

PORT PHILLIP PLANNING SCHEME

INCORPORATED DOCUMENT

**Prince Apartments Stage 2 Development Plans
29 Fitzroy Street, St Kilda
(December 2013)**

This document is an incorporated document in the Planning Scheme pursuant to Section 6(2)(j) of the Planning and Environment Act 1987.

INTRODUCTION:

This document is an Incorporated Document in the Schedule to Clause 52.03 and the Schedule to Clause 81.01 of the Port Phillip Planning Scheme (the Scheme). Despite any provision to the contrary in the Scheme, pursuant to Clause 52.03 of the Scheme, the land identified within this Incorporated Document may be used and developed in accordance with the specific controls contained within this document, including the 'Incorporated Plans' prepared by Wood Marsh Pty Ltd Architecture and titled 'Prince Apartments Stage 2 Development Plans - 29 Fitzroy Street, St Kilda (September 2013)'.

In the event of any inconsistency between the specific controls contained in this document and any provision of the Scheme, the specific controls contained in this document will prevail.

ADDRESS OF THE LAND:

The land 29 Fitzroy Street, St Kilda, (generally known as the Prince of Wales Hotel) and described as:

- Lot 1 on PS403480M
- Lot 2 on PS403480M
- Lot 3 on PS403480M
- Lot 4 on PS403480M
- Lot 5 on PS403480M
- Lot 6 on PS403480M
- Lot 7B on PS403480M
- Lot 8A on PS403480M
- Lot 9C on PS403480M
- Lot 10 on PS403480M
- Lot 11 on PS403480M
- Lot 12 on PS403480M

PURPOSE:

To facilitate the re-development of the existing Prince of Wales Hotel and Spa into 35 dwellings including the addition of one storey on the existing building, one small retail tenancy and on-site car parking.

APPLICATION OF PLANNING SCHEME PROVISIONS:

The following provisions of the Port Phillip Planning Scheme do not apply to the land identified in this document:

- Clause 34.01 - Commercial 1 Zone
- Clause 43.01 - Heritage Overlay and Schedule
- Clause 43.02 - Design and Development Overlay and Schedules
- Clause 52.06 - Car Parking
- Clause 52.07 - Loading and Unloading of Vehicles
- Clause 52.34 - Bicycle facilities
- Clause 52.35 - Urban Context Report and Design Response for Residential Development of four or more storeys

THIS DOCUMENT ALLOWS:

The development and use of the land for 35 dwellings including the addition of one storey on the existing building, one retail tenancy and on-site car parking, generally in accordance with the following Incorporated Plans (including any amendment of the plans that may be approved from time to time by the Responsible Authority under the conditions of this document.)

INCORPORATED PLANS:

Drawing No	Drawing Title:
TP.07	Site Plan - Proposed
TP.08	Level 1 Plan - Proposed
TP.09	Level 2 Plan - Proposed
TP.10	Level 3 Plan - Proposed
TP.11	Level 4 Plan - Proposed
TP.12	Level 5 Plan - Proposed
TP.13	Elevations
TP.14	Sections
Prince of Wales Stage 2 – Sample Materials, September 2013	
Sustainable Design Assessment, 20 August 2012	
Waste Management Plan, 31 August 2012	

THE FOLLOWING CONDITIONS APPLY TO THIS DOCUMENT:

1. The development and/or use as shown on the incorporated plans must not be altered without the written consent of the Responsible Authority.
2. Before the development starts (other than demolition or works to remediate contaminated land), the applicant must enter into an agreement under Section 173 of the Planning and Environment Act 1987 with the Responsible Authority. The agreement must be in a form to the satisfaction of the Responsible Authority, and the applicant must be responsible for the expense of the preparation and registration of the agreement, including the Responsible Authority's reasonable costs and expenses (including legal expenses) incidental to the preparation, registration and enforcement of the agreement. The agreement must contain covenants to be registered on the Title of the property so as to run with the land, and must provide for the following:
 - a. That the original purchaser and each successive purchaser of any dwelling, allowed under this Incorporated Document known as 'Prince Apartments Stage 2 Development Plans' must inform every prospective purchaser or tenant of a dwelling in the building, in writing, that the Hotel and other non-residential uses within the site and adjoining buildings are a source of noise, including music noise, requiring dwelling windows and doors to be closed to achieve required internal noise levels and that there will be elevated noise levels on external balconies.

The agreement will be registered on Title in accordance with Section 181 of the Planning and Environment Act 1987. A dealing number must be provided to the Responsible Authority.

3. The owner of the land must retain Wood Marsh Architects to complete the design and provide architectural oversight of the delivery of the detailed design as shown in the incorporated plans and endorsed schedule of materials and finishes during construction unless with the prior written approval of the Responsible Authority.
4. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
5. The project must incorporate the sustainable design initiatives listed in the Sustainable Design Assessment which forms part of this document. These initiatives must not be altered without the written consent of the Responsible Authority.
6. The development must incorporate Urban Art in accordance with Council's Urban Art Strategy to a value of at least 0.5% of the total building cost of the development to the

PORT PHILLIP PLANNING SCHEME

satisfaction of Council's Urban Art Officer. Details of the proposed artwork must be submitted to and approved by the Responsible Authority prior to occupation of the building. Upon approval, the Plan will form part of this document.

7. Before the development starts (other than demolition or works to remediate contaminated land), an acoustic report prepared by a suitably qualified acoustic engineer must be submitted to and approved by the Responsible Authority. The report must prescribe the form of acoustic treatment to the external façade and the internal floor/ceiling levels of the building to achieve:
 - a. A maximum noise level of 40dB(A) in bedrooms and 45dB(A) in habitable rooms, with windows and doors closed,
 - b. Reverberation time minimized as far as practicable for noise control.

