

## Report to the Future Melbourne Committee

Agenda item 6.3

**Planning Permit Application: TP-2021-709**  
**620-632 Little Bourke Street, Melbourne**

**24 October 2023**

**Presenter:** Marjorie Kennedy, Acting Director Planning and Building

### Purpose and background

1. The purpose of this report is to advise the Future Melbourne Committee (FMC) of a planning permit application seeking approval for the partial demolition of a significant graded heritage building and the construction of a 25-storey residential hotel at 620-632 Little Bourke Street, Melbourne (refer Attachment 2 – Locality Plan).
2. The applicant is Yarra Hotel Group Pty Ltd, represented by Planning and Property Partners; the architect is CHT Architects; and the owner is CitiPower. The cost of works for the proposed development is \$33,180,000.
3. The site is located within the Capital City Zone (CCZ1 – Outside the Retail Core) and is affected by the Heritage Overlay (HO737), Design and Development Overlay (DDO1, DDO10 and DDO12) and Parking Overlay (PO1).
4. Public notice of the application was undertaken and 47 objections were received.
5. On 9 August 2023, the applicant formally amended the proposal in response to design concerns raised by Council officers and feedback from the Melbourne Design Review Panel (MDRP). The amended proposal is a significantly improved design response to the heritage building and streetscape, including removal of the cantilever over the heritage building and removal of the vehicle entry and porte-cochere on Little Bourke Street (refer Attachment 3 – Selected Plans).

### Key issues

6. Key issues for consideration are the built form outcome having regard to the CCZ1, DDO1 and DDO10, and impacts on the significance and appearance of the retained heritage building.
7. With the amendments made in the latest version of plans, the proposed development presents a well resolved and robust built form response to its strategic and physical context, successfully responding to the objectives for the area set out in the CCZ1, DDO1 and DDO10. The proposal responds to the significance of the retained heritage building on the site, through the increased setbacks and articulation of the podium and street wall.
8. The applicant has worked collaboratively with Council, including engaging with MDRP which has resulted in significant improvements to the public realm and future urban context. Recommended conditions will require the design language of the building as it relates to the retained heritage building to be further refined, in addition to improved treatment of the blank western wall, through the approval of a detailed façade strategy.
9. The application was referred to the Head, Transport for Victoria as a determining referral authority, who advised they have no objection to the proposal.
10. Subject to recommended permit conditions, the proposed development successfully responds to the relevant provisions of the Melbourne Planning Scheme and is supported.

### Recommendation from management

11. That the Future Melbourne Committee resolves to issue a Notice of Decision to Grant a Permit subject to the conditions set out in the delegate report (refer to Attachment 4 of the report from management).

#### Attachments:

1. Supporting Attachment (Page 2 of 86)
2. Locality Plan (Page 3 of 86)
3. Selected Plans (Page 4 of 86)
4. Delegate Report (Page 29 of 86)

## Supporting Attachment

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### Legal

1. Division 1 of Part 4 of the *Planning and Environment Act 1987* (the Act) sets out requirements in relation to applications for permits pursuant to the relevant planning scheme.
2. As objections have been received, sections 64 and 65 of the Act provide that the responsible authority must give the applicant and each objector notice in the prescribed form of its decision to either grant a permit or refuse to grant a permit. The responsible authority must not issue a permit to the applicant until the end of the period in which an objector may apply to the Victorian Civil and Administrative Tribunal (VCAT) for a review of the decision or, if an application for review is made, until the application is determined by the VCAT.

### Finance

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

### Conflict of interest

4. 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

5. 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

6. Public notice of the application has been undertaken to surrounding owners and occupiers, pursuant to section 52 of the Act.
7. Informal notification of section 57A amended plans was provided to objectors.

### Relation to Council policy

8. Relevant Council policies are discussed in the attached delegate report (refer Attachment 4).

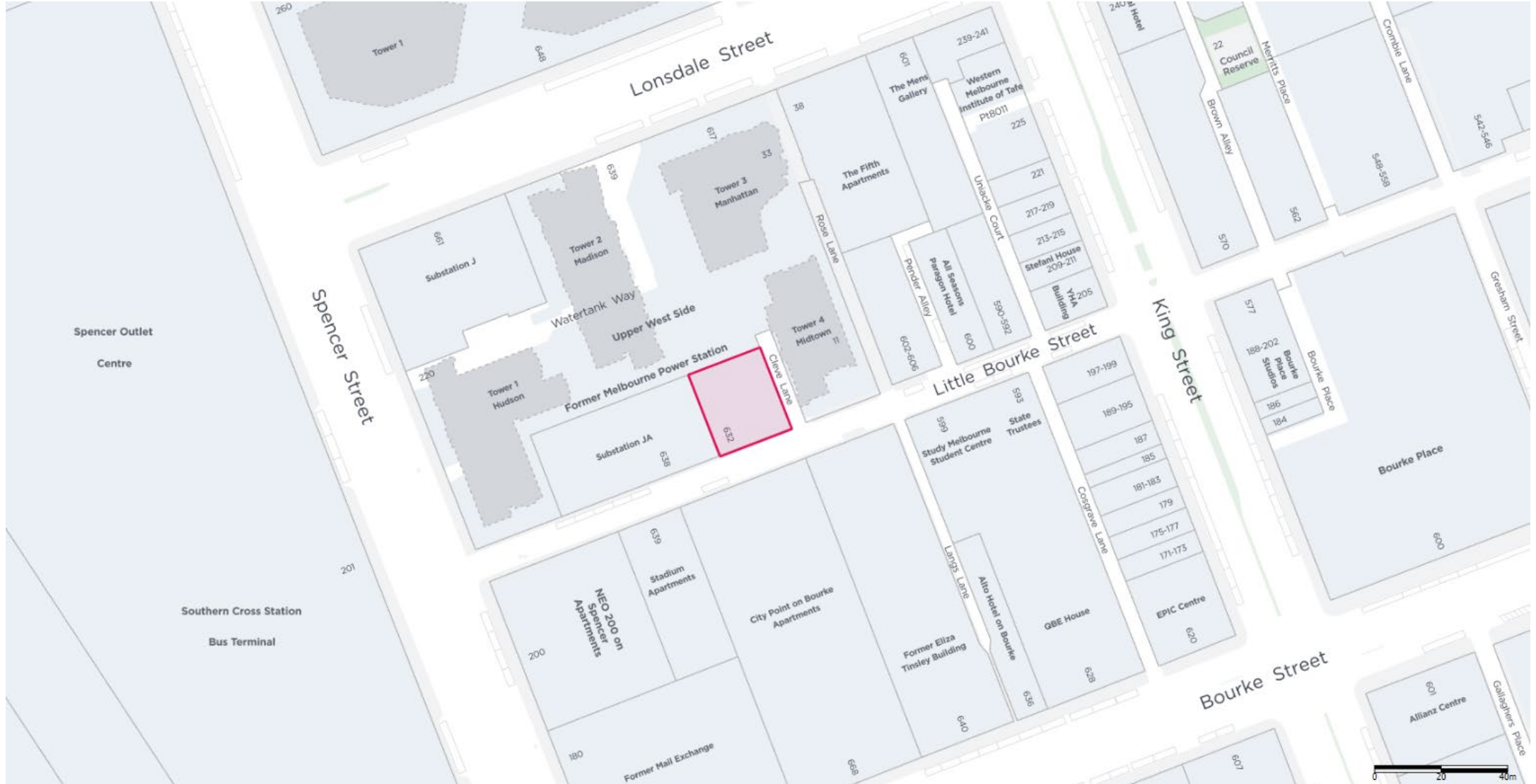
### Environmental sustainability

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

# Locality Plan

Page 3 of 8

620-632 Little Bourke Street, Melbourne





TP - HOTEL MIX		
UNIT TYPE	NUMBER	MIX %
1 BED & 1 BATH	4	2%
2 BED & 1 BATH	5	2%
HOTEL	182	88%
STUDIO	16	8%
<b>TOTAL UNITS</b>	<b>207</b>	<b>100%</b>

- \* DUAL KEY 17 8%
- \* ACCESSIBLE (DDA) 8 4%
- \* STUDIO = HOTEL ROOM WITH KITCHEN

TP - COMMUNAL AREA		
LEVEL	Name	AREA
LEVEL 02	GYM	56.1 m <sup>2</sup>
LEVEL 02	OUTDOOR COMMUNAL	96.3 m <sup>2</sup>
<b>TOTAL COMMUNAL</b>		<b>152.4 m<sup>2</sup></b>

TP - HOTEL OFFICE AREA		
UNIT TYPE		Area
LEVEL 01		
OFFICE	50 m <sup>2</sup>	
<b>TOTAL UNITS</b>	<b>50 m<sup>2</sup></b>	

TP - GFA (EXCLUDING BALCONIES)	
LEVEL	AREA
BASEMENT 02	592 m <sup>2</sup>
BASEMENT 01	592 m <sup>2</sup>
GROUND FLOOR	576 m <sup>2</sup>
LEVEL 01	493 m <sup>2</sup>
LEVEL 02	430 m <sup>2</sup>
LEVEL 03	492 m <sup>2</sup>
LEVEL 04	492 m <sup>2</sup>
LEVEL 05	492 m <sup>2</sup>
LEVEL 06	487 m <sup>2</sup>
LEVEL 07	487 m <sup>2</sup>
LEVEL 08	487 m <sup>2</sup>
LEVEL 09	487 m <sup>2</sup>
LEVEL 10	487 m <sup>2</sup>
LEVEL 11	262 m <sup>2</sup>
LEVEL 12	283 m <sup>2</sup>
LEVEL 13	283 m <sup>2</sup>
LEVEL 14	283 m <sup>2</sup>
LEVEL 15	283 m <sup>2</sup>
LEVEL 16	283 m <sup>2</sup>
LEVEL 17	283 m <sup>2</sup>
LEVEL 18	283 m <sup>2</sup>
LEVEL 19	283 m <sup>2</sup>
LEVEL 20	283 m <sup>2</sup>
LEVEL 21	283 m <sup>2</sup>
LEVEL 22	283 m <sup>2</sup>
LEVEL 23	283 m <sup>2</sup>
LEVEL 24	283 m <sup>2</sup>
<b>TOTAL GFA</b>	<b>10530 m<sup>2</sup></b>

TP - HOTEL BREAKDOWN	
UNIT TYPE	NUMBER
LEVEL 02	
HOTEL	11
	11
LEVEL 03	
1 BED & 1 BATH	1
HOTEL	10
STUDIO	2
	13
LEVEL 04	
1 BED & 1 BATH	1
HOTEL	10
STUDIO	2
	13
LEVEL 05	
1 BED & 1 BATH	1
HOTEL	10
STUDIO	2
	13
LEVEL 06	
2 BED & 1 BATH	1
HOTEL	9
STUDIO	2
	12
LEVEL 07	
2 BED & 1 BATH	1
HOTEL	9
STUDIO	2
	12
LEVEL 08	
2 BED & 1 BATH	1
HOTEL	9
STUDIO	2
	12
LEVEL 09	
2 BED & 1 BATH	1
HOTEL	9
STUDIO	2
	12
LEVEL 10	
2 BED & 1 BATH	1
HOTEL	9
STUDIO	2
	12
LEVEL 11	
1 BED & 1 BATH	1
HOTEL	5
	6
LEVEL 12	

TP - PARKING SCHEDULE	
USE	NUMBER
BASEMENT 01	
HOTEL	11
	11
BASEMENT 02	
HOTEL	11
	11
<b>TOTAL PARKING</b>	<b>22</b>

TOTAL BIKE SPACES : NO. 32

TP - HOTEL BREAKDOWN	
UNIT TYPE	NUMBER
HOTEL	7
	7
LEVEL 13	
HOTEL	7
	7
LEVEL 14	
HOTEL	7
	7
LEVEL 15	
HOTEL	7
	7
LEVEL 16	
HOTEL	7
	7
LEVEL 17	
HOTEL	7
	7
LEVEL 18	
HOTEL	7
	7
LEVEL 19	
HOTEL	7
	7
LEVEL 20	
HOTEL	7
	7
LEVEL 21	
HOTEL	7
	7
LEVEL 22	
HOTEL	7
	7
LEVEL 23	
HOTEL	7
	7
LEVEL 24	
HOTEL	7
	7
<b>TOTAL UNITS</b>	<b>207</b>

**GENERAL NOTES**

**WASTE & STORMWATER MANAGEMENT**

456m<sup>2</sup> roof catchment area to be diverted to the Rainwater tank for the development.

The entire driveway, unconnected roof and overflow from tanks to be diverted to the proposed SPEL® Filtravault and overflow from Filtravault to divert to the SPEL® Filter.

Toilets flushing to come from rainwater tanks.

The fire system will include temporary storage for 80% of the routine fire protection system test water and maintenance drain-downs for reuse on site.

The use of native or drought tolerant species for landscaped area. Watering will not be required after an initial period when plants are getting established.

WELS rating for water fittings/fixtures (refer to report) – Fixtures (e.g. dishwasher) provided as part of base building work have to be chosen within one WELS star of best available at the time of purchase.

**ENERGY EFFICIENCY**

10% increase on the minimum required total R-values specified for roofs and ceilings in Part J1.3, and floors in Part J1.6, including compliance with J0.4

Aggregate illumination power is at least 10% improvement.

Automated lighting control systems, such as occupant detection and daylight adjustment, are provided to 95% of the nominated area

Efficient HVAC system (chosen within one star of the best available product in the range at the time of purchase or COP/EEER 85%)

Domestic hot water systems powered by either renewable Energy; Electric heat pump or heat recovered from other process.

Commitment to 100% accredited Greenpower off-site renewable electricity for a minimum of 10 years.

10 kW Solar PV system on roof of development.

**INDOOR ENVIRONMENT QUALITY**

Commitment to Outside Air Fan in each office providing O/A rates 50% above minimum from AS1688.

**FACADE RETENTION**

Builder to provide street gantry to retain facade during construction

Basement piling to provide full protection to existing footings to future engineers details.

ROOMS AWNING	
207 ROOMS * 50% = 125 ROOMS	
LV2 = 1 ROOM	
LV3 - LV 10 = 4 ROOMS * 8 LEVELS = 32 ROOMS	
LV11 = 6 ROOMS	
LV12 - LV 24 = 7 ROOMS * 13 LEVELS = 91 ROOMS	
<b>SUBTOTALS: 130 ROOMS</b>	



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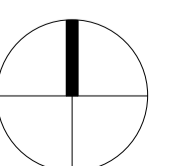
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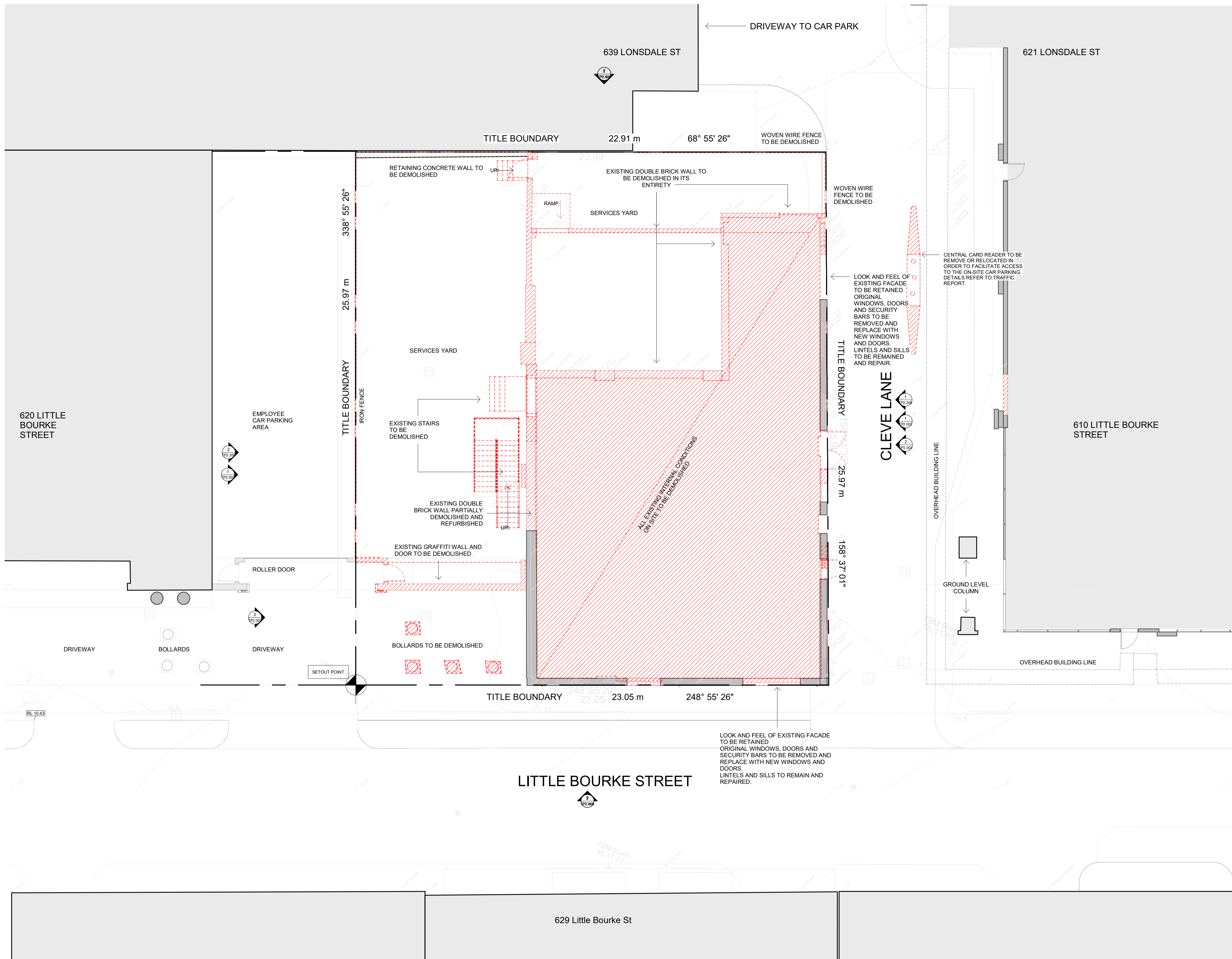
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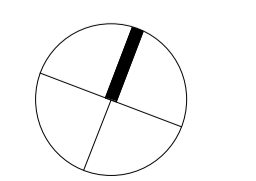
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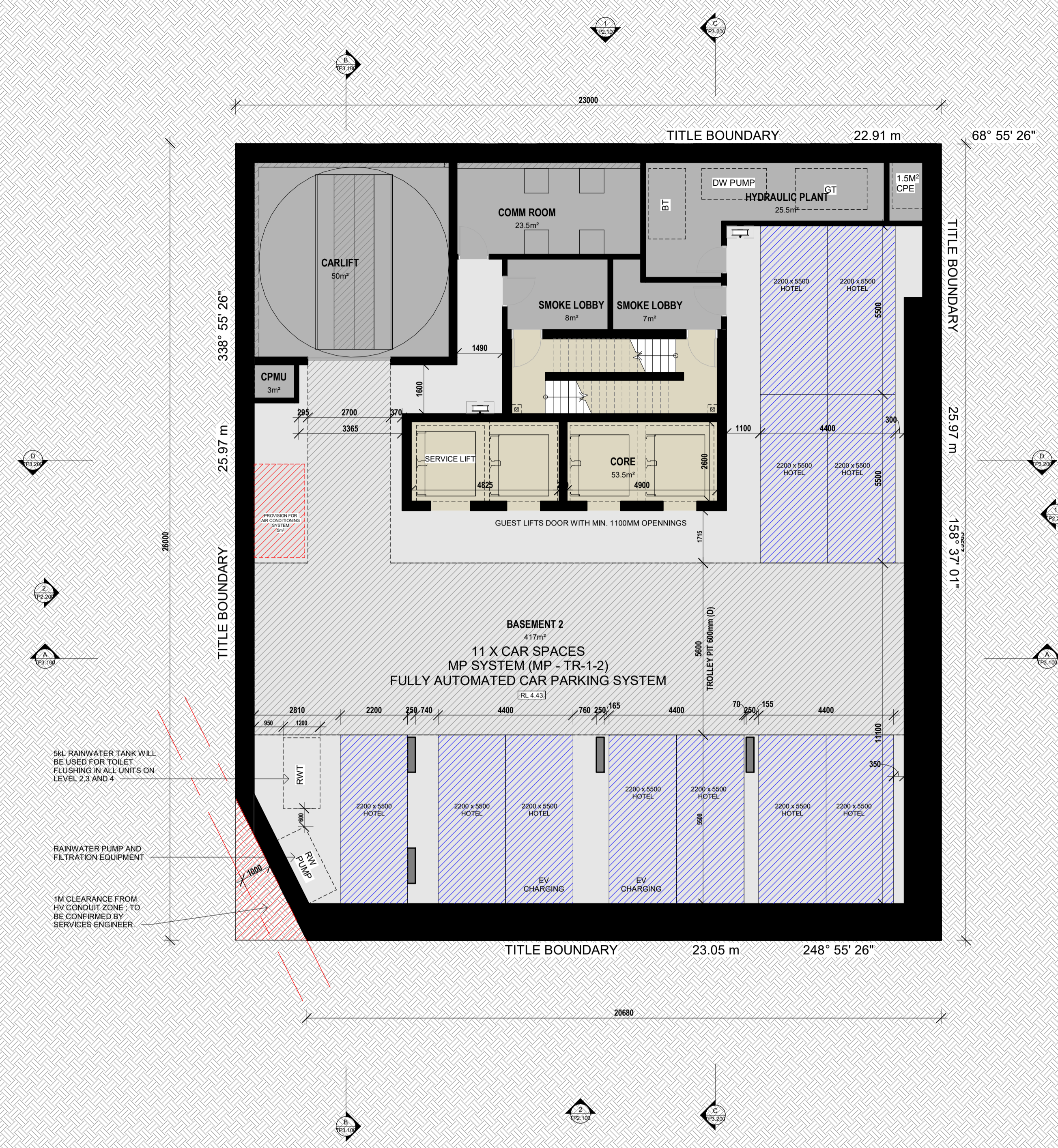
**DEMOLITION PLAN LEGEND**

	EXISTING WALLS TO REMAIN
	EXISTING ELEMENTS TO REMAIN
	EXISTING WALLS TO BE DEMOLISHED
	EXISTING ELEMENTS TO BE DEMOLISHED

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64L RAINWATER TANK WILL BE USED FOR TOILET FLUSHING IN ALL UNITS ON LEVEL 2,3 AND 4.

RAINWATER PUMP AND FILTRATION EQUIPMENT

1M CLEARANCE FROM HV CONDUIT ZONE TO BE CONFIRMED BY SERVICES ENGINEER

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**UNIT DESCRIPTION**

- CARPARK
- CORE
- SERVICES

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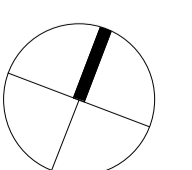
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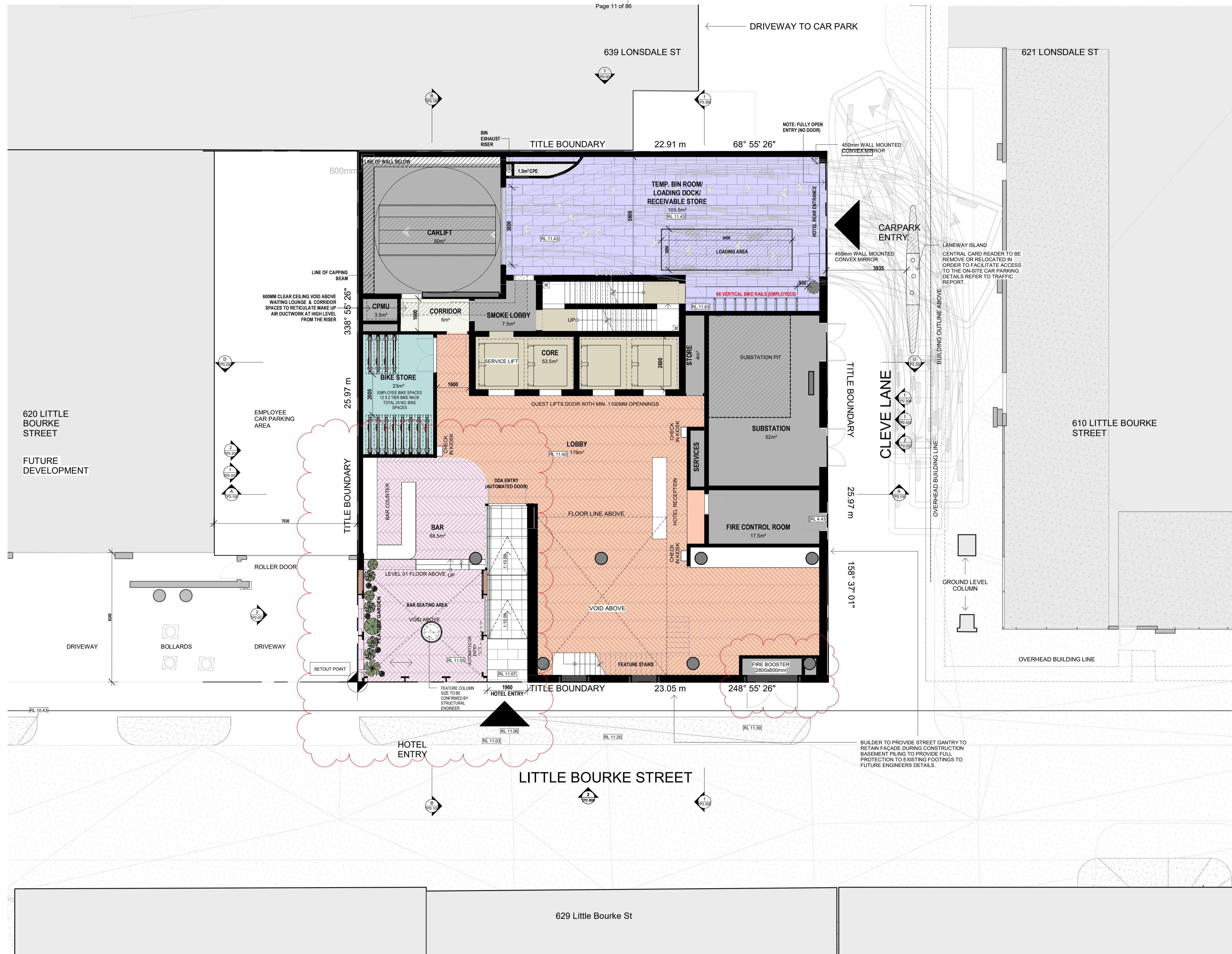
UNIT DESCRIPTION

- BOH
CARPARK
CORE
SERVICES
STORE



PRELIMINARY | NOT FOR CONSTRUCTION





**GENERAL NOTES**

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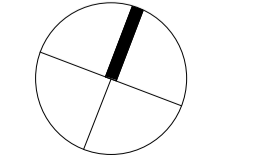
**FACADE RETENTION**

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Basement piling to provide full protection to existing footings to future engineers details.

**UNIT DESCRIPTION**

BAR	BAR
BOH	BOH
CORE	CORE
CORRIDOR	CORRIDOR
LOBBY	LOBBY
SERVICES	SERVICES
STORAGE	STORAGE





GENERAL NOTES

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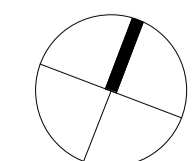
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UNIT DESCRIPTION

- BOH
- CHANGE RM
- CORE
- CORRIDOR
- LOBBY
- OFFICE
- SERVICES
- STORAGE

21071-5/23/2023 10:14:03 AM PRELIMINARY | NOT FOR CONSTRUCTION





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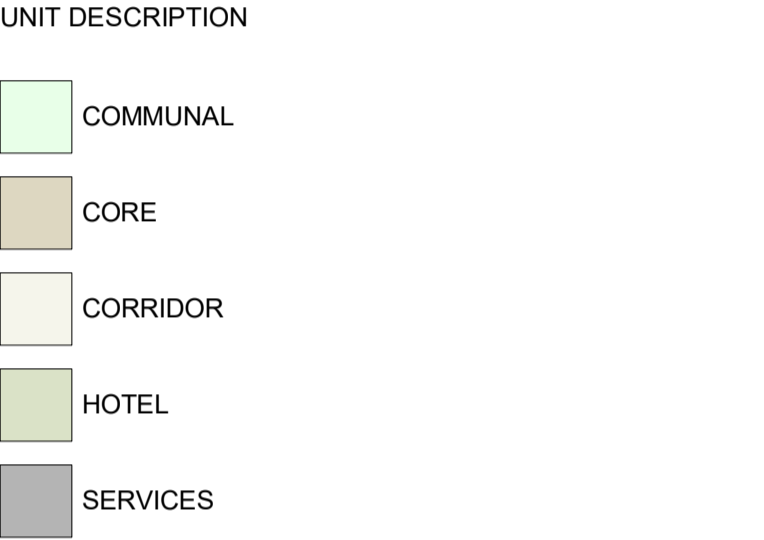
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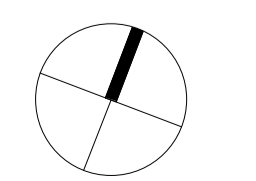
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PRELIMINARY | NOT FOR CONSTRUCTION

21071-5/23/2023 10:14:11 AM





UNIT DESCRIPTION

- 1 BED & 1 BATH
- CORE
- CORRIDOR
- HOTEL
- SERVICES
- STUDIO

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**WASTE & STORMWATER MANAGEMENT**  
 456m<sup>2</sup> roof catchment area to be diverted to the Rainwater tank for the development.  
 The entire driveway, unconnected roof and overflow from tanks to be diverted to the proposed SPEL® Filtervault and overflow from Filtervault to divert to the SPEL® Filter. Toilets flushing to come from rainwater tanks.  
 The fire system will include temporary storage for 80% of the routine fire protection system test water and maintenance drain-downs for reuse on site.  
 The use of native or drought tolerant species for landscaped area. Watering will not be required after an initial period when plants are getting established.  
 WELS rating for water fittings/fixtures (refer to report) – Fixtures (e.g. dishwasher) provided as part of base building work have to be chosen within one WELS star of best available at the time of purchase.

