

Report to the Future Melbourne (Planning) Committee**Agenda item 6.3****Ministerial Planning Referral: TPM-2022-1
Lot B, 473-505 Docklands Drive, Docklands****12 July 2022****Presenter:** Marjorie Kennedy, Head of Statutory Planning**Purpose and background**

1. The purpose of this report is to advise the Future Melbourne Committee (FMC) of a Ministerial Planning Referral (PA2101470) seeking approval for the construction of a 36 storey residential apartment building on the land located at 473-505 Docklands Drive, Docklands (refer attachment 2 – Locality Plan).
2. The applicant is MAB Corporation, the owner is Development Victoria and the architect is Wood Marsh Pty Ltd. The cost of works for the proposed development is \$160,000,000.
3. The Site is located within the Docklands Zone Schedule 6 (DZ6) and is covered by the Development Plan Overlay Schedule 7 (DPO7), Design and Development Overlay (DDO) Schedules 12 and 54, Parking Overlay Schedule 10 (PO10) and is partially covered by a Heritage Overlay Schedule 915 (HO915).
4. The site is located within the NewQuay West Development Plan (Development Plan) area. The amended Development Plan was supported by the FMC on 21 November 2017 and later endorsed by the Minister for Planning on 12 October 2018. It provides an overarching set of concepts, plans and principals that future development and public realm works must be compliant with. The Site is identified as Lot B within the Development Plan and is to have a tower height of no greater than 120m.
5. The proposed seeks an overall building height of 118.3m with a Gross Floor Area of 44,393 m² to accommodate a total of 234 dwellings.
6. The Department of Environment, Land, Water and Planning (DELWP), 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 proposal responds to the approved Development Plan, built form and compliance with Clause 58 Better Apartment Design Standards (BADS).
8. The development will achieve a well resolved response to its strategic and physical context. The building will sit comfortably in its emerging context and is an appropriate response to the approved Development Plan. The proposal provides activated frontages particularly to the future central linear park and the waterfront promenade. The design of the podium avoids blank walls and also ensures pedestrian access points are visible from the public realm. The design incorporates a varied materials palette with quality finishes including handmade brickwork, fluted concrete, honed natural concrete and fluted glass at the podium level together with honed natural concrete, metal balustrades and bronze tinted glazing to the tower, all of which contribute to the high quality contemporary design of the proposal.
9. The development will assist in the facilitation of public realm outcomes that are also considered to be in accordance with the vision of the Development Plan. The areas surrounding the Site provides future opportunities for social spaces and public activity. Provision of large planter beds to front yards and stepped entries to dwellings to the north and south, street trees in the road reserves, and various infrastructure to the waterfront to the south including outdoor seating, lighting and landscaping all assist in creating a positive future public realm.
10. The proposal has been designed to meet the requirements of the BADS including functional apartment layouts, room depths, window locations, storage, natural ventilation, private open space, accessibility and circulation. This ensures that future occupants will be afforded with a high level of internal amenity.
11. The proposal, subject to conditions, achieves a high level of compliance to the Melbourne Planning Scheme and in particular Clause 22.18 – Urban Design within the Docklands Zone.

Recommendation from management

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

Attachments:

1. Supporting Attachment (Page 3 of 108)
2. Locality Plan (Page 4 of 108)
3. Selected Plans (Page 5 of 108)
4. Delegate Report (Page 70 of 108)

Supporting Attachment

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*. Melbourne City Council therefore has no formal status under the *Planning and Environment Act 1987* in relation to the application.

Finance

2. The proposed development will result in future public realm such as the Linear Park to be vested to Council. All vesting of future assets must be to Council requirements and designed in accordance the approved Development Plan and the Docklands Design and Construction Standards.

Conflict of interest

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

Health and Safety

4. Relevant planning considerations such as traffic, waste management, potential amenity impacts and noise attenuation matters that could impact on health and safety have been considered 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 DELWP 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).

Environmental sustainability

7. The Environmentally Sustainable Design report submitted with the application confirms the development will achieve the relevant performance measures set out in Clauses 22.19 (Energy, Water and Waste Efficiency) and 22.23 (Stormwater Management) of the Melbourne Planning Scheme.
8. The recommendation includes permit conditions requiring implementation of the ESD initiatives.

Locality Plan

Lot B – 473-505 Docklands Drive, Docklands

Attachment 2
Agenda item 6.3
Future Melbourne Committee
12 July 2022



1.5 Proposed Concept Design

LEGENDS

ANNOTATIONS

- SCOPE LINE
- PROPOSED PARCEL BOUNDARY

SURFACE

- BLUESTONE PAVING
CoM STANDARD DETAIL 201.01
(995mm x 495mm)
- BLUESTONE PAVING - VEHICLE GRADE
CoM STANDARD DETAIL 201.02
(495mm x 495mm)
- RECESSED MORTAR BLUESTONE
PITCHERS PAVERS (350mm x 240mm)
SUBJECT TO CIVIL COORDINATION
- ASPHALT FOOTPATH PAVING
CoM STANDARD DETAIL 201.03
- ASPHALT ROAD
CoM STANDARD DETAIL 201.08
- GRAVEL PAVING
CoM STANDARD DETAIL 201.04
- EXPOSED CONCRETE TYPE 1
- EXPOSED CONCRETE TYPE 2
- BLUESTONE KERB
CoM STANDARD DETAIL 301.01
- FLUSH KERB IN SHARED ZONE
- CONCRETE STAIRS

FIXTURES AND FURNITURE

- PROMENADE SEAT - TIMBER &
PRECAST CONCRETE
- REMOVABLE FIN BOLLARDS
- BIKE HOOPS
CoM STANDARD DETAIL
- CUSTOM TIMBER SEATING
- PROMENADE FURNITURE & LIGHTING
(TO CoM STANDARD SPECIFICATION
& SPACING/DISTRIBUTION)
- HAZARD INDIVATORS

SOFTSCAPE

- LAWN
- GARDEN BED - AMENITY PLANTING
WITH ORGANIC MULCH

TREES

- EXISTING TREES TO BE RETAINED
- EXISTING TREES TO BE REMOVED
- PROPOSED TREES



Street trees
planted in Granitic
gravel

Raised timber
seating with
integrated tree
planting

Raised Garden
beds - Amenity
Planting Type 1

Rear courtyards - Buffer
Planting Type 1

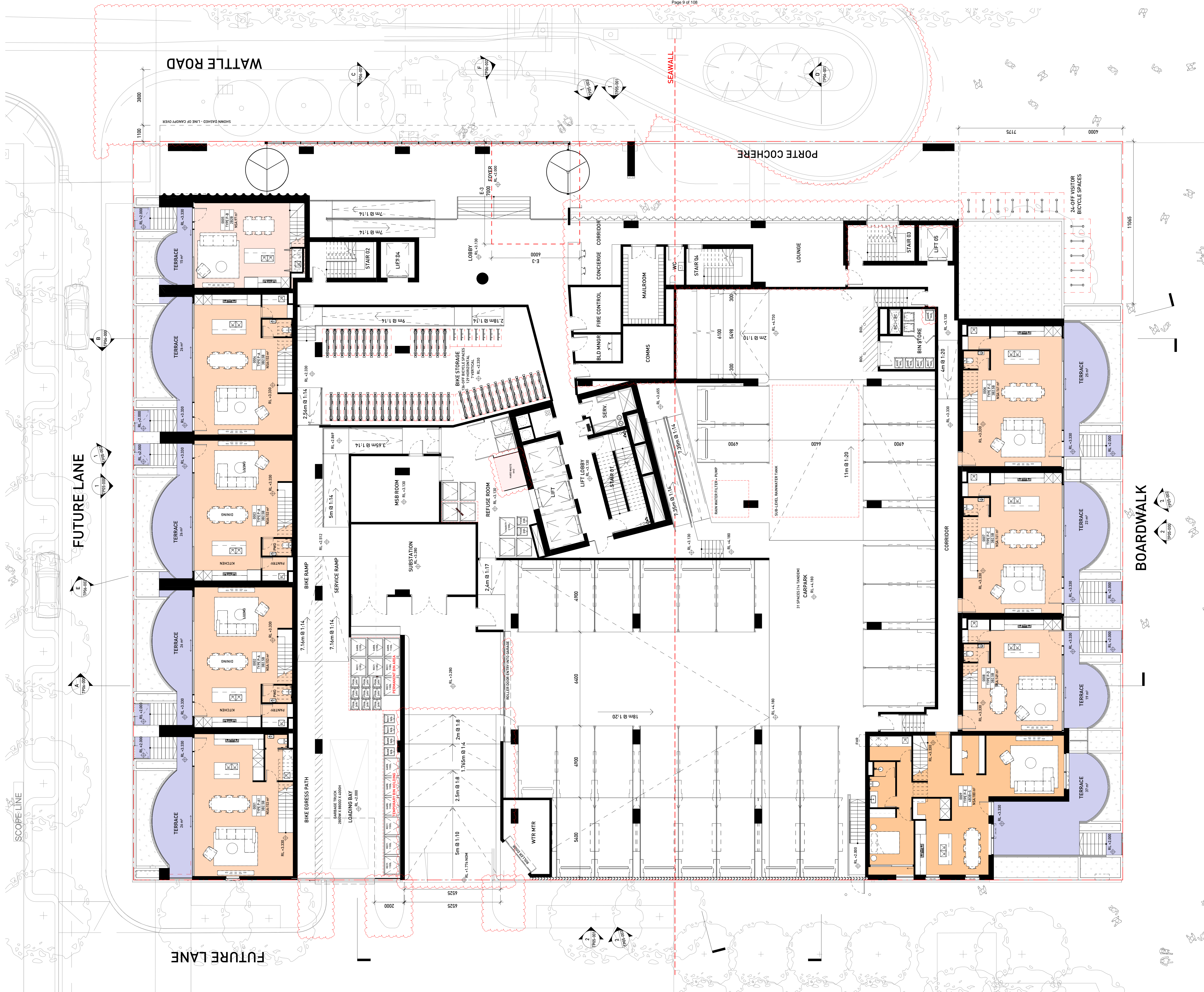
Promenade Amenities
Zone (as per
Development Plan

Bluestone upstand
edging

Refer TCL package for
design

Landscape Concept Plan
1:500@A3

GENERAL NOTES – GENERAL ARRANGEMENT
REFER TO ACUSTIC'S LOGIC ACUSTIC ASSESSMENT REV 2,
DATED 27.01.2022



TOWN PLANNING

08/04/2022	3	ISSUE FOLLOWING PLANNING COMMENTS	WM
15/09/2021	2	ISSUE FOR PLANNING SUBMISSION	JG
17/08/2021	1	ISSUE FOR PLANNING DRAFT	JG

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CLIENT	MAB
PROJECT	NEW QUAY WEST TOWER WEST B
TITLE	GENERAL ARRANGEMENT LEVEL 00
PROJECT NO.	TP03-000
REVISION NO.	3
PREP NUMBER	309
SCALE	1 : 100 @B1
DRAWN	TH
CHECKED	RM
APPROVED	AV
DATE	15/09/2021

GENERAL NOTES - GENERAL ARRANGEMENT

REFER TO ACOUSTIC'S LOGIC ACOUSTIC ASSESSMENT REV 2, DATED 27.01.2022.



TOWN PLANNING

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CLIENT	MAB
PROJECT	NEW QUAY WEST TOWER WEST B
TITLE	GENERAL ARRANGEMENT LEVEL 01
PROJECT NO.	TP03-001
REVISION NO.	3
DATE	15/09/2021
DESIGNED BY	RM
CHECKED BY	AV
SCALE	1 : 100 @B1
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DATE	

GENERAL NOTES - GENERAL ARRANGEMENT
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DATE	NO.	COMMENTS	BY
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CLIENT MAB

PROJECT NEW QUAY WEST TOWER WEST B

TITLE GENERAL ARRANGEMENT LEVEL 02

DRAWING NO.	REVISION NO.
TP03-002	3
FILE NUMBER	FILE DATE
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SCALE	DRAWN BY
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TH	
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	RM
	AV

GENERAL NOTES - GENERAL ARRANGEMENT

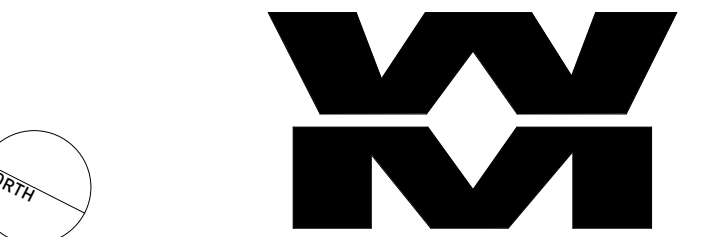
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PROJECT NEW QUAY WEST TOWER WEST B

TITLE GENERAL ARRANGEMENT LEVEL 03

DRAWING NO.	REVISION NO.
TP03-003	3
PER NUMBER	DESIGNED
309	RM
SCALE	CHECKED
1 : 100 @B1	AV
DRAWN	APPROVED
TH	

GENERAL NOTES - GENERAL ARRANGEMENT
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CLIENT: **MAB**

PROJECT: **NEW QUAY WEST TOWER WEST B**
 TITLE: **GENERAL ARRANGEMENT LEVEL 04**

PROJECT NO:	TP03-004	REVISION NO:	3
JOB NUMBER:	309	DESIGNED BY:	RM
SCALE:	1:100 @B1	CHECKED BY:	AV
DRAWN BY:	TH	APPROVED:	
DATE:		BY:	

GENERAL NOTES - GENERAL ARRANGEMENT

REFER TO ACUSTIC'S LOGIC ACUSTIC ASSESSMENT REV 2, DATED 27.01.2022.



TOWN PLANNING

08/04/2022	3	ISSUE FOLLOWING PLANNING COMMENTS	WM
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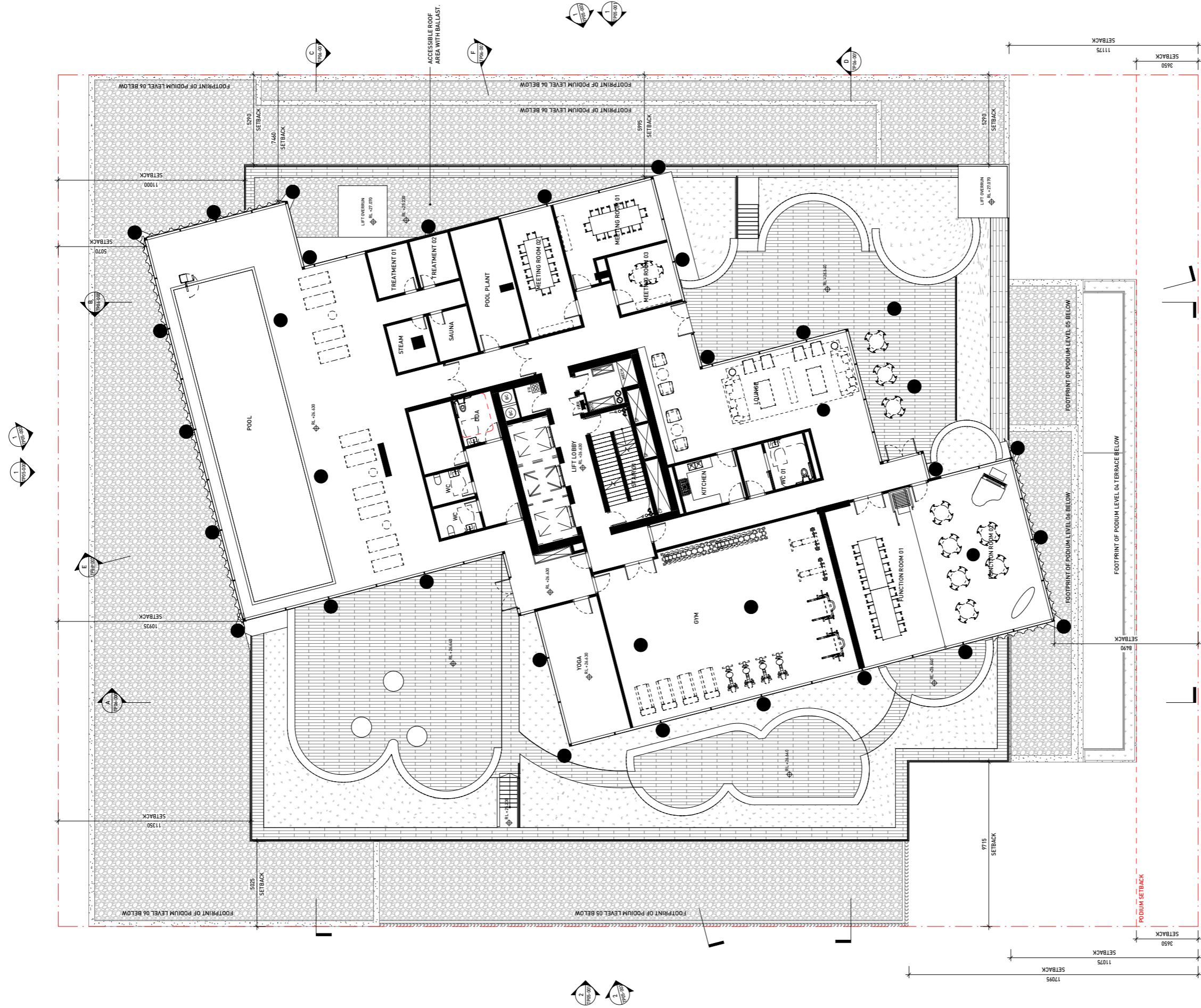
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PROJECT: **NEW QUAY WEST TOWER WEST B**

TITLE: **GENERAL ARRANGEMENT LEVEL 05**

PROJECT NO:	TP03-005	REVISION NO:	3
PER NUMBER:	309	DESIGNED BY:	RM
SCALE:	1 : 100 @B1	CHECKED BY:	AV
DRAWN:	TH	APPROVED:	
DATE:		DATE:	

GENERAL NOTES - GENERAL ARRANGEMENT
REFER TO ACUSTIC'S LOGIC ACUSTIC ASSESSMENT REV 2,
DATED 27.01.2022.



TOWN PLANNING

DATE	NO.	COMMENTS	BY
08/04/2022	3	ISSUE FOLLOWING PLANNING COMMENTS	WM
15/03/2021	2	ISSUE FOR PLANNING SUBMISSION	JG
17/08/2021	1	ISSUE FOR PLANNING DRAFT	JG

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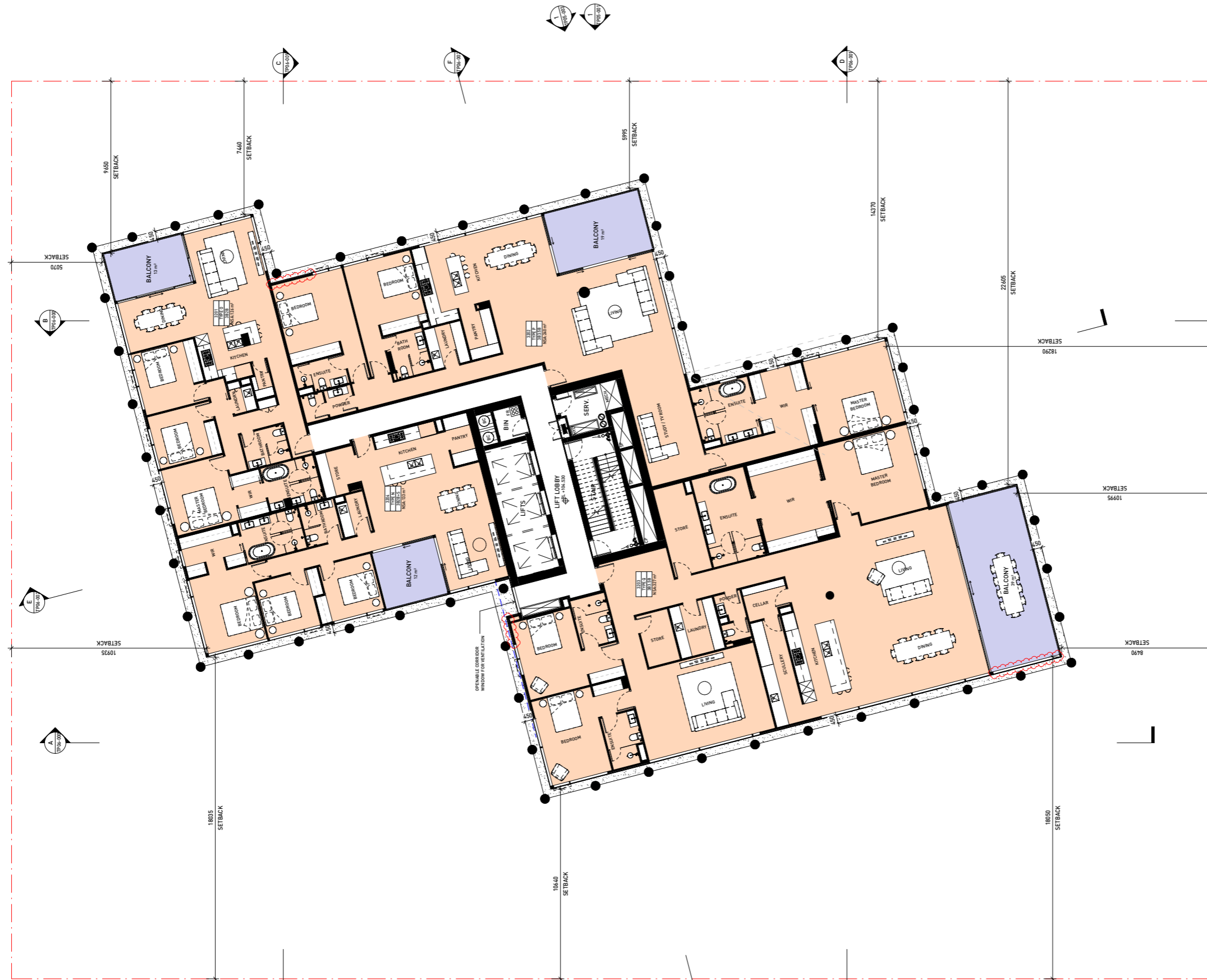


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CLIENT	MAB
PROJECT	NEW QUAY WEST TOWER WEST B
TITLE	GENERAL ARRANGEMENT LEVEL 07
DRAWING NO.	TP03-007
REVISION NO.	3
DATE	15.03.2022
DESIGNED BY	RM
CHECKED BY	AV
DRAWN BY	TH
SCALE	1 : 100 @B1

GENERAL NOTES - GENERAL ARRANGEMENT

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TOWN PLANNING

DATE	NO.	COMMENTS	BY
08/04/2022	3	ISSUE FOLLOWING PLANNING COMMENTS	WM
15/09/2021	2	ISSUE FOR PLANNING SUBMISSION	JG
17/08/2021	1	ISSUE FOR PLANNING DRAFT	JG

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CLIENT: MAB

PROJECT: NEW QUAY WEST TOWER WEST B

TITLE: GENERAL ARRANGEMENT LEVEL 32 TO LEVEL 34

NO.	DESCRIPTION	DATE	BY
3	REVISION NO.		
TP03-032	PROJECT NO.		
309	DESIGNED BY	RM	
1 : 100 @B1	DRAWN BY	AV	
TH	APPROVED BY		

GENERAL NOTES - GENERAL ARRANGEMENT

REFER TO ACOUSTIC'S LOGIC ACOUSTIC ASSESSMENT REV 2, DATED 27.01.2022.