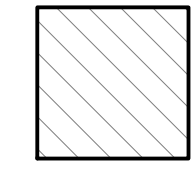
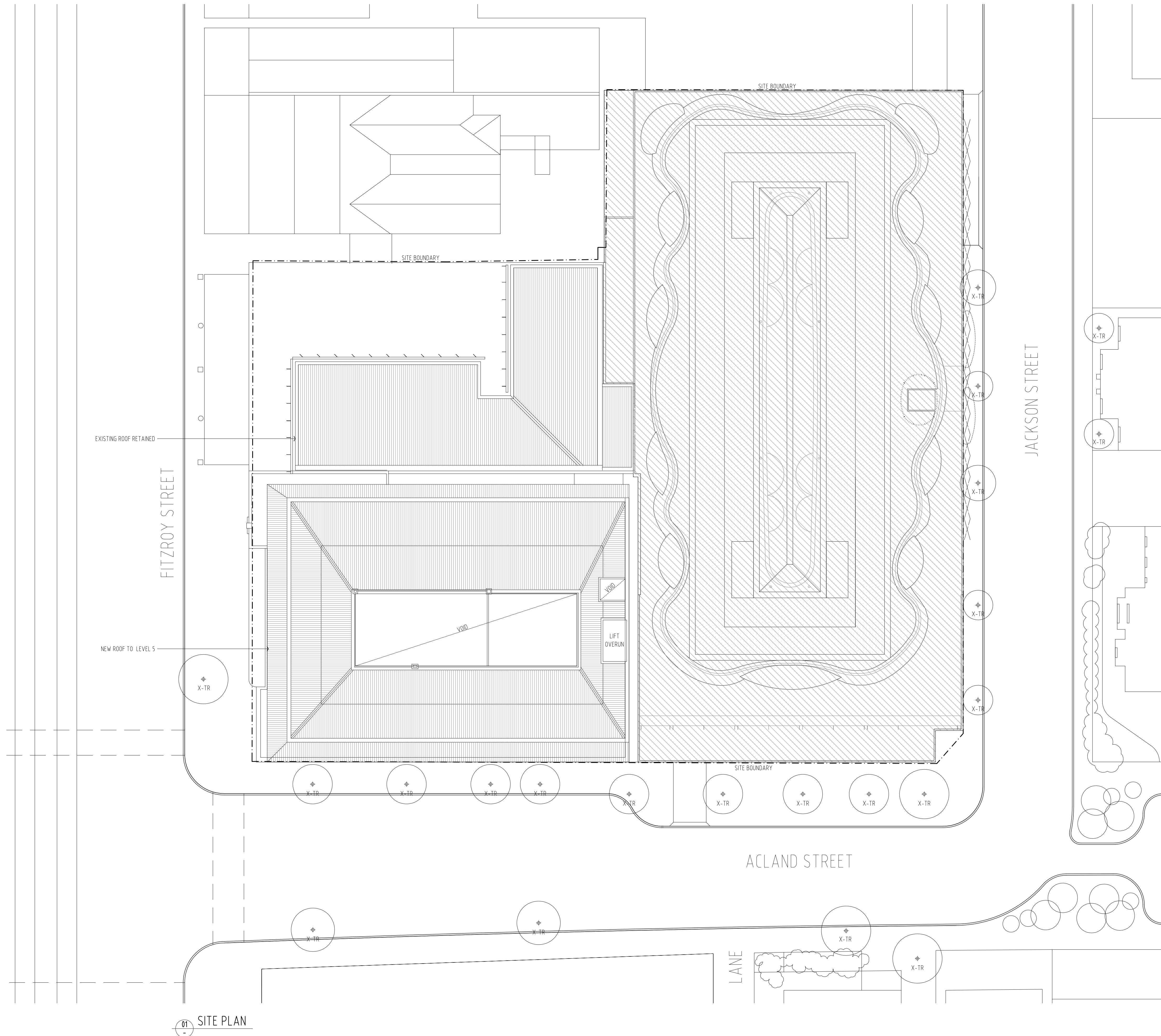
The acoustic treatments to achieve the noise levels set out in this condition are to be designed based on the noise levels measured when the non-residential uses within the building are operating at peak times, to the satisfaction of the Responsible Authority. Once approved by the Responsible Authority, this report will form part of this document. The buildings and works identified by the acoustic engineer must be completed prior to issue of a certificate of occupancy for any of the new dwellings.

8. Within two months of the issue of a certificate of occupancy for all of the new dwellings, an updated acoustic report prepared by a suitably qualified acoustic consultant must be submitted to and approved by the Responsible Authority demonstrating that the required level of noise attenuation has been achieved in accordance with condition 7 of the Incorporated Document or, if not, what buildings and works must be undertaken to achieve the levels of noise attenuation required by condition 7. Once approved by the Responsible Authority, this report will form part of this document.
9. The recommended buildings and works contained in the acoustic reports pursuant to conditions 7 and 8 must be implemented and completed within two months of the reports being approved, and where they are recommendations of an ongoing nature, must be implemented and maintained to the satisfaction of the Responsible Authority.
10. All external materials, finishes and paint colours must be to the satisfaction of the Responsible Authority.
11. The walls on or facing the boundary of adjoining properties must be cleaned and finished in a manner to the satisfaction of the Responsible Authority.
12. Parking areas and access lanes must be kept available for those purposes at all times.
13. All car parking spaces for the residential apartments must be shown on any Plan of Subdivision as part lots to dwelling lots. Not less than one car space must be provided to each two and three bedroom dwelling and not less than three car spaces must be allocated to any three of the one bedroom dwellings.
14. A traffic safety warning or control system to the vehicle access ramp to the basement car park is to be installed to the satisfaction of the Responsible Authority.
15. The project must incorporate the waste management initiatives listed in the endorsed Waste Management Plan.
16. Any solar panels, satellite dishes and air conditioning units shall be appropriately sited so as to minimise visual impact on the streetscape and/or on adjacent properties.

PORT PHILLIP PLANNING SCHEME

17. No plant, equipment or domestic services (including any associated screening devices) or architectural features, other than those shown on the endorsed plan are permitted, except where they would not be visible from a street (other than a lane) or public park without the written consent of the Responsible Authority.
18. All piping and ducting, other than any down pipes above the ground floor storey of the building shall be concealed and any air-conditioning units installed shall be located so as to minimise noise and visual impact on abutting residents and are to be located behind sound reducing structures if necessary to the satisfaction of the Responsible Authority.
19. This document will expire if one of the following circumstances applies:
 - a) The development is not started within 2 years of the date of the gazettal of the approved amendment.
 - b) The development is not completed within 2 years of the date of commencement of works.

