Report to the Future Melbourne (Planning) Committee

Agenda item 6.2

Ministerial Planning Referral: TPM-2016-3
24-46 A'Beckett Street, Melbourne

19 April 2016

Presenter: Kate Yuncken, Acting Planning Coordinator

Purpose and background

1. The purpose of this report is to advise the Future Melbourne Committee of a Ministerial referral of a Planning Application at 24-46 A'Beckett Street, Melbourne (refer to Attachment 2 – Locality Plan). Melbourne City Council is a recommending referral authority for the application. The application is exempt from third party notice and review rights. The applicant is SJB Planning, the owner of the land is RMIT and the architects are Denton Corker Marshall.
2. The subject site is located within the Capital City Zone – Schedule 1 and is affected by the Design and Development Overlay Schedule 10 (DDO10) – Built Form Control and the Parking Overlay Schedule 1.
3. The planning application seeks approval for the construction of a multi-storey mixed use building (115m) with a 40m podium. The application is proposed to be used by RMIT with retail at ground floor, 13 levels of education and 10 levels of office.

Key issues

4. Key issues in consideration in this application are the appropriateness of the built form in relation to DDO10 and urban design considerations.
5. The proposed height at 24 levels (116m) is in keeping with the emerging built form of the area, noting there are a number of approvals in the immediate vicinity of the subject site with built form well above this height.
6. The proposed setbacks comply with the mandatory requirements of DDO10 and will adequately protect the development potential and amenity of existing and approved developments on adjoining sites.
7. The design of the building including selection of materials and architectural expression is broadly supported.

Recommendation from management

8. That the Future Melbourne Committee resolves to advise the Department of Environment, Land, Water and Planning that the Melbourne City Council supports the application subject to the conditions outlined in the Delegate Report (Attachment 4).

Attachments

Supporting Attachment

Legal

1. The Minister for Planning is the Responsible Authority for determining this application.

Finance

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

Conflict of interest

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

Stakeholder consultation

4. Council officers have not advertised the application or referred this to any other referral authorities. This is the responsibility of the Department of Environment, Land, Water and Planning acting on behalf of the Minister for Planning.

Relation to Council policy

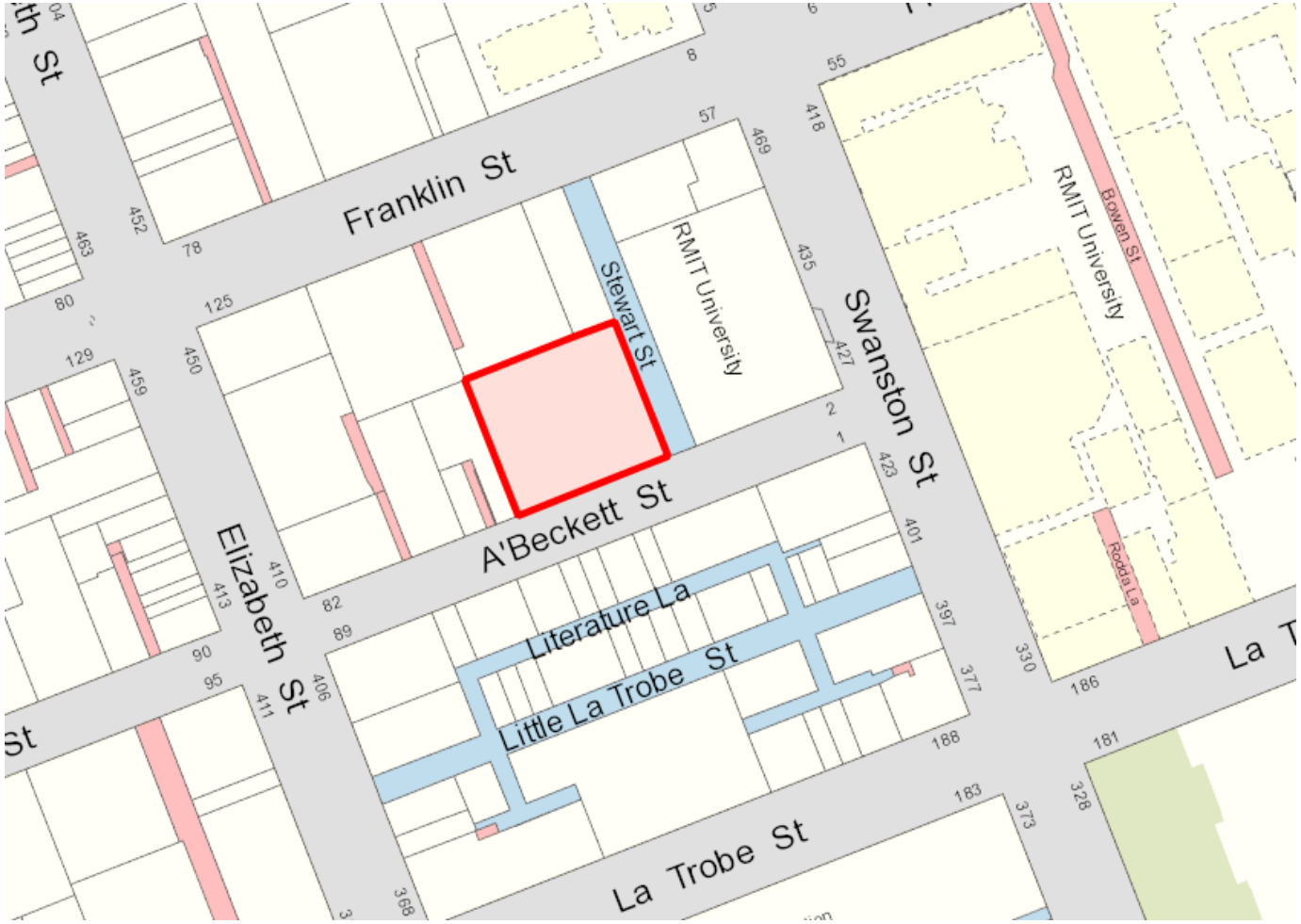
5. Relevant Council policies are discussed in the attached Delegate Report (refer to Attachment 4).