TOWN PLANNING

08/04/2022	3	ISSUE FOLLOWING PLANNING COMMENTS	WM
15/09/2021	2	ISSUE FOR PLANNING SUBMISSION	JG
17/08/2021	1	ISSUE FOR PLANNING DRAFT	JG

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CLIENT	MAB
PROJECT	NEW QUAY WEST TOWER WEST B
TITLE	GENERAL ARRANGEMENT LEVEL 35
DRAWING NO.	TP03-035
REVISION NO.	3
DATE	15/09/2022
DESIGNED BY	RM
CHECKED BY	AV
SCALE	1 : 100 @B1
DRAWN BY	TH



EXTERNAL FINISHES LEGEND

LEVEL 21	E.BAL-02	BALUSTRADE - METAL
LEVEL 20	E.BCD-01	BRASS COLUMN DETAIL
LEVEL 20	E.GLZ-02	EXTERNAL GLAZING - GLASS FLUTES
LEVEL 20	E.LVR-01	EXTERNAL LOUVRES
LEVEL 19	E.PNE-01	CONCRETE FINISH - LIGHT GREY
LEVEL 19	E.PNE-02	CONCRETE FINISH - BUSH HAMMERED
LEVEL 19	E.PNE-03	CONCRETE FINISH - ROUGH CAST
LEVEL 18	E.WBR-01	BRICKWORK HANDMADE - LIGHT COLOURED
LEVEL 18	E.WCF-01	PRECAST FLUTED CONCRETE - LIGHT GREY
LEVEL 18	E.WCF-04	PRECAST CONCRETE TEXTURED - LIGHT GREY
LEVEL 17	E.WMF-00	FACADE - BLACK FRAMED DARK BRONZE GLASS

TOWN PLANNING

DATE	NO.	COMMENTS	BY
08/04/2022	3	ISSUE FOLLOWING PLANNING COMMENTS	WM
15/09/2021	2	ISSUE FOR PLANNING SUBMISSION	JG
17/08/2021	1	ISSUE FOR PLANNING DRAFT	JG

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1 TOWER EAST ELEVATION
ELEVATION 1 : 200

2 TOWER WEST ELEVATION
ELEVATION 1 : 200

MAB

NEW QUAY WEST TOWER WEST B

EXTERNAL ELEVATION TOWER EAST + WEST ELEVATION

PROJECT NO.	TP05-003	REVISION NO.	3
DATE	30/09/2021	SCALE	1 : 200 @B1
DESIGNED BY	RM	CHECKED BY	AV
DRAWN BY	TH	APPROVED BY	



1 PODIUM NORTH ELEVATION
ELEVATION 1 : 100



2 PODIUM SOUTH ELEVATION
ELEVATION 1 : 100

EXTERNAL FINISHES LEGEND

E.BAL-02	BALUSTRADE - METAL
E.GLZ-01	EXTERNAL GLAZING - SUBTLE BRONZE
E.LVR-01	EXTERNAL LOUVRES
E.PNE-01	CONCRETE FINISH - LIGHT GREY
E.PNE-02	CONCRETE FINISH - BUSH HAMMERED
E.PNE-03	CONCRETE FINISH - ROUGH CAST
E.WBR-01	BRICKWORK HANDMADE - LIGHT COLOURED
E.WCF-01	PRECAST FLUTED CONCRETE - LIGHT GREY
E.WCF-03	FLUTED CONCRETE COLUMN

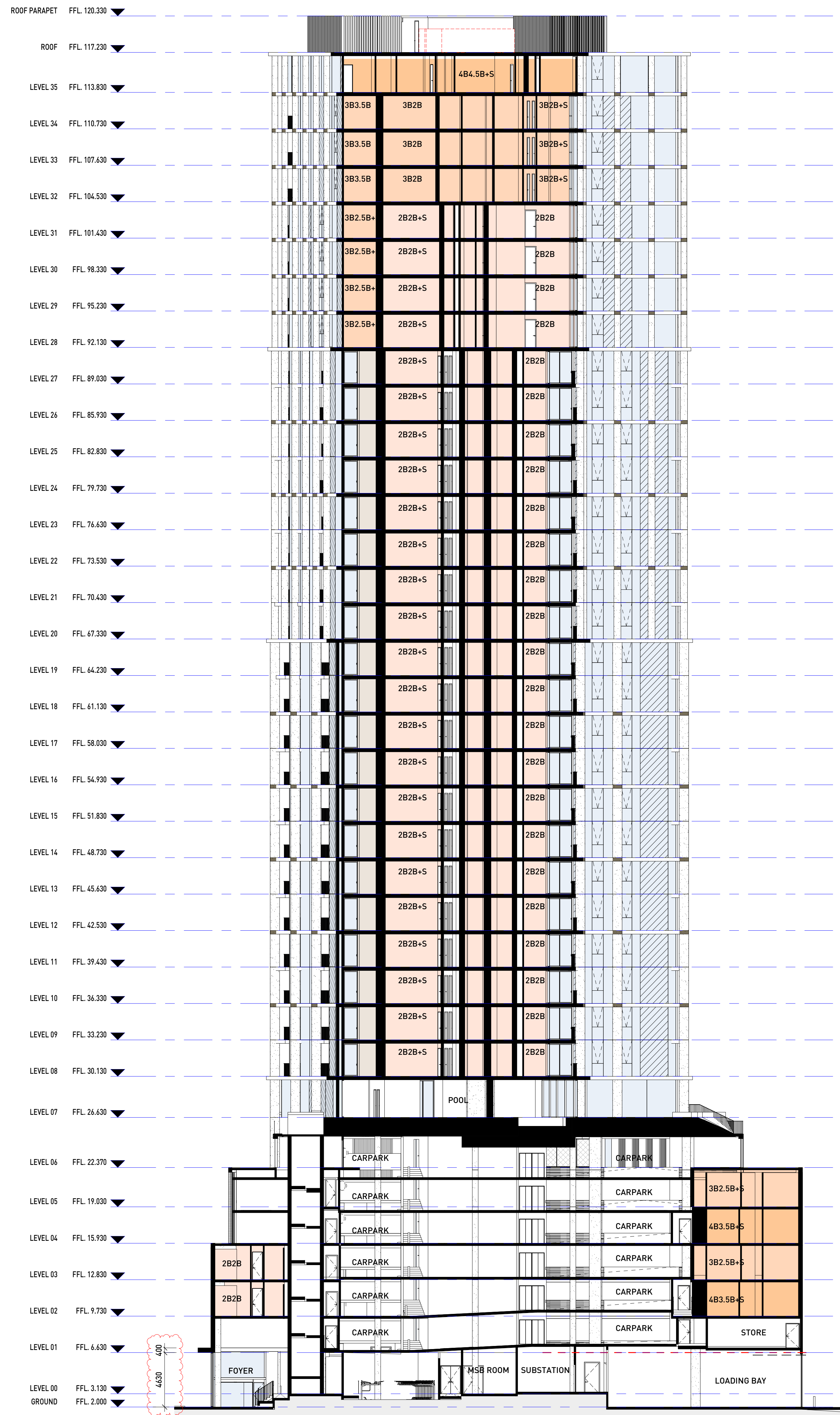
TOWN PLANNING		
DATE	NO.	COMMENT
15/09/2021	2	ISSUE FOR PLANNING SUBMISSION
17/08/2021	1	ISSUE FOR PLANNING DRAFT

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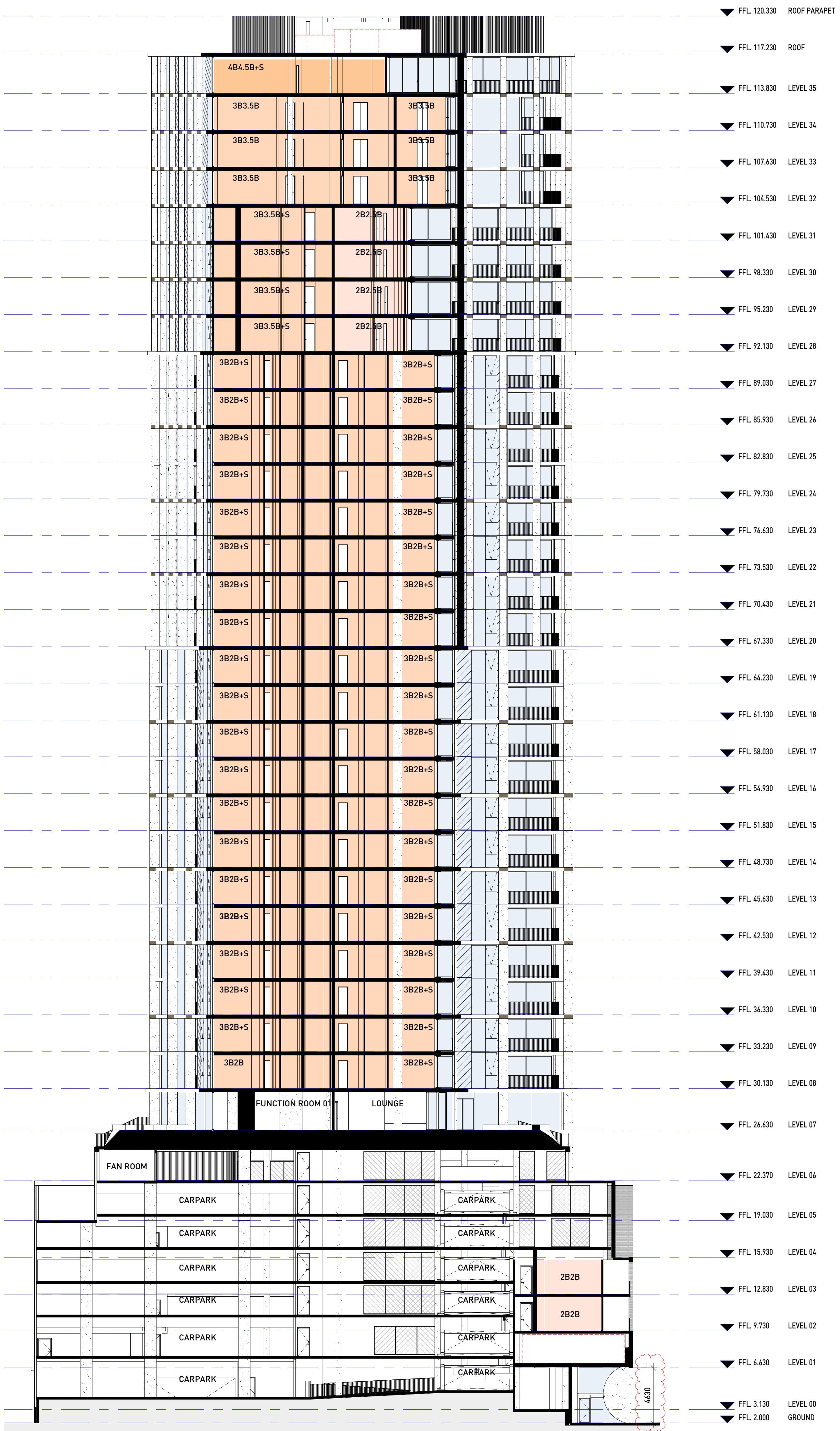


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CLIENT	MAB
PROJECT	NEW QUAY WEST TOWER WEST B
TITLE	EXTERNAL ELEVATION PODIUM NORTH + SOUTH ELEVATION
DRAWING NO.	TP05-004
REVISION NO.	2
DATE	15/09/2021 6:03:07 PM
FOR NUMBER	309
DESIGNED	RM
CHECKED	AV
DRAWN	TH
APPROVED	



SECTION C
SECTION 1 : 200



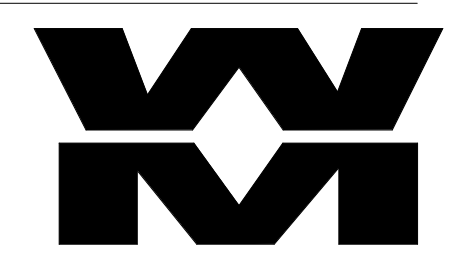
SECTION D
SECTION 1 : 200

TOWN PLANNING

NO.	DATE	ISSUE	DESCRIPTION
1	17/08/2021	1	ISSUE FOR PLANNING DRAFT
2	15/09/2021	2	ISSUE FOR PLANNING SUBMISSION
3	08/10/2022	3	ISSUE FOLLOWING PLANNING COMMENTS

DATE: 08/10/2022
 NO: 3
 COMMENTS: ISSUE FOLLOWING PLANNING COMMENTS

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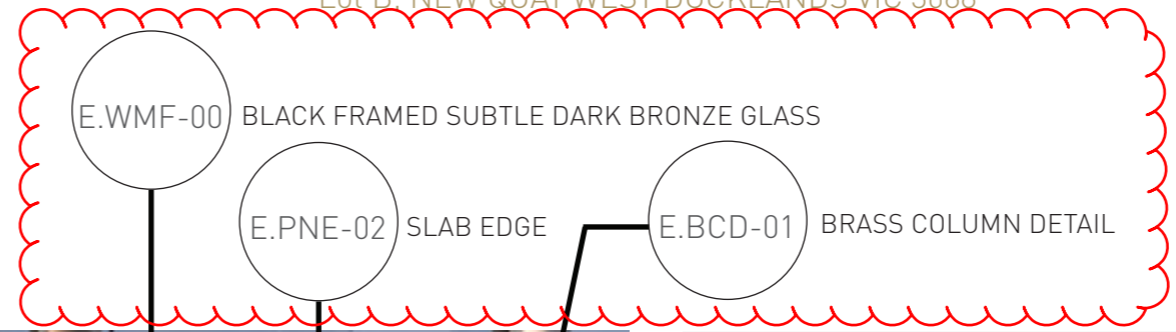
PROJECT: NEW QUAY WEST TOWER WEST B

TITLE: BUILDING SECTION SECTION C + D

NO.	DATE	ISSUE	DESCRIPTION
1	17/08/2021	1	ISSUE FOR PLANNING DRAFT
2	15/09/2021	2	ISSUE FOR PLANNING SUBMISSION
3	08/10/2022	3	ISSUE FOLLOWING PLANNING COMMENTS

DRAWING NO: TP06-001
 REVISION NO: 3
 PER NUMBER: 309
 SCALE: 1 : 200 @B1
 DRAWN: TH
 CHECKED: RM
 APPROVED: AV
 DATE: 15/09/2022 1:00:00 PM

PODIUM MATERIALS



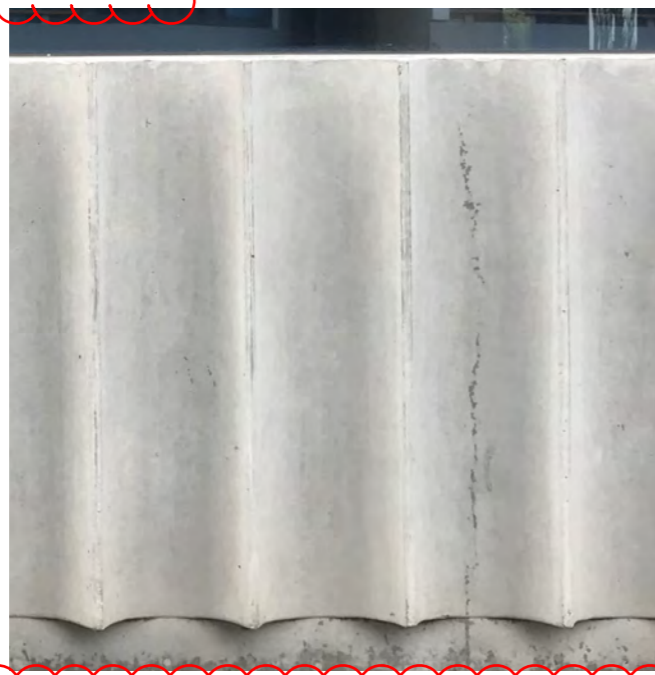
E.WBR-01 LIGHT COLOURED BRICK



VARIES GLASS FACADE



E.PNE-01 HONED NATURAL CONCRETE



E.WCF-01 E.WCF-03 FLUTED CONCRETE FACADE



E.GLZ-02 FLUTED GLAZING

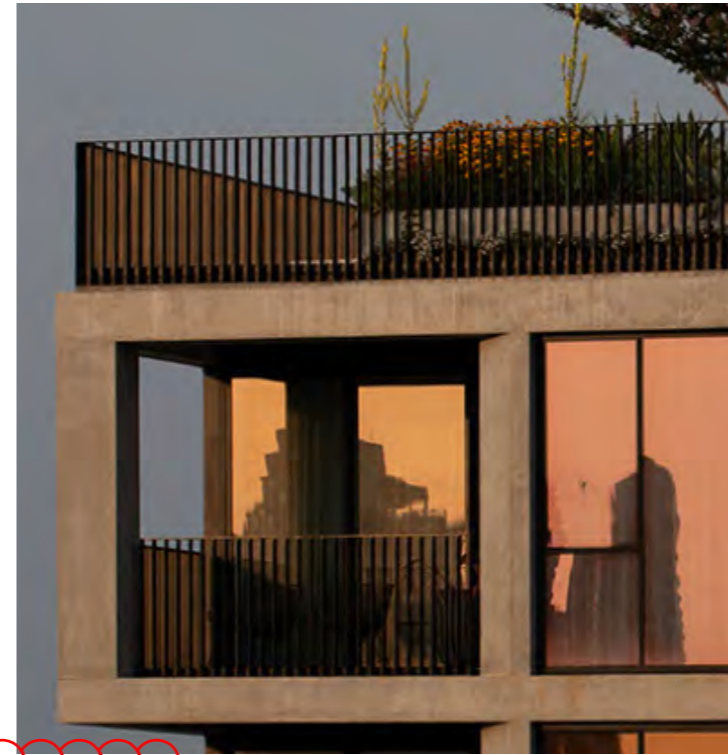
TOWER MATERIALS



E.PNE-01 NATURAL CONCRETE COLUMNS/SLAB EDGE



E.WMF-00 BLACK FRAMED SUBTLE DARK BRONZE GLASS



E.BAL-02 METAL BALUSTRADE

7.01
PERSPECTIVE 1



Lot C & D podium/tower design to be determined.

