# Planning Scheme Amendment C435: ID-2023-1 599, 601, 605-609 King Street and 

13 June 2023 13-25 and 27 Hawke Street, West Melbourne (Miami Hotel)

Presenter: Julian Edwards, Director Planning and Building

## Purpose and background

1. The purpose of this report is to recommend Future Melbourne Committee request authorisation from the Minister for Planning to prepare and exhibit Melbourne Planning Scheme Amendment C435, which relates to the Miami Hotel in West Melbourne.
2. Amendment C435 is being considered at the request of the Miami Hotel Group, and seeks to introduce a Specific Controls Overlay (SCO) and an associated Incorporated Document (ID) facilitating the redevelopment of land associated with the existing hotel at 599, 601, 605-609 King Street and 13-25 and 27 Hawke Street, West Melbourne (refer Attachment 2 - Amendment Documents).
3. The redevelopment of the land includes the use and development of a five storey building containing an expanded residential hotel with ancillary ground floor uses and two residential apartments. The redevelopment also involves the partial demolition of heritage buildings and their incorporation into the hotel site (refer Attachment 3 - Plans).
4. The site is currently zoned General Residential Zone (GRZ) and included in the Heritage Overlay (HO3). This zoning contains mandatory height limits of 3 storeys $/ 11$ metres and the mandatory minimum garden area requirement of 35 per cent. Introducing the SCO and ID would exempt the site from those requirements for a site specific development with appropriate conditions.
5. Miami Hotel Group previously made a submission to Amendment C309 (West Melbourne Structure Plan) seeking a rezoning of the land to facilitate a potential redevelopment of the hotel. The planning panel report found the site is capable of accommodating more than what would be allowed under the existing controls, and that further work should be done.

## Key issues

6. The key issues for consideration include the appropriateness of the proposed planning controls, the land use and built form response, heritage impacts, amenity impacts and other technical considerations. A high level analysis of these issues is contained in the accompanying officer's report (refer Attachment 4).
7. The proposal is considered suitable having regard to the characteristics of the site and will achieve certainty for the future development of the land. The SCO and ID would ensure the outcome is linked to the ongoing use and development. The mandatory requirements of the GRZ would continue to apply if the land is developed in any manner not in accordance with the ID.
8. The authorisation and exhibition of Amendment C435 will facilitate the findings of the planning panel for Amendment C309 (West Melbourne Structure Plan) and enable the views of affected owners and occupiers to be considered, as well as those of the relevant external agencies.

## Recommendation from management

9. That the Future Melbourne Committee:
9.1. Seeks authorisation from the Minister for Planning to prepare and exhibit Amendment C435 in accordance with the Planning and Environment Act 1987, and in accordance with the attachments to the report from management.
9.2. Authorises the General Manager Strategy, Planning and Climate Change to make any further minor editorial changes to Amendment C435 prior to submission to the Minister for Planning for authorisation.

## Attachments:

1. Supporting Attachment (Page 2 of 88)
2. Amendment Documents (Page 3 of 88 )
3. $\quad$ Plans (Page 37 of 88)
4. Delegate Report (Page 71 of 88)

## Supporting Attachment

## Legal

1. Part 3 of the Planning and Environment Act 1987 (the Act) sets out the procedure for a planning scheme amendment. Section $8(1)(b)$ of the Act provides that the Minister for Planning may prepare an amendment to any provision of the planning scheme.

## Finance

2. There are no direct financial issues arising from the recommendations contained within this report, noting that the proponent will bear any fees or costs arising from the processing of Amendment C435.

## Conflict of interest

3. No member of Council staff, or other person engaged under a contract, involved in advising on or preparing this report has declared a material or general conflict of interest in relation to the matter of the report.

## Health and Safety

4. Relevant planning considerations such as traffic, waste management, potential amenity impacts and noise attenuation matters that could impact on health and safety have been considered through the assessment of the development plans and supporting documentation.

## Stakeholder consultation

5. Council officers have had informal discussions with officers at the Department of Transport and Planning to discuss the amendment and preferred procedural approach.
6. Public exhibition of Amendment C435 will be undertaken in accordance with the notice requirements at section 19 of the Act. Information on the amendment will be made available online and information sessions will be held if required.
7. It is noted that two submissions were received in response to the listing of the original section 96A application (TP-2022-462) on Council's planning application register. These submitters will be given notice of Amendment C435 and the opportunity to make a formal submission through the exhibition process.

## Relation to Council policy

8. Relevant Council policies are referenced in the attached officer's report (refer to Attachment 4).

## Environmental sustainability

9. The Environmentally Sustainable Design (ESD) report submitted with the proposal confirms the development will seek to achieve the relevant performance measures set out in Clauses 15.01-2L-01 (Energy, Water and Waste Efficiency) and 19.03-3L (Stormwater Management) of the Melbourne Planning Scheme.
10. Recommended conditions within the ID would require approval and implementation of ESD initiatives.

## MELBOURNE PLANNING SCHEME <br> AMENDMENT C435 <br> EXPLANATORY REPORT

## Who is the planning authority?

The amendment has been prepared by Melbourne City Council, which is the planning authority for this amendment.

The amendment has been made at the request of Echelon Planning on behalf of the Miami Hotel Group.

## Land affected by the amendment

The amendment applies to the land shown in Figure 1 which includes the following four contiguous sites (the land):

- 599-601 King Street (Lots 1 to 4 and Common Property on Plan of Strata Subdivision 022207B).
- 605-609 King Street (Lots 1 and 2 on Title Plan 962680T).
- 13-25 Hawke Street (Plan of Consolidation 375977T).
- 27 Hawke Street (Lot 1 on Plan of Subdivision 034651).


Figure 1: Subject land 13-25 and 27 Hawke Street, 599, 601 and $\mathbf{6 0 5 - 6 0 9}$ King Street, West Melbourne

## What the amendment does

The Amendment applies the Specific Control Overlay (SCO) and introduces an Incorporated Document titled '599, 601 and 605-609 King Street, 13-25 and 27 Hawke Street, West Melbourne: Incorporated Document', to facilitate the demolition of the existing hotel, part demolition of other buildings and the use and development of the land for a multi-level building comprising a residential hotel with associated facilities, a food and drink premises and two dwellings, the alteration of access to a Transport Zone 2, the removal of two easements and reduction of car parking requirements,
generally in accordance with Miami Hotel Development Plans prepared by Hachem Architects, dated December 2021.

Specifically, the amendment:

- Amends the Schedule to Clause 45.12 (Specific Controls Overlay) to include a new Specific Controls Overlay (SCO37) to include reference to the incorporated document '599, 601 and 605-609 King Street, 13-25 and 27 Hawke Street, West Melbourne: Incorporated Document'
- Amends the Schedule to Clause 72.04 (Documents Incorporated in this Planning Scheme) to include reference to the incorporated document '599, 601 and 605-609 King Street, 13-25 and 27 Hawke Street, West Melbourne: Incorporated Document'.
- Amend Planning Scheme Map(s) 5SCO and 8SCO to apply the new Specific Controls Overlay (SCO37).

The use and development sought at the site under the Incorporated Document '599, 601 and 605-609
King Street, 13-25 and 27 Hawke Street, West Melbourne: Incorporated Document" includes:

- Use and development of a Residential hotel with associated facilities including a restaurant, bar, function area and day spa.
- A food and drink premises.
- Two apartment dwellings.
- Demolition of fabric in a Heritage Overlay.
- Removing two easements.
- Reduction in car parking requirements.
- Vary access to a road in a Transport Zone 2 through removing access.


## Strategic assessment of the amendment

## Why is the amendment required?

The amendment is required to enable the site to be developed in a way which recognises its scale and location which is in-line with the aspirations for the immediate area and West Melbourne more broadly.
It is proposed to introduce an incorporated document to the land to provide confidence that the development aspirations for the area will be met, with appropriate consideration of nearby built form, heritage streetscapes and sensitive uses.

The land is currently occupied by the Miami Hotel building at 13-25 Hawke Street, a single storey terrace at 27 Hawke Street, a vacant site at 605-609 King Street and a pair of double storey Victorian terraces at 599-601 King Street. All buildings are currently used for different forms of accommodation.

The land is located within the General Residential Zone - Schedule 1 (GRZ1), the North \& West Melbourne Precinct Heritage Overlay (HO3) and the land at 605-609 King Street, West Melbourne is also located in the Environmental Audit Overlay (EAO).

A proposal to redevelop the land that is generally in accordance with the incorporated document is exempt from requiring a planning permit, including the following GRZ1 restrictions:

- The mandatory height restriction of 3 storeys and 11 m .
- The Clause 32.08-4 mandatory minimum garden area requirement of $35 \%$.

The GRZ1 requirements were applied by Amendment VC110. The land is in a location close to the Errol Street shops, the North Melbourne railway station and the No. 57 tram route. It is a large site that can appropriately respond to the heritage context of the row of single storey Victorian terraces along Hawke Street, and the row of double storey Victorian terraces along King Street while accommodating more intensive built form than currently exists on the site or would be allowed under GRZ1.
How does the amendment implement the objectives of planning in Victoria?
The amendment implements the following objectives of planning in Victoria as set out in Section 4(1) of the Planning \& Environment Act 1987:
(a) to provide for the fair, orderly, economic and sustainable use, and development of land;
(c) to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;
(d) to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value;
(e) to facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d);
(f) to balance the present and future interests of all Victorians.

The amendment implements these objectives by:

- Enabling the land to be appropriately re-developed with a building of a scale that supports an economically viable residential hotel.
- Supporting new business and economic growth through contributing to diverse employment opportunities in a highly accessible location and close to housing.
- Facilitating renewal of an infill site for an accommodation use which is located close to the Central City, adjacent to the Errol/Victoria Street retail core and near to the Queen Victoria Market, Royal Melbourne, Children's and Women's Hospitals and North Melbourne Train Station. This central location is highly accessible for walking, cycling and public transport.
- Supporting the implementation of Clause 11.03-6L-15 (West Melbourne) and Clause 17.04-1S (Facilitating tourism) by facilitating ongoing tourism use of the site and a diversity of business and employment opportunities close to where people live.
- Providing a development outcome that is responsive to the heritage values and preferred character of the area and meets current environmentally sustainable design principles and objectives.
- Retaining high value heritage fabric at the site and proposing development that is respectful of the heritage values of the site and area
- Improving streetscape activation through the introduction of commercial tenancies on two street edges, promoting pedestrian activity at street level.
- Contributing to the mix of uses in the area with a residential hotel which will bring people to West Melbourne supporting the local businesses and centres such as Errol Street.

How does the amendment address any environmental, social and economic effects?

## Environmental Effects

- The proposal will achieve a 5 Star Green Star Buildings rating. The Incorporated Document requires the development to be registered to seek a minimum 5 Star Green Star Building rating (or equivalent) with the Green Building Council of Australia
- The proposal encourages active forms of transport by providing for bicycle access/parking, and catering for electric vehicles.
- Appropriate site preparation measures will be undertaken, as imposed by the incorporated document conditions, to ensure that the site is suitable for future development and use, noting that part of the site was previously used as a mechanic's garage and contains localised contamination and that this part will be excavated for the basement garage (this part of the site is subject to the EAO).


## Social Effects

- The proposal will provide new accommodation, associated facilities and a food and drinks premises that will encourage visitation and use by locals and visitors to West Melbourne.
- The proposal will physically improve the appearance of the site. This will promote a greater sense of value for the neighbourhood for people living nearby.