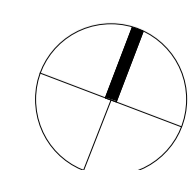
**ENERGY EFFICIENCY**  
 10% increase on the minimum required total R-values specified for roofs and ceilings in Part J1.3, and floors in Part J1.6, including compliance with J0.4  
 Aggregate illumination power is at least 10% improvement.  
 Automated lighting control systems, such as occupant detection and daylight adjustment, are provided to 95% of the nominated area.  
 Efficient HVAC system (chosen within one star of the best available product in the range at the time of purchase or COPEER 85%  
 Domestic hot water systems powered by either renewable Energy. Electric heat pump or heat recovered from other process.  
 Commitment to 100% accredited Greenpower off-site renewable electricity for a minimum of 10 years.  
 10 kW Solar PV system on roof of development.

**INDOOR ENVIRONMENT QUALITY**  
 Commitment to Outside Air Fan in each office providing O/A rates 50% above minimum from AS1688.

**FACADE RETENTION**  
 Builder to provide street gantry to retain facade during construction  
 Basement piling to provide full protection to existing footings to future engineers details.

PRELIMINARY | NOT FOR CONSTRUCTION

21071-5/23/2023 10:14:17 AM





UNIT DESCRIPTION

	2 BED & 1 BATH
	CORE
	CORRIDOR
	HOTEL
	SERVICES
	STUDIO

**GENERAL NOTES**

**WASTE & STORMWATER MANAGEMENT**

456m2 roof catchment area to be diverted to the Rainwater tank for the development.

The entire driveway, unconnected roof and overflow from tanks to be diverted to the proposed SPEL® Filtervault and overflow from Filtervault to divert to the SPEL® Filter. Toilets flushing to come from rainwater tanks.

The fire system will include temporary storage for 80% of the routine fire protection system test water and maintenance drain-downs for reuse on site.

The use of native or drought tolerant species for landscaped area. Watering will not be required after an initial period when plants are getting established.

WELS rating for water fittings/fixtures (refer to report) – Fixtures (e.g. dishwasher) provided as part of base building work have to be chosen within one WELS star of best available at the time of purchase.

**ENERGY EFFICIENCY**

10% increase on the minimum required total R-values specified for roofs and ceilings in Part J1.3, and floors in Part J1.6, including compliance with J0.4

Aggregate illumination power is at least 10% improvement.

Automated lighting control systems, such as occupant detection and daylight adjustment, are provided to 95% of the nominated area.

Efficient HVAC system (chosen within one star of the best available product in the range at the time of purchase or COP/PEER 85%)

Domestic hot water systems powered by either renewable Energy. Electric heat pump or heat recovered from other process.

Commitment to 100% accredited Greenpower off-site renewable electricity for a minimum of 10 years.

10 kW Solar PV system on roof of development.

**INDOOR ENVIRONMENT QUALITY**

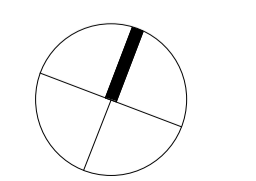
Commitment to Outside Air Fan in each office providing O/A rates 50% above minimum from AS1668.

**FACADE RETENTION**

Builder to provide street gantry to retain facade during construction

Basement piling to provide full protection to existing footings to future engineers details.

21071-5/23/2023 10:14:22 AM PRELIMINARY | NOT FOR CONSTRUCTION





**GENERAL NOTES**

**WASTE & STORMWATER MANAGEMENT**

456m2 roof catchment area to be diverted to the Rainwater tank for the development.

The entire driveway, unconnected roof and overflow from tanks to be diverted to the proposed SPEL® Filtervault and overflow from Filtervault to divert to the SPEL® Filter. Toilets flushing to come from rainwater tanks.

The fire system will include temporary storage for 80% of the routine fire protection system test water and maintenance drain-downs for reuse on site.

The use of native or drought tolerant species for landscaped area. Watering will not be required after an initial period when plants are getting established.

WELS rating for water fittings/fixtures (refer to report) – Fixtures (e.g. dishwasher) provided as part of base building work have to be chosen within one WELS star of best available at the time of purchase.

**ENERGY EFFICIENCY**

10% increase on the minimum required total R-values specified for roofs and ceilings in Part J1.3, and floors in Part J1.6, including compliance with J0.4

Aggregate illumination power is at least 10% improvement.

Automated lighting control systems, such as occupant detection and daylight adjustment, are provided to 95% of the nominated area.

Efficient HVAC system (chosen within one star of the best available product in the range at the time of purchase or COPEER 85%

Domestic hot water systems powered by either renewable Energy. Electric heat pump or heat recovered from other process.

Commitment to 100% accredited Greenpower off-site renewable electricity for a minimum of 10 years.

10 kW Solar PV system on roof of development.

**INDOOR ENVIRONMENT QUALITY**

Commitment to Outside Air Fan in each office providing O/A rates 50% above minimum from AS1668.

**FACADE RETENTION**

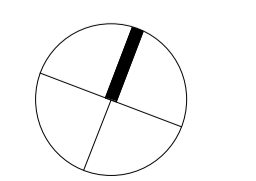
Builder to provide street gantry to retain facade during construction

Basement piling to provide full protection to existing footings to future engineers details.

**UNIT DESCRIPTION**

	1 BED & 1 BATH
	2 BED & 1 BATH
	CORE
	CORRIDOR
	HOTEL
	SERVICES

21071-5/23/2023 10:14:26 AM PRELIMINARY | NOT FOR CONSTRUCTION







**GENERAL NOTES**

**WASTE & STORMWATER MANAGEMENT**

456m<sup>2</sup> roof catchment area to be diverted to the Rainwater tank for the development.

The entire driveway, unconnected roof and overflow from tanks to be diverted to the proposed SPEL® Filtervault and overflow from Filtervault to divert to the SPEL® Filter. Toilets flushing to come from rainwater tanks.

The fire system will include temporary storage for 80% of the routine fire protection system test water and maintenance drain-downs for reuse on site.

The use of native or drought tolerant species for landscaped area. Watering will not be required after an initial period when plants are getting established.

WELS rating for water fittings/fixtures (refer to report) - Fixtures (e.g. dishwasher) provided as part of base building work have to be chosen within one WELS star of best available at the time of purchase.

**ENERGY EFFICIENCY**

10% increase on the minimum required total R-values specified for roofs and ceilings in Part J1.3, and floors in Part J1.6, including compliance with J0.4

Aggregate illumination power is at least 10% improvement.

Automated lighting control systems, such as occupant detection and daylight adjustment, are provided to 95% of the nominated area.

Efficient HVAC system (chosen within one star of the best available product in the range at the time of purchase or COPEER 85%)

Domestic hot water systems powered by either renewable Energy. Electric heat pump or heat recovered from other process.

Commitment to 100% accredited Greenpower off-site renewable electricity for a minimum of 10 years.

10 kW Solar PV system on roof of development.

**INDOOR ENVIRONMENT QUALITY**

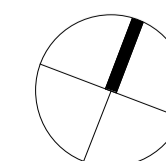
Commitment to Outside Air Fan in each office providing O/A rates 50% above minimum from AS1668.

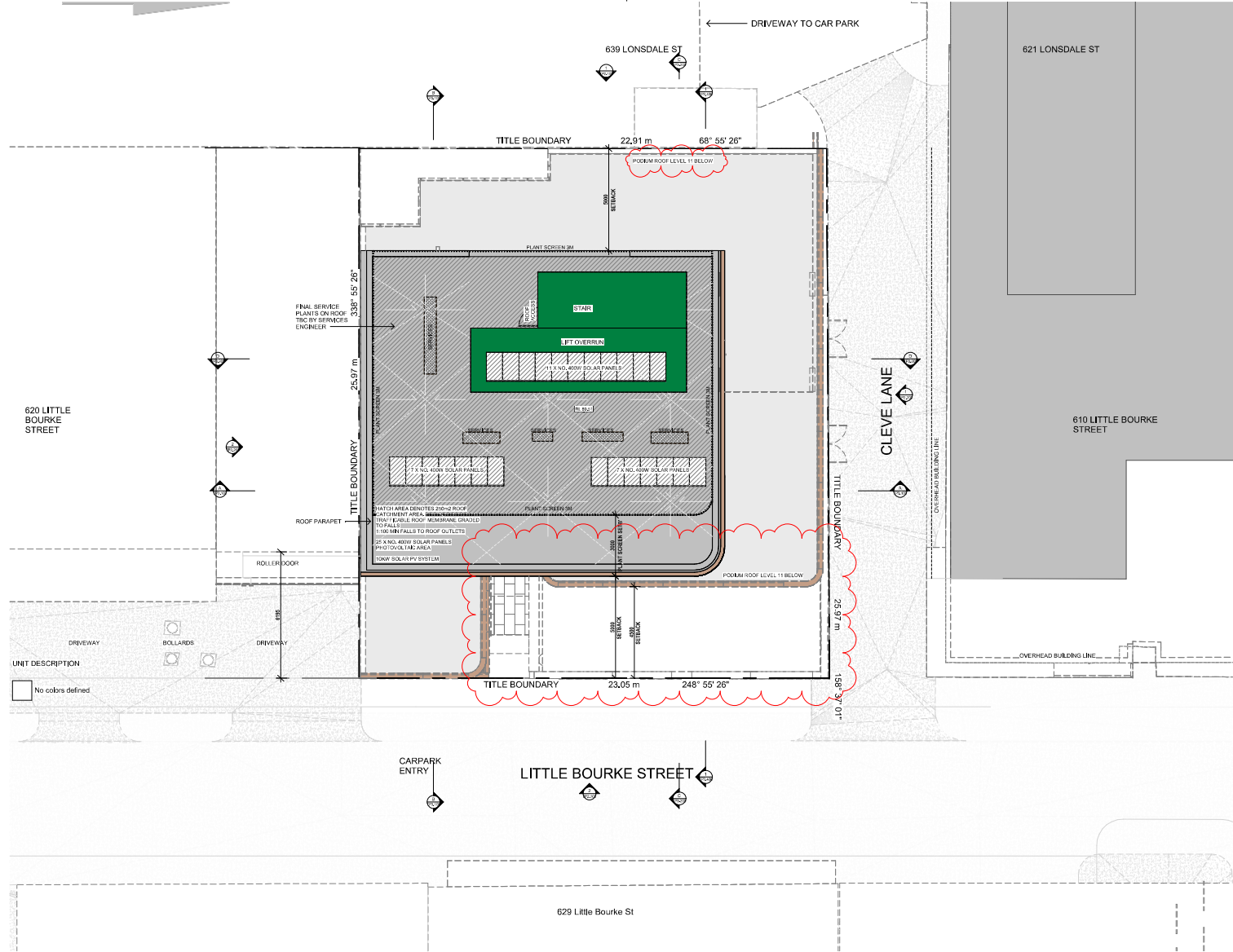
**FACADE RETENTION**

Builder to provide street gantry to retain facade during construction

Basement piling to provide full protection to existing footings to future engineers details.

21071-5/23/2023 10:14:30 AM PRELIMINARY | NOT FOR CONSTRUCTION





**GENERAL NOTES**

**WASTE & STORMWATER MANAGEMENT**

450m<sup>2</sup> roof catchment area to be diverted to the Rainwater tank for the development.

The entire driveway, unconnected roof and over flow from tanks to be diverted to the proposed SPWS for flow back and overflow from flow back to divert to the SPWS, in place.

Tanks shall be sited from adjacent tanks.

The fire system will include temporary storage for 30% of the residual fire protection system test water and maintenance drain-downs for reuse on site.

The use of native or drought tolerant species for landscaped areas, retaining will not be required after an initial period when plants are getting established.

WELS rating for water fittings (faucets, shower heads, toilets, etc.) must be 4 stars or better. WELS 5 star or better available at the time of purchase.

**ENERGY EFFICIENCY**

10% increase on the minimum required total floor area specified for roofs and ceilings in Part 7.2, and Part 7.3, including compliance with JCEI

Aggregate luminance power is at least 10% improvement.

Automatic lighting control systems, such as occupancy detection and daylight adjustment, are provided for 50% of the nominated area.

Efficient HVAC system (chosen within one star of the best available) provided in the range at the time of purchase or COP/SEER 3.5.

Domestic hot water systems powered by either renewable Energy, Electric heat pump or heat recovered from other process.

Commitment: 100% accredited Greenpower off-site renewable electricity for a minimum of 10 years.

10 kW Solar PV system on roof of development.

**INDOOR ENVIRONMENT QUALITY**

Commitment: Outside Air Fan in each office providing O/A rates 50% above minimum from AS1556.

**FACADE ORIENTATION**

To allow to provide solar gain to retain facade during construction.

Basement glazing to provide full protection to existing footings to future engineers details.

UNIT DESCRIPTION

No colars defined

PRELIMINARY | NOT FOR CONSTRUCTION

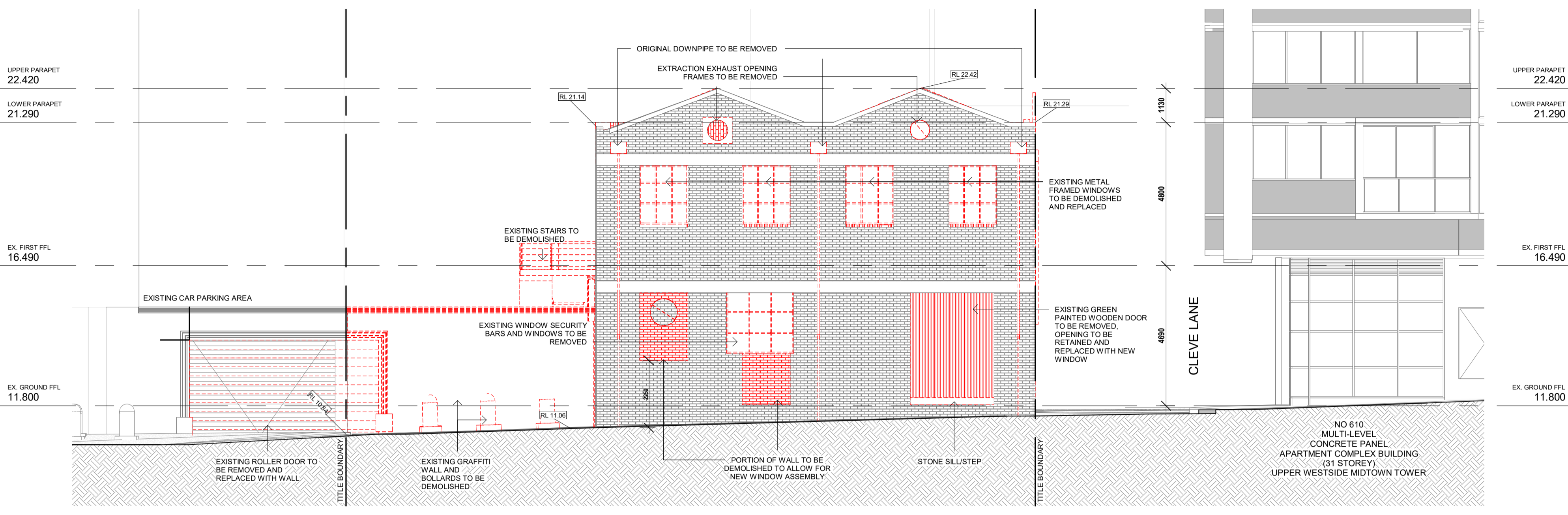
A	21/03/2021	TOWN PLANNING REGS
B	20/03/2020	TOWN PLANNING REGS
C	21/03/2020	TOWN PLANNING
E	20/03/2020	TOWN PLANNING SUBMITTAL
F	05/09/2023	TP 101 PLAN SCREEN NETWORK

04/09/23 BY: A/c/04/09/23  
04/09/23 BY: A/c/04/09/23





- GENERAL NOTES**
- WASTE & STORMWATER MANAGEMENT**
- 456m2 roof catchment area to be diverted to the Rainwater tank for the development.
  - The entire driveway, unconnected roof and overflow from tanks to be diverted to the proposed SPPEL® Filtervault and overflow from Filtervault to divert to the SPPEL® Filter. Toilets flushing to come from rainwater tanks.
  - The fire system will include temporary storage for 80% of the routine fire protection system test water and maintenance drain-downs for reuse on site.
  - The use of native or drought tolerant species for landscaped area. Watering will not be required after an initial period when plants are getting established.
  - WELS rating for water fittings/fixtures (refer to report) - Fixtures (e.g. dishwasher) provided as part of base building work have to be chosen within one WELS star of best available at the time of purchase.
- ENERGY EFFICIENCY**
- 10% increase on the minimum required total R-values specified for roofs and ceilings in Part J1.3, and floors in Part J1.6, including compliance with J0.4
  - Aggregate illumination power is at least 10% improvement.
  - Automated lighting control systems, such as occupant detection and daylight adjustment, are provided to 95% of the nominated area
  - Efficient HVAC system (chosen within one star of the best available product in the range at the time of purchase or COP/IEER 85%)
  - Domestic hot water systems powered by either renewable Energy. Electric heat pump or heat recovered from other process.
  - Commitment to 100% accredited Greenpower off-site renewable electricity for a minimum of 10 years.
  - 10 kW Solar PV system on roof of development.
- INDOOR ENVIRONMENT QUALITY**
- Commitment to Outside Air Fan in each office providing O/A rates 50% above minimum from AS1668.
- FACADE RETENTION**
- Builder to provide street gantry to retain facade during construction
  - Basement piling to provide full protection to existing footings to future engineers details.



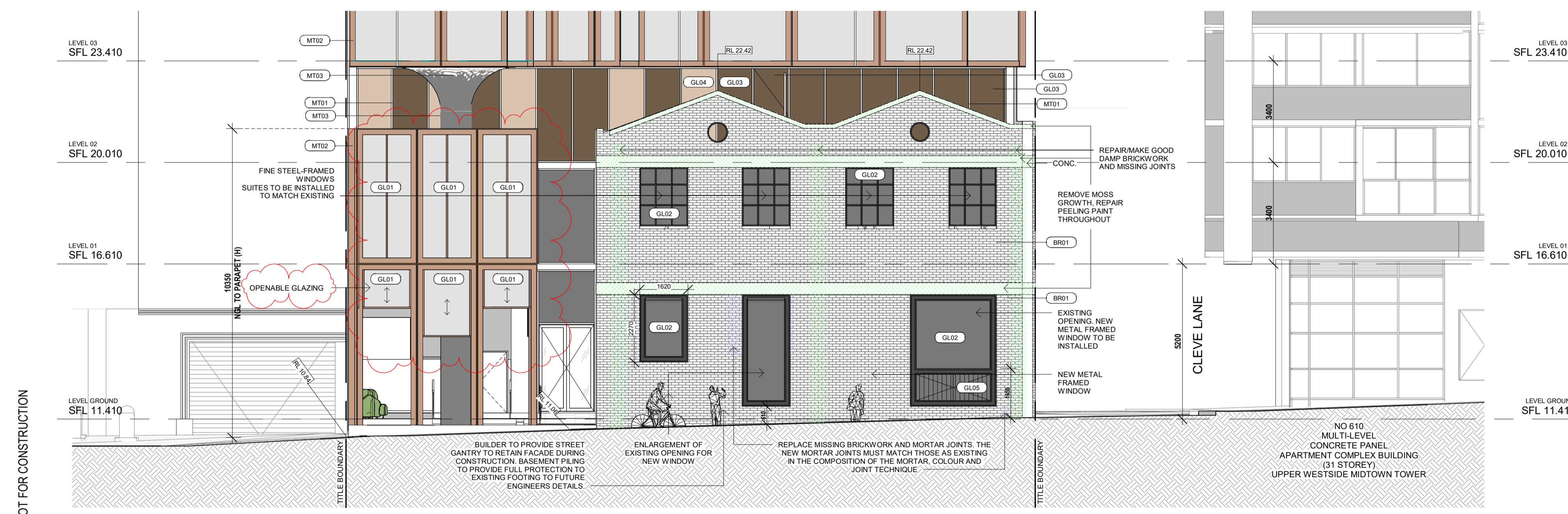
1 HERITAGE ELEVATIONS - EXISTING & DEMOLISHED - SOUTH  
SCALE 1:100

**DEMOLITION PLAN LEGEND**

	EXISTING WALLS TO REMAIN
	EXISTING ELEMENTS TO REMAIN
	EXISTING WALLS TO BE DEMOLISHED
	EXISTING ELEMENTS TO BE DEMOLISHED

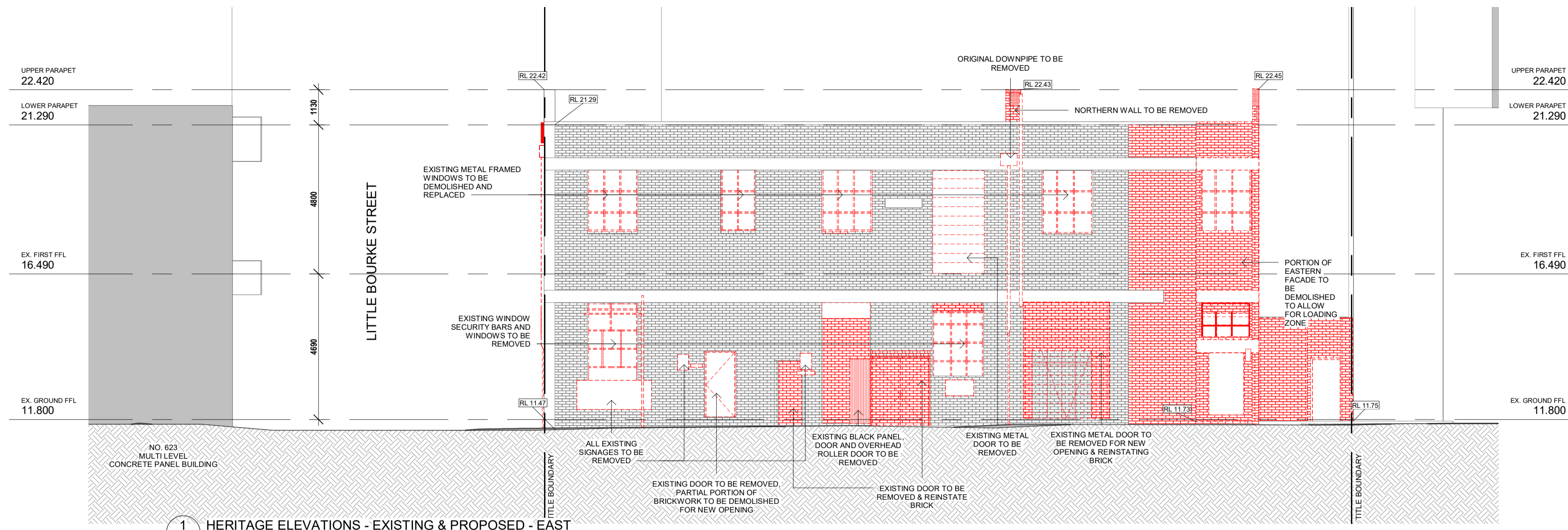
**MATERIAL SCHEDULE**

	BR01	EXISTING HERITAGE FACADE BRICK (BROWN)
	CONC.	EXISTING HERITAGE CONCRETE PAINT (CREAM)
	GL01	CLEAR GLAZING
	GL02	DARK GREY TINT GLAZING
	GL03	BRONZE GLAZING
	GL04	BRONZE GLAZING OPAQUE
	GL05	NARROW REEDED GLASS
	MT01	METAL - BLACK FINISH
	MT02	ROSE GOLD
	MT03	GOLD METAL FINISH
	PC02	DARK GREY CONCRETE

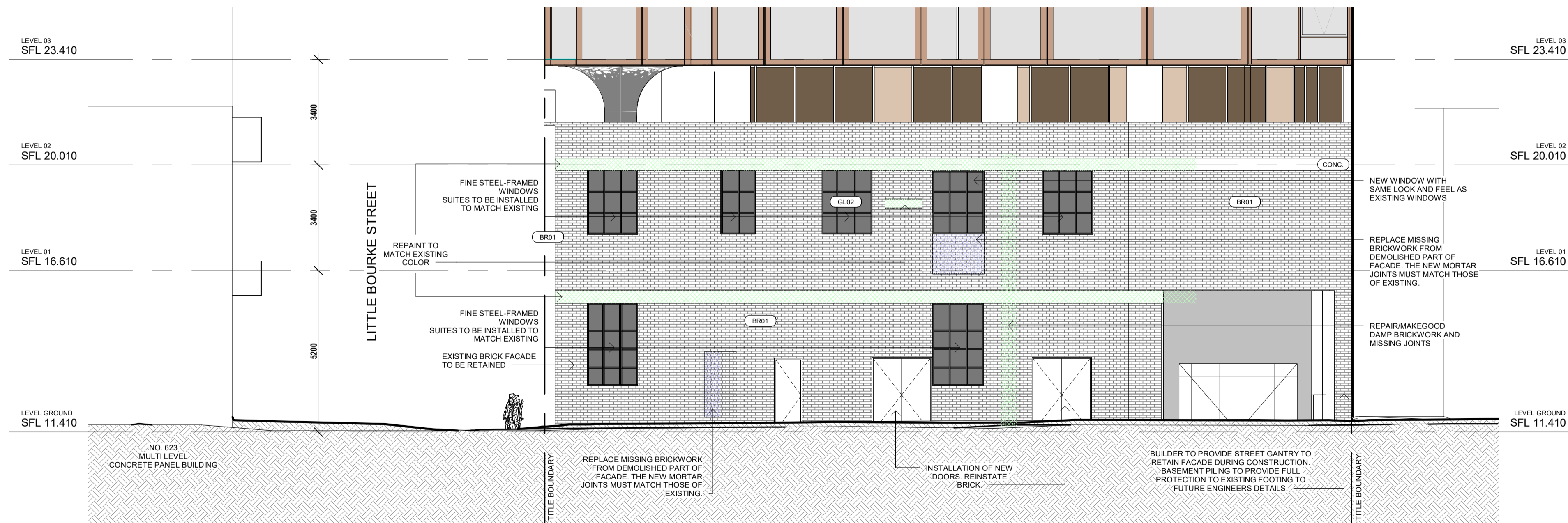


2 HERITAGE ELEVATIONS - PROPOSED - SOUTH  
SCALE 1:100

PRELIMINARY | NOT FOR CONSTRUCTION  
21071-5/23/2023 10:14:57 AM



1 HERITAGE ELEVATIONS - EXISTING & PROPOSED - EAST  
SCALE 1 : 100



2 HERITAGE ELEVATIONS - PROPOSED - EAST  
SCALE 1 : 100



**GENERAL NOTES**

**WASTE & STORMWATER MANAGEMENT**

456m2 roof catchment area to be diverted to the Rainwater tank for the development.

The entire driveway, unconnected roof and overflow from tanks to be diverted to the proposed SPeL® Filtervault and overflow from Filtervault to divert to the SPeL® Filter. Toilets flushing to come from rainwater tanks.

The fire system will include temporary storage for 80% of the routine fire protection system test water and maintenance drain-downs for reuse on site.

The use of native or drought tolerant species for landscaped area. Watering will not be required after an initial period when plants are getting established.

WELS rating for water fittings/fixtures (refer to report) - Fixtures (e.g. dishwasher) provided as part of base building work have to be chosen within one WELS star of best available at the time of purchase.

**ENERGY EFFICIENCY**

10% increase on the minimum required total R-values specified for roofs and ceilings in Part J1.3, and floors in Part J1.6, including compliance with J0.4

Aggregate illumination power is at least 10% improvement.

Automated lighting control systems, such as occupant detection and daylight adjustment, are provided to 95% of the nominated area.

