

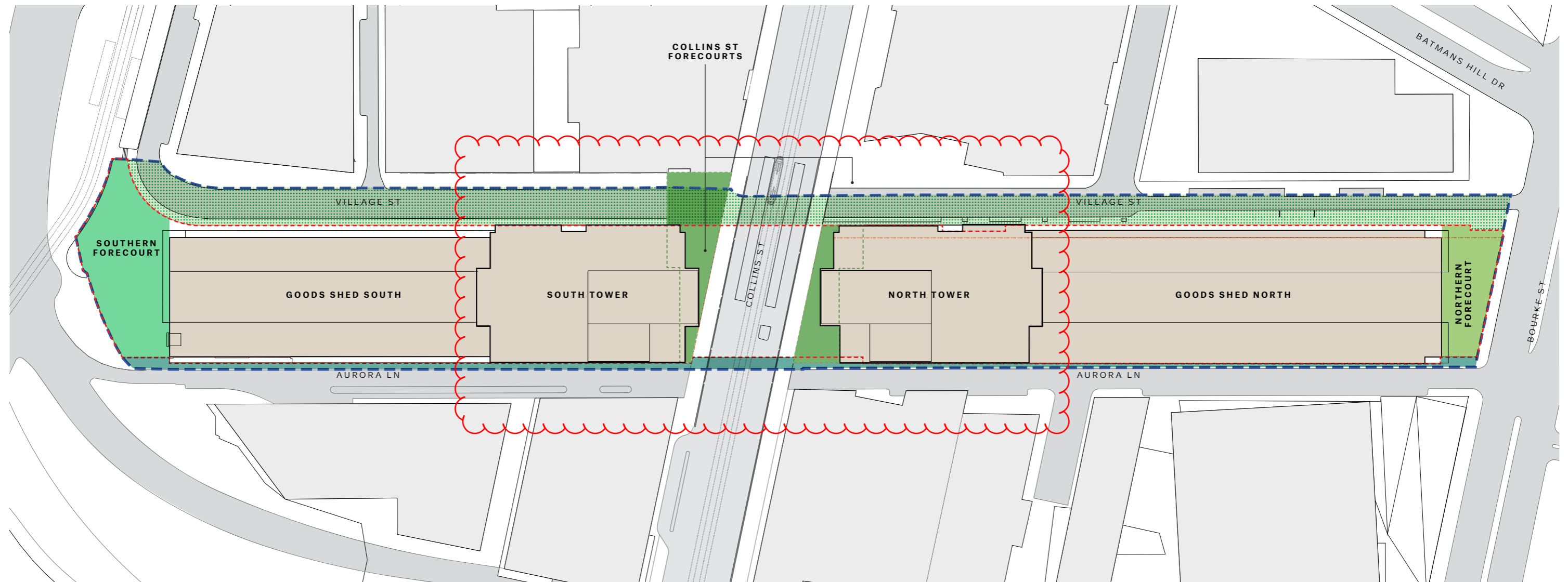
6.0

**Landscape
Masterplan**

6.1 Public Realm Plan

The public realm strategy for Goods Shed Precinct will create an authentic heritage place with diverse, high quality, people centric spaces that improves connectivity and activation as well as elevate the visibility and presence of the Goods Shed.

- On Collins Street, clearly defined entries with new public open spaces to increase physical and visual connectivity to the Goods Shed and the lower ground plane. These spaces will be sheltered and welcoming environments for people to dwell.
- Village Street will be activated with the shed's internal uses, greening and traffic calming measures, strengthening it as a safe pedestrian and cycle connection and contribute to a new biodiversity corridor.
- The Village Street undercroft will be activated by the internal uses of Goods Shed Central. It will be well lit and activated to maintain a safe and vibrant environment.
- Aurora Lane will remain service in nature with minor improvements proposed to improve connectivity and level navigation.
- At the northern end of the Goods Shed, an open and welcoming forecourt is proposed to improve connectivity and reveal the Goods Shed's presence on Bourke Street.
- At the southern end of the Goods Shed, the forecourt will remain to provide additional outdoor amenity for Goods Shed South.



--- Masterplan Extent

--- Site Boundary



6.3 Village Street Look and Feel

A key move in the landscape response across Village Street is the re-establishment of the delivery platforms along the sides of the sheds. Allowing for the form and function of this element to shift across the length of the sheds, what remains consistent about this re-establishment is the importance of reinstatement to the same extent and height of the original platform.

Punctured intermittently to allow access to the building, at times the collection of platforms perform as a seating element providing spill-out space for the internal markets.



1



2



3



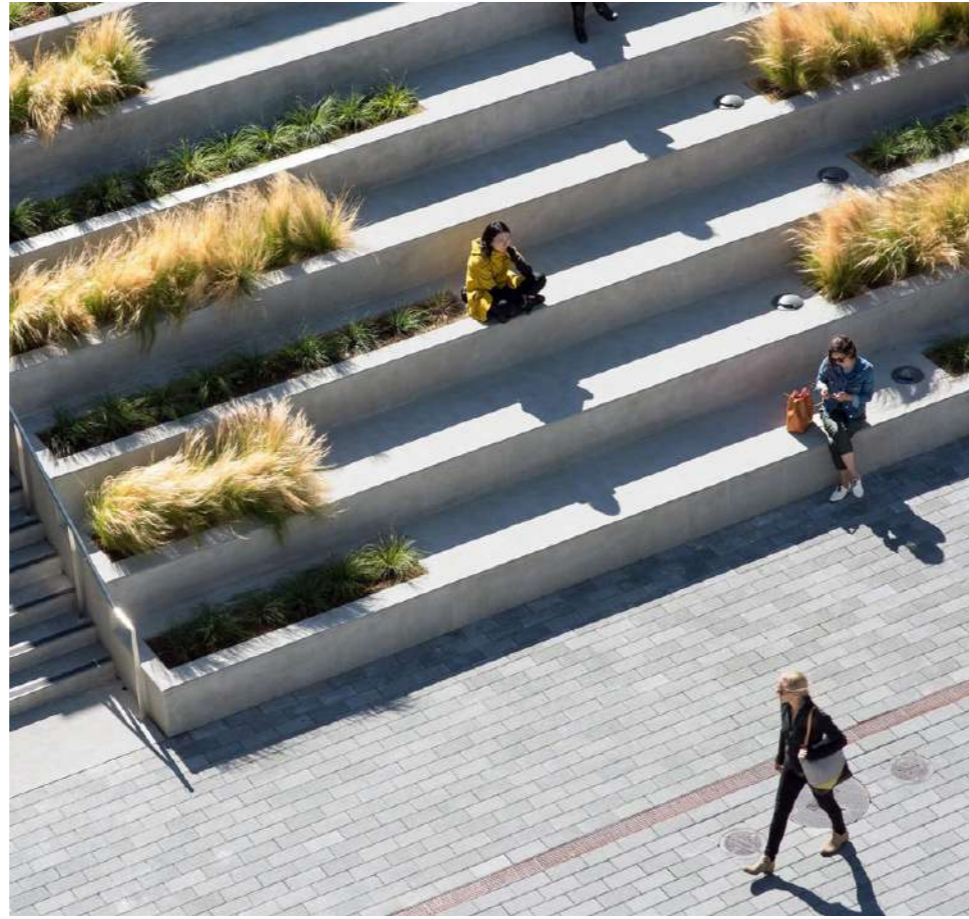
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Pictured

1. Tramsheds, Sydney
2. The Grounds of Alexandria, Sydney
3. Carriageworks, Sydney
4. Wesley Quarter, Perth

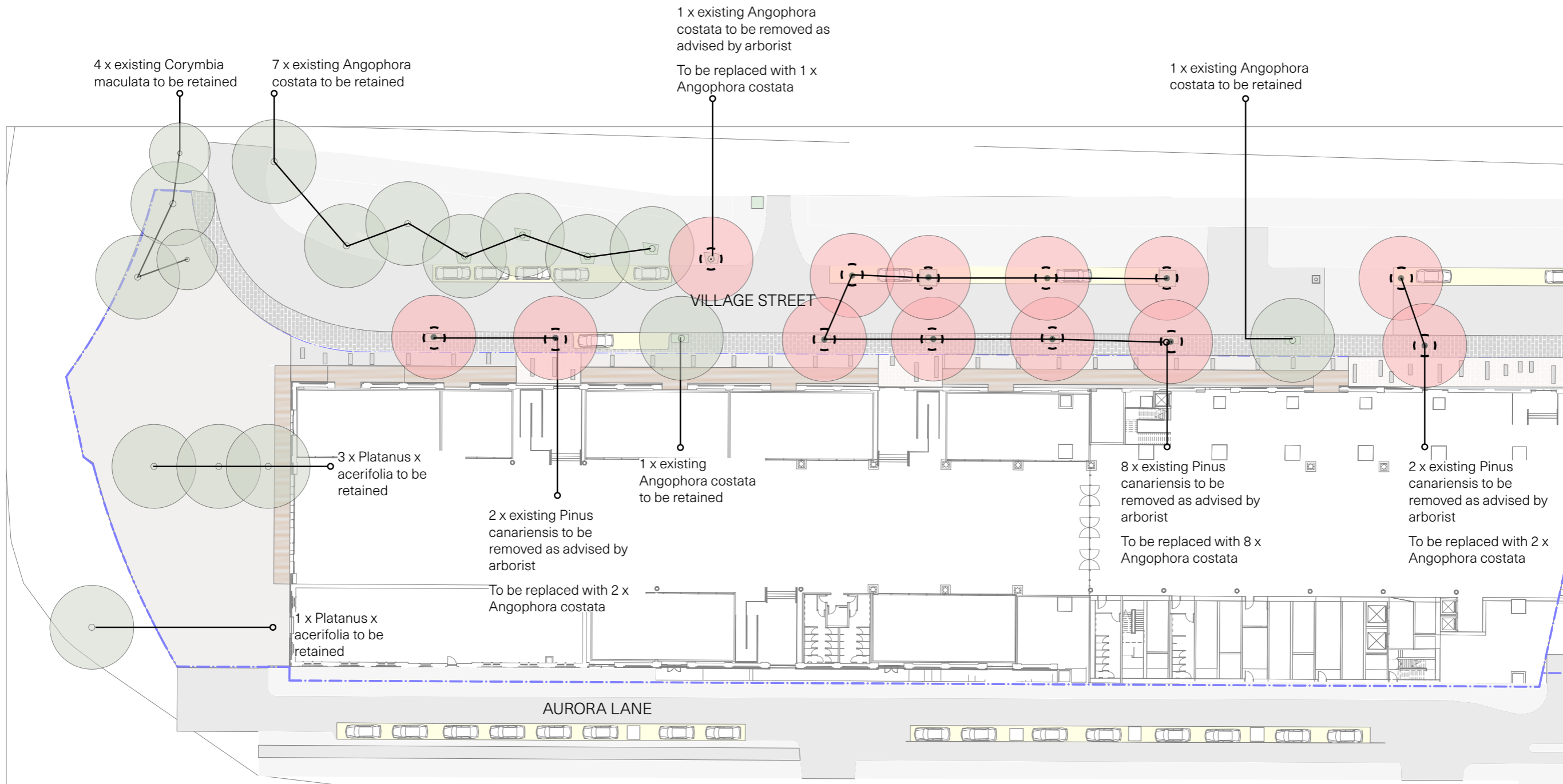
6.4 Collins Street Forecourts

Look and Feel



6.5 Tree Proposal

Village Street

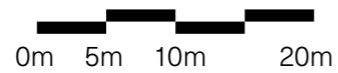


LEGEND

(·) Existing tree
To be removed

● Existing tree
To be retained

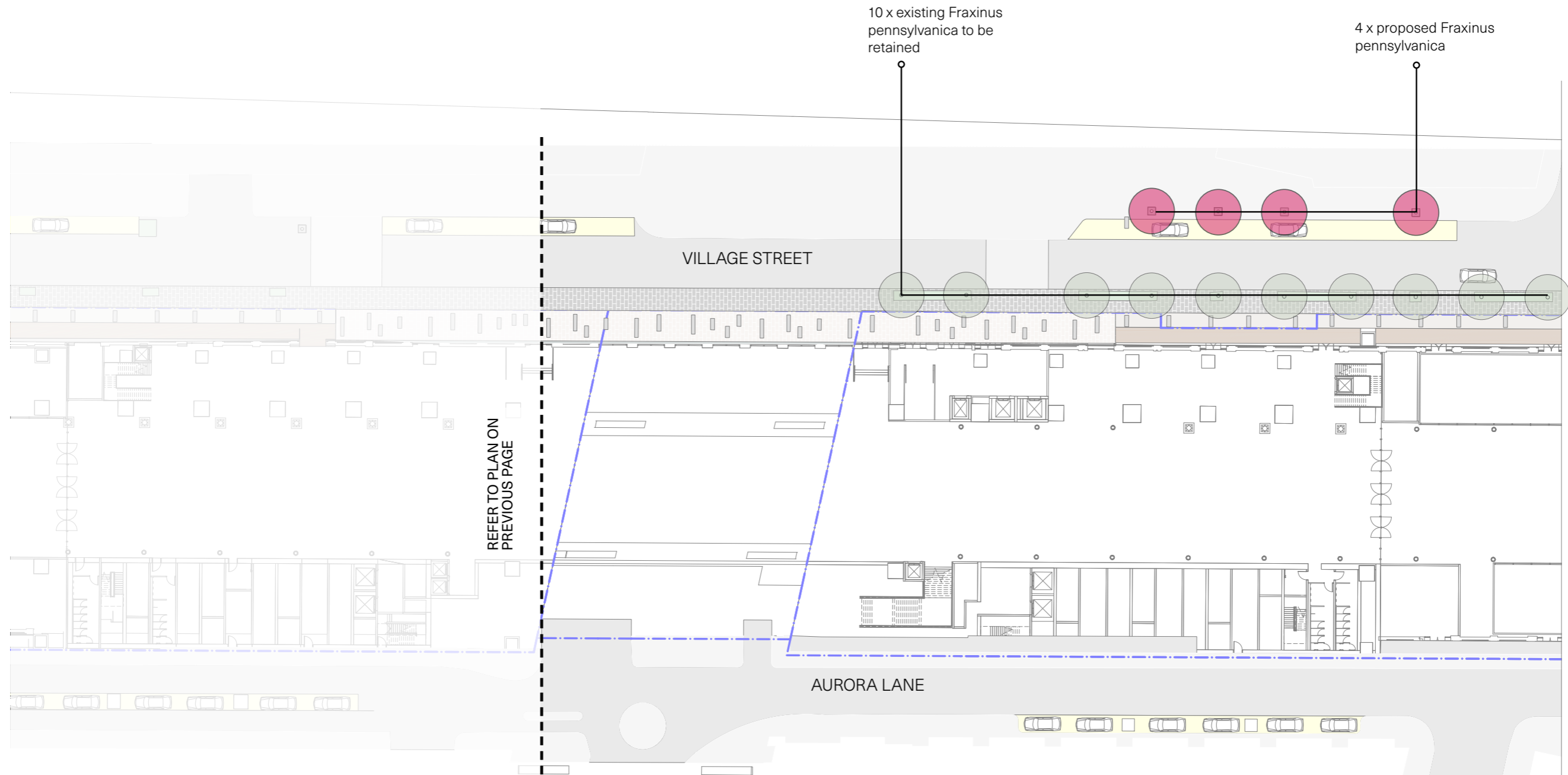
● Angophora costata
Sydney Red Gum



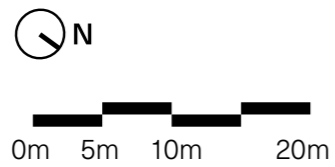


6.5 Tree Proposal

Village Street

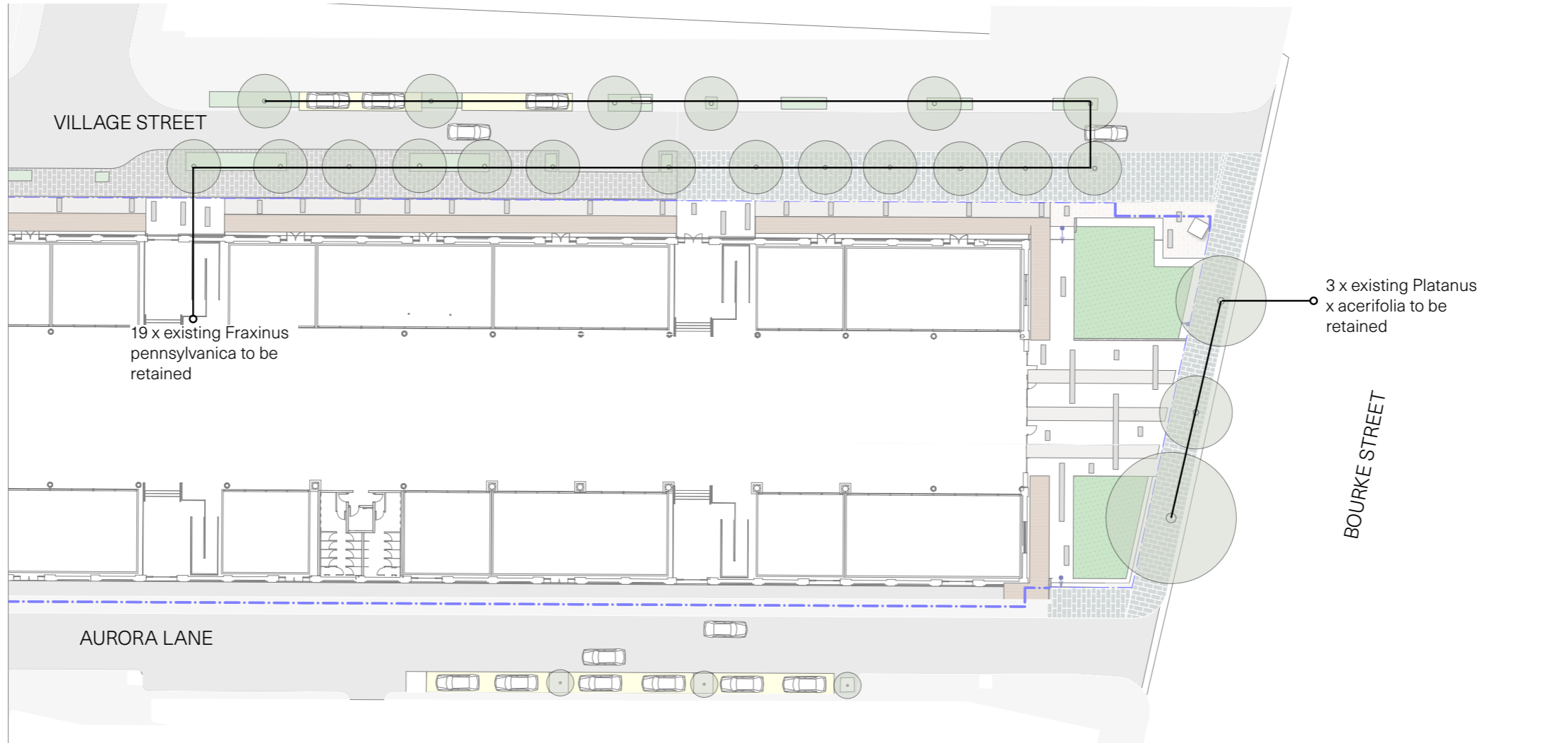


- LEGEND**
- (·) Existing tree To be removed
 - Existing tree To be retained
 - Fraxinus pennsylvanica 'Cimmzam' Cimmaron Ash



6.5 Tree Proposal

Village Street



TREE SCHEDULE

BOTANICAL NAME	COMMON NAME	MATURE HEIGHT	POT SIZE	QUANTITY	SOIL VOLUME
<i>Angophora costata</i>	Sydney Red Gum	30m	100Lt	13	32.15 m3/tree
<i>Fraxinus pennsylvanica</i> 'Cimmzam'	Cimmaron Ash	13m	100Lt	4	22.70 m3/tree
				TOTAL	17

TREES FOR REMOVAL

BOTANICAL NAME	COMMON NAME	QUANTITY
<i>Angophora costata</i>	Sydney Red Gum	1
<i>Pinus canariensis</i>	Canary Island Pine	12
TOTAL		13