## Economic Effects

- The amendment is expected to generate economic benefit through the provision of employment opportunities. The amendment will also encourage local spending within the area, which will have flow on effects to the local community and strengthen the economy.
- The proposed development and uses will provide commercial opportunities for the residents of the surrounding area that can access the café, hotel bar and spa treatments.
- The amendment will help to provide initial employment opportunities for the management and operation of the new residential hotel and commercial offering.
- The proposal will enhance the tourism industry through providing an improved residential hotel within West Melbourne which will encourage visitation to local commercial areas and the Central City


## Does the amendment address relevant bushfire risk?

The land is located in West Melbourne, which is not a bushfire risk area.

## Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?

Section 12(2)(a) of the Planning and Environment Act 1987 requires that in preparing an amendment, a planning authority must have regard to the Minister's Directions.

## Ministerial Direction on the Form and Content of Planning Schemes

The amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Planning and Environment Act 1987.

## Ministerial Direction No. 1 Potentially Contaminated Land

The amendment addresses the requirements of Ministerial Direction 1. The amendment proposes that before a sensitive use commences or before the construction or carrying out of buildings and works in association with a sensitive use commences, an environmental audit statement is to be carried out.

## Ministerial Direction No. 9 Metropolitan Strategy

The metropolitan strategy sets out a long-term framework for the future growth and development of Melbourne.

The amendment complies with Ministerial Direction 9 as it facilitates the development of the site in accordance with the directions contained within Plan Melbourne: 2017-2050. The proposed design incorporates environmentally sustainable design features and landscaping, achieves high visual interest and will improve the design and feel of the public realm. The proposed massing, setbacks and detailed design is sensitive to on-site and surrounding heritage fabric and preferred neighbourhood character.

## Ministerial Direction No. 11 Strategic Assessment of Amendments

The amendment has been prepared in accordance with Ministerial Direction No. 11 Strategic Assessment of Amendments.

## How does the amendment support or implement the Planning Policy Framework and any adopted State policy?

The amendment supports the following State clause of the Planning Policy Framework (PPF):

- Clause 11.02-1S Supply of urban land

The amendment will facilitate the redevelopment of land for a sustainable, mixed use development, located within an established urban area with access to services and public transport, in a way that respects the existing neighbouring character.

- Clause 13.05-1S Noise management

The proposal focusses activity to the King Street and Hawke Street frontages to reduce impacts from noise emissions to surrounding residences.

- Clause 15.01-1S Urban design
- Clause 15.01-2S Building design
- Clause 15.01-5S Neighbourhood character
- Clause 15.03-1S Heritage conservation

The proposal responds to its context in terms of character and cultural identity, supports public realm amenity, minimises detrimental impacts on amenity and promotes good urban design.

The proposal respects and responds to the surrounding lower scale building heights of places of heritage significance and the broader heritage precinct, through use of podiums and upper level setbacks.

Materials have been selected which create a cohesive design response, reflect the nature of the building for a boutique hotel and provide visual interest to the immediate neighbourhood and broader area.

The proposal will enhance the appearance of the site and incorporates modern environmentally sustainable design features and landscaping across its five storeys.

- The extent of demolition, overall height and massing of the proposal would achieve an acceptable outcome having regard to the significance and appearance of the heritage places which form part of the site, as well as those in the immediate surrounds.Clause 17 Economic Development
Consistent with Clause 17, the proposal will contribute to the mixed-use function of the area and provide on-going (and elevated) employment opportunities and economic activity from the site. The location is appropriate for tourist accommodation and will assist in promoting Melbourne's diverse offering of 'local" places to visit.


## - Clause 18 Transport

The proposal is accessible to public transport options and will assist to promote greater usage of the existing system of train and tram routes near the site in support of Clause 18. Vehicle access to the site will be rationalised with the removal of a crossing within King Street, improving safety for pedestrians and the function of this road.

- Clause 19 Infrastructure

The proposal meets the objectives of Clause 19 by appropriately managing water supply and usage, drainage, and stormwater. The development incorporates water tanks that will harvest stormwater for re-use and reduce and control flows from the site. A waste management plan has been prepared that will promote recycling and the reduction and appropriate disposal of waste.

The amendment supports and implements the following Local clauses of the Planning Policy Framework (PPF):

- 11.03-6L-15: West Melbourne:

The proposal supports Clause $11.03-6 \mathrm{~L}-15$ by retaining the existing use of the site and expanding this use which will retain existing employment as well as providing for new employment to meet the City of Melbourne's target to provide additional jobs in the precinct.

The proposal has been designed to complement the built environment and heritage characteristics of West Melbourne by ensuring that the development is appropriate in scale and includes active frontages with greenery.

- 15.01-1L-05 Urban Design Outside the Capital City Zone

The proposal achieves a high standard of design that will positively contribute to West Melbourne, Hawke Street and King Street and complement the existing built form at the Hawke and King Street intersection.

The proposal responds to the form, height, and scale of recent taller development in the surrounding area, while ensuring that new development respects the 1 and 2 storey heritage forms through appropriate design, setbacks and use of materials and colours.

- 15.03-1L-02 Heritage

The proposal will also ensure that heritage fabric is respected through concealment, recessed levels and complementary heights and external finishes. It is proposed to only remove noncontributory heritage fabric. The height and number of storeys of the new development is sympathetic to the surrounding streetscape and existing heritage places.
On King Street the proposed street frontage continues the rhythm of presentation to the street with a similar width and height as the adjoining heritage terraces to the south.

The façade height of the podiums is consistent with the height of adjoining buildings.
The proposal maintains clear property boundaries and does not build over or extend into the air space directly above the front or principal part of significant or contributory buildings,
including at 599-601 King and 27 Hawke Street. The new building observes a clear separation between contemporary and heritage fabric.

At its interface with Jones Place, the design of the building is respectful of the scale and form of existing buildings. The proposal includes retention of portions of the existing wall situated along the site's southern boundary. Additionally, Jones Place is characterised by modern rear building additions, rear boundary walls/fences and modern rear garage frontages and is not considered a sensitive heritage environment.

## How does the amendment support or implement the Municipal Planning Strategy?

The amendment supports the following relevant clauses within the Municipal Strategic Framework:

- Clause 02.03-1 - Settlement

West Melbourne is identified as a stable residential area and is valued for its existing character. Limited change, such as in-fill development and alterations and additions, that respects existing character, can occur.

The proposal meets the objectives of this clause by allowing an appropriate scale of in-fill development to occur on the land, while ensuring the existing residential and heritage character is respected.

- Clause 02.03-3 Environmental risks and amenity - amenity, safety and noise

Council will encourage dwellings and non-residential uses in residential areas to be located and designed to protect residents from off-site amenity impacts.

The proposal meets the objectives of this clause by ensuring that development on the land responds to existing interfaces.

- Clause 02.03-4 Built environment and heritage

In managing the built environment, the Council will ensure design, height and scale of development responds to the identified preferred built form character of an area.

In protecting heritage values, the Council will conserve and enhance places of identified cultural heritage significance, including views to heritage places.

The proposal meets the objectives of this clause by ensuring that design, height and scale of development on the land is suitable for the built form character of the area.

## Does the amendment make proper use of the Victoria Planning Provisions?

The amendment makes proper use of the Victoria Planning Provisions (VPPs) by applying the Specific Controls Overlay (SCO) to the land and updating the schedules to Clause 45.12 and 72.04 to insert the Incorporated Document '599, 601 and 605-609 King Street, 13-25 and 27 Hawke Street, West Melbourne: Incorporated Document" into the Melbourne Planning Scheme.
In the absence of the incorporated document, the proposal would not be allowed under the current planning controls. The SCO and associated incorporated document has the effect of exempting the project from the usual requirements of the planning scheme and allowing the use and development of land for the project in accordance with the specific controls of the incorporated document.

The existing planning controls on the land are retained, which will apply if use and development does not occur in general accordance with the Incorporated Document '599, 601 and 605-609 King Street, 13-25 and 27 Hawke Street, West Melbourne: Incorporated Document".

## How does the Amendment address the views of any relevant agency?

The amendment will follow the formal planning scheme amendment process and be placed on exhibition where stakeholders and agencies will have an opportunity to comment on the amendment.

The Transport Integration Act 2010 establishes a framework for the provision of an integrated and sustainable transport system in Victoria. The Act provides for a system in which all transport activities and modes work together and recognises the interdependency of transport and land use. The amendment will facilitate a development which integrates with the existing transport system.

## Resource and administrative costs

## What impact will the new planning provisions have on the resource and administrative costs of

 the responsible authority?The amendment is expected to have limited impact on the resources and administrative costs of the responsible authority

Where you may inspect this Amendment
The amendment can be inspected free of charge at the City of Melbourne website at www.melbourne.vic.gov.au.

The amendment is available for public inspection, free of charge, during office hours at the following places:

City of Melbourne
Customer Service Counter, Ground Floor
Melbourne Town Hall Administration Building
120 Swanston Street
MELBOURNE VIC 3000
Ground Floor, 120 Swanston Street, Melbourne
The amendment can also be inspected, free of charge Department of Transport and Planning website at www.planning.vic.gov.au/public-inspection or by contacting 1800789386 to arrange a time to view the amendment documentation

# Planning and Environment Act 1987 <br> MELBOURNE PLANNING SCHEME AMENDMENT C435melb INSTRUCTION SHEET 

The planning authority for this amendment is the Melbourne City Council.
The Melbourne Planning Scheme is amended as follows:

## Planning Scheme Maps

The Planning Scheme Maps are amended by a total of one attached map sheet.

## Overlay Maps

1. Amend Planning Scheme Map Nos. 5SCO and 8SCO in the manner shown on the one attached map marked 'Melbourne Planning Scheme, Amendment C435melb'.

## Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:
2. In Overlays - Clause 45.12, replace the schedule with a new schedule in the form of the attached document.
3. In Operational Provisions - Clause 72.04, replace the schedule with a new schedule in the form of the attached document.

End of document

MELBOURNE PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C435melb


## $1.0 \quad$ Specific controls

| PS Map Ref | Name of incorporated document |
| :---: | :---: |
| SCO1 | State Netball and Hockey Centre, Brens Drive, Royal Park, Parkville, May 2000 Incorporated Document (Amended September 2018) |
| SCO2 | University of Melbourne Bio21 Project Parkville, November 2018 |
| SCO3 | Melbourne Central redevelopment March 2002 (Amended October 2019) |
| SCO4 | Cliveden Hill Private Hospital, 29 Simpson Street, East Melbourne, July 1999 |
| SCO5 | Mirvac, Residential Towers, 236-254 St Kilda Road, Southbank |
| SCO6 | Flinders Gate car park, Melbourne, July 1999 |
| SCO7 | Young and Jackson's Hotel, Promotional Panel Sky sign, Melbourne, July 1999 |
| SCO9 | Former Herald and Weekly Times building, 46-74 Flinders Street, Melbourne, August 2002 |
| SCO10 | The Games Village Project, Parkville, September 2015 |
| SCO11 | Advertising Signs - Mercedes-Benz, 135-149 Kings Way, Southbank |
| SCO12 | 70 Southbank Blvd, June 2014 |
| SCO13 | Shadow Controls, 555 Collins Street, Melbourne, February 2013 |
| SCO14 | Melbourne Arts Precinct Transformation Project, Phase One, January 2022 |
| SCO15 | 55 Southbank Boulevard, Southbank, February 2017 |
| SCO16 | Mental Health Beds Expansion Program Incorporated Document, November 2020 |
| SCO20 | Illuminated high wall signs - 766 Elizabeth Street, Carlton |
| SCO21 | Former Queen Victoria Hospital Site - Open Lot Car Par, Melbourne |
| SCO22 | North Melbourne Recreation Reserve Signage, 2022 |
| SCO23 | 150 Lonsdale Street, Melbourne - Australian Federal Police, Melbourne State Office, May 2020 |
| SCO24 | Shrine of Remembrance Signage, July 2021 |
| SCO25 | Southgate Redevelopment Project, 3 Southgate Avenue, Southbank, September 2021 |
| SCO26 | 12 Riverside Quay, Southbank, November 2020 |
| SCO27 | 850-858 Lorimer Street, Port Melbourne, Incorporated Document, March 2022 |
| SCO28 | 111 Lorimer Street, Docklands, Incorporated Document, November 2022 |
| SCO29 | The University of Melbourne Fishermans Bend Campus, August 2020 |
| SCO30 | Carlton Recreation Ground, September 2020 |
| SCO31 | 21-35 Power Street \& 38 Freshwater Place, Southbank, July 2021 |
| SCO32 | 13-33 Hartley Street, Docklands, Incorporated Document, February 2023 |
| SCO33 | Punt Road Oval Redevelopment - Part Crown Allotment 2114 at East Melbourne City of Melbourne Parish of Melbourne North, June 2022 |
| SCO34 | 86-96 Stubbs Street, Kensington - August 2022 |

