

**Report to the Future Melbourne Committee****Agenda item 6.1****Ministerial Planning Referral: TPM-2022-16  
10-28 and 21-51 Sardine Street, Port Melbourne****11 July 2023****Presenter:** Marjorie Kennedy, Head of Statutory Planning**Purpose and background**

1. The purpose of this report is to advise the Future Melbourne Committee of a Ministerial Planning Application (PA2201815) for land located at 10-28 and 21-51 Sardine Street, Port Melbourne (Site) (refer Attachment 2 – Locality Plan).
2. The applicant is Urbis who is acting on behalf of the owner, ITG Australia TS Mid as trustee for HCLF Port Melbourne No 1 Trust. The architect is Watson Young Architects.
3. The land is located within the Commercial 2 Zone (C2Z) and is partially covered by the Industrial 1 Zone (IN1Z). This land is also covered by the Environmental Significance Overlay Schedule 1 (ESO1) and Design and Development Overlay (DDO) Schedule 74.
4. The Site is located within the Fishermans Bend Employment Precinct which is identified as a National Employment and Innovation Cluster in the Metropolitan Strategy, Plan Melbourne 2017-2050.
5. The application seeks approval for the construction of a three storey building with an overall height of 28 metres. The building has ancillary office spaces, communal facilities, collaboration areas and adaptable floor plates (refer Attachment 3 – Selected Plans).
6. The Department of Transport and Planning (DTP), on behalf of the Minister for Planning, has informally referred the application to the City of Melbourne for comment.

**Key issues**

7. The key issues for consideration are how the proposed development responds to its strategic context and how it supports the Fishermans Bend Employment Precinct as Australia's leading design, engineering and manufacturing precinct.
8. The development results in an improved outcome for the Site and makes provision through an ability for future adaptation to support uses such as advanced manufacturing, engineering and design industries. The building meets the discretionary gross floor area requirement of DDO Schedule 74, offers flexibility in its design and considers the adaptability of tenancies and car parking areas.
9. The development is adjacent to the Westgate Bridge and is surrounded by existing hard surface areas. It seeks to improve its immediate context by providing active frontages to all interfaces through the use of glazing, vertical greening and framing.
10. It is considered that the proposed development will make a positive contribution to the current Site and area and adequately responds to the requirements of the Melbourne Planning Scheme.

**Recommendation from management**

11. That the Future Melbourne Committee resolves to advise the Department of Transport and Planning that the Melbourne City Council supports the application, subject to the conditions set out in the delegate report (refer to Attachment 4 of the report from management).

**Attachments:**

1. Supporting Attachment (Page 2 of 53)
2. Locality Plans (Page 3 of 53)
3. Plans (Page 4 of 53)
4. Delegate Report (Page 22 of 53)

## Supporting Attachment

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### Legal

1. The Minister for Planning is the Responsible Authority for determining this application. The application is exempt from the notice of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3), and the review rights of section 82(1) of the *Planning and Environment Act 1987* (Act). Melbourne City Council therefore has no formal status under the Act in relation to the application.

### Finance

2. There are no direct financial issues arising from the recommendations contained within this report.

### 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, and potential amenity impacts that could impact on health and safety have been considered within the planning permit application and assessment process.

### Stakeholder consultation

5. Council officers have not undertaken public notice of the application or referred this to any other referral authorities. This is the responsibility of DTP acting on behalf of the Minister for Planning.

### Relation to Council policy

6. Relevant Council policies are discussed in the attached delegate report (refer to Attachment 4 – Delegate Report).

### Environmental sustainability

7. The Environmentally Sustainable Design (ESD) report submitted with the application confirms the development will achieve the relevant performance measures set out in Clauses 15.01-2L-01 (Energy and Resource Efficiency) and Clause 19.03-3L (Stormwater Management) of the Melbourne Planning Scheme.
8. The recommendation includes permit conditions requiring implementation of the ESD initiatives.

# Locality Plan

Page 3 of 5

10-28 and 21-51 Sardine Street, Port Melbourne





PLANNING SHEET LIST:

DA00	COVER SHEET	
DA01	SITE LOCALITY PLAN	P5
DA03	RELATIONSHIP TO EXISTING SETTING	P2
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DA05	3D PERSPECTIVES 2	P4
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DA07	3D AXONOMETRIC	P2
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DA23	OVERALL SECTIONS 1	P8
DA24	OVERALL SECTIONS 2	P8
DA25	FENCING DETAILS	P4

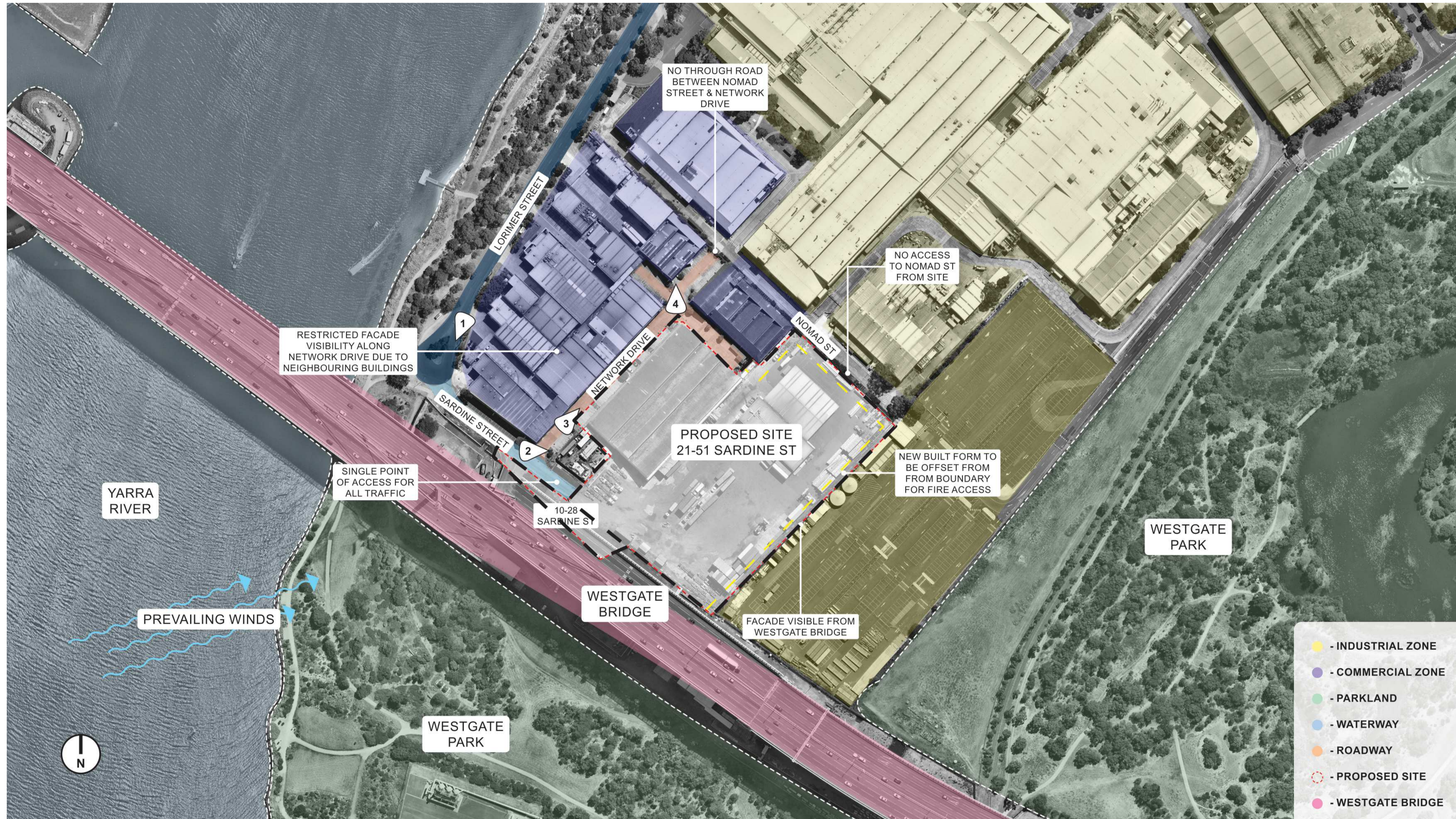
REMOVED SHEETS LIST:

DA02	DESIGN DEVELOPMENT
DA13	TY01 OFFICE PLANS
DA14	TY02 & 03 OFFICE PLANS
DA15	TY04 & 05 OFFICE PLANS
DA16	TY06 & 07 OFFICE PLANS
DA17	TY08 & 09 OFFICE PLANS
DA18	TY10 & 11 OFFICE PLANS
DA19	TY12 & 13 OFFICE PLANS
DA20	COMMUNAL OUTDOOR AREA



ARTISTS IMPRESSION ONLY  
SCALE : NTS

PORT MELBOURNE DEVELOPMENT  
 10-28 & 21-51 SARDINE STREET  
 PORT MELBOURNE, VIC



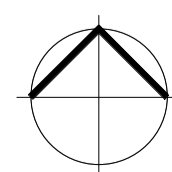
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P3	2022.07.05	ISSUED FOR DA	MW	GP
P4	2022.08.18	ISSUED FOR DA	MW	GP
P5	2023.03.22	ISSUED FOR DA	MW	GP

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PROJECT:  
**10-28 & 21-51 SARDINE STREET  
 PORT MELBOURNE, VIC**

TITLE:  
**SITE LOCALITY PLAN**

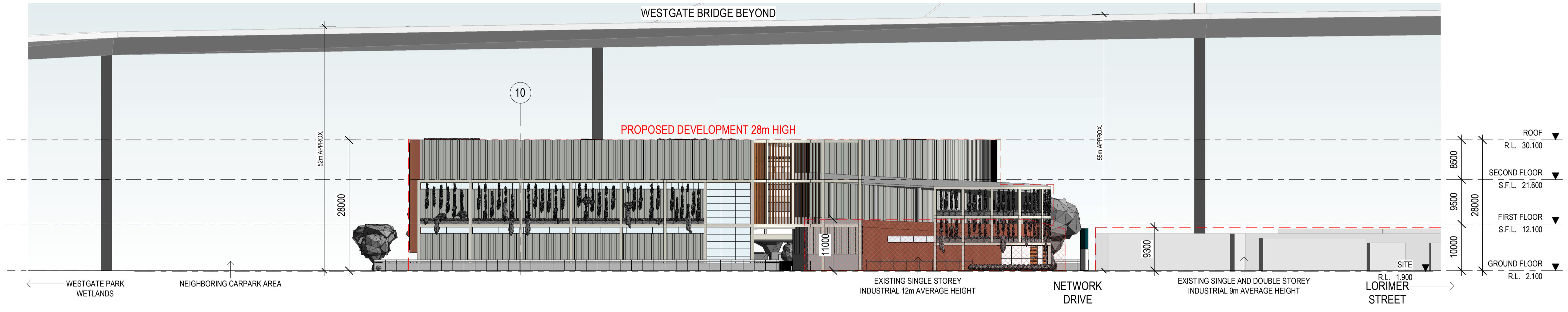


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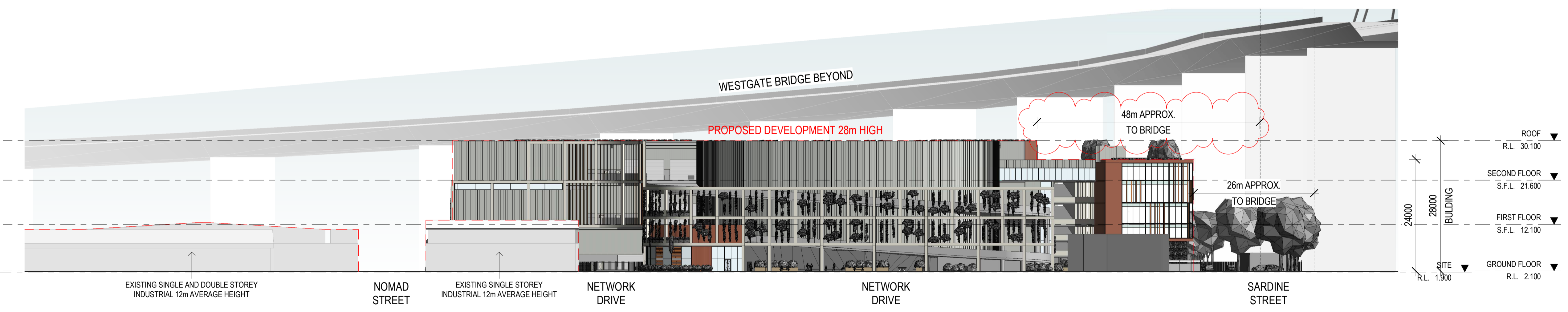
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 SCALE: NTS @A3

JOB NO:  
**22014**  
 DRAWING NO:  
**DA01**  
 REVISION:  
**P5**

**watson young**



**NORTH EAST SITE ELEVATION**  
SCALE: 1 : 500



**NORTH WEST SITE ELEVATION**  
SCALE: 1 : 500

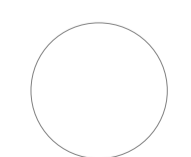
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PROJECT:  
**10-28 & 21-51 SARDINE STREET  
PORT MELBOURNE, VIC**

TITLE:  
**RELATIONSHIP TO  
EXISTING SETTING**



CLIENT:  
**Hale  
CAPITAL PARTNERS**

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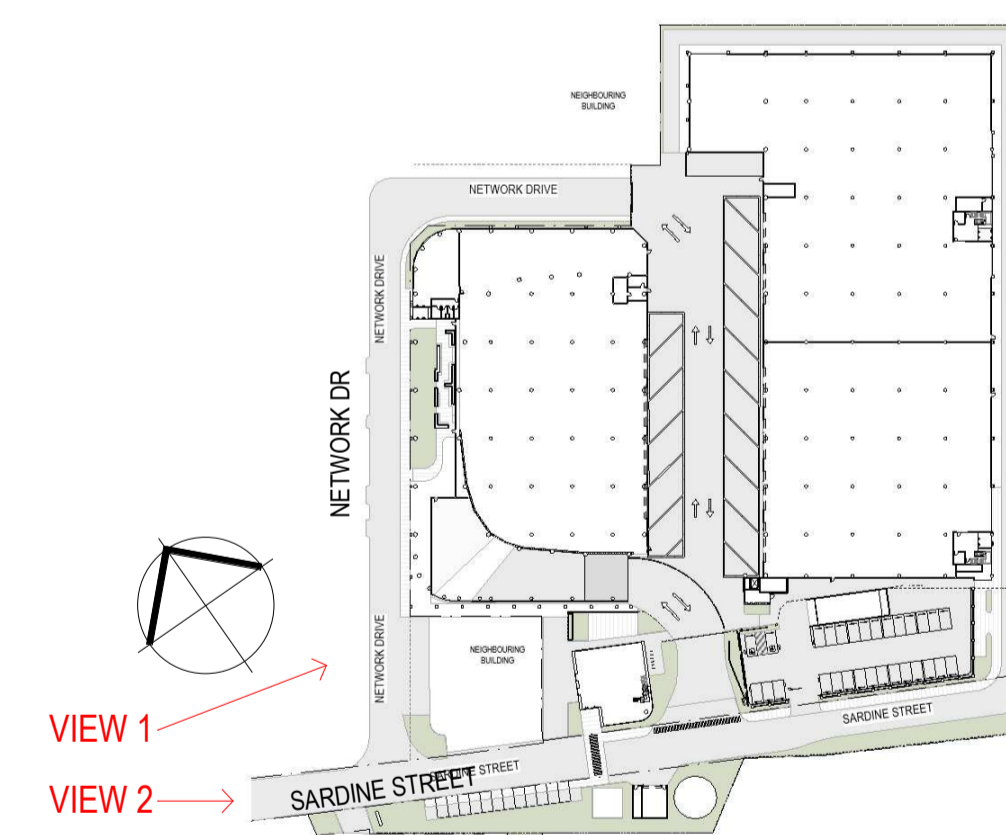




VIEW 1  
ENTRY VIEW FROM SARDINE STREET &  
NETWORK DRIVE JUNCTION



VIEW 2  
ENTRY VIEW FROM SARDINE  
STREET



CONTEXT PLAN - GROUND FLOOR  
N.T.S

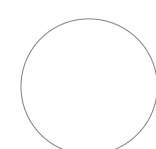
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P4	2023.03.22	ISSUED FOR DA	MW	GP

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PROJECT:  
10-28 & 21-51 SARDINE STREET  
PORT MELBOURNE, VIC

TITLE:  
3D PERSPECTIVES 1



CLIENT:  
**Hale**  
CAPITAL PARTNERS

DATE: 2022.04.14  
DRAWN BY: Author  
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JOB NO:	22014
DRAWING NO:	DA04
REVISION:	P4

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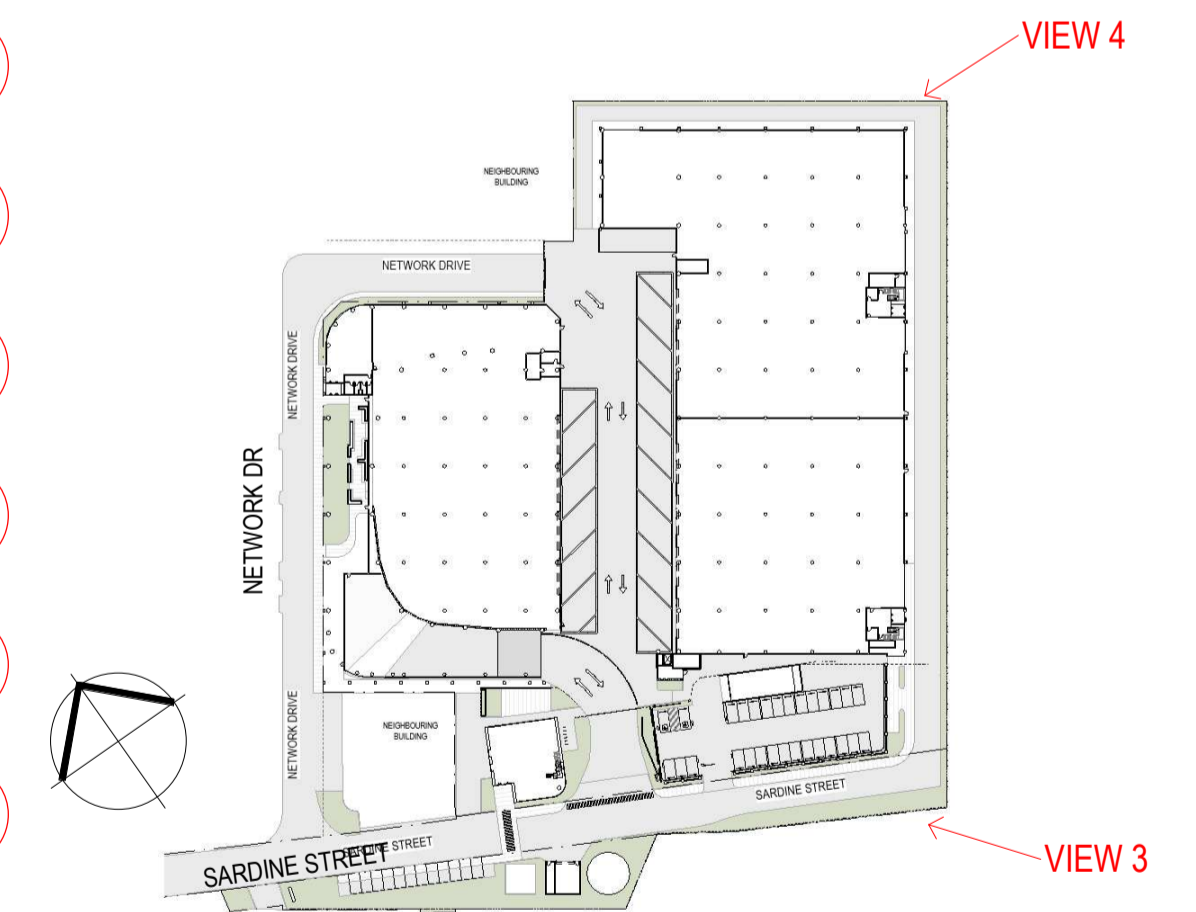




VIEW 3  
CARDECK & OFFICE VIEW FROM THE END OF  
SARDINE STREET LOOKING NORTH - WEST



VIEW 4  
OFFICE & TENANCY VIEW LOOKING  
SOUTH - EAST



CONTEXT PLAN - GROUND FLOOR  
N.T.S

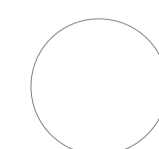
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PROJECT:  
10-28 & 21-51 SARDINE STREET  
PORT MELBOURNE, VIC

TITLE:  
3D PERSPECTIVES 2



CLIENT:  
**Hale**  
CAPITAL PARTNERS

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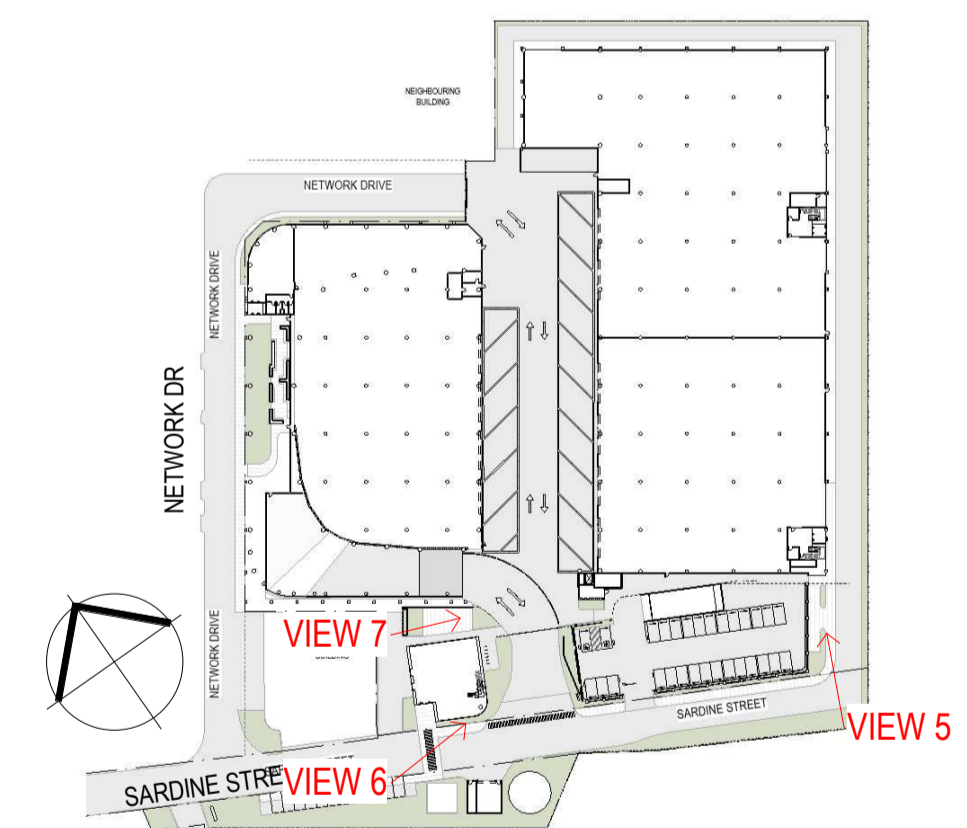
VIEW 5  
CARDECK & OFFICE VIEW FROM THE END OF  
SARDINE STREET LOOKING NORTH - WEST



VIEW 6  
VIEW OF GROUND FLOOR TRUCK / CAR ENTRY



VIEW 7  
GROUND FLOOR OUTDOOR COLLABORATION SPACE



CONTEXT PLAN - GROUND FLOOR  
N.T.S

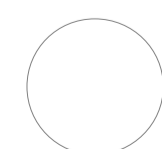
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PROJECT:  
10-28 & 21-51 SARDINE STREET  
PORT MELBOURNE, VIC