7.02
PERSPECTIVE 2



7.03
PERSPECTIVE 3



7.04
PERSPECTIVE 4

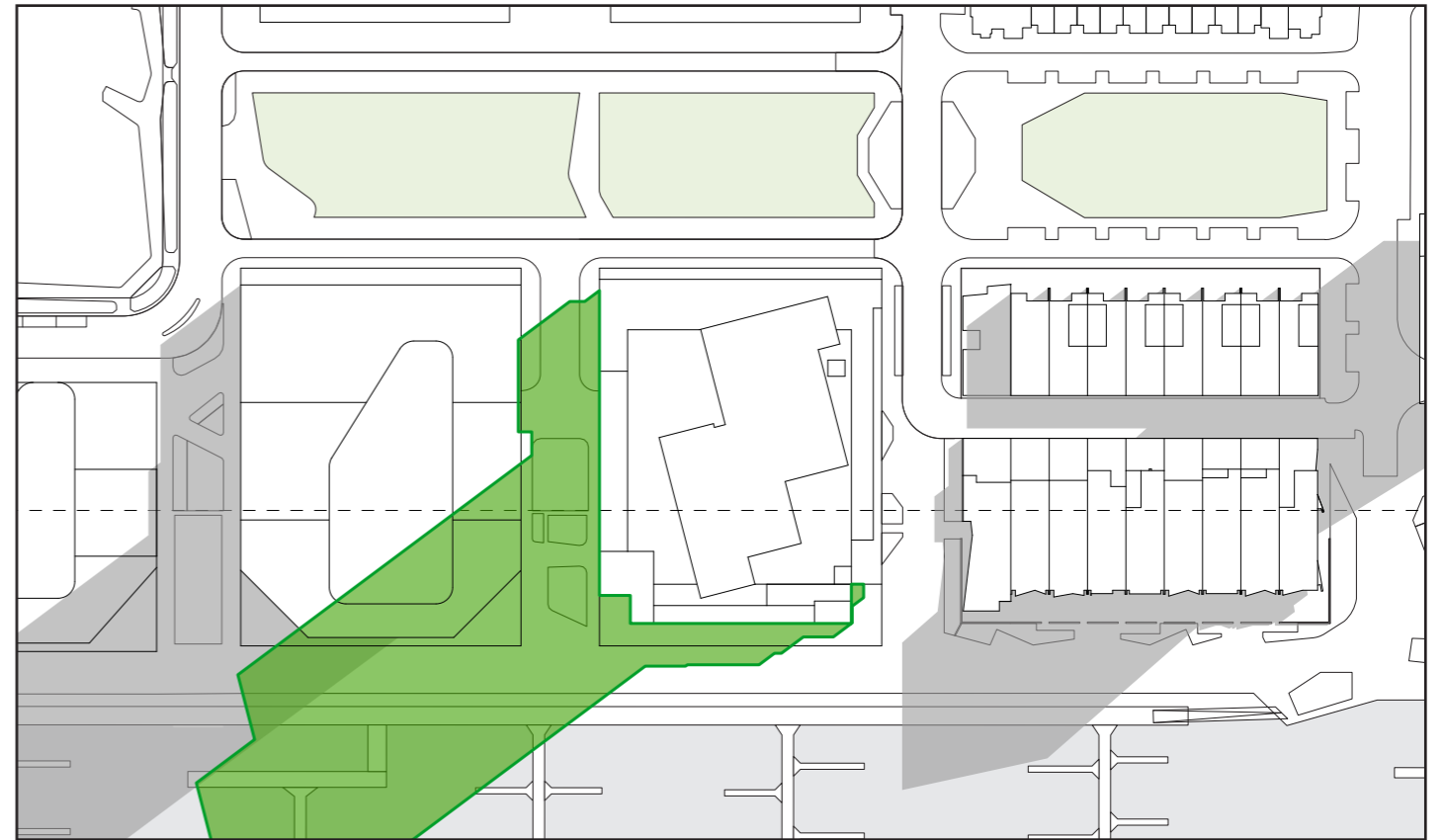


7.05
PERSPECTIVE 5

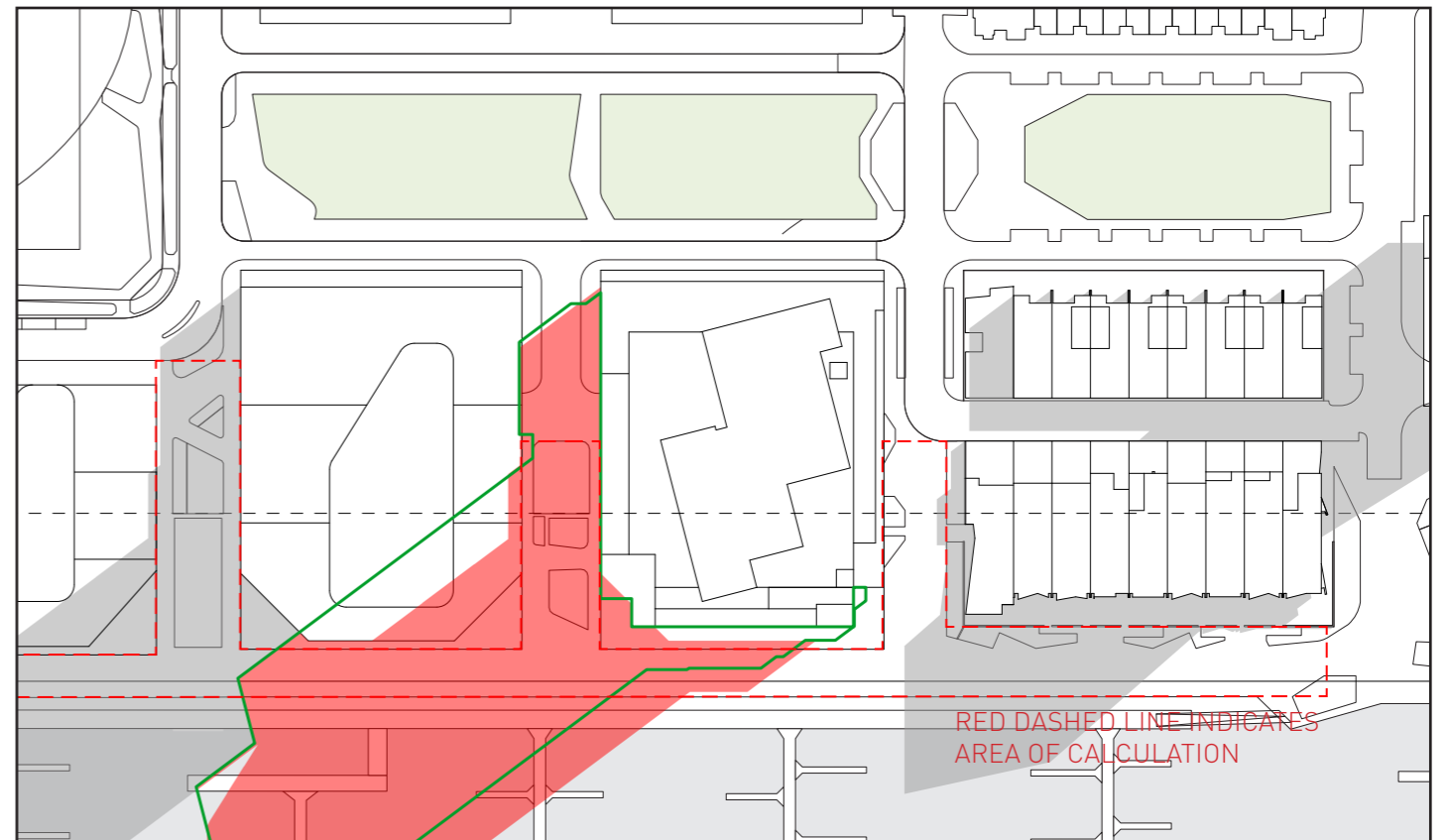


8.01
SHADOW STUDIES

22 SEPTEMBER 11:00AM



11 AM PROPOSED OVERSHADOWING

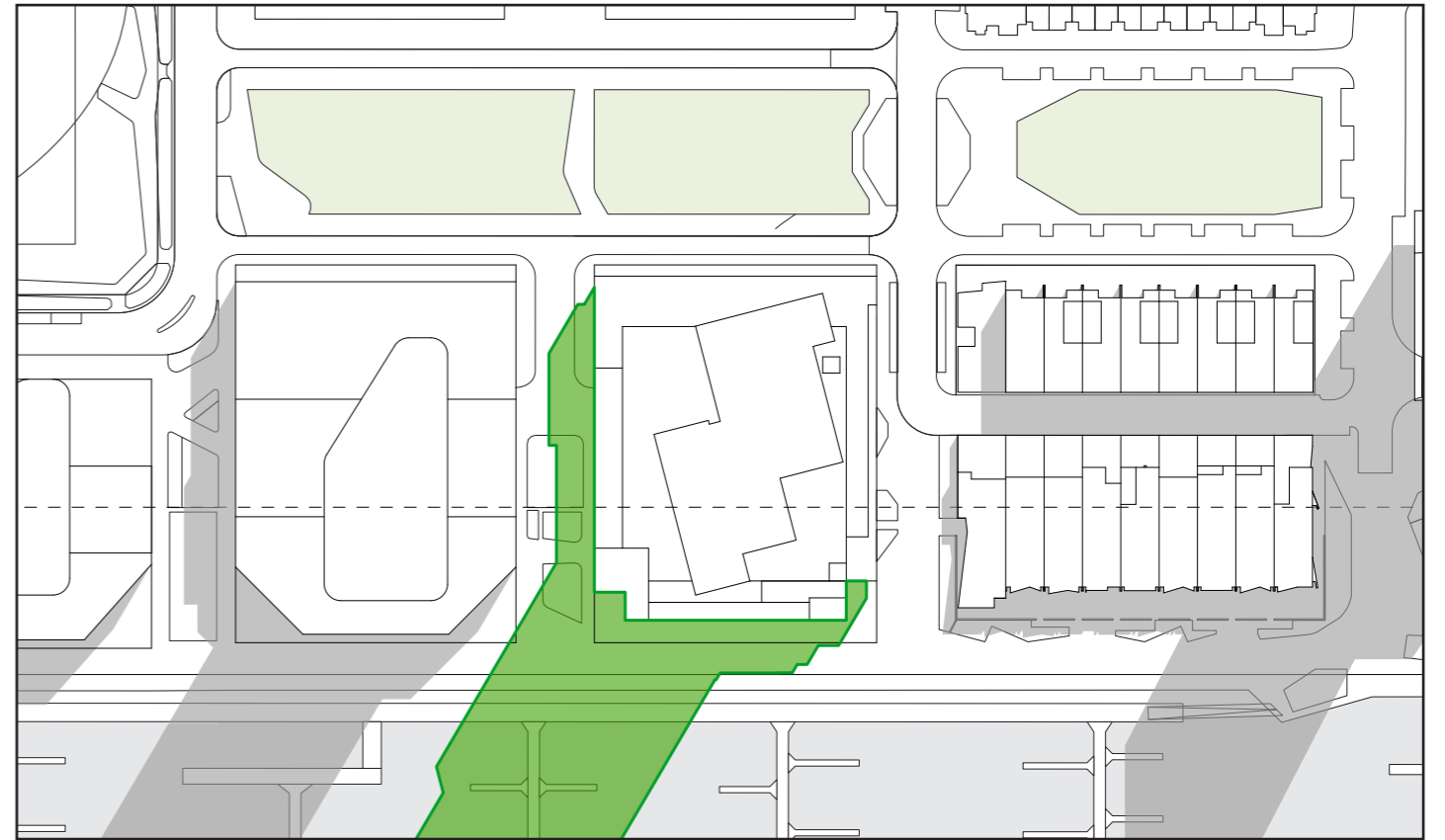


11 AM DP OVERSHADOWING

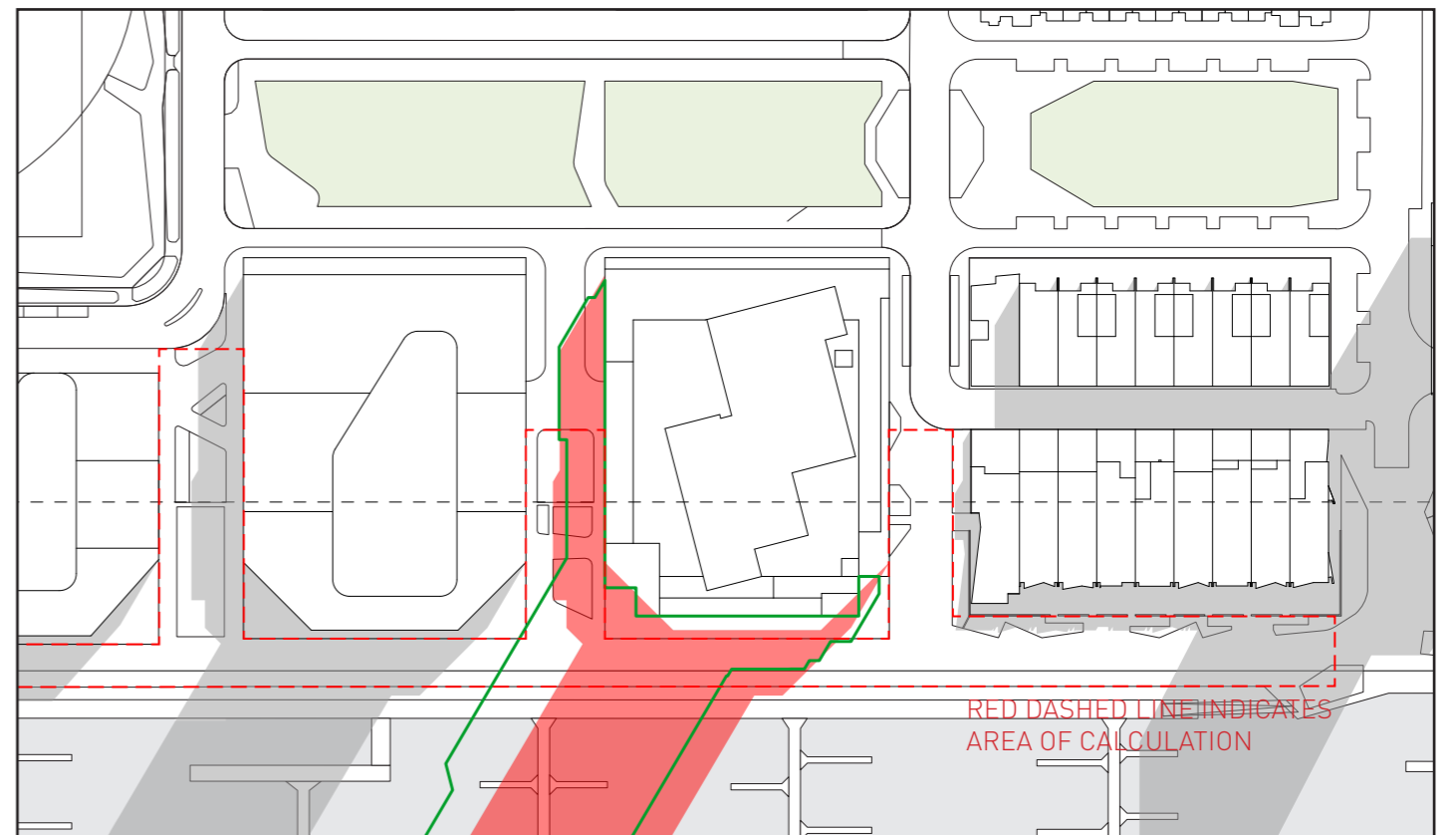
PERCENTAGE OF AREA (RED DASH) NOT IN SHADOW		
	PROPOSED	DEVELOPMENT PLAN
11 AM	25.23%	21%

8.02
SHADOW STUDIES

22 SEPTEMBER 12:00PM



12 PM PROPOSED OVERSHADOWING



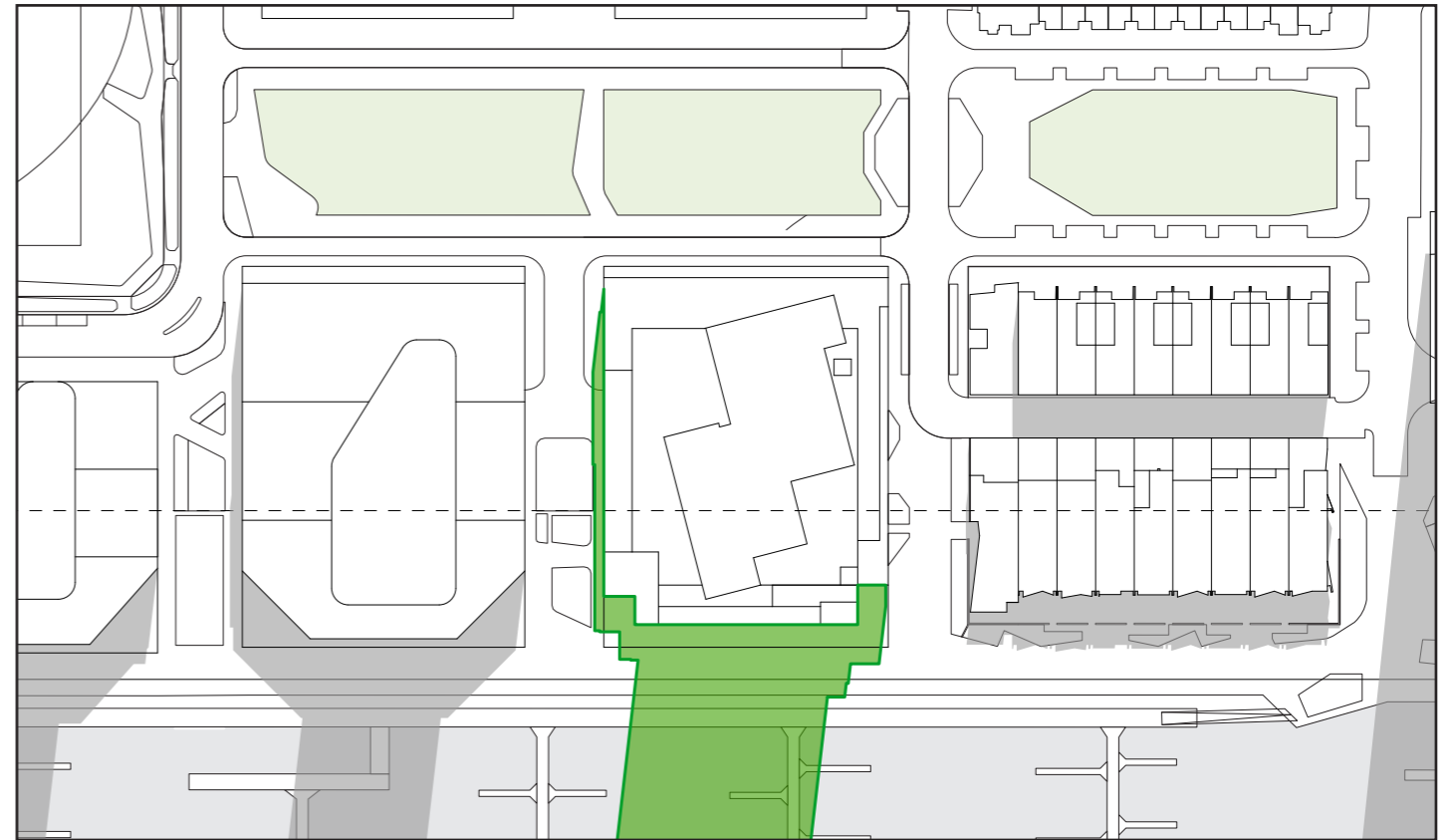
12 PM DP OVERSHADOWING

RED DASHED LINE INDICATES
AREA OF CALCULATION

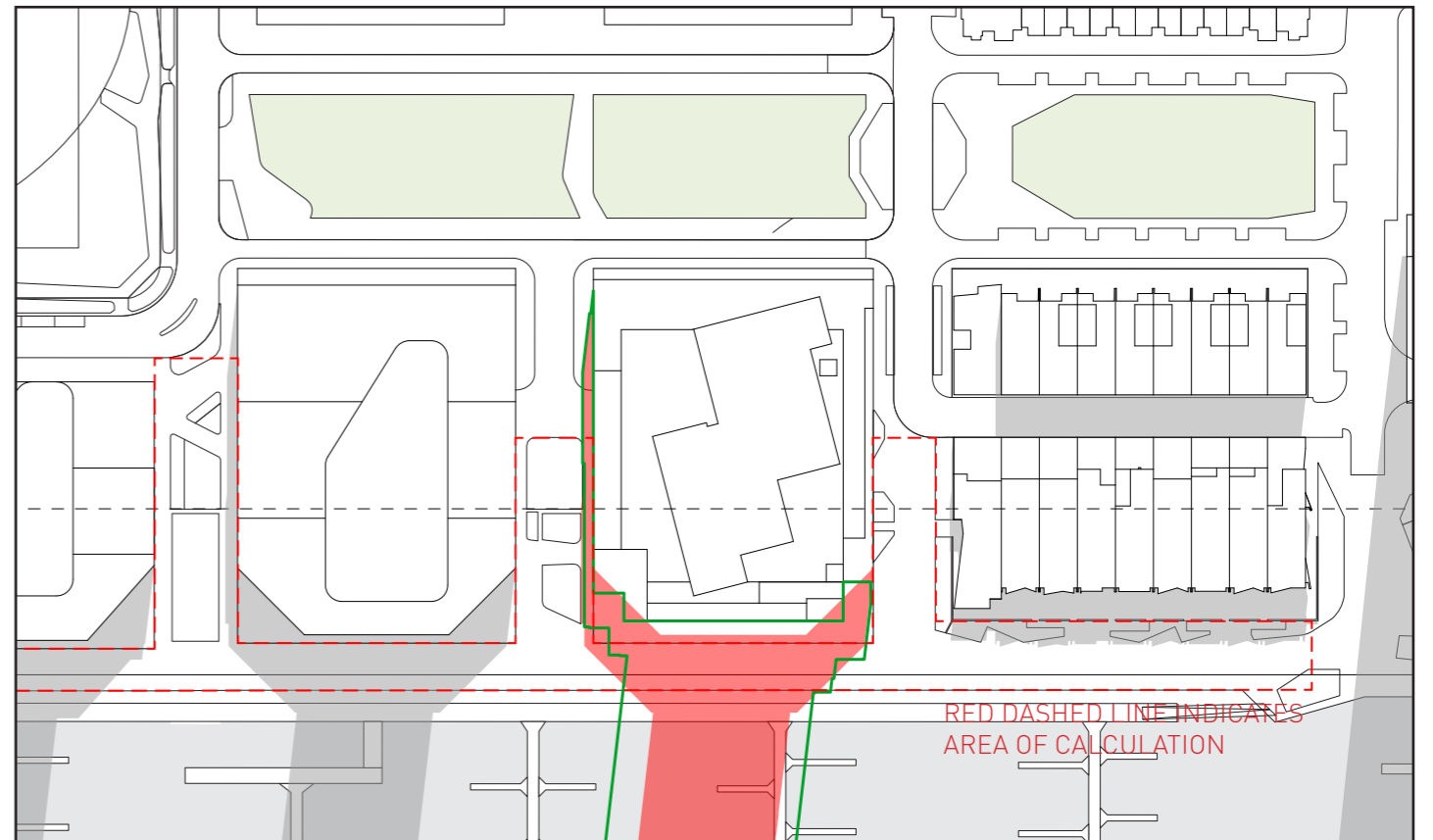
PERCENTAGE OF AREA (RED DASH) NOT IN SHADOW		
	PROPOSED	DEVELOPMENT PLAN
12 PM	46.31%	50%

