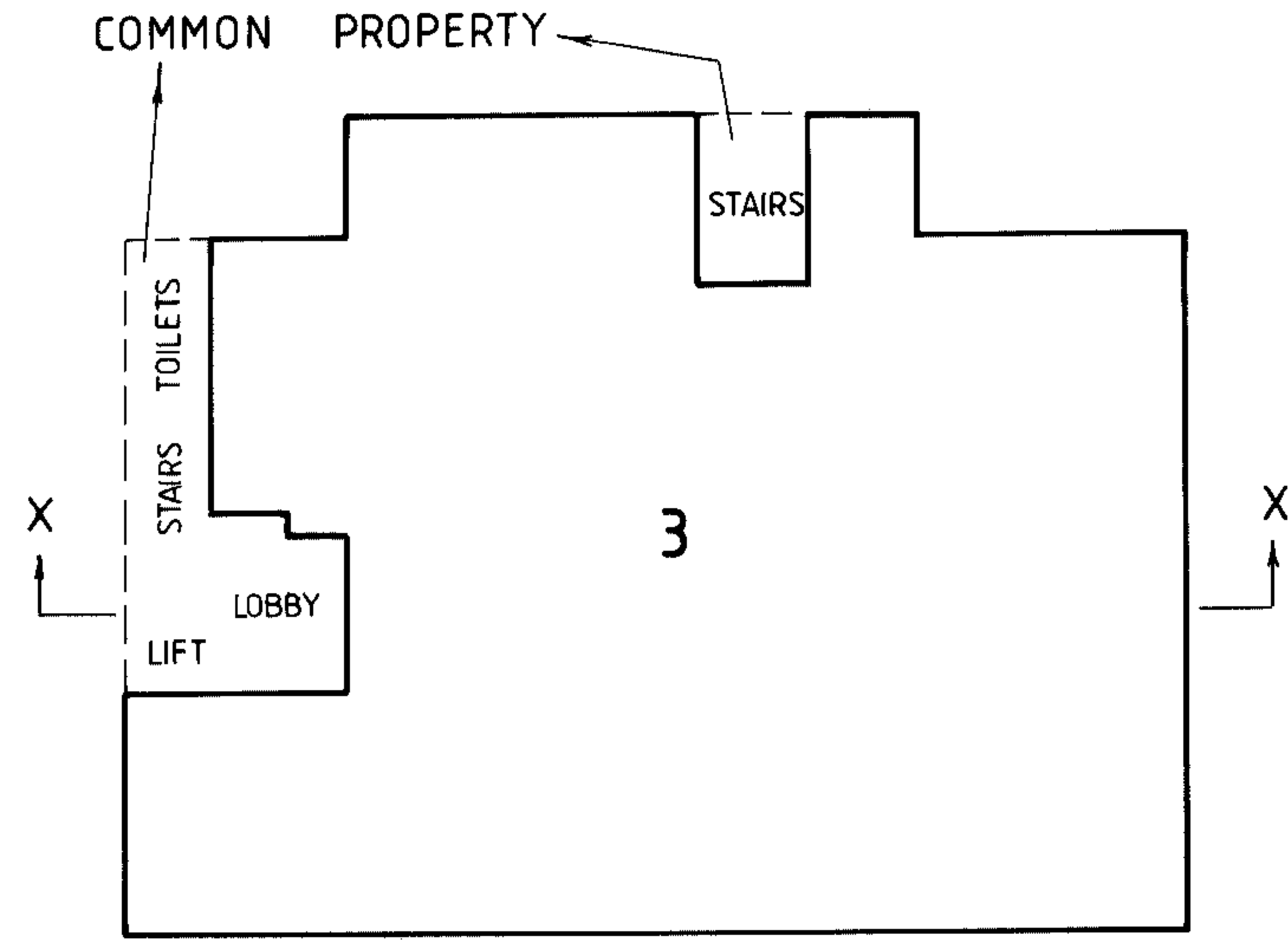


DIAGRAM 2
FIRST STOREY

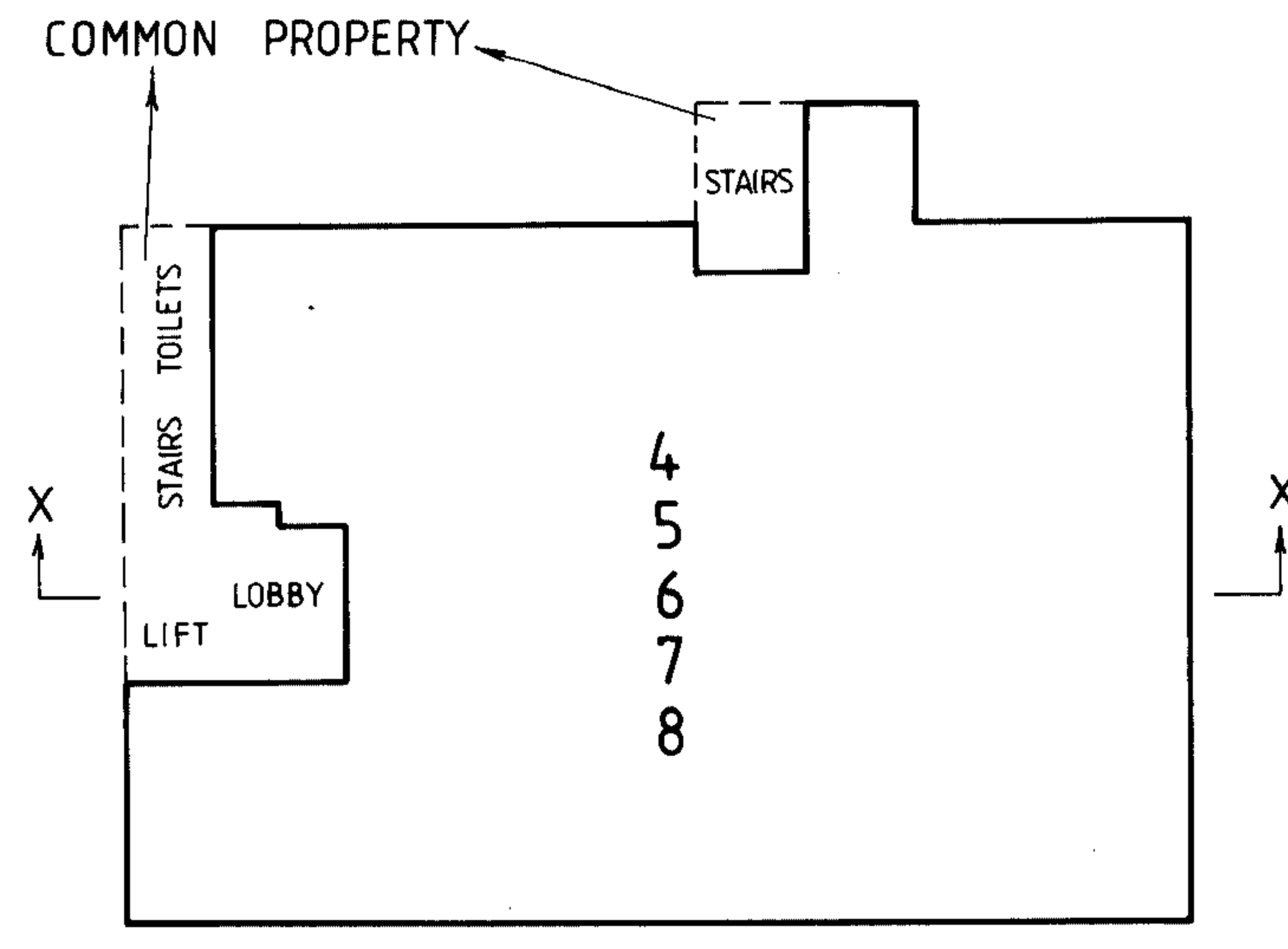
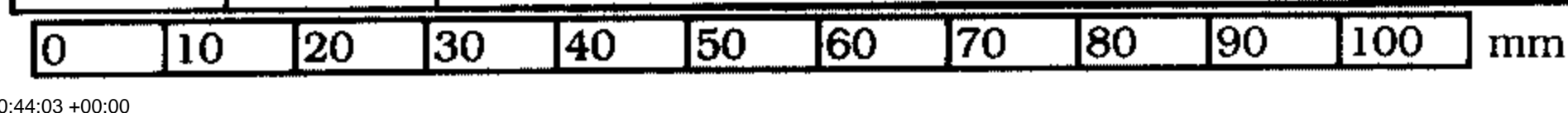


DIAGRAM 3
SECOND, THIRD, FOURTH,
FIFTH & TOPMOST STOREY

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Sheet 4 of 5 sheets
DATE 24 / 3 / 92
COUNCIL DELEGATE SIGNATURE
Original sheet size A3

ORIGINAL	SCALE	LICENCED SURVEYOR (PRINT) <u>GEOFFREY LESLIE COOPER</u>
SCALE 1:250	<p style="text-align: center;">LENGTHS ARE IN METRES</p>	SIGNATURE..... DATE 17 / 12 / 91
SHEET SIZE A3		REF 5884/BS VERSION 1
		GR





Department of Environment, Land, Water & Planning

Owners Corporation Search Report

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Produced: 23/12/2025 11:43:52 AM

**OWNERS CORPORATION
PLAN NO. PS309234D**

The land in PS309234D is affected by 1 Owners Corporation(s)

Land Affected by Owners Corporation:

Common Property, Lots 1 - 8.

Limitations on Owners Corporation:

Unlimited

Postal Address for Services of Notices:

126 WELLINGTON PARADE EAST MELBOURNE VIC 3002

PS309234D 15/12/1992

Owners Corporation Manager:

NIL

Rules:

Model Rules apply unless a matter is provided for in Owners Corporation Rules. See Section 139(3) Owners Corporation Act 2006

Owners Corporation Rules:

NIL

Additional Owners Corporation Information:

NIL

Notations:

NIL

Entitlement and Liability:

NOTE – Folio References are only provided in a Premium Report.

Land Parcel	Entitlement	Liability
Common Property	0	0
Lot 1	89	16
Lot 2	79	14
Lot 3	147	170
Lot 4	137	160
Lot 5	137	160
Lot 6	137	160



Department of Environment, Land, Water & Planning

Owners Corporation Search Report

Produced: 23/12/2025 11:43:52 AM

**OWNERS CORPORATION
PLAN NO. PS309234D**

Entitlement and Liability:

NOTE – Folio References are only provided in a Premium Report.

Land Parcel	Entitlement	Liability
Lot 7	137	160
Lot 8	137	160
Total	1000.00	1000.00

From 31 December 2007 every Body Corporate is deemed to be an Owners Corporation. Any reference to a Body Corporate in any Plan, Instrument or Folio is to be read as a reference to an Owners Corporation.

Statement End.

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit at the direction of the Victorian Civil and Administrative Tribunal.
(Note: This is not a permit granted under Division 5 of 6 of Part 4 of the **Planning and Environment Act 1987**)

CAN THE RESPONSIBLE AUTHORITY AMEND THIS PERMIT?

The Responsible Authority may amend this permit under Division 1A of Part 4 of the **Planning and Environment Act 1987**

WHEN DOES A PERMIT BEGIN?

A permit operates:

- from the date specified in the permit; or
- if no date is specified, from—
 - (i) the date of the decision of the Victorian Civil and Administrative Tribunal, if the permit was issued at the direction of the Tribunal; or
 - (ii) the date on which it was issued, in any other case.

WHEN DOES A PERMIT EXPIRE?

1. A permit for the development of land expires if—
 - the development or any stage of it does not start within the time specified in the permit, or
 - the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision; or
 - the development or any stage of it is not completed within the time specified in the permit, or if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within 5 years of the certification of the plan of subdivision or consolidation under the **Subdivision Act 1988**.
2. A permit for the use of land expires if—
 - the use does not start within the time specified in the permit, or if no time is specified, within two years of the issue of the permit; or
 - the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if—
 - the development or any stage of it does not start within the time specified in the permit, or
 - the development or any stage of it is not completed within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
 - the use does not start within the time specified in the permit, or if no time is specified, within two years after the completion of the development; or
 - the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision—
 - the use or development of any stage is to be taken to have started when the plan is certified; and
 - the permit expires if the plan is not certified within two years of the issue of a permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

WHAT ABOUT APPLICATIONS FOR REVIEW?

- The person who applied for the permit may apply for review against any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal where, in which case no right of review exists.
- An application for review must be lodged within 60 days after the permit was issued, unless a Notice of Decision to grant a permit has been issued previously, in which case the application for review must be lodged within 60 days after the giving of that notice.
- An application for review is lodged with the Victorian Civil and Administrative Tribunal.
- An application for review must be made on the relevant form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the applicable fee.
- An application for review must state the grounds upon which it is based.
- A copy of an application for review must also be served on the Responsible Authority.
- Details about applications for review and the fees payable can be obtained from the Victorian Civil and Administrative Tribunal.

PLANNING PERMIT



PERMIT NO.

TP-2018-80

PLANNING SCHEME

Melbourne Planning Scheme

**RESPONSIBLE
AUTHORITY**

Melbourne City Council

GPO Box 1603
Melbourne VIC 3001
Phone 61 3 9658 9658
Email planning@melbourne.vic.gov.au
www.melbourne.vic.gov.au

ADDRESS OF THE LAND

122-130 Wellington Parade, East Melbourne (comprising lots 1-8 and the common property on PS309234D)

THE PERMIT ALLOWS

In accordance with the endorsed plans:

- To use the land for Accommodation (Dwellings)
- To partly demolish an existing building
- To construct two or more dwellings on a lot
- To construct a building and construct or carry out works

This permit is issued in accordance with the Victorian Civil and Administrative Tribunal's order dated 7 April 2022, pursuant to Section 85(1) of the Planning and Environment Act 1987.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT.

- 1 Prior to the commencement of the development (including any demolition), an electronic set of plans drawn to scale must be submitted to the Responsible Authority, generally in accordance with the plans reference TP-210 - TP-212, TP-501 - TP-509, TP-700 - TP-703, TP-705, TP-706, TP-710, TP-711 and TP-726 prepared by Co-lab Architecture dated 26 January 2022 but amended to show:
 - (a) Any screening measures to prevent overlooking from west-facing windows within the development to comply with Clause 58.04-1.
 - (b) Any screening measures required to prevent internal views between north-facing balconies and west facing bed/study windows within the development to comply with Clause 58.04-2.
 - (c) Works to the rear garage to be retained, including details of repairs to the roof and walls necessary to make good the building, ensuring it is fit for purpose and durable.
 - (d) Car spaces abutting storage cages allocated to a single dwelling.
 - (e) Any outward opening doors/cabinets onto the public realm to comply with Council's Road Encroachment Operational Guidelines.
 - (f) A development summary.
 - (g) Substitution of the ground level plan with Drawing No TP-501 (Updated Ground Floor Plan) received/filed on 23 March 2022, which depicts the minor encroachment of the eastern wall of the garage at 14 Powlett Street into the subject site, and consequential changes to the ground floor of the proposed development.
 - (h) Introduction of a landscaping maintenance gate at the northern edge of the Level 2 car

Date Issued: 11 April 2022

Signature of the Responsible Authority

A handwritten signature in blue ink, appearing to read 'Nick Smith', written over a white background.

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

parking area.

- (i) Modifications to the north-facing balcony balustrade heights/width as illustrated in the updated section received/filed on 23 March 2022;
- (j) Clear glazing or other backing provided on the inside of the battens/louvers in-fill treatment of the car parking levels on the western and northern elevation of the car park structure (except the level of the open air car park).
- (k) The charcoal infill treatment to the car parking structure shown consistently on the east, northern and west elevations with spacing not exceeding 50mm (LVR-02), with the application of BAL to the open air car parking exterior wall.
- (l) The following areas treated in a face brickwork finish (BW-01 or equivalent), which is to be wholly contained within the boundaries of the review site:
 - i Western wall on boundary at ground and first floor level (car lift machine room and Apt 102 / 103 car lift); and
 - ii Eastern wall of the car lift at ground floor level.
- (m) Removal of the 'DDO21-A4 – 24M maximum building height' envelope shown on the elevations.
- (n) Clarification of the 'general store' area to the south of the car lift of the Level 4 apartment.
- (o) The deletion of the annotation on Plan TP-501 on the rear single storey building at 14 Powlett Street, which states "future garage structure";
- (p) Lighting in the car park structure to be movement-activated and baffled to avoid light spill and glare to properties at 10, 12 and 14 Powlett Street, and those to the north and north-east of the review site, to the satisfaction of the Responsible Authority;
- (q) Any changes in accordance with the requirements of Condition 5 of this Permit (ESD Statement).
- (r) Any changes in accordance with the requirements of Condition 7 of this Permit (Landscape Scheme) including (but not limited to):
 - i Continuation of rendered bands across the western elevation to form planters at Levels 3-7;
 - ii Modifications to the Level 2 floor slab to accommodate the necessary soil depth(s);
 - iii An increase in the height to the parapet to the northern and western elevations at the level 2 landscaped area by up to 250mm, to provide a minimum soil depth within the planter box of 600mm.
- (s) The provision of a system facing the adjacent laneway to the west of the review site that informs users of the laneway when the car lift is in use.
- (t) The provision of independent car stackers (with a pit) to the spaces provided for Apartments 102 and 103. In making this provision, it is acceptable if the roller door in front of these stackers need to be removed to ensure the provision of a passing opportunity alongside the adjacent laneway.
- (u) Any changes in accordance with the requirements of Condition 10 of this Permit (Waste Management Plan).
- (v) Any changes in accordance with the requirements of Condition 22 of this Permit (Road Safety Audit).

Date Issued: 11 April 2022

Signature of the Responsible Authority



- (w) Any changes in accordance with the requirements of Condition 23 of this Permit (Traffic Management Plan).
- (x) Any changes in accordance with the requirements of Condition 27 of this Permit (Acoustic Testing).

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

- 2 The use and development allowed by this permit and shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
- 3 Prior to occupation of the development all buildings and works required by this permit must be completed to the satisfaction of the Responsible Authority.
- 4 Prior to the commencement of the development (including any demolition), a Facade Strategy and Materials and Finishes must be submitted to and be approved by the Responsible Authority. All materials, finishes and colours must be in conformity with the approved Façade Strategy to the satisfaction of the Responsible Authority. Unless otherwise approved by the Responsible Authority, the Facade Strategy must be generally in accordance with the development plans and must detail:
 - (a) Further detail around the specification of LVR-02, and a correlating façade detail, to ensure some visual permeability and lightness is achieved to the car park structure.
 - (b) Further detail of the rear ground floor lobby entrance and adjoining areas to ensure a high quality built outcome.
 - (c) A concise description by the architect of the building design concept and how the façade works to achieve this.
 - (d) Elevation details generally at a scale of 1:50 illustrating typical facade details, balcony niches, entries and doors, and utilities, and any special features which are important to the building's presentation.
 - (e) Cross sections or another method of demonstrating the façade systems, including fixing details indicating junctions between materials and significant changes in form and/or material.
 - (f) Information about how the façade will be accessed and maintained and cleaned, including any planting if proposed.
 - (g) Example prototypes and/or precedents that demonstrate the intended design outcome to produce a high quality built outcome.
 - (h) A schedule of colours, materials and finishes, including the colour, type and quality of materials showing their application and appearance. Materials and finishes must be of a high quality, contextually appropriate, durable and fit for purpose. This can be demonstrated in coloured elevations or renders from key viewpoints.
- 5 Prior to the commencement of the development, an Environmentally Sustainable Design (ESD) Statement shall be prepared by a suitably qualified professional and submitted to and approved by the Responsible Authority. The ESD Statement must demonstrate that the building has the preliminary design potential to achieve the following:
 - (a) A 5 star rating under a current version of Green Star – Multi Unit Residential rating tool or equivalent.
 - (b) 1 point for Wat-1 credit under a current version of the Green Building Council of Australia's Green Star – Multi Unit Residential rating tool or equivalent.This ESD Statement must be to the satisfaction of the Responsible Authority and when approved shall form a part of the endorsed plans of this permit.

Date Issued: 11 April 2022

Signature of the Responsible Authority



6 Prior to the occupation of any building approved under this permit, a report from the author of the endorsed ESD report, or similarly qualified persons or companies, outlining how the performance outcomes specified in the amended ESD report have been implemented must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm and provide sufficient evidence that all measures specified in the approved ESD report have been implemented in accordance with the relevant approved plans.

7 Prior to the commencement of the development, a detailed landscape plan, generally in accordance with the plan identified as 'Landscape Concept Plan' prepared by Urbis (Job No. P0038583, Drawing No. LA-01, Rev A), dated 1 March 2022 must be submitted and approved by the Responsible Authority. This plan must include:

- (a) The *Syzygium paniculatum* (Lily Pilly) to the north-facing balconies at Levels 2 – 7 replaced with a more transparent/filtered species (Lavender, Rosemary or similar).
- (b) The northern and western side of the Level 2 landscaping platform to accommodate a minimum of 600mm soil depth;
- (c) Planting within the additional planters along the western elevation in front of the car lift at levels 3 to 6 inclusive;
- (d) A schedule of all soft and hard landscaping and treatments.
- (e) Urban design elements including, but not limited to, paving and lighting, and clear demarcation of public realm and private spaces, including arrangements for pedestrian, bicycle and vehicular circulation.
- (f) How the project responds to water sensitive urban design principles, including how storm water will be mitigated, captured, cleaned and stored for onsite use and the location and type of irrigation systems to be used including the location of any rainwater tanks to be used for irrigation.
- (g) Location of buildings and trees on neighbouring properties within three metres of the boundary, including street trees.
- (h) 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.
- (i) Confirmation that planter boxes, where proposed, are fixed.
- (j) Soil media type and depth detailed in the typical planter box detail.
- (k) 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.

8 Prior to commencement of development, a Landscape Maintenance Plan (LMP) in connection with the proposed development must be submitted to, and be approved by the Responsible Authority. The LMP must provide details of the following:

- (a) Access arrangements for maintenance of landscaping areas, as required.
- (b) Responsible parties for plant establishment and ongoing maintenance.
- (c) Plant establishment schedule and period.
- (d) Maintenance schedule for plantings (monitoring of plants, weeding, re-mulching, pest management, fertilising, re-planting).
- (e) Maintenance schedule for structures and surfaces (cyclic, routine, reactive, emergency and renovation).

Date Issued: 11 April 2022

Signature of the Responsible Authority



- (f) Replacement timeframes for poorly performing plant stock including replacement pot size.
- (g) Irrigation specification and maintenance schedule.
- (h) Maintenance Access requirements and sample Agreements, if access is required from private spaces.

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

- 9 No street tree adjacent to the site may be removed, lopped, pruned or root- pruned without the prior written consent of the Responsible Authority.
- 10 Prior to the commencement of the use and development, a Waste Management Plan (WMP) must be prepared, submitted and approved by the Melbourne City Council - Engineering Services. The WMP must detail waste storage and collection arrangements and be prepared with reference to the Melbourne City Council Guidelines for Preparing a Waste Management Plan. Waste storage and collection arrangements must not be altered without prior consent of the Melbourne City Council - Waste and Recycling.
- 11 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 – Infrastructure and Assets.
- 12 The title boundaries for the property may not exactly agree with the road alignments of the abutting Council lane CL1084 and CL1117. The approved works must not result in structures that encroach onto any Council lanes.
- 13 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.
- 14 All pedestrian paths and access lanes shown on the endorsed plans must be constructed and maintained to the satisfaction of the Responsible Authority - Infrastructure and Assets.
- 15 The road(s) adjoining the site along Corporation Laneway CL1084 and CL1117 affected by building works must be reconstructed together with associated works including the modification of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by the Responsible Authority – Infrastructure and Assets.
- 16 The footpath adjoining the site along Wellington Parade must be reconstructed together with associated works including the renewal/reconstruction of kerb and channel and modification of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by the Responsible Authority – Infrastructure and Assets.
- 17 Existing street levels in Wellington Parade, CL1084 and CL1117 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
- 18 All street lighting assets temporarily removed or altered to facilitate construction works shall be reinstated once the need for removal or alteration has been ceased. Existing public street lighting must not be altered without first obtaining the written approval of the Responsible Authority – Infrastructure and Assets.
- 19 Existing street furniture must not be removed or relocated without first obtaining the written approval of the Responsible Authority – Infrastructure and Assets.
- 20 Prior to the commencement of the development, excluding preliminary site works, demolition and any clean up works, or as may otherwise be agreed with the City of Melbourne, a lighting plan

Signature of the Responsible Authority

Date Issued: 11 April 2022



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

must be prepared to the satisfaction of Council. The lighting plan should be generally consistent with Council's Lighting Strategy, and include the provision of public lighting in Corporation Laneway CL1084 and CL1117. The lighting works must be undertaken prior to the commencement of the use/occupation of the development, in accordance with plans and specifications first approved by the Responsible Authority – Infrastructure and Assets.

- 21 All external lighting and lighting within the car parking areas must be motion activated, designed, baffled and located so as to prevent light from the site causing any unreasonable impacts on the locality, to the satisfaction of the Responsible Authority.
- 22 Prior to the commencement of the development, a Road Safety Audit shall be prepared and submitted to the Melbourne City Council – Engineering Services. The Road Safety Audit should, amongst other things, assess the access arrangements, layout and vehicular circulation within all car parking areas. The audit findings must be incorporated into the design at the developer's expense. The Road Safety Audit must be to the satisfaction of the Responsible Authority – Engineering Services.
- 23 Prior to the commencement of the development, a Traffic Management Plan shall be prepared and submitted to the Melbourne City Council – Engineering Services. When approved, the plan will be endorsed and will then form part of the permit. The plan must include:
- (a) Details of how vehicular access and egress from the site will be managed so as to not impact adjoining laneways or surrounding streets.
 - (b) Details of directional signage and line marking to be installed.
 - (c) Details of surfacing of all hard stand areas.
 - (d) Details of the operation of the car lift, including traffic signals and bias to ensure availability at peak times.
 - (e) Details and a schedule for ongoing maintenance of the car lift and car stackers.
 - (f) Instructions to owners/occupiers about the operation of the car lift and car stackers.
 - (g) Information to be conveyed to existing and prospective residents about the capacity of the car lift and car stacker spaces and sizes.
 - (h) Swept path diagrams demonstrating that car stackers can be accessed by vehicles without encroaching into private property.
 - (i) Swept path diagrams demonstrating that vehicles can safely enter and exit all car spaces contained within the retained rear garage.
 - (j) Confirmation of the allocation of bicycle parking within the rear garage to be retained.
- 24 Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose, to the satisfaction of the Responsible Authority.
- 25 The use of Level 6 to be limited to the parking of vehicles and bicycles, and garden and tree planting and maintenance, to prevent the area from being used for outdoor entertaining or other recreational purposes by the occupant of the apartment of that level.
- 26 Prior to the commencement of the development, including demolition or bulk excavation, a detailed construction and demolition 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.

Date Issued: 11 April 2022

Signature of the Responsible Authority



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

- (b) operating hours, noise and vibration controls.
- (c) air and dust management.
- (d) stormwater and sediment control.
- (e) waste and materials reuse.
- (f) traffic management.
- (g) any protection measures associated with the existing trees at 14 Powlett Street in accordance with the Arboricultural Report dated 4 September 2018 prepared by Tree Response.
- (h) access arrangements, having regard to the use of the triangular parcel of land contained in TP23002F (Volume 10094 Folio 549) for the sole vehicular access to 12 & 14 Powlett Street.

27 Prior to the commencement of the development, an Acoustic Assessment of the development, to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority. The assessment must be prepared by a suitably qualified acoustic engineer and must detail recommended treatments of the development and/or the adoption of appropriate measures to ensure that:

- (a) Noise emissions associated with the operation of surrounding and nearby train lines do not impact adversely on the amenity of the dwellings.
- (b) Dwellings are to be designed to achieve the following noise levels:
 - i Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
 - ii Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.
 Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.
- (c) Noise emissions from the development (including the operation of plant (including the car lift, car turntables and car stackers), transmission of noise between dwellings and the use of the car spaces) do not impact adversely on the amenity of dwellings within the development and neighbouring residential properties.

The development must be constructed in accordance with the requirements/recommendations of the approved Acoustic Assessment to the satisfaction of the Responsible Authority.


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

- (a) The development is not started within three years of the date of this permit.
- (b) The development is not completed within five years of the date of this permit.
- (c) The use is not started within five years of the date of this permit.

In accordance with section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.

Transport for Victoria

29 Prior to the commencement of the development excluding site preparation works, demolition, temporary sheds or structures for construction purposes, bulk excavation, site preparation and retention works, soil remediation, piling, footings, ground beams and ground slabs, the owner of the land must enter into an agreement with the Department of Environment, Land, Water and Planning (DELWP) pursuant to Section 138(A) of the Land Act 1958 for the elements of the approved development that project more than 300mm beyond the land's Wellington Parade street boundary (i.e. the canopies, fixed shading devices, awnings, planter boxes etc), to indemnify the Crown in

Date Issued: 11 April 2022	Signature of the Responsible Authority 
-----------------------------------	---

relation to any claim or liability arising from the projections within the Wellington Parade street road reserve. This condition does not apply where written confirmation is obtained from DELWP that the above agreement is not required.

Date Issued: 11 April 2022

Signature of the Responsible Authority



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

20 December 2024

Co-Lab Architecture
C/- JAKE KOUMOUNDOUROS
HUMAN HABITATS
SUITE 424, 838 Collins St
DOCKLANDS VIC 3008



Dear Sir/Madam

**Request To Extend Planning Permit No: TP-2018-80
122-130 WELLINGTON PARADE, EAST MELBOURNE VIC 3002
IN ACCORDANCE WITH THE ENDORSED PLANS:**

- **TO USE THE LAND FOR ACCOMMODATION (DWELLINGS)**
- **TO PARTLY DEMOLISH AN EXISTING BUILDING**
- **TO CONSTRUCT TWO OR MORE DWELLINGS ON A LOT**
- **TO CONSTRUCT A BUILDING AND CONSTRUCT OR CARRY OUT WORKS**

I refer to your letter dated 28 November 2024, requesting that the above permit be extended.

Pursuant to Section 69 of the *Planning and Environment Act 1987*, the date for the commencement and completion of development and commence of the use has been extended by 2 years. The permit will now expire if one of the following circumstances applies:

- the development is not started by 11 April 2027.
- the development is not completed by 11 April 2029.
- the use is not started by 11 April 2029.

It is noted that given the limited evidence provided to seek satisfaction and endorsement of permit conditions, any further extension will require evidence the applicant is working through the endorsement of conditions otherwise any future request may not be supported.

Please ensure that a copy of this letter is attached to the permit.

If you require any further information, please contact me on the number below.

Yours sincerely

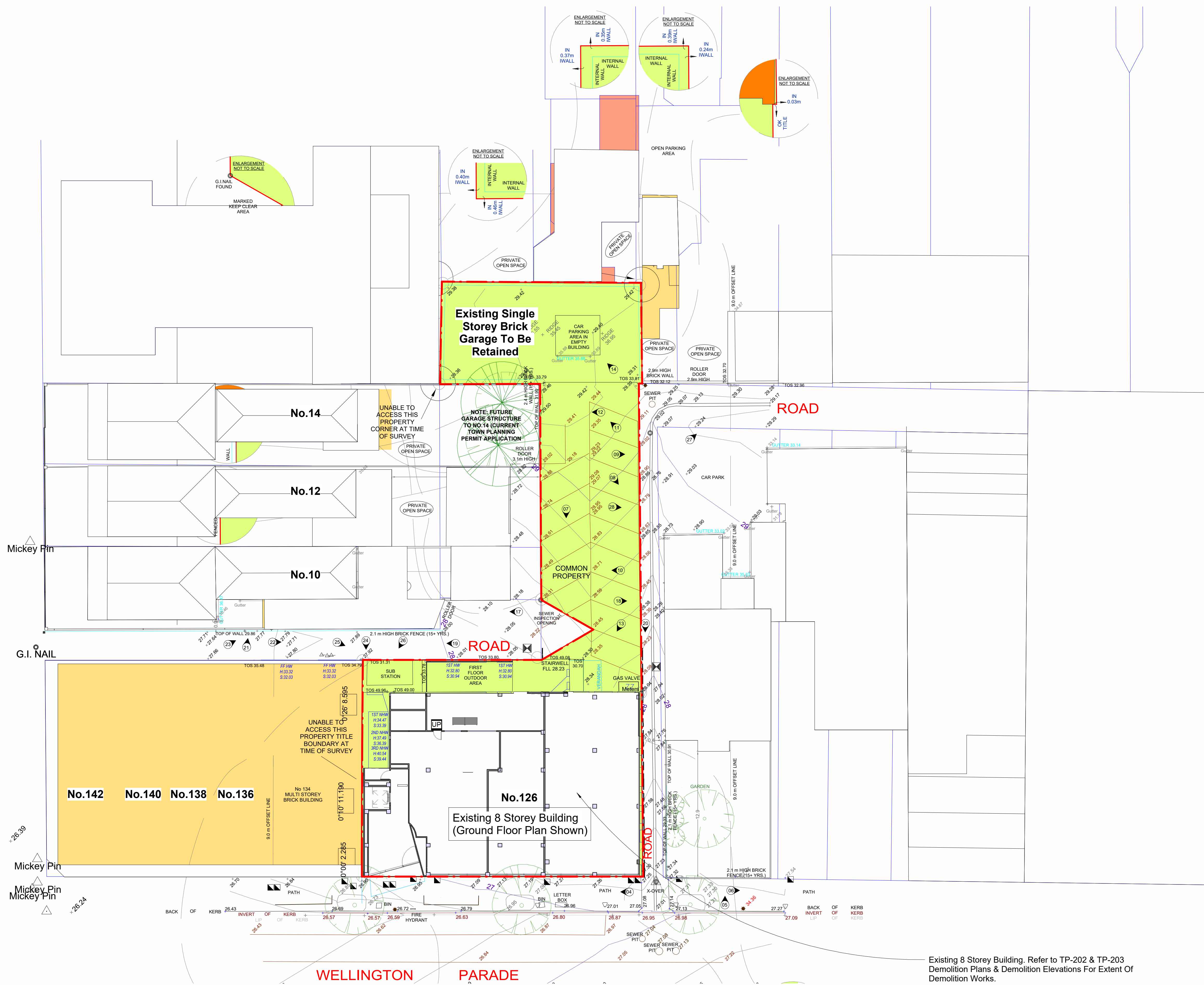
Nina Marshallsea

Nina Marshallsea

Senior Urban Planner

CoM reference TP-2018-80

POWLETT STREET



Legend

UNCLASS PIT	LIGHT POLE
TRAFFIC SIGNAL PIT	ELEC. POLE/LIGHT
TRAFFIC SIGNAL POLE	ELEC. MARKER POST
BOLLARD	JUNCTION PIT
GRATED PIT	GAS & FUEL VALVE
WATER METER	SIGN
ELECTRICITY POLE	TITLE PEG
ELECTRICITY PIT	TELECOM PIT
FIRE HYDRANT	TREE
GATE	TRAFFIC SIGNAL BOX
GAS METER	SIDE ENTRY PIT (SEP)
SEWERAGE PIT	SEWER INSPECTION OUTLET
STOP VALVE	

OVERHEAD E ELECTRICITY E

LAND ENCLOSED BY THICK CONTINUOUS LINE SHOWN AS AND HATCHED REPRESENTS LAND THAT HAS BEEN RE-ESTABLISHED BY THIS SURVEY.

DIGITAL CADASTRAL MAP BASE:
LINE SHOWN AS HAS BEEN DERIVED FROM VICMAP DIGITAL DATA AND IS FOR INFORMATION PURPOSE ONLY. THE ACCURACY OF THIS DATA IS ±0.5m AND THERE IS NO GUARANTEE THAT THIS DATA IS CORRECT AT TIME OF REPRODUCTION.

SURVEY DATUM:
LEVELS SHOWN THUS ARE TO A.H.D.
MMB 420 - (RL 30.505 m VIDE SMES)

CONTOURS:
MINOR CONTOUR INTERVAL: 0.20m
MAJOR CONTOUR INTERVAL: 1.00m

GENERAL NOTES:
DENOTES PHOTO REFERENCE
T.O.S. STANDS FOR THE TOP OF STRUCTURE
F.F.L. STANDS FOR FINISHED FLOOR LEVEL
WINDOWS AND DOORS:
HW STANDS FOR HABITABLE WINDOW
NH/W STANDS FOR NON HABITABLE WINDOW
D STANDS FOR DOOR

Existing 8 Storey Building. Refer to TP-202 & TP-203 Demolition Plans & Demolition Elevations For Extent Of Demolition Works.

Consultant Address Address Phone Phone Fax e-mail
Consultant Address Address Phone Phone Fax e-mail

No.	Description	Date
1	TP-2018-80 REF 12 Feb 2018	19-02-2018
2	Area as per plan approved by services engineers & per site measure	24-08-2018
3	External Facade Aesthetic & Materials Revised	03-07-2019

{Co-lab}
ARCHITECTURE
2/21 Waterloo Rd Collingwood
Phone: (03) 9038 8808
Email: kane@colabarchitects.com.au
ABN: 97 150 968 497

PROJECT
126 Wellington Parade.
126 Wellington Pde, East Melbourne, Vic 3002
DRAWING TITLE
Existing Site Plan

PROJECT NO.
16.004
Drawn by SY
Checked by KB
PRINTED:
Scale@A1
Issue Date
1 : 200

DRAWING NUMBER
TP-201
REVISION
3


26/01/2022 4:03:20 PM



Consultant
Address
Address
Phone
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e-mail

Consultant
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LEGEND
Demolition
Plans & Elevations

 Existing To Be Demolished

No.	Description	Date
1	TP-2018-80 REF 1.2 Feb 2018	19-02-2018
2	Area as per plan approved by services engineers & as per site measure	24-08-2018
3	External Facade Aesthetic & Materials Revised	03-07-2019

{Co-lab}
ARCHITECTURE
2/21 Waterloo Rd Collingwood
Phone: (03) 9038 8808
Email: kane@colabarchitects.com.au
ABN: 97 150 968 497

PROJECT
126 Wellington Parade.
126 Wellington Pde, East Melbourne, Vic
3002

DRAWING TITLE
Demolition Plans GF

PROJECT NO.
16.004

Drawn by
SY

Checked by
KB

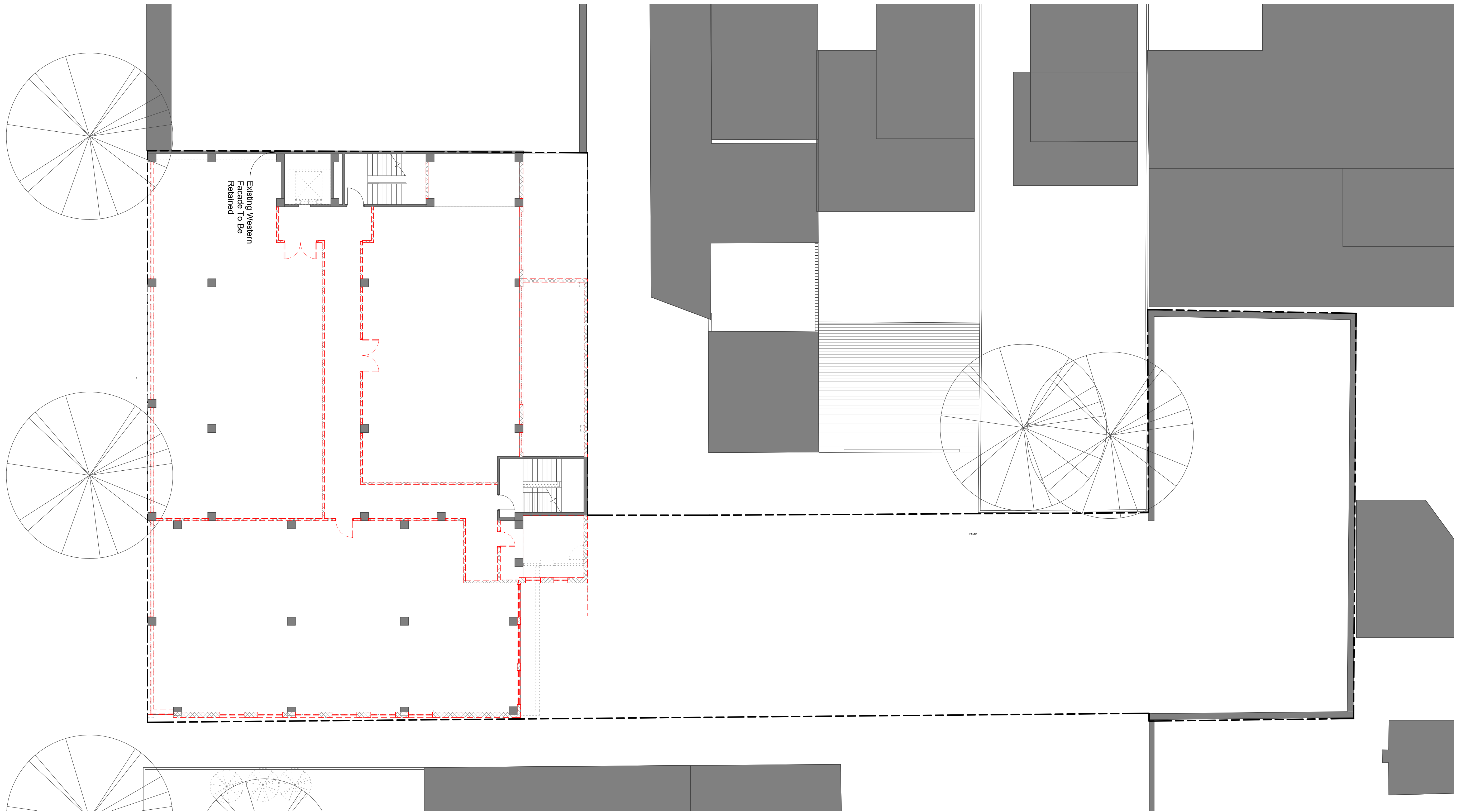
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Issue Date
1 : 100

DRAWING NUMBER
TP-210

REVISION
3


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LEGEND
Demolition
Plans & Elevations

 Existing To Be Demolished

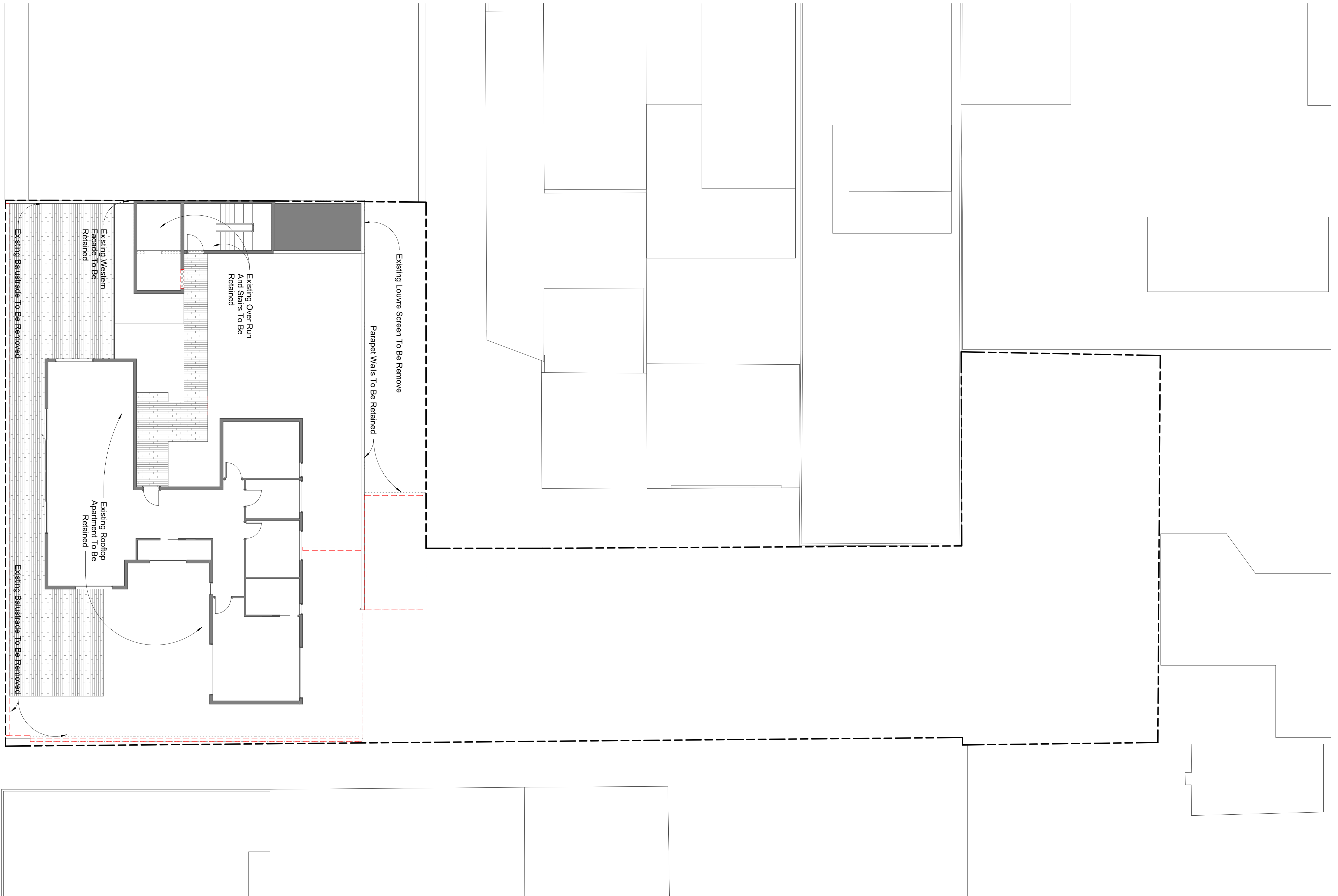
No.	Description	Date
1	TP-2018-80 REF 12 Feb 2018	19-02-2018

{Co-lab}
ARCHITECTURE
2/21 Waterloo Rd Collingwood
Phone: (03) 9038 8808
Email: kane@colabarchitects.com.au
ABN: 97 150 968 497

PROJECT
126 Wellington Parade.
126 Wellington Pde, East Melbourne, Vic
3002
DRAWING TITLE
**Demolition Plans Typical
Floor**

PROJECT NO.
16.004
Drawn by
SY
Checked by
KB
PRINTED:
Scale@A1
Issue Date
1 : 100


DRAWING NUMBER
TP-211
REVISION
1



Consultant
Address
Address
Phone
Phone
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e-mail

Consultant
Address
Address
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Fax
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LEGEND
Demolition
Plans & Elevations

 Existing To Be Demolished

No.	Description	Date
1	TP-2018-80 REF 12 Feb 2018	19-02-2018

{Co-lab}
ARCHITECTURE
2/21 Waterloo Rd Collingwood
Phone: (03) 9038 8808
Email: kane@colabarchitects.com.au
ABN: 97 150 968 497

PROJECT
126 Wellington Parade.
126 Wellington Pde, East Melbourne, Vic
3002

DRAWING TITLE
Demolition Plans 7th F

PROJECT NO.
16.004

Drawn by
SY

Checked by
KB

PRINTED:
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Issue Date
1 : 100

DRAWING NUMBER
TP-212

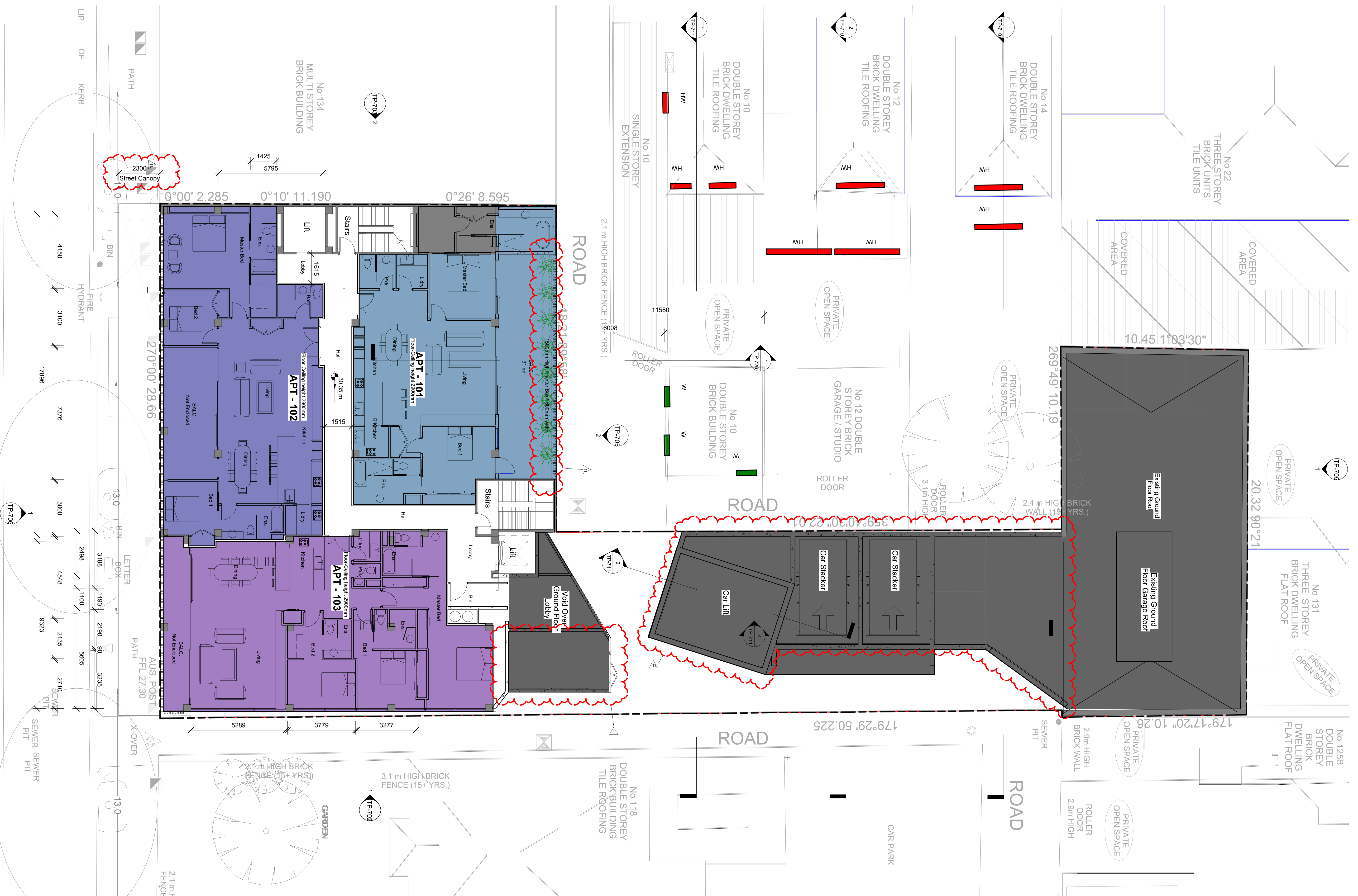
REVISION
1

WELLINGTON PARADE



LEGEND

- HW - HABITABLE WINDOW
- W - WINDOW (room type unknown)



Consultant
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LEGEND

■ H/W - HABITABLE WINDOW

■ W - WINDOW (room type unknown)

No.	Description	Date

{Co-lab}
ARCHITECTURE

2/21 Waterloo Rd Collingwood
Phone: (03) 9038 8808
Email: kane@colabarchitects.com.au
ABN: 97 150 968 497

PROJECT
126 Wellington Parade.
126 Wellington Pde, East Melbourne, Vic
3002

DRAWING TITLE
Proposed 1st Floor Plan

PROJECT NO.
16.004

Drawn by **SY** Checked by **KB**

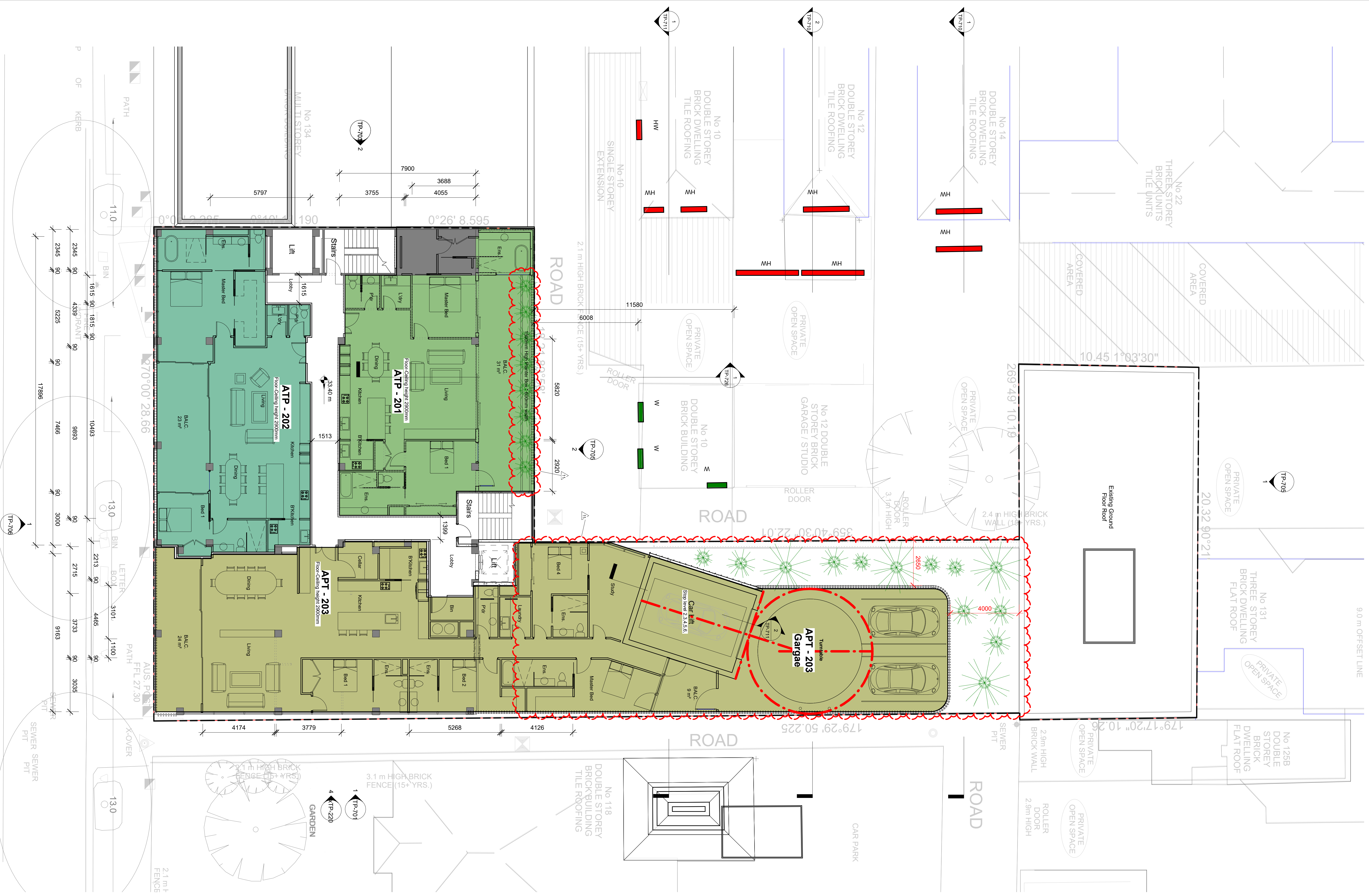
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DRAWING NUMBER
TP-502

REVISION
11

WELLINGTON PARADE



Consultant
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e-mail

Consultant
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e-mail

LEGEND

H/W - HABITABLE WINDOW

W - WINDOW (room type unknown)

No.	Description	Date

{Co-lab}
ARCHITECTURE

2/21 Waterloo Rd Collingwood
Phone: (03) 9038 8808
Email: kane@colabarchitects.com.au
ABN: 97 150 968 497

PROJECT
126 Wellington Parade.
126 Wellington Pde, East Melbourne, Vic
3002

DRAWING TITLE
Proposed 2nd Floor Plan

PROJECT NO.
16.004

Drawn by
SY

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KB

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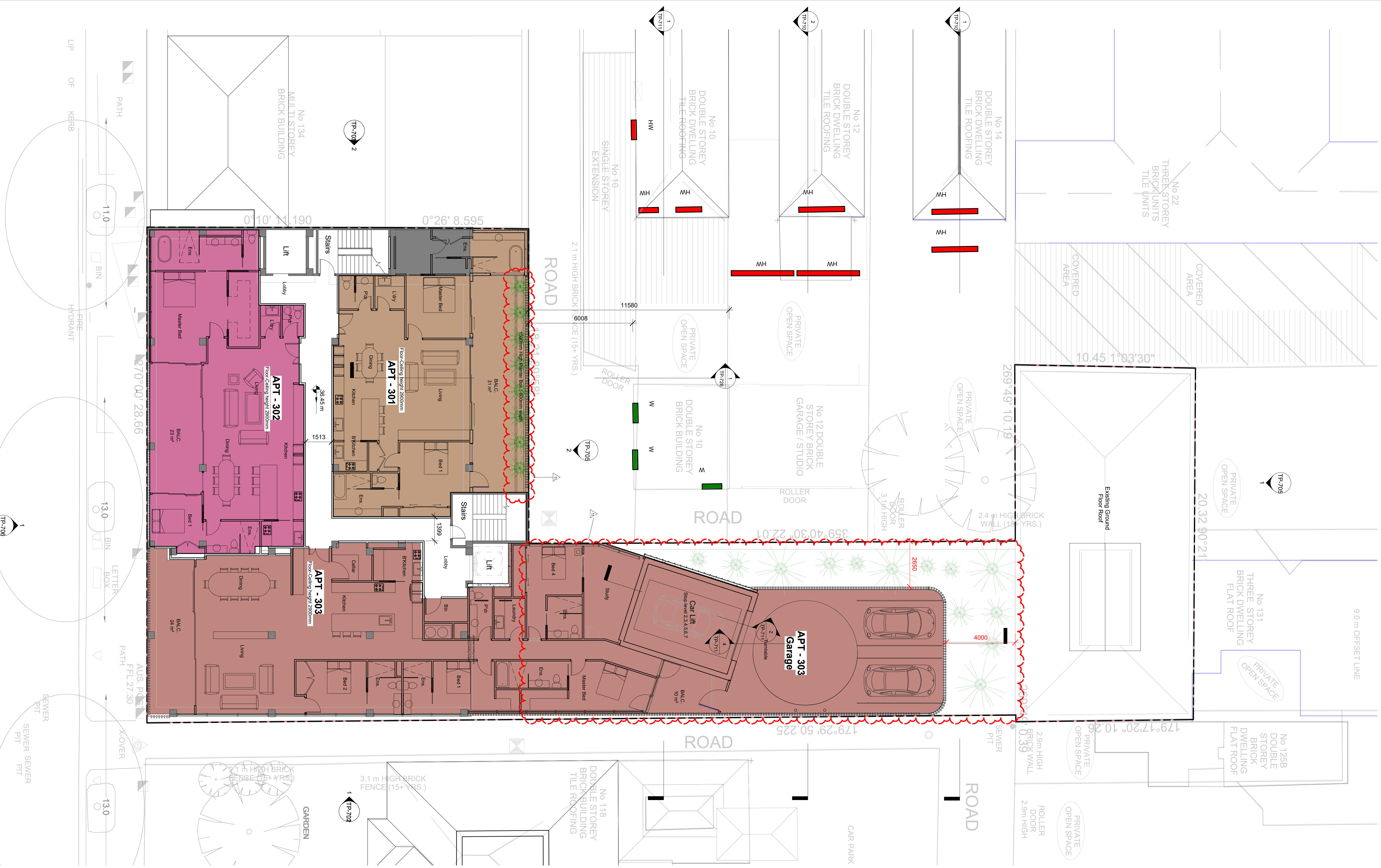
Issue Date
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DRAWING NUMBER
TP-503

REVISION
11

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WELLINGTON PARADE



Consultant Address
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LEGEND

H/W - HABITABLE WINDOW

W - WINDOW (room type unknown)

No.	Description	Date

{Co-lab}
 ARCHITECTURE

2/21 Waterloo Rd Collingwood
 Phone: (03) 9038 8808
 Email: kane@colabarchitects.com.au
 ABN: 97 150 968 497

PROJECT
 126 Wellington Parade.
 126 Wellington Pde, East Melbourne, Vic
 3002

DRAWING TITLE
 Proposed 3rd Floor Plan

PROJECT NO.
 16.004

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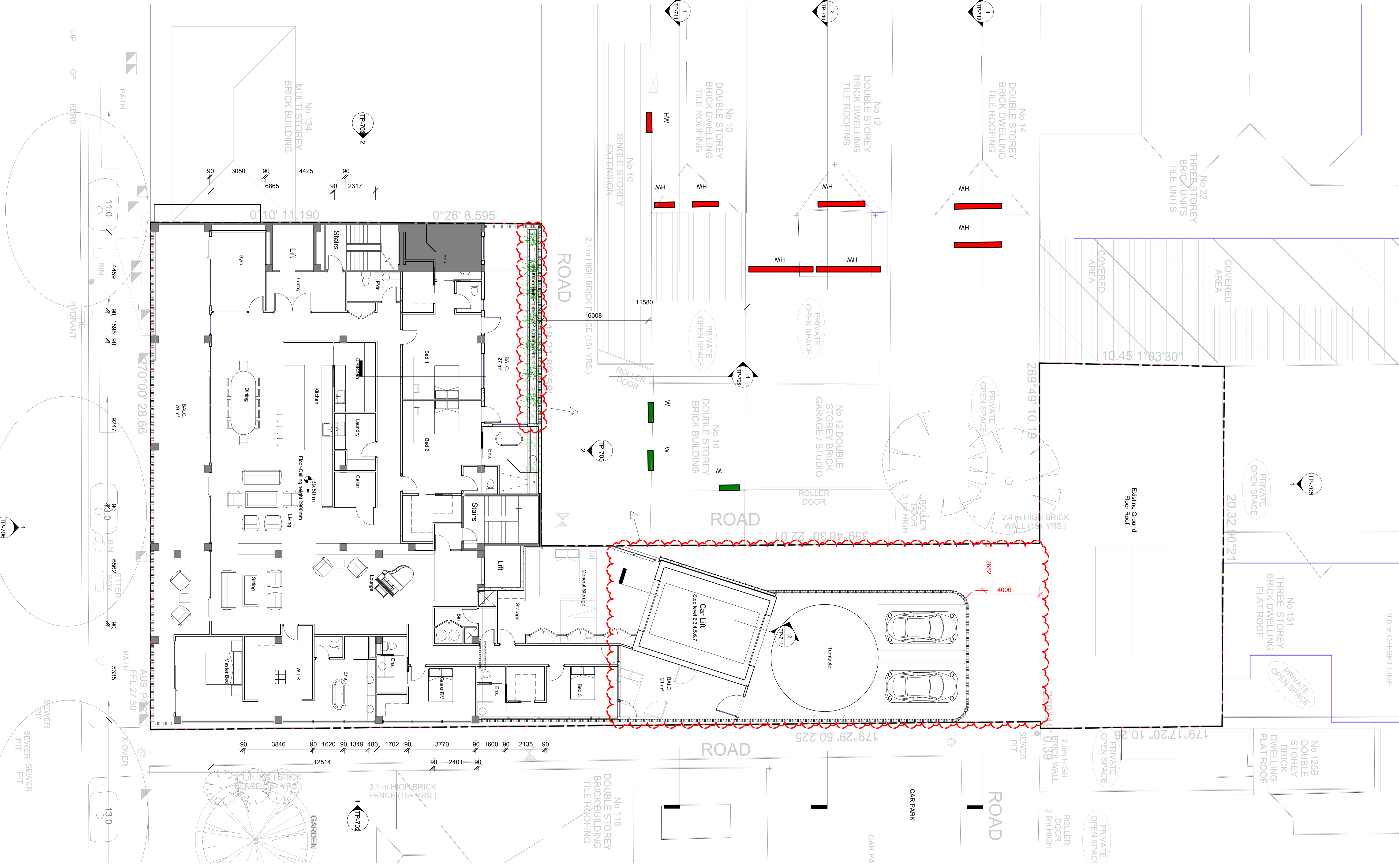
Issue Date
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DRAWING NUMBER
 TP-504

REVISION
 11

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WELLINGTON PARADE



Consultant
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e-mail

LEGEND

H/W - HABITABLE WINDOW

W - WINDOW (room type unknown)

No.	Description	Date

{Co-lab}
ARCHITECTURE

2/21 Waterloo Rd Collingwood
Phone: (03) 9038 8808
Email: kane@colabarchitects.com.au
ABN: 97 150 968 497

PROJECT
126 Wellington Parade.
126 Wellington Pde, East Melbourne, Vic
3002

DRAWING TITLE
**Proposed 4th Floor
Penthouse**

PROJECT NO.
16.004

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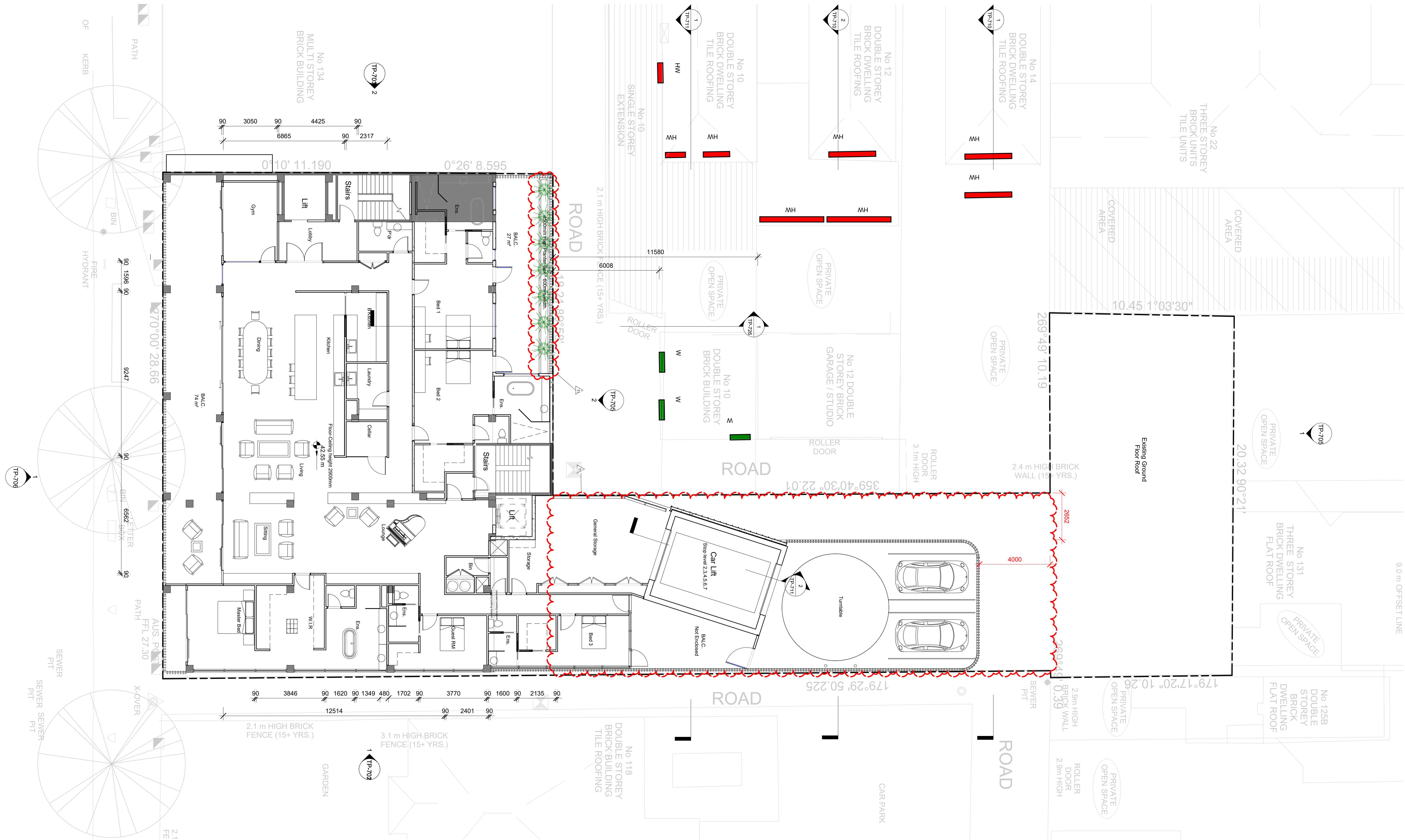
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DRAWING NUMBER
TP-505

REVISION
11

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LEGEND

H/W - HABITABLE WINDOW

W - WINDOW (room type unknown)

No.	Description	Date

{Co-lab}
ARCHITECTURE

2/21 Waterloo Rd Collingwood
Phone: (03) 9038 8808
Email: kane@colabarchitects.com.au
ABN: 97 150 968 497

PROJECT
126 Wellington Parade.
126 Wellington Pde, East Melbourne, Vic
3002

DRAWING TITLE
**Proposed 5th Floor
Penthouse**

PROJECT NO.
16.004

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SY

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PRINTED: _____ Issue Date _____

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DRAWING NUMBER
TP-506

REVISION
11

WELLINGTON PARADE



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LEGEND

- H/W - HABITABLE WINDOW
- W - WINDOW (room type unknown)

No.	Description	Date

{Co-lab}
ARCHITECTURE

2/21 Waterloo Rd Collingwood
Phone: (03) 9038 8808
Email: kane@colabarchitects.com.au
ABN: 97 150 968 497

PROJECT
126 Wellington Parade.
126 Wellington Pde, East Melbourne, Vic
3002

DRAWING TITLE
Proposed 6th Floor
Penthouse

PROJECT NO.
16.004

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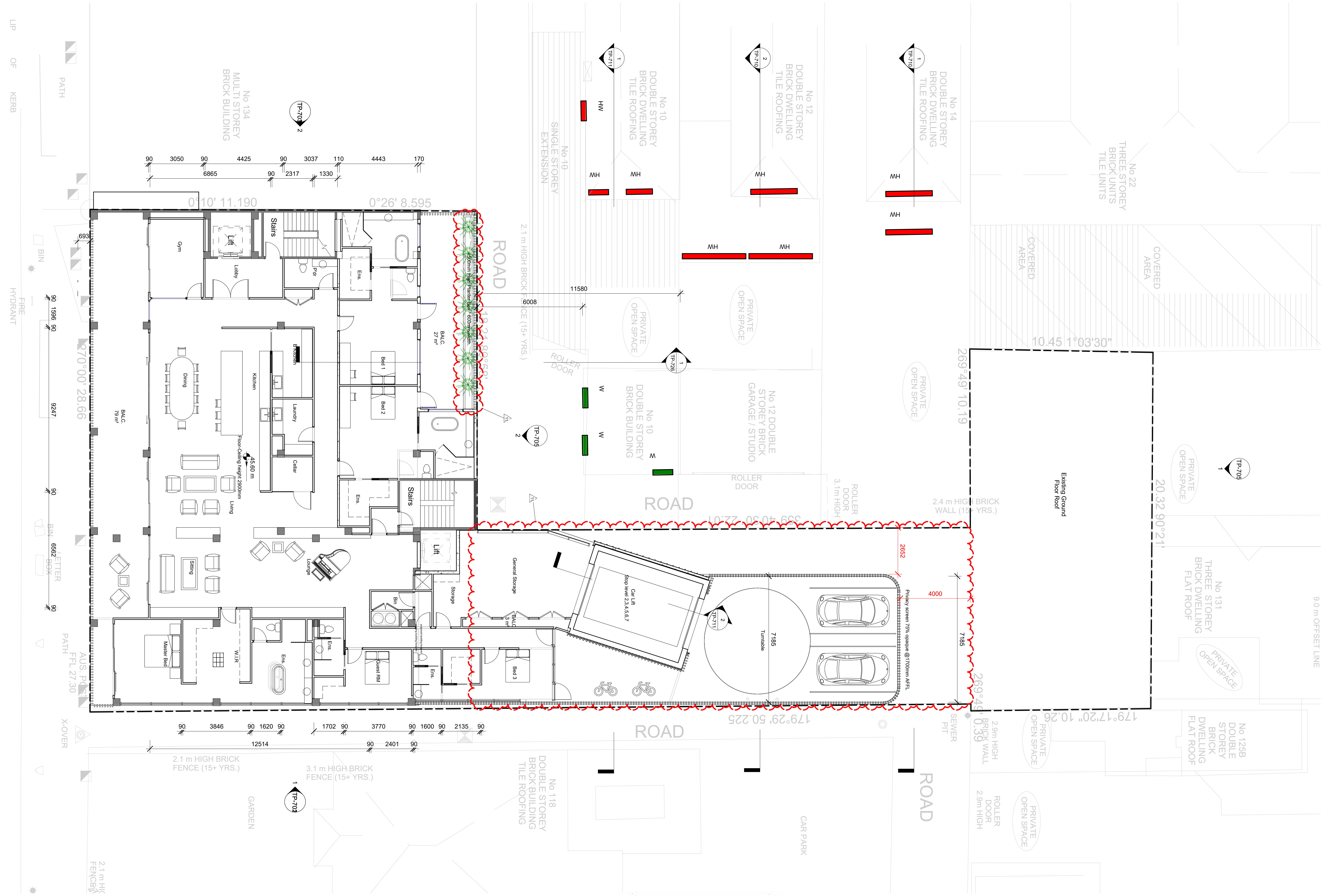
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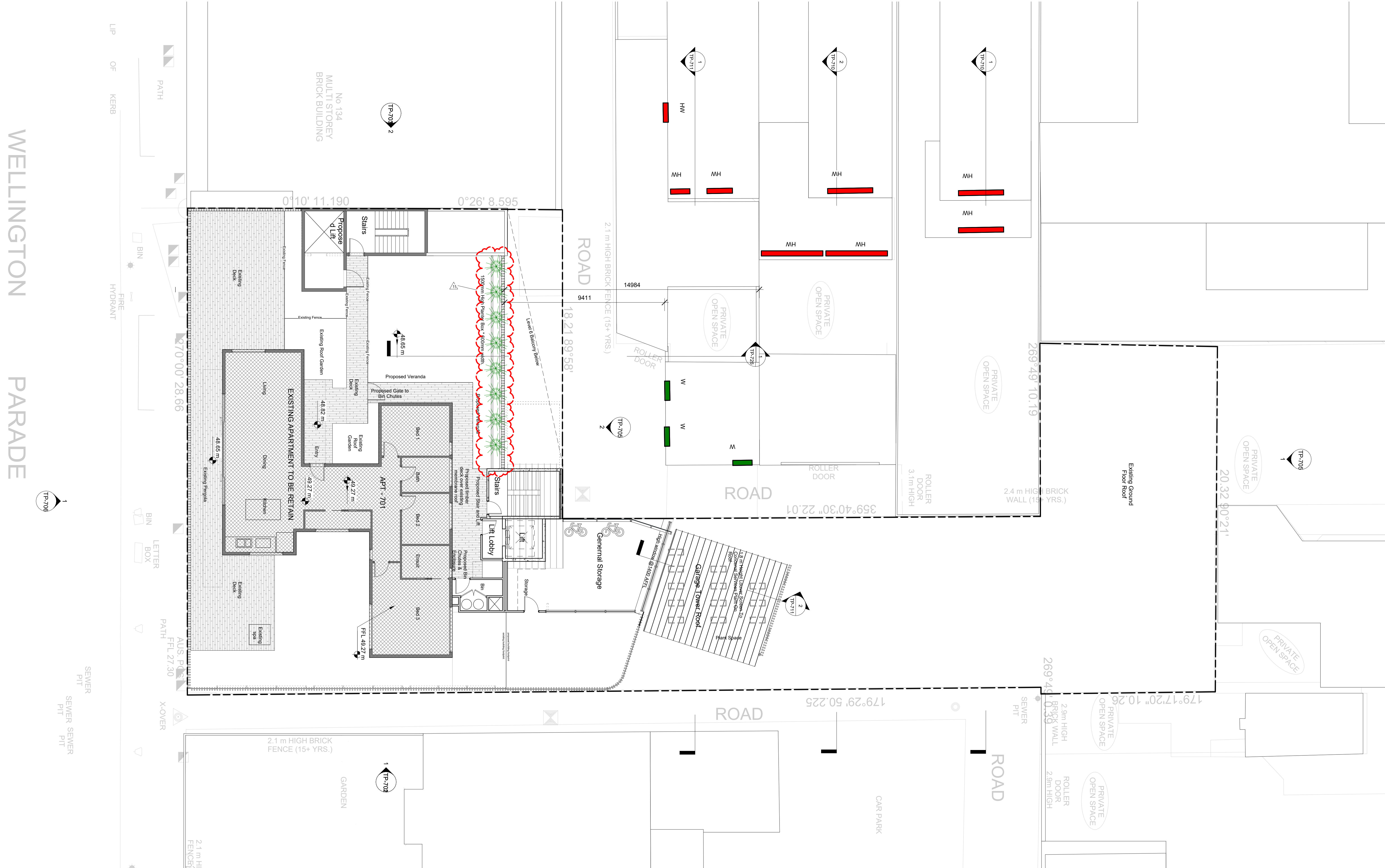
DRAWING NUMBER
TP-507

REVISION
11

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WELLINGTON PARADE



Consultant Address
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LEGEND

H/W - HABITABLE WINDOW

W - WINDOW (room type unknown)

No.	Description	Date

{Co-lab}
 ARCHITECTURE

2/21 Waterloo Rd Collingwood
 Phone: (03) 9038 8808
 Email: kane@colabarchitects.com.au
 ABN: 97 150 968 497

PROJECT
 126 Wellington Parade.
 126 Wellington Pde, East Melbourne, Vic
 3002

DRAWING TITLE
 Proposed 7th Floor

PROJECT NO.
 16.004

Drawn by
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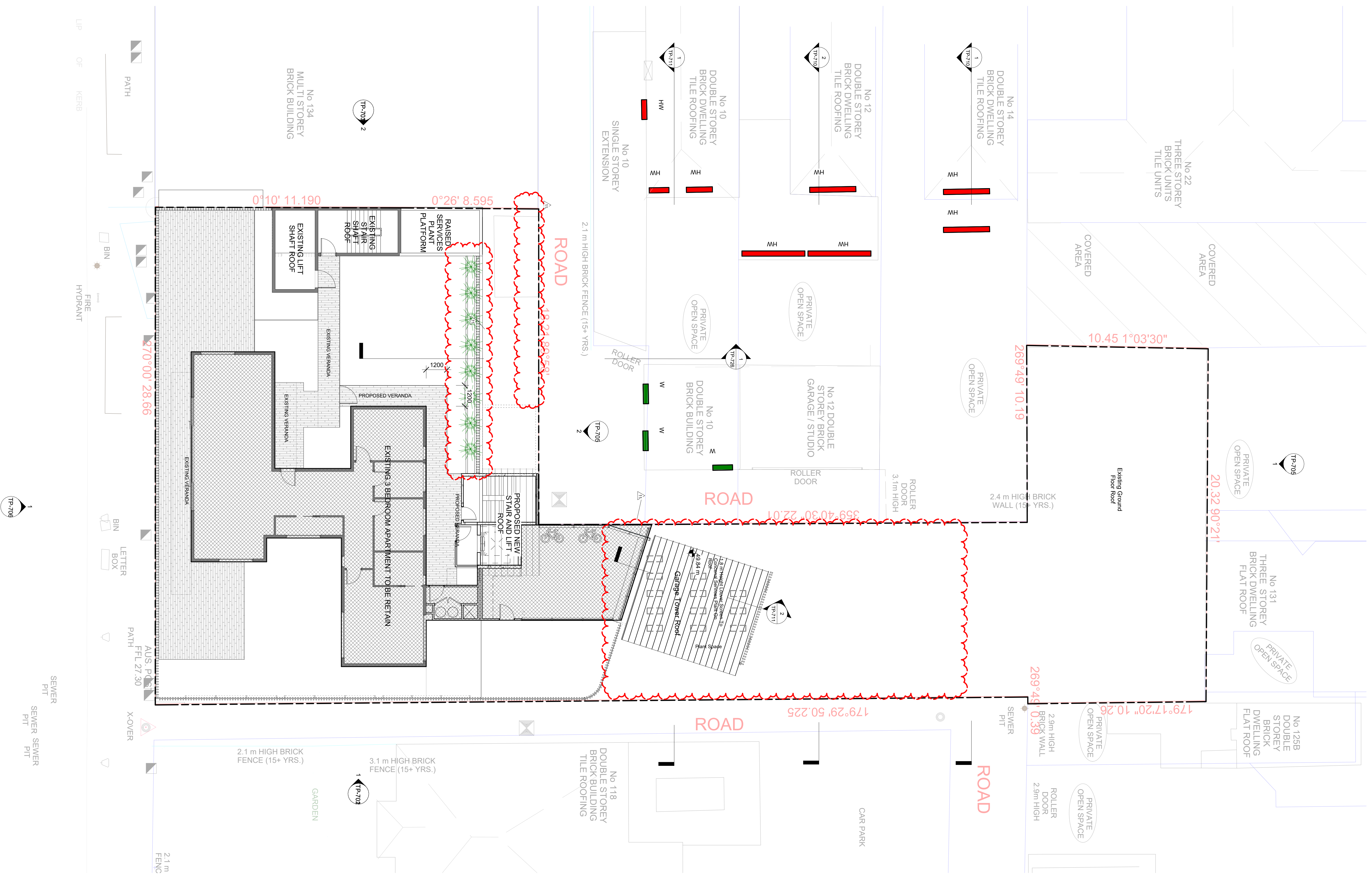
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Issue Date
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DRAWING NUMBER
 TP-508