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| PS Map Ref | Name of incorporated document |
| :--- | :--- |
| SCO36 | $150-160$ \& 162-188 Turner Street, Port Melbourne, Incorporated Document, <br> November 2022 |
| SC037 | 599,601 and 605-609 King Street, 13-25 and 27 Hawke Street, West Melbourne, <br> Incorporated Document, June 2023 |

## SCHEDULE TO CLAUSE 72.04 DOCUMENTS INCORPORATED IN THIS PLANNING SCHEME

## $1.0 \quad$ Incorporated documents

| Name of document | Introduced by: |
| :---: | :---: |
| 86-96 Stubbs Street, Kensington - August 2022 | C436melb |
| 2 Bayswater Road, Kensington Statement of Significance, March 2022 | C396melb |
| 12 Riverside Quay, Southbank, November 2020 | C391melb |
| 13-33 Hartley Street, Docklands, Incorporated Document, February 2023 | C413melb |
| 19 Gower Street, Kensington Statement of Significance, March 2022 | C396melb |
| 17 Westbourne Road, Kensington Statement of Significance, March 2022 | C396melb |
| 17-19 Bayswater Road, Kensington Statement of Significance, March 2022 | C396melb |
| 29-31 Rathdowne Street, Carlton Statement of Significance, March 2022 | C396melb |
| 47-55, 59 \& 69 Westbourne Road Precinct, Kensington Statement of Significance, March 2022 | C396melb |
| 53-57 Lonsdale Street, Melbourne Statement of Significance, April 2022 | C387melb |
| 59 Bayswater Road, Kensington Statement of Significance, March 2022 | C396melb |
| 72-74 Bourke Street, Melbourne Statement of Significance, March 2022 | C396melb |
| 73-77 Bourke Street, Melbourne Statement of Significance, March 2022 | C396melb |
| 83 Bayswater Road, Kensington Statement of Significance, March 2022 | C396melb |
| 86 Bourke Street, Melbourne Statement of Significance, March 2022 | C396melb |
| 90-92 Bayswater Road, Kensington Statement of Significance, March 2022 | C396melb |
| 111 Lorimer Street, Docklands, Incorporated Document, November 2022 | C364melb |
| 150 Lonsdale Street, Melbourne - Australian Federal Police, Melbourne State Office, May 2020 | C375melb |
| 150-160 \& 162-188 Turner Street, Port Melbourne, Incorporated Document, November 2022 | C420melb |
| 166 Russell Street, Melbourne Statement of Significance, April 2022 | C387melb |
| 21-35 Power Street \& 38 Freshwater Place, Southbank, July 2021 | C398melb |
| 271 Spring Street, Melbourne, Transitional Arrangements, May 2016 | C287 |
| 285 Walsh Street, South Yarra Statement of Significance, March 2022 | C396melb |
| 55 Southbank Boulevard, Southbank, February 2017 | C288 |
| 310-316 Walsh Street, South Yarra Statement of Significance, March 2022 | C396melb |
| 346-376 Queen Street, 334-346 La Trobe Street and 142-171 A'Beckett Street Open Lot Car Park, Melbourne | NPS1 |
| 447 Collins Street, Melbourne, Transitional Arrangements, May 2016 | C289 |
| 70 Southbank Blvd, June 2014 | C239 |
| 80 Collins Street Melbourne Development, May 2013 | C219 |
| 87-127 Queens Bridge Street, Southbank, July 2018 (Amended August 2020) | C386melb |
| 599, 601 and 605-609 King Street and 13-25 and 27 Hawke Street, West Mëlibourne, İncorporated Diocument, June 2023 | C435melb |

## MELBOURNE PLANNING SCHEME

| Name of document | Introduced by: |
| :---: | :---: |
| 850-858 Lorimer Street, Port Melbourne, Incorporated Document, March 2022 | C361melb |
| ABC Melbourne New Office and Studio Accommodation Project (Southbank), December 2013 | C226 |
| Advertising Signs - Mercedes-Benz, 135-149 Kings Way, Southbank | C103 |
| AMP Tower and St James Building Complex Statement of Significance (527-555 Bourke Street, Melbourne), April 2022 | C387melb |
| Apartment Building Statement of Significance (13-15 Collins Street, Melbourne), April 2022 | C387melb |
| Arden Macaulay Heritage Review 2012: Statements of Significance June 2016 | C207 |
| Arden Parking Precinct Plan, August 2021 | C407melb |
| Arden Precinct Cross Sections, July 2022 | C407melb |
| Arden Precinct Development Contributions Plan, July 2022 | C407melb |
| Australia-Netherlands House Statement of Significance (468-478 Collins Street, Melbourne), April 2022 | C387melb |
| Big Day Out Music Festival, January 2006 | C112 |
| Building Envelope Plan - Replacement Plan No.1, DDO 20 Area 45 | NPS1 |
| Carlton Brewery Comprehensive Development Plan October 2007 | C126 |
| Central City (Hoddle Grid) Heritage Review: Statements of Significance June 2013 | C186(Part 1) |
| Carlton Connect Initiative Incorporated Document, March 2018 | C313 |
| Carlton Recreation Ground Incorporated Document, September 2020 | C377melb |
| Charles Grimes Bridge Underpass, December 2011 | C191 |
| City North Heritage Review 2013: Statements of Significance (Revised June 2015) | C198 |
| Cliveden Hill Private Hospital, 29 Simpson Street, East Melbourne, July 1999 | C6 |
| Caulfield Dandenong Rail Upgrade Project, Incorporated Document, April 2016 | C349melb |
| Coates Building Statement of Significance (18-22 Collins Street, Melbourne), April 2022 | C387melb |
| Collins Gate Statement of Significance (377-379 Little Collins Street, Melbourne), April 2022 | C387melb |
| Commercial building Statement of Significance (480 Bourke Street, Melbourne), April 2022 | C387melb |
| Commercial building Statement of Significance (582-584 Little Collins Street, Melbourne), April 2022 | C387melb |
| Crown Casino Third Hotel, September 2007 | C136 |
| David Jones Melbourne City Store Redevelopment, May 2008 | C139 |
| Downs House Statement of Significance (441-443 Little Bourke Street, Melbourne), April 2022 | C387melb |
| Dreman Building Statement of Significance (96-98 Flinders Street, Melbourne), April 2022 | C387melb |
| Drewery Lane Precinct Statement of Significance, April 2022 | C387melb |
| Dynon Port Rail Link Project | C113 |

## MELBOURNE PLANNING SCHEME

| Name of document | Introduced by: |
| :---: | :---: |
| Electricity Substation Statement of Significance (224-236 Salmon Street, Port Melbourne), May 2022 | C394melb |
| Emporium Melbourne Development, July 2009 | C148 |
| Epstein House Statement of Significance (134-136 Flinders Street, Melbourne), April 2022 | C387melb |
| Equitable House Statement of Significance (335-349 Little Collins Street, Melbourne), April 2022 | C387melb |
| Federation Arch and Sports and Entertainment Precinct Signs, April 2002 | C66 |
| Flinders Gate car park, Melbourne, July 1999 | C6 |
| Flinders Lane East Precinct Statement of Significance, April 2022 | C387melb |
| Flinders Street Railway Viaduct Statement of Significance (Flinders Street, Melbourne), April 2022 | C387melb |
| Former Ajax House Statement of Significance (103-105 Queen Street, Melbourne), April 2022 | C387melb |
| Former Allans Building Statement of Significance (276-278 Collins Street, Melbourne), April 2022 | C387melb |
| Former AMP Building Statement of Significance (344-350 Collins Street, Melbourne), April 2022 | C387melb |
| Former AMP Building Statement of Significance (402-408 Lonsdale Street, Melbourne), April 2022 | C387melb |
| Former Atlas Assurance Building Statement of Significance (404-406 Collins Street, Melbourne), April 2022 | C387melb |
| Former Australia Pacific House Statement of Significance (136-144 Exhibition Street, Melbourne), April 2022 | C387melb |
| Former Bank of Adelaide Building Statement of Significance (265-269 Collins Street, Melbourne), April 2022 | C387melb |
| Former Bank of Australasia Statement of Significance (152-156 Swanston Street, Melbourne), April 2022 | C387melb |
| Former Bank of New South Wales Statement of Significance (137-139 Flinders Lane, Melbourne), April 2022 | C387melb |
| Former Batman Automatic Telephone Exchange Statement of Significance (376-382 Flinders Lane, Melbourne), April 2022 | C387melb |
| Former Bryson Centre Statement of Significance (174-192 Exhibition Street, Melbourne), April 2022 | C387melb |
| Former Cassells Tailors Pty Ltd Statement of Significance (341-345 Elizabeth Street, Melbourne),April 2022 | C387melb |
| Former Coles and Garrard Building Statement of Significance (376-378 Bourke Street, Melbourne), April 2022 | C387melb |
| Former Colonial Mutual Life Assurance Building and Plaza with 'Children's Tree' Sculpture Statement of Significance (308-336 Collins Street, Melbourne), April 2022 | C387melb |
| Former Commercial Banking Company of Sydney Building Statement of Significance (251-257 Collins Street, Melbourne), April 2022 | C387melb |
| Former Commonwealth Banking Corporation Building Statement of Significance (359-373 Collins Street, Melbourne), April 2022 | C387melb |
| Former Craig, Williamson Pty Ltd complex Statement of Significance (57-67 Little Collins Street, Melbourne), April 2022 | C387melb |

## MELBOURNE PLANNING SCHEME

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| :--- | :--- |
| Former Dalgety House Statement of Significance (457-471 Bourke Street, <br> Melbourne), April 2022 | C387melb |
| Former Dillingham Estates House Statement of Significance (114-128 William <br> Street, Melbourne), April 2022 | C387melb |
| Former Excelsior Chambers Statement of Significance (17-19 Elizabeth Street, <br> Melbourne), April 2022 | C387melb |
| Former Exhibition Towers Statement of Significance (287-293 Exhibition Street, <br> Melbourne), April 2022 | C387melb |
| Former Factory Statement of Significance (203-207 King Street, Melbourne), April <br> 2022 | C387melb |
| Former Fishmarket Site, Flinders Street Melbourne, September 2002 | C68 |
| Former Gilbert Court Statement of Significance (100-104 Collins Street, <br> Melbourne), April 2022 | C387melb |
| Former Godfrey's Building Statement of Significance (188-194 Little Collins <br> Street, Melbourne), April 2022 | C387melb |
| Former Gordon Buildings Statement of Significance (384-386 Flinders Lane, <br> Melbourne), April 2022 | C387melb |
| Former Gothic Chambers and warehouse Statement of Significance (418-420 <br> Bourke Street and 3 Kirks Lane, Melbourne), April 2022 | C387melb |
| Former Guardian Building Statement of Significance (454-456 Collins Street, <br> Flinders Street and rear in Downie Street, Melbourne), April 2022 <br> Fermer Melbourne and Metropolitan Tramwarne), April 2022 | C387melb Board Building Statement of |
| Significance (616-622 Little Collins Street, Melbourne), April 2022 | C387melb |
| Former Manchester Unity Oddfellows Building Statement of Significance (335-347 <br> Bourke Street, Melbourne), April 2022 Store Statement of Significance (151-163 | C387melb |
| August 2002 and Weekly Times building, 46-74 Flinders Street, Melbourne, | C69 |
| Former Hosie's Hotel Statment of Significance (1-5 Elizabeth Street, <br> Former London Assurance House Statement of Significance (Part 468-470 <br> Bourke Street, Melbourne), April 2022 | C387melb |
| Former Legal and General House Statement of Significance (375-383 Collins <br> Former John Danks \& Son Statement of Significance (Part 393-403 Bourke | C387melb |
| Former Law Department's Building Statement of Significance (221-231 Queen <br> Street, Melbourne), April 2022 | C387melbourne), April 2022 |