Efficient HVAC system (chosen within one star of the best available product in the range at the time of purchase or COP/IEER 85%)

Domestic hot water systems powered by either renewable Energy. Electric heat pump or heat recovered from other process.

Commitment to 100% accredited Greenpower off-site renewable electricity for a minimum of 10 years.

10 kW Solar PV system on roof of development.

**INDOOR ENVIRONMENT QUALITY**

Commitment to Outside Air Fan in each office providing O/A rates 50% above minimum from AS1668.

**FACADE RETENTION**

Builder to provide street gantry to retain facade during construction

Basement piling to provide full protection to existing footings to future engineers details.

**DEMOLITION PLAN LEGEND**

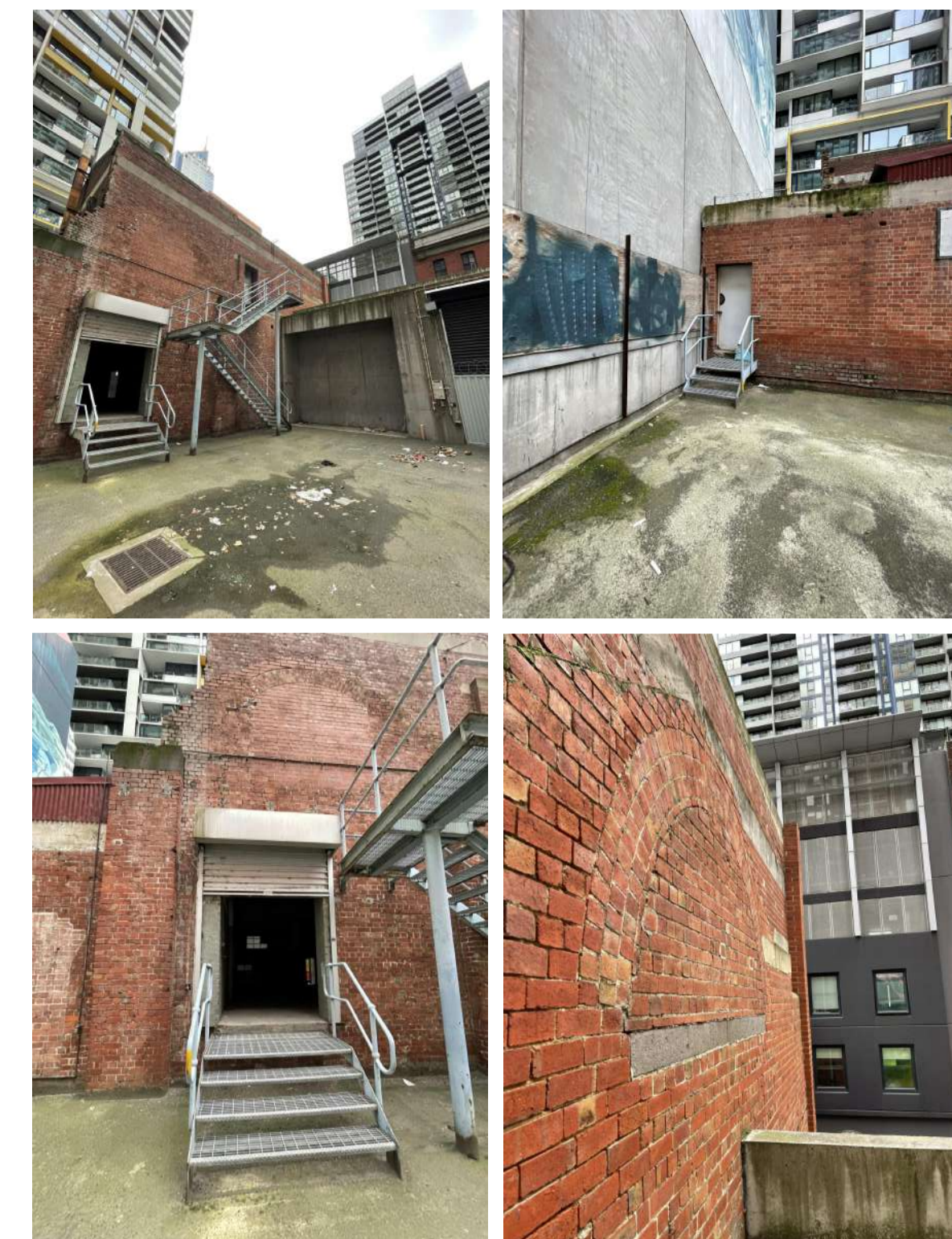
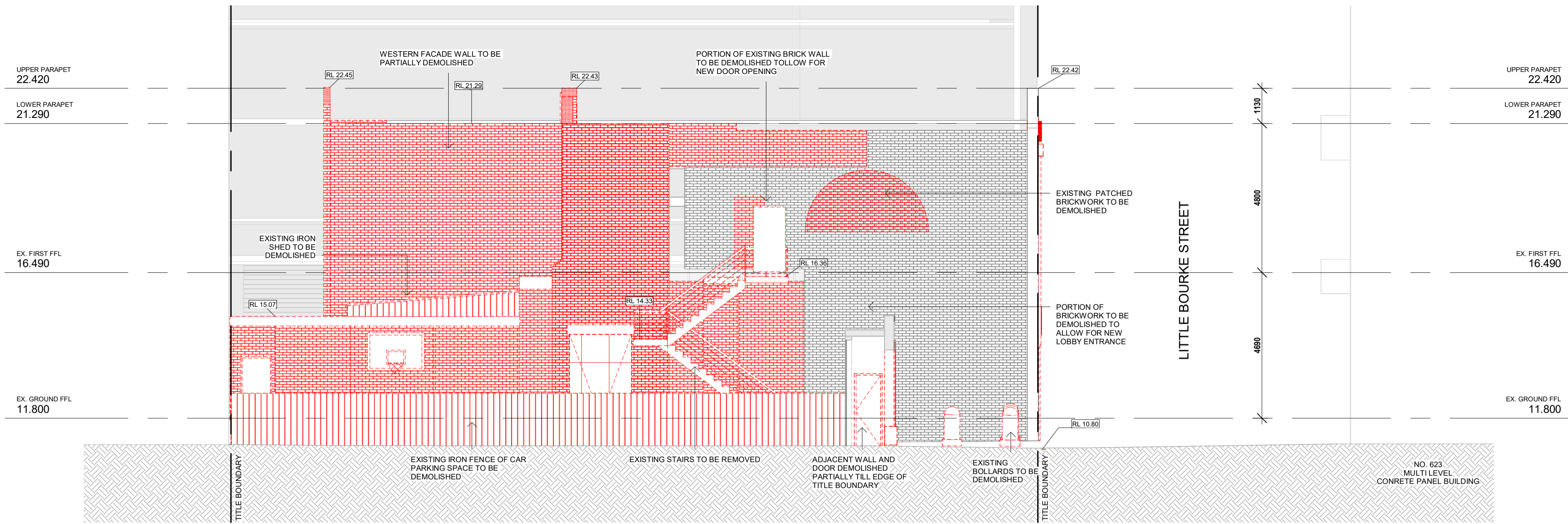
	EXISTING WALLS TO REMAIN
	EXISTING ELEMENTS TO REMAIN
	EXISTING WALLS TO BE DEMOLISHED
	EXISTING ELEMENTS TO BE DEMOLISHED

**MATERIAL SCHEDULE**

	BR01	EXISTING HERITAGE FACADE BRICK (BROWN)
	CONC.	EXISTING HERITAGE CONCRETE PAINT (CREAM)
	GL01	CLEAR GLAZING
	GL02	DARK GREY TINT GLAZING
	GL03	BRONZE GLAZING
	GL04	BRONZE GLAZING OPAQUE
	GL05	NARROW REEDED GLASS
	MT01	METAL - BLACK FINISH
	MT02	ROSE GOLD
	MT03	GOLD METAL FINISH
	PC02	DARK GREY CONCRETE

PRELIMINARY | NOT FOR CONSTRUCTION

21071-5/23/2023 10:15:08 AM



- GENERAL NOTES**
- WASTE & STORMWATER MANAGEMENT**
- 456m2 roof catchment area to be diverted to the Rainwater tank for the development.
  - The entire driveway, unconnected roof and overflow from tanks to be diverted to the proposed SP/EL® Filtervault and overflow from Filtervault to divert to the SP/EL® Filter.
  - Toilets flushing to come from rainwater tanks.
  - The fire system will include temporary storage for 80% of the routine fire protection system test water and maintenance drain-downs for reuse on site.
  - The use of native or drought tolerant species for landscaped area. Watering will not be required after an initial period when plants are getting established.
  - WELS rating for water fittings/fixtures (refer to report) - Fixtures (e.g. dishwasher) provided as part of base building work have to be chosen within one WELS star of best available at the time of purchase.
- ENERGY EFFICIENCY**
- 10% increase on the minimum required total R-values specified for roofs and ceilings in Part J1.3, and floors in Part J1.6, including compliance with J0.4
  - Aggregate illumination power is at least 10% improvement.
  - Automated lighting control systems, such as occupant detection and daylight adjustment, are provided to 95% of the nominated area
  - Efficient HVAC system (chosen within one star of the best available product in the range at the time of purchase or COP/IEER 85%)
  - Domestic hot water systems powered by either renewable Energy. Electric heat pump or heat recovered from other process.
  - Commitment to 100% accredited Greenpower off-site renewable electricity for a minimum of 10 years.
  - 10 kW Solar PV system on roof of development.
- INDOOR ENVIRONMENT QUALITY**
- Commitment to Outside Air Fan in each office providing O/A rates 50% above minimum from AS1668.
- FACADE RETENTION**
- Builder to provide street gantry to retain facade during construction
  - Basement piling to provide full protection to existing footings to future engineers details.

DEMOLITION PLAN LEGEND	
	EXISTING WALLS TO REMAIN
	EXISTING ELEMENTS TO REMAIN
	EXISTING WALLS TO BE DEMOLISHED
	EXISTING ELEMENTS TO BE DEMOLISHED

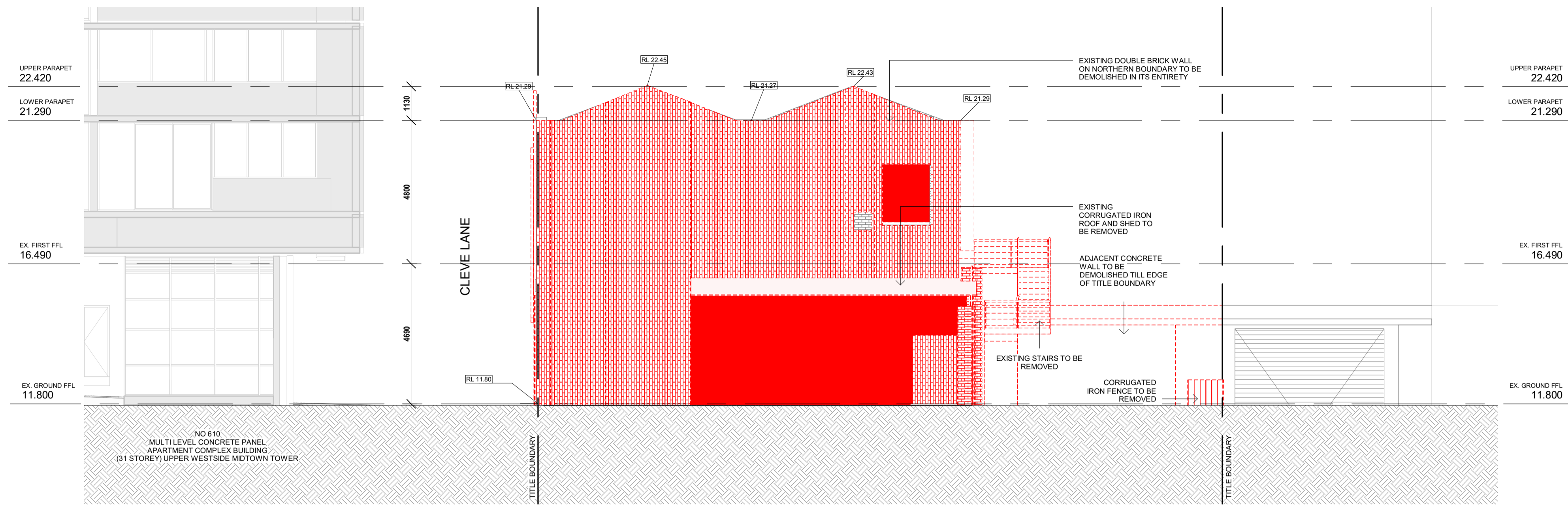
1 HERITAGE ELEVATIONS - EXISTING & PROPOSED - WEST  
SCALE 1:100



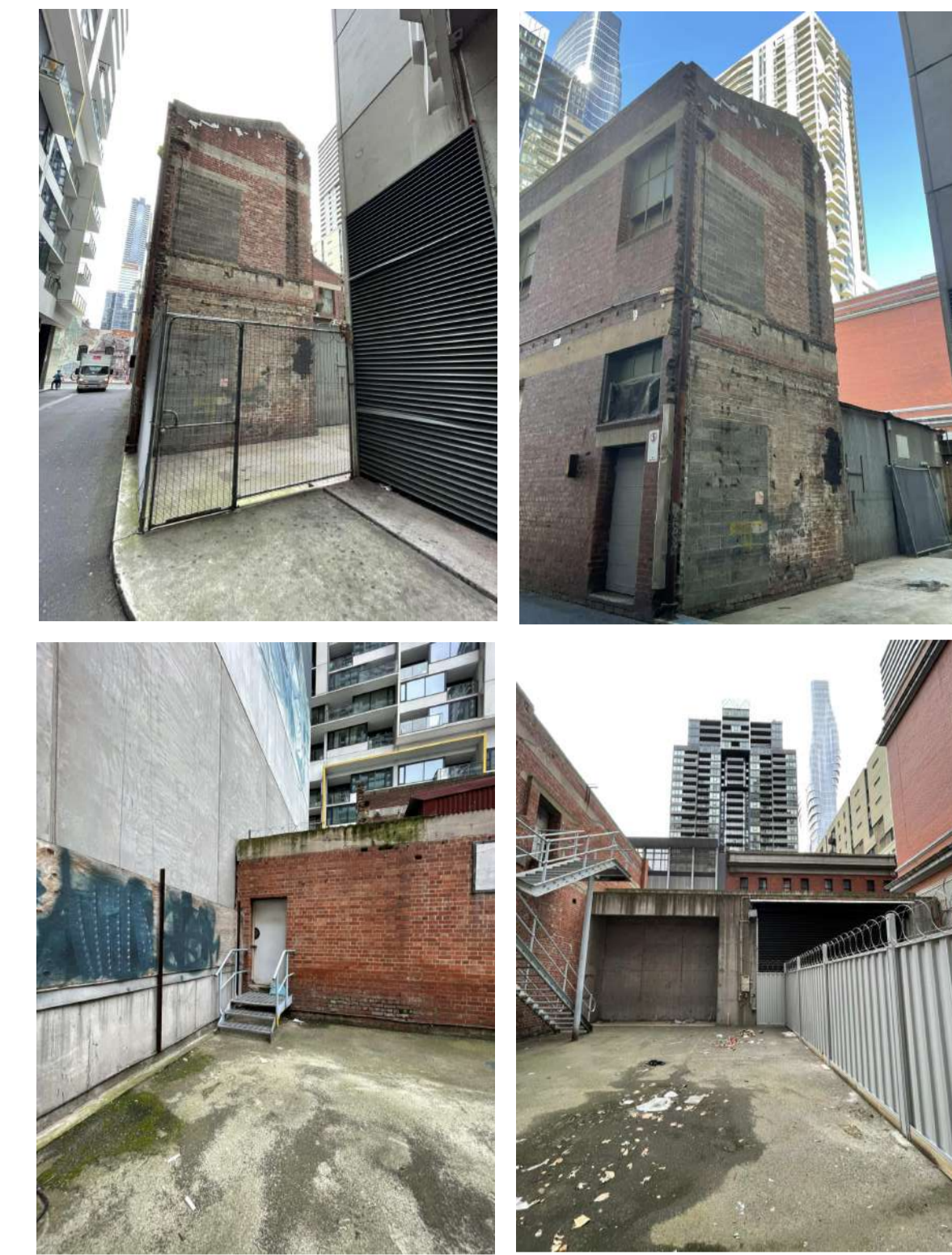
MATERIAL SCHEDULE		
	BR01	EXISTING HERITAGE FACADE BRICK (BROWN)
	CONC.	EXISTING HERITAGE CONCRETE PAINT (CREAM)
	GL01	CLEAR GLAZING
	GL02	DARK GREY TINT GLAZING
	GL03	BRONZE GLAZING
	GL04	BRONZE GLAZING OPAQUE
	GL05	NARROW REEDED GLASS
	MT01	METAL - BLACK FINISH
	MT02	ROSE GOLD
	MT03	GOLD METAL FINISH
	PC02	DARK GREY CONCRETE

2 HERITAGE ELEVATIONS - PROPOSED - WEST  
SCALE 1:100

PRELIMINARY | NOT FOR CONSTRUCTION



1 HERITAGE ELEVATIONS - EXISTING & PROPOSED - NORTH  
SCALE 1 : 100



**GENERAL NOTES**

**WASTE & STORMWATER MANAGEMENT**

456m2 roof catchment area to be diverted to the Rainwater tank for the development.

The entire driveway, unconnected roof and overflow from tanks to be diverted to the proposed SPEL® Filtervault and overflow from Filtervault to divert to the SPEL® Filter. Toilets flushing to come from rainwater tanks.

The fire system will include temporary storage for 80% of the routine fire protection system test water and maintenance drain-downs for reuse on site.

The use of native or drought tolerant species for landscaped area. Watering will not be required after an initial period when plants are getting established.

WELS rating for water fittings/fixtures (refer to report) - Fixtures (e.g. dishwasher) provided as part of base building work have to be chosen within one WELS star of best available at the time of purchase.

**ENERGY EFFICIENCY**

10% increase on the minimum required total R-values specified for roofs and ceilings in Part J1.3, and floors in Part J1.6, including compliance with J0.4

Aggregate illumination power is at least 10% improvement.

Automated lighting control systems, such as occupant detection and daylight adjustment, are provided to 95% of the nominated area.

Efficient HVAC system (chosen within one star of the best available product in the range at the time of purchase or COP/EEER 85%)

Domestic hot water systems powered by either renewable Energy. Electric heat pump or heat recovered from other process.

Commitment to 100% accredited Greenpower off-site renewable electricity for a minimum of 10 years.

10 kW Solar PV system on roof of development.

**INDOOR ENVIRONMENT QUALITY**

Commitment to Outside Air Fan in each office providing O/A rates 50% above minimum from AS1688.

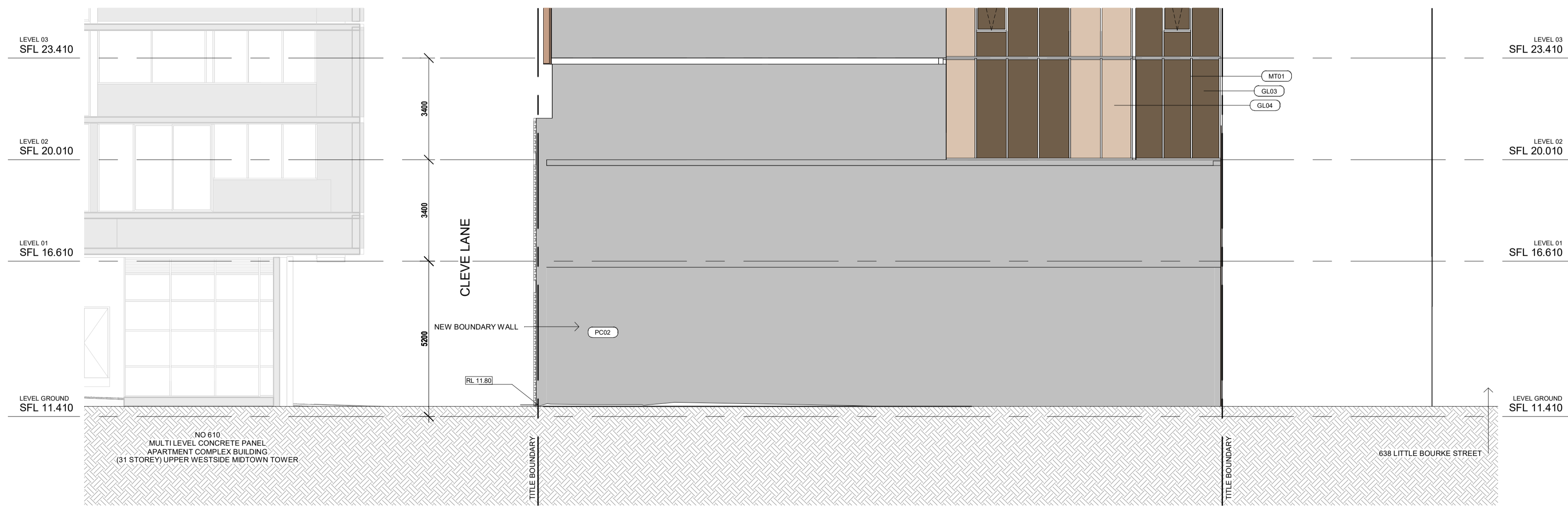
**FACADE RETENTION**

Builder to provide street gantry to retain facade during construction

Basement piling to provide full protection to existing footings to future engineers details.

**DEMOLITION PLAN LEGEND**

	EXISTING WALLS TO REMAIN
	EXISTING ELEMENTS TO REMAIN
	EXISTING WALLS TO BE DEMOLISHED
	EXISTING ELEMENTS TO BE DEMOLISHED



2 HERITAGE ELEVATIONS - PROPOSED - NORTH  
SCALE 1 : 100

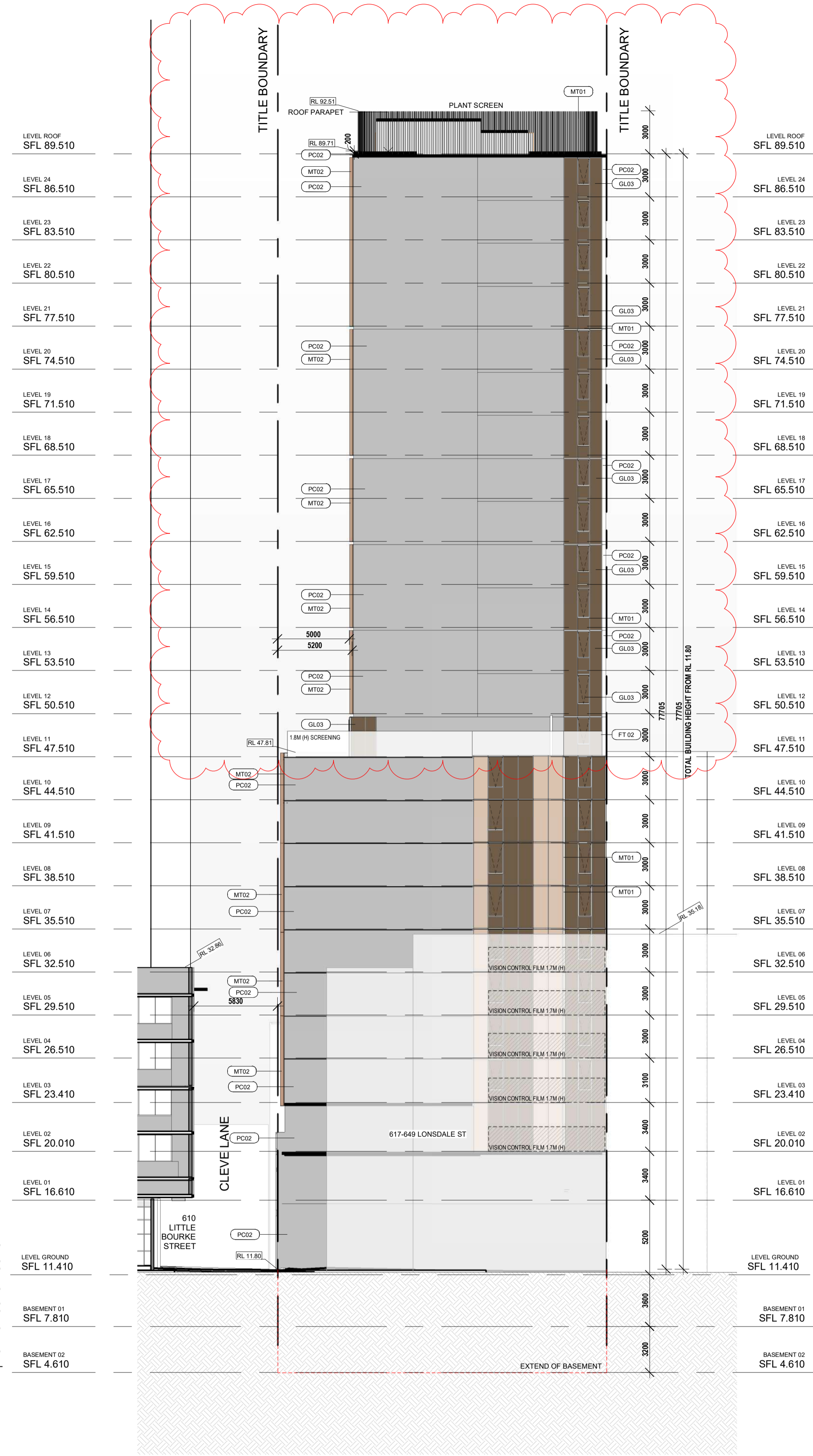
**MATERIAL SCHEDULE**

Material	Code	Description
	BR01	EXISTING HERITAGE FACADE BRICK (BROWN)
	CONC.	EXISTING HERITAGE CONCRETE PAINT (CREAM)
	GL01	CLEAR GLAZING
	GL02	DARK GREY TINT GLAZING
	GL03	BRONZE GLAZING
	GL04	BRONZE GLAZING OPAQUE
	GL05	NARROW REEDED GLASS
	MT01	METAL - BLACK FINISH
	MT02	ROSE GOLD
	MT03	GOLD METAL FINISH
	PC02	DARK GREY CONCRETE