REVISION
 11

WELLINGTON PARADE



Consultant
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LEGEND

■ H/W - HABITABLE WINDOW

■ W - WINDOW (room type unknown)

No.	Description	Date
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{Co-lab}
ARCHITECTURE

2/21 Waterloo Rd Collingwood
Phone: (03) 9038 8808
Email: kane@colabarchitects.com.au
ABN: 97 150 968 497

PROJECT
126 Wellington Parade.
126 Wellington Pde, East Melbourne, Vic
3002

DRAWING TITLE
Proposed Roof Plan

PROJECT NO.
16.004

Drawn by
SY

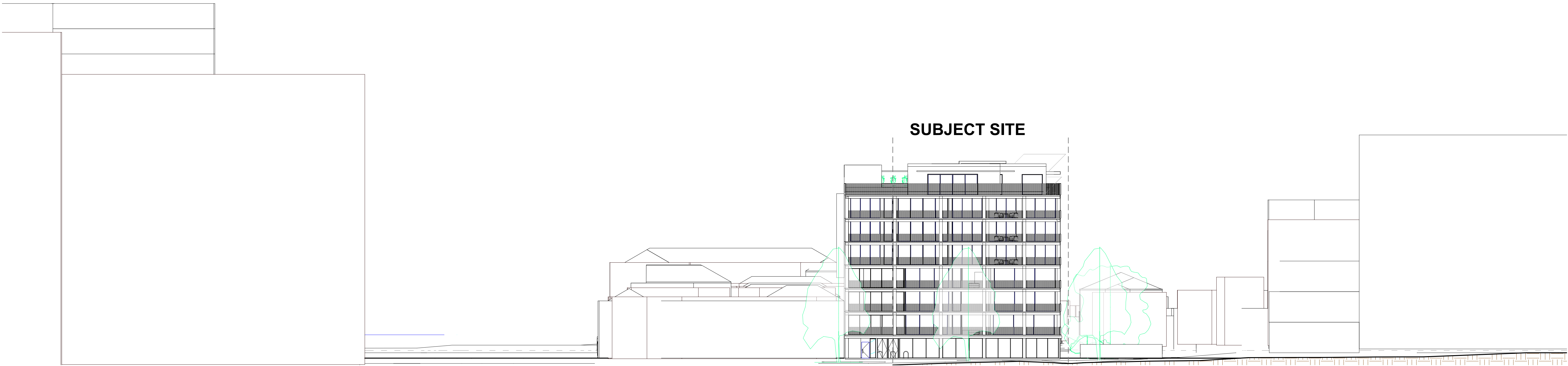
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PRINTED:
Scale@A1

Issue Date
1 : 100

DRAWING NUMBER
TP-509

REVISION
11



1 Street Elevation - Proposed
1 : 250



2 Street Elevation - Existing
1 : 200

Consultant
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Fax
e-mail

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No.	Description	Date
1	TP-2018-80 REF 1.2 Feb 2018	19-02-2018
2	Area as per plan approved by services engineers & as per site measure	24-08-2018
3	External Facade Aesthetic & Materials Revised	03-07-2019
6	Revision 6 Per 122 Wellington Parade - Team Strategy Meeting - 10545 Surrounding building added: 1 powder news 88-108 Wellington Pde. 10545	16-10-2020
8	REVISION 8 Per 122 Wellington Parade - Team Strategy Meeting - 10545 17-11-2020	17-11-2020

{Co-lab}
ARCHITECTURE
2/21 Waterloo Rd Collingwood
Phone: (03) 9038 8808
Email: kane@colabarchitects.com.au
ABN: 97 150 968 497

PROJECT
126 Wellington Parade.
126 Wellington Pde, East Melbourne, Vic
3002

DRAWING TITLE
PhotoGraphic Elevation

PROJECT NO.
16.004

Drawn by
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Checked by
KB

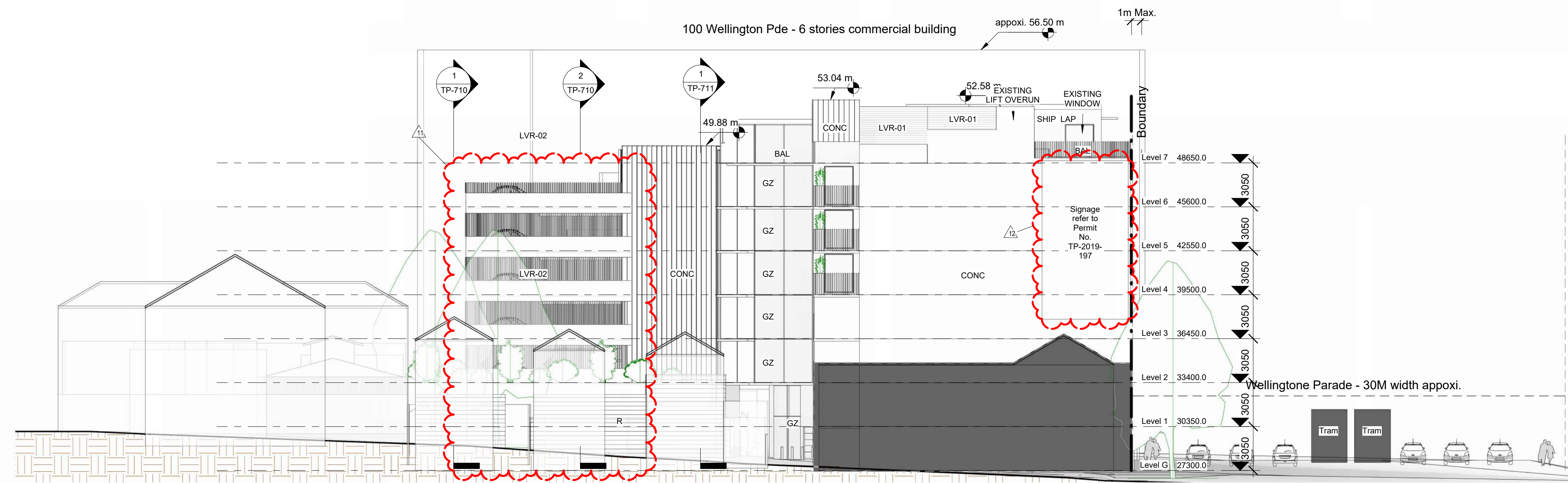
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Issue Date
As indicated

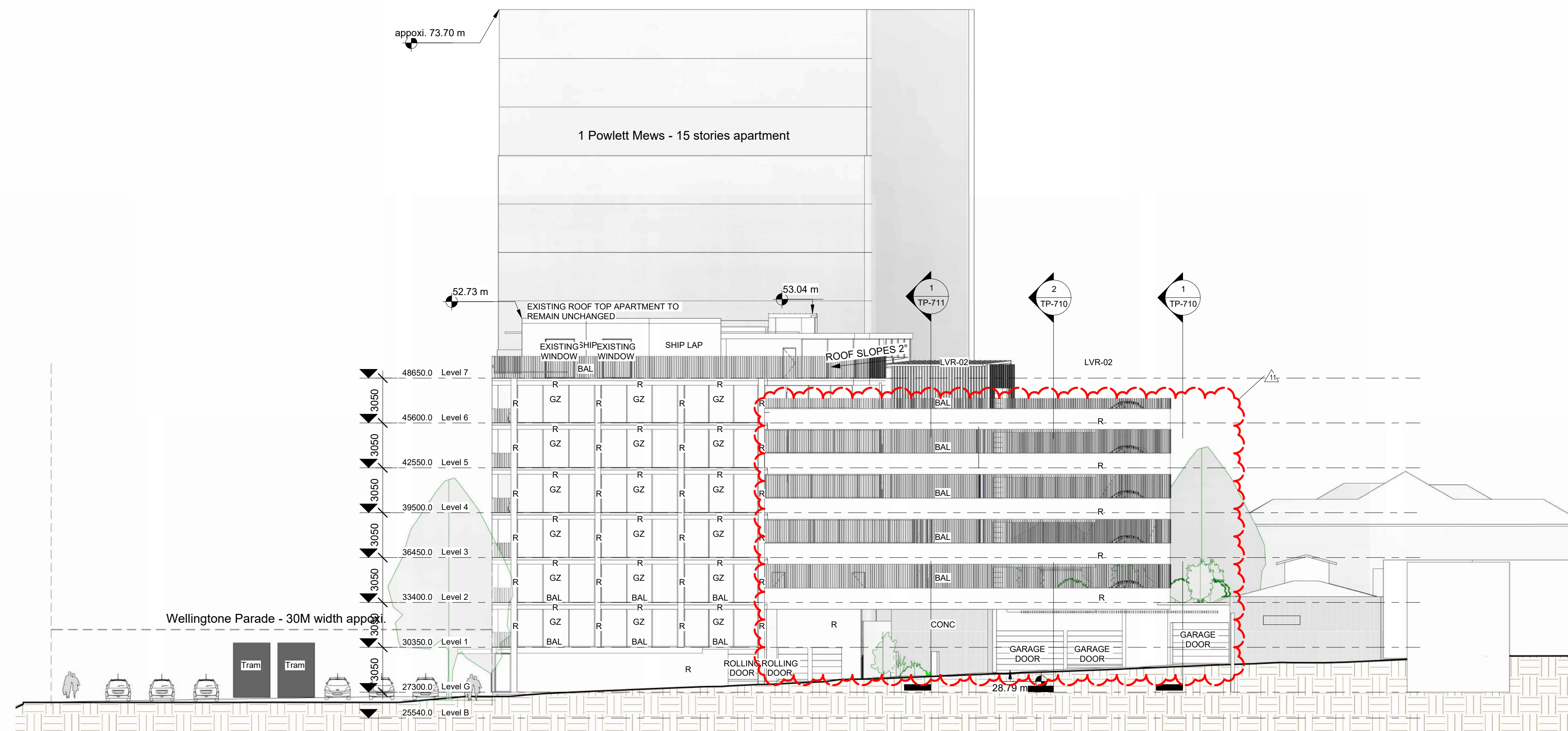
DRAWING NUMBER
TP-700

REVISION
8

26/01/2022 4:03:58 PM



2 West Elevation 1to200
1 : 200



1 East Elevation 1to200
1 : 200

No.	Description	Date
5	Revision 05 -Vehicle Lift specification attached. -Lift headroom amended. -Lift shaft roof slope amended. -TP711 added.	21-09-2020
10	Revision 10 -Marking from Human habitats May 25, 2021, 10:22 AM -Level 7 car lift space deleted -related rendering images updated.	04-06-2021
11	1. Roof to level 6 car park structure removed. Car park to be open to sky. 2. Floor plates to upper levels of car park reduced to minimum required by traffic engineer. 3. All upper levels of car park reduced to same size. 4. Northern facade of car park moved south. 5. Lane access increased to 3500mm from traffic engineer. 6. Swept path information included from traffic engineer. 7. Car lift reduced to exact specifications and relocated in line with traffic engineer advice. 8. Apartment layout adjacent to car lift revised to create sound buffer for potential noise. 9. Planter box attachments added to north balconies to restrict overlooking to Powell at POS. Overlooking sections added, showing effect. 10. Sectional line drawings amended to reflect above changes. 11. Render/Photo montages amended to reflect above changes.	24_01_2022
12	Signage permit information added.	26-01-2022

All work shall conform to the specification and other relevant drawings.
Figured dimensions take precedence over scaled dimensions.
Check all dimensions on site.
Project NO.
16.004

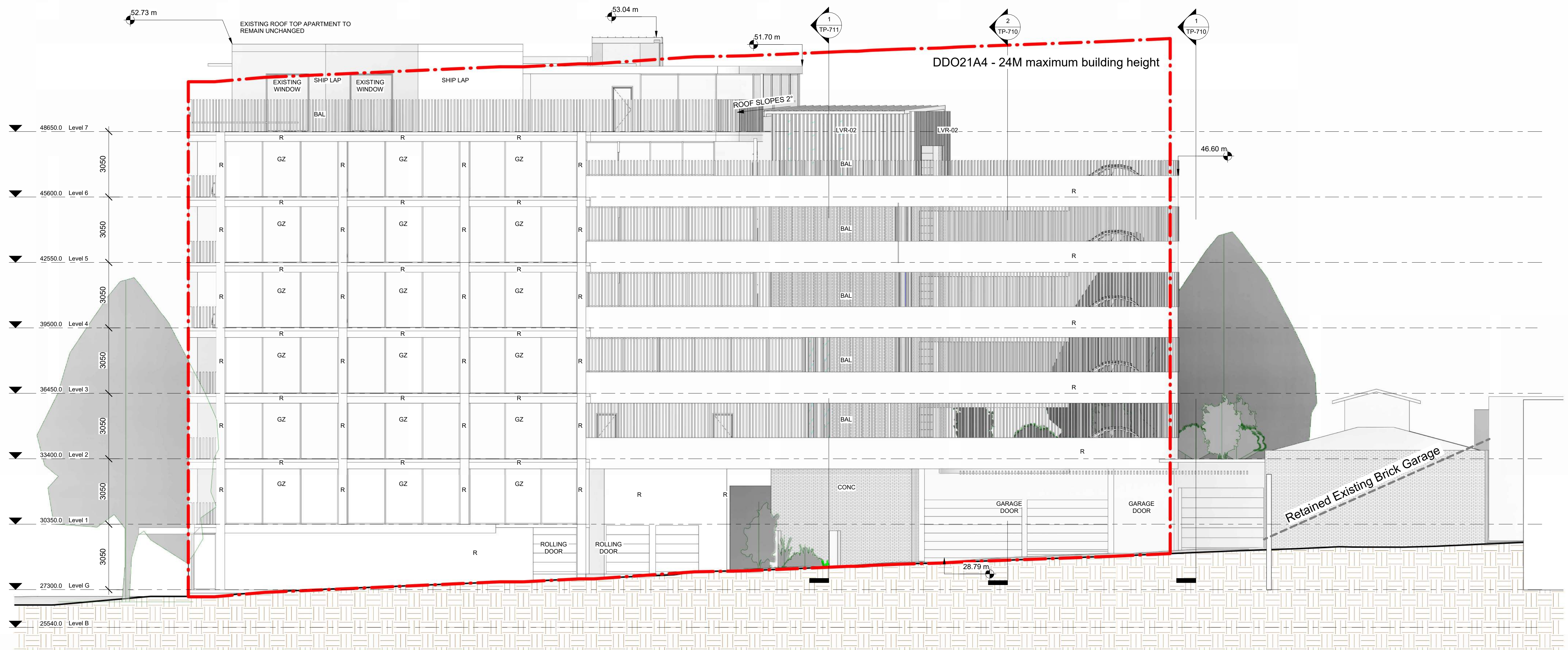
PROJECT
126 Wellington Parade.
126 Wellington Pde, East Melbourne, Vic 3002

Streetscape Elevation

Drawn by SY Checked by KB

Printed: Scale@A1 Issue Date 1 : 200

DRAWING NUMBER TP-701 REVISION 12



1 East Elevation
1 : 100

Material Schedule

BW-01 Red brick 	BAL Charcoal Colour Aluminium Battens 	SHIPLAP Existing shiplap cladding. Colour: Charcoal 	R Render to match smooth off form concrete 	GZ Glazed window/door. Frame colour: Charcoal 	LVR-01 Existing Metal louvres. Colour: Charcoal 	CONC Concrete look render with grooved chevron pattern 	LVR-02 New metal louvres. Colour: Charcoal 
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NOTE(S):
-Refer to material schedule on sheet TP-901 in conjunction with elevations.

No.	Description	Date
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{Co-lab}
 ARCHITECTURE
 2/21 Waterloo Rd Collingwood
 Phone: (03) 9038 8808
 Email: kane@colabarchitects.com.au
 ABN: 97 150 968 497

PROJECT
126 Wellington Parade.
 126 Wellington Pde, East Melbourne, Vic 3002
 DRAWING TITLE
Proposed Elevation E

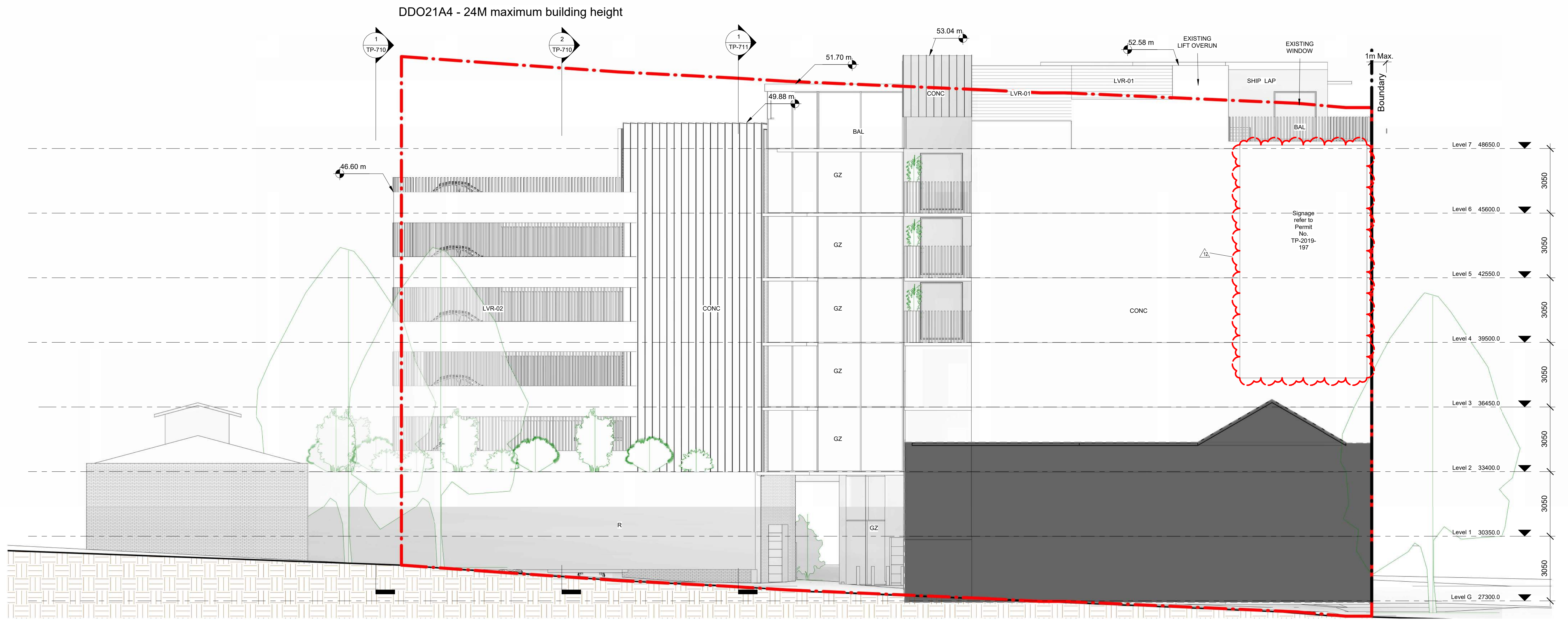
PROJECT NO.
16.004
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 Issue Date
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DRAWING NUMBER
TP-702
 REVISION
11

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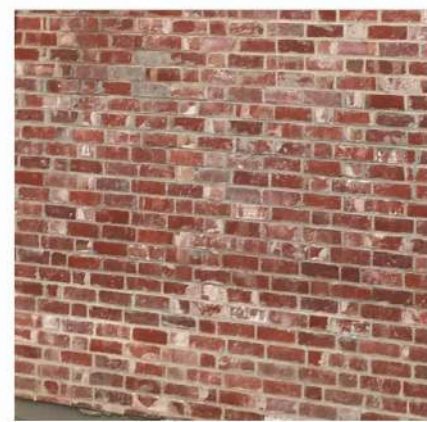
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4 West Elevation
1 : 100

Material Schedule

BW-01
Red brick



BAL
Charcoal Colour Aluminium Battens



SHIPLAP
Existing shiplap cladding. Colour: Charcoal



R
Render to match smooth off form concrete



GZ
Glazed window/door. Frame colour: Charcoal



LVR-01
Existing Metal louvres. Colour: Charcoal



CONC
Concrete look render with grooved chevron pattern



LVR-02
New metal louvres. Colour: Charcoal



NOTE(S):
-Refer to material schedule on sheet TP-901 in conjunction with elevations.

No.	Description	Date
12	Signage permit information added.	26-01-2022

{Co-lab}
ARCHITECTURE
2/21 Waterloo Rd Collingwood
Phone: (03) 9038 8808
Email: kane@colabarchitects.com.au
ABN: 97 150 968 497

PROJECT
126 Wellington Parade.
126 Wellington Pde, East Melbourne, Vic
3002
DRAWING TITLE
Proposed Elevation W

PROJECT NO.
16.004
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Issue Date
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DRAWING NUMBER
TP-703

REVISION
12

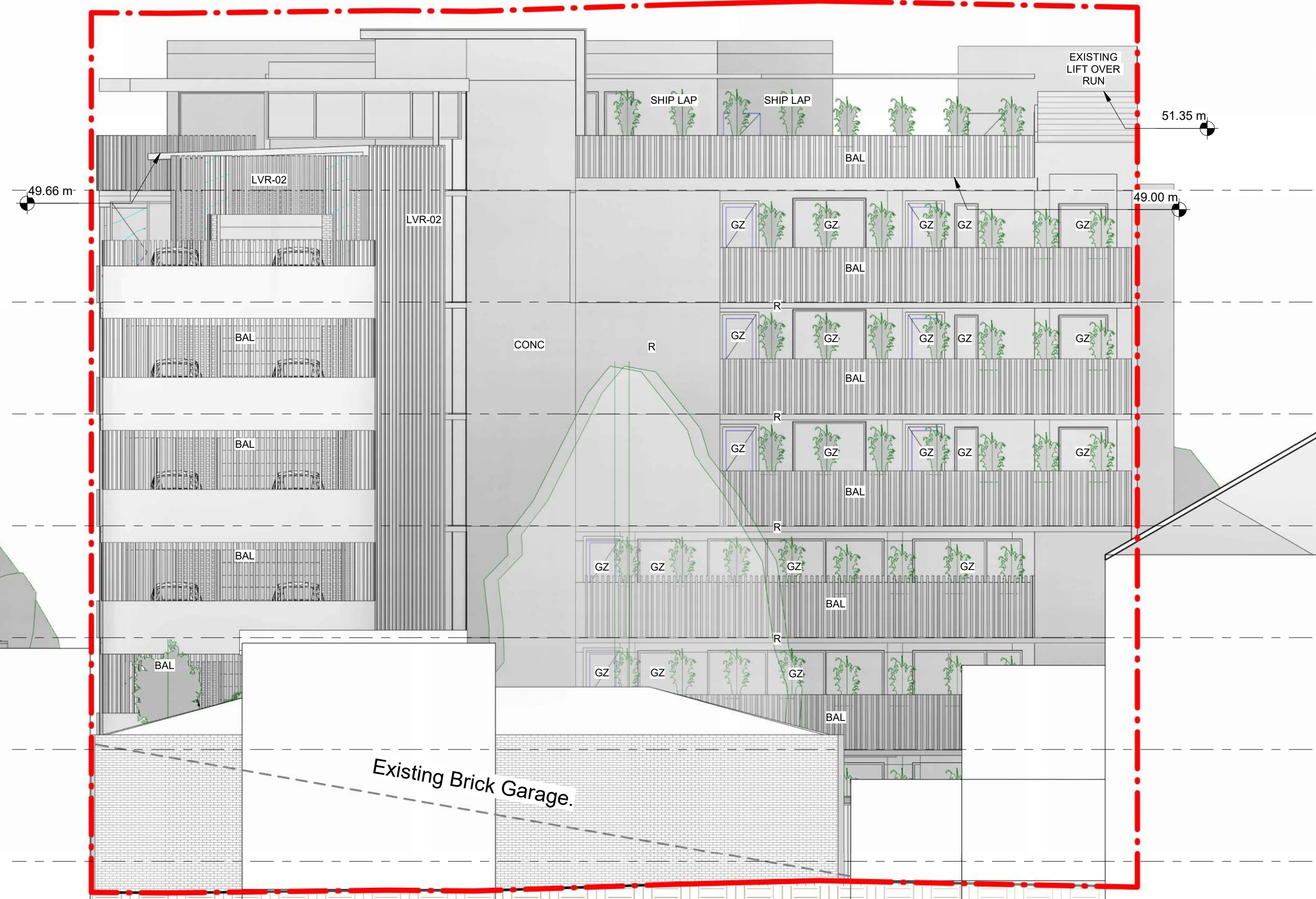
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DDO21A4 - 24M maximum building height



1 North Elevation
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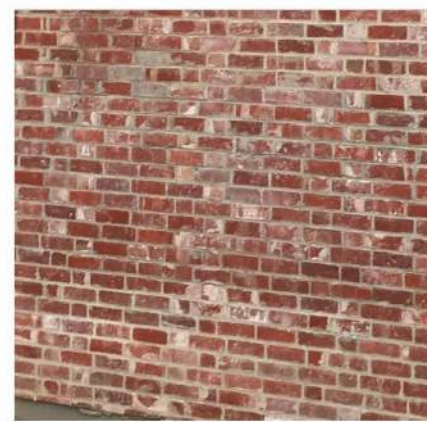
DDO21A4 - 24M maximum building height



2 North Section
1:100

Material Schedule

BW-01
Red brick



BAL
Charcoal Colour Aluminium Battens



SHIPLAP
Existing shiplap cladding. Colour: Charcoal



R
Render to match smooth off form concrete



GZ
Glazed window/door. Frame colour: Charcoal



LVR-01
Existing Metal louvres. Colour: Charcoal



CONC
Concrete look render with grooved chevron pattern



LVR-02
New metal louvres. Colour: Charcoal



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{Co-lab}
ARCHITECTURE
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Email: kane@colabarchitects.com.au
ABN: 97 150 968 497

PROJECT
126 Wellington Parade.
126 Wellington Pde, East Melbourne, Vic
3002
DRAWING TITLE
Proposed Elevation N

PROJECT NO.
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DRAWING NUMBER
TP-705
REVISION
11

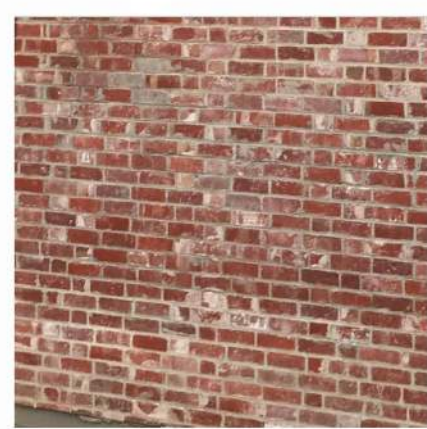


1 South Elevation

1:100

Material Schedule

BW-01
Red brick



BAL
Charcoal Colour Aluminium Battens



SHIPLAP
Existing shiplap cladding. Colour: Charcoal



R
Render to match smooth off form concrete



GZ
Glazed window/door. Frame colour: Charcoal



LVR-01
Existing Metal louvres. Colour: Charcoal



CONC
Concrete look render with grooved chevron pattern



LVR-02
New metal louvres. Colour: Charcoal



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No.	Description	Date
8	REVISION 8 Pw: 122 Wellington Parade - Team Strategy Meeting 10540 17-11-2020	17-11-2020

{Co-lab}
ARCHITECTURE
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PROJECT
126 Wellington Parade.
126 Wellington Pde, East Melbourne, Vic
3002

DRAWING TITLE
Proposed Elevation S

PROJECT NO.
16.004

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Issue Date
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DRAWING NUMBER
TP-706

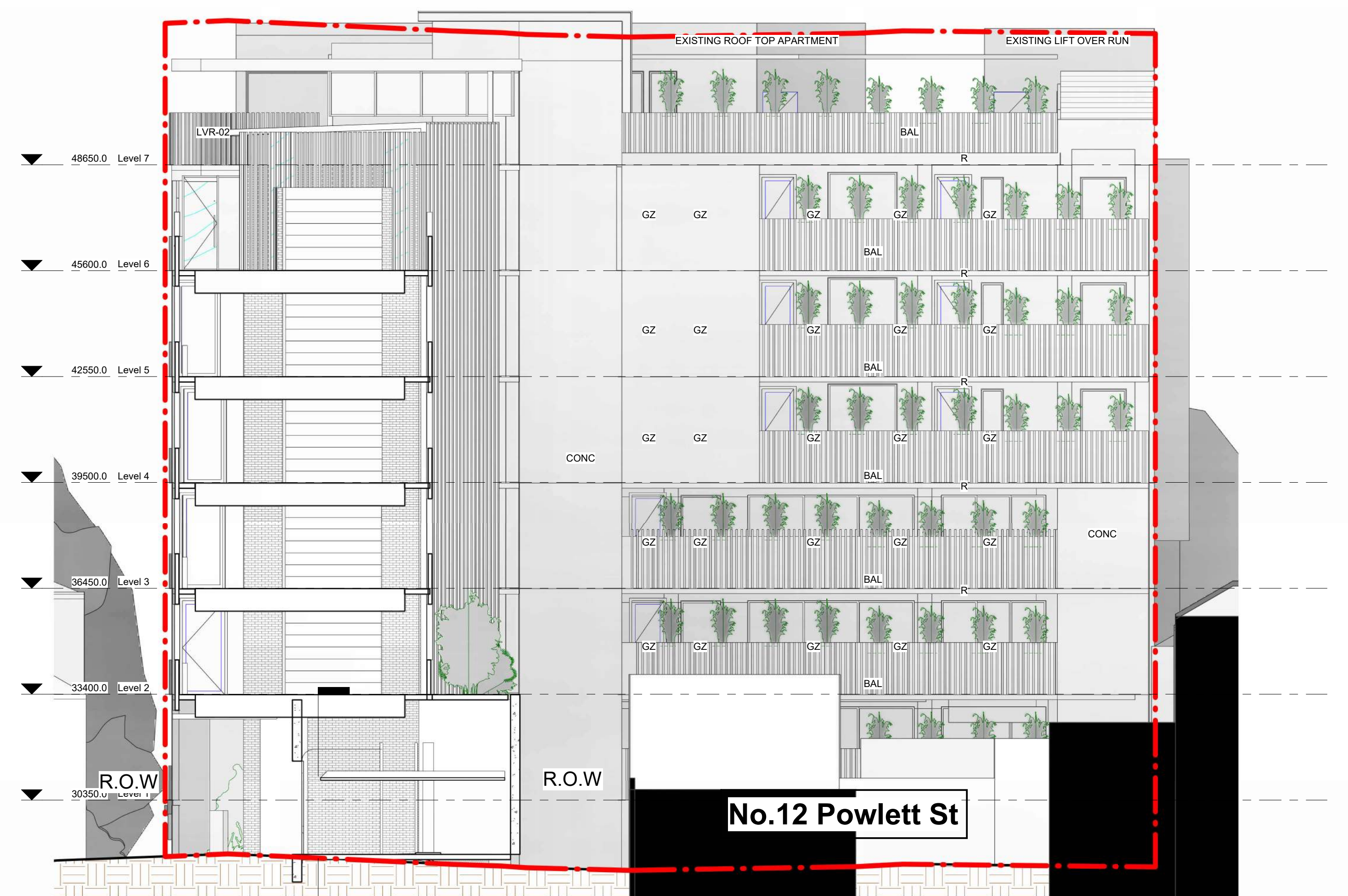
REVISION
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DDO21A4 - 24M maximum building height



1 Section - 14 Powlett
1 : 100

DDO21A4 - 24M maximum building height



2 Section - 12 Powlett
1 : 100

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No.	Description	Date

{Co-lab}
ARCHITECTURE
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Email: kane@colabarchitects.com.au
ABN: 97 150 968 497

PROJECT
126 Wellington Parade.
126 Wellington Pde, East Melbourne, Vic
3002
DRAWING TITLE
Section

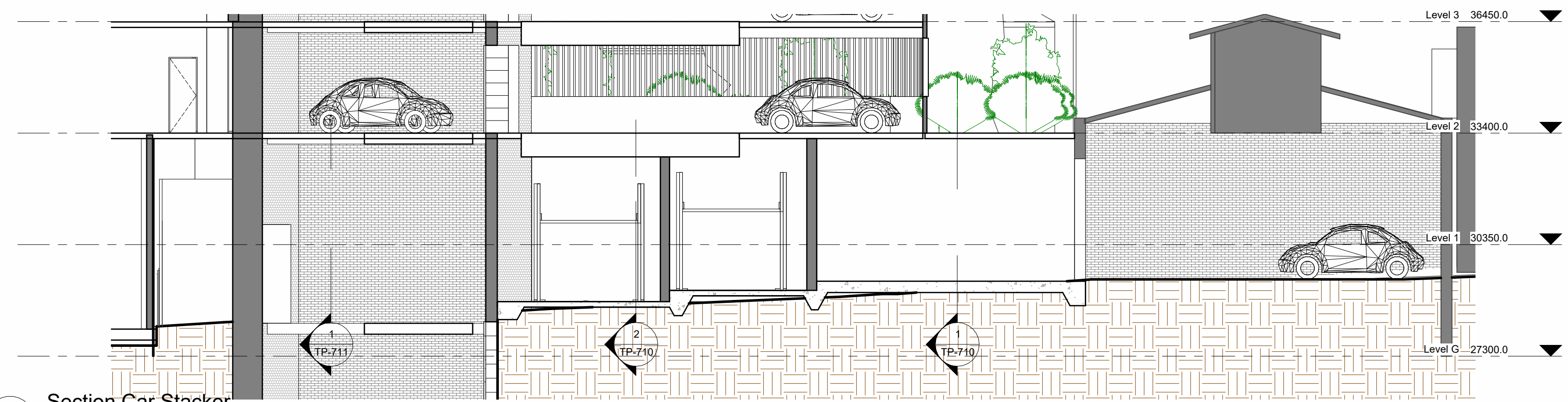
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16.004
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Issue Date
1 : 100

DRAWING NUMBER
TP-710

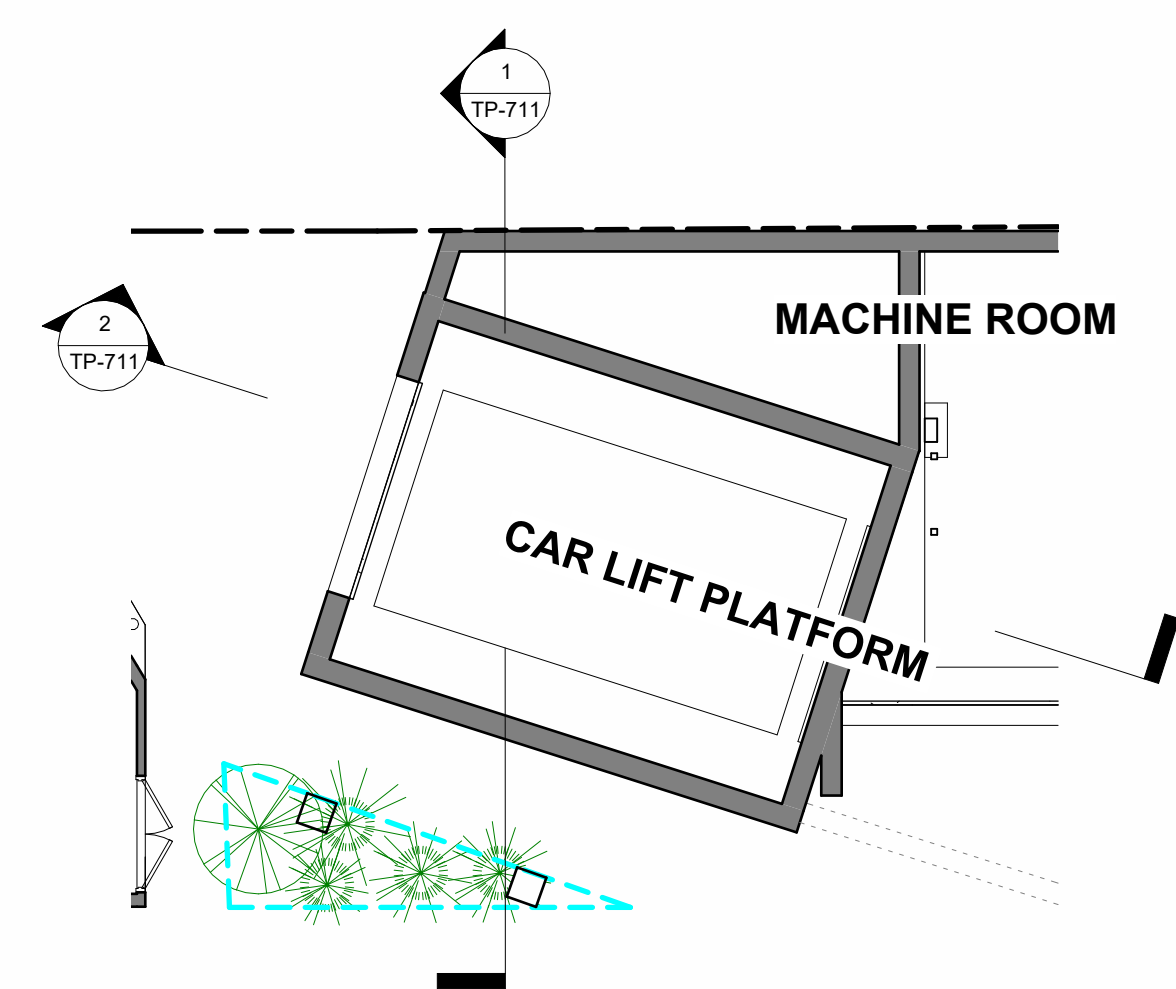
REVISION
11

26/01/2022 4:06:14 PM

No.	Description	Date
10	Revision 10 Marking from Human habitats May 25, 2021, 10:22 AM level 7 car lift space deleted related rendering images updated	04-06-2021
11	1. Roof to level of car park structure removed. Car park to be open to sky 2. Floor plates to upper levels of car park reduced to minimum required by traffic engineer 3. All upper levels of car park reduced to same size 4. Northern facade of car park moved south 5. Lane access increased to 3000mm 6. Swept path information included from traffic engineer 7. Car lift reduced to exact specifications and relocated in line with traffic engineers advice 8. Apartment layout adjacent to car lift revised to create sound buffer for potential noise 9. Planter box attachments added to north balconies to restrict overlooking as Powlett at POS. Overlooking sections added showing effect 10. Sections/View line drawings amended to reflect above changes 11. Render/Photo montages amended to reflect above changes	24_01_2022



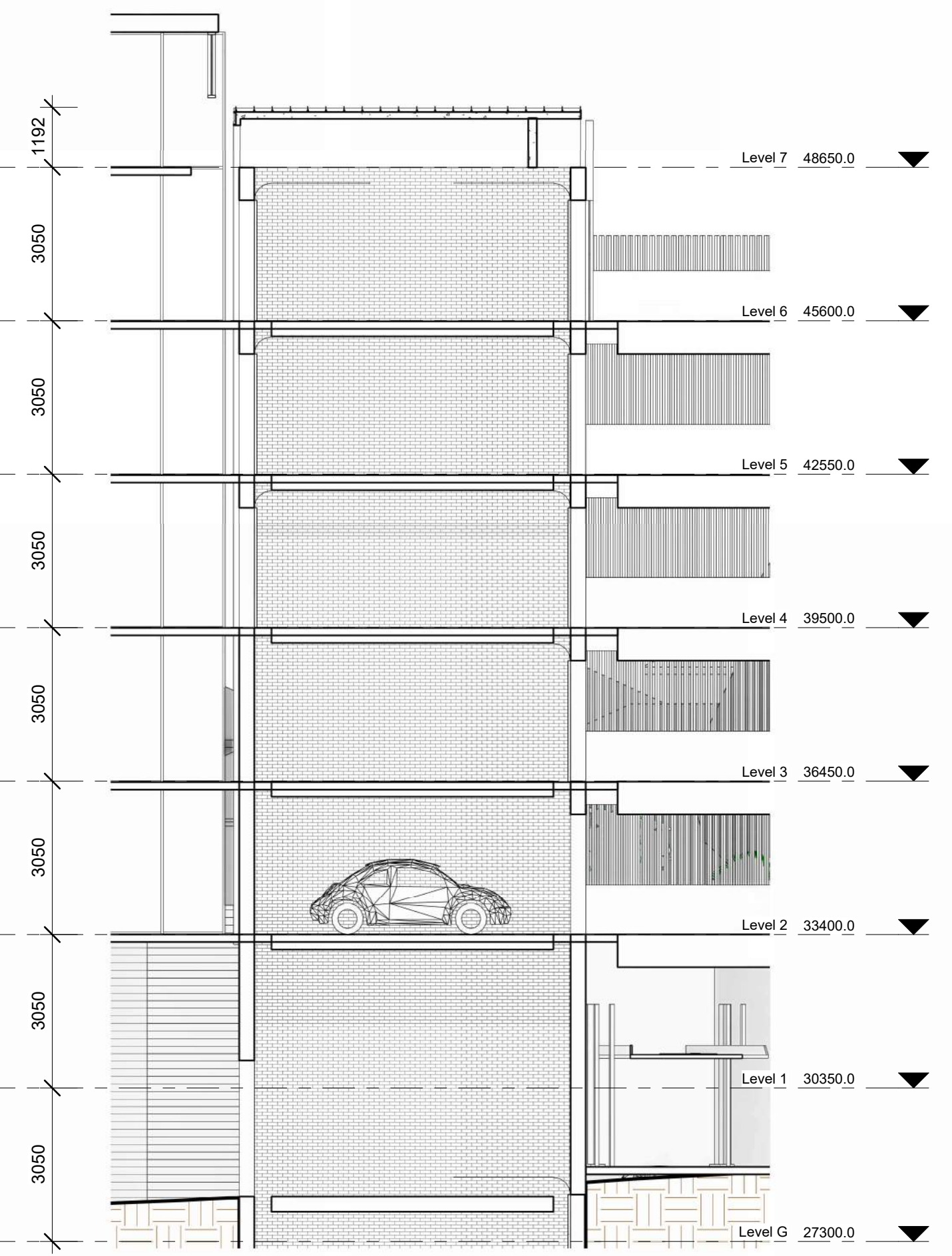
4 Section Car Stacker
1 : 100



3 Car Lift - Callout
1 : 100



1 Section 2
1 : 100



2 Section 3
1 : 100

All work shall conform to the specification and other relevant drawings.
Figured dimensions take precedence over scaled dimensions.
Check all dimensions on site.
Project NO.
16.004

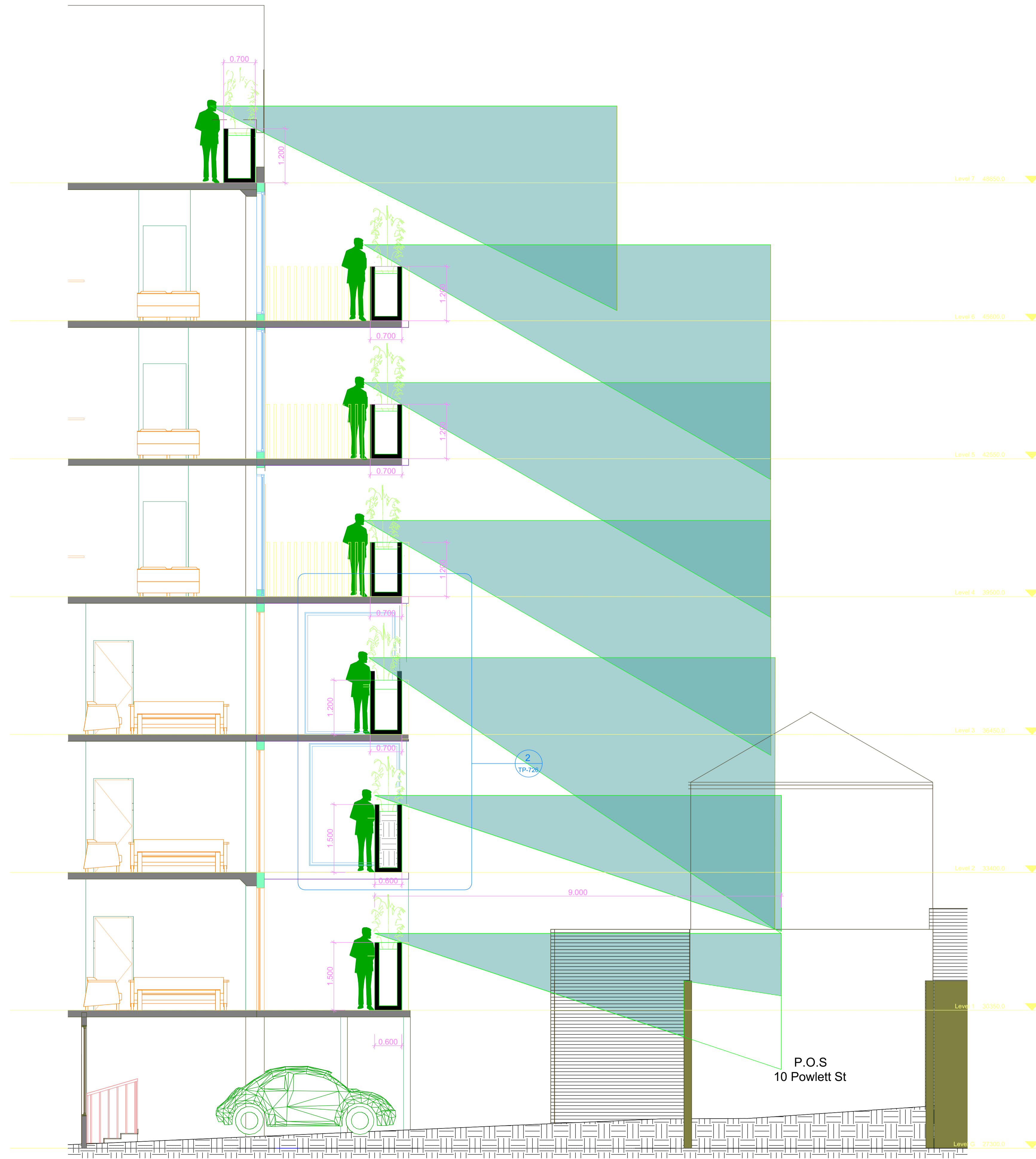
PROJECT
126 Wellington Parade.
126 Wellington Pde, East Melbourne, Vic 3002

DRAWING TITLE
Section Carlift

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DRAWING NUMBER TP-711 REVISION 11



1 Section - 10 Powlett
1:50

VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL

PLANNING AND ENVIRONMENT LIST

VCAT REFERENCE NO. P11327/2021
PERMIT APPLICATION NO. TP-2018-80

CATCHWORDS

Melbourne Planning Scheme; Schedule 21 to the Design and Development Overlay in the Melbourne Planning Scheme; Heritage Overlay 2 East Melbourne and Jolimont Precinct; interface between land in a Commercial Zone and a Residential Zone; built form and amenity impacts on residential land abutting land in the Commercial 1 Zone; traffic impacts on a narrow laneway.

APPLICANT	Sullivan Land Investments Pty Ltd
RESPONSIBLE AUTHORITY	Melbourne City Council
REFERRAL AUTHORITY	Head, Transport for Victoria
RESPONDENTS	A McGauran, A McMahon, C Ley, East Melbourne Group Inc, S Mercer, P McPherson, M Gething, T Cain, E Malham, G Malham
SUBJECT LAND	122-130 Wellington Parade, East Melbourne (comprising lots 1-8 and the common property on PS309234D)
HEARING TYPE	Major Case Hearing
DATE OF HEARING	16, 17, 18, 23 & 24 March 2022
DATE OF ORDER	7 April 2022
CITATION	Sullivan Land Investments Pty Ltd v Melbourne CC [2022] VCAT 373

ORDER

- 1 Pursuant to section 60 of the *Victorian Civil and Administrative Tribunal Act 1998*, the following people are joined as a party to the proceeding:
Emma & Gregory Malham
- 2 Pursuant to clause 64 of Schedule 1 of the *Victorian Civil & Administrative Tribunal Act 1998*, the permit application is amended by substituting for the permit application plans, the following plans filed with the Tribunal:
 - Prepared by: Co-lab Architecture
 - Drawing numbers: TP-000, TP-100, TP-102 to TP-104, TP201, TP210 to TP212, TP501 to TP509, TP700 to TP706, TP710, TP711, TP720, TP720A, TP721, TP721A, TP722, TP722A, TP723,



TP723A, TP724, TP724A, TP725, TP725A,
TP726, TP901

- Dated: Various (as detailed on the Cover Page TP-000 dated 26 January 2022).

- 3 In application P11327/2021 the decision of the responsible authority is set aside.
- 4 In planning permit application TP-2018-80 a permit is granted and directed to be issued for the land at 122-130 Wellington Parade, East Melbourne (comprising lots 1-8 and the common property on PS309234D) in accordance with the endorsed plans and the conditions set out in Appendix A. The permit allows:
 - To use the land for Accommodation (Dwellings)
 - To partly demolish an existing building
 - To construct two or more dwellings on a lot
 - To construct a building and construct or carry out works

Michael Deidun
Presiding Member

Ann Keddie
Member

APPEARANCES

For applicant	<p>Nicola Collingwood, Barrister instructed by David Passarella and Beth Barbour, Solicitors of Colin Biggers & Paisley Lawyers</p> <p>She called the following witnesses:</p> <ul style="list-style-type: none">• Daniel Soussan, Town Planner of Tract• Brodie Blades, Urban Designer of Blades Studios• Bryce Raworth, Heritage Consultant of Bryce Raworth Conservation and Heritage• Jason Walsh, Traffic Engineer of Traffix Group• Darren Atkinson, Landscape Architect of Urbis
For responsible authority	<p>Craig Murphy, Town Planner of Melbourne City Council</p>
For referral authority	<p>No appearance</p>
For respondents	<p>Megan Schroor, Solicitor of S&K Planning Lawyers appeared on behalf of Amanda McMahon (Jess Kaczmarek, Solicitor of S&K Planning Lawyers appeared instead of Ms Schroor on the afternoon of day 4 of the hearing)</p> <p>Louise Hicks, Barrister instructed by Justin Burghardt, Solicitor of Arro Lawyers appeared on behalf of Gregory and Emma Malham</p> <p>Greg Bisinella and Ian Mitchell appeared on behalf of the East Melbourne Group Inc</p> <p>Christopher Ley, Sofia Mercer, Mary-Jane Gething, Timothy Cain, Patricia McPherson, and Alexa McGauran all appeared in person</p>



INFORMATION

Description of proposal	Alterations and additions to an existing mixed use building, in order to convert the office floorspace on floors 1 to 6 inclusive to residential apartments, and provide additional car parking
Nature of proceeding	Application under section 79 of the <i>Planning and Environment Act 1987</i> – to review the failure to grant a permit within the prescribed time. ¹
Planning scheme	Melbourne Planning Scheme
Zone and overlays	Commercial 1 Zone (part) General Residential Zone (part) Heritage Overlay 2 Design and Development Overlay 21
Permit requirements	Clause 32.08-6 to construct two or more dwellings on a lot on land within the General Residential Zone Clause 34.01-1 to use land within the Commercial 1 Zone for accommodation where the frontage at ground floor exceeds 2 metres Clause 34.01-4 to construct a building and construct or carry out works on land within the Commercial 1 Zone Clause 43.01-1 to demolish a building, construct a building and construct or carry out works on land to which the Heritage Overlay applies Clause 43.02-2 to construct a building and construct or carry out works on land to which the Design and Development Overlay applies
Relevant scheme policies and provisions	Clauses 11, 15, 16, 17, 18, 21, 22.02, 22.05, 22.17, 22.19, 22.23, 32.08, 34.01, 43.01, 43.02, 52.06, 52.29, 52.34, 58, 65 and 71.02.

¹ Section 4(2)(d) of the *Victorian Civil and Administrative Tribunal Act 1998* states a failure to make a decision is deemed to be a decision to refuse to make the decision.



Land description	The land is an irregular shaped allotment with a frontage to Wellington Parade of 28.66 metres, and an overall area of 1125 square metres. It currently comprises an eight storey mixed use building fronting Wellington Parade, an open at grade car park to the north of the eight storey building, and a single storey garage at the very rear of the site. The eight storey building currently comprises retail floorspace on the ground floor, an apartment on the top floor, and office floorspace on the other floors.
Tribunal inspection	The Tribunal inspected the site and surrounding area on 25 March 2022.



REASONS²

WHAT IS THIS PROCEEDING ABOUT?

- 1 Sullivan Land Investments Pty Ltd (the ‘Applicant’) seeks to review the failure of the Melbourne City Council (the ‘Council’) to grant a permit within the prescribed time for the use and development of land at 122-130 Wellington Parade, East Melbourne (the ‘review site’).
- 2 Following the lodgement of the application for review, the Council subsequently determined that it opposed the grant of a planning permit, on a variety of grounds. Prior to the hearing, the Applicant circulated amended plans that sought to address the concerns raised by Council and a number of nearby residents. In response, the Council has now formerly determined to support the grant of a planning permit for the proposed development of the review site, subject to permit conditions.
- 3 A number of nearby residents continue to oppose the proposal. In doing so they raise concerns in relation to the impact on the surrounding neighbourhood character and heritage place, various off-site amenity impacts on nearby residential properties, and the difficulties that would be created in utilising the adjacent laneways.
- 4 The key questions for determination are:
 - a. Is the proposal an appropriate response to the significance and character of the heritage place?
 - b. Is the proposal an appropriate built form response to its context?
 - c. Will there be any unreasonable off-site amenity impacts?
 - d. Does the proposal provide for an appropriate level of internal amenity?
 - e. Does the proposal appropriately provide for car parking and traffic movements?
- 5 The Tribunal must decide whether a permit should be granted and, if so, what conditions should be applied. Having considered all submissions and evidence presented with regard to the applicable policies and provisions of the Melbourne Planning Scheme, we have decided to set aside the Council’s original decision and direct the grant of a planning permit subject to conditions. Our reasons follow.

² The submissions and evidence of the parties, any supporting exhibits given at the hearing and the statements of grounds filed have all been considered in the determination of the proceeding. In accordance with the practice of the Tribunal, not all of this material will be cited or referred to in these reasons.



IS THE PROPOSAL AN APPROPRIATE RESPONSE TO THE SIGNIFICANCE AND CHARACTER OF THE HERITAGE PLACE?

- 6 Under the provisions of the Heritage Overlay, we must determine:³
- Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.
 - Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.
 - Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.
 - Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.
- 7 It is evident from these decision guidelines that it is important to understand the significance of the heritage place. In respect of Heritage Overlay 2 East Melbourne and Jolimont Precinct the following Statement of significance is derived from the *Heritage Precincts Statements of Significance February 2020*, which is an Incorporated Document listed at the Schedule to Clause 72.04 of the Melbourne Planning Scheme.

What is significant?

East Melbourne and Jolimont Precinct is associated with some of Melbourne's earliest surveys and subdivisions, beginning in the late 1830s. It is predominantly residential in character, and renowned for its high quality historic dwellings, and proximity to some of Melbourne's most significant public institutions, sporting facilities, and parks and gardens. Significant and contributory development dates from the 1850s through to the interwar period, although Victorian development predominates. Some places of heritage value may also be outside this date range. The small squares, and mature street plantings and rows, are also part of the significant development of the precinct...

How is it significant?

East Melbourne and Jolimont Precinct is of historical, aesthetic/architectural and social and significance to the State of Victoria [sic].

Why is it significant?

East Melbourne and Jolimont Precinct is of historical significance. East Melbourne was one of the earliest Melbourne suburbs surveyed by Robert Hoddle in 1837. His plan included the Government and Police Magistrates paddocks, in the future Yarra Park, where two significant early public figures, Superintendent of the Port Phillip District, Charles La Trobe and Police Magistrate Captain, William Lonsdale, took up residence in the late 1830s. The presence of these

³ As found at Clause 43.03-8 of the Melbourne Planning Scheme.



early administrators, coupled with the substantial Mounted Police Barracks in Yarra Park, emphasises the importance of East Melbourne in terms of nascent colonial administration and law enforcement in Port Phillip. Aboriginal scar trees also survive in the park, reminders of its importance as an Aboriginal ceremonial gathering and camping place, and the source of rich natural resources. Hoddle also prepared a grid plan for residential subdivision of East Melbourne in 1842, which was revised in 1848 to accommodate the future Fitzroy Gardens. Bishops court, the Episcopal residence of Anglican Bishop Perry, was the first dwelling in the subdivision, constructed in 1853. It helped to establish East Melbourne as a highly prestigious residential area which subsequently attracted the professional and business classes, and many prominent figures in government, politics, law, medicine, architecture and the arts. The suburb was associated with Eastern Hill, the focus of civic, ecclesiastical, educational and institutional development from the 1840s, and the future site of St Patrick's Cathedral. It was also on the fringe of the developing Parliamentary and Treasury precincts, the seat of government in Victoria. Jolimont was mostly developed later, but notably included the 1850s subdivision of La Trobe's earlier Jolimont Estate (in the former Government Paddock). Major roads and boulevards border or traverse the precinct, several of which were historically important thoroughfares heading east out of the city. Wellington Parade, Hoddle Street and Victoria Parade were envisioned by Robert Hoddle as major routes out of Melbourne, their status confirmed in the Roads Act of 1853. The precinct is also significant for its historic parks and gardens, with Yarra Park and Fitzroy Gardens two of the ring of parks reserved by La Trobe, in a visionary action which resulted in a series of much valued open spaces surrounding inner Melbourne. The first game of Australian Rules football was played in Yarra Park in 1858; Melbourne Cricket Club also established a cricket ground in the park, which evolved into the internationally renowned stadium, the Melbourne Cricket Ground (MCG). The MCG was also home to the Melbourne Football Club which was established in 1859 and is one of the oldest football clubs, of any code, in the world. The stadium hosted the 1956 Olympic Games. Richmond Cricket Club also developed its own ground in Yarra Park, the Punt Road Oval, which in turn was home to the Richmond Football Club established in 1885.

East Melbourne and Jolimont Precinct is of social significance, and highly regarded in Melbourne for its historic streetscapes and buildings. Both Fitzroy Gardens and Yarra Park are also highly valued, with the former a popular place for passive recreation in proximity to Melbourne's CBD. The latter gains significance from being the setting for the MCG; the association of Yarra Park with the development of Australian Rules football is also of social significance.

The aesthetic/architectural significance of the East Melbourne and Jolimont Precinct largely rests in its Victorian-era development. The precinct is renowned for its high quality historic dwellings, including some of Melbourne's finest and earliest large houses of the 1850s and



1860s, complemented by later development including grand terraces in pairs and rows and substantial free-standing villas from the 1870s and after. There are also Edwardian dwellings and interwar duplexes and flat blocks. Within the precinct there are an unusually high number of individual properties included in the Victorian Heritage Register; and little replacement of first or original dwellings has occurred. East Melbourne's streets are mostly wide, straight and tree-lined, interspersed with parks and squares, following the highly regular gridded pattern of the 1840s subdivision. The major roads and boulevards historically attracted grander development. Clarendon Street was an early prestigious residential street, with several of Melbourne's most significant early residences constructed there, beginning with Bishopscourt in 1853. Jolimont also has significant historic residences. Lanes throughout the precinct are demonstrably of nineteenth century origin and function. Historic parks and gardens further enhance the aesthetic significance, including Fitzroy Gardens, the smaller squares of Powlett and Simpson reserves, and the extensive Yarra Park. These variously retain elements of their original or early landscape design, including specimen trees, mature tree avenues, perimeter and garden bed borders; and some remnant indigenous vegetation, including in Yarra Park. There are views into and out from the parks and gardens to the bordering residential areas. Yarra Park is dominated by the MCG and also hosts the Punt Road Oval. Fitzroy Gardens is an outstanding early public park in Melbourne, with an important collection of plants, some of which date to the nineteenth century. It also retains significant historic buildings and structures.

- 8 The Respondents submit that the proposed development of a six storey building within the middle portion of the review site is an inappropriate response to the heritage significance of surrounding and nearby buildings and will have an unreasonable built form presence when viewed from nearby streets and laneways.
- 9 We are not persuaded by these submissions, and instead find that the proposed development is an appropriate response to the character and significance of this heritage precinct, and the context of nearby heritage properties and the way they relate to the review site. We make this finding for the following reasons.
- 10 In relation to the extent of proposed demolition of the existing building on the review site, we note that the existing building is not a significant or contributory building within this heritage precinct. Neither are the adjoining commercial properties immediately to the east or west of the review site. We therefore regard the extent of demolition that is proposed to parts of the existing building on the review site could not possibly impact the significance or character of this heritage place. In forming this view we note that the policy at Clause 22.05 of the Melbourne Planning Scheme generally supports the demolition of non-contributory places.



- 11 The context of the review site includes a number of contributory or significant buildings within the broader precinct, that are found to the immediate west of the review site in Powlett Street, and to the immediate north of the review site in George Street. However, we are persuaded by the evidence of Mr Raworth that the review site exists in a part of Wellington Parade that is of low heritage significance, with few significant or contributory buildings. For this reason, we consider that the extent to which the proposed works will be visible from Wellington Parade will not unreasonably impact the heritage character and significance of this part of the heritage place, particularly as the proposed works will not increase the height of the existing building on the review site.
- 12 Moving to the Powlett Street context, the four heritage places at 10, 12, 14, and 22 Powlett Street are identified for their heritage significance when viewed in streetscape views from Powlett Street. That is, it is the front portions of these sites, and their visibility and contribution to the Powlett Street streetscape, that lends to their significance in this precinct. This is to be contrasted with the rear of those sites, which all have modern additions or outbuildings, particularly those at 10 and 12 Powlett Street which present large contemporary buildings at the rear of their sites that dominate the laneway environment.
- 13 For these reasons, we find that it is the views from Powlett Street that are important and relevant in making a heritage assessment of the impact of the proposed works on the character and significance of this part of the heritage place. Given the extent of non-contributory fabric that already exists in the laneway environment, and the absence of any significant view to heritage buildings from the laneways, the extent to which the proposed built form will be visible when standing in the laneways is largely irrelevant from a heritage point of view. In relation to the laneway on the eastern side of the review site, having regard to the general absence of heritage fabric that abuts this laneway, and the extent of contemporary development at the rear of sites that form the key visual component in views from this eastern laneway,⁴ we find that views from the eastern laneway to the proposed development on the review site will have no impact on the significance of the heritage place.
- 14 Our findings that the views from laneways are not relevant from a heritage perspective, is supported by Clause 22.05 of the Melbourne Planning Scheme, which contains the policies for Heritage places outside the Capital City Zone. This policy defines visible in the two following ways:

Visible means anything that can be seen from a street (other than a lane, unless the lane is identified as having heritage value) or public park.⁵

⁴ See paragraph 69 and the plan following this paragraph for a description and definition of the eastern and western laneways that abut the review site.

⁵ Page 3 of Clause 22.05.



Visible means anything that can be seen from any part of the street serving the front of the building including:

- Side elevations that are readily visible from the front street.
- Anything that can be seen from a side or rear laneway, if the laneway itself is classified as a Level 1 or 2 streetscape.⁶

- 15 As the two laneways that abut the review site are not identified as having heritage value and are not classified as a Level 1 or 2 streetscape, the extent of visibility of the proposed works from the laneways is not a relevant consideration, as guided by the policy framework of the Melbourne Planning Scheme. It is therefore the level of visibility when viewed from the streetscapes of Powlett Street and George Street that are relevant to our assessment.
- 16 When viewed from Powlett Street, the proposed development will be largely invisible on a sightline view across the top of the parapet of the dwellings at 10, 12 and 14 Powlett Street. The most comprehensive views of the new built form are from the west side of the street, where glimpses of the extension to the existing Wellington Parade building, that comprises the new residences and car lift will be seen. The rear car park portion of the proposed development will be almost completely hidden from view when standing in Powlett Street. To the extent that the proposed development on the review site may be visible along the alignment of the western laneway, or between buildings, the proposed development will be set at least 50 metres behind the front boundaries of the sites on the eastern side of Powlett Street, and will appear as one of a number of taller buildings along Wellington Parade that fringe this area of East Melbourne.
- 17 We consider that the extent of setback from Powlett Street is key to ensuring that the proposed development is not viewed as an element that disrupts the heritage streetscape, but rather as a different built form typology in a different context. As is the evidence of Mr Raworth, rear additions to dwellings in a heritage place are often quite different in character than the host building, and adjacent buildings. We consider that the extent to which the proposed development exhibits a commercial appearance when able to be viewed from Powlett Street, does not impact the character or significance of this part of the heritage place.
- 18 Views from George Street are slightly different, given that a single storey dwelling exists at 129 George Street which opens up views from the street to the rear elevation of the review site. The streetscape views that are presently available over the dwelling at 129 George Street allow views to the spine of taller built form along Wellington Parade. Similar views to this spine of taller development are also available at other locations along George Street. While we acknowledge that the upper component of the proposed development will be visible on views from George Street, it will

⁶ Page 14 of Clause 22.05.



be viewed as one element of the spine of taller development that already characterises views in this direction.

- 19 The rear of the Wellington Parade portion of the building, which is currently seen from George Street, will be augmented by the proposed projecting wing which houses the car parking at each level. In our view this is acceptable for the following reasons. Firstly, the impact is reduced due to the width of this portion of the proposal, slightly more than 7.0 metres, a width which relates to that of many of the terraces in the surrounding streets. Secondly, the amended plans show the height of this projecting element as around 18 metres at a setback of 14 metres from the rear boundary of the review site. It is largely visible only due to the single storey nature of the existing house at 129 George Street. In addition, the proposed building on the review site displays a restrained architectural treatment which assists its absorption into the contemporary built form context. We find that the additional building fabric results in little change from the current level of visibility of the existing building in the George Street streetscape.
- 20 The proposed development of the review site is sited more than 50 metres behind the front boundaries of the properties on the southern side of George Street. It is this setback, combined with the existing character of views to taller built form to the south of George Street, that leads us to the conclusion that the proposed development will not have an unreasonable impact on the character or significance of this heritage place.
- 21 For these reasons we find that the additional visibility of the proposed development will not cause any unreasonable impact on the character, appearance or significance of the heritage place. The visual intrusion on the buildings and streetscapes of Powlett and George Streets will be minimal, for the reasons set out above. We therefore find that the proposal before us is an acceptable response to the heritage policies, objectives and design guidelines in the Melbourne Planning Scheme

IS THE PROPOSAL AN APPROPRIATE BUILT FORM RESPONSE TO ITS CONTEXT?

- 22 The proposal that is before us is unusual in built form terms in that it seeks to:
- a. Predominantly retain the existing 8 storey (25.6 metre⁷) building facing, Wellington Parade, while undertaking minor works to facilitate the conversion of levels 1 to 6 inclusive from office floor use, to residential apartments;
 - b. Construct an addition to the rear of the existing 8 storey building, over an existing at grade car park, rising between 17.8 and 21.1

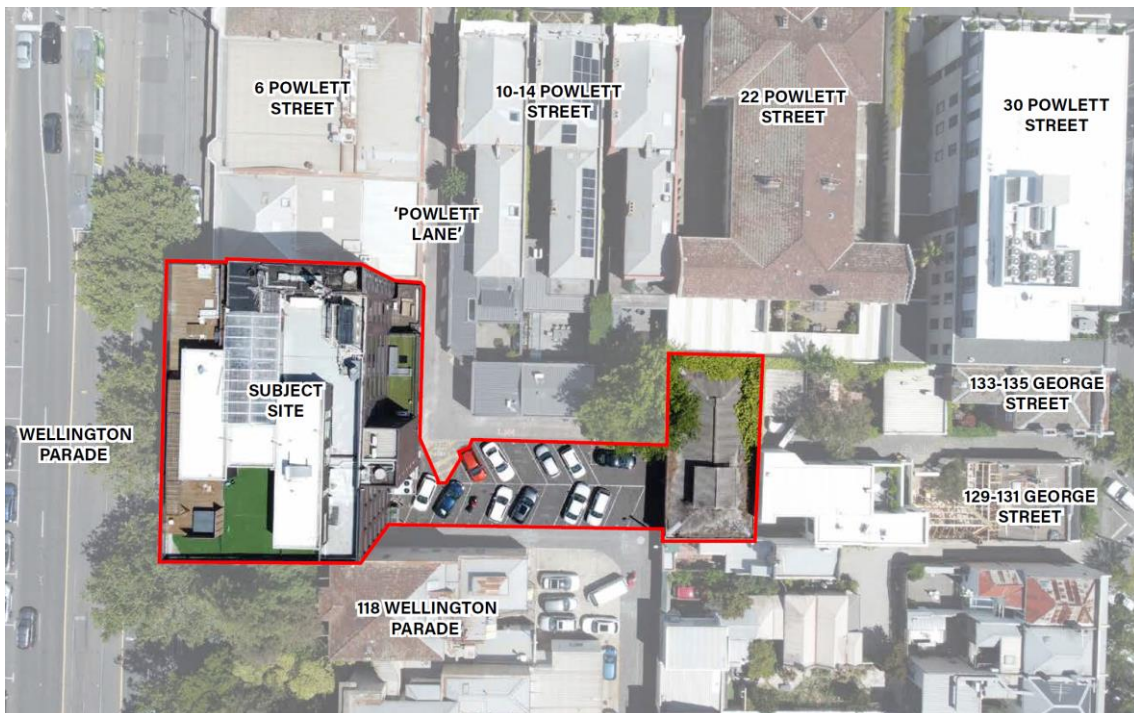
⁷ As derived from paragraph 76 of the Council's submissions.



metres in height, that will provide car parking, residential floor space, balconies and a new lobby for the proposed apartments; and,

- c. Entirely retain the existing single level garage at the very rear of the site, to be used for further car parking for the proposed apartments.

23 Therefore, the focus of the submissions and evidence in a built form sense is in relation to the addition proposed in the middle of the review site. Critically, this middle portion of the review site abuts residential properties to the west at 10, 12 and 14 Powlett Street, as well being proximate to a number of properties to the north in George Street, as pictured in the image below from Mr Blades' evidence.



- 24 The review site is within an activity centre and a Commercial 1 Zone, and sits at the interface to land within the General Residential Zone to the north, and to the western side of the rear portion of the review site. The Tribunal has long held that at such an interface location, ideal commercial or residential outcomes are unlikely to be achieved. That is, the owners of commercial land cannot expect to be able to pursue development outcomes that ignores the presence of the nearby residential interface. Likewise, the residents in the residential estate cannot expect to experience a level of residential amenity that would occur if the commercial interface did not exist. Instead, a reduced level of residential amenity is a reasonable expectation. It is this expectation that should guide the reasonable built form and amenity expectations on both sides of the interface.
- 25 This approach is consistent with the long held view as to the appropriate approach in such interface locations. This long held view is well articulated

in the Tribunal decision of *Buckerfield Architects v Boroondara CC* [2004] VCAT 659, where the Tribunal remarked:

[19] I refer back to my earlier comments about the appropriateness of using this site for a commercial building and the inevitability of such an outcome given the zoning of the land and the strategic direction in the MSS. I agree with Mr Bisset that in an interface situation such as this there are competing objectives on either side of the residential / commercial divide and that a proper planning outcome is one which balances those competing objectives taking into account all of the opportunities and constraints of the site and its neighbours. Inevitably compromises will have to be made to reach an acceptable outcome which satisfies those competing objectives. The commercial site cannot ignore that they have a residential abuttal; nor can a residential property expect the sort of residential amenity one would anticipate in an area wholly zoned for residential purposes.

[20] I approach the task therefore of the interface issue not with a view to achieving a perfect residential amenity outcome; nor a perfect commercial outcome. If it were that simple I could favour one over the other and (say) allow a box like office building on the boundary with extensive windows as might be found in a wholly commercial area. Or I could favour a one storey commercial building well offset from the boundary with a "forest" as a buffer in deference to residential amenity. Rather, I must look for a balance which satisfies the "reasonable expectations" of all parties.

26 There is a range of policy guidance, at both a State and local level, that guides the outcomes to be achieved on both the commercial and residential land. This includes policy that addresses themes around the achievement of urban consolidation in activity centres,⁸ the provision of additional and more diverse housing,⁹ limiting impacts on neighbourhood character¹⁰ and residential amenity,¹¹ and the protection and enhancement of heritage places.¹² A number of the parties and experts in this proceeding quoted extensively from this policy framework, and we do not intend to repeat those quotes here. Instead, we intend to go directly to those parts of the Melbourne Planning Scheme that deal more specifically with the intended outcome in this part of East Melbourne.

27 In undertaking this task, we consider that the approach adopted by Mr Blades in his written expert evidence appropriately encapsulates the manner in which to understand the guidance from the Melbourne Planning Scheme

⁸ Clauses 11.03-1S, 11.03-1R, 21.04-2, 21.07 and 21.08 of the Melbourne Planning Scheme.

⁹ Clauses 16.01-1S, 16.01-1R and 21.07 of the Melbourne Planning Scheme.

¹⁰ Clauses 15.01-1S, 15.01-1R, 15.01-5S, 21.04-1.5, 21.06-1 and 22.17 of the Melbourne Planning Scheme.

¹¹ Clauses 15.01-2S and 21.07-1 of the Melbourne Planning Scheme.

¹² Clauses 15.03-1S, 21.06-2 and 22.05 of the Melbourne Planning Scheme.



for this interface location. At paragraph 45 of his evidence, Mr Blades draws on various policy guidance, but particularly that at Clause 21.16-2 East Melbourne and Jolimont of the Melbourne Planning Scheme, to identify that the suburb of East Melbourne is intended to comprise distinct districts with their own individual built form character. In the context of the review site, these precincts include the low scale residential area that surrounds the review site to its north and west (in part), and the review site itself, that sits within an activity centre in which certain built form outcomes are encouraged. The different expectations in these two precincts are captured in the following policies from Clause 21.16-2.

- Ensure development in the residential areas of East Melbourne and Jolimont is sensitively designed so that it maintains the generally low scale nature of heritage streetscapes and buildings.
- Support a mix of residential and office development in Commercial Zones in Jolimont.

28 The approach to be adopted at the interface of these precincts is guided by the following policy at Clause 21.16-2.

- Ensure any redevelopment of the sites respects the scale of the surrounding residential area, heritage buildings and Fitzroy Gardens.

29 The low scale residential area is identified as a Stable Residential Area in the Growth Area Framework Plan to Clause 21.04 of the Melbourne Planning Scheme, with the following guidance provided at Clause 21.04-1.5.

These residential areas are valued for their existing character and the important contribution this makes to the city. In these areas limited change such as in-fill development and alterations and additions, will continue to occur so that new land use or development fits in with the existing valued character.

30 While the review site also appears¹³ on the Growth Area Framework Plan to be identified as a Stable Residential Area, this designation cannot reasonably be applied to the review site, given that it is part of an activity centre,¹⁴ rather than a residential area. Further, the policy statement referenced above, which refers to new development fitting in with the existing valued character of the residential areas, does not describe either the existing forms of recent development in this activity centre, nor the intended built form outcomes as described in other parts of the Melbourne Planning Scheme.

¹³ We say ‘appears’ as the map is of a small scale, and the review site is hidden underneath the symbol for the adjacent Jolimont Railway Station, making it impossible to identify how it is designated on the Growth Area Framework Plan.

¹⁴ As identified in Figure 17: East Melbourne and Jolimont at Clause 21.16-2 of the Melbourne Planning Scheme.



- 31 Some of the intended built form outcomes for this activity centre, including the review site, are framed by the application of Schedule 21 to the Design and Development Overlay (DDO21). DDO21 applies a 24 metre discretionary height limit to most of the review site and other properties in this part of Wellington Parade, while declining to provide any built form guidance on setbacks and heights at the interface to residential properties, other than the following Design objective:
- To respect the scale and significance of heritage buildings on the site or on adjacent sites.
- 32 The various Respondents who oppose the grant of a permit submit that the proposed development will bring the type of built form expected along Wellington Parade into the residential interface, causing an unreasonable extent of built form to be visible from surrounding residential properties. This say that this will unreasonably impact the character and ambiance of this area. They are opposed to what they say is a large structure providing above ground car parking on the same level as various apartments, when that car parking could be provided below ground level. In their respective written submissions, Ms Gething refers to the unnecessary and objectionable bulk created by the luxury of providing car parking at each apartment level, while Mr Ley submits in his original objection that having his amenity impacted by a proposal to have a few cars parked in the sky was insulting. Ms Mercer also opposes the proposed height and number of additional dwellings on the basis that the review site is not within the Residential Growth Zone.
- 33 We are not persuaded by these submissions, and instead find that the proposed development is an appropriate built form response to its context. We make this finding for the following reasons.
- 34 Firstly, we consider that the proposed development is an appropriate response to the strong strategic support for a high level of development to occur in this locality. The large proportions of the review site, its location within an activity centre and a Commercial 1 Zone, the strong policy support at both a State and local level for more intensive development, and the specific guidance found at Clause 21.16-2 of the Melbourne Planning Scheme for residential development in this specific location, together offer strong support for the redevelopment of the undeveloped portions of the review site. For the reasons set out below, we find that the extent of built form now proposed through the middle of the review site is an appropriate and proportional response to a combination of this strong strategic support, and the physical context of the review site.
- 35 Neither are we persuaded by the submissions of Ms Mercer that the proposal should not proceed as the land is not located within the Residential Growth Zone. With respect, we consider that this submission represents a misunderstanding of the role of different zones within the Victorian Planning Provisions. While the Residential Growth Zone does encourage



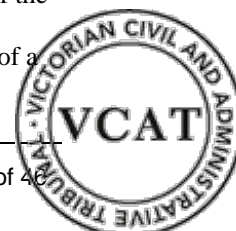
residential development of up to four storeys in height,¹⁵ the Commercial 1 Zone also encourages the type of mixed use development comprising a significant residential component that is before us. That is evident from the fact that residential land use above ground floor is as of right,¹⁶ and from the following purpose of the Commercial 1 Zone.

To provide for residential uses at densities complementary to the role and scale of the commercial centre.