Former Melbourne City Council Power Station Statement of Significance (617-639 (part) and 651-669 Lonsdale Street, 602-606 and 620-648 Little Bourke Street, Melbourne), April 2022

Former Melbourne City Council Substation Statement of Significance (23-25 George Street, Melbourne), April 2022

Former Melbourne City Council Substation Statement of Significance (10-14 Park Street, Melbourne), April 2022

| Former Melbourne City Council Substation Statement of Significance (11-27 |  |
| :--- | :--- |
| Tavistock Place, Melbourne), April 2022 |  |

Former National Bank of Australasia Stock Exchange Branch Statement of Significance (85-91 Queen Street, Melbourne), April 2022
Former Olympic Swimming Stadium, Collingwood Football Club signage, April
2004

Former Palmer's Emporium Statement of Significance (220 Bourke Street, Melbourne), April 2022

Former Patersons Pty Ltd Statement of Significance (Part 152-158 Bourke Street, Melbourne), April 2022

Former Paramount House Statement of Significance (256-260 King Street, Melbourne), April 2022

Former Printcraft House Statement of Significance (428-432 Little Bourke Street, Melbourne), April 2022

| Former Queen Victoria Hospital Site - Open Lot Car Park, Melbourne |
| :--- |
| Former Princes Bridge Lecture Room Statement of Significance (Princes Walk, | Birrarung Marr, Melbourne), ), April 2022


| Former Ridgway Terrace Statement of Significance (20 Ridgway Place, <br> Melbourne), April 2022 | C387melb |
| :--- | :--- |
| Former Rockman's Showrooms Pty Ltd Statement of Significance (188 Bourke <br> Street, Melbourne), April 2022 | C387melb |
| Former Royal Automobile Club of Victoria Statement of Significance (111-129 <br> Queen Street, Melbourne), April 2022 | C387melb |
| Former Russell Street Automatic Telephone Exchange and Postal Building <br> Statement of Significance (114-120 Russell Street, Melbourne), April 2022 | C387melb |
| Former Sharpe Bros Pty Ltd Statement of Significance (202-204 Bourke Street <br> Melbourne), April 2022 | C387melb |
| Former Sleigh Buildings Statement of Significance (158-172 Queen Street, <br> Melbourne), April 2022 | C387melb |
| Former South British Insurance Company Ltd Building Statement of Significance <br> (155-161 Queen Street, Melbourne), April 2022 | C387melb |
| Former Southern Cross Hotel site, Melbourne, March 2002 | C64 |
| Former State Savings Bank of Victoria Statement of Significance (258-264 Little <br> Bourke Street, Melbourne), April 2022 | C387melb |
| Former State Savings Bank of Victoria Statement of Significance (233-243 Queen <br> Street, Melbourne), April 2022 | C387melb |
| Former State Savings Bank of Victoria Statement of Significance (45-63 Swanston |  |
| Street, Melbourne), April 2022 |  |

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| :---: | :---: |
| Former Sunday School Union of Victoria Statement of Significance (100-102 Flinders Street, Melbourne), April 2022 | C387melb |
| Former Thomas Warburton Pty Ltd Statement of Significance (365-367 Little Bourke Street, 2-6 and 8-14 Rankins Lane. Melbourne), April 2022 | C387melb |
| Former Union House Statement of Significance (43-51 Queen Street, Melbourne), April 2022 | C387melb |
| Former Victoria Brewery site, East Melbourne - 'Tribeca’ Redevelopment October 2003 | C86 |
| Former Victorian Amateur Turf Club Statement of Significance (482-484 Bourke Street, Melbourne), April 2022 | C387melb |
| Former Wenley Motor Garage Statement of Significance (39-41 Little Collins Street, Melbourne), April 2022 | C387melb |
| Former Zander's No 2 Store Statement of Significance (11 Highlander Lane, Melbourne), April 2022 | C387melb |
| Freshwater Place, Southbank, August 2001 (Amended 2012) | C193 |
| Grange Lynne Pty Ltd Statement of Significance (183-189 A'Beckett Street, Melbourne), April 2022 | C387melb |
| Great Western Hotel Statement of Significance (204-208 King Street, Melbourne), April 2022 | C387melb |
| Guildford and Hardware Laneways Heritage Study May 2017: Heritage Inventory, November 2018 (Amended April 2022) | C387melb |
| Guildford and Hardware Laneways Heritage Study May 2017: Statements of Significance, November 2018 (Amended April 2022) | C387melb |
| Hamer Hall Redevelopment July 2010 | C166 |
| Henty House Statement of Significance (499-503 Little Collins Street, Melbourne), April 2022 | C387melb |
| Heritage Places Inventory March 2022 (Amended January 2023) | C445melb |
| Heritage Places Inventory February 2020 Part B (Amended September 2022) | C409melb |
| Heritage Precincts Statements of Significance February 2020 (Amended April 2022) | C387melb |
| High wall signs - 766 Elizabeth Street, Carlton | NPS1 |
| Hilton on the Park Complex Redevelopment, December 2004 | C101 |
| Hobsons Road Precinct Incorporated Plan, March 2008 | C124 |
| Hospital Emergency Medical Services - Helicopter Flight Path Protection Areas Incorporated Document, June 2017 | GC49 |
| Hotham Estate | C134 |
| Hoyts Mid City Cinemas Statement of Significance (194-200 Bourke Street, Melbourne), April 2022 | C387melb |
| Incorporated Plan Overlay No. 1 - 236-254 St Kilda Road | NPS1 |
| Judy Lazarus Transition Centre, March 2005 | C102 |
| Kensington Heritage Review Statements of Significance, March 2018 | C324 |
| Laurens House Statement of Significance (414-416 Lonsdale Street, Melbourne), April 2022 | C387melb |
| Little Lonsdale Street Precinct Statement of Significance, April 2022 | C387melb |


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| :---: | :---: |
| Lonsdale Exchange Building Statement of Significance (447-453 Lonsdale Street, Melbourne), April 2022 | C387melb |
| Lyceum Club Statement of Significance (2-18 Ridgway Place, Melbourne), April 2022 | C387melb |
| M1 Redevelopment Project, October 2006 | C120 |
| Major Promotion Signs, December 2008 | C147 |
| Melbourne Aquarium Signs, July 2001 | C11 |
| Melbourne Arts Precinct Transformation Project, Phase One, January 2022 | C356melb |
| Melbourne Assessment Prison (MAP) 317-353 Spencer Street, West Melbourne, February 2020 | C258 |
| Melbourne Central redevelopment, March 2002 (Amended October 2019) | C344melb |
| Melbourne City Link Project - Advertising Sign Locations, November 2003 | VC20 |
| Melbourne Convention Centre Development, Southbank and North Wharf redevelopment, Docklands, April 2006, Amended May 2016 | GC44 |
| Melbourne Girls Grammar - Merton Hall Campus Master Plan, June 2002 | C22 |
| Melbourne Grammar School Master Plan - Volume One, Senior School South Yarra Campus, Issue Date 14 October 2003. | C90 |
| Melbourne House Statement of Significance (354-360 Little Bourke Street, Melbourne), April 2022 | C387melb |
| Melbourne Metro Rail Project Incorporated Document, May 2018 | GC82 |
| Melbourne Metro Rail Project - Infrastructure Protection Areas Incorporated Document, December 2016 | GC45 |
| Melbourne Park Redevelopment February 2014 | C229 |
| Melbourne Planning Scheme Incorporated Plan, June 2016, <br> Melbourne Water Permit Exemptions to the Schedule to Clause 43.01 for the Moonee Ponds Creek (HO1092) | C207 |
| Melbourne Recital Hall and MTC Theatre project , August 2005 | C111 |
| Mental Health Beds Expansion Program Incorporated Document, November 2020 | GC176 |
| Metro Tunnel: Over Site Development - CBD North Incorporated Document, October 2017 | C315 |
| Metro Tunnel: Over Site Development - CBD South Incorporated Document, October 2017 | C316 |
| Metropolitan Hotel Statement of Significance (263-267 William Street, Melbourne), April 2022 | C387melb |
| Mirvac, Residential Towers, 236-254 St. Kilda Road, Southbank | NPS1 |
| Moonee Ponds Creek Concept Plan | C134 |
| Myer Melbourne Bourke Street store redevelopment, Melbourne, October 2007 | C137 |
| North Melbourne Recreation Reserve Signage, 2022 | C422melb |
| North West Corner of Mark and Melrose Street, North Melbourne | C134 |
| Nubrik House Statement of Significance (269-275 William Street, Melbourne), April 2022 | C387melb |
| Office building Statement of Significance (589-603 Bourke Street), April 2022 | C387melb |

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| Name of document | Introduced by: |
| :---: | :---: |
| Offices Statement of Significance (422-424 Bourke Street, Melbourne), April 2022 | C387melb |
| One Queensbridge, 1-29 Queens Bridge Street, Southbank (Crown's Queensbridge Hotel Tower), February 2017 | C310 |
| Park Tower Statement of Significance (199-207 Spring Street, Melbourne), April 2022 | C387melb |
| Peter Hall Building (formerly known as the Richard Berry Building) Statement of Significance (The University of Melbourne, Parkville), March 2022 | C396melb |
| PMG Postal Workshops, Garages \& Stores complex, Part 45-99 Sturt Street Southbank Incorporated Plan, November 2020 | C305melb |
| Port Capacity Project, Webb Dock Precinct, Incorporated Document, October 2012 (Amended August 2016) | GC54 |
| Project Core Building, Federation Square, December 2017 | C314 |
| Promotional Panel sign, Crown Allotment 21D, Power Street, Southbank, July 1999 | C6 |
| Punt Road Oval Redevelopment - Part Crown Allotment 2114 at East Melbourne City of Melbourne Parish of Melbourne North, June 2022 | C421melb |
| Rectangular Pitch Stadium Project: Olympic Park and Gosch's Paddock, Melbourne, August 2007 | C130 |
| Regional Rail Link Project Section 1 Incorporated Document, March 2015 | GC26 |
| Residences Statement of Significance (120-122 Little Lonsdale Street, Melbourne), April 2022 | C387melb |
| Residence Statement of Significance (474 Little Lonsdale Street, Melbourne), April 2022 | C387melb |
| Rialto South Tower Communications Facility Melbourne, November 2020 | C57 |
| Royal Insurance Group building Statement of Significance (430-442 Collins Street, Melbourne), April 2022 | C387melb |
| Royal Mail House Statement of Significance (253-267 Bourke Street, Melbourne), April 2022 | C387melb |
| Royal Melbourne Showgrounds Redevelopment Master Plan - December 2004 | C100 |
| Royal Melbourne Showgrounds Redevelopment Project - December 2004 | C100 |
| Sanders and Levy Building Statement of Significance (149-153 Swanston Street, Melbourne), April 2022 | C387melb |
| Scots Church Site Redevelopment, Melbourne, May 2013 | C202 |
| Shadow Controls, 555 Collins Street, Melbourne, February 2013 | C216 |
| Shed 21 Statement of Significance (206 Lorimer Street, Docklands), May 2022 | C394melb |
| Shop and residence Statement of Significance (215-217 Swanston Street, Melbourne), April 2022 | C387melb |
| Shop, cafe and office Statement of Significance (7-9 Elizabeth Street, Melbourne), April 2022 | C387melb |
| Shops and dwellings Statement of Significance (201-207 Bourke Street, Melbourne), April 2022 | C387melb |
| Shops and dwellings Statement of Significance (209-215 Bourke Street, Melbourne), April 2022 | C387melb |
| Shops and offices Statement of Significance (359-363 Lonsdale Street, Melbourne), April 2022 | C387melb |