8.03
SHADOW STUDIES

22 SEPTEMBER 01:00PM



1 PM PROPOSED OVERSHADOWING

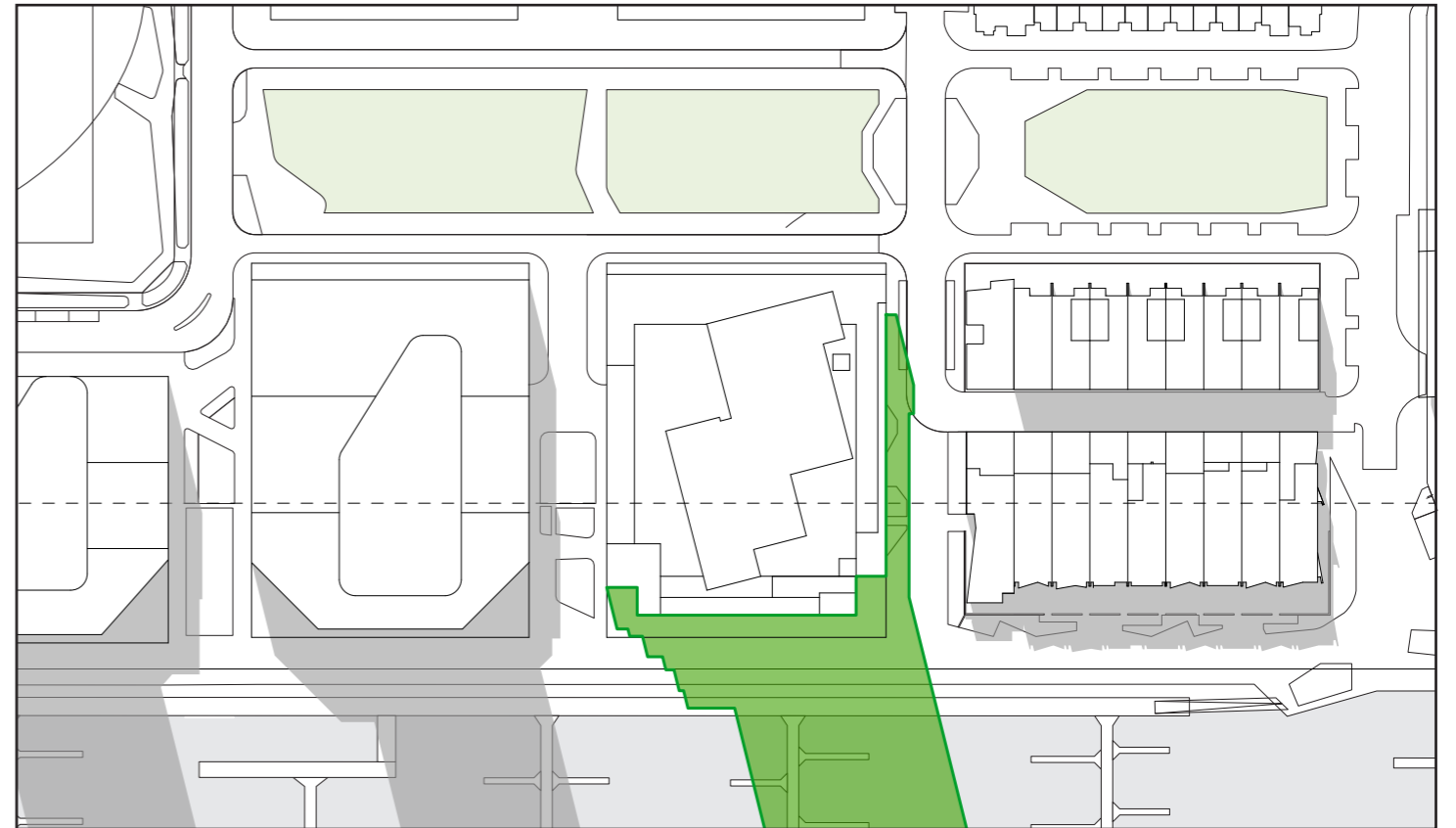


1 PM DP OVERSHADOWING

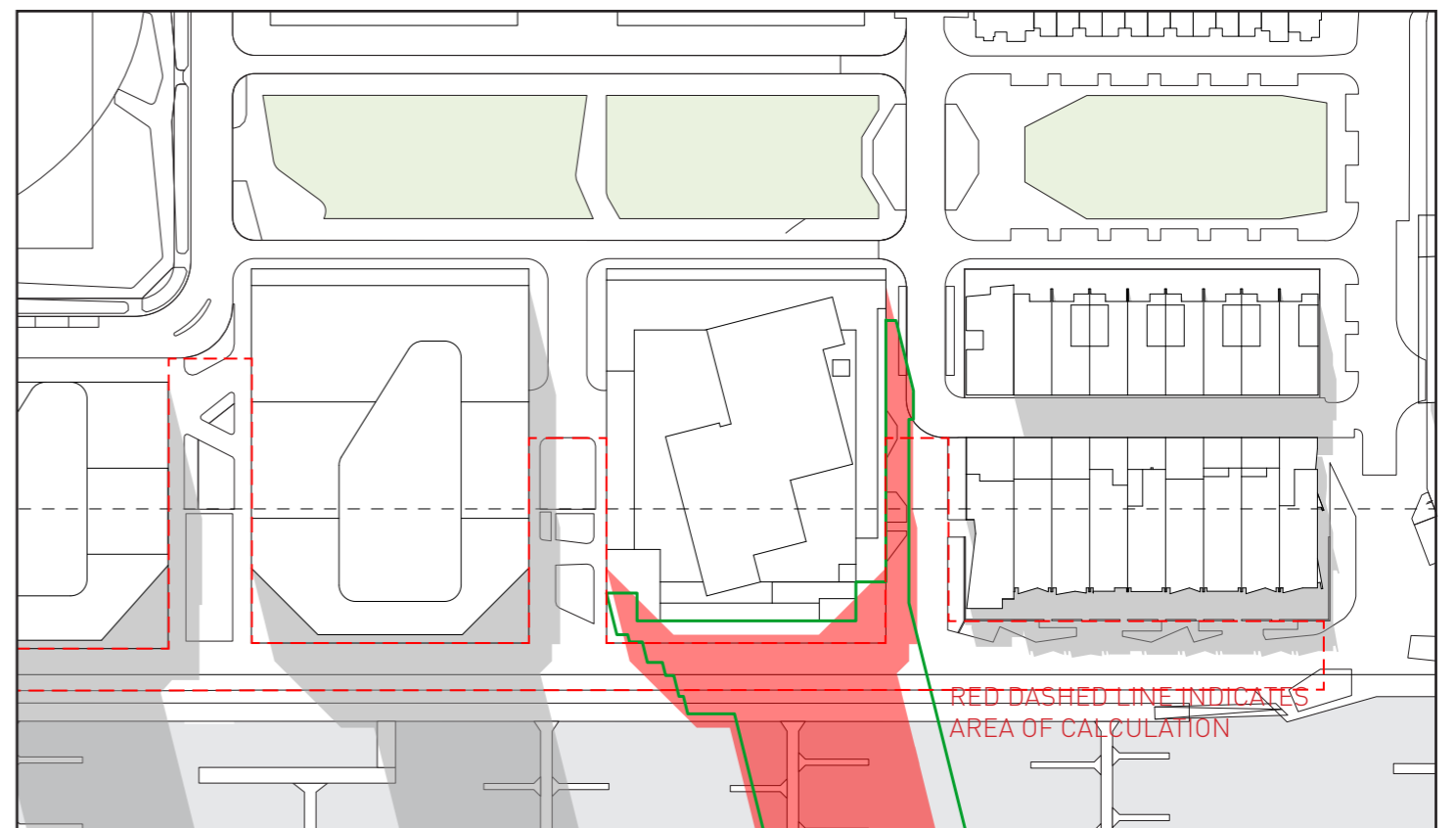
PERCENTAGE OF AREA (RED DASH) NOT IN SHADOW		
	PROPOSED	DEVELOPMENT PLAN
1 PM	68.8%	68%

8.04 SHADOW STUDIES

22 SEPTEMBER 02:00PM



2 PM PROPOSED OVERSHADOWING

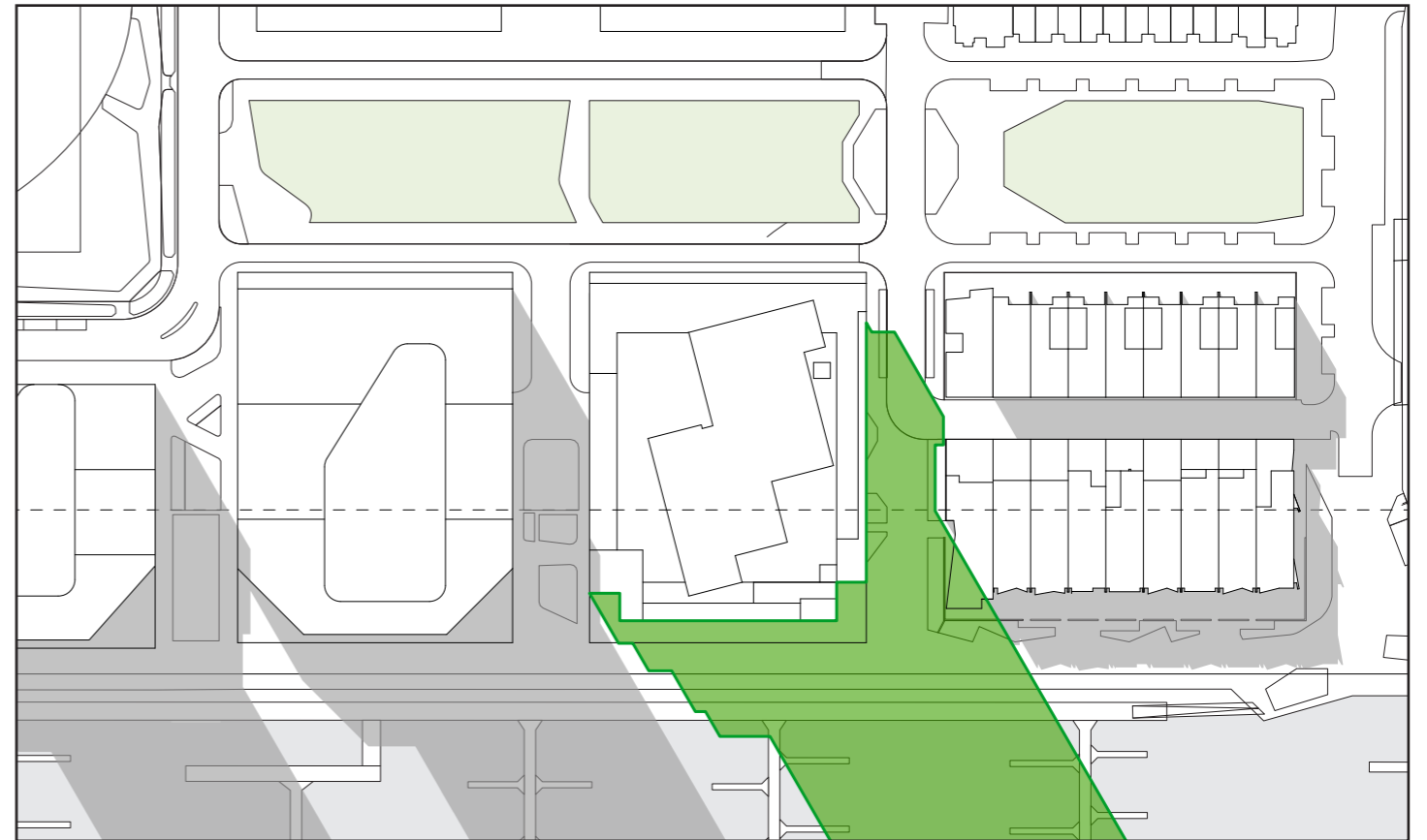


2 PM DP OVERSHADOWING

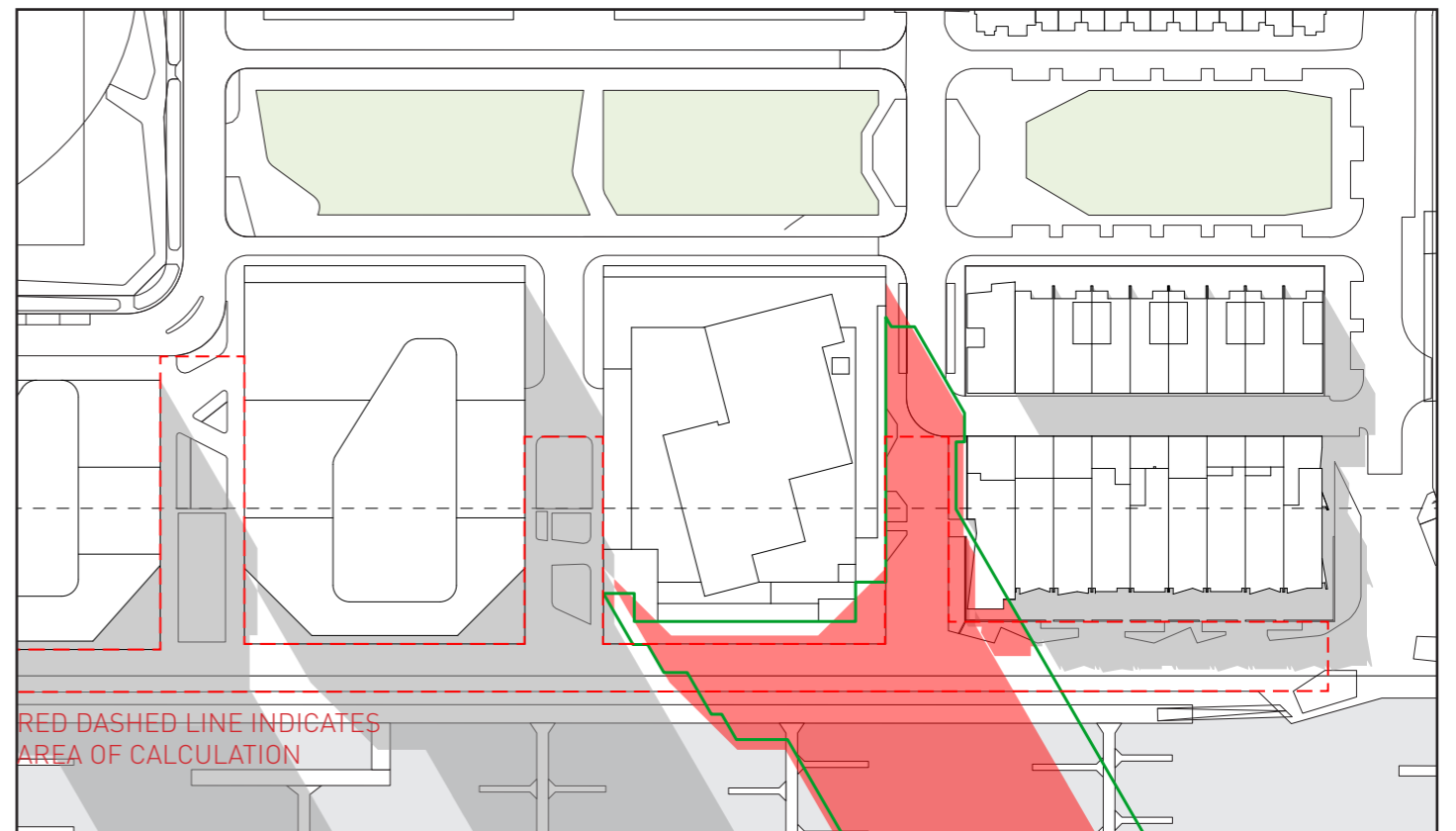
PERCENTAGE OF AREA (RED DASH) NOT IN SHADOW		
	PROPOSED	DEVELOPMENT PLAN
2 PM	56.16%	59%

8.05
SHADOW STUDIES

22 SEPTEMBER 03:00PM



3 PM PROPOSED OVERSHADOWING



3 PM DP OVERSHADOWING

RED DASHED LINE INDICATES
AREA OF CALCULATION

PERCENTAGE OF AREA (RED DASH) NOT IN SHADOW		
	PROPOSED	DEVELOPMENT PLAN
3 PM	28.13%	33%

WEST B, DOCKLANDS TOWN PLANNING - LANDSCAPE

AUGUST 2021





CONTENTS PAGE

OVERVIEW

CONTEXT

SITE CHARACTER

LANDSCAPE APPROACH

LANDSCAPE TYPE - RESIDENTIAL

LANDSCAPE TYPE - ROOFTOP

PLANTING PALETTE



CONTEXT

'West B' is located on Victoria Harbour, Docklands as part of the MAB New Quay Development.

The redevelopment involved transforming the existing land into residential towers, and a broader masterplan has been prepared by ASPECT Studios for this work.

The West B development will interface with a new park to the north, and the Harbour to the south, with views across to the city and to the west out over Bolte Bridge and Port Philip Bay.



SITE CHARACTER

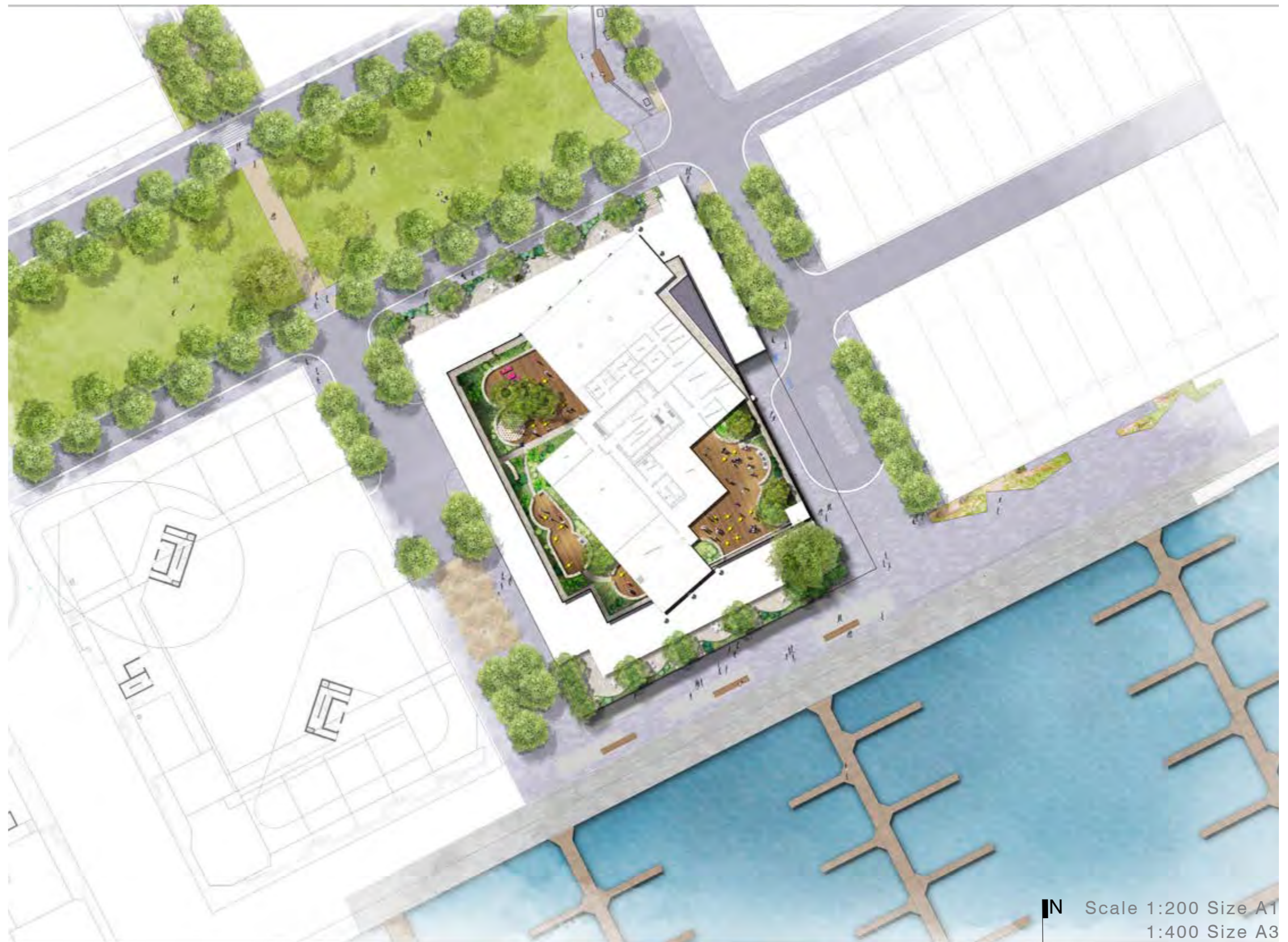


CONTEXT

'West B' will be surrounded by pedestrian prioritised spaces, and includes a series of residential apartments that front onto the northern park space, and onto the Harbour promenade.

West B has a very generous roof terrace for the residents to enjoy, with outstanding views across the city and harbour.

Allocation for tree planting has been allowed for in the residential ground floor gardens, with a feature tree to the south east corner.



N Scale 1:200 Size A1
1:400 Size A3

LANDSCAPE APPROACH



LANDSCAPE TYPE RESIDENTIAL

Drawing upon the character of adjacent Harbour and waterways, there is an opportunity to have a luxurious, 'coastal' style landscape on the ground floor.

A repeating pattern echoing the cutouts featured in the building allow for a sloped garden bed to the front of a rounded terrace, providing a level change, and garden buffer to the residential units.

Steps enveloped in landscape soften the street approach, and large planters create opportunity for tree planting between terraces, as well as providing privacy screens.



Scale 1:250 Size A3

RESIDENTIAL CHARACTER

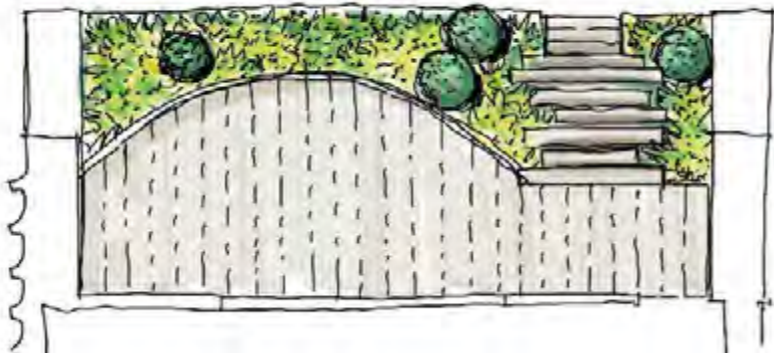


LANDSCAPE TYPE RESIDENTIAL

A mix of textural planting will soften the terraces, and create buffering to the footpath.

Clipped silver bushes will contrast against a softer palette of loose vegetation, providing contrast with form and foliage.

The terrace will be stone paving, complementing the colours of the building.



NORTH WEST



NORTH EAST






Tree Planting between terraces

Diverse mix of textural low planting, with coastal theme

Steps in Garden

Stone Terrace

-  **PAVING**
Stone paving
-  **STEPS**
Stone steps through garden
-  **GARDEN BED**
Planting in Organic Mulch

 Scale 1:250 Size A3

LANDSCAPE TYPE RESIDENTIAL




SOUTH WEST

Feature Tree Planting



SOUTH EAST



-  **PAVING**
Stone paving
-  **STEPS**
Stone steps through garden
-  **GARDEN BED**
Planting in Organic Mulch

Large Feature Tree

Stone Terrace

Diverse mix of textural low planting, with coastal theme

LANDSCAPE TYPE LEVEL 02

Level 2 boasts a large planter to support garden bed and a substantial tree suspended above the ground plane. Large soil volumes have been accounted for as part of the building design.

This planting creates a fabulous pocket of planting up the side of the building. Egress and maintenance access is provided to this area.



Scale 1:250 Size A3

LEVEL 02 CHARACTER



LANDSCAPE TYPE ROOFTOP

A generous amount of space has been allocated on the rooftop to allow for complementary residential activities.

BBQs, garden edge seating, and loose seating will be framed by garden.

A dedicated zone of decking on the North-west will be provided to cater for sunlounges adjacent to the Pool. This area will have both trees to provide shading and a small built canopy structure.

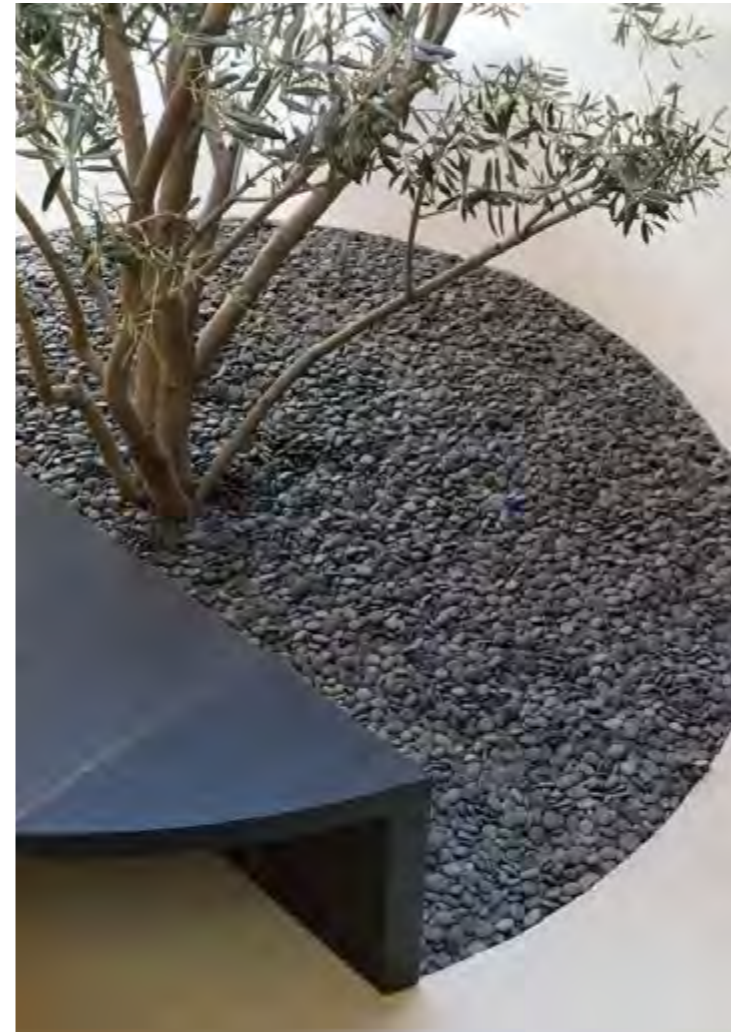
Further to the South-west, a more immersive garden landscape will have pockets of decking with BBQ, connected by small garden paths.