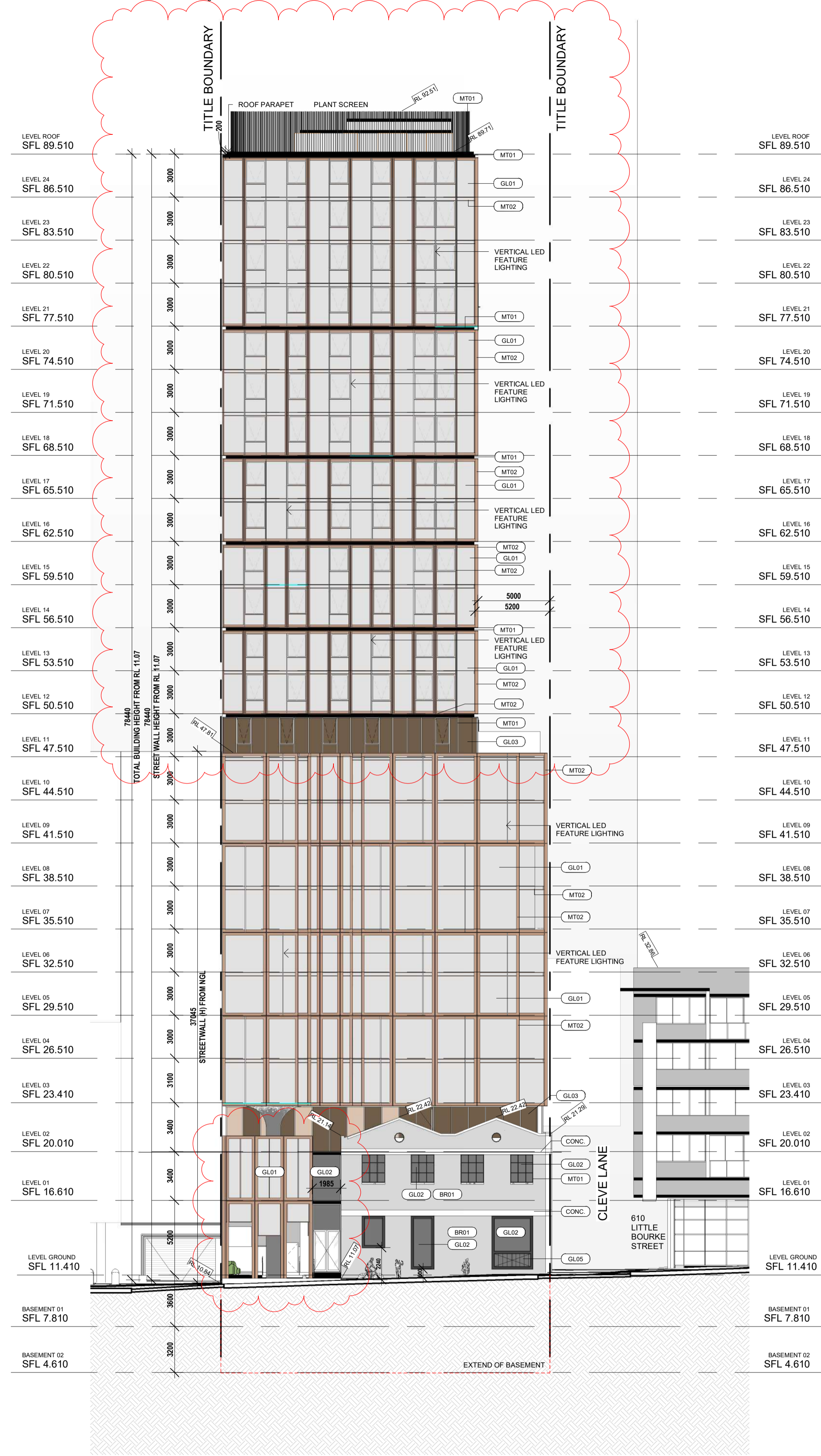
PRELIMINARY | NOT FOR CONSTRUCTION

PRELIMINARY - NOT FOR CONSTRUCTION

21071-5/23/2023 10:15:58 AM



**1 NORTH ELEVATION**  
SCALE 1 : 200



**2 SOUTH ELEVATION**  
SCALE 1 : 200

**GENERAL NOTES**

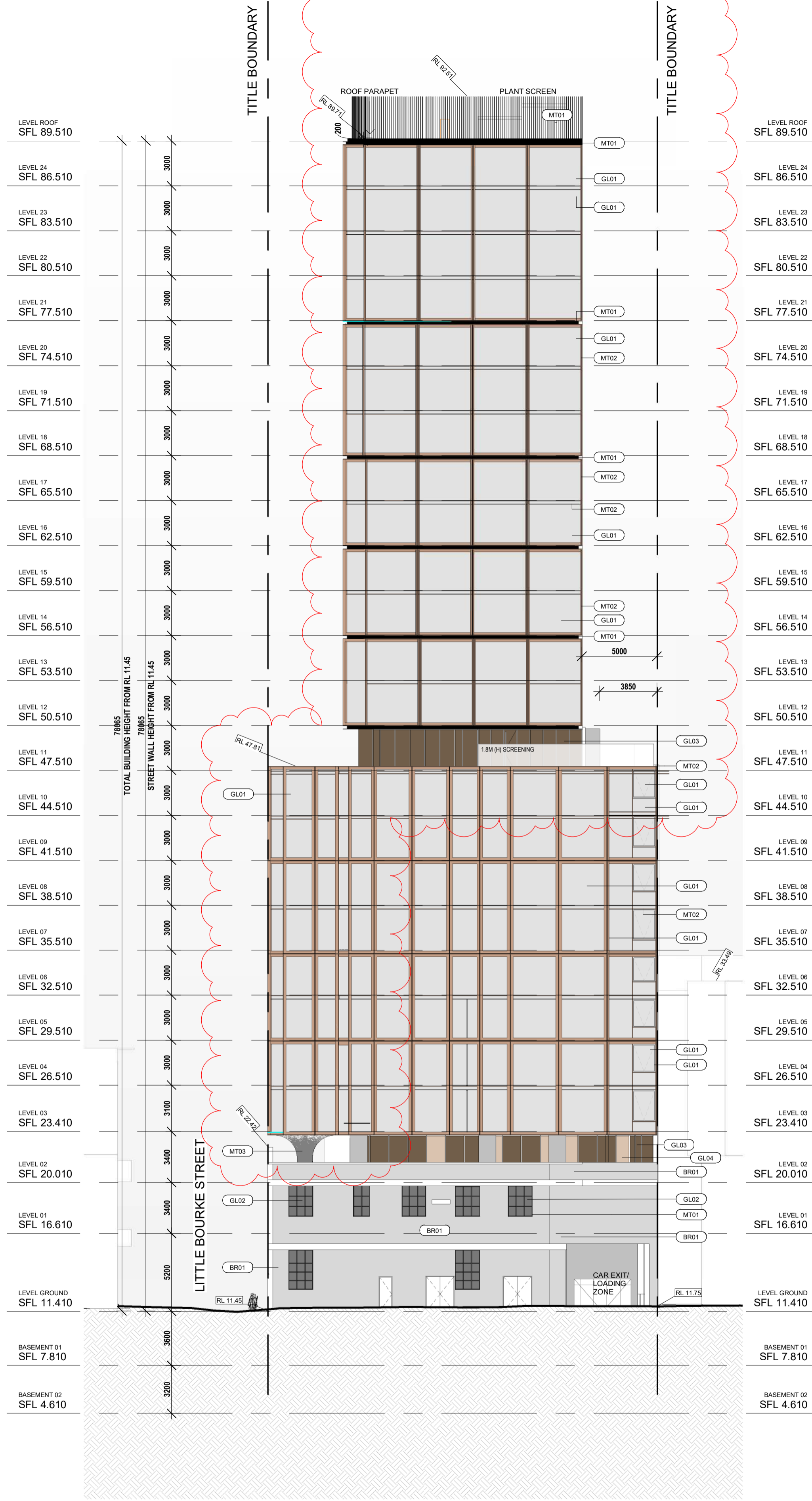
**WASTE & STORMWATER MANAGEMENT**  
456m2 roof catchment area to be diverted to the Rainwater tank for the development.  
The entire driveway, unconnected roof and overflow from tanks to be diverted to the proposed SPeL® Filtervault and overflow from Filtervault to divert to the SPeL® Filter. Toilets flushing to come from rainwater tanks.  
The fire system will include temporary storage for 80% of the routine fire protection system test water and maintenance drain-downs for reuse on site.  
The use of native or drought tolerant species for landscaped area. Watering will not be required after an initial period when plants are getting established.  
WELS rating for water fittings/fixtures (refer to report) - Fixtures (e.g. dishwasher) provided as part of base building work have to be chosen within one WELS star of best available at the time of purchase.

**ENERGY EFFICIENCY**  
10% increase on the minimum required total R-values specified for roofs and ceilings in Part J1.3, and floors in Part J1.6, including compliance with J0.4  
Aggregate illumination power is at least 10% improvement.  
Automated lighting control systems, such as occupant detection and daylight adjustment, are provided to 95% of the nominated area.  
Efficient HVAC system (chosen within one star of the best available product in the range at the time of purchase or COP/EEER 85%)  
Domestic hot water systems powered by either renewable Energy. Electric heat pump or heat recovered from other process.  
Commitment to 100% accredited Greenpower off-site renewable electricity for a minimum of 10 years.  
10 kW Solar PV system on roof of development.

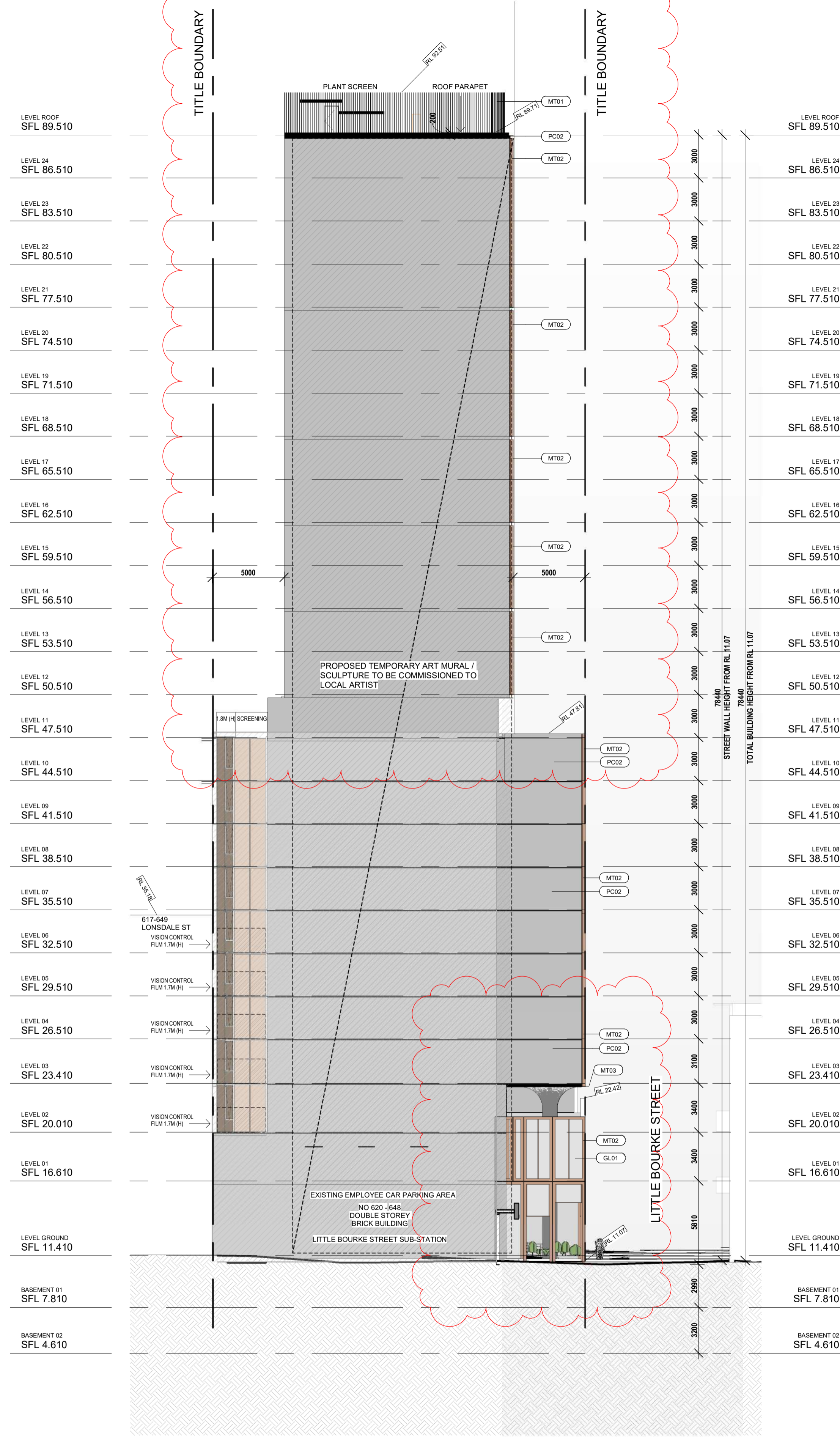
**INDOOR ENVIRONMENT QUALITY**  
Commitment to Outside Air Fan in each office providing O/A rates 50% above minimum from AS1668.

**FAÇADE RETENTION**  
Builder to provide street gantry to retain façade during construction  
Basement piling to provide full protection to existing footings to future engineers details.

MATERIAL SCHEDULE		
	BR01	EXISTING HERITAGE FAÇADE BRICK (BROWN)
	CONC.	EXISTING HERITAGE CONCRETE PAINT (CREAM)
	GL01	CLEAR GLAZING
	GL02	DARK GREY TINT GLAZING
	GL03	BRONZE GLAZING
	GL04	BRONZE GLAZING OPAQUE
	GL05	NARROW REEDED GLASS
	MT01	METAL - BLACK FINISH
	MT02	ROSE GOLD
	MT03	GOLD METAL FINISH
	PC02	DARK GREY CONCRETE



1 EAST ELEVATION  
SCALE: 1:200



2 WEST ELEVATION  
SCALE: 1:200

**GENERAL NOTES**

**WASTE & STORMWATER MANAGEMENT**

456m2 roof catchment area to be diverted to the Rainwater tank for the development.

The entire driveway, unconnected roof and overflow from tanks to be diverted to the proposed SPeL® Filtervault and overflow from Filtervault to divert to the SPeL® Filter.

Toilets flushing to come from rainwater tanks.

The fire system will include temporary storage for 80% of the routine fire protection system test water and maintenance drain-downs for reuse on site.

The use of native or drought tolerant species for landscaped area. Watering will not be required after an initial period when plants are getting established.

WELS rating for water fittings/fixtures (refer to report) - Fixtures (e.g. dishwasher) provided as part of base building work have to be chosen within one WELS star of best available at the time of purchase.

**ENERGY EFFICIENCY**

10% increase on the minimum required total R-values specified for roofs and ceilings in Part J1.3, and floors in Part J1.6, including compliance with J0.4

Aggregate illumination power is at least 10% improvement.

Automated lighting control systems, such as occupant detection and daylight adjustment, are provided to 95% of the nominated area

Efficient HVAC system (chosen within one star of the best available product in the range at the time of purchase or COP/EEER 85%)

Domestic hot water systems powered by either renewable Energy. Electric heat pump or heat recovered from other process.

Commitment to 100% accredited Greenpower off-site renewable electricity for a minimum of 10 years.

10 kW Solar PV system on roof of development.

**INDOOR ENVIRONMENT QUALITY**

Commitment to Outside Air Fan in each office providing O/A rates 50% above minimum from AS1668.

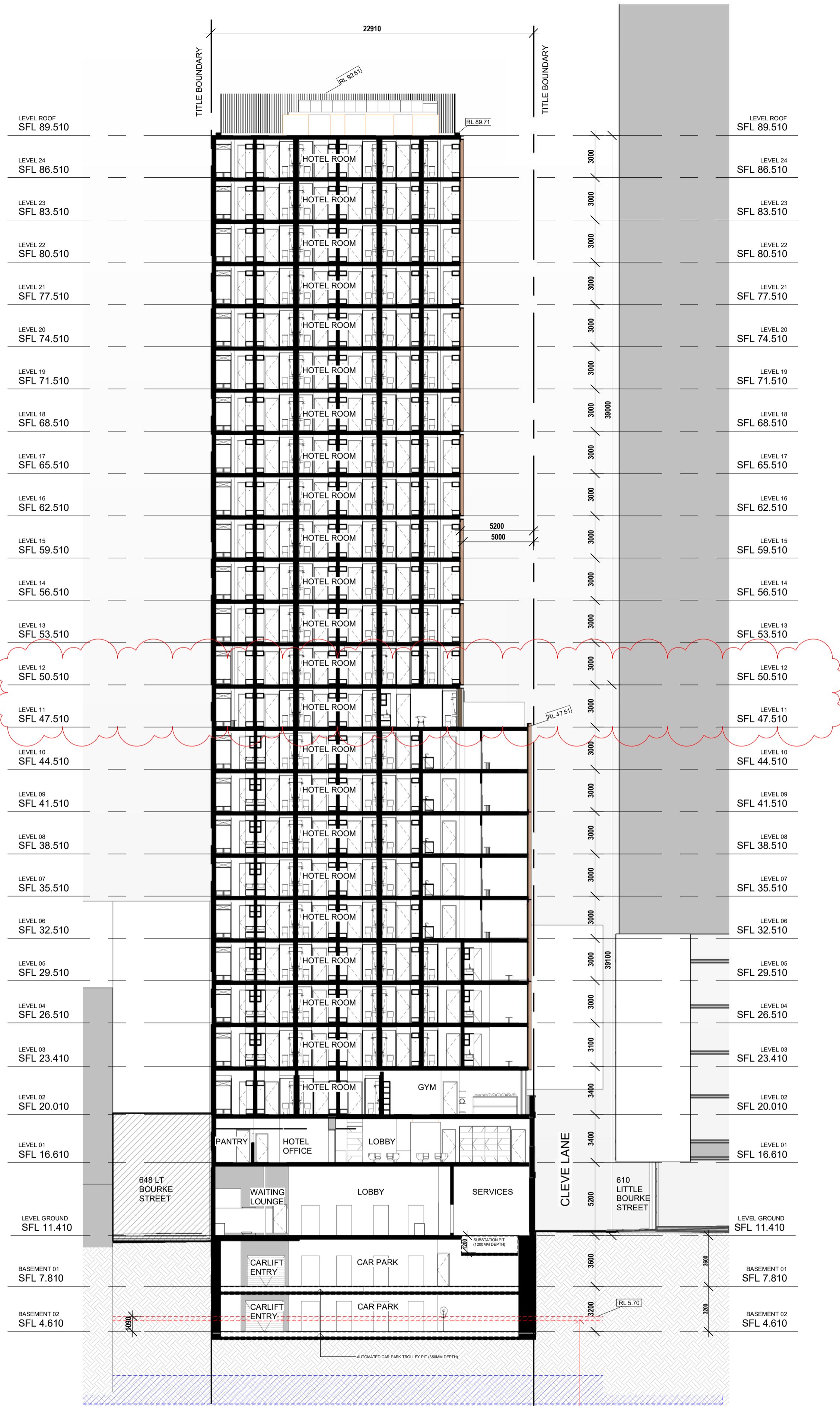
**FACADE RETENTION**

Builder to provide street gantry to retain facade during construction  
Basement piling to provide full protection to existing footings to future engineers details.

**MATERIAL SCHEDULE**

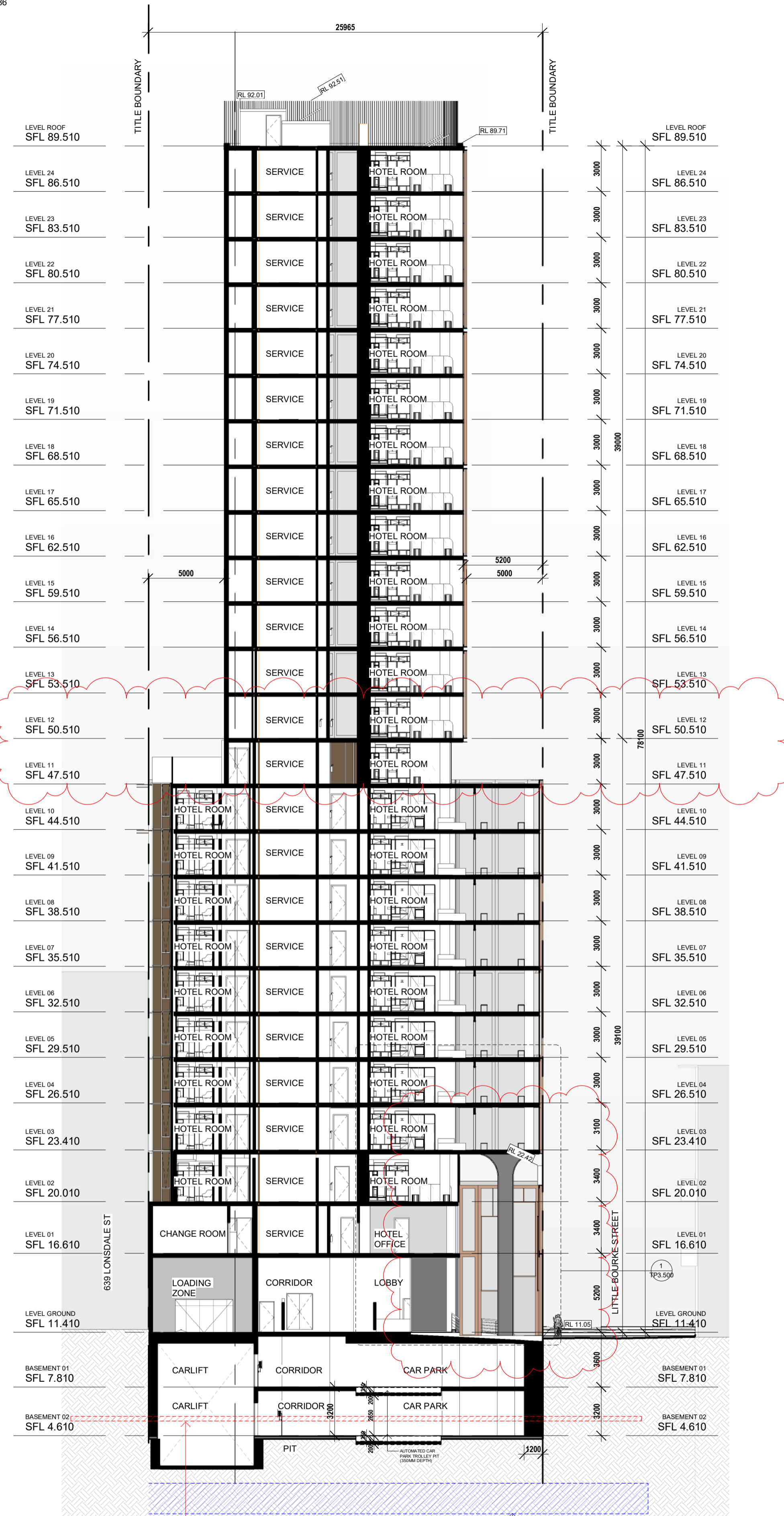
Image	Code	Description
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	MT01	METAL - BLACK FINISH
	MT02	ROSE GOLD
	MT03	GOLD METAL FINISH
	PC02	DARK GREY CONCRETE





APPROX. GROUNDWATER LEVEL (RL1.50 to -0.50)  
 FAR EAST SITE - BASEMENT 02 (RL5.70)

**A** SECTION A - A  
 SCALE 1 : 200



FAR EAST SITE - BASEMENT 02 (RL5.70)  
 APPROX. GROUNDWATER LEVEL (RL1.50 to -0.50)

**B** SECTION B - B  
 SCALE 1 : 200

**GENERAL NOTES**

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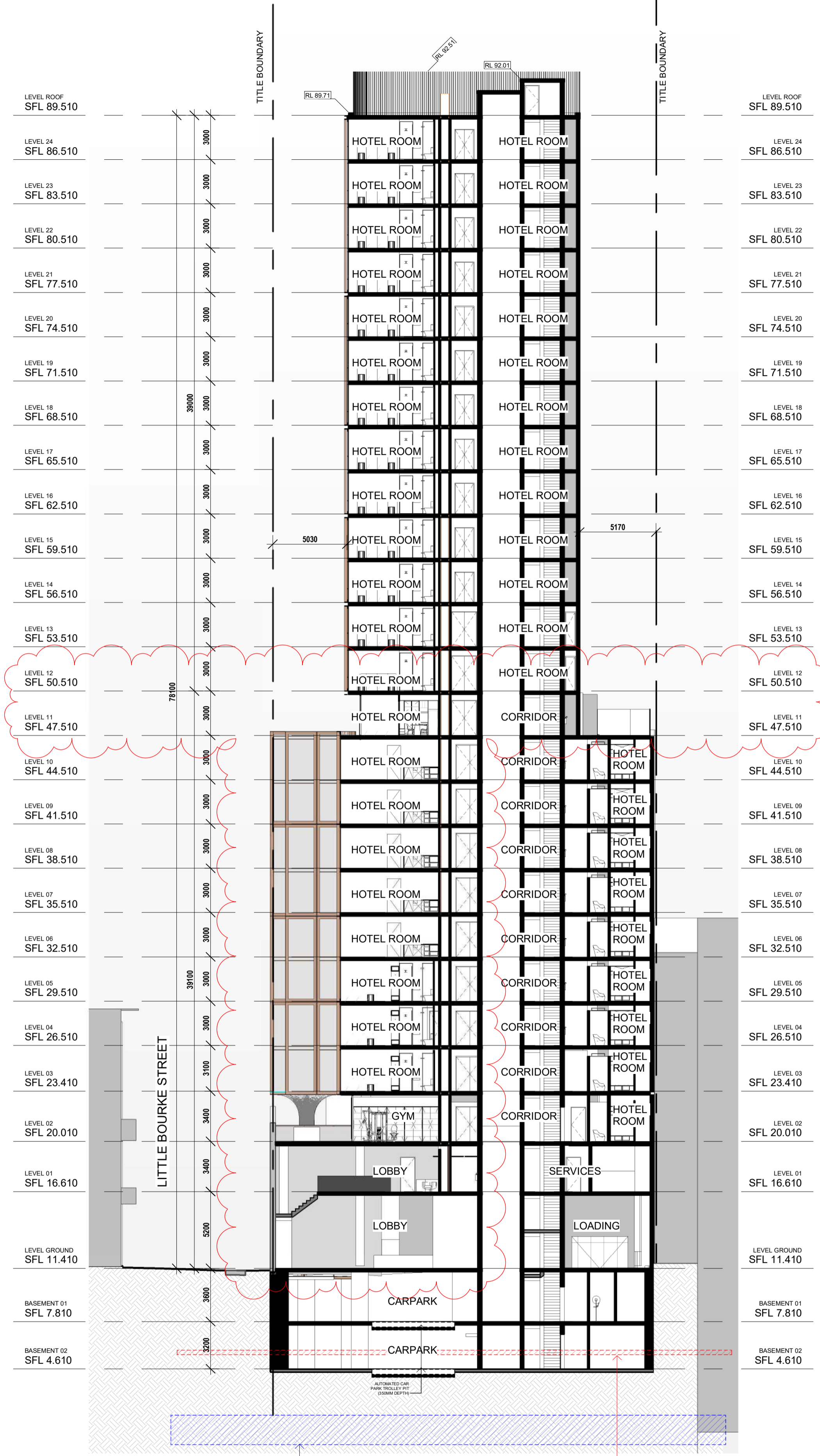
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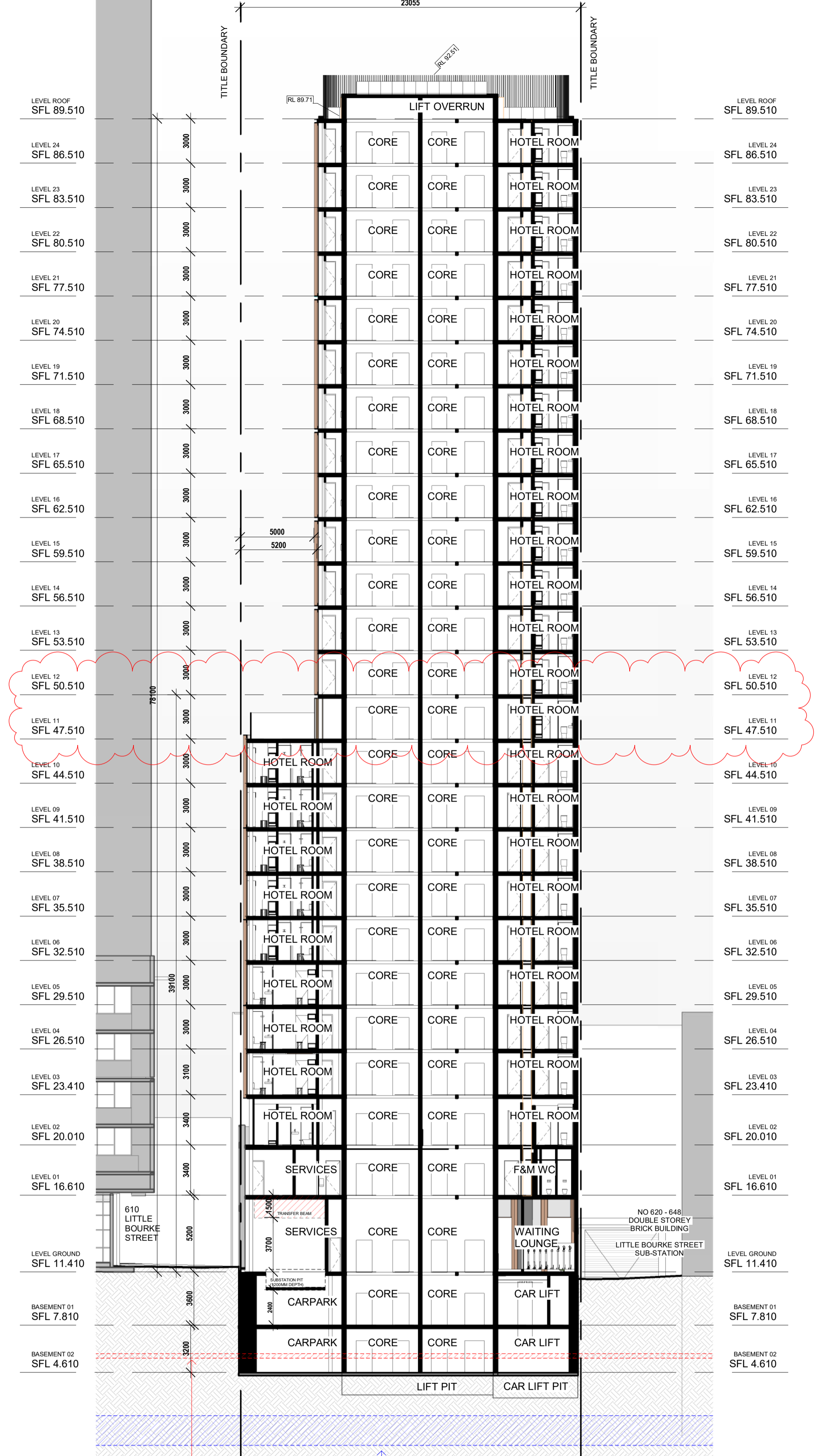
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**C SECTION C - C**  
SCALE 1 : 200



**D SECTION D - D**  
SCALE 1 : 200

**GENERAL NOTES**

**WASTE & STORMWATER MANAGEMENT**

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PRELIMINARY NOT FOR CONSTRUCTION

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A 21/10/2021 TOWN PLANNING ISSUE  
 B 01/03/2022 TOWN PLANNING RFI  
 C 21/09/2022 TOWN PLANNING  
 E 18/05/2023 TOWN PLANNING SUBMISSION

DRAWN BY: Author CHECKED BY: Chadir

ARTIST IMPRESSION 01  
 SCALE: @A1

638 LITTLE BOURKE STREET  
 CLIENT: MONDIB GROUP

TOWN PLANNING

21071 TP5.000  
 18/05/2023 REV: E



PRELIMINARY | NOT FOR CONSTRUCTION

21071-30/05/2023 9:53:42 AM



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A	21/10/2021	TOWN PLANNING ISSUE
B	01/03/2022	TOWN PLANNING RFI
C	21/09/2022	TOWN PLANNING
E	18/05/2023	TOWN PLANNING SUBMISSION

DRAWN BY: Author CHECKED BY: Cndar

ARTIST IMPRESSION 02  
 SCALE: @A1

638 LITTLE BOURKE STREET  
 CLIENT: MONDIB GROUP

## TOWN PLANNING

21071 TP5.001  
 18/05/2023 REV: E

## DELEGATE REPORT

### PLANNING PERMIT APPLICATION

<b>Application no:</b>	TP-2021-709
<b>Applicant:</b>	Yarra Hotel Group C/- Planning and Property Partners
<b>Owner:</b>	Citipower Pty Ltd
<b>Architect:</b>	CHT Architects
<b>Address:</b>	620-632 Little Bourke Street, Melbourne
<b>Proposal:</b>	Partial demolition, to construct a building and construct or carry out works associated with a multi-storey residential hotel in a Heritage Overlay (HO737) and a reduction to the bicycle facilities requirements
<b>Cost of works:</b>	\$33,180,000
<b>Date received:</b>	27 October 2021
<b>Date amended:</b>	9 August 2023
<b>Responsible officer:</b>	Lachlan Orr, Principal Urban Planner

## 1 SUBJECT SITE AND SURROUNDS

### 1.1 Subject site

The subject site is located on the northern side of Little Bourke Street, Melbourne, between Spencer Street to the west and King Street to the east.