TITLE:  
3D PERSPECTIVES 3

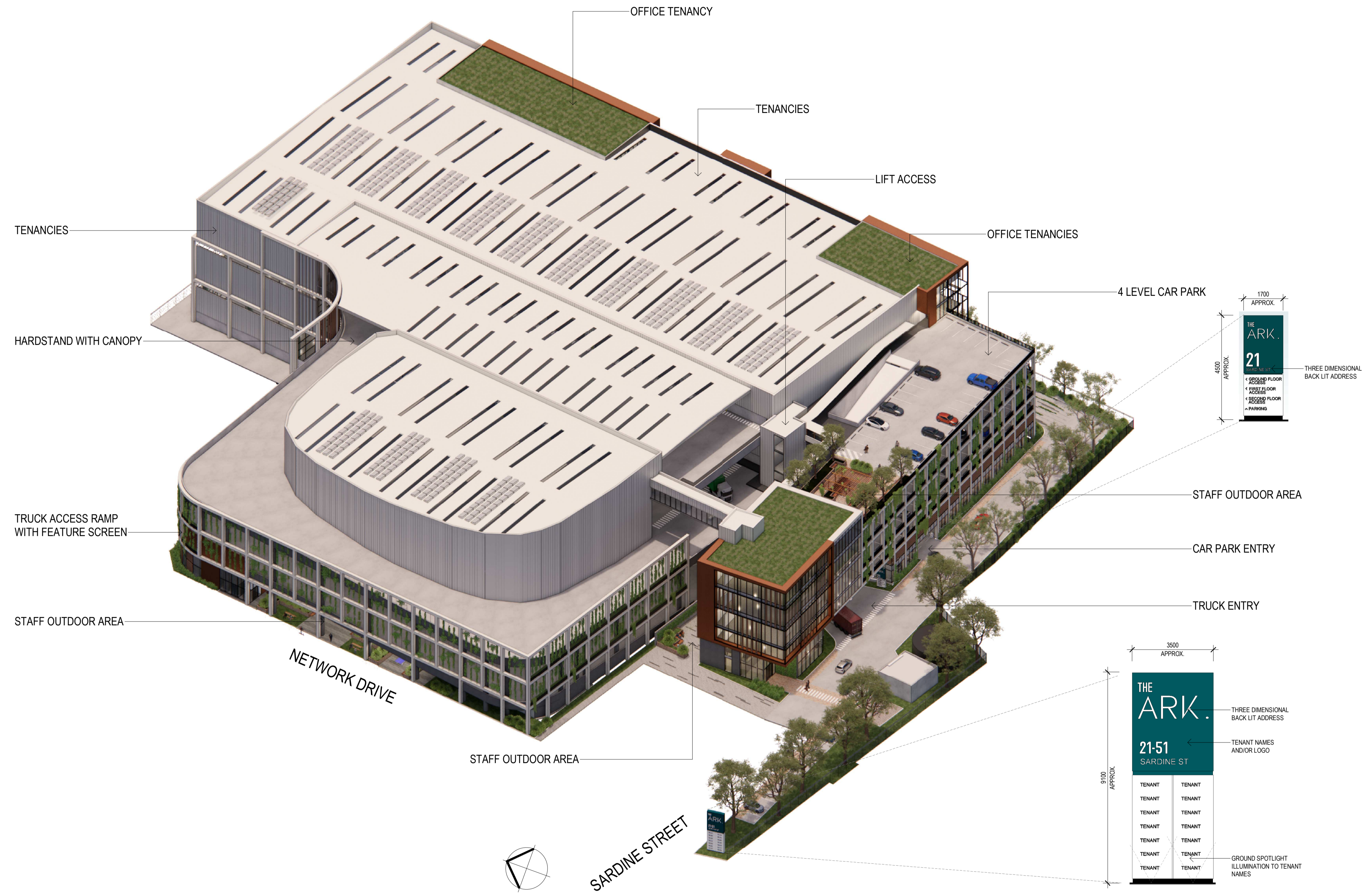


CLIENT:  
**Hale**  
CAPITAL PARTNERS

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P2

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young**




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PROJECT:  
**10-28 & 21-51 SARDINE STREET  
 PORT MELBOURNE, VIC**

TITLE:  
**3D AXONOMETRIC**

CLIENT: 

DATE: 2022.04.14  
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JOB NO:	22014
DRAWING NO:	DA07
REVISION:	P2



**KEY LEGEND**

- RSD - ROLLER SHUTTER DOOR
- COL - COLUMN
- TY - TENANCY
- PA DOOR - PEDESTRIAN DOOR
- FNXX - FENCE TYPE, REFER PLAN/DETAIL
- SST - SPRINKLER STORAGE TANK
- AMB - AMBULANT
- RWT - RAINWATER TANK

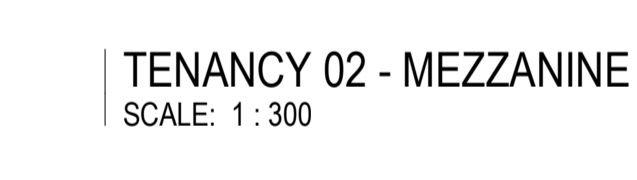
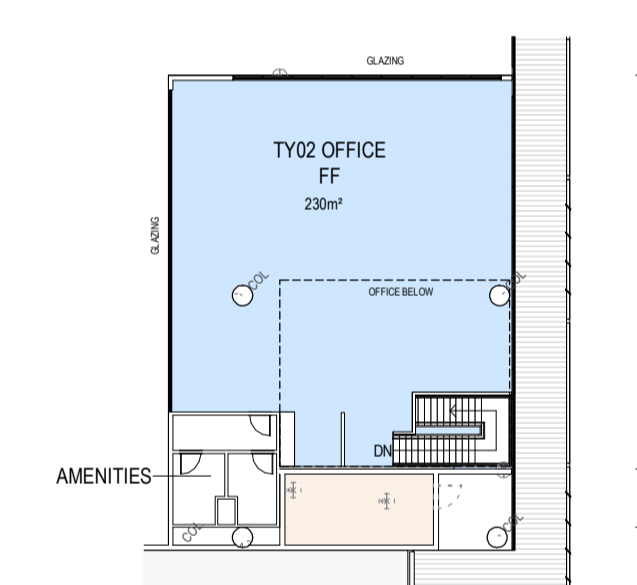
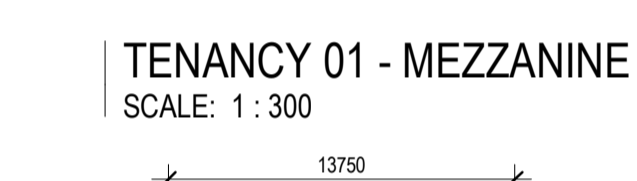
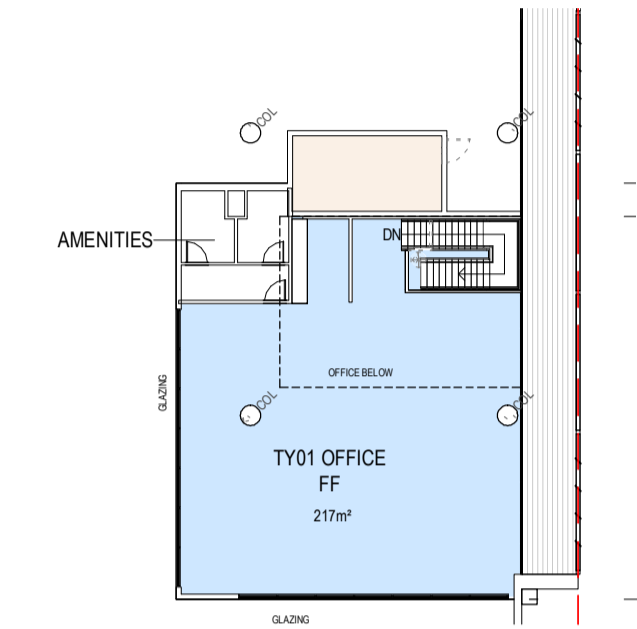
**DEVELOPMENT ANALYSIS**

**BUILDING GLA**

GROSS FLOOR AREA (GLA) AS DEFINED BY THE PCA METHOD OF MEASUREMENT - COMMERCIAL, DEFINES THE TOTAL FLOOR AREA OF A TENANCY/BUILDING, MEASURED FROM THE OUTSIDE OF THE EXTERNAL WALLS.

THE FOLLOWING SCHEDULE HAS BEEN CALCULATED FOR GLA

GROUND FLOOR	GLA
TENANCIES	9,943m <sup>2</sup>
OFFICES	793m <sup>2</sup>
<b>GF TOTAL AREA</b>	<b>10,736m<sup>2</sup></b>
<b>FIRST FLOOR</b>	
TENANCIES	8,868m <sup>2</sup>
OFFICES	1,241m <sup>2</sup>
<b>FF TOTAL AREA</b>	<b>10,109m<sup>2</sup></b>
<b>SECOND FLOOR</b>	
TENANCIES	8,852m <sup>2</sup>
OFFICES	1,353m <sup>2</sup>
<b>SF TOTAL AREA</b>	<b>10,205m<sup>2</sup></b>
<b>OFFICE TENANCIES</b>	
OFFICE 01 - GF	257m <sup>2</sup>
OFFICE 01 - FF	123m <sup>2</sup>
OFFICE 02	422m <sup>2</sup>
OFFICE 03	422m <sup>2</sup>
<b>L4 TOTAL AREA</b>	<b>1,223m<sup>2</sup></b>
<b>TOTAL BUILDING AREA</b>	<b>32,273m<sup>2</sup></b>
<b>SHARED</b>	
COLLABORATION SPACES	183m <sup>2</sup>
<b>TOTAL</b>	<b>183m<sup>2</sup></b>
<b>TOTAL BUILDING GLA + SHARED</b>	<b>32,456m<sup>2</sup></b>
<b>PARKING NUMBERS</b>	
CAR BAYS - GENERAL	213
CAR BAYS - EV PARKING	14
MOTORBIKE BAYS	15
BICYCLE PARKING	36
<b>SITE COVERAGE</b>	
21 - 51 Sardine St	19,740m <sup>2</sup>
10 - 28 Sardine St	1,046m <sup>2</sup>
R1 (Sardine Street)	2,316m <sup>2</sup>
<b>TOTAL SITE AREA</b>	<b>23,102m<sup>2</sup></b>
<b>TOTAL COVERAGE</b>	<b>19,245m<sup>2</sup></b>
INCLUDING BUILDING, CARPARK, HARDSTAND, PAVED AREAS, ROAD ETC	
<b>TOTAL COVERAGE OF BUILDING ONLY</b>	<b>11,091m<sup>2</sup></b>
INCL. PUMP HOUSE	
<b>FLOOR SPACE RATIO</b>	<b>1.40</b>
CALCULATED ON TOTAL BUILDING GLA + SHARED	
<b>SITE COVERAGE</b>	<b>83%</b>
<b>EXTERNAL AREAS</b>	
LIGHT DUTY	7,508m <sup>2</sup>
HARDSTAND	12,029m <sup>2</sup>
ASPHALT	2,394m <sup>2</sup>
LANDSCAPE	3,234m <sup>2</sup>
FOOTPATH	158m <sup>2</sup>
FEATURE PATH	1,590m <sup>2</sup>



**LEGEND**

- INDICATES EXTENT OF HEAVY DUTY HARDSTAND TO CIVIL ENGINEERS DETAILS
- INDICATES EXTENT OF LIGHT DUTY PAVEMENT TO CIVIL ENGINEERS DETAILS
- INDICATES EXTENT OF ASPHALT PAVEMENT TO CIVIL ENGINEERS DETAILS
- FEATURE RED BRICK PAVING OR SIMILAR
- PERMEABLE PAVING TILES
- NON-PERMEABLE PAVING TILES
- CRUSHED ROCK TO FIRE TRUCK ACCESS TRACK
- CONCRETE FOOTPATH, WALKWAY OR ACCESSWAY
- GARDEN BED / LANDSCAPING
- AREA OF GRASS / LANDSCAPING, REFER TO LANDSCAPE ARCHITECTS DRAWINGS FOR LANDSCAPE LAYOUT AND DETAILS
- DENOTES EXTENT OF EASEMENT

**NOTES**

- ALL NEW CROSSOVERS IN ACCORDANCE WITH LOCAL COUNCIL REQUIREMENTS
- ALL PARKING SPACES IN ACCORDANCE WITH VICTORIAN PLANNING SCHEME
- ALL DISABLED PARKING SPACES IN ACCORDANCE WITH AUSTRALIAN STANDARD AS2890 (5.4m x 2.4m)
- SITE STORMWATER DRAINAGE IN ACCORDANCE WITH LOCAL AUTHORITY & COUNCIL REQUIREMENTS
- ALL RELATIVE LEVELS ARE SHOWN TO A.H.D. (Australian Height Datum)

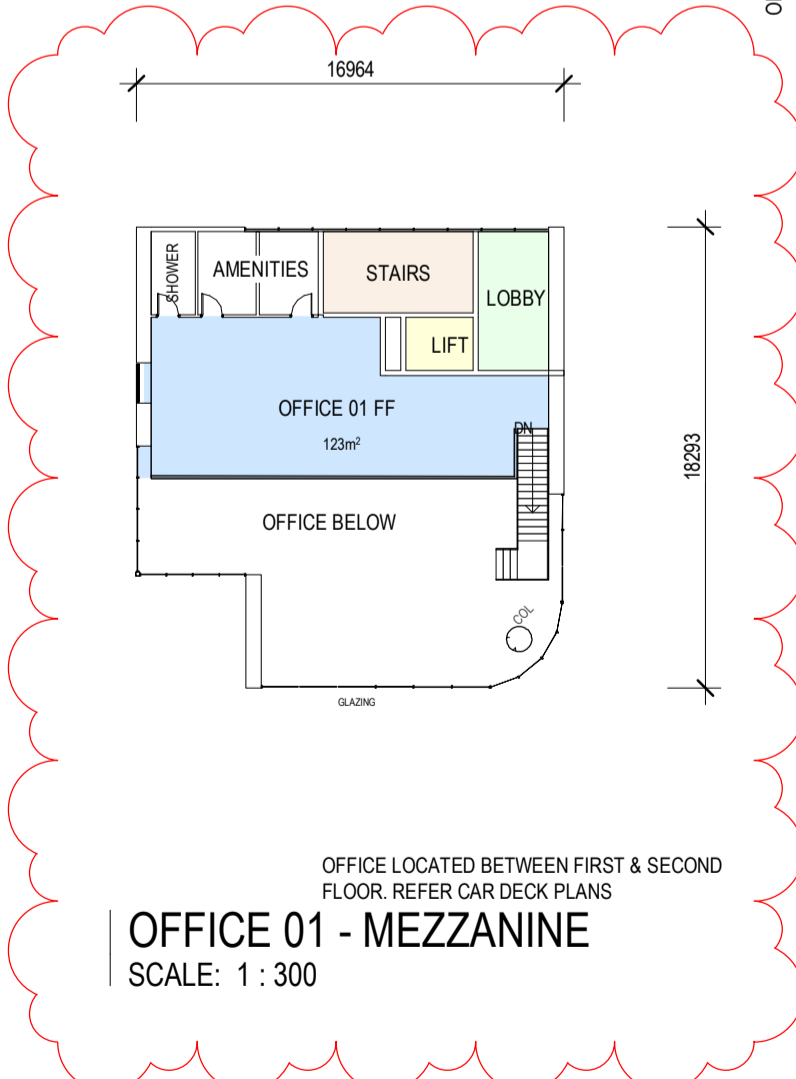
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P9	2022.07.05	ISSUED FOR DA	MW	GP
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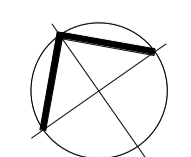


**GROUND LEVEL - FLOOR PLAN**  
SCALE: 1:500



PROJECT:  
**10-28 & 21-51 SARDINE STREET**  
PORT MELBOURNE, VIC

TITLE:  
**GROUND FLOOR PLAN**



CLIENT:  
**Hale**  
CAPITAL PARTNERS

DATE: 2022.04.14  
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 SCALE: As indicated  
 SCALE: XXX @A3

JOB NO:	22014
DRAWING NO:	DA08
REVISION:	P11



**NOTES**

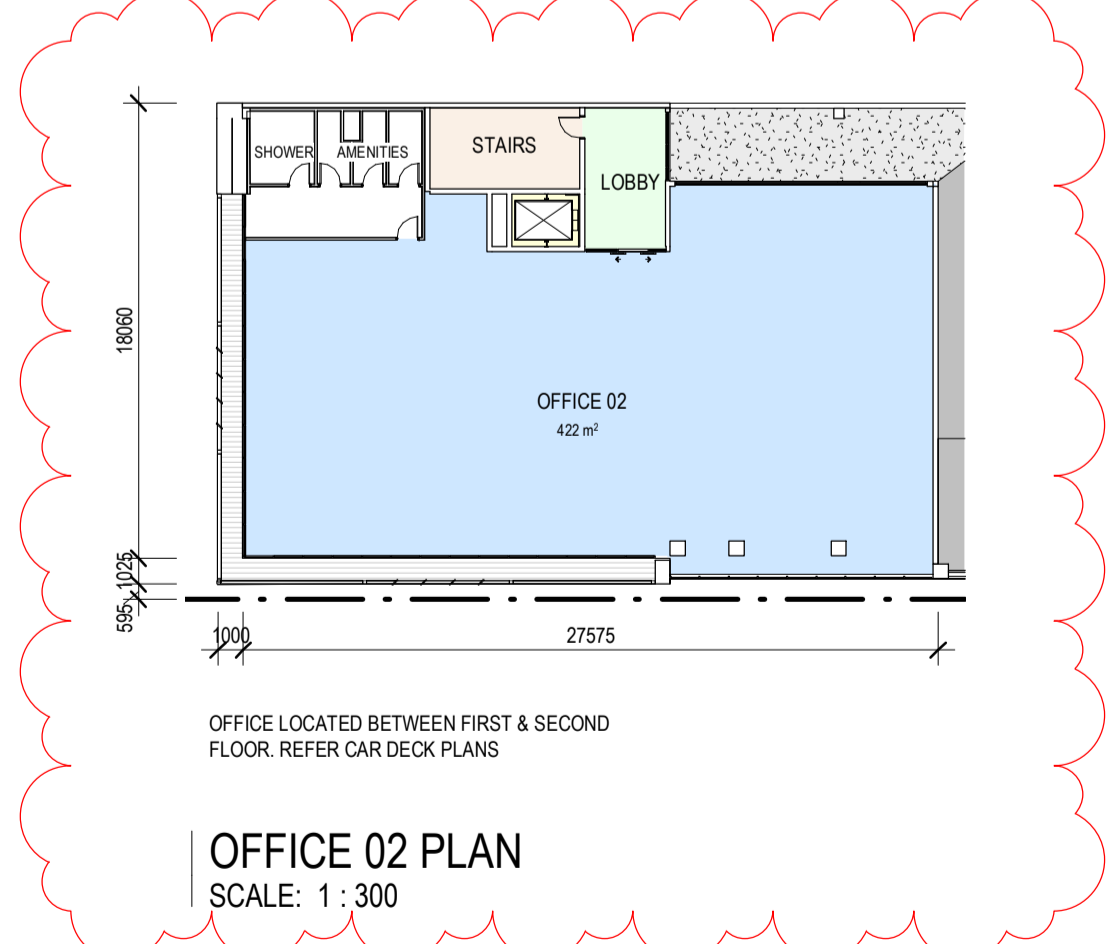
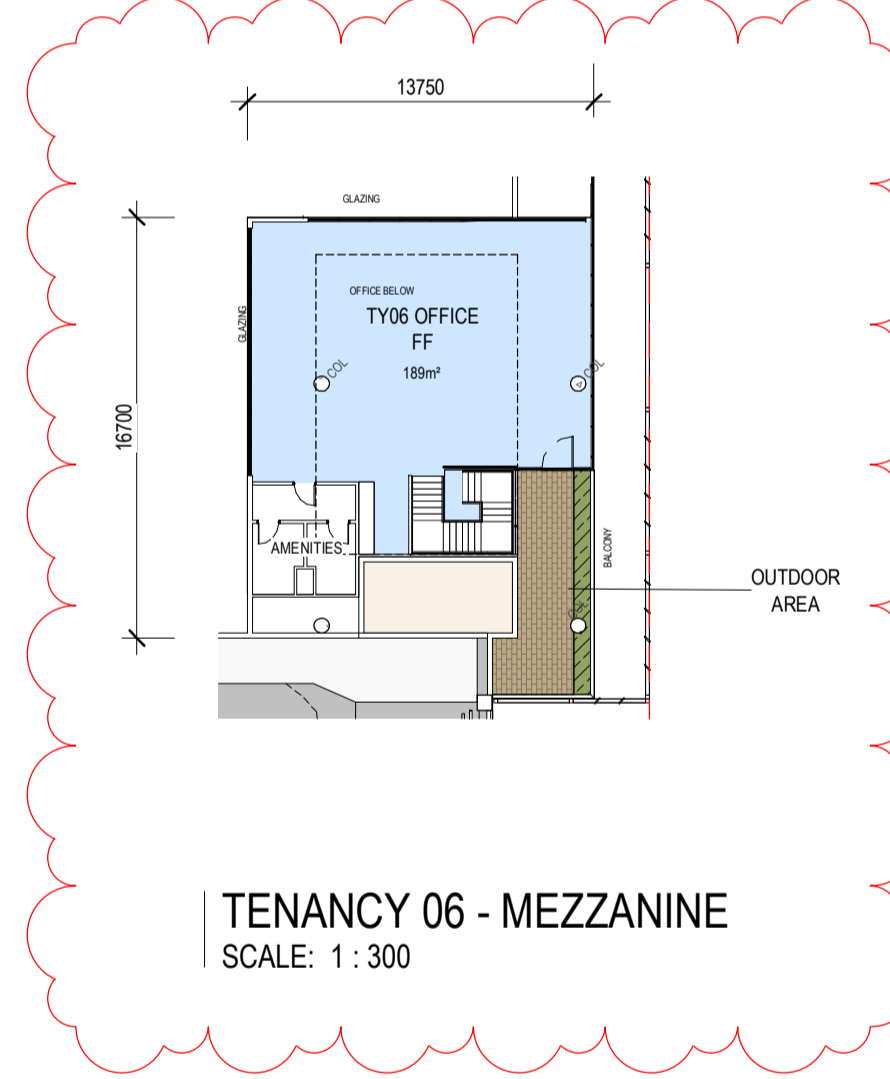
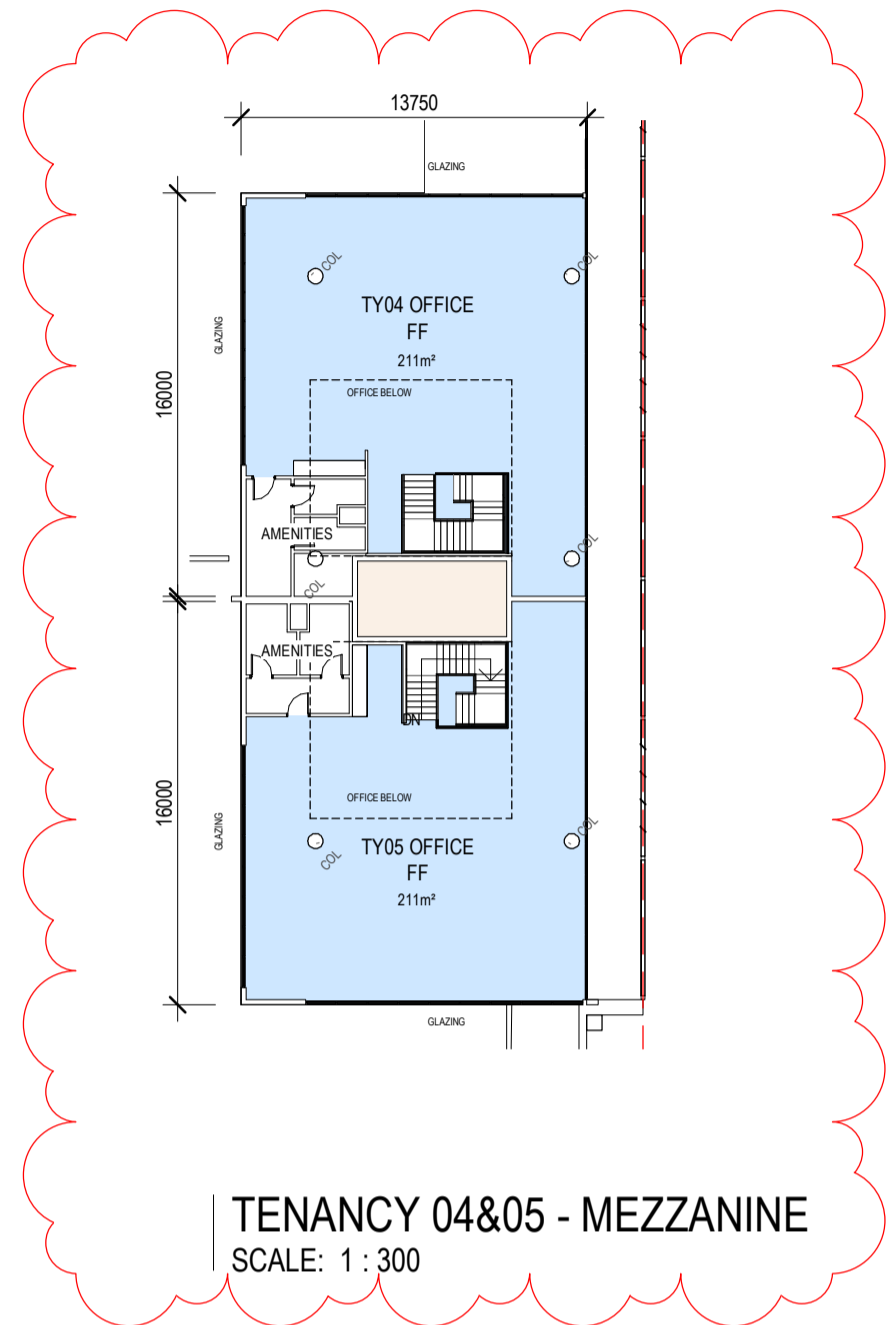
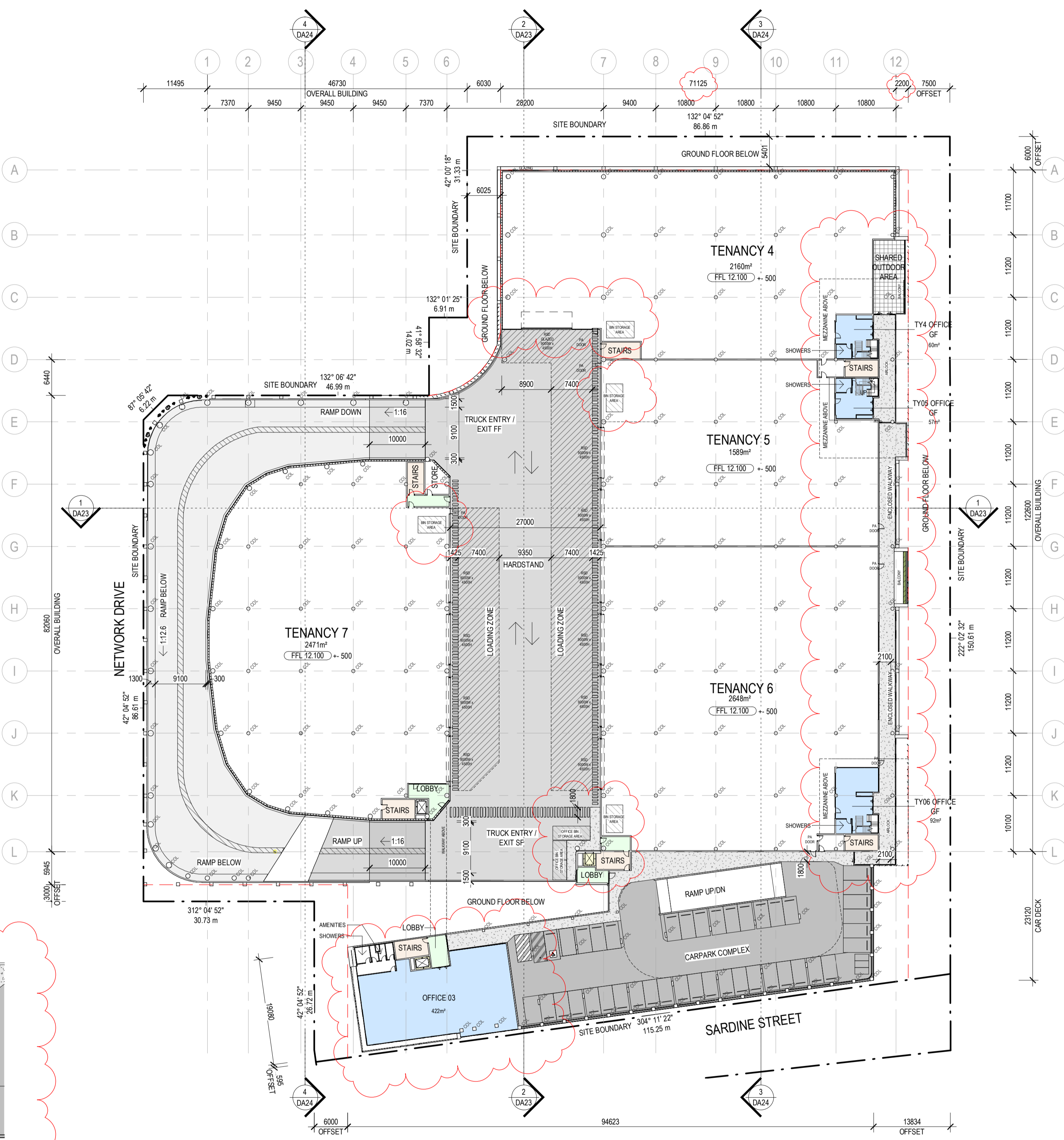
- ALL NEW CROSSOVERS IN ACCORDANCE WITH LOCAL COUNCIL REQUIREMENTS
- ALL PARKING SPACES IN ACCORDANCE WITH VICTORIAN PLANNING SCHEME
- ALL DISABLED PARKING SPACES IN ACCORDANCE WITH AUSTRALIAN STANDARD AS2890 (5.4m x 2.4m)
- SITE STORMWATER DRAINAGE IN ACCORDANCE WITH LOCAL AUTHORITY & COUNCIL REQUIREMENTS
- ALL RELATIVE LEVELS ARE SHOWN TO A.H.D. (Australian Height Datum)