LEGEND

(·) Existing tree
To be removed

(·) Existing tree
To be retained

N

0m 5m 10m 20m



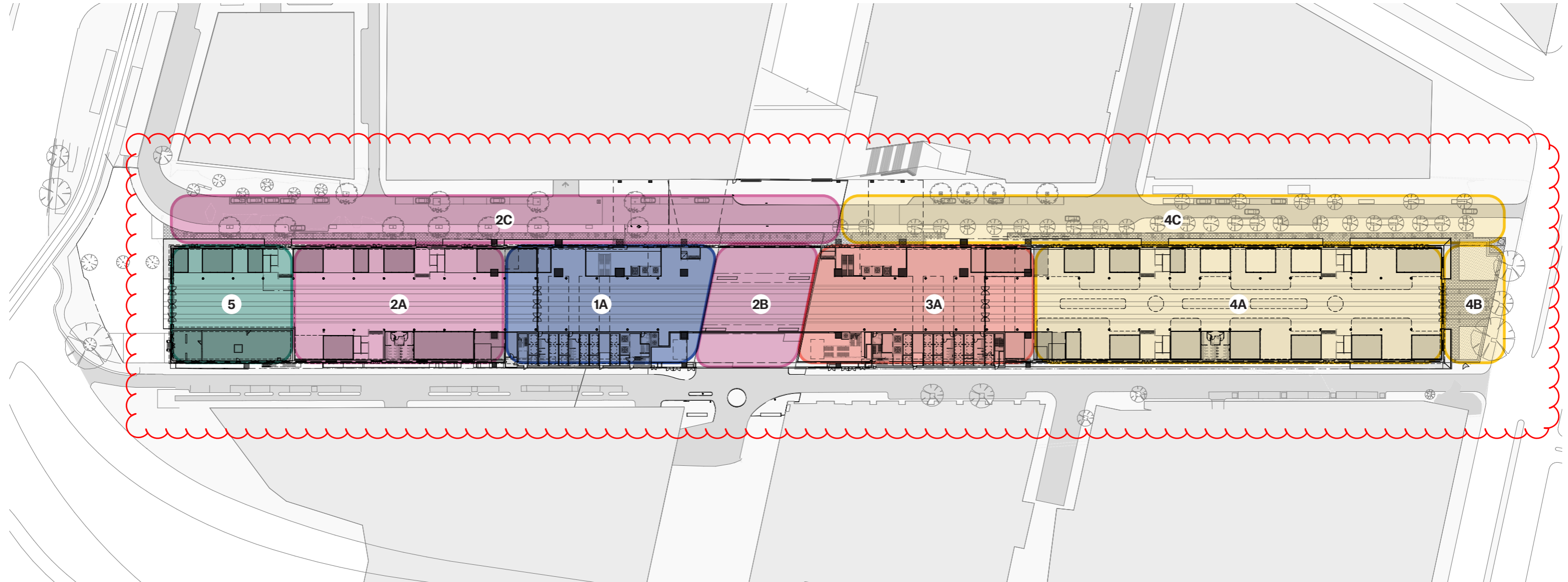


7.0

Staging Plan

7.1 Staging Plan

Village Street Level

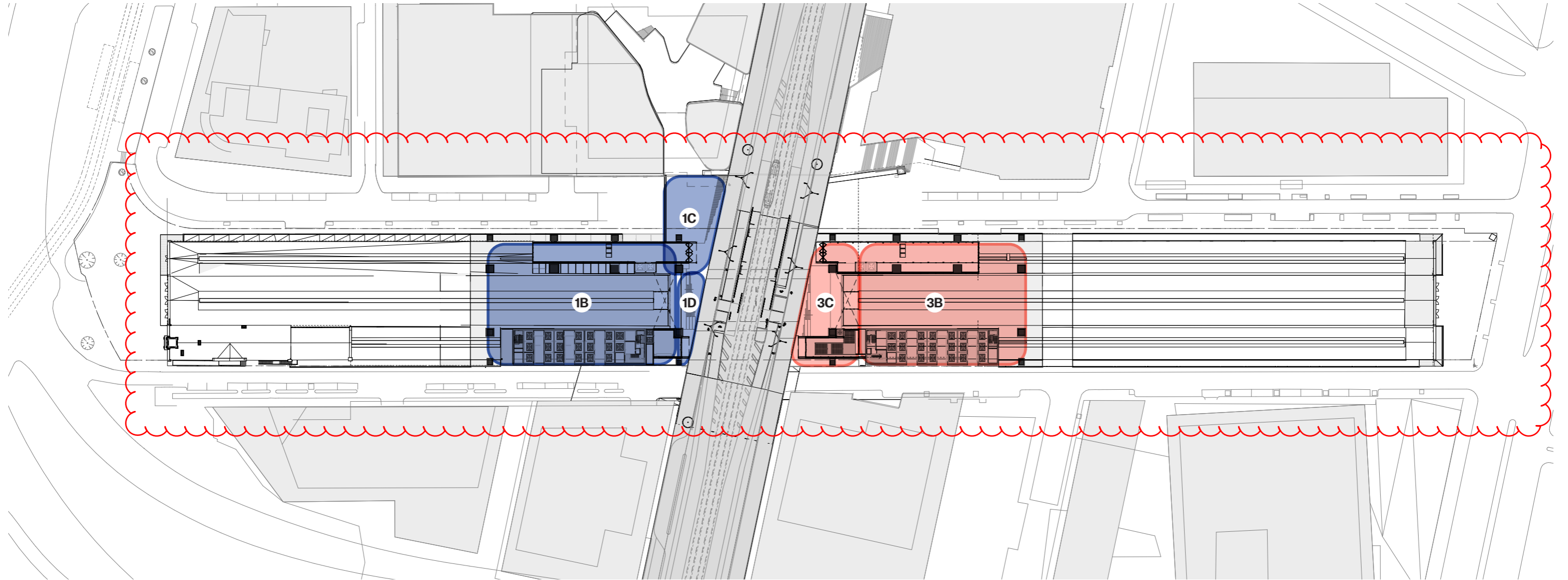


- | | | | | |
|-----------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|
| <p>Stage 1</p> <p>Stage 1A — Early Works South</p> | <p>Stage 2</p> <p>Stage 2A — Goods Shed South</p> <p>Stage 2B — Cultural Gallery Link</p> <p>Stage 2C — Public Realm Upgrades South</p> | <p>Stage 3</p> <p>Stage 3A — Early Works North</p> | <p>Stage 4</p> <p>Stage 4A — Goods Shed North</p> <p>Stage 4B — Northern Foreourt</p> <p>Stage 4C — Public Realm Upgrades North</p> | <p>Stage 5</p> <p>Stage 5 — Childcare and Clocktower Internal works</p> |
|-----------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|



7.1 Staging Plan

Collins Street Level



- Stage 1**
 - Stage 1B — Basement, Podium and South Tower
 - Stage 1C — Collins Street Bridge
 - Stage 1D — Amphitheatre and Public Entry
- Stage 3**
 - Stage 3B — Basement, Podium and North Tower
 - Stage 3C — Amphitheatre and Public Entry



8.1 Development Summary

	Goods Shed South Tower	Goods Shed North Tower
Land Use	Office	Office
	Place of Assembly	Place of Assembly
	Art Gallery	Art Gallery
	Function Centre	Function Centre
	Education Centre	Market
		Retail
		Food & Drink Premises
		Shop
Maximum Height Above Ground Level (2.84m AHD)	187.91m (AHD 190.75m)	187.91m (AHD 190.75m)
Maximum Total Above Ground Levels	41	41
Existing Shed Levels	1	1
Lobby Levels	2 (Ground Floor + Level 1 Sky Lobby)	2 (Ground Floor + Level 1 Sky Lobby)
Tower Levels	38	38
Total Above Ground GFA	117,876sqm	118,469sqm
Lower Ground Level GFA	7,367sqm	7,430sqm
Ground Level GFA	996sqm	998sqm
Commercial Tower GFA	105,199sqm	105,199sqm
Total Basement GFA	4,314sqm	4,842sqm
Basement Levels	2	2
No. of Bicycles	450	450
No. of Storage Lockers	540	540



- Commercial Tower
- Commercial and Public Entries (Ground Level) + Sky Lobby (Level 1)
- Existing Shed (Lower Ground Level)



DELEGATE REPORT MINISTERIAL PLANNING REFERRAL

Application no:	TPM-2022-7 and TPM-2022-8
Department of Transport and Planning (DTP) no:	DP2201560 & PA2201561
Applicant:	Walker Corporation C/- Urbis
Owner:	Walker Corporation and Development Victoria
Architect:	Bates Smart
Address:	707 and 710 Collins Street, 731-735 Bourke Street and 44 Village Street, Docklands (Goods Shed)
Proposal:	Applications for planning permit and development plan associated with a mixed use development of the Goods Shed buildings and the construction of two towers comprising offices, retail, education centre and place of assembly
Cost of works:	\$750,000,000
Date received:	14 April 2022
Date amendment received:	31 January 2023
Responsible officer:	Lachlan Orr, Principal Urban Planner

1 SUBJECT SITE AND SURROUNDS

1.1 Subject site

The subject site is formed by three individual sites that are associated with the Goods Shed No 2, Docklands, which is a place of local and state heritage significance.

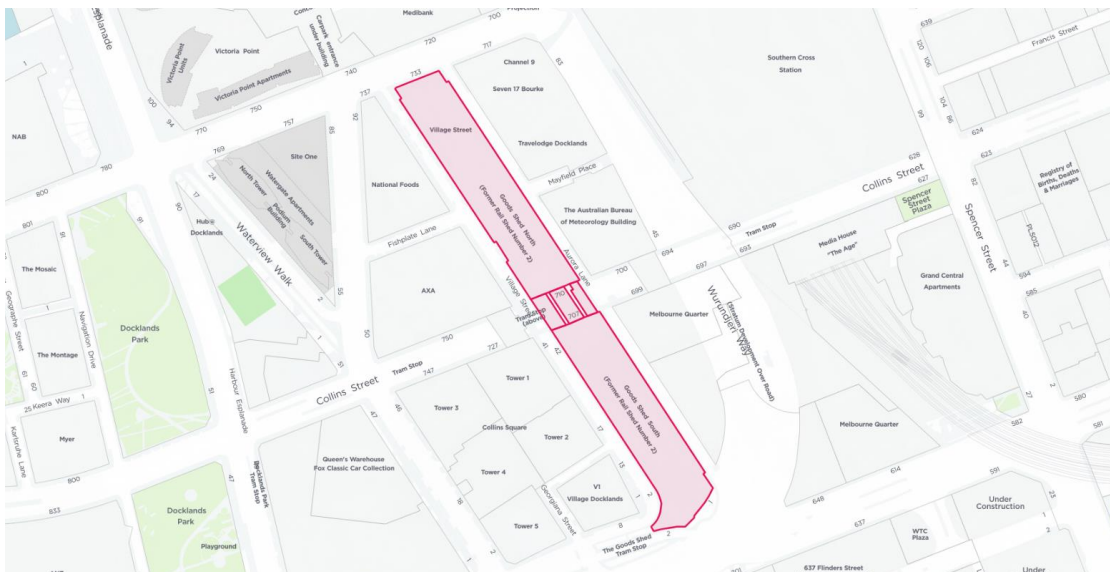


Figure 1: Locality map of subject site and surrounds

The two largest sites flank each side of Collins Street, Docklands, between Bourke Street to the north, Wurundjeri Way to the south, Aurora Lane to the east and Village Street to the west. The third site is located beneath the raised carriageway of Collins Street, in an undercroft area which links the northern and southern sections of the Goods Shed. Together, the overall site has an area of 17,750 square metres.

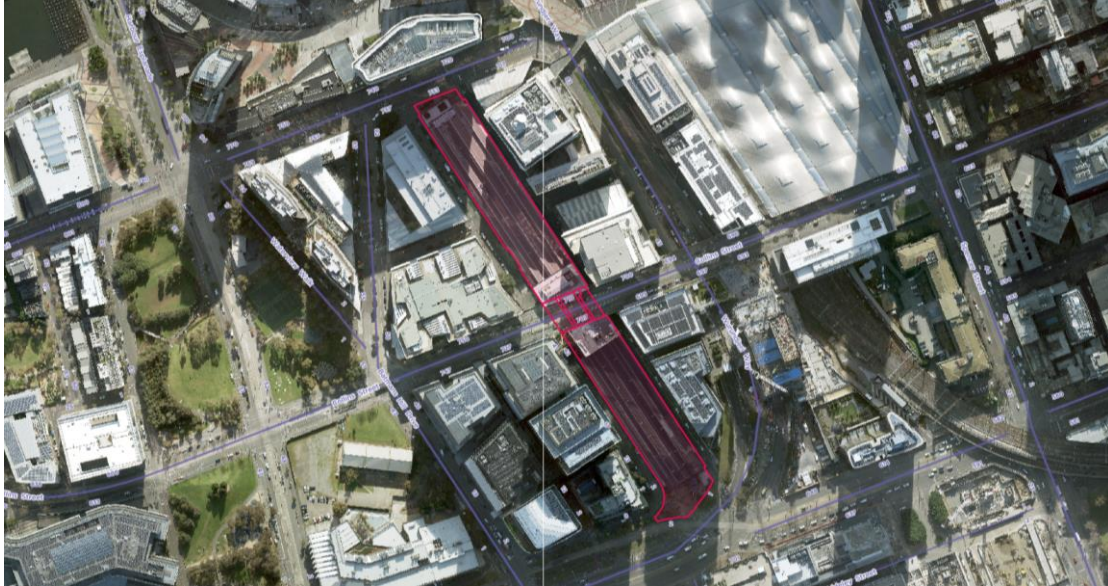


Figure 2: Aerial photograph of subject site and surrounds

The formal description of each site is listed below, along with relevant agreements and easements identified on title:

- Lot D on Plan of Subdivision 815499R - 707 Collins Street (South shed);
 - Agreement AH826602H under Section 24(2) of the *Docklands Act 1991*, indemnifying the State Government in relation to any potential remediation works arising from future development.
 - Easements for drainage, sewerage, electricity and gas located along the western boundary to Village Street and at the southern edge of the site between Village Street and Aurora Lane.
- Lot 2 on Plan of Subdivision 546345T - 710 Collins Street and 731-735 Bourke Street (North shed);
 - Agreement AF832157K under Section 24(2) of the *Docklands Act 1991*, indemnifying the State Government in relation to any potential remediation works arising from future development.
 - Easements for electricity and gas located along the western boundary to Village Street.
- Crown Allotments 2122, 2123 and 2353, City of Melbourne, shown on TP955089Q – 44 Village Street (Undercroft);
 - Agreement AM620558M under Section 173 of the *Planning and Environment Act 1987* relating to construction and removal of structures within an easement beneath the Collins Street bridge.
 - Agreement AU959864T under Section 173 of the *Planning and Environment Act 1987* relating to Council powers to access, inspect and maintain structures within the Collins Street bridge undercroft.
 - Easements for electricity and access for bridge repair works.

It is noted that the applicant has declared the above title restrictions will not be breached as a result of the proposal.

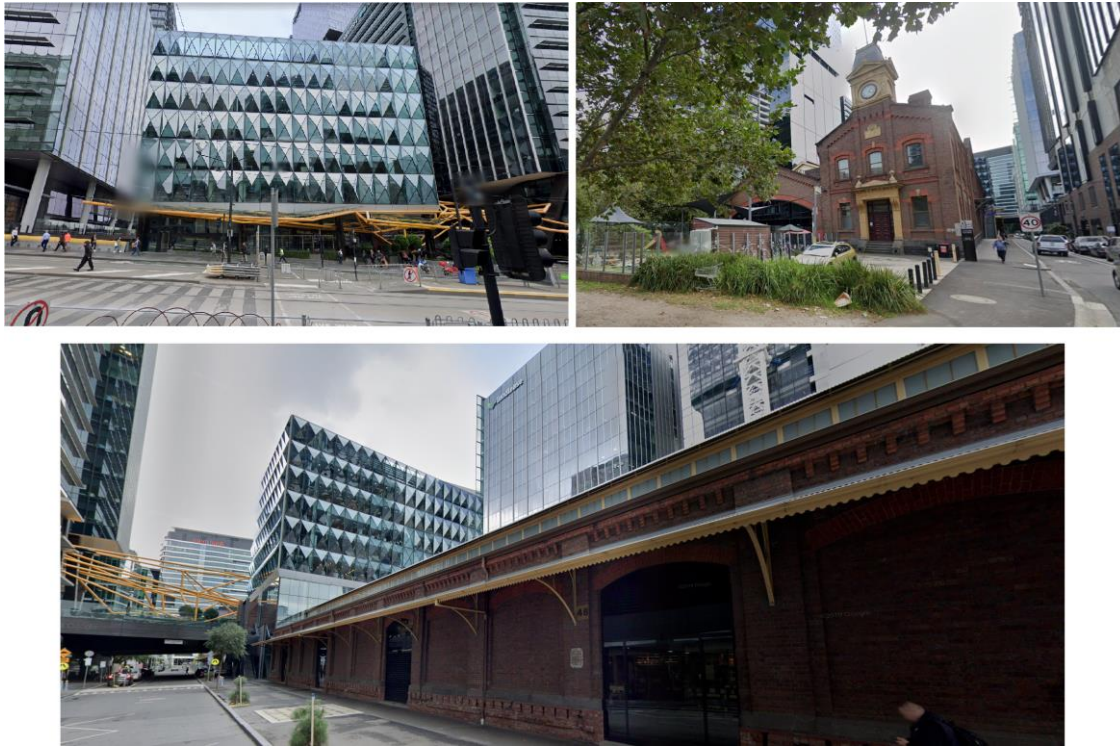


Figure 3: Southern Goods Shed site viewed from Collins Street (top left), Wurundjeri Way (top right) and Village Street (bottom)

The Goods Shed No 2 is listed on the Victorian Heritage Register (VHR 0933), identifying it as a place of State heritage significance. It was originally built in 1889 and is recognised as the largest and most architecturally significant example of a railway goods building of that era in Victoria.



Figure 4: Northern Goods Shed site viewed from Collins Street (top left), Bourke Street (top right) and Village Street (bottom)

The design of the shed is defined by three parallel roof forms supported by brick walls and iron columns. A two storey former administrative building with clock tower is located at the southernmost edge. Originally a connected shed, the building was partially demolished to facilitate the extension of Collins Street approximately 20 years ago which resulted in the present configuration of separate northern and southern sheds.

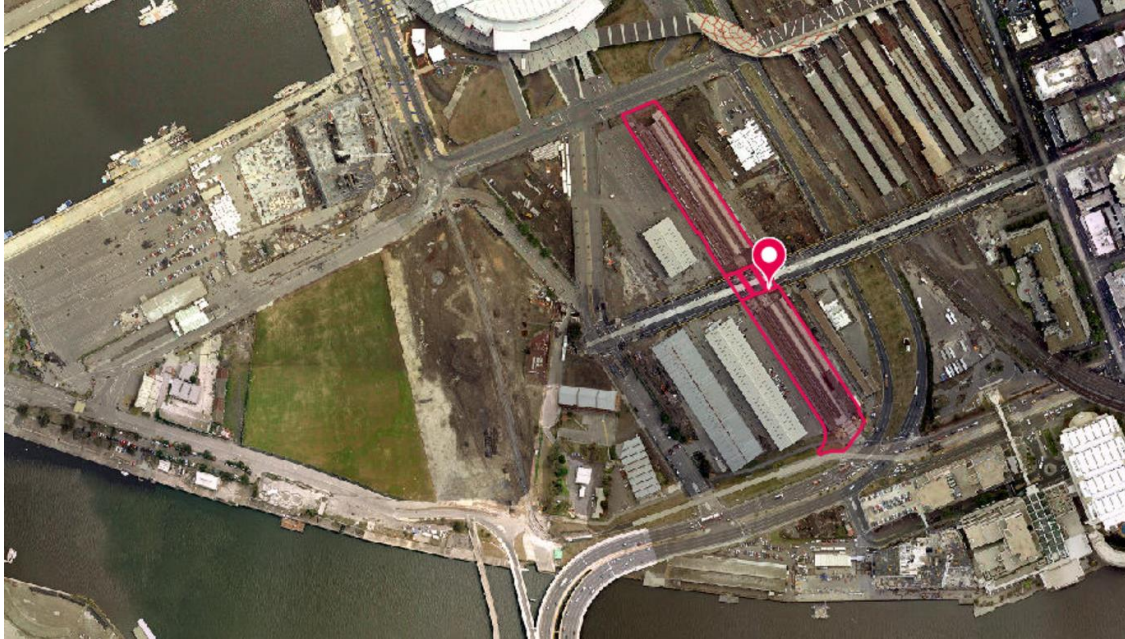


Figure 5: Aerial image 2002 prior to construction of Collins Street extension

Subsequently, there have been two major stages of redevelopment in the form of multi-storey office buildings having a primary interface to the raised carriageway of Collins Street with ancillary commercial developments at the northern and southern edges of the shed. The northern shed was developed following the approval of a Development Plan in 2008, and the southern shed was developed in accordance with a Ministerial planning permit issued in 2011.