- 36 The suitability of the review site for a residential development of the kind proposed here is also confirmed by the policy at Clause 21.16-2 of the Melbourne Planning Scheme, which encourages residential development in this specific location.
- 37 Secondly, we find that the proposed built form is an appropriate response to its context, and the guidance provided by DDO21. In this activity centre, height limits are provided on a discretionary basis. Where such discretionary height limits apply, it is often the role of the Tribunal to rule on how far above the discretionary height limit a development could go, before an unreasonable built form outcome occurs or a discretionary height limit is rendered meaningless. In this proposal, building heights of around 17.8 and 21.1 metres respectively are proposed in an area with a discretionary height limit of 24.0 metres. The extent to which the proposed development falls under the discretionary height limit is a relevant factor in our decision making.
- 38 Having regard to both the extent of strategic support for more intense development of this activity centre and the review site, and the built form guidance of DDO21, we consider that the proposal before us represents a built form that appropriately responds to its interface location. The reduced heights (as compared to the discretionary height limit) are combined with appropriate setbacks to the west and north, to ensure that the proposed built form moderates its scale and presence in this neighbourhood. To the west, at ground and first floor levels, apart from an unobstructed right of carriageway over a triangle shaped parcel of land at the east end of the public laneway, the development is constructed to the boundary up to the car lift ‘column.’
- 39 At Level 2, the built form aligns with the western boundary from the existing building to the south-west corner of the car lift column, north of which the development peels back from the residential interface to an ultimate setback of 2.65 metres from the western boundary of the review site. Given the adjacent residential properties at 10 and 12 Powlett Street respectively are developed with a private laneway at the rear of their sites, to the west of which are contemporary two storey outbuildings, the

¹⁵ A reference to the second purpose of the Residential Growth Zone as found at Clause 32.07 of the Melbourne Planning Scheme.

¹⁶ So long as the frontage to that residential land use at ground floor, which is often in the form of a residential lobby, comprises less than 2 metres of the frontage of a site.



proposed setbacks and heights will achieve an appropriate transition in scale to the more sensitive elements of these properties.

- 40 The property at 14 Powlett Street is different, having an open car space and secluded private open space at the rear, rather than a private lane, in which are three large canopy trees. Here the combined effect of the proposed western and northern setbacks to the taller built form on the review site, along with the extensive planting proposed on the level 2 podium, will result in a respectful transition of built form along this residential interface.
- 41 There is no doubt that views to the proposed development will be gained from both the ground floor open space, and the first floor windows and balconies, at 10, 12 & 14 Powlett Street. However, visibility of higher built form in the immediately adjacent activity centre, that comprises land within the Commercial 1 Zone and with a 24.0 metre discretionary height limit, is to be expected. Therefore, the fact that the new development will be visible from sensitive locations on these adjoining properties, does not of itself indicate that an unreasonable form of development is proposed for the review site. Rather, what needs to be considered is the overall impact of the proposed development, and whether it has been designed to balance the reasonable built form expectations in this activity centre, with potential impacts on adjoining properties. For the reasons set out in this decision, we find that an appropriate balance has been struck.
- 42 The existing single storey garage at the very north of the review site is to be retained, and then a further 4.0 metre rear setback provided to the proposed taller built form that comprises the above ground car park portion of the proposal. The separation of over 14 metres to the rear boundary of properties at 131 and 133-135 George Street will achieve a high level of separation of the proposed taller built form from this residential interface. This extent of separation will far exceed that usually expected at the interface between an activity centre and residential properties.
- 43 To the north-east, residential properties extend south to the eastern laneway. The rear portions of these properties at 125A and 125B George Street respectively, have areas of secluded private open space abutting the eastern laneway, though separated by 2.9 metre high walls that abut the laneway. From these locations a narrow profile of the additions will be visible, noting that the northern portion of the upper form has a width of only 7.18 metres. However, as these areas of secluded private open space at the very rear of properties abut both the laneway and land within the activity centre, views to higher built form from these spaces already form a defining part of the character and amenity of these properties. That includes the higher built form that already exists at both 110 and 112 Wellington Parade. The proposed development of the review site will be simply another higher built form element among others that will be visible on views towards the activity centre. Given the setbacks provided within the review site, and the separation provided by the intervening laneway, we consider that an appropriate scale of building is proposed for the review site.



- 44 Thirdly, we consider that the proposed design treatment, materials and finishes are an appropriate response to the interface location. The height and mass of the building as it faces Wellington Parade remains as constructed, but the façade treatment changes, the depth of the proposed recessed balconies articulating what is currently a blank commercial façade. In this respect the proposal’s redesign of the existing Wellington Parade façade meets the objective in DDO21 to *‘enhance the importance of Wellington Parade as a key approach to central Melbourne.’* We agree with Mr Blades that the adoption of what he describes as ‘an uncomplicated and enduring’ grid façade treatment reflects contemporary developments with this similar architectural approach nearby and in this way, the proposal responds to other contemporary buildings in East Melbourne.
- 45 The use of a similar palette of materials to the car parking element ties the building components together whilst breaking down the overall mass. Mr Blades identifies the use of vertical columns of window glazing at the eastern terminus of the Western Lane and the patterned concrete of the car lift enclosure as adding visual interest to the proposal. His opinion is that the use of the charcoal metal louvres on the car parking component will also comfortably harmonise with other recent developments in East Melbourne. We agree with his analysis.
- 46 Fourthly, we find that the landscaping regime proposed by Mr Atkinson is an important aspect of the proposal’s ‘finishes.’ The incorporation of planting along the north facing balconies adds to the screening of the rear yards of properties to the north. The climbing and cascading plants proposed on that façade and that of the car lift, together with the roof planting above the ground level garages, will contribute vegetation which in time will integrate the building with the greenery seen in the valued tree-lined streetscapes of Powlett and George Streets. The verdant rear yards of both 12 and 14 Powlett Street demonstrate the positive impact that such planting can make within confined areas such as laneways. The proposed landscape treatment will serve to both soften and integrate the built form into its surroundings. It is an important element of the design and we support the inclusion of conditions that ensures its ongoing maintenance.
- 47 Fifthly, having regard to the design aspects assessed above, we are satisfied that surrounding residential properties will not be subject to an unreasonable level of visual bulk from the proposed development on the review site. We form this view for the following reasons, taking into account each individual abuttal to the review site:
- a. The property at 10 Powlett Street will be most heavily impacted, which is to be expected given that it abuts the activity centre to two boundaries, that is to its south and east. From the ground floor living area and ground level area of secluded private open space, views will be available to both the balconies and bathrooms proposed to be added to the northern elevation of the existing building, and also to the extension to the north, which will rise to



between 17.8 and 21.1 metres in height. However, the views to both of these elements will be partly intercepted by the projecting canopy that has been constructed along the southern boundary of the site at 10 Powlett Street, and by the two storey rear outbuilding at that same site. The effect will be one where additional built form elements at a similar height to that which already exists, will fill in more of the outlook from this area of secluded private open space, and from the adjacent internal living area through a clerestory window. This outcome is not unexpected in locations such as this, and will not unreasonably reduce the overall level of amenity to be enjoyed by users of these spaces. We find that the level of separation that will occur between the sensitive viewing locations in the open space and internal living areas, combined with the extent of landscaping proposed within the built form, the range of materials used and the transition in height from north to south, will all assist in reducing the impact of scale to one that is appropriate in such an interface location. At the rear of the property at 10 Powlett Street is a two storey outbuilding, on the first floor of which is a bedroom/gym. This first floor space has two highlight windows that face south towards the review site, in addition to three other windows that face west. Given that the two south facing highlight windows are across the laneway from the existing built form, we consider that the proposed development on the review site will have no real impact on the extent of built form that is visible, given the limited angle of views from these windows. At first floor of the main dwelling, views from a bedroom window will be gained to the proposed built form elements, however at this angle the rear additions proposed for the review site will simply take the place of the existing views to the higher buildings that already exist at both 110 and 112 Wellington Parade. While the proposed building will be closer to the first-floor bedroom window than the existing buildings at both 110 and 112 Wellington Parade, we find that the separation distance that will be provided of around 20 metres means that proposal will not present an unreasonable level of visual bulk to this property.

- b. The impact of the new balconies to the northern elevation of the existing building is less on the property at 12 Powlett Street, as it is sited further away. The area of secluded private open space at the rear of this property is narrow and allows a relatively steep angle of view up over its rear two storey outbuilding towards the middle portion of the review site. This angle of view will allow one to see the higher elements of the proposed additions on the review site. We consider that such a view to the higher elements of the proposed additions is a reasonable expectation along this interface and will not result in an unreasonable level of visual bulk or sense of enclosure of this area of secluded private open space. The first



floor balcony and windows will also have views to the additions, but these views will occur at a distance of around 20 metres from the proposed additions, and the future view will simply replace an existing view of higher buildings elsewhere in this activity centre. Consistent with our analysis of the impact on the property at 10 Powlett Street, we find that the proposed development will not result in any unreasonable level of visual bulk in views from this adjoining property.

- c. There is even less impact on the property at 14 Powlett Street, primarily as the owners of this site have invested heavily and successfully in both privacy screening and landscaping, which effectively screens most of views from their rear area of secluded private open space, towards both the existing and proposed built forms on the review site. Where there will be limited filtered views to the proposed development, we consider that those filtered views do not reveal an unreasonable extent of built form when viewed from this property. There will be more distant views of the proposed development on the review site as well as open views to the north-east and north from the first floor balcony and east facing windows. Whilst the proposed built form will be visible on views from certain locations, we are not persuaded that an unreasonable level of visual bulk will be caused to this property.
- d. The property at 131 George Street has its main living area, and primary area of secluded private open space, both with a northern outlook away from the review site. While a first floor bedroom has a window that faces south towards the review site, the separation distance of around 20 metres means that no unreasonable level of built form impact will occur to this bedroom window. While we acknowledge that the proposed development will be visible from this bedroom window, it will appear as one of a series of higher built forms in the adjacent activity centre, and at a distance that it will not overwhelm or unreasonably enclose the views from this space.
- e. The properties at 125A and 125B George Street both have areas of secluded private open space that extend to their southern boundaries, adjacent to the laneway to their south. The property at 125A George Street has a rear roller door into this space, which means that this space could be considered a car parking area, rather than an area of secluded private open space. We have taken a conservative approach and assessed this area as an area of secluded private open space. As set out in our analysis above, the rear areas of secluded private open space at 125A and 125B George Street already have views to higher built form in the adjacent activity centre. It is therefore a reasonable expectation that as redevelopment occurs on the review site and other nearby sites, that



other higher built forms will also be visible from these spaces that are right on the doorstep of the activity centre. We consider that the 2.9 metre high walls along the southern boundary of these two properties, combined with the setbacks proposed within the review site, the narrow building profile proposed and the reduced height of the proposed development when compared to the discretionary height limit under DDO21, are all elements that will assist to reduce the extent of built form that is visible from these properties to one that is reasonable and appropriate.

- f. The properties further to the east along George Street have more limited views towards the review site, arising from the fact that their southern boundaries do not align with the review site, and are gradually sited further away from the siting of the proposed development on the review site. Views from the property at 121 George Street would be limited by the one and two storey additions at the rear of 125A George Street, and therefore would only have limited views to the upper portions of the proposed development of the review site, and at some distance. The properties at 111-115 and 117-119 George Street respectively, are developed with two-three storey outbuildings to the rear of those sites. The effect of these outbuildings, the two storey addition at the rear of 125A George Street, and the minimum distance of around 26 metres from the closest viewing location at 117-119 George Street to the proposed development on the review site, will mean that no unreasonable levels of built form will be visible from these properties further east along George Street.

- 48 For these reasons we find that the proposal does not present an unreasonable level of visual bulk to any of the residential properties that surround, or are near to, the review site.
- 49 Finally, we are not persuaded that we should be disinclined to approve the proposed built form on the basis that it predominantly used to provide car parking above ground. Our task, in respect of the planning permissions required to construct buildings and works, is to assess the proposed built form, and whether it achieves an appropriate physical outcome for the review site and its context. We do not need to be persuaded that there is a need for the additional built form that is sought, nor that it is the most efficient or practical way of developing the review site. Therefore, we cannot allow the fact that the proposed built form will largely be used to provide the ‘luxury’ of having cars accommodated at the same level as individual apartments, as influencing our assessment as to the suitability of the proposed built form.
- 50 For these reasons we find that the proposed built form is an appropriate response to its context.



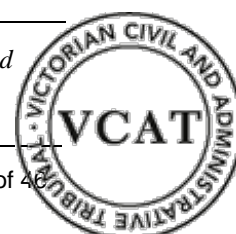
WILL THERE BE ANY UNREASONABLE OFF-SITE AMENITY IMPACTS?

- 51 The Respondents raise concerns that the proposed development will cause various off-site amenity impacts, by way of overshadowing, overlooking, visual bulk, noise, and fumes associated with the movement of vehicles in the levels above ground. We have already addressed above the potential for visual bulk, and found that the proposed development will not cause any unreasonable off-site amenity impacts of this nature. We will deal with each of the remaining issues in turn.
- 52 In undertaking the assessments that follow, we are applying a principle that it is acceptable, and indeed expected, that the residential properties in this location that abut or are adjacent to land within a Commercial 1 Zone, should have amenity expectations which are reduced when compared to land that is within the residential hinterland and surrounded by other residentially zoned land. That principle is informed by the different ways that land within the Commercial 1 Zone can reasonably be used and developed, causing a range of impacts on residential amenity. It is therefore necessary for residents abutting commercially zoned land to temper their amenity expectations to reflect the development potential of land within the activity centre. Our assessment will reflect this reasonable expectation.
- 53 This differs from the approach put forward by Mr Ley that the proposal should maintain or enhance the existing amenity of residents. This is not an approach supported by the Melbourne Planning Scheme. Rather, the planning system in Victoria seeks to facilitate development,¹⁷ and in doing so recognises that any new development will have an amenity impact to its neighbours. That is why, even in a purely residential context, the policies and provisions of the Melbourne Planning Scheme, such as that found at Clause 55, seek new development to limit amenity impacts, rather than maintain or enhance existing amenity standards.

Overshadowing

- 54 The only residential property that will experience additional overshadowing between 9:00am and 3:00pm at the equinox to their secluded private open space is that at 10 Powlett Street, and at this time just 0.7 square metres of additional shadowing will be caused by the proposed development on the review site. No additional shadowing will be caused to any residential property between 10:00am and 3:00pm at the equinox. We consider that to be a very good outcome in this interface location, noting that some shadowing at the equinox is even permitted in a purely residential context where amenity expectations are legitimately higher than is the case here.
- 55 Some of the Respondents sought to argue that we should also have regard to the longer shadows that will occur at times other than the equinox. It is the

¹⁷ As expressed in the objectives of planning in Victoria, as found at s4(1)(f) of the *Planning and Environment Act 1987*.



equinox shadows that form the standard of assessment in a purely residential context, so it would not be reasonable to apply a more stringent assessment in this physical context where a lower standard of residential amenity is a reasonable expectation.

Overlooking

- 56 We are persuaded by the evidence of Mr Blades and Mr Soussan that the proposed development appropriately restricts the potential for overlooking. To this end we note that even in an entirely residential context, Clause 55 of the Melbourne Planning Scheme does not require all overlooking opportunities to be removed, just that overlooking from habitable rooms and balconies be restricted. An appropriate level of restriction can be provided by screening with 25% transparency, and by limiting views to locations within 9.0 metres of a viewing location. We see no reason to provide a higher standard of limiting overlooking in this location.
- 57 The Respondents raise particular concern regarding the potential for overlooking from the above ground car parking levels, and from the new north facing balconies inserted into the northern façade of the existing building. As the car parking areas above ground are not habitable rooms, we see no reason to restrict overlooking from these areas. We form this view as these car parking areas are likely to be locations where residents spend little time, as they pass from vehicle to dwelling, and vice versa. Given the extensive living areas and balconies provided to these apartments, we do not consider it likely that the car parking areas are used other than for the parking of vehicles, and opportunistic storage where possible.
- 58 The north facing balconies are proposed to be screened by planter boxes, built to a height which prevents downward views into the secluded private open space of 10 Powlett Street, augmented by planting to give a filtered outlook to the north for these residences. The properties at 12 and 14 Powlett Street not within 9.0 metres of these balconies. We are satisfied that the design of the planter boxes, including their varying heights as one moves up the building, will appropriately restrict views into 10 Powlett Street. None of the viewlines from these balconies will allow views into the secluded private open space at 10 Powlett Street. While the two lower levels will have a viewline to the first-floor windows at 10 Powlett Street, one needs to stand in excess of 9.0 metres away¹⁸ to gain an angle of view that is more than 45 degrees. Further, as the closest first floor window at 10 Powlett Street is to an ensuite, this is not a habitable room, and would ordinarily be screened with opaque glazing or a blind to restrict views in, as

¹⁸ Indeed, one needs to stand approximately 10.28 metres away from the closest edge of the closest of these first floor windows in order to gain a 45 degree angle of view into the closest of these windows. However, as the closest, or southern first floor window, in this eastern wall of the dwelling at 10 Powlett Street is to an en-suite, the closest habitable room window is even further away, and sited some 10 metres away from the closest viewing location on a balcony, or 13.08 metres away on a 45 degree viewing arc.



is the case here. Under Clause 55.04-6 of the Melbourne Planning Scheme, this separation of the viewing distance constitutes a reasonable screening of views in a purely residential context, and so certainly represents a reasonable screening of views in an interface location where Clause 55 does not apply.

- 59 There are also west and north-west facing windows to bedrooms and studies in the proposed additions that are sited at the eastern end of the western laneway. These windows are sited more than 9.0 metres away from the area of secluded private open space at 10 Powlett Street, and even further away from the areas at 12 & 14 Powlett Street. While two south facing highlight windows on the first floor above the garage to 10 Powlett Street are within this distance, given they are highlight windows, of themselves they will sufficiently limit views into the room positioned above the garage, with the acute angle of view from the proposed bedroom and study windows adding another layer of restriction to such views.
- 60 For these reasons we find that the proposed development will not result in any unreasonable level of overlooking to surrounding properties.

Noise and odour

- 61 We are not persuaded by the submissions of various Respondents that the above ground car parking could result in unreasonable noise and odour to the surrounding residents. We form this view for the following two reasons. Firstly, we note that a 'without prejudice' condition has been drafted by Council which seeks to deal with noise from all mechanical plant, and in accordance with our suggestion at the conclusion of the hearing, that condition will be clarified to include specific reference to the car lift, car stackers and car turntables. We are satisfied that a process will occur whereby an acoustic assessment of this infrastructure will be undertaken, and measures adopted to ensure that it does not cause a nuisance by way of noise.
- 62 Secondly, we note that it is the unchallenged evidence of Mr Walsh that the proposed dwellings will likely generate a rate of two vehicular movements per dwelling per day. This is particularly low, in part because of the extent of services and facilities within an easy walking distance of the site, including a tram stop and a railway station both within a 200 metre walking distance of the review site. The five apartments located above ground, will therefore together result in a combined ten vehicle movements across an entire day. We do not consider that this low level of vehicle movements could cause an unreasonable level of noise or fumes into this traffic dominated locality.
- 63 During the course of the hearing the Applicant offered to erect glazing behind the battens to the car parking levels, on both the western and northern elevations, in order to address concerns relating to noise and



odours. While we consider such glazing to be unnecessary, we will implement the condition that has been agreed to between all parties.

- 64 With the glazing in place, we can confidently conclude that there will be no unreasonable noise or odour impacts on the nearby residential properties.
- 65 For these reasons we find that the proposed development will not cause any unreasonable levels of amenity impacts to the surrounding and nearby residential properties.

DOES THE PROPOSAL PROVIDE FOR AN APPROPRIATE LEVEL OF INTERNAL AMENITY?

- 66 None of the parties that oppose the grant of a planning permit have raised any concerns in relation to the standard of internal amenity that will be provided by the proposed apartments. We agree with this approach, and find following our own analysis that the proposed apartments will provide an acceptable level of internal amenity for future residents. We form this view having regard to the size of the individual rooms, the size of each apartment, the orientation and ability for habitable rooms to receive an appropriate level of daylight and solar access, the size of the areas of secluded private open space in the form of balconies, and the convenient car parking provided on site.
- 67 We note that some of the apartments have a room depth that exceed that permitted by Standard D26.¹⁹ As the apartments that exceed that standard have multiple options for living areas, and an overall size of their apartment that dwarfs many other apartments, we consider that overall an appropriate level of internal amenity is achieved, despite the room depth to some of the living areas.
- 68 For these reasons we find that the proposed development will provide an appropriate level of internal amenity for future occupants.

DOES THE PROPOSAL APPROPRIATELY PROVIDE FOR CAR PARKING AND TRAFFIC MOVEMENTS?

- 69 The Respondents oppose the traffic impacts of the proposed development. At the heart of their concerns is the fact that the laneway on the eastern side of the review site (the ‘eastern laneway’) is very narrow, measuring at around 2.4 metres wide between the existing building on the review site, and the existing building and boundary wall on the property to the east of the review site. Due to the narrow width of this laneway, many of the residents who have garages that back on to and utilise this laneway prefer to traverse across the open at grade car park in the middle of the review site and use the laneway on the western side of the review site (the ‘western laneway’) to access the surrounding road network. While such access is not possible when the car park in the middle of the review site is completely occupied, it is the submissions of the surrounding residents that there are

¹⁹ As found at Clause 58.07-2 of the Melbourne Planning Scheme.



many times when this car park is either partly occupied, or practically empty, so as to allow such access to occur. The location of these two laneways in respect of the review site can be seen in the following image taken from Mr Walsh's expert evidence statement.



70 Having regard to this understanding, the Respondents oppose the proposal for the following traffic related reasons:

- a. The proposed development will block the existing informal access between the eastern and western laneways, thus forcing all traffic movements from properties that access the eastern laneway, to traverse the narrow section of laneway immediately to the east of the existing building on the review site, and out to Wellington Parade. This will make access by a waste collection vehicle, and the ambulance that visits the rear of the adjoining site to the east, practically impossible. It will also exacerbate the existing difficulty with entering and exiting this laneway from Wellington Parade, having regard to the extent of traffic and on street car parking that occurs on this road. The extent of traffic that uses this eastern laneway, and the removal of the existing open at grade car park at the rear of the review site, will also make the passing of vehicles within the laneway environment more difficult, which may force some vehicles to reverse along the narrow portion of the laneway and out into Wellington Parade, which the Respondents say is a very tricky and dangerous traffic movement.

- b. The extent to which people will be forced to utilise the eastern laneway will create a dangerous pedestrian environment.
- c. The proposed development will result in more car parking spaces being accessed via the western laneway and that this will in turn make vehicle movements within this environment more difficult by replacing the existing open at grade car parking area, that is often partly or wholly vacant, with a hard edge built to boundary. The users of the western laneway also raise a concern with the way in which the development will build around, and over the top of, a carriageway easement that enables them to turn around at the end of the western public laneway.
- d. The users of both the eastern and western laneways oppose the manner that vehicles may be forced to prop in each of the laneways to access the tandem stacker spaces that are provided for apartments 102 and 103 off the eastern laneway, and the car lift for the upper floors that is accessed off the western laneway. Mr Cain submits that it would be preferable for cars to wait within the boundaries of the review site, rather than on the adjacent laneways.
- e. Ms Gething raises the prospect, given the historical regular traversing of the open at grade car park from one laneway to the other by surrounding residents, that there is the basis for an adverse possession claim for a carriageway easement across this land.
- f. Ms Hicks raises a concern that the post office is allocated car parking within the rear at grade car space, and that with the post office been retained on the review site, the vehicles that use these car parking spaces in the future will now need to utilise on street car parking.
- g. Finally, Ms Schroor raises the fact that a brick wall constructed at the rear of her client's site extends into the review site, which will impact the siting of a car stacker and one of the storage areas.

- 71 We are not persuaded by these submissions, and instead find that the proposed development is an appropriate response to the car parking and traffic demands created by the proposed development, and the surrounding traffic and road environment. We make this finding for the following reasons.
- 72 Traffic and car parking evidence was provided by Mr Walsh. It is his evidence that the existing use and development of the review site has a car parking area that has 17 car parking spaces that gain access by the eastern laneway, and 8 car parking spaces that gain access off the western laneway. In making these observations, Mr Walsh also concedes that when the existing at grade car park in the middle of the review site is largely vacant, that some of the car parking spaces that are directly accessed off the eastern



laneway, could be accessed by vehicles entering via the western laneway, and vice versa.

- 73 The proposed development comprises 22 car parking spaces, 9 of which will be accessed off the eastern laneway, with 13 car parking spaces accessed off the western laneway. There will therefore be a significant reduction in the number of car parking spaces on the review site that are directly accessed off the eastern laneway.
- 74 Mr Walsh also gave evidence about the comparative generation rates of vehicle trips for the existing office floor space, compared to the proposed residential apartments. It is his evidence that the existing car parking in the middle and rear²⁰ of the review site will generate 10 or 11 vehicle movements in a peak hour associated with the existing office use. In comparison, he anticipates that the proposed dwellings will generate 2 vehicle movements in a peak hour, comprising one movement to each of the eastern and western laneways.
- 75 It is therefore the evidence of Mr Walsh that the proposed development of the review site will result in a significant reduction in the amount of traffic generated by the review site, that will utilise both of the adjacent laneways. This is the case even if one allows for the historical potential for vehicles to preference the western laneway over the eastern laneway, at times when the existing on site car park allows for the car parking spaces accessed off the eastern laneway, to be accessed via the western laneway.
- 76 We note that during the recent and ongoing pandemic that office buildings across Melbourne have often been empty, or had much lower occupancy rates. Therefore over the past two years the existing car park on site would have had less use than would have historically been the case. We consider it appropriate to undertake our analysis on the basis of the historical occupancy and use of the site, as opposed to the more recent lighter use of the review site and its car park. We form this view as it is our task to assess the traffic impacts of the current proposal when it is used to its capacity, and to make a comparison with the existing land use when it is also used to its capacity.
- 77 Given the significant reduction in traffic movements that the proposed development will generate to both of the adjacent laneways, it is evident that the proposed development should be supported on traffic grounds, subject to matters of detailed design. We note the Respondents' concerns that the proposed development of the review site will block the existing occasional opportunistic access that occurs between the eastern and western laneways, which allows residents and other locals at times to avoid using the narrow entrance to the eastern laneway. However, we have no

²⁰ This analysis excludes the three car parking spaces provided in an undercroft at the rear of the existing seven story building, that serve the existing retail floor space at ground floor level, with both the retail floorspace and the three retail car parking spaces being retained as part of the proposed development of the review site.



jurisdiction to require the Applicant to continue to allow the surrounding residents to traverse over their private property. It is therefore entirely reasonable that the Applicant proceed with a development proposal that does not provide for others to drive over this part of the review site at will.

- 78 The result will be that those residents who have rear garages that gain access off the eastern laneway, will now need to utilise solely the entrance to the eastern laneway to gain access to those garages. From a legal perspective, that should have been the historical situation that existed until now. In a context where this proposed development does not further narrow that laneway, and reduces the traffic demand on that laneway, this proposed development cannot be refused having regard to its impact on access along the eastern laneway. Indeed, to the contrary, this proposed development proposes to effectively widen parts of the eastern laneway, by providing a permanent passing opportunity within the boundaries of the review site. In this regard, it will therefore improve the existing access opportunities along this eastern laneway.
- 79 In addition to this analysis, we provide the following responses to the submissions of the respondents as summarised earlier in these reasons:
- a. The eastern laneway will continue to provide access to the properties that gain access off it, albeit with the provision of a permanent passing opportunity within the boundaries of the review site, and a reduction in the number of car parking spaces and vehicle movements generated by the review site. While the southern entrance to the laneway from Wellington Parade is unusually narrow, the proposed development that is before us does not contribute to that narrow width, and careful access by vehicles from Wellington Parade will continue to be available, as is presently the case. We note that on our site inspection we traversed the narrow portion of the eastern laneway in a large SUV, and also observed a large modern Toyota Hilux performing the same vehicle movement. We are therefore not persuaded that the eastern laneway is not suitable for a range of vehicles. Larger vehicles, such as waste vehicles and an ambulance, that may have relied entirely on fortuitous access across the review site from the western laneway, will need to review whether access can be gained entirely from the eastern laneway, or whether alternative arrangements need to be made. This is the only reasonable outcome, as we have no legal ability to ensure ongoing access by the surrounding community over the private land that comprises the review site. In relation to the prospect of vehicles having to reverse back out into Wellington Parade, as we have already noted, the review site provides a permanent passing opportunity within the laneway, which currently is only available when there are car parking spaces vacant within the boundaries of the review site. As such, we consider that the proposed development provides a superior passing



opportunity within the laneway environment, over that which currently exists. While this will not completely remove the potential for vehicles to have to reverse along part of laneway, it will provide a permanent passing opportunity for the first time along this section of the laneway, which is a reason to support the proposed development of the review site. Finally, while we understand that access in and out of Wellington Parade to the eastern laneway can be tricky, both due to the siting of parked vehicles and the extent of traffic that uses Wellington Parade, neither of these circumstances are created by the proposed development of the review site. Indeed, the proposal that is before us improves the access to Wellington Parade by significantly reducing the number of vehicles that will be utilising the eastern laneway to gain such access.

- b. We are not persuaded that the proposed development will result in a dangerous pedestrian environment along the eastern laneway. We make this finding for the following three reasons. Firstly, the ground floor layout of the proposed development of the review site continues to allow pedestrian access between the eastern and western laneways, which will avoid the need for pedestrians to utilise the narrow component at the southern end of the eastern laneway. Secondly, even if pedestrians were forced to utilise the narrow section of the eastern laneway, we consider that vehicles along this laneway would travel at a very slow speed, which will give sufficient warning to both pedestrians and drivers to enable them to avoid any potential conflict. Thirdly, we also note that all of the properties that gain access off this eastern laneway also have alternative access off other roads, and therefore have an option to avoid use of the eastern laneway as pedestrians.
- c. While the proposed development will increase by one the number of car parking spaces that gain access from the western laneway, given the change of use from office to residential for most of the floors within the existing building, the number of vehicle movements utilising the western laneway will be reduced. It is the evidence of Mr Walsh that the number of vehicle movements along the western laneway in a peak hour will reduce from an existing level of two or three movements, to one movement in the peak hour.²¹ In addition, any vehicle movements from cars that currently utilise the western laneway to gain access to the spaces accessed off the eastern laneway will also be removed entirely, as will the vehicle movements associated with residents that have garages off the eastern laneway, that utilise the western laneway

²¹ In respect of both the existing vehicle movements, and the proposed vehicle movements, the figures quoted here are in addition to the vehicle movements associated with the three retail car parking spaces that both exist and are to be retained on the review site.



from time to time. Further, while the existing open at grade car park will be replaced with a building, we are satisfied that the boundaries of the laneway environment provide sufficient room for vehicle movements to occur to each of the abutting properties. While access along the private laneway to the property at 12 Powlett Street will be tight, we are persuaded that such access will continue to be possible, and further note that access across the privately owned land that comprises the review site cannot be relied upon to make this access more generous. Finally, we are persuaded by the evidence of Mr Walsh that the proposed development will continue to provide access across the triangle of a carriageway easement that occurs at the eastern end of the western laneway, and that suitable clearance is provided under the floors that project over this space to enable such access to continue to occur.

- d. We are persuaded by Mr Walsh's evidence that it is appropriate that vehicles that seek to utilise the car lift, and need to wait while the car lift becomes available for use, can do so within the boundaries of the western laneway. We make this finding as:
- i. the western laneway widens on approach to the review site, enabling vehicles to pass each other within this part of the laneway;
 - ii. the western laneway serves only a limited number of properties, which together have a very low number of vehicles that utilise this laneway;
 - iii. the low trip generation rate of the five dwellings that will gain access via the car lift means that the likelihood of two vehicles seeking to utilise the car lift at the same time is very low; and,
 - iv. the car lift is to be designed such that it returns to a ground level position when not in use, which means that there will be only a short delay for vehicles wanting to enter the site associated with the opening of the roller door to the car lift, which is a delay that other users of this laneway would experience when entering their own garages.

We are not so persuaded by Mr Walsh that it is appropriate to have tandem car stackers accessed via the eastern laneway. That is, given the large number of vehicles from both the review site and surrounding properties that utilise this laneway, the narrow proportions of this laneway, and the fact that vehicles waiting to utilise the tandem stackers would occupy the only passing area been provided on-site along this laneway, we consider it appropriate that independent stackers be provided for Apartments 102 and 103, that allow each of the car parking spaces within the



stackers to be accessed without first removing one of the other vehicles. We understand from Mr Walsh that independent stackers are slightly longer, and that this may either require the removal of the roller doors in front of the stackers, or a slight reduction in the width of the passing area adjacent to the laneway. We consider that either of these potential outcomes are acceptable in this context, and are preferable to the provision of tandem stackers for these two apartments.

- e. For us to be able to give any credence to an adverse possession claim for carriageway across the review site, there must be much more before us than an oral submission that such a claim may be possible. We have not been advised that any adverse possession claim has been made either in a formal or informal sense, nor are we advised of any current court action to establish or enforce such a claim. As such, we cannot give any weight to the submissions made that there might be grounds for an adverse possession claim of carriageway across part or all of the review site.
- f. We note that there is currently a reserved car parking space in Wellington Parade for staff vehicles associated with the post office, and another car space on the review site, which is being retained. Given that retail customers of the post office would either be able to walk or catch public transport to the review site,²² we consider that this existing supply of car parking for the post office is a reasonable and appropriate response to the requirements at Clause 52.06 of the Melbourne Planning Scheme.
- g. We are persuaded by the evidence of Mr Walsh that the encroachment into the review site by the brick wall at the rear of 14 Powlett Street, can be accommodated into the design of the car stacker and the adjacent storage area, without unreasonably impacting the design or operation of either space.

80 Turning to the relevant car parking considerations we find that the proposed development will provide an appropriate level of car parking for the existing and proposed uses of the review site. We make this finding for the following reasons:

- a. The existing car parking provision for the retail floor spaces at the ground floor is to be retained on site. This is despite the fact that there will be a small reduction in the extent of retail floor space provided on the review site, to make way for the provision of a generous residential lobby for the proposed apartments. We are persuaded by the evidence of Mr Walsh that this car parking provision is appropriate for staff, noting the excellent access that exists to public transport in this locality for staff, and that retail

²² Noting that a tram stop and a railway station are both located within a 200 metre walking distance of the review site.



shoppers will mostly be drawn from those people that can either walk or catch public transport to the review site. We do not consider it appropriate on a site such as this to provide for short-term car parking for retail shoppers on site. Rather, an activity centre such as this should provide that resource within the public realm.

- b. Car parking for the proposed apartments is provided at a rate of two car spaces per apartment, which meets the requirements set out under Clause 52.06 of the Melbourne Planning Scheme.
- c. An apartment currently exists on the top floor of the existing building, which is not provided with any car parking on the review site, consistent with a planning permit issued in December 2000. As no material change is being made to that existing apartment, it is appropriate that the existing planning approval is continued to be relied upon, for the basis of not providing any car parking on the review site for that existing apartment.

81 For these reasons we find that the proposed development will appropriately provide for car parking and traffic movements.

ARE THERE ANY OTHER ISSUES?

82 We note that a planning permit is required to use the review site for accommodation (dwellings), having regard to the width of the frontage of the site that is to be utilised for the residential lobby, and associated services. None of the parties that appeared before us oppose the grant of such a planning permit. The issue raised by the permit trigger is the potential loss of ground floor frontage from active commercial uses, to a residential land use. We consider that potential detrimental outcome is avoided here, through the retention of the existing three retail tenancies on the ground floor that will continue to activate the Wellington Parade frontage of the review site. We therefore consider that the manner in which the width of the residential frontage to the ground floor lobby could be argued to be wider than 2.0 metres, does not offend this planning objective of retaining active commercial frontages in this zone. Further, having regard to the policy framework that encourages the use of land within activity centres for increased housing, including the policy at Clause 21.16-2 of the Melbourne Planning Scheme that specifically encourages residential development in this location, we find that the proposed conversion of the office floor space above ground floor in the existing building on the review site to a residential land use to be specifically encouraged by the Melbourne Planning Scheme. For these reasons we consider it appropriate to allow the grant of a planning permit for the proposed residential land use.



WHAT CONDITIONS ARE APPROPRIATE?

- 83 A number of other matters about permit conditions were raised by the parties. With respect to those matters, other than those already addressed above, we summarise our conclusions as follows:
- a. Ms McPherson seeks a permit condition requiring particular improvements to occur to the existing garage at the very rear of the review site, including a reference to the existing asbestos roof. As this building is not a heritage structure, any structural improvements to this building, including the removal of asbestos, is not a planning issue. Rather it is a matter to be addressed under a subsequent application for a building permit.
 - b. Ms McPherson and Ms McGauran both request that the glazing to be positioned behind the batterns enclosing the upper level car parks be extended to the north-east of each level. As we do not see any planning reason for this glazing in the first place (see our reasons above), we will not require its extension.
 - c. Ms McPherson also seeks larger evergreen trees to be provided on the level 2 podium planter box, in order to impact the views from her property. As, for the reasons set out above, we find that the views from her bedroom window some 20 metres away from the proposed development will not be unreasonably impacted by the proposed development, we see no reason to require a change to the landscaping regime that is proposed by Mr Atkinson.
 - d. We agree with the submission of Ms McPherson that it is appropriate that Condition 1(p) as set out below, be applied also to the potential for light glare to the residential properties to the north and north-east of the review site, as those residential properties are as sensitive to light glare as those nearby in Powlett Street.
 - e. We will not adopt the condition sought by Mr Ley, as a planning permit such as the one we are directing to be issued, cannot control the position of a gantry associated with any future building work.
 - f. For the reasons set out above, we cannot adopt the condition as sought by Ms Mercer, to allow her access across the review site during construction.
 - g. We will agree to the request by Mr Cain to amend Condition 1(l) to ensure that the brick facades being added to parts of the western elevation are contained within the review site, and do not narrow the proportions of the adjacent private laneway.
 - h. For the reasons set out in our analysis above, we will decline to add permit conditions as sought by Ms Hicks, to further restrict overlooking beyond the usual standards, as to do so would essentially devalue the role of such standards.



- i. In terms of the time limit condition, Ms Collingwood has sought an allowance of six years to commence the development, and four years to complete. In view of the size of the project and the delays being experienced as a result of the COVID 19 pandemic, we consider limits of 3 and 5 years to be appropriate, noting that the Applicant can apply to Council if extensions are legitimately required.

CONCLUSION

84 For the reasons given above, the original decision of the responsible authority is set aside. A permit is granted subject to conditions.

Michael Deidun
Presiding Member

Ann Keddie
Member



APPENDIX A – PERMIT CONDITIONS

PERMIT APPLICATION NO	TP-2018-80
LAND	122-130 Wellington Parade, East Melbourne (comprising lots 1-8 and the common property on PS309234D)

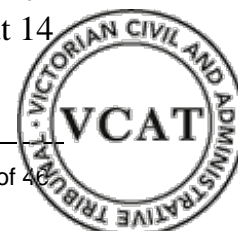
WHAT THE PERMIT ALLOWS

In accordance with the endorsed plans:

- To use the land for Accommodation (Dwellings)
- To partly demolish an existing building
- To construct two or more dwellings on a lot
- To construct a building and construct or carry out works

CONDITIONS

- 1 Prior to the commencement of the development (including any demolition), an electronic set of plans drawn to scale must be submitted to the Responsible Authority, generally in accordance with the plans reference TP-210 - TP-212, TP-501 - TP-509, TP-700 - TP-703, TP-705, TP-706, TP-710, TP-711 and TP-726 prepared by Co-lab Architecture dated 26 January 2022 but amended to show:
 - (a) Any screening measures to prevent overlooking from west-facing windows within the development to comply with Clause 58.04-1.
 - (b) Any screening measures required to prevent internal views between north-facing balconies and west facing bed/study windows within the development to comply with Clause 58.04-2.
 - (c) Works to the rear garage to be retained, including details of repairs to the roof and walls necessary to make good the building, ensuring it is fit for purpose and durable.
 - (d) Car spaces abutting storage cages allocated to a single dwelling.
 - (e) Any outward opening doors/cabinets onto the public realm to comply with Council's Road Encroachment Operational Guidelines.
 - (f) A development summary.
 - (g) Substitution of the ground level plan with Drawing No TP-501 (Updated Ground Floor Plan) received/filed on 23 March 2022, which depicts the minor encroachment of the eastern wall of the garage at 14



Powlett Street into the subject site, and consequential changes to the ground floor of the proposed development.

- (h) Introduction of a landscaping maintenance gate at the northern edge of the Level 2 car parking area.
- (i) Modifications to the north-facing balcony balustrade heights/width as illustrated in the updated section received/filed on 23 March 2022;
- (j) Clear glazing or other backing provided on the inside of the battens/louvers in-fill treatment of the car parking levels on the western and northern elevation of the car park structure (except the level of the open air car park).
- (k) The charcoal infill treatment to the car parking structure shown consistently on the east, northern and west elevations with spacing not exceeding 50mm (LVR-02), with the application of BAL to the open air car parking exterior wall.
- (l) The following areas treated in a face brickwork finish (BW-01 or equivalent), which is to be wholly contained within the boundaries of the review site:
 - i Western wall on boundary at ground and first floor level (car lift machine room and Apt 102 / 103 car lift); and
 - ii Eastern wall of the car lift at ground floor level.
- (m) Removal of the 'DDO21-A4 – 24M maximum building height' envelope shown on the elevations.
- (n) Clarification of the 'general store' area to the south of the car lift of the Level 4 apartment.
- (o) The deletion of the annotation on Plan TP-501 on the rear single storey building at 14 Powlett Street, which states "future garage structure";
- (p) Lighting in the car park structure to be movement-activated and baffled to avoid light spill and glare to properties at 10, 12 and 14 Powlett Street, and those to the north and north-east of the review site, to the satisfaction of the Responsible Authority;
- (q) Any changes in accordance with the requirements of Condition 5 of this Permit (ESD Statement).
- (r) Any changes in accordance with the requirements of Condition 7 of this Permit (Landscape Scheme) including (but not limited to):
 - i Continuation of rendered bands across the western elevation to form planters at Levels 3-7;
 - ii Modifications to the Level 2 floor slab to accommodate the necessary soil depth(s);



- iii An increase in the height to the parapet to the northern and western elevations at the level 2 landscaped area by up to 250mm, to provide a minimum soil depth within the planter box of 600mm.
- (s) The provision of a system facing the adjacent laneway to the west of the review site that informs users of the laneway when the car lift is in use.
- (t) The provision of independent car stackers (with a pit) to the spaces provided for Apartments 102 and 103. In making this provision, it is acceptable if the roller door in front of these stackers need to be removed to ensure the provision of a passing opportunity alongside the adjacent laneway.
- (u) Any changes in accordance with the requirements of Condition 10 of this Permit (Waste Management Plan).
- (v) Any changes in accordance with the requirements of Condition 22 of this Permit (Road Safety Audit).
- (w) Any changes in accordance with the requirements of Condition 23 of this Permit (Traffic Management Plan).
- (x) Any changes in accordance with the requirements of Condition 27 of this Permit (Acoustic Testing).

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

- 2 The use and development allowed by this permit and shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
- 3 Prior to occupation of the development all buildings and works required by this permit must be completed to the satisfaction of the Responsible Authority.
- 4 Prior to the commencement of the development (including any demolition), a Facade Strategy and Materials and Finishes must be submitted to and be approved by the Responsible Authority. All materials, finishes and colours must be in conformity with the approved Façade Strategy to the satisfaction of the Responsible Authority. Unless otherwise approved by the Responsible Authority, the Facade Strategy must be generally in accordance with the development plans and must detail:
 - (a) Further detail around the specification of LVR-02, and a correlating façade detail, to ensure some visual permeability and lightness is achieved to the car park structure.
 - (b) Further detail of the rear ground floor lobby entrance and adjoining areas to ensure a high quality built outcome.



- (c) A concise description by the architect of the building design concept and how the façade works to achieve this.
 - (d) Elevation details generally at a scale of 1:50 illustrating typical facade details, balcony niches, entries and doors, and utilities, and any special features which are important to the building's presentation.
 - (e) Cross sections or another method of demonstrating the façade systems, including fixing details indicating junctions between materials and significant changes in form and/or material.
 - (f) Information about how the façade will be accessed and maintained and cleaned, including any planting if proposed.
 - (g) Example prototypes and/or precedents that demonstrate the intended design outcome to produce a high quality built outcome.
 - (h) A schedule of colours, materials and finishes, including the colour, type and quality of materials showing their application and appearance. Materials and finishes must be of a high quality, contextually appropriate, durable and fit for purpose. This can be demonstrated in coloured elevations or renders from key viewpoints.
- 5 Prior to the commencement of the development, an Environmentally Sustainable Design (ESD) Statement shall be prepared by a suitably qualified professional and submitted to and approved by the Responsible Authority. The ESD Statement must demonstrate that the building has the preliminary design potential to achieve the following:
- (a) A 5 star rating under a current version of Green Star – Multi Unit Residential rating tool or equivalent.
 - (b) 1 point for Wat-1 credit under a current version of the Green Building Council of Australia's Green Star – Multi Unit Residential rating tool or equivalent.
- This ESD Statement must be to the satisfaction of the Responsible Authority and when approved shall form a part of the endorsed plans of this permit.
- 6 Prior to the occupation of any building approved under this permit, a report from the author of the endorsed ESD report, or similarly qualified persons or companies, outlining how the performance outcomes specified in the amended ESD report have been implemented must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm and provide sufficient evidence that all measures specified in the approved ESD report have been implemented in accordance with the relevant approved plans.
- 7 Prior to the commencement of the development, a detailed landscape plan, generally in accordance with the plan identified as 'Landscape Concept Plan' prepared by Urbis (Job No. P0038583, Drawing No. LA-01, Rev A),



dated 1 March 2022 must be submitted and approved by the Responsible Authority. This plan must include:

- (a) The *Syzygium paniculatum* (Lily Pilly) to the north-facing balconies at Levels 2 – 7 replaced with a more transparent/filtered species (Lavender, Rosemary or similar).
- (b) The northern and western side of the Level 2 landscaping platform to accommodate a minimum of 600mm soil depth;
- (c) Planting within the additional planters along the western elevation in front of the car lift at levels 3 to 6 inclusive;
- (d) A schedule of all soft and hard landscaping and treatments.
- (e) Urban design elements including, but not limited to, paving and lighting, and clear demarcation of public realm and private spaces, including arrangements for pedestrian, bicycle and vehicular circulation.
- (f) How the project responds to water sensitive urban design principles, including how storm water will be mitigated, captured, cleaned and stored for onsite use and the location and type of irrigation systems to be used including the location of any rainwater tanks to be used for irrigation.
- (g) Location of buildings and trees on neighbouring properties within three metres of the boundary, including street trees.
- (h) 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.
- (i) Confirmation that planter boxes, where proposed, are fixed.
- (j) Soil media type and depth detailed in the typical planter box detail.
- (k) 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.

8 Prior to commencement of development, a Landscape Maintenance Plan (LMP) in connection with the proposed development must be submitted to, and be approved by the Responsible Authority. The LMP must provide details of the following:

- (a) Access arrangements for maintenance of landscaping areas, as required.
- (b) Responsible parties for plant establishment and ongoing maintenance.
- (c) Plant establishment schedule and period.
- (d) Maintenance schedule for plantings (monitoring of plants, weeding, re-mulching, pest management, fertilising, re-planting).



- (e) Maintenance schedule for structures and surfaces (cyclic, routine, reactive, emergency and renovation).
- (f) Replacement timeframes for poorly performing plant stock including replacement pot size.
- (g) Irrigation specification and maintenance schedule.
- (h) Maintenance Access requirements and sample Agreements, if access is required from private spaces.

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

- 9 No street tree adjacent to the site may be removed, lopped, pruned or root-pruned without the prior written consent of the Responsible Authority.
- 10 Prior to the commencement of the use and development, a Waste Management Plan (WMP) must be prepared, submitted and approved by the Melbourne City Council - Engineering Services. The WMP must detail waste storage and collection arrangements and be prepared with reference to the Melbourne City Council Guidelines for Preparing a Waste Management Plan. Waste storage and collection arrangements must not be altered without prior consent of the Melbourne City Council - Waste and Recycling.
- 11 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 – Infrastructure and Assets.
- 12 The title boundaries for the property may not exactly agree with the road alignments of the abutting Council lane CL1084 and CL1117. The approved works must not result in structures that encroach onto any Council lanes.
- 13 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.
- 14 All pedestrian paths and access lanes shown on the endorsed plans must be constructed and maintained to the satisfaction of the Responsible Authority - Infrastructure and Assets.
- 15 The road(s) adjoining the site along Corporation Laneway CL1084 and CL1117 affected by building works must be reconstructed together with associated works including the modification of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by the Responsible Authority – Infrastructure and Assets.



- 16 The footpath adjoining the site along Wellington Parade must be reconstructed together with associated works including the renewal/reconstruction of kerb and channel and modification of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by the Responsible Authority – Infrastructure and Assets.
- 17 Existing street levels in Wellington Parade, CL1084 and CL1117 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
- 18 All street lighting assets temporarily removed or altered to facilitate construction works shall be reinstated once the need for removal or alteration has been ceased. Existing public street lighting must not be altered without first obtaining the written approval of the Responsible Authority – Infrastructure and Assets.
- 19 Existing street furniture must not be removed or relocated without first obtaining the written approval of the Responsible Authority – Infrastructure and Assets.
- 20 Prior to the commencement of the development, excluding preliminary site works, demolition and any clean up works, or as may otherwise be agreed with the City of Melbourne, a lighting plan must be prepared to the satisfaction of Council. The lighting plan should be generally consistent with Council’s Lighting Strategy, and include the provision of public lighting in Corporation Laneway CL1084 and CL1117. The lighting works must be undertaken prior to the commencement of the use/occupation of the development, in accordance with plans and specifications first approved by the Responsible Authority – Infrastructure and Assets.
- 21 All external lighting and lighting within the car parking areas must be motion activated, designed, baffled and located so as to prevent light from the site causing any unreasonable impacts on the locality, to the satisfaction of the Responsible Authority.
- 22 Prior to the commencement of the development, a Road Safety Audit shall be prepared and submitted to the Melbourne City Council – Engineering Services. The Road Safety Audit should, amongst other things, assess the access arrangements, layout and vehicular circulation within all car parking areas. The audit findings must be incorporated into the design at the developer’s expense. The Road Safety Audit must be to the satisfaction of the Responsible Authority – Engineering Services.
- 23 Prior to the commencement of the development, a Traffic Management Plan shall be prepared and submitted to the Melbourne City Council – Engineering Services. When approved, the plan will be endorsed and will then form part of the permit. The plan must include:



- (a) Details of how vehicular access and egress from the site will be managed so as to not impact adjoining laneways or surrounding streets.
 - (b) Details of directional signage and line marking to be installed.
 - (c) Details of surfacing of all hard stand areas.
 - (d) Details of the operation of the car lift, including traffic signals and bias to ensure availability at peak times.
 - (e) Details and a schedule for ongoing maintenance of the car lift and car stackers.
 - (f) Instructions to owners/occupiers about the operation of the car lift and car stackers.
 - (g) Information to be conveyed to existing and prospective residents about the capacity of the car lift and car stacker spaces and sizes.
 - (h) Swept path diagrams demonstrating that car stackers can be accessed by vehicles without encroaching into private property.
 - (i) Swept path diagrams demonstrating that vehicles can safely enter and exit all car spaces contained within the retained rear garage.
 - (j) Confirmation of the allocation of bicycle parking within the rear garage to be retained.
- 24 Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose, to the satisfaction of the Responsible Authority.
- 25 The use of Level 6 to be limited to the parking of vehicles and bicycles, and garden and tree planting and maintenance, to prevent the area from being used for outdoor entertaining or other recreational purposes by the occupant of the apartment of that level.
- 26 Prior to the commencement of the development, including demolition or bulk excavation, a detailed construction and demolition 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.
 - (e) waste and materials reuse.
 - (f) traffic management.



- (g) any protection measures associated with the existing trees at 14 Powlett Street in accordance with the Arboricultural Report dated 4 September 2018 prepared by Tree Response.
- (h) access arrangements, having regard to the use of the triangular parcel of land contained in TP23002F (Volume 10094 Folio 549) for the sole vehicular access to 12 & 14 Powlett Street.

27 Prior to the commencement of the development, an Acoustic Assessment of the development, to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority. The assessment must be prepared by a suitably qualified acoustic engineer and must detail recommended treatments of the development and/or the adoption of appropriate measures to ensure that:

- (a) Noise emissions associated with the operation of surrounding and nearby train lines do not impact adversely on the amenity of the dwellings.
- (b) Dwellings are to be designed to achieve the following noise levels:
 - i Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
 - ii Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.

Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.

- (c) Noise emissions from the development (including the operation of plant (including the car lift, car turntables and car stackers), transmission of noise between dwellings and the use of the car spaces) do not impact adversely on the amenity of dwellings within the development and neighbouring residential properties.

The development must be constructed in accordance with the requirements/recommendations of the approved Acoustic Assessment to the satisfaction of the Responsible Authority.

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

- (a) The development is not started within three years of the date of this permit.
- (b) The development is not completed within five years of the date of this permit.
- (c) The use is not started within five years of the date of this permit.

In accordance with section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.



Transport for Victoria

- 29 Prior to the commencement of the development excluding site preparation works, demolition, temporary sheds or structures for construction purposes, bulk excavation, site preparation and retention works, soil remediation, piling, footings, ground beams and ground slabs, the owner of the land must enter into an agreement with the Department of Environment, Land, Water and Planning (DELWP) pursuant to Section 138(A) of the Land Act 1958 for the elements of the approved development that project more than 300mm beyond the land's Wellington Parade street boundary (i.e. the canopies, fixed shading devices, awnings, planter boxes etc), to indemnify the Crown in relation to any claim or liability arising from the projections within the Wellington Parade street road reserve. This condition does not apply where written confirmation is obtained from DELWP that the above agreement is not required.

– End of conditions –



APPLICATION BY A PERMIT HOLDER TO CANCEL OR AMEND A PERMIT

VCAT reference number (Office use only): P

WHAT YOU CAN APPLY FOR

If you are a permit holder, owner or occupier of land, or someone entitled to use or develop land, you can apply to cancel or amend a permit under section 87 or 87A of the *Planning and Environment Act 1987*.

An application to amend a permit can only be made under section 87A if the permit, or a previously amended permit, was issued at VCAT's direction.

WHAT DO YOU WANT VCAT TO DO?

1. What do you want VCAT to do?

Amend a permit

2. Which section of the *Planning and Environment Act 1987* are you applying under?

Section 87A(2)(a) of the Planning and Environment Act 1987 - Application by the owner or occupier of the land concerned to cancel or amend a permit issued at the direction of the Tribunal

WHO IS MAKING THIS APPLICATION?

If there is more than one applicant, you can add joint applicant/s at the bottom of this page.

3. Who is making this application?

A company

4. Full name of the individual, body corporate, company or authority making this application.

Sullivan Land Investments Pty Ltd

5. Are you?

- Owner of the land
- Occupier of the land
- Person entitled to use or develop the land

6. Do you wish to be identified as a person of Aboriginal and/or Torres Strait Islander descent?

No

7. What is your address?

This will be the address VCAT uses to correspond with you. It must be an address in Victoria. If you have a representative, we will send all our notices to your representative's address instead.

Street address 122-130 Wellington Parade

Suburb

East Melbourne

State

VIC

Postcode

3002

Phone number 0498567013

Email

8. Is this a joint application?

No

IS SOMEONE REPRESENTING YOU?

If you nominate a representative, we will send all our correspondences to your representative's address instead of your address. It must be an address in Victoria.

9. Is someone representing you? If No, skip to Question 11.

Yes

10. Details of your representative:

Organisation name (if applicable) Planning & Property Partners Pty Ltd

Full name of representative Mark Naughton

Street address Level 17, 55 Collins Street

Suburb Melbourne State VIC Postcode 3000

Phone number 0386269000

Email vcat@pppartners.com.au

ABOUT THE PERMIT TO BE AMENDED OR CANCELLED

11. Address of the land the permit relates to:

122-130 Wellington Parade, East Melbourne

12. Permit number:

TP-2018-80

13. Date the permit was issued:

11/04/2022

14. If relevant, date the permit was previously amended:

15. Name of responsible authority:

Melbourne City Council

16. If relevant, the name of any referral authority that was required to be given a copy of the application for the permit or application to amend the permit:

17. Was the permit, or previously amended permit, issued at the direction of VCAT? If No, skip to Question 19.

Yes

18. If yes, what was the VCAT reference number and/or AUSTLII citation?

P11327/2021

19. When does the permit expire?

11/04/2027

20. Do you want to cancel the permit as a condition in another permit?

No

21. What is the development's estimated cost (s87A applications only)?

The estimated cost determines the application fee you must pay. For more details, go to www.vcat.vic.gov.au/planningfees.

Enter the cost in dollars. Do not include commas (,), nor the dollar sign (\$).

\$30,000,000.00

22. If you are applying under section 87 of the *Planning and Environment Act 1987*, do you believe that you are adversely affected by any of the following?

- a material mis-statement or concealment of fact about the permit application
- any substantial failure to comply with conditions of the permit
- any material mistake in the grant of the permit
- any material change in circumstances
- any failure to give notice
- any failure to comply with section 55, 61(2) or 62(1) of the *Planning and Environment Act 1987*

23. Why do you want the permit cancelled or amended?

The Applicant seeks the amendment to introduce changes to the design concept and layout of the development, including substantial demolition, consolidation of retail on the ground floor, an increase in dwellings, change in parking arrangements and increase in landscaping and communal areas.

24. Give the name and address of other persons who may have an interest in the outcome of this application.

If you need more space, attach another document. You can add any attachments at the bottom of this form.

Name	Email	Address	Phone number
[REDACTED]		Unknown Unknown VIC 0000	00000000
[REDACTED]		Unknown Unknown VIC 0000	00000000
[REDACTED]		[REDACTED]	0394157570

[REDACTED]		Unknown Unknown VIC 0000	00000000
[REDACTED]		Unknown Unknown VIC 0000	00000000
[REDACTED]		Unknown Unknown VIC 0000	00000000
[REDACTED]		Unknown Unknown VIC 0000	00000000
[REDACTED]		Unknown Unknown VIC 0000	00000000
[REDACTED]		Unknown Unknown VIC 0000	00000000
[REDACTED]		Unknown Unknown VIC 0000	00000000

Name	Interest
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]

HEARING ARRANGEMENTS

You can ask to have your case heard in the Major Cases List (section 87A only) and/or Short Cases List. You can also ask for a practice day hearing or preliminary hearing. We will decide if it is appropriate to grant your request.

Find out more about the [Major Cases List](#) and [Short Cases List](#).

25. Are you applying for any of the following? If you select Short Cases List, skip to Question 27.

- Major Cases List (section 87A only)
- Short Cases List (section 87A only)

26. Are you applying for a practice day hearing or preliminary hearing?

None

If you selected practice day hearing or preliminary hearing, explain why you want this below:

27. Tell us if there is anything else you want us to consider when we arrange a hearing.

For example, provide details of any related current VCAT cases or ask for the hearing to take place at a specific VCAT venue.

PRESENTING YOUR CASE

28. How much time will you need to present your entire case at a final hearing?

Estimate the time you need to present, including time needed by any expert witnesses you will call.

12.00

hours

minutes

29. How many expert witnesses will you call?

4

30. List the areas of expertise for your expert witnesses.

Town Planning
Urban Design
Traffic
Heritage

HEARING ASSISTANCE

If you are concerned about being in the same room as someone who will attend the hearing, we can make special arrangements to ensure your safety.

We can also arrange to have an interpreter for anyone who needs to attend the hearing or assist people with disability (eg. hearing loops).

These special arrangements are free.

31. Does anyone attending the hearing need an interpreter?

Don't know

If yes, tell us who needs an interpreter and in what language/dialect:

32. Does anyone attending the hearing require any other type of special assistance?

E.g. Hearing loop, wheelchair access, additional arrangements for personal safety.

Don't know

If yes, tell us who needs any other type of special assistance and what they require:

ACKNOWLEDGEMENT

By completing this application, I understand and acknowledge that:

- To the best of my knowledge, all information provided in this application is true and correct.
- It is an offence under section 136 of the *Victorian Civil and Administrative Tribunal Act 1998* to knowingly give false or misleading information to VCAT.

Full name of person completing this form:

Date of acknowledgement:

ATTACH THESE DOCUMENTS TO YOUR APPLICATION

You must attach the following:

- Copy of the title to the land, of not more than 14 days old
- Copy of the permit and a tracked-changed version of amendments asked for, if relevant
- Copy of the current endorsed plans, if relevant
- Copy of the proposed amended plans highlighting changes proposed, if relevant
- Copy of the permit that contains a condition requiring the cancellation or amendment of the permit, if relevant
- Copy of the VicPlan Planning Property Report that details the planning controls that apply to the land (such as zoning and overlays) and whether the land is in an area of Aboriginal Cultural Heritage Sensitivity or is identified as being bushfire prone
- If a cultural heritage management plan (CHMP) under the *Aboriginal Heritage Act 2006* is required, attach the approved CHMP
- If a cultural heritage management plan (CHMP) under the *Aboriginal Heritage Act 2006* is not required, attach a certified preliminary Aboriginal heritage test or other statement of reasons about why a CHMP is not required. This may include a copy of a due diligence statement prepared by an Aboriginal heritage consultant

- Copy of the VCAT decision relating to the permit, if relevant.

In addition to the above, please attach any other documents in support of your application.

Keep a copy of these documents for your records.

Attachments to this application:

Title	File Name
S87A Application Covering Letter	S87A Application Cover Letter.pdf

Large files

For any file larger than 128MB a sharing link is required.

Please list (by line) the name of each file that is bigger than 128MB followed by the hyperlink.

Please refer to the covering correspondence attached.

ABOUT VCAT FEES

VCAT fees are charged according to three levels:

- **corporate fees** for businesses and companies with a turnover of more than \$200,000 in the previous financial year, corporate entities and government agencies
- **standard fees** for individuals, not-for-profit organisations, and small businesses and companies with a turnover of less than \$200,000 in the previous financial year. Companies must provide a statutory declaration to support this claim
- **concession fees** for people who hold the Australian Government Health Care Card. You must provide a copy of your card with your application. We do not accept Pensioner Concession Cards or Department of Veteran Affairs health cards.



To find out if you need to pay an application fee and how much it costs, go to www.vcat.vic.gov.au/fees.

Which fee category are you applying for?

Corporate

FEE RELIEF

We can reduce or not charge (waive) a VCAT fee in certain circumstances.

Some people are automatically entitled to a full fee waiver. You can also apply for fee relief if paying the fee would cause you financial hardship. For more information about fee relief, go to www.vcat.vic.gov.au/feerelief.

If you are applying for fee relief, complete the [Fee Relief form](#) below. **If there is more than one applicant seeking a fee waiver or reduction, each applicant must fill out a separate form for your fee waiver application to be assessed.**

Are you applying for fee relief?

No

WHAT HAPPENS NEXT

If you have provided your email address, you will shortly receive an email from us with instructions about next steps including how to make payment (if applicable). If you have not provided an email address and payment is required, VCAT will contact you by telephone about making payment.

After we receive your application and open a VCAT case, we will send you and all other parties an order setting out what happens next, including dates to come to VCAT. The order will tell you the venue, time and date you must go to VCAT.

The order will also have your VCAT reference number. The number starts with 'P' and ends with the year the application was lodged (eg. P1/2020). Quote the reference number in all correspondences and documents about your case.

Contact us if you do not hear from us within two weeks of submitting your application.

NEED HELP WITH YOUR APPLICATION?

If you have any questions about completing this form, contact our Customer Service team:

- email admin@vcat.vic.gov.au
- call 1300 01 8228 (1300 01 VCAT) between 9 am and 4.30 pm Monday to Friday
- go to the Victorian Civil and Administrative Tribunal, Ground Floor, 55 King Street, Melbourne VIC 3000. We are open Monday to Friday from 8.30 am to 4.30 pm.

PRIVACY INFORMATION

For a copy of VCAT's privacy statement, go to www.vcat.vic.gov.au/privacy.

PLANNING PERMIT



CITY OF MELBOURNE

GPO Box 1603
Melbourne VIC 3001
Phone 61 3 9658 9658
Email planning@melbourne.vic.gov.au
www.melbourne.vic.gov.au

PERMIT NO.

TP-2018-80

PLANNING SCHEME

Melbourne Planning Scheme

RESPONSIBLE
AUTHORITY

Melbourne City Council

ADDRESS OF THE LAND

122-130 Wellington Parade, East Melbourne (comprising lots 1-8 and the common property on PS309234D)

THE PERMIT ALLOWS

In accordance with the endorsed plans:

- To use the land for Accommodation (Dwellings)
- To partly demolish an existing building
- To construct two or more dwellings on a lot
- To construct a building and construct or carry out works

~~This permit is issued in accordance with the Victorian Civil and Administrative Tribunal's order dated 7 April 2022, pursuant to Section 85(1) of the Planning and Environment Act 1987.~~

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT.

1. Prior to the commencement of the development (including any demolition), an electronic set of plans drawn to scale must be submitted to the Responsible Authority, generally in accordance with the plans (~~Revision 12~~) reference ~~TP-210 - TP-212, TP-501 - TP-509, TP-700 - TP-703, TP-705, TP-706, TP-710, TP-711 and TP-726~~ prepared by ~~Co-lab Architecture Tehla Clarke Architecture & Design~~ dated ~~26 January 2022 - 17 December 2025~~ but amended to show:
 - ~~(a) Any screening measures to prevent overlooking from west-facing windows within the development to comply with Clause 58.04-1.~~
 - ~~(b) Any screening measures required to prevent internal views between north-facing balconies and west-facing bed/study windows within the development to comply with Clause 58.04-2.~~
 - ~~(c) Works to the rear garage to be retained, including details of repairs to the roof and walls necessary to make good the building, ensuring it is fit for purpose and durable.~~
 - ~~(d) Car spaces abutting storage cages allocated to a single dwelling.~~
 - ~~(e) Any outward opening doors/cabinets onto the public realm to comply with Council's Road Encroachment Operational Guidelines.~~
 - ~~(f) A development summary.~~

Date Issued: 11 April 2022

Signature of the Responsible Authority

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

- ~~(g) Substitution of the ground level plan with Drawing No TP-501 (Updated Ground Floor Plan) received/filed on 23 March 2022, which depicts the minor encroachment of the eastern wall of the garage at 14 Powlett Street into the subject site, and consequential changes to the ground floor of the proposed development.~~
- ~~(h) Introduction of a landscaping maintenance gate at the northern edge of the Level 2 car parking area.~~
- ~~(i) Modifications to the north-facing balcony balustrade heights/width as illustrated in the updated section received/filed on 23 March 2022;~~
- ~~(j) Clear glazing or other backing provided on the inside of the battens/louvers in-fill treatment of the car parking levels on the western and northern elevation of the car park structure (except the level of the open air car park).~~
- ~~(k) The charcoal infill treatment to the car parking structure shown consistently on the east, northern and west elevations with spacing not exceeding 50mm (LVR-02), with the application of BAL to the open air car parking exterior wall.~~
- ~~(l) The following areas treated in a face brickwork finish (BW-01 or equivalent), which is to be wholly contained within the boundaries of the review site:~~
- ~~• Western wall on boundary at ground and first floor level (car lift machine room and Apt 102 / 103 car lift); and~~
 - ~~• Eastern wall of the car lift at ground floor level.~~
- ~~(m) Removal of the 'DDO21-A4 — 24M maximum building height' envelope shown on the elevations.~~
- ~~(n) Clarification of the 'general store' area to the south of the car lift of the Level 4 apartment.~~
- ~~(o) The deletion of the annotation on Plan TP-501 on the rear single storey building at 14 Powlett Street, which states "future garage structure";~~
- ~~(p) Lighting in the car park structure to be movement-activated and baffled to avoid light spill and glare to properties at 10, 12 and 14 Powlett Street, and those to the north and north-east of the review site, to the satisfaction of the Responsible Authority;~~
- ~~(q)(a) Any changes in accordance with the requirements of Condition 5.5 of this Permit (ESD Statement).~~
- ~~(q)(b) Any changes in accordance with the requirements of Condition 7.7 of this Permit (Landscape Scheme), including (but not limited to):~~
- ~~• Continuation of rendered bands across the western elevation to form planters at Levels 3-7;~~
 - ~~• Modifications to the Level 2 floor slab to accommodate the necessary soil depth(s);~~
 - ~~• An increase in the height to the parapet to the northern and western elevations at the level 2 landscaped area by up to 250mm, to provide a minimum soil depth within the planter box of 600mm.~~
- ~~(s) The provision of a system facing the adjacent laneway to the west of the review site that informs users of the laneway when the car lift is in use.~~

Date Issued: 11 April 2022

Signature of the Responsible Authority



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

~~(t)~~ The provision of independent car stackers (with a pit) to the spaces provided for Apartments 102 and 103. In making this provision, it is acceptable if the roller door in front of these stackers need to be removed to ensure the provision of a passing opportunity alongside the adjacent laneway.

~~(u)~~(c) Any changes in accordance with the requirements of Condition ~~10-10~~ of this Permit (Waste Management Plan).

~~(v)~~ Any changes in accordance with the requirements of Condition 22 of this Permit (Road Safety Audit).

~~(w)~~(d) Any changes in accordance with the requirements of Condition ~~23-23~~ of this Permit (Traffic Management Plan).

~~(x)~~(e) Any changes in accordance with the requirements of Condition ~~27-26~~ of this Permit (Acoustic Testing).

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

2. The use and development allowed by this permit and shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
3. Prior to occupation of the development all buildings and works required by this permit must be completed to the satisfaction of the Responsible Authority.
4. Prior to the commencement of the development (including any demolition), a Facade Strategy and Materials and Finishes must be submitted to and be approved by the Responsible Authority. All materials, finishes and colours must be in conformity with the approved Façade Strategy to the satisfaction of the Responsible Authority. Unless otherwise approved by the Responsible Authority, the Facade Strategy must be generally in accordance with the development plans and must detail:
 - ~~(a)~~ Further detail around the specification of LVR 02, and a correlating façade detail, to ensure some visual permeability and lightness is achieved to the car park structure.
 - ~~(b)~~ Further detail of the rear ground floor lobby entrance and adjoining areas to ensure a high quality built outcome.
 - ~~(c)~~(a) A concise description by the architect of the building design concept and how the façade works to achieve this.
 - ~~(d)~~(b) Elevation details generally at a scale of 1:50 illustrating typical facade details, balcony niches, entries and doors, and utilities, and any special features which are important to the building's presentation.
 - ~~(e)~~(c) Cross sections or another method of demonstrating the façade systems, including fixing details indicating junctions between materials and significant changes in form and/or material.
 - ~~(f)~~(d) Information about how the façade will be accessed and maintained and cleaned, including any planting if proposed.
 - ~~(g)~~(e) Example prototypes and/or precedents that demonstrate the intended design outcome to produce a high quality built outcome.
 - ~~(h)~~(f) A schedule of colours, materials and finishes, including the colour, type and quality of materials showing their application and appearance. Materials and finishes must be of a high quality, contextually appropriate, durable and fit for purpose. This can be demonstrated in coloured

Date Issued: 11 April 2022

Signature of the Responsible Authority



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

elevations or renders from key viewpoints.

5. Prior to the commencement of the development, an Environmentally Sustainable Design (ESD) Statement shall be prepared by a suitably qualified professional and submitted to and approved by the Responsible Authority. ~~The ESD Statement must demonstrate that the building has the preliminary design potential to achieve the following:~~

- ~~(a) A 5 star rating under a current version of Green Star—Multi Unit Residential rating tool or equivalent.~~
- ~~(b) 1 point for Wat 1 credit under a current version of the Green Building Council of Australia's Green Star—Multi Unit Residential rating tool or equivalent.~~

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

6. Prior to the occupation of any building approved under this permit, a report from the author of the endorsed ESD report, or similarly qualified persons or companies, outlining how the performance outcomes specified in the amended approved ESD report have been implemented must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm and provide sufficient evidence that all measures specified in the approved ESD report have been implemented in accordance with the relevant approved plans.
7. Prior to the commencement of the development, a detailed Landscape plan Scheme, generally in accordance with the plan identified as 'Landscape Concept Plan' prepared by Urbis (Job No. P0038583, Drawing No. LA-01, Rev A), dated 1 March 2022 must be submitted and approved by the Responsible Authority. This plan must include:

- ~~(a) The *Syzygium paniculatum* (Lily Pilly) to the north-facing balconies at Levels 2—7 replaced with a more transparent/filtered species (Lavender, Rosemary or similar).~~
- ~~(b) The northern and western side of the Level 2 landscaping platform to accommodate a minimum of 600mm soil depth;~~
- ~~(c) Planting within the additional planters along the western elevation in front of the car lift at levels 3 to 6 inclusive;~~
- ~~(d)~~(a) A schedule of all soft and hard landscaping and treatments.
- ~~(e)~~(b) Urban design elements including, but not limited to, paving and lighting, and clear demarcation of public realm and private spaces, including arrangements for pedestrian, bicycle and vehicular circulation.
- ~~(f)~~(c) How the project responds to water sensitive urban design principles, including how storm water will be mitigated, captured, cleaned and stored for onsite use and the location and type of irrigation systems to be used including the location of any rainwater tanks to be used for irrigation.
- ~~(g)~~(d) Location of buildings and trees on neighbouring properties within three metres of the boundary, including street trees.
- ~~(h)~~(e) 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.
- ~~(i)~~(f) Confirmation that planter boxes, where proposed, are fixed.
- ~~(j)~~(g) Soil media type and depth detailed in the typical planter box detail.

Date Issued: 11 April 2022

Signature of the Responsible Authority



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

~~(k)~~(h) 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.

8. Prior to ~~commencement~~ completion of development, a Landscape Maintenance Plan (LMP) in connection with the proposed development must be submitted to ~~5.7~~ and be approved by the Responsible Authority. The LMP must provide details of the following:
- (a) Access arrangements for maintenance of landscaping areas, as required.
 - (b) Responsible parties for plant establishment and ongoing maintenance.
 - (c) Plant establishment schedule and period.
 - (d) Maintenance schedule for plantings (monitoring of plants, weeding, re-mulching, pest management, fertilising, re-planting).
 - (e) Maintenance schedule for structures and surfaces (cyclic, routine, reactive, emergency and renovation).
 - (f) Replacement timeframes for poorly performing plant stock including replacement pot size.
 - (g) Irrigation specification and maintenance schedule.
 - (h) Maintenance ~~a~~Access requirements and sample ~~A~~agreements, if access is required from private spaces.

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

9. No street tree adjacent to the site may be removed, lopped, pruned or root- pruned without the prior written consent of the Responsible Authority.
10. Prior to the commencement of the use and development, a Waste Management Plan (WMP) generally in accordance with the plan prepared by Traffix Group dated December 2025 (Job No. G36939R-02A (WMP)) - must be ~~prepared~~, submitted and approved by the Melbourne City Council - Engineering Services. The WMP must detail waste storage and collection arrangements and be prepared with reference to the Melbourne City Council Guidelines for Preparing a Waste Management Plan. Waste storage and collection arrangements must not be altered without prior consent of the Melbourne City Council - Waste and Recycling.
11. 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 – Infrastructure and Assets.
12. The title boundaries for the property may not exactly agree with the road alignments of the abutting Council lane CL1084 and CL1117. The approved works must not result in structures that encroach onto any Council lanes.
13. 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.
14. All pedestrian paths and access lanes shown on the endorsed plans must be repaired or constructed/reconstructed as required. – and maintained to the satisfaction of the Responsible Authority - Infrastructure and Assets.

Date Issued: 11 April 2022

Signature of the Responsible Authority



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

15. The road(s) adjoining the site along Corporation Laneway CL1084 and CL1117 affected by building works must be repaired or if required reconstructed together with associated works including the modification of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by the Responsible Authority – Infrastructure and Assets.
16. The footpath adjoining the site along Wellington Parade must be repaired or if required reconstructed together with associated works including the renewal/reconstruction of kerb and channel and modification of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by the Responsible Authority – Infrastructure and Assets.
17. Existing street levels in Wellington Parade, CL1084 and CL1117 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.
18. All street lighting assets temporarily removed or altered to facilitate construction works shall be reinstated once the need for removal or alteration has been ceased. Existing public street lighting must not be altered without first obtaining the written approval of the Responsible Authority – Infrastructure and Assets.
19. Existing street furniture must not be removed or relocated without first obtaining the written approval of the Responsible Authority – Infrastructure and Assets.
20. Prior to the commencement of the development, excluding preliminary site works, demolition and any clean up works, or as may otherwise be agreed with the City of Melbourne, a lighting plan must be prepared to the satisfaction of Council. The lighting plan should be generally consistent with Council's Lighting Strategy, and include the provision of public lighting in Corporation Laneway CL1084 and CL1117. The lighting works must be undertaken prior to the commencement of the use/occupation of the development, in accordance with plans and specifications first approved by the Responsible Authority – Infrastructure and Assets.
21. All external lighting and lighting within the car parking areas must be motion activated, designed, baffled and located so as to prevent light from the site causing any unreasonable impacts on the locality, to the satisfaction of the Responsible Authority.
22. Prior to the commencement-occupation of the development, a Road Safety Audit shall be prepared and submitted to the Melbourne City Council – Engineering Services. The Road Safety Audit should, amongst other things, assess the access arrangements, layout and vehicular circulation within all car parking areas. The audit findings must be incorporated into the design at the developer's expense. The Road Safety Audit must be to the satisfaction of the Responsible Authority – Engineering Services.
23. Prior to the commencement of the development, a Traffic Management Plan shall be prepared and submitted to the Melbourne City Council – Engineering Services. When approved, the plan will be endorsed and will then form part of the permit. The plan must include:
 - (a) Details of how vehicular access and egress from the site will be managed so as to not impact adjoining laneways or surrounding streets.
 - (b) Details of directional signage and line marking to be installed.
 - (c) Details of surfacing of all hard stand areas.
 - (d) Details of the operation of the car lift, including traffic signals and bias to ensure availability at peak times.
 - (e) Details and a schedule for ongoing maintenance of the car lift ~~and car stackers~~.

Date Issued: 11 April 2022

Signature of the Responsible Authority



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

- (f) Instructions to owners/occupiers about the operation of the car lift ~~and car stackers.~~
- (g) Information to be conveyed to existing and prospective residents about the capacity of the car lift ~~and car stacker spaces and sizes.~~

~~(h) Swept path diagrams demonstrating that car stackers can be accessed by vehicles without encroaching into private property.~~

~~(h)~~ (h) Swept path diagrams demonstrating that vehicles can safely enter and exit all car spaces contained within the retained rear garage.

~~(i)~~ (i) Confirmation of the allocation of bicycle parking within the rear garage to be retained.

24. Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose, to the satisfaction of the Responsible Authority.

~~25. The use of Level 6 to be limited to the parking of vehicles and bicycles, and garden and tree planting and maintenance, to prevent the area from being used for outdoor entertaining or other recreational purposes by the occupant of the apartment of that level.~~

~~25.~~ 25. Prior to the commencement of the development, including demolition or bulk excavation, a detailed construction and demolition 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.
- (e) waste and materials reuse.
- (f) traffic management.
- (g) any protection measures associated with the existing trees at 14 Powlett Street ~~in accordance with the Arboricultural Report dated 4 September 2018 prepared by Tree Response.~~
- (h) access arrangements, having regard to the use of the triangular parcel of land contained in TP23002F (Volume 10094 Folio 549) for the sole vehicular access to 12 & 14 Powlett Street.