**LEGEND**

- INDICATES EXTENT OF HEAVY DUTY HARDSTAND TO CIVIL ENGINEERS DETAILS
- INDICATES EXTENT OF LIGHT DUTY PAVEMENT TO CIVIL ENGINEERS DETAILS
- INDICATES EXTENT OF ASPHALT PAVEMENT TO CIVIL ENGINEERS DETAILS
- FEATURE RED BRICK PAVING OR SIMILAR
- PERMEABLE PAVING TILES
- NON-PERMEABLE PAVING TILES
- CRUSHED ROCK TO FIRE TRUCK ACCESS TRACK
- CONCRETE FOOTPATH, WALKWAY OR ACCESSWAY
- GARDEN BED / LANDSCAPING
- AREA OF GRASS / LANDSCAPING, REFER TO LANDSCAPE ARCHITECTS DRAWINGS FOR LANDSCAPE LAYOUT AND DETAILS

**KEY LEGEND**

- RSD - ROLLER SHUTTER DOOR
- COL - COLUMN
- TY - TENANCY
- PA DOOR - PEDESTRIAN DOOR
- FNXX - FENCE TYPE, REFER PLAN/DETAIL
- SST - SPRINKLER STORAGE TANK
- AMB - AMBULANT
- RWT - RAINWATER TANK



FIRST LEVEL - FLOOR PLAN  
SCALE: 1 : 500

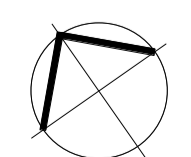
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PROJECT:  
**10-28 & 21-51 SARDINE STREET  
PORT MELBOURNE, VIC**

TITLE:  
**FIRST FLOOR PLAN**

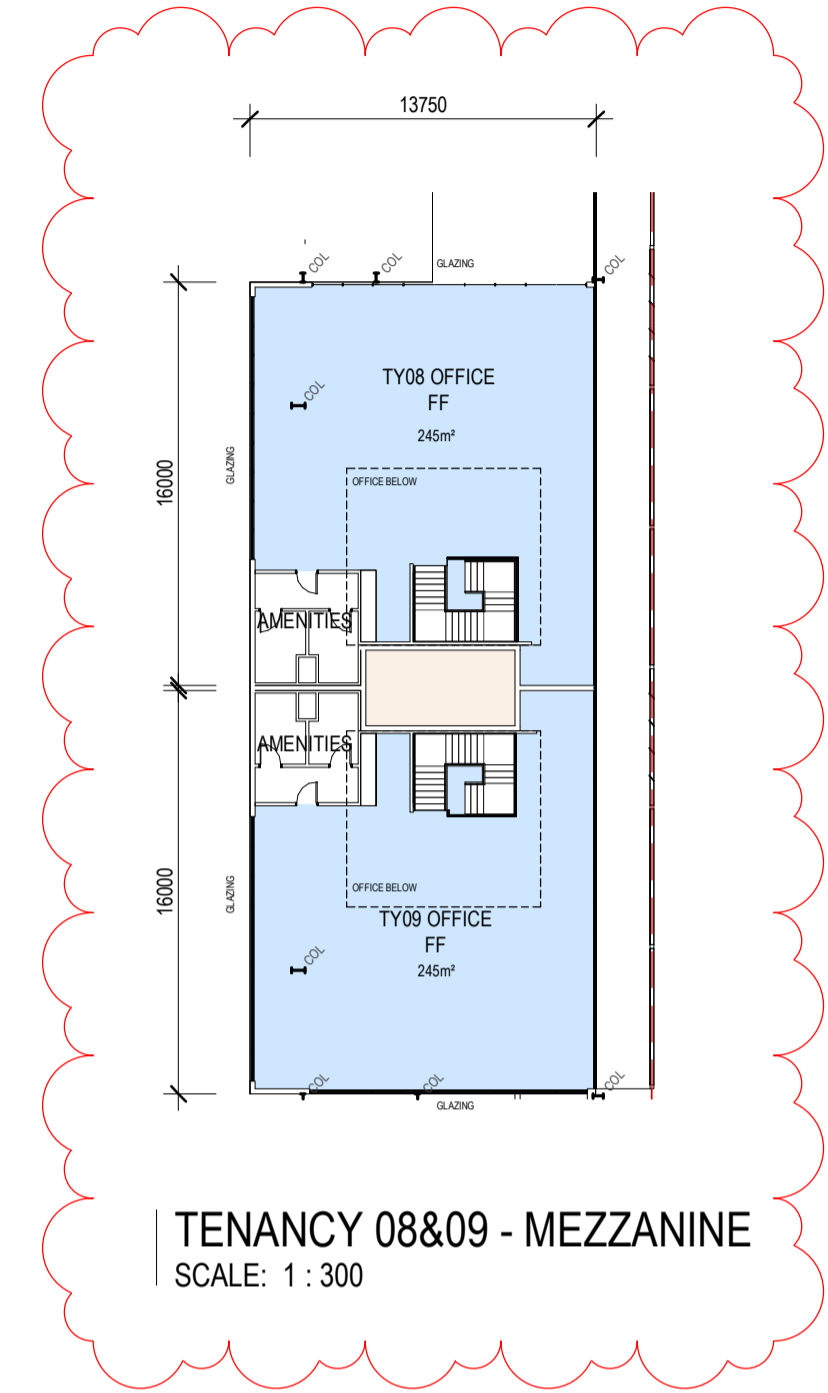
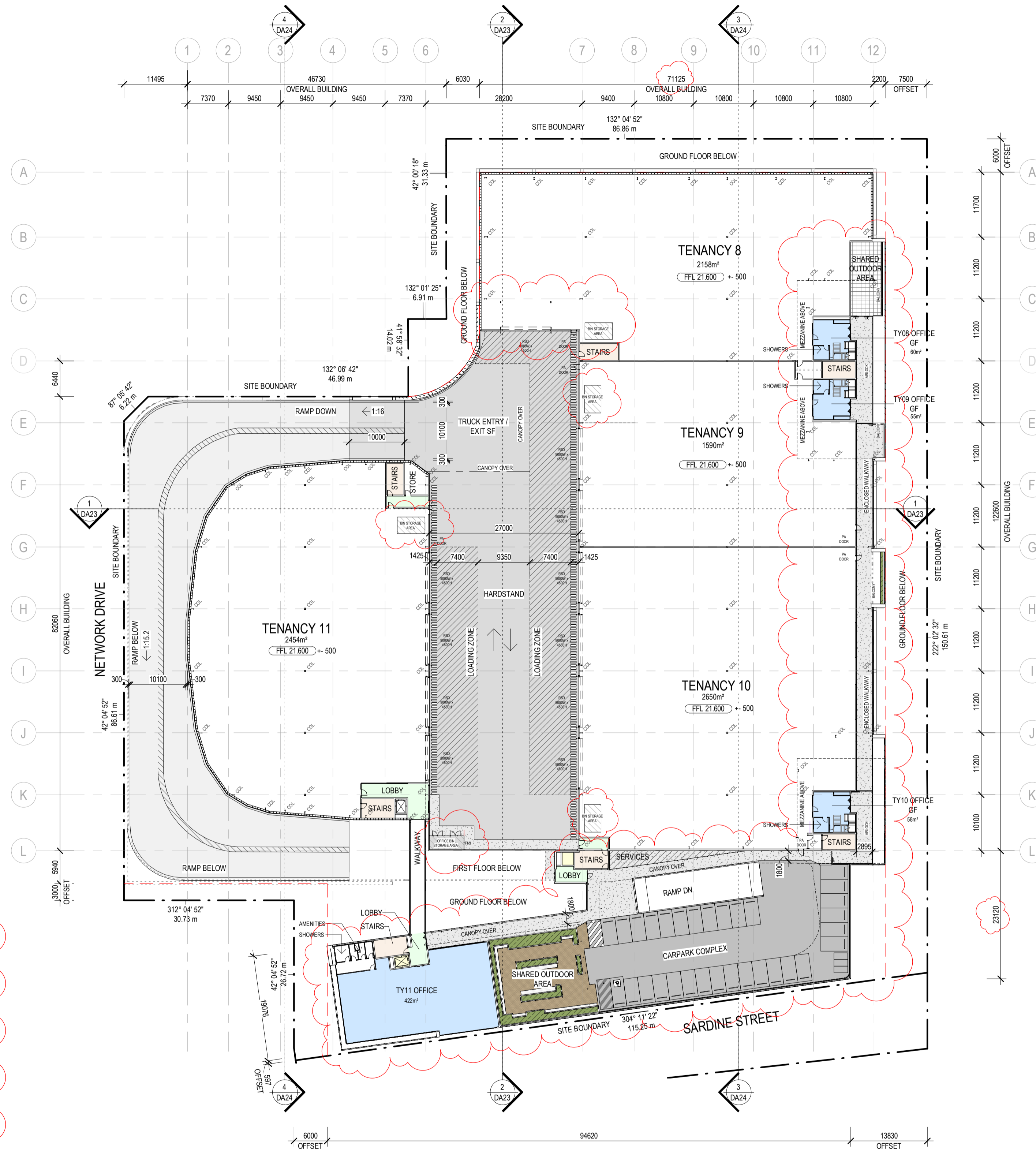


CLIENT:  
**Hale  
CAPITAL PARTNERS**

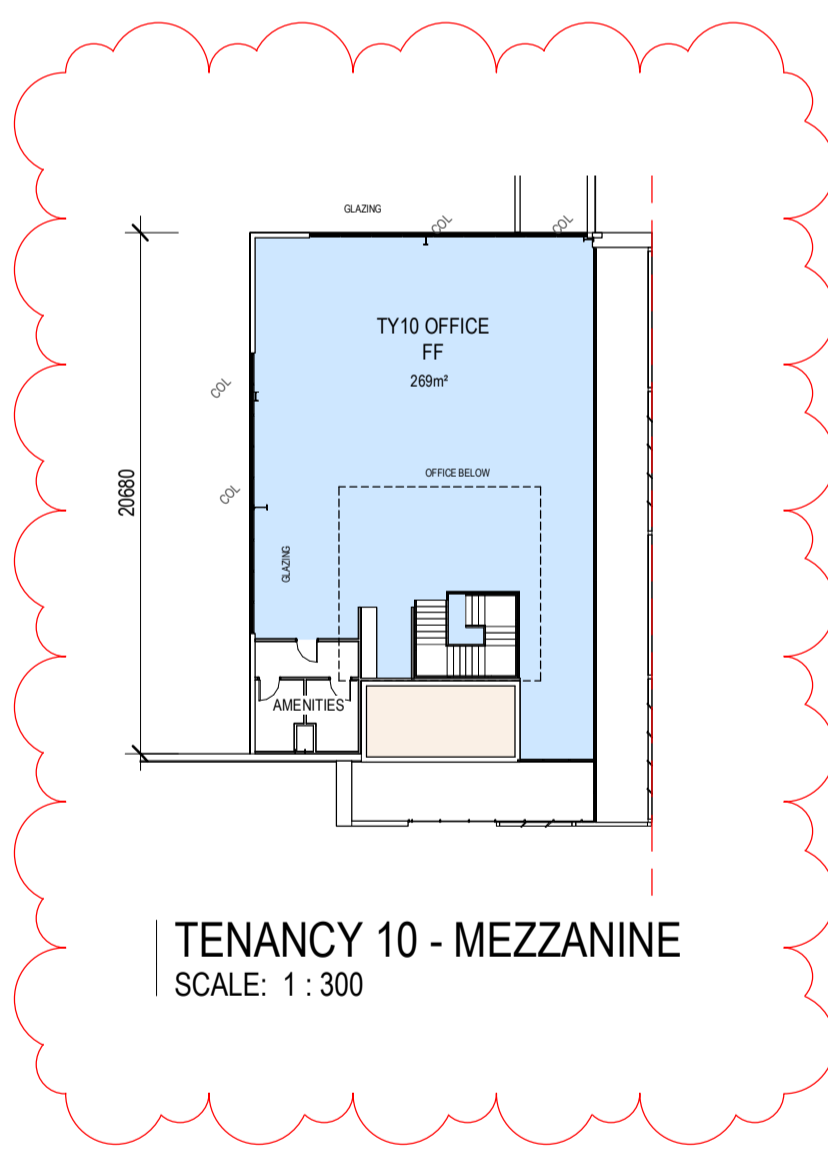
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JOB NO:	22014
DRAWING NO:	DA09
REVISION:	P11

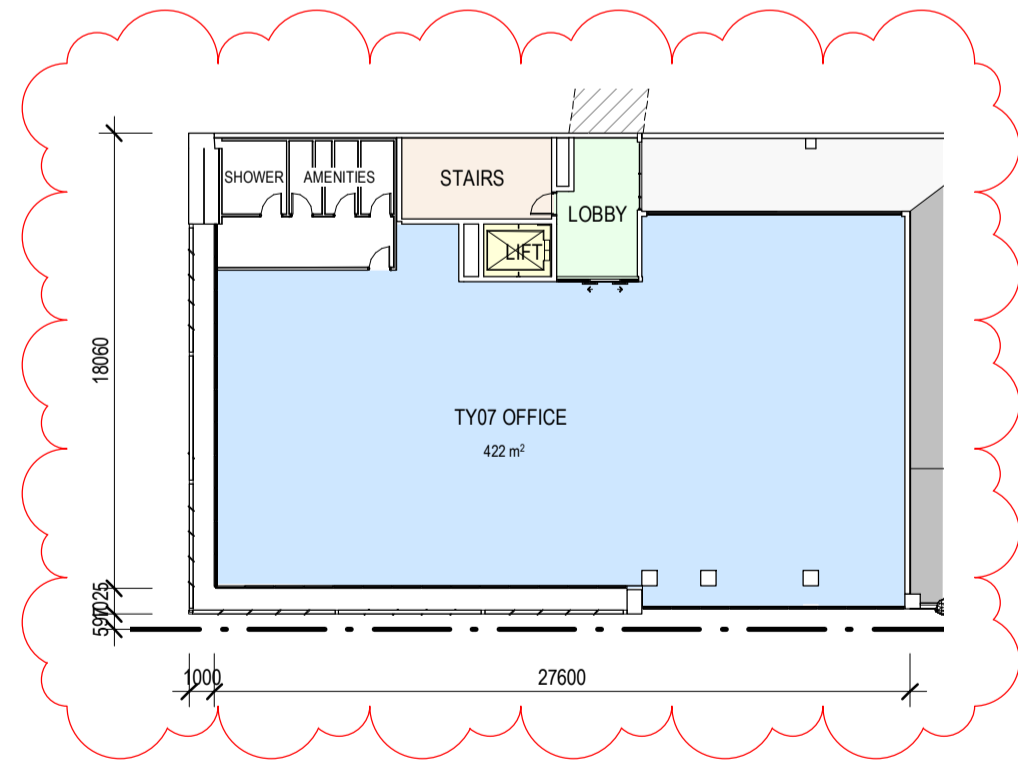




TENANCY 08&09 - MEZZANINE  
SCALE: 1 : 300



TENANCY 10 - MEZZANINE  
SCALE: 1 : 300



OFFICE LOCATED BETWEEN FIRST & SECOND FLOOR. REFER CAR DECK PLANS

TENANCY 07 - OFFICE  
SCALE: 1 : 300

SECOND LEVEL - FLOOR PLAN  
SCALE: 1 : 500

**NOTES**

- ALL NEW CROSSOVERS IN ACCORDANCE WITH LOCAL COUNCIL REQUIREMENTS
- ALL PARKING SPACES IN ACCORDANCE WITH VICTORIAN PLANNING SCHEME
- ALL DISABLED PARKING SPACES IN ACCORDANCE WITH AUSTRALIAN STANDARD AS2890 (5.4m x 2.4m)
- SITE STORMWATER DRAINAGE IN ACCORDANCE WITH LOCAL AUTHORITY & COUNCIL REQUIREMENTS
- ALL RELATIVE LEVELS ARE SHOWN TO A.H.D. (Australian Height Datum)

**LEGEND**

- INDICATES EXTENT OF HEAVY DUTY HARDSTAND TO CIVIL ENGINEERS DETAILS
- INDICATES EXTENT OF LIGHT DUTY PAVEMENT TO CIVIL ENGINEERS DETAILS
- INDICATES EXTENT OF ASPHALT PAVEMENT TO CIVIL ENGINEERS DETAILS
- FEATURE RED BRICK PAVING OR SIMILAR
- PERMEABLE PAVING TILES
- NON-PERMEABLE PAVING TILES
- CRUSHED ROCK TO FIRE TRUCK ACCESS TRACK
- CONCRETE FOOTPATH, WALKWAY OR ACCESSWAY
- GARDEN BED / LANDSCAPING
- AREA OF GRASS / LANDSCAPING. REFER TO LANDSCAPE ARCHITECTS DRAWINGS FOR LANDSCAPE LAYOUT AND DETAILS
- DENOTES EXTENT OF EASEMENT

**KEY LEGEND**

- RSD - ROLLER SHUTTER DOOR
- COL - COLUMN
- TY - TENANCY
- PA DOOR - PEDESTRIAN DOOR
- FNXX - FENCE TYPE. REFER PLAN/DETAIL
- SST - SPRINKLER STORAGE TANK
- AMB - AMBULANT
- RWT - RAINWATER TANK

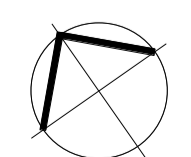
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P11	2023.03.22	ISSUED FOR DA	MW	GP

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PROJECT:  
**10-28 & 21-51 SARDINE STREET  
PORT MELBOURNE, VIC**

TITLE:  
**SECOND FLOOR PLAN**

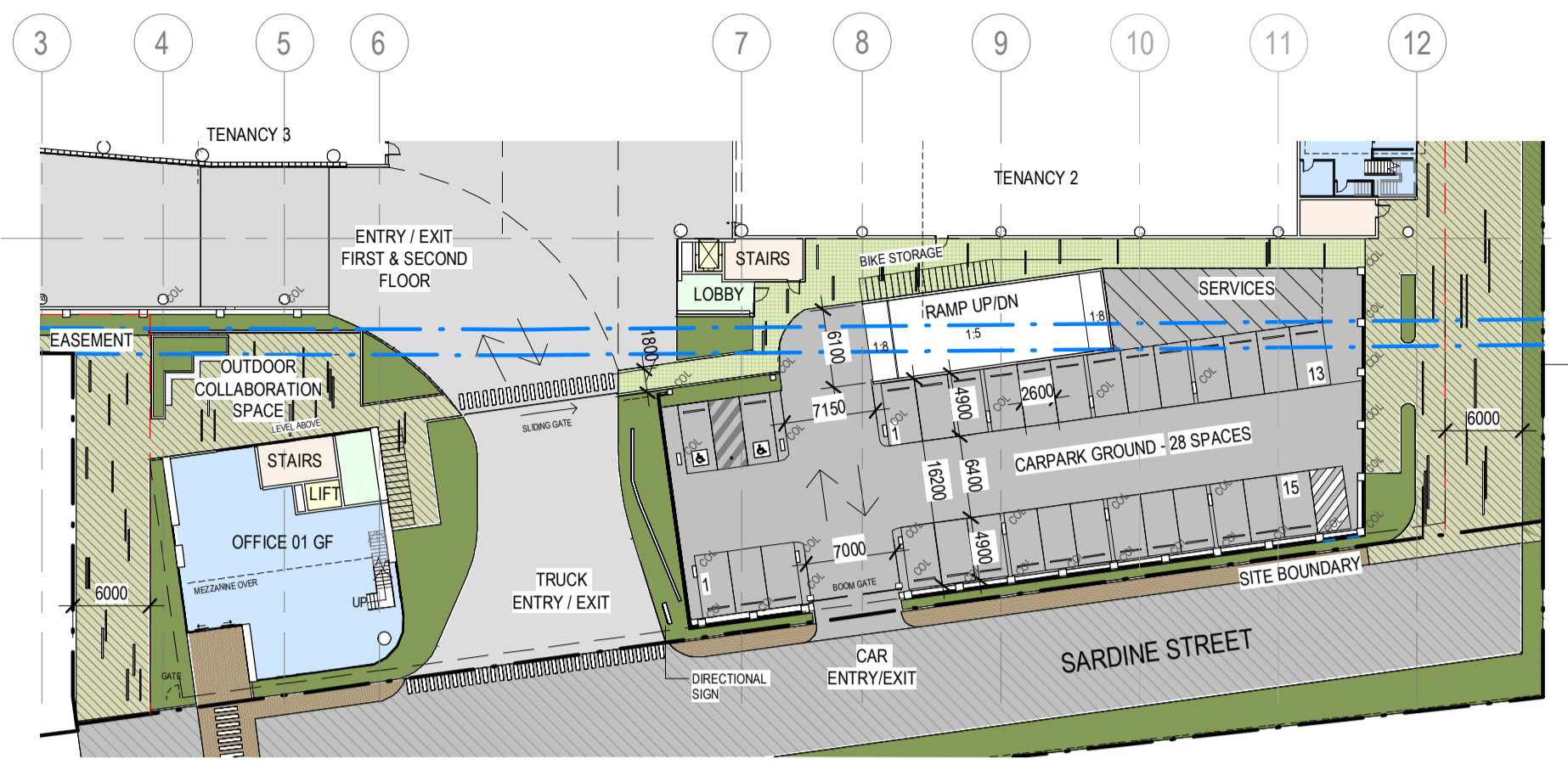


CLIENT:  
**Hale  
CAPITAL PARTNERS**

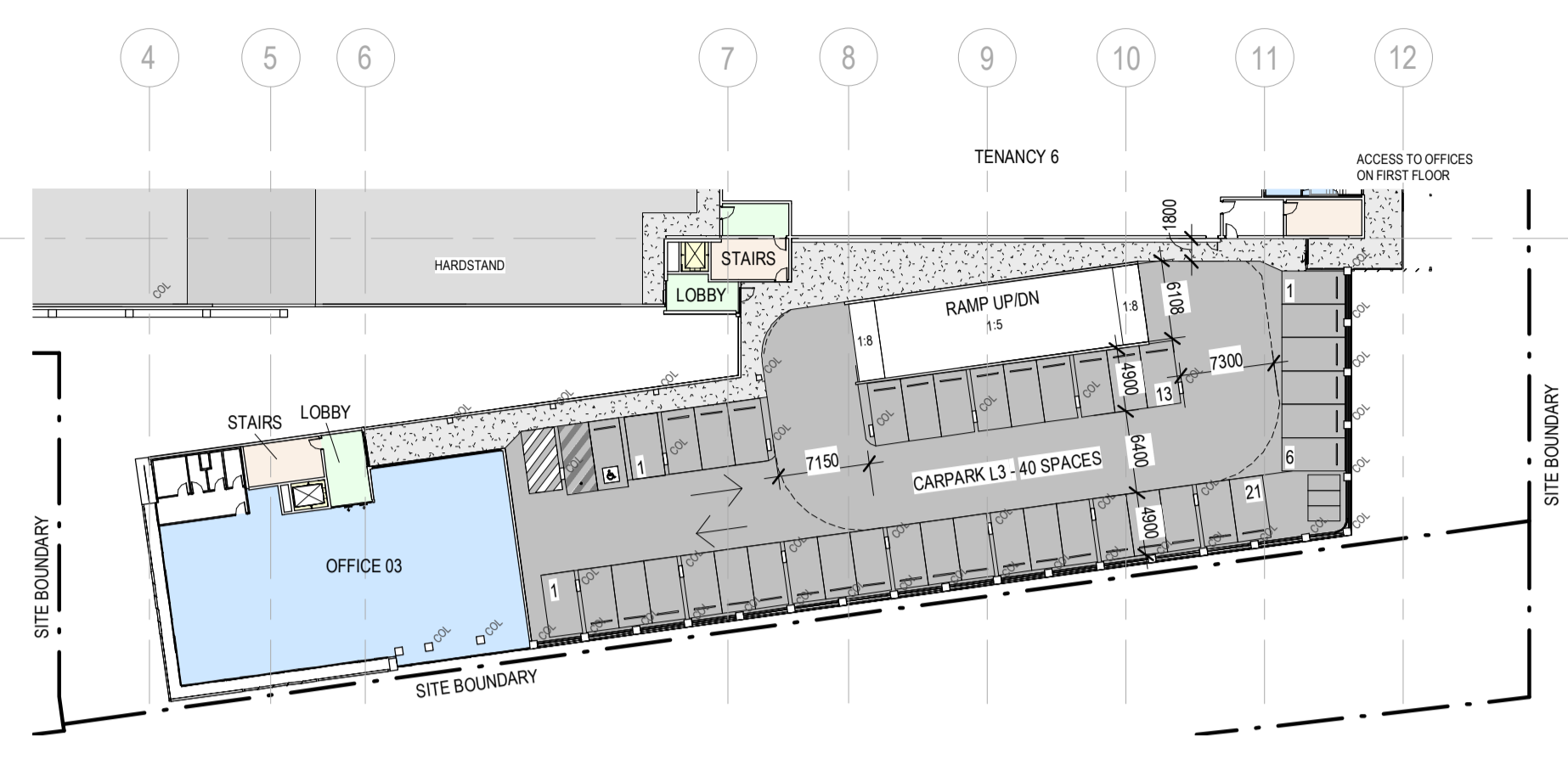
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REVISION:	P11