The Responsible Authority may extend the periods referred to if a request is made in writing before the document expires or within six months afterwards.



EXISTING AREA NOT FORMING PART OF THIS PERMIT

EXISTING ROOF RETAINED

NEW ROOF TO LEVEL 5

FITZROY STREET

JACKSON STREET

ACLAND STREET

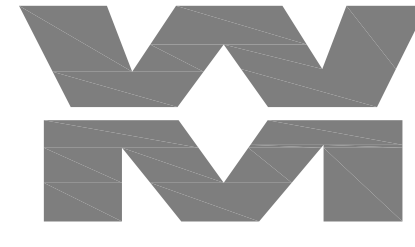
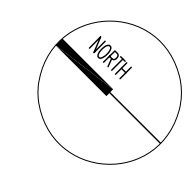
LANE

01 SITE PLAN

DATE	NO.	COMMENTS	BY	CHECKED
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14.06.13	08	PLANNING PERMIT SUBMISSION	LA	
22.03.13	07	PLANNING PERMIT SUBMISSION	LA	
27.02.13	06	PLANNING PERMIT SUBMISSION	LA	
25.10.12	05	PLANNING PERMIT SUBMISSION	LA	

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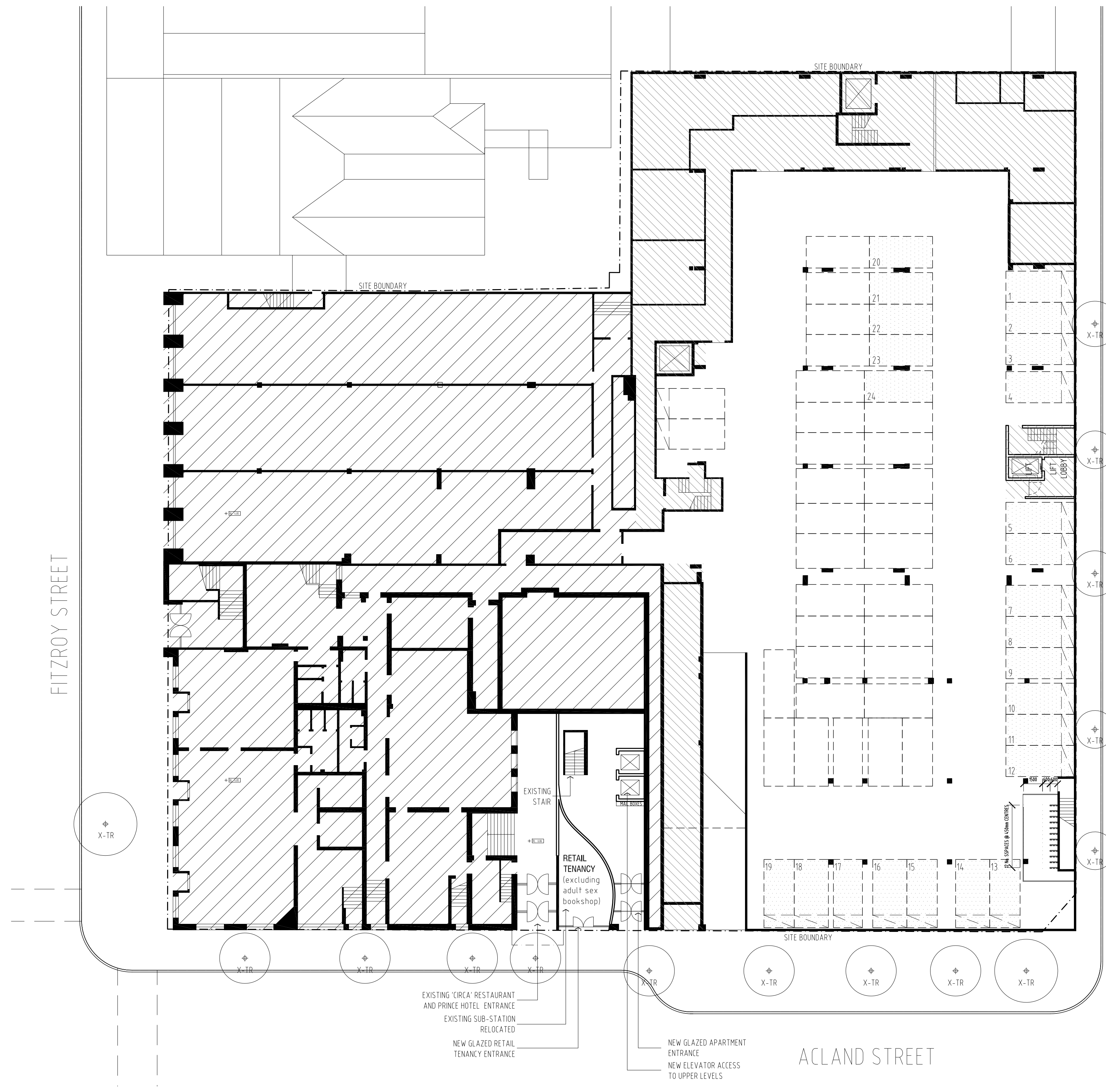


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CLIENT	POW PARTNERSHIP
PROJECT	PRINCE APARTMENTS STAGE 2 DEVELOPMENT PLANS 29 FITZROY ST, STKILDA (NOVEMBER 2012)
TITLE	SITE PLAN - PROPOSED

DRAWING NO.	REVISION NO.	DATE	DESIGNED	CHECKED	APPROVED
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DRAWN	LA	APPROVED	-		

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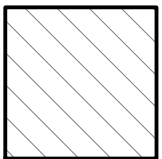
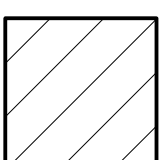
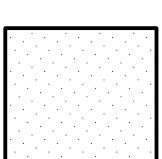
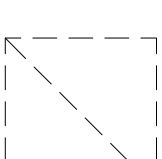


FITZROY STREET

JACKSON STREET

ACLAND STREET

01 PLAN - LEVEL 1

-  EXISTING AREA NOT FORMING PART OF THIS PERMIT
-  EXISTING AREA UNAFFECTED BY PROPOSAL
-  CAR SPACES ALLOCATED TO STAGE 2
-  OVER-BONNET STORAGE CAGE