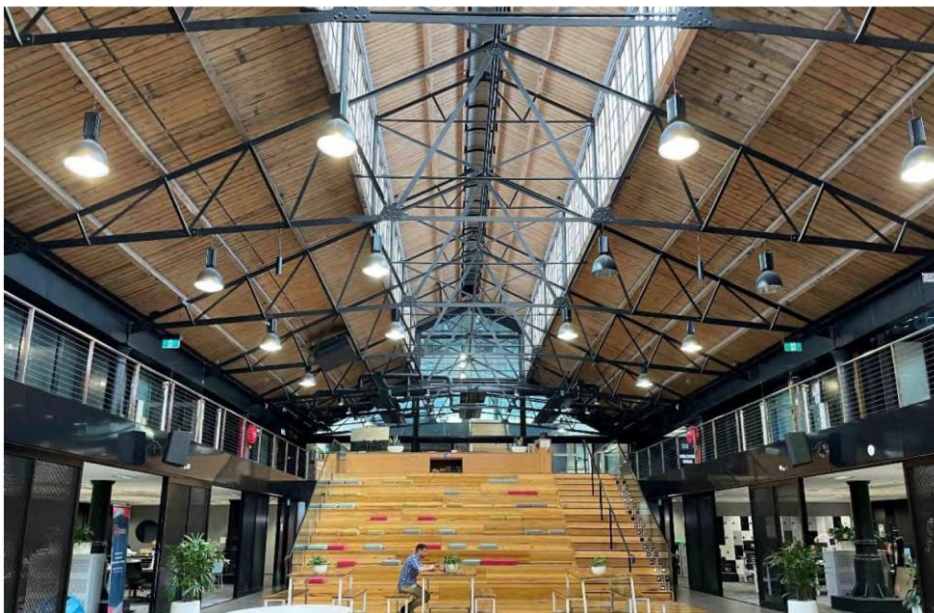


Figure 6: Interior of northern shed facing south

The site is predominantly used for the purposes of offices. The northern shed has also been developed with a tavern at the northern-most edge facing Bourke Street, while the southern shed has been developed with a child care centre at the southern edge facing Wurundjeri Way. Stair access down to Village Street and Aurora Lane is provided from Collins Street alongside the southern office building. The undercroft area has been developed with commercial (currently retail) space as well as service and loading areas associated with the offices in the Goods Shed buildings.



Figure 7: Stair access between Collins Street and Village Street

1.2 Surrounds

The site is located within the Batman's Hill precinct of Docklands which is characterised by mixed use development in line with the precinct objectives under Schedule 3 to the Docklands Zone. Recent development has been predominantly in the form of office towers such as the recently completed Collins Square towers to the west.

Noting the site is bounded by roads with no immediate abuttals, the surrounding sites are described as follows:

- To the north, on the opposite side of Bourke Street, is commercial and residential development located within the Stadium Precinct of Docklands. The stadium and concourse is located approximately 100 metres further north.
- To the south is Wurundjeri Way, which is an expansive road reserve around the intersection with Flinders Street which converges with the West Gate Freeway and City Link further to the south-west.
- To the east, on the opposite side of Aurora Lane, multi-storey office developments including the recently constructed Melbourne Quarter buildings on the southern side of Collins Street. A 'Travelodge' residential accommodation building is located to the north of Collins Street. A recent Ministerial permit (TPM-2019-21) was issued for a 57 storey mixed use development, behind the retained office building located at 694-704 Collins Street.

- To the west, on the opposite side of Village Street, are recently constructed office developments including the ten storey office building on the northern side of Collins Street, and the recently completed Collins Square office precinct on the southern side of Collins Street.



Figure 8: Existing and emerging built form context of surrounding area

The surrounding area is well serviced by public transport with tram routes running along Collins Street and Wurundjeri Way, and Southern Cross railway station situated approximately 200 metres to the east.

2 BACKGROUND AND HISTORY

2.1 Heritage Victoria application

The subject site is included on the Victorian Heritage Register (VHR H0933). Pursuant to Clause 43.01-3 of the Melbourne Planning Scheme, a planning permit is not required under the Heritage Overlay to develop a place on the Victorian Heritage Register as separate approval is required from Heritage Victoria.

Heritage Victoria application P35475 (CoM reference HV-2022-13) was lodged at the same time as the original planning permit and development plan applications, and was referred to Council on 6 April 2022.

Under delegation, Council responded on 27 May 2022 stating that it does not support the application as the beneficial elements of the proposal were considered to be outweighed by its impacts, in particular the extent of demolition and impacts of new built form on the heritage place.

Heritage Victoria issued a Notice of Refusal to Grant a Permit on 5 January 2023, on the following grounds:

- *The demolition and partial reconstruction of additional bays of the No. 2 Goods Shed on either side of Collins Street would cause substantial visual and physical harm to the cultural heritage significance of the place. It would*

permanently, irreversibly and further diminish the understanding of the place as Victoria's longest and most substantial goods shed.

- *The construction of two towers on either side of Collins Street would have significant physical and visual impacts on the place. They would further disrupt the already compromised understanding of the visual and physical connections between the north and south sections of the No. 2 Goods Shed.*
- *The scale and bulk of the proposed new towers would overwhelm and dominate the No. 2 Goods Shed and obscure views to the north and south sections from Collins Street.*
- *The reasons provided to justify demolition of these elements are not based on a sound heritage approach, but on the commercial development of the place.*
- *The negative impacts of the proposal outweigh the benefits. The benefits could be achieved without construction of the two towers.*
- *The current uses are reasonable. The evidence provided suggests that they are viable and generate sufficient income to cover the costs of conservation and maintenance.*

The consideration of this concurrent application is discussed further at Section 7 of this report.

2.2 Approved Development Plan

Schedule 4 to the Development Plan Overlay identifies the 'Development Plan Collins Square - April 2011, Volumes 1 and 2' as the current approved Development Plan for the precinct, originally endorsed by the Minister for Planning on 30 June 2011. The approved Development Plan replaced the "Collins Square Outline Development Plan August 2007", and primarily concerned the development of the Collins Square commercial towers to the west as well as the Lantern building above the southern shed of the Goods Shed building. The developments shown in the approved Development Plan and set out in the associated Staging Plan have been constructed.

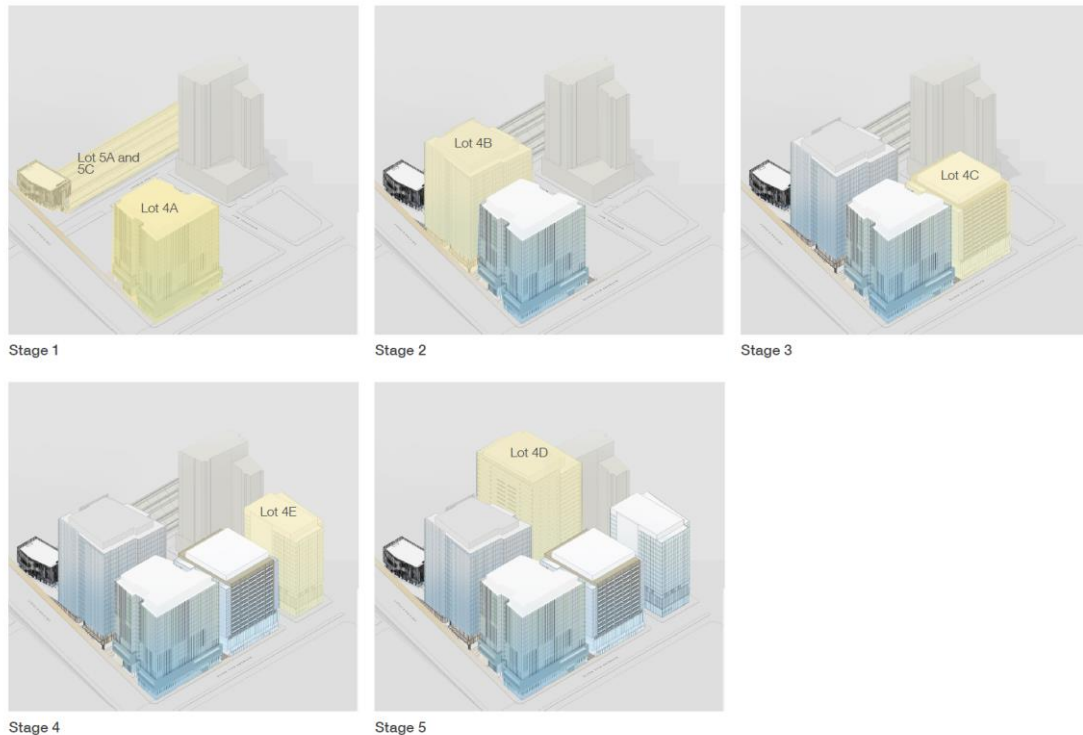


Figure 9: Extract from 'Development Plan Collins Square – April 2011' staging plan, with Goods Shed South shown in Stage 1

The approved Development Plan does not provide for the further development of the entirety of the Goods Shed site, which is the basis for the preparation of the proposed Development Plan accompanying the planning permit application.

2.3 Planning application history

The following historical planning permit applications are of relevance:

707 Collins Street (Southern shed)		
CoM Reference	Description	Decision
TP-2012-981	Use of land as a Childcare Centre and associated buildings and works	Permit issued by Council on 17 May 2013
TPD-2011-2	Construction of an office building abutting Collins Street (Lantern Building), the restoration of the existing Goods Shed South building and associated works	Permit issued by Minister for Planning on 7 April 2011

710 Collins Street and 731-735 Bourke Street (Northern shed)		
CoM Reference	Description	Decision
TPM-2013-32	Demolition of part of the Goods Shed North, and buildings and works associated with the construction of a multi-level office building, and associated parking	Refusal issued by the Minister for Planning on 18 October 2014

TPD-2006-7	Development Plan approval for the construction of a multi-storey office building facing Collins Street and a Tavern facing Bourke Street	Development plan approved by Minister for Planning on 22 May 2008
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44 Village Street (Bridge undercroft)		
CoM Reference	Description	Decision
TP-2012-787	Carry out development and use of the land as a car park, office, shop/restaurant/take away food premises	Permit issued by Council on 13 September 2013
TP-2012-787/A	Amendment to Conditions 1(g), 4, 5, 6 & 20	Amended permit issued by Council on 17 February 2014
TP-2012-787/B	Amendments to Conditions 1(e), 17, 24 and plan amendments	Amended permit issued by Council on 4 August 2015
TP-2012-787/C	Amendment to include new Condition 7 and plan amendments	Amended permit issued by Council on 6 September 2016

2.4 Pre-application meetings

Pre-application discussions were facilitated by DELWP (now DTP – Planning) on 30 September 2021, 27 October 2021 and 9 February 2022, attended by the permit applicant and Council Officers. Concerns were raised by Council through this process in relation to built form impacts, public realm activation and overshadowing.

Design review and advice was also provided by the Office of the Victorian Government Architect at the pre-application stage and during the application review.

3 PROPOSAL

3.1 Documents considered in assessment

The plans and supporting documentation which have been considered in this assessment are identified in the following table:

Documents considered in assessment		
Document	Author	Date
Architectural Plans	Bates Smart	23 January 2023
Development Plan	Bates Smart	23 January 2023
Landscape Plans	Aspect Studios	12 May 2022
Urban Context Report	Bates Smart	18 March 2022
Town Planning Report	Urbis	22 March 2022
Cultural Heritage Assessment	Andrew Long & Associates	16 March 2022

Traffic Impact Assessment Report	Stantec	21 March 2022
Wind Assessment	MEL Consultants	9 December 2022
Waste Management Plan	Ratio Consultants	8 August 2022
Environmentally Sustainable Design Statements	Norman Disney & Young	25 August 2022
Arboricultural Assessment	John Patrick Landscape Architects	25 February 2022
Acoustic Report	Norman Disney & Young	12 March 2022
Stormwater Management Plan and Flood Report	OWC Consulting Engineers	18 March 2022
Building Access Assessment Report	Phillip Chen	March 2022
Need and Capacity Assessment	Urbis	March 2022
Environmental Audit Report	Coffey Environments Australia	22 December 2011

3.2 Proposal details

The planning permit application proposes a mixed use development including partial demolition, buildings and works to the existing Goods Shed buildings, and the construction of two towers including offices, retail, an education centre and a place of assembly. An application has also been made for the endorsement of a Development Plan pursuant to Schedule 4 of the Development Plan Overlay.

Key features of the proposal are summarised below:

- The demolition of the existing multi-storey office buildings facing Collins Street, demolition of additions to the northern shed facing Bourke Street, and partial demolition of the Goods Shed buildings.
- The construction of two 41-storey towers containing offices, one each above the northern and southern Goods Shed buildings, with a primary interface and entry lobby from Collins Street.
- At the Collins Street level, the provision of an open central bay beneath each tower above reconstructed sections of the central Goods Shed structure.
- At the lower ground level, the retained and reconstructed sections of the Goods Shed developed with a mix of commercial uses including:
 - In the northern shed, a series of retail pods in a market type configuration. An open forecourt will be established in the northern-most section of the site, replacing the modern canopy structures presently occupying this space on the Bourke Street frontage.
 - In the southern shed, a series of office pods as well as the retention of the existing education centre (child care centre).
 - In the central undercroft area, a place of assembly (indicated as an art gallery space) enabling an active connection between the north and south buildings.

- Within the eastern section of the central undercroft area, facing Aurora Lane, a servicing and loading bay area.
- Two basement levels are proposed beneath each tower accommodating bicycle parking, storage and end-of-trip facilities.
- External materials and finishes of each tower include glazed walls within expressed structural elements constructed of steel, concrete and aluminium. The supporting columns of the tower are a prominent element at the lower and ground levels, providing a raised base for the towers above the sheds and around the proposed central bay. Masonry finishes are provided at the lower levels to Village Street and Aurora Lane including pre-cast concrete panels and brick veneer to match the existing walls of the Goods Shed. Timber, bronze and dark metal finishes are used within the central bay above the reconstructed Goods Shed.
- Projecting fins are provided to the northern and southern facades of each tower. The western façade of each tower is provided with a central vertical recess. The tower cores are located on the eastern elevation, finished externally with pre-cast concrete panelling. A stepped capping form integrates the rooftop plant structures.
- The main entrances for the development are provided to Collins Street, where each tower has a direct frontage to the street. A lobby area is located at ground level alongside the abovementioned central bay, leading to elevated sky lobbies at the lower levels of the tower. The entry points are located within partially enclosed, framed structures constructed in a contrasting dark metal.
- A publicly accessible staircase providing access from Collins Street to the lower levels of the building is provided at the base of the northern tower, via its eastern entry point. A publicly accessible lift lobby in a similar location is provided in the southern tower.
- Entry points are provided at the lower ground level on Village Street, directly beneath the proposed towers, including direct access for cyclists to the storage and end-of-trip facilities located at the basement levels.
- Service access is provided from Aurora Lane, beneath the proposed towers and centrally within the loading dock in the undercroft area.
- Direct pedestrian access is also available for ground floor tenancies along Village Street and Aurora Lane through existing openings within the Goods Shed structure.
- The removal of temporary access structures along Village Street and resurfacing of footpaths along the western boundary.

Specific details of the proposal are contained in the following table:

Height (both towers)	188 metres and 41 storeys
Basement Levels (both towers)	2

Tower Setbacks	<p>Zero setback provided to Aurora Lane and Village Street</p> <p>Northern tower set back 2.11 to 11.88 metres from Collins Street, and approximately 138 metres from Bourke Street</p> <p>Southern tower set back 0 to 10.1 metres from Collins Street, and approximately 90 metres from Wurundjeri Way</p>
Gross Floor Area (GFA)	236,345 square metres
Offices leasable floor area	141,168 square metres, provided within both towers as well as separate office pods within the southern shed
Retail leasable floor area	5,384 square metres, provided in an open market configuration within the northern shed
Place of assembly leasable floor area	3,027 square metres, provided between each shed as a connecting space within the Collins Street bridge undercroft
Education centre	14 staff and 100 students, provided within the southern shed
Car Parking Spaces	0
Bicycle Parking Spaces	1,102 spaces



Figure 10: North-western perspective view of the proposed towers



Figure 11: Perspective image of the northern tower staircase entry and open central bay above the Goods Shed as viewed from Collins Street



Figure 12: Perspective image of the northern forecourt area with proposed tower behind as viewed from Bourke Street

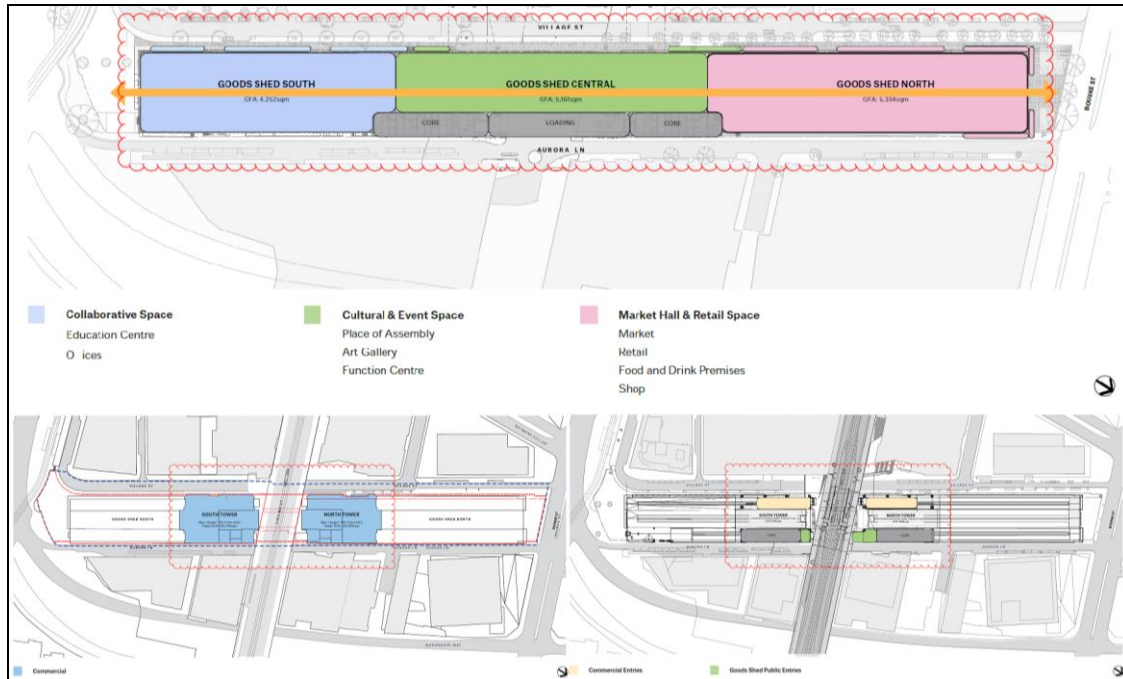


Figure 13: Development program at the lower ground level to Bourke Street, Village Street and Aurora Lane (top), tower levels (bottom left) and ground level on Collins Street (bottom right)

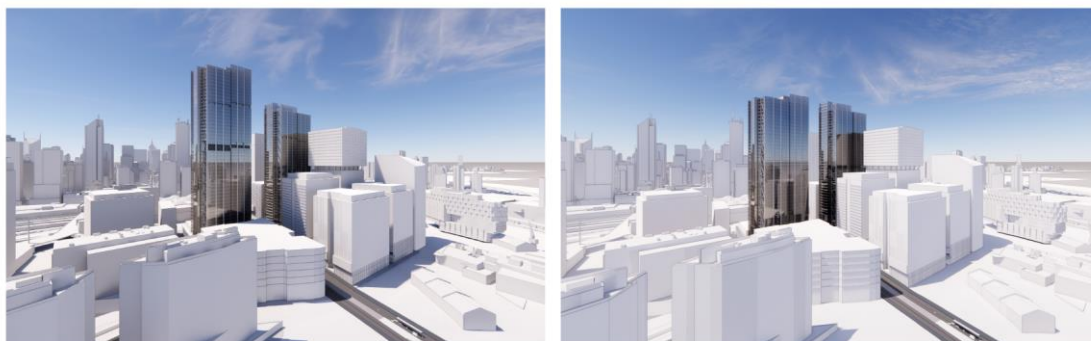
The application for a Development Plan seeks the endorsement of the 'Goods Shed Precinct Development Plan, 23 January 2023' which is proposed to supplement the existing approved Development Plan, the 'Development Plan Collins Square - April 2011, Volumes 1 and 2'. The proposed development plan seeks to incorporate the entirety of the Goods Shed site bounded by Bourke Street to the north, Wurundjeri Way to the south, Aurora Lane to the east and Village Street to the west. The proposed development plan provides for the land use and development outcomes contained within the planning permit application, and has been prepared in accordance with the requirements at Clause 2.0 of Schedule 4 to the Development Plan Overlay.

3.3 Amendment during application

The application was formally amended under Section 50A of the *Planning and Environment Act 1987*. The amended application was referred to Council by DTP on 31 January 2023.