Environmental sustainability

6. A Sustainable Design statement has been submitted with the application demonstrating that the development has the preliminary design potential to achieve 5 star Green Star under the Green Star Design and As Built 2014 Certified Rating.

Locality Plan

24-46 A'Beckett Street Melbourne



450 ELIZABETH STREET
EXSTING APPROX 4 STOREY BUILDING COMPRISING SHORTSTAY ACCOMMODATION

97-111 FRANKLIN STREET
EXISTING 3 STOREY BRICK COMMERCIAL BUILDING
APPROVED 63 STOREY (212m) RESIDENTIAL BUILDING

83-91 FRANKLIN STREET
EXISTING 31 STOREY RESIDENTIAL BUILDING WITH GROUND LEVEL RETAIL + 3 LEVELS OF PARKING

79 - 81 FRANKLIN STREET
EXISTING 3 STOREY BRICK BUILDING COMPRISING OFFICES + RESIDENTIAL PROPERTIES

67 FRANKLIN STREET
EXISTING 3 STOREY BRICK COMMERCIAL BUILDING

459 SWANSTON STREET
EXISTING 3 STOREY BRICK COMMERCIAL BUILDING

FRANKLIN LOFTS GLASS LINE

SITE BOUNDARY (SURVEY LENGTH 40.24m)

BALCONY

EASEMENT A - 1
EASEMENT E - 1

SITE BOUNDARY (SURVEY LENGTH 15.34m)

AHD 18.61

1500
8900
10000
5000
8500

LEVEL 1 PODIUM HEIGHT APPROX 11.5 M

L2 PODIUM HEIGHT APPROX 15 M

LEVEL 2 TERRACE

POTENTIAL FUTURE BRIDGE LINK TO SAB

RMIT SWANSTON ACADEMIC BUILDING (SAB) PARAPET HEIGHT 45.5 M

POTENTIAL FUTURE UNDERGROUND SERVICES LINK

TOP OF RAKING TOWER

BASE OF RAKING TOWER

ROAD CLOSED TO VEHICLES MONDAY TO SATURDAY 7AM - 10PM

440 ELIZABETH STREET
EXISTING APPROX 8 STOREY BUILDING COMPRISING

58 - 64 A'BECKETT STREET
EXISTING SINGLE STOREY SHOP
APPROVED 48 STOREY RESIDENTIAL BUILDING

48-50 A'BECKETT STREET
EXISTING DOUBLE STOREY WAREHOUSE
APPROVED 45 STOREY RESI BUILDING

TOWER HEIGHT APPROX 115 M

VOID
VOID

TERRACE AT LEVEL 13

5750
5200

410 ELIZABETH STREET
EXSTING 55 STOREY (175m) BUILDING COMPRISING RESIDENTIAL PROPERTIES + SHOPS

56 A'BECKETT STREET

SITE BOUNDARY (SURVEY LENGTH 50.73m)

SITE BOUNDARY (SURVEY LENGTH 50.39m)

PODIUM HEIGHT AT 40 M ABOVE CENTRELINE OF A'BECKETT ST FRONTAGE

5200

STEWART STREET

EXISTING 3 STOREY BRICK COMMERCIAL BUILDING

SWANSTON STREET

SITE BOUNDARY (SURVEY LENGTH 55.69m)

