

Our ref: **RAH:20192086**
Your ref:

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22 December 2022

The Principal Registrar
Victorian Civil & Administrative Tribunal
55 King Street
MELBOURNE VIC 3000

Dear Registrar

61-63 Inkerman Street, St Kilda (Land)
Planning Permit P742/2020
Section 87A Application to Amend a Planning Permit

We act for 6163 Inkerman Street Pty Ltd, the owner of the Land the subject of Planning Permit P742/2020 (**Permit**) and person entitled to use and develop the Land.

We enclose for filing with the Tribunal, an Application under Section 87A of the Planning and Environment Act 1987 on behalf of the Owner to amend the Permit (more specifically the plans endorsed under the Permit) together with the following supporting material:

- Copy of the title to the land, not more than 14 days old;
- Copy of the permit;
- Copy of the current endorsed plans;
- Copy of the proposed amended plans highlighting changes proposed;
- Copy of the VicPlan Planning Property Report;
- Copy of the VCAT decision relating to the permit; and
- Statement from One Mile Grid.

By way of background, the Permit was issued at the direction of the Tribunal by order dated 24 December 2021 in proceeding P536/2021 - *LT Corporation Pty Ltd v Port Phillip CC* [2021] VCAT 1526.

The Permit allows:

- Use of the Land for office having a leasable floor area of more than 250 square metres.
- Construction of a building or carrying out of works for a use in Section 2 of Clause 32.04-2 (the office use).
- Construction of a building or carrying out of works in the Special Building Overlay.
- Reduction in the number of car parking spaces required under Clause 52.06-5.

The plans were endorsed by the Responsible Authority on 9 September 2022. No change is proposed to the use or built form as approved by the Tribunal and as shown in the plans endorsed by the Council. The Applicant seeks approval to amend the endorsed plans to substitute an alternate car parking stacker system (V-Park LS32i by V-Space (**V-Space Unit**)) to that currently shown (Hercules -2+4/3 Grid Tandem Stacker (**Hercules Unit**)). This will result in a consequential reduction of 4 parking platforms (i.e., a reduction in parking provision from 30 spaces to 26 for the approved development).

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A brief statement from One Mile Grid is provided in support of the reduction in car parking provision proposed in this Mixed Use Zone location.

In addition to the switch to the V-Space Unit and reduction in parking provision, the plans the subject of this application also make minor consequential changes to first floor dimensions to accommodate the new unit and internal changes to the bicycle circulation around the stacker unit, specifically the ramp between the stacker and pump room.

We are instructed the change to the car parking stacker unit is required due to the dimensions of the Hercules Unit, the consequential impact of that unit on the structure of the approved development and the reliability of the Hercules Unit for future occupants.

Please note that in the part of the application form which relates to 'Interested Parties', despite obtaining copies of statements of grounds from the original hearing and a party list from the Tribunal to obtain the necessary details to complete the form, telephone numbers of some of the interested parties were unable to be obtained – a placeholder has been inserted in the form for the time being.

Please contact Reto Hofmann on 9321 7889 or Robert Phillips on 9321 7863 if we can be of any further assistance to the Tribunal in this matter.

Yours faithfully



Rigby Cooke Lawyers

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