An open deck terrace to the South-east of the podium is the area that will allow for spill out for events.



Scale 1:250 Size A3

ROOFTOP CHARACTER



LANDSCAPE TYPE POOL & YOGA DECK

NORTH WEST CORNER



Timber Yoga Deck with sun lounges

Small deciduous copse of trees

Diverse mix of textural low planting in sloping garden bed

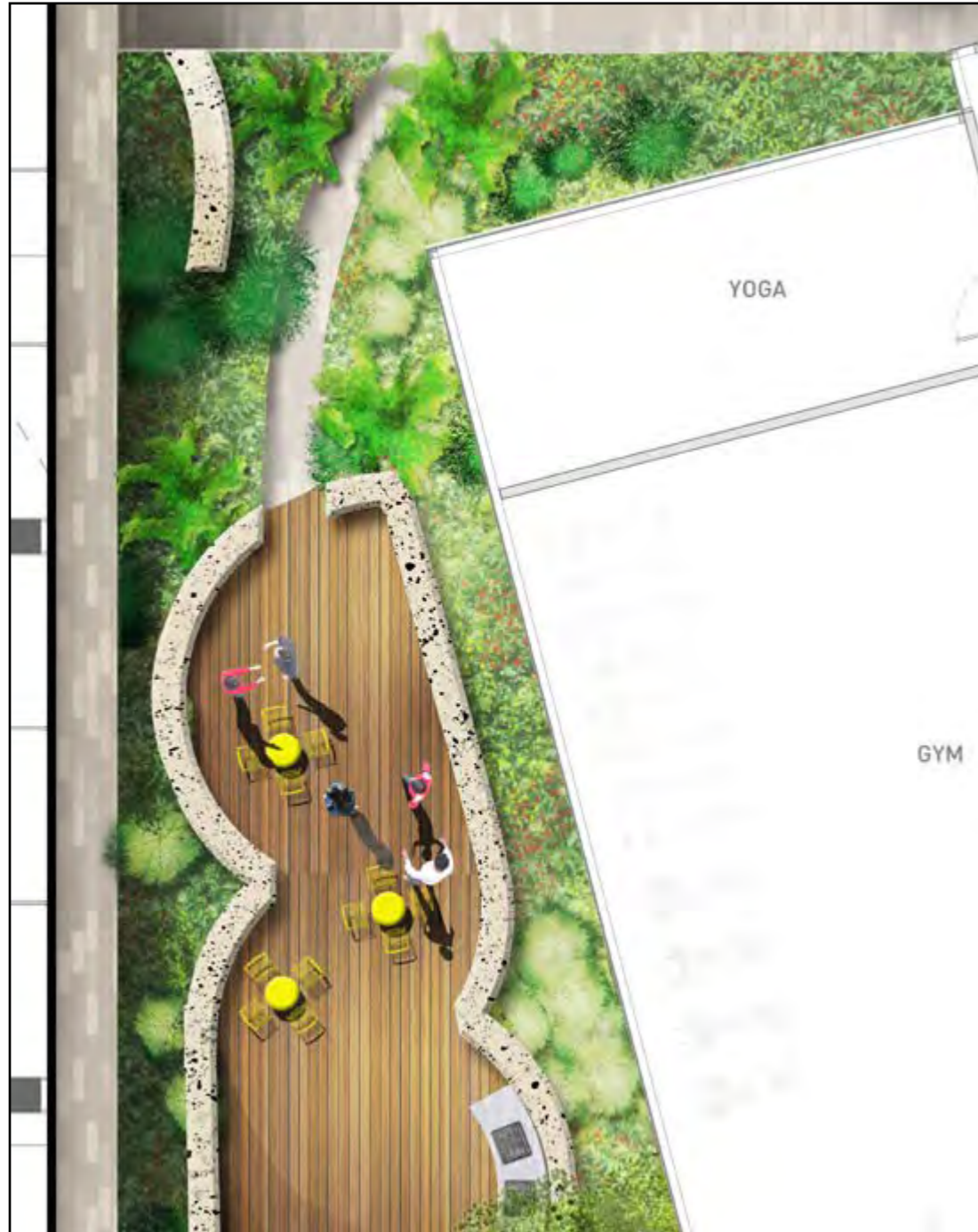
Canopy Shade

Garden Seat Edge

Maintenance access perimeter path





LANDSCAPE TYPE BBQ

MIDDLE WEST



SOUTH WEST CORNER







-  **PAVING**
Stone paving
 -  **STEPS**
Stone steps through garden
 -  **SEAT EDGE**
450mm high concrete edges
 -  **GARDEN BED**
Planting in Organic Mulch
-
- Timber Decking with BBQ and Seating
 - Small deciduous tree planting
 - Diverse mix of textural low planting
 - Garden path
 - Timber Decking and Seating
 - Garden Seat Edge
 - Maintenance access perimeter path

LANDSCAPE TYPE SOCIAL TERRACE

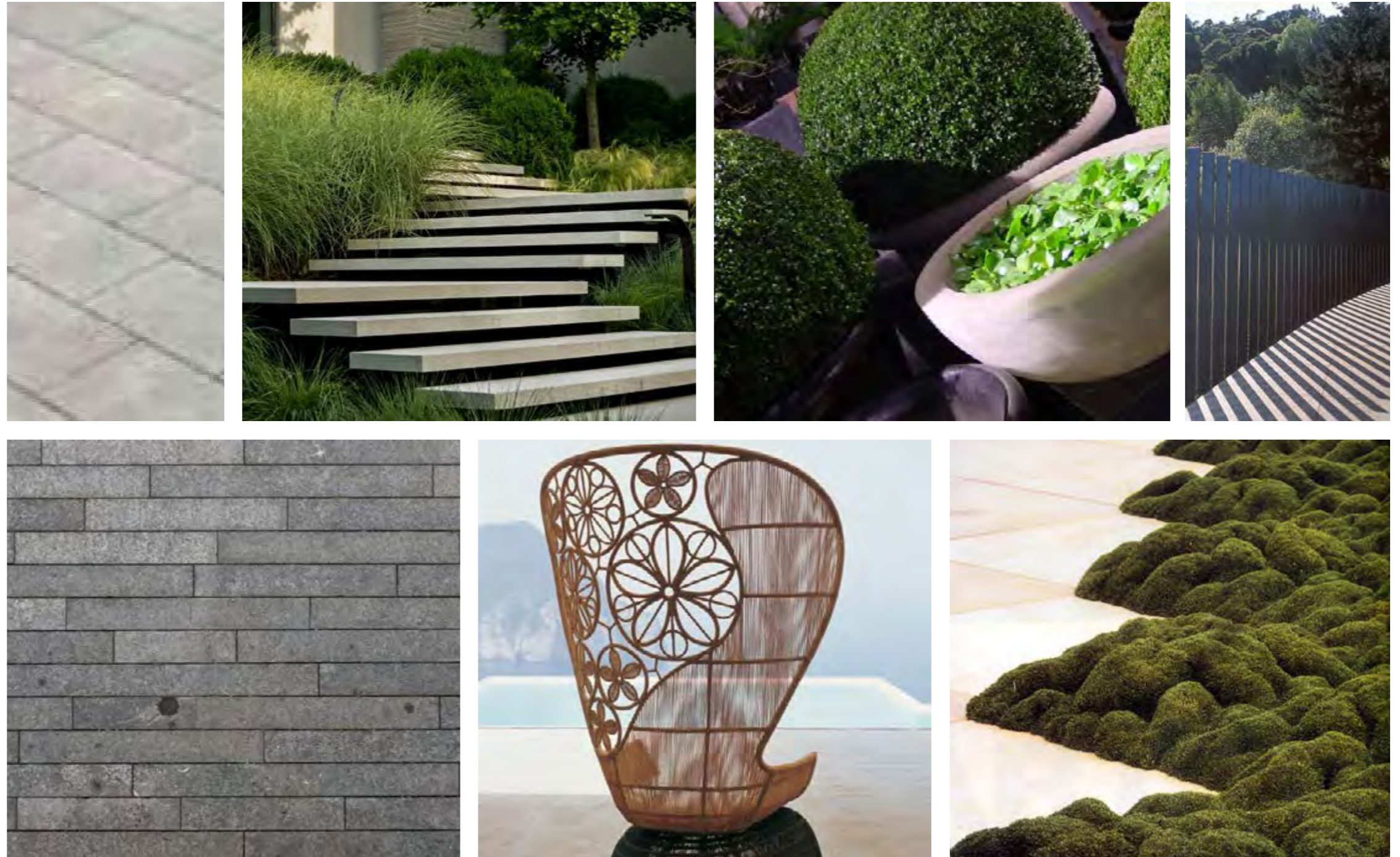


SOUTH EAST CORNER

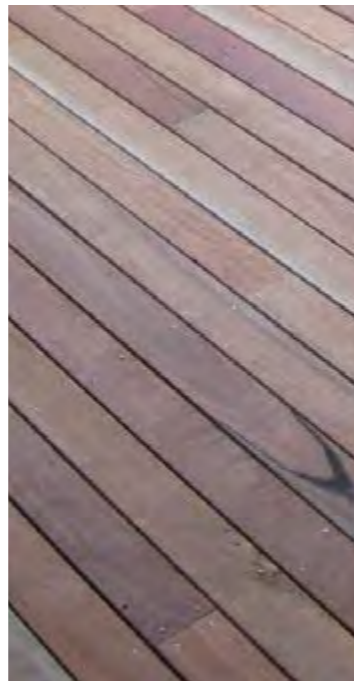


-  **PAVING**
Stone paving
 -  **STEPS**
Stone steps through garden
 -  **SEAT EDGE**
450mm high concrete edges
 -  **GARDEN BED**
Planting in Organic Mulch
-
- Diverse mix of textural low planting
-
- Timber Decking with BBQ and Seating
-
- Timber Decking and Seating
-
- Garden Seat Edge
-
- Small deciduous tree planting
-
- Maintenance access perimeter path

MATERIALS PALETTE RESIDENTIAL



MATERIALS PALETTE ROOFTOP



PLANTING PALETTE FEATURE TREES



Banksia integrifolia

PLANTING PALETTE FEATURE TREES



Banksia integrifolia



PLANTING PALETTE RESIDENTIAL

TREE PLANTING SCHEDULE

Botanic Name	Code	Common Name	Mature HxW	Pot Size
TREES				
<i>Banksia integrifolia</i>	<i>bi</i>	Coastal Banksia	4 x 15m	100L
<i>Lagerstroemia indica</i>	<i>li</i>	Crepe myrtle	2.5 x 2m	100L
<i>Melaleuca ericafolia</i>	<i>me</i>	Chinese elm	13 x 10m	100L

LOW VEGETATION MIX - INDICATIVE SPECIES

Botanic Name	Common Name	Mature HxW	Pot Size
SHRUBS & GROUND COVERS			
<i>Acacia baileyana (prostrate)</i>	Wattle	1x 1m	140mm
<i>Adenanthos</i>	Wooly Bush	2m x 1m	140mm
<i>Banksia media</i>	Golden stalk	1 x 2m	140mm
<i>Brachyscome sp</i>		.25m x .5m	140mm
<i>Correa alba</i>	Correa	1m x 1m	140mm
<i>Darwinia citriodora (prostrate)</i>		.75m x 2m	140mm
<i>Eremophila nivea</i>		1m x 2m	140mm
<i>Leucophyta brownii</i>	Cushion bush	0.5m x 1m	140mm
<i>Lomandra glauca 'Blue Ridge'</i>	Lomandra blue ridge	0.35 x 0.3m	140mm
<i>Rhagodia spinescens</i>		.5m x 2m	140mm
<i>Thryptomene baeckeacea</i>	Coastal thryptomene	1.2 x 1.5m	140mm
<i>Westringia fruticosa</i>	Coastal rosemary	2x 4m	140mm

*Banksia integrifolia**Melaleuca ericafolia**Lagerstromia sp*

PLANTING PALETTE RESIDENTIAL



Correa alba



Rhagodia spinescens



Acacia baileyana (prostrate)



Darwinia citriodora (prostrate)



Westringia fruticosa



Lomandra glauca 'Blue Ridge'



Thryptomene baeckeacea



Banksia media



Eremophila nivea

PLANTING PALETTE ROOFTOP

TREE PLANTING SCHEDULE

Botanic Name	Code	Common Name	Mature HxW	Pot Size
TREES				
<i>Lagerstroemia indica</i>	LI	Crepe myrtle	2.5 x 2m	100L
<i>Ulmus parvifolia</i>	UP	Chinese elm	13 x 10m	100L
<i>Zelkova serrata</i>	ZS	Japanese zelkova	24 x 23m	40L
<i>Zelkova serrata 'Green Vase'</i>	ZSG	Green vase zelkova	14 x 10m	40L

MIX VEGETATION INDICATIVE SPECIES

Botanic Name	Common Name	Mature HxW	Pot Size
SHRUBS & GROUND COVERS			
<i>Acacia cognata 'Limelight'</i>	Limelight	1x 1m	140mm
<i>Calochlaena dubia</i>		1x 1m	140mm
<i>Banksia media</i>		3x 2m	140mm
<i>Calothamnus graniticus</i>		1.5 x 2m	140mm
<i>Cyathea australis</i>	Small tree fern		
<i>Casuarina 'Cousin IT'</i>		0.2 x 0.75m	140mm
<i>Euphorbia Blue Haze</i>	Mediterranean Spurge	1.5 x 0.8m	140mm
<i>Lomandra glauca 'Blue Ridge'</i>	Lomandra blue ridge	0.35 x 0.3m	140mm
<i>Orthrosanthus multiflorus</i>	Salvia Heatwave Blaze	1 x 1m	140mm
<i>Sisyrinchium striatum</i>	Pale yellow-eyed-grass	0.6 x 0.3m	140mm
<i>Panicum virgatum</i>			
<i>Thryptomene baeckeacea</i>	Coastal thryptomene	1.2 x 1.5m	140mm
<i>Westringia fruticosa</i>	Coastal rosemary	2x 4m	140mm



Ulmus parvifolia



Zelkova serrata



Zelkova serrata 'Green Vase'



Lagerstromia sp

PLANTING PALETTE ROOFTOP



Euphorbia Blue Haze



Sisyrinchium striatum



Panicum virgatum



Thryptomene baeckeacea



Eremophila nivea



Sutera 'Snowstorm Blue'



Casuarina 'Cousin IT'



Acacia 'Limelight'



Caloclaena dubia



Convolvulus 'Lilac Moon'



Orthrosanthus multiflorus

DELEGATE REPORT

MINISTERIAL PLANNING REFERRAL

Application number:	TPM-2022-1
DELWP Application number:	PA2101470
Applicant / Owners / Architect:	Hollerich Town Planning / MAB Corporation / Wood Marsh Pty Ltd
Address:	473-505 Docklands Drive, DOCKLANDS VIC 3008
Proposal:	Construction of a multi-storey apartment development and provision of car parking that exceeds the requirements of the Parking Overlay
Cost of works:	\$160,000,000
Date received by City of Melbourne:	6 January 2022
Responsible officer:	Xavier Livy, Principal Urban Planner

1 SUBJECT SITE AND SURROUNDS

The broader site is located on the south side of Docklands Drive, Docklands. The site is a large redevelopment parcel of land that sits to the north of Victoria Harbour and is bound by Wattle Road to the east and Ron Barassi Senior Park to the west. The site is currently vacant.

The subject lot, known as 'Lot B' is located towards the south-east corner.

The site is located within a mixed use precinct, surrounded by the harbour, parkland, Docklands Studios Melbourne to the north and low-scale townhouses, mid-rise apartments and Quay Park to the east. Further east is the recently constructed Banksia development; further north-east is The District Docklands shopping precinct; and further west is the Western Link Road / Bolte Bridge and Moonee Ponds Creek.

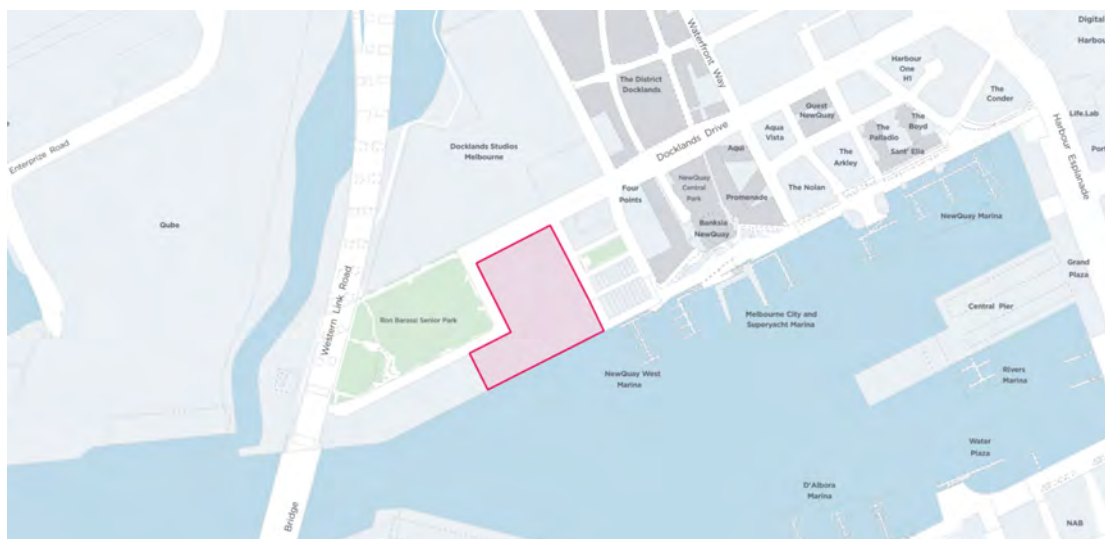


Figure 1: Map of subject site and surrounds

Figure 2: Aerial of subject site and surrounds (NearMap January 2022)



Figure 3: Subject site



Figure 4: Wattle Road looking south

2 BACKGROUND AND HISTORY

2.1 NewQuay West Docklands Development Plan

The NewQuay West Development Plan 2018 was prepared by MAB Corporation in conjunction with DKO Architecture, Aspect Studios and other specialist consultants. The Development Plan replaced the “Amended MAB NewQuay West Development Plan September 2007 Melbourne Docklands Business Park Precinct” and was endorsed by the Minister for Planning on 12 October 2018.

The Development Plan represents a re-planning of the area following incorporation of the Ron Barassi Senior Park at the western end of the precinct, a more thorough knowledge of the costs associated with the reconstruction of the waterfront promenade and the significant changes to the property market since approval of the 2007 Development Plan. These matters necessitated a review of the general urban structure and built form approach within the precinct, as now depicted in the Development Plan.

Various parts of the Development Plan area have been constructed, including the Ron Barassi Senior Park, the Mariner apartment building, linear park (Quay Park) and terraces in the eastern part of the precinct and associated road networks and infrastructure.

The Development Plan provides an overarching set of concepts, plans and principles that future development applications must be generally compliant with. The proposed development’s compliance with the Development Plan is assessed at Section 13.1 of this report.

The Development Plan includes the development of a new linear park, designed as an extension of the existing park to the west. The new park is located to the south of Lots G and H (Figure 5). The Development Plan’s Indicative Staging Plan states that *“the entire linear park will be delivered with the first neighbouring development.”*

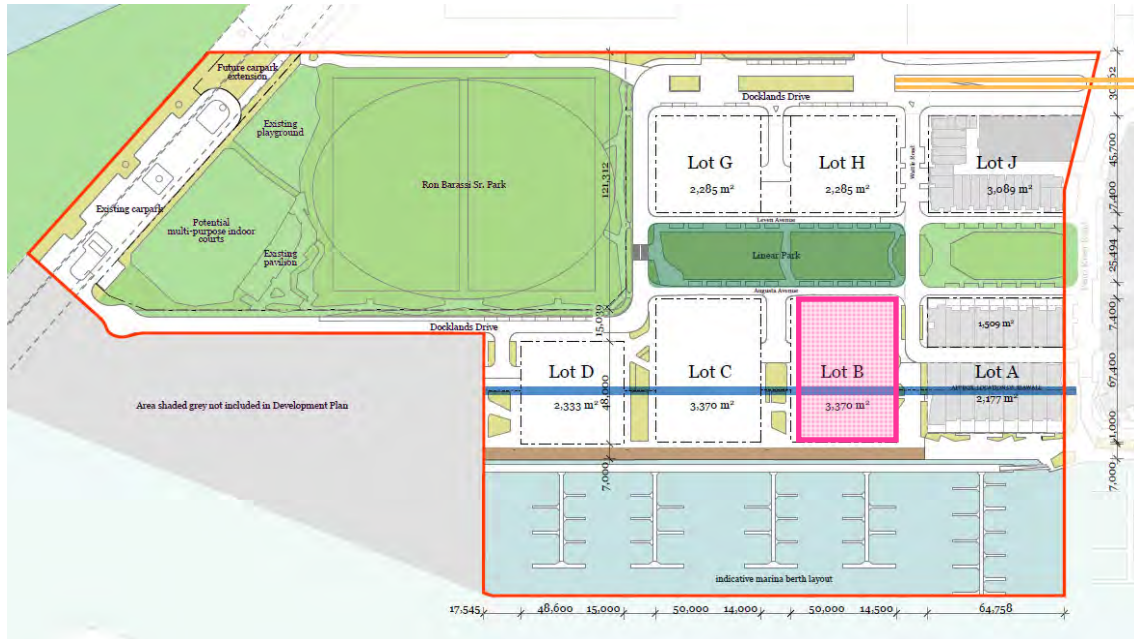


Figure 5: Lot B (subject lot) shown highlighted within the broader NewQuay West Development Plan site

2.2 Surrounding area planning application history

The following applications are relevant to the site and surrounds.