AHD 17.22
AHD 17.85
AHD 18.47

STREET TREE
STREET TREE
STREET TREE
STREET TREE

1 2 3 4 5 6 7

A'BECKETT STREET

398 -406 ELIZABETH ST
EXISTING SINGLE STOREY WAREHOUSE
APPROVED 55 STOREY BUILDING

71 A'BECKETT ST
EXISTING 2 STOREY BUILDING

69 A'BECKETT STREET
EXISTING 2 STOREY BUILDING

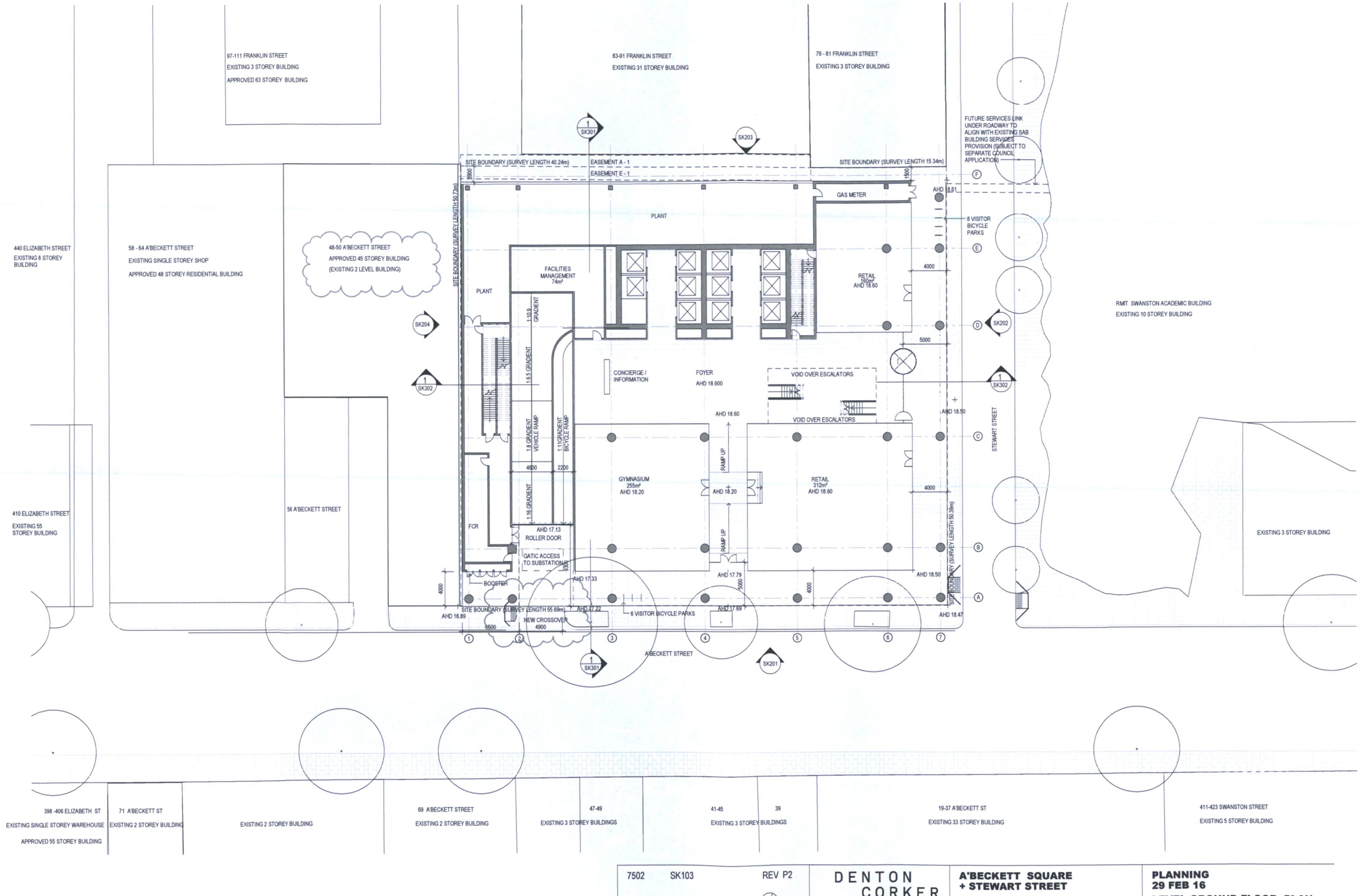
47-49
41-45
EXISTING 3 STOREY BUILDINGS

39

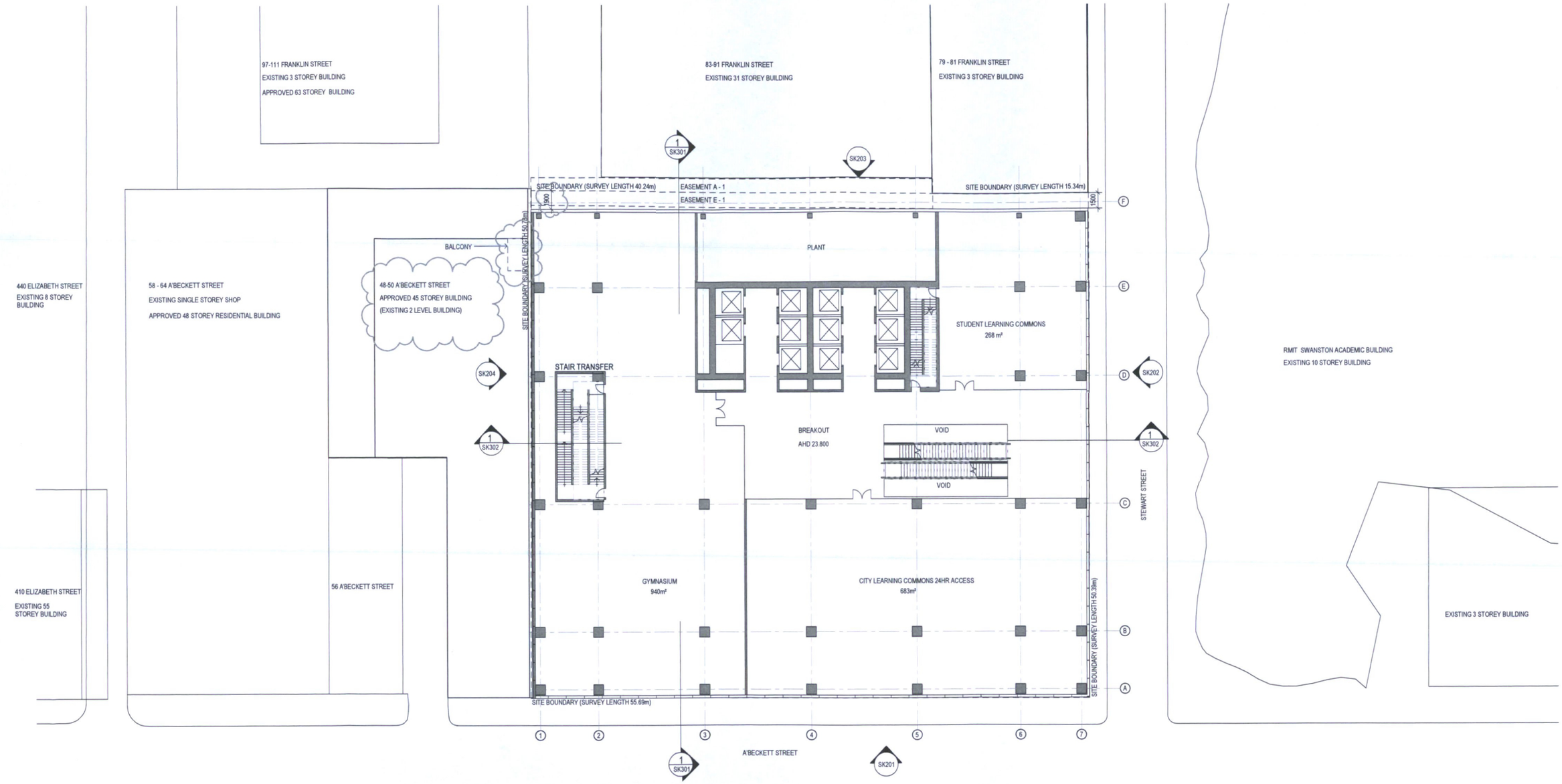
19-37 A'BECKETT ST
EXISTING 33 STOREY BUILDING