| Name of document | Introduced by: |
| :---: | :---: |
| Shops, residence and former bank Statement of Significance (146-150 Bourke Street, Melbourne), April 2022 | C387melb |
| Shops Statement of Significance (173-175 Bourke Street, Melbourne), April 2022 | C387melb |
| Shops Statement of Significance (470-472 Little Lonsdale Street, Melbourne), April 2022 | C387melb |
| Shop Statement of Significance (171 Bourke Street, Melbourne), April 2022 | C387melb |
| Shop Statement of Significance (37 Little Collins Street, Melbourne), April 2022 | C387melb |
| Shop Statement of Significance (215 Queen Street, Melbourne), April 2022 | C387melb |
| Shrine of Remembrance Signage, July 2021 | C388melb |
| Shrine of Remembrance Vista Control April 2014 | C220 |
| Simplot Australia head office, Kensington, October 2001 | C52 |
| Sky sign - 42 Clarendon Street, South Melbourne | NPS1 |
| Southbank Statements of Significance, December 2020 | C305melb |
| Southgate Redevelopment Project, 3 Southgate Avenue, Southbank, September 2021 | C390melb |
| Spencer Street Station redevelopment, June 2013 | C218 |
| Sports and Entertainment Precinct, Melbourne, August 2007 | C130 |
| State Coronial Services Centre Redevelopment Project, August 2007 | C130 |
| State Netball and Hockey Centre, Brens Drive Royal Park, Parkville, May 2000 (Amended September 2018) | C341 |
| Swanston Street North Precinct Statement of Significance, April 2022 | C387melb |
| Swanston Street South Precinct Statement of Significance, April 2022 | C387melb |
| Swiss Club of Victoria Statement of Significance (87-89 Flinders Lane, Melbourne), April 2022 | C387melb |
| The Former Houston Building Statement of Significance (184-192 Queen Street, Melbourne), April 2022 | C387melb |
| The Games Village Project, Parkville, September 2015 | C281 |
| The New Royal Children's Hospital Project, Parkville, October 2007 | C128 |
| The University of Melbourne Fishermans Bend Campus, August 2020 | C371melb |
| The Waiters Restaurant Statement of Significance (20 Meyers Place, Melbourne), April 2022 | C387melb |
| Tram Route 109 Disability Discrimination Act compliant Platform Tram Stops, August 2007 | C130 |
| Tramway Infrastructure Upgrades Incorporated Document, May 2017 | GC68 |
| Treasury Gate Statement of Significance (93-101 Spring Street, Melbourne), April 2022 | C387melb |
| Turnverein Hall Statement of Significance (30-34 La Trobe Street, Melbourne), April 2022 | C387melb |
| University of Melbourne Bio 21 Project Parkville, November 2018 | C342melb |
| University of Melbourne, University Square Campus, Carlton, November 1999 | C17 |
| Veterinary and Agricultural Sciences Building Statement of Significance (The University of Melbourne, Parkville), March 2022 | C396melb |


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| Victoria Club Building Statement of Significance (131-141 Queen Street, <br> Melbourne), April 2022 | C387melb |
| Victoria Police Precinct, Sky Bridges 263 - 283 Spencer Street and 313 Spencer <br> Street, Docklands Incorporated Document June 2018 | C317 |
| Visy Park Signage, 2012 | C172 |
| Wales Corner Statement of Significance (221-231 Collins Street, Melbourne), April <br> 2022 | C387melb |
| Warehouse Statement of significance (1-5 Coverlid Place, Melbourne), April <br> 2022 | C387melb |
| Warehouse statement of Significance (11-15 Duckboard Place, Melbourne), April <br> 2022 | C387melb |
| Warehouse Statement of Significance (353 Exhibition Street, Melbourne), April <br> 2022 | C387melb |
| Warehouse Statement of Significance (11A Highlander Lane, Melbourne), April <br> 2022 | C387melb |
| Warehouse Statement of Significance (26-32 King Street, Melbourne), April 2022 | C387melb |
| Warehouse Statement of Significance (171-173 King Street, Melbourne), April <br> 2022 | C387melb |
| Warehouse Statement of Significance (34-36 Little La Trobe Street, <br> Melbourne), April 2022 | C387melb |
| Warehouse Statement of Significance (27-29 Little Lonsdale Street, | C387melb |
| Melbourne), April 2022 | GC93 |
| Warehouse Statement of Significance (410-412 Lonsdale Street, Melbourne), April <br> 2022 | C387melb |
| Warehouse Statement of Significance (577-583 Little Collins Street, Melbourne), | C387melb |
| April 2022 | C396melb |
| West Gate Tunnel Project Incorporated Document, December 2017 | C158 |
| West Melbourne Heritage Review 2016: Statements of Significance February <br> $2020 ~(A m e n d e d ~ M a r c h ~ 2022) ~$ | Cand Jackson's Hotel, Promotional Panel Sky sign, Melbourne, July 1999 | C6 | Yark Master Plan Implementation September 2010 |
| :--- |



City of Melbourne, June 2023

## MELBOURNE PLANNING SCHEME

## Incorporated Document

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


### 1.0 INTRODUCTION

This document is an Incorporated Document in the schedules to Clauses 45.12 Specific Controls Overlay (SCO) and 72.04 - Incorporated Documents of the Melbourne Planning Scheme (scheme).

The land identified in Clause 2.0 of this document may be used and developed in accordance with the specific controls contained in Clauses 6.0 and 7.0 of this document.

### 2.0 LAND DESCRIPTION

This document applies to the land at 599, 601 and 605-609 King Street, 13-25 and 27 Hawke Street, West Melbourne known as 'the land' being all of the land within SCO37 at:

- 599 \& 601 King Street (Lots 1 to 4 and Common Property on Plan of Strata Subdivision 022207B).
- 605-609 King Street (Lots 1 and 2 on Title Plan 962680T).
- 13-25 Hawke Street (Plan of Consolidation 375977T).
- 27 Hawke Street (Lot 1 on Plan of Subdivision 034651).


Figure 1 - Map of land subject to this Incorporated Document, outlined in red.

### 3.0 APPLICATION OF PLANNING SCHEME PROVISIONS

Despite any provision to the contrary or any inconsistent provision in the scheme, pursuant to Clause 45.12 of the scheme, the land identified in the incorporated
document may be used and developed in accordance with the specific controls contained in this document.

In the event of any inconsistency between the specific controls contained in this document and general provisions of the scheme, the specific controls contained in this document will prevail.

### 4.0 EXPIRY OF THIS SPECIFIC CONTROL

The development of the land permitted under this Incorporated Document must:

- Commence within 3 years of the gazettal date of Amendment C435melb to this scheme.
- Be completed within 5 years of the gazettal date of Amendment C435melb to this scheme.

The use permitted under this Incorporated Document must commence within 6 years of the gazettal date of Amendment C435 to this scheme.

The responsible authority may extend the periods referred to if a request is made in writing before the expiry date or within three months afterwards.

This Incorporated Document will expire twelve months after the date of the issuing of the Certificate of Occupancy for the last stage of the development or as otherwise agreed in writing by the Planning Authority.

Upon expiry of the specific control, the land may be used and developed only in accordance with the provisions of the planning scheme in operation at that time.

### 5.0 PURPOSE

The purpose of this incorporated document is to permit the use and development of the land generally in accordance with the plans approved in Clause 6.0 of this document and subject to the Clause 7.0 conditions of this document.

The use and development of the land includes partial demolition, a multi-level building, residential hotel with associated facilities including a restaurant, bar, function area and day spa, a food and drink premises and two residential apartments. The development involves the incorporation of existing heritage buildings into the hotel site, alteration of access to a Transport Zone 2, the removal of two easements and reduction of car parking requirements.

### 6.0 DETAILED DEVELOPMENT PLANS

This document allows the use and development of the land for the purposes of the project set out in the detailed development plans endorsed under the conditions of this incorporated document. Detailed development plans must be generally in accordance with the following plans prepared by Hachem Architects titled Miami Hotel Development and dated December 2021, as follows:

- Demolition Plan - Ground Floor
- Demolition Plan - First Floor
- Basement
- Ground Floor Plan
- Mezzanine Floor Plan
- Levels 1 to 4 Floor Plans
- Roof Plan
- Elevations
- Sections
- Shadow Diagrams
- King Street Entry - Detailed Plan and Section
- Hawke Street Entry and Seating.


### 7.0 CONDITIONS

The following conditions apply to the use and development allowed by this incorporated document:

## Detailed Development Plans

1. Prior to the commencement of the development, including demolition, and bulk excavation, an electronic copy of plans, drawn to scale must be submitted to the Responsible Authority and be generally in accordance with the plans prepared by Hachem Architects, dated 9 December 2021, but amended to show:
a) Cross-section drawings of all buildings, including basement levels.
b) Elevation drawings of all buildings including nominal details of materials and finishes.
c) Elevation and cross-section detail drawings of ground level transitions from footpath level to any vehicle entries and raised building entries and internal lanes within the site.
d) Details of how level changes will be managed to enable direct universal access to the buildings from the street without the need for excessive external ramping.
e) AHD levels for natural ground / street level with the provision of level changes occurring on-site only.
f) All internal doors/access points for the commercial tenancies.
g) The provision of solar PV panels included as part of the development.
h) Stormwater treatment assets.
i) Any changes, technical information and plan notations (or otherwise) required as a consequence of any provision in Clause 4 of this Incorporated Document.

When provided to the satisfaction of the Responsible Authority, the amended plans will be endorsed to form part of this Incorporated Document.

## Layout not altered and satisfactory completion

2. The development and use allowed by this Incorporated Document and shown on the endorsed plans must not be amended for any reason without the written consent of the Responsible Authority.

## Façade Strategy

3. Before the development starts, a Facade Strategy must be submitted to and approved in writing by the Responsible Authority. Unless specified otherwise by the Responsible Authority, the Facade Strategy must be generally in accordance with the requirements of this incorporated document and include:
a) Further landscape resolution and 1:20 architectural detail to depict planters embedded within the facade treatment to ensure the vertical greening depicted on elevations and renders will be viable.
b) Detailed 1:20 or 1:50 ground floor elevations clearly depicting the detailed design of ground floor thresholds and interfaces, including treatments to services frontages, glazing framing, shrouds or canopies around all key building entries, integrated seating to plinths, any operable windows to maximise connectivity with the street, and additional canopies for weather protection.
c) Additional details and material specification for services doors and garage doors to better reflect their function and provide added visual interest and transparency, including consideration of any textured finish or screening pattern design.
d) The clear depiction of all building entry doors to commercial tenancies at the ground floor on overall building elevations and 1:20 detailed elevations, and consideration of other measures to emphasise their identity of entries including well-designed shrouds or localised canopies.
e) Specification of glazing to ensure a highly levels of transparency and reflectivity to not exceed $15 \%$, except with the prior written consent of the Responsible Authority.

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 Incorporated Document. All materials, finishes and colours must be in conformity with the approved Façade Strategy to the satisfaction of the Responsible Authority.