Address	Application	Description	Decision
473-505 Docklands Drive, Docklands – Lot H	TP-2019-669	<p>Construction of a multi-storey, mixed-use building; a reduction in the bicycle facilities requirements; and associated landscape works in accordance with the endorsed plans.</p> <p>It is noted a Section 173 Agreements condition is imposed on TP-2019-669 which requires the delivery of the Linear Park to the satisfaction of the City of Melbourne in accordance with the proposed staging of the approved Development Plan.</p>	<p>Permit</p> <p>23 August 2019</p>

3 PROPOSAL

3.1 Plans / Reports considered in assessment

The plans which have been considered in this assessment are identified in Table 1 below:

Table 1: Plans / Reports considered in assessment		
Plan / Report Title	Drawing / Report Author	Drawing / Report Date
Architectural Drawings	Wood Marsh Pty Ltd	April 2022
Urban Context Report	Hollerich Town Planning Pty Ltd,	April 2022
External Landscape Plan	ASPECT Studios.	April 2022
Internal Landscape Plan	T.C.L.	August 2021
Traffic Impact Assessment Report	Stantec	April 2022
Wind Assessment	MEL Consultants	April 2022
Waste Management Plan	Leigh Design	April 2022
Sustainability Management Plan	ADP Consulting	September 2021
Acoustic Report	Acoustic Logic	January 2022
Site Environmental Management Plan	Senversa / AECOM-	May 2019

3.2 Details of the proposal

The application as submitted comprises the following elements:

- The construction of a 36 storey building for use as residential apartments (dwellings).
- A 29 storey tower is proposed to sit above a 7 storey podium.
- Pedestrian entry is from both Augusta Avenue and Wattle Road. A large foyer and entry lobby with concierge leading to the central lift lobby and stairwell faces the Wattle Road extension.
- The ground floor dwellings will be provided with independent pedestrian access from Augusta Avenue and the waterfront promenade.
- An extension to Wattle Road, including a shared pedestrian / vehicular space that includes a pick-up / drop-off area adjacent to one of the building entrances.
- Separated resident car parking, resident bicycle and service vehicle access entry from the future service road to the south. Resident car parking is provided at ground floor level up to level 6.
- An internal loading bay at ground level to manage waste collection with storage of bins within proximity. This loading bay is also proposed to be used for potential removalists.
- A 15KL rainwater tank within the subfloor of the ground floor level of the building.
- One main lift core and associated stair access for the tower, which is located to the centre of the building and features three lifts and two staircases. Two separate lift cores service the north and south sides of the podium levels.

- A common amenities area is provided for residents on Level 7 at the top of the podium. This area features an indoor pool, steam room, sauna and treatment rooms, meeting rooms, a shared lounge and kitchen, resident function rooms, a gym and separate yoga room and associated amenities. The communal resident offering also incorporates an external roof top area that will be landscaped generally in two discrete sections to the east and west sides of the building and will comprise vegetation, seating areas, outdoor amenities and sculpted planting spaces.

Specific details of the development are as follows:

Height	118.3 m
Storeys	36
Basements	N/A
Tower Setbacks	North: 5 m-11 m South: 8.4 m-11 m East: 7.4 m – 22.6 m West: 10 m – 18 m
Gross Floor Area (GFA)	44,393 m ²
Development Area	3393 m ²
Dwellings	One Bedroom: 42 Two Bedroom: 116 Three Bedroom: 73 Four Bedroom: 3 Total: 234
Car Parking Spaces	365
Bicycle Parking Spaces	136



Figure 6: Proposed perspective from Victoria Harbour



Figure 7: Proposed south façade (promenade)



Figure 8: Proposed north façade (and Linear Park)

4 STATUTORY CONTROLS

The following provisions of the Melbourne Planning Scheme apply to the application.

<p>Planning Policy Framework</p>	<p>Clause 11 – Settlement Clause 13 – Environmental Risks and Amenity Clause 15 – Built Environment and Heritage Clause 16 – Housing Clause 17 – Economic Development Clause 18 – Transport Clause 19 – Infrastructure</p>
<p>Municipal Strategic Statement</p>	<p>Clause 21.02 – Municipal Profile Clause 21.03 – Vision Clause 21.04 – Settlement Clause 21.06 – Built Environment and Heritage Clause 21.07 – Housing Clause 21.08 – Economic Development Clause 21.09 – Transport Clause 21.10 – Infrastructure</p>

	Clause 21.16 – Proposed Urban Renewal Areas
Local Planning Policies	Clause 22.18 – Urban Design within the Docklands Zone Clause 22.19 – Energy, Water and Waste Efficiency Clause 22.23 – Stormwater Management

Clause	Permit Trigger
Clause 37.05 Docklands Zone Schedule 6	<p><u>Use</u> Pursuant to Clause 37.05-1, 'Dwelling' and 'Office' are Section 1 uses – no permit required.</p> <p><u>Development</u> Pursuant to Clause 37.05-4, a permit is required to construct a building or construct or carry out works and to demolish or remove a building or works.</p> <p><u>Environmental Audits</u> Pursuant to Clause 37.05-8, before a sensitive use (residential use, child care centre, pre-school centre, primary school, education centre or informal outdoor recreation) commences or before the construction or carrying out of buildings and works in association with a sensitive use commences, the timing for which must be to the satisfaction of the responsible authority having regard to the Melbourne Docklands Environmental Management Plan as amended, either:</p> <ul style="list-style-type: none"> • A preliminary risk screen assessment statement in accordance with the Environment Protection Act 2017 must be issued stating that an environmental audit is not required for the use or proposed use; or • An environmental audit statement under Part 8.3 of the Environment Protection Act 2017 must be issued stating that the land is suitable for the use or proposed use; or • A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970; or • An environmental auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.
Clause 43.01 Heritage Overlay Schedule 915 (Victoria Dock, Harbour Esplanade, Victoria Harbour Promenade, North Wharf Road, Docklands Drive and Newquay Promenade, Docklands)	<p>The subject site is only partially covered by HO915 which relates to the Victoria Dock area. This area is listed on the Victorian Heritage Register (VHR Ref No. H1720).</p> <p>Pursuant to Clause 43.01-3, no permit is required under this overlay to develop a heritage place which is included in the Victorian Heritage Register. It should be noted that a Heritage Victoria permit has already been issued under P23070 which allows for the demolition of the wharf structure know as Berths 20 and 21 as well as their reconstruction. Any reconstruction must be done in accordance with the approved Development Plan and in consultation with Melbourne City Council.</p>
Clause 43.04	Pursuant to Clause 43.04-2, a permit must not be granted to use or

Development Plan Overlay Schedule 7	subdivide land, construct a building or construct or carry out works until a development plan has been prepared to the satisfaction of the responsible authority. This does not apply if a schedule to this overlay specifically states that a permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority. A permit granted must: <ul style="list-style-type: none"> • Be generally in accordance with the development plan. • Include any conditions or requirements specified in a schedule to this overlay.
Clause 43.02 Design and Development Overlay Schedules 12 and 54-A2 & A3	Pursuant to Clause 43.02-2, a permit is required to construct a building or construct or carry out works.
Clause 45.09 Parking Overlay 10	Pursuant to Schedule 1 of Clause 45.09, a permit is required to provide car parking spaces in excess of the car parking rates in Clause 3.0 of the schedule.
Clause 52.34 Bicycle Facilities	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. In relation to the proposed development, Clause 52.34 seeks the following number of bicycle parking spaces for each use component. <ul style="list-style-type: none"> • 1 resident space to each 5 dwellings = 47 spaces. • 1 visitor space to each 10 dwellings = 23 spaces. The proposal has a statutory requirement of 70 spaces. A total of 136 spaces are provided as part of this development which include 24 visitor bicycle parking spaces, therefore a planning permit is not required under Clause 52.34.
Clause 58 Apartment Developments	Pursuant to Clause 58, provisions in this clause apply to an application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, if the apartment development is in the Docklands Zone.

General Provisions	
Clause 65 Decision Guidelines	The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause, which include the matters set out in Section 60 of the Planning and Environment Act 1987.
Clause 72.01 Responsible Authority for this Planning Scheme	The Minister for Planning is the responsible authority for this application as the gross floor area (GFA) of the development exceeds 25,000 m ² . The Minister for Planning has been informally referred the application to Melbourne City Council as an interested party, seeking Council's recommendation on the application, including recommended permit conditions.

5 PUBLIC NOTIFICATION

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

6 REFERRALS

6.1 Internal

6.1.1 City Design and Landscape

The application was referred to City Design whose comments can be summarised as follows:

- Broad support is provided for the proposal noting further efforts should be made to ensure a high quality urban design and landscape architecture outcome.
- Develop programming and design measures to ensure the Wattle Road interface and shared drop-off zone is supported by vibrant and active interfaces to support pedestrian activity. The use of fluted concrete wall with fluted glass is supported as a design measure which provides visibility of internal activity.
- Sliding doors should be used in lieu of revolving doors.
- Further refinement of the car parking interface is required to avoid the use of vertical louvers which can be seen in Figure 10 below.
- Further details are required on the specifications within the material palate to ensure the quality of materials are achievable and can be maintained.
- From a landscaping perspective the porte-cochere area with the inclusion of additional landscaping, seating and pedestrian focus is supported.

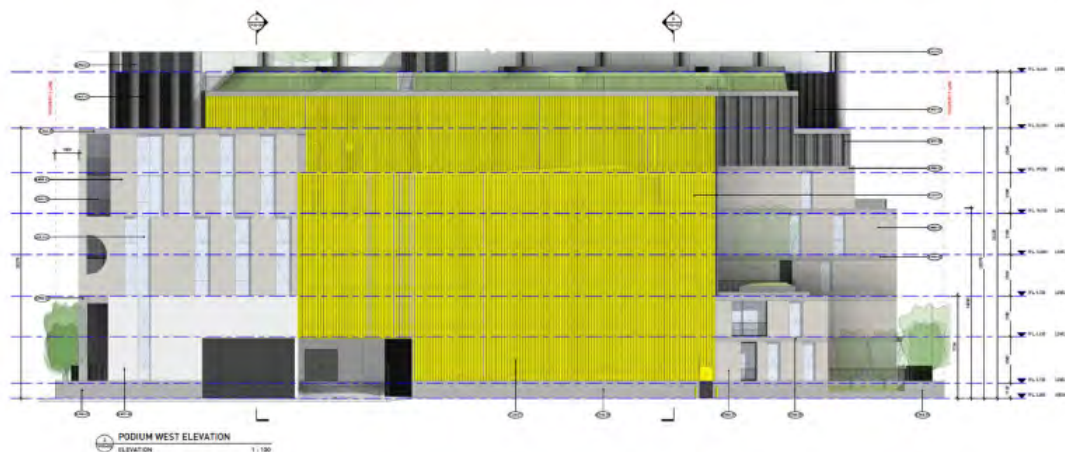


Figure 10: Concern with use of vertical louvres to screen podium car parking for western elevation

Officer comment

The proposal is supported by City Design subject to amendments to address the following:

- Further details and design measures for the Wattle Road and shared zone interface which can be addressed as a part of any public realm plan.
- Alternative material to the car parking screening within the podium to improve visual interest.

- Further details on the proposed materials which can be addressed in a Façade Strategy.
- Removal of revolving doors, to replace with sliding doors to create a more pedestrian friendly environment.

These items are included as conditions in the Officer recommendation.

6.1.2 Traffic Engineering

The application was referred to Traffic Engineering whose comments can be summarised as follows:

- The Melbourne Planning Scheme has a maximum limitation of 351 spaces for this proposed development. The development seeks to provide 365 which exceeds the limitation by 14 spaces which is not supported.
- The proposal requires a comprehensive Loading Management Plan.
- Traffic has no 'in-principle' objection to the porte-cochere / Wattle Road extension noting that approval from Department of Transport will be required for this shared zone.
- The bicycle parking provision is supported provided they are designed in accordance with the Australian Standards / Planning Scheme requirements.
- At least 7 motorcycle spaces should be provided on site. It is noted that the Parking Overlay Schedule 10 does not require the provision of motorcycle spaces.
- Sustainable transport options should be further explored such as car share and electric charging spaces.
- A Road Safety Audit should be prepared for the site.

Officer comment

The proposed car parking exceeds the limit under the Scheme by 14 spaces.

It is noted that across the whole Development Plan area the site must not provide car parking rate in excess of 1.5 spaces per dwelling. Therefore, whilst this stage provides greater than the maximum rate, the precinct will achieve 1.5 spaces per dwelling.

The development approved for 'Lot H' under TP-2019-669 is for 195 dwellings and provides a total of 161 car parking spaces. This amount is less than the 1.5 space per dwelling ratio. All other matters relating to bicycle parking, motorcycle parking, sustainable parking, loading management plan and a road safety audit form part of the conditions in the Officer recommendation.

6.1.3 City Infrastructure

The application was referred to City Infrastructure whose comments can be summarised as follows:

- The proposed development includes construction of new portions of roads to the north, east and west side of the subject land. Prior to the occupation of the development, these portions of road must be declared as Public Highways and vested in Council as Roads on plan of subdivision.
- All projections over the street alignment must conform to Building Regulations 2018, Part 6, Sections 98 to 110 as appropriate. Reference can be made to the City of Melbourne's Road Encroachment Operational Guidelines with

respect to projections impacting on street trees and clearances from face / back of kerb.

- All projections over the street alignment must be drained to a legal point of discharge in accordance with plans and specifications first approved by the Responsible Authority – City Infrastructure.
- 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 Responsible Authority – City Infrastructure. This system must be constructed prior to the occupation of the development and provision made to connect this system to the City of Melbourne's underground stormwater drainage system. Where necessary, the City of Melbourne's drainage network must be upgraded to accept the discharge from the site in accordance with plans and specifications first approved by the Responsible Authority – City Infrastructure.
- The public realm must be designed and constructed in accordance with the current Docklands Design and Construction Standards for Infrastructure Works.
- Prior to the commencement of the use / occupation of the development, all necessary vehicle crossings must be constructed and all unnecessary vehicle crossings must be demolished and the footpath, kerb and channel reconstructed, in accordance with plans and specifications first approved by the Responsible Authority – City Infrastructure.
- All new or altered portions of road (including the provision of footpaths, public lighting, street trees, pavement marking and signage) must be constructed prior to the occupation of the development, in accordance with plans and specifications first approved by the Responsible Authority – City Infrastructure.
- Existing street levels in roads adjoining the site must not be altered for the purpose of constructing new vehicle crossings or pedestrian entrances without first obtaining approval from the Responsible Authority – City Infrastructure.
- All street lighting assets temporarily removed or altered to facilitate construction works shall be reinstated once the need for removal or alteration has been ceased. Existing public street lighting must not be altered without first obtaining the written approval of the Responsible Authority – City Infrastructure.
- All street lighting assets temporarily removed or altered to facilitate construction works shall be reinstated once the need for removal or alteration has been ceased. Existing public street lighting must not be altered without first obtaining the written approval of the Responsible Authority – City Infrastructure.
- All street furniture such as street litter bins, recycling bins, seats and bicycle rails must be supplied and installed on footpaths outside the proposed building to plans and specifications first approved by the Responsible Authority – City Infrastructure.
- The promenade / wharf structure must be constructed in accordance with plans and specifications first approved by Development Victoria in consultation with Melbourne Water, Parks Victoria and the City of Melbourne

and the works performed to the satisfaction of Development Victoria, Parks Victoria and City of Melbourne – City Infrastructure.

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

Officer comment

These items form part of the conditions in the Officer recommendation.

6.1.4 Waste Services

The application was referred to our Waste Services team who advised the following needs to be addressed as part of an amended waste management plan:

- In line with Council's recent correspondence, consideration should be given to future proofing the development by showing separate storage for glass bins.
- All residents in apartments 0001-0009 are required to use stairs to deposit their waste either into the chutes or directly into the bin room. The path of travel for these residents needs to be free of stairs to mitigate OH&S issues.
- Similarly, it appears that all residents now have to navigate stairs to deposit their hard waste. Please provide for a path of travel that is free of stairs.

Officer comment

The Officer recommendation requests an amended Waste Management Plan to address the above outstanding items.

6.1.5 Land Survey

The application was referred to our Land Survey team whose comments can be summarised as follows:

- The proposed development includes construction of new portions of roads to the north.
- The subject land appears to be encumbered by an easement in favour of City West Water. The easement is unlimited in height and depth. The proposed Architectural Plans appears to encroach within the airspace and depth of the easement. The easement must be varied prior to the commencement of construction or the permit preamble must be amended to include the variation of easement.
- In relation to light and air rights and carriageway rights over the abutting title boundary being Lot 1 on PS614264R (land from the 'Sea Wall to the Promenade) it is recommend a condition be placed on any permit to address this matter. It should also be noted that given that the creation of easement is a permit trigger, the permit preamble should be updated to reflect any creation of a carriageway and light and air easement.

- Proposed canopy over Wattle Road must comply with Council's Road Encroachment Guidelines. Any canopy which is proposed below the height of 5 m must be referred to Engineering for comment.
- It is unclear what the proposed status of the land will be from the 'Sea Wall to the Promenade' along the proposed Western Boundary. The similar section on the Eastern Boundary is Crown Land. A Passageway easement will need to be created over this section of land on any future subdivision to allow for the proposed access and windows on the boundary.
- Land shown as Future Lane on the Architectural Plans must be vested in Council as a Road on a Plan of Subdivision Prior to Occupation.

Officer comment

These matters were raised with the applicant throughout the application process and form part of the conditions in the Officer recommendation.

6.1.6 Urban Forest and Ecology

The application was referred to our Urban Forest and Ecology team whose comments can be summarised as follows:

- A tree protection plan must be provided prior to commencement of works.
- No public trees adjacent to the site can be removed and tree protection zones must be provided to ensure no unreasonable impact.
- A landscape plan must be provided for both the development site and public realm works.

Officer comment

These items form part of the conditions in the Officer recommendation.

6.1.7 Green Infrastructure and Environmentally Sustainable Design

The application was referred to Council's Senior Green Infrastructure and Environmentally Sustainable Design Officer whose comments can be summarised as follows:

- The development commits to a level of sustainability that meets the objectives of Clause 22.19 and Clause 22.23 of the Melbourne Planning Scheme.
- Additional evidence is required to demonstrate that the proposal achieves 5 star Green Star benchmark.

Officer comment

The Sustainability Management Plan should include a clear commitment to achieving a certified 5 star rating and also ensure these commitments are reflected on any architectural plans. These items form part of the recommended conditions in the Officer recommendation for an amended Sustainability Management Plan.

7 ASSESSMENT

The key issues in the assessment of the application are:

- Compliance with the approved Development Plan.
- Built form having regard to DDO12 and DDO54.
- Traffic and parking.

- Environmentally sustainable design.
- Potentially contaminated land.
- Clause 58 (BADs).

7.1 Development Plan

Where relevant, an assessment of the proposed development’s compliance with the principles of the endorsed Development Plan is provided below. The proposed development is considered to be generally in accordance with the Development Plan.

7.1.1 Section 3.4 – Building Access

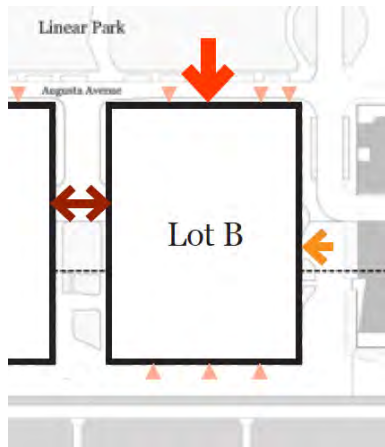


Figure 11: Building Access (Development Plan)

The proposal responds to Section 3.4 – Building Access as follows:

- Pedestrian access is proposed to be available from both the north and east, which is generally consistent with Figure 11. The access to the east (orange) will likely operate as the primary access due to its association with the porte-cochere areas, however, on balance this is considered acceptable when considering Figure 10 as the proposal still allows pedestrian access from the north (red).
- Individual apartment access is proposed along the north and south elevations (pink), consistent with Figure 11.
- Vehicle access is proposed on the west side (brown) of the building, consistent with Figure 11.

7.1.2 Section 3.5 – Podium Heights & Setbacks

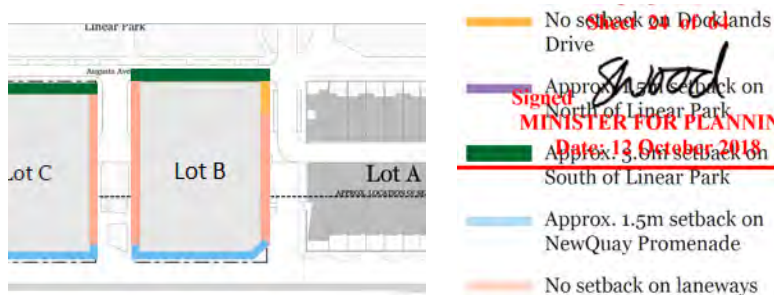


Figure 12: Podium Heights & Setbacks (Development Plan)

The proposal responds to Section 3.5 – Podium Heights & Setbacks as follows:

- The podium is constructed to the north, east, south and west boundaries generally consistent with Figure 12.
- Figure 12 suggests an approximate setback of 1.5 metres for the NewQuay Promenade (blue). The proposal is generally in accordance with this requirement as there is a 1.5 metre setback for landscaping and has some minor encroachments of the balcony spaces associated with the relevant dwellings.
- Figure 12 suggests a 3 metre setback on the northern side (green) of the podium. Again it is considered the proposal is generally in accordance with this requirement. The first two levels are setback 4 metres. It should be noted that the levels above in the podium do encroach into the 3 metre setback, however, this is considered acceptable as it adds visual interest and articulation via architectural features to the podium level facing the future linear park.

7.1.3 Section 3.6 – Maximum Building Heights

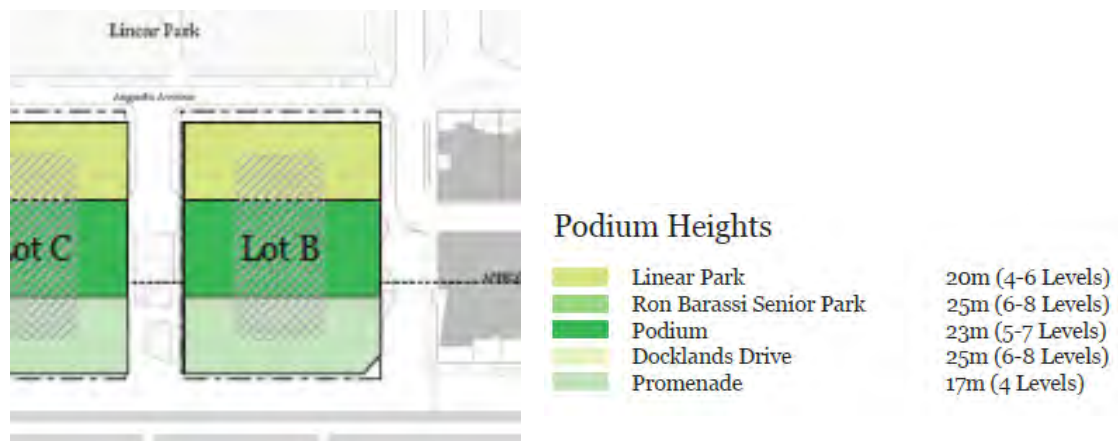


Figure 13: Maximum Building Heights (Development Plan)

The proposal responds to Section 3.6 – Maximum Building Heights as follows:

- The Development Plan seeks a podium height of 20 m (4-6 levels) to the future Linear Park and 25 m (6-8 levels) to Docklands Drive.
- The proposed podium is 24.6 m (7 levels) to both Docklands Drive and the Linear Park, which is generally in accordance with the Development Plan. While the podium exceeds a storey and overall height for its Linear Park frontage, on balance it is considered acceptable due to the stepping in and articulation of the podium. This outcome assists in reducing the visual bulk and results in a perceived lower height of the podium.
- The proposed tower is 118.3 m in height. The Development Plan indicates a height of 110-120 metres and therefore this outcome is consistent with the anticipated overall height of the Development Plan.