411-423 SWANSTON STREET
EXISTING 5 STOREY BUILDING

7502	SK000	REV P2	DENTON CORKER MARSHALL	A'BECKETT SQUARE + STEWART STREET RMIT UNIVERSITY	PLANNING 29 FEB 16 SITE LOCATION PLAN
1:500 @ A3 0 5 10 15 M					



7502 SK103 REV P2 1:200 @ A1 0 2 4 6 10M 1:400 @ A3	DENTON CORKER MARSHALL	**A'BECKETT SQUARE + STEWART STREET** **RMIT UNIVERSITY**	**PLANNING** **29 FEB 16** **LEVEL GROUND FLOOR PLAN**



398 -406 ELIZABETH ST
EXISTING SINGLE STOREY WAREHOUSE
APPROVED 55 STOREY BUILDING

71 A'BECKETT ST
EXISTING 2 STOREY BUILDING

EXISTING 2 STOREY BUILDING

69 A'BECKETT STREET
EXISTING 2 STOREY BUILDING

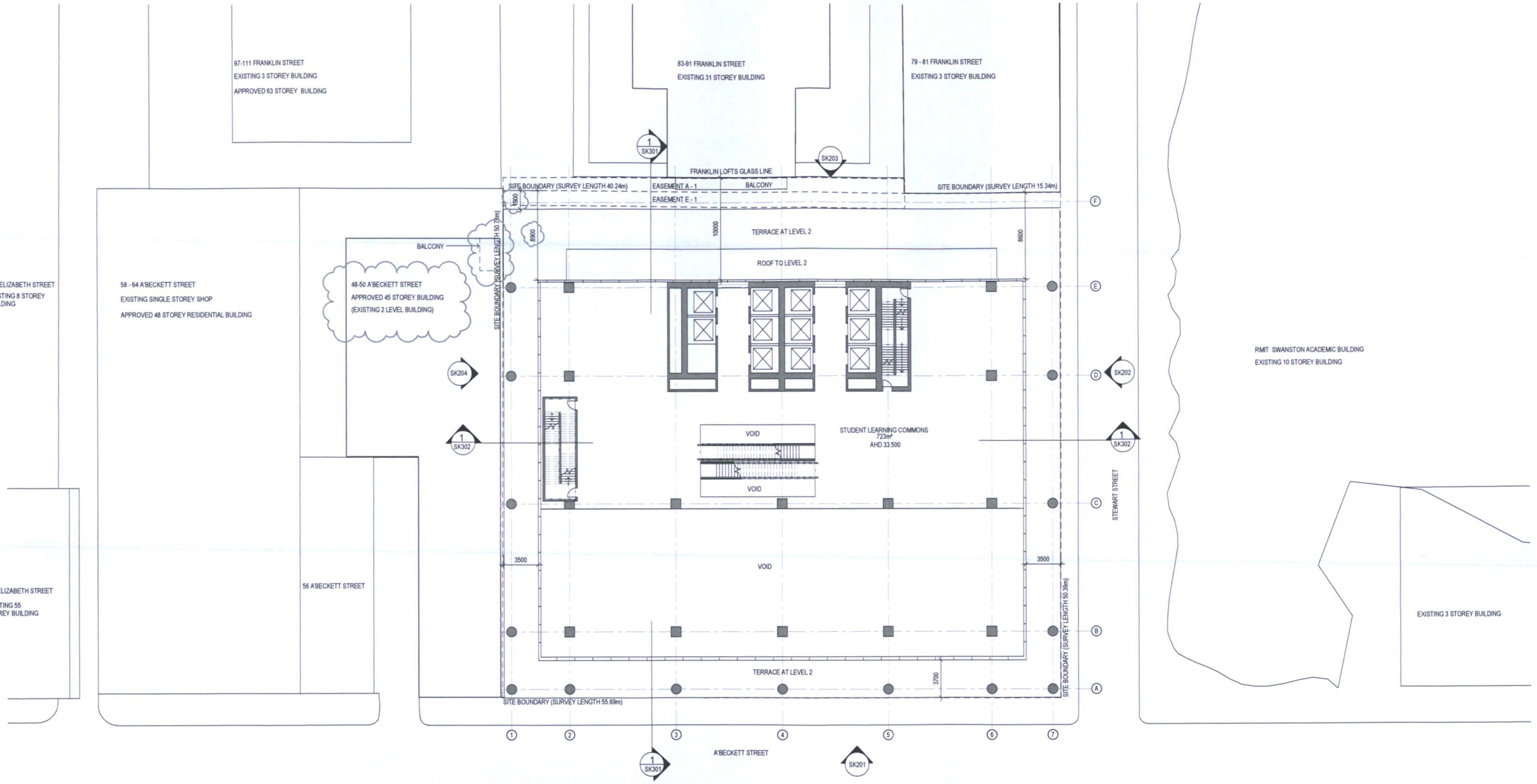
47-49
EXISTING 3 STOREY BUILDINGS

41-45
39
EXISTING 3 STOREY BUILDINGS

19-37 A'BECKETT ST
EXISTING 33 STOREY BUILDING

411-423 SWANSTON STREET
EXISTING 5 STOREY BUILDING

7502 SK104 REV P2 1:200 @ A1 0 2 4 6 10M 1:400 @ A3	DENTON CORKER MARSHALL	A'BECKETT SQUARE + STEWART STREET RMIT UNIVERSITY	PLANNING 29 FEB 16 LEVEL 01 PLAN