## Retention of Architect

4. Except with the written consent, and to the satisfaction of the Responsible Authority, Hachem Architects must be retained to complete and provide architectural oversight during construction of the detailed design as shown in the endorsed plans, façade strategy and the endorsed schedule of materials and finishes

## Reflectivity

5. 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.

## Green Infrastructure

6. Before the development starts, a Green Infrastructure Landscape Plan, and supporting Landscape Maintenance Plan, for all on-building
landscaping, prepared by suitably qualified person(s), must be submitted to the Responsible Authority and will be endorsed to form part of this Incorporated Document. The Green Infrastructure Landscape Package must be to the satisfaction of the Responsible Authority and include the following:
a. Tree protection measures
b. Existing canopy cover area (quantities, height and width per Tree)
c. Deep soil areas (dimensions and volume)
d. Canopy trees (quantities, pot size, height and caliper at time of planting)
e. A planting schedule of proposed vegetation detailing the:
i. Genus, species, common names, cultivar names, origin
ii. Quantities of all plants
iii. Pot size at time of planting
iv. Mature height and width of all plants
v. Diversity of plant species and forms
f. Green wall/ green facade details such as:
i. Annotated construction details including sectional diagrams, including research and development and troubleshooting for planter boxes on green wall.
ii. Support structures
iii. Vegetation
iv. Materials
v. Growing media, volume, depths and specifications
vi. Waterproofing,
vii. Drainage,
viii. Dimensions
ix. Tree anchors if relevant
x . Irrigation systems demonstrating use of non-potable water sources (rainwater, storm water and recycled water)
g. City of Melbourne Green Factor Scorecard (PDF and GFT files).
h. A Green Infrastructure Landscape Maintenance Plan detailing:
i. A statement to describe how the canopy, vegetation and urban ecology planning provisions that are required by the development will be successfully maintained in the future.
ii. Maintenance tasks for establishment period
iii. Ongoing maintenance schedule for after the initial 52week period detailing weed and pest management, succession planting, re-mulching, plant nutrition.
iv. Replacement timeframes for poorly performing vegetation.
v. Access requirements/agreements
vi. Maintenance schedule for green infrastructure structures, including mitigating strategies for green wall planter boxes.
vii. Detailed maintenance plan for green wall and planter boxes containing trees including risk management plan.
7. All landscaping shown in the approved Green Infrastructure Landscape Plan must be carried out and completed prior to occupation of buildings under each stage of the development and thereafter maintained to the satisfaction of the Responsible Authority.

## Public Tree Removal / Pruning

8. No public tree adjacent to the site can be removed or pruned in any way without the prior written approval of the Responsible Authority.

## Public Tree Protection

9. 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 report, except with the further written consent of the Responsible Authority.

## Structural Report

10. Prior to the commencement of the development, including demolition, a report prepared by a suitably qualified Structural Engineer, or equivalent, must be submitted to the Responsible Authority, demonstrating the means by which the retained portions of the buildings at 599-601 King Street and 27 Hawke Street, West Melbourne, will be supported during demolition and construction works to ensure their retention, to the satisfaction of the Responsible Authority. The recommendations contained within this report must be implemented at no cost to and be to the satisfaction of the Responsible Authority.

## Traffic, Parking and Loading/Unloading

11. All traffic access and parking and loading/unloading arrangements must not be altered without the prior written consent of the Responsible Authority.
12. Prior to the commencement of the development hereby permitted, a formal independent desktop Road Safety Audit of the proposed development must be undertaken, at the developer's expense, which should include the vehicular/bicycle/pedestrian access arrangements, loading arrangements, internal circulation/layout, and all works within the public realm. The findings of the Audit should be incorporated into the detailed design, at the developer's expense to the satisfaction of the Responsible Authority.
13. Prior to the occupation of the development hereby approved, a Loading Management Plan (LMP) must be prepared, specifying how the access/egress of loading vehicles is to be managed to the satisfaction of the Responsible Authority. A Dock Manager or Building Manager should be employed, responsible for controlling the operation of the loading bay and
unloading of goods, with responsibilities to include the following:
a) Present on site during all periods when deliveries are to be undertaken.
b) Act as spotter for any reversing movements into the loading bay.
c) Act as informal traffic controller to discourage pedestrian movements when vehicles reverse.
d) Ensure conflicts do not occur between loading and other vehicles.
e) Ensure that space used for vehicle manoeuvring is kept clear of other vehicles/obstructions at all times.

## Waste Management

14. Before the development starts, excluding demolition, excavation, piling, site preparation works and works to remediate contaminated land, an amended Waste Management Plan (WMP) must be submitted to and approved in writing by the Responsible Authority. This WMP must be generally in accordance with the Waste Management Plan prepared by Leigh Design, dated December 2021, but amended to address the following:
a) Any changes required under this Incorporated Document.
b) Annual hard waste collection entitlements for the dwellings.
c) Organic and glass bin collection entitlements for the dwellings.
d) Waste generation rates for the food and drinks premises to be calculated using café rates instead of retail (shop).
e) Bin numbers and sizes to accurately correspond with those shown in the development plans.
f) Swept paths access diagrams to accurately correspond with the size of the nominated commercial waste vehicle.
g) Commercial collections of any waste stream are not to exceed 3 per week.
h) Clarification of the type of bin shown to be stored in the temporary holding area associated with the loading dock.
15. All waste storage and collection must be undertaken in accordance with the approved Waste Management Plan (WMP) and must be conducted in such a manner as not to affect the amenity of the surrounding area and not cause any interference with the circulation and parking of vehicles on abutting streets.

## Construction Management Plan and Tree Protection Plan

16. Prior to the commencement of the development, including demolition and bulk excavation, a detailed Construction Management Plan (or staged Construction Plan), inclusive of Tree Protection Plan, must be submitted to and be approved by the City of Melbourne - Construction Management Group. This Construction Management Plan must be prepared in accordance with the City of Melbourne - 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 Responsible Authority (City of Melbourne Urban Forestry \& 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 any approved Arboricultural Impact Assessment.
iii. Reference to the finalised Construction 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 reference to 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 this Incorporated Document.

## Civil Design Requirements

17. All projections over the street alignment must be drained to a legal point of discharge in accordance with plans and specifications first approved by City of Melbourne - City Infrastructure.
18. Before the development starts, a stormwater drainage system, incorporating integrated water management design principles, must be submitted to and approved by City of Melbourne - City Infrastructure. This system must be constructed prior to the occupation of the development and provision made to connect this system to the City of Melbourne's underground stormwater drainage system.
19. A new drain must be constructed along Jones Place from the subject site to the closest Responsible Authority pit in accordance with plans and specifications first approved by the Responsible Authority - City Infrastructure
20. All pedestrian paths and access lanes shown on the endorsed plans must
be constructed and maintained to the satisfaction of the Responsible Authority - City Infrastructure.
21. Prior to the commencement of the development, including demolition and bulk excavation, the necessary permissions from the relevant parties/authorities to construct over any easements must be obtained, or obtain planning permission to remove or vary their location, and evidence of this provided to the Responsible Authority.
22. Prior to the commencement of the use/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 City of Melbourne - City Infrastructure.
23. All portions of roads and laneways affected by the building related activities of the subject land must be reconstructed together with associated works including the reconstruction or relocation of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by City of Melbourne - City Infrastructure.
24. Existing street levels in roads adjoining the site must not be altered for the purpose of constructing new vehicle crossings or pedestrian entrances without first obtaining approval from City of Melbourne - City Infrastructure.
25. Existing public street lighting must not be altered without first obtaining the written approval of City of Melbourne - City Infrastructure. All street lighting assets temporarily removed or altered to facilitate construction works shall be reinstated once the need for removal or alteration has been ceased.
26. Existing street furniture must not be removed or relocated without first obtaining the written approval of City of Melbourne - City Infrastructure.
27. The title boundaries for the property may not exactly agree with the road alignments of the abutting the City of Melbourne's laneway. The approved works must not result in structures that encroach onto the City of Melbourne's laneway.
28. Any proposed canopy or projection must comply with the City of Melbourne's Road Encroachment Guidelines.

## Noise

29. The level of noise emitted from the premises must not exceed the permissible levels specified in EPA Publication 1826.4: Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues (or subsequently updated publication) to the satisfaction of the Responsible Authority. A report prepared by a suitably qualified professional demonstrating compliance with the requirements of this condition must be submitted prior to the commencement of the use.

## Disability Access

30. Before the development is occupied, a Disability Discrimination Act Assessment/Audit, prepared by a suitably qualified consultant, must be submitted to the Responsible Authority. This document must provide an assessment of the development (including public realm works or publicly accessible areas) against the applicable accessibility provisions of the Building Code of Australia and the applicable provisions of the Disability
(Access to Premises - Buildings) Standards 2010.

## Contamination and Environmental Audit

31. 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 Incorporated Document.
b) State the site is suitable for the use and development allowed by this Incorporated Document 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

## Environmentally Sustainable Design

32. Before development commences, an amended Environmentally Sustainable Design Statement report to the satisfaction of the Responsible Authority and prepared by a suitable qualified person must be submitted to and approved by the Responsible Authority. When approved, the amended Environmentally Sustainable Design Statement report will be endorsed and form part of this Incorporated Document. The amended Environmentally Sustainable Design Statement report must be generally in accordance with the Environmentally Sustainable Design Statement report prepared by Sustainable Development Consultants (10 August 2021), but modified to include or show:
a) An updated Green Star Design and As-Built v1.3 pathway with a minimum of 66 points targeted,
b) Results and inputs for the daylight modelling and views calculations,
c) Results and inputs for the thermal comfort modelling,
d) Rectify types and incorrect inputs noted above for the NatHERs modelling,
e) Evidence to demonstrate that a supply contract is in place to procure $100 \%$ off-site renewable electricity for the development,
f) A Green Infrastructure Landscape Package.
33. Prior to the occupation of the development, a report from the author of the endorsed Environmentally Sustainable Design Statement report, or similarly qualified persons or companies, outlining how the performance outcomes specified in the endorsed Environmentally Sustainable Design Statement report have been implemented must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm and provide sufficient evidence that all measures specified in the endorsed Environmentally Sustainable Design Statement report have been implemented in accordance with the relevant approved plans. The report must include all final calculations and modelling reports, commissioning and testing reports, building user guides and other supplementary materials etc. that have been produced to demonstrate compliance with the relevant targets included in the endorsed Environmentally Sustainable Design Statement report.

## 3D Model

34. 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.

## Building Appurtenances

35. All building plant and equipment on the roofs are to be concealed and acoustically treated (as applicable) 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, antennas or similar structures associated with the development must be designed and located at a single point on each building in the development to the satisfaction of the Responsible Authority, unless otherwise approved by the Responsible Authority.

## No external amplified equipment

37. No form of public address system, loudspeakers or sound amplification equipment must be used so as to be audible outside the premises, unless with the further written consent of the Responsible Authority.

## Prior to Occupation

38. Prior to the occupation of the development, all works outlined on the endorsed plans must be completed at no cost to and to the satisfaction of the Responsible Authority.


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Town planning submission





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town planning submission






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## DELEGATE REPORT

AUTHORISATION REQUEST FOR INCORPORATED DOCUMENT

| Application number: | ID-2023-1 |
| :--- | :--- |
| Amendment number: | C435 |
| Applicant: | Echelon Planning |
| Owner: | Miami Hotel Group |
| Architect: | Hachem Architects |
| Address: | 599, 601, 605-609 King Street and 13-25 and 27 <br> Hawke Street, West Melbourne (Miami Hotel) |
| Proposal: | Authorisation request for proponent-initiated <br> amendment (Specific Controls Overlay and <br> Incorporated Document) associated with the <br> redevelopment of the Miami Hotel site with a five <br> storey mixed use building containing a residential <br> hotel, food and drinks premises, dwellings, basement <br> car parking and the partial demolition and retention of <br> significant heritage buildings |
| Date lodged: | 11 January 2023 |
| Responsible officer: | Lachlan Orr, Principal Urban Planner |

## 1 SUBJECT SITE AND SURROUNDS

### 1.1 Subject site

The subject site comprises four individual parcels of land located around the southern corner of the intersection between King and Hawke Streets, West Melbourne.