Tower Massing

Tower Heights and Area



Submitted Design

Response Design

Figure 14: Comparison north-western images of original (left) and amended (right) towers

The amendments to the application are summarised as follows:

- A reduction in the overall height of the northern tower by 35.1 metres to a maximum height of approximately 188 metres, matching the height of the southern tower.
- The deletion of the proposed lobby areas projecting above the Village Street road reserve, and the subsequent reconfiguration of the main entrances and lobby areas within the tower footprint.
- An expanded, open central bay beneath each tower around the reconstructed Goods Shed structures presenting to Collins Street.
- Reduced extent of demolition to the walls, central roof and columns of the Goods Shed beneath the proposed towers.
- Modifications to the façade treatment and materiality of the towers, including:
 - An increased vertical rebate located centrally on the western elevation of each tower, with dimensions of 7.45 metres in width and 2 metres in depth.
 - Timber, bronze and dark metal finishes to the central bays above the Goods Shed structures as they present to Collins Street.
 - Prominent entry structures to Collins Street with dark metal framing.
- Increased active uses at the Collins Street level including an indicative retail kiosk located within the existing open link projecting over Village Street between the site and the neighbouring site to the west.

The amended application was submitted with updated versions of the previously submitted architectural plans, Development Plan and Wind Assessment.



Figure 15: Comparison images of original and amended proposals as viewed from Collins Street (top) and Village Street (bottom)

4 PLANNING POLICY FRAMEWORK, CONTROLS AND PROVISIONS

The following policies, controls and provisions of the Melbourne Planning Scheme are relevant to the application:

Policy	
Purpose and Vision	<p>Clause 02.02 – Vision</p> <p>Clause 02.03 – Strategic Directions</p> <p>Clause 02.04 – Strategic framework plans</p>
Planning Policy Framework	<p>Clause 11 – Settlement</p> <p>Clause 13 – Environmental Risks and Amenity</p> <p>Clause 15 – Built Environment and Heritage</p> <p>Clause 17 – Economic Development</p> <p>Clause 18 – Transport</p> <p>Clause 19 – Infrastructure</p>

Controls	
<p>Clause 37.05</p> <p>Docklands Zone</p> <p>Schedule 3 (Batman’s Hill Precinct)</p>	<p><u>Use</u></p> <p>Pursuant to Clause 37.05-1, ‘Education centre’, ‘Place of assembly’, ‘Retail’ and ‘Office’ are Section 1 uses for which no permit is required.</p> <p><u>Development</u></p> <p>Pursuant to Clause 37.05-4, a permit is required to construct a building or construct or carry out works and to demolish or remove a building or works.</p> <p><u>Environmental Audits</u></p> <p>Pursuant to Clause 37.05-8, before a sensitive use (residential use, child care centre, pre-school centre, primary school, education centre or informal outdoor recreation) commences or before the construction or carrying out of buildings and works in association with a sensitive use commences, the timing for which must be to the satisfaction of the responsible authority having regard to the Melbourne Docklands Environmental Management Plan as amended, either:</p> <ul style="list-style-type: none"> • A preliminary risk screen assessment statement in accordance with the Environment Protection Act 2017 must be issued stating that an environmental audit is not required for the use or proposed use; or • An environmental audit statement under Part 8.3 of the Environment Protection Act 2017 must be issued stating that the land is suitable for the use or proposed use; or • A certificate of environmental audit must be issued for

	<p>the land in accordance with Part IXD of the Environment Protection Act 1970; or</p> <ul style="list-style-type: none"> An environmental auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use. <p>The proposal includes the use of part of the land as an education (childcare) centre, which is a sensitive use as noted above.</p>						
<p>Clause 43.01 - Heritage Overlay HO914 (No 2 Goods Shed, 707 Collins Street and 735 Bourke Street, Docklands)</p>	<p>Pursuant to Clause 43.01-3 of the Melbourne Planning Scheme, a planning permit is not required to develop a place on the Victorian Heritage Register.</p>						
<p>Clause 43.02 Design and Development Overlay Schedule 12 (Noise Attenuation Area)</p>	<p>Pursuant to Clause 43.02-2, a permit is required to construct a building or construct or carry out works unless a schedule to the overlay specifies otherwise.</p> <p>Schedule 12 states that a 'permit is not required for buildings and works other than buildings and works associated with new, refurbished or converted developments for noise sensitive uses'. As the proposal does not involve noise sensitive residential uses, a permit is not required.</p>						
<p>Clause 43.02 Design and Development Overlay Schedule 51 (Batman's Hill Precinct – Areas 1, 2 and 3)</p>	<p>Pursuant to Clause 43.02-2, a permit is required to construct a building or construct or carry out works unless a schedule to the overlay specifies otherwise.</p> <p>Schedule 51 states that a permit is not required to construct a building or construct or carry out works if the requirements of Table 1 to this schedule are met. The proposed towers are predominantly within Area 2 however, the southern tower is also partially located in Area 1 and Area 3.</p> <p>The Table 1 requirements for each area are as follows:</p> <table border="1" data-bbox="544 1563 1362 2002"> <tr> <td data-bbox="544 1563 699 1675">Area 1</td> <td data-bbox="699 1563 1362 1675">40 metres with the exception of towers to a height not exceeding 100 metres</td> </tr> <tr> <td data-bbox="544 1675 699 1753">Area 2</td> <td data-bbox="699 1675 1362 1753">180 metres</td> </tr> <tr> <td data-bbox="544 1753 699 2002">Area 3</td> <td data-bbox="699 1753 1362 2002"> 40 metres, with the exception of: <ul style="list-style-type: none"> Towers not exceeding 60 metres. One tower in the south east portion of this area, which must not exceed a height of 90 metres. </td> </tr> </table>	Area 1	40 metres with the exception of towers to a height not exceeding 100 metres	Area 2	180 metres	Area 3	40 metres, with the exception of: <ul style="list-style-type: none"> Towers not exceeding 60 metres. One tower in the south east portion of this area, which must not exceed a height of 90 metres.
Area 1	40 metres with the exception of towers to a height not exceeding 100 metres						
Area 2	180 metres						
Area 3	40 metres, with the exception of: <ul style="list-style-type: none"> Towers not exceeding 60 metres. One tower in the south east portion of this area, which must not exceed a height of 90 metres. 						

	As the maximum height of each tower is 188 metres, a permit is required .
Clause 43.04 Development Plan Overlay Schedule 4 (Batman's Hill Precinct)	<p>Pursuant to Clause 43.04-2, a permit must not be granted to use or subdivide land, construct a building or construct or carry out works until a development plan has been prepared to the satisfaction of the responsible authority.</p> <p>This does not apply if a schedule to this overlay specifically states that a permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority. Schedule 4 states that a permit can be granted before a development plan is prepared.</p> <p>A permit granted must:</p> <ul style="list-style-type: none"> • Be generally in accordance with the development plan. • Include any conditions or requirements specified in a schedule to this overlay. <p>As discussed above, the application seeks the concurrent endorsement of a Development Plan in accordance with Schedule 4.</p>
Clause 45.09 Parking Overlay Schedule 7 (Docklands – Batman's Hill)	<p>Pursuant to Schedule 1 of Clause 45.09, a permit is required to provide car parking spaces in excess of the car parking rates in Clause 3.0 of the schedule.</p> <p>As relevant to this proposal, the applicable rates are 1.5 spaces per 100 square metres of gross office floor area and 1 space per 100 square metres for the other uses. This equates to a maximum of 2,263 car spaces, broken down to 2,096 spaces for dwellings and 167 for the other uses.</p> <p>The proposal does not include any on-site car parking and therefore, a permit is not required.</p>

Particular Provisions	
Clause 52.06 - Car Parking	Requirements for the provision of on-site car parking are contained in the Parking Overlay as discussed above.
Clause 52.34 - Bicycle Facilities	<p>Pursuant to Clause 52.34-1, a new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land.</p> <p>In relation to the proposed development, Clause 52.34 requires the following number of bicycle parking spaces:</p> <ul style="list-style-type: none"> • Offices (141,168 m²) = 612 spaces • Retail (5,384 m²) = 29 spaces • Place of Assembly (3,027 m²) = 6 spaces • Education Centre (14 staff, 100 students) = 6 spaces <p>The proposal has a statutory requirement of 653 bicycle</p>

	<p>spaces. The proposal includes total of 1,102 spaces provided across the basement levels of each tower.</p> <p>The proposal also carries a requirement to provide a total of 48 showers and a communal change room. The proposal includes separate end of trip facilities in the basement of each tower comprising individual male, female, gender neutral and accessible change rooms, accommodating a total of 104 showers and 1,080 lockers.</p> <p>As the minimum requirements of this clause have been exceeded, a permit is not required.</p>
<p>Clause 53.18 – Stormwater Management in Urban Development</p>	<p>The requirements of Clause 53.18 are applicable, which seek to ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.</p> <p>The application provided a Water Sensitive Urban Design response which has been assessed in conjunction with Clause 19.03-3L (Stormwater management – Water sensitive urban design) and reviewed by Council’s ESD Officer.</p>

General and Operational Provisions	
<p>Clause 65 - Decision Guidelines</p>	<p>Clause 65.01 (Approval of an application or plan) outlines the matters which must be considered by the Responsible Authority prior to deciding on an application or approval of a plan.</p>
<p>Clause 72.01 - Responsible Authority for this Planning Scheme</p>	<p>The Minister for Planning is the Responsible Authority for this application as the gross floor area (GFA) of the development exceeds 25,000 square metres.</p> <p>The Minister for Planning has referred the application to the City of Melbourne as an interested party seeking Council's recommendation on the application, including recommended permit conditions.</p>

5 PUBLIC NOTIFICATION

The planning permit application has been referred to the City of Melbourne by the Department of Transport and Planning for consideration and advice. It is noted that the permit application is exempt from public notification requirements and review rights of the Act.

Section 3.0 of Schedule 4 to the Development Plan Overlay specifies that, in assessing a Development Plan, the Responsible Authority (i.e. the Minister for Planning) should, among other things, consider the views of the City of Melbourne. The development plan application was therefore referred to the City of Melbourne by the Department of Transport and Planning.

6 REFERRALS

6.1 City Design – Urban Design

The application as originally proposed was referred to City Design – Urban Design. Their detailed review of the proposal raised a number of key issues to be addressed, which are summarised as follows:

- Address the tower floorplate size to minimise the impact of bulk to the prominence and retention of the heritage building.
- Reduce tower massing to avoid any overshadowing to Council’s public realm investment areas on the north bank of the Yarra River – Birrarung (Greenline, Seafarers Rest Park).
- Any overhanging mass over the public Village Street will not be supported due to significant impacts to the public realm quality and publicness.
- Improve and refine site layout of lobby and forecourt spaces to Collins Street to ensure highly active, safe and inviting spaces.
- Refine the design of the Collins Street public interface to achieve Council’s urban design expectations for high quality built edge, activation and permeability to the street, and to create a more publicly inviting experience. This should provide internalised level changes while maintaining views to the Goods Shed from the Collins Street level.
- Overall, demonstrate the achievement of an exceptional level of design quality in the significantly scaled building on top of a locally and state significant heritage building.

The permit applicant formally amended the application as detailed under Section 3.3 of this report with changes seeking to address the above issues, which was provided to City Design – Urban Design for further review. Their advice is summarised as follows, under the relevant key issue from the original review:

- Tower floorplate and impacts on retained heritage building:
 - The proportion of the proposed recess to the western interface of both towers has been increased to 2 m deep and 7.45 m wide. This recess improves the design of the tower’s western interface and is supported.
 - The intent was to reduce the impact to the prominence and retention of the heritage form through a more ‘slender’ tower floorplate, which has not been demonstrated.
 - Noting this, the updated ground floor and lift core arrangement appears to have resulted in a reduction in heritage demolition and additional heritage reconstruction which is positive.
- Reduce tower massing and overshadowing:
 - The northern tower has reduced in height by 9 storeys. We are supportive of the change which results in a general reduction in overshadowing within the immediate precinct, and a more symmetrical and strengthened ‘twin tower’ approach in skyline views.
 - Some overshadowing has been reduced to the park to the west of 731 Flinders Street, Melbourne.
 - Overshadowing over Seafarers Rest Park is the same as the previous scheme.

- Minor reduction to overshadowing over the north bank of the Yarra River – Birrarung (future Greenline development area) have been achieved.
- Overhanging of Village Street:
 - Support the deletion of the overhanging mass over Village Street.
- Improve site layout of lobbies and forecourt spaces:
 - Support the reconfiguration of the ground floor layout to provide opportunities for direct street activation.
 - Further detail of potential activation measures co-located with north and south entries, as well as public access to the Goods Sheds is required.
 - We support open air connection between Collins Street and the Goods Sheds below. This creates a sense of purpose for the Collins Street forecourt, which is opportunity for viewing and connection with the Goods Sheds.
 - We request further detail on the proposed refurbishment and activation of the existing pedestrian bridge / public realm area over Village Street (south) to further contribute to streetscape activation and amenity.
- Refined design of Collins Street public interface:
 - The development of design language and materiality to the street level interfaces is generally positive, with some further detail requested.
 - The proposed timber soffit is supported, subject to the provision of further specification demonstrating the use of a genuine and natural timber product.
 - The steel structure expression of the 'entry boxes' provides a fine-grained and industrial language which mediates between the Goods Sheds and tower design language, which is an improvement to the previous street level glass boxes.
 - Updates have resulted in eight large columns (supporting the tower) now interfacing with the external wall of the heritage Goods Sheds from Village Street and disrupting the continuity of the external platform. We request further exploration on the impact of these columns to the experience of the Village Street public realm, as well as the heritage interface (an existing entry appears to be obscured).
 - Pre-cast concrete panels and vertical planes of clear glazing are specified to the eastern elevation. This treatment continues to the ground plane at Aurora Lane. Further break-down of the scale of this treatment is required. A finer grained design expression, which relates to the steel expression of the 'entry boxes', or utilises a more fine-grained or textured material treatment is required at the Goods Shed level to relate to the human-scale, and heritage building's attributes.
 - Design details to all elements such as balustrades, columns, identifying details to entries (potential awnings), and public realm elements should be explored. Detailed street level elevations of all key interfaces should be provided, with all materials annotated.
 - Natural, textured and high quality materials should be specified to street level interfaces, and further detail is required of all treatments explored to demonstrate how look and feel imagery will be achieved.
- Design quality:

- We continue to support the 'industrial' design concept for the twin towers.
- Addressing the level of detail requested at the buildings' public realm interfaces and public spaces will assist the development in achieving the level of design quality expected for this development, to be classified as 'Design Excellence'.

Officer comment

Following detailed review and advice provided by the Urban Design team, the proposal has evolved with substantial changes made to massing, design and its response to the public realm.

Recommended permit conditions will address detailed design matters raised above, including a condition for the endorsement of a Façade Strategy which will ensure the quality of the architectural vision and building materiality at key public realm interfaces, as well as throughout the towers.

The proposed activation area associated with the existing pedestrian area above Village Street as shown on the Section 50A amended plans implies the occupation of the public realm for commercial purposes. While this a potentially beneficial use, there is a lack of clarity around its execution and, at this stage of the application, it is not considered appropriate to formalise the structure through a permit condition. As such, a recommended condition will require this space to be noted as indicative only, rather than requiring additional detail.

6.2 City Design – Landscape

The application was referred to City Design – Landscape, with their comments summarised as follows:

- The landscape design concept proposes a 'timeline' narrative, which assigns periods of history along the length of the Goods Shed. If pre-colonial history is to be represented as part of the proposal, we recommend that it is represented in a more integral and substantial way. The 'modern times' approach to the Collins Street bridge level fails to appropriately consider the potential to reconnect and respect to the heritage significance of the Goods Sheds, as per the project intent.
- We encourage that more trees and greening be incorporated at the Collins Street level to provide greater benefit to the public realm.
- We support design option 2 for the Northern Forecourt over design option 1 due to the provision of flexible grass / lawn space.
- The tree species *Angophora costata* comprises 10% of all trees in Docklands. We encourage consideration of an alternative option to improve tree diversity. The City of Melbourne Urban Forest team can provide further advice on possible species

Officer comment

A condition for amended landscape plans will form part of the recommendation, addressing the above requirements as they relate to the detailed landscape design and layout.

It is noted that advice regarding species selection was provided separately by Urban Forest and Ecology, in accordance with Council's Future Climate Ready species lists.

6.3 Traffic Engineering

The application was referred to Traffic Engineering who had no objection to the proposal on car parking, transport or access grounds, with their comments summarised as follows:

- The loading bay should accommodate short pick up / set down for deliveries and passenger drop off, noting the narrow width of the existing road.
- The existing child care centre has experienced difficulty regarding the lack of pick-up / set down area. Improvements in this area should be investigated, having regard to changes in the City of Melbourne approach to short term parking.
- The existing pedestrian crossing on Aurora Lane will need to be relocated to avoid conflict with the proposed loading bay.
- The Traffic Impact Assessment Report makes brief reference to construction on the site, which will require more detailed plans generated by a qualified traffic consultant (Construction Traffic Impact Assessment – CTIA).

Officer comment

The matters raised above are capable of being addressed through recommended permit conditions, including conditions requiring the endorsement of the submitted Traffic Report, a Road Safety Audit (given proposed changes to existing road infrastructure) and a Loading Management Plan.

6.4 City Infrastructure

The application was referred to City Infrastructure, with their comments summarised as follows:

- Pursuant to the *Road Management Act 2004* (the Act) any works within the road reserve of Collins Street, Aurora Lane and Village Street and Bourke Street requires the written consent of the Coordinating Road Authority, City of Melbourne. The road carriageway, footpaths, nature strips and medians of roads fall under the City of Melbourne's control. The works shall be undertaken in accordance with the City of Melbourne Design and Construction Standards for Infrastructure Works.
- The management of the Collins Street Bridge, Docklands is the responsibility of Development Victoria, City of Melbourne, Department of Transport and State Government. The City of Melbourne hold As-Built plans for the Collins Street Extension, between Spencer Street and Batman's Hill Drive, these plans include the As-Built plans for the Collins Street Bridge. The development of the Two Towers must not adversely impact the operations and management of the Collins Street Bridge.
- All structures associated with the development of the towers must be independent of structures associated with the Collins Street Bridge. The development of the towers must not restrict access to the future management or maintenance to the surface materials of Collins Street, typically Bluestone Footpath, Public Lighting and road carriageway.
- A number of individual Land Titles exist beneath the Collins Street Bridge, City Infrastructure have not commented on properties under the Collins Street Bridge, the application has been referred to the CoM Properties team for comment. Our records indicate Development Victoria are owners of various parcels of land.

- City Infrastructure recommends the two towers are connected to all services at natural ground level via Village Street and Aurora Lane. Connection to utility services, sewer, power, water, gas, and telecommunications etc. via Collins Street is not supported.
- City Infrastructure advise that the provision of public lifts for DDA access must remain in private ownership. The City of Melbourne will not own and maintain public lifts associated with the development of the towers.
- All projections over the street alignment must conform to Building Regulations 2018, Part 6, Sections 98 to 110 as appropriate. Reference can be made to the City of Melbourne's Road Encroachment Operational Guidelines with respect to projections impacting on street trees and clearances from face / back of kerb. Structures must not impact the road reserve at ground level.
- Otherwise, standard civil infrastructure conditions and permit recommended.

Officer comment

Where necessary, the above matters are addressed through permit conditions in the recommendation.

6.5 Waste Services

The application was referred to Waste Services, with the amended Waste Management Plan prepared by Ratio Consultants dated 8 August 2022 considered to be satisfactory.

Officer comment

A recommended permit condition will require the endorsement of the Waste Management Plan, with any necessary updates to accord with the amended scheme.

6.6 Land Survey

The application was referred to Land Survey, with their comments summarised as follows:

- Clause 5.4 of Registered Agreement AH826602H requires written consent from Vic Urban for any change of use.
- Prior to the commencement of works, including demolition, all the land for the proposed development must be owned by the one entity and consolidated onto the one certificate of title to the satisfaction of the Responsible Authority.
- Any proposed projection must comply with Council's Road Encroachment Guidelines and be referred to Infrastructure and Assets for comment.
- Any canopy proposed at the main entrance of the development site which projects more than 1 m over a road must comply with Council's Road Encroachment Guidelines and may require a Section 173 Agreement to indemnify Council of any Claim.
- The proposed architectural plans appear to show proposed structures which encroach into the subsoil and / or airspace of registered easements on title. Prior to the commencement of works (excluding demolition) the relevant easements must be removed and / or varied.
- The development includes additional decking over Village Street which will require a discontinuance of the road and sale, or a Section 173 Agreement for projections such as is currently in place for the existing decking between 707 and 727 Collins Street.

- A projection should only be supported if the proposed development increases the public realm and accessibility to the site and between streets.
- Should the proposed projection be supported, Council's standard S173 Agreement Condition will be required to be placed on the permit to require the owner of the property to enter into an agreement with Council (prior to occupation) with regards to liability, indemnity, maintenance, license and disclaimer for adverse possession.
- The proposal indicates that access is partially relied upon over private land, via the abutting development to the west.