* RETAIL TENANCY: DOES NOT INCLUDE AN ADULT SEX BOOKSHOP

DATE	NO.	COMMENTS	BY	CHECKED
05.09.13	09	PLANNING REVISION	LA	
14.06.13	08	PLANNING PERMIT SUBMISSION	LA	
22.03.13	07	PLANNING PERMIT SUBMISSION	LA	
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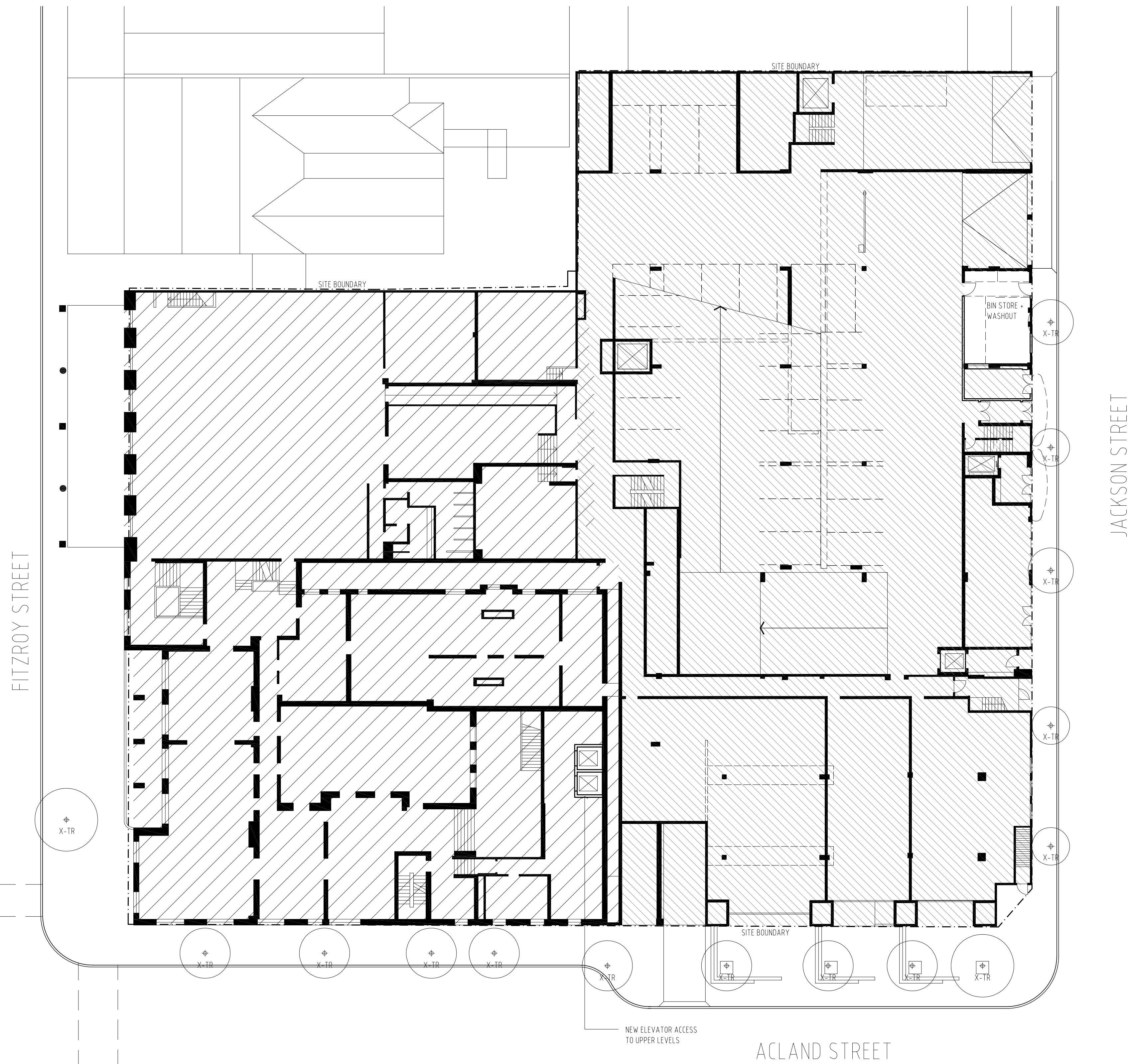
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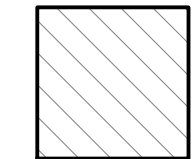
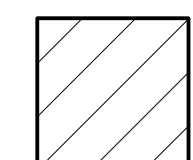
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CLIENT	POW PARTNERSHIP		
PROJECT	PRINCE APARTMENTS STAGE 2 DEVELOPMENT PLANS 29 FITZROY ST, STKILDA (NOVEMBER 2012)		
TITLE	LEVEL 1 PLAN PROPOSED		
DRAWING NO.	TP.08	REVISION NO.	-
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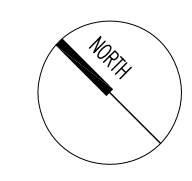
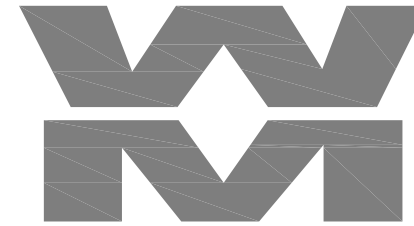


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-  EXISTING AREA UNAFFECTED BY PROPOSAL