~~26.~~ 26. Prior to the commencement of the development, an Acoustic Assessment of the development, to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority. The assessment must be prepared by a suitably qualified acoustic engineer and must detail recommended treatments of the development and/or the adoption of appropriate measures to ensure that:

- (a) Noise emissions associated with the operation of surrounding and nearby train lines do not impact adversely on the amenity of the dwellings.
- (b) Dwellings are to be designed to achieve the following noise levels:
 - i Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
 - ii Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.

Date Issued: 11 April 2022	Signature of the Responsible Authority 
-----------------------------------	---

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

Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.

- (c) Noise emissions from the development (including the operation of plant (including the car lift ~~and~~, car turntables ~~and car stackers~~), transmission of noise between dwellings and the use of the car spaces) do not impact adversely on the amenity of dwellings within the development and neighbouring residential properties.

The development must be constructed in accordance with the requirements/recommendations of the approved Acoustic Assessment to the satisfaction of the Responsible Authority.

~~28-27.~~ This permit will expire if one or more of the following circumstances apply:

~~(d)(a)~~ The development is not started within three years of the date of this amended permit.

~~(e)(b)~~ The development is not completed within five years of the date of this amended permit.

~~(f)(c)~~ The use is not started within five years of the date of this amended permit.

In accordance with section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.

Transport for Victoria

~~29-28.~~ Prior to the commencement of the development excluding site preparation works, demolition, temporary sheds or structures for construction purposes, bulk excavation, site preparation and retention works, soil remediation, piling, footings, ground beams and ground slabs, the owner of the land must enter into an agreement with the Department of Environment, Land, Water and Planning (DELWP) pursuant to Section 138(A) of the Land Act 1958 for the elements of the approved development that project more than 300mm beyond the land's Wellington Parade street boundary (i.e. the canopies, fixed shading devices, awnings, planter boxes etc), to indemnify the Crown in relation to any claim or liability arising from the projections within the Wellington Parade street road reserve. This condition does not apply where written confirmation is obtained from DELWP that the above agreement is not required.

Date Issued: 11 April 2022

Signature of the Responsible Authority



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

DESIGN PRELIMINARIES - WELLINGTON PDE RESIDENCES

SITE ADDRESS:
122-130 Wellington Parade
East Melbourne
3002
Wurundjeri Country

CLIENT DETAILS:
WILLOW GROUP

Telha Clarke respectfully acknowledges the Traditional Custodians of the land on which we connect, create and work

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DISCLAIMER:
Indicative arrangement subject to council approval. All dimensions to be confirmed. The information contained in this document cannot be relied on without seeking expert advice. Telha Clarke does not hold responsibility for how the information is interpreted.

**TELHA
CLARKE**
ARCHITECTURE & DESIGN

59 CARDEN STREET
SOUTH YARRA
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122-130 Wellington Parade East Melbourne VIC 3002
Wurundjeri

25021 WELLINGTON PDE RESIDENCES
TOWN PLANNING APPLICATION

DATE	ISSUE	REVISION
17/12/2025	FOR TOWN PLANNING	12

DRAWING LIST

SHEET NO.	SHEET NAME
TP.001	COVER
TP.002	CONTENTS
TP.003	SITE INFORMATION
TP.004	LOCATION PLAN
TP.005	AERIAL VIEW
TP.006	STREET VIEW
TP.007	BUILDING HEIGHT ANALYSIS
TP.008	SURVEY
TP.009	SURVEY (POWLETT 10-14)
TP.010	DESIGN APPROACH
TP.011	PRECEDENTS
TP.012	DESIGN STATEMENT
TP.014	CONCEPT DIAGRAMS
TP.014	CONCEPT DIAGRAMS
TP.015	CONCEPT DIAGRAMS
TP.017	RENDER 01
TP.018	RENDER 02
TP.019	RENDER 03
TP.020	RENDER 04
TP.021	RENDER 05
TP.080	CONCEPT DRAWINGS
TP.081	DEVELOPMENT SUMMARY
TP.090	PROPOSED SITE PLAN
TP.091	EXISTING SITE/DEMOLITION PLAN
TP.098	BASEMENT 02 PLAN
TP.099	BASEMENT 01 PLAN
TP.100	GROUND FLOOR PLAN
TP.101	LEVEL 01 PLAN
TP.102	LEVEL 02-03 PLAN
TP.103	LEVEL 04-06 PLAN
TP.104	LEVEL 07 PLAN
TP.105	LEVEL 08 PLAN
TP.106	ROOF PLAN
TP.200	NORTH & SOUTH ELEVATIONS
TP.201	EAST ELEVATION
TP.202	WEST ELEVATION
TP.220	SECTION A
TP.221	SECTION B
TP.222	SECTION C
TP.223	SECTION D
TP.224	SECTION E
TP.300	BADS ANALYSIS - SHEET 01
TP.301	BADS ANALYSIS - SHEET 02
TP.302	BADS ANALYSIS - SHEET 03

TP.303	BADS ANALYSIS - SHEET 04
TP.304	BADS ANALYSIS - SHEET 05
TP.305	BADS ANALYSIS - SHEET 06
TP.400	SHADOW DIAGRAMS - 22ND SEPT 9AM
TP.401	SHADOW DIAGRAMS - 22ND SEPT 10AM
TP.402	SHADOW DIAGRAMS - 22ND SEPT 11AM
TP.403	SHADOW DIAGRAMS - 22ND SEPT 12PM
TP.404	SHADOW DIAGRAMS - 22ND SEPT 1PM
TP.405	SHADOW DIAGRAMS - 22ND SEPT 2PM
TP.406	SHADOW DIAGRAMS - 22ND SEPT 3PM

SITE AREA

1110 m²

TOTAL GFA

8202 m²

TOTAL NSA

4647 m²

RETAIL AREA

167 m²

TOTAL STORIES

9

TOTAL CARS

48

TOTAL RESIDENCES

31

ONE BEDROOM

3

TWO BEDROOMS

15

THREE BEDROOMS

13

SITE INFORMATION

SITE ADDRESS:
WELLINGTON PDE RESIDENCES
East Melbourne
3002
Wurundjeri Country

**TELHA
CLARKE**
ARCHITECTURE & DESIGN





MELBOURNE
CRICKET GROUND

YARRA PARK

SUBJECT SITE
126 WELLINGTON PARADE
1110 m²

EAST MELBOURNE
LIBRARY

WELLINGTON PARADE
TRAM ROUTE 46/75

POWLETT STREET

GEORGE STREET

HOTHAM STREET

GEORGE STREET

HOTHAM STREET

SIMPSON STREET





POWLETT STREET

WELLINGTON PARADE

GEORGE STREET

SUBJECT SITE
1110 m²





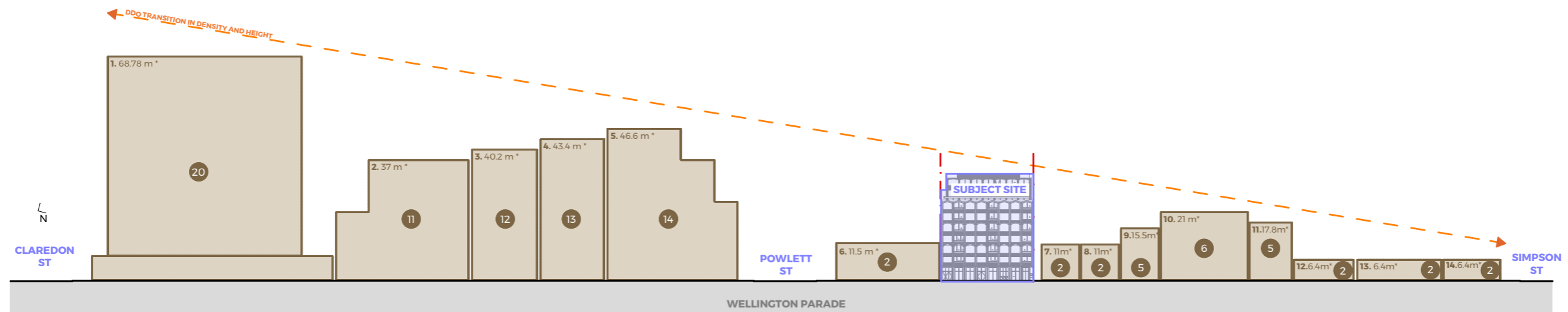
EAST FACING VIEW ON WELLINGTON PARADE



WEST FACING VIEW ON WELLINGTON PARADE



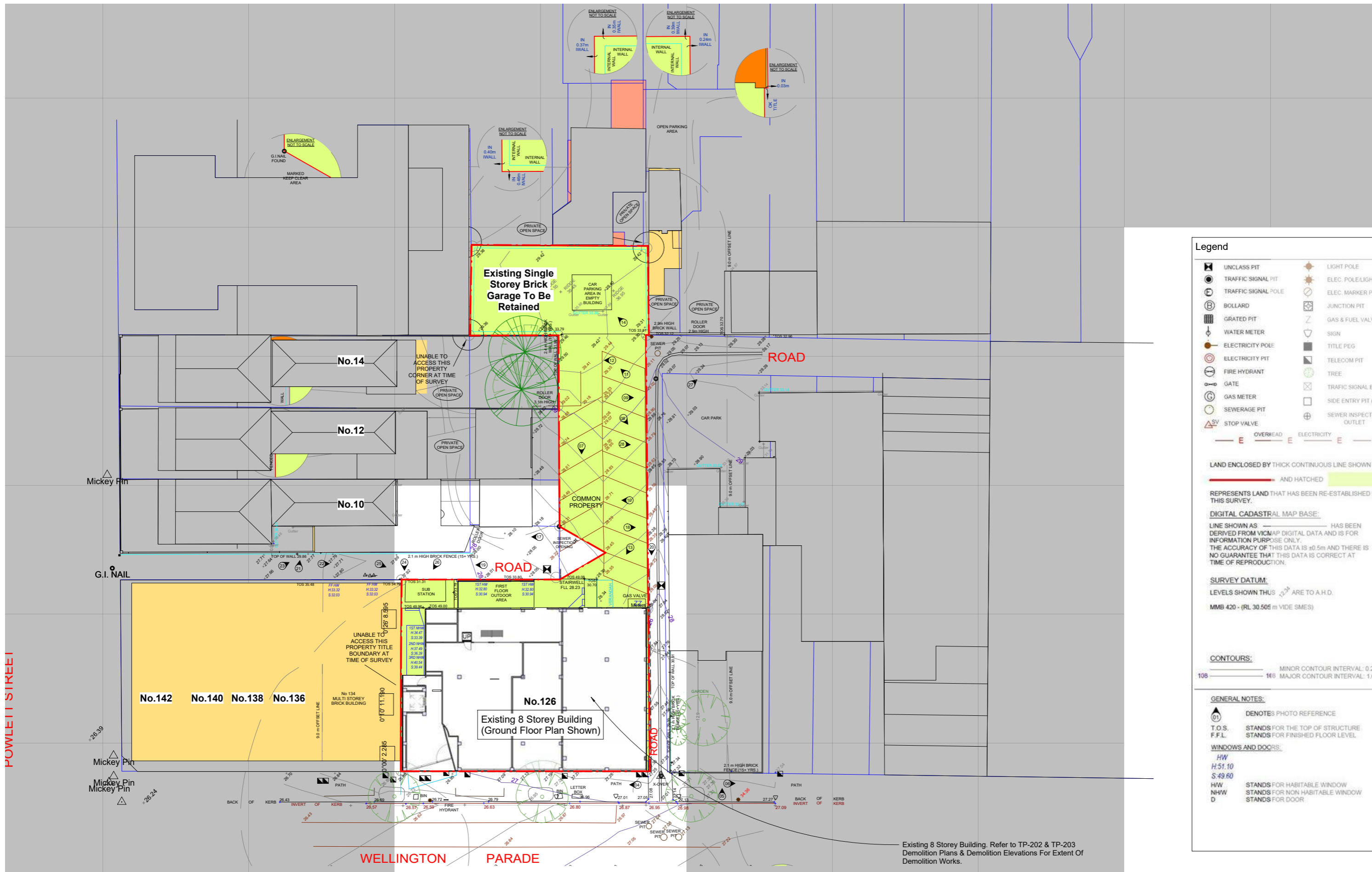
BACK ENTRANCE ONTO SITE



BUILDING HEIGHTS (FROM LEFT TO RIGHT)

1. 178- 226 WELLINGTON PARADE 20 Storeys, 68.78 m	9. 110 - 112 WELLINGTON PARADE 5 Storeys, 15.5 m
2. 182 WELLINGTON PARADE 11 Storeys, 37 m	10. 98 - 108 WELLINGTON PARADE 6 Storeys, 21 m
3. 170- 176 WELLINGTON PARADE 12 Storeys, 40.2 m	11. 94 - 96 WELLINGTON PARADE 5 Storeys, 17.8 m
4. 162-168 WELLINGTON PARADE 13 Storeys, 43.4 m	12. 86-92 WELLINGTON PARADE 2 Storeys, 6.4 m
5. 1-9 POWLETT STREET 14 Storeys, 46.6 m	13. 84-82 WELLINGTON PARADE 2 Storeys, 6.4 m
6. 132 - 142 WELLINGTON PARADE 2 Storeys, 11.5 m	14. 80-78 WELLINGTON PARADE 2 Storeys, 6.4 m
7. 118 WELLINGTON PARADE 2 Storeys, 11 m	15. 76-74 WELLINGTON PARADE 2 Storeys, 6.4 m
8. 114 - 116 WELLINGTON PARADE 2 Storeys, 11 m	

*Building Heights are indicative and based on standard 3.2m floor to floor heights



Legend

UNCLASS PIT	LIGHT POLE
TRAFFIC SIGNAL PIT	ELEC. POLE/LIGHT
TRAFFIC SIGNAL POLE	ELEC. MARKER POST
BOLLARD	JUNCTION PIT
GRATED PIT	GAS & FUEL VALVE
WATER METER	SIGN
ELECTRICITY POLE	TITLE PEG
ELECTRICITY PIT	TELECOM PIT
FIRE HYDRANT	TREE
GATE	TRAFFIC SIGNAL BOX
GAS METER	SIDE ENTRY PIT (SEF)
SEWERAGE PIT	SEWER INSPECTION OUTLET
STOP VALVE	

OVERLEAD E ELECTRICITY E

LAND ENCLOSED BY THICK CONTINUOUS LINE SHOWN AS AND HATCHED REPRESENTS LAND THAT HAS BEEN RE-ESTABLISHED BY THIS SURVEY.

DIGITAL CADASTRAL MAP BASE:
LINE SHOWN AS HAS BEEN DERIVED FROM VICMAP DIGITAL DATA AND IS FOR INFORMATION PURPOSE ONLY. THE ACCURACY OF THIS DATA IS ±0.5m AND THERE IS NO GUARANTEE THAT THIS DATA IS CORRECT AT TIME OF REPRODUCTION.

SURVEY DATUM:
LEVELS SHOWN THUS ARE TO A.H.D.

MMB 420 - (RL 30.505 m VIDE SME3)

CONTOURS:
MINOR CONTOUR INTERVAL: 0.20m
MAJOR CONTOUR INTERVAL: 1.00m

GENERAL NOTES:
01 DENOTES PHOTO REFERENCE
T.O.S. STANDS FOR THE TOP OF STRUCTURE
F.F.L. STANDS FOR FINISHED FLOOR LEVEL

WINDOWS AND DOORS:
HW STANDS FOR HABITABLE WINDOW
NHW STANDS FOR NON HABITABLE WINDOW
D STANDS FOR DOOR

Existing 8 Storey Building. Refer to TP-202 & TP-203 Demolition Plans & Demolition Elevations For Extent Of Demolition Works.



59 GARDEN STREET
SOUTH YARRA 3141
PH: 03 8672 5999
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Telha Clarke respectfully acknowledges the Traditional Custodians of the land on which we connect, create and work

SITE ADDRESS:
WELLINGTON PDE RESIDENCES
East Melbourne
3002
Wurundjeri Country

CLIENT DETAILS:
WILLOW GROUP

TP.008 SURVEY
NTS

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DISCLAIMER:
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LEGEND

GU	GUTTER TOP
RD	ROLLER DOOR
RT	ROLLER DOOR TOP HEIGHT
RS	ROLLER DOOR STILL HEIGHT
RR	ROOF RIDGE
SV	SEWER VENT
SBH	SEWER VENT BOTTOM HEIGHT
SHT	SEWER VENT TOP HEIGHT
SL	SKY LIGHT
TOP	TOP OF WALL
WN	WINDOW
WT	WINDOW TOP HEIGHT
WS	WINDOW STILL HEIGHT
XX	EDGE OF BALCONY HEIGHT
XX	ROOF EDGE HEIGHT
---	WALL
---	WINDOW
---	ROOF RIDGE
---	DOOR
---	EDGE OF BALCONY
---	EDGE OF GUTTER
---	ROLLER DOOR
---	ROOF EDGE

MADIGAN SURVEYING
 96 MORANG ROAD
 HAWTHORN 3122
 PH. 9819 9599
 FAX 9819 2322
 EMAIL: surveyors@madigan.com.au

SURVEYED	VC/CP	24-07-25
COMPILED	CP	25-07-25
DRAWN	VE	28-07-25
CHECKED	CP	
LEVEL DATUM	VIA "HEADING & ASSOCIATES" CONTROL	
COORD DATUM	VIA "HEADING & ASSOCIATES" CONTROL	
CONTOUR INT.	VIA "HEADING & ASSOCIATES" CONTROL	

CLIENT
WILLOW GROUP

ISSUE	PREPARED	APPROVED	DATE	AMENDMENTS	
PROJECT	126 WELLINGTON PARADE, EAST MELBOURNE				
THIS PLAN	FEATURE & LEVEL SURVEY				
SCALE (m)	0	1.5m	3m	4.5m	6m
1:150 @ A2	DRAWING REF. 11088 002				SHEET No. SHEET 1 OF 1
					REV.



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 SOUTH YARRA 3141
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Telha Clarke respectfully acknowledges the Traditional Custodians of the land on which we connect, create and work

SITE ADDRESS:
 WELLINGTON PDE RESIDENCES
 East Melbourne
 3002
 Wurundjeri Country

CLIENT DETAILS:
 WILLOW GROUP

TP.009 SURVEY (POWLETT 10-14)
 NTS

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126 WELLINGTON PARADE
VICTORIAN ERA, MELBOURNE

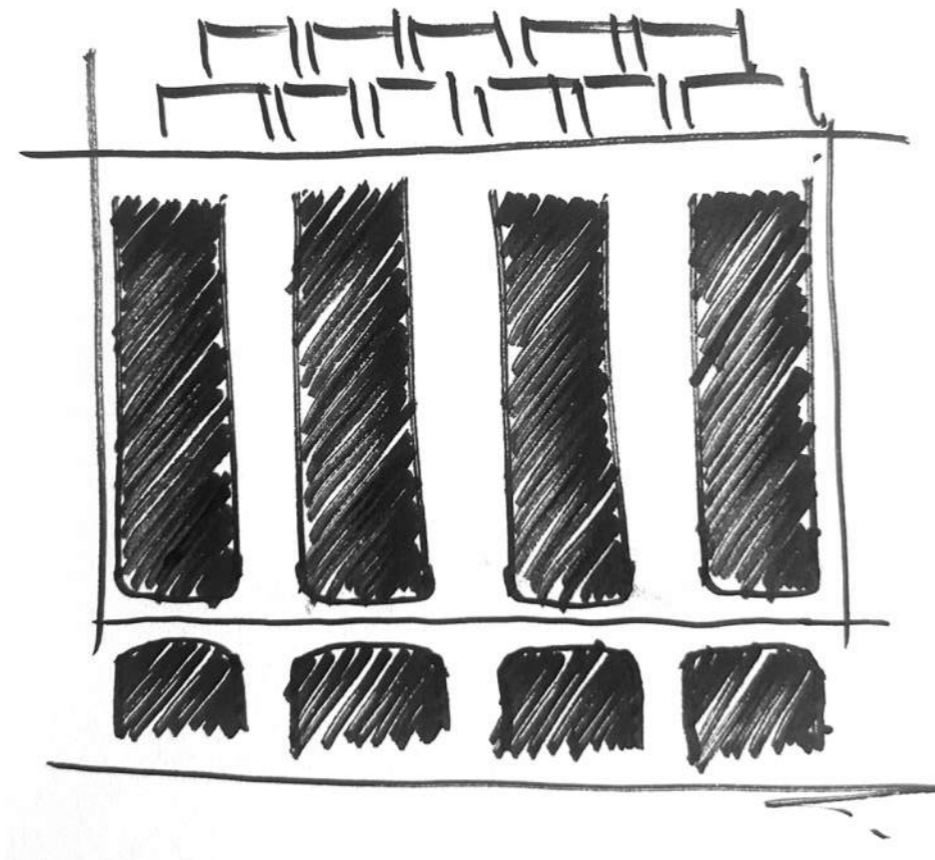


LANSDOWNE HOUSE
MAYFAIR, LONDON



520 FIFTH AVENUE
MIDTOWN, NEW YORK





DESIGN STATEMENT

126 Wellington Parade is located within East Melbourne, part of the territory of the Wurundjeri Woiwurrung, and the broader Kulin Nation. A suburb with a colonial history of grandness; through an elevated position, the importance of its government and religious buildings, and its long history of prestigious homes.

The site is currently an office building of six stories plus a rooftop addition and rear on grade parking access via laneways. The shape of the site is irregular, with a narrower Northern portion and varying interfaces. The Parade frontage is South with several large London Plane trees and an outlook over Yarra Park, the MCG, and the Botanical Gardens beyond. To the East is Richmond, the West Fitzroy Gardens and the CBD. The North is the typical grid style layout of the tree lined East Melbourne street and boulevards with many Victorian influenced residences.

The proposal responds to the existing context in many ways including the existing built form, the proximity to heritage properties, access to Melbourne Parks, and the history of the site itself. Before the office building, the site contained a Victorian mansion, which holds the greatest influence on the Architecture. The proposed façade extrapolates scale, proportion, and detailing from the now demolished mansion into the new scheme.

The building form largely mirrors the existing experience from the surrounding streets and responds to a stepping scale down from the CBD and buildings abutting the Fitzroy Gardens. With contrasting and recessive upper levels, and a lower scale in the Northern section abutting the more residential context. The existing building is built to both Wellington Parade side boundaries and the new scheme will do a similar interface with greater articulation and variation presented to the streetscape. The proposal also includes a widening to the Eastern laneway.

Internally, the proposal contains 31 Residences, with a combination of 1, 2 & 3 bedroom layouts. The ground floor contains retail space fronting Wellington Parade and car parking to the rear accessed from the 2 existing laneways. The basement contains further parking, bike storage, resident storage and services.



EQUAL PROPORTIONS OF OPENINGS
CREATES SYMMETRY & BALANCE



PROMINENT GROUND FLOOR ENTRY EXPERIENCE
PROVIDES A GENEROUS ARRIVAL



VERTICAL ALIGNMENT
ENHANCES BALANCE & PROPORTION



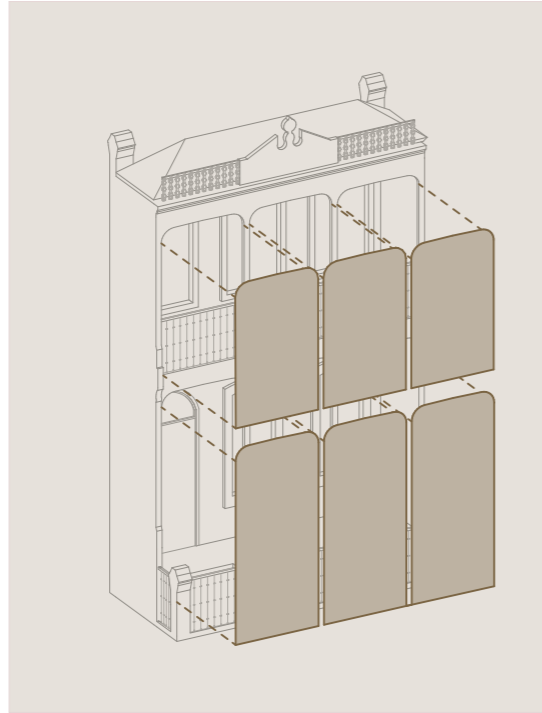
HORIZONTAL ALIGNMENT
FORMS CONTINUOUS BANDING



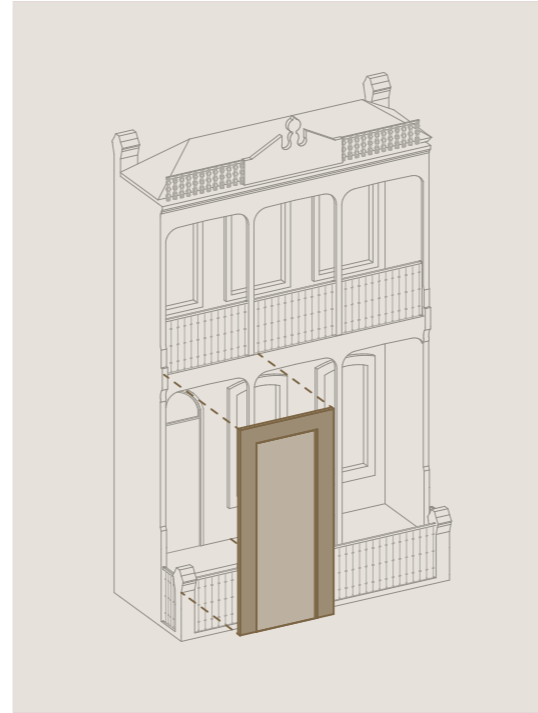
DEFINED CURVED CORNERS
CREATES SUBTLE REFINED DETAIL



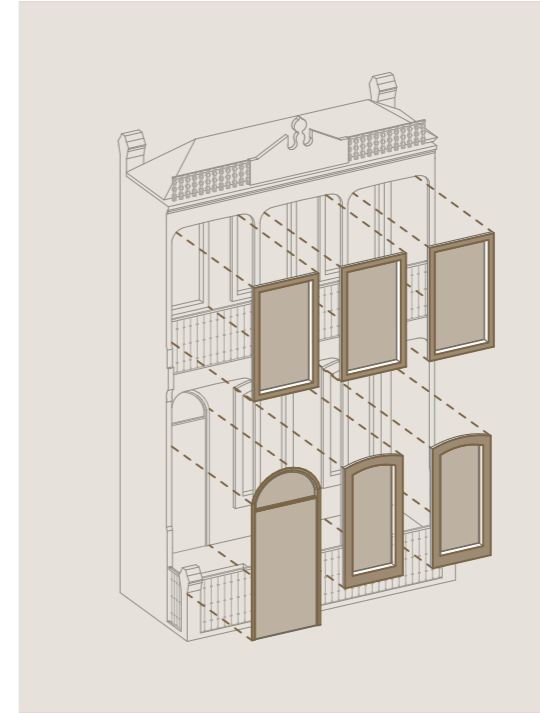
LATTICE BALUSTRADE DETAILING
PROVIDES AN INTRICATE PATTERN



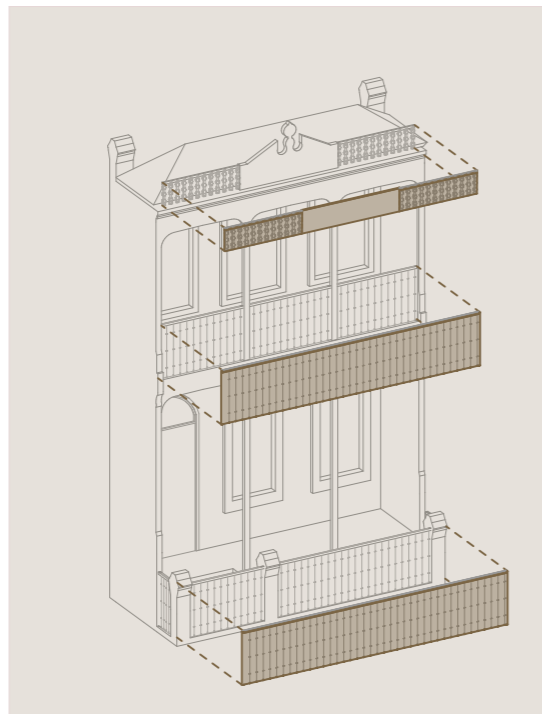
EQUAL PROPORTIONS OF OPENINGS
CREATES SYMMETRY & BALANCE



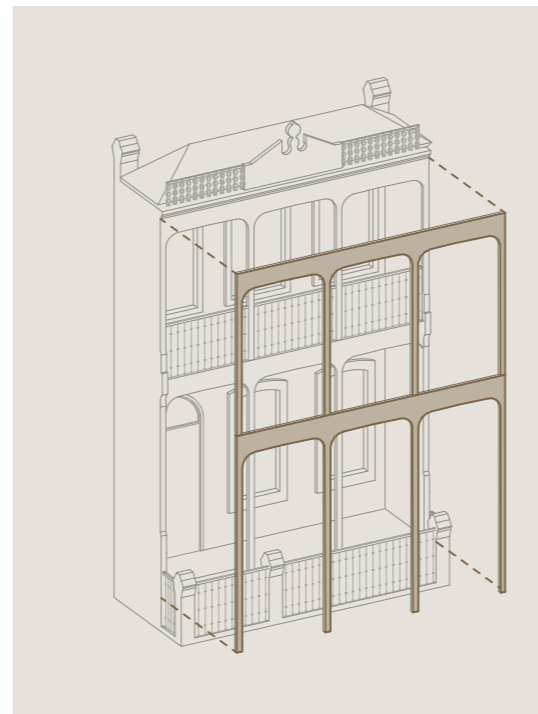
PROMINENT GROUND FLOOR ENTRY EXPERIENCE
PROVIDES A GENEROUS ARRIVAL



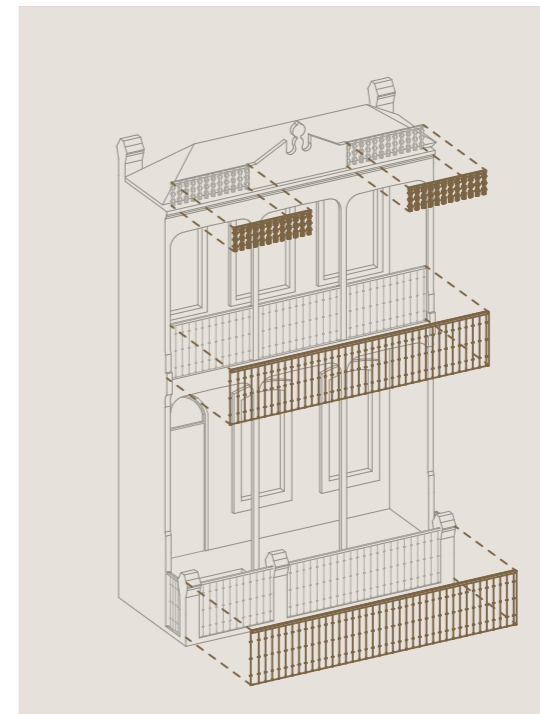
VERTICAL ALIGNMENT
ENHANCES BALANCE & PROPORTION



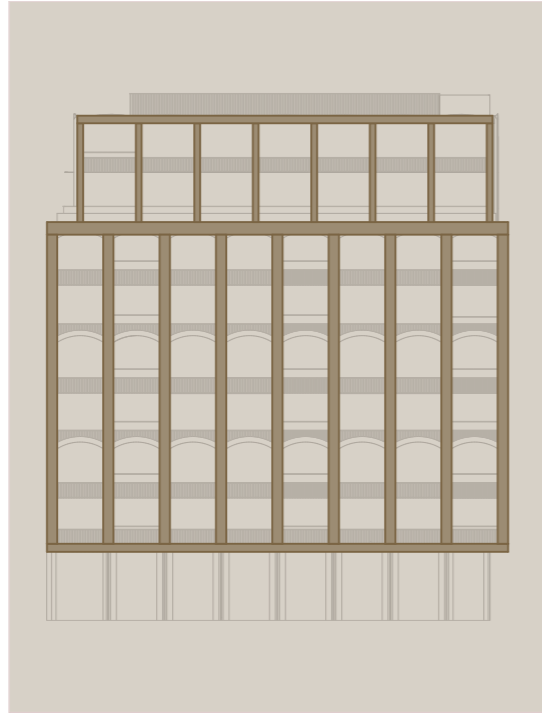
HORIZONTAL ALIGNMENT
FORMS CONTINUOUS BANDING



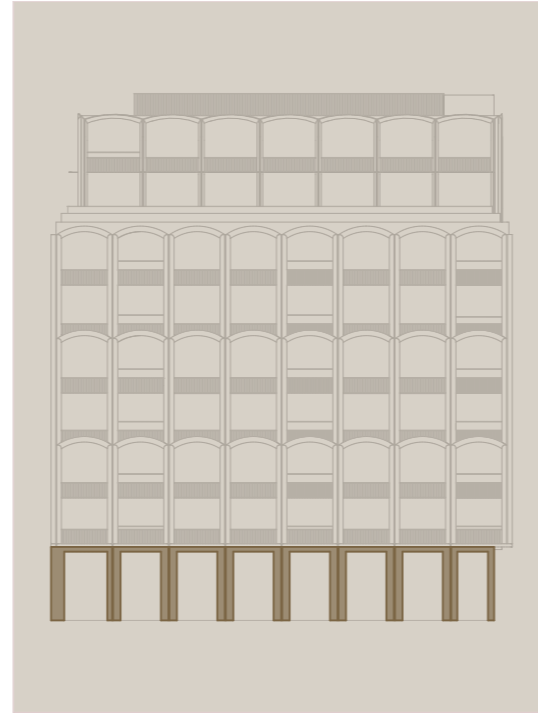
DEFINED CURVED CORNERS
CREATES SUBTLE REFINED DETAIL



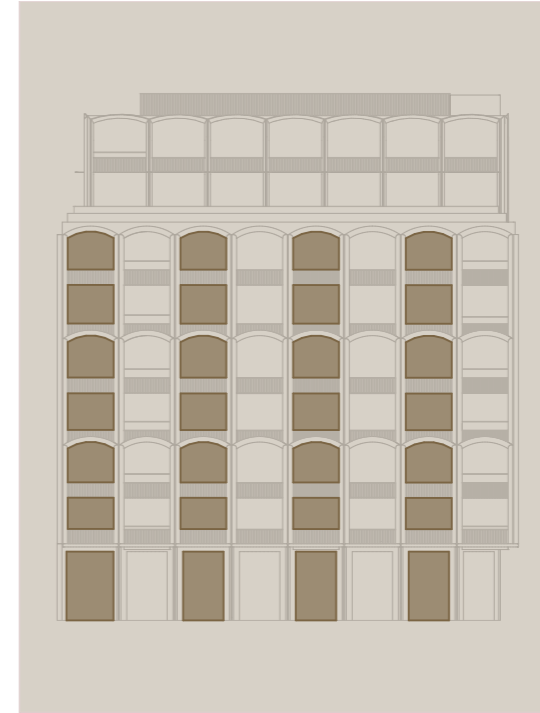
LATTICE BALUSTRADE DETAILING
PROVIDES AN INTRICATE PATTERN



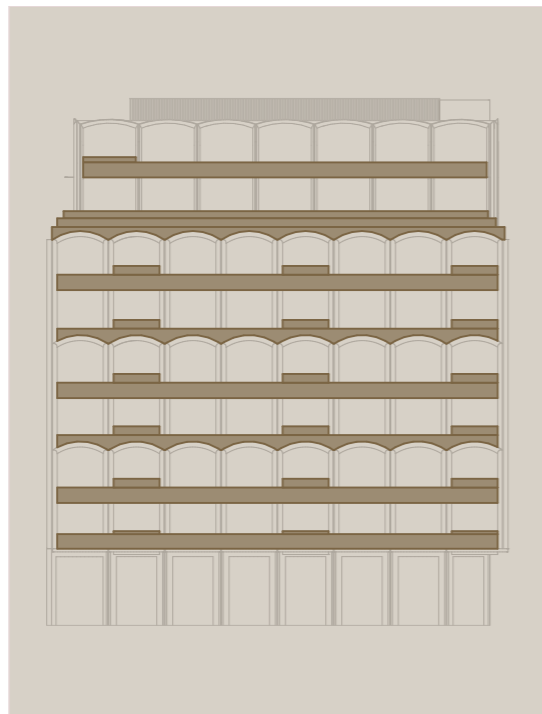
EQUAL PROPORTIONS OF OPENINGS
CREATES SYMMETERY & BALANCE



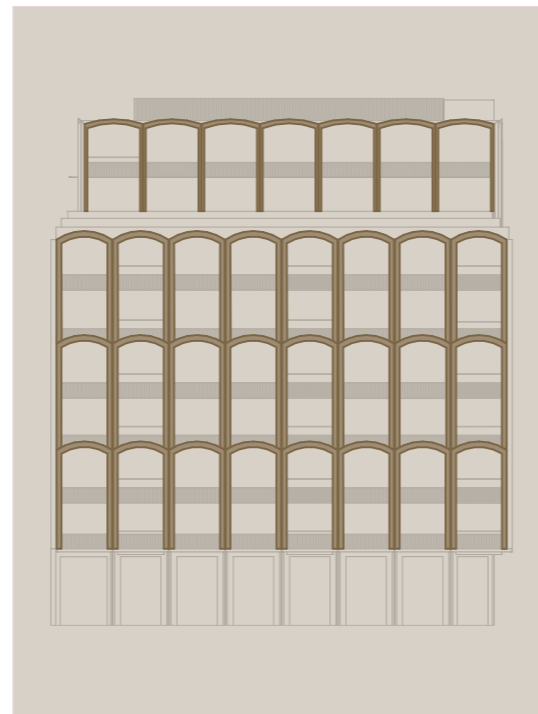
PROMINENT GROUND FLOOR ENTRY EXPERIENCE
PROVIDES A GENEROUS ARRIVAL



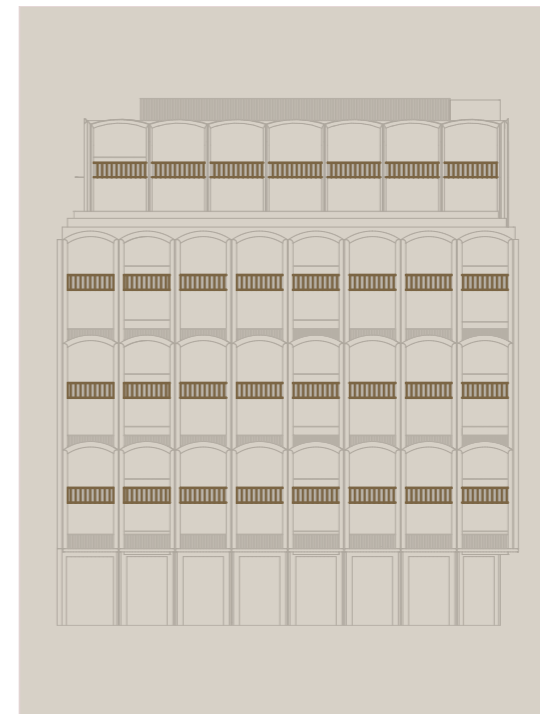
VERTICAL ALIGNMENT
ENHANCES BALANCE & PROPORTION



HORIZONTAL ALIGNMENT
FORMS CONTINUOUS BANDING



DEFINED CURVED CORNERS
CREATES SUBTLE REFINED DETAIL



LATTICE BALUSTRADE DETAILING
PROVIDES AN INTRICATE PATTERN



**TELHA
CLARKE**
ARCHITECTURE & DESIGN

59 GARDEN STREET
SOUTH YARRA VIC 3141
PH: 03 8672 5999
E: contact@telhaclarke.com.au

TP.017 / RENDER 01

122-130 Wellington Parade East Melbourne VIC
3002 Wurundjeri
Traditional Owners Country



TELHA
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TP.018 / RENDER 02

122-130 Wellington Parade East Melbourne VIC
3002 Wurundjeri
Traditional Owners Country



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TP.019 / RENDER 03

122-130 Wellington Parade East Melbourne VIC
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Traditional Owners Country



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TP.020 / RENDER 04

122-130 Wellington Parade East Melbourne VIC
3002 Wurundjeri
Traditional Owners Country



**TELHA
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ARCHITECTURE & DESIGN

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TP.021 / RENDER 05

122-130 Wellington Parade East Melbourne VIC
3002 Wurundjeri
Traditional Owners Country

CONCEPT DRAWINGS

SITE ADDRESS:
WELLINGTON PDE RESIDENCES
East Melbourne
3002
Wurundjeri Country

**TELHA
CLARKE**
ARCHITECTURE & DESIGN



TELHA CLARKE

DEVELOPMENT SCHEDULE

PROJECT:	Wellington Development	JOB NO:	25021
ADDRESS:	126 Wellington Parade, East Melbourne	DATE:	17/12/2025
CLIENT:	WILLOW	REVISION:	12

NOTE Net Sellable Area (NSA) and Gross Floor Area (GFA) excludes balconies. Efficiency is calculated by taking the GFA and dividing it by the services/circulation. Areas are calculated using the property council method of measurement.

Level	CAR PARKING no.	CAR PARK m2	SERVICES/CIRCULATION m2	RETAIL m2	COMMUNAL m2	RESIDENTIAL m2	APARTMENT TYPES								BALCONY/ TERRACE m2	NSA* m2	GFA* m2	EFFICIENCY* %		
							1	2A	2B	2C	3A	3B	3C	4					5	
Basement 2	17	529	319												0	848	0%			
Basement 1	17	529	320												0	849	0%			
Ground Floor	14	597	252	167											167	1016	16%			
Level 1			122		227	464	1	2	1	1					145	691	813	85%		
Level 2			116			623	1	2	1	1	1				58	623	739	84%		
Level 3			116			623	1	2	1	1	1				58	623	739	84%		
Level 4			111			632				1	1	1	1		52	632	743	85%		
Level 5			111			632				1	1	1	1		52	632	743	85%		
Level 6			111			632				1	1	1	1		52	632	743	85%		
Level 7			86			342							1		103	342	428	80%		
Level 8			56			304							1		56	304	360	84%		
Roof			244												0	244	0%			
TOTAL	48	1655	1964	167	227	4252	3	6	3	6	5	3	3	1	1	576	4646	8265	56%	
TOTAL							31													
							10%	19%	10%	19%	16%	10%	10%	3%	3%					



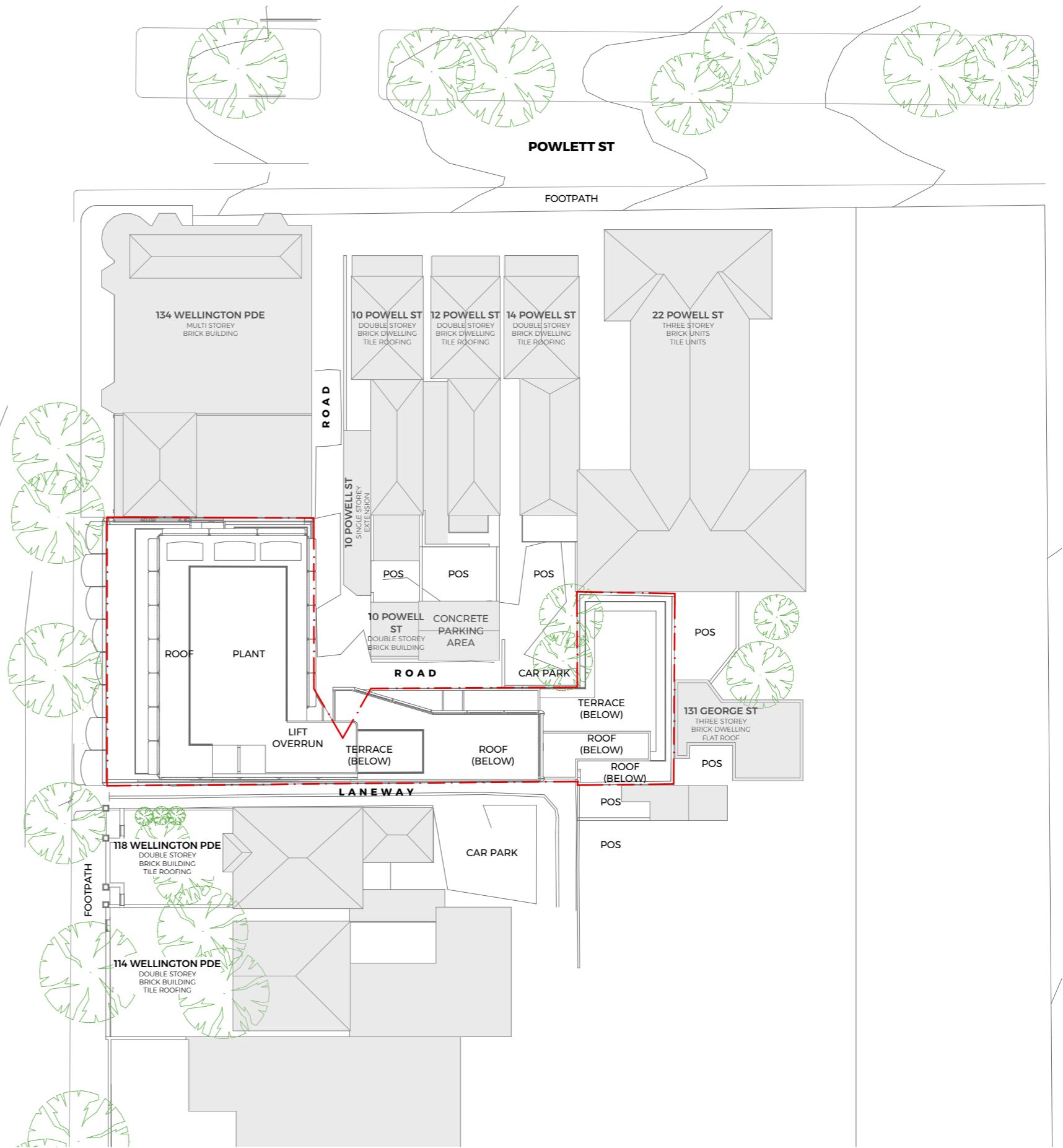
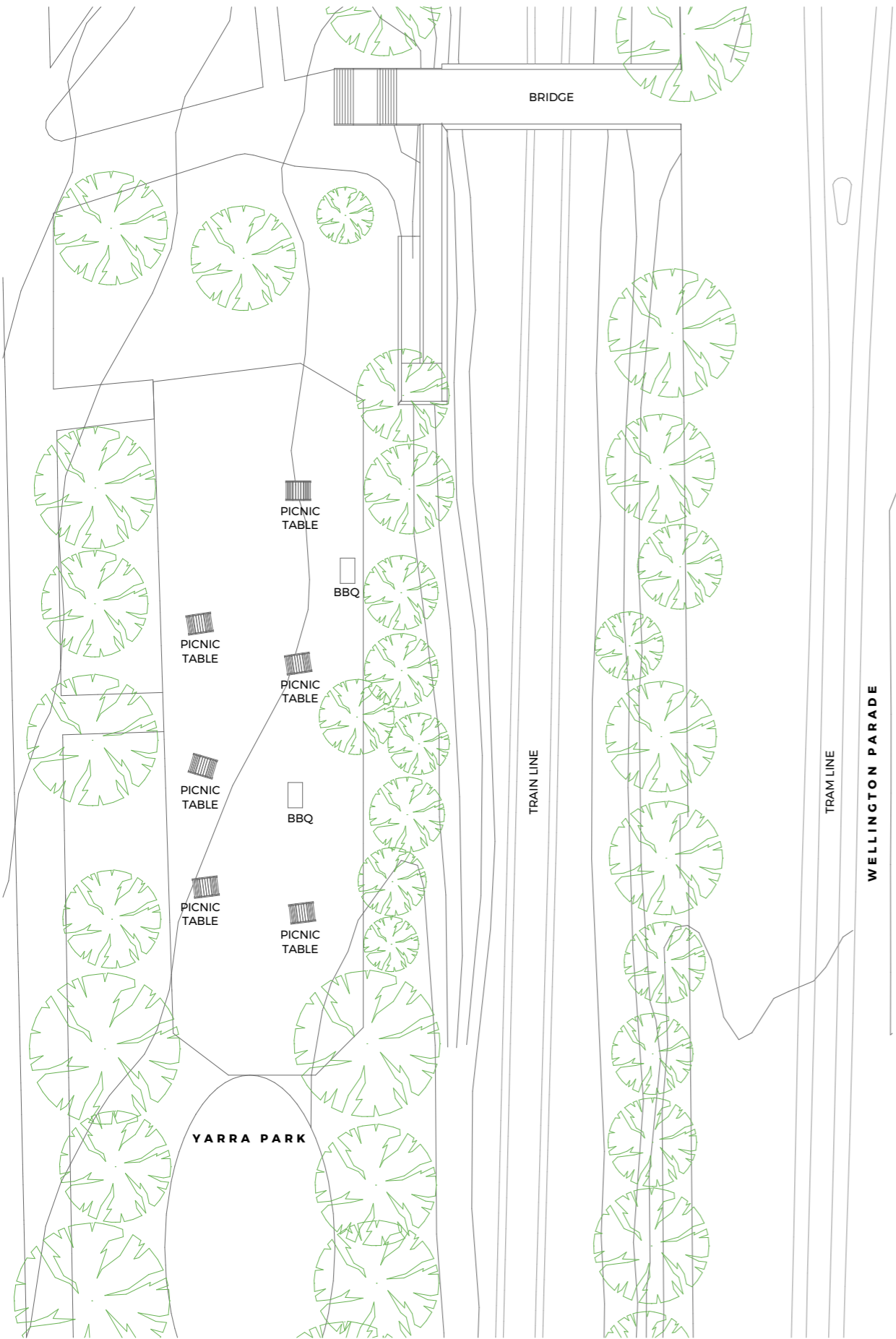
59 GARDEN STREET
SOUTH YARRA VIC 3141
PH: 03 8672 5999
E: contact@telhaclarke.com.au

REV	DATE	ISSUED FOR	DRAWN	CHECKED
12	17/12/2025	FOR TOWN PLANNING	NF	EF

PROJECT
WELLINGTON PDE
RESIDENCES
122-130 Wellington Parade
East Melbourne VIC 3002
Wurundjeri
Country

CLIENT
WILLOW
DRAWING TITLE
DEVELOPMENT SUMMARY


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DATE 17/12/2025		
DRAWN NF	CHECKED EF	
JOB NO. 25021	DRAWING NO. TP.081	REVISION 12

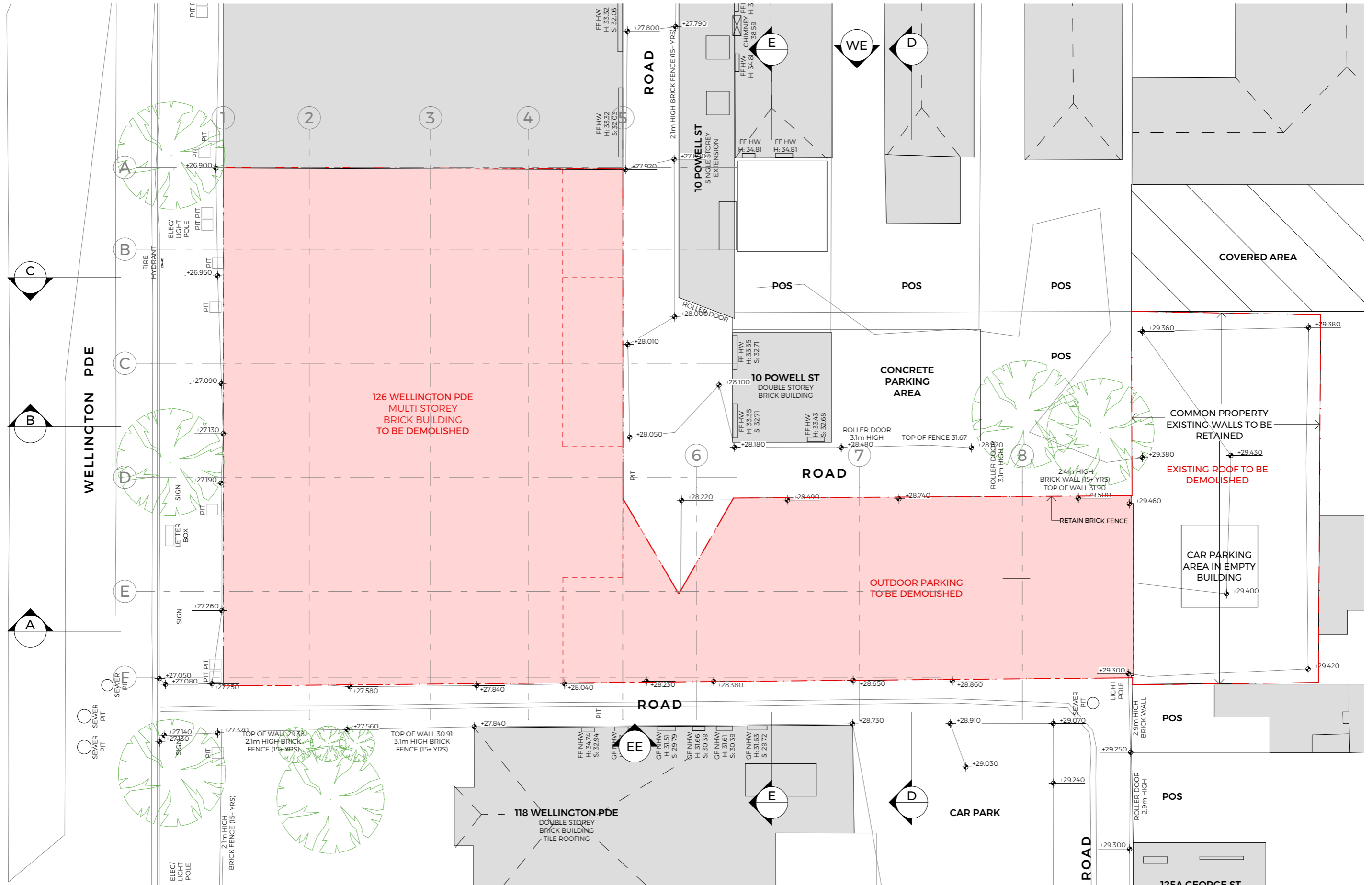


REV	DATE	ISSUED FOR	DRAWN	CHECKED
12	17/12/2025	FOR TOWN PLANNING	NF	EF

PROJECT
WELLINGTON PDE
RESIDENCES
122-130 Wellington Parade
East Melbourne VIC 3002
Wurundjeri
Country

CLIENT
WILLOW
Development Group
DRAWING TITLE
PROPOSED SITE PLAN

SCALE 1:500 @A3	
DATE 17/12/2025	
DRAWN NF	CHECKED EF
JOB NO. 25021	DRAWING NO. TP.090 12
	REVISION



126 WELLINGTON PDE
MULTI STOREY
BRICK BUILDING
TO BE DEMOLISHED

OUTDOOR PARKING
TO BE DEMOLISHED

COMMON PROPERTY
EXISTING WALLS TO BE
RETAINED

EXISTING ROOF TO BE
DEMOLISHED

CAR PARKING
AREA IN EMPTY
BUILDING



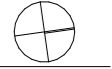
59 GARDEN STREET
SOUTH YARRA VIC 3141
PH: 03 8672 5999
E: contact@telhaclarke.com.au

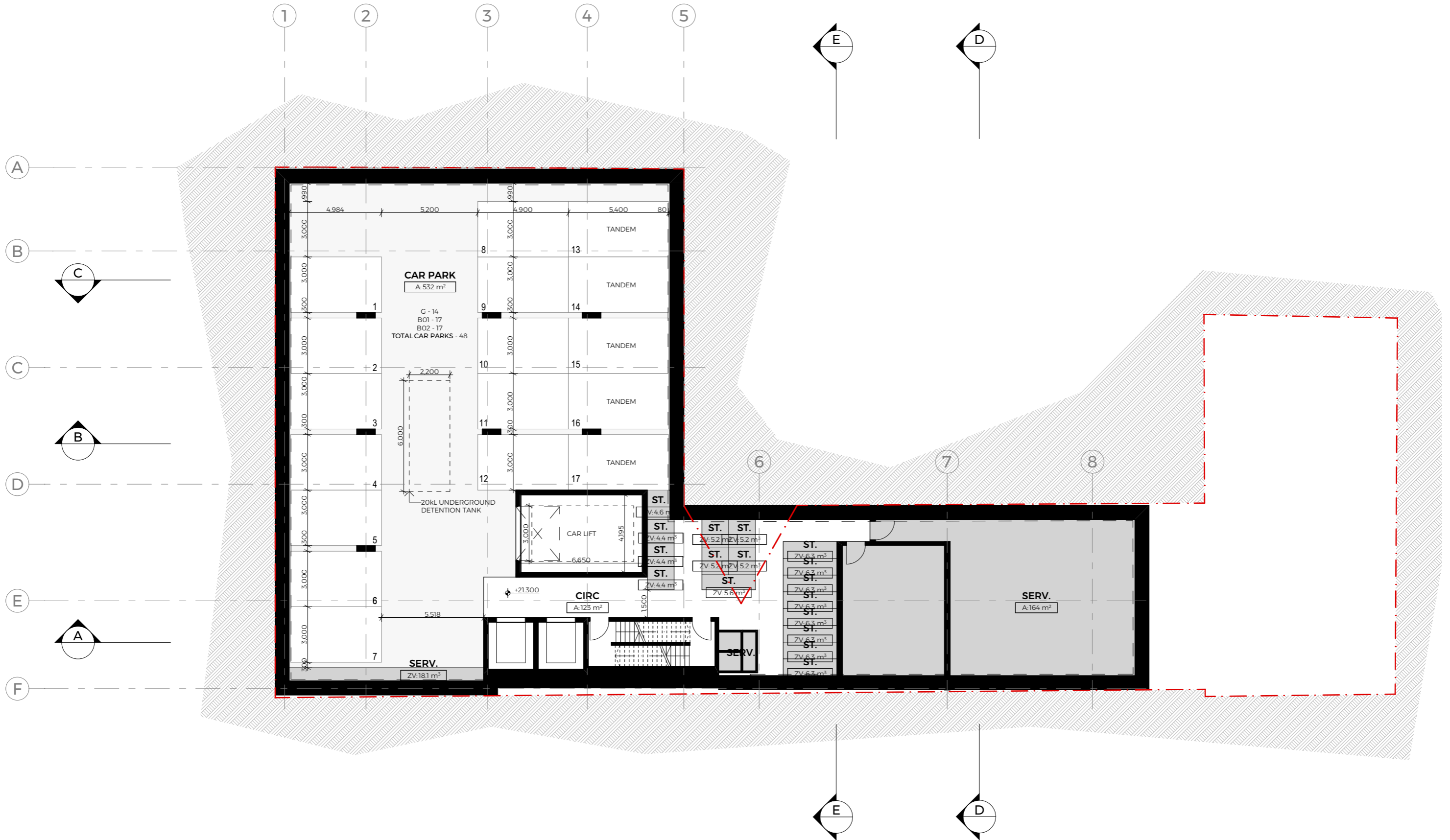
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12	17/12/2025	FOR TOWN PLANNING	NF	EF

PROJECT
WELLINGTON PDE
RESIDENCES
122-130 Wellington Parade
East Melbourne VIC 3002
Wurundjeri
Country

CLIENT
WILLOW
Development Group
DRAWING TITLE
**EXISTING SITE/DEMOLITION
PLAN**

SCALE	DATE	DRAWN	CHECKED	JOB NO.	DRAWING NO.	REVISION
1:200 @A3	17/12/2025	NF	EF	25021	TP.091	12





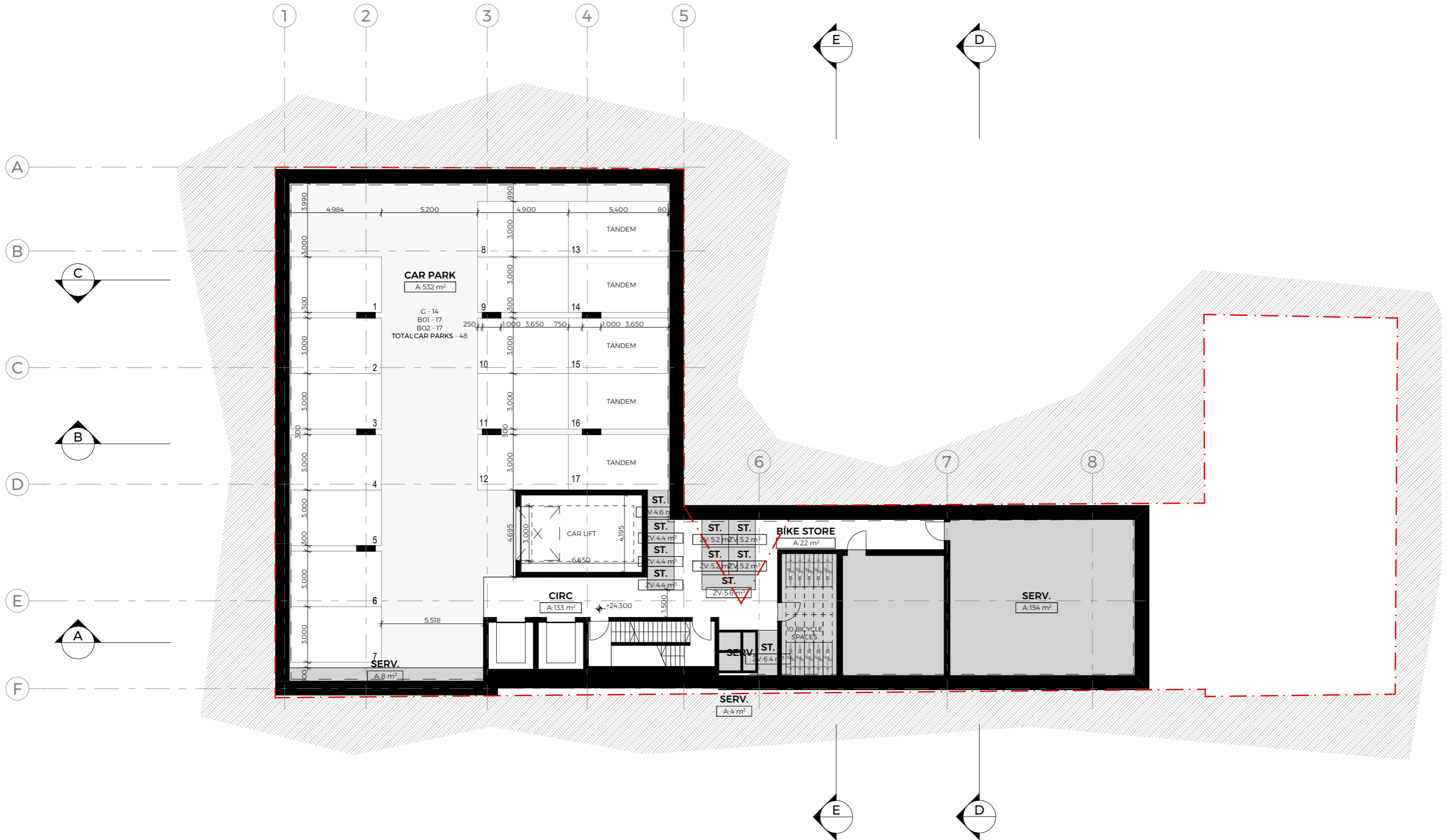
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01	17/07/2025	FOR DISCUSSION		TC
12	17/12/2025	FOR TOWN PLANNING	NF	EF

PROJECT
WELLINGTON PDE
RESIDENCES
122-130 Wellington Parade
East Melbourne VIC 3002
Wurundjeri
Country

CLIENT
WILLOW
Development Group
DRAWING TITLE
BASEMENT 02 PLAN

SCALE	DATE	DRAWN	CHECKED	REVISION
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JOB NO.	DRAWING NO.	REVISION		
25021	TP.098	12		

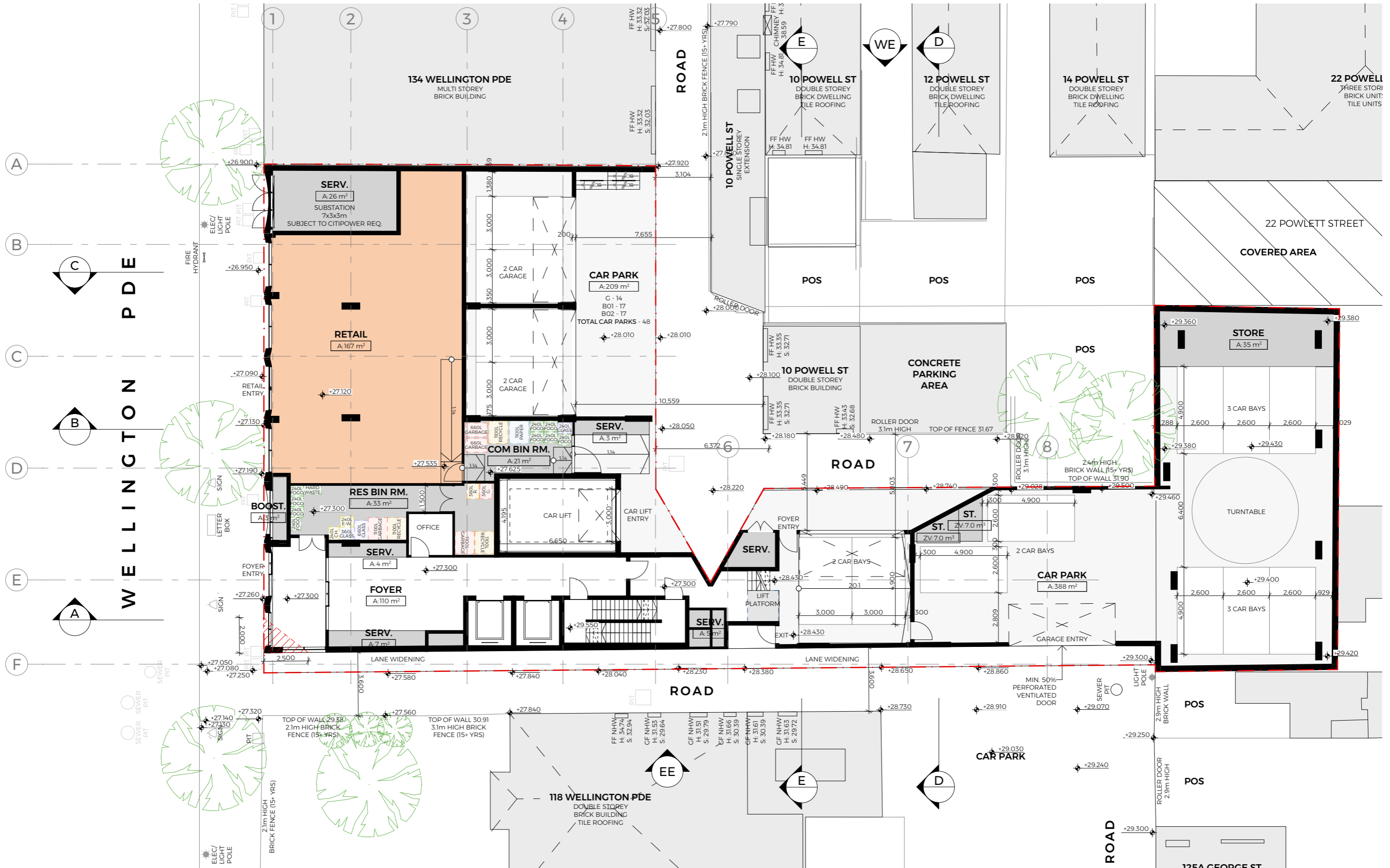




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12	17/12/2025	FOR TOWN PLANNING	NF	EF

SCALE	DATE	DRAWN	CHECKED	REVISION
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JOB NO.	DRAWING NO.	REVISION		
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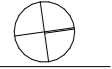
59 GARDEN STREET
SOUTH YARRA VIC 3141
PH: 03 8672 5999
E: contact@telhaclarke.com.au

REV	DATE	ISSUED FOR	DRAWN	CHECKED
01	17/07/2025	FOR DISCUSSION		TC
12	17/12/2025	FOR TOWN PLANNING	NF	EF

PROJECT
WELLINGTON PDE RESIDENCES
122-130 Wellington Parade
East Melbourne VIC 3002
Wurundjeri Country

CLIENT
WILLOW
Development Group
DRAWING TITLE
GROUND FLOOR PLAN

SCALE	DATE	DRAWN	CHECKED	JOB NO.	DRAWING NO.	REVISION
1:200 @A3	17/12/2025	NF	EF	25021	TP.100	12





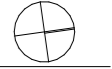
59 GARDEN STREET
SOUTH YARRA VIC 3141
PH: 03 8672 5999
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REV	DATE	ISSUED FOR	DRAWN	CHECKED
01	17/07/2025	FOR DISCUSSION		TC
12	17/12/2025	FOR TOWN PLANNING	NF	EF

PROJECT
WELLINGTON PDE
RESIDENCES
122-130 Wellington Parade
East Melbourne VIC 3002
Wurundjeri
Country

CLIENT
WILLOW
Development Group
DRAWING TITLE
LEVEL 01 PLAN

SCALE	DATE	DRAWN	CHECKED	JOB NO.	DRAWING NO.	REVISION
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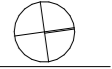
59 GARDEN STREET
SOUTH YARRA VIC 3141
PH: 03 8672 5999
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REV	DATE	ISSUED FOR	DRAWN	CHECKED
01	17/07/2025	FOR DISCUSSION		TC
12	17/12/2025	FOR TOWN PLANNING	NF	EF

PROJECT
WELLINGTON PDE
RESIDENCES
122-130 Wellington Parade
East Melbourne VIC 3002
Wurundjeri
Country

CLIENT
WILLOW
DRAWING TITLE
LEVEL 02-03 PLAN

SCALE	DATE	DRAWN	CHECKED	JOB NO.	DRAWING NO.	REVISION
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REFER TO LANDSCAPE CONSULTANT DRAWINGS FOR FURTHER INFORMATION.



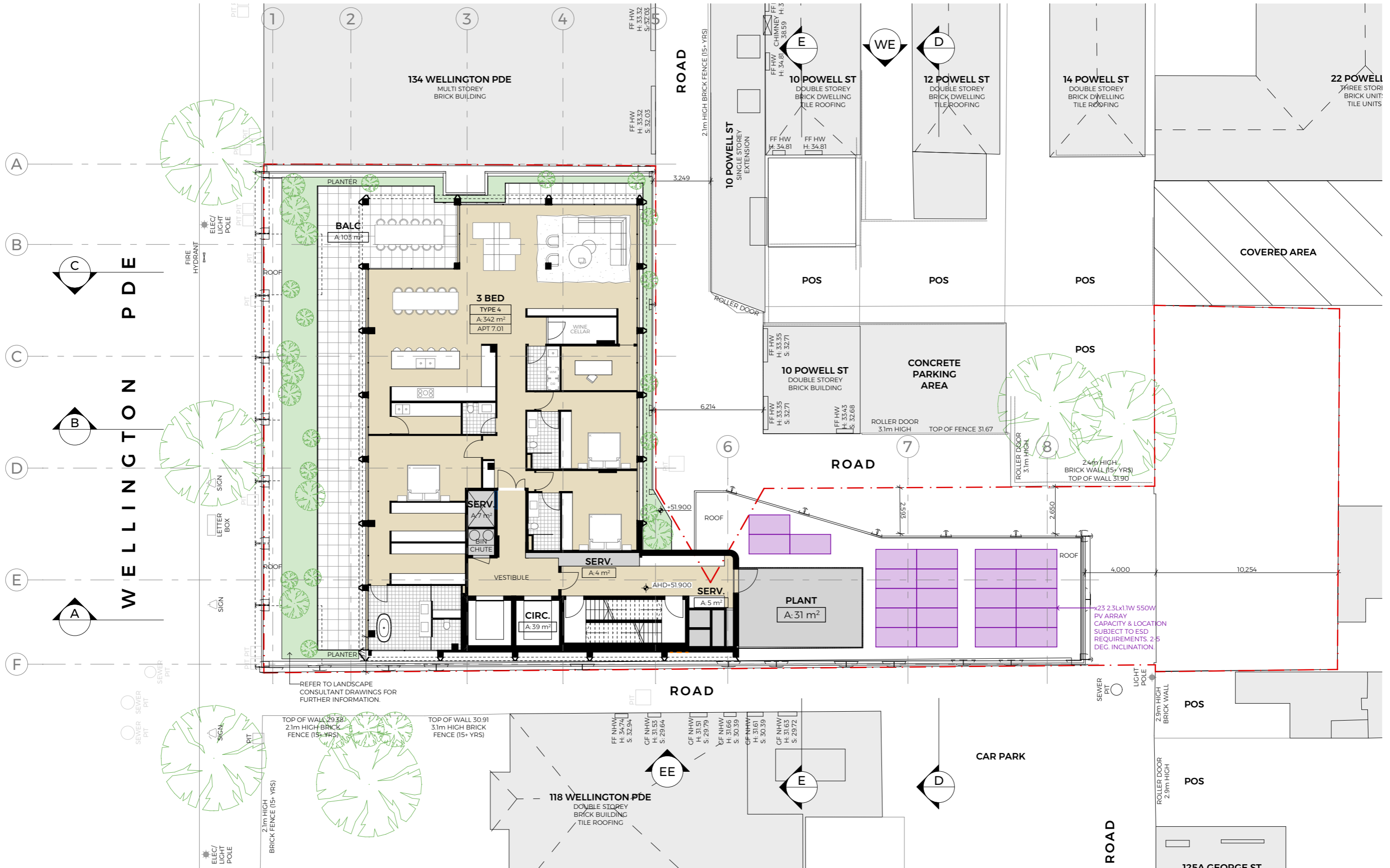
59 GARDEN STREET
SOUTH YARRA VIC 3141
PH: 03 8672 5999
E: contact@telhaclarke.com.au

REV	DATE	ISSUED FOR	DRAWN	CHECKED
01	17/07/2025	FOR DISCUSSION		TC
12	17/12/2025	FOR TOWN PLANNING	NF	EF

PROJECT
WELLINGTON PDE RESIDENCES
122-130 Wellington Parade
East Melbourne VIC 3002
Wurundjeri Country

CLIENT
WILLOW
DRAWING TITLE
LEVEL 04-06 PLAN

SCALE	DATE	DRAWN	CHECKED	JOB NO.	DRAWING NO.	REVISION
1:200 @A3	17/12/2025	NF	EF	25021	TP.103	12



REFER TO LANDSCAPE CONSULTANT DRAWINGS FOR FURTHER INFORMATION.