Figure 1: Locality map of subject site and surrounds


Figure 2: Aerial photograph of subject site and surrounds
The site has a 30.8 metre frontage to King Street and a 44.46 metre frontage to Hawke Street, with a combined area of approximately 2,761 square metres. The land has a fall of approximately 1.5 metres from the north-east to the south-west.
The formal description of each site is listed below, along with any restrictions and easements identified on title:

- 599-601 King Street, West Melbourne - Lots 1 to 4 and Common Property on Plan of Strata 022207B:
o Strata Plan requirements relating to accessory lots and common property.
- 605-609 King Street, West Melbourne - Lot 1 and 2 on TP 962690T:
o No easements, covenants or other restrictions on title.
- 13-25 Hawke Street, West Melbourne - Land in Plan of Consolidation 375977T:
o Light and air easement E1 located on the north-eastern boundary benefitting 613 King Street.
o Drainage easement E2 located on the north-eastern boundary abutting 613 King Street.
o Light, air and carriageway easement E3 providing vehicle access from King Street, benefitting the land at 599 and 601 King Street.
o Drainage and sewerage easement E4 located along the south-eastern boundary abutting 61 Jones Place.
- 27 Hawke Street, West Melbourne - Lot 1 on LP 34651:
o Party wall easements along the south-western boundary.
The site is located within the General Residential Zone (Schedule 1 - General Residential Areas), and affected by the Heritage Overlay (HO3 - North \& West Melbourne Precinct). The land at 605-609 King Street is also affected by an Environmental Audit Overlay.


Figure 3: 599-609 King Street, West Melbourne
The land at 599-601 King Street is currently occupied by two double storey brick terraces built in 1875, with vehicle access via the north-western carriageway easement from King Street leading to rear car parking areas. Both dwellings are categorised as significant under the incorporated City of Melbourne Heritage Study, Heritage Places Inventory March 2022 (the Inventory). The land at 605-609 King Street is currently vacant, although it remains categorised as a contributory heritage place under the Inventory.


Figure 4: 13-27 Hawke Street, West Melbourne
The land at 13-25 Hawke Street is developed with a three storey brick building housing the existing Miami Hotel. The building is provided with setbacks from the north-eastern and south-western boundaries, with two vehicle access points at each corner to Hawke Street. Car parking is provided to the side of the building and in a
rear undercroft parking area. The building does not have heritage recognition under the Inventory. The land at 27 Hawke Street accommodates a single fronted Victorian Era dwelling with a contemporary double storey extension at the rear. The dwelling has a significant categorisation under the Inventory.

### 1.2 Surrounds

The surrounding neighbourhood is characterised by a mix of building styles and heights. The immediate surrounds are largely characterised by older historic dwellings associated with the Historic Hilltop precinct of West Melbourne, generally between one to two storeys in height. The streetscapes of King Street and Hawke Street are identified as significant under the Inventory. There is also an emerging context of larger buildings in the wider area, ranging up to six storeys in the surrounding context as seen immediately to the north-west.

The surrounding interfaces are described as follows:

- North-West: The site abuts 613 King Street to the north, which is situated on the corner of King and Hawke Streets and is currently occupied by a double storey rendered brick office building. The building is constructed to all site boundaries, is accessed from both King and Hawke Streets and has a contributory categorisation under the Inventory.


Figure 5: 613 King Street, West Melbourne


Figure 6: 18-30B Curzon Street, West Melbourne

The site is also adjacent to 18-30B Curzon Street further to the north-west, which has been developed with a six storey mixed use building which tapers in height along Hawke Street. The building occupies an isolated site with interfaces to King Street, Hawke Street, Curzon Street and Miller Street.

- North-East: The site is adjacent to King Street along its north-eastern interface. The Hawke and King Street Reserve is located on the northern side of King Street, and further north is the Errol and Victoria Street commercial precinct.


Figure 7: Land on the northern side of King Street with Errol and Victoria Street commercial precinct in background

- South-East: The site abuts 597 King Street to the south-east, which is developed with a two storey terrace that has a significant categorisation under the Inventory. This building forms part of a row of terraces which extend to the south-east down to the corner of Roden Street.


Figure 8: 597 King Street and row of terraces to the south-east

- South: The site abuts Jones Place to its southern interface. Along Jones Place at 57, 59 and 61 Jones Place are individual residential dwellings constructed over two levels. These buildings have no heritage classification.


Figure 9: Southern interface with Jones Lane

- South-West: The site abuts 29 Hawke Street to its south-western interface. 29 Hawke Street is a single storey dwelling with a double storey rear extension. Similar to adjoining 27 Hawke Street, 29 Hawke Street has a significant categorisation. Land further to the south-west continues in a row of heritage dwellings extending toward Spencer Street.


Figure 10: 29 Hawke Street and heritage dwellings to the south-west

## 2 BACKGROUND

### 2.1 West Melbourne Structure Plan (Amendment C309 / C385)

The site was originally considered as part of the West Melbourne Structure Plan Amendment C385 (formerly C309). The Miami Hotel Group made a submission to the
amendment seeking a rezoning of the land to the Mixed Use Zone (MUZ) to facilitate the ongoing use and development of the existing hotel operation. The key factors preventing such development are the mandatory height limit and garden area requirement under the existing GRZ1.

The Amendment C309 Panel report dated 19 October 2019 made the following findings in relation to the site:

- The site is capable of accommodating more intensive built form than what would be allowed under the existing General Residential Zone.
- Further work should be undertaken to inform the selection of an appropriate suite of controls that suitably responds to the Structure Plan, the site's context and its sensitive interfaces.
- Any change to the controls that apply to the site should be the subject of a separate amendment, to allow participation from potentially affected third parties.


### 2.2 Engagement following Amendment C309 and pre-application discussions

Following the panel report for Amendment C309, Miami Hotel made a separate written request to Council seeking support for an amendment to introduce new planning controls to the land. The amendment would primarily seek to remove the mandatory 11 metre height limit and $35 \%$ garden area requirement.
On 27 March 2020, Council provided in-principle support to the concept of a proponent-led, site specific amendment process and the potential to utilise a combined planning permit application and planning scheme amendment under Section 96A of the Planning and Environment Act 1987 (the Act) was identified as a potential pathway on the basis that the reasoning in the Panel report confirmed the site is capable of a more intensive built form.

Pre-application discussions were held between the proponent and Council officers, including meetings held on 17 September 2020 and 9 March 2021.

### 2.3 Section 96A combined amendment and permit application

On 18 August 2021, an application was submitted under Section 96A of the Act for a combined permit application and planning scheme amendment. The application sought to rezone the land to the Residential Growth Zone and to implement a Design and Development Overlay, which would remove the mandatory garden area requirement and increase the maximum allowable height to 5 storeys and 21 metres.

Concerns were raised with this procedural approach due to a lack of certainty in delivering the use and development outcome underpinning the strategic justification for introducing the proposed controls.

### 2.4 Specific Controls Overlay and Incorporated Document

In response to these concerns, the permit applicant modified their request for an amendment on 11 January 2023, to seek the approval of an Incorporated Document implemented through a Specific Controls Overlay. This procedural approach would enable the redevelopment of the land as a hotel, while also providing certainty by reverting to the current planning controls (i.e. mandatory garden area / height limit) in any other circumstance.

Discussions regarding the drafting and formatting of the amendment documents have taken place following the modified amendment request. The plans and supporting documentation lodged with the modified amendment request are the same as those lodged with the original Section 96A application.

## 3 PROPOSED AMENDMENT

Amendment C435 is being considered at the request of the Miami Hotel Group. It seeks to amend the Melbourne Planning Scheme to introduce the Specific Controls Overlay and an associated Incorporated Document to facilitate the redevelopment of the land as described above.

Specific details of the proposed redevelopment are contained in the following table:

| Height | 21 metres / 5 storeys |
| :---: | :---: |
| Basement Levels | 1 |
| Setbacks | To King Street (north-east): <br> - 1.65 m setback at ground floor and level 1 <br> - $\quad 10.5 \mathrm{~m}$ to level 2 and 3 <br> - $\quad 15.4 \mathrm{~m}$ to the roof terrace access at level 4 <br> To Hawke Street (north-west): <br> - Zero setback at ground floor and level 1 <br> - 7.7 m to level 2 and 3 <br> - $\quad 15.86 \mathrm{~m}$ to level 4 <br> To Jones Lane and 597 King Street (south-east): <br> - 1 to 3.47 m at ground floor <br> - $\quad 7.58$ to 9.22 m at level 1 <br> - $\quad 9.4$ to 15.19 m at level 2 <br> - $\quad 15.08$ to 19.39 m at level 3 <br> - $\quad 18.95$ to 27 m to level 4 <br> To 29 Hawke Street (south-west): <br> - Zero to 6.7 m at ground floor <br> - $\quad 5.27$ to 11.67 m at level 1 <br> - $\quad 14.35$ to 15.04 m at levels 2 and 3 <br> - $\quad 16.25 \mathrm{~m}$ to level 4 |
| Gross Floor Area (GFA) | 6,017 square metres |
| Floor Area Ratio (FAR) | 2.18:1 |
| Residential hotel | 95 rooms |
| Hotel facilities | At the ground level, the following facilities for the hotel are provided: <br> - Main entry lobby, lounge, bar and external terrace facing King Street <br> - Restaurant facing Hawke Street, located near the north-eastern boundary with 613 King Street <br> - Day spa within the retained building at 27 |


|  | Hawke Street <br> $-\quad$Central courtyard provided to the rear of the <br> retained buildings at 599-601 King Street <br> - <br> Internal function spaces alongside the <br> central lift core and back of house facilities <br> Dwellings <br> Food and drinks premises <br> Access <br> 133.75 square metres in a tenancy located <br> centrally along the Hawke Street frontagePrivate vehicle and Waste vehicle access to <br> basement level provided from Hawke Street, via a <br> modified crossover located between the retained <br> building at 27 Hawke Street and the proposed <br> building <br> Loading vehicle access provided via Jones Lane to <br> an open loading area with associated reversing <br> dock <br> The removal of the existing access way to King <br> Street and the reinstatement |
| :--- | :--- |
| Car Parking Spaces | 50 spaces |
| Bicycle Parking Spaces | 36 spaces |