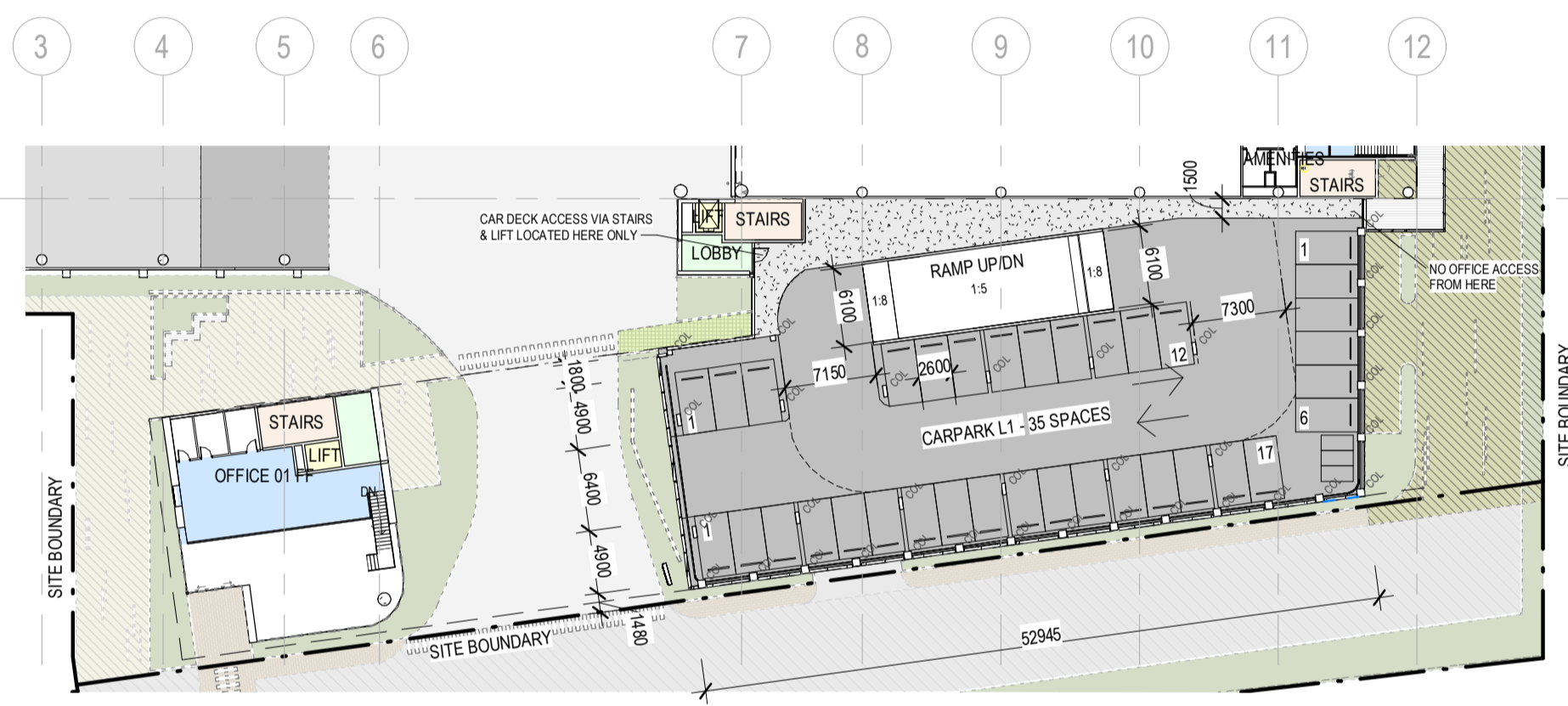




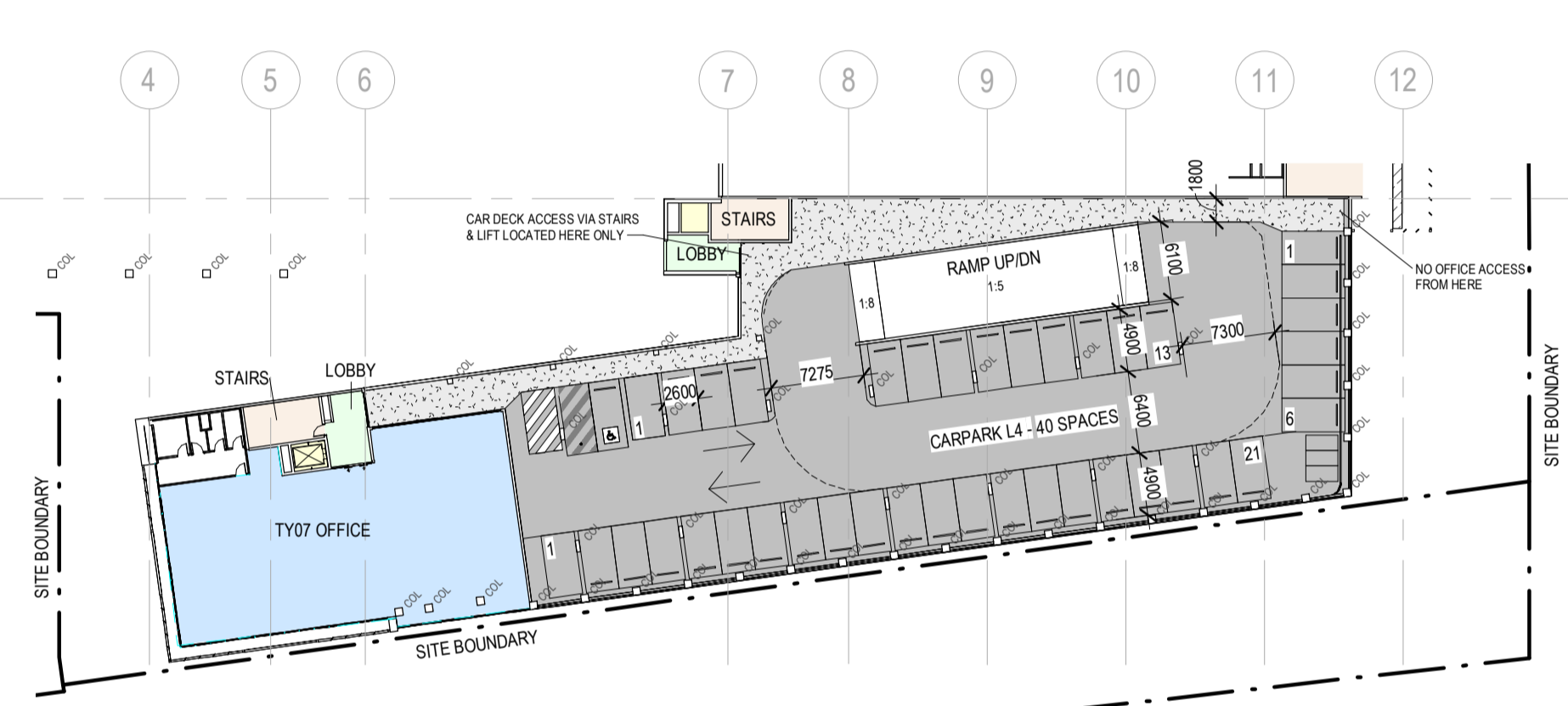
PARKING DECK - GROUND FLOOR  
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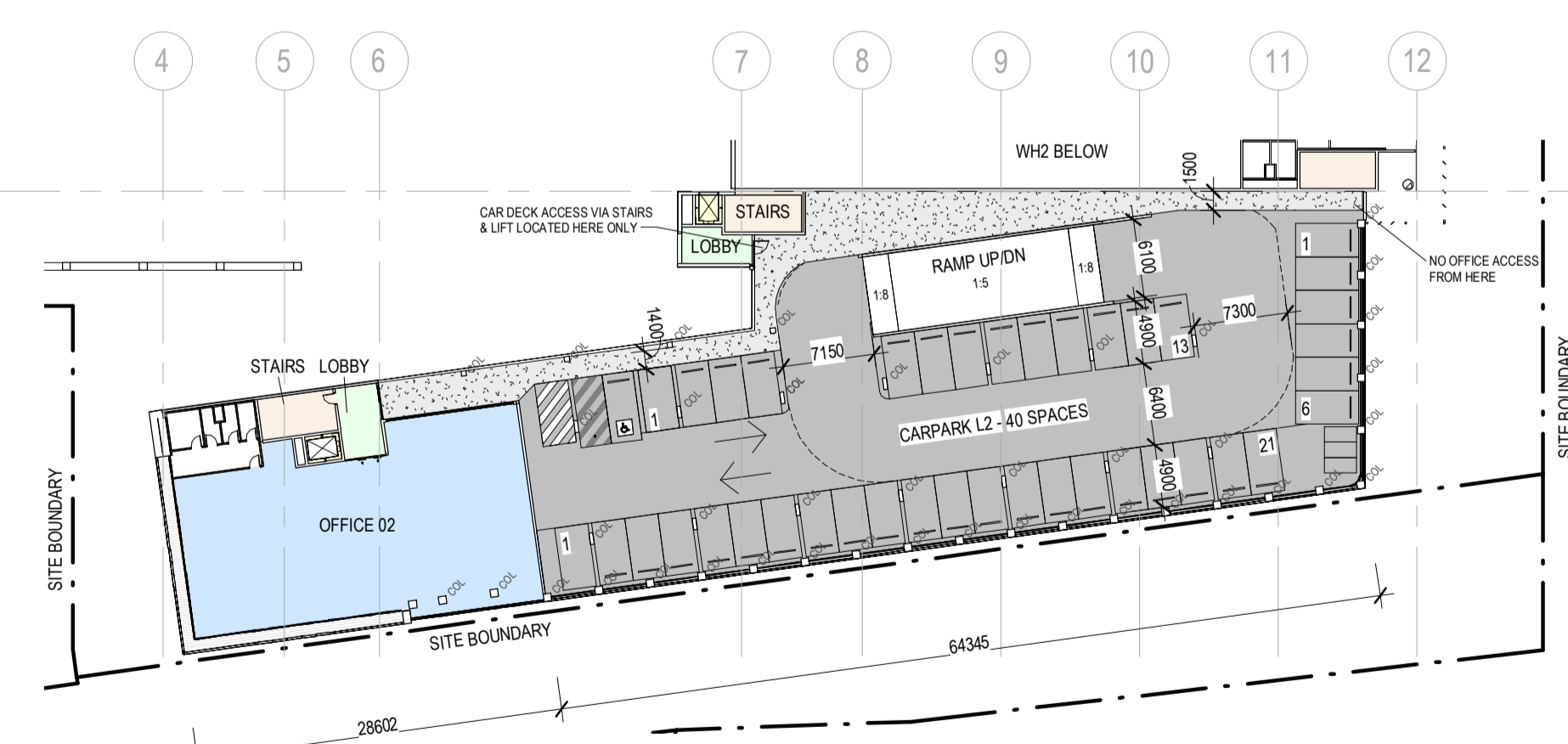
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SCALE: 1 : 500



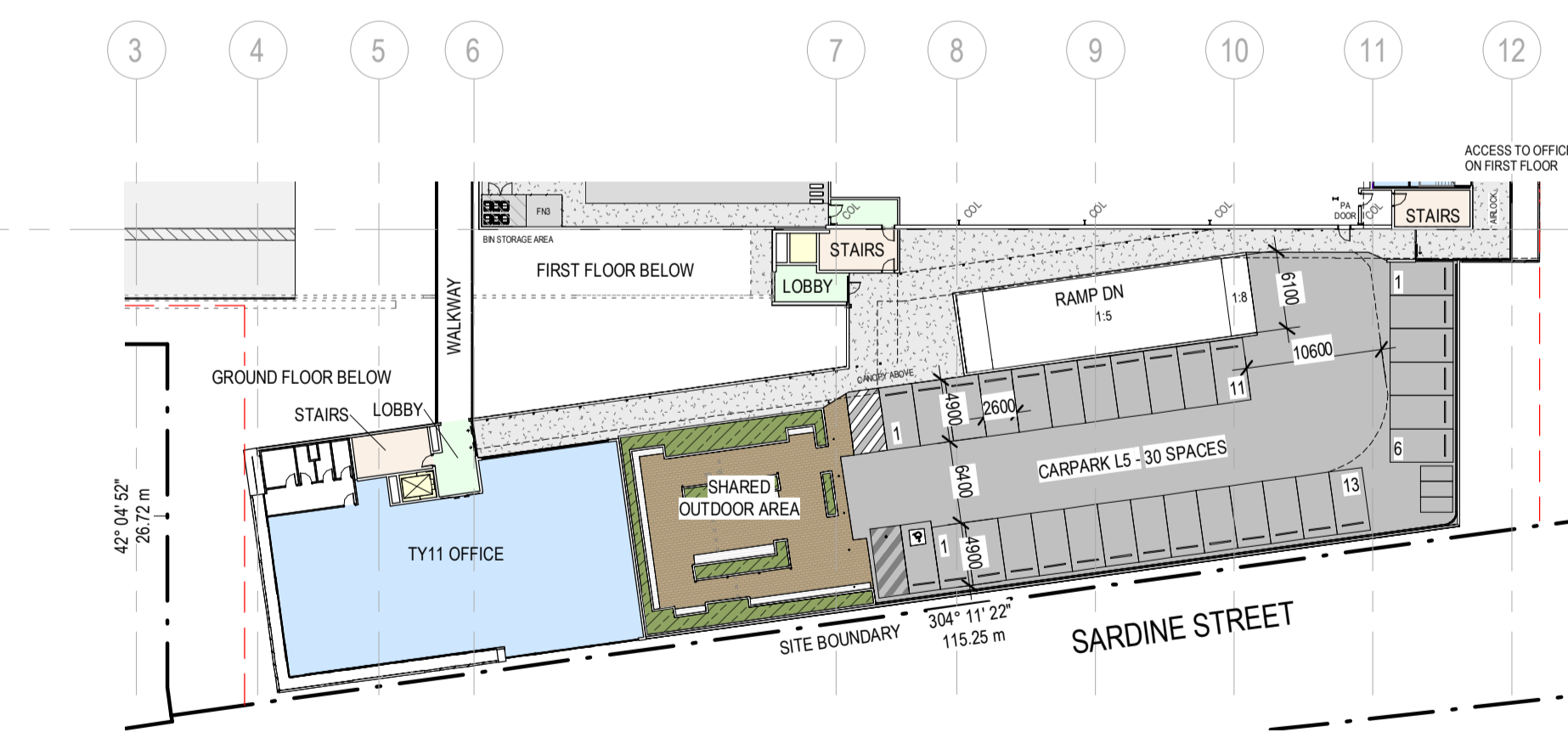
PARKING DECK - L1 / OFF 01 MEZZ  
SCALE: 1 : 500



PARKING DECK - L4  
SCALE: 1 : 500



PARKING DECK - L2  
SCALE: 1 : 500



PARKING DECK - L5  
SCALE: 1 : 500

**NOTES**

- ALL NEW CROSSOVERS IN ACCORDANCE WITH LOCAL COUNCIL REQUIREMENTS
- ALL PARKING SPACES IN ACCORDANCE WITH VICTORIAN PLANNING SCHEME
- ALL DISABLED PARKING SPACES IN ACCORDANCE WITH AUSTRALIAN STANDARD AS2880 (5.4m x 2.4m)
- SITE STORMWATER DRAINAGE IN ACCORDANCE WITH LOCAL AUTHORITY & COUNCIL REQUIREMENTS
- ALL RELATIVE LEVELS ARE SHOWN TO A.H.D. (Australian Height Datum)

**LEGEND**

- INDICATES EXTENT OF HEAVY DUTY HARDSTAND TO CIVIL ENGINEERS DETAILS
- INDICATES EXTENT OF LIGHT DUTY PAVEMENT TO CIVIL ENGINEERS DETAILS
- INDICATES EXTENT OF ASPHALT PAVEMENT TO CIVIL ENGINEERS DETAILS
- FEATURE RED BRICK PAVING OR SIMILAR
- PERMEABLE PAVING TILES
- NON-PERMEABLE PAVING TILES
- CRUSHED ROCK TO FIRE TRUCK ACCESS TRACK
- CONCRETE FOOTPATH, WALKWAY OR ACCESSWAY
- GARDEN BED / LANDSCAPING
- AREA OF GRASS / LANDSCAPING. REFER TO LANDSCAPE ARCHITECTS DRAWINGS FOR LANDSCAPE LAYOUT AND DETAILS

**KEY LEGEND**

- RSD - ROLLER SHUTTER DOOR
- COL - COLUMN
- TY - TENANCY
- PA DOOR - PEDESTRIAN DOOR
- FNXX - FENCE TYPE. REFER PLANDetail
- SST - SPRINKLER STORAGE TANK
- AMB - AMBULANT
- RWT - RAINWATER TANK

Parking Schedule - Revised		
Level	Type	Car bays
<b>GROUND FLOOR</b>		
GROUND FLOOR	2600 x 4900	42
GROUND FLOOR: 10		42
<b>PARKING DECK L1</b>		
PARKING DECK L1	2600 x 4900	35
PARKING DECK L1: 11		35
<b>PARKING DECK L2</b>		
PARKING DECK L2	2600 x 4900	38
PARKING DECK L2	2600 x 4900	2
PARKING DECK L2: 13		40
<b>FIRST FLOOR</b>		
FIRST FLOOR	2600 x 4900	38
FIRST FLOOR	2600 x 4900	2
FIRST FLOOR: 13		40
<b>PARKING DECK L4</b>		
PARKING DECK L4	2600 x 4900	38
PARKING DECK L4	2600 x 4900	2
PARKING DECK L4: 13		40
<b>SECOND FLOOR</b>		
SECOND FLOOR	2600 x 4900	30
SECOND FLOOR: 3		30
<b>Grand total:</b>		<b>227</b>

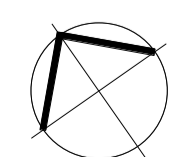
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PROJECT:  
**10-28 & 21-51 SARDINE STREET  
PORT MELBOURNE, VIC**

TITLE:  
**MULTI-DECK PARKING**

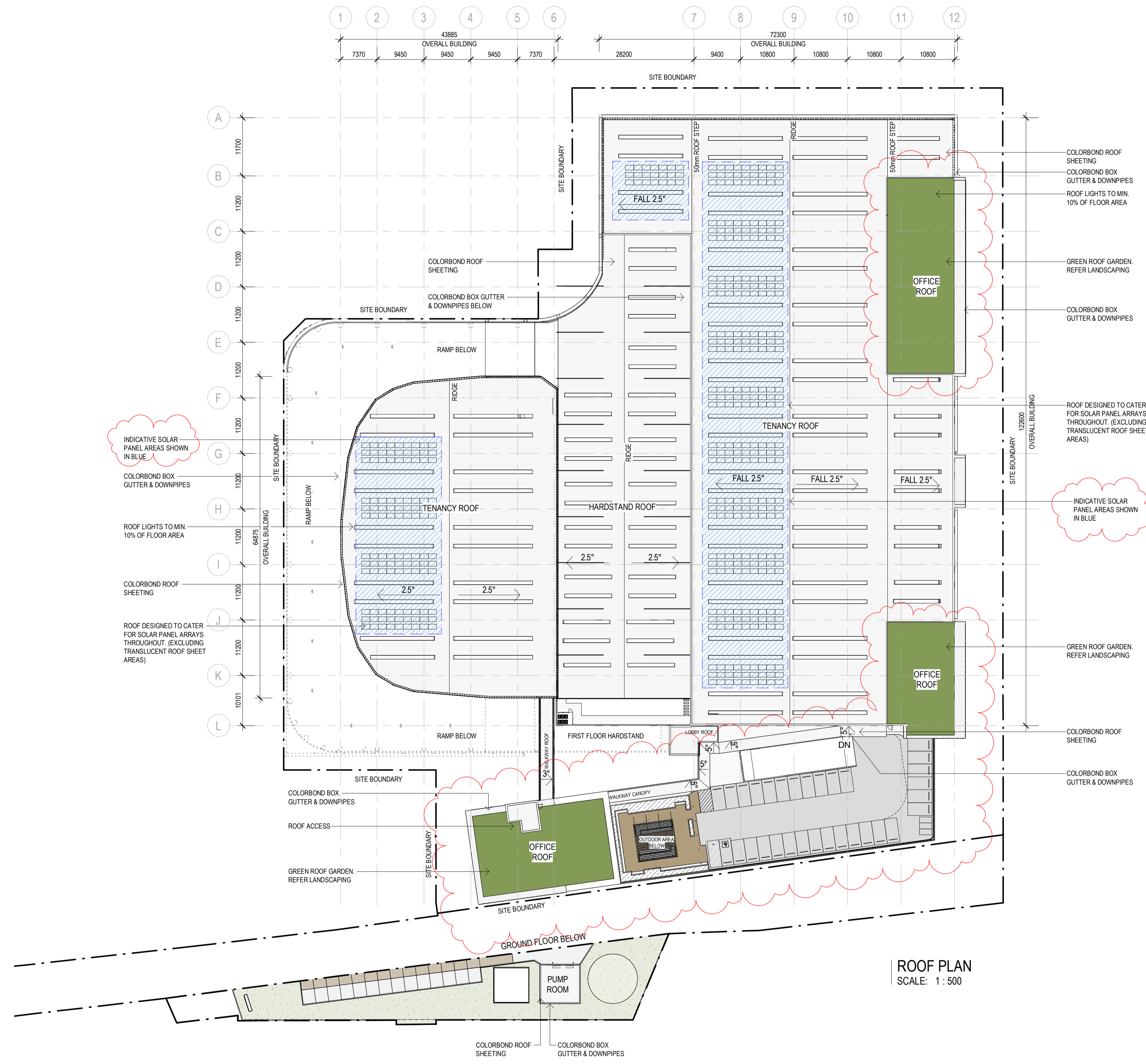


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**Hale  
CAPITAL PARTNERS**

DATE: 2022.04.14  
DRAWN BY: Author  
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JOB NO:	22014
DRAWING NO:	DA11
REVISION:	P11





ROOF PLAN  
SCALE: 1 : 500

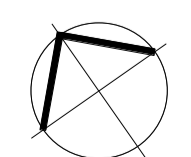
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**10-28 & 21-51 SARDINE STREET  
PORT MELBOURNE, VIC**