Officer comment

The above matters can be addressed through permit conditions in the recommendation, where necessary.

The matters raised in the final four points relate to the original application, which sought to construct above the Village Street road reserve. With the deletion of these overhanging lobby areas in the amended application, described at Section 2.5 of this report, the comments relating to potential projections over Village Street (i.e. road discontinuance) and access through the abutting development are no longer applicable.

The recommendation for a condition which requires the land to be consolidated has been considered, however in this instance a Section 173 agreement will be imposed which will require the land to be developed in accordance with the Planning Permit. This is required due to the fragmented ownership of the land.

6.7 Urban Forest and Ecology

The application was referred to Urban Forest and Ecology, with their comments summarised as follows:

- Overall the net increase in trees within the site area is welcome.
- As successful optimal tree growth is dependent on soil volume, it is considered vital that replacement trees are planted into tree plots with maximum soil volume. This is only likely to be achieved through the use of structural soils.
- Urban Forest and Ecology has no objection to the application but recommends the inclusion of conditions if a permit is issued (Tree Protection Plan, and standard protection conditions).

Officer comment

The recommendation includes a requirement for a Tree Protection Plan, forming part of a Construction Management Plan, and associated tree protection conditions to ensure the health of the existing street trees during and post construction. Permit notes will also guide the tree protection, bond and tree replacement procedures.

6.8 Green Infrastructure and Environmentally Sustainable Design

The application was referred to Council's Senior Green Infrastructure and Environmentally Sustainable Design Officer, with their comments summarised as follows:

- The development commits to a level of sustainability that meets the objectives of Clause 15.01-2L-01 and Clause 19.03-3L of the Melbourne Planning Scheme.
- An acceptable level of evidence has been provided to demonstrate that the proposal achieves the 5 star Green Star certification.

- Permit conditions are recommended to endorse and implement the ESD statements, and to require the provision of a Green Infrastructure Landscape Package.

Officer comment

Recommended conditions will be included in the recommendation for the implementation endorsement of an amended Environmentally Sustainable Design Statement, ensuring a certified 5 star Green Star rating and that these commitments are reflected on any architectural plans. The request for the provision of a Green Infrastructure Landscape Package, inclusive of Green Factor Scorecard and Landscape Maintenance Plan, will be integrated into the recommended landscape plan condition.

7 ASSESSMENT

The key issues in the assessment of the applications are:

- Heritage Victoria permit application.
- Built form and public realm impacts.
- Aboriginal Cultural Heritage.
- Environmentally Sustainable Design.
- Potentially Contaminated Land.
- Traffic and Car Parking, Bicycle Facilities and Waste.
- Noise attenuation.
- Development Plan.

7.1 Heritage Victoria permit application

A concurrent application for the development of the land was made under the *Heritage Act 2017* to Heritage Victoria, which was recently refused for the reasons outlined at Section 2 of this report. Council has objected to this application and, in the absence of any further re-referral of the application, this objection remains the formal position with respect to the heritage considerations of the proposed development.

The owner of the site or any person with a real or substantial interest in the site may request a review of the refusal decision to the Heritage Council of Victoria. A request must be made by 6 March 2023. At the time of this report, a request for review has not been lodged. Should the application under the *Heritage Act 2017* ultimately fail, or pass the review period without contest, then the development as considered in this report would be futile.

Notwithstanding, Council must form a position on the applications for a planning permit and development plan which are the subject of this report. While the heritage significance of the subject site is intrinsic to its individual and contextual characteristics, the exemption under the Heritage Overlay (Clause 43.01-3) establishes a separation between detailed heritage considerations and the matters to be considered under the current applications.

Therefore, for the purpose of this report, heritage matters have been considered only within a broader urban design context.

7.2 Built form and public realm impacts

The proposal is considered to achieve a positive built form response to the opportunities and constraints of the site, having regard to the immediate and wider context. Specific built form guidance for the development of the land is contained within the:

- Docklands Zone, Schedule 3, including the relevant Planning Policy Framework; and
- Design and Development Overlay, Schedule 51.

In relation to public realm impacts, the relevant planning assessment framework requires consideration of overshadowing impacts to public open spaces, and wind effects.

The built form outcomes of the proposal are discussed in relation to these considerations below.

7.2.1 Docklands Zone (Schedule 3) and Planning Policy Framework

A permit is required under the Docklands Zone, Schedule 3 (DZ3), for demolition and to construct a building or carry out works.

The applicable decision guidelines of the DZ3 for buildings and works require, amongst other things, consideration of relevant planning policy framework, particularly those under Clause 11.03-6L-03 (Docklands) and Clause 15.01 (Built Environment), as well as those relating to transport, economic development, infrastructure and amenity. The appropriateness of the proposed built form outcome is also assessed further below against the design objectives of the Design and Development Overlay, Schedule 51.

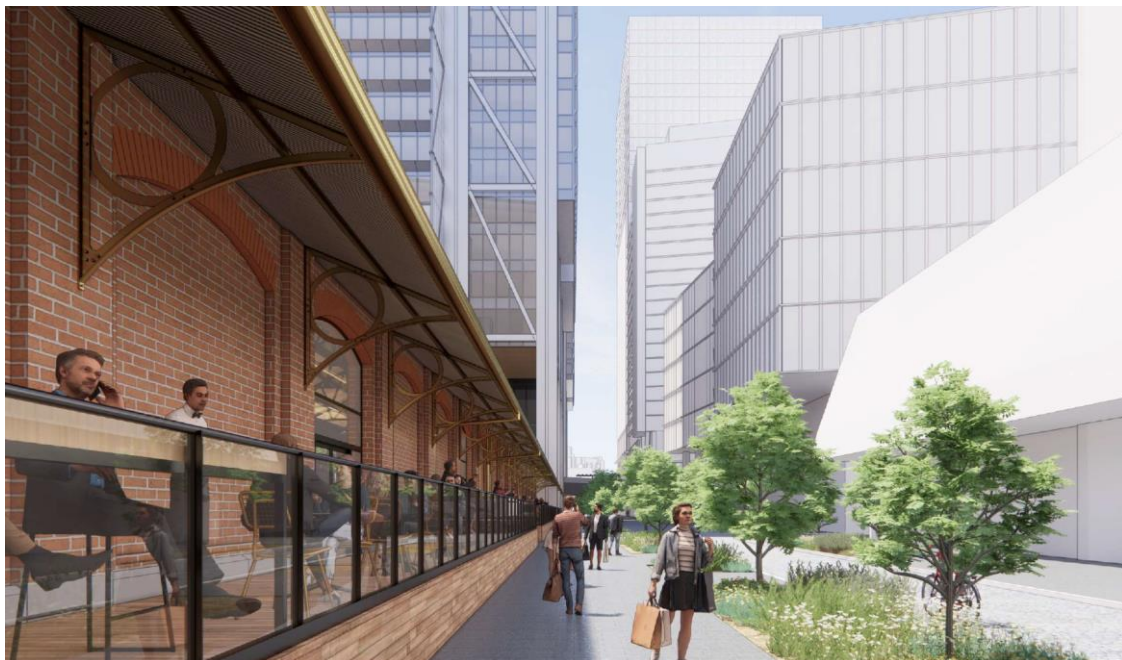


Figure 16: Perspective view of northern shed (market/retail) along Village Street facing south, with tower in background

At a high level, the zone and policy framework for Docklands seeks a level of growth and intensification which will strengthen its relationship with the central city and Yarra River corridor, and enhance its role as a place of waterfront character and quality. It is a policy objective to encourage innovative, viable development built to the highest design and environmental standards. Specific to the Batman's Hill precinct, the

relevant DZ3 objectives seek to provide a range of uses in a mixed use context and to provide for the development of a landmark mixed use tower development of a scale of international significance.

It is considered that the proposal is generally consistent with these objectives and would contribute a landmark development which seeks to achieve a high level of design and environmental sustainability. The immediate surrounds include a variety of uses in line with the policy and precinct objectives, predominantly through recently constructed office and mixed use towers. The proposal would further consolidate the vision for the precinct by delivering a high standard and quantum of office space, as well as a complementary mix of uses at the lower ground levels.

The proposal is considered to accord with the relevant decision and policy guidelines specific to buildings and works and the built environment. The building is considered to be of an appropriate scale and mass having regard to the strategic and urban context of the site, as discussed in greater detail below against the requirements of DDO51. The proposed 188 metre high tower forms are considered to represent an acceptable contribution to the built form aspirations for the precinct and wider Docklands area.

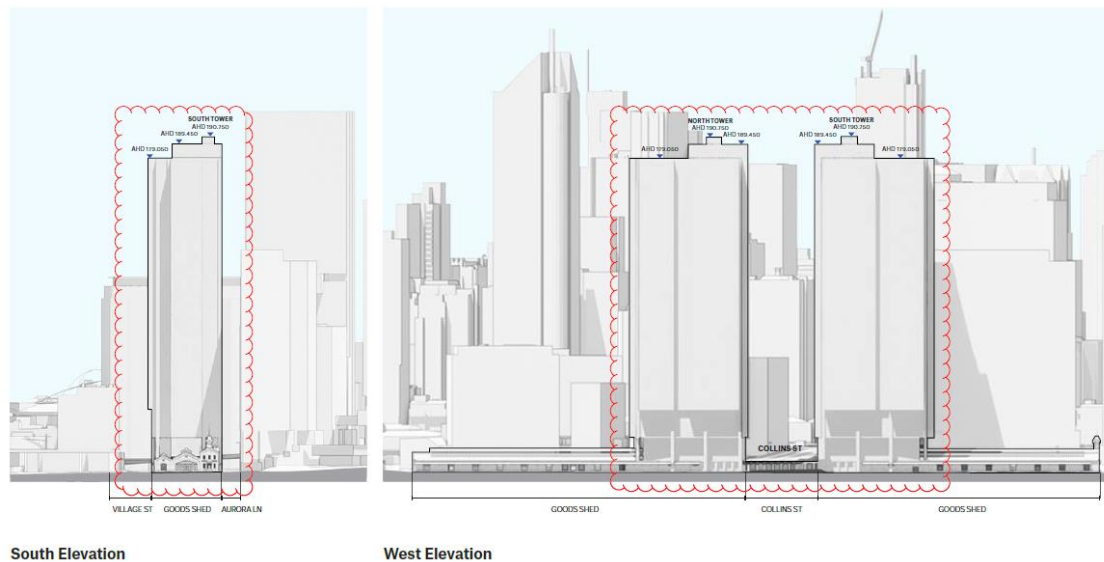


Figure 17: South and west elevations of tower forms showing existing built form context

The proposal is considered to achieve an acceptable outcome as it presents to its street interfaces in terms of its form, scale and program. The amended application made a number of key changes to achieve this, particularly through the deletion of projecting lobby structures above Village Street and the subsequent revision of the tower entrances to Collins Street.

Through the visual relief achieved by the reduced ground floor footprint, the defined entry points at the base of each tower and the removal of glazed walls in front of the open central bay, it is considered that the development achieves a level of human scale and fine-grain which enhances the function and amenity of the public realm. The reduced proposal would also assist in protecting key view lines and vistas by avoiding further enclosure of Village Street, maintaining an open outlook, and the ability to appreciate the length of the retained Goods Shed from Collins Street to the north and south.

Existing Conditions
Collins Street

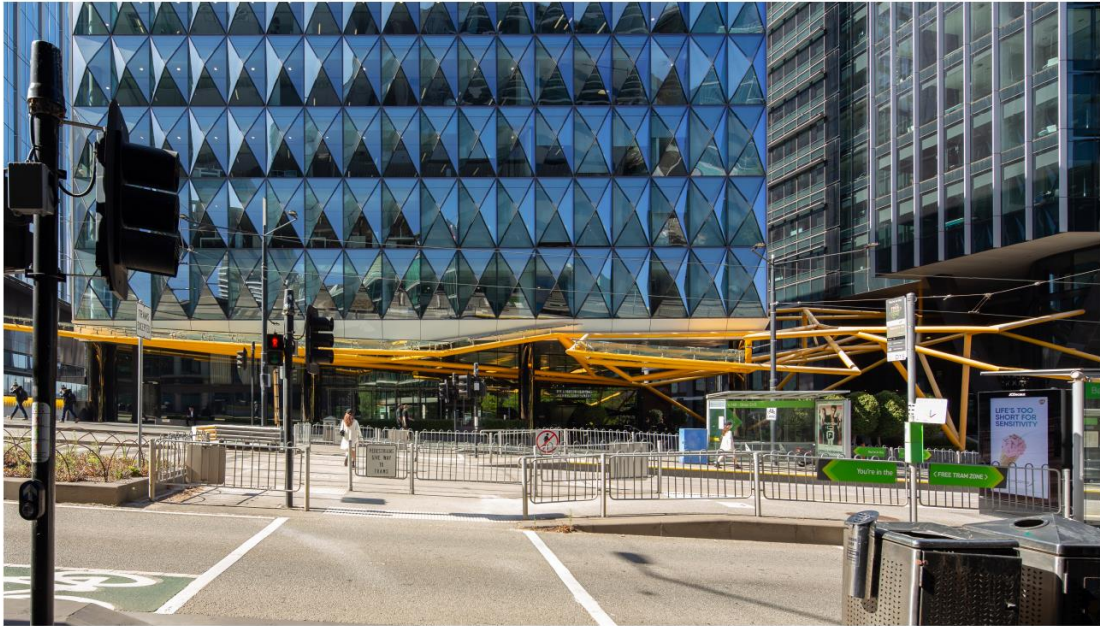


Figure 18: Existing presentation of southern Lantern Building on Collins Street

The revised proposal is also considered to achieve an acceptable level of public activation to each street, acknowledging that this is somewhat limited as a result of the design response seeking to establish a stronger presence for the reconstructed Goods Shed structures to Collins Street. Under the existing conditions, views of the Goods Shed buildings are prevented by the intervening buildings that have been constructed above, with limited oblique views available either side from the bridge along Village Street and Aurora Lane. Through the proposal, the reconstructed central structure of the Goods Shed will have a prominent central presence to the active thoroughfare of Collins Street, enhancing its visual and functional role as a historic anchor within the precinct.

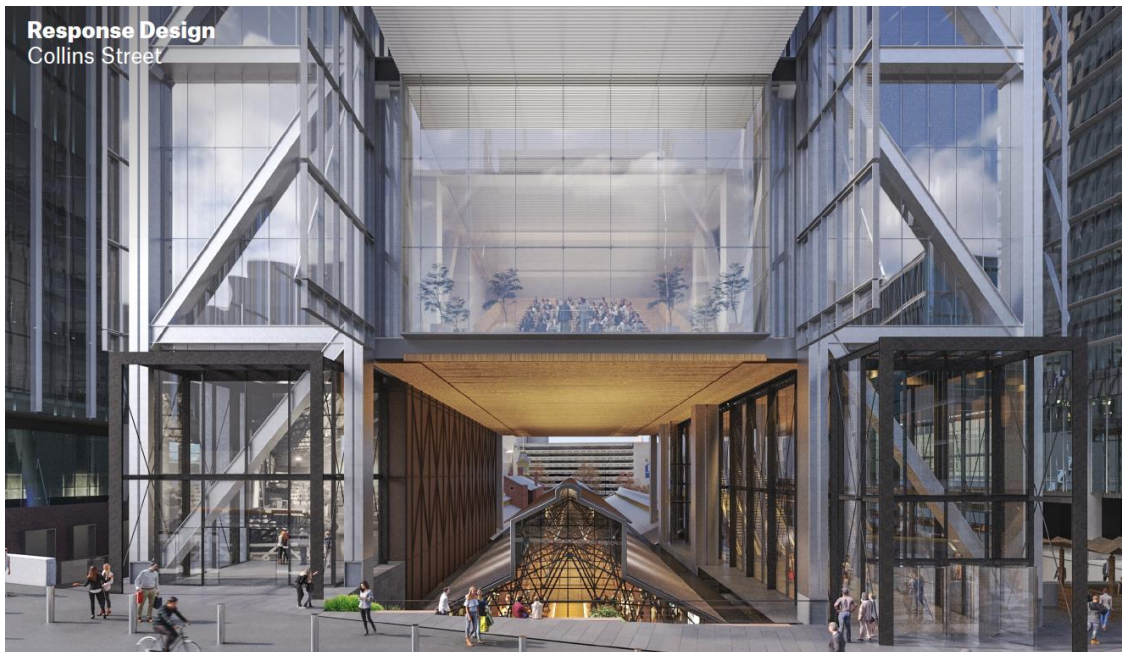


Figure 19: Proposed perspective image of southern tower street edge from Collins Street

Opportunities for activation at Collins Street have been indicated in the amended proposal around the individual tower entry lobbies, as well as the publicly accessible stair and lift access points. Further details on these areas can be required through a recommended condition of permit, as recommended by Council’s Urban Design team.

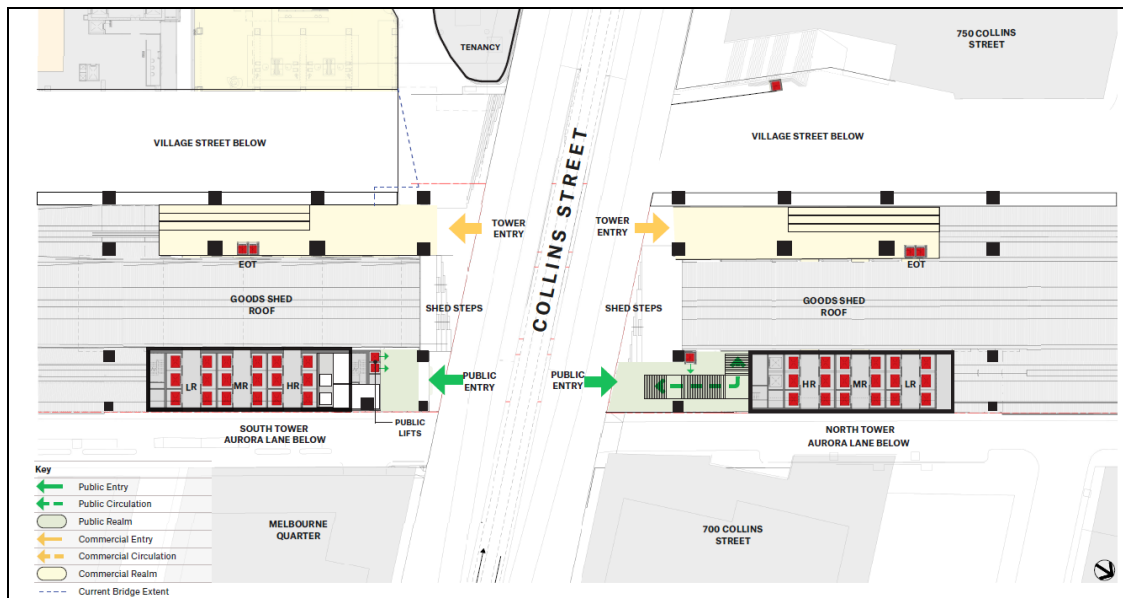


Figure 20: Site plan showing ground floor program and access points from Collins Street

The remainder of the Collins Street frontage is dedicated to open forecourt spaces at the centre of each tower base, oriented to face the reconstructed shed structures beneath the open central bay. The forecourts would be occupied by informal seating in a tiered stair arrangement with views to the heritage sheds ahead, as well as open views along Collins Street. As they present to the wider streetscape, the forecourts (and central bays) are punctuated by a central recess in the building façade, behind which the raised sky lobby areas have a direct view downward providing passive surveillance of the space and Collins Street.



Figure 21: Perspective image of Collins Street forecourt to southern tower

The central recess provides a degree of shelter to the forecourts, supplementing the shelter provided to the individual building entrances either side. While the forecourt spaces are not typical active frontages, which are generally encouraged, they also do

not create a blank space which would detract from the vibrancy and amenity of the precinct. The forecourts are considered to provide a semi-active space which engages with both the historical significance of the site and pedestrians along Collins Street, and overall would contribute positively to the experience and amenity of the public realm. The staggered building setbacks and partial shelter provided around the forecourts help cultivate the space as a meeting, resting or informal eating area for workers or visitors to the building, and the wider precinct.

The proposal seeks to increase the level of activity with the retained Goods Shed for retail / market space in the north shed, office and child care in the south shed and a place of assembly located centrally within a reconstructed, connecting space beneath the Collins Street bridge. Through this mix of commercial uses, the proposal would strengthen pedestrian amenity both through and around the site through increased activation, as well as the removal of non-historic building fabric which has interrupted the street edges along Bourke Street and Village Street.



Figure 22: Image of recent alterations and additions to the northern Goods Shed building along Village Street

The proposed development is also considered to recognise and enhance transport movement networks around the site and within the precinct, providing safe access and egress for pedestrians, cyclists and vehicles. The proposal largely seeks to retain existing movement networks through the provision of pedestrian links between Collins Street and the streets below, the use of existing roads for cycling access and the continued use of Aurora Lane at the bridge undercroft for service access and loading activities.