59 GARDEN STREET
SOUTH YARRA VIC 3141
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E: contact@telhaclarke.com.au

REV	DATE	ISSUED FOR	DRAWN	CHECKED
01	17/07/2025	FOR DISCUSSION		TC
12	17/12/2025	FOR TOWN PLANNING	NF	EF

PROJECT
WELLINGTON PDE RESIDENCES
122-130 Wellington Parade
East Melbourne VIC 3002
Wurundjeri Country

CLIENT
WILLOW
DRAWING TITLE
LEVEL 07 PLAN

SCALE	DATE	DRAWN	CHECKED	JOB NO.	DRAWING NO.	REVISION
1:200 @A3	17/12/2025	NF	EF	25021	TP.104	12



TELHA CLARKE
ARCHITECTURE & DESIGN

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SOUTH YARRA VIC 3141

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REV	DATE	ISSUED FOR	DRAWN	CHECKED
01	17/07/2025	FOR DISCUSSION		TC
12	17/12/2025	FOR TOWN PLANNING	NF	EF

PROJECT
WELLINGTON PDE RESIDENCES

CLIENT
WILLOW
Development Group

DRAWING TITLE
LEVEL 08 PLAN

SCALE
1:200 @A3

DATE
17/12/2025

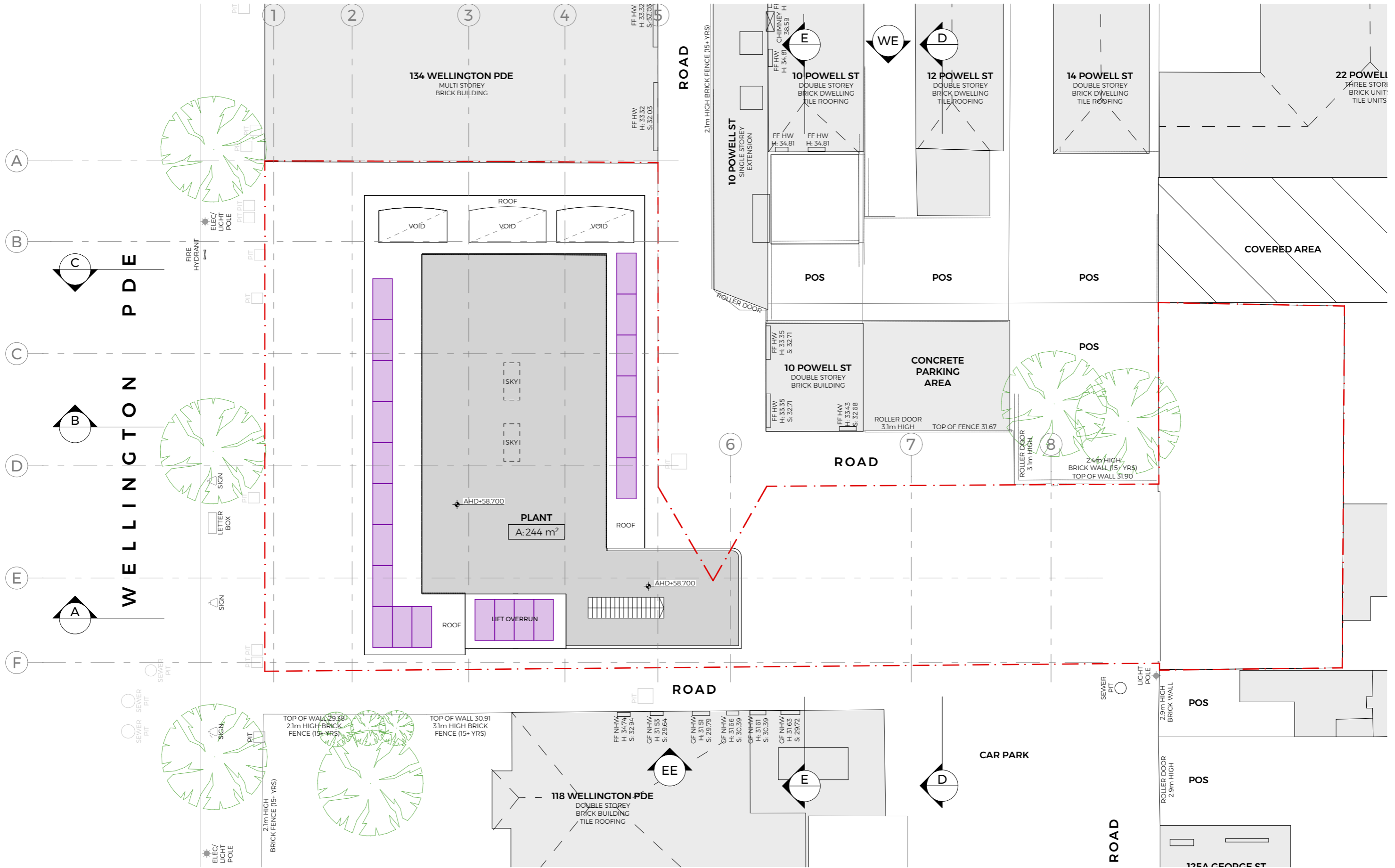
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CHECKED
EF

JOB NO.
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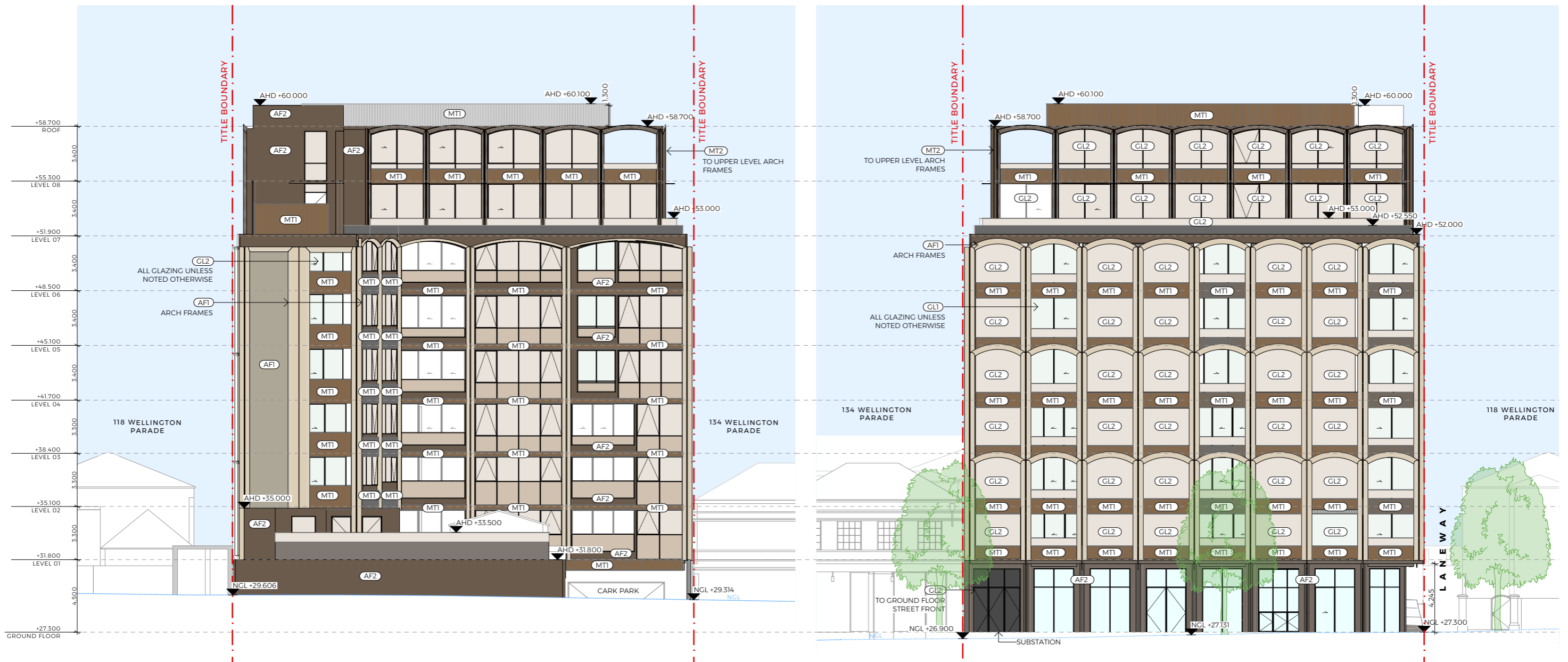
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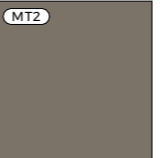



REVISION
12



REV	DATE	ISSUED FOR	DRAWN	CHECKED
12	17/12/2025	FOR TOWN PLANNING	NF	EF

SCALE	DATE	CHECKED	REVISION
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JOB NO.	DRAWING NO.		
25021	TP.106		12



						
TEXTURED LIGHT RENDER FINISH	TEXTURED DARK RENDER FINISH	BROWN POWDERCOAT METAL FINISH	DARK POWDERCOAT METAL FINISH	CLEAR GLAZING - DOUBLE GLAZED	BRONZE GLAZING - DOUBLE GLAZED	REEDED GLAZING

TELHA CLARKE
ARCHITECTURE & DESIGN

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REV	DATE	ISSUED FOR	DRAWN	CHECKED
12	17/12/2025	FOR TOWN PLANNING	NF	EF

PROJECT
WELLINGTON PDE RESIDENCES

122-130 Wellington Parade
East Melbourne VIC 3002
Wurundjeri Country

CLIENT
WILLOW
Development Group

DRAWING TITLE
NORTH & SOUTH ELEVATIONS

SCALE
1:250 @A3

DATE
17/12/2025

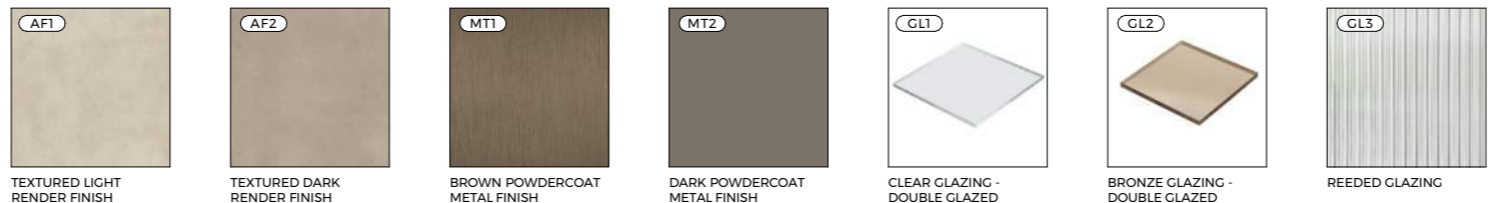
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CHECKED
EF

JOB NO.
25021

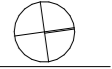
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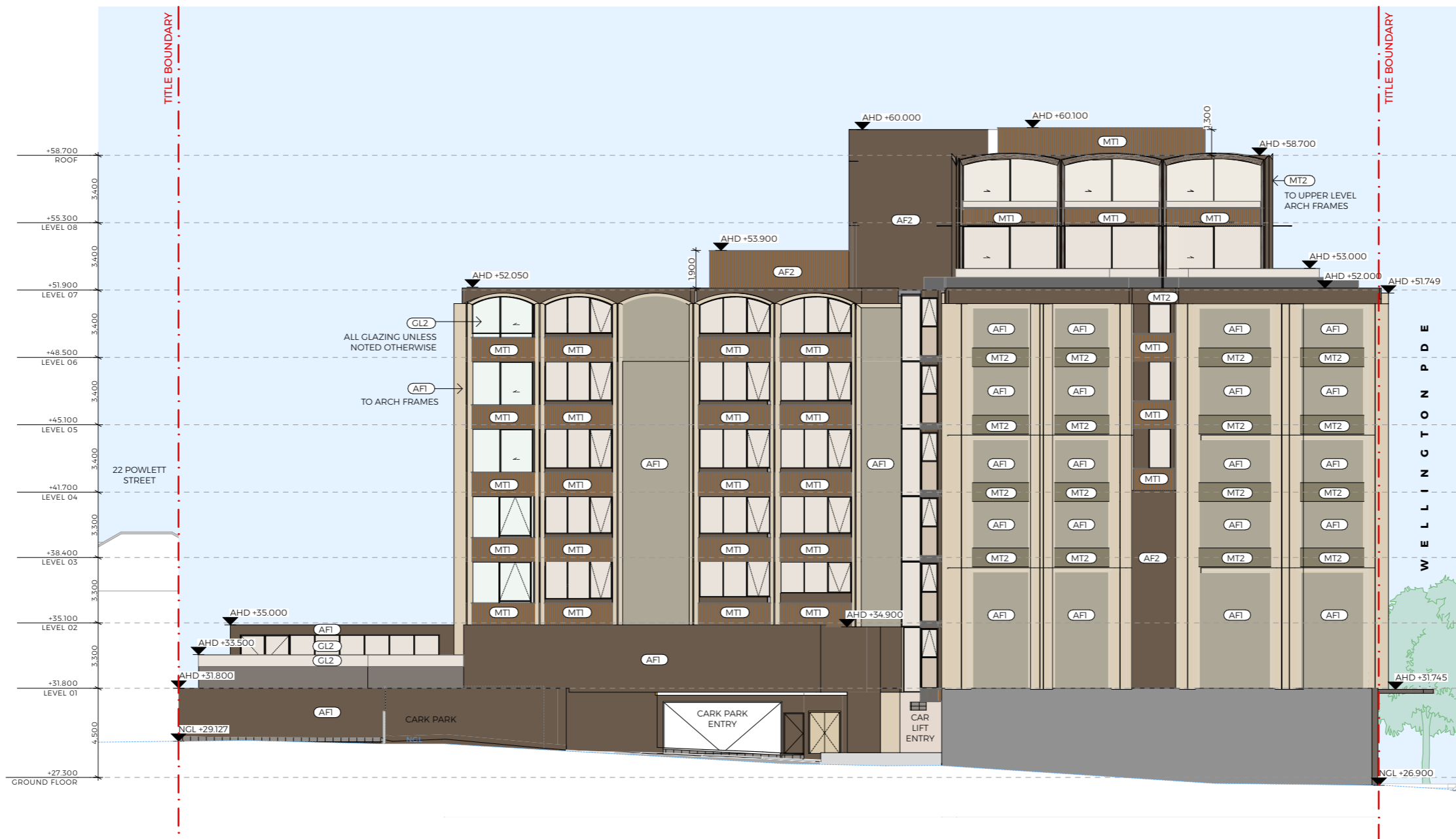
REVISION
12




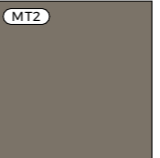





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12	17/12/2025	FOR TOWN PLANNING	NF	EF


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JOB NO.	DRAWING NO.			
25021	TP.201			12

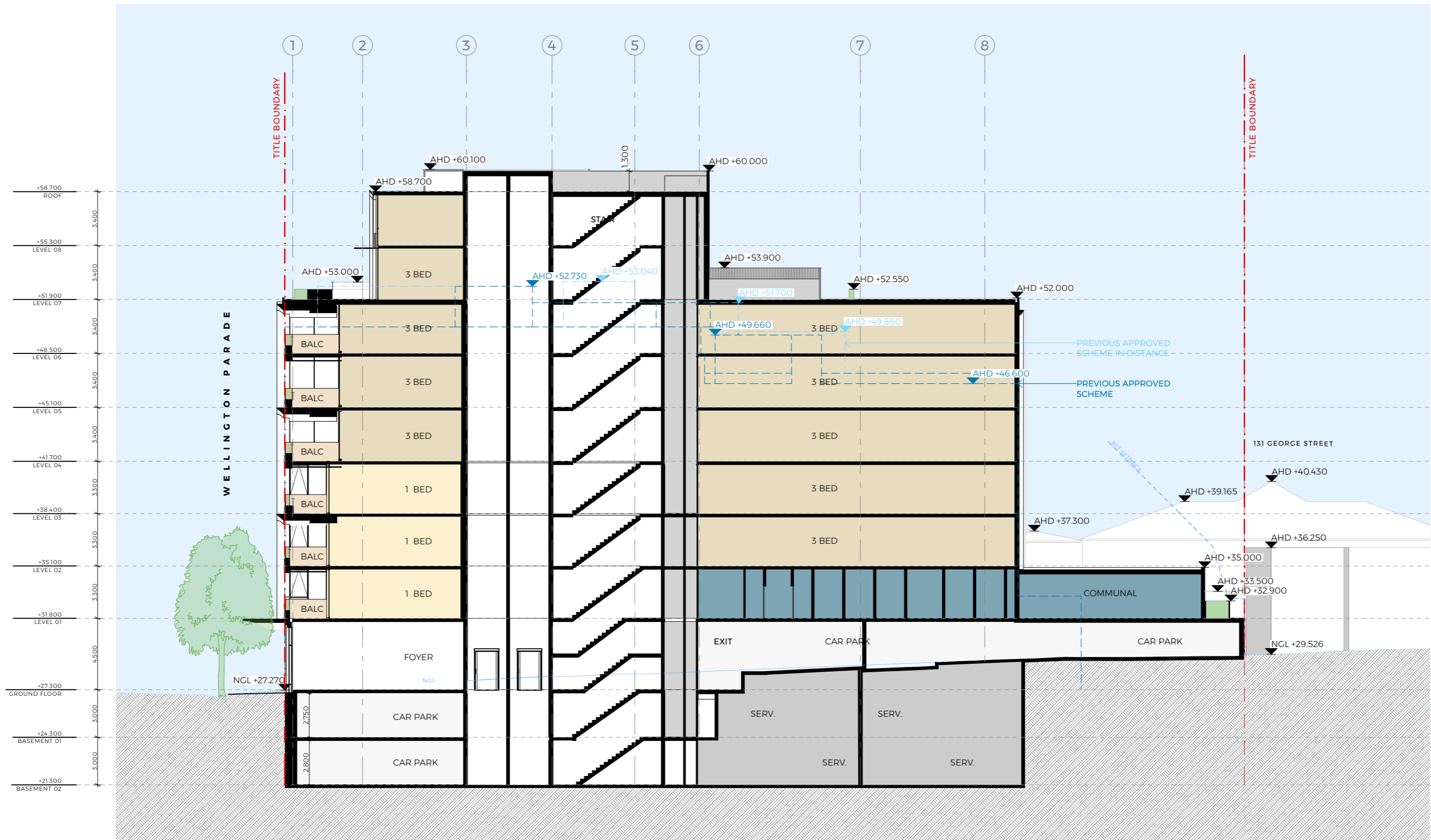




						
TEXTURED LIGHT RENDER FINISH	TEXTURED DARK RENDER FINISH	BROWN POWDERCOAT METAL FINISH	DARK POWDERCOAT METAL FINISH	CLEAR GLAZING - DOUBLE GLAZED	BRONZE GLAZING - DOUBLE GLAZED	REEDED GLAZING

REV	DATE	ISSUED FOR	DRAWN	CHECKED
12	17/12/2025	FOR TOWN PLANNING	NF	EF

SCALE 1:250 @A3	
DATE 17/12/2025	CHECKED EF
DRAWN NF	REVISION
JOB NO. 25021	DRAWING NO. TP.202 12

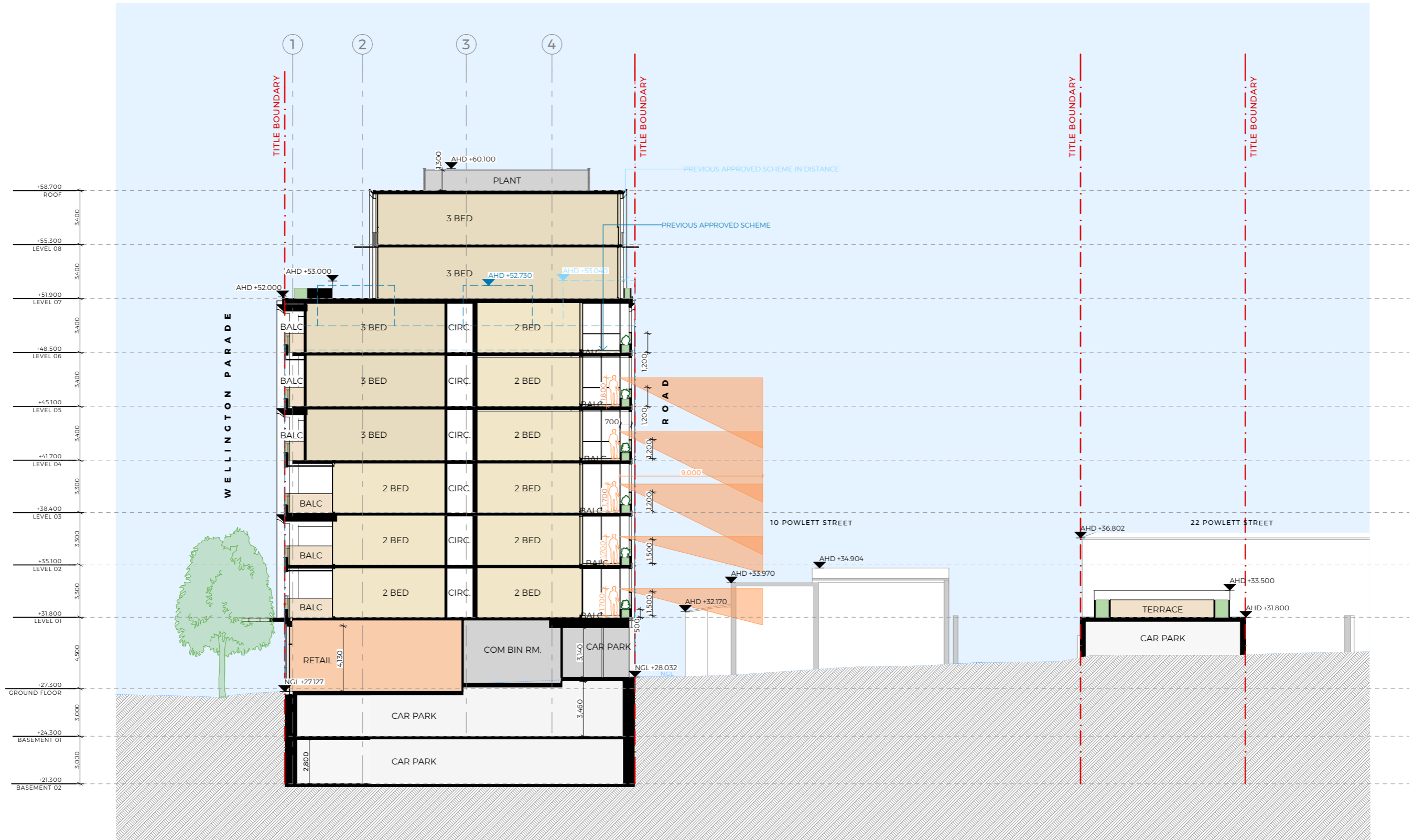


A SECTION A
1:250

REV	DATE	ISSUED FOR	DRAWN	CHECKED
12	17/12/2025	FOR TOWN PLANNING	NF	EF

SCALE	DATE	DRAWN	CHECKED	REVISION
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JOB NO.	DRAWING NO.			
25021	TP.220			12





B SECTION B
1:250



59 GARDEN STREET
SOUTH YARRA VIC 3141
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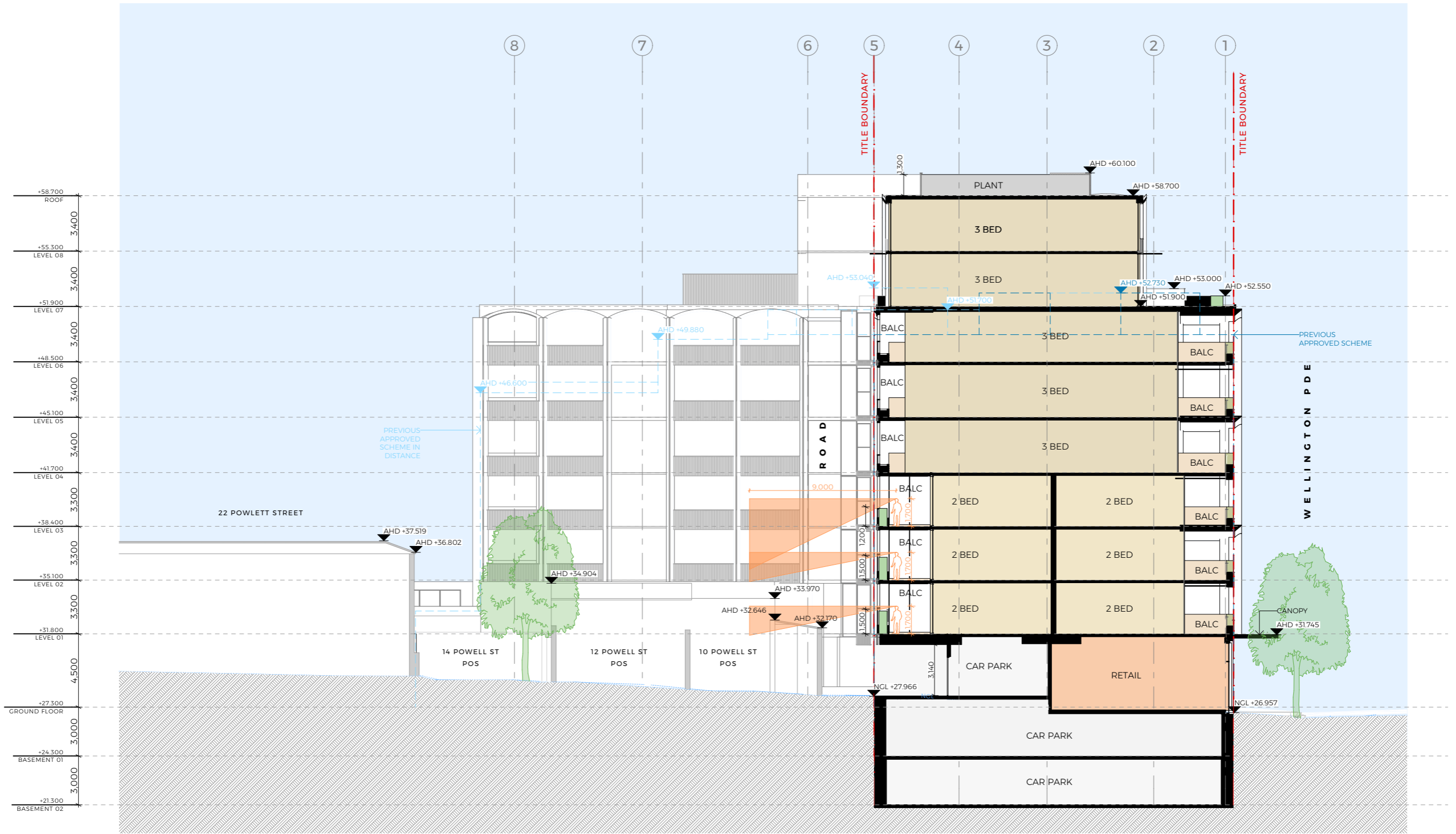
REV	DATE	ISSUED FOR	DRAWN	CHECKED
12	17/12/2025	FOR TOWN PLANNING	NF	EF

PROJECT
WELLINGTON PDE
RESIDENCES
122-130 Wellington Parade
East Melbourne VIC 3002
Wurundjeri
Country

CLIENT
WILLOW
Development Group
DRAWING TITLE
SECTION B

SCALE	DATE	DRAWN	CHECKED	REVISION
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JOB NO.	DRAWING NO.			
25021	TP.221			12



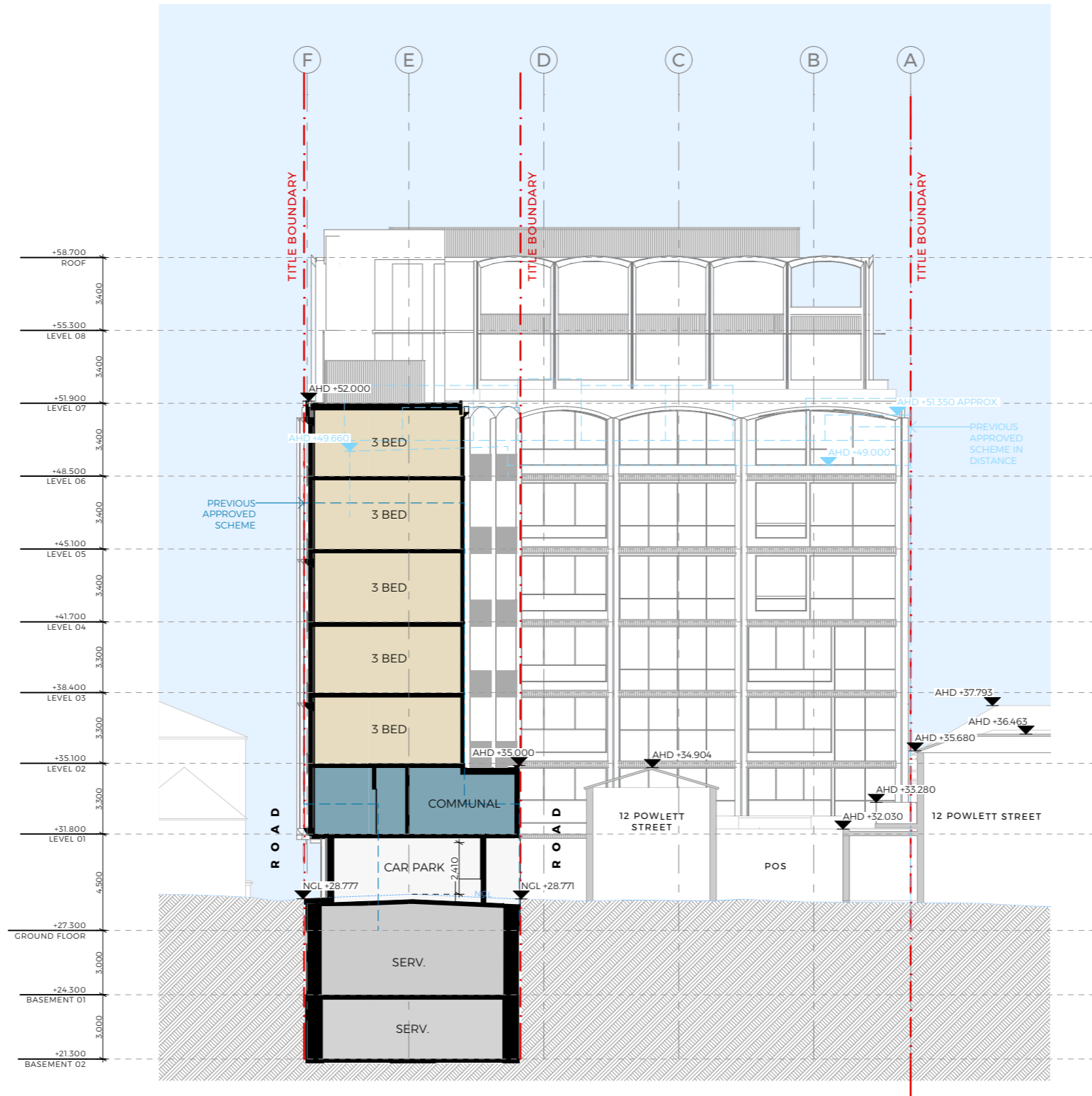


C SECTION C
1:250

REV	DATE	ISSUED FOR	DRAWN	CHECKED
12	17/12/2025	FOR TOWN PLANNING	NF	EF

SCALE	DATE	DRAWN	CHECKED	REVISION
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JOB NO.	DRAWING NO.			
25021	TP.222			12

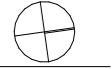


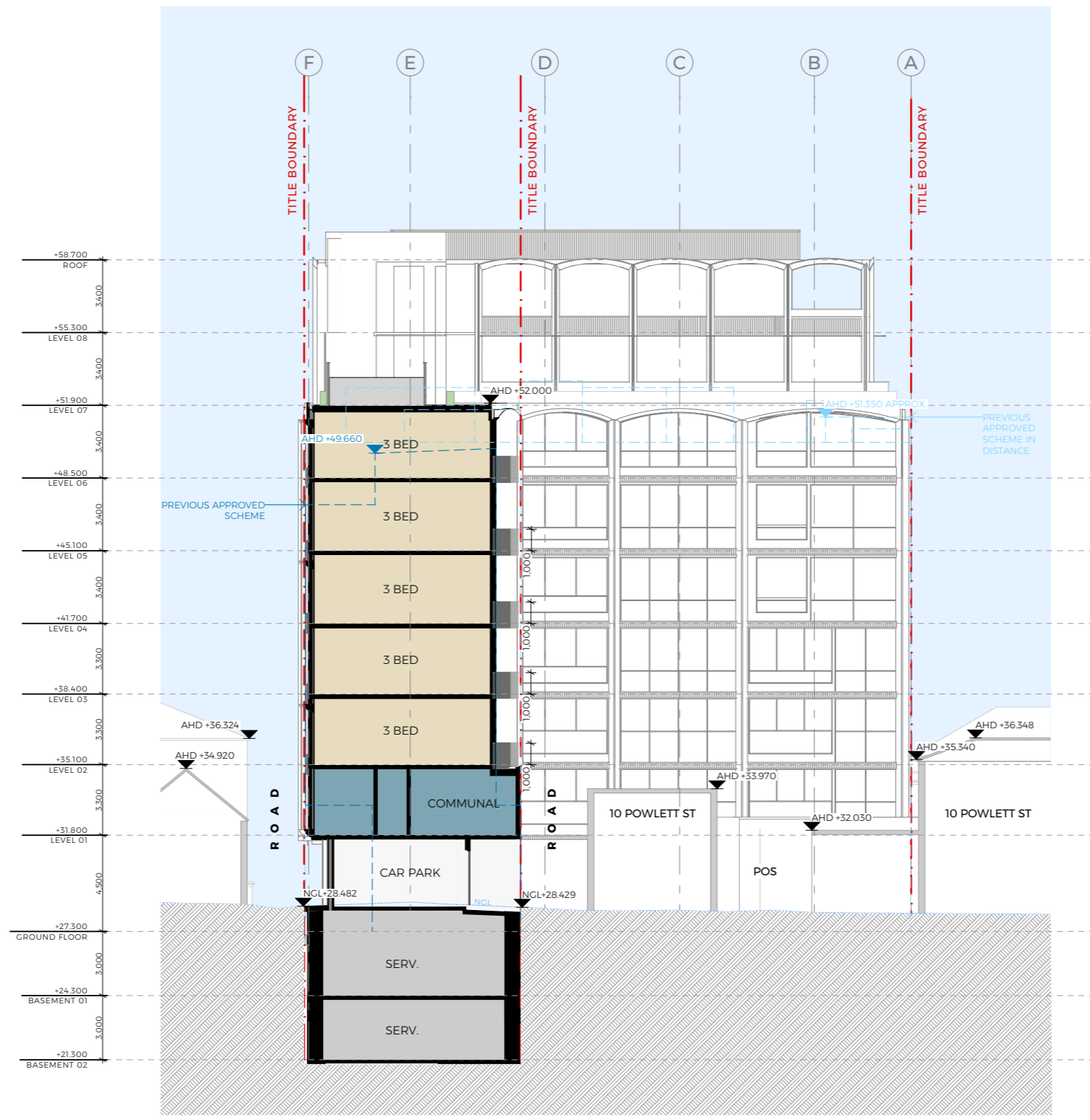


SECTION D
1:250

REV	DATE	ISSUED FOR	DRAWN	CHECKED
12	17/12/2025	FOR TOWN PLANNING	NF	EF

SCALE	DATE	DRAWN	CHECKED	REVISION
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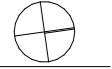


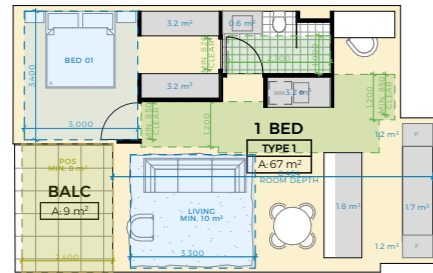


SECTION E
1:250

REV	DATE	ISSUED FOR	DRAWN	CHECKED
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JOB NO.	DRAWING NO.			
25021	TP.224			12

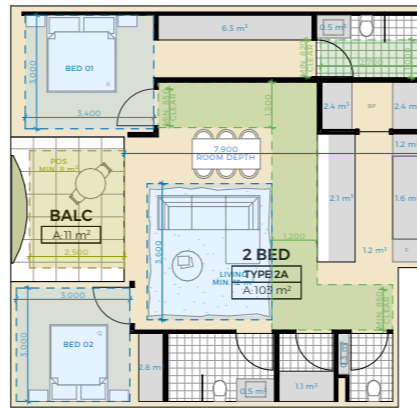




APARTMENT TYPE 1 (1 BED)
QUANTITY: 3

OBJECTIVE:

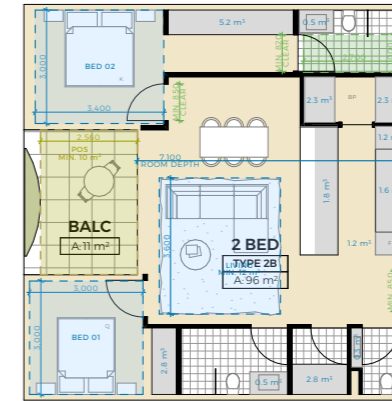
- ✓ **LIVING STUDIO & 1-BED**
MIN. 3.3m WIDTH, MIN. 10m² AREA
- ✓ **ACCESSIBILITY**
MIN. 1.2m CLEAR PATH
MIN. 850mm CLEAR DOOR WIDTHS
BATHROOM DESIGN OPTION A:
MIN. 1.2m x 1.2m
- ✓ **PRIVATE OPEN SPACE SOUTH**
MIN. 8m² AREA, MIN. 1.2m WIDTH
- ✓ **STORAGE**
INTERNAL 1-BED: MIN. 6m³
- ✗ **VENTILATION**
MIN. 5m/MAX. 18m BREEZE PATH
- ✓ **ROOM DEPTH**
MAX. 9m



APARTMENT TYPE 2A (2 BED)
QUANTITY: 6

OBJECTIVE:

- ✓ **LIVING 2-BED OR MORE**
MIN. 3.6m WIDTH, MIN. 12m² AREA
- ✓ **ACCESSIBILITY**
MIN. 1.2m CLEAR PATH
MIN. 850mm CLEAR DOOR WIDTHS
BATHROOM DESIGN OPTION A:
MIN. 1.2m x 1.2m
- ✓ **PRIVATE OPEN SPACE SOUTH**
MIN. 8m² AREA, MIN. 1.2m WIDTH
- ✓ **STORAGE**
INTERNAL 2-BED: MIN. 9m³
- ✗ **VENTILATION**
MIN. 5m/MAX. 18m BREEZE PATH
- ✓ **ROOM DEPTH**
MAX. 9m



APARTMENT TYPE 2B (2 BED)
QUANTITY: 3

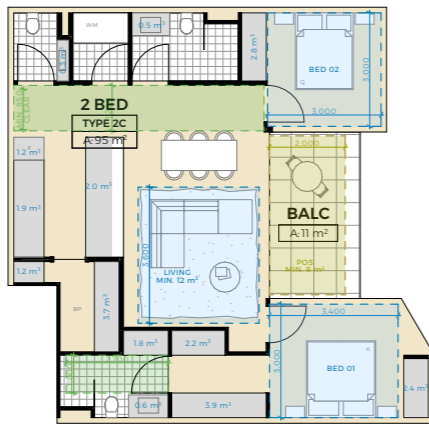
OBJECTIVE:

- ✓ **LIVING 2-BED OR MORE**
MIN. 3.6m WIDTH, MIN. 12m² AREA
- ✗ **ACCESSIBILITY**
MIN. 1.2m CLEAR PATH
MIN. 850mm CLEAR DOOR WIDTHS
BATHROOM DESIGN OPTION A:
MIN. 1.2m x 1.2m
- ✓ **PRIVATE OPEN SPACE SOUTH**
MIN. 8m² AREA, MIN. 1.2m WIDTH
- ✓ **STORAGE**
INTERNAL 2-BED: MIN. 9m³
- ✗ **VENTILATION**
MIN. 5m/MAX. 18m BREEZE PATH
- ✓ **ROOM DEPTH**
MAX. 9m

REV	DATE	ISSUED FOR	DRAWN	CHECKED
12	17/12/2025	FOR TOWN PLANNING	NF	EF







SCALE	DATE	DRAWN	CHECKED	REVISION
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JOB NO.	DRAWING NO.			
25021	TP.300	12		

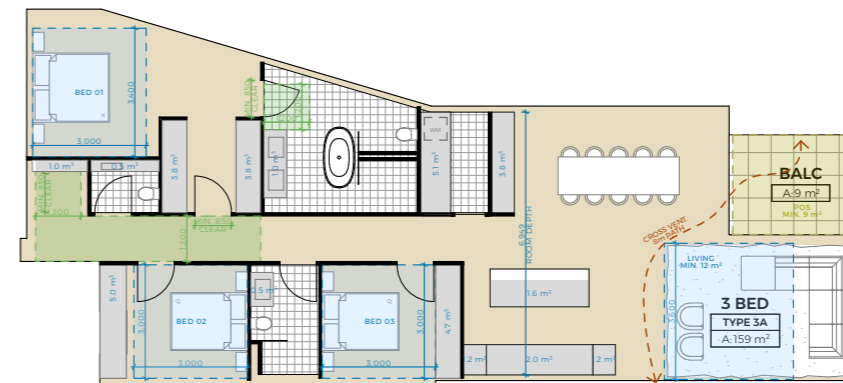




APARTMENT TYPE 2C (2 BED)
QUANTITY: 6







OBJECTIVE:

- ✓  LIVING 2-BED OR MORE
MIN. 3.6m WIDTH, MIN. 12m² AREA
- ✗  ACCESSIBILITY
MIN. 1.2m CLEAR PATH
MIN. 850mm CLEAR DOOR WIDTHS
BATHROOM DESIGN OPTION A:
MIN. 1.2m x 1.2m
- ✓  PRIVATE OPEN SPACE NORTH
MIN. 8m² AREA, MIN. 1.7m WIDTH
- ✓  STORAGE
INTERNAL 2-BED: MIN. 9m³
- ✗  VENTILATION
MIN. 5m/MAX. 18m BREEZE PATH
- ✓  ROOM DEPTH
MAX. 9m



APARTMENT TYPE 3A (3 BED)
QUANTITY: 5

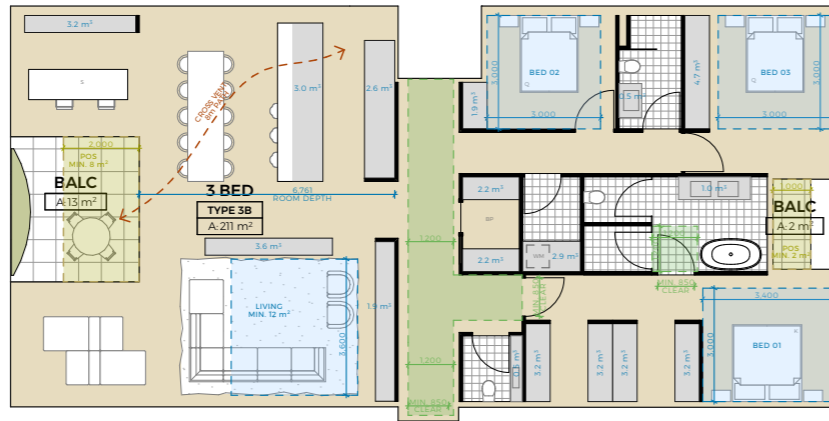
OBJECTIVE:

- ✓  LIVING 2-BED OR MORE
MIN. 3.6m WIDTH, MIN. 12m² AREA
- ✓  ACCESSIBILITY
MIN. 1.2m CLEAR PATH
MIN. 850mm CLEAR DOOR WIDTHS
BATHROOM DESIGN OPTION A:
MIN. 1.2m x 1.2m
- ✗  PRIVATE OPEN SPACE WEST
3-BED OR MORE: MIN. 12m² AREA, MIN. 2.4m WIDTH
- ✓  STORAGE
INTERNAL 3-BED OR MORE: MIN. 12m³
- ✓  VENTILATION
MIN. 5m/MAX. 18m BREEZE PATH
- ✓  ROOM DEPTH
MAX. 9m

REV	DATE	ISSUED FOR	DRAWN	CHECKED
12	17/12/2025	FOR TOWN PLANNING	NF	EF

SCALE	DATE	DRAWN	CHECKED
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JOB NO.	DRAWING NO.	REVISION	
25021	TP.301	12	

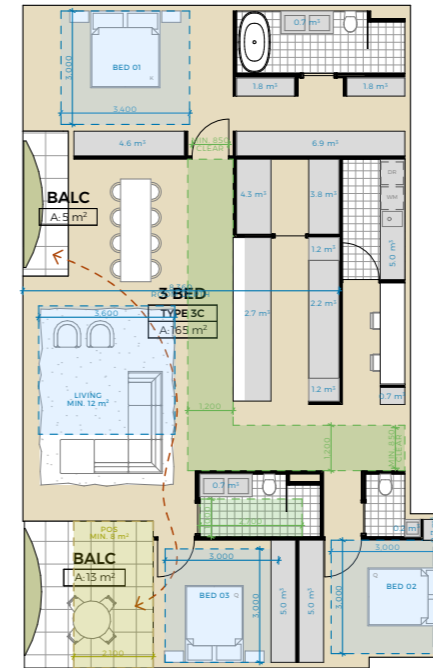




APARTMENT TYPE 3B (3 BED)
QUANTITY: 3

OBJECTIVE:

- ✓ LIVING 2-BED OR MORE
MIN. 3.6m WIDTH, MIN. 12m² AREA
- ✓ ACCESSIBILITY
MIN. 1.2m CLEAR PATH
MIN. 850mm CLEAR DOOR WIDTHS
BATHROOM DESIGN OPTION A:
MIN. 1.2m x 1.2m
- ✓ PRIVATE OPEN SPACE SOUTH
MIN. 8m² AREA, MIN. 1.2m WIDTH
- ✓ STORAGE
INTERNAL 3-BED OR MORE: MIN. 12m³
- ✓ VENTILATION
MIN. 5m/MAX. 18m BREEZE PATH
- ✓ ROOM DEPTH
MAX. 9m



APARTMENT TYPE 3C (3 BED)
QUANTITY: 3

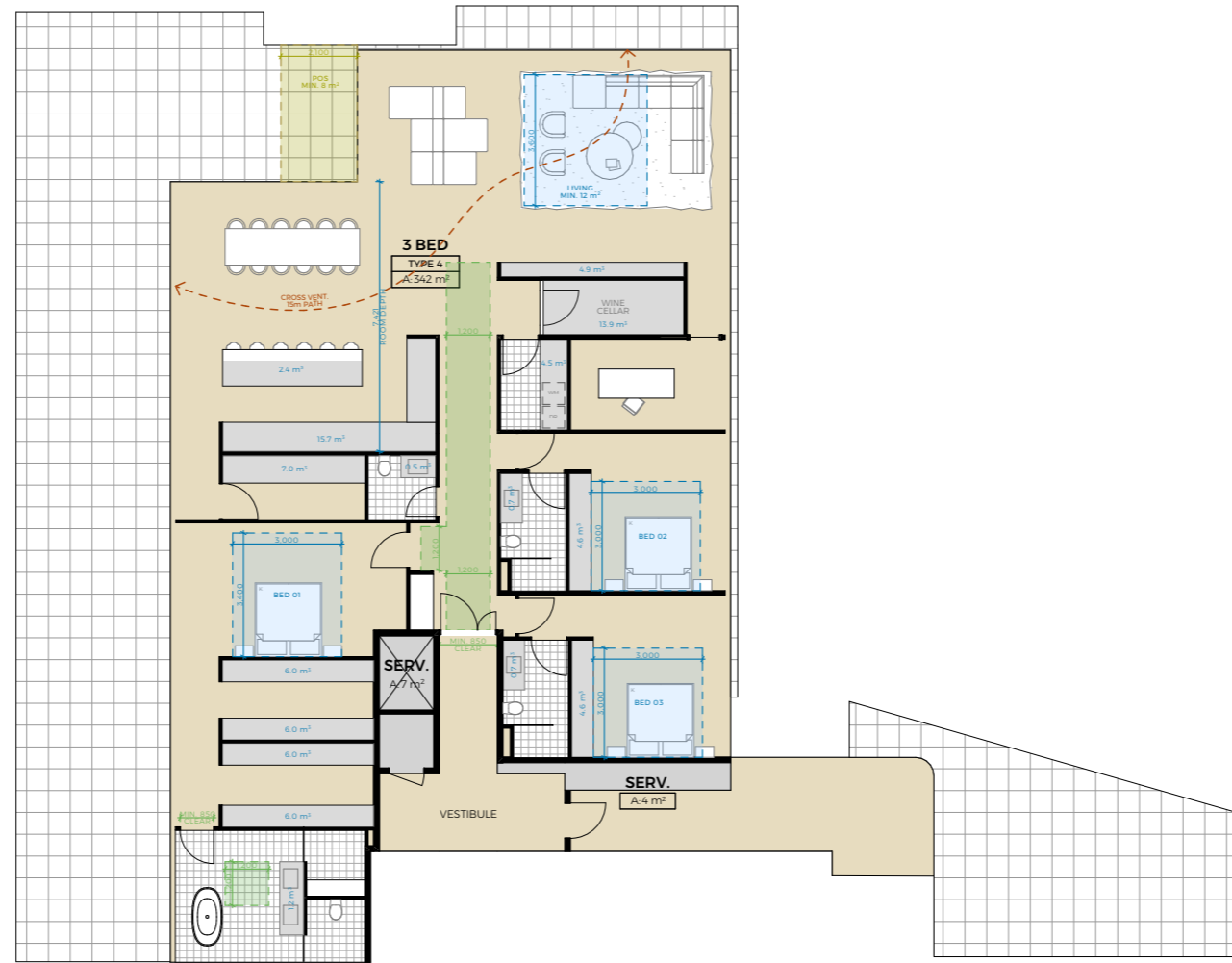
OBJECTIVE:

- ✓ LIVING 2-BED OR MORE
MIN. 3.6m WIDTH, MIN. 12m² AREA
- ✓ ACCESSIBILITY
MIN. 1.2m CLEAR PATH
MIN. 850mm CLEAR DOOR WIDTHS
BATHROOM DESIGN OPTION A:
MIN. 1.2m x 1.2m
- ✓ PRIVATE OPEN SPACE SOUTH
MIN. 8m² AREA, MIN. 1.2m WIDTH
- ✓ STORAGE
INTERNAL 3-BED OR MORE: MIN. 12m³
- ✓ VENTILATION
MIN. 5m/MAX. 18m BREEZE PATH
- ✓ ROOM DEPTH
MAX. 9m

REV	DATE	ISSUED FOR	DRAWN	CHECKED
12	17/12/2025	FOR TOWN PLANNING	NF	EF

SCALE	DATE	DRAWN	CHECKED
1:200 @A3	17/12/2025	NF	EF
JOB NO.	DRAWING NO.	REVISION	
25021	TP.302	12	











APARTMENT TYPE 4 - PENTHOUSE 1 (3 BED)

QUANTITY: 1

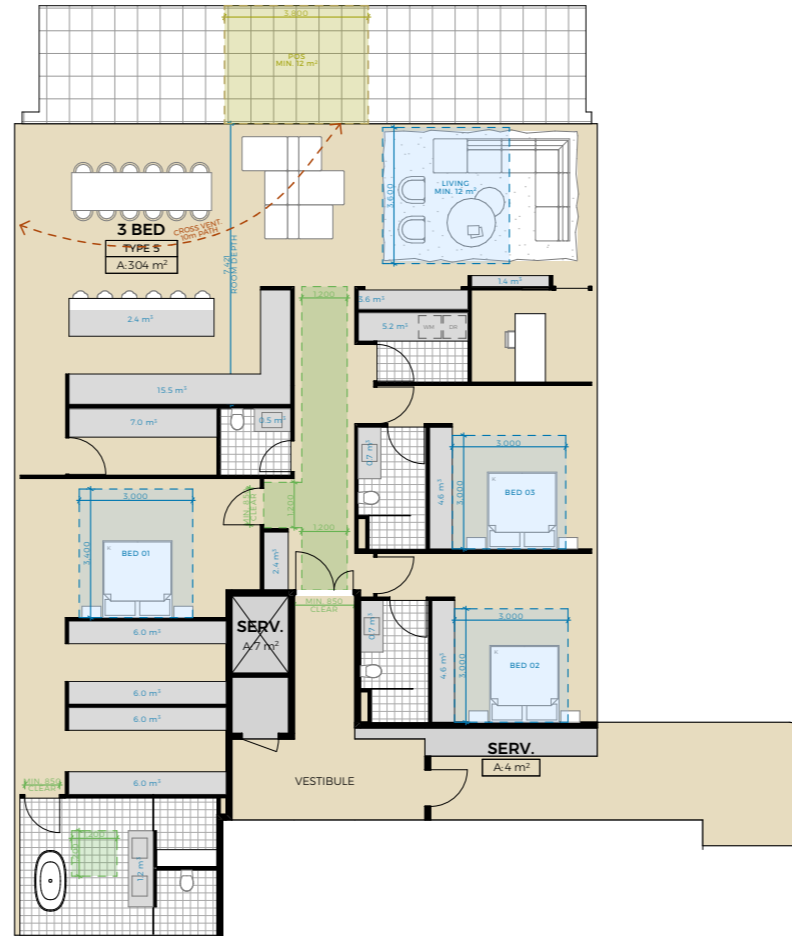
OBJECTIVE:

- ✓  **LIVING 2-BED OR MORE**
MIN. 3.6m WIDTH, MIN. 12m² AREA
- ✓  **ACCESSIBILITY**
MIN. 1.2m CLEAR PATH
MIN. 850mm CLEAR DOOR WIDTHS
BATHROOM DESIGN OPTION A: MIN. 1.2m x 1.2m
- ✓  **PRIVATE OPEN SPACE SOUTH**
MIN. 8m² AREA, MIN. 1.2m WIDTH
- ✓  **STORAGE**
INTERNAL 3-BED OR MORE: MIN. 12m³
- ✓  **VENTILATION**
MIN. 5m/MAX. 18m BREEZE PATH
- ✓  **ROOM DEPTH**
MAX. 9m

REV	DATE	ISSUED FOR	DRAWN	CHECKED
12	17/12/2025	FOR TOWN PLANNING	NF	EF

SCALE	DATE	DRAWN	CHECKED	REVISION
1:200 @A3	17/12/2025	NF	EF	
JOB NO.	DRAWING NO.			
25021	TP.303			12





APARTMENT TYPE 5 - PENTHOUSE 2 (3 BED)

QUANTITY: 1

OBJECTIVE:

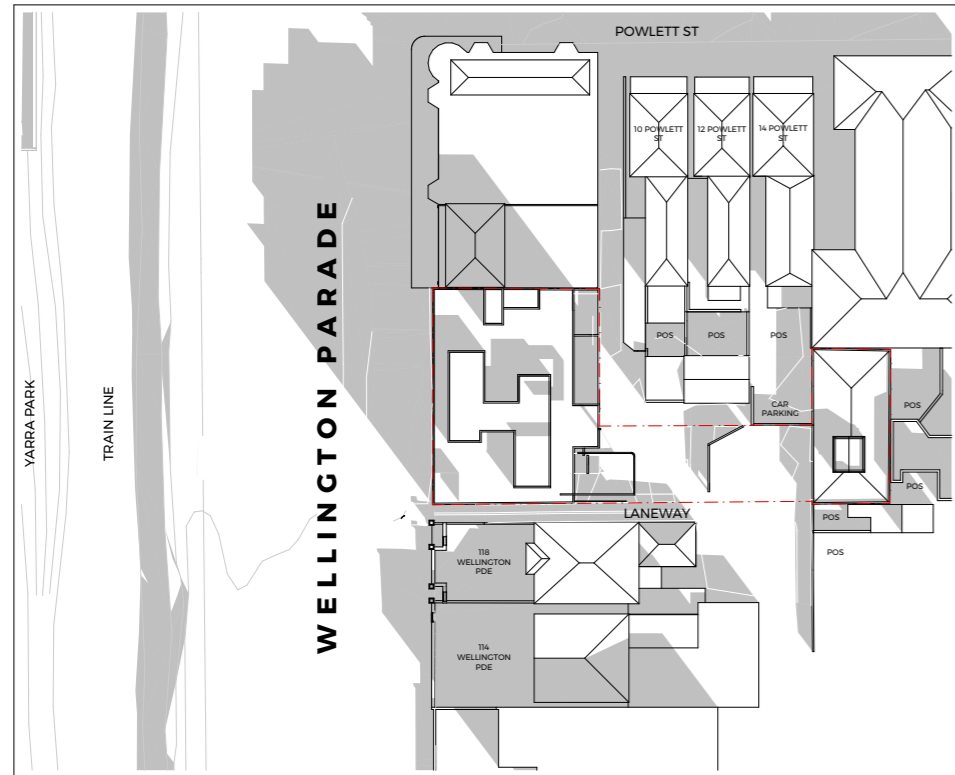
- ✓  **LIVING 2-BED OR MORE**
MIN. 3.6m WIDTH, MIN. 12m² AREA
- ✓  **ACCESSIBILITY**
MIN. 1.2m CLEAR PATH
MIN. 850mm CLEAR DOOR WIDTHS
BATHROOM DESIGN OPTION A: MIN. 1.2m x 1.2m
- ✓  **PRIVATE OPEN SPACE WEST**
3-BED OR MORE: MIN. 12m² AREA, MIN. 2.4m WIDTH
- ✓  **STORAGE**
INTERNAL 3-BED OR MORE: MIN. 12m³
- ✓  **VENTILATION**
MIN. 5m/MAX. 18m BREEZE PATH
- ✓  **ROOM DEPTH**
MAX. 9m

REV	DATE	ISSUED FOR	DRAWN	CHECKED
12	17/12/2025	FOR TOWN PLANNING	NF	EF

SCALE	DATE	DRAWN	CHECKED	REVISION
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JOB NO.	DRAWING NO.	REVISION		
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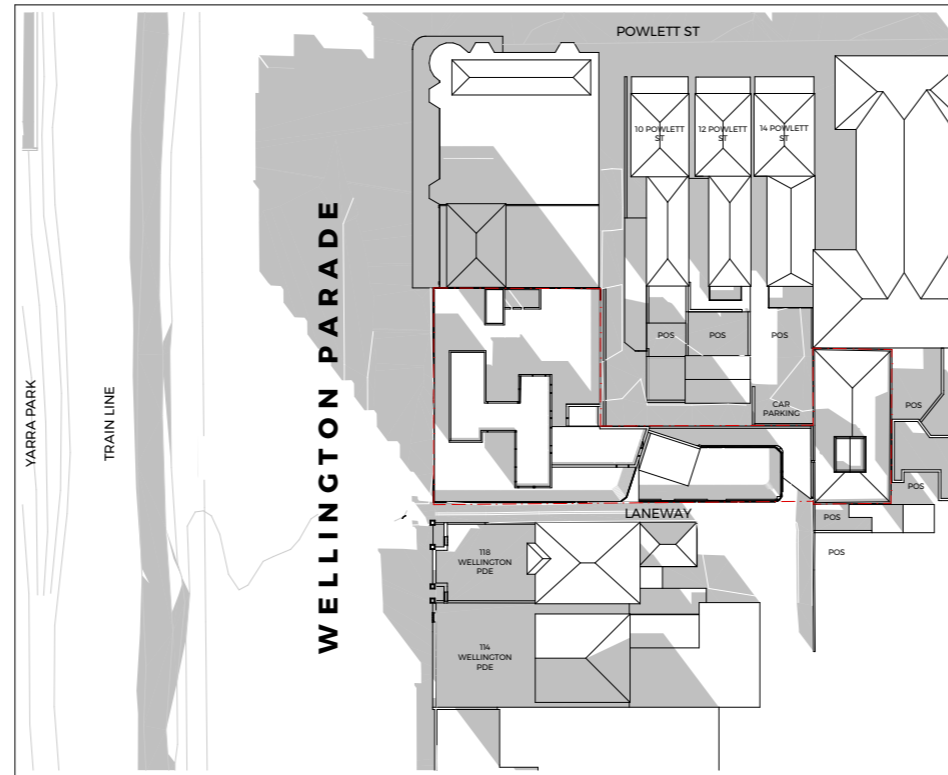


EXISTING



9AM EXISTING SEPTEMBER 22 - EQUINOX

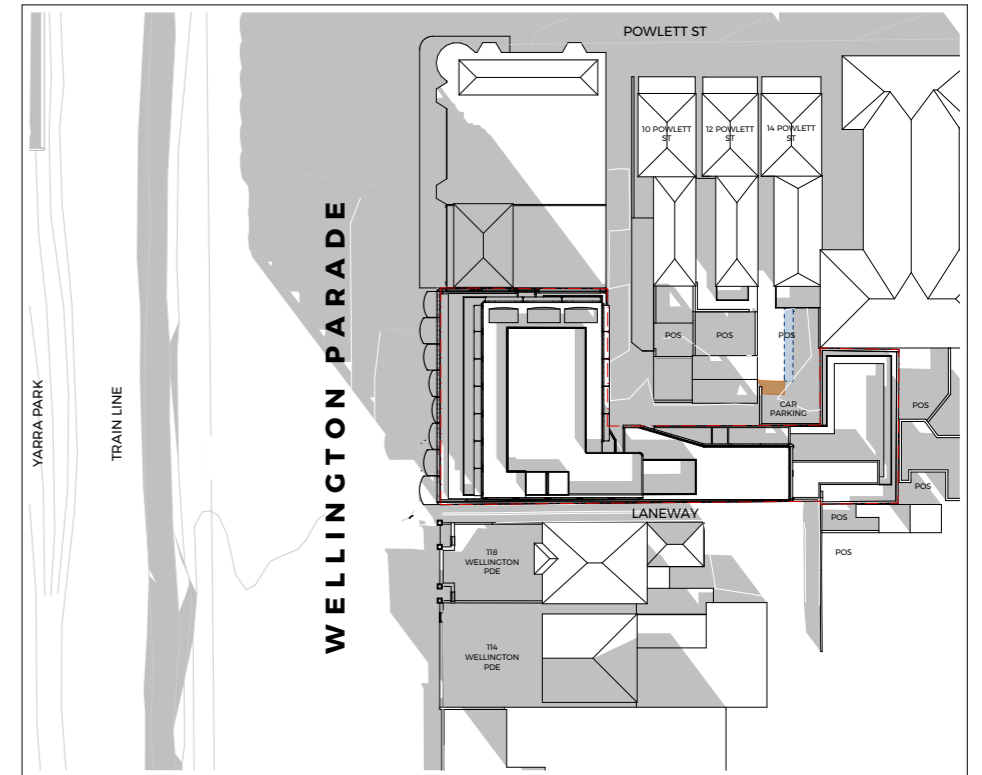
PREV. PERMIT (CO-LAB)



9AM PREV. PERMIT SEPTEMBER 22 - EQUINOX

NOTE: THE ADDITIONAL SURVEY (SEE PAGE 14) SHOWS A HIGHER LEVEL OF DETAIL/ ACCURACY FOR THE PROPERTIES AT 10,12,14 POWLETT RD AS A RESULT THE SUN STUDIES HAVE A VARIED RESULT TO THE PREVIOUS SCHEME.

PROPOSED



9AM PROPOSED SEPTEMBER 22 - EQUINOX

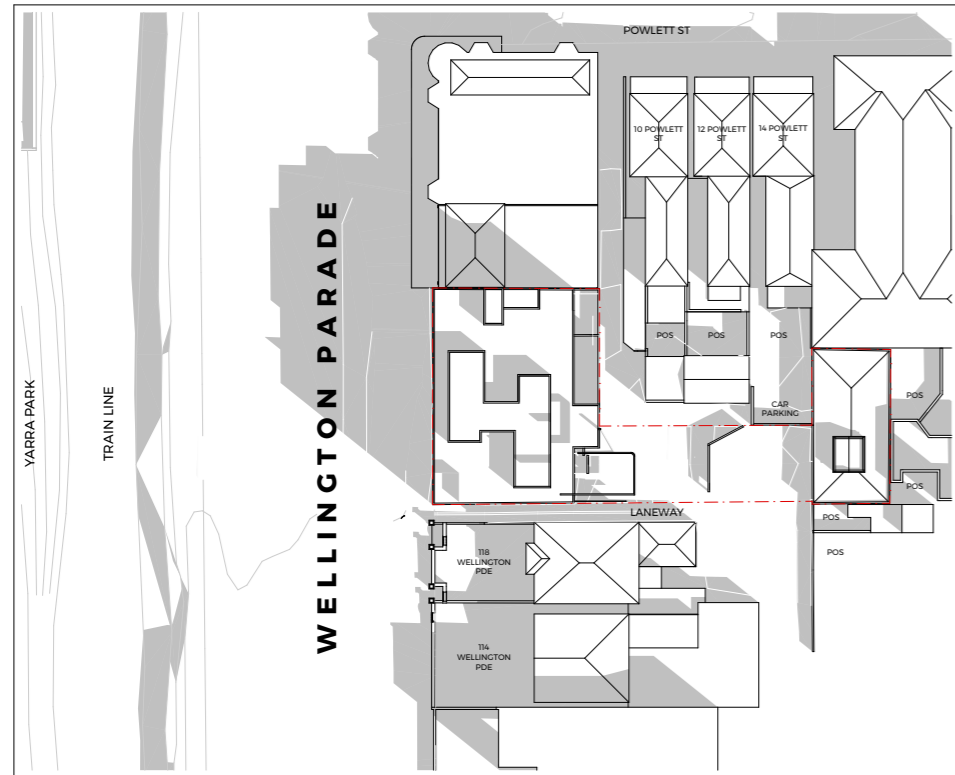
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- ADDITIONAL OVERSHADOWING TO P.O.S. VS EXISTING CONDITIONS

REV	DATE	ISSUED FOR	DRAWN	CHECKED
12	17/12/2025	FOR TOWN PLANNING	NF	EF

SCALE	DATE	DRAWN	CHECKED	JOB NO.	DRAWING NO.	REVISION
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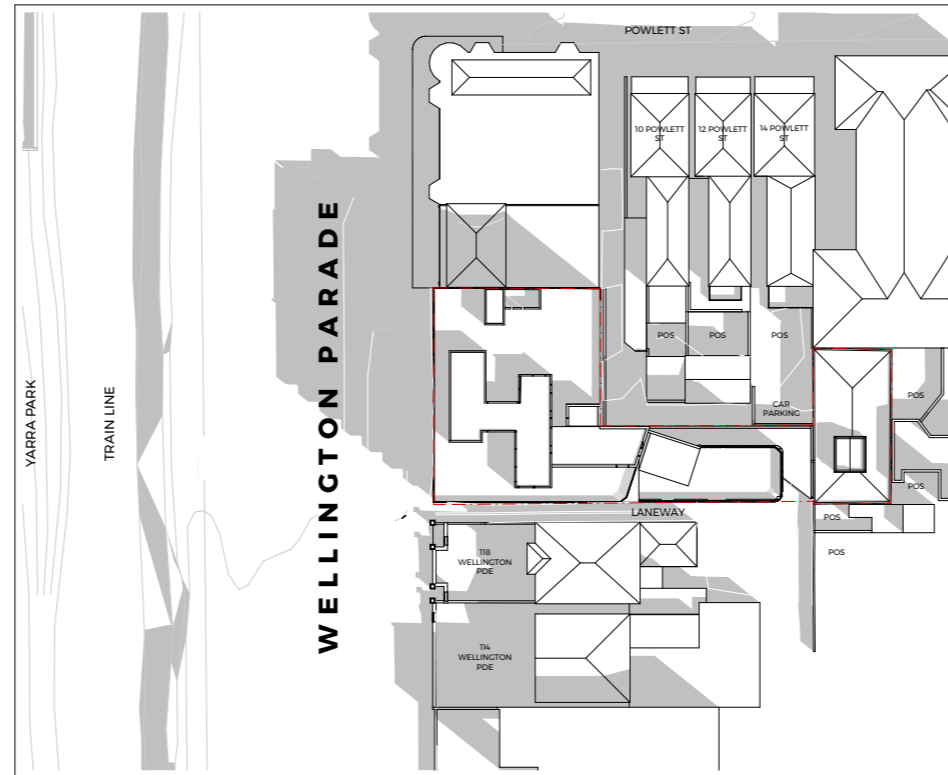


EXISTING



10AM EXISTING SEPTEMBER 22 - EQUINOX

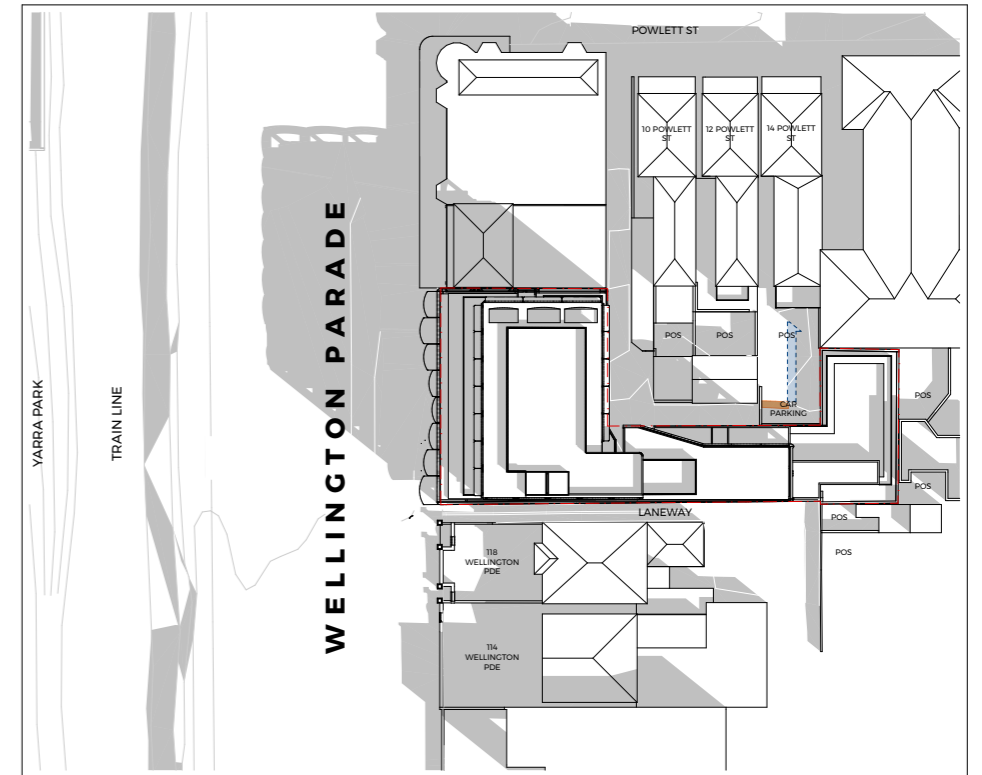
PREV. PERMIT (CO-LAB)



10AM PREV. PERMIT SEPTEMBER 22 - EQUINOX

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PROPOSED



10AM PROPOSED SEPTEMBER 22 - EQUINOX

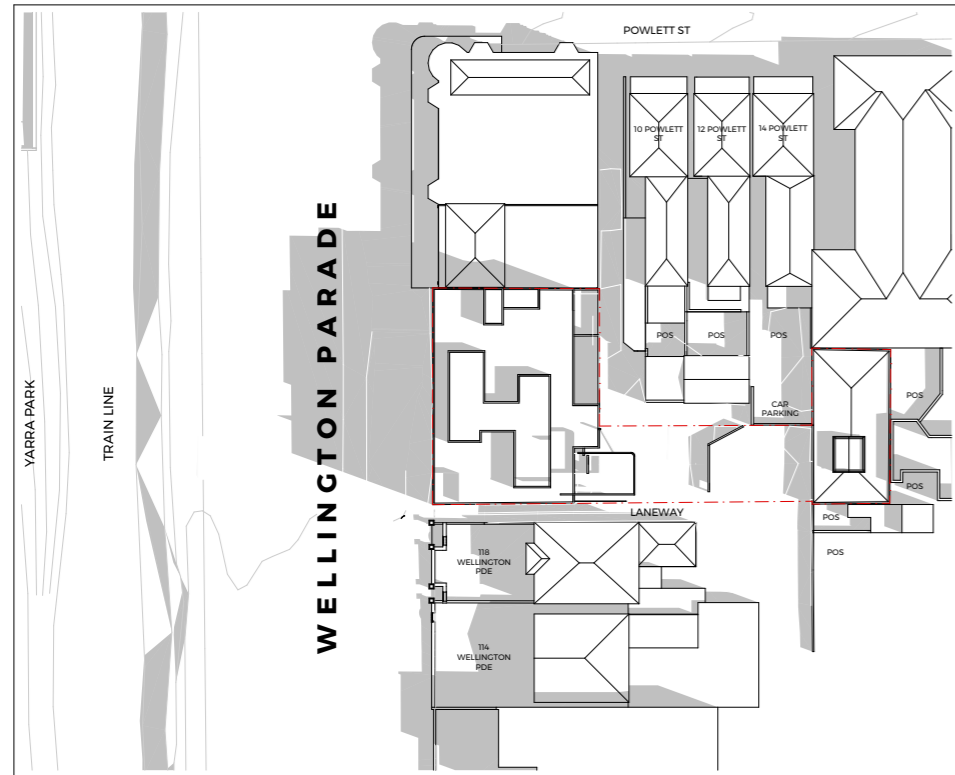
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REV	DATE	ISSUED FOR	DRAWN	CHECKED
12	17/12/2025	FOR TOWN PLANNING	NF	EF

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@A3	17/12/2025	NF	EF	25021	TP.401	12



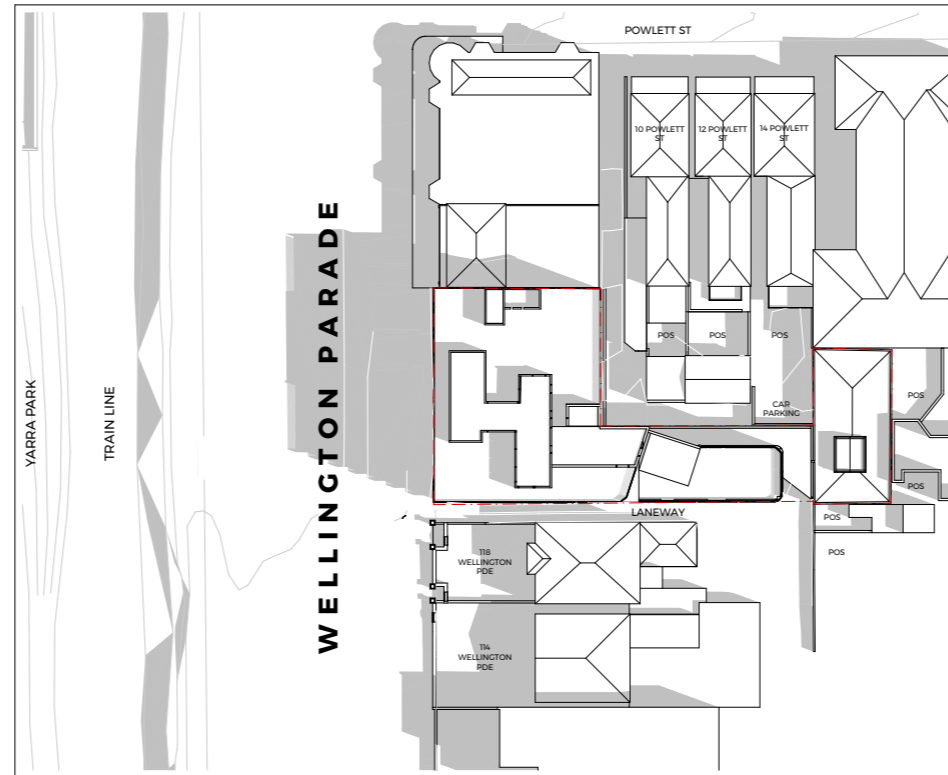
EXISTING



11AM EXISTING

SEPTEMBER 22 - EQUINOX

PREV. PERMIT (CO-LAB)

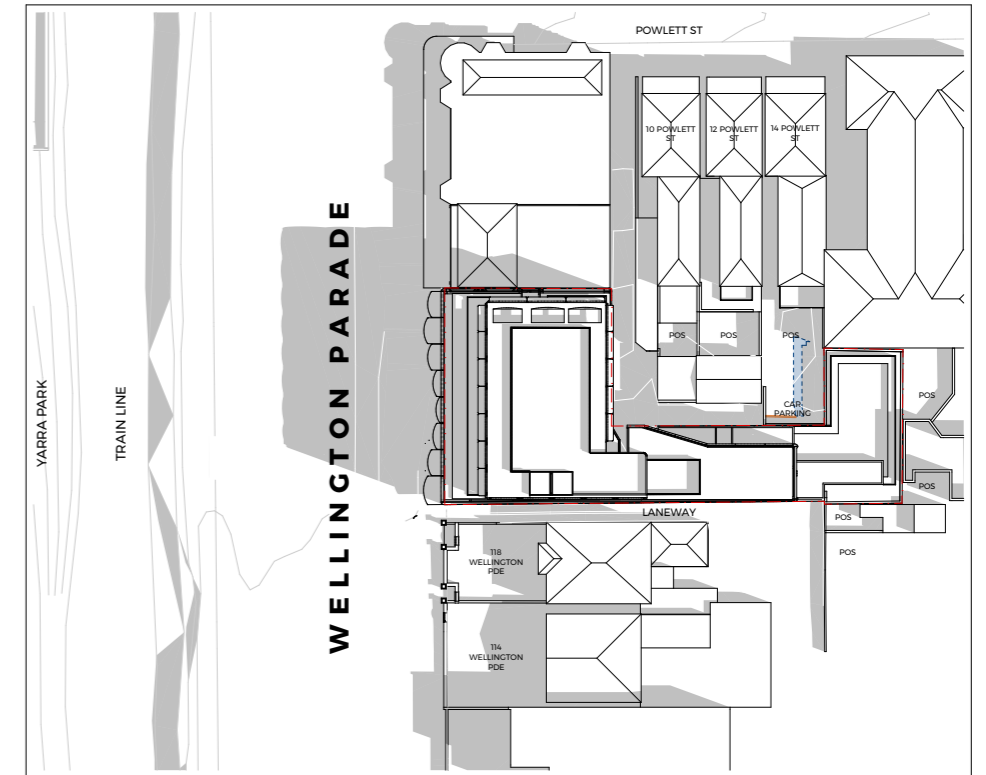


11AM PREV. PERMIT

SEPTEMBER 22 - EQUINOX

NOTE: THE ADDITIONAL SURVEY (SEE PAGE 14) SHOWS A HIGHER LEVEL OF DETAIL/ ACCURACY FOR THE PROPERTIES AT 10,12,14 POWLETT RD AS A RESULT THE SUN STUDIES HAVE A VARIED RESULT TO THE PREVIOUS SCHEME.

PROPOSED



11AM PROPOSED

SEPTEMBER 22 - EQUINOX

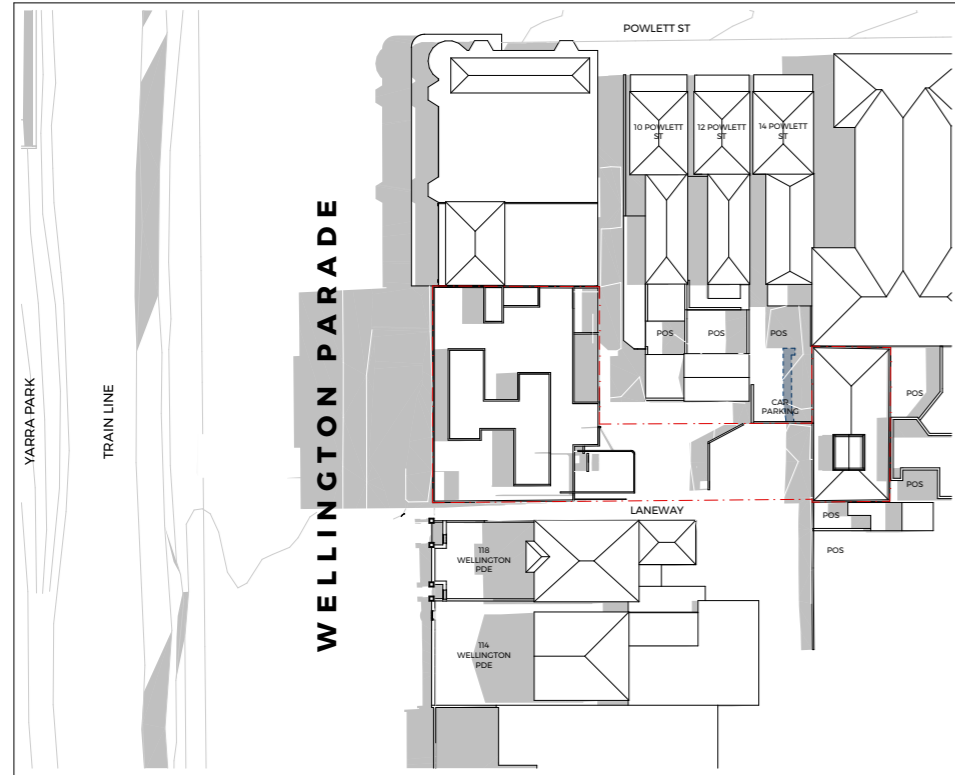
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- ADDITIONAL OVERSHADOWING TO P.O.S. VS EXISTING CONDITIONS

REV	DATE	ISSUED FOR	DRAWN	CHECKED
12	17/12/2025	FOR TOWN PLANNING	NF	EF

SCALE	DATE	DRAWN	CHECKED	JOB NO.	DRAWING NO.	REVISION
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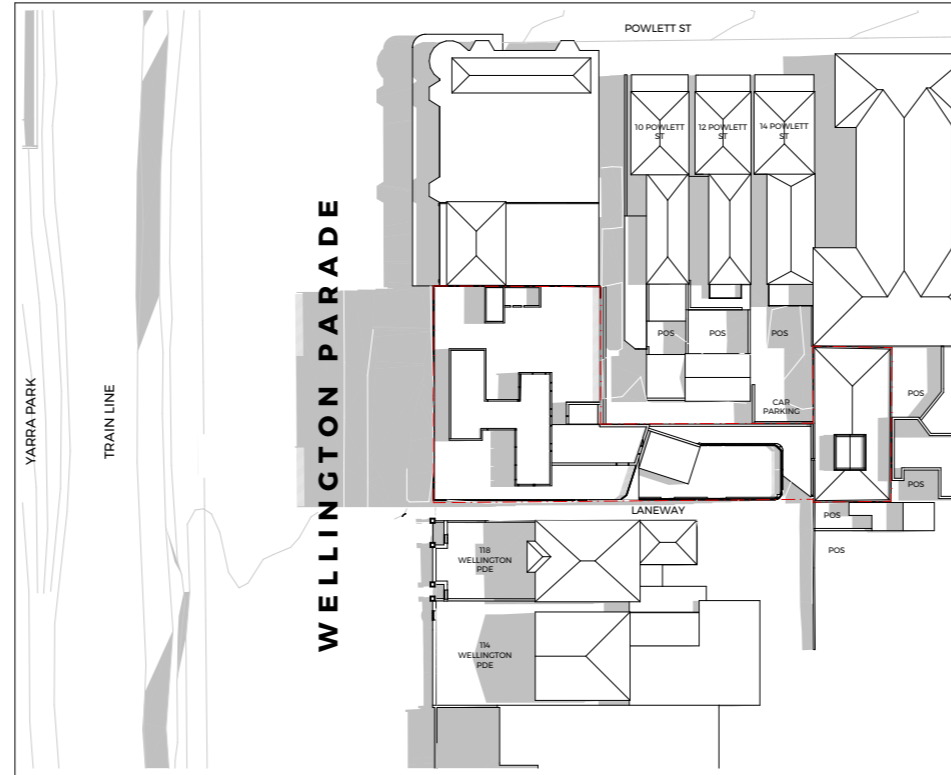


EXISTING



12PM EXISTING SEPTEMBER 22 - EQUINOX

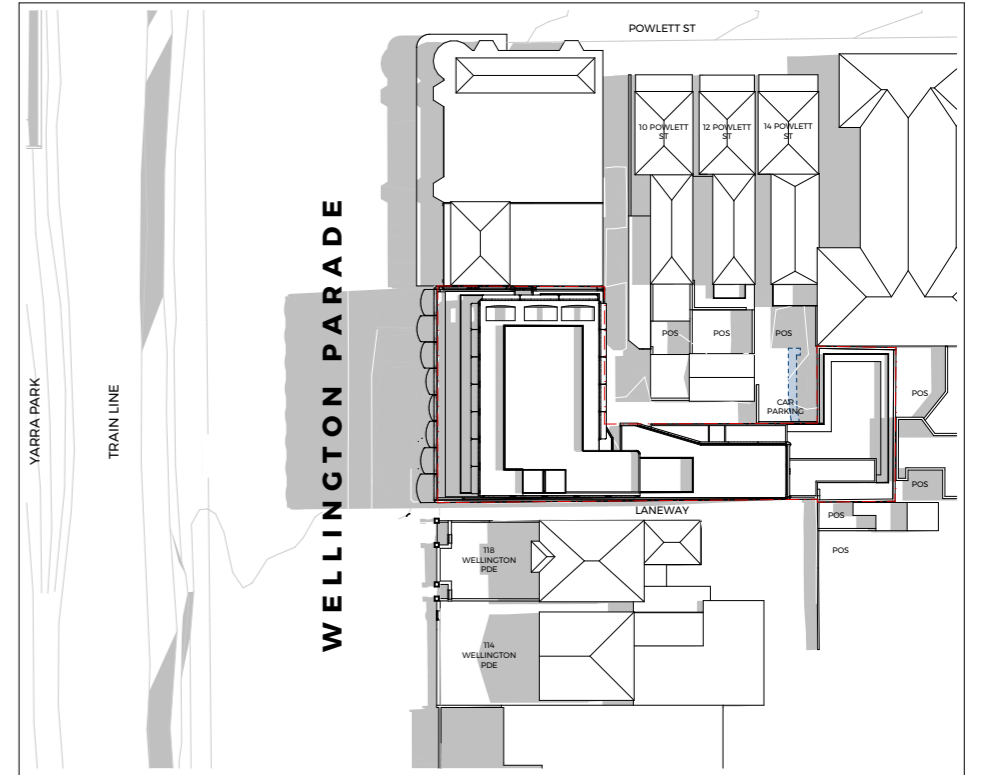
PREV. PERMIT (CO-LAB)



12PM PREV. PERMIT SEPTEMBER 22 - EQUINOX

NOTE: THE ADDITIONAL SURVEY (SEE PAGE 14) SHOWS A HIGHER LEVEL OF DETAIL/ ACCURACY FOR THE PROPERTIES AT 10,12,14 POWLETT RD AS A RESULT THE SUN STUDIES HAVE A VARIED RESULT TO THE PREVIOUS SCHEME.