Figure 11: Proposed massing and building program diagram


Figure 12: Perspective views from King Street


Figure 13: Perspective view from Hawke Street

## 4 PLANNING POLICY FRAMEWORK, CONTROLS AND PROVISIONS

The following policies, controls and provisions of the Melbourne Planning Scheme are relevant to proposed Amendment C435:

| Policy Framework |  |
| :--- | :--- |
| Municipal Planning <br> Strategy | Clause 02.01 - Context <br> Clause 02.02 - Vision <br> Clause 02.03 - Strategic Directions <br> Clause 02.04 - Strategic framework plans |
| Planning Policy <br> Framework | Clause 11 - Settlement <br> Clause 13 - Environmental Risks and Amenity |


|  | $\begin{array}{l}\text { Clause 15 - Built Environment and Heritage } \\ \text { Clause 16 - Housing } \\ \text { Clause 17 - Economic Development } \\ \text { Clause 18 - Transport } \\ \text { Clause 19 - Infrastructure }\end{array}$ |
| :--- | :--- |
| Controls | $\begin{array}{l}\text { The General Residential Zone currently applies to the land. } \\ \text { General Residential } \\ \text { Zone } \\ \text { Schedule 1 (General } \\ \text { Residential Areas) }\end{array}$ |
| $\begin{array}{l}\text { Use } \\ \text { Pursuant to Clause 32.08-1, 'Dwellings' is a Section 1 use } \\ \text { for which no permit is required. } \\ \text { The use of land for 'Accommodation' (i.e. residential hotel) } \\ \text { and 'Food and Drinks Premises' are Section 2 uses for } \\ \text { which a planning permit would be required. } \\ \text { Development }\end{array}$ |  |
| $\begin{array}{l}\text { Pursuant to Clause 32.08-6, a permit would be required to } \\ \text { construct a residential building and to construct two or more } \\ \text { dwellings. }\end{array}$ |  |
| $\begin{array}{l}\text { Pursuant to Clause 32.08-9, a permit would be required to } \\ \text { construct a building or construct or carry out works } \\ \text { associated with a Section 2 use. } \\ \text { Mandatory requirements }\end{array}$ |  |
| $\begin{array}{l}\text { Clause 45.03 - } \\ \text { Environmental Audit } \\ \text { Overlay }\end{array}$ | $\begin{array}{l}\text { The Environmental Audit Overlay currently applies to part of } \\ \text { the land, being 605-609 King Street. } \\ \text { Pursuant to Clause 45.03-1: } \\ \text { Before a sensitive use (residential use, child care }\end{array}$ |
| dwelling or residential building must provide a minimum |  |
| garden area of 35\%, or approximately 966 square metres. |  |
| Pursuant to Clause 32.08-10, a building must not be |  |
| constructed for use as a dwelling or residential building that |  |
| exceeds a maximum height of 11 metres and 3 storeys. |  |
| Amendment C435 seeks to remove these mandatory |  |
| requirements for the use and development of the land in |  |
| accordance with the submitted Incorporated Plan. |  |$\}$


|  | centre, kindergarten, pre-school centre, primary school, even if ancillary to another use), children's playground or secondary school commences or before the construction or carrying out of buildings and works in association with these uses commences: <br> - 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 the proposed use; or <br> - 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 <br> - A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970; or <br> - A statement of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970 stating that the environmental conditions of the land are suitable for the use or proposed use. <br> As the land at 605-609 King Street is vacant and proposed to accommodate a sensitive residential use, the above requirements would be applicable. |
| :---: | :---: |
| Proposed Overlay |  |
| Clause 45.12 Specific Controls Overlay | Amendment C435 seeks to introduce the Specific Controls Overlay to the land. <br> Pursuant to Clause 45.12-1: <br> Land affected by this overlay may be used or developed in accordance with a specific control contained in the incorporated document corresponding to the notation on the planning scheme map (as specified in the schedule to this overlay). The specific control may: <br> - Allow the land to be used or developed in a manner that would otherwise be prohibited or restricted. <br> - Prohibit or restrict the use or development of the land beyond the controls that may otherwise apply. <br> - Exclude any other control in this scheme. <br> The introduction of this overlay and associated incorporated document would allow the land to be developed in a manner which would otherwise be prohibited by the mandatory requirements in the General Residential Zone. |
| Particular Provisions |  |
| Clause 52.02 Easements, | The proposed development would include the removal of an existing drainage easement E2 from 13-25 Hawke Street, |


| Restrictions and Reserves | West Melbourne (Land in Plan of Consolidation 375977T) and party wall easement E5 from 27 Hawke Street, West Melbourne (Lot 1 on Lodged Plan 34651). This would require a planning permit under Clause 52.02. |
| :---: | :---: |
| Clause 52.06 - Car Parking | The requirements for the provision of on-site car parking within the development are contained in the Table to Clause 52.06-5. <br> The development would be required to provide a total of 8 car spaces, being 4 spaces to the two apartments (2 each) and 4 spaces for the food and drinks premises. There is no specified rate for the use of land as a residential hotel and as such, the provision of car parking for this component must be to the satisfaction of the Responsible Authority in accordance with Clause 52.06-6. <br> The development provides a total of 50 car spaces at basement level, including: <br> - 44 spaces for the residential hotel <br> - 4 spaces for dwellings <br> - 2 spaces for the food and drinks premises <br> As such, a permit would be required under Clause 52.06-3 to reduce the parking requirement associated with the food and drinks premises. |
| Clause 52.29 - Land <br> Adjacent to the Principal Road Network | The proposed development involves the removal of the existing access point to King Street, which is within a Transport Zone 2. The removal of access is considered an alteration and therefore, a permit would be required under Clause 52.29-2. |
| Clause 52.34 Bicycle Facilities | Table 1 to Clause $52.34-5$ requires a total of 20 spaces to be provided for the proposed residential hotel. No spaces are required for the dwellings or food and drinks premises. A total of 36 spaces have been provided across the ground and basement level. <br> The proposal would trigger a requirement for two showers with access to a change room under Tables 2 and 3 of Clause 52.34-5. The proposal includes three showers with individual change rooms. <br> As such, a permit would not be required under this clause. |
| Clause 53.18 - <br> Stormwater <br> Management in Urban Development | The requirements of Clause 53.18 would be 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. The supporting documents provided with the proposed amendment include a Water Sensitive Urban Design response. |
| Clause 58 Apartment | The development includes two apartments atop the proposed residential hotel. As such, the requirements of |


| Developments | Clause 58 would be applicable to the proposed <br> development. |
| :--- | :--- |
| Operational Provisions |  |
| Clause 72.04 - <br> Incorporated <br> Documents | The proposal seeks to amend the schedule to Clause 72.04 <br> to include the submitted Incorporated Document. |

## 5 NOTICE AND CONSULTATION

Public exhibition of Amendment C435 will be undertaken in accordance with the notice requirements at Section 19 of the Act. Information on the amendment will be made available online and information sessions will be held if required. Any submissions received will be considered as required by Part 3, Division 2 of the Act.
It is noted that two submissions were received in response to the listing of the original Section 96A application (TP-2022-462) on Council's planning application register. These submitters will be given notice of Amendment C435 and the opportunity to make a formal submission through the exhibition process.

## 6 REFERRALS

### 6.1 Internal Referrals

City Strategy have played an active role throughout the preliminary stages of the amendment process. City Strategy have reviewed the submitted amendment documents to ensure correct formatting and structure, and have prepared the draft Planning Scheme Map and the updated Schedules to Clause 45.12 (Specific Controls Overlay) and 72.04 (Incorporated Documents) of the Planning Scheme.
The proposal has also been referred to the following departments:

- City Design
- Green Infrastructure and Environmentally Sustainable Design
- Heritage
- Traffic Engineering
- City Infrastructure
- Land Survey
- Waste.

Generally, high level support and advice was provided with matters raised included in the proposed Incorporated Document as these design changes are capable of being addressed in future detail via conditions. Standard conditions relating to the proposal have also been included in the Incorporated Document to ensure the development is compliant with all necessary triggers.

### 6.2 External Referrals

Informal preliminary discussions were held with officers at the Department of Transport and Planning (DTP - Planning) in relation to the proposed amendment and preferred procedural approach.

The views of the Department of Transport and Planning (DTP - Transport) will be sought due to the proposed alteration of access to King Street, which is within a Transport Zone 2.

The views of the Head, Transport for Victoria will also be sought, through the exhibition process, due to the scale of the proposed residential hotel exceeding 60 lodging rooms, having regard to the referral requirement contained at Clause 66.02-11 (Integrated Transport Planning).

## 7 KEY ISSUES (DISCUSSION)

The discussion contained in this section provides a high level analysis of the key issues relevant to the proposed amendment and development outcome sought through the proposed incorporated document. The discussion has been undertaken to assist in the consideration of the request for authorisation and enable the amendment to progress to exhibition to affected parties and agencies, after which further scrutiny and analysis of the amendment would take place.

The key issues for consideration are:

- Strategic justification and appropriateness of proposed planning provisions.
- Land use and built form response.
- Heritage impacts.
- Amenity impacts.
- Environmentally Sustainable Design and other technical considerations.


### 7.1 Strategic justification and appropriateness of proposed planning provisions

There are a number of factors, such as the physical characteristics and locational attributes of the site, which lend support to a higher scale of development. However, it is the enhancement of the existing residential hotel, with the associated benefits to accommodation and economic policy objectives, which strengthens the strategic justification to consider supporting a site-specific amendment for the land.

As described under Section 2 of this report, the introduction of the Specific Controls Overlay and associated Incorporated Document would facilitate this enhancement while also providing certainty that no other development outcome could occur (unless it meets the mandatory requirements in the GRZ1).

### 7.2 Land use and built form response

The height and scale of the development is generally considered to have adequate strategic justification through facilitating the ongoing use of the existing residential hotel on the land. The proposed redevelopment has been considered on the basis of the proposed controls as well as the existing context, policy framework and provisions. Through this broader assessment, conditions relating to the proposal have been developed and included in the proposed Incorporated Document to ensure the development is compliant with all necessary triggers.
The proposed built form responds to its immediate context through its siting and massing, achieving a high level of recession to the upper floors and an adequate transition to lower scale built form in the immediate surrounds. The building would present as a predominantly four storey built form as viewed in the wider context, due to the setbacks provided to the upper levels and the response of the building to the sloping topography of the site.


Figure 14: Upper level massing diagram
The associated commercial uses are located and designed in a manner which is generally compatible with the surrounding context, with higher activity positioned toward the more robust context of King Street and lower activity to the more residential context of Hawke Street. The expansion of the building to each street frontage would also enable a greater level of activation and passive surveillance of the public realm, both through the active ground level uses and the expanded hotel building above.

### 7.3 Heritage impacts

The development includes significant heritage buildings facing King Street and Hawke Street, which are proposed to be substantially retained and incorporated into the hotel use. The extent of demolition focuses on areas to the rear and predominantly retains the front or principal part of each existing building. The retention of these buildings and the subsequent recession of the new built form would result in a physical buffer between the site and its immediate residential abuttals.


Figure 15: Streetscape elevations

The new building would propose a three storey street wall to King Street, and a three storey street wall for the majority of Hawke Street which is provided with a setback of approximately 6.4 metres from the retained dwelling at 27 Hawke Street. Increased upper level setbacks are provided around the retained heritage buildings. This approach to the siting and massing of the new building seeks to respond and achieve a transition in scale to the form of the significant buildings to each street.
The overall height and massing of the proposal generally achieves an acceptable outcome having regard to the significance and appearance of the heritage places which form part of the site, as well as those in the immediate surrounds.

### 7.4 Amenity impacts

The proposal is considered to have adequately addressed amenity impacts, having regard to sensitive residential uses located to the south-east and south-west. Overlooking and visual bulk would be managed through the siting and massing of the upper levels, the separation achieved from secluded private open space and habitable room windows to neighbouring dwellings, as well as screening where necessary.
The shadow analysis submitted shows that there would be no additional shadows cast to surrounding secluded private open space areas, with the exception of an area of 0.1 square metres at 3 pm to the neighbouring property to the east ( 507 King Street).


Figure 16: Shadow diagrams (2pm and 3pm)

### 7.5 Environmentally Sustainable Design and other technical considerations

The amendment adequately addresses Environmentally Sustainable Design (ESD) policy and principles, with the submitted ESD report containing appropriate targets and measures which are capable of being achieved and implemented through detailed conditions.

Other technical considerations such as Traffic, Waste and Civil engineering are also considered capable of being managed through future detail and conditions.

## 8 RECOMMENDATION

That the Future Melbourne Committee resolves to:

1. Seek authorisation from the Minister for Planning to prepare and exhibit Amendment C435 in accordance with the Planning and Environment Act 1987 in accordance with the attachments to the report from management.
2. Authorises the General Manager, Strategy, Planning and Climate Change to make any further minor editorial changes to Amendment C435 prior to submitting to the Minister for Planning for authorisation.

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