Noting the excellent access the site has to sustainable, alternative modes of transport, the provision of zero on-site car parking is an outcome which aligns with transport policy seeking to discourage private vehicle use and also reduces potential pedestrian amenity impacts from vehicular traffic.

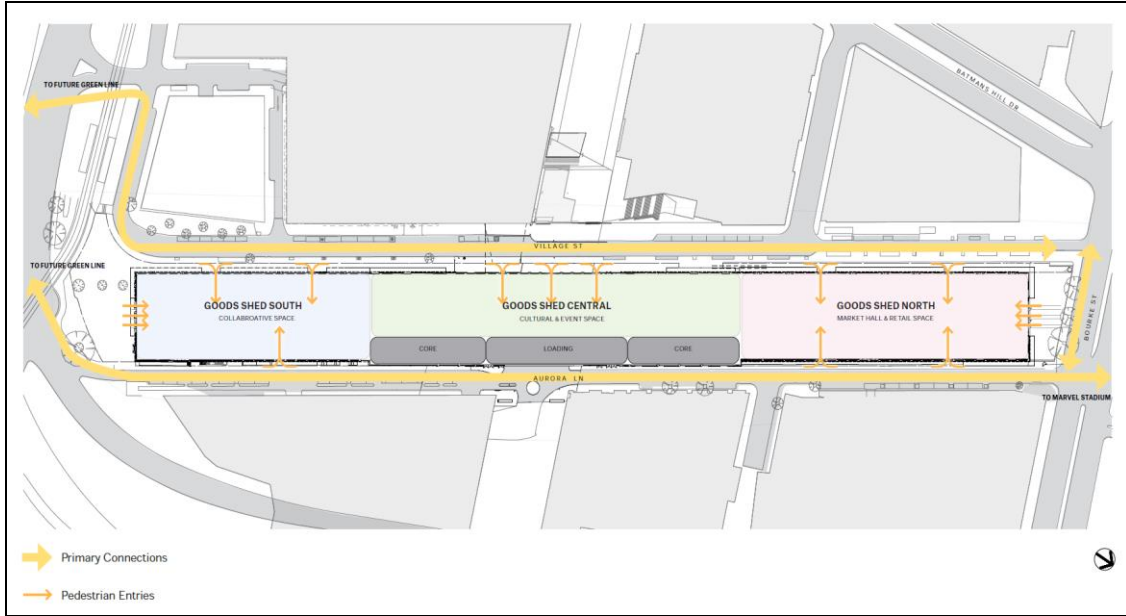


Figure 23: Pedestrian movement network site plan

The proposed northern forecourt area would provide a prominent visual and physical link to the precinct from Bourke Street, and further north to the adjacent Stadium precinct of Docklands, resulting in improved connections and a stronger movement network for the area. The landscaping response reinforces the increased activation proposed by the development, enhancing the amenity, attractiveness and safety of the public realm. The proposal would result in a net increase in on-site planting which will contribute to policy goals in relation to increased canopy cover and climate change resilience, in addition to improving the amenity of the area. Improvements to the landscape response are recommended via permit conditions following advice from City Design – Landscape.

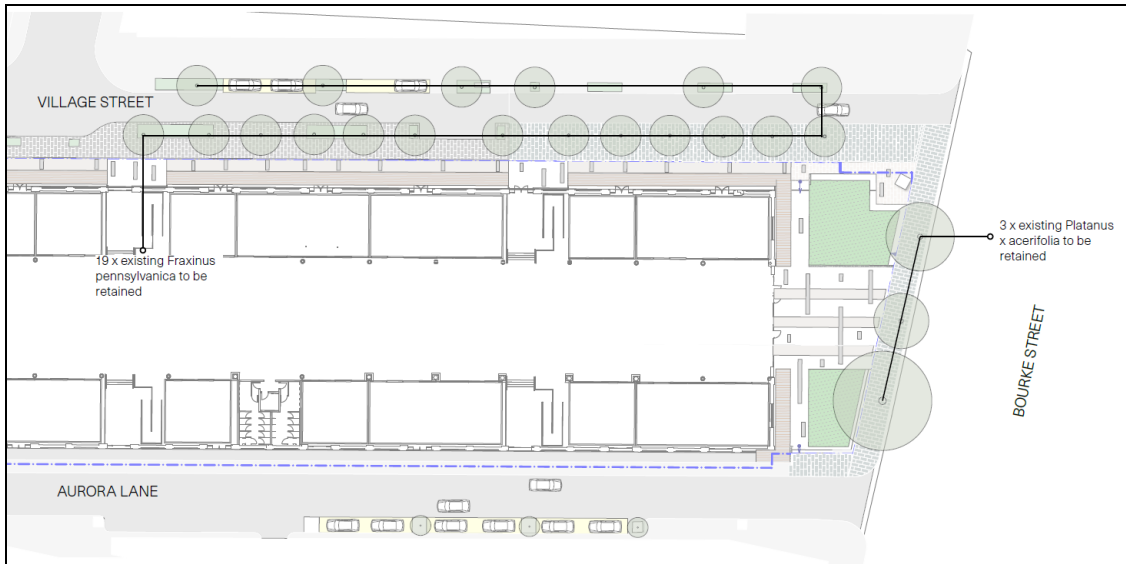


Figure 24: Indicative landscape response for the northern shed and forecourt

Overall it is considered the proposal is now an acceptable outcome having regard to the zone and relevant policy framework.

7.2.2 Design and Development Overlay, Schedule 51

The site is affected by Design and Development Overlay, Schedule 51 (DDO51). The overlay is partially located across Areas 1, 2 and 3 as described in Section 4 of this report. The majority of the activity area for the proposed towers is within Area 2, which has the highest discretionary maximum height limit of 180 metres.

DDO51 defines the building height as:

The vertical distance between the footpath or natural surface level at the centre of the site frontage and the highest point of the building, with the exception of architectural features and building services.

While the existing office buildings and the proposed towers have primary frontages to Collins Street, the site as a whole has frontages to Bourke Street, Village Street, Aurora Lane and Wurundjeri Way. As a result of the overpass intersecting the site, the Collins Street frontage sits between 6 to 10 metres higher than the other site frontages.

For the purpose of calculating overall height under DDO51, the highest point of the building has been measured from the footpath level of the lowest site frontages. This results in the maximum overall height of approximately 188 metres for each tower.

At this height, a permit is triggered under the discretionary height limits for each applicable area within DDO51. The application must therefore be considered under the relevant design objectives and decision guidelines of the overlay.

The design objectives are:

- *To provide for a built form scale transition from the CBD towards Victoria Harbour and the Yarra River corridor.*
- *To ensure that any new development or redevelopment is compatible with the scale and character of adjoining buildings and the area.*
- *To provide for a major landmark tower development that integrates with the CBD and surrounding Docklands precincts and recognises the presence of historic buildings.*

The decision guidelines include:

- *The orientation and design of a development and whether it will cause significant overshadowing individually or as part of a cumulative effect on the public realm.*
- *The need to ensure appropriate separation of buildings, particularly tower elements, to provide spacing of building bulk and to avoid the creation of a wall effect.*
- *Buildings exceeding 40 metres in height must provide an appropriate built form relationship to the street.*
- *The need to preserve significant vistas.*
- *The nature of wind effects caused by any new building, and design measures to address these.*
- *The cumulative impact of development particularly in terms of the number of tower elements proposed and the impact upon the public realm in terms of overshadowing, vistas and built form.*
- *The impact and relationship of any proposed structure on the significance of existing heritage places located within the Precinct.*

- *The use of innovative techniques, building forms and materials, in smaller and larger structures, particularly on prominent sites.*

When assessed against the decision guidelines, the proposal is considered to accord with the objectives of the DDO51. The amended tower forms have a matching height of 188 metres, which is considered a relatively minor encroachment above the discretionary height limit and is compatible within existing and approved built form in the surrounding context.

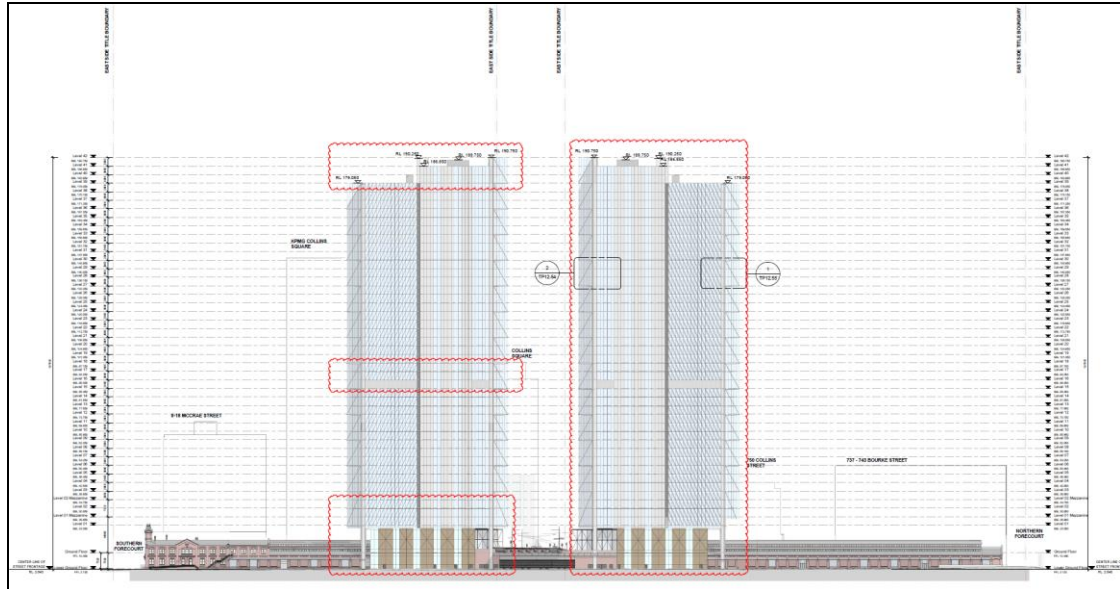


Figure 25: Eastern elevation showing total building height measured from lower site frontages

Importantly the reduced built form results in improvements to the impacts of overshadowing to the public realm which, along with wind effects, are discussed in greater detail in the following sections.

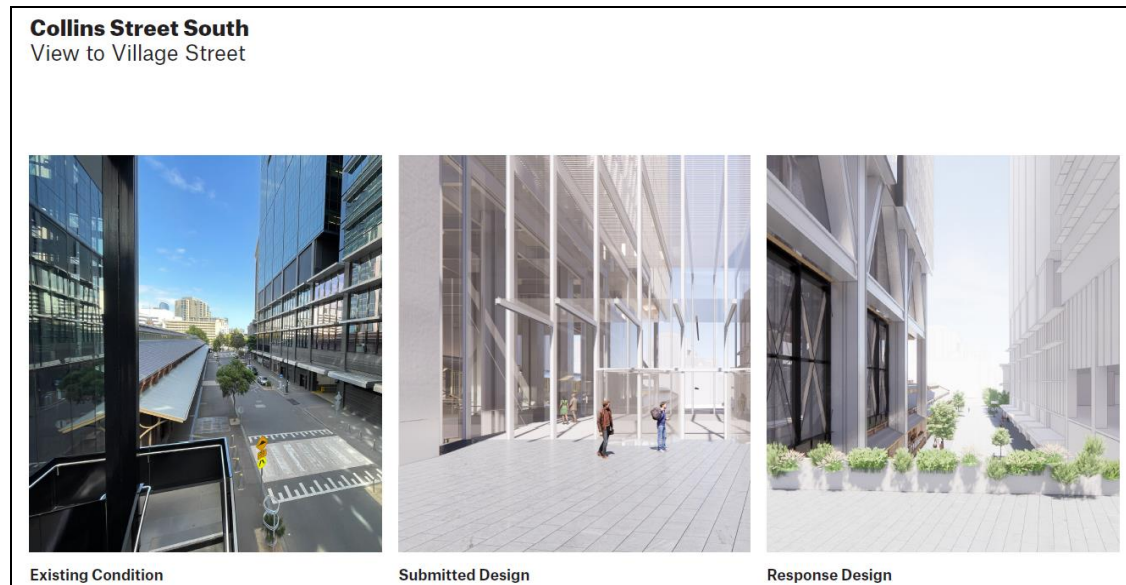


Figure 26: Comparison images of the view from Collins Street, looking south over Village Street

The tower forms would achieve a legible separation on opposing sides of Collins Street, presenting as a paired form with matching heights as viewed from wider vantages. The 10 and 16 metre wide road reserves of Aurora Lane and Village Street respectively will serve as adequate separation from building forms on adjacent land to

the east and west, consistent with the emerging character of built form to these narrow roads.



Figure 27: Western perspective image showing south tower as viewed from Village Street level

The amended towers provide an appropriate design outcome for the experience and amenity of pedestrians within abutting streets. This is primarily achieved through the deletion of the overhanging lobby boxes and the introduction of design measures reinforcing a human scale at the street edge. These include the defined entry structures on Collins Street, and the raised intermediate structural 'base' to the towers as viewed from street level on Village Street and Aurora Lane.

The structural and vertical façade expressions to the tower forms serves to ameliorate building bulk and create an innovative, visually interesting contribution to the skyline. The rebate areas provided on the western elevations, measuring 7.45 metres wide and 2 metres in depth, provide an effective physical recess which serves to break up each tower into more slender, vertical forms. Each tower is capped with a stepped transition toward Collins Street, which conceals rooftop plant structures in an integrated form. It is therefore considered that the proposal has responded to decision guidelines seeking to limit any impact on vistas, as well as compatibility with adjoining buildings and the wider area.

Through the provision of the open, central bays beneath each tower, the proposal seeks to respond to the heritage significance of the site by establishing a visual presence for the re-constructed sections of the Goods Shed central structure. As shown in the amended plans, the central bays will be of an open construction and provided with internal wall finishes referencing the materiality of the heritage sheds.

It is noted that the amended proposal also reduces the extent of demolition to the existing Goods Shed structures. The configuration of the central bays also serves to provide a separation between the retained heritage fabric and the partially cantilevered tower forms, as viewed from the lower street levels on Village Street and Aurora Lane. As such, and notwithstanding the heritage concerns that are raised in relation to the separate application to Heritage Victoria, it is acknowledged that the proposal has recognised the presence of historic built form and the impacts on its significance as called for by DDO51. A recommended permit condition will require the confirmation of the internal dimensions within the central bay on the relevant floor plans and elevations.



Figure 28: Comparison image of original (left) and proposed (right) central bays beneath each tower above reconstructed shed structures

It is noted that the development seeks to deliver a 5-star Green Star design rating which responds to guidelines encouraging the use of innovative building techniques, forms and materials, particularly on prominent sites.

Overall, the proposed development adequately responds to the relevant design requirements of DDO51.

7.2.3 Overshadowing

In relation to overshadowing of key public spaces, relevant policy and guidelines within the planning scheme are as follows:

- At Clause 11.03-6L-03 (Planning for Places - Docklands), the policy guidelines require consideration of the following:
 - Public spaces should generally be free of significant overshadowing between 11am and 3pm at the equinox (22 September / 20 March); and
 - Shadow diagrams which illustrate the shading effects of development in public and private spaces.
- At Clause 4.0 of Schedule 3 to the Docklands Zone, the construction of buildings or works which would cast a shadow across the south bank of the Yarra River between 11am and 2pm on 22 June is prohibited.
- At Clause 3.0 of Schedule 51 to the Design and Development Overlay, the decision guidelines require consideration of:
 - The orientation and design of a development and whether it will cause significant overshadowing individually or as part of a cumulative effect on the public realm; and
 - The cumulative impact of development particularly in terms of the number of tower elements proposed and the impact upon the public realm in terms of overshadowing, vistas and built form.

It is noted that Clause 15.01-1L-03 (Sunlight to public spaces) does not apply to land within the Docklands Zone.

Key public spaces identified as being impacted by shadows from the proposed development include the banks of the Yarra River, particularly the south bank. Also impacted by shadows is Seafarers Rest reserve, located due south of the subject site, as well as a small public open area located further to the west of Seafarers Reserve

where Wurundjeri Way crosses over the Yarra River. Docklands Park, located to the west, would be impacted by shadows from the development during the early morning hours at certain times of the year however, these fall outside the key times listed in the above guidelines and are less critical to the consideration of this application.

The requirements at Clause 11.03-6L-03 and Schedule 51 of the Design and Development Overlay provide broad, discretionary guidance relating to overshadowing of public open spaces, albeit with a specific guideline at Clause 11.03-6L-03 stating public spaces should generally be free of significant overshadowing between 11am and 3pm at 22 September and 20 March. These guidelines are relevant to each of the key public spaces identified above. Contrasting with these discretionary guidelines is Clause 4.0 of Schedule 3 to the Docklands Zone, which has a mandatory requirement that development must not cast shadow on the south bank of the Yarra River between 11am and 2pm on June 21.

The shadow analysis provided by the permit applicant are for shadows cast on 21 June, when shadows are at their greatest extent, and consider each of the key public spaces listed above. An assessment of the shadows cast by the proposed development upon the aforementioned spaces is provided below:

Yarra River

The critical overshadowing consideration for the proposal relates to the southern bank of the Yarra River between 11am and 2pm on June 21. The shadow analysis provided with the amended application confirms that there would be no shadows cast by the development that would reach the south bank of the river during this timeframe, as shown in the image below.

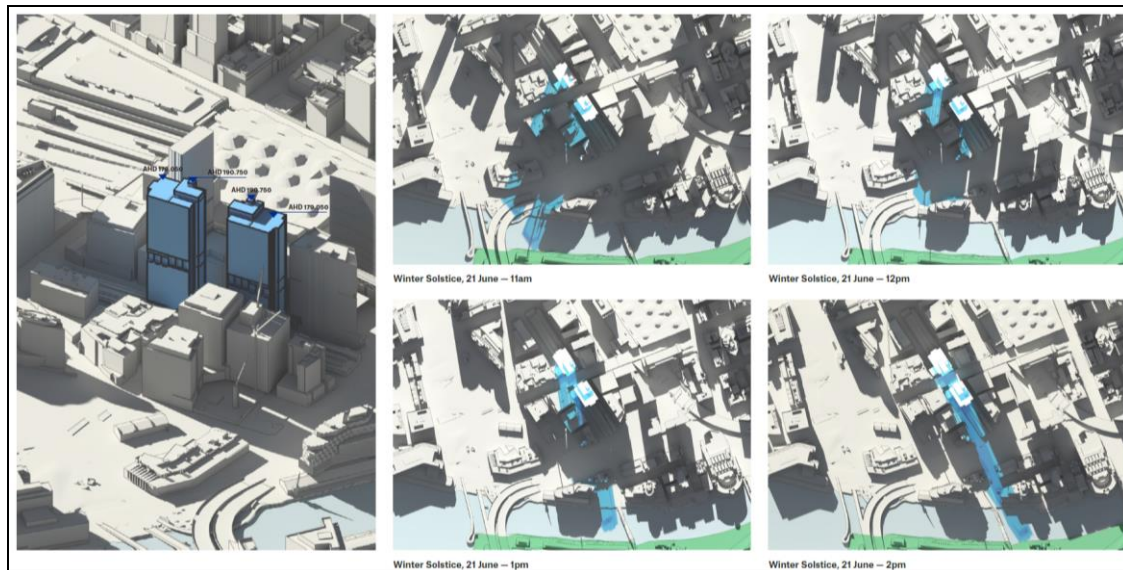


Figure 29: Shadow diagrams on 21 June showing shadows cast in relation to the south bank of the Yarra River

The proposed development therefore meets the mandatory requirement at Clause 4.0 of Schedule 3 to the Docklands Zone. It is noted that the original application resulted in additional shadow on the south bank at 11am however, this has been eliminated through the reduction to the height of the northern tower in the amended plans.

Seafarers Rest

The Seafarers Rest park is a public open space asset located on the northern bank of the Yarra River, located to the south of the subject site. It is situated immediately to the south of the Mission to Seafarers building which is a place of state heritage significance, and leads to the Seafarers Bridge to the south bank of the river. The

guidelines at Clause 11.03-6L-03 and Schedule 51 of the Design and Development Overlay are relevant in considering whether shadow impacts to this space are appropriate.

On September 22 and March 20, the proposed development would not cast any shadow on this space. This outcome aligns with the policy guideline at Clause 11.03-6L-03 which seeks to ensure public spaces are free of significant overshadowing between 11am and 3pm on these dates. It is also relevant to consider shadow impacts on this space during the June 21 winter solstice to establish whether the proposal aligns with the broader shadow guidelines listed above.



Figure 30: Shadow diagrams on 21 June showing shadows cast in relation to Seafarer's Rest park

The shadow diagrams provided by the permit applicant show the shadows from the development on June 21, between the hours of 11am to 2pm, and compare these to the shadows which would be cast if the site was constructed to the permissible heights under Schedule 51 of the Design and Development Overlay.