398 -406 ELIZABETH ST
EXISTING SINGLE STOREY WAREHOUSE
APPROVED 55 STOREY BUILDING

71 A'BECKETT ST
EXISTING 2 STOREY BUILDING

EXISTING 2 STOREY BUILDING

69 A'BECKETT STREET
EXISTING 2 STOREY BUILDING

47-49
EXISTING 3 STOREY BUILDINGS

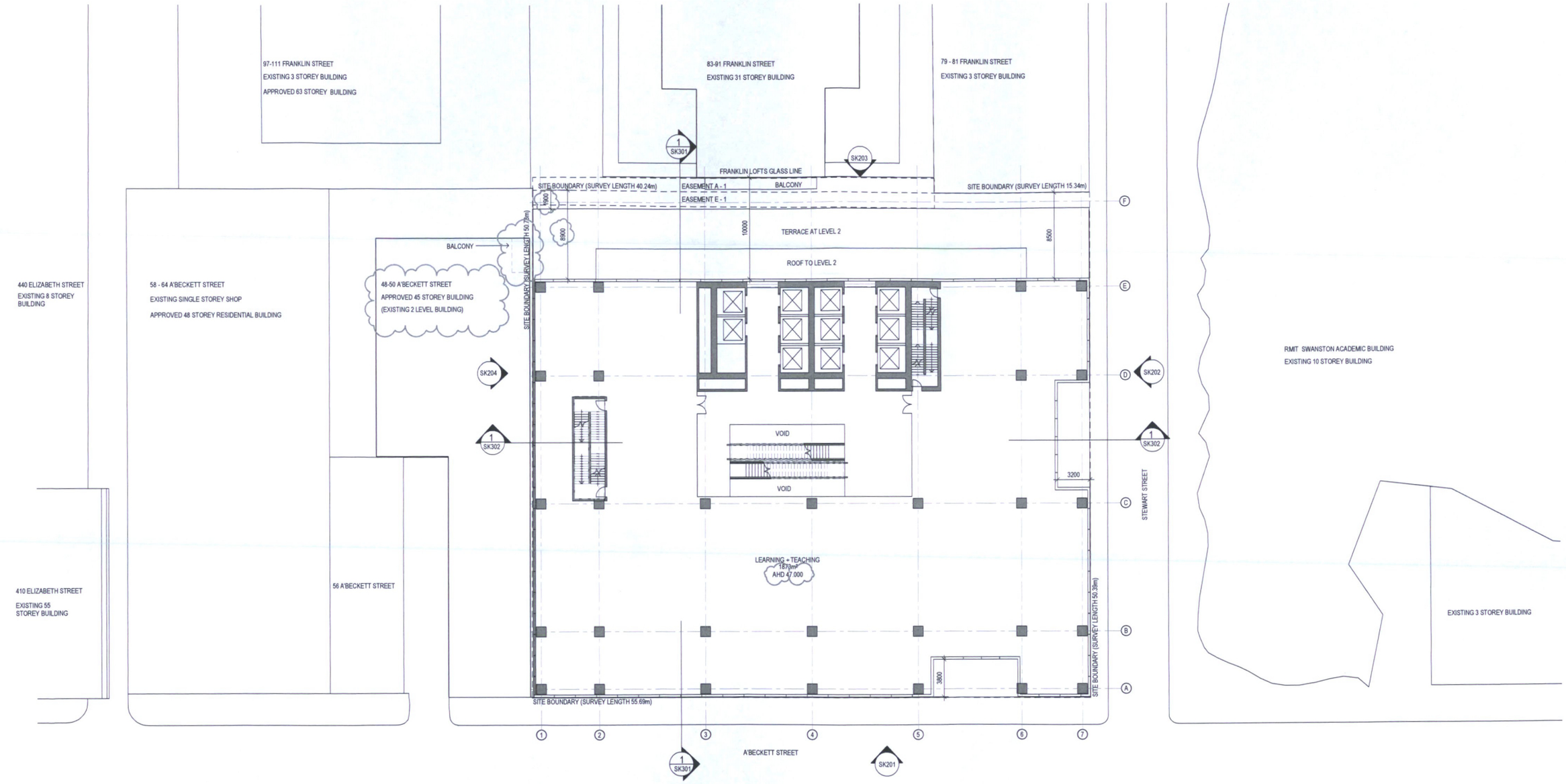
41-45
EXISTING 3 STOREY BUILDINGS

39

19-37 A'BECKETT ST
EXISTING 33 STOREY BUILDING

411-423 SWANSTON STREET
EXISTING 5 STOREY BUILDING

7502 SK106 REV P2 1:200 @ A1 0 2 4 6 10M 1:400 @ A3	DENTON CORKER MARSHALL	A'BECKETT SQUARE + STEWART STREET RMIT UNIVERSITY	PLANNING 29 FEB 16 LEVEL 03 PLAN