TITLE:  
**ROOF PLAN**



CLIENT:  
**Hale  
CAPITAL PARTNERS**

DATE: 2022.04.14  
DRAWN BY: XXX  
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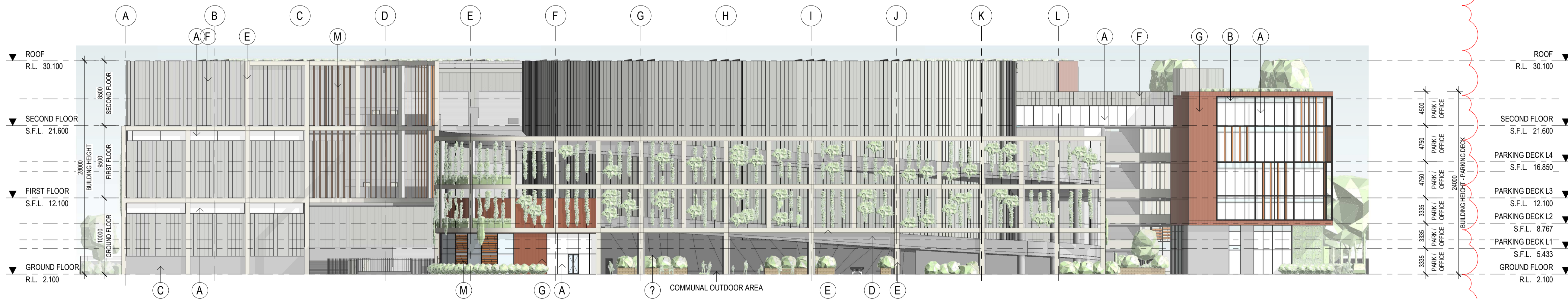
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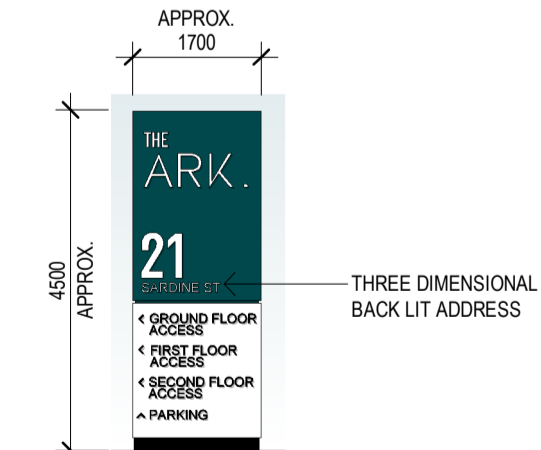
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SCALE: 1 : 300



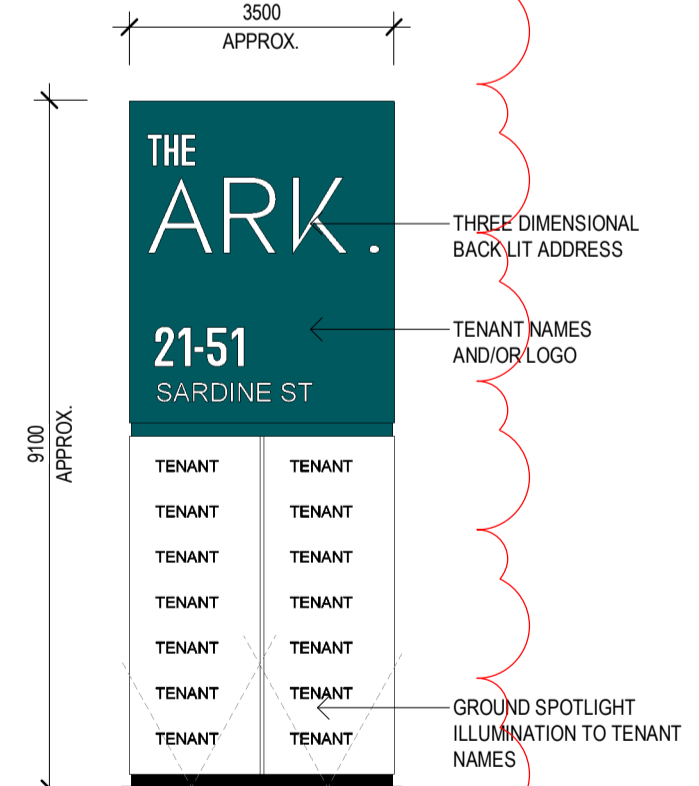
**NORTH WEST ELEVATION - NETWORK DR**  
SCALE: 1 : 300

**EXTERNAL FINISHES**

(A)	BLACK ALUMINIUM FRAMED GLAZING	CLEAR TINTED
(B)	ALUMINIUM FRAMED COLORBACK GLAZING	WHITE
(C)	PRECAST CONCRETE PANEL	NATURAL FINISH
(D)	PRECAST CONCRETE	LIGHT GREY FINISH
(E)	CEMENT SHEET PANEL	COLORBOND SURFMIST
(F)	STANDING SEAM / COLORBOND WALL CLADDING	COLORBOND SHALE GREY
(G)	STANDING SEAM / COLORBOND WALL CLADDING	COPPER BROWN
(H)	ROOF CLADDING	DOVER WHITE
(J)	ROLLER SHUTTER DOOR CLADDING	COLORBOND BASALT
(K)	DOWNPIPES / CAPPINGS / PA DOORS	COLORBOND MONUMENT
(L)	BOLLARDS	SAFETY YELLOW
(M)	SCREENING LOUVRES	COPPER BROWN
(N)	PAINT FINISH	MONUMENT
(O)	PAINT FINISH	LIGHT GREY
(P)	PAINT FINISH	NIGHT SKY
(Q)	SCREEN FENCE	TIMBER
(R)	LOCAL ARTIST MURAL	N/A
(S)	TIMBER SEATING	RECYCLED TIMBER
(T)	BRICK	RECLAIMED BRICK



**DIRECTIONAL SIGNAGE**  
SCALE: 1 : 100



**PYLON SIGNAGE**  
SCALE: 1 : 100

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PROJECT:  
**10-28 & 21-51 SARDINE STREET  
PORT MELBOURNE, VIC**

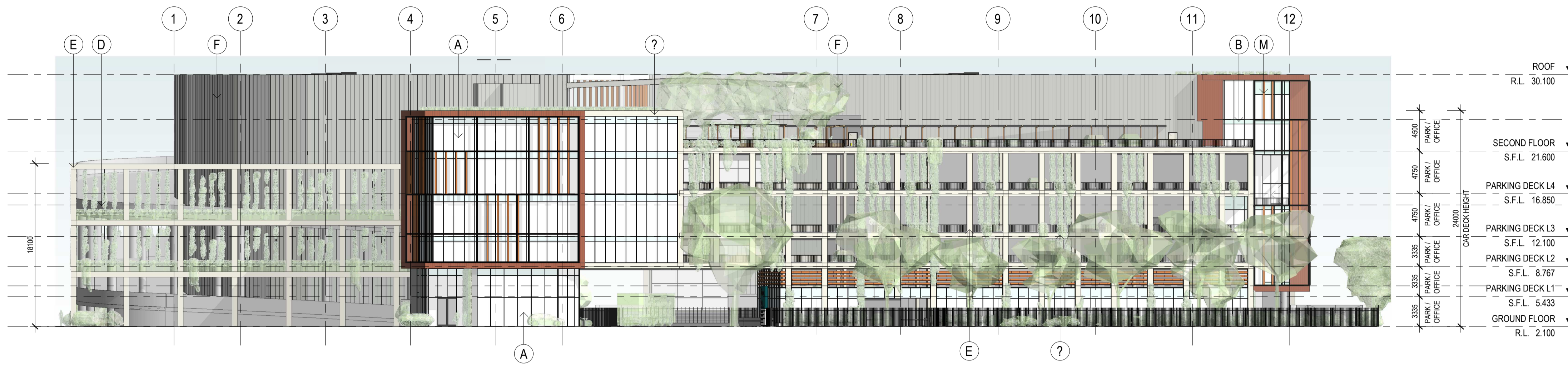
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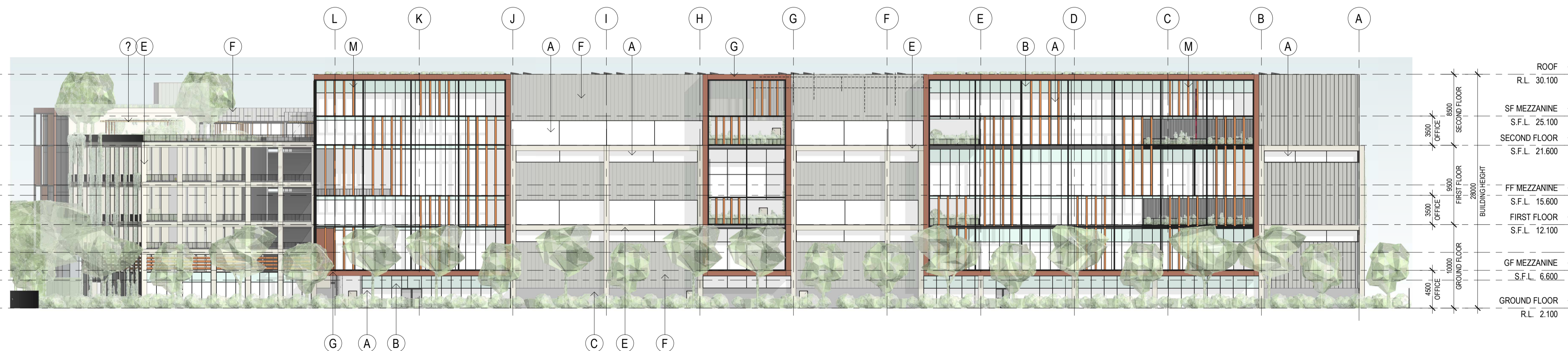
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SCALE: XXX @A3

JOB NO:	22014
DRAWING NO:	DA21
REVISION:	P6





SOUTH WEST ELEVATION - SARDINE ST  
SCALE: 1 : 300



SOUTH EAST ELEVATION  
SCALE: 1 : 300

**EXTERNAL FINISHES**

(A)	BLACK ALUMINIUM FRAMED GLAZING	CLEAR TINTED
(B)	ALUMINIUM FRAMED COLORBACK GLAZING	WHITE
(C)	PRECAST CONCRETE PANEL	NATURAL FINISH
(D)	PRECAST CONCRETE	LIGHT GREY FINISH
(E)	CEMENT SHEET PANEL	COLORBOND SURFMIST
(F)	STANDING SEAM / COLORBOND WALL CLADDING	COLORBOND SHALE GREY
(G)	STANDING SEAM / COLORBOND WALL CLADDING	COPPER BROWN
(H)	ROOF CLADDING	DOVER WHITE
(J)	ROLLER SHUTTER DOOR CLADDING	COLORBOND BASALT
(K)	DOWNPIPES / CAPPINGS / PA DOORS	COLORBOND MONUMENT
(L)	BOLLARDS	SAFETY YELLOW
(M)	SCREENING LOUVRES	COPPER BROWN
(N)	PAINT FINISH	MONUMENT
(O)	PAINT FINISH	LIGHT GREY
(P)	PAINT FINISH	NIGHT SKY
(Q)	SCREEN FENCE	TIMBER
(R)	LOCAL ARTIST MURAL	N/A
(S)	TIMBER SEATING	RECYCLED TIMBER
(T)	BRICK	RECLAIMED BRICK

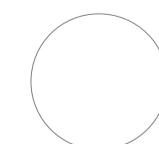
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PROJECT:  
10-28 & 21-51 SARDINE STREET  
PORT MELBOURNE, VIC

TITLE:  
OVERALL ELEVATIONS 2

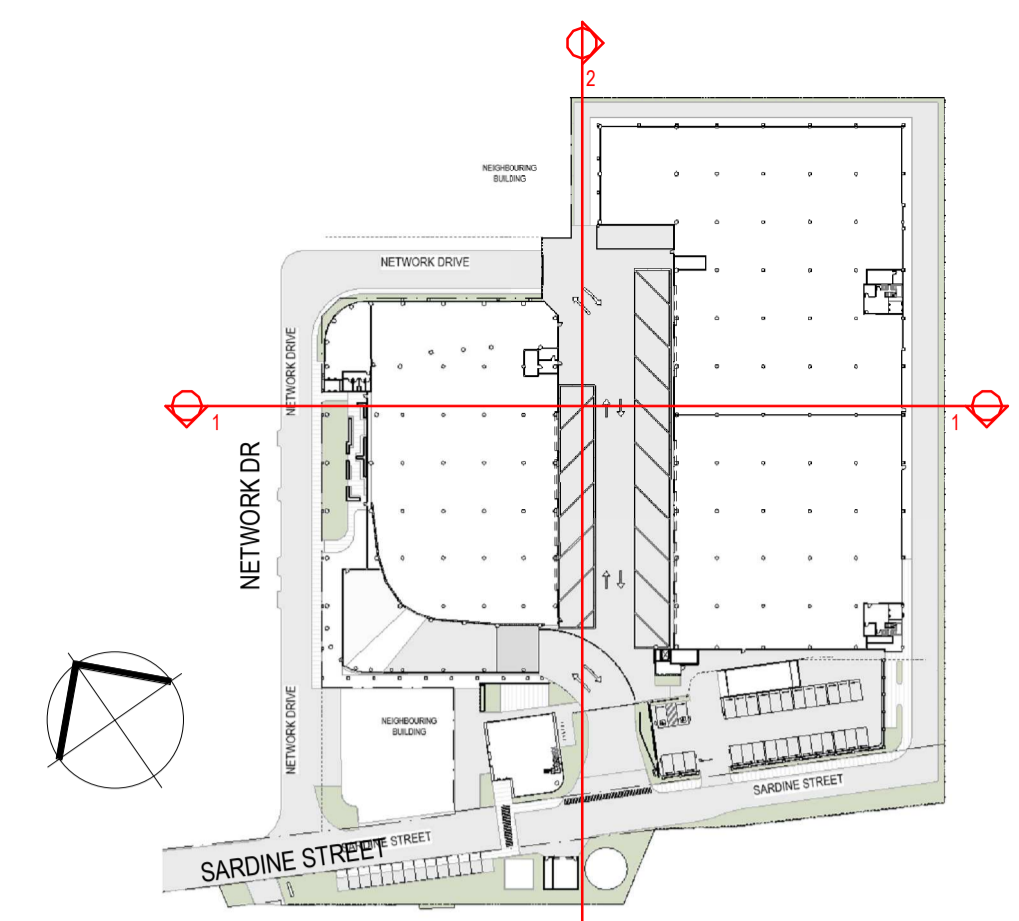


CLIENT:  
**Hale**  
CAPITAL PARTNERS

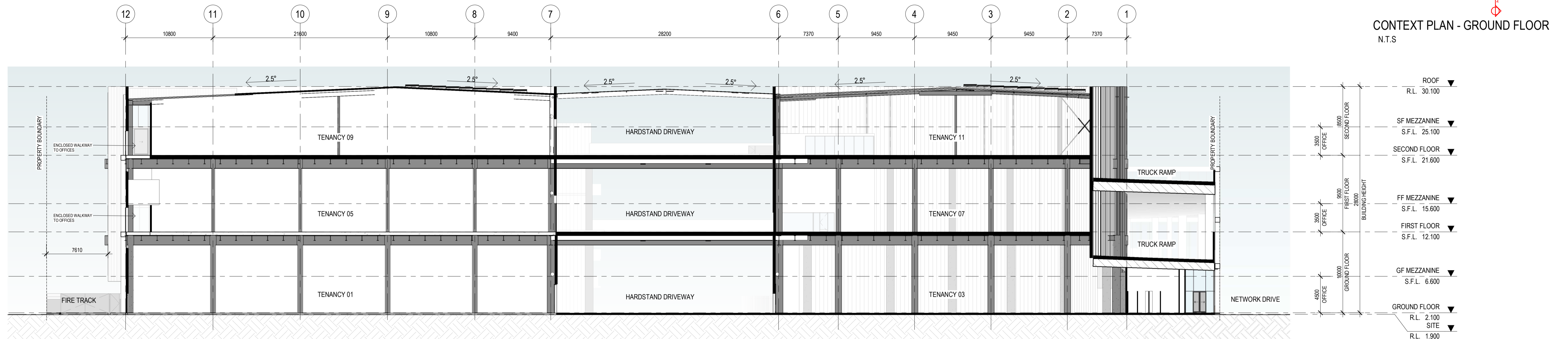
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JOB NO:  
22014  
DRAWING NO:  
DA22  
REVISION:  
P7

**watson young**



CONTEXT PLAN - GROUND FLOOR  
N.T.S



SECTION 1  
SCALE: 1 : 250



SECTION 2  
SCALE: 1 : 250

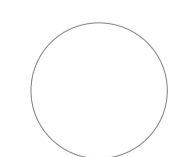
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PROJECT:  
**10-28 & 21-51 SARDINE STREET  
PORT MELBOURNE, VIC**

TITLE:  
**OVERALL SECTIONS 1**

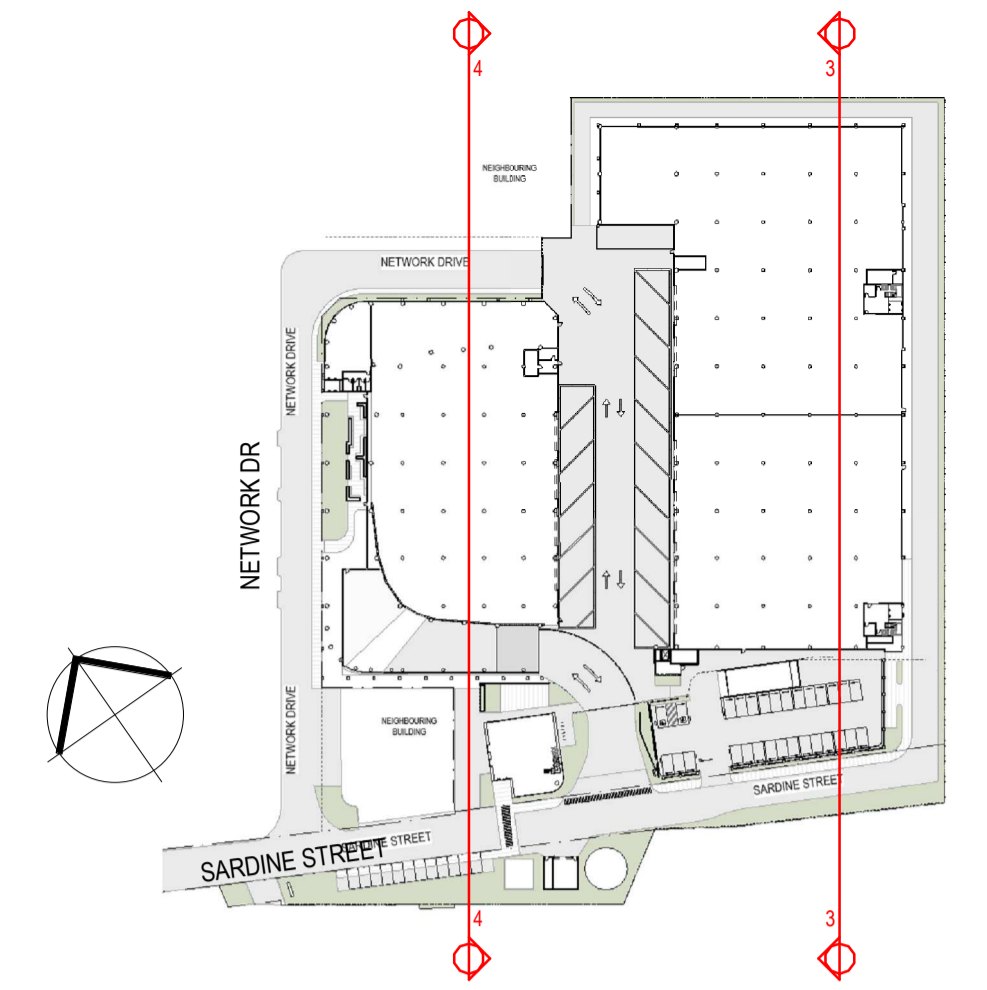


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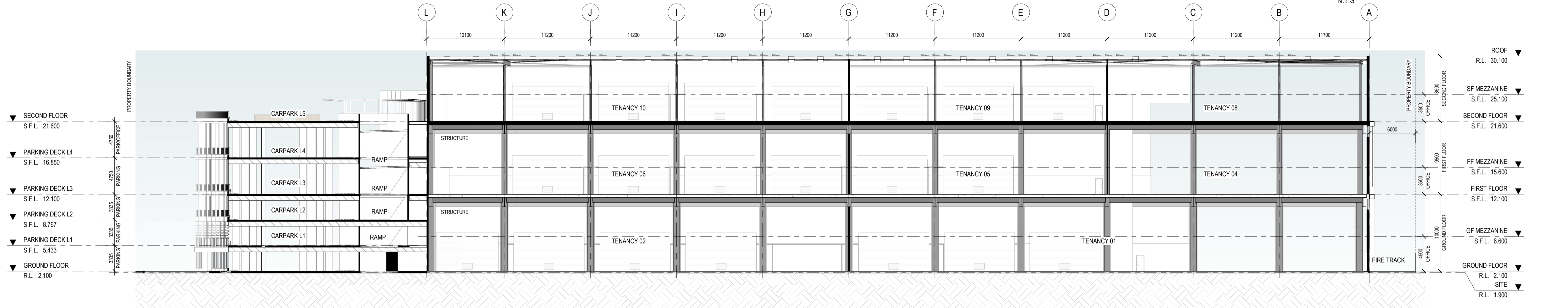
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**22014**  
DRAWING NO:  
**DA23**  
REVISION:  
**P8**

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young**



CONTEXT PLAN - GROUND FLOOR  
N.T.S



SECTION 3  
SCALE: 1 : 250



SECTION 4  
SCALE: 1 : 250

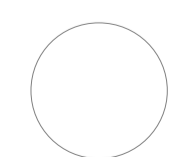
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PROJECT:  
**10-28 & 21-51 SARDINE STREET  
PORT MELBOURNE, VIC**

TITLE:  
**OVERALL SECTIONS 2**

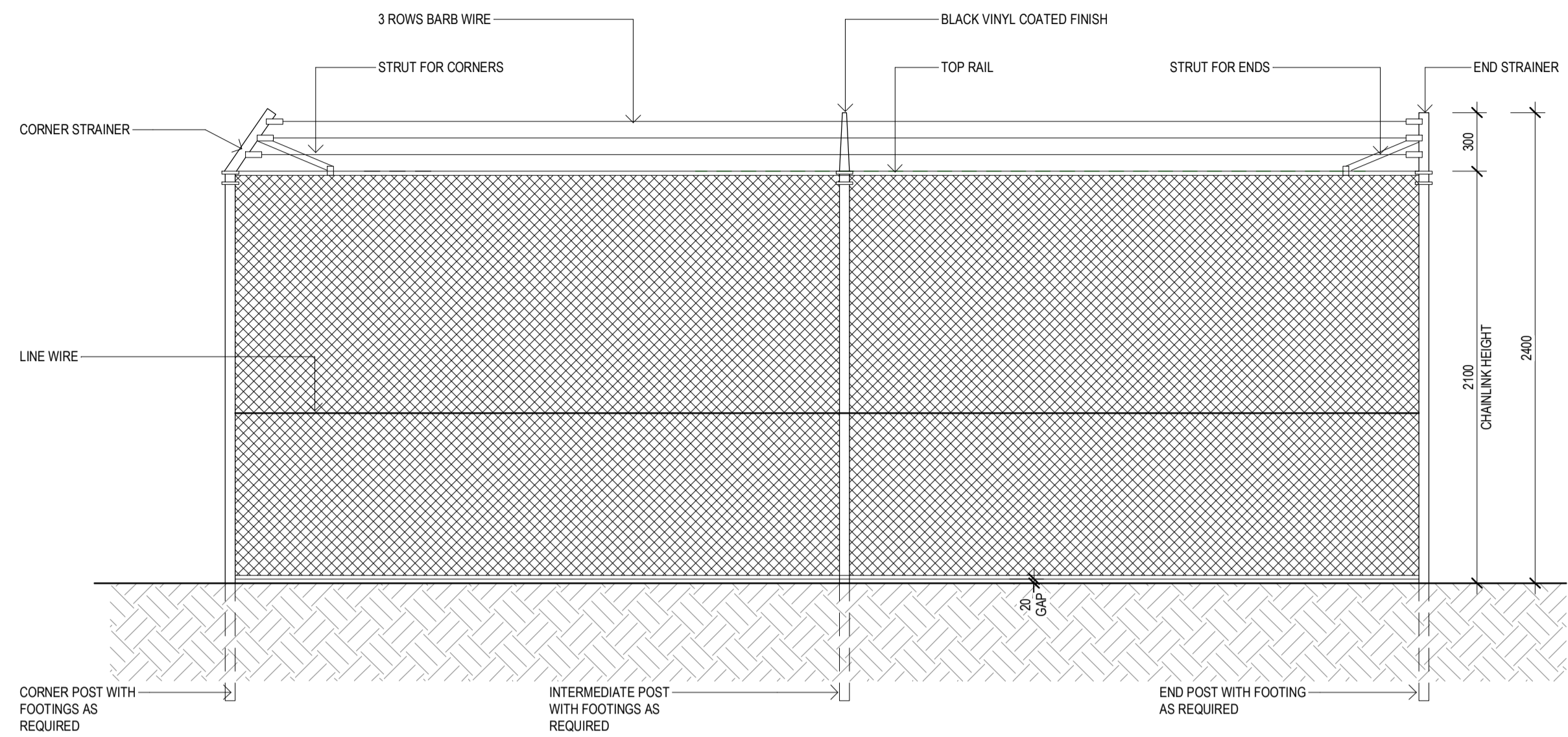
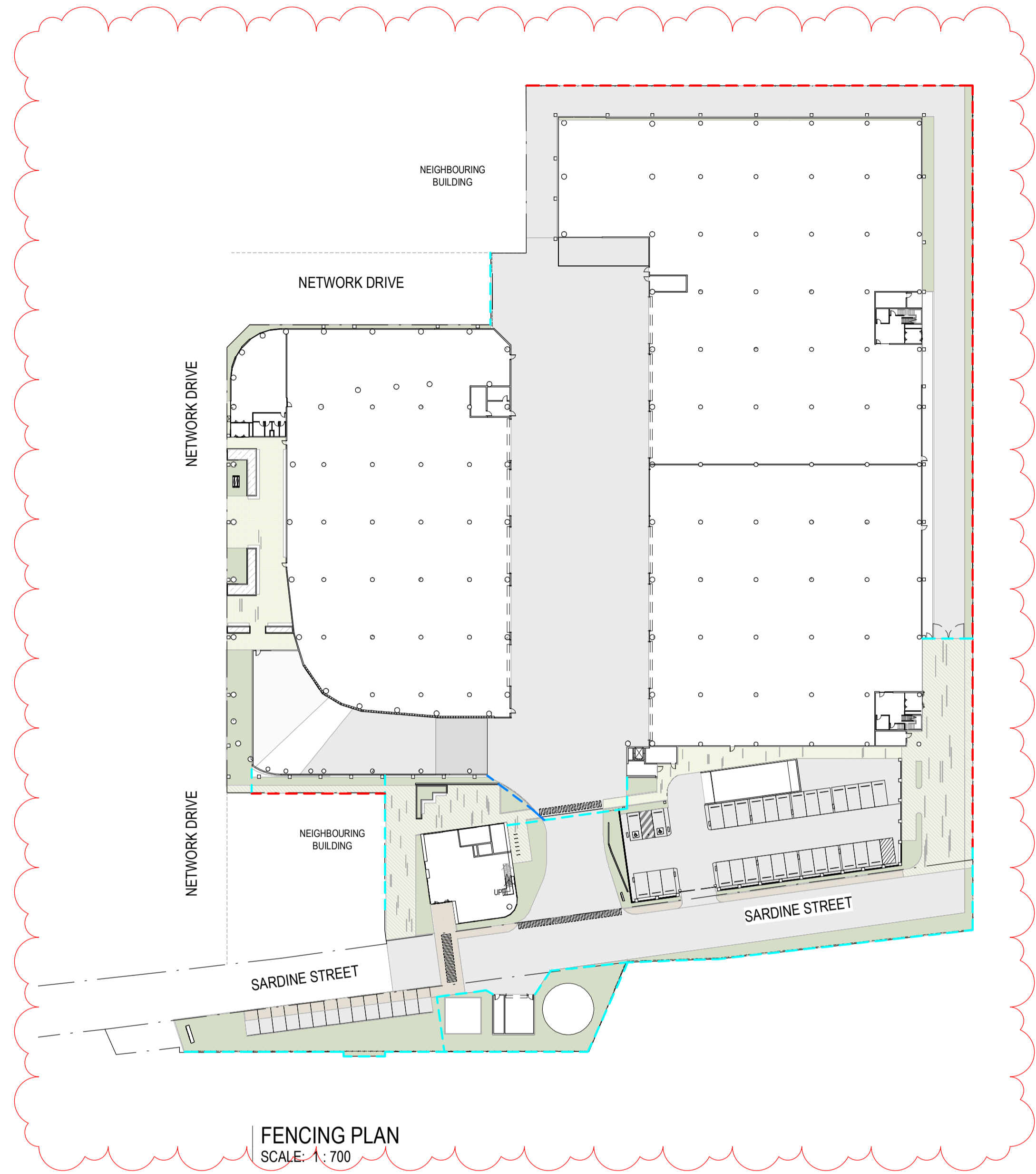