PROPOSED



12PM PROPOSED SEPTEMBER 22 - EQUINOX

- REDUCED OVERSHADOWING TO P.O.S. VS EXISTING CONDITIONS
- ADDITIONAL OVERSHADOWING TO P.O.S. VS EXISTING CONDITIONS



59 GARDEN STREET
SOUTH YARRA VIC 3141
PH: 03 8672 5999
E: contact@telhaclarke.com.au

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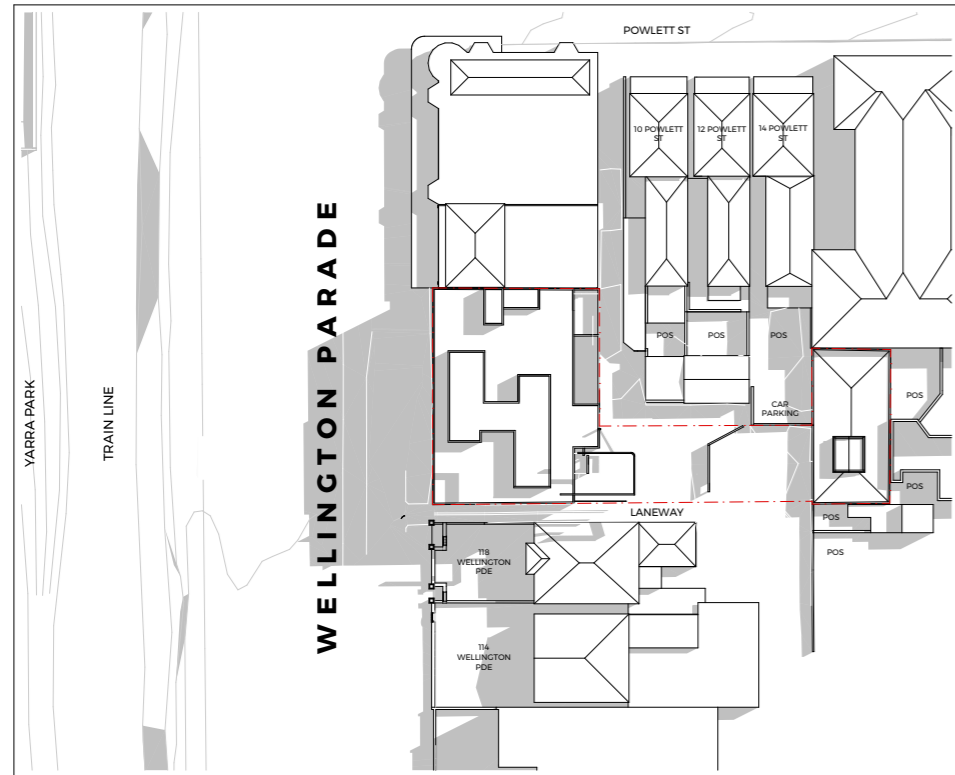
PROJECT
WELLINGTON PDE
RESIDENCES
122-130 Wellington Parade
East Melbourne VIC 3002
Wurundjeri
Country

CLIENT
WILLOW
Development Group
DRAWING TITLE
**SHADOW DIAGRAMS - 22ND
SEPT 12PM**

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@A3	17/12/2025	NF	EF	25021	TP.403	12

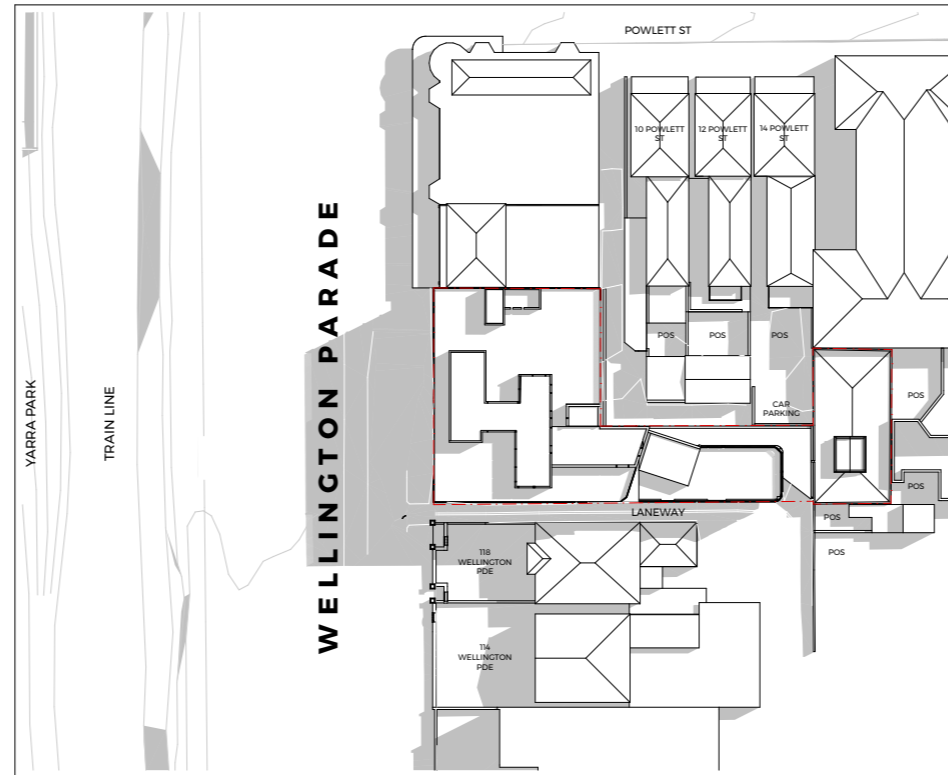


EXISTING



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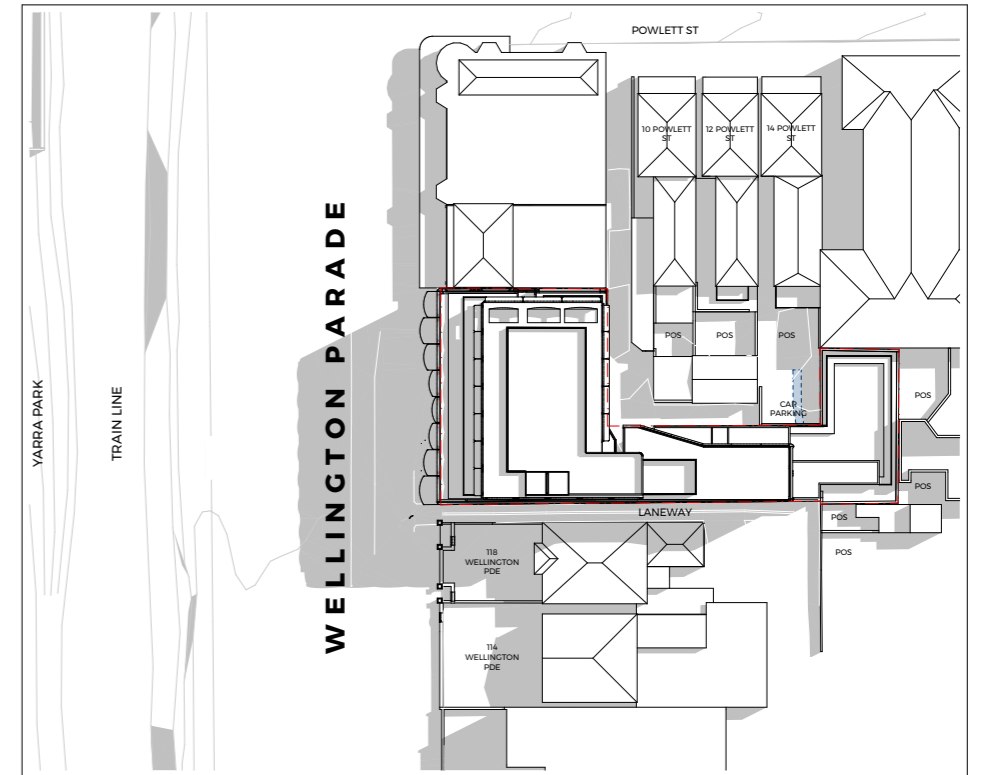
PREV. PERMIT (CO-LAB)



1PM PREV. PERMIT SEPTEMBER 22 - EQUINOX

NOTE: THE ADDITIONAL SURVEY (SEE PAGE 14) SHOWS A HIGHER LEVEL OF DETAIL/ ACCURACY FOR THE PROPERTIES AT 10,12,14 POWLETT RD AS A RESULT THE SUN STUDIES HAVE A VARIED RESULT TO THE PREVIOUS SCHEME.

PROPOSED



1PM PROPOSED SEPTEMBER 22 - EQUINOX

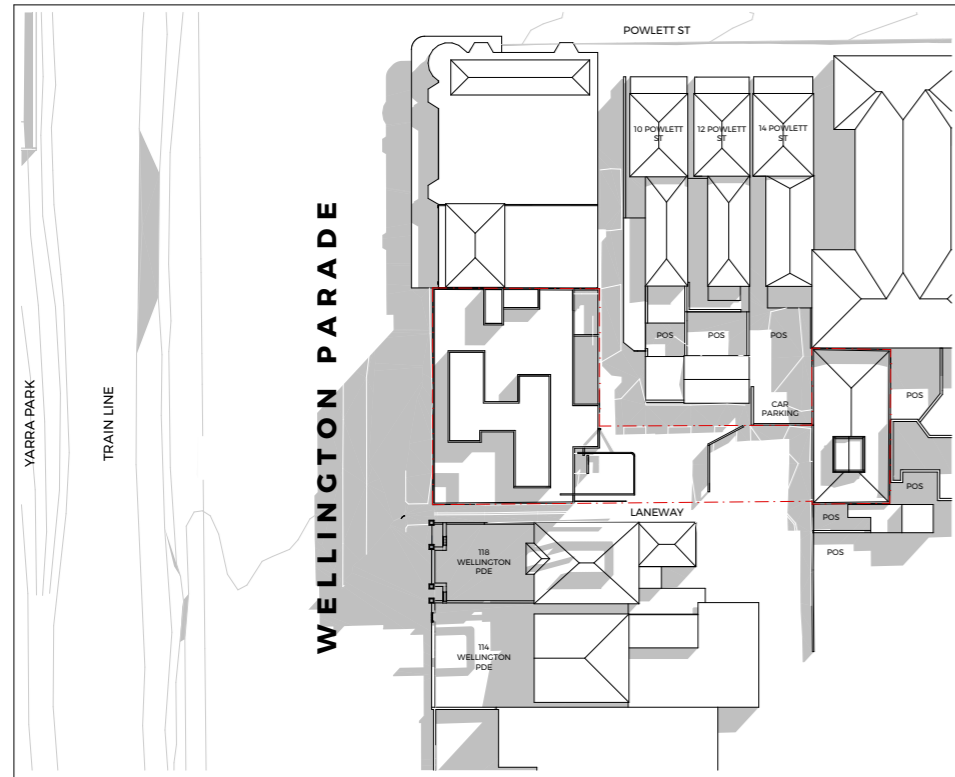
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12	17/12/2025	FOR TOWN PLANNING	NF	EF

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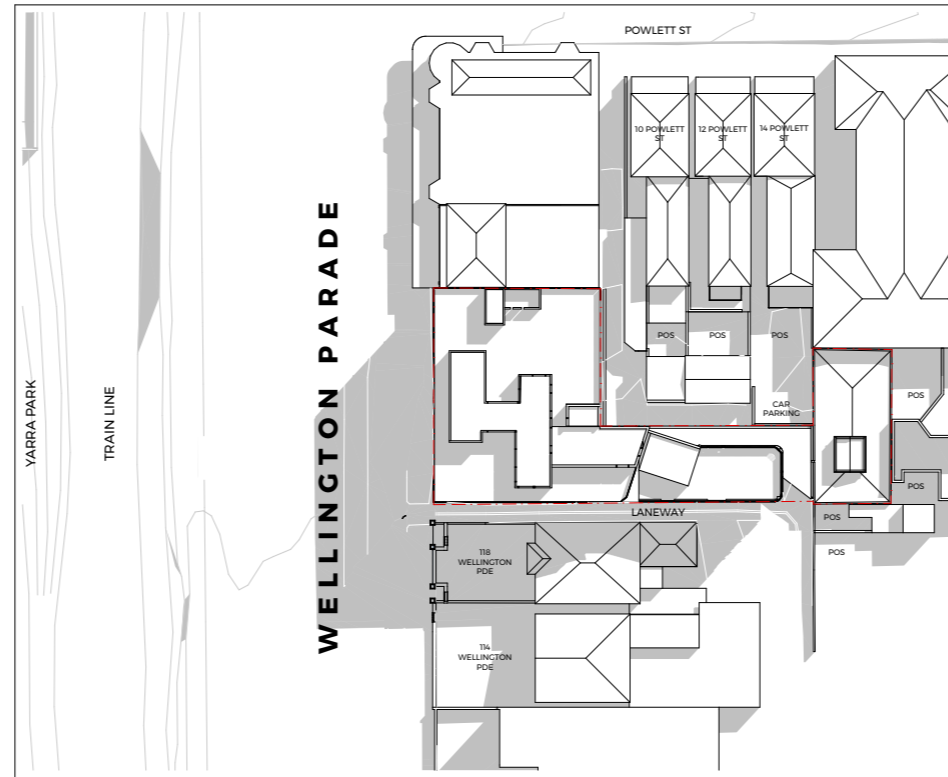


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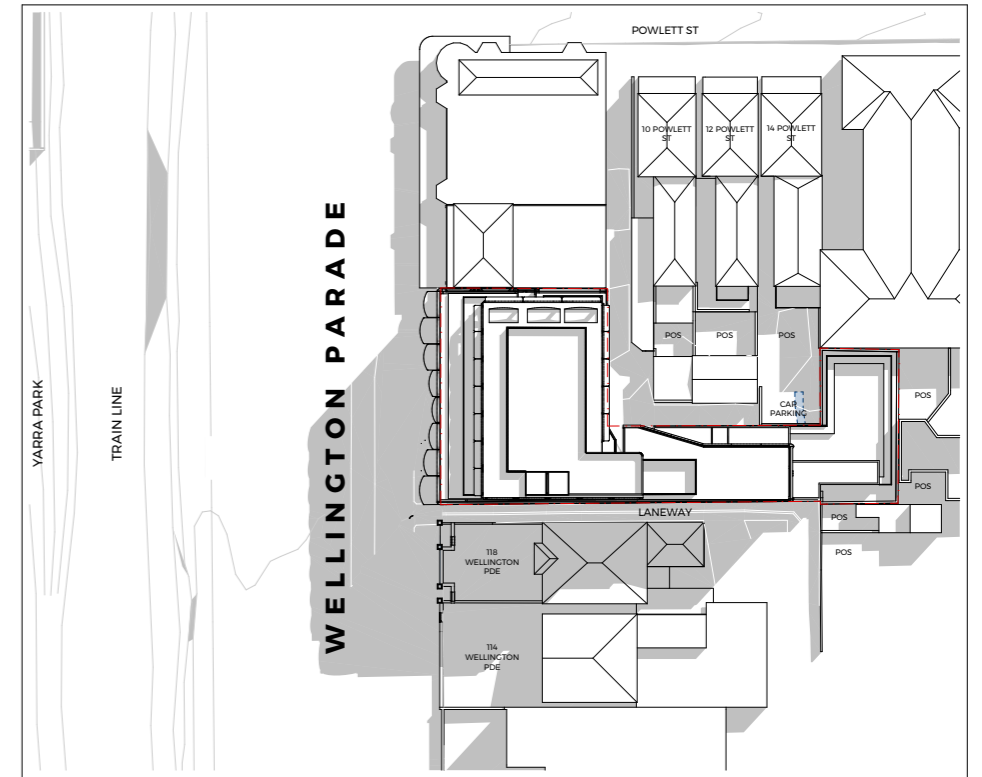
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PREV. PERMIT (CO-LAB)



2PM PREV. PERMIT SEPTEMBER 22 - EQUINOX
 NOTE: THE ADDITIONAL SURVEY (SEE PAGE 14) SHOWS A HIGHER LEVEL OF DETAIL/ ACCURACY FOR THE PROPERTIES AT 10,12,14 POWLETT RD AS A RESULT THE SUN STUDIES HAVE A VARIED RESULT TO THE PREVIOUS SCHEME.

PROPOSED



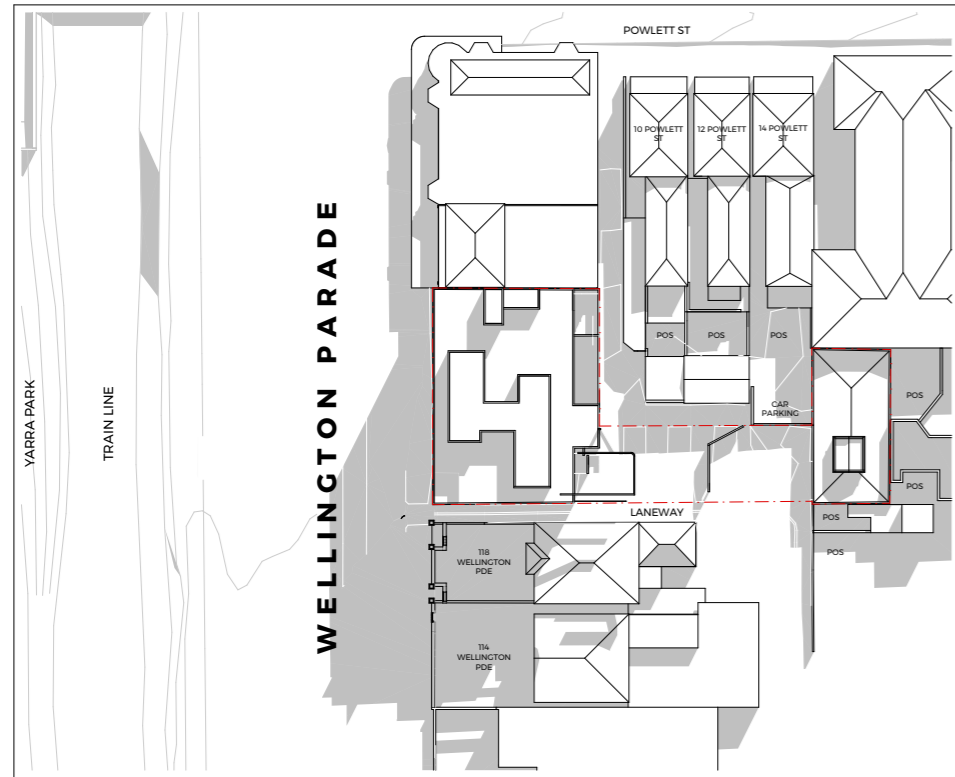
2PM PROPOSED SEPTEMBER 22 - EQUINOX

- REDUCED OVERSHADOWING TO P.O.S. VS EXISTING CONDITIONS
- ADDITIONAL OVERSHADOWING TO P.O.S. VS EXISTING CONDITIONS

REV	DATE	ISSUED FOR	DRAWN	CHECKED
12	17/12/2025	FOR TOWN PLANNING	NF	EF

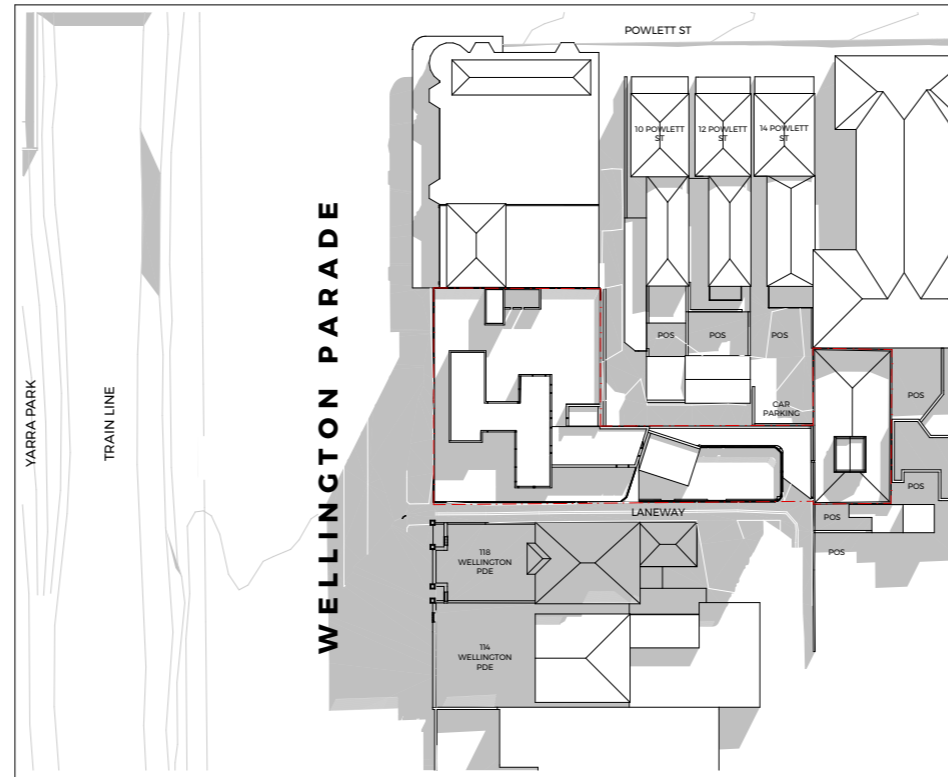
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DATE 17/12/2025	
DRAWN NF	CHECKED EF
JOB NO. 25021	DRAWING NO. TP.405 12
REVISION	

EXISTING



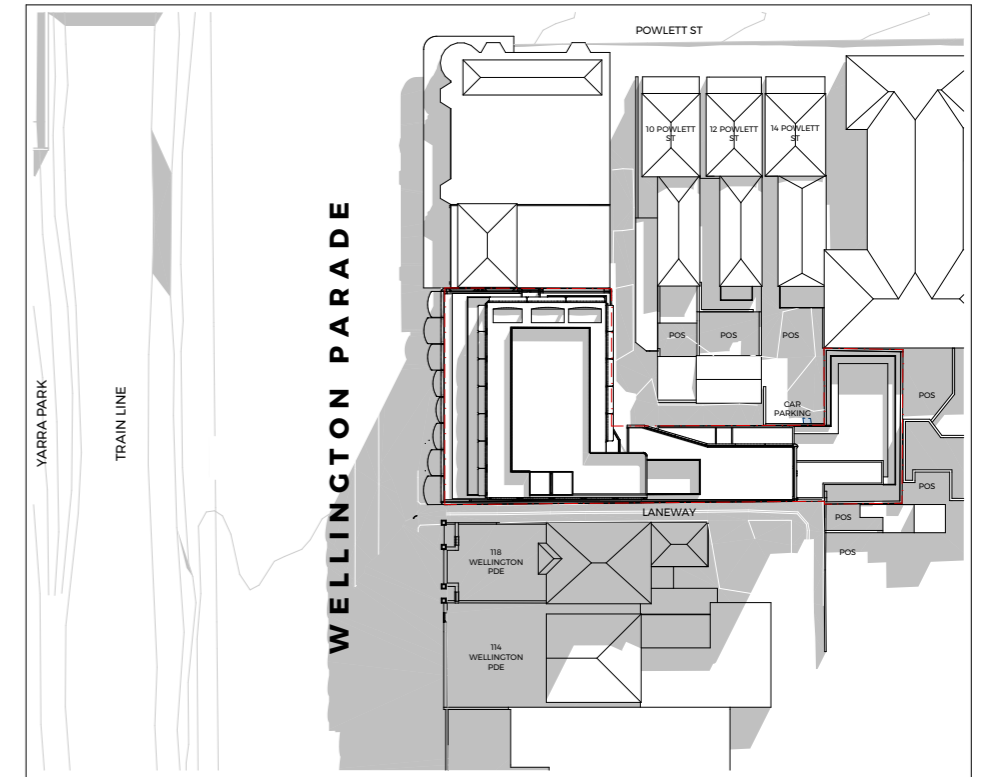
3PM EXISTING SEPTEMBER 22 - EQUINOX

PREV. PERMIT (CO-LAB)



3PM PREV. PERMIT SEPTEMBER 22 - EQUINOX
 NOTE: THE ADDITIONAL SURVEY (SEE PAGE 14) SHOWS A HIGHER LEVEL OF DETAIL/ ACCURACY FOR THE PROPERTIES AT 10,12,14 POWLETT RD AS A RESULT THE SUN STUDIES HAVE A VARIED RESULT TO THE PREVIOUS SCHEME.

PROPOSED



3PM PROPOSED SEPTEMBER 22 - EQUINOX

- REDUCED OVERSHADOWING TO P.O.S. VS EXISTING CONDITIONS
- ADDITIONAL OVERSHADOWING TO P.O.S. VS EXISTING CONDITIONS

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12	17/12/2025	FOR TOWN PLANNING	NF	EF

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@A3	17/12/2025	NF	EF	25021	TP.406	12



TELHA CLARKE

ARCHITECTURE & DESIGN

Project:	122-130 Wellington Parade, East Melbourne
Project No:	25021
Date:	17 December 2025
Title:	List of Changes from Approved Scheme – Planning Permit TP-2018-80 (Co-lab Architecture dated 26.01.22 as amended by Condition 1 thereof)

NO.	CHANGES	ADDITIONAL COMMENTS
ARCHITECTURAL		
1.	All levels: Lift and stair cores consolidated and relocated to foyer entry on Wellington Parade.	Refer all Plans.
2.	Ground Floor: Retail tenancy consolidated into one space. Services, bin room, and foyer reoriented to suit.	Refer TP.100 Ground Floor Plan.
3.	Eastern laneway widening retained.	Refer TP.100 Ground Floor Plan.
4.	Existing substation relocated to face Wellington Parade.	Refer TP.100 Ground Floor Plan.
5.	Car parking: Ground Floor car stackers and Level 2-6 car parking removed. Car lift retained to service Basement 1-2 parking and services. Turntable inclusion to Ground Floor only.	Refer to TP.100 Ground Floor Plan and Traffic Engineer.
6.	Ground Floor car parking via 2 existing laneways retained from approved scheme.	Refer TP.100 Ground Floor Plan.
7.	Level 1-3: Increase number of apartments. Apartment mix and layouts updated to suit floorplate.	Refer TP.101 Level 01 and TP.102 Level 02-03 Plan.
8.	Level 4-6: Increase number of apartments. Apartment mix and layouts updated to suit floorplate.	Refer TP.103 Level 04-06 Plan.
9.	The revised proposal includes additional floor levels to 9 total (previously 8).	Refer TP.105 Level 08 Plan and Elevations.
10.	The total number of apartments has increased from 13 to 31.	Refer Design Preliminaries and Plans.
11.	Façade design language with heritage proportions, curved elements and materiality updated to relate more closely to the existing context and site history.	Refer Design Preliminaries and Elevations.
12.	Increased landscape and communal area.	Refer to Level 01 communal area and planters on all balconies.

13.	All existing structures proposed to be demolished, excluding existing brick garage on rear laneway structure proposed to be retained.	Refer to TP.091 Existing Site/Demolition Plan.
14.	Increased number of bicycle parking and car parking to Basement and Ground Floor.	Refer TP099 Basement Plan and TP.100 Ground Floor Plan.
15.	Setbacks generally maintained as per previous approval.	Refer all Plans.

TELHA CLARKE

ARCHITECTURE & DESIGN

Project: 122-130 Wellington Parade, East Melbourne

Project No: 25021

Date: 17 December 2025

Title: Comparison Schedule [Revision 12]

Item	TP-2018-80 (Co-lab Architecture dated 26.01.22)	TP-Revision 12 (Telha Clarke dated 17.12.25)
GFA	Not known	8265m ²
NSA	Not known	4646m ²
No. of Storeys	8	9
Basement	0 Basement Levels	2 Basement Levels
Total No. Apartments	13	31
No. Commercial Tenancies	3	1
Total 1 Bed	0	3
Total 2 Bed	5	15
Total 3 Bed	3	13
Total 4 Bed	2	0
Total 5 Bed	3	0
Carparks	22	48
Bike Parks	18	13

TELHA CLARKE

ARCHITECTURE & DESIGN

 Project: 122-130 Wellington Parade, East Melbourne

 Project No: 25021

 Date: 17 December 2025

 Title: Drawing List [Revision 12]

Drawing No.	Drawing Name	Revision No.
TP.098	Basement 02 Plan + rev	12
TP.099	Basement 01 Plan	12
TP.100	Ground Floor Plan	12
TP.101	Level 01 Plan	12
TP.102	Level 02-03 Plan	12
TP.103	Level 04-06 Plan	12
TP.104	Level 07 Plan	12
TP.105	Level 08 Plan	12
TP.106	Roof Plan	12
TP.200	North & South Elevations	12
TP.201	East Elevation	12
TP.202	West Elevation	12
TP.220	Section A	12
TP.221	Section B	12
TP.222	Section C	12
TP.223	Section D	12
TP.224	Section E	12
TP.400	Shadow Diagrams – 22 nd Sept 9am	12
TP.401	Shadow Diagrams – 22 nd Sept 10am	12
TP.402	Shadow Diagrams – 22 nd Sept 11am	12
TP.403	Shadow Diagrams – 22 nd Sept 12pm	12
TP.404	Shadow Diagrams – 22 nd Sept 1pm	12
TP.405	Shadow Diagrams – 22 nd Sept 2pm	12
TP.406	Shadow Diagrams – 22 nd Sept 3pm	12



ESD MEMO

To:	Will Naughton	Date:	17/12/2025
Organisation:	Willow Development Group	Project Number:	GIW25057
Project:	122-130 Wellington Parade, East Melbourne	Subject:	S87A Amendment ESD Advice

Introduction

GIW Environmental Solutions Pty Ltd (“GIW”) has been engaged by Willow Development Group to prepare an ESD memo for the proposed development at 122-130 Wellington Parade, East Melbourne.

The development is to be assessed under Clause 15.01-2L-01 (Energy and Resource Efficiency) of the City of Melbourne Planning Scheme, utilising the equivalent Built Environment Sustainability Scorecard (BESS) to demonstrate compliance. This ESD memo outlines the sustainability framework for the development.

Sources of Information

The ESD Memo is based on the following documentation:

Architectural Drawings by: Telha Clarke
Job/Project No: 25021

Proposed ESD Strategy

The following section details the high level ESD strategies that will guide the project through to completion. The project team is committed to delivering a high-quality residential development that integrates best-practice ESD principles across all aspects of design and construction. The holistic approach—from all-electric design to exceptional walkability and occupant wellbeing—demonstrates that sustainability has been embedded as a core design principle, positioning this project to achieve best-practice environmental performance that benefits the residents and reduces the developments environmental impacts.

Based on the design submitted under the Section 87A Amendment, the project remains on track to achieving compliance with performance measures as prescribed in Clause 15.01-2L-01 'Energy and Resource Efficiency' and demonstrated through a BESS tool. A detailed Environmentally Sustainable Design (ESD) Statement will be prepared at the endorsement stage to demonstrate the initiatives committed to in the design. The key ESD principles and measures are summarised below by category.

Energy

The development will be all-electric with no fossil fuels on site, representing a significant step toward decarbonisation. Apartments are designed to be thermally comfortable and energy efficient, achieving BCA Section J compliance. Cooling loads will be managed in accordance with the Better Apartment Design Standards to support thermal comfort aspirations and energy performance.

Integrated Water Management and Stormwater Management

Stormwater will be treated to meet recognised best-practice water quality standards. Water-efficient fixtures and fittings will be installed throughout the development to reduce overall water use. The design targets at least a 25% reduction in potable water consumption, supported by the capture and reuse of rainwater on site where practical. Heating and cooling systems will be designed without the need for water-based heat rejection.

Indoor Environment Quality

Apartments are designed to achieve good levels of natural daylight in line with BESS best-practice requirements. All habitable rooms will be provided with operable windows to enable natural ventilation. Balconies, together with carefully designed façades, columns and eaves, will provide shading to apartments and improve indoor comfort. Low-VOC paints, finishes and floor coverings will be specified to support healthy indoor air quality.

Transport & Location

The site benefits from an excellent location, with a Walk Score of 92 ("Walker's Paradise"), access to train and tram services, and the provision of secure bicycle parking. Together, these features provide attractive alternatives to car use and represent one of the most significant sustainability outcomes of the development, as transport often accounts for a large proportion of residential carbon emissions.

Urban Ecology

Planter boxes will be provided on balconies and within communal areas to introduce greenery throughout the development. A generous communal space will also be provided for residents to enjoy and share.

CONSERVATION | HERITAGE

Comment on the proposed Section 87A amendment application for the site with respect to heritage matters

This memorandum has been prepared under instruction from Planning & Property Partners Pty Ltd on behalf of the owner of the subject site at 122-130 Wellington Parade, East Melbourne. It comments on heritage considerations relevant to a proposed Section 87A application to amend a scheme previously approved by VCAT that comprised façade renovation and construction of multi-storey additions as part of a program to convert the building from commercial to residential use. I provided expert evidence in support of the approved scheme as part of the review hearing at VCAT, and have reviewed the present proposal in the context of that approval.

It is now proposed to undertake substantial demolition of the existing building and construction of a nine storey mixed use building as shown in drawings prepared by Telha Clarke Architects, Revisions 12 (dated 17/12/25).

The analysis below draws upon external site visits along with a review of the relevant documents and resources including the following.

- *Melbourne Planning Scheme* – Clause 15.03-1S Heritage Conservation, 15.03-1L-02 Heritage and Clause 43.01 Heritage Overlay.
- *Heritage Places Inventory March 2022* (City of Melbourne, August 2025)
- *Heritage Precincts Statements of Significance* (City of Melbourne, August 2025)
- *City of Melbourne i-Heritage Map*, <https://heritagemap.melbourne.vic.gov.au/>
- VCAT determination *Sullivan Land Investments Pty Ltd v Melbourne CC [2022] VCAT 373* and the associated expert witness statements presented to VCAT at that time, including my own statement of evidence.

Site Overview

The subject site at 122-130 Wellington Parade comprises an irregularly shaped parcel of land located on the north side of Wellington Parade in East Melbourne. The southern section of the site to Wellington Parade is occupied by an eight storey commercial building constructed in the early 1990s. The building currently accommodates retail tenancies at ground floor level, offices to the floors above and a rooftop apartment. An at grade carparking area is located to the rear of the building, accessible via two unnamed laneways; one along the eastern site boundary and one that opens onto Powlett Street to the west. The northern portion of the site is occupied by a single storey garage.

The north side of Wellington Parade in the vicinity of the subject site is a mixed environment, with many two storey and multi-level buildings accommodating commercial uses at ground floor with offices or residences above. The south side of the street is an undeveloped reserve, bordering on the side of a railway cutting.

To the east, 116 and 118 Wellington Parade are occupied by two storey buildings operating as a medical centre, with that at no.116 known as Virginia, constructed in 1864. To the west, 132-142 Wellington Parade is a double storey retail and office building. The eastern portion of this structure appears to be a later addition that replicates the style and detailing of the original corner building.



Figure 1 View of the existing building at 122-130 Wellington Parade from the south.



Figure 2 122-130 Wellington Parade as viewed from the south-west, with 132-142 Wellington Parade in the foreground.



Figure 3 Victorian terrace houses at 10, 12 & 14 Powlett Street. The west elevation of the subject building can be seen to the rear right.



Figure 4 125 George Street (at left), 129 George Street (centre) and 133-5 George Street (at right). The rear of the subject building is visible at some distance beyond.

The northern portion of the subject site extends into an area that is associated with the more typical low scale residential character of the precinct. To the west, this section of the land has interfaces with the rear of two storey boom period terraces at 10, 12 and 14 Powlett Street and three storey Art Deco flats at 16-24 Powlett Street. To the north are properties fronting George Street – a double storey terrace at 125 George Street, a single storey timber dwelling at 125A George Street, a two storey brick outbuilding at 125B George Street, a single storey dwelling at 129 George Street, and a double storey dwelling at 133-135 George Street, all dating from the Victorian era.

The site is located within the East Melbourne and Jolimont Precinct, identified as HO2 in the Schedule to the Heritage Overlay of the Melbourne Planning Scheme. This is a large precinct, covering an area loosely bound by Lansdowne Street and Jolimont Road to the west, Victoria Parade to the north, Hoddle Street to the east and Yarra Park/MCG to the south. External paint controls apply under the provisions of this overlay, however internal alteration controls and tree controls do not.

The Statement of Significance for the East Melbourne and Jolimont Precinct, as included in the incorporated document *Heritage Precincts Statements of Significance February 2020*, is reproduced in part below:

What is significant?

East Melbourne and Jolimont Precinct is associated with some of Melbourne's earliest surveys and subdivisions, beginning in the late 1830s. It is predominantly residential in character, and renowned for its high quality historic dwellings, and proximity to some of Melbourne's most significant public institutions, sporting facilities, and parks and gardens. Significant and contributory development dates from the 1850s through to the interwar period, although Victorian development predominates. Some places of heritage value may also be outside this date range. The small squares, and mature street plantings and rows, are also part of the significant development of the precinct.

[...]

How is it significant?

East Melbourne and Jolimont Precinct is of historical, aesthetic/architectural and social and significance to the State of Victoria [sic].

Why is it significant?

[...]

East Melbourne and Jolimont Precinct is of social significance, and highly regarded in Melbourne for its historic streetscapes and buildings. Both Fitzroy Gardens and Yarra Park are also highly valued, with the former a popular place for passive recreation in proximity to Melbourne's CBD. The latter gains significance from being the setting for the MCG; the association of Yarra Park with the development of Australian Rules football is also of social significance.

The aesthetic/architectural significance of the East Melbourne and Jolimont Precinct largely rests in its Victorian-era development. The precinct is renowned for its high quality historic dwellings, including some of Melbourne's finest and earliest large houses of the 1850s and 1860s, complemented by later development including grand terraces in pairs and rows and substantial free-standing villas from the 1870s and after. There are also Edwardian dwellings and interwar duplexes and flat blocks. Within the precinct there are an unusually high number

of individual properties included in the Victorian Heritage Register; and little replacement of first or original dwellings has occurred. East Melbourne's streets are mostly wide, straight and tree-lined, interspersed with parks and squares, following the highly regular gridded pattern of the 1840s subdivision. The major roads and boulevards historically attracted grander development. Clarendon Street was an early prestigious residential street, with several of Melbourne's most significant early residences constructed there, beginning with Bishops Court in 1853. Jolimont also has significant historic residences. Lanes throughout the precinct are demonstrably of nineteenth century origin and function. Historic parks and gardens further enhance the aesthetic significance, including Fitzroy Gardens, the smaller squares of Powlett and Simpson reserves, and the extensive Yarra Park. These variously retain elements of their original or early landscape design, including specimen trees, mature tree avenues, perimeter and garden bed borders; and some remnant indigenous vegetation, including in Yarra Park. There are views into and out from the parks and gardens to the bordering residential areas. Yarra Park is dominated by the MCG and also hosts the Punt Road Oval. Fitzroy Gardens is an outstanding early public park in Melbourne, with an important collection of plants, some of which date to the nineteenth century. It also retains significant historic buildings and structures.

The property is not graded or in a significant streetscape in the incorporated document *Heritage Places Inventory March 2022 (City of Melbourne, August 2025)*, which defines a non-contributory heritage place as follows:

A non-contributory place does not make a contribution to the cultural significance or historic character of the heritage precinct.

Of the nearby buildings, 116 Wellington Parade is identified as a significant building with an individual Heritage Overlay HO161. It is also included in the *Victorian Heritage Register* [H0103]. 10, 12, 14 and 16-24 Powlett Street, and 125, 125A and 133-135 George Street are identified as significant within the East Melbourne and Jolimont Precinct. 129-131 George Street is identified as contributory.

Policy Context

A number of planning policies are relevant to heritage considerations, and it is noted that the City of Melbourne has adopted new heritage policies since the previous permit determination. Policies of particular relevance include *Clause 15.03-1S* Heritage Conservation, *Clause 15.03-1L* Heritage, and *Clause 43.01* Heritage Overlay.

Local heritage policy at *Clause 15.03* provides the following objectives and guidance with respect to alterations and additions that might be appropriate in heritage overlay areas. The relevant objectives are as follows:

Objectives

To encourage high quality contextual design for new development that avoids replication of historic forms and details.

To encourage retention of the three dimensional fabric and form of a building and discourage facadism.

To enhance the presentation and appearance of heritage places through restoration and reconstruction of original or contributory fabric.

To protect significant views and vistas to heritage places.

Relevant policy in relation to alterations is as follows:

Alterations strategies

[...]

Ensure alterations to non-contributory buildings and fabric respect, and not detract, from the assessed significance of the heritage precinct.

[...]

Alterations policy guidelines

Consider as relevant:

- *The assessed significance of the building and heritage place.*
- *The degree to which the alterations would detract from the significance, character and appearance of the building and heritage place.*
- *The structural condition of the building.*
- *The character and appearance of the proposed replacement materials.*

[...]

Policy in relation to additions is as follows:

Ensure additions to buildings in a heritage precinct are respectful of and in keeping with:

- *'Key attributes' of the heritage precinct, as identified in the precinct Statement of Significance.*
- *Precinct characteristics including building height, massing and form; style and architectural expression; details; materials; front and side setbacks; and orientation.*
- *Character and appearance of nearby significant and contributory buildings.*
- *Where abutting a lane, the scale and form of heritage fabric as it presents to the lane.*

[...]

Ensure additions:

- *Adopt high quality and respectful contextual design.*
- *Avoid direct reproduction of the form of historic fabric.*
- *Adopt an interpretive design approach to other details such as verandahs, fences, and shopfronts.*

A Design and Development Overlay (DDO21) applies to the southern section of the site. The design objective relevant to heritage considerations is as follows:

- *To respect the scale and significance of heritage buildings on the site or on adjacent sites.*

Comment on the Proposed Section 87A Amended Scheme

The existing approval involves partial demolition of the exterior of the building in order to facilitate the conversion of Levels 1 through 6 from office to residential use, with a new external architectural treatment introduced to these levels. To the Wellington Parade facade and the east elevation, this included glazed windows and doors that open onto recessed balconies with charcoal aluminium batten balustrades, with a grey rendered framework dividing the facade into a regular grid pattern. An existing rooftop apartment at Level 7 is retained and reworked. A six storey car parking structure is approved at the rear to service the new apartments. The northern end of this structure has a 2.6 metre setback from the western boundary that adjoins the rear of 14 Powlett Street. Levels 2 through 6 of the car park have a 4.0 metre setback from the south elevation of the existing single storey garage, which is to be retained. This envelope is identified as being clad in charcoal coloured metal louvres.

The amended scheme now under consideration introduces several key changes. The existing built form is to be demolished, except for the small brick carpark to the rear, and the new building will be higher and of nine levels. The scheme includes a comprehensive revision of the external architectural treatment.

Looking at these matters in more detail, the proposal includes an additional level to the front portion of the site, and the floor to ceiling heights at most levels have been increased relative to the existing built form and that of the approval. At Level 7, the formerly retained apartment will be replaced with a new Level 7 volume of greater floor area, but incorporating a greater southern setback from Wellington Parade and a more modest setback from the west side of the building. The proposed Level 8 will have a similar footprint, but with a western setback allowing for the provision of a balcony.

The narrower new building wing proposed to the north will be higher than the previous approval. The wing includes an additional level and will be used for a combination of five levels of apartments, a level of communal facilities and one level of carparking, rather than carparking alone.

The revised architectural expression will introduce an eight bay pattern of articulation to the Wellington Parade elevation rather than the rectilinear grid in the existing approval. The articulation will be further varied by an arched treatment along the top of Levels 2, 4 and 8 of the façade. The colour palette will be a range of brown tones, with both transparent and bronze glazing. The ground floor and Levels 7 and 8 will be finished in darker tones. The west face of the rear wing adopts a similar arched vocabulary and character to the main southern façade; the other east and west elevations adopt a more rectilinear expression, albeit with similar colouring.

In considering potential heritage impacts arising from the amended scheme, the VCAT determination concluded that the key views for assessment were those from within the precinct from Powlett Street (and to a lesser extent George Street). In particular, the visibility of the northern extension of the building was considered. At paragraph 17, the determination states:

17 *We consider that the extent of setback from Powlett Street is key to ensuring that the proposed development is not viewed as an element that disrupts the heritage streetscape, but rather as a different built form typology in a different context. As is the evidence of Mr Raworth, rear additions to dwellings in a heritage place are often quite different in character than the host building, and adjacent buildings. We consider that the extent to which the proposed development exhibits a commercial appearance when able to be viewed from Powlett Street, does not impact the character or significance of this part of the heritage place.*

VCAT found that the approved scheme, including the northern wing, would not have inappropriate negative impacts on these views. The amended scheme will essentially adopt a similar massing, albeit higher, with the additional height visible to the rear or north wing in views from Powlett Street and George Street.

To the extent that the additional envelope will be visible, the increment of change will read as a minor additional background element within a well-resolved, neutral presentation that replaces the existing tall built form. Similarly, the change in architectural expression as seen from either Wellington Parade, or from Powlett Street, or indeed from George Street, will not result in any appreciable impacts with regard to heritage considerations given the context within which it is found and the location of the additional built form.

The amended scheme will, in effect, be acceptable in this regard for the same reasons that the previous scheme was found by VCAT to be acceptable.

The Statement of Significance for the precinct notes that a key attribute of HO2 is '*Larger scale development including multi-storey modern buildings mostly confined to the borders of East Melbourne, with low scale historical development and minimal infill to the suburb's centre*'. It is not unexpected that graded buildings near the edge of this precinct have taller, modern built forms visible to the rear.

The revised external architectural treatment to Wellington Parade adopts a character that can be seen to be more 'traditional' and interpretive in character than the existing approval, with the façade bays articulated into two-storey entities with arched banding that consciously echoes the qualities and character of traditional Victorian terraces. Accepting that the north side of Wellington Parade in the vicinity of the subject site is not an intact or consistent heritage streetscape, this is a response that can sit comfortably within its mixed context.

In conclusion, having regard for all the above, the amended proposal represents an appreciable but acceptable change relative to the existing approved scheme. It responds in a reasonable manner to the objectives and design guidelines of *Clause 43.01* and the associated heritage policies provided within *Clause 15.03* of the *Melbourne Planning Scheme*, and should be considered acceptable with regard to heritage considerations.

Bryce Raworth
18 December 2025

Traffix Group

Waste Management Plan

Mixed-Use Development

122-130 Wellington Parade, East Melbourne

Prepared for
Sullivan Land Investments Pty Ltd

December 2025

G36939R-02C (WMP)

Document Control

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AS/NZS ISO 45001-2018 Occupational Health & Safety Management Systems
 AS/NZS ISO 14001 Environmental Management Systems
 AS/NZS ISO 9001-2016 Quality Management Systems



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1. Introduction

Traffix Group has been engaged by Sullivan Land Investments Pty Ltd to undertake a Waste Management Plan for the Mixed-Use Development at 122-130 Wellington Parade, East Melbourne.

This Waste Management Plan (WMP) is intended to act as a guideline for the development and may be subject to the ongoing updates, post-development.

1.1. Existing Permit

In April 2022, the City of Melbourne issued a Planning Permit (TP-2018-80) at the direction of the VCAT for the development of an 8-storey mixed-use development.

The permitted development scheme included the provision of 13 residential apartments, and 3 commercial retail tenancies (in the order of 344 square metres). A total of 22 car spaces were proposed on-site, which exceeded statutory requirements.

As part of the approved scheme residential waste collection was to be undertaken by the City of Melbourne and was approved from the site’s frontage to Wellington Parade. Bins were to be transferred from the bin storage room to the site’s frontage at nominated pick up times.

Waste collection for the commercial component of the development was approved via the rear laneway.

2. Development

The amended development proposal for the site is for a mixed-use development comprising residential apartments and some ground floor retail.

The development schedule is provided in Table 1.

Table 1: Development Schedule

Uses		Size/ No.
Residential	1 bed dwelling	3 no.
	2 bed dwelling	15 no.
	3+ bed dwelling	13 no.
	Total	31 no.
Commercial	Retail	167 m ²

Access to the site is facilitated through two laneways directly abutting the site. The laneway along the eastern boundary of the site provides direct access to Wellington Street. The western portion of the site is accessed via a laneway extending from Powlett Street.

Residential Waste

Residential waste will be collected on-street along the site's frontage to Wellington Parade via existing Council collection services.

The residential development will include dual chute system for residents at each building level. Garbage and commingled recycling will be accommodated within the chutes. The chutes will terminate into 1,100L bins on ground level within the respective waste room.

Food Organics and Garden Organics (FOGO) and glass waste bins are provided within the respective shared residential waste storage room.

The provision of separate glass bins is reflective of the ultimate bin arrangement when City of Melbourne provides separate glass waste collection. In the interim, until such time as City of Melbourne introduces dedicated glass collection, glass waste would be accommodated within the commingled recycling bins as required. At this time an extra 1 x 660L & 1 x 360L commingled recycling bins shall be provided within the waste room.

Hard waste, charity and e-waste bins are provided within the respective shared residential waste storage area.

Commercial Waste

A separate waste storage area is provided at ground level adjacent to the retail tenancy.

Waste collection will be collected at the rear of the site from the western laneway via private contractor using a 6.4m long rear loader waste collection vehicle (as required).

A copy of the ground floor plan prepared by Telha Clarke Architecture & Design (Rev. 12 dated 17 December 2025) is attached at Appendix A.

3. Waste Management Plan

3.1. Waste Systems

The waste management systems of the proposed development comprise of the following components:

- Immediate smaller bins within individual tenancies and dwellings for temporary storage of garbage, recyclable, FOGO and glass waste where relevant,
- Mobile garbage bins (MGB's) within the respective waste storage areas at ground level
- A dual-chute system for garbage and recyclable waste at each residential level,
- Manual transfer of FOGO and glass waste to the respective waste rooms provided at ground level via staff/residents as required.

3.2. Management of Waste Streams

In accordance with the Victorian Government's *Circular Economy Policy: Recycling Victoria*, food organics green organics (FOGO), glass and paper & cardboard waste have been considered separately to reduce landfill at the source.

The waste generated by the development will be separated and managed into the following waste streams:

Residential

- General Garbage Waste,
- Food and Organics/Green Waste (FOGO),
- Glass Recycling, and
- Other Commingled Recycling (inc. Paper & Cardboard Recycling)

Retail (Café)

- General Garbage Waste,
- Food and Organics (FOGO),
- Other Commingled Recycling,
- Paper & Cardboard Recycling, and
- Glass waste Recycling.

The management of each of the streams/systems is detailed below.

Table 2: Waste Streams

Waste Type	Waste Management	
	Residential Waste	Commercial Waste
Garbage	<p>Each dwelling shall be provided with small caddy bins for temporary storage of waste.</p> <p>Residents will place general landfill waste in tied plastic bags and dispose of the bagged garbage directly into the appropriate chute in each building level.</p>	<p>Each tenancy shall be provided with plastic bins for temporary storage of landfill waste.</p> <p>Staff will place general landfill waste in tied plastic bags and dispose of the bagged garbage directly into the garbage bin within the commercial waste area at ground level.</p>
Recycling	<p>Each dwelling shall be provided with small caddy bins for temporary storage of recyclable waste.</p> <p>Residents will dispose of loose recyclable items directly into the appropriate chute in each building level. Cardboard items shall be folded where appropriate.</p>	<p>Each tenancy shall be provided with plastic bins for temporary storage of recyclable waste.</p> <p>Staff will dispose of loose recyclable items directly into the recycling bin within the commercial waste area at ground level.</p>
FOGO	<p>Each dwelling shall be provided with small caddy bins for temporary storage of FOGO waste.</p> <p>Residents will dispose of organic waste directly into the organic bins within the residential waste area at ground floor.</p>	<p>Each tenancy shall be provided with plastic bins for temporary storage of FOGO waste.</p> <p>Staff will dispose of organic waste directly into the organic bins within the commercial waste area at ground level.</p>
Glass	<p><u>Interim conditions</u> Council currently do not provide separate glass collection services. Until such time as this service is provided, residents will dispose of any glass waste directly into the appropriate chute at each residential level. This waste would be consolidated with the comingled recycling waste stream.</p> <p><u>Ultimate conditions</u> At such time as separate glass collection services are provided, additional glass bins will be accommodated with the respective ground level waste storage area.</p> <p>Residents will dispose of glass waste directly into the glass bins within the residential waste area at ground level.</p>	<p>The staff will dispose of any glass waste directly into the glass bins within the commercial waste area at ground level.</p>

Waste Type	Waste Management	
	Residential Waste	Commercial Waste
Paper & cardboard	Paper and cardboard waste generated by residents are anticipated to be minimal and any small paper & cardboard can be accommodated within the recycling bin via recycling chute (except for large cardboard which must be taken manually to the ground level bin room via residents only).	Staff will dispose of loose cardboard directly into the paper & cardboard bin within the commercial waste area at ground level. Cardboard shall be folded appropriately.
Hard Waste	Residents will dispose of any hard waste including used furniture and white goods with the assistance of the property manager. A temporary hard waste storage area of approx. 1sqm is provided at ground level shared residential bin room.	Hard waste generation by commercial tenancies is expected to be negligible. Any minimal hard waste shall temporarily be stored internally within the individual tenancies where relevant. The commercial tenancies will dispose of any hard waste via a private contractor on a required basis.
Other	Residents shall dispose of any e-waste including batteries, phones, computers etc. into the on-site E-waste bin provided in the bin storage area at ground level or drop it off at the City of Melbourne Waste and Recycling Centre (437 Dynon Road, West Melbourne). E-waste must not be disposed in landfill. Residents will dispose of any charity goods into the on-site charity bin provided inside the residential waste room on ground level. Alternately, residents can dispose of any charity goods at the local op shops or donation bins.	The tenant will engage a waste contractor responsible for the storage and collection of any cooking oils and grease. Any servicing and maintenance of the grease trap will be advised and undertaken by a private contractor.

3.3. Glass Collection

As previously noted, Council does not currently include a separate glass collection service. As a result, the glass waste would be included within the commingled recycling waste stream. This arrangement would require the glass bins allowances to be converted to additional comingled recycling bins (i.e. additional 1 x 660L and 1 x 360L bins comingled recycling bin).

Until Council introduce a separate waste street, residents would be instructed to place any glass waste within the comingled recycling chutes as required.

The plans identify the ultimate scenario which allows for separate storage and collection of glass waste bins (i.e., 1 x 660L & 1 X 360L bins) within the shared residential bin room as this is the preferred arrangement and supported under the Victorian Government Circular Economy Policy.

3.4. Waste Generation

3.4.1. Generation Rates

The different land uses have been assessed against the waste generation rates specified under the *City of Melbourne Waste Management guidelines*.

Table 3 sets out the expected waste generation for the residential and commercial components of the development.

Table 3: Waste Generation Rates

Waste Source	Garbage/week	Recycling/week
Residential		
One-bedroom apartment	80L	80L
Two-bedroom apartments	100L	100L
Three or more-bedroom apartments	120L	120L
Commercial		
Café	300L/100m ² floor area/day	200L/100m ² floor area/day

An estimate of the total waste generated by the development is detailed in Table 4.

Table 4: Expected Waste Generation for the Land Use

Waste Source	Size/No.	Garbage/week	Recycling/week
Residential			
One-bedroom Dwelling	3 no.	240 L/week	240 L/week
Two-bedroom Dwelling	15 no.	1,500 L/week	1,500 L/week
Three or more-bedroom Dwelling	13 no.	1,560 L/week	1,560 L/week
TOTAL WASTE GENERATED		3,300 L/week	3,300 L/week
Commercial			
Commercial (Café)	167m ²	3,508 L/week	2,339 L/week

3.4.2. Considering Alternative Waste Streams

In accordance with the Victorian Government’s *Circular Economy Policy: Recycling Victoria*, food organics green organics (FOGO), glass and paper & cardboard waste have been considered separately to help reduce landfill at the source or help separate commingled recycling.

The waste ratios separated below are based on City of Melbourne Guidelines and Traffix Group experience on similar developments.

A number of different land uses across the site are expected to generate FOGO, glass and paper & cardboard waste as summarised in Table 5.

Table 5: Alternative Waste Streams

Land Use	Garbage		Recycling		
	General	FOGO	Commingled	Glass	Paper & Cardboard
Residential					
Dwellings	75%	25%	70%	30%	-
Commercial					
Cafe	70%	30%	50%	10%	40%

Based on the preceding assessment, the development is expected to generate the waste volumes nominated in Table 6 and Table 7.

Table 6: Expected Waste Generation – Splits per Stream (Residential)

Waste Source	Size/No.	Garbage		Recycling	
		General	FOGO	Commingled (Inc. P&C)	Glass
Residential apartments	31 no.	2,475 L	825 L	2,310 L	990 L
TOTAL WASTE GENERATED		3,300 L/week		3,300 L/week	

Table 7: Expected Waste Generation – Splits per stream (Commercial)

Waste Source	Size/No.	Garbage		Recycling		
		General	FOGO	Commingled	Glass	P&C
Café	167 m ²	2,455 L	1,053 L	1,169 L	234 L	936 L
TOTAL WASTE GENERATED		3,508 L/week		2,339 L/week		

It is noted that until such time as Melbourne City Council provides a dedicated glass collection service, additional recycling bins are to be provided to accommodate the glass component of the waste.

Hence, until a dedicated glass collection service is provided, the proposed residential component will generate the following waste volumes for each stream as shown in Table 8.

Table 8: Expected Waste Generation with No Glass Collection - Splits per Stream (Residential)

Waste Source	Size/No.	Garbage		Recycling
		General	FOGO	Commingled (Inc. P&C and Glass)
Residential apartments	31 no.	2,475 L	825 L	3,300 L
TOTAL WASTE GENERATED		3,300 L/week		3,300 L/week

3.5. Waste Equipment (MGBs)

Based on the determined waste generation, Table 9 provides a summary of the nominated waste storage area provisions and the frequency of collection without considering glass collection.

Table 9: Waste Bins and Collection Frequencies – Residential (No Glass)

Waste Stream	Waste Volume (L/week)	Bin Capacity	No. of Bins Required	Collection Frequency (per week)
Garbage	2,475L	360L 1,100L	1 no. 2 no.	1
Recycling (inc. glass waste)	3,300L	360L 660L 1,100L	2 no. 1 no. 2 no.	1
FOGO	825L	240L	4 no.	1

Table 10 and Table 11 provide a summary of the nominated waste storage area provisions and the frequency of collection, once Council has introduced a dedicated glass waste collection stream.

Table 10: Waste Bins and Collection Frequencies – Residential (inc. Glass)

Waste Stream	Waste Volume (L/week)	Bin Capacity	No. of Bins Required	Collection Frequency (per week)
Garbage	2,475L	360L 1,100L	1 no. 2 no.	1
Recycling	2,310L	360L 660L 1,100L	2 no. 1 no. 2 no.	1
FOGO	825L	240L	5 no.	1
Glass	990L	360L 660L	1 no 1 no	1

Table 11: Waste Bins and Collection Frequencies – Commercial

Waste Stream	Waste Volume (L/week)	Bin Capacity	No. of Bins Required	Collection Frequency (per week)
Garbage	2,455 L	660L	5 no.	2
FOGO	1,053 L	240L	5 no.	1
Recycling	1,169 L	1,100L	1 no.	2
Glass	234 L	240L	1 no.	1
Paper & Cardboard	936 L	1,100L	1 no.	1

Further details regarding the waste equipment required for the development are detailed in Table 12.

Table 12: Bin Details and Colours

Waste Stream	Bin Capacity	Dimensions (H x W x D) ^{Note 1}	Bin Lid Colour ^{Note 2}	Bin Body Colour ^{Note 2}
Garbage	360L 660L 1,100L	1,100 x 680 x 848mm 1,200 x 1,260 x 780mm 1,330 x 1,240 x 1,070mm	Red	Dark Green
Recycling	360L 660L 1,100L	1,100 x 680 x 848mm 1,200 x 1,260 x 780mm 1,330 x 1,240 x 1,070mm	Yellow	
FOGO	240L	1,060 x 585 x 730mm	Light Green	
Glass	240L 360L	1,060 x 585 x 730mm 1,100 x 680 x 848mm	Purple	
Paper & cardboard	1,100L	1,330 x 1,240 x 1,070mm	Blue	

Note 1. Bin capacity and dimensions are provided as an indicative dimension, sourced from Bin Supplier, 'Sulo'.
 Note 2. Bin lid and body colours are based on the bin colour scheme set out by Sustainability Victoria.

3.5.1. Waste Area and Access

The development provides dedicated waste storage areas at the ground level for the commercial and residential components of the site.

The waste storage areas and access route are illustrated at Figure 1.

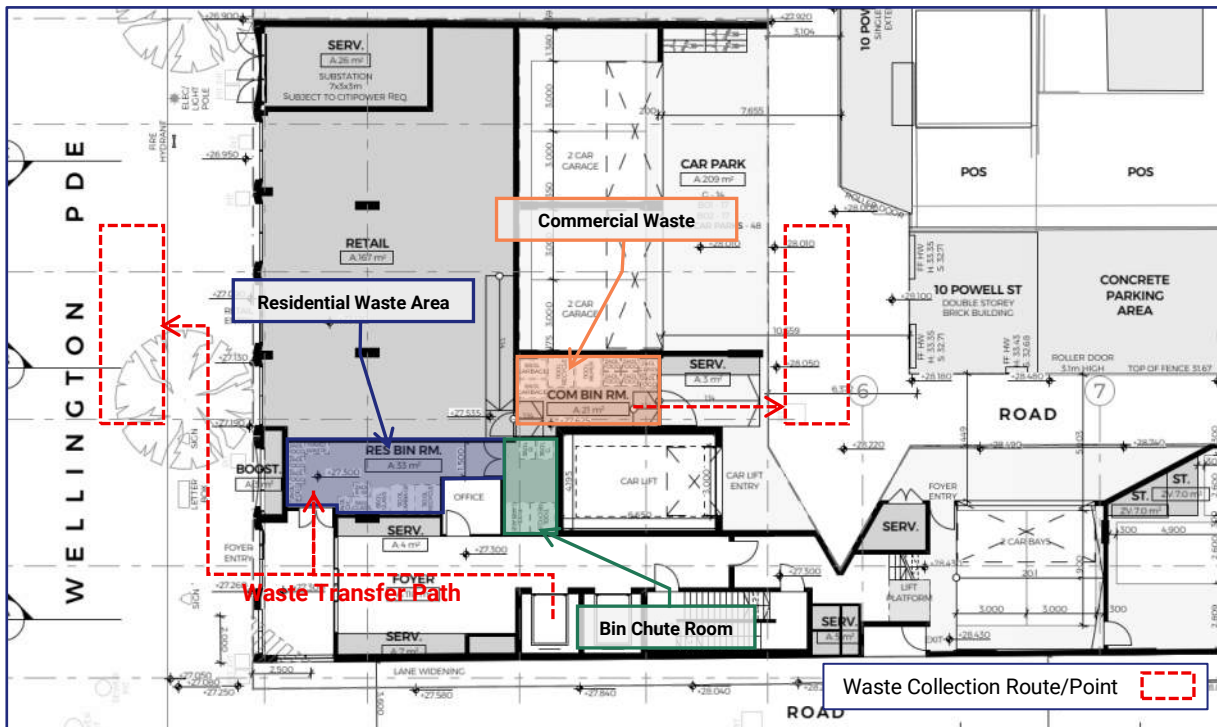


Figure 1: Waste Areas & Pedestrian Access Route

Table 13 and Table 14 details the waste area requirements based on the waste equipment proposed.

Table 13: Waste Area Requirements (Residential)

Use	Waste Equipment	Net Area ¹	Quantity	Net Waste Storage Area Required	Waste Area Provided
Residential	240L	0.43m ²	4	1.72m ²	33m ²
	360L	0.58m ²	3	1.74m ²	
	660L	0.99m ²	1	0.99m ²	
	1,100L	1.33m ²	4	5.32m ²	
E-waste and Charity waste	240L	0.43m ²	2	0.86m ²	33m ²
Hard waste	1m ² provided within the shared waste storage area				

Note 1: Net area required is calculated from the dimensions of the bins.

Table 14: Waste Area Requirements (Commercial)

Use	Waste Equipment	Net Area ¹	Quantity	Net Waste Storage Area Required	Waste Area Provided
Commercial	240L	0.43m ²	6	1.72m ²	21m ²
	660L	0.99m ²	2	0.99m ²	
	1,100L	1.33m ²	2	5.32m ²	

Note 1: Net area required is calculated from the dimensions of the bins.

Based on the above, sufficient space is provided for on-site waste storage within the development.

3.6. Signage

Appropriate signage in accordance with Sustainability Victoria will be displayed on the bins and within the waste area, as illustrated in Figure 2.

The signage will help guide and encourage residents and staff of the development to dispose of waste correctly into the appropriate waste streams.



Figure 2: Waste Signage Examples

3.7. Dual Chute System

Chute termination areas will be enclosed and secure for safety reasons. Access to these areas will be available by trained personnel only. Building management staff will be responsible for the rotation and emptying of bins as required.

Doors to the secure chute room shall be provided at a minimum width of 1.5m in order to facilitate the transfer of 1100L bins as required.

A dual chute system for garbage and recycling will be provided for residents on each building level, which will terminate into the appropriate bins located in the waste area at ground level. Skirting/equivalent system should be provided at the termination of the chutes to reduce the impact of materials falling into the bins. Residential garbage and recycling bins can have reinforced bases to increase the durability of the bins.

The chutes shall be designed to the manufacturer's specifications and appropriate signage and instructions will be provided to residents to ensure correct and safe use of the chute system.

The chutes will have acoustic treatment including vinyl loaded flexible barrier and 25mm acoustic foam to minimise noise impacts to the residents. Plastic chutes can be used to further reduce the noise impacts to minimal level.

3.8. Waste Collection Arrangements and Vehicle Access

Residential Waste

Waste collection will occur on-street along the site's frontage to Wellington Parade via Council collection services.

On collection day, a Council truck will prop temporarily along the kerbside to undertake waste collection.

Building management will be responsible for the transfer of bins to/from the waste storage area to the waste collection point and returned to the waste bin room once collection has been completed.

Commercial Waste

Commercial waste collection will be collected at the rear of the site from the western laneway via private contractor using a 6.4m long rear loader waste collection vehicle (as required).

The private waste truck will enter the rear laneway and temporarily prop adjacent to the commercial bin room to collect waste, turn around and exit the rear laneway in a forward direction.

Traffic Group has provided advice to the project architect in order to accommodate vehicle access of the 6.4m long mini rear loading waste vehicle within the site.

Swept path diagrams demonstrating vehicle access of the 6.4m long mini rear loading waste vehicle entering and exiting the site in a forward direction is attached at Appendix B.

3.9. Planning Scheme Design Requirements (Clause 55)

The development includes a shared bin storage area for use by each dwelling, of at least the applicable area, depth and height specified below in standard B5-5.2.

Table 15: Design Requirements for residential dwellings

Clause	Development Type		
Clause 55.05-05			
Standard B5-5.2	Dwelling in or forming part of an apartment development		
Number of Dwellings	Minimum area	Minimum depth	Minimum height
16 to 55 dwellings	0.5 square metres per dwelling, plus 5 square metres in a shared waste storage area.	1 metre	2.7 metres

Enclosed bin storage areas will be ventilated by:

- Natural ventilation openings to the external air with an area of at least 5 per cent of the area for bin storage area; or
- A mechanical exhaust ventilation system.

A continuous path of travel is provided at each floor level from dwellings to bin storage areas.

Each dwelling will include an internal waste and recycling storage space of at least 0.07 cubic metres with a minimum depth of 250 millimetres.

The above standard requirements have been met within this waste management plan (as required).

4. Amenity Impacts

It is the responsibility of the site operator to carry out the ongoing maintenance of all waste areas to minimise the following amenity impacts:

4.1. Ventilation/Odour Prevention

For developments using forced ventilation or air-conditioning system, adequate ventilation will be provided within the bin store areas in accordance with AS1668.2 to ensure waste-related odours are minimised.

Waste areas will be frequently cleaned to prevent the retainment of odours.

4.2. Noise Reduction

The waste facilities will comply with BCA and AS2107 acoustic requirements. Private waste collection will follow Council and EPA guidelines to ensure acoustic impact is minimised.

For residential waste collection, Collection days will be determined by Council. Commercial waste collection days and times will be determined following the confirmation of a specific private waste collection contractor by the site operator. Waste collection times should comply with the EPA Noise Control Guidelines (Publication 1254):

Domestic Waste Collection

- Collections occurring once a week should be restricted to the hours 6:00am – 6pm Monday to Saturday,
- Collections occurring more than once a week should be restricted to the hours 7 am – 6pm Monday to Saturday

Commercial Waste Collection

- Collections occurring once a week should be restricted to the hours 6:30am – 8pm Monday to Saturday, 9am – 8pm Sunday and public holidays
- Collections occurring more than once a week should be restricted to the hours 7 am – 8pm Monday to Saturday, 9am – 8pm Sunday and public holidays

4.3. Vermin Prevention & Litter Management

Waste areas will be secured to prevent any unauthorised use. Waste areas will be monitored by the property manager to ensure that bins are not overfilled and any spillage resulting from waste collection is appropriately addressed. All access doors and bin lids will be kept closed at all times to prevent vermin access to the waste areas.

4.4. Washing Facilities and Stormwater Pollution

Third party contractors can be engaged for proper washing and cleaning of bins. Alternatively, appropriate washing facilities including water supply and hose shall be provided for the regular washing of the bins and waste area by the property manager. Washing facilities provided shall be connected to the sewerage for drainage to prevent stormwater pollution.

5. Ongoing Maintenance & Sustainability Initiatives

5.1. Maintenance Management

Further to the occupation of the development, it is the responsibility of the site operator for the ongoing operation and maintenance of the Waste Management Plan.

The site operator will ensure that maintenance work and upgrades are carried out on the waste areas and components of the waste system. When required, the site operator will engage an appropriate contractor to conduct maintenance services, replacements, or upgrades.

All ongoing costs are to be fully met by the site operator.

5.2. Waste Reduction Strategies

The site operator will be responsible to encourage residents and staff of the development to reduce waste disposal and recycle materials based on the waste management hierarchy set out by Sustainability Victoria.

The hierarchy is detailed at Figure 3 below.



Figure 3: Sustainability Victoria’s Waste Management Hierarchy

Additionally, the site operator can set targets and measures to reduce garbage going to landfill and increase recycling and choose to participate in Council’s waste programs to promote sustainability initiatives.

5.3. Waste Management Rules

It will be the responsibility of the site operator to ensure all staff are provided with the relevant information and materials regarding the waste management system and sustainability strategies of the development.

Relevant information will be provided at the waste areas to ensure that all users will operate and maintain safe practice when utilising the waste facilities.

5.4. Monitoring and Review

This Waste Management Plan should be monitored and reviewed on a regular basis to ensure that it meets the regulatory requirements and the expected waste generation rates outlined in Section 3.4.

The site operator will be responsible for monitoring the Waste Management Plan. Where required, the site operator should undertake a waste audit to identify any modifications and/or improvements to the waste management system.

6. Contact Information

Table 16 provides a list of common waste collection service contractors and waste equipment suppliers. The site operator is not obligated to procure goods/services from the following suppliers and reserves the right to choose their own preferred suppliers.

Traffix Group does not make representations for the goods/services provided by the suppliers listed below.