398 -406 ELIZABETH ST
EXISTING SINGLE STOREY WAREHOUSE
APPROVED 55 STOREY BUILDING

71 A'BECKETT ST
EXISTING 2 STOREY BUILDING

EXISTING 2 STOREY BUILDING

69 A'BECKETT STREET
EXISTING 2 STOREY BUILDING

47-49
EXISTING 3 STOREY BUILDINGS

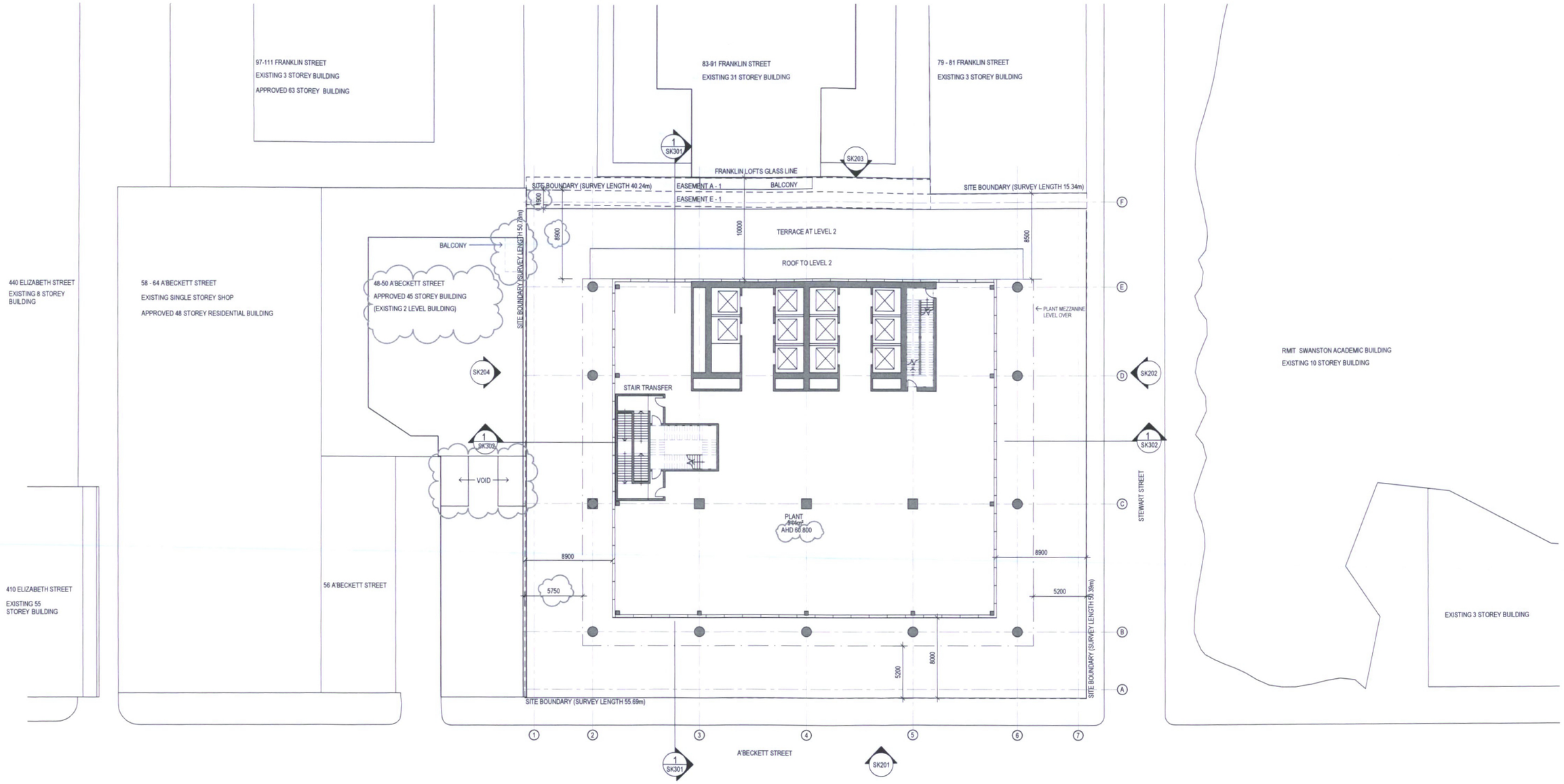
41-45
EXISTING 3 STOREY BUILDINGS

39

19-37 A'BECKETT ST
EXISTING 33 STOREY BUILDING

411-423 SWANSTON STREET
EXISTING 5 STOREY BUILDING

7502 SK109 REV P2 1:200 @ A1 0 2 4 6 10M 1:400 @ A3	DENTON CORKER MARSHALL	**A'BECKETT SQUARE + STEWART STREET** **RMIT UNIVERSITY**	**PLANNING** **26 FEB 16** **LEVEL 06 PLAN**