01 PLAN - LEVEL 2

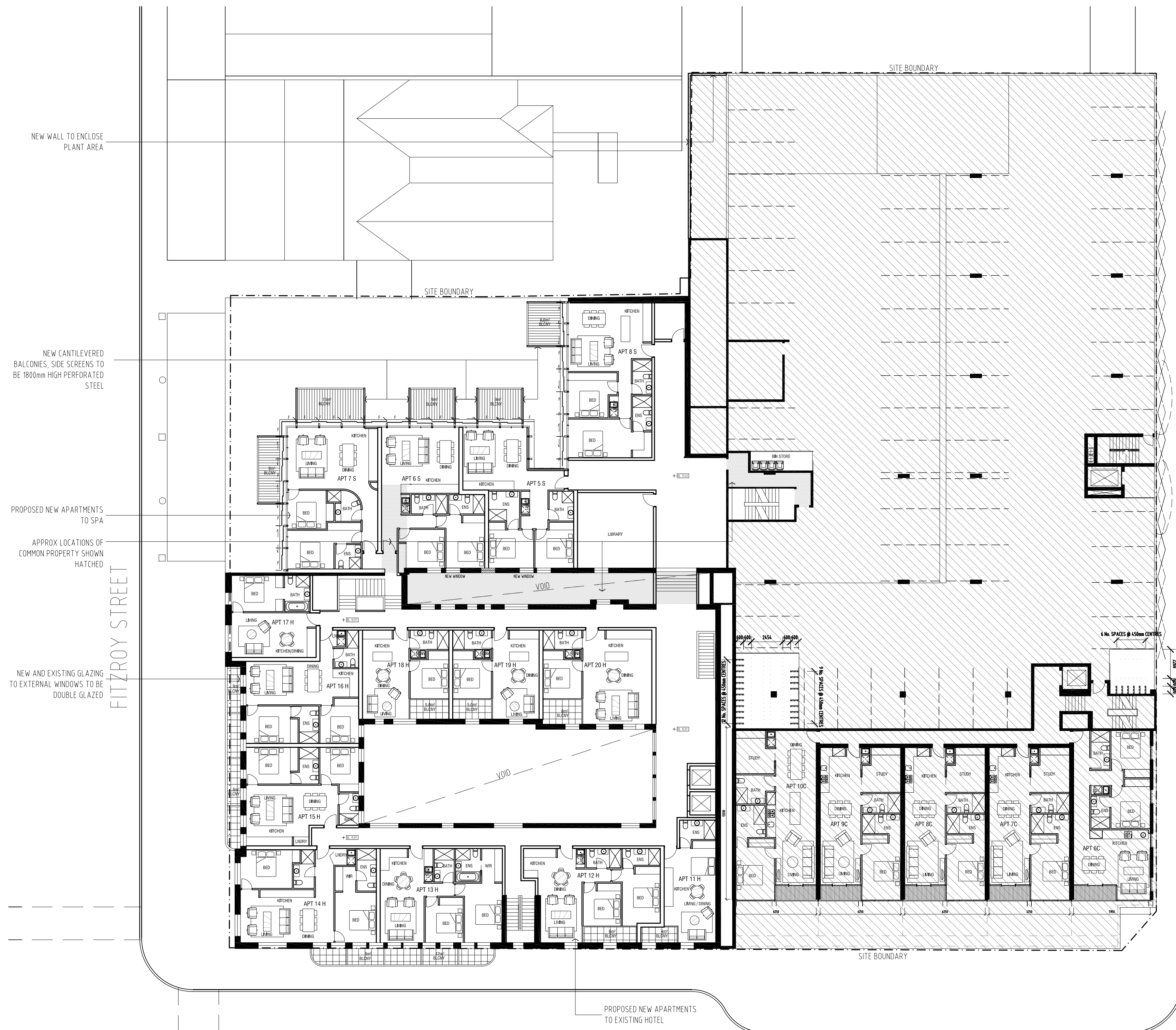
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25.10.12	05	PLANNING PERMIT SUBMISSION	LA
DATE	NO.	COMMENTS	BY

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CLIENT	POW PARTNERSHIP		
PROJECT	PRINCE APARTMENTS STAGE 2 DEVELOPMENT PLANS 29 FITZROY ST, STKILDA (NOVEMBER 2012)		
TITLE	LEVEL 2 PLAN PROPOSED		
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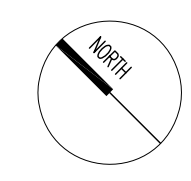
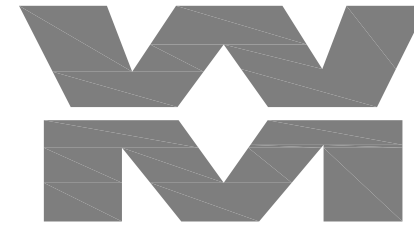