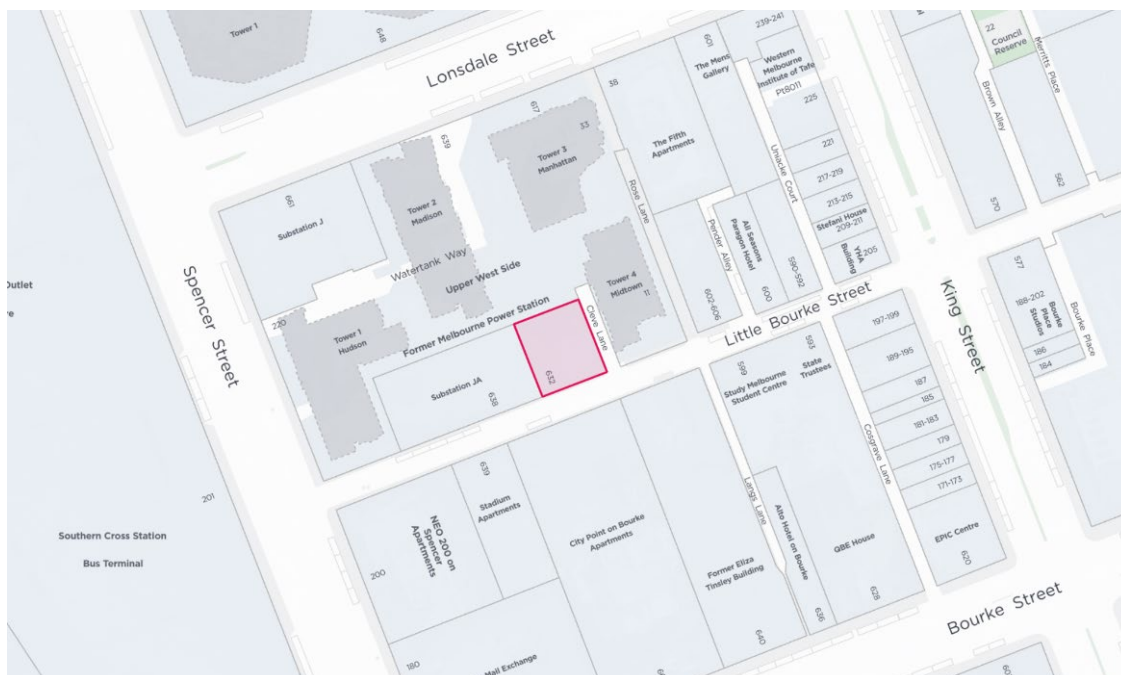
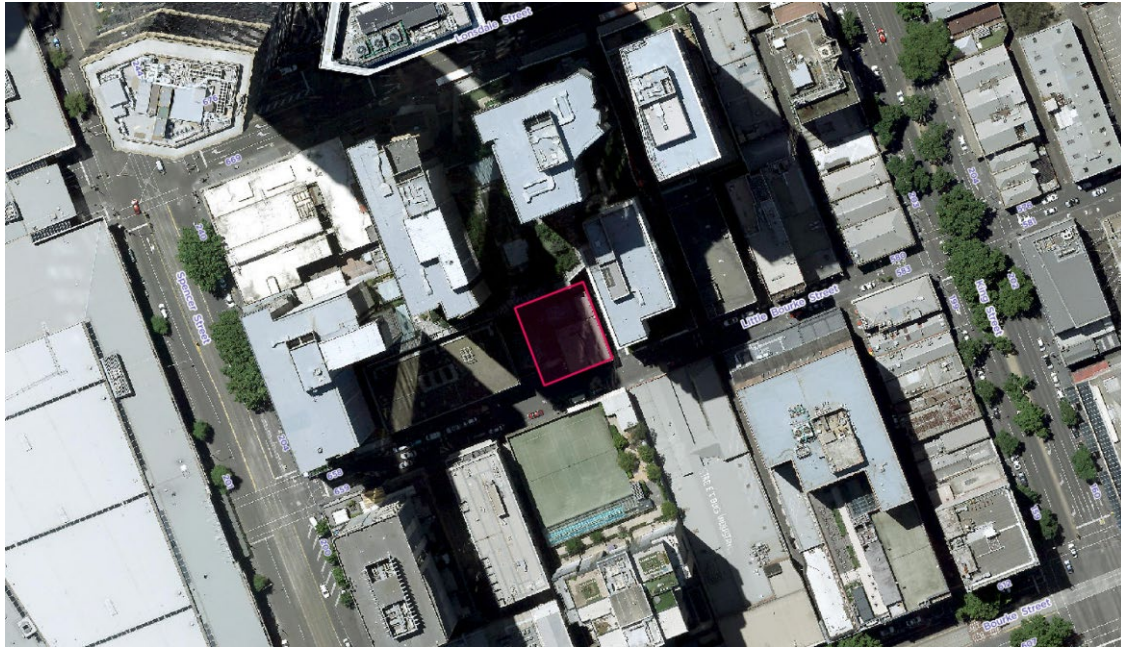


Figure 1: Locality map of subject site and surrounds



**Figure 2: Aerial photograph of subject site and surrounds**

The subject site is known as Lot 2 on PS811288C and is not burdened by any easements, covenants or restrictions. The site is generally square in shape and has a frontage of 23.05 metres to Little Bourke Street, an eastern side boundary of 25.98 metres to Cleve Lane, a western side boundary of 26 metres and a rear northern boundary of 22.95 metres. The overall site area is 598 square metres.



**Figure 3: 620-632 Little Bourke Street, Melbourne (view from east on Little Bourke Street)**

The land is occupied by a two storey red brick building which is currently vacant and was originally constructed as a workshop within the former Melbourne City Council Power Station, as identified under the Heritage Overlay (HO737). The Power Station site originally occupied the block bounded by Little Bourke, Lonsdale and Spencer Streets and has been redeveloped for the Upper West Side project, a mixed-use development comprising four towers constructed between 2011 and 2016.

The incorporated City of Melbourne Heritage Study, *Heritage Places Inventory March 2022 (Amended January 2023)* identifies the building category as 'Significant' and the streetscape as ungraded.

A single storey height masonry wall which was previously situated to the west of the building facing Little Bourke Street. The wall was recently demolished under planning permit TP-2021-642 to facilitate the subdivision of the land approved under permit TP-2018-919.



Figure 4: 620-632 Little Bourke Street, Melbourne (view from west on Little Bourke Street)

## 1.2 Surrounds

The site is located at the western end of the city in proximity to Southern Cross Railway Station. Land uses within the immediate area include a range of retail, commercial and residential uses, with most retail premises located at ground level with residential and office uses located on the levels above.

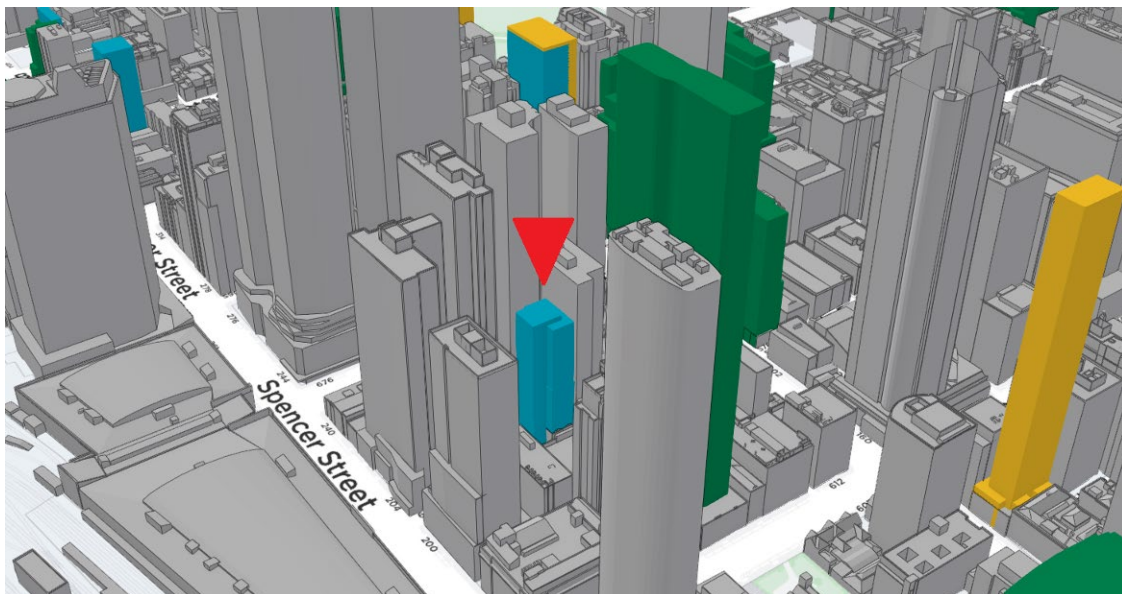


Figure 5: 3D map showing existing (grey), approved (green), proposed (blue) and under construction (yellow) developments in surrounding areas

The built form character comprises a mix of building typologies with heritage buildings such as that occupying the site, contrasting with taller multi-storey and tower forms which have been developed in more recent years. The immediate surrounds include the following:

- To the east of the site is Cleve Lane which is a small public road providing access to the site, the adjacent building to the east and the Upper West Side development to the north. The adjacent site to the east has been developed with a 31 storey mixed use building with ground level commercial and apartments on the levels above.



Figure 6: Development on Little Bourke Street to the east of the site

- To the west of the site is the balance of the land which originally formed part of the Power Station site. This site is occupied by an open car parking area and a two storey red brick building housing the former Substation, also identified as a 'Significant' graded building, which is set back approximately 7 metres further to the west of the shared boundary.



Figure 7: Development on Little Bourke Street to the west

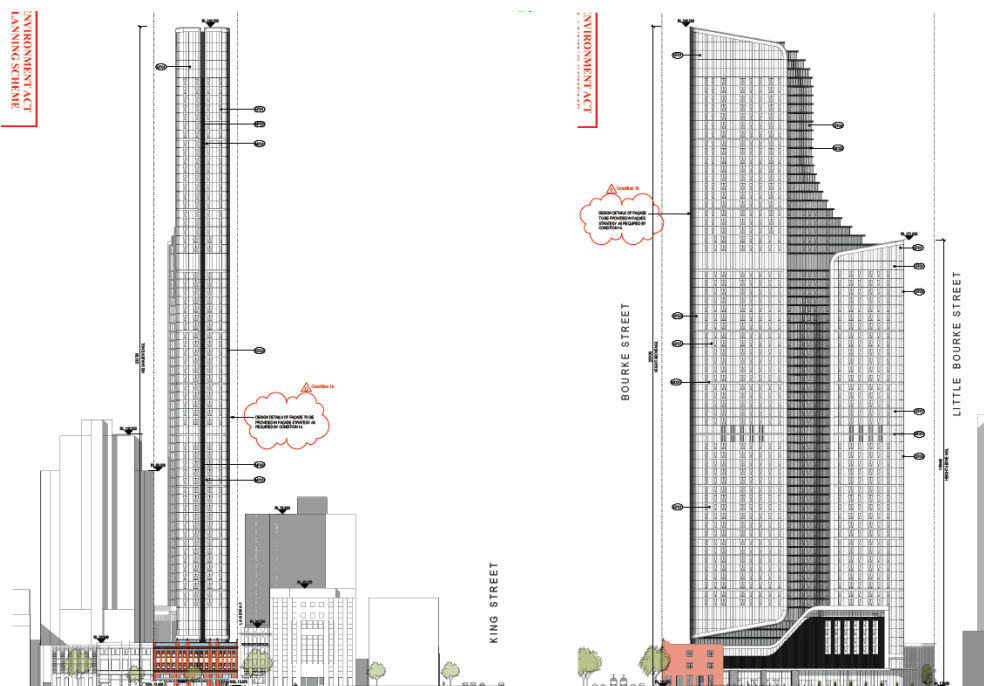


- To the north are a collection of four towers ranging from 31 to 53 storeys in height forming the Upper West Side project that occupies the majority of the former Melbourne City Council Power Station site.



**Figure 8: Upper West Side development as viewed from intersection of Lonsdale Street and Spencer Street**

- To the south is Little Bourke Street which has a varied and robust built form character, including entrances for buildings addressing Little Bourke Street as well as services and access to larger buildings that front both Bourke Street to the south and Lonsdale Street to the north. A 70 storey mixed used development to the south of the site, at 640-652 Bourke Street, has been approved under Ministerial planning permit 201535721-1.



**Figure 9: Endorsed south (left) and east (right) elevations under Ministerial planning permit 201535721-1 at 640-652 Bourke Street, Melbourne**

## 2 BACKGROUND

### 2.1 Planning application history

The following historical planning permit applications are of relevance to the site:

TP number	Description of Proposal	Decision
TP-2018-919	Two lot subdivision of land originally known as Substation 620-648 Little Bourke Street, Melbourne	Permit issued 18 June 2020 Statement of Compliance issued 21 December 2022
TP-2021-642	Demolition of car park concrete wall and roller door	Permit issued 4 February 2022

### 2.2 Melbourne Design Review Panel (MDRP)

In June 2022, during the preparation of further information requested to progress the application, the project was considered by the City of Melbourne’s Design Review Panel (MDRP).

The advice from the MDRP provided a number of recommendations including to revisit the mass and scale of the building to be more sympathetic to the streetscape and heritage context, to reconsider the proposed vehicle access arrangement, refine the design narrative and detail, increase activation, human scale and improve the public realm response at the ground level.

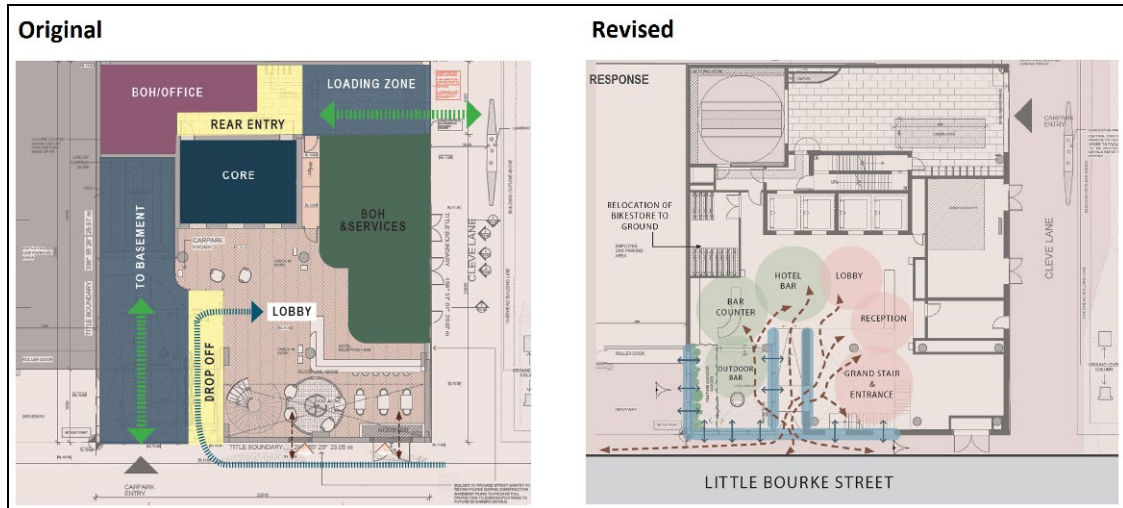
The amended application plans submitted prior to public notice made a number of significant design changes in response to the advice provided by the MDRP, including:

- Revising the relationship between the retained heritage built form and the proposed building through the:
  - Deletion of the cantilevered podium form above the heritage building, replaced with a 3.7 metre setback to the podium and 5 metres to the tower form above the retained building.
  - Provision of a semi-enclosed glazed two storey entry foyer and lounge area to the west of the retained building constructed to the Little Bourke Street frontage, with an open capping element separating it from the street wall above.



Figure 10: Comparison of original and revised upper level massing and street level response to retained heritage built form

- Deleting the ‘porte-cochere’ access and internal entry arrangement from Little Bourke Street, and consolidating vehicle access from the rear loading area from Cleve Lane.
- Increasing the extent of activation to Little Bourke Street by orienting the main building entry point directly to the street alongside an open bar / lounge area and entry lobby.



**Figure 11: Comparison of original and revised ground program illustrating deletion of porte-cochere access and increased activation to Little Bourke Street**

The key recommendations made by the MDRP have been meaningfully adopted within the proposed development, resulting in a significant improvement in its response to the public realm and urban context as discussed further in the assessment section of this report.

Further amendments were made after public notice in accordance with Section 57A of the *Planning and Environment Act 1987*, to incorporate additional modifications and reductions to the built form. These amendments respond more detailed recommendations made both by the MDRP and subsequent reviews by Council’s City Design team.

### 3 PROPOSAL

#### 3.1 Documents considered in assessment

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

Documents considered in assessment		
Document	Author	Date
Architectural Plans	CHT Architects	18 May 2023
Urban Context Report	CHT Architects	October 2022
Town Planning Report	Planning and Property Partners	2 November 2022
Heritage Impact Assessment	Bryce Raworth	24 May 2023
Traffic Impact Assessment	Traffix Group	16 September 2022

Wind Assessment	Vipac	3 October 2022
Waste Management Plan	Waste Space Solutions	30 September 2022
Sustainable Design Assessment	Frater Consulting	27 October 2022
Acoustic Report	Octave Acoustics	12 October 2022

### 3.2 Proposal details

The application seeks permission for partial demolition and to construct a building and construct or carry out works associated with a multi-storey residential hotel in a Heritage Overlay (HO737), and a reduction to the bicycle facilities requirements.

Key features of the proposal are summarised below:

- The partial demolition of the existing building with the retention of the façade to Little Bourke Street, approximately 19 metres of the 23 metre façade to Cleve Lane, and approximately 7.6 metres of the western wall measured from the southern boundary.
- Existing window and door openings within the retained walls are proposed to be externally altered to provide new windows and access points with generally similar proportions, with the exception of a new arched window to be opened in line with the curved course of brickwork in the western wall.
- The construction of a 78.4 metre / 25 storey tall building comprising a residential hotel accommodating 207 rooms.
- The building will also include ancillary bar and office areas at ground and first floor level, indoor and outdoor communal spaces at level 2, bicycle parking at ground floor level and car parking via a car lift and car stackers over two basement levels accessed from Cleve Lane.
- A split level lobby area will be provided across ground (176 square metres) and first floor (119.5 square metres) level within the retained heritage building around an open void area above the main entry.
- The primary access point is located centrally to Little Bourke Street, within a 7.6 metre deep and 1.96 metre wide open pathway located immediately to the west of the retained heritage building. The entry point is flanked to the west by a semi-enclosed open bar and lobby area within glazed walls generally corresponding to the height of the retained building.
- External materials and finishes of the development include black, rose-gold and gold metal cladding with contrasting dark grey and bronze glazing across the southern elevation to Little Bourke Street and the eastern elevation to Cleve Lane. Dark grey concrete panel walls are provided to the northern and western elevations.

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

<b>Height</b>	78.4 metres and 25 storeys
<b>Basement Levels</b>	2
<b>Tower Setbacks</b>	5 metres to the north 5.2 metres to the south (Little Bourke Street) 5.2 metres to the east (Cleve Lane)

	0 setback to the west
<b>Gross Floor Area</b>	10,530 square metres
<b>Floor Area Ratio</b>	17.63:1
<b>Hotel capacity</b>	207 rooms
<b>Communal facilities</b>	130.1 square metres at level 2 (gym and terrace)
<b>Office</b>	33.5 square metres at level 1
<b>Bar</b>	68.5 square metres at ground floor
<b>Car Parking Spaces</b>	22 spaces
<b>Bicycle Parking Spaces</b>	33 spaces



Figure 12: Perspective view from Little Bourke Street facing north-east

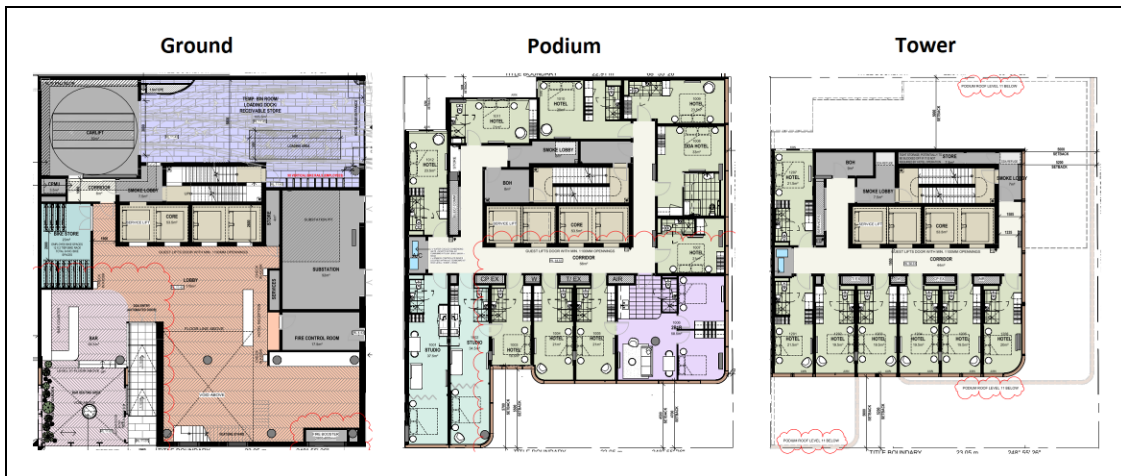


Figure 13: Development program at ground floor and typical podium and tower levels



Figure 14: Proposed material palette

### 3.3 Amendment during application

The application was formally amended under Section 57A of the *Planning and Environment Act 1987* on 9 August 2023.

The amendments to the application are summarised as follows:

- An 800 mm increase to the podium setback above the retained heritage building, increasing from 3.7 to 4.5 metres.
- Provision of a 0.3 metre rebate setback at Level 2 of the proposed building along Cleve Lane

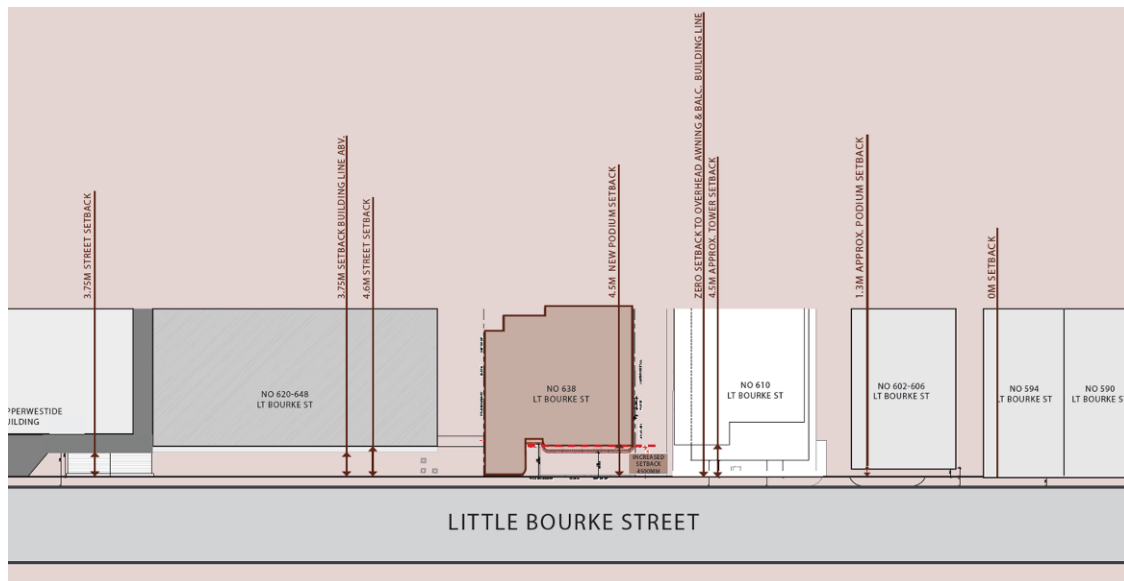


Figure 15: Streetscape setback plan illustrating increased setback to podium under Section 57A plans

- A reduction to the height of the street wall from 40 metres to 36 metres.
- As a result of the above, a reduction to the total number of rooms from 212 to 207.
- Introduction of operable glazing around the ancillary bar area facing the street.