398 -406 ELIZABETH ST
EXISTING SINGLE STOREY WAREHOUSE
APPROVED 55 STOREY BUILDING

71 A'BECKETT ST
EXISTING 2 STOREY BUILDING

EXISTING 2 STOREY BUILDING

69 A'BECKETT STREET
EXISTING 2 STOREY BUILDING

47-49
EXISTING 3 STOREY BUILDINGS

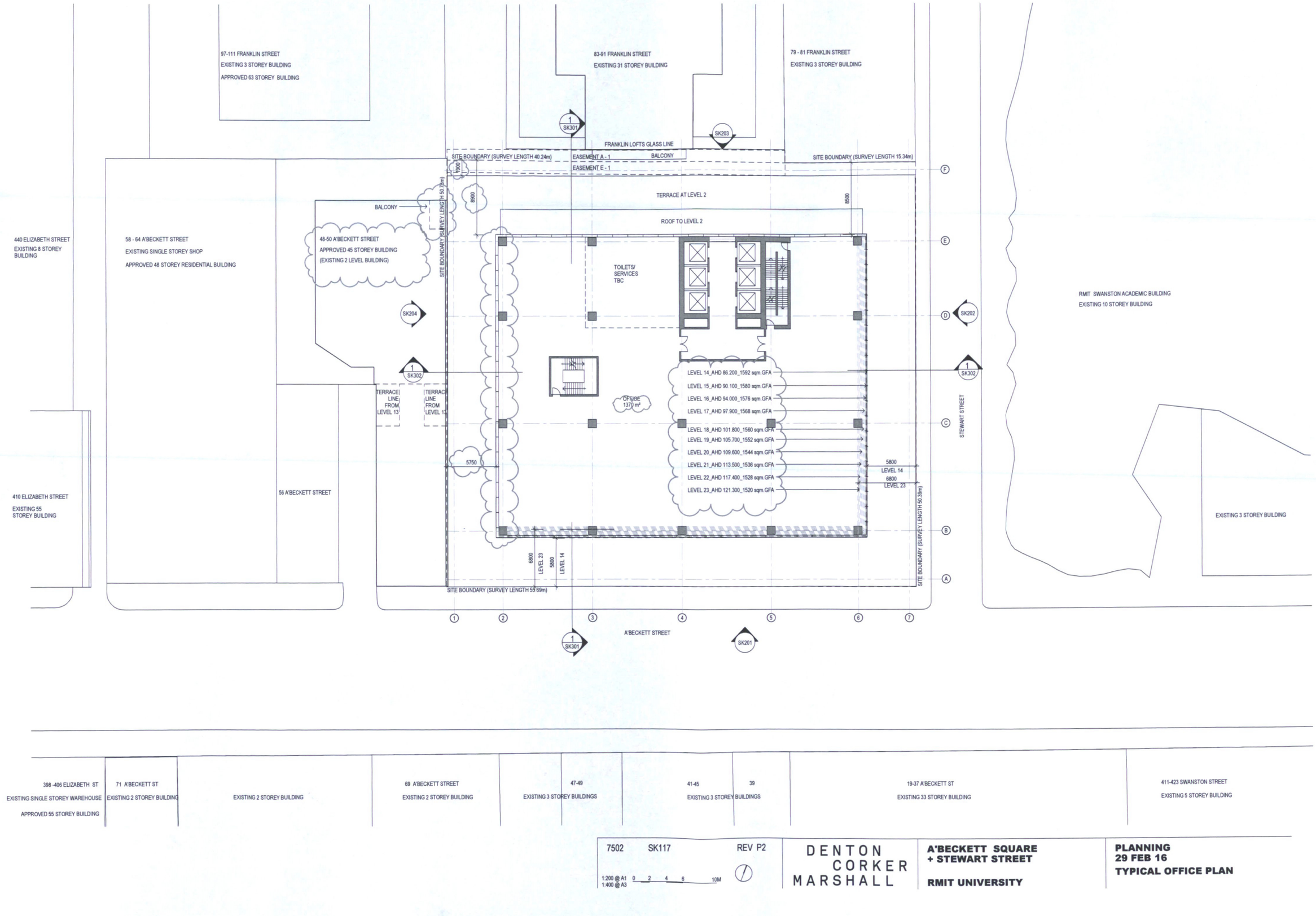
41-45
EXISTING 3 STOREY BUILDINGS

39

19-37 A'BECKETT ST
EXISTING 33 STOREY BUILDING

411-423 SWANSTON STREET
EXISTING 5 STOREY BUILDING

7502 SK112 REV P2 1:200 @ A1 0 2 4 6 10M 1:400 @ A3	DENTON CORKER MARSHALL	A'BECKETT SQUARE + STEWART STREET RMIT UNIVERSITY	PLANNING 29 FEB 16 LEVEL 09 PLAN (PLANT)



398 -406 ELIZABETH ST
EXISTING SINGLE STOREY WAREHOUSE
APPROVED 55 STOREY BUILDING

71 A'BECKETT ST
EXISTING 2 STOREY BUILDING

EXISTING 2 STOREY BUILDING

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47-49
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41-45
EXISTING 3 STOREY BUILDINGS