The shadow analysis shows that the development would cast shadow on Seafarers Rest park on June 21 between approximately 12.25pm to 1.15pm and ranging between 146 to 2,184 square metres, or between 4.1 to 61.5%, of the 3,551 square metre area of the park.

While at its peak, the shadowing on June 21 affects a substantial area of the park, the overall shadowing impacts are not considered to be unreasonable having regard to the applicable policy and guidelines. The shadow cast by the proposal are less than those that would be cast by the building envelope under DDO51, which ranges between 1,182 to 2,750 square metres (between 33 to 77%) of the total area of the park. The shadowing impacts would occur during a relatively small timeframe of 50 minutes and as mentioned above, there would be no shadow impacts on September 22 or March 20 demonstrating that the park would not be affected by the proposal for the majority of the year. As such, while there is some shadow cast on this park, it is not considered to be unreasonable having regard to the relevant policy guidelines.

Park to the west of Seafarers Rest

The park to the west of Seafarers Rest is a somewhat isolated public open space located to the south-west of the subject site, and is a space which also warrants consideration in terms of shadowing impacts. The park is considered under the same criteria as the Seafarers Rest Park, and similar shadow diagrams have been provided by the applicant which show shadows cast on the June 21 winter solstice.



Figure 31: Shadow diagrams on 21 June showing shadows cast in relation to the park located to the west of Seafarer's Rest

The shadow analysis shows that the park would be impacted by shadows on June 21 between 11am and 12pm, with no impact throughout the remainder of the afternoon. It is noted that the shadows cast by the development would not affect this park on September 22 or March 20, which meets the relevant policy guideline at Clause 11.03-6L-03.

Given the limited window of shadow impacts on June 21, and the lack of shadow impacts on the key dates of September 22 and March 20, it is not considered that the proposal would unreasonably overshadow this smaller public open space area.

7.2.4 Wind Effects

The decision guidelines at Clause 4.0 of Schedule 3 to the Docklands Zone require the Responsible Authority to consider the wind effects of a proposed development at ground level. Additionally, under the decision guidelines at Clause 3.0 of Schedule 51 to the Design and Development Overlay, the Responsible Authority must consider the nature of wind effects caused by any new building, and design measures to address these.

A Wind Impact Assessment prepared by MEL Consultants was submitted together with amended application, including a wind tunnel model study undertaken to understand the effects generated by the development and, where necessary, develop measures in order to mitigate impacts and achieve conditions satisfying recommended environmental wind criteria.

The wind tunnel model study testing considered existing and approved (i.e. 700 Collins St) developments in the area, and excluded street trees. The wind criterion are

set out in the report and the studies were undertaken against both the existing and proposed conditions for the subject site. Testing locations were identified within Collins Street, Village Street and Aurora Lane, and extended beyond the subject site to nearby buildings. The tests concluded that while in some testing locations, there were slight increases and decreases in wind speeds, overall all areas achieved the criterion for walking comfort and these were generally similar to the existing conditions. The testing also concluded that wind comfort levels at all building entrances would achieve either the standing or sitting criterion, with the shielding provided through structures around the building entrances improving comfort levels beyond existing conditions.

As such, the proposal is considered to satisfy the relevant guidelines for wind effects. The recommendation includes a condition that would require the endorsement of the Wind Impact Assessment.

7.3 Aboriginal Cultural Heritage

Clause 15.03-2S seeks to ensure the protection and conservation of places of Aboriginal cultural heritage significance. The subject site is partially located within an area of Aboriginal Cultural Heritage Sensitivity, with the southern-most section being located within 200 metres of the Yarra River as shown in green on the map below.

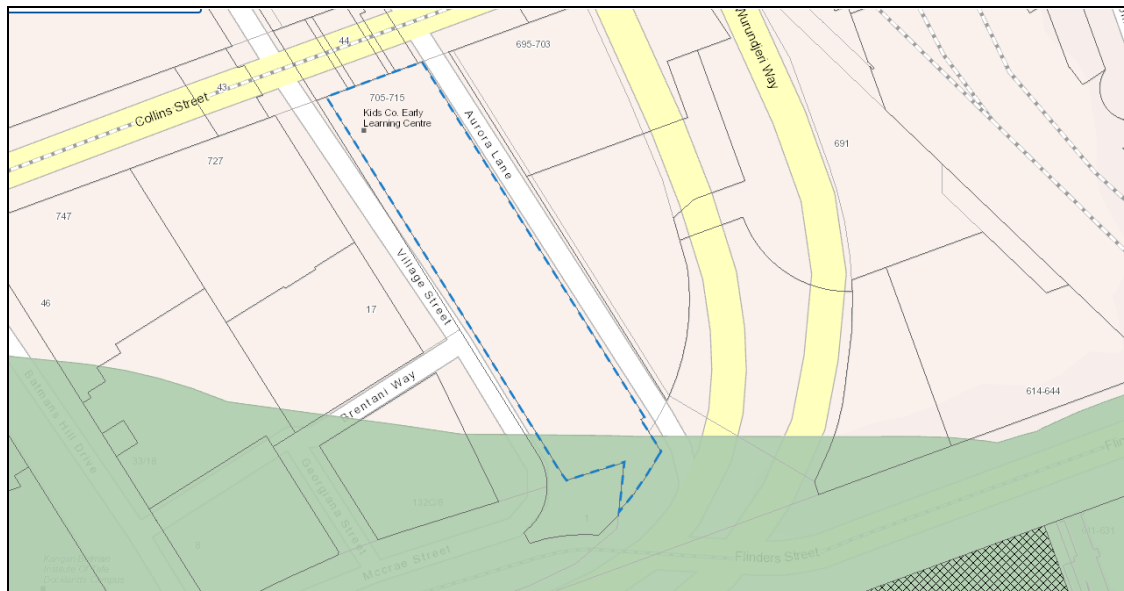


Figure 32: Map of southern section of the site within area of Aboriginal Cultural Heritage Sensitivity

A desktop Cultural Heritage Assessment undertaken by Andrew Long & Associates was submitted with the application, to determine whether significant ground disturbance has occurred in the area of sensitivity as defined under the *Aboriginal Heritage Act 2006* and *Aboriginal Heritage Regulations 2018*. This determination impacts on whether there is a requirement for a mandatory Cultural Heritage Management Plan for the proposed development.

The assessment concluded that there has been significant ground disturbance within the area of Aboriginal Cultural Heritage Sensitivity, on the basis of available records for the development of the Goods Shed site within that area. As such, it was determined that there is no requirement for a mandatory Cultural Heritage Management Plan.

7.4 Environmentally Sustainable Development

The proposal is considered capable of achieving an appropriate response when assessed against at Clause 15.01-2L-01 (formerly Clause 21.19), Clause 19.03-3L (formerly Clause 22.23) and Clause 53.18 (Stormwater Management in Urban Development) of the Melbourne Planning Scheme, through the submission of Sustainable Design Assessments for each tower, inclusive of Water Sensitive Urban Design assessment outlining sustainable design measures to be implemented within the development.

As noted in Section 6 of this report, Council's ESD Officer has noted that further details are required to ensure the commitments within the Sustainability Design Assessments are achievable. The endorsement of amended ESD Statements is provided for within the recommendation to ensure the commitments are achievable and appropriately evidenced.

7.5 Potentially Contaminated Land

Pursuant to Clause 37.05-8 (Docklands Zone), before a sensitive use (residential use, child care centre, pre-school centre, primary school, education centre or informal outdoor recreation) commences or before the construction or carrying out of buildings and works in association with a sensitive use commences, the timing for which must be to the satisfaction of the responsible authority having regard to the Melbourne Docklands Environmental Management Plan as amended, either:

- *A preliminary risk screen assessment statement in accordance with the Environment Protection Act 2017 must be issued stating that an environmental audit is not required for the use or proposed use; or*
- *An environmental audit statement under Part 8.3 of the Environment Protection Act 2017 must be issued stating that the land is suitable for the use or proposed use; or*
- *A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970; or*
- *A statement of environmental audit must be issued in accordance with Part IXD of the Environment Protection Act 1970 stating that the environmental conditions of the land are suitable for the sensitive use.*

The proposal includes an education (child care) centre which triggers consideration of this provision.

An Environmental Audit Report was prepared by Coffey Environments Australia in 2011 for the previous stages of development of the southern Goods Shed site at that time. The Environmental Audit Report concluded that there were no environmental risks from contamination arising from the development of the land, as well as no ongoing management requirements. This resulted in the issue of a Statement of Environmental Audit confirming the site could be used for the purposes of that development. While this previous investigation suggests the absence of contamination, the investigation was confined to a limited section of the site and did not contemplate the extent of excavation proposed under the current scheme.

As such, it is considered appropriate to recommend a permit condition which requires the submission of assessments relating to the proposed development in accordance with the current regulatory framework under the *Environmental Protection Act 2017*.

7.6 Traffic and Car Parking, Bicycle Parking and Waste

7.6.1 Traffic and Car Parking

In relation to the statutory requirements for car parking provision, the development provides no on-site parking which is less than the maximum allowable 2,263 car spaces under Schedule 7 to the Parking Overlay. A permit is therefore not required.

The provision of no on-site car parking is supported by transport policy at Clause 18.01-3S, seeking to encourage a modal shift away from private vehicle ownership and towards sustainable transport options such as public transit, cycling and walking. The provision of bicycle parking beyond the minimum statutory requirements, discussed below, bolsters the contribution made by the development to this objective.

Council's Traffic Engineers raised no concern with the proposal on parking and traffic grounds, with the matters outlined in Section 6 of this report capable of being dealt with through recommended permit conditions for a Road Safety Audit, Loading Management Plan and the endorsement of an amended Traffic report.

7.6.2 Bicycle Facilities

As set out under Section 4 of this report, the proposal provides 1,102 bicycle parking spaces which exceeds the minimum requirement of 653 spaces under Clause 52.34. The proposal also includes end of trip facilities beyond the minimum statutory requirements within the basement of each tower in the form of individual male, female, gender neutral and accessible change rooms combining to a total of 104 showers and 1,080 lockers.

A recommended condition will require a notation to ensure that all bicycle facilities are designed and dimensioned to satisfy the relevant Australian Standard and Planning Scheme requirements.

7.6.3 Waste

A revised Waste Management Plan has been submitted to and reviewed by Council's Waste Services team, and was found to be acceptable. It is recommended that the Waste Management Plan be endorsed through a permit condition.

7.7 Noise attenuation

The subject site is affected by Design and Development Overlay, Schedule 12 (DDO12) which seeks to ensure that new or refurbished developments for new residential and other noise sensitive uses constructed in the vicinity of the Docklands Major Sports and Recreation Facility include appropriate acoustic measures to attenuate noise levels. The proposal does not include any noise sensitive uses for the purposes of DDO12, which are identified as those including an element of residential accommodation. Therefore, a permit is not required under this clause.

Notwithstanding, an acoustic report prepared by Norman, Disney & Young was submitted with the application having regard potential noise emanating from the proposed development, particularly on the residential land uses nearby (i.e. Travelodge hotel on Aurora Lane, McRae Street apartments to the south-west). The report concludes that the development is capable of meeting the relevant EPA guidelines for noise impacts. The recommendation includes a condition for the acoustic report to be updated to align with the amended scheme, endorsed and its recommendations implemented.

7.8 Development Plan

In conjunction with the planning permit application, an application has been made for the endorsement of a Development Plan pursuant to Schedule 4 of the Development

Plan Overlay (DPO4). It is noted that there is provision in the DPO4 for a permit to be granted before the preparation of a Development Plan.

As described in Section 2.3 of this report, the 'Development Plan Collins Square - April 2011, Volumes 1 and 2' is the current approved Development Plan under the DPO4. This facilitated the development of the Collins Square commercial towers to the west and the Lantern building above the southern Goods Shed building, which are now complete. The approved Development Plan does not include the northern shed, nor provide for the further development of the entirety of the Goods Shed site. This has triggered the preparation of the proposed Development Plan accompanying the planning permit application.

The purpose of a development plan is generally to agree on the conditions of future use and development before a permit is granted, so as to guide the future consideration of subsequent planning permit applications for the development plan area. In this case, the planning permit application has been lodged concurrently for the entirety of the development plan area. The land use and development outcomes detailed throughout the planning application have informed the conditions set out within the proposed Development Plan.

Any proposed Development Plan in the DPO4 must respond to the following requirements:

- *An urban design statement which indicates a design philosophy and framework for development across the site.*
- *Existing conditions plan, showing heritage places, extent of proposed demolition, topography (including levels), and infrastructure provision.*
- *Concept plans which show:*
 - *A precinct plan for the site, showing building locations, car parking areas, access ways and open spaces.*
 - *Maximum building heights, floor areas and indicative uses at each building location.*
 - *Conceptual elevations indicating the architectural theme, including preferred materials, colours and finishes.*
 - *Cross sections, indicating level changes across the site.*
 - *Orientation and overshadowing.*
- *A movement and parking plan which shows:*
 - *Identification of roads, pedestrian, cyclist and vehicular access locations, including parking areas and nominal loading bays.*
 - *Location and linkages to public transport, including provision of passenger facilities.*
- *A landscaping plan which shows:*
 - *Treatment and layout of the public realm.*
 - *The location, layout and a typical planting schedule for all landscaped areas.*
- *A staging plan which indicates the stages and interim treatments, if any, in which the land is to be developed.*

The proposed Development Plan, lodged with the Section 50A Amendment, has adequately responded to these matters and is generally consistent with the detailed

plans and supporting reports provided with the planning permit application. As part of its overarching urban design statement, the proposed Development Plan addresses its surrounding context, relevant planning policy context, framework and controls. It also addresses key views, vistas and movement networks, including Council's Draft Greenline Implementation Plan.

It is considered that any endorsed Development Plan by the Minister for Planning should also include the supporting Traffic Impact Assessment Report and Landscape Plans, in their amended form as required through the recommended planning permit conditions. It is also noted that the endorsement of any Development Plan should reflect the final outcome of the separate application to Heritage Victoria.

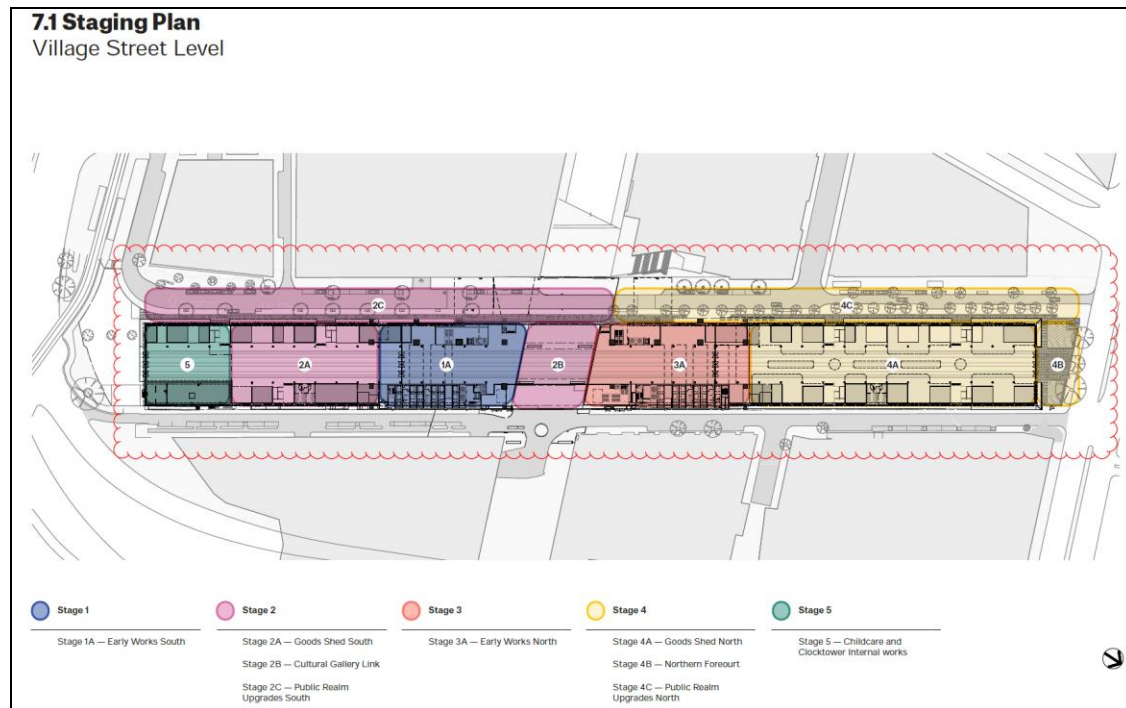


Figure 33: Staging Plan

With respect to the staging of the development, the Development Plan provides a sequential schedule for the project to be constructed from the southern shed and tower, moving to the northern tower, shed and forecourt, and concluding with the child care centre at the southernmost edge of the site. Due to the existing conditions of the site and the sequencing of each stage, interim treatments are not provided and it is considered that these are unlikely to be required, particularly as the Victorian Heritage registration on the land would restrict the potential for temporary works / uses.

It is acknowledged that the planning permit application does not specify that the works will be staged, noting the staging requirement is contained within the DPO4. However, given the scale of the planning permit application, which encompasses the entirety of the proposed Development Plan area, it is considered appropriate to recommend a permit condition which requires the approval of a Staging Plan prior to the commencement of works. Any Staging Plan approved under the permit would be capable of being refined or amended as required throughout the development of the Goods Shed precinct, across the lifespan of the planning permit.

7.9 Conclusion

For the reasons discussed in this report, it is considered that the proposal achieves an acceptable outcome having regard to the relevant provisions of the Melbourne Planning Scheme. The renewal of the Goods Shed precinct through the development

as proposed in the permit application and associated Development Plan would, on balance, make a positive contribution to the policy aspirations for the Docklands area.

It is considered that the proposal should be supported by the City of Melbourne subject to conditions.

8 RECOMMENDATION

- That the Future Melbourne Committee resolves to advise the Department of Transport and Planning that the City of Melbourne supports the proposed Development Plan, subject to the inclusion of the supporting Traffic Impact Assessment Report and Landscape Plans, updated as required in accordance with the recommended permit conditions for PA2201561 & TPM-2022-8.
- That the Future Melbourne Committee resolves to advise the Department of Transport and Planning that the City of Melbourne supports the planning permit application, subject to conditions set out below:

Amended Plans

1. Prior to the commencement of the development, including demolition and bulk excavation, an electronic set of plans drawn to scale, must be submitted to the Responsible Authority in consultation with the Melbourne City Council, generally in accordance with the plans prepared by Bates Smart, Sheets TP00.000 to TP12.55 and dated 23 January 2023 (with the exception of TP03.S.LG dated 12 May 2022), but amended to show:
 - a) The clearance above and either side of the reconstructed Goods Shed structures measured from the internal walls of the central bay at the base of each tower to be accurately dimensioned on all relevant plans, elevations and sectional elevations.
 - b) The retail kiosk area to the west of the southern tower noted as being indicative only and subject to a separate approval process.
 - c) Redesign of 'pods' internal to the goods shed building to provide an improved spatial outcome and view lines of the interior of the Goods Shed building.
 - d) Details of the activation opportunities at the northern and southern tower entrances and the publicly accessible stair to the Goods Shed within the northern tower.
 - e) The incorporation of an alternative design expression to the eastern (Aurora Lane) elevation at the lower ground levels, which utilises a more fine-grained or textured material treatment to relate to a human-scale and the heritage building attributes.
 - f) A notation that bicycle facilities are to be designed and dimensioned in accordance with the requirements of Clause 52.34 (Bicycle Facilities) of the Melbourne Planning Scheme.
 - g) Notations that all buildings and works are:
 - i. Structurally independent from the Collins Street bridge and carriageway; and
 - ii. Do not inhibit the ability of authorised agencies, including the Melbourne City Council, to access, inspect and maintain structures within the Collins Street bridge undercroft.
 - h) A notation that all projections over future street alignments must conform to Building Regulations 2018, Part 6, Sections 98 to 110 as appropriate.

Reference can be made to the Melbourne City Council's Road Encroachment Operational Guidelines with respect to projections impacting on street trees and clearances from face / back of kerb.

- i) Any changes as a result of the Environmentally Sustainable Design Statement required by Condition 5 of this permit.
- j) Any changes as a result of the Landscape Plans required by Condition 7 of this permit.
- k) Annotations to accord with the Wind Assessment required by Condition 9 of this permit.
- l) Any changes as a result of the Traffic Impact Assessment Report required by Condition 10 of this permit.
- m) Any changes as a result of the Waste Management Plan required by Condition 13 of this permit.
- n) Any changes as a result of the Acoustic Report required by Condition 14 this permit.
- o) Any changes as a result of the Reflected Glare Assessment required by Condition 15 of this permit

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

Endorsed plans

- 2. The development as shown on the endorsed plans must not be altered or modified unless with the prior written consent of the Responsible Authority.