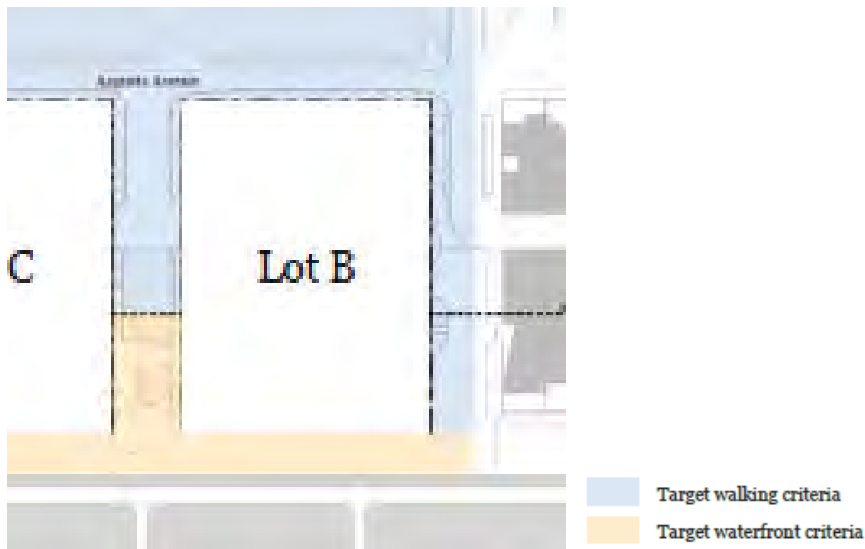


Figure 16: Wind Design Criteria (Development Plan)

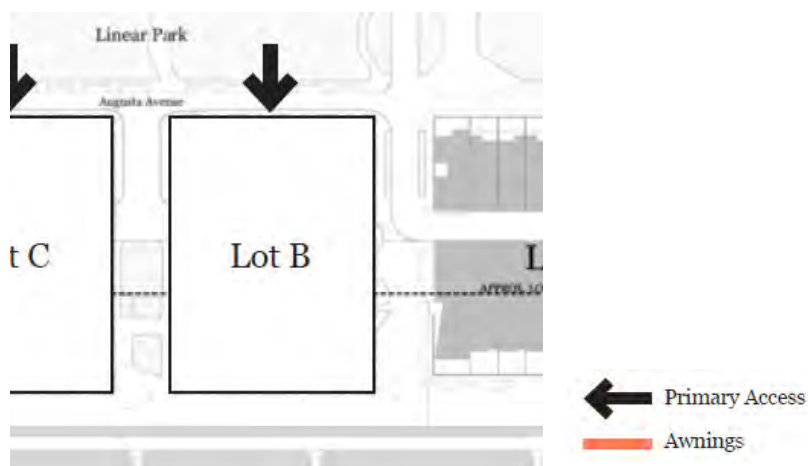


Figure 17: Wind Mitigation Design (Development Plan)

The proposal responds to Section 3.8 - Wind Design Criteria and Section 3.9 - Wind Mitigation Design as follows:

- The Development Plan seeks to achieve walking conditions around Lot B with areas to the south identified as waterfront criteria.
- Wind assessments were compiled as part of the Development Plan, which recommended wind mitigation measures that could be incorporated into the design responses; including awnings, airlocks and locations of pedestrian entries.
- A wind report was prepared by MEL Consultants and submitted with the application. Whilst the Development Plan anticipated the northern façade to have the primary access the built form and design has considered wind mitigation measures based on the eastern side operating as the likely primary access.

7.1.6 Section 3.10 - Shadowing

The proposal responds to Section 3.10 - Shadowing as follows:

- Shadow diagrams and percentages are shown in the Development Plan and the proposal is generally consistent with the anticipated overshadowing for Lot B.

- Overshadowing has been minimised through the proposed massing of the tower to the north and east of the podium which results in a reduced shading to the future promenade area.
- The proposal is largely consistent with the shadows indicated within the Development Plan, noting that at some periods during the day the promenade will experience less shadow than what is anticipated by the Development Plan. While there is a marginal increase across the whole day it is considered minor and still an outcome generally in accordance with the Development Plan. Further details on the percentages are shown in Table 2.

Table 2: Percentage of area not in Shadow		
	Proposed	Development Plan
11 AM	25.23%	21%
12 PM	46.31%	50%
1 PM	68.8%	68%
2 PM	56.16%	59%
3 PM	28.12%	33%

7.1.7 Section 3.11 - Interfaces

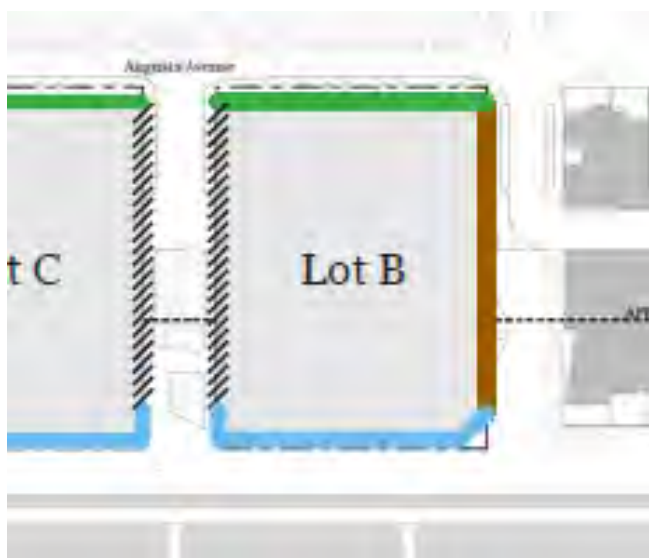


Figure 18: Interfaces (Development Plan)

The proposal responds to Section 3.11 - Interfaces as follows:

- The Linear Park interface (green) is consistent with the Development Plan design principles. A small setback is proposed to facilitate a garden and terrace townhouse setting; provides opportunities for canopy tree planting; delineates private and public land; is elevated to provide a mix of passive surveillance and internal privacy; introduces direct dwelling entries off the street; and a townhouse type design response is achieved.

- The east interface (brown) is consistent with the Development Plan design principles. A mix of façades, balconies and an entry are proposed; ground floor pedestrian access is provided off the street; residential spaces are elevated to provide visual amenity and privacy; and landscaping is proposed.
- Services are predominatly located along the west interface (black), consistent with the Development Plan.
- The promenade interface (blue) is generally consistent with the design principles of the Development Plan. It is adequately setback and allows for sufficient landscapng. One of the design principles relates to having 50% of terraces having an office space which has not been achieved. A condition of any permit issued could address this matter whilst still ensuring the dwellings are Clause 58 compliant.

7.1.8 Section 4.1 - Vehicle Access and Public Car Parking

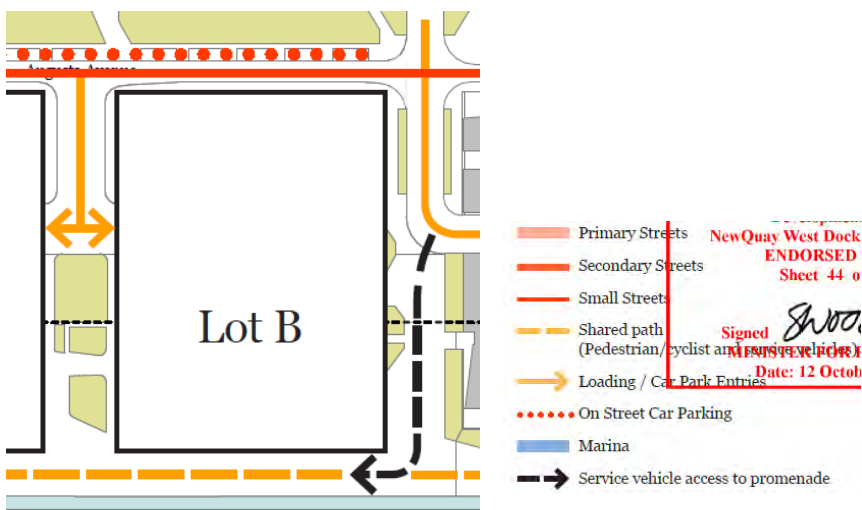


Figure 19: Vehicle Access & Public Car Parking (Development Plan)

The proposal responds to Section 4.1 – Vehicles Access and Public Car Parking as follows:

- The proposed loading / car parking entry (orange arrow) is consistent with the Development Plan as it is located on the western side of the site. The Wattle Road area is also capable of accomodating service vehicles if required.

7.1.9 Section 4.2 - Pedestrian, Bicycle & Public Transport

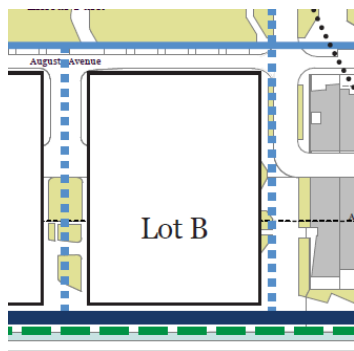


Figure 20: Pedestrian, Bicycle & Public Transport (Development Plan)

The proposal responds to Section 4.2 – Pedestrian, Bicycle & Public Transport as follows:

- The proposal is consistent with the Development Plan from a pedestrian, bicycle and public transport perspective. It should be noted that Wattle Road towards the promenade can be used by vehicles while also ensuring it operates as a ‘minor pedestrian path’ as anticipated by the Development Plan. The use of materials and how the space has been designed offers pedestrian priority as well as a low speed environment for any vehicles.

7.1.10 Section 4.3 – Sections

The proposal responds to Section 4.3 – Sections as follows:

- Section diagrams are provided in the Development Plan that generally provide details of relevant setback, car parking, road and landscape zones. These design principles will be delivered alongside the construction of the proposed development and in accordance with the requirements of other relevant Council departments (City Design, Engineering, etc.).

7.1.11 Section 5 - Landscape Plan



Figure 21: Landscape Plan (Development Plan)

The proposal responds to Section 5 – Landscape Plan as follows:

- The Development Plan provides general guidance for landscaping and materials to be used within the public realm.
- The proposed private and public realm has regard to the requirements stipulated in the Development Plan noting there has been some minor departure with regard to the pick up / drop off location to the east.

7.1.12 Section 6.1 - Indicative Staging Plan

The proposal responds to Section 6.1 – Indicative Stage Plan as follows:

- The development of Lot B is consistent with the staging plan. It is noted a planning permit has been issued for Lot H which included the requirements for the delivery of the entire linear park. A condition within the Officer recommendation addresses this item.

7.1.13 Section 6.2 - Indicative Development Schedule

The proposal responds to Section 6.2 – Indicative Development Schedule Plan as follows:

- The Development Plan lists an indicative development schedule for building height, GFA, approximate number of dwellings and maximum car parking numbers.
- Indicative numbers for Lot B are a 110-120 m building height, 43,000 m² GFA, 200 to 350 dwellings and maximum 1.5 cars per dwelling (note: parking spaces are to be a maximum of 1.5 car spaces per dwelling across the entire New Quay West Precinct).
- The proposal is generally consistent with the above numbers, having a 118.3 m building height, 234 dwellings, a rate of 1.56 cars per dwelling (365 spaces) and a 44,393 m² GFA. (Note: While the GFA exceeds 43,000 m² it is measured across the whole site and therefore when the broader area is complete it must not exceed 186,690 m² GFA). This will result in at least one building within the precinct being reduced to accommodate this exceeded GFA.

7.2 Clause 22.18 – Urban Design within the Dockland Zone

7.2.1 Street frontages, pedestrian access and vehicle networks

The proposal provides activated frontages to Augusta Avenue and the central linear park beyond, Wattle Road and the New Quay waterfront promenade, with various interface treatments adjoining future public spaces.

The design of the podium avoids blank walls and also ensures pedestrian access points are clearly visible from the public realm. The setbacks from the north and south boundaries enable the establishment of landscaped gardens which assist in softening these interfaces.

The car parking area in the podium component of the development is largely sleeved by active residential uses to minimise the visual impact of car parking structures on the streetscape. There are concerns with the material treatment of the car parking in the podium particularly from the western interface. This matter was discussed earlier in the report under Section 6.1.1 (City Design) and is included as a condition in the Officer recommendation.

Waste collection and vehicle access has been located at the western interface where a new service road between Lots B and C will be constructed in accordance with the Development Plan. This design solution results in minimum disruption to pedestrian movement and ensures vehicle access to the site is predominately confined to this area.

The port-cochere to the east is intended to function as a drop-off / pick-up point at the main building entry for use by residents and visitors to the precinct alike and is unlikely to be regularly utilised by residential vehicles. This area is designed to be a shared zone as distinct from Wattle Road and Baudin Lane and seeks to encourage a direct pedestrian connection through to the waterfront promenade.

7.2.2 Response to Melbourne's Central Activities District

The proposal provides a hierarchy of roads which is consistent with the vision for NewQuay West. There are differing levels and types of activation such as the building entry east to Wattle Road and the terraces facing the north (linear park) and south (waterfront promenade). The western service road will be legible as the car park entry point and will also function as a pedestrian link between the linear park and the waterfront promenade.

Street landscaping is associated with the proposed and will occur in accordance with the Development Plan. The landscape plan package prepared by ASPECT Studios provides further details of vegetation intended to be established. A condition in the Officer recommendation requires these public realm works be to Council's satisfaction.

7.2.3 Focused on the water

The proposal has been designed with a focus on the waterfront. The podium and tower face the waterfront and has been articulated and designed to maximise views towards Victoria Harbour and the CBD.

Access to the waterfront will not be disrupted by the proposal with pedestrian paths maintained along Wattle Road that will continue further south through a new shared vehicle and pedestrian zone outside the main building entry to the waterfront promenade.

7.2.4 Focused on the public realm

The proposed development of Lot B appropriately considers the public realm. The north, east and south interfaces all provide opportunities for social spaces and public activity. This has been achieved through the provision of large planter beds to front yards and stepped entries to dwellings to the north and south, street trees in the road reserves, and various infrastructure to the waterfront to the south including outdoor seating, lighting and landscaping. The western interface does still allow for pedestrian movement and activity, however, it does have more of a focus on vehicular entry which is in accordance with the Development Plan.

The built form has also been designed to ensure any overshadowing does not unreasonably impact on the amenity of the area. The overshadowing of the proposal is generally consistent with the Development Plan.

7.2.5 Diverse and integrated

The design incorporates a varied materials palette with quality finishes including handmade brickwork, fluted concrete, honed natural concrete and fluted glass at the podium level together with honed natural concrete, metal balustrades and bronze tinted glazing to the tower, all of which contribute to the high quality contemporary design of the proposal.

The arrangement of the built form assists in creating vistas into and out of the site with most dwellings in the tower component benefitting from views over the waterfront and towards the central CBD.

It is considered that the proposal represents a contemporary urban form that acknowledges the prominence of the subject site and its ability to enhance the public realm.

7.2.6 Creative, innovative and dynamic

The proposal represents an innovative development in Docklands that is distinct from other built forms in the area. The Lot B development will make a contribution to the public realm while also providing amenity to future residents and users of the site.

The building has been setback from the south boundary which achieves a sense of openness along the waterfront promenade and allows for landscaping in private front yards.

The car parking structure and loading bay has been designed to minimise disruption to active interfaces by providing vehicle access off a new service lane between Lot B and future Lot C noting that further design efforts are required for the car parking podium area.

7.3 Design and Development Overlay

7.3.1 Schedule 12

The subject site is affected by Design and Development Overlay Schedule 12 which seeks to ensure that new or refurbished developments for new residential and other noise sensitive uses constructed in the vicinity of the Docklands Major Sports and Recreation Facility include appropriate acoustic measures to attenuate noise levels, in particular music noise, audible within the building; and to ensure that land use and development in the vicinity of the Docklands Major Sports and Recreation Facility is compatible with the operation of a Major Sports and Recreation Facility.

An acoustic report, prepared by Acoustic Logic dated January 2022, has been submitted with the application. The report makes general recommendations for glazing, roof / ceiling and external walls in order to comply with the requirements of DDO12. The Officer recommendation includes a condition to ensure endorsement and compliance with the submitted acoustic report.

7.3.2 Schedule 54

Schedule 54 to the Design and Development Overlay states that a permit is not required to construct a building or construct or carry out works if the requirements of Table 1 and Table 2 to this schedule are met.

The subject site is in Area 3 within the DDO54, where a 50 metre preferred height limit applies except for entertainment venues and a single tower development. The Marina Tower situated to the east of the site is an example of a single tower within the precinct that has already exceeded the preferred heights of DDO54. The proposal also does not achieve these requirements as it has an overall height of 118.3 metres.

It is important to appreciate the context of the DDO54 when considering any variation to the building height controls. The overlay was introduced in 2008 prior to any substantial redevelopment of the NewQuay precinct including the Ron Barassi Senior Park. The site context has changed significantly since this time, including the provision of the aforementioned substantial public open space at the western end of the precinct, which was the primary driver for a review of how the balance of the precinct was to be developed.

Subsequently, a detailed Development Plan for the Business Park Precinct was prepared and approved in October 2018. The Development Plan went through a lengthy and detailed planning assessment process which resulted in final approval by the Minister for Planning. It is considered that the Development Plan better reflects the current development expectations for the area than the DDO54.

In light of this the maximum preferred height as specified within the Development Plan (110 - 120 metres), which varies substantially from that within the DDO54 (50 metres) is considered to be the more current planning vision for the site.

While the proposal departs from the preferred height outlined by the DDO54, it still achieves a reasonable level of compliance with the remaining design objectives, including generous separation from existing built form and likely future tower elements; highly active and appropriate presentation to both Augusta Avenue and Wattle Road; preservation of existing vistas and maximisation of new vistas; wind mitigation measures and the opportunity to secure reconstruction of the heritage wharf. It is acknowledged that a planning permit is required under the DDO54 to exceed the requirements of Table 1 and Table 2, however, when determining whether this outcome is reasonable it is appropriate to consider the outcomes sought by the approved Development Plan which ultimately supports the proposed height.

7.4 Traffic and Parking

7.4.1 Car Parking

Referring to Section 6.1.2 of this report, Council's Traffic Engineers have raised issues with the proposed car parking arrangement due to the excess of 14 spaces.

Parking Overlay Schedule 10 states that a permit is required to provide car parking spaces in excess of the car parking rates in Clause 3.0 of this schedule, which is a rate of 1.5 spaces to each dwelling.

The number of dwellings proposed (234) alone would allow for a maximum of 351 car spaces. A total of 365 car spaces are proposed, which is above the maximum allowed under the Parking Overlay without triggering a permit. While this outcome in the context of Lot B is not supported in isolation, it is noted that the Development Plan stipulates a max of 1.5 car spaces per dwelling across the entire New Quay West Precinct which anticipates five residential towers. Therefore while this particular development allows for a car parking ratio of 1.56 space per dwelling this can be offset against subsequent development stages.

7.4.2 Bicycle Parking

The proposal provides bicycle parking spaces in excess of the statutory requirement. This outcome was supported by Council's Traffic Engineering team.

These bicycle parking spaces are also dimensioned to satisfy the relevant Australian Standard requirements.

7.5 Waste Services

Referring to Section 6.1.4 of this report, a Waste Management Plan has been submitted and reviewed by Council's Waste Services team. There are outstanding items that can be resolved via an amended waste management plan. Once this is undertaken it is considered the proposed waste arrangement will be suitable for endorsement.

7.6 Environmentally Sustainable Development

The proposal is considered to achieve an appropriate response when assessed against Clause 22.19 and Clause 22.23 of the Melbourne Planning Scheme. As noted in Section 6.1.7 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 Officer recommendation.

7.7 Environmental Audits

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

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

A Statement of Environmental Audit, issued by Senversa Pty. Ltd. has been submitted with the application.

A standard Environmental Audit condition is requested as a part of the Officer recommendation. It is also recommended via a proposed condition for a Section 173 Legal Agreement to ensure the public parks or future assets are remediated before being vested in Council.

7.8 Apartment Developments

The proposal has been generally designed to comply with Clause 58 – Better Apartment Design Standards including functional layouts, room depths, window locations, storage, natural ventilation, private open space, accessibility and circulation.

Where Clause 58 Standards are not met, an assessment against the objectives is as follows:

7.8.1 Landscaping – Clause 58.03-5

The proposal incorporates a variety of private and communal open space that will be appropriately landscaped, however, does not meet technical compliance with Standard D10 for deep soil planting for a site greater than 2,500 m². Approximately 50% of the subject site is located beyond the seawall which results in some inherent site constraints when it comes to achieving landscaping outcomes sought by the standard.

Based only on the future Lot B site which has a total development area of 3,393 m², Standard D10 seeks 15% of the site (approximately 510 m²) to be provided as deep soil and approximately 528 m² of canopy cover, including two Type B trees and one Type C tree.

Given the impact of the seawall on the ability to provide deep soil, this provision is not met. Notwithstanding, deep soil areas are proposed along the northern street frontage, with a series of planter boxes used along the southern façade at ground floor, at various spots on the upper levels of the podium, and throughout the common open space area on top of the podium. These areas are anticipated to meet the

canopy cover provision of Standard D10 and include one Type C tree (in the south east corner), one Type B Tree (in the south west corner) and numerous Type A trees throughout the site and on top of the podium.