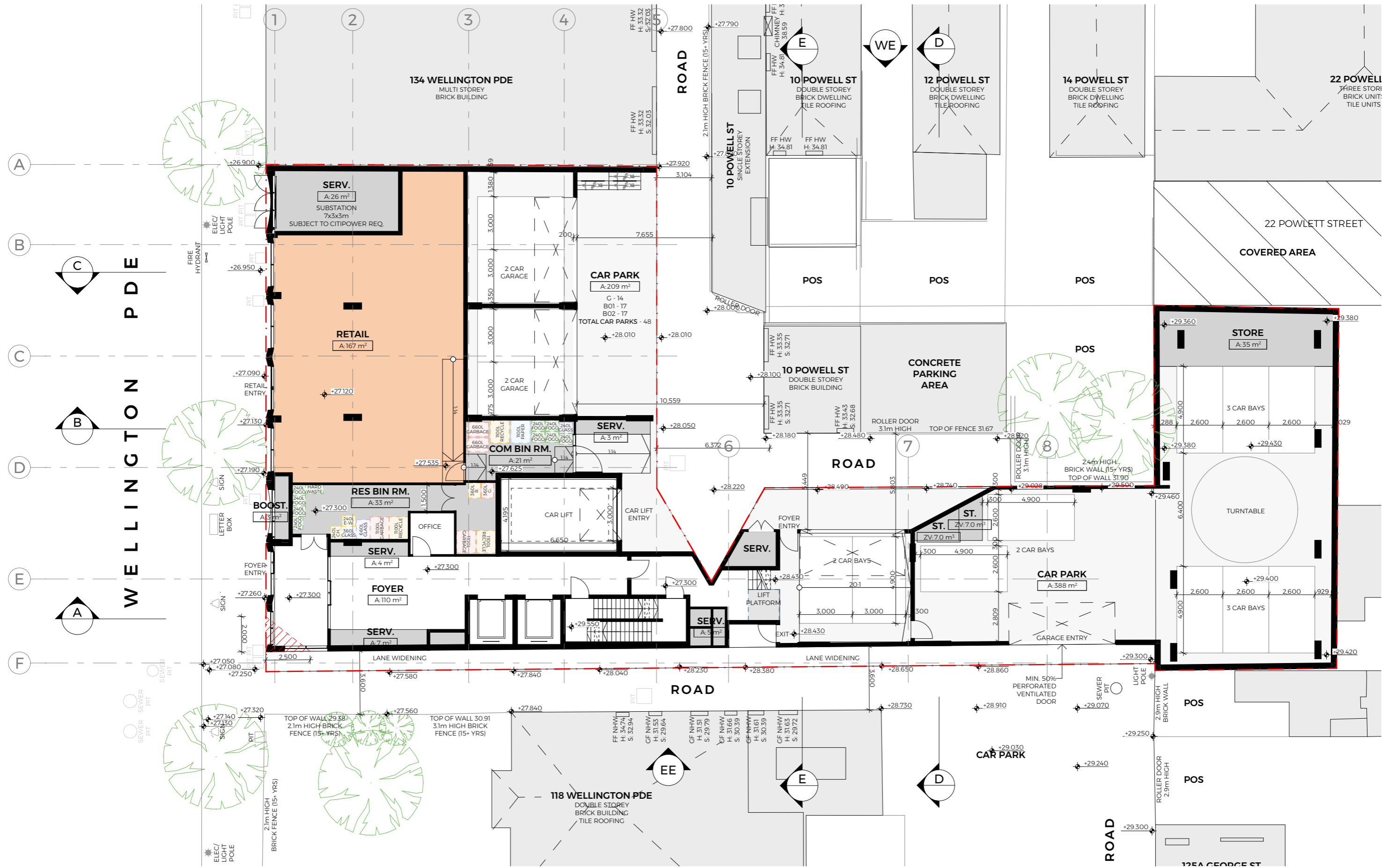
Table 16: Supplier Contact Information

Service Type	Business Name	Phone	Website
Private Waste Collectors	Citywide Waste	03 9261 5000	www.citywide.com.au
	Cleanaway	13 13 39	www.cleanaway.com.au
	Veolia	13 29 55	www.veolia.com/anz
	JJ Richards	03 9794 5722	www.jjrichards.com.au
	Waste Wise Environmental	1300 550 408	www.wastewise.com.au
	Kartaway	1300 362 362	www.kartaway.com.au
	iDump	1300 443 867	www.idump.com.au
	Waste Ninja	1300 648 088	www.wasteninja.com.au
E-Waste Collection	TechCollect	1300 229 837	www.techcollect.com.au
Equipment Supplier	Sulo Australian (bin supplier)	03 9357 7320	www.sulo.com.au
	Mr Wheelie Bin (bin supplier)	03 9912 2850	www.mrwheeliebin.com.au
	Wastech Engineering (compactors & chutes)	1800 465 465	www.wastech.com.au
	Elephants Foot (compactors & chutes)	1300 435 374	www.elephantsfoot.com.au
	ASI JD MacDonald (chutes)	1800 023 441	www.jdmacdonald.com.au
	Eco-safe Technologies (odour control system)	1300 135 039	www.eco-safe.com.au
Bin Washing Services	The Bin Butlers	1300 788 123	www.thebinbutlers.com.au
	WBCM Environmental Australia	1300 800 621	www.wbcm-aust.com.au
	Kerbside Clean-A-Bin	03 9588 1944	www.kerbsidecleanabin.com.au



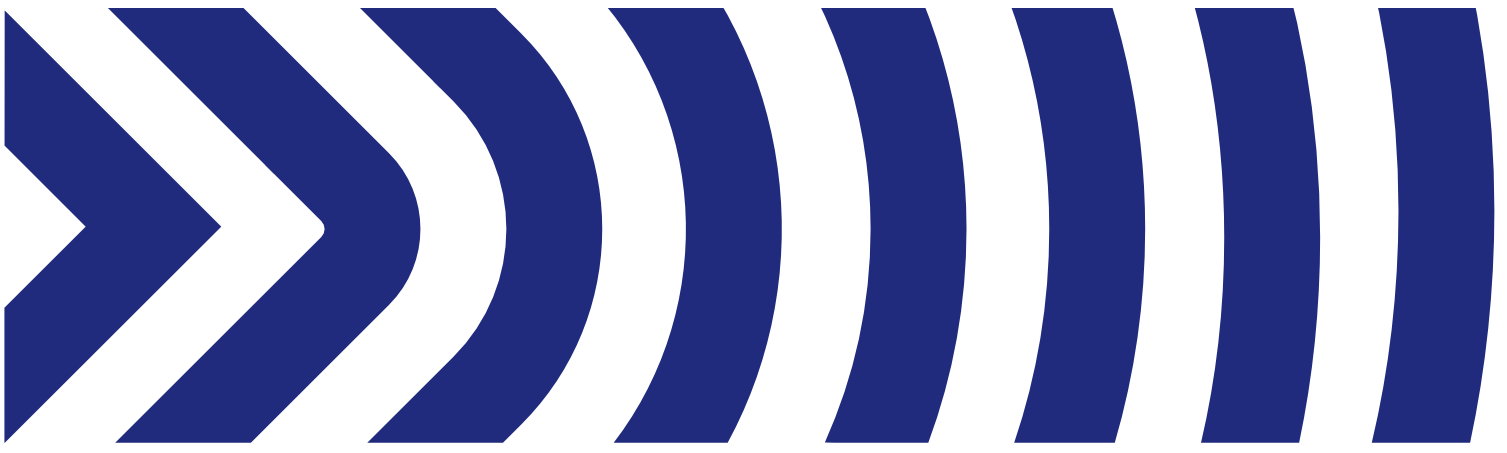
Appendix A

Development Plans



REV	DATE	ISSUED FOR	DRAWN	CHECKED
01	17/07/2025	FOR DISCUSSION		TC
12	16/12/2025	FOR TOWN PLANNING	NF	EF

SCALE	DATE	DRAWN	CHECKED	REVISION
1:200 @A3	16/12/2025	NF	EF	
JOB NO.	DRAWING NO.	REVISION		
25021	TP.100	12		



Appendix B

Swept Path Diagrams

VEHICLE PROFILE

VEHICLE USED IN SIMULATION
(VEHICLE SPEED - 5KM/H)

99th percentile
(AS/NZS 2890.1:2004)

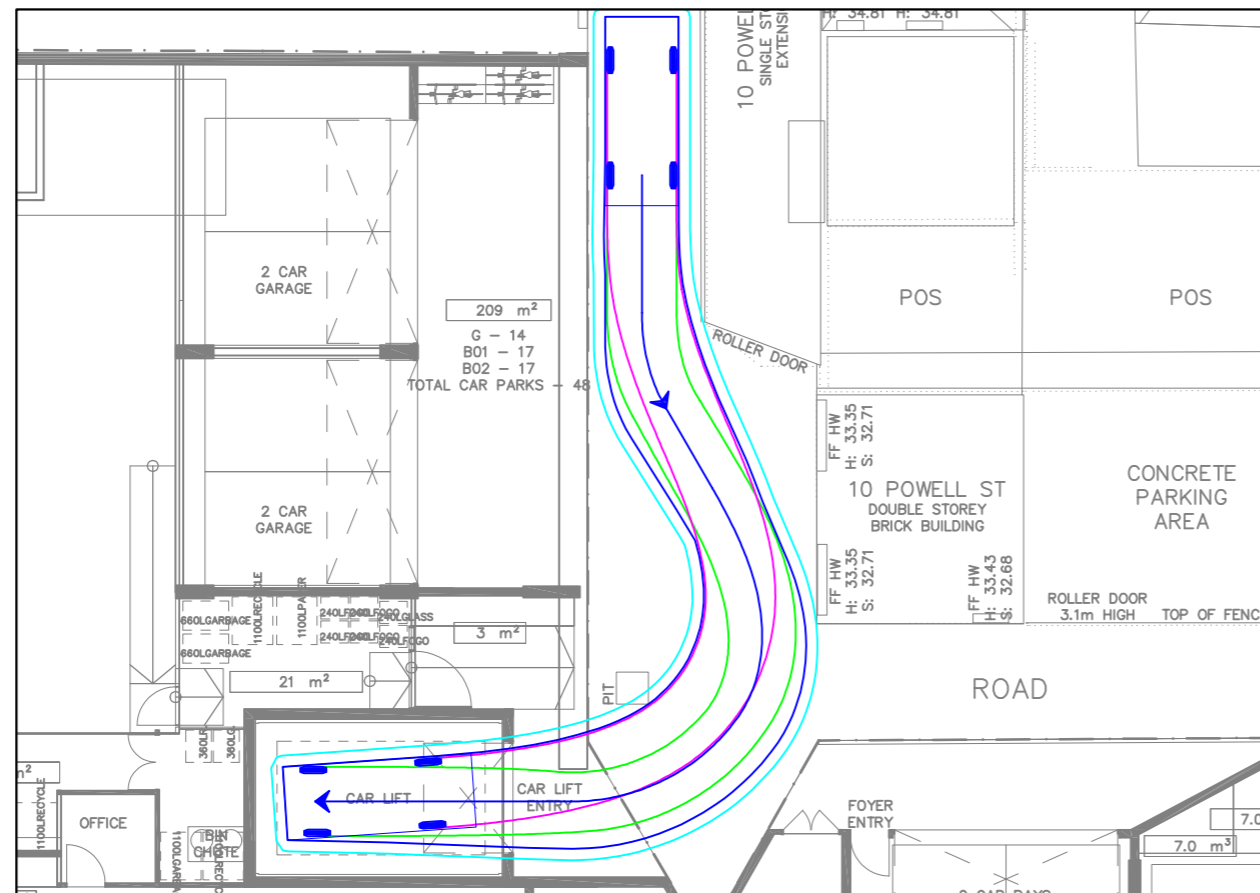
Width : 1.94m
Track : 1.84m
Kerb to Kerb Radius : 6.3m

* actual template based on 'relevant longitudinal dimensions that affect swept path' as set out in Section B2.1 of AS/NZS 2890.1:2004

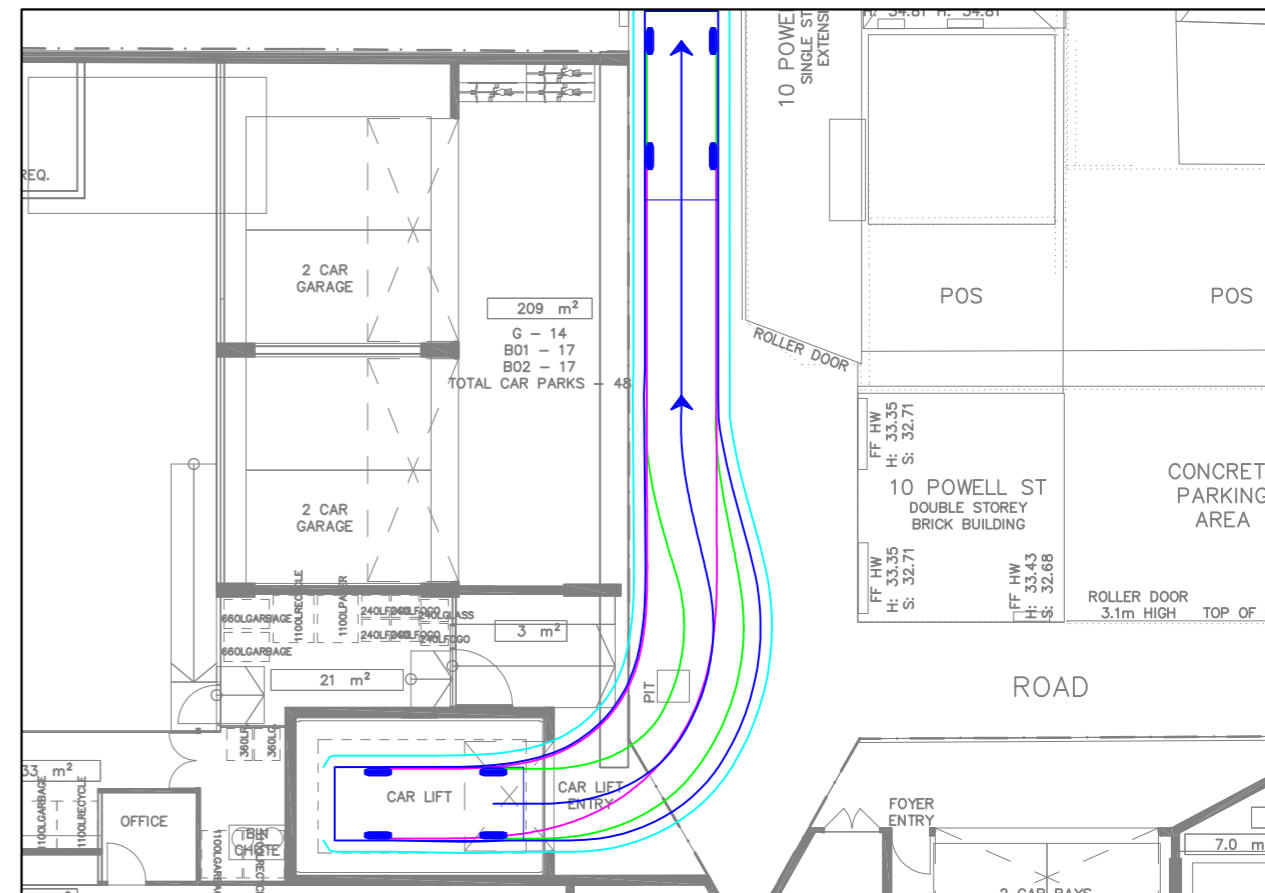
LEGEND

- REAR WHEELS (pink line)
- FRONT WHEELS (green line)
- VEHICLE BODY (blue line)
- BODY CLEARANCE (cyan line)

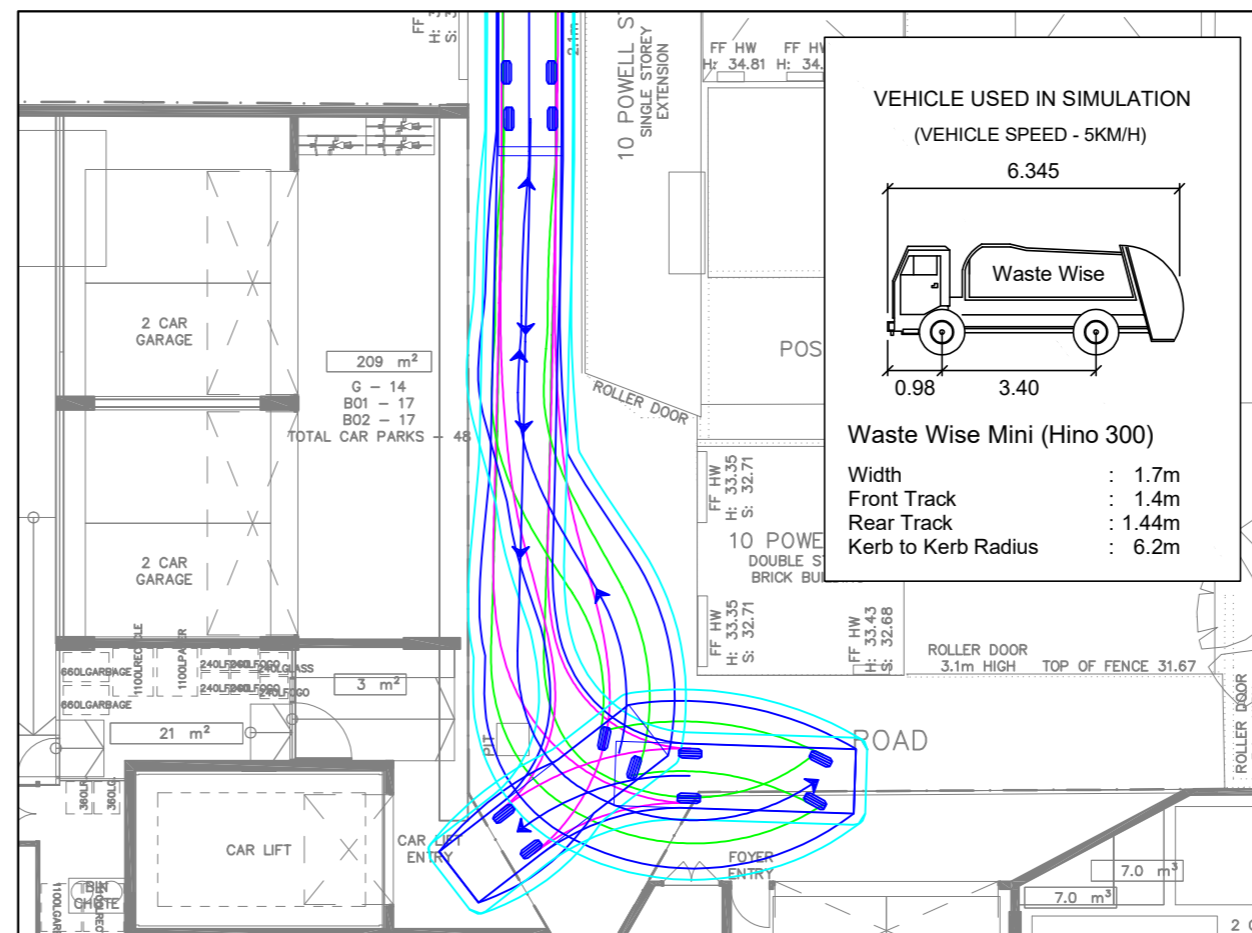
CAR LIFT ACCESS - INGRESS



CAR LIFT ACCESS - EGRESS



WASTE VEHICLE ACCESS - INGRESS



REV	DATE	NOTES	DESIGNED BY	CHECKED BY
A	17/12/2025	AMENDED PLANS	J. LEWIS	C. MORELLO (RPE7781)

122-130 WELLINGTON PDE, EAST MELBOURNE
PROPOSED MIXED USE DEVELOPMENT

GENERAL NOTES:
BASED OFF ARCHITECTURAL PLANS
PREPARED BY TELHA CLARKE
ARCHITECTURE & DESIGN DATED 16
DECEMBER 2025

FILE NAME: G36939-01
SHEET NO.: 01



SCALE: 1:200 (A3)

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Traffix Group

Traffic Engineering Assessment

Proposed Mixed-Use Development

122-130 Wellington Parade, East Melbourne

Prepared for
Sullivan Land Investments Pty Ltd

December 2025

G36939R-01C

Document Control

Our Reference: G36939R-01C

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A	Draft	16/12/25	J. Lewis	C. Morello (RPE7767)
B	Draft V2	22/12/25	J. Lewis	C. Morello (RPE7767)
C	Final	23/12/25	J. Cossins (RPE11767)	C. Morello (RPE7767)

AS/NZS ISO 45001-2018 Occupational Health & Safety Management Systems
 AS/NZS ISO 14001 Environmental Management Systems
 AS/NZS ISO 9001-2016 Quality Management Systems



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1. Introduction

1.1. Preamble

Traffix Group has been engaged by Sullivan Land Investments Pty Ltd to prepare a Traffic Engineering Assessment for the Section 87A Amendment to the existing Permit TP-2018-80 relating to the Proposed Mixed-Use Development at 122-130 Wellington Parade, East Melbourne.

In the course of preparing this assessment, we inspected the subject site, collected updated traffic data, reviewed development plans and background material, and assessed the car parking and traffic impacts of the proposal.

1.2. Previous Permit

In April, 2022, the City of Melbourne issued a Planning Permit (TP-2018-80) at the direction of the VCAT for the development of a 8-storey mixed-use development.

The permitted development scheme included the provision of 13 residential apartments, and 3 commercial retail tenancies (in the order of 344 square metres). A total of 22 car spaces were proposed on-site, which exceeded statutory requirements.

Access was approved via the existing laneways to Wellington Parade (eastern laneway) and Powlett Street (western laneway).

Reference is made to the Traffic Expert Evidence Statement prepared by Jason Walsh (of Traffix Group) dated 1 March 2022 which assessed the proposed development and was presented as part of the VCAT hearing.

1.3. This Application

Amended Plans (revision 12) have been prepared by Telha Clarke Architecture & Design dated 17 December 2025 as part of this application is for an amended permit.

This report provides a detailed traffic engineering assessment of the parking and traffic issues associated with the proposed development and has regard to the previously approved development and permit conditions.

Our assessment is as follows.

2. Proposal

2.1. The Development

The application proposes to develop the site for the purposes of a mixed-use development comprising residential apartments and some ground floor retail.

The proposed development schedule is provided in Table 1.

Table 1: Proposed Development Schedule

	Use	Proposed Development
Residential	1 bed dwelling	3 no.
	2 bed dwelling	15 no.
	3+ bed dwelling	13 no.
	Total	31 no.
Commercial	Retail	167 m ²

2.2. Access

2.2.1. Pedestrians & Cyclists Access

Key pedestrian access for the retail and residential components is from Wellington Parade. Residents will have a separate access point via a foyer off Wellington Parade at ground floor.

Residential cyclists will be able to access the basement parking facility via a pedestrian lift located within the main lobby / foyer.

Visitors who travel to the site by bicycle will be expected to access the visitor bicycle parking via the western laneway off Powlett Street.

2.2.2. Vehicles

The proposal includes a mixture of garaged parking spaces accessed directly from the abutting laneways, and basement parking, which is accessed via a car lift from the laneway.

A summary of the site access is shown at Figure 1.

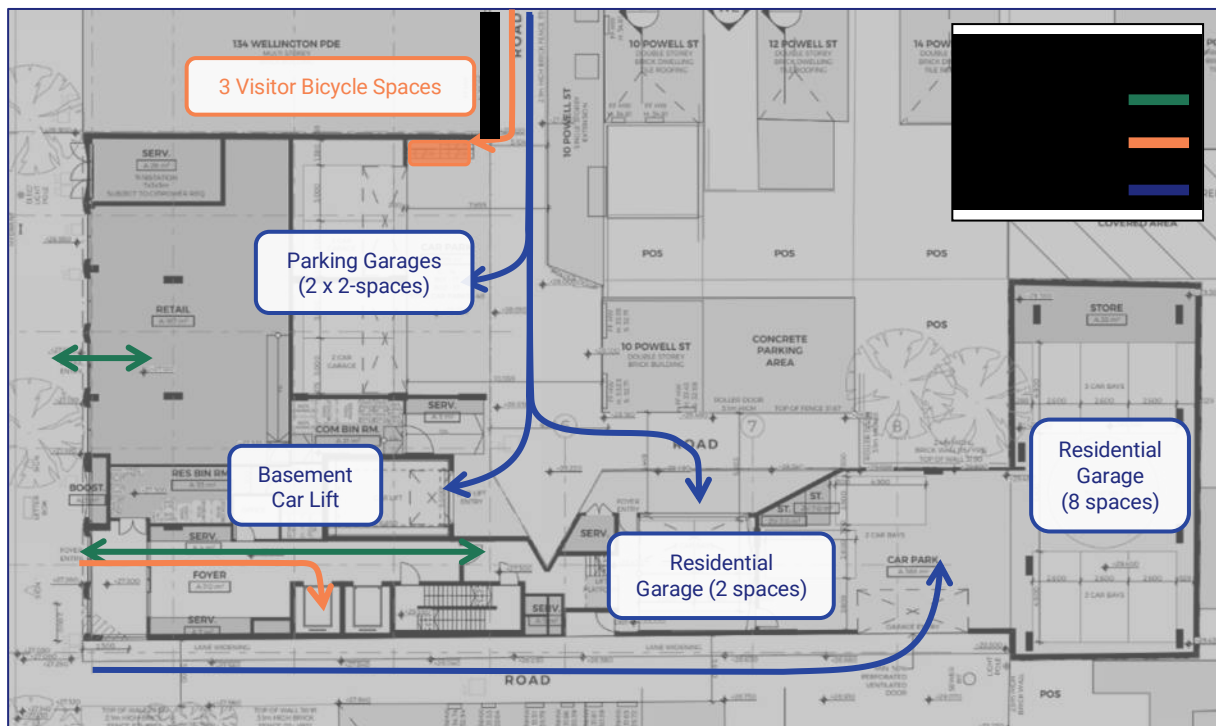


Figure 1: Proposed Access Arrangements

2.3. Parking

2.3.1. Bicycles and End of Trip

The application proposes the provision of 10 bicycle spaces provided for residents within the basement car park at Basement 1, and a further 3 spaces at the rear of the site for visitors, accessible off the western laneway to Powlett Street.

Consistent with the existing approval, additional visitor parking is available on Wellington Parade along the frontage of the site.

2.3.2. Vehicles

The proposal includes 48 residential car parking spaces across two levels of basement and ground floor garages. The car parking includes:

- 8 spaces at ground floor accessed via the RoW on the eastern boundary of the site,
- 40 spaces, including 6 at ground floor and 34 in basements accessed via the western RoW.

2.4. Loading & Waste Collection

It is understood that loading and waste collection for retail tenancies currently takes place from the Powlett Street or Wellington Parade frontages due to the narrowness of the existing RoWs.

The existing approval allows for the continuation of these arrangements for the new development.

The existing approval allows for residential loading and waste collection to take place on-street, with waste collection from Wellington Parade. This continues to be proposed under the amended scheme. It is noted that there is an existing 'Loading Zone' on Wellington Parade, near to Powlett Street adjacent the site.

The commercial waste associated with the development will be collected at the rear of the site from the western laneway via private contractor using a 6.4m long rear loader waste collection vehicle.

2.5. Comparison to Previous Permit

2.5.1. Development Schedule Comparison

The new application remains generally consistent with the uses of the previous permit but proposes:

- An additional 18 apartments across 8 levels of apartments,
- A decrease of approximately half of the commercial floor area, including 177 square metres of retail,
- 29 additional residential car spaces provided within the basement car park levels and other secure at-grade locations, and
- Removal of 3 commercial car spaces.

A comparison of the Previous Permit and New Application in terms of use and parking provisions is given at Table 2.

Table 2: Development Schedule – Previous Permit vs. New Application

Use		Approved Scheme	Proposed Scheme	Change
Residential	1 bed dwelling	0 no.	3 no.	+ 3 no.
	2 bed dwelling	5 no.	15 no.	+ 10 no.
	3+ bed dwelling	8 no.	13 no.	+ 5 no.
	Total	13 no.	31 no.	+ 18 no.
Commercial	Retail	344 m ²	167 m ²	- 177 m ²
Car Parking				
Residential		19 spaces	48 spaces	+ 29 spaces
Commercial (Retail)		3 spaces	0 spaces	-3 spaces

3. Parking Considerations

3.1. Car Parking - Clause 52.06 Statutory Requirements

The car parking requirements for the proposed development are outlined under Clause 52.06 of the City of Melbourne Planning Scheme. The purpose of Clause 52.06 is:

- To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
- To support sustainable transport alternatives to the motor car.
- To promote the efficient use of car parking spaces through the consolidation of car parking facilities.
- To ensure that car parking does not adversely affect the amenity of the locality.
- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

Clause 52.06-5 states that:

“Table 1 of this clause sets out the minimum and maximum car parking requirements that apply to a use specified in the table based on the land category identified in the Car Parking Requirement Maps (Department of Transport and Planning, 2025) (CPR maps).

If the land is shown in two or more categories on the CPR maps, the car parking requirements for the higher category applies to all of the land.”

An excerpt of the Car Parking Requirement Map is provided at Figure 2.

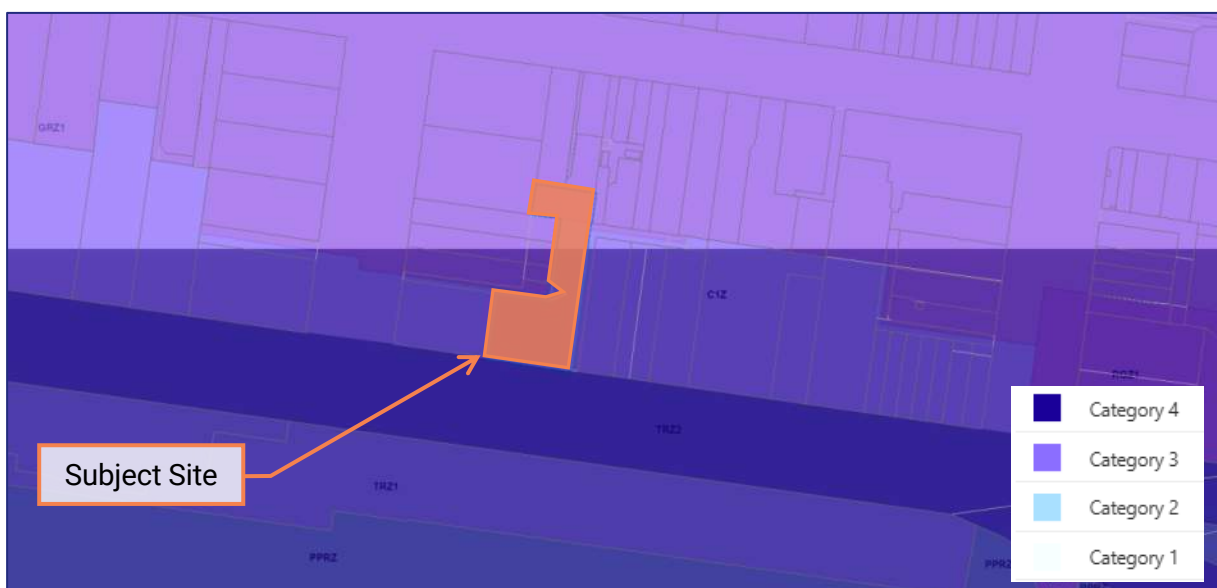


Figure 2: City of Melbourne – Car Parking Requirement Maps

The subject site falls within Category 3 and 4 of the Car Parking Requirement Maps. Consistent with the requirements of Clause 52.06-5 of the Planning Scheme the parking rates for Category 4 apply to the site.

A statutory assessment of the proposal under Clause 52.06 is provided at Table 3.

Table 3: Statutory Car Parking Requirements (Clause 52.06) - Maximums

Use	No / Size	Statutory Requirement	No of Spaces Required
Dwelling	31 no.	2 car spaces to each dwelling for tenants	62 spaces
Retail (Shop)	167 m ²	1 car space to each 100m ² of LFA	1 space
Total			63 spaces

Based on the table above, the development has a statutory maximum of 63 car spaces, inclusive of 62 residential spaces and 1 retail space.

The proposal includes the provision of 48 residential parking spaces and no parking for the retail uses. These allocations do not exceed the statutory maximums and therefore no permit is sought under Clause 52.06.

3.2. Bicycle Parking – Clause 52.34

Clause 52.34 of the Planning Scheme specifies the bicycle parking requirement for new developments. The relevant requirements are summarised in Table 4.

Table 4: Statutory Bicycle Parking Requirements

Use	Units	Statutory Requirement	No. Of Spaces Required
Dwellings	31 dwellings	1 space per 5 dwellings for residents 1 space per 10 dwellings for visitors	6 resident spaces 3 visitor spaces
Retail (Shop)	167 m ²	1 space to each 600 m ² of leasable floor area if the leasable floor area exceeds 1000 m ² for staff 1 space to each 500 m ² of leasable floor area if the leasable floor area exceeds 1000 m ² for visitors	0 staff space 0 visitor spaces
Total		Resident Staff Visitors	6 resident spaces 0 staff spaces 3 visitor spaces

Based on the above assessment, the development is required to provide a total of 9 bicycle spaces, comprising 6 resident spaces, and 3 visitor spaces.

The application plans illustrate the provision of 10 horizontal bicycle spaces within Basement 1 of the car park which will be allocated to residents.

A further 3 horizontal spaces are available to residents within the public realm, accessible via the western laneway off Powlett Street.

These provisions exceed the minimum requirements under Clause 52.34 of the scheme.

3.3. Loading & Waste Considerations – Clause 65.01

Clause 65.01 of the Planning Scheme states that the responsible authority must consider a number of matters as appropriate including:

- *The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.*

The existing approval allows for the reliance on on-street parking and loading zones for retail and residential loading and waste collection.

3.3.1. Loading

Loading activities for residential dwellings associated with furniture movers/removalists when residents move in/out are anticipated to occur relatively infrequently. It is therefore considered appropriate for delivery vehicles to utilise nearby on-street parking, noting there is an existing 'Loading Zone' on Wellington Parade, near Powlett Street.

Accordingly, we are of the view that nearby on-street parking provisions will adequately accommodate any loading activities generated by the proposed development.

3.3.2. Waste

Residential waste collection will occur via Council waste collection from Wellington Parade by moving the bins to the footpath at nominated pick up times. This is consistent with the majority of residential developments of this scale and the existing approval.

It is understood that loading and waste collection for existing retail tenancies currently takes place from the Powlett Street or Wellington Parade frontages due to the narrowness of the RoWs. The new development will continue this arrangement for the residential component of the site, but provides additional setbacks to the western laneway allowing for movements and propping for a mini-waste vehicle for commercial waste.

Based on the preceding, we are satisfied that appropriate loading and waste provisions can be accommodated in accordance with the objectives of the Planning Scheme.

4. Design Considerations

4.1. Car Parking Layout & Access Arrangements

The car park layout and access arrangements have been developed with design advice provided to the project architect (Telha Clarke Architecture & Design) and is considered to principally meet the relevant requirements of the Melbourne Planning Scheme and where applicable, the Australian Standard for Off-Street Parking (AS2890.1:2004).

A review of the car park layout reveals:

General Car Parking Layout

- Car spaces within the north-eastern car park (8 spaces) have been designated with minimum dimensions of 2.6 metres width and 4.9 metres length, accessible from 6.4-metre-wide aisles, meeting the Planning Scheme requirements.
- Access to 6 of these spaces is provided via a turntable of radius 6.0 metres. Swept paths have been prepared to show access to these spaces via the turntable. The remaining 2 spaces within this garage are dimensioned and accessible in accordance with the Planning Scheme.
- Car spaces adjacent to walls have been provided with appropriate clearances to allow for satisfactory car door opening.
- Where spaces have been provided with a reduced access aisle, they have been widened in accordance with the requirements of Clause 52.06 – Design Standard 2, including in the basement car parking, which includes 5.2m aisles with 3.0m wide car spaces.
- Columns are sited in accordance with the Planning Scheme car parking envelope to appropriately allow for access into and out of spaces.
- A minimum head clearance of 2.2 metres is provided within all trafficable areas of the car parking area.
- Tandem parking bays have been provided with a length of 10.3 metres, providing for 500mm clearance between the two spaces.
- Three separate double garages have been designed on at the rear of the site at ground floor with internal dimensions of at least 5.5 metres width and 6.0 metres length, accessible off 6.4-metre-wide aisles, provided in excess of the Planning Scheme requirements.
- Swept paths have been prepared at Appendix A to show access to all critical parking spaces within the garages and basement levels.
- A car lift with internal cabin dimensions of 3.0 metres width and 5.6 metres length has been designed to provide access into the basement car park.
- Access to the car lift at ground floor using a B99 vehicle is shown at Appendix A.¹

¹ We acknowledge that there is a small amount of overlap with the car lift swept path and the structure of the car lift. Based on the low volumes projected in the laneway, we are of view that this is acceptable, and residents accessing the car lift will be able to appropriately use the car lift.

Access & Ramps

- The proposal intends to take primary vehicle access via the existing western laneway off Powlett Street. At its narrowest point, the western laneway has a width of 3.1 metres and provides access to the basement car park and remaining rear parking.
- A secondary pedestrian access is provided via the existing western laneway off Wellington Parade. It is proposed that this laneway be widened to 3.6 metres to provide access to the north-eastern on-site car park.
- There are no proposed changes to either accessway to the eastern and western laneways from the external network.
- A pedestrian sight triangle has been provided at the southern boundary where the eastern laneway intersects with Wellington Parade through an open glazed corner of the building. The sight triangle is provided with dimensions of 2.0 metres by 2.5 metres and is at least 50% clear of visual obstructions, in accordance with the requirements of Clause 51.06-9 (Design Standard 1). This scenario is significantly improved compared to the existing on-site conditions.
- The proposal includes setbacks from the western laneway which will facilitate access to/from the on-site parking, and also improve accessibility to the neighbouring properties and/or allow for passing opportunities (which have not historically been available).
- The proposal also includes a setback of the eastern laneway to allow for a minimum width of 3.6m from the opposite building, as required under AS2890.1 for a single lane (two-way) accessway. This setback provides for improved access for neighbouring properties, as well as the subject site.

In this regard, the above access arrangements, grades, transitions and clearances have been assessed and, in our view, meet the intent of the relevant standards.

Based on the foregoing, the car park layout and access are considered satisfactory.

4.2. Bike Parking & Access

Bicycle parking has been provided in Basement 1 by a lift accessible via the public foyer off Wellington Parade.

Internal corridors are provided with a minimum width of 1.5 metres, as required under Clause 52.34. This is considered acceptable given the quantum of bike parking and predominantly residential nature of parking.

Residential bicycle parking is provided as 10 horizontal spaces within the basement 1 car park. Visitors have access to 3 horizontal spaces available in the public realm, accessible off the western laneway to Powlett Street.

All bicycle parking spaces has been provided in accordance with AS2890.3-2015 as horizontal rails with dimensions of 1.8 metre length and spaced at 1.0 metre centres, accessible from a 1.5 metre aisle.

On the basis of the above, the bike parking arrangements are considered appropriate.

5. Traffic Considerations

5.1. Existing Conditions

5.1.1. Traffic Surveys

To understand the existing traffic conditions in the vicinity of the subject site Traffic Group commissioned traffic surveys at the intersection of Powlett Street and the western laneway between 7am and 7pm on 2nd December 2025. The surveys identified a peak hour between 8:15am and 9:15am in the morning, and 5:15pm and 6:15pm in the afternoon peak hours.

A summary of the observed traffic movements is provided at Figure 3.

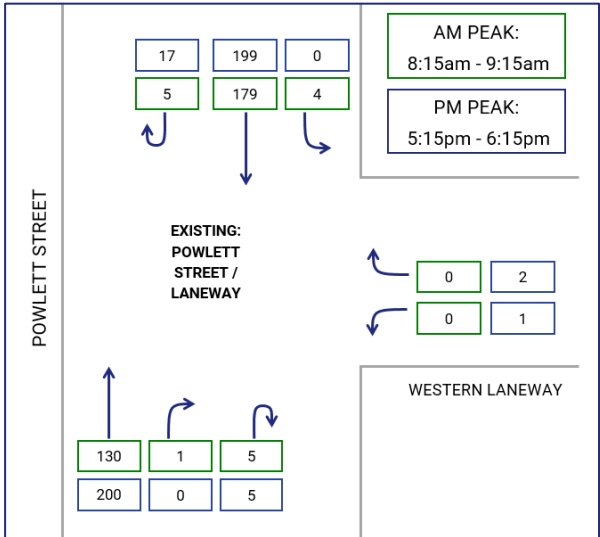


Figure 3: Existing Traffic Volumes

Based on the above, the existing traffic volumes indicate that there are currently 6 movements in the AM peak hour and 3 movements in the PM peak hour utilising the laneway.

5.2. Traffic Generation

The expert evidence statement (ref. G30946A-01A dated 25 February 2022) contemplated a rate of 0.2 vehicle movements per dwelling in the peak hours for each residential apartment with an allocated car space.

We will continue to adopt this rate as it is consistent with case study data for developments of similar size and location.

Application of this rate to the proposed 31 apartments generates a total of 6 movements in the AM and PM peak hours.

We note that there are 8 car spaces accessible off the eastern laneway, with the remainder accessed from the western laneway.

We therefore expect that 1-2 vehicle movements will be generated to/from the eastern laneway whilst the remaining 4-5 vehicle movements will be generated to/from the western laneway in each peak hour.

Based on the above, we expect that at a worst-case scenario the development will generate an additional 5 movements in each of the peak hours to/from the western laneway and 2 vehicle movements in each of the peak hours to/from the eastern laneway.

5.3. Traffic Impact & Laneway Analysis

Based on the preceding the application is expected to generate up to 6 additional movements in the peak hour, split between the two RoWs. This level of traffic is low in traffic engineering terms equal to no more than one additional vehicle movement every 10 minutes in the peak hour.

The generation of 1-2 movements to the eastern laneway is very low in traffic engineering terms, equal to no more than 1 vehicle movement every 30 minutes. This is consistent with the existing approval and therefore no additional assessment is required.

Application of the expected traffic generated by the development to the existing conditions of the western laneway results in expected post generation traffic volumes of:

- 11 vehicle movements (two-way) in the AM Peak hour, inclusive of 6 existing movements and 5 additional movements, and
- 8 vehicle movements (two-way) in the PM peak hour, inclusive of 3 existing movements and 5 additional movements.

Clause 3.2.2 of the Australian Standard for Off-Street Car Parking (AS2890.1-2004) provides guidance for the provision of passing areas along low volume driveways and connecting roadways. Specifically, this clause states:

'As a guide, 30 or more movements in a peak hour (in and out combined) would usually require provision for two vehicles to pass on the driveway, (i.e. a minimum width of 5.5m). On long driveways, passing opportunities should be provided at least every 30 metres.'

The post development volumes along the laneway do not exceed 30 movements and therefore it is not necessary to provide a passing area to manage two-way traffic.

The overall level of traffic generated to/from the laneway is very low in traffic engineering terms and the proposal does not have an ability to widen the laneway at the intersection with Powlett Street.

However, the proposal does include setbacks along the majority of the property boundaries which will facilitate passing for vehicles should they meet in the laneways along the site boundaries.

Ultimately, whilst it is not expected to be a frequent occurrence, if two vehicles were to conflict at the western end of the laneway (near Powlett Street), it is expected that one of the vehicles will prop and wait a maximum of 10 seconds for the vehicle in the laneway to complete their movement before entering the laneway themselves.

This is no different to vehicles propping on-street waiting for pedestrians to cross the laneway and therefore is considered acceptable.

The traffic surveys also picked up pedestrian movements along the western side of Powlett Street across the laneway which identified a total of 63 and 61 pedestrian movements across the laneway in the AM and PM peak hours, respectively.

Hence, it is expected that vehicles entering and exiting the laneway are more likely to require to stop for pedestrians than they are a vehicle already in the laneway.

5.4. Car Lift Analysis

The car lift is intended to be a full-service hydraulic lift with a travel speed of 0.5 metres per second. Based on the parking provisions, the lifts will have a service time of around 60 seconds, capable of servicing in the order of 60 vehicles per hour.

The proposal is expected to generate up to 5 vehicle movements during a peak hour that require access to the car lift resulting in a utilisation factor of 0.08.

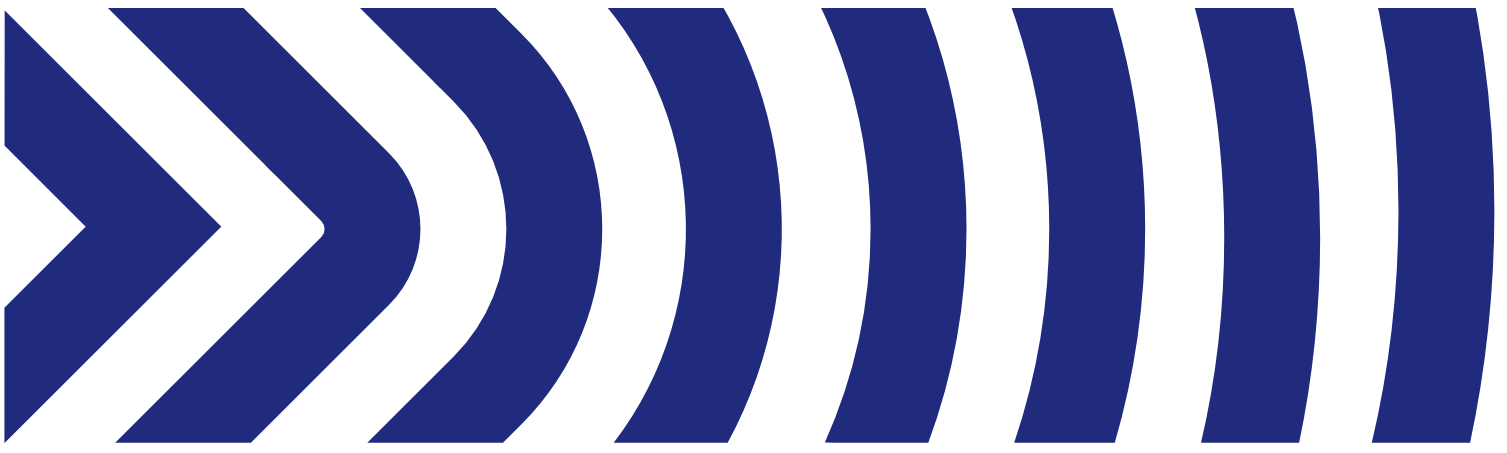
Based on standard queuing theory, a 98th percentile queue of 1 vehicle, including cars in the system, is projected for both the peak hours. That is, the 98th percentile queue in any peak will not result in an external queue to the car lift.

We are therefore satisfied that the car lift arrangements will provide for convenient and accessible parking without impact to the western RoW operation.

6. Conclusions

Having undertaken a detailed traffic engineering assessment of the proposed mixed-use development at 122-130 Wellington Parade, East Melbourne, we are of the opinion that:

- a. the proposed changes to the development remain generally consistent with the previously approved development,
- b. the proposed development has a statutory car parking maximum of 63 spaces under Clause 52.06-5 of the Planning Scheme,
- c. the development proposes the provision of 48 residential car spaces which does not exceed the maximum requirements, therefore no permit is sought,
- d. bicycle parking is provided in accordance the requirements set out at Clause 52.34 of the Planning Scheme,
- e. the loading and waste collection arrangements meet the objectives of Clause 65.01 of the Planning Scheme, and
- f. the design of the proposal, including the car parking layout and access arrangements, bicycle parking and access, and loading arrangements accord with the requirements of the Planning Scheme and the AS2890 Series (where relevant) and current practice,
- g. the level of traffic generated to the western laneway as a result of this proposal is acceptable and does not require a passing area to be provided,
- h. the level of traffic generated to the eastern laneway is consistent with the existing approval, and
- i. there are no traffic engineering reasons why an amended permit for the proposed mixed-use development at 122-130 Wellington Parade, East Melbourne, should be refused.



Appendix A

Swept Paths

VEHICLE PROFILE

VEHICLE USED IN SIMULATION
(VEHICLE SPEED - 5KM/H)

99th percentile
(AS/NZS 2890.1:2004)

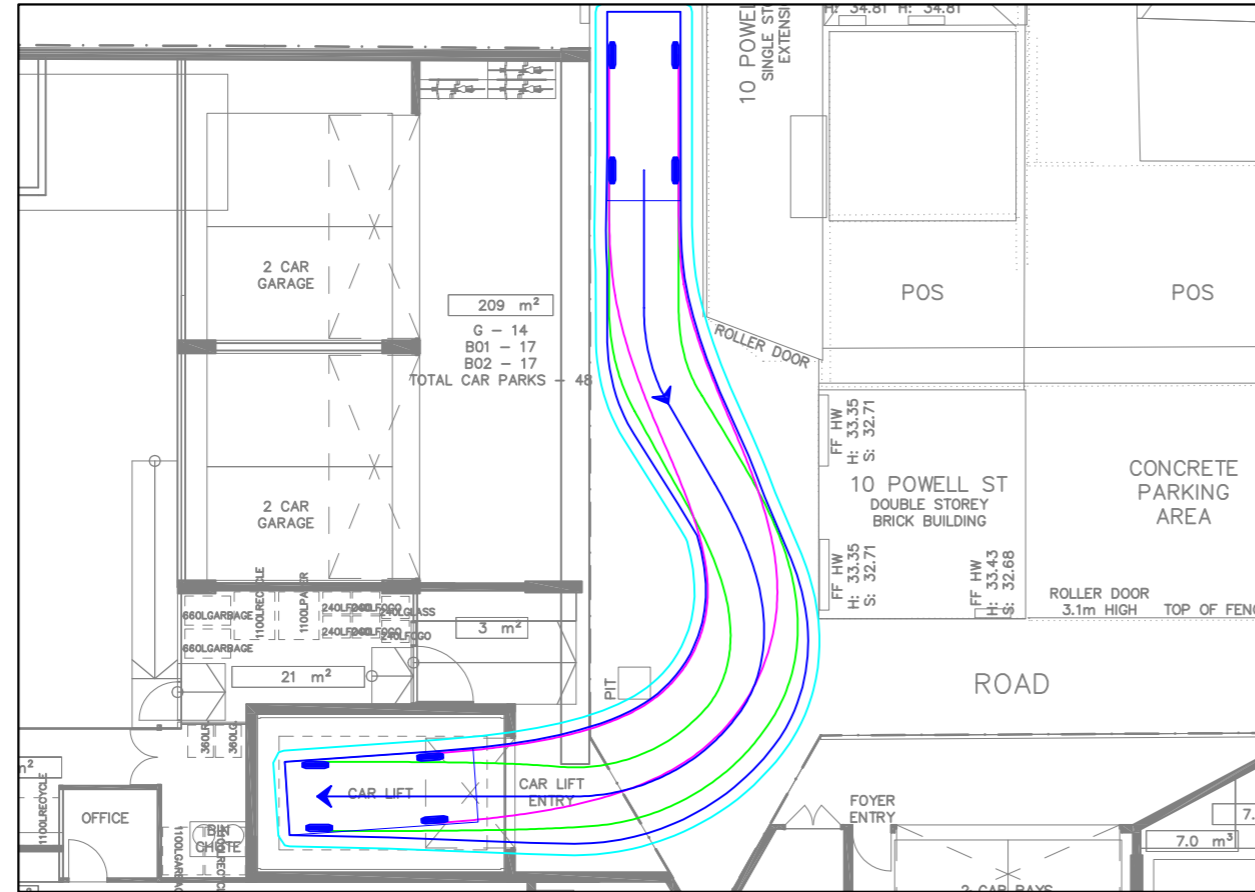
Width : 1.94m
Track : 1.84m
Kerb to Kerb Radius : 6.3m

* actual template based on 'relevant longitudinal dimensions that affect swept path' as set out in Section B2.1 of AS/NZS 2890.1:2004

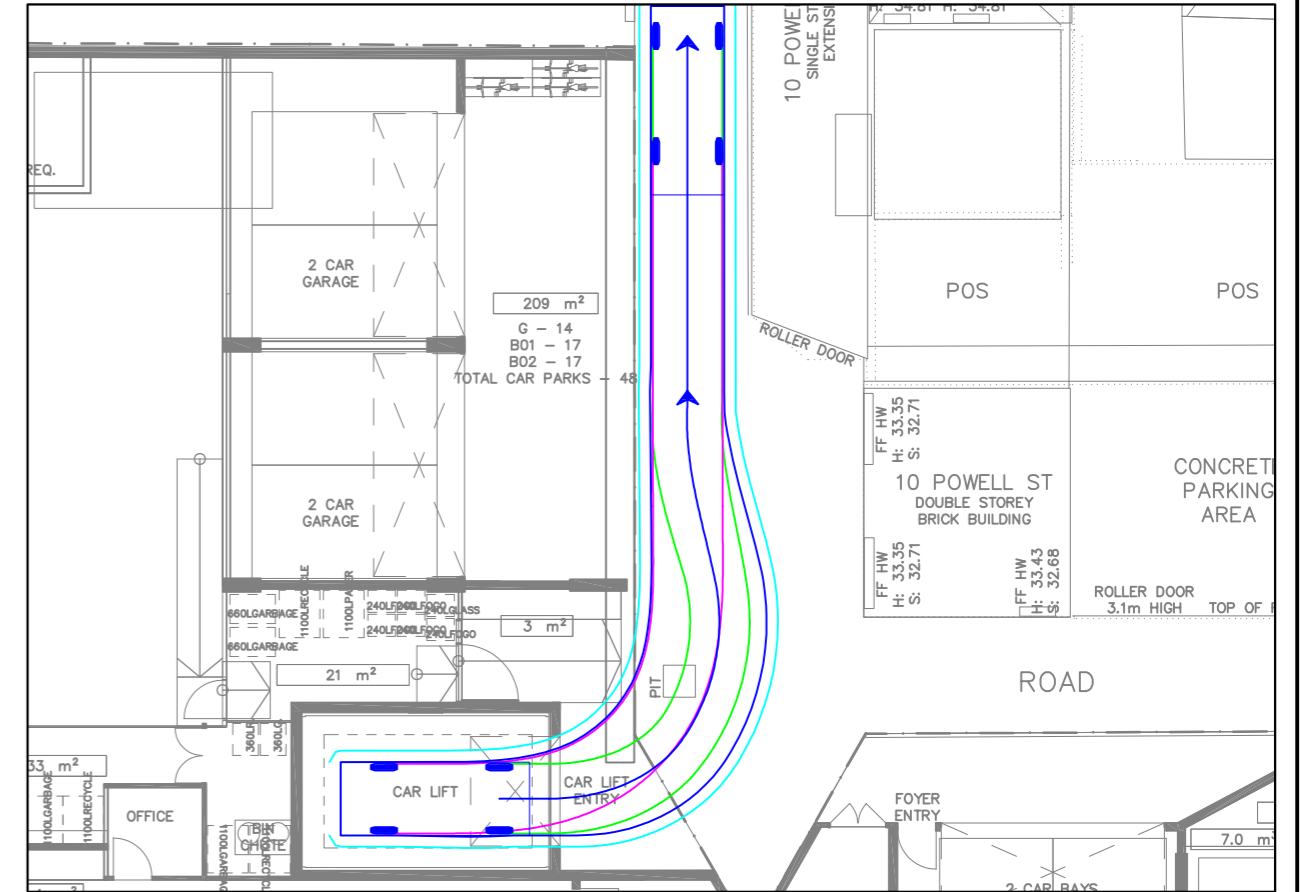
LEGEND

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- FRONT WHEELS (green line)
- VEHICLE BODY (blue line)
- BODY CLEARANCE (cyan line)

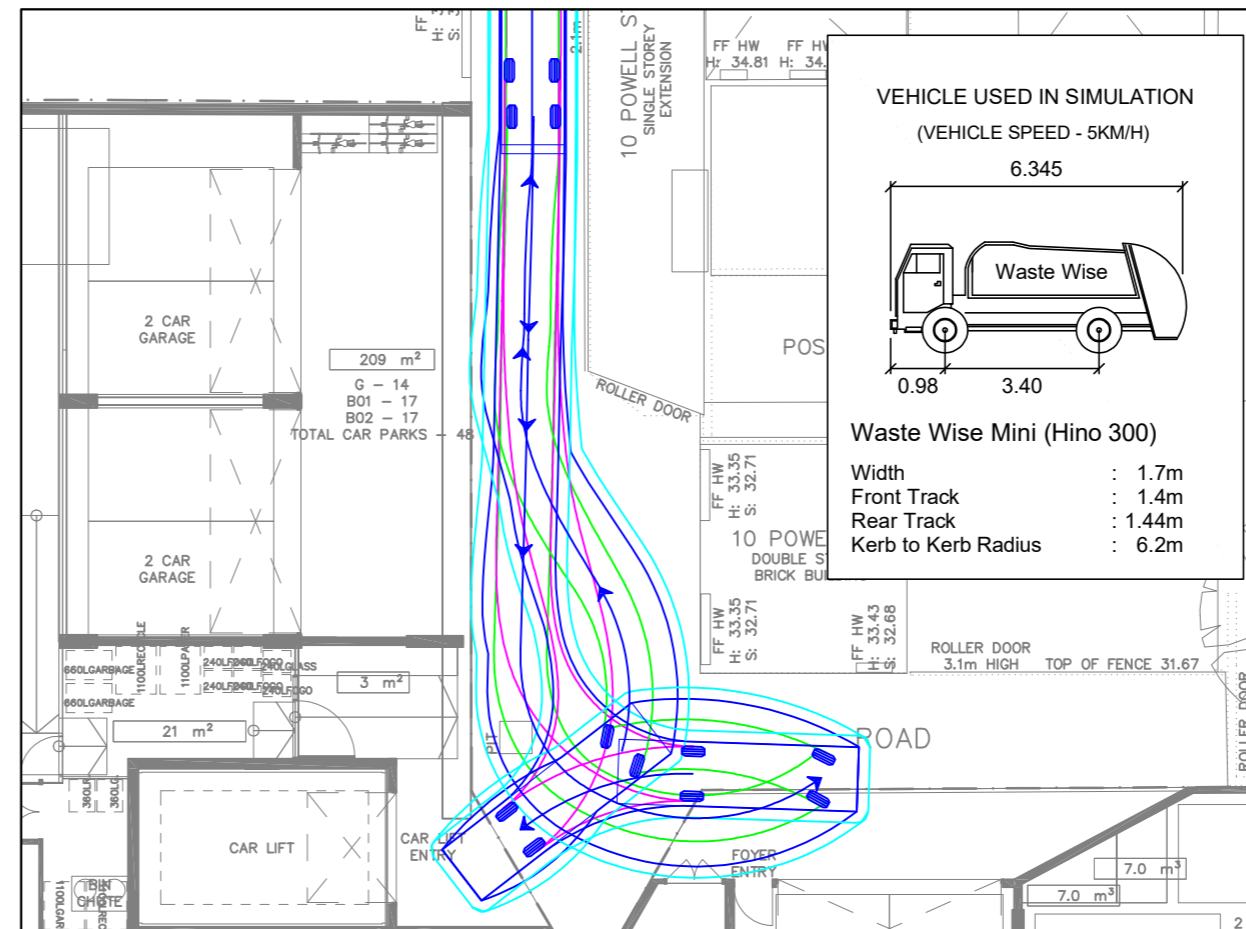
CAR LIFT ACCESS - INGRESS



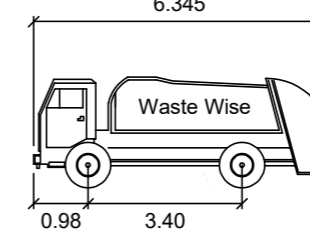
CAR LIFT ACCESS - EGRESS



WASTE VEHICLE ACCESS - INGRESS



VEHICLE USED IN SIMULATION
(VEHICLE SPEED - 5KM/H)



Waste Wise Mini (Hino 300)

Width : 1.7m
Front Track : 1.4m
Rear Track : 1.44m
Kerb to Kerb Radius : 6.2m

REV	DATE	NOTES	DESIGNED BY	CHECKED BY
A	17/12/2025	AMENDED PLANS	J. LEWIS	C. MORELLO (RPE7781)

122-130 WELLINGTON PDE, EAST MELBOURNE
PROPOSED MIXED USE DEVELOPMENT

GENERAL NOTES:
BASED OFF ARCHITECTURAL PLANS
PREPARED BY TELHA CLARKE
ARCHITECTURE & DESIGN DATED 16
DECEMBER 2025

FILE NAME: G36939-01
SHEET NO.: 01



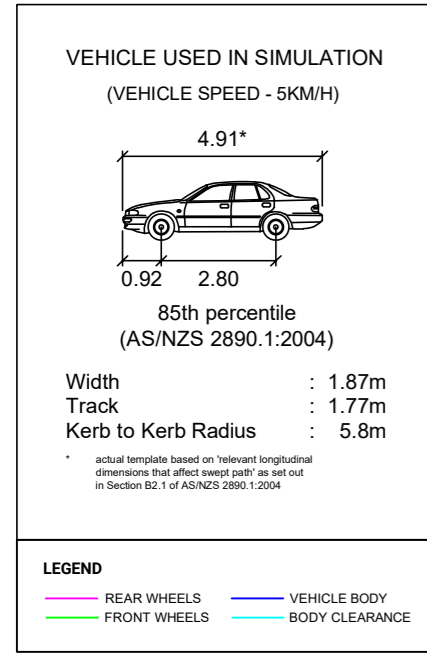
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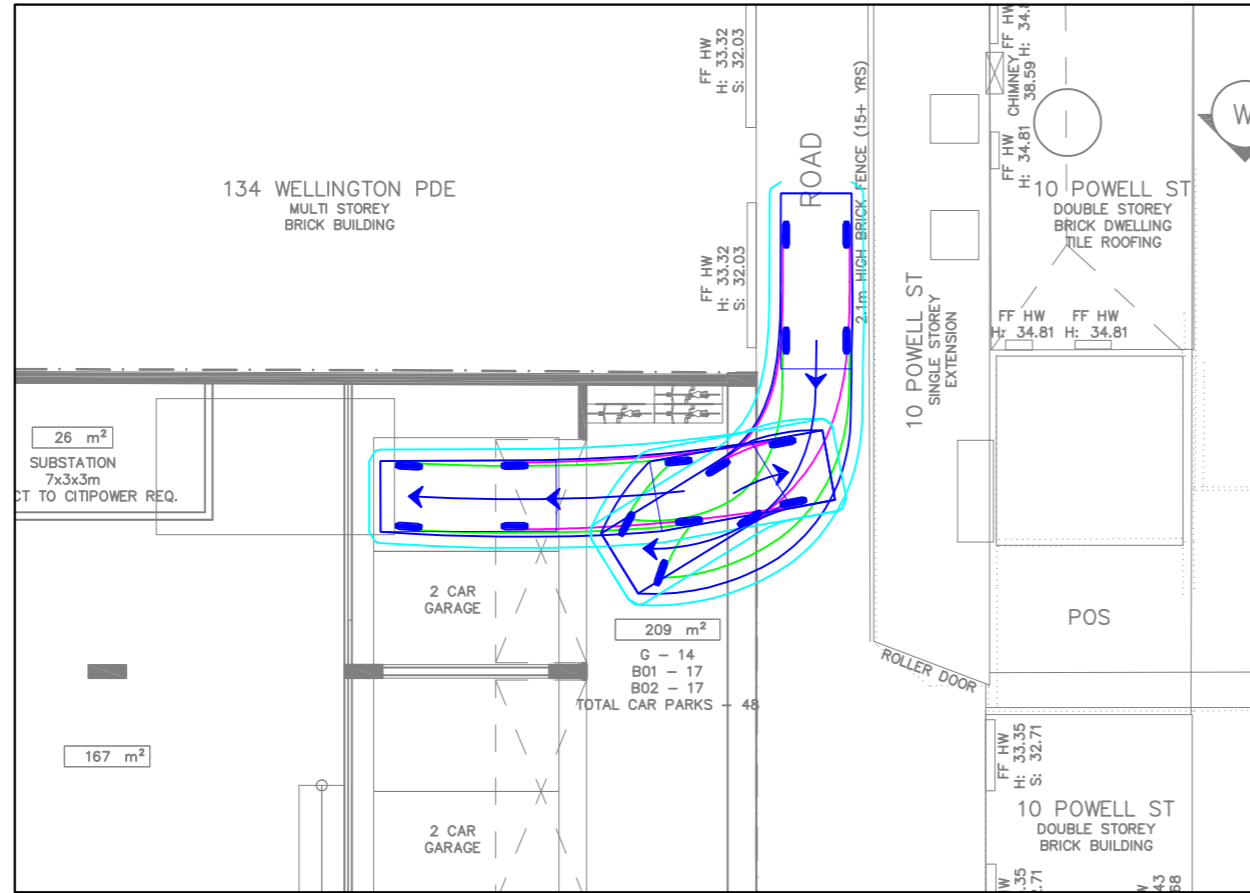


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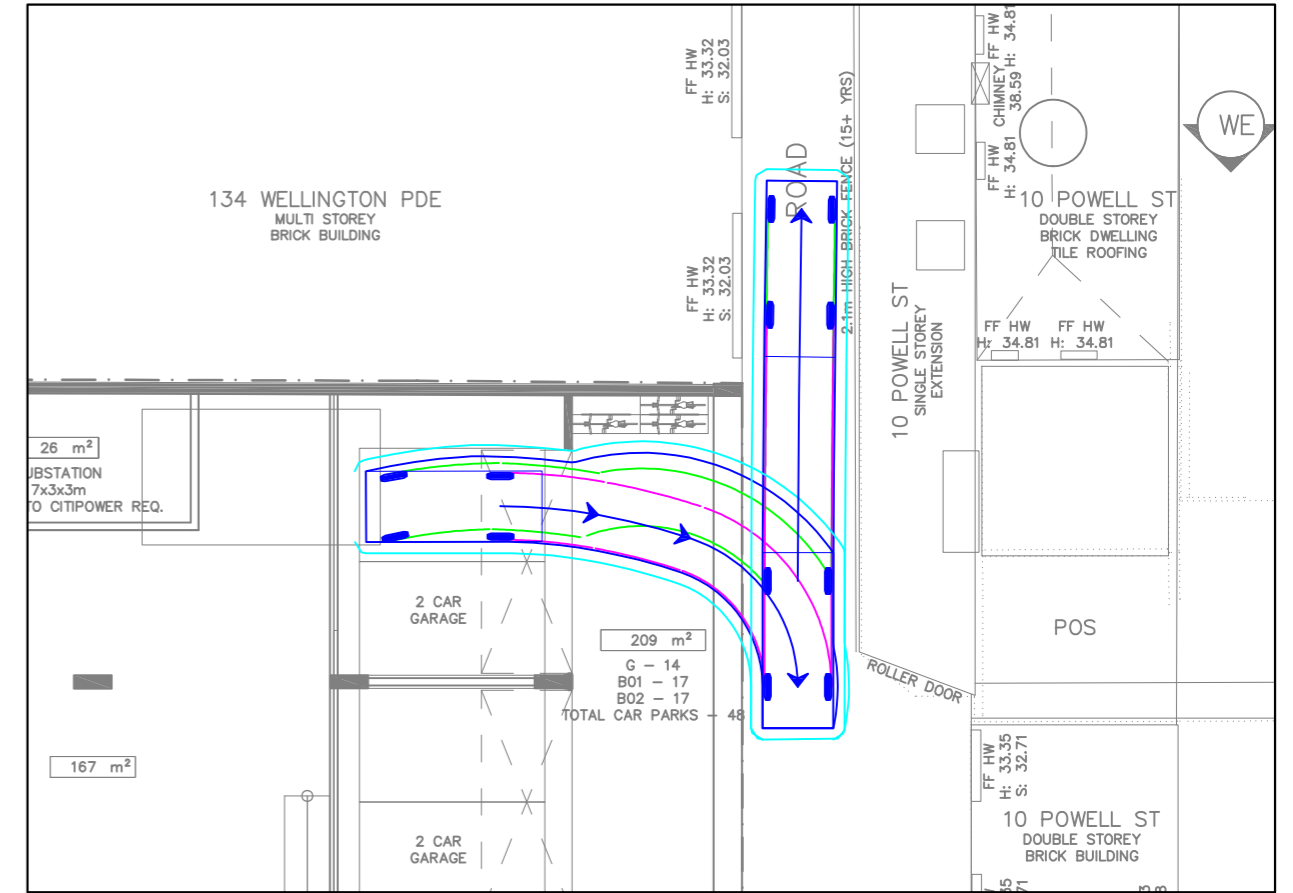
VEHICLE PROFILE



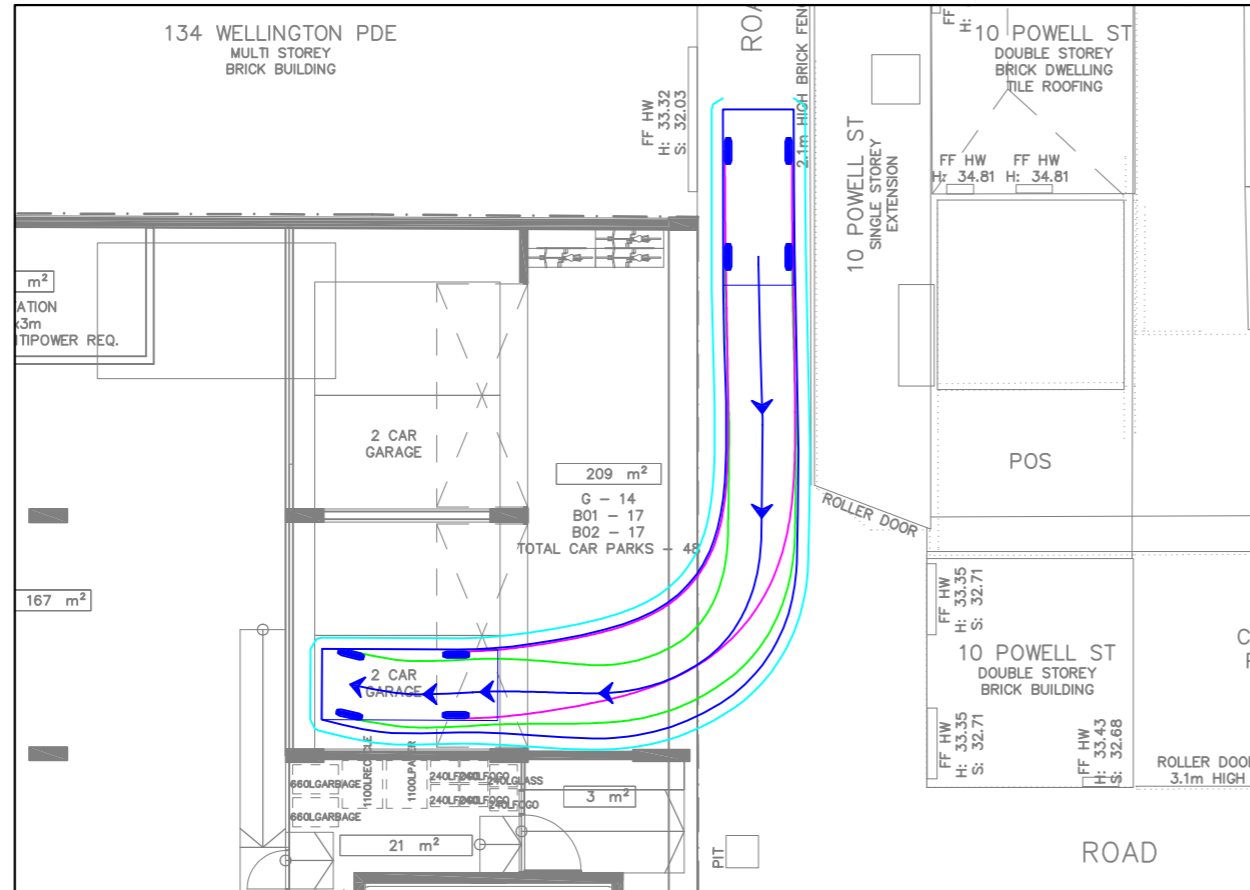
TWO-CAR GARAGE - WESTERN SPACE - INGRESS (1 CORRECTIVE)



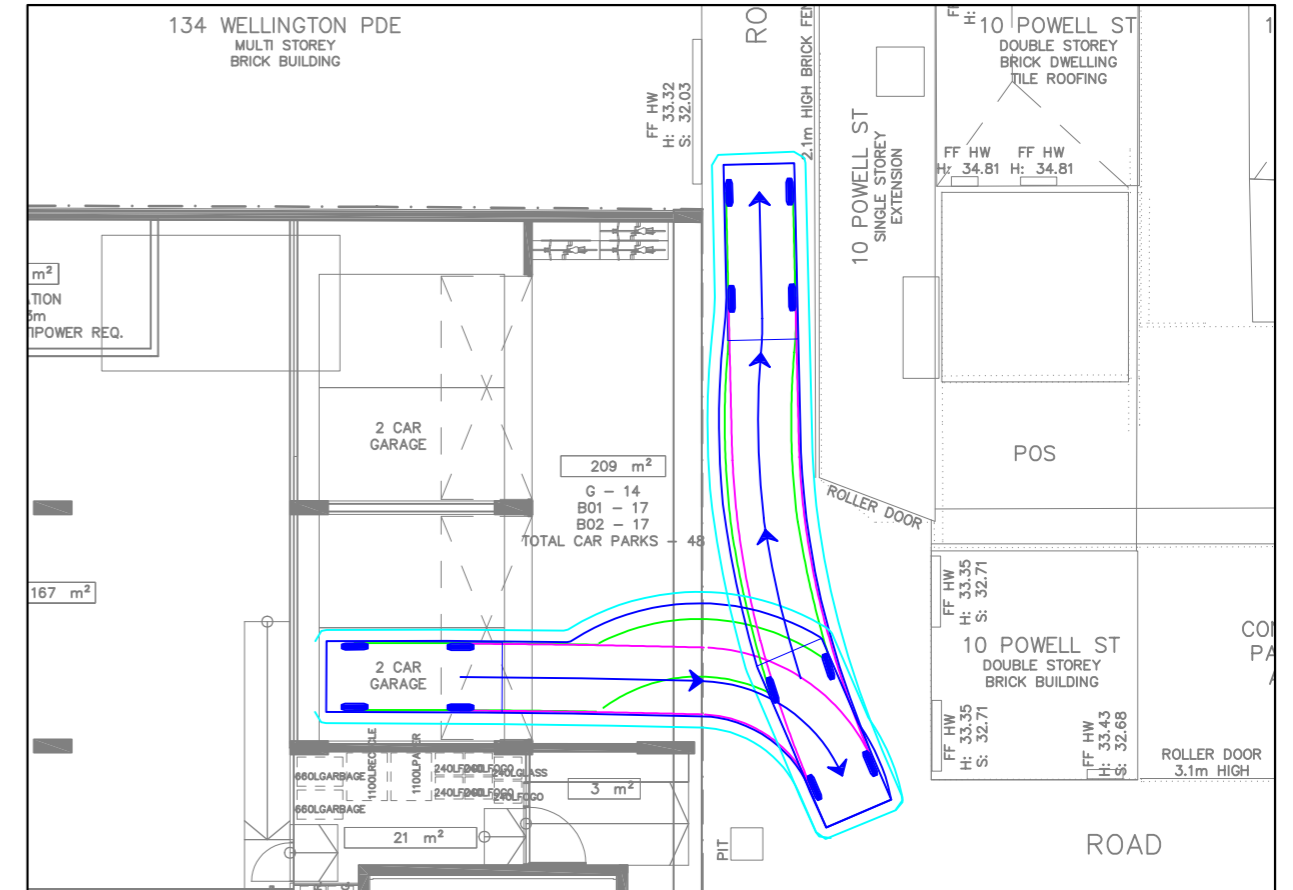
TWO-CAR GARAGE - WESTERN SPACE - EGRESS



TWO-CAR GARAGE - EASTERN SPACE - INGRESS



TWO-CAR GARAGE - EASTERN SPACE - EGRESS



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122-130 WELLINGTON PDE, EAST MELBOURNE
PROPOSED MIXED USE DEVELOPMENT

GENERAL NOTES:
BASED OFF ARCHITECTURAL PLANS
PREPARED BY TELHA CLARKE
ARCHITECTURE & DESIGN DATED 16
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FILE NAME: G36939-01
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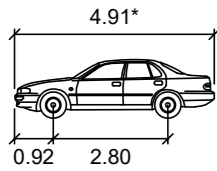
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VEHICLE PROFILE

VEHICLE USED IN SIMULATION
(VEHICLE SPEED - 5KM/H)



85th percentile
(AS/NZS 2890.1:2004)

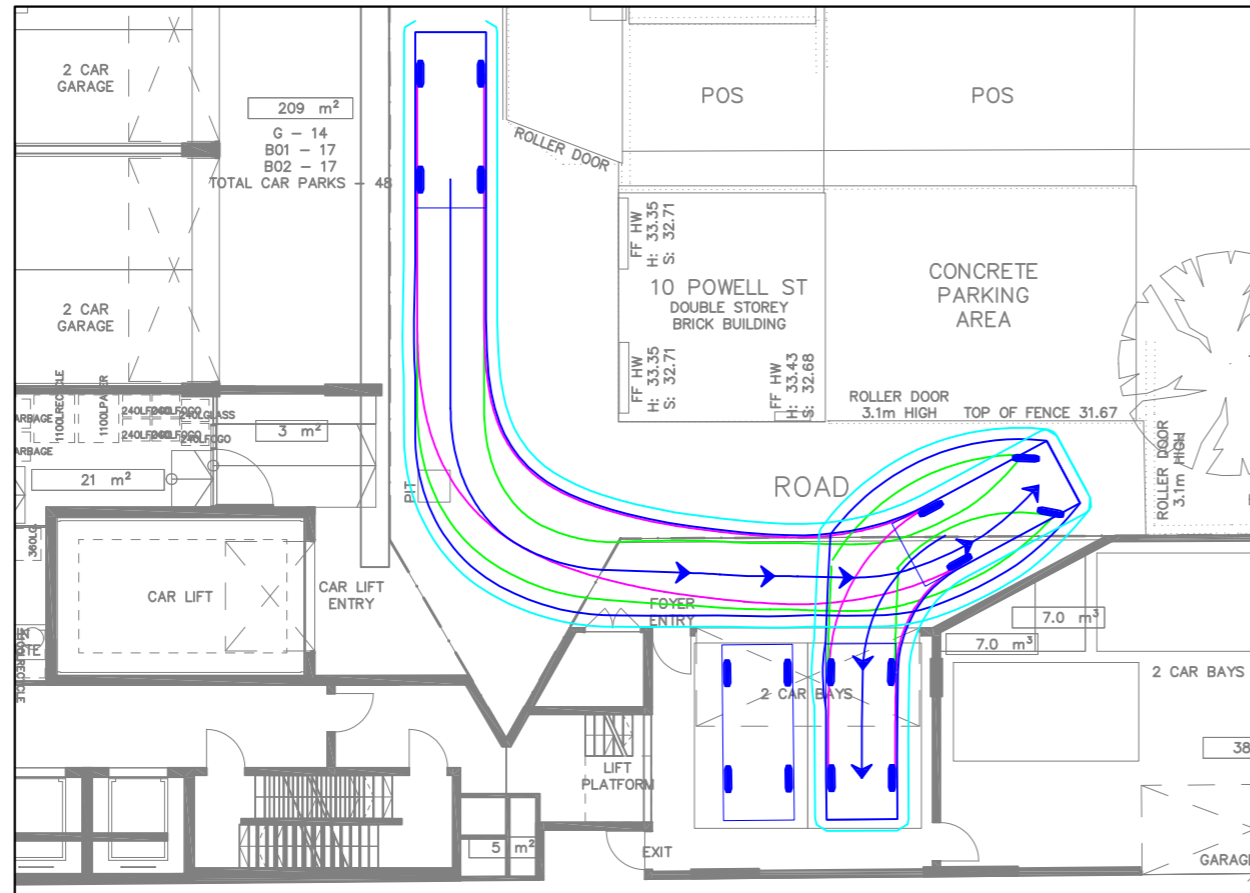
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* actual template based on 'relevant longitudinal dimensions that affect swept path' as set out in Section B2.1 of AS/NZS 2890.1:2004

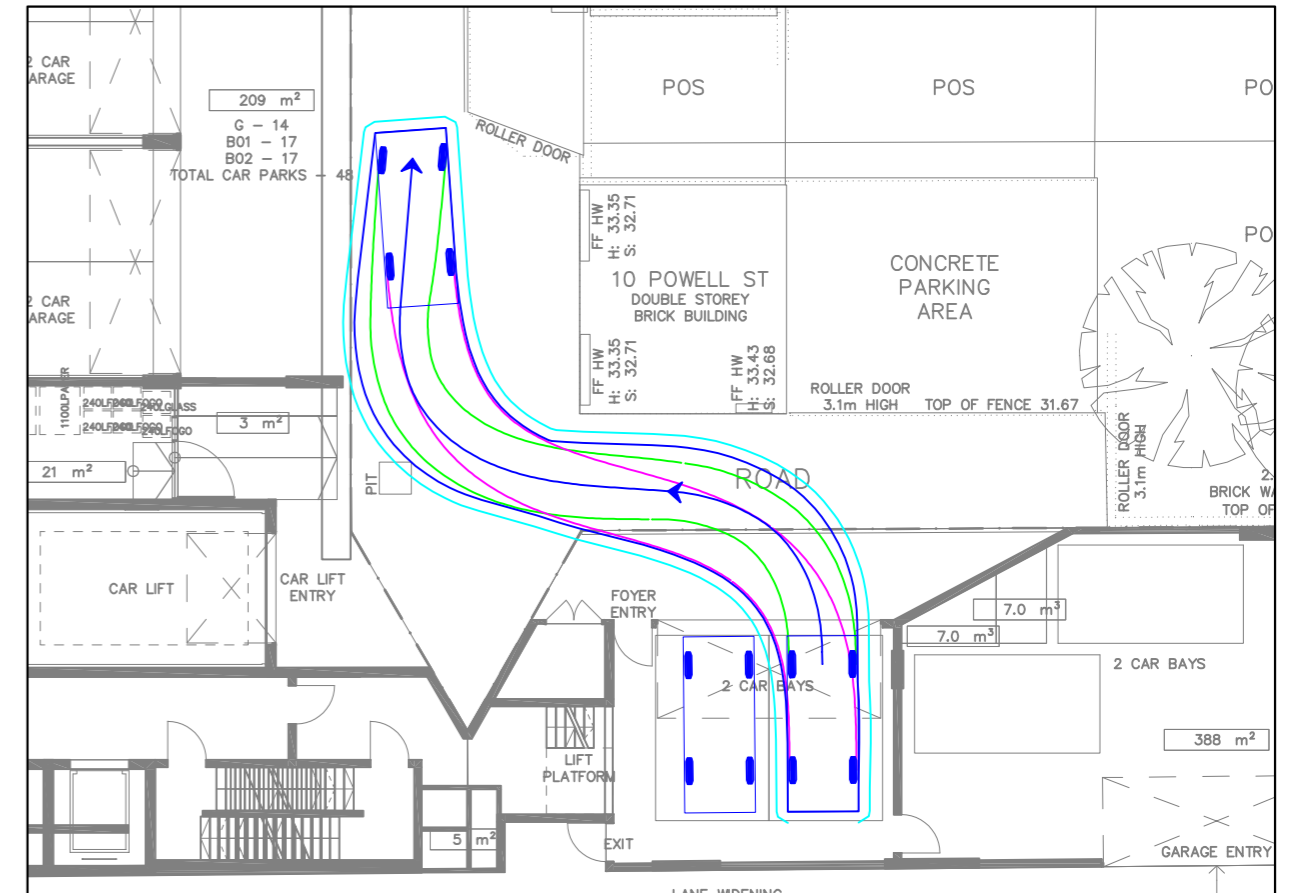
LEGEND

- REAR WHEELS
- FRONT WHEELS
- VEHICLE BODY
- BODY CLEARANCE

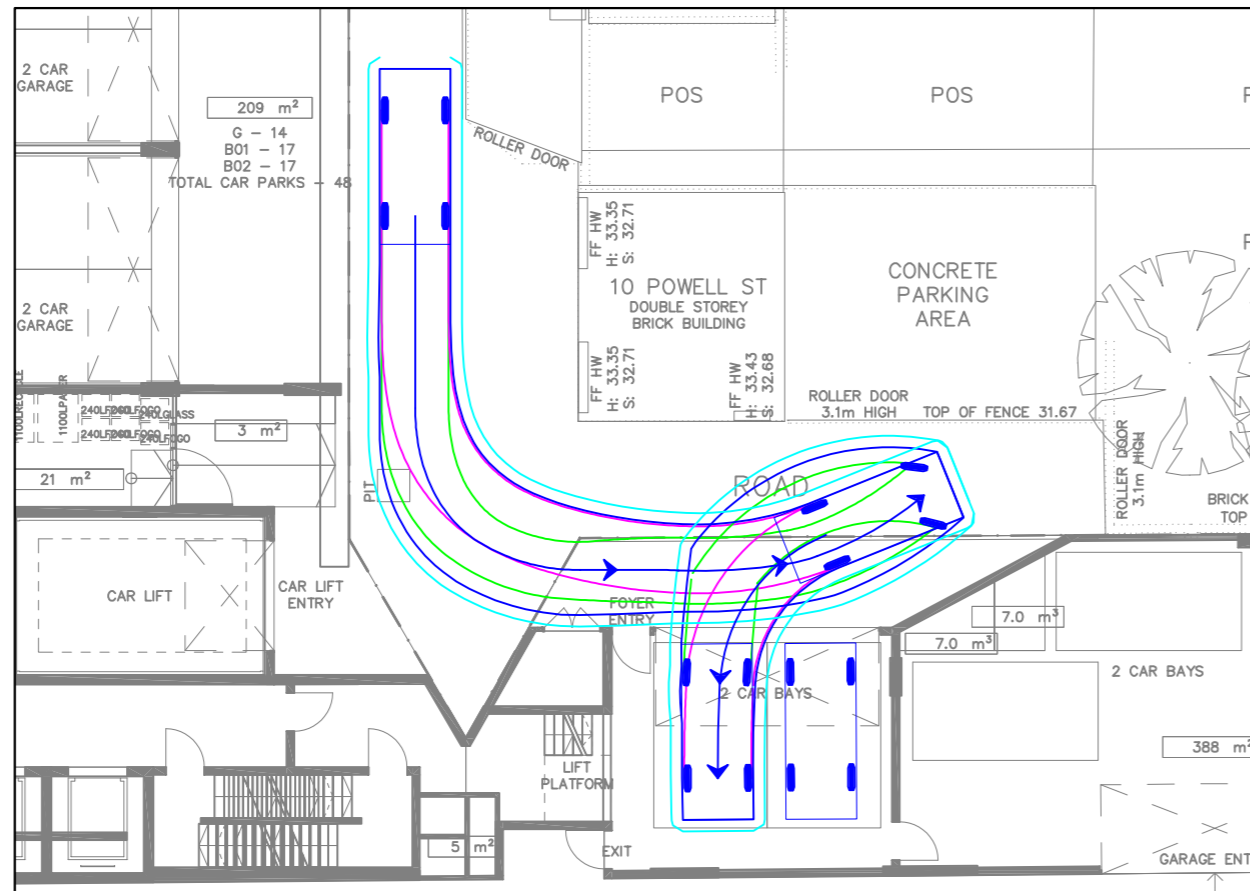
NORTHERN UNDERCROFT SPACE - INGRESS



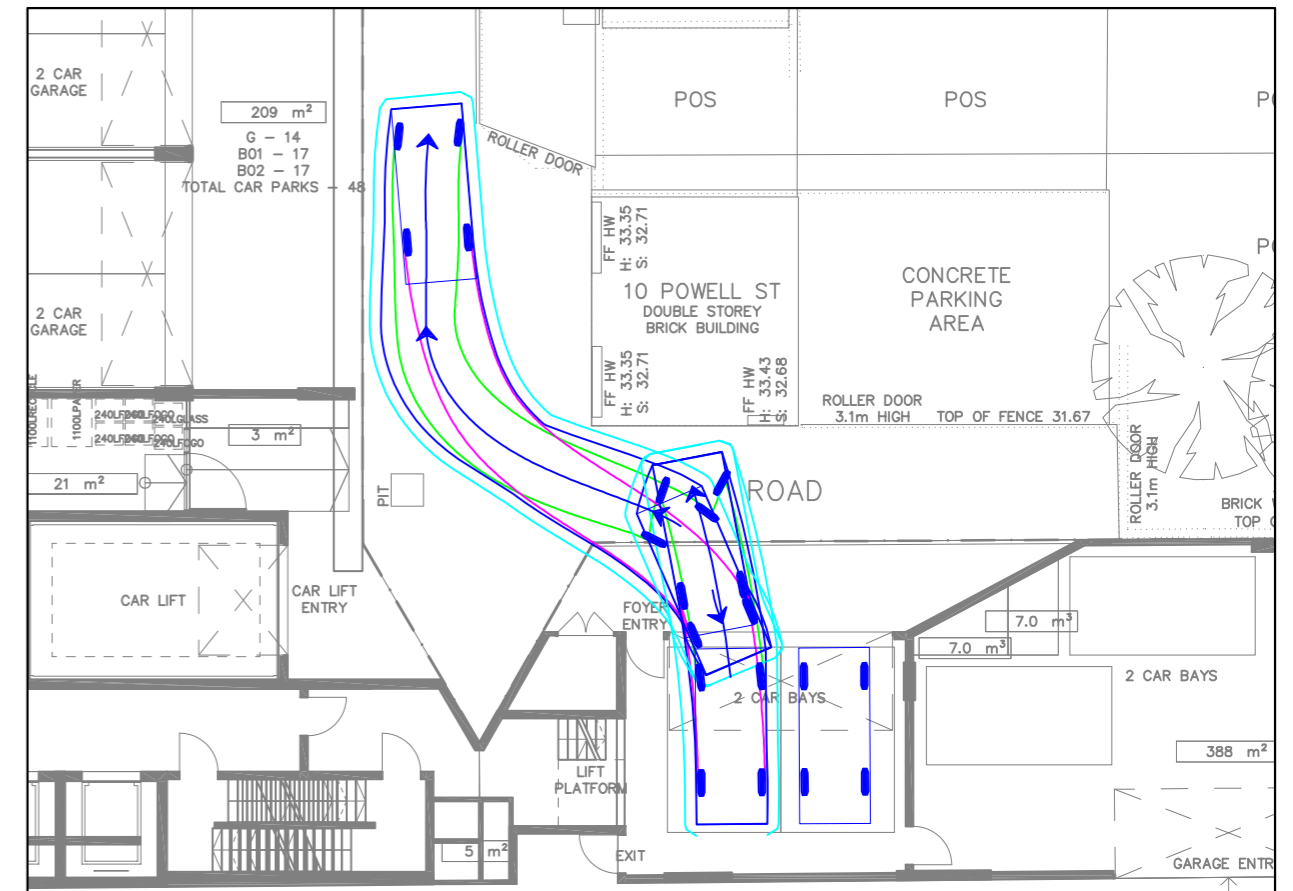
NORTHERN UNDERCROFT SPACE - EGRESS



SOUTHERN UNDERCROFT SPACE - INGRESS



SOUTHERN UNDERCROFT SPACE - EGRESS (1 CORRECTIVE)