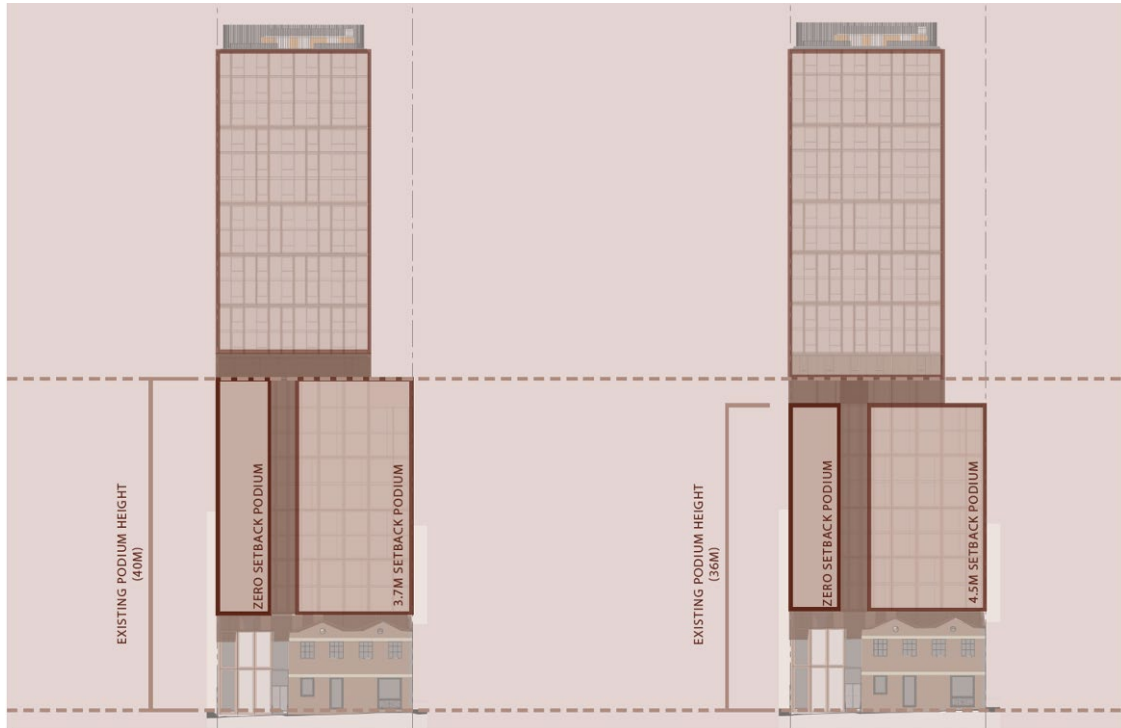


Figure 16: Southern elevation comparison illustrating reduced street wall height under Section 57A plans

#### 4 PLANNING POLICY FRAMEWORK, CONTROLS AND PROVISIONS

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

Policy Framework	
Purpose and Vision	Clause 02.02 – Vision Clause 02.03 – Strategic Directions Clause 02.04 – Strategic framework plans
Planning Policy Framework	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
Controls	

<p>Clause 37.04 Capital City Zone Schedule 1 (Outside the Retail Core)</p>	<p><u>Use</u></p> <p>The use of land for 'Accommodation' (other than Corrective Institution), is a 'Section 1 – Permit not required' land use. As such, a permit is not required to use the land for Accommodation.</p> <p>The ground level bar and first floor office areas are small, integrated components of the hotel and are therefore considered to be ancillary uses.</p> <p><u>Demolition, buildings and works</u></p> <p>Pursuant to Clause 37.05-4, a <b>permit is required</b> to construct a building or construct or carry out works and to demolish or remove a building or works.</p>
<p>Clause 43.01 - Heritage Overlay HO737 (Former Melbourne City Council Power Station)</p>	<p>Pursuant to Clause 43.01-2 a <b>permit is required</b> to:</p> <ul style="list-style-type: none"> <li>• Demolish or remove a building.</li> <li>• Construct a building or construct or carry out works, including a fence.</li> <li>• Externally alter a building by structural work, rendering, sandblasting or in any other way.</li> </ul>
<p>Clause 43.02 Design and Development Overlay Schedule 1 (Urban Design in Central Melbourne)</p>	<p>A <b>permit is required</b> to construct a building or construct or carry out works.</p> <p>Any permit granted:</p> <ul style="list-style-type: none"> <li>• Must meet the Design objectives specified in this schedule.</li> <li>• Must satisfy the Design outcomes specified for each relevant Design element.</li> </ul> <p>A permit cannot be granted for buildings and works that do not meet a Design requirement expressed with the term 'must'.</p>
<p>Clause 43.02 Design and Development Overlay Schedule 10 (General Development Area - Built Form)</p>	<p>A <b>permit is required</b> to construct a building or construct or carry out works, and any permit granted:</p> <ul style="list-style-type: none"> <li>• Must meet the Design Objectives specified in this schedule.</li> <li>• Must satisfy the Built Form Outcomes specified for each relevant Design Element in Table 3 to this schedule.</li> <li>• Should meet the Preferred Requirement specified for each relevant Design Element in Table 3 to this Schedule.</li> </ul> <p>A permit must not be granted for buildings and works that do not meet the Modified Requirement for any relevant Design Element specified in Table 3 to the schedule.</p>
<p>Clause 43.02 Design and</p>	<p>Schedule 12 states that a 'permit is not required for buildings and works other than buildings and works associated with</p>



Development Overlay Schedule 12 (Noise Attenuation)	new, refurbished or converted developments for noise sensitive uses'.  As the proposal involves a noise sensitive residential use, a <b>permit is required</b> .
Clause 45.09 Parking Overlay Schedule 1 (Outside the Retail Core)	<p>The overlay sets out the following maximum rate for the provision of on-site parking:</p> <ul style="list-style-type: none"> <li>• <i>Where no part of the site is used for dwellings the number of car parking spaces must not exceed the number calculated using one of the following formulas:</i> <ul style="list-style-type: none"> <li>• <u>5 x net floor area of buildings on that part of the site in square metres/1000 square metres; or</u></li> <li>• <i>12 x that part of the site area in square metres /1000 square metres</i></li> </ul> </li> </ul> <p>The proposal provides a total of 22 on-site car spaces which is less than the 54 maximum under the overlay. A permit is therefore not required.</p> <p>Clause 3.0 also states that for every 100 car parking spaces provided on a site, at least one motorcycle parking space must also be provided unless the responsible authority is satisfied with a lesser amount. The proposal is not required to provide any motorcycle spaces.</p>
<b>Particular Provisions</b>	
Clause 52.06 - Car Parking	<p>The requirements for the provision of on-site car parking are contained in the Parking Overlay (Schedule 1) that applies to the land, outlined above.</p> <p>The access and car parking arrangement is required to be assessed against the design standards at Clause 52.06-9.</p>
Clause 52.34 - Bicycle Facilities	<p>Pursuant to Clause 52.34-1, a new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land.</p> <p>In relation to the proposed development, Clause 52.34 sets requires the following number of bicycle parking spaces:</p> <ul style="list-style-type: none"> <li>• Residential building (207 lodging rooms) = 42 spaces</li> </ul> <p>The proposal includes total of 33 spaces provided at ground level, with 24 provided in a designated storage room alongside the lobby and 9 provided in a semi-enclosed area alongside the vehicle access point.</p> <p>As such, a <b>permit is required</b> for a reduction of 9 spaces under Clause 52.34-2. The proposal satisfies the requirement for end of trip facilities under Clause 52.34-5 by providing one male and one female shower, change room and locker facilities at first floor level.</p>
Clause 53.18 –	The requirements of Clause 53.18 are applicable, which seek

Stormwater Management in Urban Development	to ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits. The application provided a Water Sensitive Urban Design response which has been assessed in conjunction with Clause 19.03-3L (Stormwater management – Water sensitive urban design)
<b>General and Operational Provisions</b>	
Clause 65 - Decision Guidelines	Clause 65.01 (Approval of an application or plan) outlines the matters which must be considered by the Responsible Authority prior to deciding on an application or approval of a plan.

## 5 PLANNING SCHEME AMENDMENTS

### 5.1 Amendment VC242 (Significant Economic Development)

Amendment VC242 was gazetted on 20 September 2023 introducing, amongst other changes, a new provision at Clause 53.22 (Significant Economic Development) which is of relevance to this application.

The purpose of the new provision is:

- *To prioritise and facilitate the planning, assessment and delivery of projects that will make a significant contribution to Victoria's economy and provide substantial public benefit, including jobs for Victorians.*
- *To provide for the efficient and effective use of land and facilitate use and development with high quality urban design, architecture and landscape architecture.*

The provision operates by identifying categories of use and development whereby, if the specified conditions and requirements are met, an applicant can elect to utilise the provision (voluntary).

The provision includes additional application requirements, notice exemptions and decision guidelines to those already contained in the planning scheme, as well as additional powers to vary any building height and setback requirements at the discretion of the Minister for Planning.

The application is a potentially eligible project under the criteria set out at Clause 53.22-1 as it involves a residential hotel with an estimated cost of development exceeding \$10,000,000.

However, the following transitional provision is also included at Clause 53.22-6:

*Clause 53.22 does not apply to:*

- *An application for a permit lodged before the approval date of Amendment VC242.*
- *An application for an amendment of a permit under section 72 of the Act if the original permit application was lodged before the approval date of Amendment VC242.*

The application was originally lodged on 27 October 2021 and amended under Section 57A on 9 August 2023, both prior to the approval date of Amendment VC242

(20 September 2023). Therefore, due to the transitional provision underlined above, the application is not affected by VC242 and Clause 53.22.

## **6 PUBLIC NOTIFICATION**

It is noted that the application is exempt from the notice requirements and review rights of the *Planning and Environment Act 1987* under each planning permit trigger listed above, with the exception of Clause 43.01-2 (Heritage Overlay).

It was determined that the proposal may result in material detriment. Notice of the proposal was given by ordinary mail to the owners and occupiers of surrounding properties and by posting notices on the site for a minimum 14 day period, in accordance with Section 52 of the Act.

The amendments to the application made under Section 57A of the Act were not considered to result in any additional material detriment and therefore, formal notice under Section 57B of the Act was not required. The amended documents were informally provided to existing objectors for their information.

## **7 OBJECTIONS**

A total of 47 objections were received, raising the following concerns with the proposal:

- Visual impacts on surrounding context due to building height, bulk and scale.
- Amenity impacts (overlooking, overshadowing, loss of daylight / solar access, noise).
- Heritage impacts.
- Lack of separation to neighbouring building to the east (11 Rose Lane).
- Lack of accessible / disabled parking.
- Adequacy of bicycle facilities.
- Traffic impacts.
- Security and safety of existing residents in the area.
- Lack of reference to nearby approved developments.
- Overdevelopment of the site and wider area.
- Loss of street art.
- Potential removal of card reader to neighbouring car park.
- Loss of views.
- Impact on property values.
- Construction impacts.

## **8 REFERRALS**

### **8.1 Internal Referrals**

#### **8.1.1 City Design**

The application as originally proposed was referred to City Design, which raised the following key concerns:

- *The 40m street-wall height is considered non-contextual to this site and not supported, as per DDO10 built form outcomes.*

- *The proposed cantilevering mass over the front and principle part of a significant heritage place is not supported, as per City of Melbourne Heritage Policy.*
- *A significant under-croft area to Little Bourke Street accommodating vehicle entry and drop-off as well as the buildings only pedestrian entry is not supported due to substantial safety concerns (having regard to DDO1).*
- *The predominantly darkly glazed façade response to the tower facades is not supported due to lack of façade depth, character and material quality as expected for any addition to a heritage place, any development within a heritage precinct, or any future development within high-character areas of the central city.*

The application was substantially amended prior to public notice having regard to the advice provided by City Design as well as through the MDRP process. The application, as advertised, was referred to City Design for a subsequent review which is summarised as follows:

*The updated design demonstrates an improved response to Council's Urban Design Policy and Heritage Policy, and we commend the client and design team for their responsiveness to the recommendations from Council and the MDRP review.*

*With that noted, a number of further design improvements are required to achieve an exceptional design response as expected to this locally significant central city site. Considering the sensitivity of the City Power Substation site, a highly respectful, contextual yet contemporary approach is required in relation to massing, design concept, materiality and activation.*

- *Provide an increased setback directly above the heritage substation. 4.5m minimum is recommended.*
- *Reduce the street wall height to a more contextual and appropriate height. A maximum height of 30m is recommended.*
- *Provide more active functions directly to the street.*
- *Further reflect the heritage attributes of the Substation building in the grain and materiality of the façade design, particular at the street wall level.*
- *Ensure any new windows and openings to the heritage building are of an exceptionally high quality, and respectful of the original design.*
- *Extend the proposed design concept 'in the round' to the western elevation. A blank surface with a painted mural or pattern will not be supported.*
- *Provide detailed material specification, selecting robust, textured and high quality materials appropriate and complementary to the heritage context.*

The amended plans forming part of the Section 57A amendment were then provided to City Design for further review, summarised below:

*We are supportive of a number of updates, including:*

- *Providing an increased setback directly above the heritage substation.*
- *Reducing the street wall height to a more contextual and appropriate height.*

- *Providing more active functions directly to the street.*
- *Operable glazing to the ground floor bar / café to encourage activation and occupation of the street front.*

Outstanding matters include:

- *It is crucial that a design language is developed to assist in further breaking down visual bulk, to maintain the prominence of the heritage buildings to the street.*
- *Further reflect the heritage attributes of the Substation building in the grain and materiality of the façade design, particular at the street wall level.*
- *Ensure any new windows and openings to the heritage building are of an exceptionally high quality, and respectful of the original design.*
- *Extend the proposed design concept 'in the round' to the western elevation. A blank surface with a painted mural or pattern will not be supported.*
- *Provide detailed material specification, selecting robust, textured and high quality materials appropriate and complementary to the heritage context.*

#### Officer comment

Following multiple, detailed reviews and advice provided by the City Design team, in conjunction with the MDRP, the proposal has evolved in a meaningful way. Considered changes have been made to the massing and layout of the development and its response to its sensitive heritage considerations and the broader public realm.

A recommended permit condition will address the outstanding concerns listed above, through the endorsement of a Façade Strategy as well as a Conservation Works Plan (corresponding with advice provided by Council's Heritage Advisor).

#### **8.1.2 Heritage**

The application was referred to Council's Heritage Advisor, with their key recommendations summarised as follows:

- *Whilst the proposals is contentious with regard to the projecting of the dominant tower form out of the interior of the heritage host, that contention is now recognized and to some degree addressed in the revised Heritage Impact Statement.*
- *Particularly mitigating against a further setback is the context of smaller street, industrial character of the host building and the proposed increase in intensity that will result, whilst retaining both legibility and capacity for appreciation of the general external form of the original building.*
- *It remains my recommendation that the steel-framed windows should be retained or replicated accurately and that a Conservation Management Plan should be make a permit condition to ensure the works to the heritage building are realised to the satisfaction of the Responsible Authority.*

#### Officer comment

The above matters are noted and are addressed in the assessment section of this report, as well as through a recommended condition for the endorsement of a Conservation Works Plan.

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

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

- The development commits to a level of sustainability that meets the objectives of Clause 15.01-2L-01 and Clause 19.03-3L of the Melbourne Planning Scheme.
- Additional evidence is required to demonstrate that the proposal achieves the 5 star Green Star benchmark and associated credits.

#### Officer comment

Recommended conditions will be included in the recommendation for the implementation endorsement of an amended Environmentally Sustainable Design Statement, ensuring a certified 5 star Green Star rating and that these commitments are reflected on any architectural plans.

A condition will also require the provision of a report confirming the implementation of all approved ESD measures in the completed building.

### **8.1.4 City Infrastructure**

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

- 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.
- We object to the outward opening doors projecting into Cleve Lane. The doors shall be redesigned such that they do not project beyond the street alignment when open, when closed or when being opened or closed.
- The maximum permissible width of a vehicle crossover without a pedestrian refuge is 7.6 metres. The crossings wider than 7.6 metres should include the provision of a minimum of 2.0 metres long pedestrian refuge islands at 7.6 metre spacing.
- The proposed development has impact on wall-mounted street lights attached to the existing building in Cleve Lane.
- The design of the building shall allow installation of power conduits and street lights on the external walls of the building. The power conduits for the wall mounted lights shall be designed perpendicular to the surface pavement. The building should provide a minimum vertical clearance of 6.0 metres above and 2.0 metres below the surface pavement to allow installation of electrical conduits and wall-mounted lights.
- Otherwise, standard civil infrastructure conditions and permit recommended.

#### Officer comment

The comment made in relation to the extent of vehicle crossovers is no longer relevant due to the deletion of the proposed porte-cochere and associated crossover to Little Bourke Street.

The comment in relation to the installation of power conduits and street lighting on the external walls of the building is generally addressed through standard conditions for public lighting, noting that any potential services attached to the retained heritage building are more strictly controlled than would generally be the case.

Otherwise, the above matters are addressed through permit conditions and notes in the recommendation.

### **8.1.5 Traffic Engineering**

The application was referred to Traffic Engineering, with their comments summarised as follows:

- Car Parking:
  - No objection to the amount of car parking being provided.
  - Confirmation required as to whether the parking system is fully or partially automated.
- Traffic generation:
  - It is accepted that there will not be an unacceptable impact on the road network.
- Access and Layout:
  - Any conflicts between the proposed development and existing infrastructure within Cleve Lane, such as the intercom for the Upper West Side development, must be resolved through this application at the cost of the permit holder.
  - The management of guest drop off and pick up arrangements requires further clarification.
  - Staff access to the automated parking system is unclear. The functional arrangements for the automated system must be appropriately managed.
- Loading and waste:
  - Private waste collection utilising a 6.4 metre vehicle is acceptable.
- Bicycle facilities:
  - No objection to the proposed bicycle parking provision.
  - There is concern with convenient access to bicycle storage on the first floor.

#### Officer comment

The matters raised above are capable of being addressed through recommended permit conditions, including conditions requiring the endorsement of a Road Safety Audit and a Loading Management Plan. It is also noted that the permit applicant has confirmed that the car parking system is fully automated.

### 8.1.6 Waste Services

The application was referred to Waste Services, with their comments summarised as follows:

- Section 4: Waste generation rates for a café have been used for the bar. This is appropriate if light meals will be prepared and served. Provide a second table showing future waste generation (to support proposed future bin scenario).
- Section 5.1: Refers to Council's weekly garbage and recycling collection service and also to every rateable tenement getting municipal charges. These statements should be removed as they are not relevant, as the proposal is for a hotel rather than standard dwellings.
- Section 5.2: clarify the provision of FOGO bins.
- Section 5.3: future scenario, additional information required to determine the provision and collection frequency of FOGO bins.
- Section 5.8 suggests that FOGO collection frequency can be increased in future if needed. Frequency must not exceed 3 times per week.
- Section 5.9: Hard waste storage must be shown to scale in plan drawings.
- Clarify number of bins provided for e-waste.
- Doorways and corridors must be a minimum of 1.5 m wide if 660 L or 1100 L bins are being used.
- Configuration of bin room should be revised to ensure sufficient access to the FOGO bins.
- Show bin room door on plan drawings.
- Show where bins can be placed for collection in the temporary holding area (loading dock).
- Include an elevation drawing showing clearance at loading dock entry.

#### Officer comment

A recommended permit condition will require the amendment and endorsement of the Waste Management Plan, along with any necessary updates to the development plans.

### 8.2 External Referrals

Pursuant to Clause 66.02-11 (Land use and transport integration), an application for a residential building containing 60 or more lodging rooms must be referred to the Head, Transport for Victoria in accordance with Section 55 of the *Planning and Environment Act 1987*. The Head, Transport for Victoria advised that they had no objection to the proposal.

The amendment of the application under Section 57A of the *Planning and Environment Act 1987* was not considered to adversely affect the interests of the Head, Transport for Victoria. As such, a copy of the amendment was not required to be provided to the authorities in accordance with Section 57C of the Act.



## 9 ASSESSMENT

The key issues in the assessment of the applications are:

- Built Form
- Heritage
- DDO12 (Noise Attenuation)
- Environmentally Sustainable Design
- Car Parking and Access, Bicycle Facilities and Waste
- Objector Concerns.

### 9.1 Built form

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

- Capital City Zone, Schedule 1, including the relevant Planning Policy Framework; and
- Design and Development Overlay, Schedule 1; and
- Design and Development Overlay, Schedule 10.

The built form outcomes provided by the proposal are discussed in relation to these provisions below.

#### 9.1.1 Capital City Zone and Planning Policy Framework

A permit is required under the Capital City Zone, Schedule 1 (CCZ1), for demolition and to construct a building or carry out works. It is noted that a permit is not required for the use of the land for accommodation.

The applicable decision guidelines of the CCZ1 for buildings and works require consideration of relevant state and local policies, particularly those under Clause 15, as well as a list of broad considerations such public realm activation, transport, private and public amenity. The appropriateness of the proposed built form outcome is also assessed in greater detail under the relevant DDO1 and DDO10 guidelines below.

The zone and policy framework for this area encourages a high level of growth and intensification to provide for a range of financial, legal, administrative, cultural, recreational, tourist, entertainment and other uses that complement its capital city function.

The immediate surrounds include a variety of land uses and development outcomes predominantly through recently constructed residential towers, remnant heritage building forms associated with the former Power Station, as well as smaller commercial uses which are interspersed at street level. The immediate context is also characterised by its proximity to Southern Cross Railway Station, which serves as a key transport and commercial hub at the western edge of the city. In this context, a residential hotel building is considered to be an appropriate proposal and is consistent with the purpose of the CCZ1.

The proposal accords with the relevant decision and policy guidelines specific to heritage and the built environment, for the reasons discussed in greater detail within the following sections of this report.

Generally, the building is of an appropriate scale and mass having regard to the strategic and urban context of the site as well as its individual heritage significance.

The layout of the development achieves an acceptable outcome as it presents to its street interfaces in terms of building form, scale and program. The provision of active, ancillary uses around the central hotel entry will increase activation, vibrancy and offer employment opportunities to strengthen the capital city function of the area. The development will provide adequate levels of passive surveillance at ground and upper levels, which will enhance the safety and amenity of the public realm.



**Figure 17: Site context plan showing an analysis of existing building heights surrounding the site**

The proposed development also aligns with transport policy. The site is afforded with excellent access to sustainable, alternative modes of transport, being located within 100 metres of Southern Cross Railway Station to the west and trams along Bourke Street to the south. Car parking is provided at less than the maximum rate under the Parking Overlay (PO1), while a relatively minor shortfall in the bicycle facilities provision is sought as discussed under Section 9.5 of this report.

Vehicle access is appropriately located to the rear accessed via Cleve Lane to minimise conflict with pedestrians and cyclists along Little Bourke Street, which is a shared zone.

Loading, waste and other service access will also be located along Cleve Lane and is capable of being managed appropriately by permit conditions.

Finally, it is noted that the proposal complies with the Floor Area Ratio (FAR) requirement at Section 3.0 of the CCZ1 states that:

*A permit must not be granted or amended (unless the amendment does not increase the extent of non-compliance) to construct a building or construct or*

carry out works with a floor area ratio in excess of 18:1 on land to which schedule 10 to the Design and Development Overlay applies unless:

- a public benefit as calculated and specified in a manner agreed to by the responsible authority is provided; and
- the permit includes a condition (or conditions) which requires the provision of a public benefit to be secured via an agreement made under section 173 of the Planning and Environment Act 1987.

As the proposed development has a FAR of 17.63:1, there is no requirement for an associated public benefit to be provided.

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

### 9.1.2 Design and Development Overlay, Schedule 1

The DDO1 sets out requirements relating to urban design for buildings and works within the Central City. A suite of design outcomes and requirements are provided to determine whether an application achieves the design objectives of this overlay.

The proposal is considered to comply with the relevant outcomes and requirements as set out in the following table:

<b>Urban Structure</b>		
Urban Structure relates to the network of main streets, streets, laneways and open spaces which define the size and shape of urban blocks.		
<b>Design Outcome</b>	<b>Design Requirements</b>	<b>Assessment</b>
<p>An urban block structure that:</p> <ul style="list-style-type: none"> <li>▪ Is sufficiently fine grained to support walking as the primary mode of transport.</li> </ul>	<p>Where the average urban block length is greater than 100 metres, development should provide a new through-block pedestrian connection. In Southbank these pedestrian connections should be open to the sky.</p> <p><i>Note: Urban blocks with an average length of more than 100 metres are identified on Map 1 to the Appendix of the Central Melbourne Design Guide.</i></p> <p>Within 200 metres of a rail station, more frequent pedestrian connections should be provided to manage high pedestrian volumes.</p> <p>Where possible, pedestrian connections should be located less than 70 metres from the next intersection or</p>	<p>The subject site does not have the opportunity to establish a through-block link given its sole frontage to Little Bourke Street.</p> <p>The subject site is bounded by a laneway to the east which terminates at the relatively recent development site to the north, which prevents the opportunity for a through-block connection in this location.</p>

	<p>pedestrian connection.</p> <p>Development with an abuttal to two or more streets or laneways should provide a pedestrian connection between those abuttals where this improves the walkability of the urban block.</p>	
<p>A pedestrian network that:</p> <ul style="list-style-type: none"> <li>▪ Reduces walking distances.</li> <li>▪ Completes existing connections and laneways.</li> <li>▪ Retains and improves existing connections.</li> <li>▪ Provides partial connections which can be completed when adjacent site development occurs.</li> </ul>	<p>Where a development could deliver part of a pedestrian connection that is able to reduce the average urban block length to less than 100 metres, but does not extend the full depth of the block, the development should include a connection that can be completed when a connection is provided through an adjoining site.</p> <p>Where a development has the potential to achieve a through-block connection by extending an existing or proposed connection on an adjoining site, the development should provide for the completion of the through-block connection.</p> <p>Development should retain and improve the quality of existing pedestrian connections.</p>	<p>The proposal does not have the opportunity to establish new pedestrian networks, but will contribute to improved outcomes for the existing pedestrian network through improved activation of the public realm.</p>
<p>Pedestrian connections that are:</p> <ul style="list-style-type: none"> <li>▪ High quality.</li> <li>▪ Safe and attractive.</li> <li>▪ Accessible by people of all abilities.</li> <li>▪ Easily identified and legible.</li> <li>▪ Designed to enable stationary activities.</li> </ul>	<p>Pedestrian connections that reduce (or when completed will reduce) an average urban block length to less than 100 metres should be:</p> <ul style="list-style-type: none"> <li>▪ Open 24 hours a day.</li> <li>▪ Open to the sky, an arcade or a through-building connection.</li> <li>▪ Pedestrian connections should be:</li> <li>▪ Direct, attractive, well-lit and provide a line of sight from one end to the other.</li> </ul>	<p>The proposal does not include any pedestrian connections through the site, which is considered appropriate as described above.</p>

	<ul style="list-style-type: none"> <li>▪ Safe and free of entrapment spaces and areas with limited passive surveillance.</li> <li>▪ Publicly accessible at ground level and appropriately secured by legal agreement.</li> <li>▪ Lined by active frontages.</li> </ul> <p>Laneways should be:</p> <ul style="list-style-type: none"> <li>▪ At least six metres wide.</li> <li>▪ Laneways may be less than six metres wide where, either: <ul style="list-style-type: none"> <li>▪ The laneway is the same width or wider than an existing laneway that it continues.</li> <li>▪ The laneway does not provide for vehicle access.</li> </ul> </li> </ul> <p>Arcades should:</p> <ul style="list-style-type: none"> <li>▪ Adopt vertical proportions with a height greater than the width.</li> <li>▪ Be a minimum of two storeys in height.</li> <li>▪ Incorporate high quality exterior grade materials and finishes to all surfaces including paving, walls, ceilings and lighting.</li> <li>▪ Have highly legible entries including any doors or gates.</li> </ul>	
<p><b>Site Layout</b></p> <p>Site layout refers to the arrangement of buildings and spaces, including the position of entries, building services and circulation cores and how these elements respond to and reinforce the character of streets and laneways.</p>		
<p><b>Design Outcome</b></p>	<p><b>Design Requirements</b></p>	<p><b>Assessment</b></p>

<p>Site layout that:</p> <ul style="list-style-type: none"> <li>▪ Reinforces the valued characteristics of streets and laneways.</li> <li>▪ Delivers a well-defined public realm.</li> </ul>	<p>Building should be aligned to the street at ground level unless they provide for a plaza.</p> <p>Development should avoid narrow publicly accessible alcoves and recesses that lack a clear public purpose.</p> <p>Development should avoid entrapment areas and areas with limited passive surveillance.</p> <p>Development should cater for anticipated pedestrian volumes.</p>	<p>The proposed building is appropriately aligned to Little Bourke Street and provides a legible and safe interface, enhancing the pedestrian experience and limiting unsafe areas through adequate passive surveillance.</p>
<p>Plazas that:</p> <ul style="list-style-type: none"> <li>▪ Are accessible to people of all abilities.</li> <li>▪ Are safe and attractive.</li> <li>▪ Deliver opportunities for stationary activity.</li> <li>▪ Alleviate pedestrian congestion.</li> </ul>	<p>Plazas should:</p> <ul style="list-style-type: none"> <li>▪ Be open to the sky.</li> <li>▪ Be accessible to people of all abilities.</li> <li>▪ Provide opportunities for stationary activity.</li> <li>▪ Be lined with active frontages.</li> <li>▪ Incorporate soft and hard landscaping elements.</li> <li>▪ Have access to sunlight.</li> </ul> <p>Development should retain at least 50 per cent of any existing publicly accessible private plaza where:</p> <ul style="list-style-type: none"> <li>▪ It is oriented to a main street or street.</li> <li>▪ It helps reduce pedestrian congestion.</li> <li>▪ A high quality space with opportunities for stationary activity can be achieved.</li> </ul> <p>Where a plaza contributes to the significance of a heritage place, retention of more than 50 per cent of the plaza may be required</p>	<p>The proposal does not include or abut a public plaza.</p>

	to conserve the heritage values of the place.	
<p>Vehicle entries that:</p> <ul style="list-style-type: none"> <li>▪ Do not create traffic conflict.</li> <li>▪ Do not undermine the attractiveness or safety of the pedestrian experience.</li> </ul>	<p>Vehicle access and loading bays:</p> <ul style="list-style-type: none"> <li>▪ Should not be located on main streets.</li> <li>▪ Should not be constructed on a traffic conflict frontage or in a lane leading off a traffic conflict frontage shown on Map 2.</li> <li>▪ In the Retail Core Area – Schedule 2 to the Capital City Zone must not be constructed on a traffic conflict frontage shown on Map 2, or in a lane leading off a traffic conflict frontage.</li> </ul> <p>The location and width of car park entries should minimise the impacts on the pedestrian network.</p>	<p>Vehicle access to the development is suitably located away from Little Bourke Street, via Cleve Lane along the eastern boundary. This arrangement will reduce potential for conflict with pedestrians and other road users along the key interface of Little Bourke Street by utilising a laneway that is utilised primarily for vehicle access, which will be appropriately managed by recommended permit conditions.</p>
<p>Colonnades that:</p> <ul style="list-style-type: none"> <li>▪ Are safe and attractive.</li> <li>▪ Are accessible to people of all abilities.</li> </ul>	<p>Colonnades should:</p> <ul style="list-style-type: none"> <li>▪ Adopt vertical proportions with a height greater than the width.</li> <li>▪ Incorporate high quality design detail to all publicly visible planes and surfaces.</li> <li>▪ Provide ground level spaces that are accessible to people of all abilities.</li> <li>▪ Have a clear public purpose.</li> <li>▪ Be well-lit and provide clear lines of sight from one end to another.</li> <li>▪ Be safe and free of entrapment spaces and areas with limited passive surveillance.</li> </ul>	<p>The proposal is built to the street edge and does not include colonnades, which is an appropriate response to the site and its context.</p>