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CAPITAL PARTNERS**

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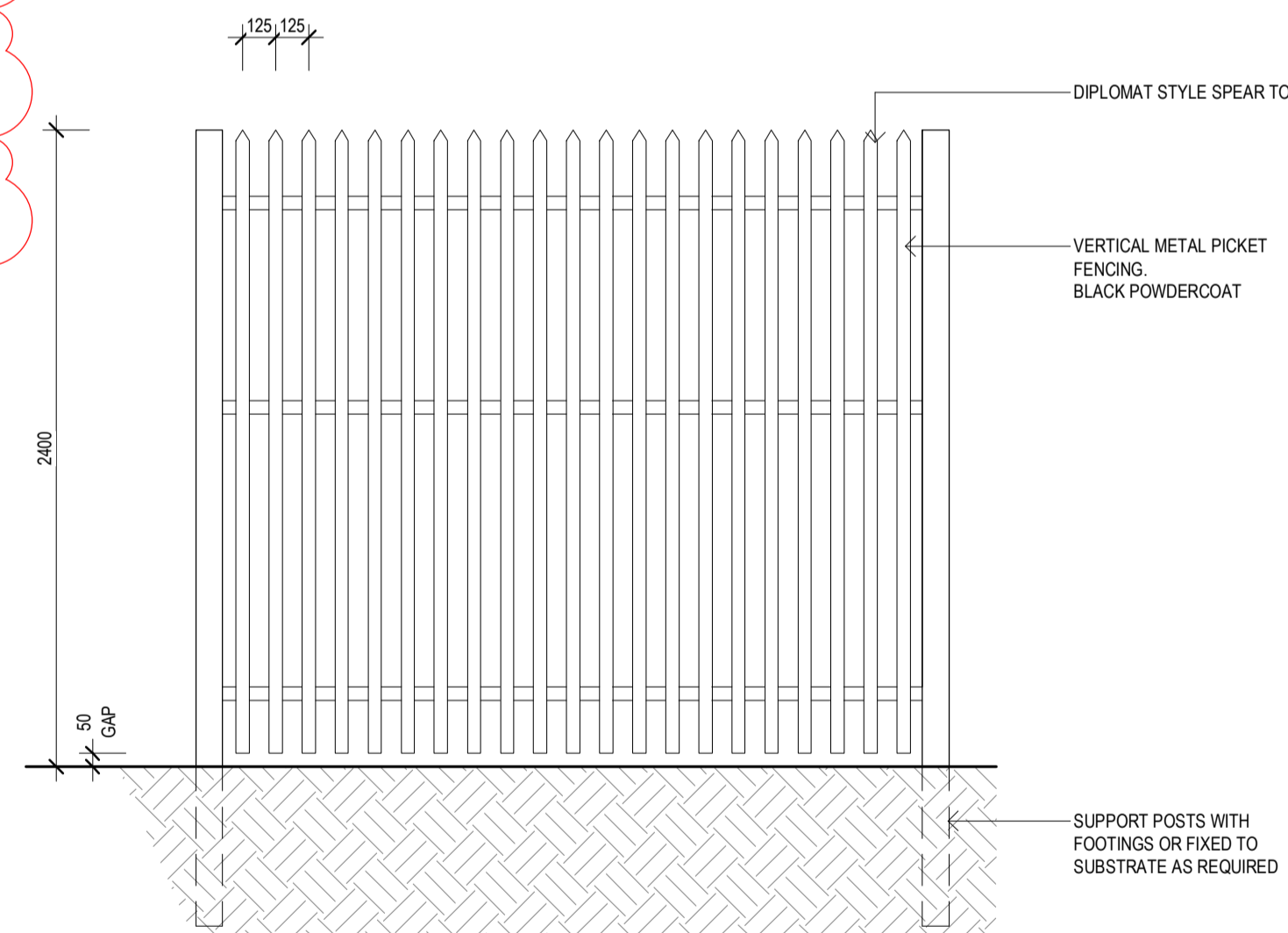
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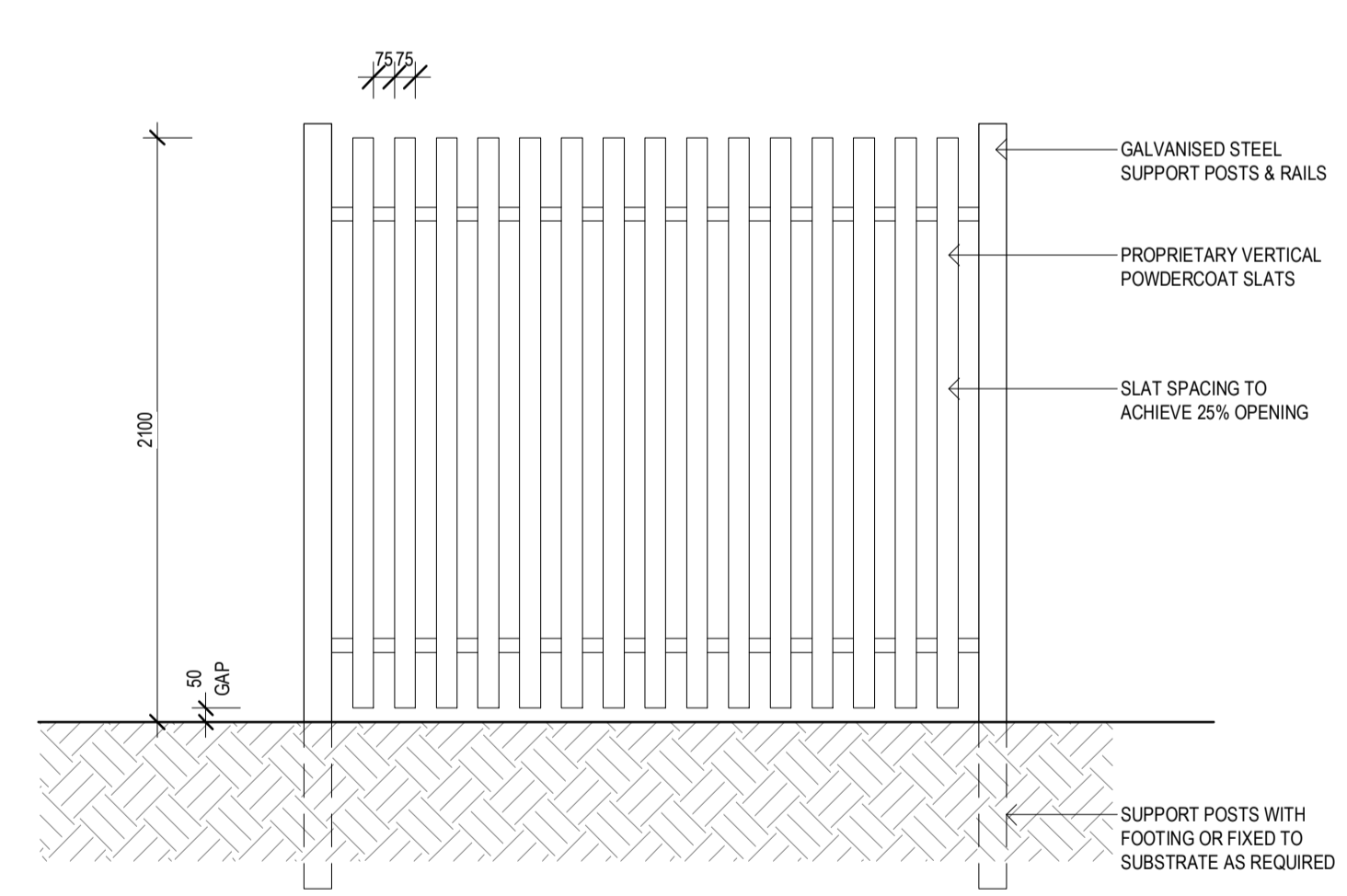
**FN01 - TYPICAL CHAINWIRE FENCING**

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**FN02 - TYPICAL DIPLOMAT FENCING**

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**FN03 - TYPICAL SLAT FENCING**

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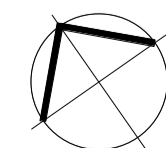
No.	DATE:	REVISION:	BY:	CHK:
P1	2022.05.20	DRAFT DA ISSUE	MW	GP
P2	2022.07.05	ISSUED FOR DA	MW	GP
P3	2022.08.18	ISSUED FOR DA	MW	GP
P4	2023.03.22	ISSUED FOR DA	MW	GP

All areas indicated are indicative for design and planning purposes only and should not be used for any contractual reasons without verification by a licensed surveyor or further design development being completed.

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PROJECT:  
**10-28 & 21-51 SARDINE STREET  
PORT MELBOURNE, VIC**

TITLE:  
**FENCING DETAILS**



CLIENT:  
**Hale**  
CAPITAL PARTNERS

DATE: 2022.04.14  
DRAWN BY: Author  
SCALE: As indicated  
SCALE:

JOB NO:	22014
DRAWING NO:	DA25
REVISION:	P4

**watson young**

## DELEGATE REPORT

### MINISTERIAL PLANNING REFERRAL

<b>Application no:</b>	TPM-2022-16
<b>Department of Transport and Planning no:</b>	PA2201815
<b>Applicant:</b>	Hale Capital Development Management Pty Ltd C/- Urbis Pty Ltd
<b>Owner:</b>	ITG Australia TS Mid as trustee for HCLF Port Melbourne No 1 Trust
<b>Architect:</b>	Watson Young Architects
<b>Address:</b>	10-28 and 21-51 Sardine Street, Port Melbourne
<b>Proposal:</b>	Buildings and works to construct a building, construct and carry out works in the Design and Development Overlay Schedule 74, reduction of car parking requirements.
<b>Cost of works:</b>	\$99,000,000
<b>Date received:</b>	21 September 2022 2 May 2023 (Amended)
<b>Responsible officer:</b>	Xavier Livy, Principal Urban Planner

## 1 SUBJECT SITE AND SURROUNDS

### 1.1 Subject site

The subject site (the Site) is located at 10-28 and 21-51 Sardine Street, Port Melbourne, with a total area of 23,102 m<sup>2</sup>. 21-51 Sardine Street is the primary site located on the eastern side of the street and 10-28 Sardine Street is a small vacant parcel of land on the western side of Sardine Street. The Site is currently used as a storage yard, however, it has previously been used as a logistics centre.

The Site is located in an industrial area consisting primarily of low-lying traditional warehouses with large hard surface areas used for car parking and outdoor storage.

The Site is located approximately 5 kilometres west of Melbourne's CBD, situated in an area located closely to the surrounding and proposed commercial and residential precincts associated with the Fishermans Bend Framework. The Site has access to the Westgate Freeway connecting the site to wider Melbourne.

The *Fishermans Bend Framework 2018* and Municipal Strategy identifies the Site within the Fishermans Bend Employment Precinct, which is designated as a National Employment and Innovation Cluster (NEIC) in *Plan Melbourne 2017-2050*.



**Figure 1: Aerial photograph of subject site - 10-28 and 21-51 Sardine Street, Port Melbourne**

## 1.2 Surrounds

The Site is bound by Sardine Street, Network Drive, Nomad Street and the Aerostructures Australia site to the south. The Westgate Bridge wraps around the Site at the southern and western interfaces. The immediate interfaces of the Site are described below.

To the north of the Site is Network Drive. The northern side of Network Drive is occupied by single storey brick building with a number of smaller tenancies that include warehouse and manufacturing uses. Towards the north-east are the Lorimer Street-facing commercial and industrial buildings operating with varying services, but primarily office and warehouse uses. Beyond Lorimer Street is the Yarra River with parking, bike tracks and landscaped areas between.

The Site is bordered by 224-260 Lorimer Street, Port Melbourne at the north-eastern and south-eastern boundaries. The site is used by Boeing Aerostructures Australia. There are multiple warehouses of one or two storeys that are primarily used as storage and manufacturing space.

To the south of the Site is a large car parking area associated with Aerospace Australia. The car parking is accessed via Wharf Road and Nomad Street. Beyond the Westgate Bridge and the parklands, is the Port of Melbourne and associated transportation companies.

To the south-east of the subject site is Westgate Park which continues under the West Gate Freeway to the west of the subject site. Westgate Park is a large area of open space with Saltwater Lake along its eastern boundary separating the Site from Todd Road.

To the west of the Site is 2-8 Sardine Street, located directly beneath the Westgate Bridge and behind 10-28 Sardine Street. The site is crown land within the Public Park and Recreation Zone (PPRZ) and Transport 2 Zone. The site is used for Westgate Maintenance office and parking.



Figure 2: View of Site from Westgate Bridge

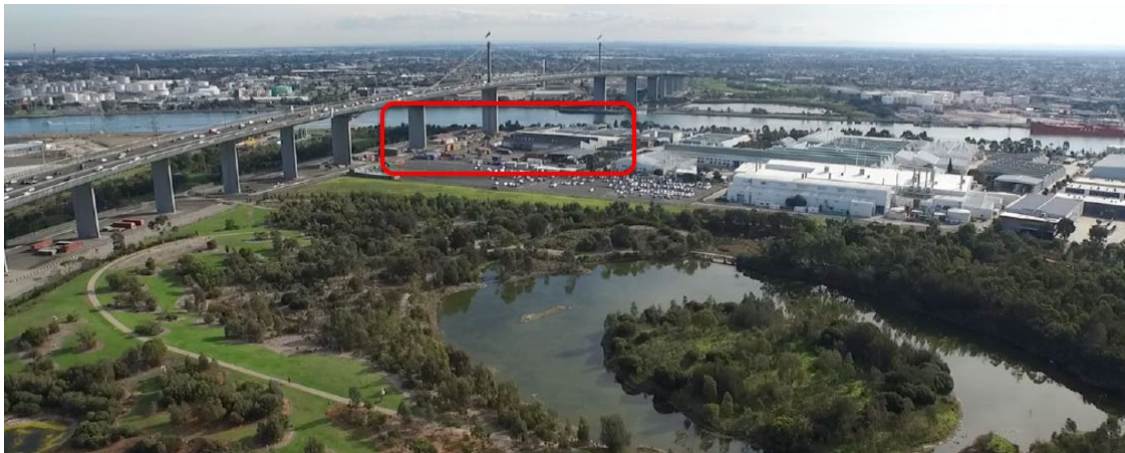


Figure 3: View of Site across Westgate Park

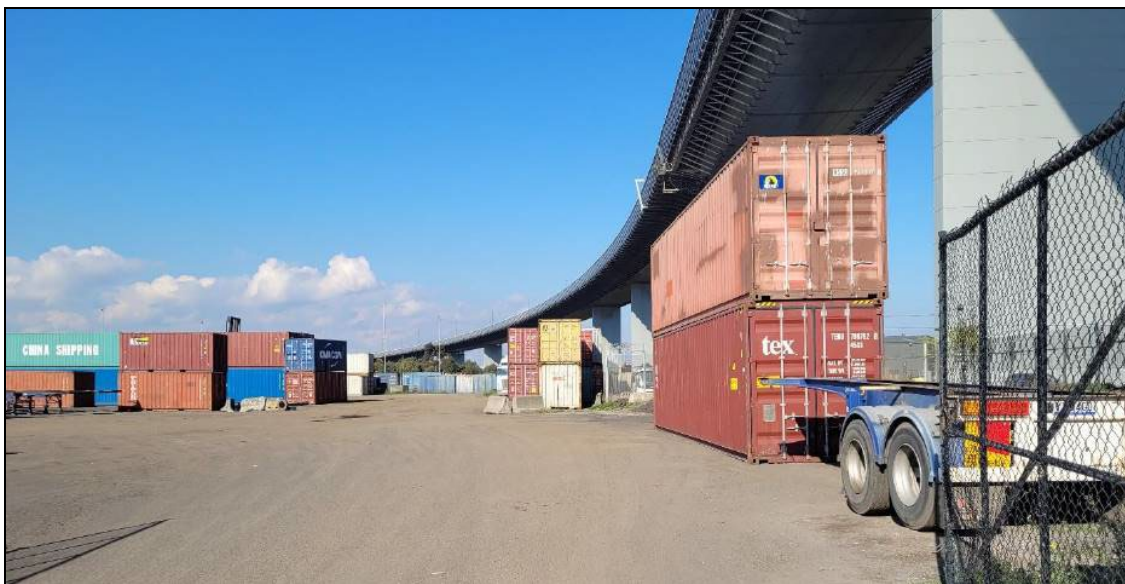


Figure 4: Entrance to Site from Sardine Street





Figure 5: View from the south along Lorimer Street



Figure 6: View from the north along Lorimer Street



Figure 7: Locality map of subject site and surrounds

## 2 BACKGROUND AND HISTORY

### 2.1 Strategic Context

Fishermans Bend is a declared project of State significance under the *Planning and Environment Act 1987* and the Fishermans Bend Employment Precinct is identified as a National Employment and Innovation Cluster (NEIC) in the Metropolitan Strategy, *Plan Melbourne 2017-2050*.

In 2018, Amendment GC81 to the Melbourne and Port Phillip Planning Schemes gave effect to the *Fishermans Bend Framework 2018*. The 230-hectare Employment Precinct is a key precinct within Fishermans Bend. The vision for the Employment Precinct is for it to be internationally renowned as a centre of innovation in advanced manufacturing, engineering and design.

By transitioning to high end, knowledge intensive activities, and with intelligent strategic interventions, it is envisaged that by 2050, the Employment Precinct will be home to at least 40,000 jobs and approximately 20,000 engineering and design students.

The Site is located on the edge of the NEIC within the 'western' precinct and is adjacent to the Westgate Bridge.



Figure 8: Site located within the 'western' sub-precinct of the Employment Precinct

### 2.2 Planning application history

There are no relevant historical planning permits on the Site, however, the following permits from surrounding sites are of relevance:

CoM Reference	Location	Description	Decision
TP-2019-675	27-39 Wharf Road, Port Melbourne	Buildings and works for the construction of two, three storey buildings to be used as warehouses with associated office and showroom uses.	Permit issued 16/03/2020
TP-2021-63	220 Lorimer Street,	Construction of buildings	Permit issued

	Port Melbourne	and works to extend an existing warehouse facility (freezing and cool food storage) with ancillary office and construction / use of car parking spaces.	18/05/2021
TP-2015-319/C	580-600 Lorimer Street, Port Melbourne	Amendment to planning permit issued for building and works for the construction of a warehouse development with ancillary office and reduction of the car parking requirements and to create and alter.	Permit issued 8/12/2020
TP-2018-485	157-171 Salmon Street, Port Melbourne	Construction of a multi storey building for use as Motor Vehicle Sales Retail premises and Office, and dispensation from the car parking requirements (9 Storeys)	Permit issued 1/04/2019

### 2.3 Pre-application meetings

Pre-application discussions were facilitated by the Department of Transport and Planning (DTP) on 25 May 2022, attended by the permit applicant and council officers.

Initial concerns were raised in relation to how the proposed development could achieve a high quality urban design outcome which more closely aligned with the expectations for the Fishermans Bend Employment Precinct.

## 3 PROPOSAL

### 3.1 Documents considered in assessment

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

Documents considered in assessment		
Document	Author	Date
Architectural Plans	Watson Young	March 2023
Landscape Design Report	Urbis	March 2023
Town Planning Report	Urbis	April 2023
Economic Benefit Statement	Urbis	April 2023
Traffic Impact Assessment Report	Impact	April 2023
Environmental Wind Assessment	MEL Consultants	April 2023

Waste Management Plan	Sustainable Development Consultants	April 2023
Environmentally Sustainable Design Statements	Sustainable Development Consultants	April 2023

### 3.2 Proposal details

The planning permit application seeks permission to construct a three-storey building with ancillary office space. The Application does not include details on any specific end users and the tenancies are speculative. The Application does however indicate that the development is intended to be used for the purpose of 'Industry'.

Key features of the proposal are summarised below:

- 11 tenancies of varying floor spaces from 2,000-4,000 square metres with ancillary office.
- The built form has adaptable floor plates to accommodate a variety of uses.
- Gross Floor Area of 32,456 square metres.
- Maximum building height of 28 metres.
- Access to the site is via Sardine Street with separate entry points for trucks and cars.
- Three primary communal outdoor areas, two at ground floor and one at the third floor (roof level). In addition, there are shared outdoor balcony areas along the south-eastern interface at Level 1 and 2.
- Internal loading bay areas have been provided in the site to support larger vehicles.
- Proposal includes 227 car parking spaces and 36 bicycle spaces across the site. Majority of car parking is provided in the multistorey car park.
- External materials and finishes of the development include Colorbond cladding, white cladded framed elements, glazed windows, perforated screen panels as well as recycled timbers and reclaimed brick.