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01 PLAN - LEVEL 4

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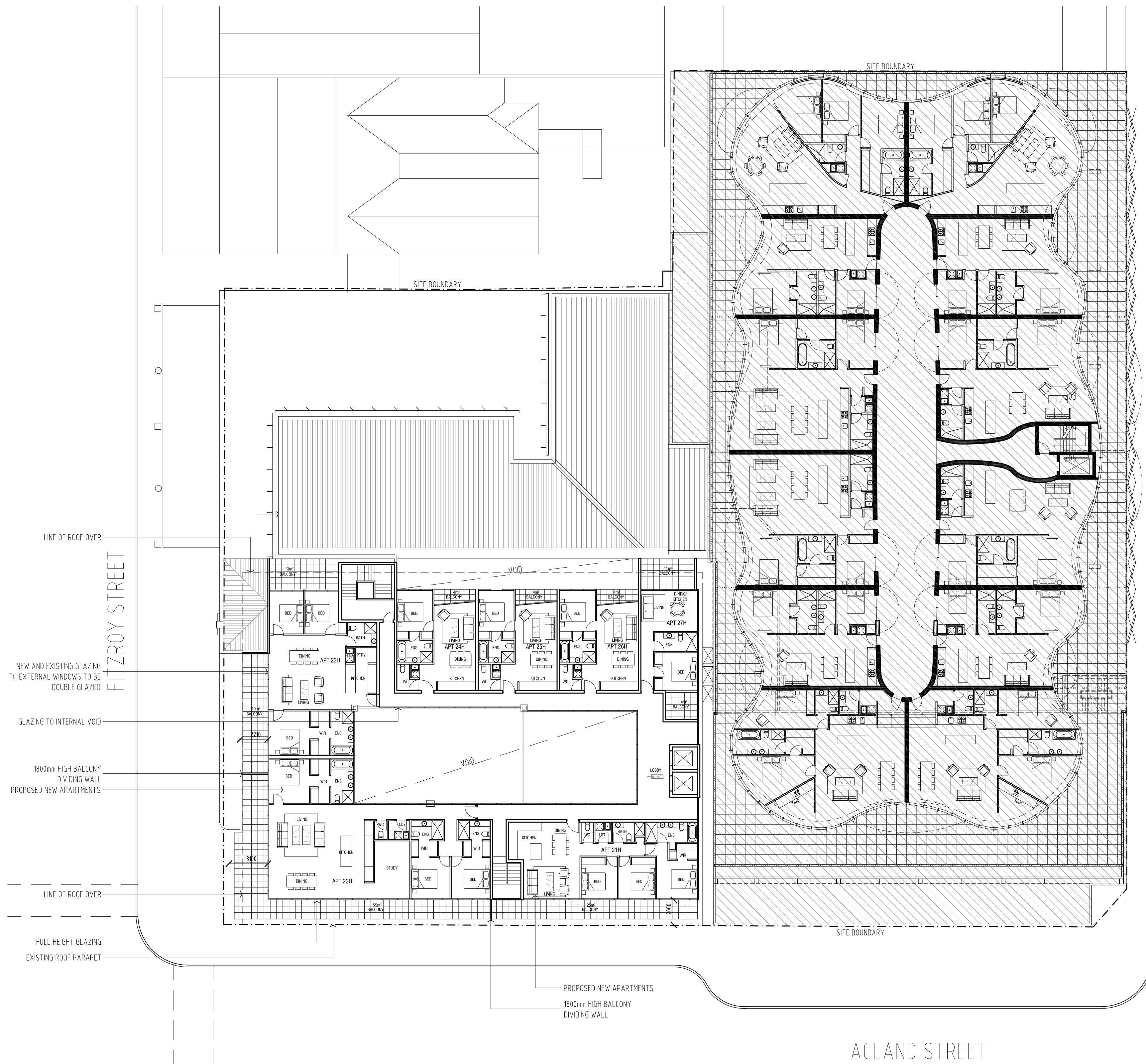
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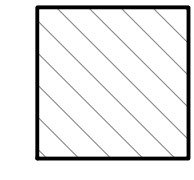
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 PROJECT: PRINCE APARTMENTS
 STAGE 2 DEVELOPMENT PLANS
 29 FITZROY ST, STILDA (NOVEMBER 2012)
 TITLE: LEVEL 4 PLAN
 PROPOSED

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DRAWN	LA	APPROVED	-

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01 PLAN - LEVEL 5



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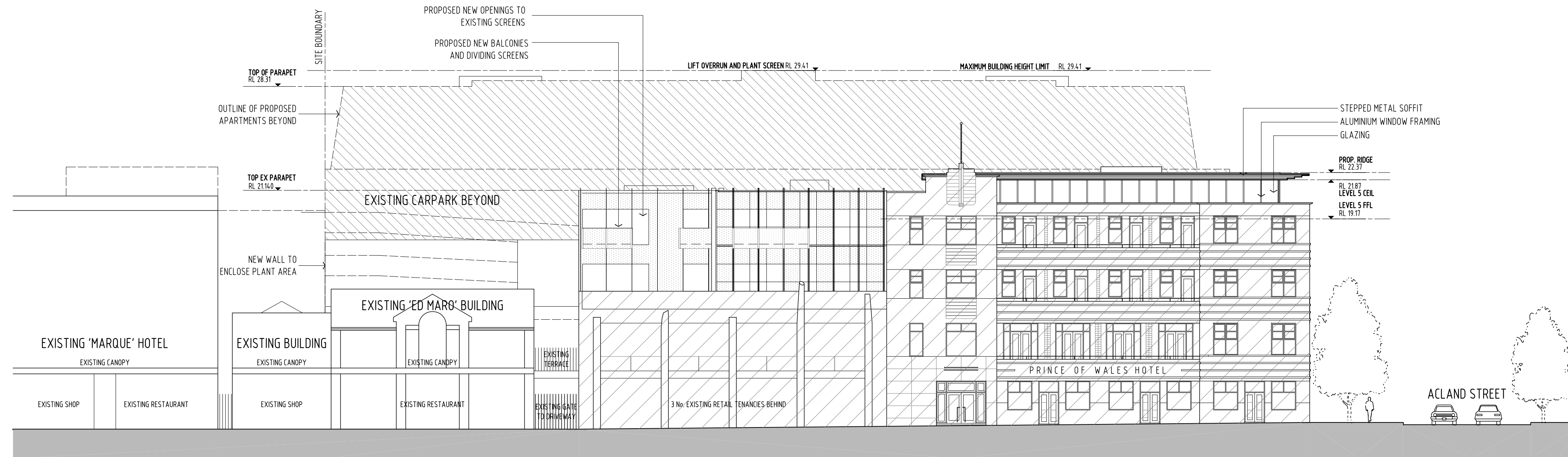
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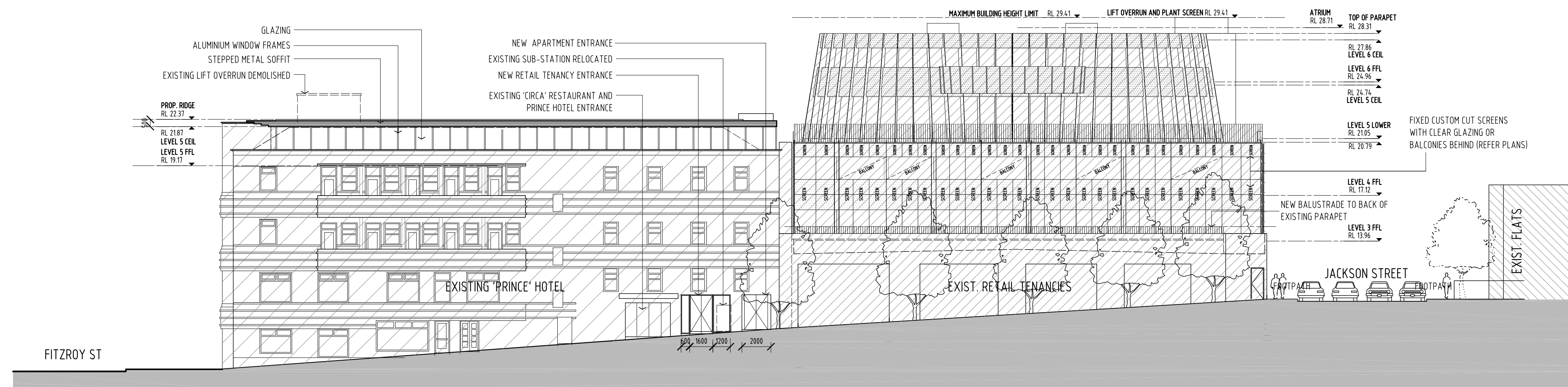
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PROJECT	PRINCE APARTMENTS STAGE 2 DEVELOPMENT PLANS 29 FITZROY ST, STKILDA (NOVEMBER 2012)
TITLE	LEVEL 5 PLAN PROPOSED