<b>Building Mass</b>		
Building mass relates to the three dimensional form of a building, including its scale, height, proportions and composition.		
<b>Design Outcome</b>	<b>Design Requirements</b>	<b>Assessment</b>
<p>Building mass that:</p> <ul style="list-style-type: none"> <li>▪ Distinguishes between different buildings where a development comprises multiple buildings.</li> <li>▪ Respects the height, scale and proportions of adjoining heritage places or buildings within a Special Character Area.</li> <li>▪ Reinforces the fine grain and visual interest of streetscapes.</li> <li>▪ Maintains a diverse and interesting skyline through the design of roof profiles.</li> </ul>	<p>Development should adopt a diversity of forms, typologies and architectural language, within a cohesive design framework, on large site where a development comprises multiple buildings.</p>	<p>The height, scale and proportions of the building achieve an appropriate built form response to the site and its streetscape context.</p> <p>Alongside the taller forms surrounding the site, the proposal would make a modest contribution to the diversity of the skyline.</p>
<p>Street walls that:</p> <ul style="list-style-type: none"> <li>▪ Adopt a variety of street wall heights to reinforce the traditional fine grain, vertical rhythm and visual interest of streetscapes.</li> <li>▪ Provide aesthetic interest to the public realm.</li> <li>▪ Frame comfortable and attractive streets.</li> </ul>	<p>Street wall heights should be lower along laneways and streets less than 10 metres wide.</p> <p>Buildings with a street frontage greater than 25 metres in length should be broken into smaller vertical sections, with a range of parapet heights and rebates of sufficient depth to provide modulation in the street façade.</p> <p>Development should reinforce the ground floor and street wall as the dominant component within the Special Character Area through visually recessive upper level built form.</p>	<p>The proposal involves a 36 metre high street wall which is broken into two vertical segments aligning with the retained heritage building at the south-eastern corner of the site. This responds to the varied grain of the streetscape while reinforcing the visual presence of the retained building within the broader urban context.</p> <p>The street wall is articulated by the 4.5 metre setback provided behind the retained heritage building, as well as a rebate at level 2 and above level 10 which provide legible breaks at the key junctures at the base</p>



	<p>Street wall heights, upper level setbacks and building separation should respond to the scale of adjacent heritage buildings.</p> <p>Transitions in height, scale or prominence to a heritage place should avoid relying solely on surface treatments or decorative effects.</p>	<p>and top of the podium.</p> <p>As recommended by Council's City Design team, the detailed design language of the podium will be further refined through a condition requiring a façade strategy which will strengthen the use of solid materiality to better reference the materials that characterise the immediate context.</p>
<p><b>Building program</b></p> <p>Building program relates to the position and configuration of internal spaces to a building. This is a key urban design consideration due to the direct relationship of internal areas to the public realm.</p>		
<b>Design Outcome</b>	<b>Design Requirements</b>	<b>Assessment</b>
<p>A building program that:</p> <ul style="list-style-type: none"> <li>▪ Delivers safe and high quality interfaces between the public and private realm.</li> <li>▪ Maximises activation of the public realm.</li> <li>▪ Can accommodate a range of tenancy sizes, including smaller tenancies in the lower levels of the building.</li> <li>▪ Allows for adaptation to other uses over time.</li> <li>▪ Delivers internal common areas or podium-rooftop spaces that maximise passive surveillance and interaction with the public realm.</li> <li>▪ Promotes a strong physical and visual relationship between any uses</li> </ul>	<p>Development should position active uses to address the public realm.</p> <p>Development should:</p> <ul style="list-style-type: none"> <li>▪ Maximise the number of pedestrian building entries.</li> <li>▪ Avoid long expanses of frontage without a building entry.</li> </ul> <p>Large floorplate tenancies should be sleeved with smaller tenancies at ground level at a boundary to a street, laneway or pedestrian connection.</p> <p>Floor to ceiling heights should be a minimum of:</p> <ul style="list-style-type: none"> <li>▪ 4.0 metres at ground level.</li> <li>▪ 3.8 metres for levels two and three.</li> <li>▪ 3.5 metres above level three and up to 20 metres.</li> </ul> <p>Development should be designed so that any areas</p>	<p>The development is appropriately configured to address the primary interface of Little Bourke Street via the central main entry point and the layout of the lobby active uses alongside.</p> <p>The floor to ceiling heights of the development generally accord with those preferred under this design requirement with a larger 5 metre height at the ground level lobby, increasing to over 8 metres around the feature void area, and 3.4 metres provided on the levels above.</p> <p>While not strictly adhering to the stipulated heights, the development achieves the underlying outcomes by improving the safety and activation of the public realm, as well as responding to heritage constraints.</p>

<p>provided as part of a public benefit under the provisions of Schedule 1 to the Capital City Zone within the building, and the street.</p>	<p>containing uses provided as part of a public benefit under the provisions of Schedule 1 to the Capital City Zone, are located in the lower levels of a building so that they have a direct visual and physical connection to the public realm.</p> <p>Development should be designed so that any areas containing new uses provided as part of a public benefit under the provisions of Schedule 1 to the Capital City Zone internal to a building co-located with adjacent public space or pedestrian connections.</p> <p>Ground floor tenancies should be configured so that they do not rely upon queuing within the public realm, except where this occurs on a pedestrian only laneway where this is the established character.</p>	
<p>Building services that:</p> <ul style="list-style-type: none"> <li>▪ Minimise impacts on the public realm.</li> <li>▪ Maximise the quality and activation of the public realm.</li> <li>▪ Do not dominate the pedestrian experience and are designed as an integrated design element.</li> <li>▪ Provide waste collection facilities as an integrated part of the building</li> </ul>	<p>Ground floor building services, including waste, loading and parking access:</p> <ul style="list-style-type: none"> <li>▪ Should be minimised.</li> <li>▪ <b>Must</b> occupy less than 40 per cent of the ground floor area of the site area.</li> </ul> <p>Internal waste collection areas should be sleeved.</p> <p>Services, loading and waste areas should be located away from streets and public spaces, or within basements or upper levels.</p> <p>Service cabinets should be located internally with loading, waste or parking</p>	<p>The proposal results in a total of 230.4 square metres, or 38%, of the ground floor area being dedicated to building services, which is less than the mandatory maximum of 40%.</p> <p>The location and layout of building services are generally designed to minimise their impact on the public realm, through their positioning to the rear of the site generally away from the Little Bourke Street frontage.</p> <p>Services shown on the Little Bourke Street frontage are</p>

design.	<p>areas where possible.</p> <p>Undercroft spaces for waste or loading should not adversely impact safety and continuity of the public realm.</p> <p>Access doors to any waste, parking or loading area should:</p> <ul style="list-style-type: none"> <li>▪ Be positioned no more than 500 millimetres from the street edge.</li> <li>▪ Be designed as an integrated element of the building.</li> </ul> <p>Rooftop plant, services and antennae should be integrated into the overall building form.</p>	limited to fire boosters which are suitably integrated within the south-eastern corner of the retained heritage structure.
<p>Car parking that:</p> <ul style="list-style-type: none"> <li>▪ Minimises the impact of car parking on the public realm</li> </ul>	<p>In the Central City area shown in Map 1 to Schedule 1 to the Design and Development Overlay, all car parking <b>must</b> be located in a basement unless it is part of a development that removes existing open to sky at grade car parking.</p> <p>Car park ramps should be capable of removal for future adaptation.</p> <p>Avoid car parking entries on small sites, where they impact on the activation and safety of the public realm.</p> <p>Above ground car parking:</p> <ul style="list-style-type: none"> <li>▪ <b>Must</b> be located on the first floor or above.</li> <li>▪ <b>Must</b> be sleeved to streets.</li> <li>▪ Should have a floor to ceiling height of at least 3.2 metres.</li> </ul>	The proposal includes car parking contained fully at basement levels, accessed away from the public realm of Little Bourke Street, which accords with this design requirement.
<p><b>Public interfaces</b></p> <p>Public interfaces relates to the boundary between a building and the public realm in</p>		

main streets, streets, laneways and open spaces.		
Design Outcome	Design Requirements	Assessment
<p>Public interfaces that:</p> <ul style="list-style-type: none"> <li>▪ Contribute to the use, activity, safety and interest of the public realm.</li> <li>▪ Provide continuity of ground floor activity along streets and laneways.</li> <li>▪ Allow unobstructed views through openings into the ground floor of buildings.</li> </ul>	<p>The following ground level frontage requirements should be met for development in General Development Areas and laneways in Special Character Areas, and must be met for development in streets in Special Character Areas:</p> <ul style="list-style-type: none"> <li>▪ At least 80 per cent of the combined length of the ground level interfaces of a building to streets and laneways are an entry or window. This measurement excludes: <ul style="list-style-type: none"> <li>▪ Stall-risers to a height of 700 mm.</li> <li>▪ Pilasters.</li> <li>▪ Window and door frames.</li> <li>▪ Windows that have clear glazing without stickers or paint that obscures views.</li> </ul> </li> </ul> <p>The ground level frontage requirements do not apply to the development of a building in a heritage overlay or heritage graded building. Development of a building in a heritage overlay or a heritage graded building should not reduce compliance with the public interface design outcomes.</p> <p>Security grills or mesh should:</p> <ul style="list-style-type: none"> <li>▪ Be transparent.</li> <li>▪ Not block views into tenancies at night.</li> <li>▪ Be mounted internally</li> </ul>	<p>The requirement for at least 80 per cent of the street level interfaces at the ground floor to be entries or windows does not apply to a development of a heritage building. Notwithstanding, the proposal achieves a good level of activation to Little Bourke Street, which will have beneficial effects on the level of activity and visual interest in the public realm.</p> <p>Having regard to the physical and heritage constraints of the site, as well as the varied character of the surrounding context, the proposal achieves an acceptable level of compliance with this element.</p>

	<p>to the shop windows.</p> <p>Avoid tinted, opaque or high reflectivity glass which obscures views between the public realm and building interior.</p> <p>In flood prone areas or on sloping sites, a direct connection should be established at grade to usable space within ground level tenancies, with level transitions contained within the building envelope.</p> <p>In flood prone areas, transitions in floor levels should not rely on external stairs, ramps or platform lifts which disconnect interior spaces from the public realm.</p>	
<p>Facade projections and balconies that:</p> <ul style="list-style-type: none"> <li>▪ Do not adversely impact the levels of daylight or views to the sky from a street or laneway.</li> <li>▪ Do not obstruct the service functions of a street or laneway through adequate clearance heights.</li> <li>▪ Add activity the public realm.</li> <li>▪ Form part of a cohesive architectural response to the public realm.</li> </ul>	<p>Upper level projections and canopies should allow for the growth of existing and planned street trees.</p> <p>Upper level projections such as juliet balconies, adjustable screens or windows, cornices or other architectural features may project into streets or laneways:</p> <ul style="list-style-type: none"> <li>▪ On main streets up to 600 mm.</li> <li>▪ On streets and laneways up to 300 mm.</li> </ul> <p>On main streets, balconies associated with an active commercial use may project up to 1.6 metres from the facade or 800 mm from the back of kerb.</p> <p>Balcony projections should be at least 5 metres above any public space measured from ground level.</p>	<p>The development does not involve any architectural features which project over the street edge, with the 200 mm projecting elements across the southern and eastern elevations of the building being contained fully within the title boundaries.</p>

	<p>Development should not include enclosed balconies or habitable floor space projecting over the public realm.</p> <p>Ensure that public realm projections (excluding canopies) at the upper levels do not extend the full width of a building frontage.</p>	
<p>Weather protection that:</p> <ul style="list-style-type: none"> <li>▪ Delivers pedestrian comfort in the public realm and protection from rain, wind and summer sun.</li> <li>▪ Uses canopies that are functional, of high quality design, and contribute to the human scale of the street.</li> </ul>	<p>Development should include continuous weather protection along main streets except where a heritage place warrants an alternative approach.</p> <p>Weather protection canopies should:</p> <ul style="list-style-type: none"> <li>▪ Be between 3.5 metres and 5 metres above ground measured to the underside of the soffit.</li> <li>▪ Provide for exposure to winter sun and shelter from summer sun.</li> <li>▪ Not enclose more than one third of the width of a laneway.</li> <li>▪ Display a high design standard including material selection in the appearance of the soffit and fascia.</li> </ul>	<p>Given the heritage context of the site as well as the varied (and constrained) context within Little Bourke Street, the lack of weather protection proposed over the adjoining footpath is considered an appropriate design outcome.</p>
<p><b>Design Detail</b></p> <p>Design detail refers to the resolution of a contextually responsive building exterior that contributes to the quality of the public realm through its architectural expression, materials and finishes.</p>		
<b>Design Outcome</b>	<b>Design Requirements</b>	<b>Assessment</b>
<p>Exterior design that:</p> <ul style="list-style-type: none"> <li>▪ Establishes a positive relationship between the appearance of</li> </ul>	<p>Facades should provide for depth and a balance of light and shadow on the street wall and upper levels through the use of balconies, integrated shading, rebates or</p>	<p>The design detailing further refines many aspects of the original scheme. In particular, the warmer materiality and the improved integration between the heritage,</p>

<p>new development and the valued characteristics of its context.</p> <ul style="list-style-type: none"> <li>▪ Is visually interesting when viewed up close and from a distance.</li> <li>▪ Responds to the distance at which the building is viewed and experienced from the public realm in the selection, scale and quality of design elements.</li> <li>▪ Incorporates sufficient design detail in the lower levels of a building to deliver a visually rich and engaging pedestrian experience.</li> <li>▪ Delivers high quality design on all visible sides of a building including rooftops, where visible from the public realm.</li> <li>▪ At the ground level interface, provides visual connection between the public realm and interior spaces.</li> </ul>	<p>expression of structural elements.</p> <p>Street wall facades should avoid a predominately glazed appearance.</p> <p>Street wall facades should establish a balance of transparency and solidity.</p> <p>Facades should avoid the use of surfaces which cause unacceptable glare to the public realm.</p> <p>Materials should be durable, robust and low maintenance in the higher parts of a building.</p> <p>Blank walls that are visible from the public realm should be designed as an integrated component of the building composition.</p> <p>Materials should be natural, tactile and visually interesting at the lower levels near the public interface to reinforce a human scale.</p> <p>Ground level interfaces including shopfronts should provide thickness, depth and articulation and avoid long expanses of floor to ceiling glazing.</p> <p>Materials and finishes such as painted concrete or ventilation louvres should be avoided at the lower levels where they undermine the visually rich, tactile quality of streets and laneways.</p> <p>Service cabinets should not visually dominate street frontages and should use high quality materials.</p>	<p>podium and tower forms provides an appropriate and contextual design response.</p> <p>Council's City Design team have confirmed support for the proposal, subject to additional recommendations which will be addressed through a condition requiring the approval of a façade strategy.</p> <p>Further refinement is considered necessary to ensure the exposed blank western wall of the building is appropriately treated to deliver an attractive building form as viewed along Little Bourke Street, noting a painted mural or pattern would not be supported.</p> <p>As noted above, further solidity in the design language of the podium form will also be required through the recommended façade strategy.</p> <p>With these changes, the façade design and materiality will achieve a legible, robust and visually interesting response to the site and surrounding context.</p>
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### 9.1.3 Design and Development Overlay, Schedule 10

The appropriateness of the built form outcome is also guided by the requirements of Schedule 10 to the Design and Development Overlay.

The DDO10 sets out requirements, in particular the design elements contained in Table 3, to ensure new development is of a high quality and respects the built form outcomes sought for the Central City. Public realm impacts such as wind and shadowing are also considered.

The proposal is considered against the relevant provisions of the DDO10 as follows:

#### Built form (Table 3 Design Elements)

<b>Street Wall Height requirement</b>		
<b>Preferred Requirement (Figure 3)</b>	<b>Modified Requirement (Figure 3)</b>	<b>Built Form Outcomes</b>
Up to 20 metres	<p>The street wall height must be no greater than:</p> <ul style="list-style-type: none"> <li>▪ 40 metres; or</li> <li>▪ 80 metres where it: <ul style="list-style-type: none"> <li>▪ Defines a street corner where at least one street is a main street and the 80 metre high street wall should not extend more than 25 metres along each street frontage, and / or</li> <li>▪ Fronts a public space including any road reserve wider than 80 metres.</li> </ul> </li> </ul>	<p>Street wall height is scaled to ensure:</p> <ul style="list-style-type: none"> <li>▪ A human scale.</li> <li>▪ An appropriate level of street enclosure having regard to the width of the street with lower street wall heights to narrower streets.</li> <li>▪ Consistency with the prevalent parapet height of adjoining buildings.</li> <li>▪ Height that respects the scale of adjoining heritage places.</li> <li>▪ Adequate opportunity for daylight, sunlight and sky views in the street.</li> <li>▪ Definition of main street corners and/or public space where there are no significant impacts on the amenity of public spaces.</li> <li>▪ Maintenance of the prevailing street wall height and vertical rhythm on the street.</li> </ul>
<b>Complies with modified requirement</b>		



The proposal involves a street wall height of 36 metres. This outcome is compliant with the modified requirement, which allows up to 40 metres.

It is noted that there is variation in street wall heights in immediate context, where the emerging character is of buildings that are greater in scale than that proposed. The proposed street wall height will result in an acceptable level of enclosure to Little Bourke Street, noting the limited dimensions of the land and width of the street.

The proposal would not result in any unreasonable amenity impact from overshadowing in the public realm, and would not significantly restrict views to the sky given the larger buildings sitting alongside and behind the site as viewed from Little Bourke Street.

#### **Building setbacks above the street wall requirement**

<b>Preferred Requirement (Figure 3)</b>	<b>Modified Requirement (Figure 3)</b>	<b>Built Form Outcomes</b>
Above the street wall, towers and additions should be setback 10 metres from the title boundary.	Above the street wall, towers must be setback a minimum of 5 metres from the title boundary.	<p>Tower and additions are setback to ensure:</p> <ul style="list-style-type: none"> <li>▪ Large buildings do not visually dominate the street or public space.</li> <li>▪ The prevalent street wall scale is maintained.</li> <li>▪ Overshadowing and wind impacts are mitigated.</li> <li>▪ The tower or addition includes a distinctly different form or architectural expression.</li> </ul>

#### **Complies with modified requirement**

A setback of 5 metres is provided to the tower above the street wall to Little Bourke Street, with the exception of level 11 which has an increased setback of 6 metres. The proposal is therefore compliant with the modified requirement.

As it presents to the street, the tower form will be distinct from the podium form below due to the expression and visual delineation of the three sections of the new building being the western street wall, the street wall above the heritage building and the tower above. The vertical rebate between each street wall component is carried horizontally across level 11 to separate and emphasise these distinct forms.

The setbacks provide adequate physical and visual relief to the public realm, while overshadowing and wind impacts are mitigated to an acceptable level as discussed below.

#### **Building setbacks from side and rear boundaries (or from the centre line of an adjoining laneway) and tower separation requirement**

Preferred Requirement (Figure 3)	Modified Requirement (Figure 3)	Built Form Outcomes
<p>Above the street wall or 40 metres (where there is no street wall) towers and additions should be setback a minimum of 5 metres or 6% of the total building height, whichever is greater.</p>	<p><b>Towers up to 80 metres in height:</b></p> <p>Above the street wall or 40 metres (where there is no street wall), towers and additions must be setback a minimum of 5 metres.</p> <p>Towers and additions of no more than 80 metres in height may be constructed up to one side or rear boundary, excluding a laneway, if an existing, approved, proposed or potential building on an adjoining site is built to that boundary and if a minimum setback of 5 metres is met to all other side and rear boundaries and the centre line of any adjoining laneway. Buildings of no more than 80 metres in height, may be constructed to a second side or rear boundary if an adjoining site cannot, by legal restriction benefitting the application site, be developed above the street wall height.</p>	<p>Tower and additions are designed and spaced to ensure:</p> <ul style="list-style-type: none"> <li>▪ Sun penetration and mitigation of wind impacts at street level.</li> <li>▪ Provision of reasonable sunlight, daylight, privacy and outlook from habitable rooms, for both existing and potential development on adjoining sites.</li> <li>▪ Buildings do not appear as a continuous wall at street level or from nearby vantage points and maintain open sky views between them.</li> </ul>
<p><b>Complies with modified requirement</b></p> <p>Above the street wall, the tower is constructed to the western boundary and is set back 5 metres from the northern and eastern boundaries. This complies with the modified requirement.</p> <p>The proposed tower setbacks would not unreasonably contribute to overshadowing or wind impacts at street level as discussed above, and would not contribute to unreasonable overlooking and amenity impacts to neighbouring dwellings given the adequate separation achieved from the existing towers to the north and east.</p> <p>The siting of the tower on the western boundary will adequately provide for the equitable development of the adjoining land, given it has similar depth and is subject to the same built form controls under the planning scheme. Notwithstanding the residential hotel use proposed, the setbacks provided do not result in any windows or balconies proposed which might unreasonably burden any neighbouring site.</p>		

Rooftop services and plant structures are proposed, which are set back 3 metres from the tower façade to Little Bourke Street as shown on an amended roof plan provided to supplement the Section 57A amendment described in Section 3 of this report. This accords with the relevant exception for building height at Clause 2.1 of DDO10 which states that the total building height calculation does not include *'building services setback at least 3.0 metres behind the façade'*. A condition of permit will ensure this outcome is shown consistently across all plans for endorsement, in accordance with the amended roof plan.

### Tower floorplate requirement

Preferred Requirement (Figure 3)	Modified Requirement (Figure 3)	Built Form Outcomes
<p>The tower floorplate is determined by the preferred requirement for building setbacks from side and rear boundaries and tower separation within a site, and the modified requirement for building setback(s) above the street wall.</p>	<p>The tower floorplates above the street wall for a tower above 80 metres in height may be adjusted in terms of location and/or shape but must not:</p> <ul style="list-style-type: none"> <li>▪ Result in an increase in the floorplate area;</li> <li>▪ be situated less than 5 metres from a side or rear boundary (or from the centre line of an adjoining laneway);</li> <li>▪ be less than 5 metres to a street boundary;</li> <li>▪ be less than 10 metres to an adjoining tower on the site.</li> </ul>	<p>The adjusted floorplate is designed and spaced to:</p> <ul style="list-style-type: none"> <li>▪ Reduce impact on existing and potential neighbours in terms of privacy, outlook, and daylight and sunlight access.</li> <li>▪ Minimise visual bulk.</li> <li>▪ Reduce impact on public spaces, including overshadowing and wind effects and reduced visual dominance.</li> <li>▪ Buildings do not visually dominate heritage places and streetscapes, nor significant view lines.</li> <li>▪ Buildings do not appear as a continuous wall at street level or from nearby vantage points and maintain open sky views between them.</li> </ul>

### Complies with preferred requirement

The proposed development complies with the preferred requirement for tower floorplate, due to its overall height of less than 80 metres and its compliance with the setback requirements outlined above.

The siting and massing of the proposed tower adequately reduces impacts on surrounding buildings and would not unreasonably impact on their outlook and solar access. The proposal would not result in any unreasonable overshadowing of the public realm and would not dominate the significant heritage place.

## Wind effects

A Wind Assessment, including wind tunnel testing, was prepared by Vipac dated 3 October 2022, outlining the pedestrian comfort levels to the surrounding public realm as well as to the northern outdoor terrace on level 2. It was concluded that the impact of the development on the local wind microclimate would achieve compliance with the requirement of this clause, by achieving at least safety criterion for all surrounding public spaces. The development would also achieve stationary, standing criterion for the outdoor terrace and building entrance areas, in its current configuration.

The outcomes demonstrated through the Wind Assessment and associated wind tunnel testing will be incorporated through permit conditions, which will ensure compliance with the requirements for wind effects in the DDO10.

## Overshadowing

Table 1 and Table 2 of Clause 2.3 of DDO10 set out a series of defined spaces, which are designated as being protected from additional shadow cast by development within specified hours and dates. The proposal is not located near one of these defined spaces.

The shadow diagrams submitted with the application demonstrate that there would be no overshadowing of any other existing public open space asset, and that shadows cast by the building over the public realm and adjoining buildings would not be unreasonable.

## 9.2 Heritage impacts

The site is located in the Heritage Overlay (HO737 – Former Melbourne City Council Power Station) with the building graded 'Significant'. The adjoining streetscapes are not identified as significant. Along Little Bourke Street in proximity to the site, other heritage buildings are also graded as 'Significant' (shown blue below) or identified on the Victorian Heritage Register (shown red), with the exception of the Stadium Apartments building to the south-west (shown gold) which is 'Contributory'. The immediately adjacent buildings to the north and east are not affected by heritage controls.



**Figure 18: Heritage Overlay map of site and surrounds (subject site highlighted green)**

The key heritage considerations for this application are the appropriateness of both the proposed demolition and the new works, having regard to any impacts they may

have on the heritage place. The decision guidelines of the overlay at Clause 43.01-8 are relevant to this assessment, and the considerations of these are expanded on within the relevant local policy at Clause 15.03-1L-02.

The proposal is assessed against the relevant policy strategies and guidelines at Clause 15.03-1L-02 as follows:

### 9.2.1 Demolition

*Strategies:*

- *The demolition of a non-contributory place will generally be permitted.*
- *Full demolition of significant or contributory buildings will not generally be permitted.*
- *Partial demolition in the case of significant buildings and of significant elements or the front or principal part of contributory buildings will not generally be permitted.*
- *Encourage the retention of the three dimensional form regardless of whether it is visible whilst discouraging facadism.*
- *Encourage adaptive reuse of a heritage place as an alternative to demolition.*
- *The poor structural or aesthetic condition of a significant or contributory building will not be considered justification for permitting demolition.*
- *A demolition permit will not be granted until the proposed replacement building or works have been approved.*
- *Preserve fences and outbuildings that contribute to the significance of the heritage place.*

*Consider as relevant:*

- *The assessed significance of the heritage place or building.*
- *The character and appearance of the proposed building or works and their effect on the historic, social and architectural values of the heritage place and the street.*
- *The significance of the fabric or part of the building, and the degree to which it contributes to its three-dimensional form, regardless of whether it is visible.*
- *Whether the demolition or removal of any part of the building contributes to the long-term conservation of the significant fabric of the building.*
- *Whether the demolition will adversely affect the conservation of the heritage place.*
- *Whether there are any exceptional circumstances.*

#### Assessment

The proposal involves the partial demolition of the significantly graded building, primarily through the demolition of the existing roof and the majority of the rear section of the building. The proposal will remove a section of the western wall leaving a length of 7.6 (ground floor) to 12 (first floor) metres, while retaining the majority of the eastern wall to Cleve Lane and the entire façade to Little Bourke Street.

The partial demolition of a significant heritage building is discouraged by policy however on balance, considering the strategic imperatives for the development of the site and surrounding context, it is considered that an acceptable outcome is achieved.

The purpose of the proposed demolition is to facilitate the redevelopment and adaptive reuse of the vacant industrial building for a residential hotel. This outcome

will positively impact the long term conservation of the heritage place, particularly given the obsolescence of its original use as part of the former Power Station.

The removal of the existing roof results in a loss of fabric within the front or principal part of the building however, this concealed element is not considered to contribute to the significance of the host building particularly given the retention of the gabled front wall. The proposal retains the majority of the three-dimensional form of the principal part of the significant building.

As a result of the retained fabric, as well as the massing of the proposed new additions discussed below, the three-dimensional form of the significant building would be reasonably retained as viewed in the immediate context. The setback of the new additions at 4.5 metres behind the retained front walls is commensurate with a typical structural bay within the existing building. These elements, together with the rebates and horizontal banding at the juncture between old and new fabric, avoid an outcome of facadism.

Therefore while the partial demolition is generally not encouraged by policy, the extent of retention, in conjunction with the beneficial ongoing outcomes achieved through the overall development, will preserve the significance of the heritage place.