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

<b>Maximum Height</b>	28 metres
<b>Setbacks</b>	Building set back 9.8 metres from east Building set back 27.6 metres south from Westgate Bridge reserve Building setback zero to 3 metres from west. Building setback zero to 6 metres from north.
<b>Gross Floor Area (GFA)</b>	32,456 square metres
<b>Industrial Floor Space</b>	27,663 square metres
<b>Ancillary Office Space</b>	4,435 square metres
<b>Offices gross floor area</b>	3,465 square metres

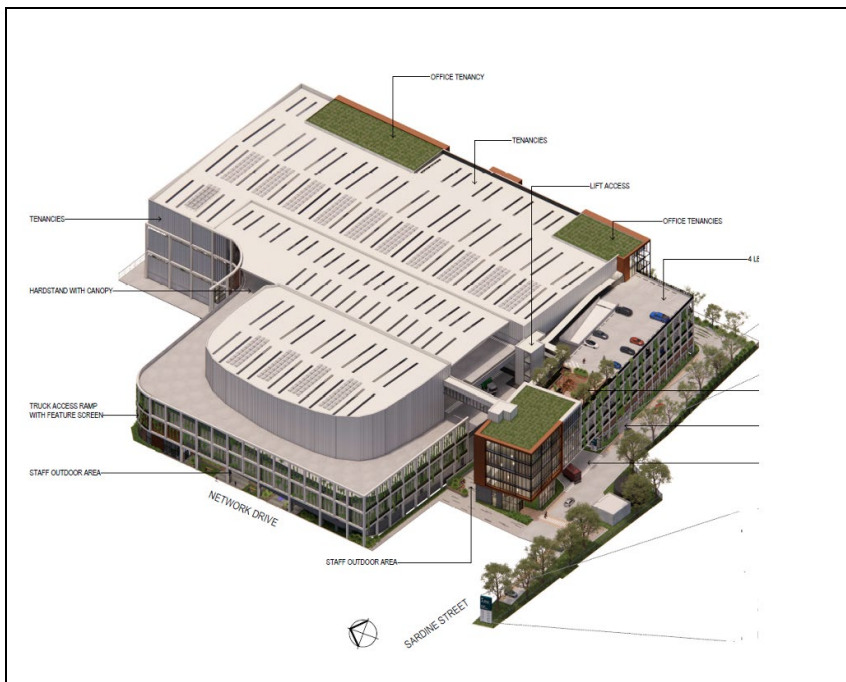
<b>Landscaping</b>	3,234 square metres
<b>Access</b>	Via Sardine Street
<b>Car Parking Spaces</b>	227 spaces
<b>Bicycle Parking Spaces</b>	36 spaces



**Figure 9: 3D render of the development viewed from Sardine Street**



**Figure 10: 3D render of the proposed development from north-west**



**Figure 11: 3D axonometric image**

### 3.3 Amendment during application

The application was formally amended under Section 50A of the *Planning and Environment Act 1987*. The amended application was referred to Council by DTP on 2 May 2023. The amendments included overall improvements to the design, increased landscaping opportunities and further details to demonstrate how the proposal can respond to the strategic vision for the Fishermans Bend Employment Precinct.



Figure 12: Comparison of amended scheme (top) and original scheme (bottom)

## 4 STATUTORY CONTROLS

The following planning controls and requirements of the Melbourne Planning Scheme apply to the subject site and proposed development.

Controls	
<p>Clause 34.02 Commercial 2 Zone</p>	<p><u>Use – No Permit Required</u></p> <p>Pursuant to Clause 34.02-1, the use of ‘Industry’ is listed as a ‘Section 1 –Permit Not Required’ land use, provided the following conditions are met:</p> <p><i>Must not be a purpose listed in the table to Clause 53.10 with no threshold specified.</i></p> <p><i>The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an</i></p>

*education centre or a corrective institution:*

- *The threshold distance, for a purpose listed in the table to Clause 53.10.*
- *30 metres, for a purpose not listed in the table to Clause 53.10.*

*Must not:*

- *Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012.*
- *Require a notification under the Occupational Health and Safety Regulations 2017.*
- *Require a licence under the Dangerous Goods (Explosives) Regulations 2011.*
- *Require a licence under the Dangerous Goods (HCDG) Regulations 2016.*

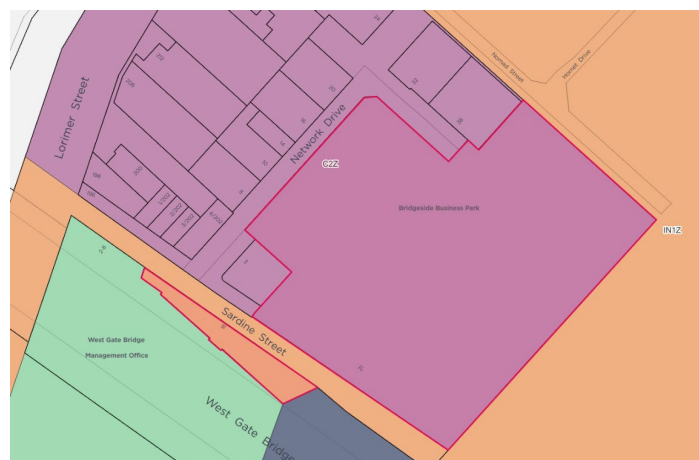
The proposal meets the threshold distances and the applicant has advised the industry use will comply with the other conditional requirements. Accordingly **no permit is required** for the use of industry. In addition, subject to meeting the same criteria the use of 'Warehouse' is also a 'Section 1 – Permit Not Required' use.

It is noted that the office areas associated with the development are considered ancillary to the primary use. Notwithstanding 'Office' is a 'Section 1 – Permit Not Required' use.

#### Development – Permit Required

Pursuant to Clause 34.02-4, a **permit is required** to construct a building or construct or carry out works.

The land at 10-28 Sardine Street, Port Melbourne forms part of the 'planning unit' and is subject to the Industrial 1 Zone. Therefore pursuant to Clause 33.01-4 a permit is also required under this zone to construct and carry out works.



**Table Figure 1: 10-28 Sardine Street located in IN1Z (orange) and 21-51 Sardine Street located in C22 (purple).**

<p>Clause 42.01 Environmental Significance Overlay Schedule 1 – Port of Melbourne Environs (ESO1)</p>	<p><u>Use – Not applicable</u></p> <p>There are no permit requirements for land use in Clause 42.02.</p> <p>Accordingly, <b>a permit is not required</b> for the proposed land use under this overlay.</p> <p><u>Development – Permit Not Required</u></p> <p>Pursuant to Clause 42.02, a permit is required to construct a building or construct or carry out works unless a schedule to this overlay specifically states that a permit is not required.</p> <p>The proposed 'Industry' development meets the exemption criteria listed under Schedule 1.</p> <p>Accordingly <b>a permit is not required</b> for the buildings and works associated with the proposal under this overlay.</p>
<p>Clause 43.02 Design and Development Overlay Schedule 74 Fishermans Bend Employment Precinct</p>	<p><u>Use – Not applicable</u></p> <p>There are no permit requirements for land use in Clause 43.02.</p> <p>Accordingly, <b>a permit is not required</b> for the proposed land use under this overlay.</p> <p><u>Development – Permit Required</u></p> <p>Pursuant to Clause 43.02, a permit is required to construct a building or construct or carry out works unless a schedule to this overlay specifically states that a permit is not required.</p> <p>The proposal does not satisfy all of the exemption criteria listed under Schedule 1.</p> <p>Accordingly, <b>a permit is required</b> for the buildings and works associated with the proposal under this overlay.</p>

Particular Provisions	
<p>Clause 52.06 - Car Parking</p>	<p><u>Parking – Permit Required</u></p> <p>Clause 52.06 applies to a new use.</p> <p>Pursuant to Clause 52.06-2, a permit is required to 'reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5'.</p> <p>Table 1 to Clause 52.06-5 provides the following rate at which car spaces must be provided for use of land for 'Industry'. Column A applies as the land is not within the Principal Public Transport Network (PPTN) Area.</p> <p>Statutory car parking rate = 2.9 × each 100 m<sup>2</sup> of net floor area.</p> <p>The net floor area of the proposed with the industry use is 32,273 m<sup>2</sup>, resulting in a statutory car parking rate of 935 car spaces.</p> <p>The proposal provision of 227 car spaces is below the</p>



	statutory requirements above. Accordingly, <b>a permit is required</b> for a reduction in car parking requirements.
Clause 52.34 - Bicycle Facilities	<p><u>Bicycle Facilities – No Permit Required</u></p> <p>Pursuant to Clause 52.34-1, a new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land.</p> <p>In relation to the proposed development, Clause 52.34 requires the following number of bicycle parking spaces:</p> <ul style="list-style-type: none"> <li>• Industry – 1 to each 1000 m<sup>2</sup> of net floor area for employees.</li> </ul> <p>The proposal has a statutory requirement of 32 bicycle spaces. The proposal includes total of 36 spaces which exceeds the statutory requirement.</p> <p>The proposal also carries a requirement to provide a total of 4 showers / change room facilities. The proposal includes a total of 11 separate end of trip facilities in the ancillary office spaces.</p> <p>As the minimum requirements of this clause have been exceeded, <b>a permit is not required</b>.</p>

<b>General and Operational Provisions</b>	
Clause 65 - Decision Guidelines	Clause 65.01 (Approval of an application or plan) outlines the matters which must be considered by the Responsible Authority prior to deciding on an application or approval of a plan.
Clause 72.01 - Responsible Authority for this Planning Scheme	<p>The Minister for Planning is the Responsible Authority for this application as the gross floor area (GFA) of the development exceeds 25,000 m<sup>2</sup>.</p> <p>The Minister for Planning has referred the application to the City of Melbourne as an interested party seeking Council's recommendation on the application, including recommended permit conditions.</p>
Clause 73.03 Land use Terms	<p>Clause 73.03 defines 'Industry' as follows:</p> <p><i>Land used for any of the following operations:</i></p> <ul style="list-style-type: none"> <li><i>a) any process of manufacture;</i></li> <li><i>b) dismantling or breaking up of any article;</i></li> <li><i>c) treating waste materials;</i></li> <li><i>d) winning clay, gravel, rock, sand, soil, stone, or other materials;</i></li> <li><i>e) laundering, repairing, servicing or washing any article, machinery, or vehicle, other than on-site work on a building, works, or land; or</i></li> <li><i>f) any process of testing or analysis.</i></li> </ul>

	<p><i>If on the same land as any of these operations, it also includes:</i></p> <ul style="list-style-type: none"> <li><i>a) storing goods used in the operation or resulting from it;</i></li> <li><i>b) providing amenities for people engaged in the operation;</i></li> <li><i>c) selling by wholesale, goods resulting from the operation; and,</i></li> <li><i>d) accounting or administration in connection with the operation.</i></li> </ul> <p><i>If Materials recycling, goods resulting from the operation may be sold by retail.</i></p> <p>Clause 73.03 defines 'Warehouse' as follows:</p> <p><i>Land used to store or display goods. It may include the storage and distribution of goods for wholesale and the storage and distribution of goods for online retail. It does not include premises allowing in-person retail or display of goods for retail, or allowing persons to collect goods that have been purchased online.</i></p>
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## **5 STRATEGIC FRAMEWORK**

### **5.1 Planning Policy Framework (PPF)**

The relevant provisions of the PPF include:

- Clause 02.01 – Context
- Clause 02.03-6 – Economic Development
- Clause 02.04 – Strategic Framework Plans
- Clause 02.04-2 – Local Areas Plan, Fishermans Bend Industrial Area
- Clause 11 – Settlement
- Clause 11.03 – Planning for Places
- Clause 11.03-6L-05 – Fishermans Bend Employment Precinct
- Clause 13 – Environmental Risks and Amenity
- Clause 13.07 – Amenity, Human Health and Safety
- Clause 13.07-1S – Land Use Compatibility
- Clause 13.07-1L-03 – Land Use Compatibility
- Clause 15 – Built Environment and Heritage
- Clause 15.01 – Built Environment
- Clause 15.01-2L-01 – Energy and Resource Efficiency
- Clause 17.02-1S – Business
- Clause 19.03-3S – Integrated water management
- Clause 19.03-3L – Stormwater management (Water sensitive urban design)

## **5.2 Planning Scheme Amendment C434melb**

South East Water has requested that the Minister for Planning apply a Public Acquisition Overlay to the Site to facilitate the Fishermans Bend Water Recycling Facility via a proposed Amendment C434melb to the Melbourne Planning Scheme.

The amendment seeks to impose a Public Acquisition Overlay (PAO11) over the Site to allow South East Water to acquire the land for the purpose of a water recycling facility. The Minister for Planning is yet to make a determination on Amendment C434melb.

## **6 PUBLIC NOTIFICATION**

The application has been referred to the City of Melbourne for comment. Any public notice is the responsibility of the Minister for Planning as the Responsible Authority.

However the following notice and review exemptions are applicable to the Application:

- Pursuant to Clause 33.01-4 and Clause 34.02-6, an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to an application for a building or works within 30 metres of land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.
- Pursuant to Clause 43.02, an application to construct and carry out works in the Design and Development Overlay Schedule 74 is exempt from the notice requirements of Section 52 (1) (a), (b) and (d), the decision requirements of Section 64 (1), (2) and (3) and the review rights of Section 82 (1) of the Act.
- Pursuant to Clause 52.06-4, an application under Clause 52.06-3 is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if:
  - the application is only for a permit under Clause 52.06-3; or
  - the application is also for a permit under another provision of the planning scheme and in respect of all other permissions sought, the application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

## **7 REFERRALS**

### **7.1 City Design**

The application was referred to the City of Melbourne's City Design team with their comments summarised as follows:

- Concern remains regarding the development being used as a potential logistics facility within the Fishermans Bend Innovation Precinct, however, it is noted that these are land-use concerns rather than urban design concerns. We defer to statutory planning assessment for consideration of this land use matter.
- Architectural expression is considered a positive such as the gridded framing detail which helps to add order and legibility to the form while screening (with greenery) the ramps and effectively providing a more manageable scale at the edges.

- The green roofs are an encouraging feature of the development. While these roofs are relatively small - compared to the total roof area, they will have a contribution to reducing the urban heat island and contribute to biodiversity in the area.
- The breakout and communal spaces are supported. In some instances with improved locations and others co-location with other active uses. In all instances, however, the landscape response and treatment of the spaces is vastly improved.

#### Officer comment

A recommended permit condition includes the requirement for a Façade Strategy which will ensure the materials are robust, to a high quality and can be readily maintained.

The concern raised by City Design in relation to the proposed use is discussed later in the report.

### **7.2 Traffic Engineering**

The application was referred to the City of Melbourne's Traffic Engineering team with their comments summarised as follows:

- The proposal generates a statutory requirement for 935 car parking spaces. Suitable justification has been provided to demonstrate the provision of 227 car parking spaces is adequate to accommodate the development and therefore the reduction is supported.
- The use of 26 metre b-doubles and 19 metre semitrailers to access the site require approvals from the National Heavy Vehicle Regulator (NHVR). Therefore separate approvals will be required from the relevant road managers for vehicles of this size accessing the site.
- A Loading Management Plan (LMP) must be prepared, specifying how the access / egress of loading vehicles is to be managed. A Dock Manager should be employed, responsible for controlling the operation of the loading bay and unloading of goods.
- A formal independent desktop Road Safety Audit of the proposed development should be undertaken prior to construction, at the developer's expense, which should include the vehicular / bicycle / pedestrian access arrangements, loading arrangements and internal circulation / layout. The findings of the Audit should be incorporated into the detailed design, at the developer's expense.

#### Officer comment

The matters raised above are capable of being addressed through recommended permit conditions, including conditions requiring the endorsement of a Loading Management Plan and a Road Safety Audit. The matter relating to the relevant separate approvals for the use of 26 m and 19 m vehicles can be managed via a recommended permit note.

### **7.3 City Strategy**

The application was referred to the City of Melbourne's City Strategy team, with their comments summarised as follows:

- The *Fishermans Bend Framework* was released in 2018 as the long-term strategic plan to guide development of the Fishermans Bend Urban Renewal Area to 2050. The Urban Renewal Area includes five precincts, two of which, the National Employment and Innovation Cluster (NEIC) and Lorimer Precinct,

sit within the City of Melbourne municipality. *Advancing Manufacturing – the Fishermans Bend Opportunity* was released in 2021 to provide the vision and key strategic directions for developments within the NEIC.

- The development appears to support a freight and logistics use which does not align with the strategic vision for the Fishermans Bend Employment Precinct. While this is noted the proposal has provided information to show how the development could be adapted over time.

#### Officer comment

While City Strategy and Design have raised concern with the potential use of the site it must be noted that 'Industry' and 'Warehouse' are 'Section 1 – Permit not required' uses. The Application does not provide information on any known end users and the industrial tenancies are speculative. While the Site has been designed to accommodate heavy vehicles it also has been designed with flexibility to accommodate a variety of 'as of right' uses which could include advanced manufacturing. This matter is discussed further in the report under Section 8.

### **7.4 City Infrastructure**

The application was referred to the City of Melbourne's City Infrastructure team, with their comments summarised as follows:

- The concrete crossing at the Lorimer Street and Sardine Street intersection must be upgraded to accommodate the development.
- Standard conditions relating to drainage, access construction, public lighting street works and footpaths need to be included on any decision.

#### Officer comment

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

### **7.5 Waste Services**

The application was referred to the City of Melbourne's Waste Services team, with the amended Waste Management Plan prepared by Sustainable Development Consultants dated 13 April 2023 considered to be acceptable.

#### Officer comment

A recommended permit condition will require the endorsement of the above mentioned Waste Management Plan.

### **7.6 Land Survey**

The application was referred to the City of Melbourne's Land Survey team, with their comments summarised as follows:

- Architectural Plans appear to rely on the creation of an easement outside the title boundary. Reference to this must be deleted as the land is in different ownership and falls outside the subject site.
- Prior to the commencement of the development including demolition, the owner must lodge with the Responsible Authority, a permit and certification application for the removal / variation of easement E-1 & E-2, E-6 E-17 E18 on PS433881X. When certified by the Responsible Authority and a Statement of Compliance has issued, the plan must lodge at Land Victoria for registration as evidence of compliance with this condition.

- Prior to the occupation of the development, all the land for the proposed development must be owned by the one entity and consolidated onto the one certificate of title to the satisfaction of the Responsible Authority.

#### Officer comment

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

### **7.7 Urban Forest and Ecology**

The application was referred to the City of Melbourne's Urban Forest and Ecology team, with their comments summarised as follows:

- There are no public trees adjacent to the proposed development.
- The proposed landscape scheme shows new tree planting but lacks details that demonstrate that soil volumes are maximised to allow for optimal tree growth. There seems scope to introduce structural soils in many areas. Given the sites juxtaposition with Westgate Park connectivity planting is welcomed but could be improved with the introduction of native shrub species.
- *Eucalyptus leucoxylon* is not a future climate suitable species and as such should be changed. The use of ornamental pear is also not considered desirable.

#### Officer comment

The recommendation includes a requirement for an amended Landscape Plan which encourages the use of native vegetation, trees and shrubs that have a greater connection with Westgate Park.

### **7.8 Green Infrastructure and Environmentally Sustainable Design**

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

- The development commits to a level of sustainability that generally meets the objectives of Clause 15.01-2L-01 and Clause 19.03-3L of the Melbourne Planning Scheme.
- The proposal has committed to achieving a minimum 4 Star Green Star Building certified rating amongst other sustainable design initiatives, however, addition information is required.
- Permit conditions are recommended to endorse and implement the ESD statements, and to require the provision of a Green Infrastructure Landscape Package.

#### Officer comment

The recommendation includes conditions for an amended Environmentally Sustainable Design Statement and to ensure these commitments are reflected on any architectural plans. The request for the provision of a Green Infrastructure Landscape Package, inclusive of Green Factor Scorecard and Landscape Maintenance Plan, will be integrated into the recommended landscape plan condition.

## **8 ASSESSMENT**

The key issues for consideration in the assessment of this application include:

- The proposal's response to its strategic context and Fishermans Bend Employment Precinct.
- The appropriateness of the proposal in the Commercial 2 Zone.
- The proposal's response to Schedule 74 of the Design and Development Overlay (DDO).
- Car parking reduction, bicycle facilities and waste services.
- Environmentally Sustainable Design.

## 8.1 Response to Strategic Context and Fishermans Bend Employment Precinct

The proposal seeks to develop the land for the purpose of a three storey building. This Site is located within the Fishermans Bend Employment Precinct and the objective of Clause 11.03-6L-05 (Fishermans Bend Employment Precinct) seeks to support the precinct to become Australia's leading design, engineering and manufacturing precinct. The Site is uniquely positioned on the edge of the Fishermans Bend Employment Precinct within the western sub-precinct. To this end, the key matters for consideration are the appropriateness of the proposed development in response to Clause 11.03-6L-05 and how it responds to the vision for the Precinct.

### 8.1.1 Economic Development

Pursuant to Clause 11.03-6L-05, proposals should support the development of the area as a National Employment and Innovation Cluster (NEIC). While the built form and layout design can accommodate freight and logistic uses the design does not prohibit the ability for advanced manufacturing, engineering and design to establish on the Site.

The development includes flexibility in its floor plate and design to ensure that it can accommodate a variety of uses as the Precinct transitions from traditional industrial uses to those in advanced manufacturing.

The Precinct currently includes a variety of low-scale and large-footprint built form warehouses and therefore the proposed three storey development will offer a more modern design outcome that has appropriately considered the need to be adaptable, flexible and able to accommodate a variety of future uses as the Precinct evolves.

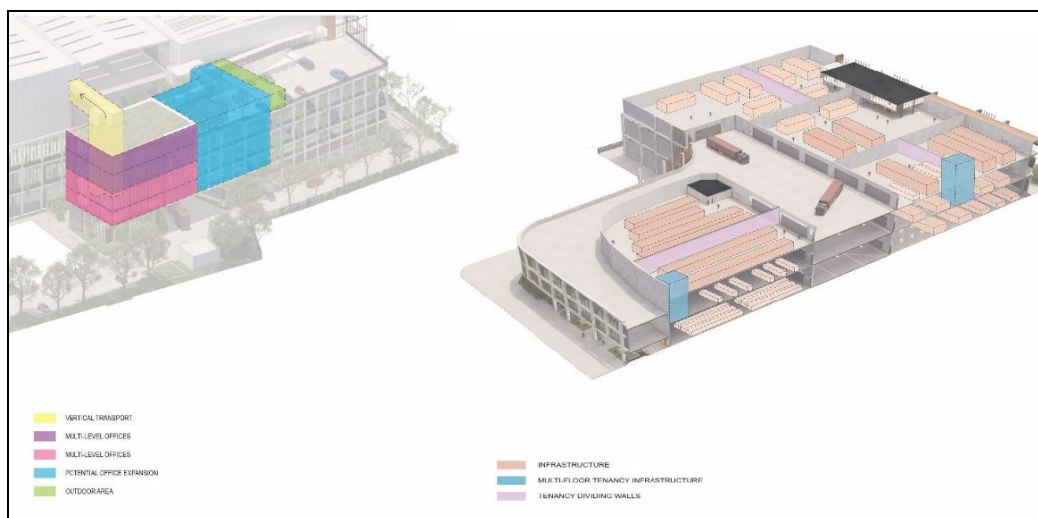


Figure 13: Adaptable internal floorplates

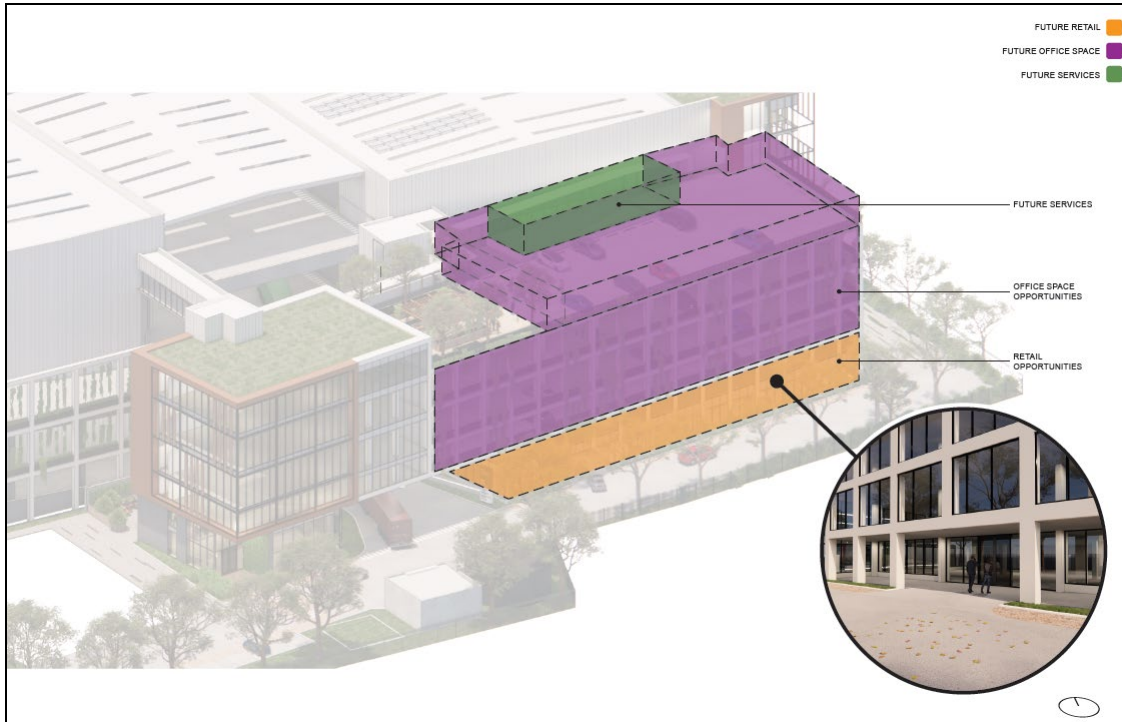


Figure 14: Adaptability of car parking area to an Office and Retail Premises

### 8.1.2 Built Environment

Pursuant to Clause 11.03-6L-05, developments should create high-quality public spaces and areas to encourage sociability, collaboration, activity and innovation to attract businesses to the area.

The proposal includes a variety of communal outdoor areas, spaces and landscaped areas throughout the development which support opportunities for collaboration and activity of future occupants. In addition the development includes 4,435 m<sup>2</sup> of office space.