Staging Plan

- 3. Prior to the commencement of the development, including demolition and bulk excavation, a Staging Plan must be submitted to and be approved to the satisfaction of the Responsible Authority in consultation with the Melbourne City Council. This Staging Plan must be submitted to and be approved by the Responsible Authority. This Staging Plan must include, but is not limited to, plans and information detailing any public realm works, proposed interim works and / or use of any vacant parts of the land. The development must proceed in the order of the stages as shown on the endorsed Staging Plan, unless otherwise agreed to in writing by the Responsible Authority.

Façade Strategy

- 4. Concurrent with the endorsement of plans pursuant to Condition 1, a Façade Strategy must be submitted to and be approved by the Responsible Authority in consultation with the Melbourne City Council and the Office of the Victorian Government Architect. All materials, finishes and colours must be in conformity with the approved Façade Strategy to the satisfaction of the Responsible Authority. The Façade Strategy must be generally in accordance with the development plans and must detail:
 - a) A concise description by the architect of the building design concept and how the façade works to achieve this.
 - b) Elevation details generally at a scale of 1:50 illustrating street level elevations including key public realm interfaces, entries, lobbies and doors, utilities and structural columns, as well as typical tower details, key junctures and any special features which are important to the building's presentation.
 - c) Details of the undercroft elevations and soffits above the Goods Shed building.

- d) 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.
- e) Information about how the façade will be accessed and maintained and cleaned, including any planting.
- f) Example prototypes and / or precedents that demonstrate the intended design outcome as indicated on plans and perspective images, to produce a high quality built outcome in accordance with the design concept.
- g) 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, to show the materials and finishes linking them to a physical sample board with coding.

The Façade Strategy must be to the satisfaction of the Responsible Authority and when approved shall form a part of the endorsed plans of this permit

Environmentally Sustainable Design (ESD) Statement

5. Prior to the commencement of the development including demolition and bulk excavation, the Environmentally Sustainable Design (ESD) Statement prepared by Norman, Disney and Young, dated 25 August 2022, must be updated as required by Condition 1 of this permit and submitted to the satisfaction of the Responsible Authority in consultation with Melbourne City Council.

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

Any change during detailed design, which prevents or alters the attainment of the performance outcomes specified in the endorsed ESD Statement, must be documented by the author of the endorsed ESD statement in an addendum to this report, which must be provided to the satisfaction of the Responsible Authority prior to the commencement of construction.

Implementation of Environmentally Sustainable Design (ESD)

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 in consultation with Melbourne City Council. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures specified in the approved ESD report have been implemented in accordance with the relevant approved plans.

Landscape Plans, Green Factor Scorecard and Landscape Maintenance

7. Prior to the commencement of the development, including demolition and bulk excavation, construction or carrying out of works, an amended landscape plan prepared by a suitably qualified landscape architect must be submitted to and be approved by the Responsible Authority in consultation with the Melbourne City Council and the Office of the Victorian Government Architect. The landscape plan must be generally in accordance with the Landscape Plans prepared by Aspect Studios, dated 12 May 2022, but amended as follows:
 - a) Include any changes required by Condition 1 of this permit.

- b) Provide for flexible grass and lawn spaces within the northern forecourt, generally in accordance with Design Option 2.
- c) Provide for increased planting contributing to the public realm at the Collins Street level, incorporating themes which reference the heritage significance of the land.
- d) Existing canopy cover area (including diameter and height per tree), and tree protection measures for existing canopy to be retained.
- e) Proposed areas of deep soil and canopy cover area (including dimensions in square metres).
- f) Proposed planting schedule (plant names to include the genus, species, common and cultivar names, intended mature size, pot size and quantities).
- g) Proposed planter media (including volume of planter soil / media and depths) and mulch specifications.
- h) Annotated cross-sectional details for planters, canopy tree plantings and shrub plantings (including materials, waterproofing, drainage, dimensions and appropriate tree anchors).
- i) Irrigation systems demonstrating use of alternative water sources such as rainwater, stormwater and recycled water.
- j) Waterproofing and drainage measures.
- k) Modifications in accordance with the ESD Statement endorsed under Condition 6.
- l) Include a Green Factor tool scorecard.
- m) Include a Green Infrastructure Maintenance Plan, detailing:
 - i. Responsible parties for the planting (horticultural) establishment and ongoing vegetation maintenance.
 - ii. Plant establishment maintenance schedule and period.
 - iii. Ongoing vegetation maintenance schedule after the 52-week period including monitoring of plants, weeding, re-mulching, pest management, fertilising, re-planting and re-planting timeframes for poorly performing plant stock.
 - iv. Maintenance schedule for all structures and surfaces (cyclic, routine, reactive, emergency and renovation).
 - v. Irrigation specification and irrigation maintenance schedule.
 - vi. Maintenance access requirements and sample agreements.

The 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 the occupation of the development, landscape works as shown on the endorsed plans must be completed and be maintained to the satisfaction of the Responsible Authority.

Wind Assessment

- 9. Prior to the commencement of the development, including demolition or bulk excavation, the Wind Assessment prepared by MEL Consultants dated December 2022 must be updated as required by Condition 1 of this permit and submitted to the satisfaction of and be endorsed by the Responsible Authority in consultation with the Melbourne City Council.

The recommendations contained within the endorsed Wind Assessment must be implemented at no cost to the Responsible Authority and the Melbourne City Council and be to the satisfaction of the Responsible Authority.

Traffic Impact Assessment Report

10. Prior to the commencement of the development, including demolition or bulk excavation, an amended Traffic Impact Assessment Report must be prepared and submitted to the satisfaction of the Responsible Authority in consultation with the Melbourne City Council. The Traffic Impact Assessment Report must be generally in accordance with the Traffic Impact Assessment Report prepared by Stantec dated 21 March 2022, and updated to reflect the changes required under Condition 1 of this Permit. The Traffic Impact Assessment Report must also address the following:

- a) The relocation of existing pedestrian crossing to avoid conflict with the loading bay.
- b) Opportunities to provide improved pick up and set down area/s for the child care centre.

Once approved, the Traffic Impact Assessment Report will be endorsed to form part of the permit.

Road Safety Audit

11. Prior to the commencement of the development, including demolition and bulk excavation, a formal independent Road Safety Audit must be undertaken and submitted to the Responsible Authority in consultation with the Melbourne City Council. The Road Safety Audit must include an assessment of:

- a) Internal layout.
- b) Access arrangements.
- c) Loading arrangements.
- d) Pedestrian and bicycle access and movements within the site and in the public realm.
- e) Potential conflicts between vehicles / pedestrians / cyclists.
- f) Road safety issues affecting all road users.

The findings of the Audit should be incorporated into the design at the developer's expense to the satisfaction of the Responsible Authority and the Melbourne City Council.

Loading Management Plan

12. Prior to the commencement of the development, including demolition and bulk excavation, a Loading Management Plan must be submitted to and approved by the Responsible Authority in consultation with the Melbourne City Council. The Loading Management Plan must specify how the access / egress of loading vehicles is to be managed and ensure that:

- a) The delivery needs of the various uses within the development can be accommodated.
- b) Vehicles do not queue on-street.
- c) Any potential conflicts between vehicles and other road users are satisfactorily addressed.

Once approved, the Loading Management Plan will be endorsed to form part of the permit.

Waste Management Plan

13. Prior to the commencement of the development, including demolition and bulk excavation, the Waste Management Plan prepared by Ratio Consultants dated 8 August 2022 must be updated as required by Condition 1 of this permit and submitted to the satisfaction of and be endorsed by the Responsible Authority in consultation with the Melbourne City Council.

Once approved, the WMP will be endorsed to form part of the permit. Waste storage and collection arrangements must not be altered without prior consent of the Melbourne City Council – Waste Services.

Acoustic Report

14. Prior to the commencement of the development, including demolition and bulk excavation, the Acoustic Report prepared by Norman, Disney and Young dated 12 March 2022 must be updated as required by Condition 1 of this permit and submitted to the satisfaction of and be endorsed by the Responsible Authority in consultation with the Melbourne City Council.

The recommendations contained within the endorsed Acoustic Report must be implemented at no cost to the Responsible Authority and the Melbourne City Council and be to the satisfaction of the Responsible Authority.

Reflected Glare Assessment

15. Prior to the commencement of the development, including demolition and bulk excavation, a reflected glare assessment of external building materials and finishes, utilising an appropriate methodology prepared by a suitably qualified person, must be prepared and submitted to the satisfaction of the Responsible Authority.
16. External building materials and finishes must not result in hazardous or uncomfortable glare to pedestrians, public transport operators and commuters, motorists, aircraft, or occupants of surrounding buildings and public spaces, to the satisfaction of the Responsible Authority.
17. Specular light reflectance from external materials and finishes must be less than 15% to the satisfaction of and unless otherwise approved by the Responsible Authority.

Construction Management Plan and Tree Protection Plan

18. Prior to the commencement of the development, including demolition and bulk excavation, a detailed Construction Management Plan, inclusive of a Tree Protection Plan, must be submitted to and be approved by the Melbourne City Council – 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) A Tree Protection Plan (TPP) must be provided to the satisfaction of the Melbourne City Council - Urban Forestry and Ecology. The TPP must identify all impacts to public trees, be in accordance with AS 4970-2009 – Protection of trees on development sites and include:
- i. City of Melbourne asset numbers for the subject trees (found at <http://melbourneurbanforestvisual.com.au>).
 - ii. Reference to the Arboricultural Assessment, prepared by John Patrick Landscape Architects, dated 25 February 2022.
 - iii. Reference to the finalised Construction and Traffic Management Plan, including any public protection gantries, loading zones and machinery locations.
 - iv. Site specific details of the temporary tree protection fencing to be used to isolate public trees from the demolition and construction activities or details of any other tree protection measures considered necessary and appropriate to the works.
 - v. Specific details of any special construction methodologies to be used within the Tree Protection Zone of any public trees. These must be provided for any utility connections or civil engineering works.
 - vi. Full specifications of any pruning required to public trees with marked images.
 - vii. Any special arrangements required to allow ongoing maintenance of public trees for the duration of the development.
 - viii. Details of the frequency of the Project Arborist monitoring visits, interim reporting periods and final completion report (necessary for bond release).

Once approved, the Construction Management Plan will be endorsed to form part of the permit

3D Model

19. Prior to the occupation of the development, or as otherwise agreed with the Responsible Authority, a 3D digital model of the development must be submitted to and must be to the satisfaction of the Responsible Authority. In the event that substantial modifications are made to the building envelope and design, a revised 3D digital model must be submitted to and be to the satisfaction of the Responsible Authority, before these modifications are approved.

Contaminated Land

20. Prior to the commencement of the development, including demolition and bulk excavation (excluding any works necessary to undertake the assessment), a Preliminary Risk Screen Assessment (PRSA) of the site must be conducted by a suitably qualified environmental auditor. The PRSA statement and report must be submitted to the Responsible Authority in accordance with section 205 of the Environment Protection Act 2017 and respond to the matters contained in Part 8.3, Division 2 of the Environment Protection Act 2017 to the satisfaction of the Responsible Authority.

If the PRSA requires an Environmental Audit be undertaken, then prior to the commencement of the development (excluding any works necessary to undertake the audit), an Environmental Audit of the site must be carried out by a suitably qualified environmental auditor. On completion of the Environmental Audit, an Environmental Audit Statement (EAS) and report must be submitted to the

Responsible Authority in accordance with section 210 of the Environment Protection Act 2017 responding to the matters contained in Part 8.3, Division 3 of the Environment Protection Act 2017 to the satisfaction of the Responsible Authority. The EAS must either:

- a) State the site is suitable for the use and development allowed by this permit.
- b) State the site is suitable for the use and development allowed by this permit if the recommendations contained within the EAS are complied with.

All the recommendations of the EAS must be complied with to the satisfaction of the Responsible Authority for the full duration of any buildings and works on the land in accordance with the development hereby approved, and must be fully satisfied prior to the occupation of the development. Written confirmation of compliance must be provided by a suitably qualified environmental auditor in accordance with any requirements in the EAS.

If any of the conditions of the EAS require ongoing maintenance or monitoring, prior to the commencement of the use and prior to the issue of a statement of compliance under the Subdivision Act 1988 the owner of the land must enter into an agreement with the Responsible Authority under section 173 of the Planning and Environment Act 1987 to the satisfaction of the Responsible Authority to the effect that all conditions of the EAS issued in respect of the land will be complied with.

Delivery of Link beneath Collins Street Bridge

21. Prior to the commencement of the development, including demolition and bulk excavation, the developer must provide documents to the satisfaction of the Responsible Authority to confirm that public access to and the development of the undercroft land and volumetric space beneath the Collins Street bridge has been secured via a lease, license or legal agreement with Development Victoria or the owner / manager of the undercroft land.
22. The delivery of the internal pedestrian link and view lines to the north and south sections of the Goods Shed via the undercroft of the Collins Street bridge must be secured and delivered with Stage 2 of development of the site to the satisfaction of the Responsible Authority.

Legal Agreement – Completion of Development

23. Prior to the commencement of the development, including demolition and bulk excavation, on the land, the owner of the land must enter into an agreement with the Responsible Authority pursuant to Section 173 of the Planning and Environment Act 1987. The agreement must provide the following:
 - a) The owner must only develop that part of the Land comprised in Lot D on Plan of Subdivision 815499R, Lot 2 on Plan of Subdivision 546345T and Crown Allotments 2122, 2123 and 2353, City of Melbourne, shown on TP955089Q, in either of the following ways:
 - i. Generally in accordance with the plans endorsed by the Responsible Authority under Planning Permit PA2201561 or any subsequent approved amendment to the planning permit; or
 - ii. Generally in accordance with any planning permit that may be issued by the Responsible Authority as a result of any planning permit application that relates solely to that part of the land comprised in Lot D on Plan of Subdivision 815499R, Lot 2 on Plan of Subdivision 546345T and Crown Allotments 2122, 2123 and 2353, City of Melbourne, shown on TP955089Q.

The owner of the land must pay all of the Responsible Authority's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.

Legal Agreement - Projections

24. Prior to the commencement of the development, including demolition and bulk excavation, on the land, the owner of the land must enter into an agreement with the Melbourne City Council pursuant to Section 173 of the Planning and Environment Act 1987. The agreement must provide the following:
- a) Liability and maintenance of those parts of the development projecting into airspace or sub-soil of land under the care and management of the Council ('Projections').
 - b) Payment of a lump sum license premium (payable at the outset rather than an annual fee) in respect to the Projections.
 - c) A disclaimer of any right or intention to make or cause to be made at any time any claim or application relating to adverse possession of the land occupied by the Projections.

The owner of the land must pay all of the Melbourne City Council's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.

Drainage of Projections

25. 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 Melbourne City Council – City Infrastructure.

Drainage System Upgrade

26. 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 Melbourne City Council – City Infrastructure. This system must be constructed prior to the occupation of the development and provision made to connect this system to the Melbourne City Council's underground stormwater drainage system. Where necessary, the Melbourne City Council's drainage network must be upgraded to accept the discharge from the site in accordance with plans and specifications first approved by the Melbourne City Council – City Infrastructure.

Demolish and Construct Access

27. Prior to the commencement of the occupation of the development, all necessary vehicle crossings must be constructed and all unnecessary vehicle crossings must be demolished and the footpath, kerb and channel reconstructed, in accordance with plans and specifications first approved by the Melbourne City Council – City Infrastructure.

Roads

28. The roads impacted by works adjoining the site along Collins Street, Bourke Street, Village Street and Aurora Lane, 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 Melbourne City – City Infrastructure.

Street Levels not to be Altered

29. Existing street levels must not be altered for the purpose of constructing new vehicle crossings or pedestrian entrances without first obtaining approval from the Melbourne City Council – City Infrastructure.

Footpaths

30. The footpaths adjoining the site along Collins Street, Bourke Street, Village Street and Aurora Lane must be reconstructed in sawn bluestone, or as otherwise approved by the Melbourne City Council – City Infrastructure, together with associated works including the renewal of kerb and channel, provision of street furniture and modification of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by the Melbourne City Council – City Infrastructure.

Building over Easements

31. Prior to the commencement of the development, including demolition and bulk excavation, the permit holder must either obtain the necessary permissions from the relevant parties / authorities to construct over such easements, or obtain planning permission to remove or vary their location, and provide evidence of this to the Responsible Authority.

Public Tree Protection

32. No public tree adjacent to the site can be removed or pruned in any way without the prior written approval of the Melbourne City Council.
33. All works (including demolition), within the Tree Protection Zone of public trees must be undertaken in accordance with the endorsed Tree Protection Plan and supervised by a suitably qualified Arborist where identified in the Arboricultural Assessment by John Patrick Landscape Architects dated 25 February 2022 except with the prior written consent of the Melbourne City Council.

Public Lighting

34. 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 Melbourne City Council, a lighting plan must be prepared to the satisfaction of the Melbourne City Council - City Infrastructure. The lighting plan should be generally consistent with Council's Lighting Strategy, and include the provision of public lighting in adjoining roads to the satisfaction of the Melbourne City Council - City Infrastructure. The lighting works must be undertaken prior to the commencement of the occupation of the development, in accordance with plans and specifications first approved by the Melbourne City Council - City Infrastructure.

Building appurtenances and structures above roof level

35. All building plant and equipment are to be concealed to the satisfaction of the Responsible Authority. The construction of any additional plant machinery equipment, including but not limited to air-conditioning equipment, ducts, flues, all exhausts, including car parking and communications equipment, shall be to the satisfaction of the Responsible Authority.
36. Any satellite dishes, antennae or similar structures associated with the development must be designed and located at a single point in the development to the satisfaction of the Responsible Authority.
37. No architectural features, plant and equipment or services other than those shown on the endorsed plans are permitted above roof level, unless with the prior written consent of the Responsible Authority.

Expiry

38. This permit will expire if one of the following circumstances applies:

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

The Responsible Authority may extend the permit if a request is made in writing before the permit expires, or within six months afterwards. The Responsible Authority may extend the time for completion of the development if a request is made in writing within 12 months after the permit expires and the development started lawfully before the permit expired.

PERMIT NOTES

Building Approval Required

- This permit does not authorise the commencement of any demolition or construction on the land. Before any demolition or construction may commence, the applicant must apply for and obtain appropriate building approval from a Registered Building Surveyor.

Building Works to Accord with Planning Permit

- The applicant / owner will provide a copy of this planning permit and endorsed plans to any appointed Building Surveyor. It is the responsibility of the applicant / owner and the relevant Building Surveyor to ensure that all building (development) works approved by any building permit are consistent with this planning permit.

Drainage Point and Method of Discharge

- The legal point of stormwater discharge for the proposal must be to the satisfaction of the responsible authority. Engineering construction plans for the satisfactory drainage and discharge of stormwater from the site must be submitted to and approved by the Responsible Authority prior to the commencement of any buildings or works.

Other Approvals May be Required

- This Planning Permit does not represent the approval of other departments of City of Melbourne or other statutory authorities. Such approvals may be required and may be assessed on different criteria from that adopted for the approval of this Planning Permit.

Civil Design

- All necessary approvals and permits are to be first obtained from the City of Melbourne and the works performed to the satisfaction of the responsible authority – City Infrastructure Branch.
- The provision of public lifts for DDA access must remain in private ownership. The City of Melbourne will not own and maintain public lifts associated with the development.

Urban Forest and Ecology

- In accordance with the Tree Retention and Removal Policy a bank guarantee must be:
 1. Issued to City of Melbourne, ABN: 55 370 219 287.
 2. From a recognised Australian bank.

3. Unconditional (i.e. no end date)
 4. Executed (i.e. signed and dated with the bank stamp)
- Please note that insurance bonds are not accepted by the City Of Melbourne. An acceptable bank guarantee is to be supplied to Council House 2, to a representative from Council's Urban Forest and Ecology Team. Please email trees@melbourne.vic.gov.au to arrange a suitable time for the bank guarantee to be received. A receipt will be provided at this time.
 - At the time of lodgement of the bank guarantee the completed Project Arborist Confirmation Form must be provided. On completion of the works the bank guarantee will only be released when evidence is provided of Project Arborist supervision throughout the works and a final completion report confirms that the health of the subject public trees has not been compromised.
 - Approval for any tree removal is subject to the Tree Retention and Removal Policy, Council's Delegations Policy and requirements for public notification, and a briefing paper to councillors. It should be noted that certain tree removals including but not limited to significant or controversial tree removals, may be subject to decision by Council or a Committee of Council.
 - All costs in connection with the removal and replacement of public trees, including any payment for the amenity and ecological services value of trees to be removed, must be met by the applicant / developer / owner of the site. The costs of these works will be provided and must be agreed to before council remove the subject trees.
 - All new or replacement tree plots must utilise structural soils to increase soil volume and rooting area.
 - Tree species must be in accordance with the City of Melbourne Future Climate Ready species lists.