## 9.2.2 Additions

*Ensure additions to significant or contributory buildings:*

- *Are respectful of the building's character and appearance, scale, materials, style and architectural expression.*
- *Do not visually dominate or visually disrupt the appreciation of the building as it presents to the street.*
- *Maintain the prominence of the building by setting back the addition behind the front or principal part of the building, and from other visible parts.*
- *Do not build over or extend into the air space directly above the front or principal part of the building.*
- *Retain significant roof form within the setback from the building façade together with roof elements of original fabric.*
- *Do not obscure views of façades or elevations associated with the front or principal part of the building.*
- *Are distinguishable from the original fabric of the building.*

*Ensure additions:*

- *Adopt high quality and respectful contextual design.*
- *Avoid direct reproduction of the form of historic fabric.*
- *Adopt an interpretive design approach to other details such as verandahs, fences, and shopfronts.*

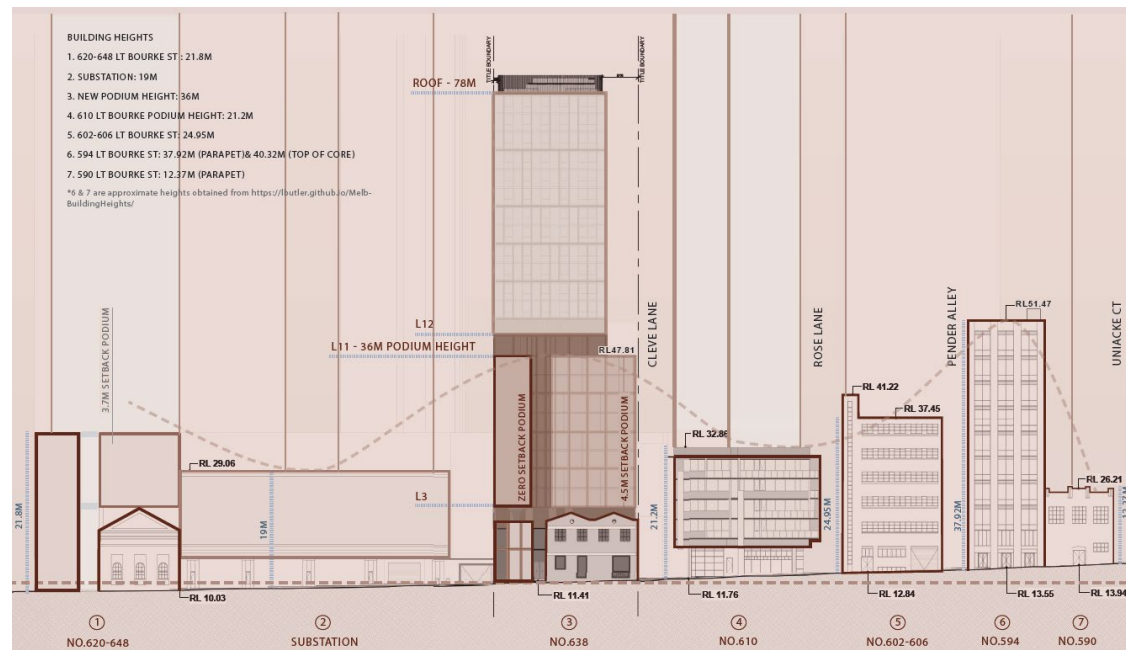
### Assessment

As discussed earlier in this report, the proposed development originally sought to construct the new additions entirely above the retained heritage building with a cantilevered podium form. This outcome is discouraged by policy listed above, and was not considered to be an acceptable response to the significance of the heritage place and the urban context. The design has subsequently evolved in response to this concern, together with other matters raised by Council's City Design team and the

MDRP, culminating in a revised building form which is considered to adequately address the relevant policy guidelines for additions.

The amended design provides a 4.5 metre setback from the front wall of the retained building to the new podium form above, which references the length of a full internal structural bay or room. This setback is considered to achieve a meaningful level of physical recession as read from key vantage points along Little Bourke Street, and will appropriately demarcate the retained significant building within the streetscape.

Importantly, the proposal no longer includes any cantilevered or projecting built form within the air space directly above the retained principal part of the building.



**Figure 19: Streetscape elevation illustrating proposed massing response to retained heritage building and neighbouring forms**

The vertical segmentation of the street wall and rebated separating elements will further break down the mass of the additional built form, while also providing a legible reference to the grain and scale of the retained building below. The massing of the new additions will not unreasonably disrupt key views of the existing building, noting its constrained physical characteristics, with the three dimensional form being visible from the public realm due to surrounding roads and the location of the open central entry pathway.

Generally, the proposal is considered to achieve a high quality and respectful design which achieves a clear distinction from the original fabric, and does not visually dominate the appreciation of the heritage place. The architectural response includes electrical design elements which reference the former Power Station which is considered to have merit as a concept however, further refinement and greater regard to the existing significant built form is required.

Subject to a condition requiring a façade strategy as recommended by Council's City Design team, the design language of the podium will be further refined to appropriately reference the more solid forms, materiality and proportions of the significant heritage place.

Overall, the proposal achieves an acceptable balance between achieving the level of growth encouraged by the policy framework, capital city zoning and associated built form controls, and delivering a design which is respectful of the significance of the heritage place.

### 9.2.3 Alterations

#### Strategies:

- *Preserve external fabric that contributes to the significance of the heritage place on any part of a significant building, and on any visible part of a contributory building.*
- *Ensure alterations to non-contributory buildings and fabric respect, and not detract, from the assessed significance of the heritage precinct.*
- *Avoid sandblasting of render, masonry or timber surfaces and painting of previously unpainted surfaces.*
- *Encourage removal of paint from original unpainted masonry or other surfaces, provided it can be undertaken without damage to the heritage place.*
- *Support reconstruction of an original awning or verandah where it is based on evidence of the original form, detailing and materials.*
- *Support new awnings or verandahs that are an appropriate contextual design response, compatible with the location on the heritage place and that can be removed without loss of fabric.*

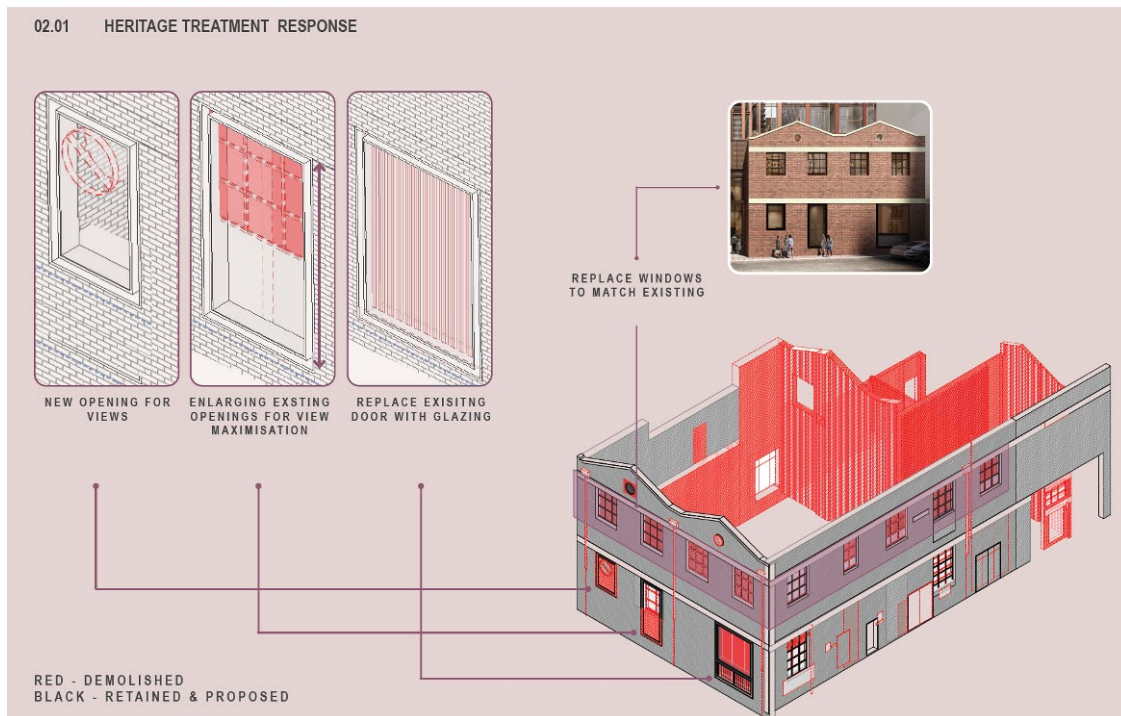
#### Consider as relevant:

- *The assessed significance of the building and heritage place.*
- *The degree to which the alterations would detract from the significance, character and appearance of the building and heritage place.*
- *The structural condition of the building.*
- *The character and appearance of the proposed replacement materials.*
- *Whether the alterations can be reversed without loss of fabric which contributes to the significance of the heritage place.*

#### Assessment

The modified and refurbished openings around the retained structure, seek to maintain existing proportions in terms of their location, width and separation.





**Figure 20: Isometric elevation of retained built form showing proposed external alterations**

The introduction of new windows has been undertaken in a generally sympathetic nature and will enable an improved level of activation and balances the conservation of the building with the capital city function of the surrounding context.

A Conservation Works Plan will be recommended as a condition of any permit issued to ensure the detailed design of these alterations is undertaken in a satisfactory manner, including the refurbishment or sensitive replication of steel framed windows, as recommended by Council's Heritage Advisor.

#### 9.2.4 Vehicle accommodation and access

*Discourage new on-site car parking, garages, carports, and vehicle crossovers unless:*

- *Car parking is located to the rear of the property, where this is an established characteristic.*
- *Any garage or carport is placed behind the principal or front part of the building (excluding verandahs, porches, bay windows or similar projecting features), and:*
- *It will be visually recessive.*
- *It will not conceal an original contributory element of the building (other than a plain side wall).*
- *The form, details and materials will be respectful of, but not replicate details of the building.*
- *Ramps to basement or sub-basement car parking are located to the rear of the property, or to a side street or side lane boundary, where they would not visually disrupt the setting of the significant or contributory building, or impact on the streetscape character.*

#### Assessment

Car parking, vehicle access and loading facilities are appropriately located to the rear of the existing heritage building and will be contained within the north-eastern corner

of the site via Cleve Lane, which is not a pedestrian thoroughfare and is presently used for vehicle access to neighbouring developments. This arrangement ensures car parking and access facilities are recessive and respectful to the principal part of the retained building, and will not visually disrupt it as viewed from the public realm.

### **9.2.5 Services and ancillary fixtures**

*Ensure services and ancillary fixtures, in particular those that will reduce greenhouse gas emissions or water consumption such as solar panels, solar hot water services or water storage tanks, may be permitted on any visible part of significant or contributory buildings, where:*

- *It can be demonstrated there is no feasible alternative.*
- *It will not detract from the character and appearance of the building or heritage place.*

*Ensure items affixed to roofs, such as solar panels, align with the profile of the roof.*

*Ensure services and ancillary fixtures are installed in a manner where they can be removed without damaging significant fabric.*

*Ensure, for new buildings, services and ancillary fixtures are concealed, integrated or incorporated into the design of the building*

#### Assessment

For the most part, building services and plant structures are confined to the roof of the building and thus concealed from the retained heritage building as viewed from the public realm. Ground level service structures such as fire booster cabinets are sensitively located and incorporated into the retained heritage building where necessary, primarily to the side elevation along Cleve Lane.

### **9.3 Design and Development Overlay, Schedule 12 (Noise Attenuation)**

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.

An acoustic report prepared by Octave Acoustics was submitted with the application. The report makes recommendations for glazing and structural specifications in order to comply with the requirements of DDO12. The proposed officer recommendation includes a condition for the endorsement and implementation of the acoustic report.

### **9.4 Environmentally Sustainable Design**

The proposal is capable of achieving an appropriate response when assessed against Clause 15.01-2L-01, Clause 19.03-3L and Clause 53.18 through the submission of a Sustainable Design Assessment, inclusive of Water Sensitive Urban Design assessment, outlining sustainable design measures to be implemented within the development.

The endorsement of an amended Sustainable Design Assessment is recommended as a condition of permit to reflect the amended design response and ensure the ESD commitments within the design are achievable.

A condition is also recommended for a report on completion of the development to ensure all ESD commitments are implemented within the finished building.

## **9.5 Car parking and access, bicycle facilities and waste**

### **9.5.1 Car parking and access**

In relation to the statutory requirements for car parking provision, the development provides 22 onsite parking spaces which is less than the maximum of 54 under Schedule 1 to the Parking Overlay. A permit is therefore not required in relation to the provision of parking. The provision of reduced on-site car parking is supported by transport policy at Clause 18.01-3S, seeking to encourage a modal shift away from private vehicle ownership and towards sustainable transport options such as public transit, cycling and walking.

The proposal seeks to utilise Cleve Lane for access to the basement level car parking, as well as for service access (i.e. loading and waste) to a designated on site loading area at the north-eastern corner of the site.

Council's Traffic Engineers highlighted management considerations which need to be addressed in relation to the car parking and access arrangements to the proposed building, as outlined in Section 8 of this report. These matters are considered capable of being dealt with through recommended permit conditions for a Road Safety Audit, Car Parking Management Plan and a Loading Management Plan prior to the commencement of works.

### **9.5.2 Bicycle facilities**

As set out under Section 4 of this report, the proposal has a statutory requirement of 42 bicycle spaces. The proposal includes total of 33 spaces, falling 9 spaces short of the requirement and therefore requiring a permit under Clause 52.34.

A reduction is considered appropriate in this instance noting the high availability of alternative modes of public transport within convenient walking distance of the site, with Southern Cross station located immediately to the west, as well as the availability of on-street bicycle facilities in the surrounding area. Bicycle parking spaces are provided in convenient locations at the ground level, in proximity to the entrances of the building as well as key internal circulation areas, encouraging their use by future occupants.

Overall, the proposed provision of 33 spaces is considered to adequately cater to the demands of future occupants having regard to the scale and nature of the proposed hotel, and the provision of end-of trip facilities which meets the planning scheme requirement.

A recommended condition will require a notation to ensure that all bicycle facilities are designed and dimensioned to satisfy the relevant Australian Standard and requirements of Clause 52.34.

### **9.5.3 Waste**

A Waste Management Plan for the proposed development has been submitted to and reviewed by Council's Waste team as discussed above in Section 8 of this report, with outstanding matters capable of being addressed through a permit condition for an amended Waste Management Plan.

## **9.6 Objector concerns**

A response to the concerns raised in the objections to the application is provided below:

- Visual impacts on surrounding context and buildings due to building height and scale

The proposal provides an appropriate and contextual built form response to the site and surrounding context, and accords with the preferred height and setback requirements under the applicable built form controls as detailed in Section 9.1 of this report.

The height and bulk of the building will not pose any unreasonable impact to surrounding properties. It is noted that there are no immediate abuttals and the site is adequately separated from nearby taller building forms, with the closest being the recently constructed apartment building at 18-20 Lincoln Square North approximately 35 metres to the south-east.

- Amenity impacts

As discussed under Section 9.1.3 of this report, the proposal accords with the applicable shadowing requirements under the DDO10. The scale, massing and separation of the proposed development from existing buildings will appropriately manage other potential amenity impacts such as overlooking, solar access and noise.

- Heritage impacts

As discussed under Section 9.2 of this report, the proposal is considered to achieve a suitable response to the significance of the heritage place.

- Lack of separation to neighbouring building to the east

The proposed building is constructed to the eastern boundary at podium level, up to level 10, as is the neighbouring building to the east at 11 Rose Lane. The separation between the two podium forms is a minimum of 5.7 metres, which increases to 10.7 metres to the tower above. This is an acceptable outcome having regard to the site context and the applicable built form controls, in particular the street wall requirements of the DDO10 which provide for a building form of this scale.

- Traffic impacts

Traffic impacts resulting from the proposal are not considered to be unreasonable and are considered to be capable of management through recommended permit conditions as discussed under Section 9.5.1 of this report.

- Adequacy of bicycle facilities

The proposal is considered to provide a suitable level of on-site bicycle facilities, as discussed in Section 9.5.2 of this report.

- Lack of accessible car parking

While it would be preferable to provide accessible car parking within the development, the constrained nature of the site and the reliance on a mechanical, automated car parking system is considered to militate against this.

The applicable built form controls seek to minimise the presence of car parking and access, in particular the mandatory requirement for no more than 40% of the ground floor area dedicated to services and vehicle access under the DDO1. It is reasonable in these circumstances that the proposal does not provide an accessible space within the site.

- Security and safety of existing residents in the area

The proposal represents a beneficial outcome in relation to the safety of the immediate context by way of the increased activity and activation provided by the proposed hotel and ancillary uses.

- Lack of reference to nearby approved developments

The lack of reference to nearby approved developments, such as that to the south-east at 640-652 Bourke Street, within the application documents has not materially affected the assessment or consideration of the application.

- Overdevelopment of the site and wider area

The scale and intensity of the proposal accords with the strategic aspirations and the existing characteristics for the site and surrounding context, noting its capital city function and the prevalence of larger building forms nearby.

- Loss of street art

Street art was previously visible on the masonry wall facing Little Bourke Street, which has since been removed in accordance with TP-2021-642.

- Potential removal of card reader to neighbouring car park

The removal of the card reader located in the middle of the Cleve Lane road reserve is not a matter which will be mandated under a decision on this application, as it relates to private infrastructure located within a public highway for which the subject site has the benefit of access rights.

Notwithstanding, the resolution of any potential conflict with this structure will be resolved as part of the recommended condition for a Road Safety Audit prior to the commencement of works.

- Loss of views

The right to views over private land is not a relevant consideration, having regard to the applicable planning assessment framework.

- Impact on property values

Potential impacts on property values are not a relevant planning consideration.

- Construction impacts

While this is not a planning consideration, construction impacts arising from any approved development of the site will be managed through a Construction Management Plan and this will be addressed by a condition on any permit issued.

## 9.7 Conclusion

For the reasons discussed in this report, it is considered that the proposal achieves an acceptable outcome having regard to the relevant provisions of the Melbourne Planning Scheme. It is considered that the proposal should be supported subject to conditions.

## 10 RECOMMENDATION

That the Future Melbourne Committee resolves to issue a Notice of Decision to Grant a Planning Permit subject to the following conditions:

### Amended Plans

1. Prior to the commencement of the development, including demolition and bulk excavation, an electronic set of plans drawn to scale, must be submitted to the

Responsible Authority, generally in accordance with the plans prepared by CHT Architects, Sheets TP0.001-TP3.200 Revision E dated 18 May 2023 but amended to show:

- a) Building services on the roof of the building provided with a setback of at least 3.0 metres behind the façade to comply with the total building height definition of Schedule 10 to the Design and Development Overlay, as shown on the Roof Plan prepared by CHT Architects, drawing no. TP1.010, Revision F dated 5 September 2023.
- b) A notation that bicycle facilities are to be designed and dimensioned in accordance with the requirements of Clause 52.34 (Bicycle Facilities) of the Melbourne Planning Scheme.
- c) All outwardly opening doors to Cleve Lane redesigned such that they do not project beyond the street alignment when open, when closed or when being operated.
- d) A notation that 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.
- e) Any changes as a result of the Façade Strategy required by Condition 3 of this permit.
- f) A notation that all works are to accord with the Conservation Works Plan required by Condition 4 and the Structural Report required by Condition 5 of this permit.
- g) Any changes as a result of the Sustainable Design Assessment required by Condition 6 of this permit.
- h) Annotations to accord with the Wind Assessment required by Condition 8 of this permit.
- i) Any changes as a result of the Road Safety Audit required by Condition 9 of this permit.
- j) Any changes as a result of the Waste Management Plan required by Condition 12 of this permit.
- k) Any changes as a result of the Reflected Glare Assessment required by Condition 14 of this permit.

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

### **Endorsed plans**

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

### **Façade Strategy**

3. Concurrent with the endorsement of plans pursuant to Condition 1, a Façade Strategy must be submitted to and be approved by the Responsible Authority. All materials, finishes and colours must be in conformity with the approved Façade Strategy to the satisfaction of the Responsible Authority. The Façade Strategy must be generally in accordance with the development plans and must detail:
  - a) A concise description by the architect of the building design concept and how the façade works to achieve this.

- b) Elevation details generally at a scale of 1:50 illustrating 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.
- g) The drawings and supporting information contained within the Façade Strategy must also address the following:
  - i. The materiality within the podium levels further refined to ensure a high quality, robust, textured and natural expression as well as a greater level of solidity referencing the significant heritage building.
  - ii. The exposed western wall to be provided with high quality materiality referencing the site and surrounding context, rather than painted artwork or patterning, to ensure the design integrity of the building as viewed in the round.

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

### **Conservation Works Plan**

4. Prior to the commencement of the development, including demolition and bulk excavation, a Conservation Works Plan (CWP) for the retained heritage building must be submitted to the satisfaction of and be endorsed by the Responsible Authority. The CWP must include a schedule of all conservation works to the retained heritage building. The conservation works are to also include (but not limited to):
  - a) Detail the design and construction materiality and finish of the replacement windows, including retention and reuse of existing window frames where feasible or appropriately justified substitute to the satisfaction of the Responsible Authority.

The CWP must not be altered or modified unless with the prior written consent of the Responsible Authority. The provisions, recommendations and requirements of the endorsed CWP must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Structural Report**

5. Prior to the commencement of the development, including demolition, a report prepared by a suitably qualified Structural Engineer, or equivalent, must be submitted to the Responsible Authority, demonstrating the means by which the retained portions of building will be supported during demolition and construction

works to ensure their retention, to the satisfaction of the Responsible Authority. The recommendations contained within this report must be implemented at no cost to and be to the satisfaction of the Responsible Authority.

### **Sustainable Design Assessment**

6. Prior to the commencement of the development, including demolition and bulk excavation, an amended Sustainable Design Assessment (SDA) shall be prepared by a suitably qualified professional and submitted to the satisfaction of the Responsible Authority. The amended SDA must be generally in accordance with the SDA prepared by Frater Consulting Services dated 27 October 2022, inclusive of the Water Sensitive Urban Design report, and amended where required by Condition 1 of this permit.

The SDA 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 Sustainable Design Assessment**

7. Prior to the occupation of any building approved under this permit, a report from the author of the endorsed SDA, or similarly qualified persons or companies, outlining how the performance outcomes specified in the endorsed SDA have been implemented must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm and provide sufficient evidence that all measures specified in the endorsed SDA 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 SDA.

### **Wind Assessment**

8. Prior to the commencement of the development, including demolition or bulk excavation, the Wind Assessment prepared by Vipac dated 3 October 2022 must be updated as required by Condition 1 of this permit and submitted to the satisfaction of and be endorsed by the Responsible Authority.

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

### **Road Safety Audit**

9. Prior to the commencement of the development, including demolition and bulk excavation, a formal independent Road Safety Audit must be undertaken and submitted to the Responsible Authority. The Road Safety Audit must include an assessment of:
  - a) Internal layout.
  - b) Access arrangements.
  - c) Loading arrangements.
  - d) Pedestrian and bicycle access and movements within the site and in the public realm.
  - e) Potential conflicts between vehicles / pedestrians / cyclists, having regard to the existing access arrangements for other properties utilising Cleve Lane.
  - f) Road safety issues affecting all road users.

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



### **Parking Management Plan**

10. Prior to the commencement of the development, including demolition and bulk excavation, a Parking Management Plan must be submitted to and approved by the Responsible Authority.

The plan must detail the means by which the on-site car parking and bicycle parking facilities approved under this permit will be operated, allocated, maintained and managed.

When approved, the plan will be endorsed and will then form part of the permit. Management of the car and bicycle parking provided in association with the permitted development must be in accordance with the approved plan, to the satisfaction of the Responsible Authority.

### **Loading Management Plan**

11. Prior to the commencement of the development, including demolition and bulk excavation, a Loading Management Plan must be submitted to and approved and submitted to the Responsible Authority. The Loading Management Plan must specify how the access / egress of loading vehicles is to be managed and ensuring that:

- a) The delivery needs of the uses within the development are accommodated.
- b) Any potential conflicts between vehicles and other road users are satisfactorily addressed.
- c) There are no obstructions in the path of the vehicles (kerbs, walls, etc.) and appropriate height clearances are provided for all required vehicles / manoeuvres.
- d) A Loading Dock Manager or Building Manager is appointed, with the following responsibilities:
  - i. Present on site when deliveries are undertaken.
  - ii. Act as a spotter for any reversing movements into the loading bay.
  - iii. Act as informal traffic controller to discourage pedestrian movements when vehicles reverse.
  - iv. Ensure conflicts do not occur between loading / other vehicles.
  - v. Ensure that space used for vehicle manoeuvring is kept clear of other vehicles / obstructions at all times.

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

### **Waste Management Plan**

12. Prior to the commencement of the development, including demolition and bulk excavation, an amended Waste Management Plan (WMP) must be submitted to the satisfaction of and be endorsed by the Responsible Authority. The amended WMP must be generally in accordance with the WMP prepared by Waste Space Solutions dated 30 September 2022, but amended as follows:

- a) Any changes required by Condition 1 of this permit.
- b) Any changes required by the Loading Management Plan required by Condition 11 of this permit.
- c) Section 4 – Provide a second table showing future waste generation (to support proposed future bin scenario).

- d) Section 5.1 – Remove statements relating to Council’s weekly garbage and recycling collection service and rateable tenements receiving municipal charges.
- e) Section 5.2 – Clarify the provision of FOGO bins.
- f) Section 5.3 – Provide additional information to determine the provision and collection frequency of FOGO bins.
- g) Section 5.8 – FOGO bin collection frequency must not exceed 3 times per week.
- h) Section 5.9 – Hard waste storage must be shown to scale in plan drawings.
- i) Clarify number of bins provided for e-waste.
- j) Doorways and corridors must be a minimum of 1.5 m wide if 660 L or 1100 L bins are being used.
- k) Configuration of bin room should be revised to ensure sufficient access to the FOGO bins.
- l) Show bin room door/s on plan drawings.
- m) Show where bins can be placed for collection in the temporary holding area (loading dock).
- n) Include an elevation drawing showing clearance at loading dock entry.

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 Responsible Authority – Waste Services.

### **Acoustic Report**

- 13. Prior to the commencement of the development, including demolition and bulk excavation, the Acoustic Report prepared by Octave Acoustics dated 12 October 2022 must be updated as required by Condition 1 of this permit and submitted to the satisfaction of and be endorsed by the Responsible Authority.

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

### **Reflected Glare Assessment**

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

### **Construction Management Plan**

- 17. Prior to the commencement of the development, including demolition and bulk excavation, a detailed Construction Management Plan must be submitted to and be approved by the City of Melbourne – Construction Management Group. This

Construction Management Plan must be prepared in accordance with the City of Melbourne - Construction Management Plan Guidelines and is to consider the following:

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

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

### **3D Model**

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

### **Legal Agreement - Temporary Works**

19. Prior to the commencement of the development, including demolition and bulk excavation, on the land, the owner of the land must enter into an agreement with the Responsible Authority pursuant to Section 173 of the Planning and Environment Act 1987. The agreement must provide the following:
  - a) If the land remains vacant for 6 months after completion of the demolition;
  - b) Demolition or construction activity ceases for a period of 6 months; or
  - c) Construction activity ceases for an aggregate of 6 months after commencement of the construction

The owner must construct temporary works on the land to the satisfaction of the Responsible Authority. Prior to the commencement of construction of the temporary works, details of the works must be submitted to and be to the satisfaction of the Responsible Authority.

Temporary works may include:

- d) The construction of temporary buildings for short-term retail or commercial use. Such structures shall include the provision of an active street frontage; or
- e) Landscaping of the site for the purpose of public recreation and open space.

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

### **Drainage of projections**

20. 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.

### **Drainage connection underground**

21. 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

### **Groundwater management**

22. All groundwater and water that seeps from the ground adjoining the building basement (seepage water) and any overflow from a reuse system which collects groundwater or seepage water must not be discharged to the Council's drainage network. All contaminated water must be treated via a suitable treatment system and fully reused on site or discharged into a sewerage network under a relevant trade waste agreement with the responsible service authority.

### **Demolish and construct access**

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

### **Roads**

24. The roads adjoining the site along Little Bourke Street and Cleve Lane must be reconstructed as necessary, together with associated works including the modification of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by the Responsible Authority – City Infrastructure

### **Footpaths**

25. The footpaths adjoining the site along Little Bourke Street must be reconstructed in sawn bluestone together with associated works including the renewal of kerb and reconstruction of pitcher channel, provision of street furniture and modification of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by the Responsible Authority – City Infrastructure.

### **Street levels not to be altered**

26. 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.

### **Existing street furniture**

27. Existing street furniture must not be removed or relocated without first obtaining the written approval of the Responsible Authority – City Infrastructure.

### **Public lighting**

28. Prior to the commencement of the development, excluding preliminary site works, demolition and any clean up works, or as may otherwise be agreed with the City of Melbourne, a lighting plan must be prepared to the satisfaction of the Responsible Authority – City Infrastructure. The lighting plan should be generally consistent with Council's Lighting Strategy, and include the provision of public lighting in the surrounding streets of the subject land. 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.

29. 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.

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

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

#### **Expiry**

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

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

#### **PERMIT NOTES**

##### **Building Approval Required**

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

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

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

##### **On-street Car Parking and Bicycle Facilities**

- The City of Melbourne will not change the on-street parking restrictions to accommodate the future access / servicing / delivery / parking needs of this development, as the restrictions are designed to cater for other competing demands and access requirements.

- The City of Melbourne is not obligated to provide any additional bicycle parking facilities to cater for the future bike parking demands from this development.

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

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

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

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

#### **Civil Design**

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