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A	17/12/2025	AMENDED PLANS	J. LEWIS	C. MORELLO (RPE7781)

122-130 WELLINGTON PDE, EAST MELBOURNE
PROPOSED MIXED USE DEVELOPMENT

GENERAL NOTES:
BASED OFF ARCHITECTURAL PLANS
PREPARED BY TELHA CLARKE
ARCHITECTURE & DESIGN DATED 16
DECEMBER 2025

FILE NAME: G36939-01
SHEET NO.: 03



SCALE: 1:200 (A3)

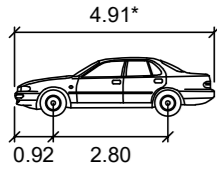
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VEHICLE PROFILE

VEHICLE USED IN SIMULATION
(VEHICLE SPEED - 5KM/H)



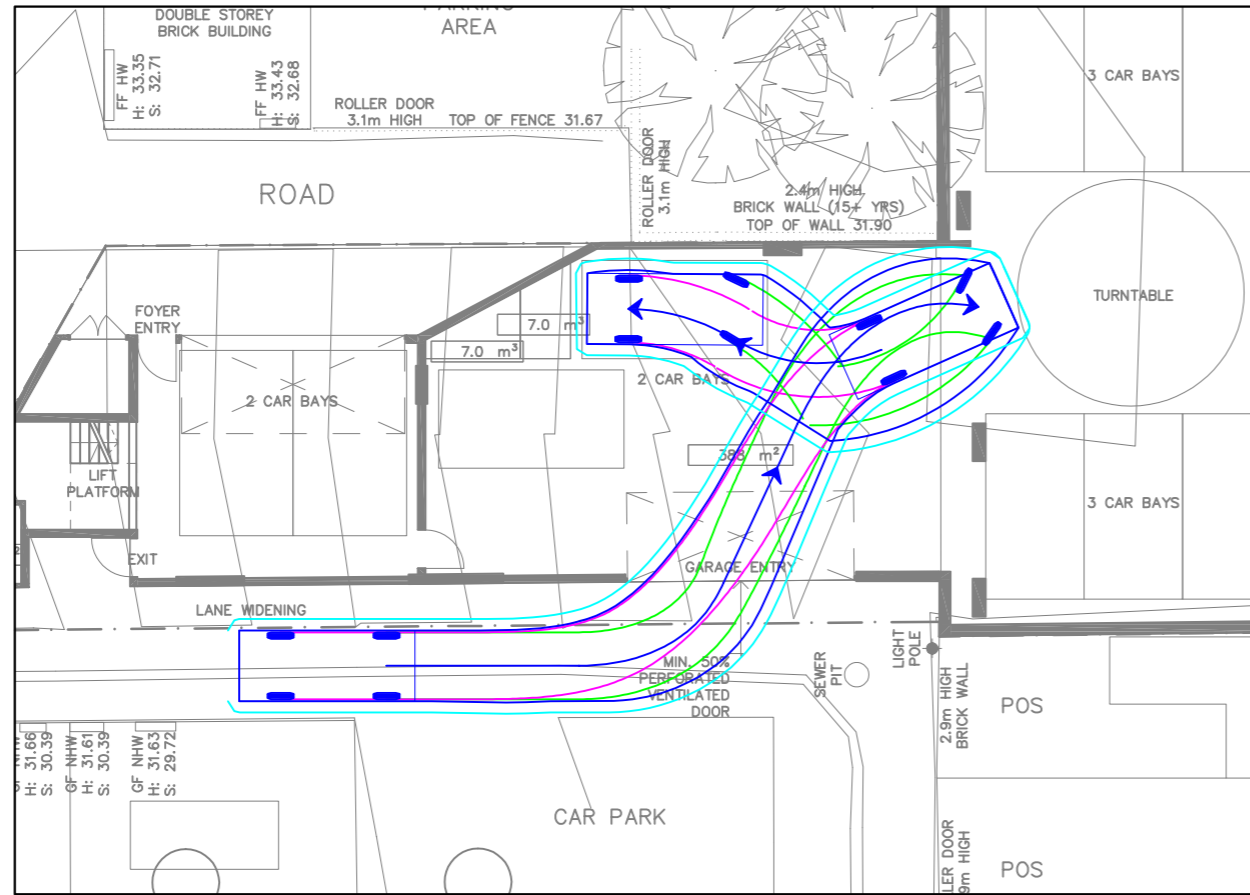
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(AS/NZS 2890.1:2004)

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Kerb to Kerb Radius : 5.8m

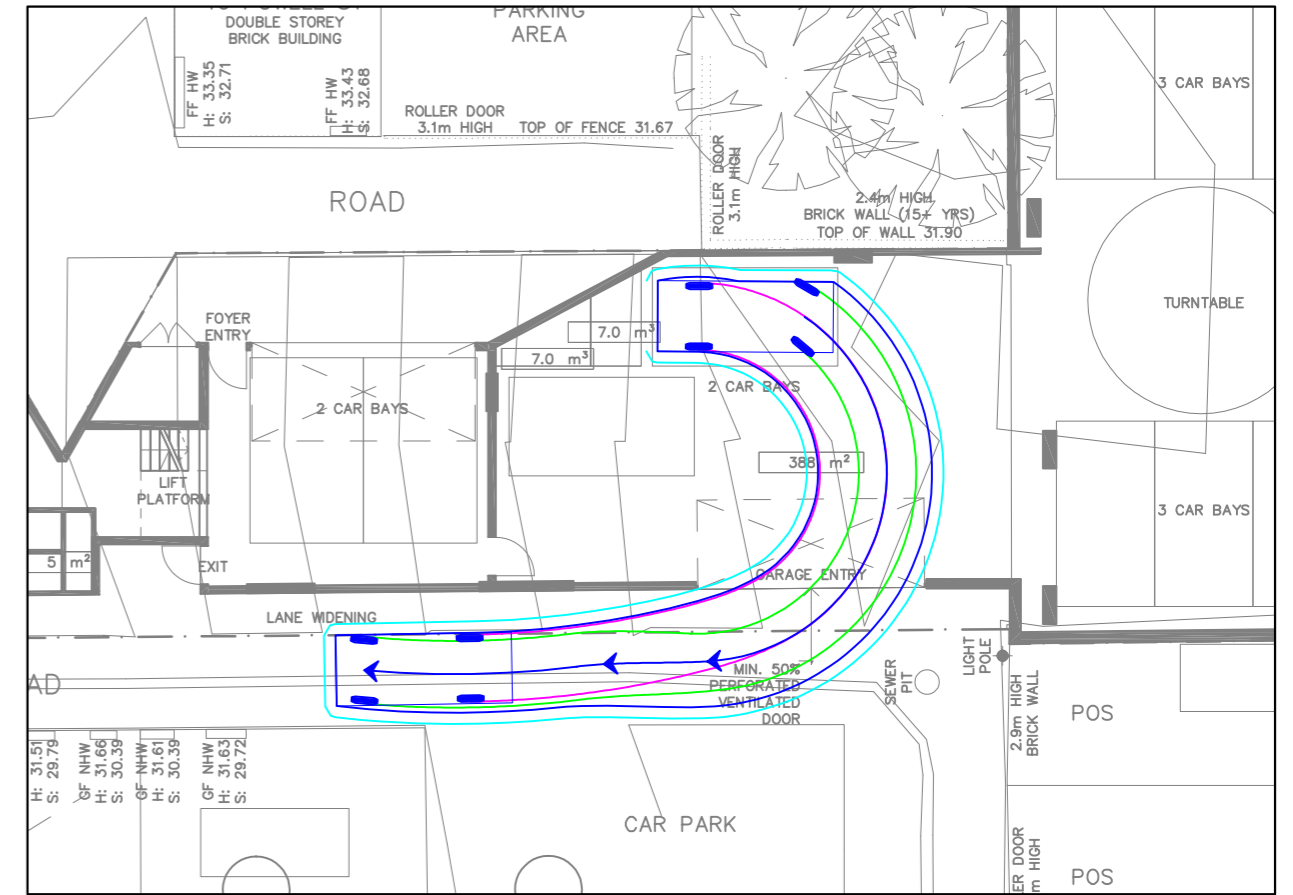
* actual template based on 'relevant longitudinal dimensions that affect swept path' as set out in Section B2.1 of AS/NZS 2890.1:2004

LEGEND
 REAR WHEELS (pink line)
 FRONT WHEELS (green line)
 VEHICLE BODY (blue line)
 BODY CLEARANCE (cyan line)

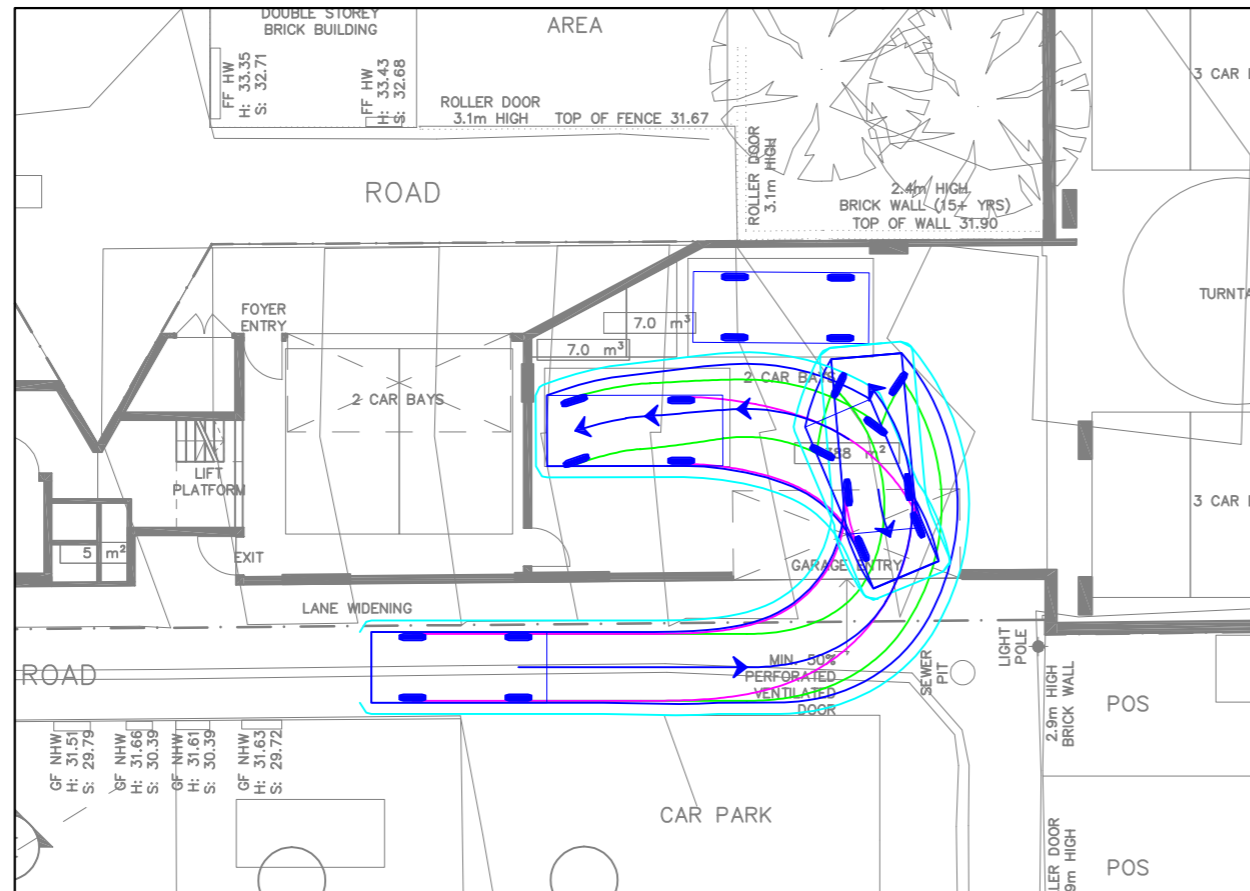
REAR CAR PARK - CAR BAY 1 - INGRESS



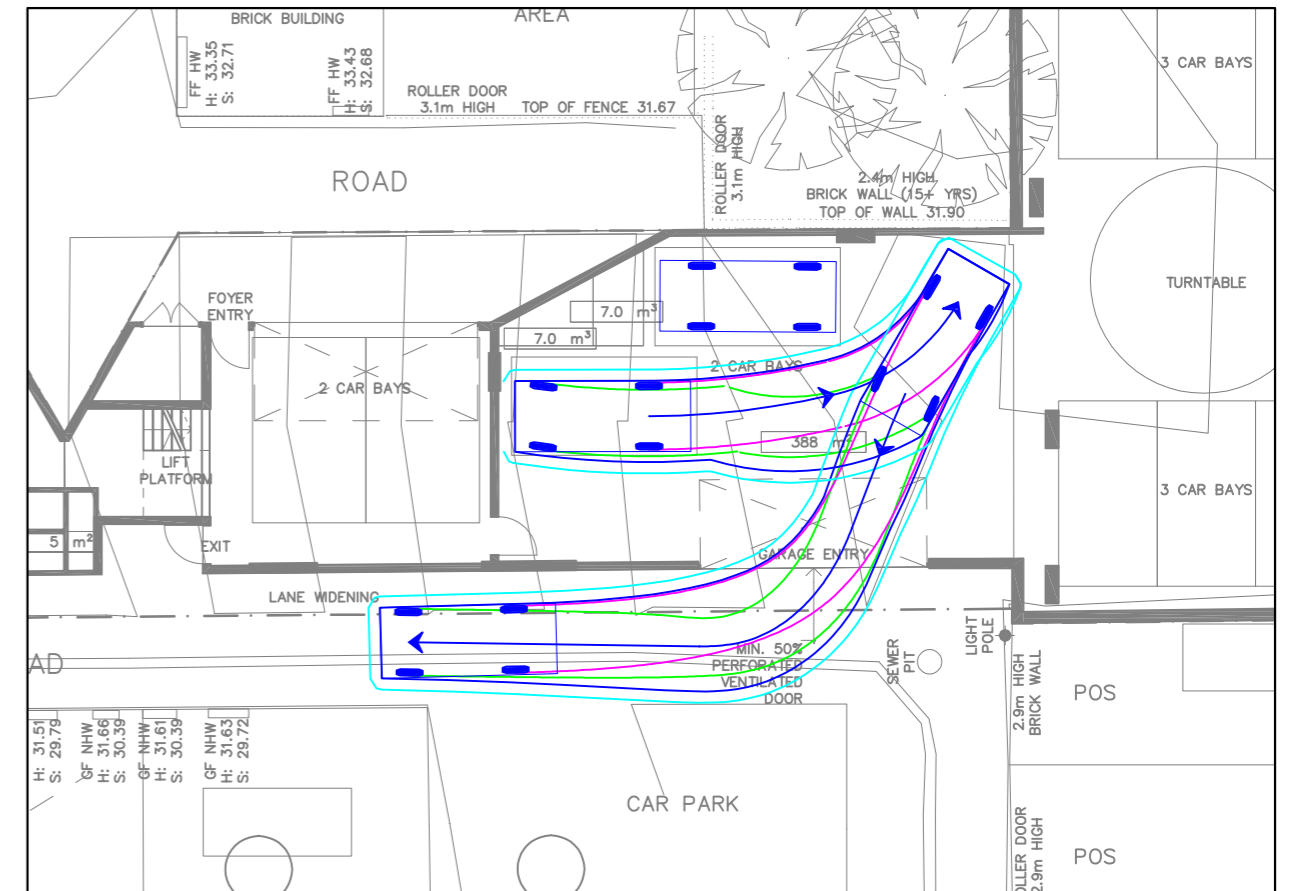
REAR CAR PARK - CAR BAY 1 - EGRESS



REAR CAR PARK - CAR BAY 2 - INGRESS (1 CORRECTIVE)



REAR CAR PARK - CAR BAY 2 - EGRESS



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A	17/12/2025	AMENDED PLANS	J. LEWIS	C. MORELLO (RPE7781)

122-130 WELLINGTON PDE, EAST MELBOURNE
PROPOSED MIXED USE DEVELOPMENT

GENERAL NOTES:
BASED OFF ARCHITECTURAL PLANS
PREPARED BY TELHA CLARKE
ARCHITECTURE & DESIGN DATED 16
DECEMBER 2025

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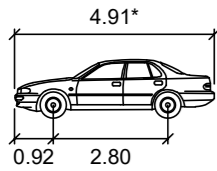
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VEHICLE PROFILE

VEHICLE USED IN SIMULATION

(VEHICLE SPEED - 5KM/H)



85th percentile
(AS/NZS 2890.1:2004)

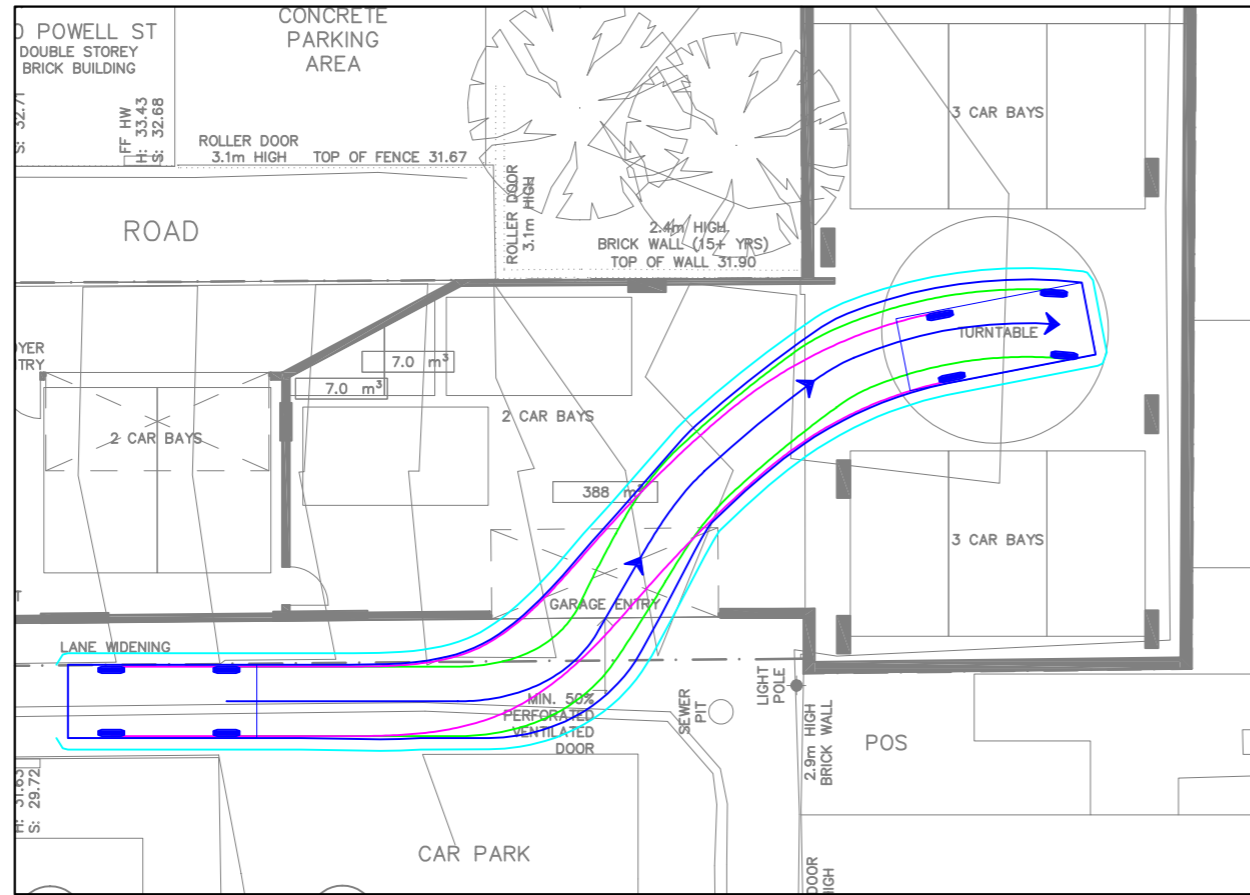
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Kerb to Kerb Radius : 5.8m

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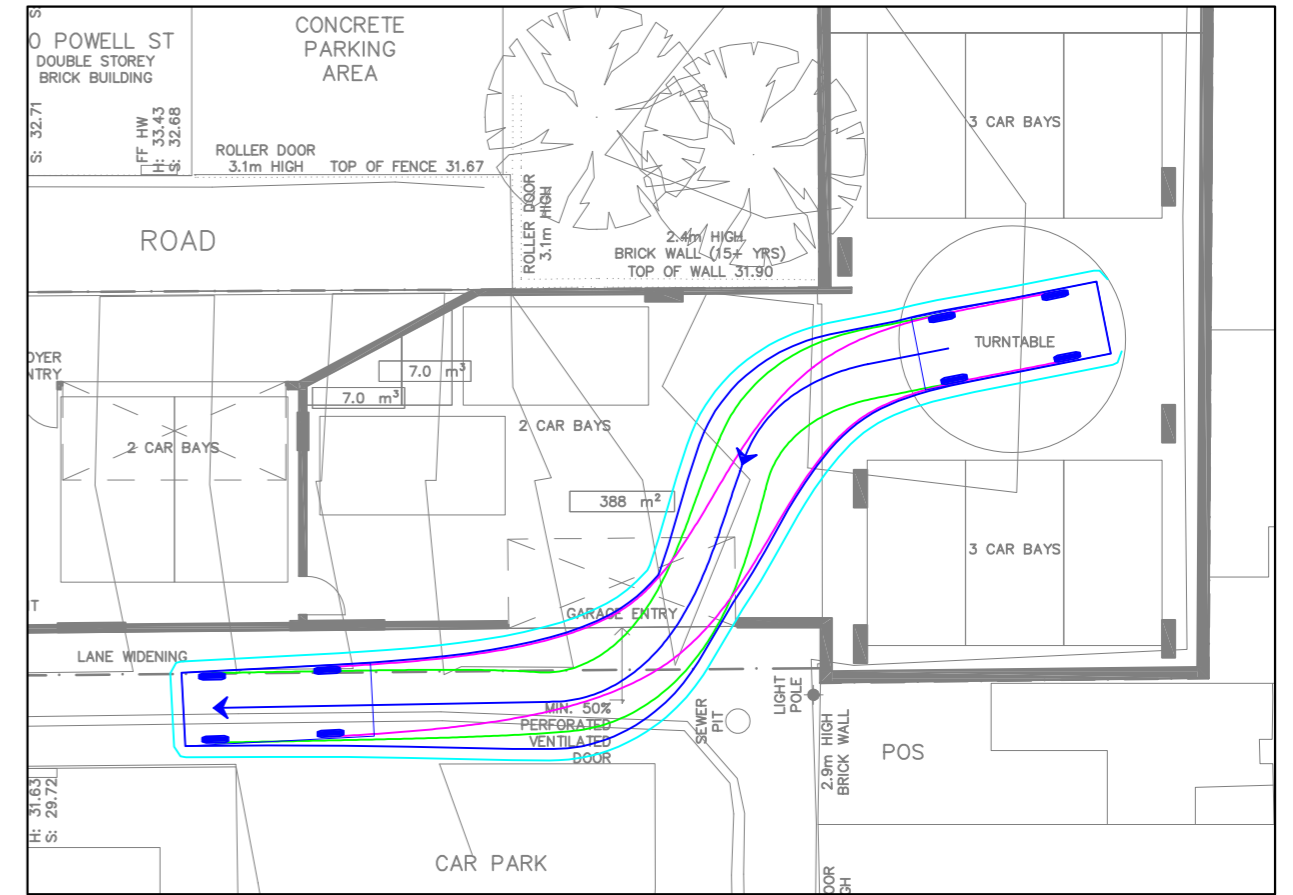
LEGEND

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- FRONT WHEELS
- VEHICLE BODY
- BODY CLEARANCE

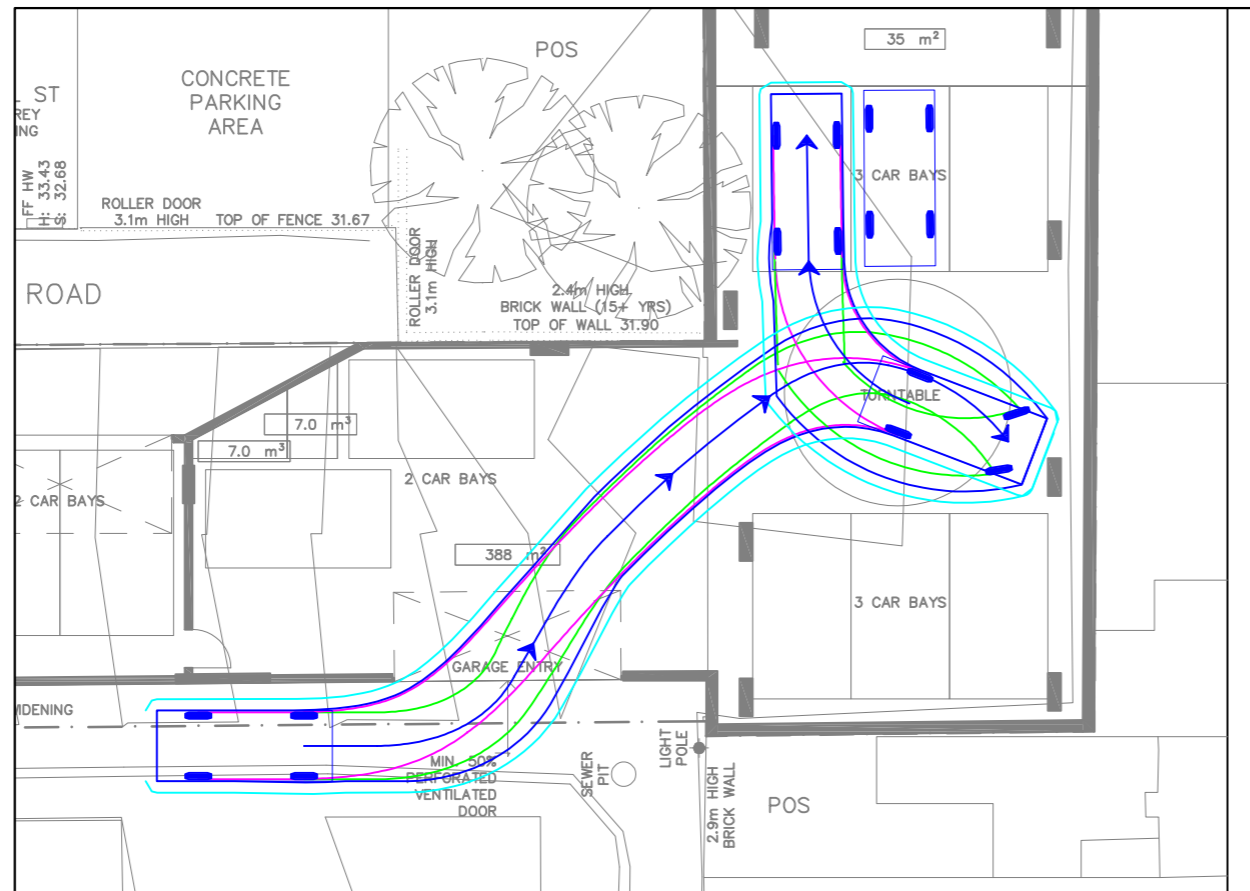
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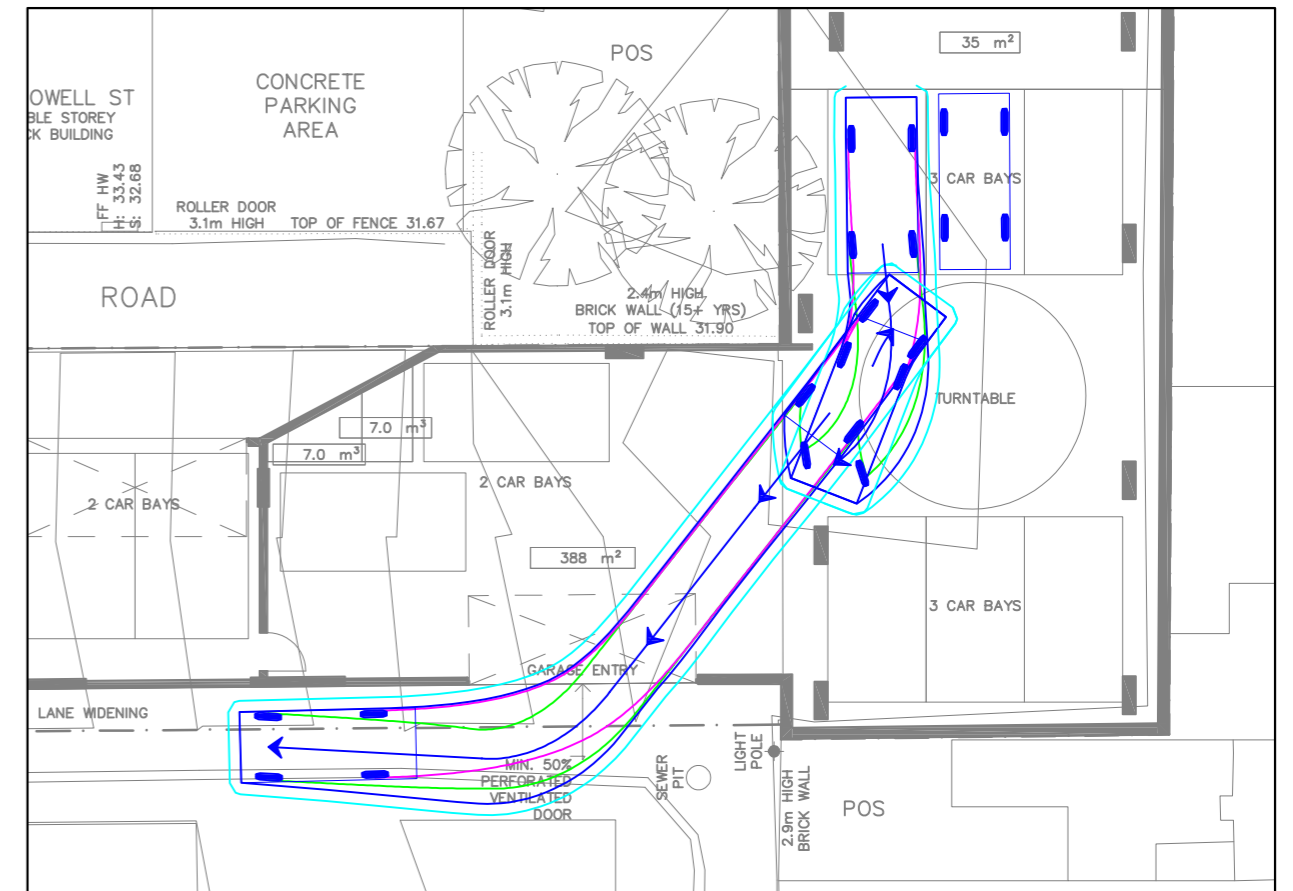
REAR CAR PARK - TURNTABLE - EGRESS



REAR CAR PARK - CRITICAL SPACE 1 - INGRESS



REAR CAR PARK - CRITICAL SPACE 1 - EGRESS (1 CORRECTIVE)



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A	17/12/2025	AMENDED PLANS	J. LEWIS	C. MORELLO (RPE7781)

122-130 WELLINGTON PDE, EAST MELBOURNE
PROPOSED MIXED USE DEVELOPMENT

GENERAL NOTES:
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PREPARED BY TELHA CLARKE
ARCHITECTURE & DESIGN DATED 16
DECEMBER 2025

FILE NAME: G36939-01
SHEET NO.: 05



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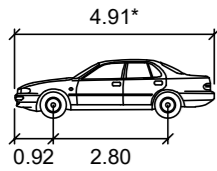
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VEHICLE PROFILE

VEHICLE USED IN SIMULATION
(VEHICLE SPEED - 5KM/H)



85th percentile
(AS/NZS 2890.1:2004)

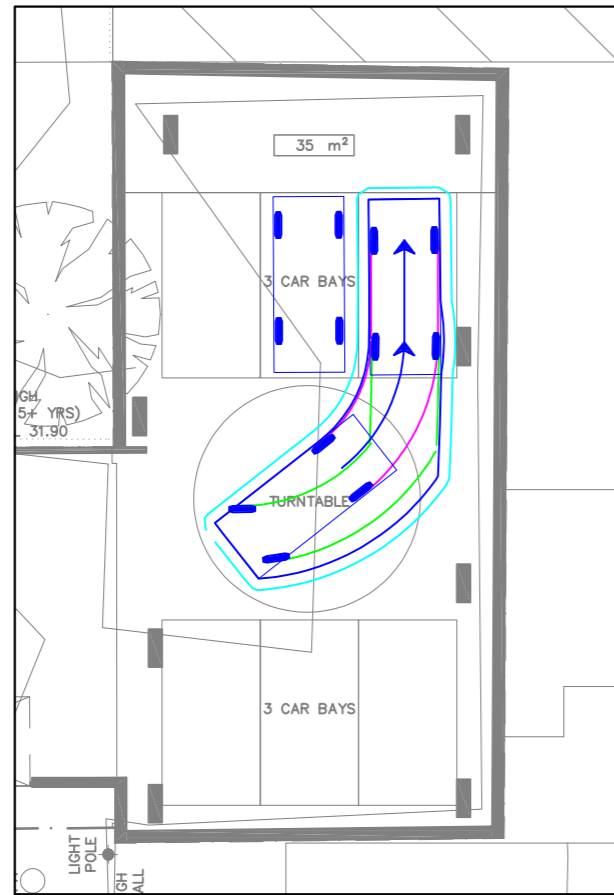
Width : 1.87m
Track : 1.77m
Kerb to Kerb Radius : 5.8m

* actual template based on relevant longitudinal dimensions that affect swept path* as set out in Section B2.1 of AS/NZS 2890.1:2004

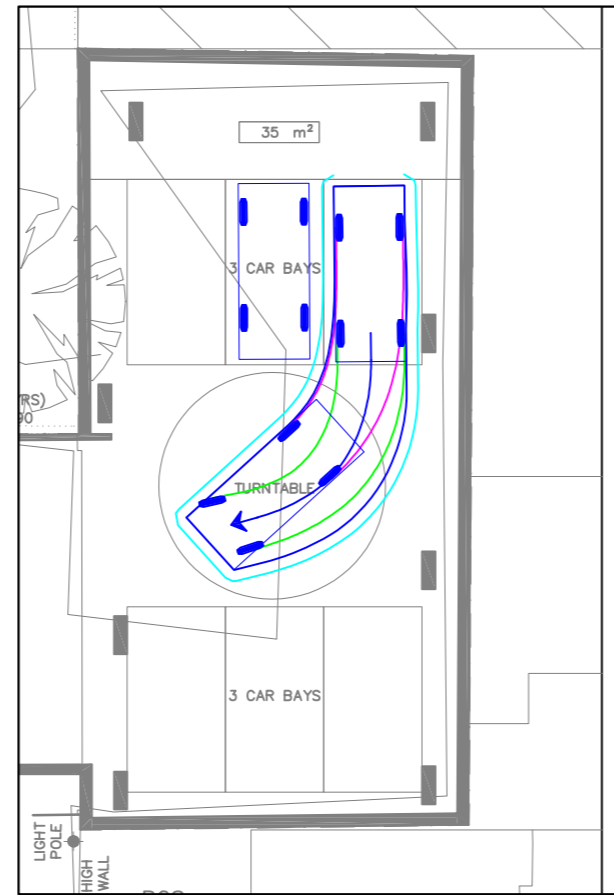
LEGEND

- REAR WHEELS
- FRONT WHEELS
- VEHICLE BODY
- BODY CLEARANCE

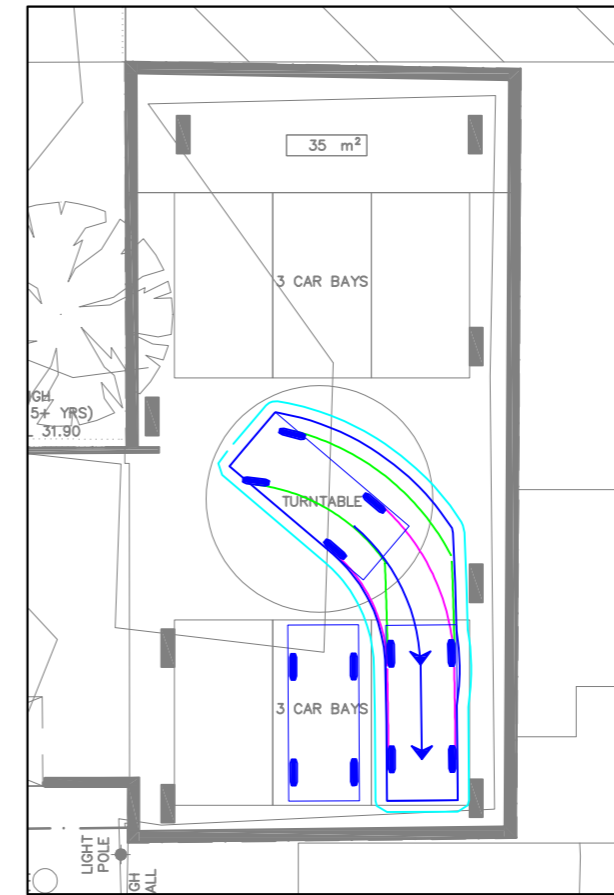
REAR CAR PARK - CRIT SPACE 2 - INGRESS



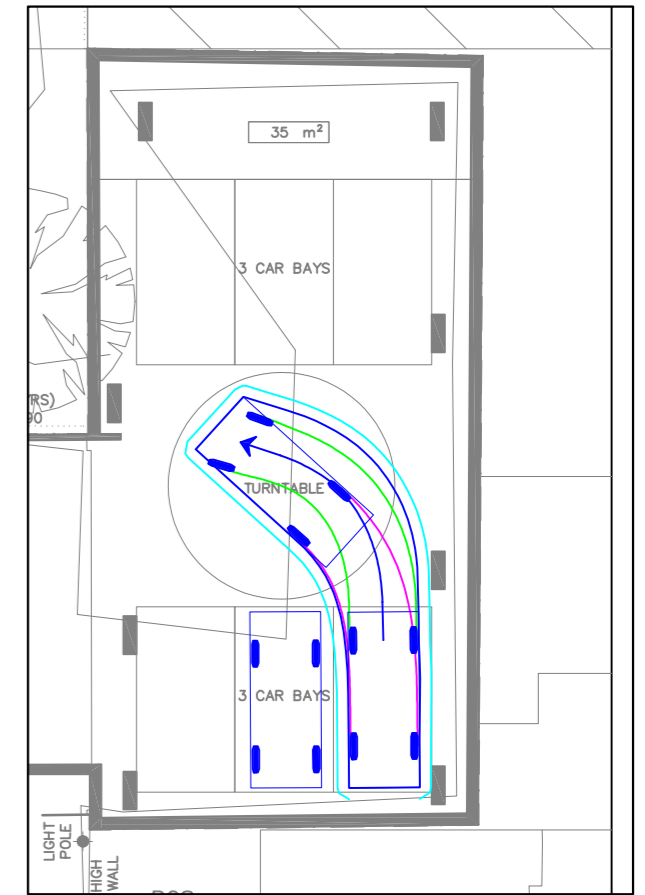
REAR CAR PARK - CRIT SPACE 2 - EGRESS



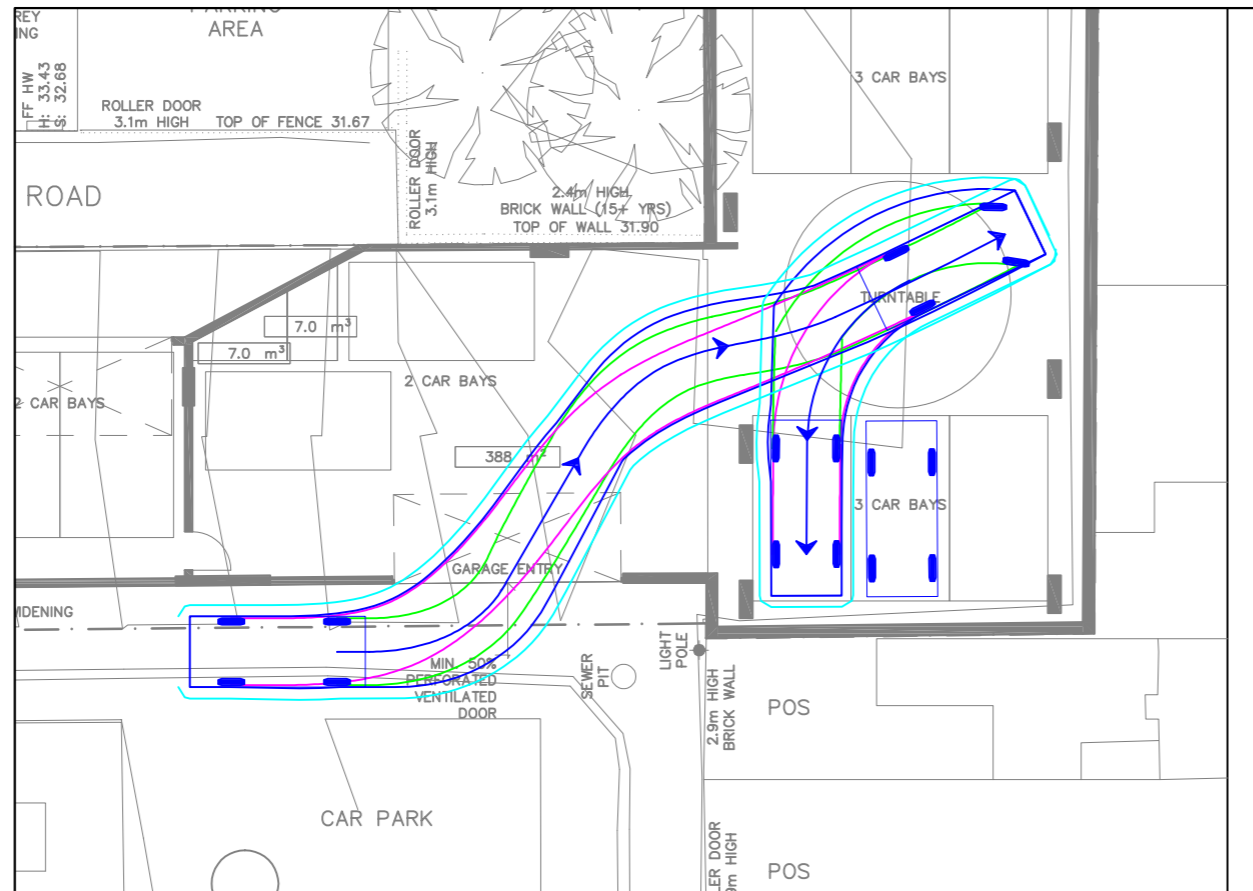
REAR CAR PARK - CRIT SPACE 3 - INGRESS



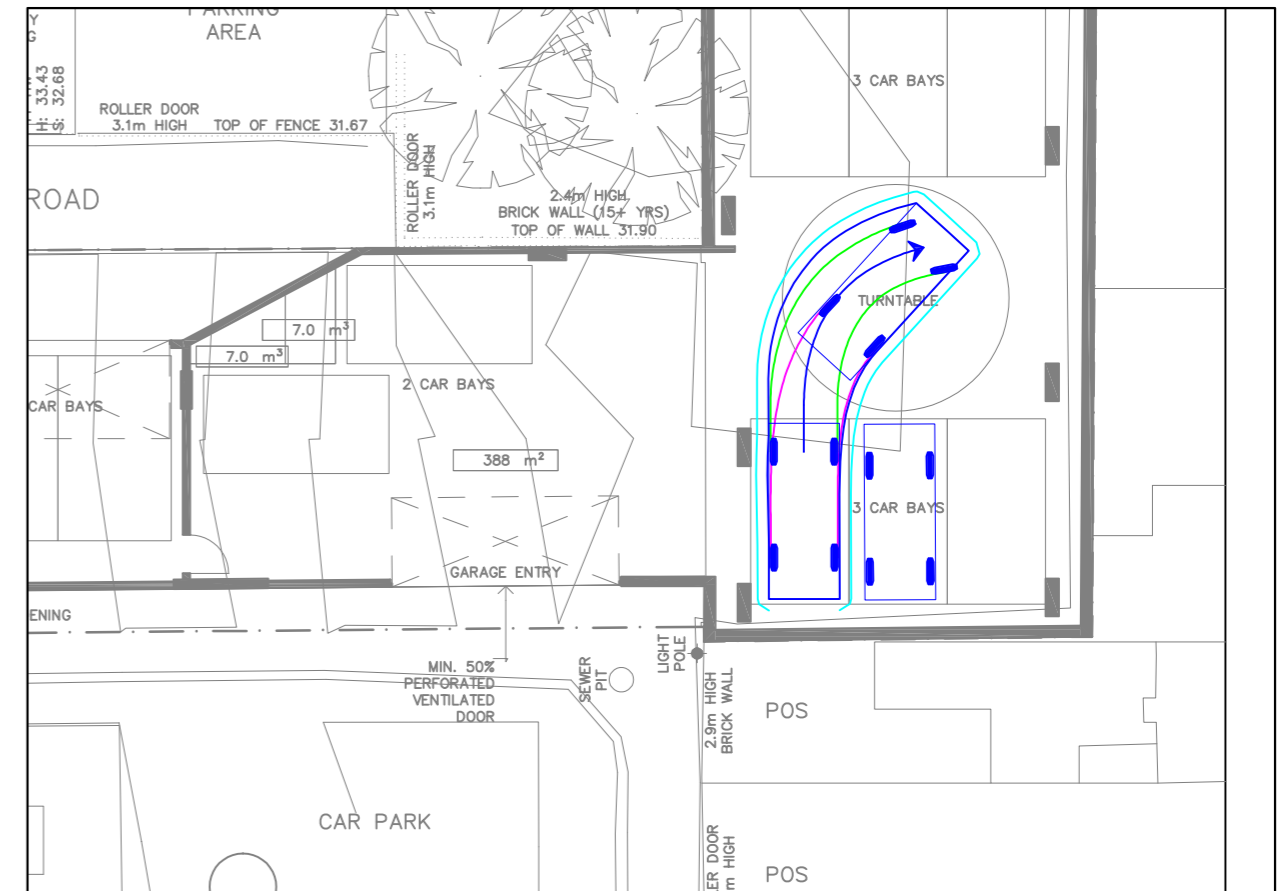
REAR CAR PARK - CRIT SPACE 3 - EGRESS



REAR CAR PARK - CRITICAL SPACE 4 - INGRESS



REAR CAR PARK - CRITICAL SPACE 4 - EGRESS



REV	DATE	NOTES	DESIGNED BY	CHECKED BY
A	17/12/2025	AMENDED PLANS	J. LEWIS	C. MORELLO (RPE7781)

122-130 WELLINGTON PDE, EAST MELBOURNE
PROPOSED MIXED USE DEVELOPMENT

GENERAL NOTES:
BASED OFF ARCHITECTURAL PLANS
PREPARED BY TELHA CLARKE
ARCHITECTURE & DESIGN DATED 16
DECEMBER 2025

FILE NAME: G36939-01
SHEET NO.: 06



SCALE: 1:200 (A3)

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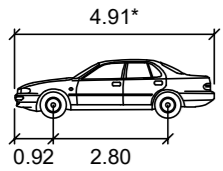


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VEHICLE PROFILE

VEHICLE USED IN SIMULATION

(VEHICLE SPEED - 5KM/H)



85th percentile
(AS/NZS 2890.1:2004)

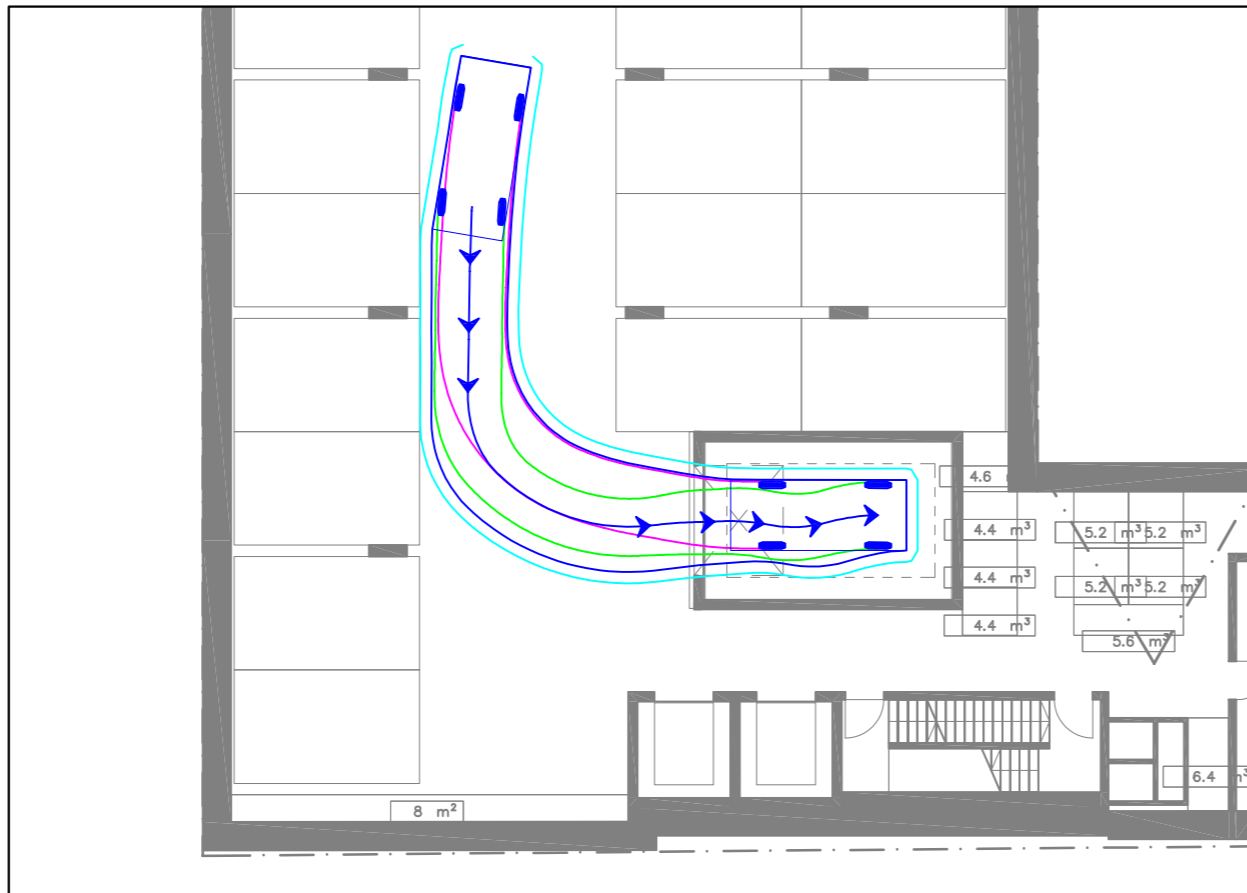
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Track : 1.77m
Kerb to Kerb Radius : 5.8m

* actual template based on 'relevant longitudinal dimensions that affect swept path' as set out in Section B2.1 of AS/NZS 2890.1:2004

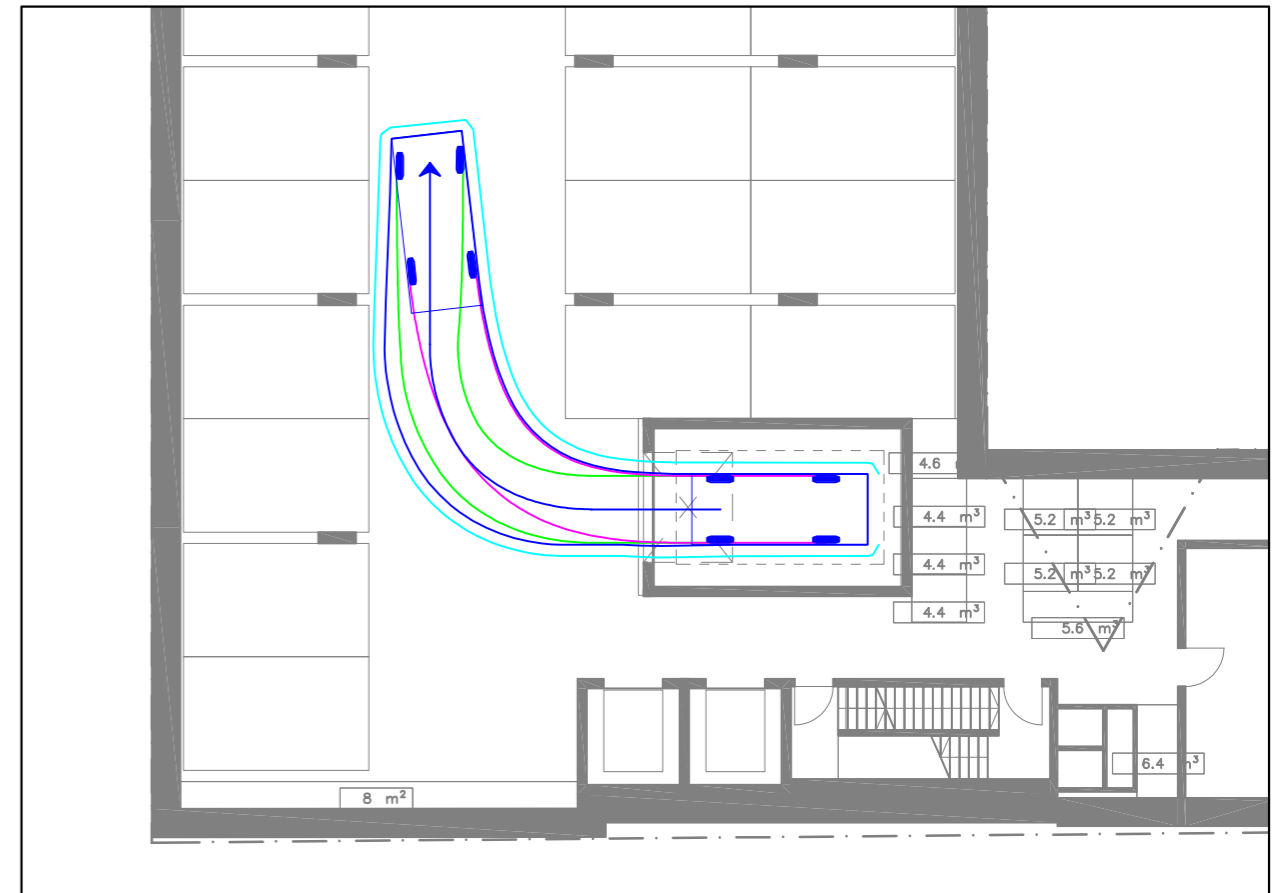
LEGEND

- REAR WHEELS
- FRONT WHEELS
- VEHICLE BODY
- BODY CLEARANCE

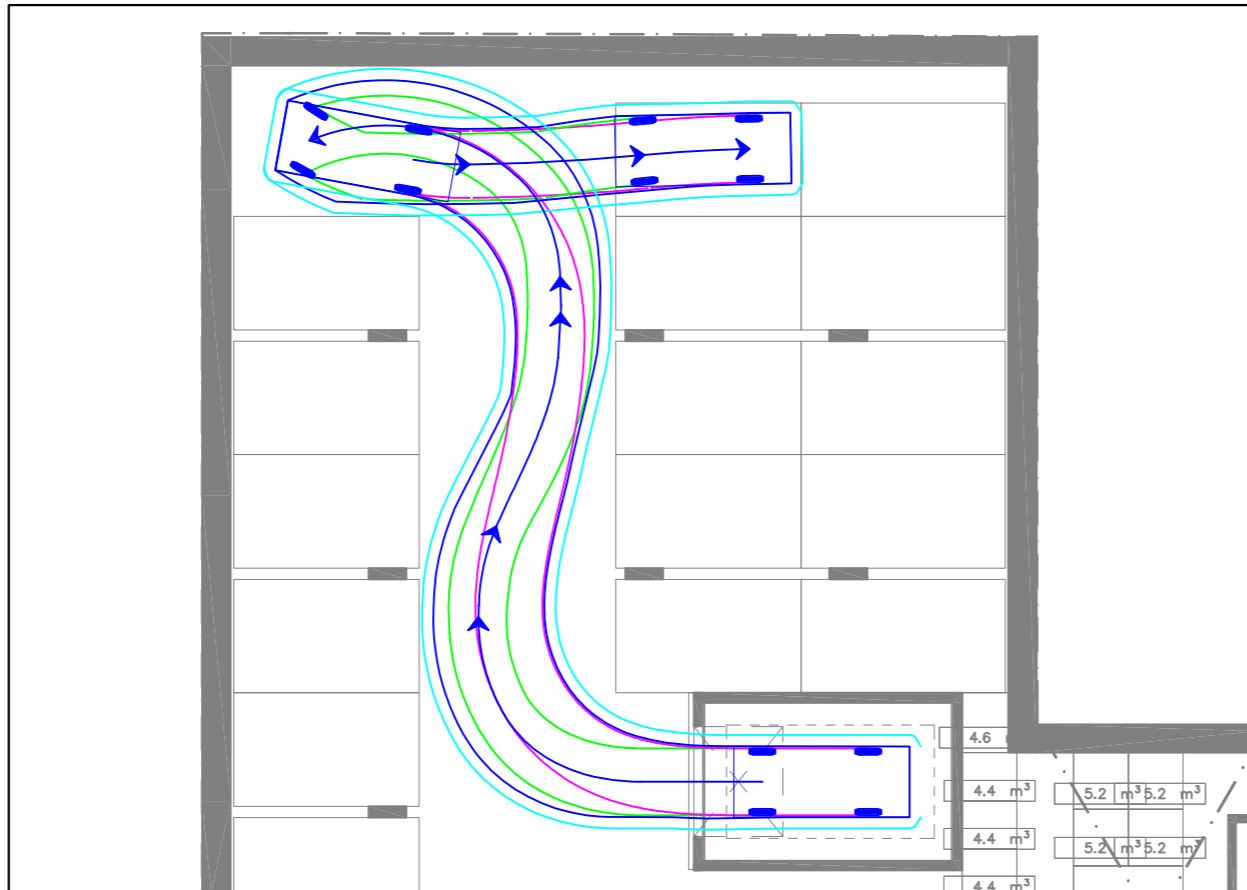
BASEMENT CAR LIFT ACCESS - EGRESS



BASEMENT CAR LIFT ACCESS - INGRESS



BASEMENT LEVELS - DEAD END SPACE - INGRESS



BASEMENT LEVELS - DEAD END SPACE - EGRESS



REV	DATE	NOTES	DESIGNED BY	CHECKED BY
A	17/12/2025	AMENDED PLANS	J. LEWIS	C. MORELLO (RPE7781)

122-130 WELLINGTON PDE, EAST MELBOURNE
PROPOSED MIXED USE DEVELOPMENT

GENERAL NOTES:
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FILE NAME: G36939-01
SHEET NO.: 07



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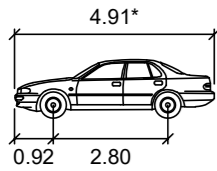
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VEHICLE PROFILE

VEHICLE USED IN SIMULATION

(VEHICLE SPEED - 5KM/H)



85th percentile
(AS/NZS 2890.1:2004)

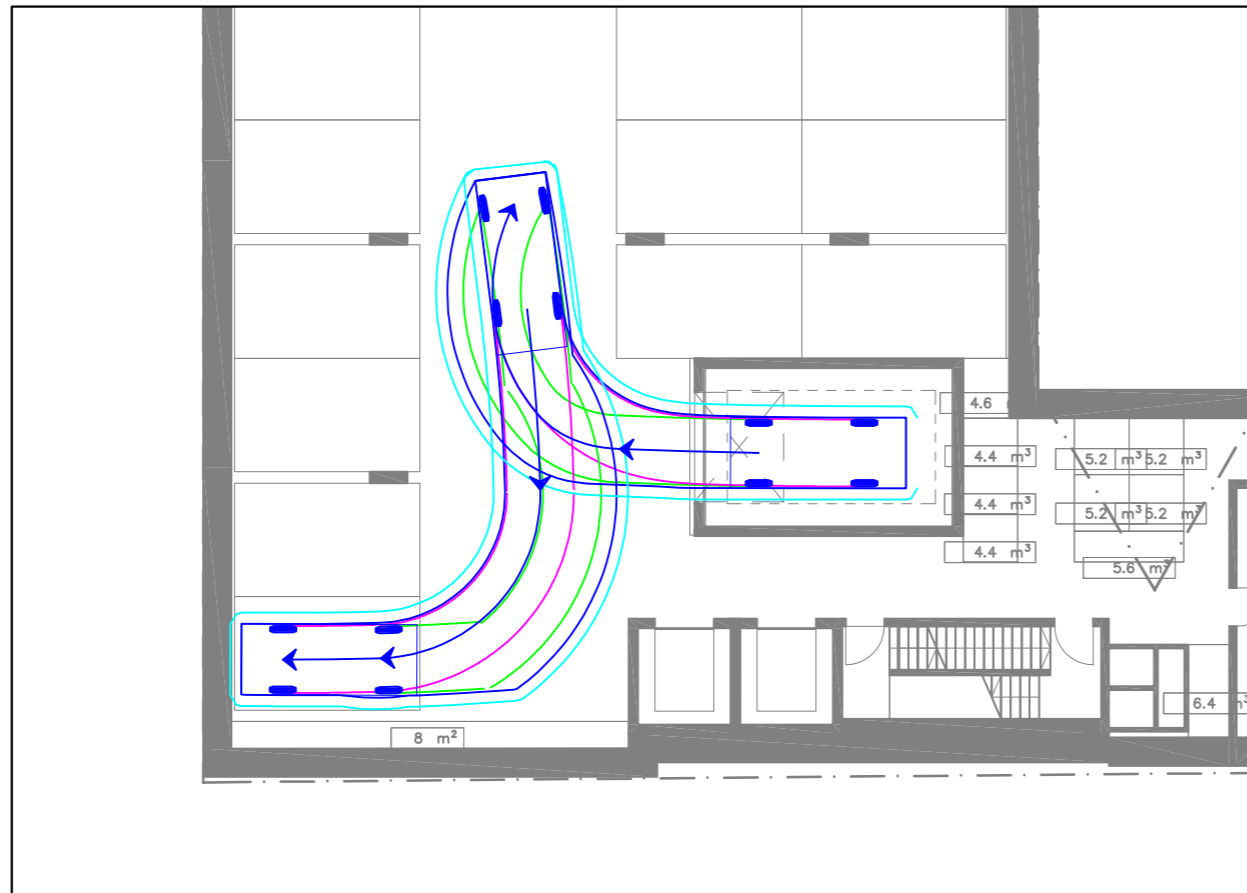
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Track : 1.77m
Kerb to Kerb Radius : 5.8m

* actual template based on 'relevant longitudinal dimensions that affect swept path' as set out in Section B2.1 of AS/NZS 2890.1:2004

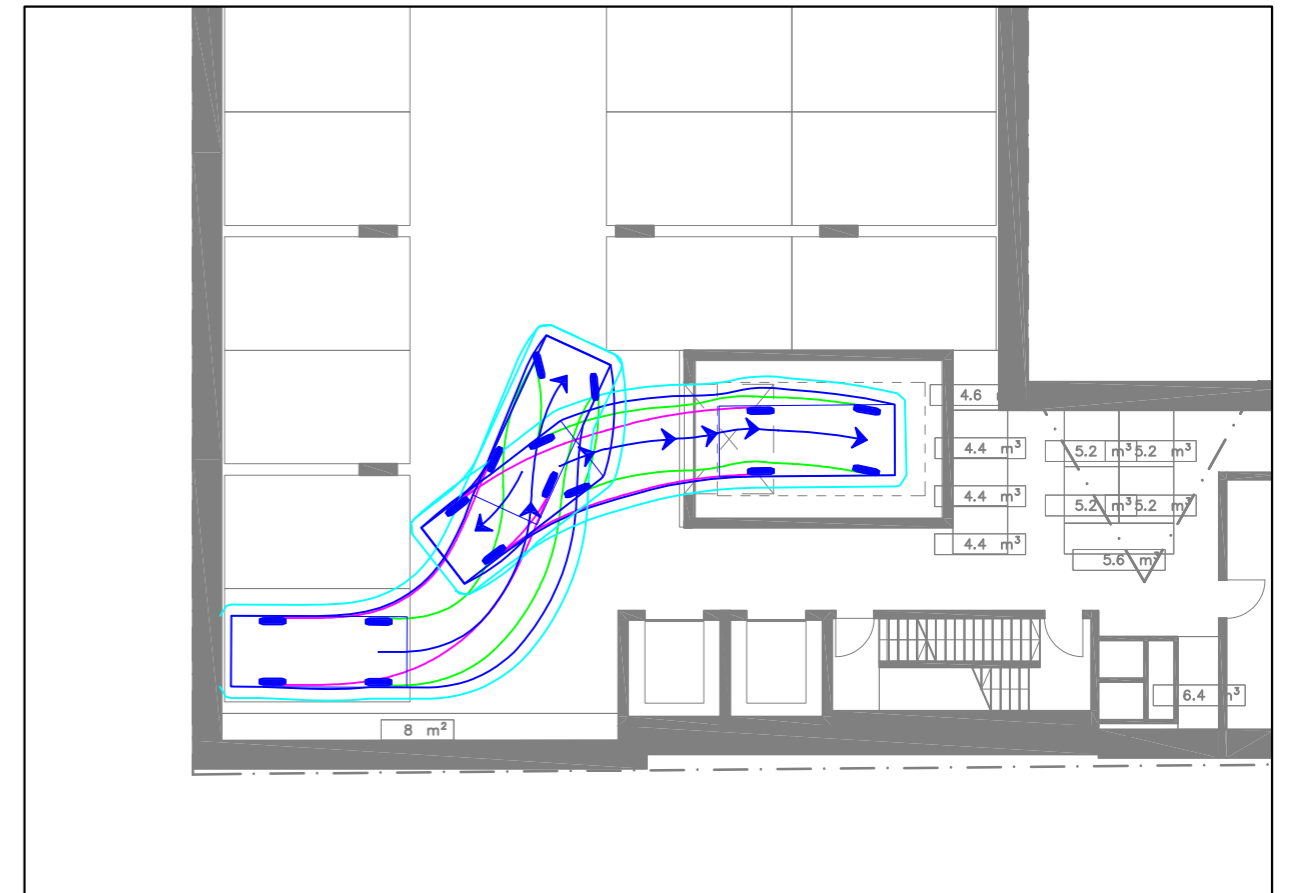
LEGEND

- REAR WHEELS
- FRONT WHEELS
- VEHICLE BODY
- BODY CLEARANCE

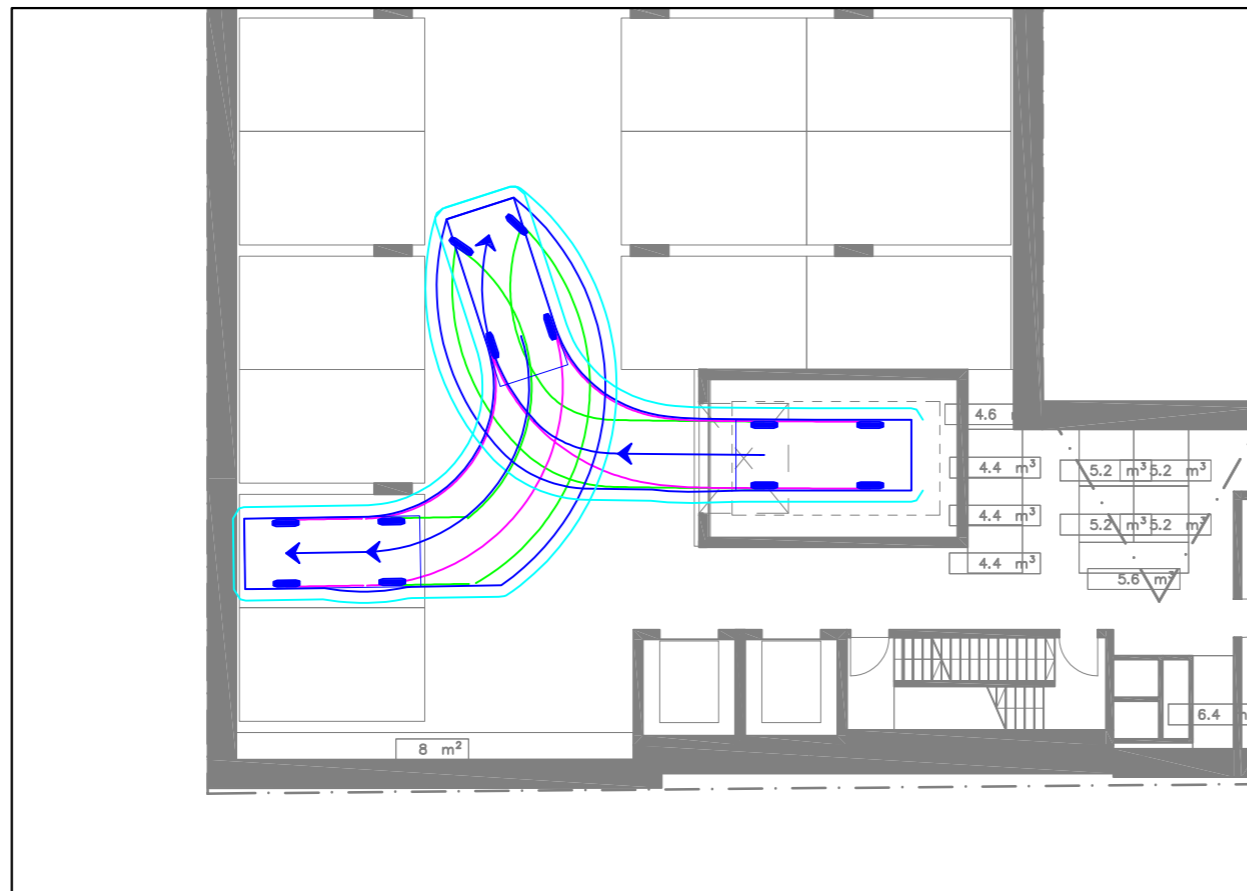
BASEMENT LEVELS - CRITICAL CAR SPACE 1 - INGRESS



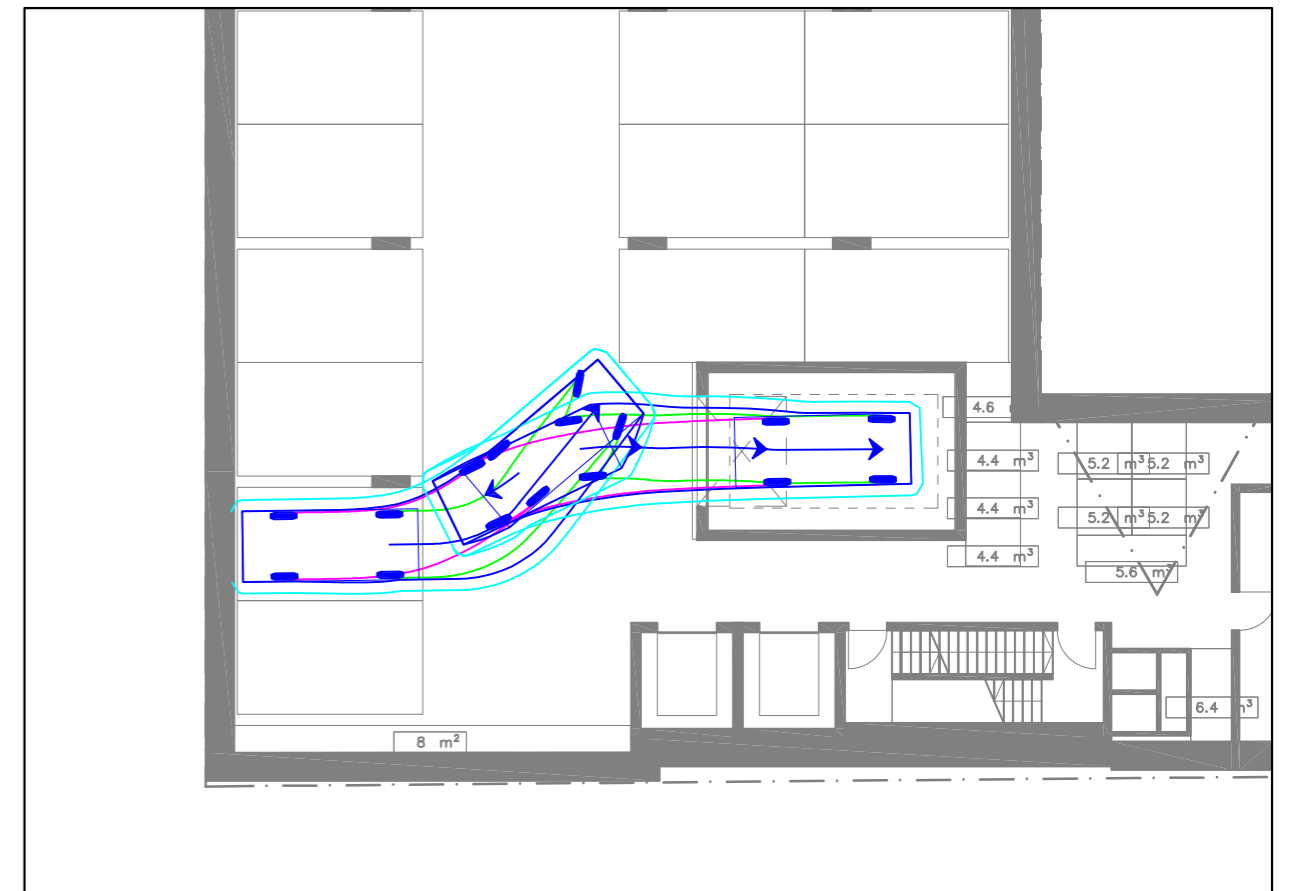
BASEMENT LEVELS - CRITICAL CAR SPACE 1 - EGRESS (1 CORRECTIVE)



BASEMENT LEVELS - CRITICAL CAR SPACE 2 - INGRESS



BASEMENT LEVELS - CRITICAL CAR SPACE 2 - EGRESS (1 CORRECTIVE)



REV	DATE	NOTES	DESIGNED BY	CHECKED BY
A	17/12/2025	AMENDED PLANS	J. LEWIS	C. MORELLO (RPE7781)

122-130 WELLINGTON PDE, EAST MELBOURNE
PROPOSED MIXED USE DEVELOPMENT

GENERAL NOTES:
BASED OFF ARCHITECTURAL PLANS
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ARCHITECTURE & DESIGN DATED 16
DECEMBER 2025

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SCALE:
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