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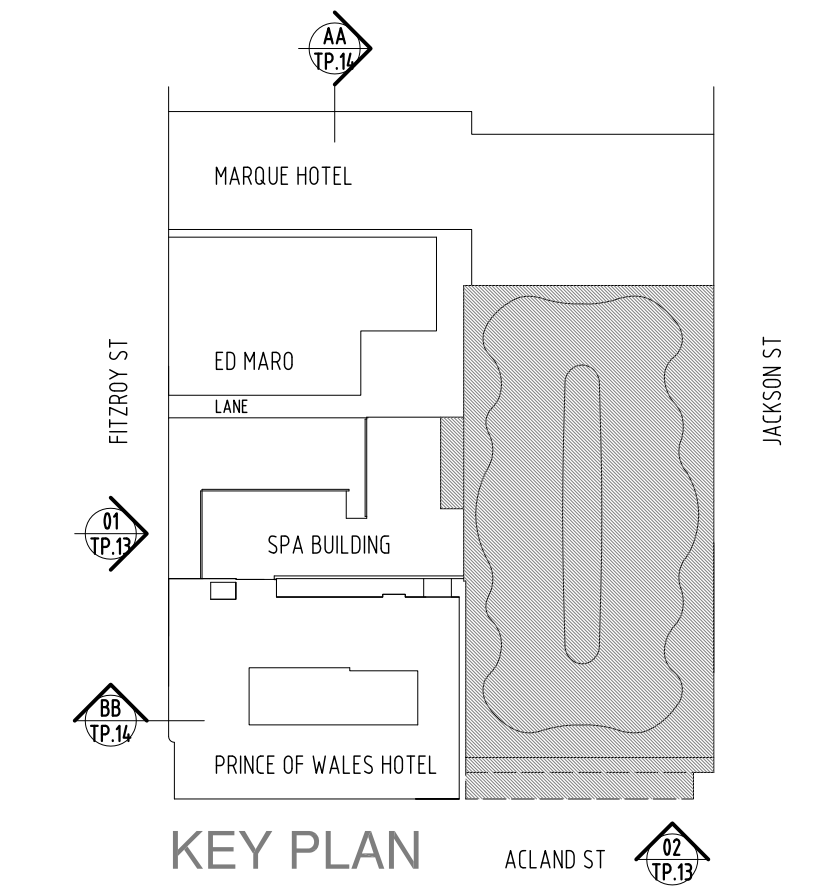


01 WEST ELEVATION



02 SOUTH ELEVATION

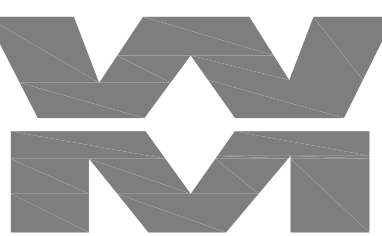
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KEY PLAN

DATE	NO.	COMMENTS	BY	CHECKED
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25.10.12	05	PLANNING PERMIT SUBMISSION	LA	

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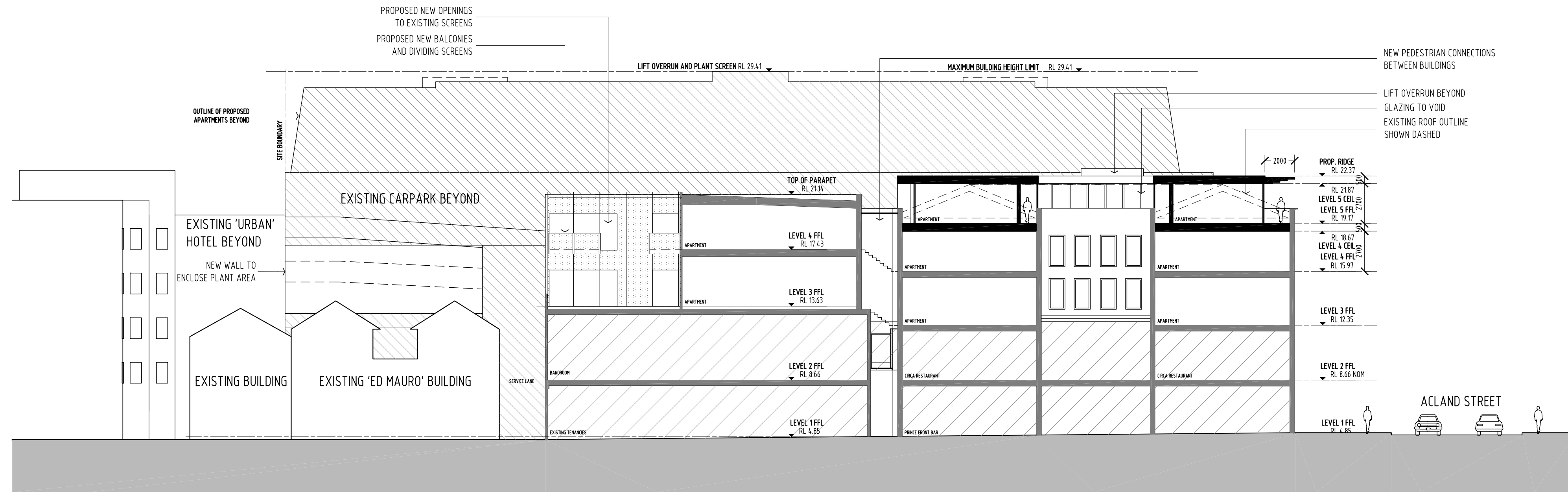