Figure 15: Internal collaboration spaces





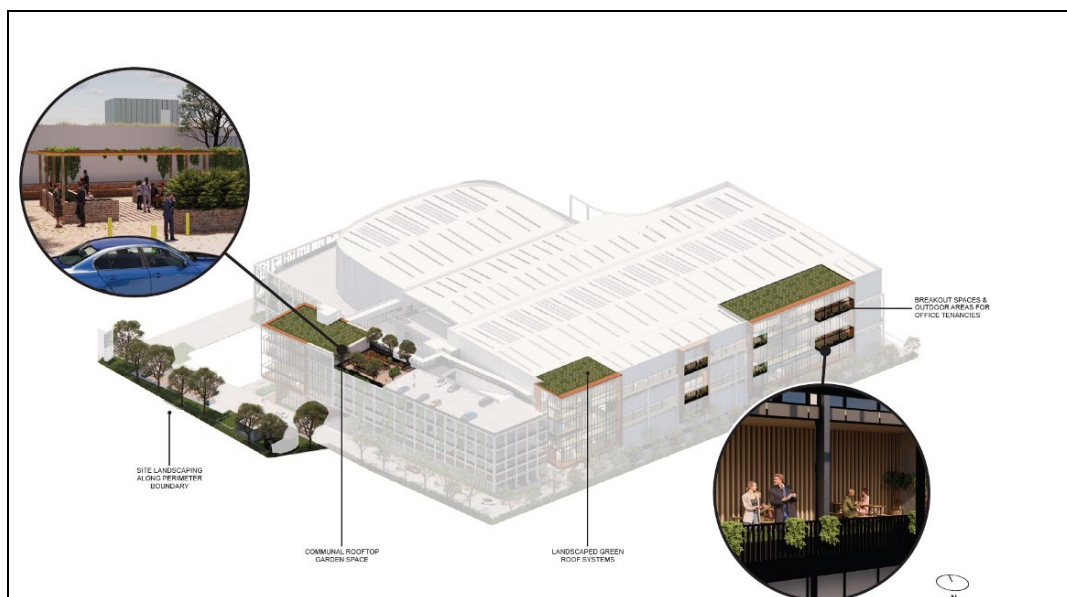
ETWORK DRIVE COLLABORATION SPACE

**Figure 16: External collaboration spaces**

### 8.1.3 Environmental and Landscape Values

Pursuant to Clause 11.03-6L-05, proposals should enhance ecological biodiversity and recreational values of the areas. The proposal appropriately balances the development of the Site while also ensuring there is adequate provision for open spaces, greening, landscaping and canopy tree coverage.

The development includes a total of 50 new canopy trees and large shrubs, vertical greening across all elevations and roof top planting. It is also worth noting the City of Melbourne’s City Design and Urban Ecology teams were encouraged by the landscape opportunities.



**Figure 17: Landscaping and rooftop greening**

## 8.2 Response to Commercial 2 Zone

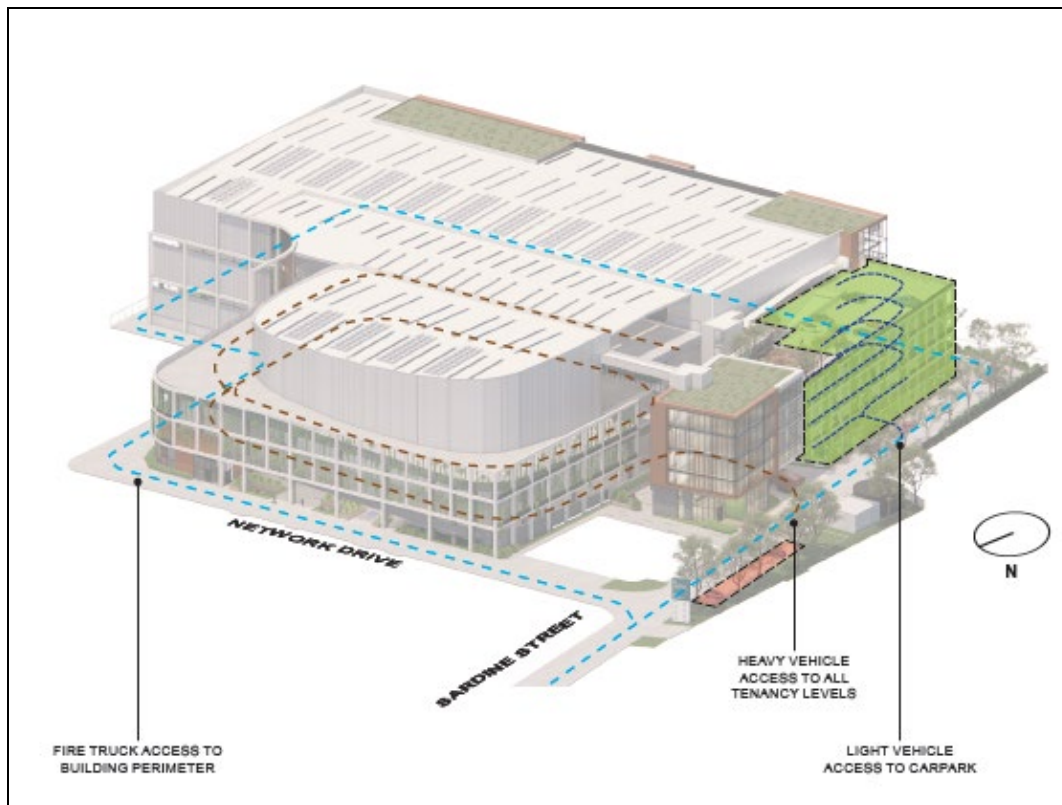
The Site is located within the Commercial 2 Zone, which seeks to '*encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services*'.

It is noted that in this instance the use of 'Industry' is a 'Section 1 – Permit not required' use and a planning permit is only required under the Commercial 2 Zone for the proposed buildings and works. Therefore the decision guidelines primarily consider amenity impacts to the public realm including provision of car parking, traffic generation, waste, streetscape response and landscaping. The proposal is considered to meet the purpose and decision guidelines, noting the following:

- The Site adjoins the Westgate Bridge and is surrounded by existing hard surface areas. Notwithstanding the built form appropriately considers its adjoining interfaces / streetscapes by providing various active frontages through the use of glazing, vertical greening and framing.
- The layout appropriately considers pedestrian, vehicle access and traffic management. Potential conflicts between pedestrians, light vehicles and heavy vehicles have been managed via separate access points and parking areas off Sardine Street.
- Turning movements provided demonstrate all vehicles can enter and exit the Site in a forwards direction. However it is noted, as indicated by the City of Melbourne's Traffic Engineering team separate approval will be required from the National Heavy Vehicle Regulator for the use of any heavy vehicles to and from the Site.
- Waste management has been considered and appropriate provision for waste storage has been provided on site and supported by the City of Melbourne's Waste Services team.
- Built form setbacks from boundaries and the provision of landscaping opportunities are provided on site which assist with softening the built form and reducing hard surface areas.

Therefore the proposed buildings and works associated with the 'Industry' use are acceptable and encouraged by the Commercial 2 Zone.

It is noted that Category 1 signage controls apply to the Commercial 2 Zone, however, the Application has not sought permission for any signage. Any future signage which requires a planning permit will need to be assessed on its merits in accordance with the requirements of Clause 52.05-13 and Clause 15.01-1L-02 (Signs). Accordingly, it is submitted that the signage pylons should be removed from the plans. A recommended conditions seeks to resolve this matter.



**Figure 18: Circulation plan showing separation of heavy vehicles, light vehicles and pedestrian areas**

### **8.3 Response to the Design and Development Overlay Schedule 74**

The proposal is considered acceptable and does not undermine the Design and Development Overlay Schedule 74. The DDO74 provides general policy guidance for land use and development within the Fishermans Bend Employment Light Precinct. The primary requirement is as follows:

*The gross floor area of all existing and proposed buildings and works should not exceed 1.5 times the land area (including any land proposed to be used for roads, streets, laneways or public open space) if all or part of the land is located in the 'Eastern' or 'Western' sub-precincts shown on Map 1.*

The Site has a total area of 23,102 m<sup>2</sup> with a proposed 32,273 m<sup>2</sup> of gross floor area associated with the new building, resulting in a floor area ratio of 1.4:1 which complies with the requirement to not exceed the 1.5:1 threshold for proposals within the 'western' sub-precinct. In addition, the proposal responds to the other considerations associated with the DDO74 as follows:

- While the proposal has an overall height of 28 metres it is not considered to be an intensive development in the context of the site given the proposal's ability to meet the floor area ratio requirement.
- The building will not have any impact on the existing streetscape character and is setback approximately 100 metres from Lorimer Street and sits underneath the height of the Westgate Bridge. The built form incorporates a range of landscaping and design features which assist in softening its presentation when viewed from surrounding areas.
- The new building will be constructed and designed to a high quality and does not seek to replicate traditional and existing warehouse designs commonly found in the immediate area. While the design can support logistic and freight

uses, it appropriately demonstrates how it can be adapted to support advanced manufacturing, engineering and design uses in future.

- The proposal does not adversely affect areas where efforts are being made to improve future extension of public transport services for the Precinct noting the Site sits north of the potential tram and metro route.
- The proposal incorporates meaningful landscaping, communal spaces, office areas and recreation spaces for future occupants to use and collaborate.
- The application includes the submission of a Wind Impact Assessment which concludes that the development would have wind conditions that would satisfy the walking comfort criterion therefore ensuring the spaces surrounding the development are comfortable for future occupants.
- While the Site is uniquely positioned adjacent to the Westgate Bridge it is considered further efforts can be made to improve the proposed fencing and how it interacts with the public realm and adjoining sites. A recommended condition seeks to ensure that all fencing be reduced from 2.4 – 2.1 metres to a height no greater than 2 metres and to be designed in a feature style.

In light of the above and subject to recommended conditions, the proposed development appropriately responds to the objectives, requirements and decision guidelines. It is also worth noting the DDO74 is set to expire on 1 September 2023.

## **8.4 Bicycle facilities, car parking and traffic impacts**

### **8.4.1 Bicycle Facilities**

The proposal provides a total of 36 bicycle parking spaces which is in excess of the statutory requirement and also offers end of trip facilities within the ancillary office spaces. This outcome was supported by Council's Traffic Engineering team.

The design / dimensions of the bicycle parking must comply with the relevant Australian Standards and Bicycle Network guidelines which forms part of the recommendation.

### **8.4.2 Car Parking**

The proposal provides a total of 227 car parking spaces. The proposed reduction of the car parking requirement of Clause 52.06 is acceptable for the following reason:

- The Site is located in an urban renewal area that will likely undergo substantial change and redevelopment with regard to connectivity. These changes will likely include further improvements to public transport which are anticipated in the *Fishermans Bend Framework 2018* and Clause 11.03-6L-06 (Fishermans Bend Employment Precinct).
- The Site has acceptable access to public transport services with a Bus stop directly outside the Site on Lorimer Street.
- The proposed reduction will not unreasonably impact the existing traffic network or car parking availability.
- While the site is not within the PPTN area, if it were it would generate a requirement for 322 car parking spaces.
- The proposal includes the provision of 36 bicycle spaces, 15 motorbike bays and 14 electric vehicle parking spaces which offer alternative modes of travel to the Site.

- The City of Melbourne's Traffic Engineering team did not object to the associated car parking reduction sought by the application.

### **8.4.3 Waste Services**

Referring to Section 7.5 of this report, a Waste Management Plan has been submitted and reviewed by Council's Waste Services team. The proposed waste management arrangement was considered acceptable and the submitted plan suitable for endorsement.

### **8.5 Environmentally Sustainable Development**

The proposal is considered to achieve an appropriate response when assessed against Clause 15.01-2L-01 (Energy and Resource Efficiency) and Clause 19.03-3L (Stormwater Management) of the Melbourne Planning Scheme.

As noted in Section 7.9 of this report further details are required to ensure the commitments stipulated within the Sustainability Management Plan are achievable.

To ensure the commitments are achievable and that there is consistency between the plans and ESD report, an amended report is requested within the recommended permit conditions.

### **8.6 Conclusion**

It is considered that the proposal appropriately responds to the relevant requirements and provisions of the Melbourne Planning Scheme such as Clause 11.03-6L-05 (Fishermans Bend Employment Precinct), Clause 34.02 (Commercial 2 Zone) and Clause 43.02 (Design and Development Overlay Schedule 74).

The proposed development results in an improved outcome for the Site and has demonstrated its ability for future adaptation to support the strategic vision as Australia's leading design, engineering and manufacturing precinct.

## **9 RECOMMENDATION**

That the Future Melbourne Committee resolves to advise the Department of Transport and Planning that the City of Melbourne supports the planning permit application, subject to conditions set out below:

### **Amended Plans**

1. Prior to the commencement of the development, including demolition and bulk excavation, an electronic set of plans drawn to scale, must be submitted to the Responsible Authority in consultation with the Melbourne City Council, generally in accordance with the plans DA01 to DA25 prepared by Watson Young, dated March 2023, but amended to show:
  - a) All fencing to be no greater than 2 metres and to be designed in a transparent feature style.
  - b) Removal of all signage pylons.
  - c) Deletion and removal of reference to 'proposed easement' from the plans.
  - d) A notation that bicycle facilities are to be designed and dimensioned in accordance with the requirements of Clause 52.34 (Bicycle Facilities) of the Melbourne Planning Scheme.
  - e) Any changes as required by the Façade Strategy required by Condition 3 of this permit.

- f) Any changes as a result of the Environmentally Sustainable Design Statement required by Condition 5 of this permit.
- g) Any changes as a result of the Landscape Plans required by Condition 7 of this permit.
- h) Any changes as a result of the Loading Management Plan required by Condition 9 of this permit.
- i) Any changes as a result of the Road Safety Audit required by Condition 10 of this permit.
- j) Annotations to accord with the Wind Assessment required by Condition 12 of this permit.

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

### **Endorsed plans**

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

### **Façade Strategy**

- 3. Concurrent with the endorsement of plans pursuant to Condition 1, a Façade Strategy must be submitted to and be approved by the Responsible Authority in consultation with the Melbourne City Council. All materials, finishes and colours must be in conformity with the approved Façade Strategy to the satisfaction of the Responsible Authority. The Façade Strategy must be generally in accordance with the development plans and must detail:
  - a) A concise description by the architect of the building design concept and how the façade works to achieve this.
  - b) Elevation details generally at a scale of 1:50 illustrating street level elevations including key interfaces, entries, lobbies and doors, utilities, as well as typical building details, key junctures and any special features which are important to the building's presentation.
  - c) Cross sections or another method of demonstrating the façade systems, including fixing details indicating junctions between materials and significant changes in form and / or material.
  - d) Information about how the façade will be accessed and maintained and cleaned, including the planting.
  - e) Example prototypes and / or precedents that demonstrate the intended design outcome as indicated on plans and perspective images, to produce a high quality built outcome in accordance with the design concept and to show how they align with the Advanced Manufacturing vision for the Fishermans Bend Employment Precinct.
  - f) Specification of glazing to ensure high levels of transparency and reflectivity to not exceed 15%.
  - g) A schedule of colours, materials and finishes, including the colour, type and quality of materials showing their application and appearance. Materials and finishes must be of a high quality, contextually appropriate, durable and fit for purpose. This can be demonstrated in coloured elevations or renders from key viewpoints, to show the materials and finishes linking them to a physical sample board with coding.

- h) Further design efforts and modifications to demonstrate how the ground floor can showcase internal activity in line with the Advanced Manufacturing vision.

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

#### **Endorsed plans**

- 4. Except with the written consent of the Responsible Authority, Watson Young must be retained to complete and provide architectural oversight during construction of the detailed design shown in the endorsed plans and endorsed schedule of materials, to the satisfaction of the Responsible Authority.

#### **Environmentally Sustainable Design (ESD) Statement**

- 5. Prior to the commencement of the development including demolition and bulk excavation, an amended Environmentally Sustainable Design Statement (ESD) is to be prepared by a suitably qualified person and must be submitted to and approved by the Responsible Authority in consultation with Melbourne City Council. When approved, the amended ESD will be endorsed and form part of this permit. The amended ESD must be generally in accordance with the ESD prepared by Sustainable Design Consultants dated April 2023, but modified to include or show:
  - a) Daylight modelling to demonstrate Credit 11 Light Quality can be achieved.
  - b) A site plan showing materials that reduce urban heat and demonstrate Credit 19 Heat Resilience can be achieved.
  - c) Provide energy modelling that demonstrates the development can achieve a 10% improvement on minimum standards.
  - d) A Zero Carbon Action Plan.
  - e) Provide a signed 5 year maintenance contract for the proprietary products.
  - f) Indicate tank re-uses, and proprietary devices on town planning drawings.
  - g) Indicate total system size and number of PV panels on town planning drawings.

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

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

#### **Implementation of Environmentally Sustainable Design (ESD)**

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

#### **Landscape Plans and Maintenance**

- 7. Prior to the commencement of the development, including demolition and bulk excavation, an amended Landscape Design Report is to be submitted to the satisfaction of the Responsible Authority. When approved, the amended Landscape Plans and Maintenance Plans will be endorsed and form part of this

permit. The Landscape Plans and Maintenance Plans must be generally in accordance with the Landscape Design Report prepared by Urbis dated March 2023, but modified to include or show:

- a) Detailed planter sections including soil volumes and a diverse schedule of species.
  - b) *Eucalyptus Leucoxylon* and *Pyrus Calleryana* (Ornamental Pear) replaced with alternative and more suitable species.
  - c) Details on how the planting selection has considered its proximity and connection with Westgate Park.
  - d) Further consideration given to soil volume requirements to demonstrate that soil volumes are maximised to allow for optimal tree and shrub growth.
  - e) Details and strategies for how the extensive green roofs will provide ecosystem services (i.e. maximising biodiversity, connectivity, deep soil planting, urban heat island prevention etc).
  - f) Landscape Maintenance Plan:
    - 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 52-week period detailing weed and pest management, succession planting, re-mulching, plant nutrition.
    - iv. Replacement timeframes for poorly performing vegetation.
    - v. Maintenance schedule for green infrastructure structures.
8. Prior to the occupation of the development, landscape works as shown on the endorsed plans must be completed and be maintained to the satisfaction of the Responsible Authority.

### **Loading Management Plan**

9. Prior to the commencement of the development, including demolition and bulk excavation, an amended Loading Management Plan must be submitted to and approved by the Responsible Authority in consultation with the Melbourne City Council. The Loading Management Plan must include but not be limited to the following:
- a) Specify how the access / egress of loading vehicles is to be managed.
  - b) A Dock Manager should be employed, responsible for controlling the operation of the loading bay and unloading of goods.
  - c) The design of the loading areas, including all space dimensions, grades and height clearances, should comply with Clause 65.01 of the Melbourne Planning Scheme and AS2890.1:2018.
  - d) Any other amendments required by Condition 1.

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

### **Road Safety Audit**

10. Prior to the commencement of the development, including demolition and bulk excavation, a formal independent Road Safety Audit must be undertaken and submitted to the Responsible Authority in consultation with the Melbourne City Council. The Road Safety Audit must include an assessment of:
- a) Internal layout and circulation throughout the site.
  - b) Access arrangements.



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

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

### **Waste Management Plan**

- 11. The waste storage and collection arrangements must be in accordance with the Waste Management Plan (WMP) prepared by Sustainable Development Consultants dated 13 April 2023. The submitted WMP must not be altered without prior consent of the City of Melbourne – Waste and Recycling.

### **Wind Assessment**

- 12. Prior to the commencement of the development, including demolition and bulk excavation, the Environmental Wind Assessment prepared by MEL Consulting dated April 2023 must be updated as required by Condition 1 of this permit and submitted to the satisfaction of and be endorsed by the Responsible Authority.

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

### **Reflected Glare**

- 13. External building materials and finishes must not result in hazardous or uncomfortable glare to pedestrians, public transport operators and commuters, motorists, aircraft, or occupants of surrounding buildings and public spaces, to the satisfaction of the Responsible Authority.
- 14. Specular light reflectance must be less than 15 per cent for all external building glazing and cladding materials and finishes when measured at an angle of 90 degrees to the surface of the material (normal incidence), except with the written consent of the Responsible Authority.

### **Construction Management Plan**

- 15. Prior to the commencement of the development, including demolition and bulk excavation, a detailed Construction Management Plan, inclusive of a Tree Protection Plan, must be submitted to and be approved by the Melbourne City Council – Construction Management Group. This Construction Management Plan must be prepared in accordance with the Melbourne City Council - Construction Management Plan Guidelines and is to consider the following:

- a) Public safety, amenity and site security.
- b) Operating hours, noise and vibration controls.
- c) Air and dust management.
- d) Stormwater and sediment control.
- e) Waste and materials reuse.
- f) Traffic management.

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

### **3D Model**

16. 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.

### **Drainage System Upgrade**

17. Prior to the commencement of the development, a stormwater drainage system incorporating integrated water management design principles must be submitted to, and approved, by the Melbourne City Council – City Infrastructure. This system must be constructed prior to the occupation of the development and provision made to connect this system to the City of Melbourne's stormwater drainage system.

### **Construct and Maintain Access**

18. All pedestrian paths and access lanes shown on the endorsed plans must be constructed and maintained to the satisfaction of the Melbourne City Council – City Infrastructure.
19. The parking, loading and unloading areas shown on the endorsed plans must be kept available for that use at all times and the car parking spaces and access ways must not be obstructed or otherwise rendered inaccessible.

### **Street Works Required**

20. The concrete crossing of Lorimer Street-Sardine Street must be upgraded at the cost of the developer, in accordance with plans and specifications first approved by the Melbourne City Council – City Infrastructure.

All altered portions of road (including the provision of footpaths, public lighting, street trees, pavement marking and signage) in Lorimer Street must be reconstructed prior to the occupation of the development, in accordance with plans and specifications first approved by the Melbourne City Council – City Infrastructure.

### **Footpath**

21. The footpath at the crossing of the Lorimer Street-Sardine Street must be reconstructed together with associated works including the renewal of kerb and channel and services as necessary at the cost of the developer, in accordance with plans and specifications first approved by the Melbourne City Council – City Infrastructure.

### **Street Levels not to be Altered**

22. Existing street levels in Lorimer Street must not be altered for the purpose of upgrading the crossings without first obtaining approval from the Melbourne City Council – City Infrastructure.

### **Existing street lighting**

23. Existing public street lighting must not be altered without first obtaining the written approval of the Melbourne City Council – City Infrastructure.

### **Existing street furniture**

24. Existing street furniture must not be removed or relocated without first obtaining the written approval of the Melbourne City Council – City Infrastructure.

### **Consolidation**

25. Prior to the commencement of the development, including demolition, all the land for the proposed development must be owned by the one entity and consolidated onto the one certificate of title to the satisfaction of the Melbourne City Council.

### **Building over Easements**

26. Prior to the commencement of the development excluding demolition, bulk excavation and site preparation works, the owner must provide evidence that they have obtained the necessary permissions from the relevant parties / authorities to construct over easements, or obtain planning permission to remove or vary their location, and provide evidence of this to the satisfaction of Melbourne City Council.

### **Removal / Variation of Easements**

27. Prior to the commencement of the development including demolition, the owner must lodge with the Responsible Authority, a permit and certification application for the removal / variation of easement E-1 & E-2, E-6 E-17 E18 on PS433881X. When certified by the Responsible Authority and a Statement of Compliance has issued, the plan must lodge at Land Victoria for registration as evidence of compliance with this condition to the satisfaction of Melbourne City Council.

### **Public Lighting**

28. Prior to the commencement of the development, excluding preliminary site works, demolition and any clean up works, or as may otherwise be agreed with the Melbourne City Council, a lighting plan must be prepared to the satisfaction of the Melbourne City Council - City Infrastructure. The lighting plan should be generally consistent with Council's Lighting Strategy, and include the provision of public lighting in adjoining roads to the satisfaction of the Melbourne City Council - City Infrastructure. The lighting works must be undertaken prior to the commencement of the occupation of the development, in accordance with plans and specifications first approved by the Melbourne City Council - City Infrastructure.

### **Building appurtenances and structures above roof level**

29. All building plant and equipment are to be concealed to the satisfaction of the Responsible Authority. The construction of any additional plant machinery equipment, including but not limited to air-conditioning equipment, ducts, flues, all exhausts, including car parking and communications equipment, shall be to the satisfaction of the Responsible Authority.
30. No architectural features, plant and equipment or services other than those shown on the endorsed plans are permitted above roof level, unless with the prior written consent of the Responsible Authority.

### **Expiry**

31. This permit will expire if one of the following circumstances applies:
- a) The development is not started within two years of the date of this permit.
  - b) The development is not completed within four years of the date of this permit.

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

## **PERMIT NOTES**

### **Building Approval Required**

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

### **Building Works to Accord with Planning Permit**

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

### **Drainage Point and Method of Discharge**

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

### **Other Approvals May be Required**

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

### **Civil Design**

- All necessary approvals and permits are to be first obtained from the City of Melbourne and the works performed to the satisfaction of the responsible authority – City Infrastructure Branch.

### **Car Parking Restrictions**

- The City of Melbourne (CoM) will not change on-street parking restrictions to accommodate the servicing, delivery and parking needs of this development, as the restrictions are designed to cater for other competing demands and access requirements. However, new parking restrictions may be introduced in the surrounding streets at the discretion of CoM.

### **Future Addressing**

- Future Addressing of Tenancies - the entry points into each of the Tenancies must be clearly highlighted. If future access is relied on via an unnamed lane / pathway the unnamed lane / pathway must be named prior to occupation to provide for appropriate addressing to each of the tenancies.

### **Heavy Vehicle Access**

- Use of any Heavy Vehicles require separate approval including from the National Heavy Vehicle Regulator (NHVR).

### **Clause 53.10 – Uses and Activities with Potential Adverse Impacts**

- Further planning permission may be required if the use associated with the approved buildings and works is listed in Clause 53.10 - Uses and Activities with Potential Adverse Impacts of the Melbourne Planning Scheme.

## **Signs**

- No advertising signs either external or internal to the building must be erected, painted or displayed without the prior written approval of the Responsible Authority, unless otherwise in accordance with Clause 52.05 of the Melbourne Planning Scheme.