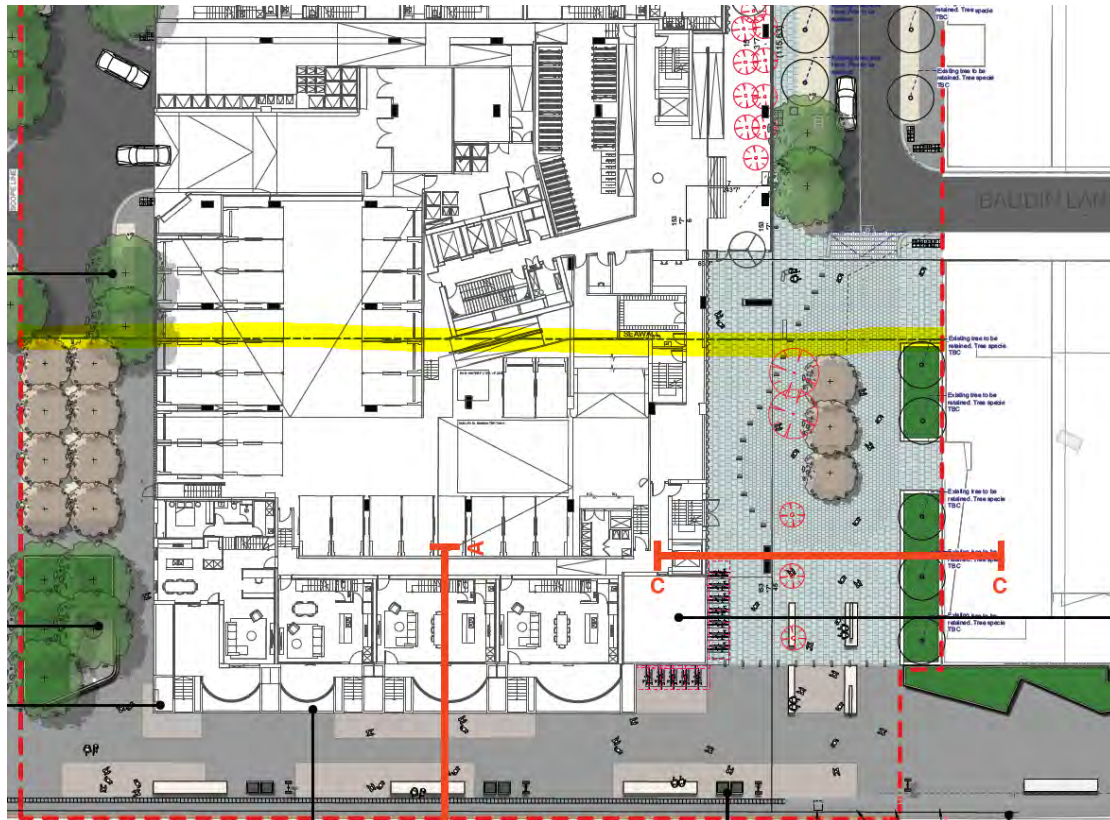


Figure 22 – Location of the sea wall in the context of Lot B

The proposal in areas still achieves technical compliance with the standard. For example at ground level planter boxes will be provided along the north and south boundaries adjacent to the townhouses capable of supporting a range of plants including canopy trees as demonstrated by the submitted landscape plans. A large canopy tree is also proposed at the south-east corner of the building with the requisite 90 m² deep soil area. Upper level planters to the southern façade of Levels 1 – 3 are anticipated to create a hanging garden effect softening the brick material base, with the landscape provided as part of the resident amenity areas further adding to the layers of landscaping around and on the podium.

Furthermore the roof top garden and park at Level 7 will be developed with a mix of vegetation including canopy trees creating shade and an attractive and enjoyable outdoor environment for future residents while also assisting to reduce heat impacts.

The proposal therefore achieves many of the recommendations of Standard D10 except for the numerical deep soil / canopy tree requirement at Table D2 and is considered to meet the Landscaping Objectives. A variation to the standard is considered reasonable given the site constrains of the seawall and also when considering the broader landscaping works that are being undertaken around the site. It is also considered acceptable as there will be a Linear Park to the north of the seawall capable of accommodating canopy trees in deep soil.

7.8.2 Building Entry and Circulation – Clause 58.05-2

The proposal meets the objectives of Clause 58.05-2, however, does not achieve full compliance with Standard D19 with regard to providing at least one source of natural light to the lift areas / corridors for only some of the levels located within the podium.

The dwellings within the podium have been designed to take advantage of views to the future NewQuay promenade and the linear park. These dwellings also have been designed to assist in the screening of car parking within the podium. As a result the lift areas / corridors are constrained in being able to access natural light. While compliance with the standard is not met it is considered reasonable as these dwellings still have a strong sense of identity, benefit from positive outlooks to the future public realm and also assist in screening the car parking within the podium.



Figure 23 – Corridors associated with dwellings in podium level

Notwithstanding, the lift core / corridor area in the south eastern corner within the podium could include windows to achieve compliance with Standard D19. A condition of the Officer recommendation addresses this item. It is also considered that the inclusion of windows will assist in improving the visual interest of this façade from the public realm.

While the proposed condition would not result in full compliance with Standard D18 it will assist in improving the proposal's level of compliance with the objectives of Clause 58.05-2.

7.8.3 Functional Layout – Clause 58.07-1

The proposed dwellings meet Standard D26 with regard to their bedroom and living area dimensions with the exception of Apartment Type P-B.

The non-compliance apartment type proposes a master bedroom with a minimum dimension of 2.955 metres (and other dimension of 4.35 metres) and a second bedroom with a width of 2.835 metres and depth of 2.75 metres. While this dwelling

type (terrace) has a positive outlook to future public open space it is considered its internal amenity could be improved which could be addressed via a condition on any permit issued.

A condition of the Officer recommendation addresses this item. Subject to the proposal achieving compliance with the recommended condition the development will achieve full compliance with Standard D26.

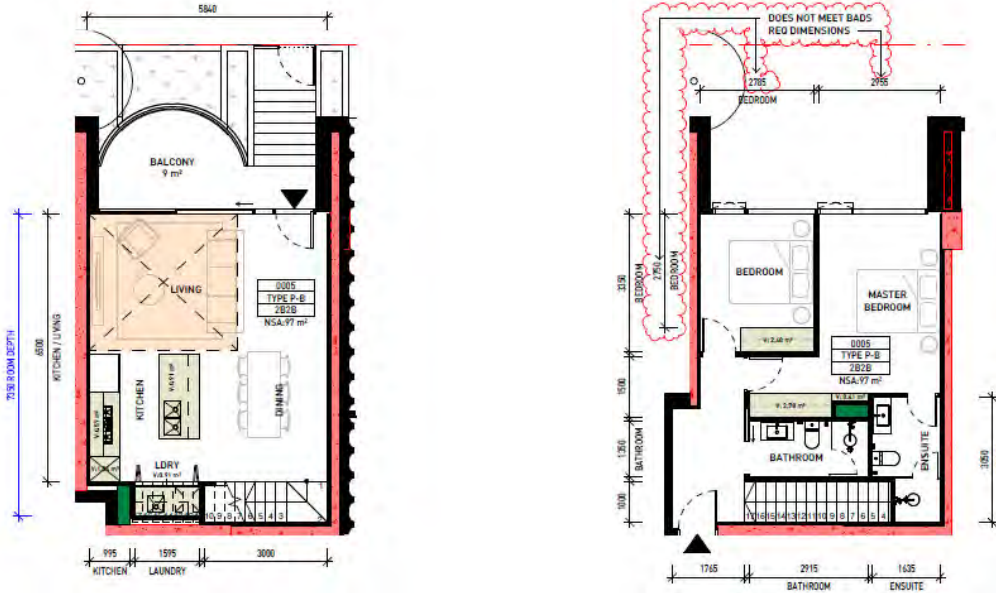


Figure 24 – Non-compliant Dwelling Type P-B

7.8.4 Room Depth – Clause 58.07-2

The proposed dwellings achieve compliance with Standard D27 with the exception of Type F and Type J which do not meet the minimum room depth requirements.

Both Type F and J layouts exceed 9 metres in living / kitchen / dining room depth. It is noted that living areas to both apartment types are wider than the minimum requirements which assists in the access to daylight for these living areas. Notwithstanding, it is considered there is capacity to ensure Type F and J dwellings achieve compliance with the standard.



Figure 25
Dwelling
and J



–
Type F

A condition of the Officer recommendation requires Dwelling Type F and J dwellings to be compliant with Standard D27.

7.9 Conclusion

The proposed development demonstrates compliance with relevant planning policy, the anticipated development patterns set out by the NewQuay Development Plan and will make a positive contribution to the broader Docklands area.

8 RECOMMENDATION

That the Future Melbourne Committee resolves to advise the Department of Environment, Land, Water and Planning that the Melbourne City Council supports the proposal and issue of a Permit subject to the following:

Amended Plans

1. Prior to the commencement of the development, an electronic set of plans drawn to scale, must be submitted to the Responsible Authority, generally in accordance with the plans prepared by Wood Marsh Pty Ltd referred to as New Quay West Tower B' dated April 2022 but amended to show:
 - a) Inclusion of windows to the area associated with the lift core / corridor area located in the south eastern corner of the podium to ensure compliance with Standard D19 associated with Clause 58.05-2 (Building Entry and Circulation) while also ensuring there is visual interest to this façade.
 - b) Amendments to Dwelling Type P-B to ensure the proposal achieves compliance with Standard 26 associated with Clause 58.07-1 (Functional Layout).
 - c) Amendments to Dwelling Type F and J to ensure the proposal achieves compliance with Standard 27 associated with Clause 58.07-2 (Room Depth).
 - d) All bicycle facilities are provided in accordance with Clause 52.34, entirely located within 'Lot B' and the visitor parking is accessible for users.
 - e) Removal of the vertical louvers associated with the western elevation of the podium and replaced with an alternative design response that maintains permeability but also achieves interest and breakdown in the height / bulk of the podium carpark interface to the street. Design solutions such as horizontal floor slabs and the incorporation of a planter boxes should be considered.
 - f) Provision of sliding doors at the entry / foyer that improve pedestrian movements through the space.
 - g) All projections over future street alignment must conform to Building Regulations 2018, Part 6, Sections 98 to 110 as appropriate. Reference can be made to the City of Melbourne's Road Encroachment Operational Guidelines with respect to projections impacting on street trees and clearances from face / back of kerb.
 - h) Any changes required by the Waste Management Plan condition 18 of this permit.
 - i) Any changes required by the Environmentally Sustainable Design condition 22 of this permit.
 - j) Any changes required by the Landscape Strategy condition 24 and 25 of this permit.
 - k) Any changes required by the Wind Report condition 26 of this permit.
 - l) Any changes required by the Acoustic Report condition 27 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.

Construction Management Plan

3. Prior to the commencement of the development, excluding demolition or bulk excavation, a detailed construction management plan must be submitted to and be approved by the Responsible Authority – Construction Management Group. This construction management plan must be prepared in accordance with the Melbourne City Council - Construction Management Plan Guidelines and is to consider the following:
 - a) public safety, amenity and site security.
 - b) operating hours, noise and vibration controls.
 - c) air and dust management.
 - d) stormwater and sediment control.
 - e) waste and materials reuse.
 - f) traffic management.
 - g) Tree Protection Plan (TPP) must be provided to the satisfaction of the Responsible Authority (City of Melbourne Urban Forestry & Ecology). The TPP must identify all impacts to public trees, be in accordance with AS 4970-2009 – Protection of trees on development sites and include:
 - i. City of Melbourne asset numbers for the subject trees (found at <http://melbourneurbanforestvisual.com.au>).
 - ii. Reference to the finalised Construction and Traffic Management Plan, including any public protection gantries, loading zones and machinery locations.
 - iii. Site specific details of the temporary tree protection fencing to be used to isolate public trees from the demolition and construction activities or details of any other tree protection measures considered necessary and appropriate to the works.
 - iv. Specific details of any special construction methodologies to be used within the Tree Protection Zone of any public trees. These must be provided for any utility connections or civil engineering works.
 - v. Full specifications of any pruning required to public trees with reference to marked images.
 - vi. Any special arrangements required to allow ongoing maintenance of public trees for the duration of the development.
 - vii. Details of the frequency of the Project Arborist monitoring visits, interim reporting periods and final completion report (necessary for bond release).

Public Tree Protection

4. No public tree adjacent to the site can be removed or pruned in any way without the written approval of the City of Melbourne.

5. All works (including demolition), within the Tree Protection Zone of public trees must be undertaken in accordance with the endorsed Tree Protection Plan and supervised by a suitably qualified Arborist where identified in the report, except with the further written consent of the Responsible Authority.

Façade Strategy

6. Concurrent with the endorsement of plans pursuant to Condition 1, a Façade Strategy and Materials and Finishes must be submitted to and be approved by the Responsible Authority. 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(s) of the building design concept and how the façade works to achieve this.
 - b) Elevation details generally at a scale of 1:50 illustrating typical lower level details, balcony niches, entries and doors, and utilities, typical tower detail, 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 any 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.
 - f) 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. It should address but not be limited to the following items:
 - i. Confirmation of the quality, texture and grain of the specified brick to the podium. Any variants of brick used to achieve texture or patterning should be included in the material palette.
 - ii. Further detail is required within the material palette including detail on how pigments and textures will be achieved.

Drainage of projections

7. All projections over the street alignment must be drained to a legal point of discharge in accordance with plans and specifications first approved by City of Melbourne – City Infrastructure.

Drainage system upgrade

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

upgraded to accept the discharge from the site in accordance with plans and specifications first approved by the Responsible Authority – City Infrastructure.

Public Realm

9. The public realm must be designed and constructed in accordance with the current Docklands Design and Construction Standards for Infrastructure Works.
10. Prior to the occupation of the development, new portions of road (including the landscaped zone surrounding Lot B) must be declared as Public Highways and vested in Council as Roads on plan of subdivision to the satisfaction of the City of Melbourne.

Demolish and construct access

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

Street works required

12. All new or altered portions of road (including the provision of footpaths, public lighting, street trees, pavement marking and signage) must be constructed prior to the occupation of the development, in accordance with plans and specifications first approved by the City of Melbourne - City Infrastructure.

Street levels not to be altered

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

Existing street lighting not altered without approval

14. All street lighting assets temporarily removed or altered to facilitate construction works shall be reinstated once the need for removal or alteration has been ceased. Existing public street lighting must not be altered without first obtaining the written approval of the City of Melbourne – City Infrastructure.

Street furniture

15. All street furniture such as street litter bins, recycling bins, seats and bicycle rails must be supplied and installed on all footpaths outside the proposed building and the park to plans and specifications first approved by City of Melbourne - City Infrastructure.

Public lighting

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

Promenade

17. The promenade / wharf structure must be constructed in accordance with plans and specifications first approved by Development Victoria in consultation with Melbourne Water, Parks Victoria and the City of Melbourne and the works performed to the satisfaction of Development Victoria, Parks Victoria and City of Melbourne – City Infrastructure.

Waste Management Plan

18. Prior to the commencement of the development, an amended Waste Management Plan (WMP) must be submitted and then approved by the Melbourne City Council – Waste Services. The WMP must be in accordance with the submitted Waste Management Plan prepared by Leigh Design dated 6 April 2022, but amended to:

- Demonstrate the future proofing of the development by showing separate storage for glass bins.
- The path of travel for residents particularly for apartments 0001-0009 to ensure it is free of stairs to mitigate OH&S issues.

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

Traffic

19. A formal independent Road Safety Audit must be undertaken prior to construction of the development, including assessment of internal layout, access arrangements, loading management arrangements, pedestrian / bicycle access / movements within the site and in the public realm, and assessment of potential conflicts between vehicles / pedestrians / cyclists, to assess the 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 City of Melbourne – Traffic Engineering.

Land Survey

20. Prior to the commencement of the development excluding demolition, the owner must lodge with the Responsible Authority, an application for certification pursuant to Section 23 of the Subdivision Act 1988 for the Creation of a Carriageway and Light and Air Easement over Lot 1 on PS614264R. When certified by the Responsible Authority and a Statement of Compliance has issued, the plan must lodge at the Land Victoria for registration and evidence of registration must be provided to the Responsible Authority as compliance of this condition.
21. Prior to occupation of the development, the continuation of any new roads must be named in accordance with the Geographic Place Names Act 1998 to provide appropriate street addressing.

Environmentally Sustainable Design (ESD) Statement

22. Prior to the commencement of the development, an amended Environmentally Sustainable Design (ESD) Statement shall be prepared by a suitably qualified

professional and submitted to the satisfaction of the Responsible Authority. The ESD Statement must be in accordance with the Sustainability Management Plan prepared by ADP Consulting dated 17 September 2021, but amended to:

- a) Include a commitment to achieving a certified 5 star Green Star rating with the GBCA. Increase the number of credits to at least 65 to allow for a 10% buffer for credits that will not materialise through the construction process.
- b) Further evidence to demonstrate the level of commitments are achievable and the amended report must revisit the Green Star pathway.
- c) Ensure consistency between the architectural plans and ESD report.

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

Implementation of Environmentally Sustainable Design (ESD)

23. Prior to the occupation of any building approved under this permit, a report from the author of the endorsed ESD report, or similarly qualified persons or companies, outlining how the performance outcomes specified in the amended ESD report have been implemented must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm and provide sufficient evidence that all measures specified in the approved ESD report have been implemented in accordance with the relevant approved plans. The report must include all final calculations and modelling reports, commissioning and testing reports, building user guides and other supplementary materials etc. that have been produced to demonstrate compliance with the relevant targets included in the endorsed ESD report.

Landscape Strategy – On-Site (Lot B)

24. Prior to the commencement of the development excluding any demolition, bulk excavation, construction or carrying out of works, an amended landscape plan prepared by a suitably qualified landscape architect must be submitted to and approved by the Responsible Authority. The landscape plan must be generally in accordance with the Landscape Report prepared by T.C.L dated August 2021, but amended to:
- a) Any amendments required by Condition 1 of this permit.
 - b) Confirm the design of planters on the structure, growing medium type and preparation, depths and volumes.
 - c) Show the location and number of all plants, and include schedules of plant names and supply sizes.
 - d) Provide details of proposed maintenance regimes with provision for maintenance beyond the fifty two week period following Practical Completion and a Landscape Irrigation Performance Specification.

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

Landscape Strategy – Off-Site

25. Prior to the commencement of the development excluding any demolition, bulk excavation, construction or carrying out of works, a detailed landscape plan prepared by a suitably qualified landscape architect must be submitted to and approved by the City of Melbourne. This plan must provide further detail and

evolution of all off-site open space as necessary. This is to be resolved through a brief from Council's City Design department that builds on the endorsed *New Quay West Docklands Development Plan 2018* and incorporates Council's Docklands guidelines as relevant. The key sequential design stages must be as follows, each with formal comment and approval from City of Melbourne:

- Landscaping to the satisfaction of the City of Melbourne and demonstrates compliance with requirements and staging of the approved Development Plan.
- Further design and landscaping measures to ensure the Wattle Road interface and shared zone supports pedestrian activity.
- Confirmation of the brief (prepared and provided by City of Melbourne), inputs, outputs and program.
- Draft and final Schematic Design.
- Draft and final Design Development.
- Draft and final Construction Documentation.
- Construction, Handover and Maintenance requirements are in addition to this.

This landscape plan must be to the satisfaction of the City of Melbourne and when approved shall form a part of the endorsed plans of this permit.

Wind Report

26. Prior to the commencement of the development (excluding bulk excavation and basement works) wind tests carried out by a suitably qualified consultant, must be carried out on a model of the approved building. An amended report detailing the outcome of the testing must be submitted to and be to the satisfaction of the Responsible Authority. The report must be updated to reflect any changes as a result of condition 1 of the permit to the satisfaction of the Responsible Authority. The recommendations of the report must be implemented at no cost to the Responsible Authority and must not include reliance on street trees.

Implement Acoustic Measures

27. Prior to commencement of the occupation of the dwellings the recommendations contained within the Acoustic Report prepared by Acoustic Logic dated January 2022 must be implemented at no cost to the Melbourne City Council and be to the satisfaction of the Responsible Authority.

Acoustic Testing

28. Prior to the occupation of the dwellings, an acoustic report prepared by a suitably qualified acoustic consultant must be submitted to and approved by the Responsible Authority. When approved the report will be endorsed and will form part of the permit. The report must verify that the maximum noise levels specified are achieved, to the satisfaction of the Responsible Authority. The recommendations of the report must be implemented at no cost to the Melbourne City Council prior to commencement of the use.

Legal Agreement for Vesting

29. Before the development starts, excluding preliminary site works, and any clean up works, the owner of the land must enter into an agreement with the Melbourne

City Council pursuant to Section 173 of the *Planning and Environment Act 1987*. The owner of the land must pay all of the Council's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title. The agreement must:

- a) deliver the construction and completion of the entire Linear Park (Park), landscaped road reserves and the section of the promenade abutting Lot B by the Owner, in accordance with plans and specifications approved by the City of Melbourne – City Infrastructure and Parks & City Greening, prior to vesting in Council in accordance with paragraphs (b) and (c).
- b) provide that vesting of the Park must take place, at the latest, six months after the occupation of the building constructed pursuant to the Permit, or such extended period as agreed with the Council.
- c) provide that vesting of the Reserve must take place prior to the occupation of the development pursuant to the Permit, or such extended period as agreed with the Council.
- d) ensure that prior to the time of vesting, the Park and the Reserve have been subject to an Environmental Audit pursuant to Condition 30 of this permit.

Environmental Audit

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

If the PRSA requires an Environmental Audit be undertaken, then prior to the commencement of the development, an Environmental Audit of the site must be carried out by a suitably qualified environmental auditor. On completion of the Environmental Audit, an Environmental Audit Statement (EAS) and report must be submitted to the Responsible Authority in accordance with section 210 of the Environment Protection Act 2017 responding to the matters contained in Part 8.3, Division 3 of the Environment Protection Act 2017 to the satisfaction of the Responsible Authority. The EAS must either:

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

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

If any of the conditions of the EAS require ongoing maintenance or monitoring, prior to the commencement of the use and prior to the issue of a statement of compliance under the Subdivision Act 1988 the owner of the land must enter into an agreement with the Melbourne City Council under section 173 of the Planning

and Environment Act 1987 to the satisfaction of the Responsible Authority to the effect that all conditions of the EAS issued in respect of the land will be complied with.

Features above roof level

31. 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.

Development Time Limit

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

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

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 Melbourne City Council 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.

Urban Forest and Ecology

- In accordance with the Tree Retention and Removal Policy a bank guarantee must be:
 1. Issued to City of Melbourne, ABN: 55 370 219 287.
 2. From a recognised Australian bank.
 3. Unconditional (i.e. no end date)
 4. Executed (i.e. signed and dated with the bank stamp)
- Please note that insurance bonds are not accepted by the City Of Melbourne. An acceptable bank guarantee is to be supplied to Council House 2, to a representative from Council's Urban Forest and Ecology Team. Please email trees@melbourne.vic.gov.au to arrange a suitable time for the bank guarantee to be received. A receipt will be provided at this time.
- At the time of lodgement of the bank guarantee the completed Project Arborist Confirmation Form must be provided. On completion of the works the bank guarantee will only be released when evidence is provided of Project Arborist supervision throughout the works and a final completion report confirms that the health of the subject public trees has not been compromised.
- Approval for any tree removal is subject to the Tree Retention and Removal Policy, Council's Delegations Policy and requirements for public notification, and a briefing paper to councillors. It should be noted that certain tree removals including but not limited to significant or controversial tree removals, may be subject to decision by Council or a Committee of Council.
- All costs in connection with the removal and replacement of public trees, including any payment for the amenity and ecological services value of trees to be removed, must be met by the applicant / developer / owner of the site. The costs of these works will be provided and must be agreed to before council remove the subject trees.