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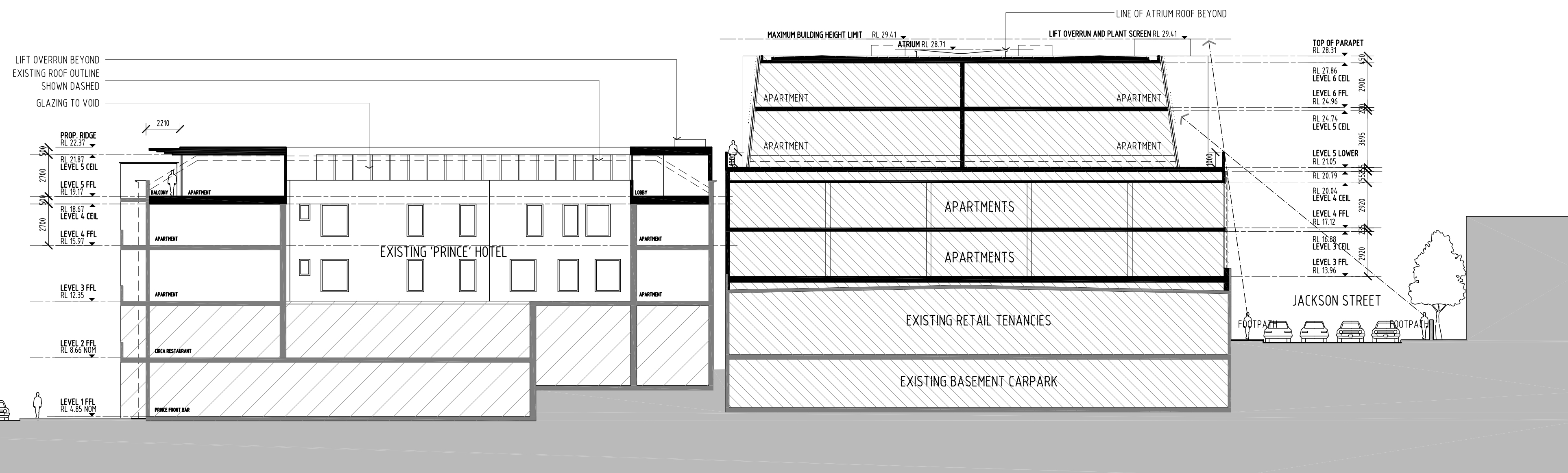
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TITLE	ELEVATIONS		

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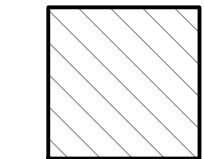
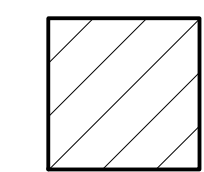
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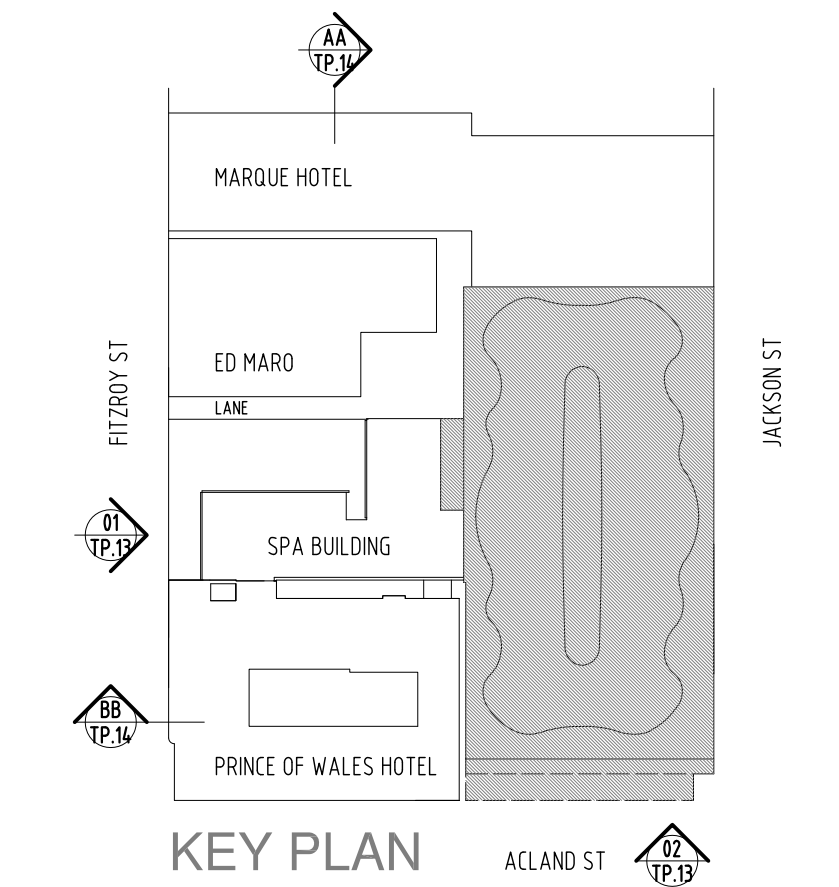


01 SECTION AA



02 SECTION BB

-  EXISTING AREA NOT FORMING PART OF THIS PERMIT
-  EXISTING AREA UNAFFECTED BY PROPOSAL

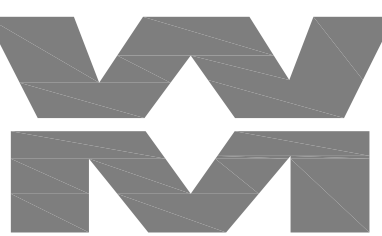


KEY PLAN

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22.03.13	07	PLANNING PERMIT SUBMISSION	LA	
27.02.13	06	PLANNING PERMIT SUBMISSION	LA	
25.10.12	05	PLANNING PERMIT SUBMISSION	LA	

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CLIENT	POW PARTNERSHIP
PROJECT	PRINCE APARTMENTS STAGE 2 DEVELOPMENT PLANS 29 FITZROY ST, STKILDA (NOVEMBER 2012)
TITLE	SECTIONS

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