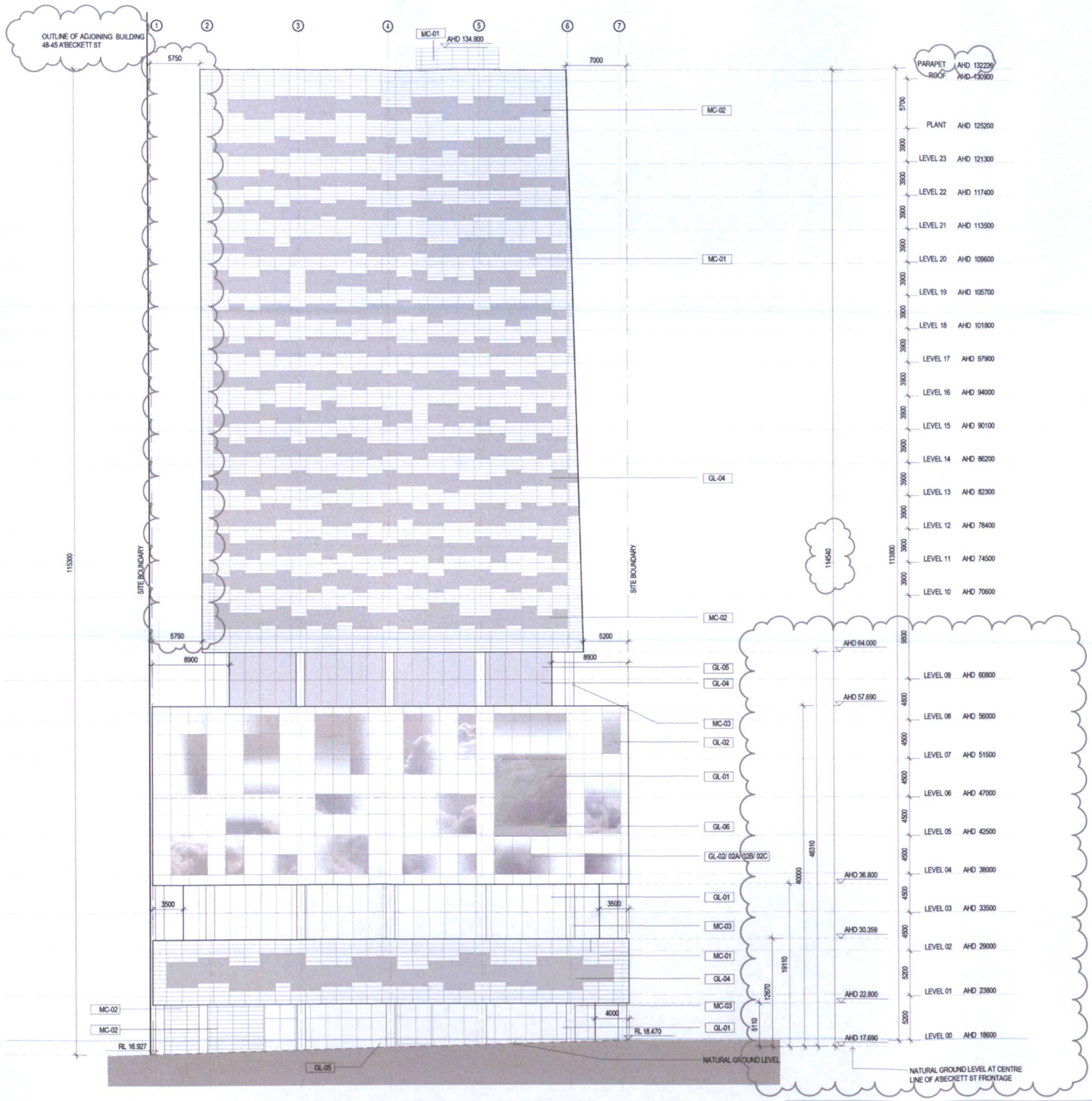
39

19-37 A'BECKETT ST
EXISTING 33 STOREY BUILDING

411-423 SWANSTON STREET
EXISTING 5 STOREY BUILDING

7502	SK117	REV P2	DENTON CORKER MARSHALL	**A'BECKETT SQUARE + STEWART STREET** **RMIT UNIVERSITY**	**PLANNING** **29 FEB 16** **TYPICAL OFFICE PLAN**

1:200 @ A1
1:400 @ A3
0 2 4 6 10M



MATERIALS LEGEND	
GL-01	SHOPFRONT GLAZING - CLEAR
GL-02| 02A| 02B| 02C	GLAZED CURTAIN WALL - CLEAR | CLEAR WITH GRADUATED WHITE FRIT COATING
GL-04	GLAZED CURTAIN WALL - SILVER
GL-05	GLAZED CURTAIN WALL - SPANDREL TO MATCH GL-04
GL-06	GLASS BALUSTRADE - CLEAR FRAMELESS
MC-01	METAL CLADDING - MID GREY
MC-02	METAL CLADDING - PERFORATED - MID GREY TO MATCH MC-01
MC-03	METAL CLADDING - SILVER
PC-01	PRECAST CONCRETE - TO MATCH ADJACENT METAL CLADDING
PC-02	PRECAST CONCRETE - TO MATCH ADJACENT WHITE FRIT COATED GLAZING

7502 SK201 REV P2

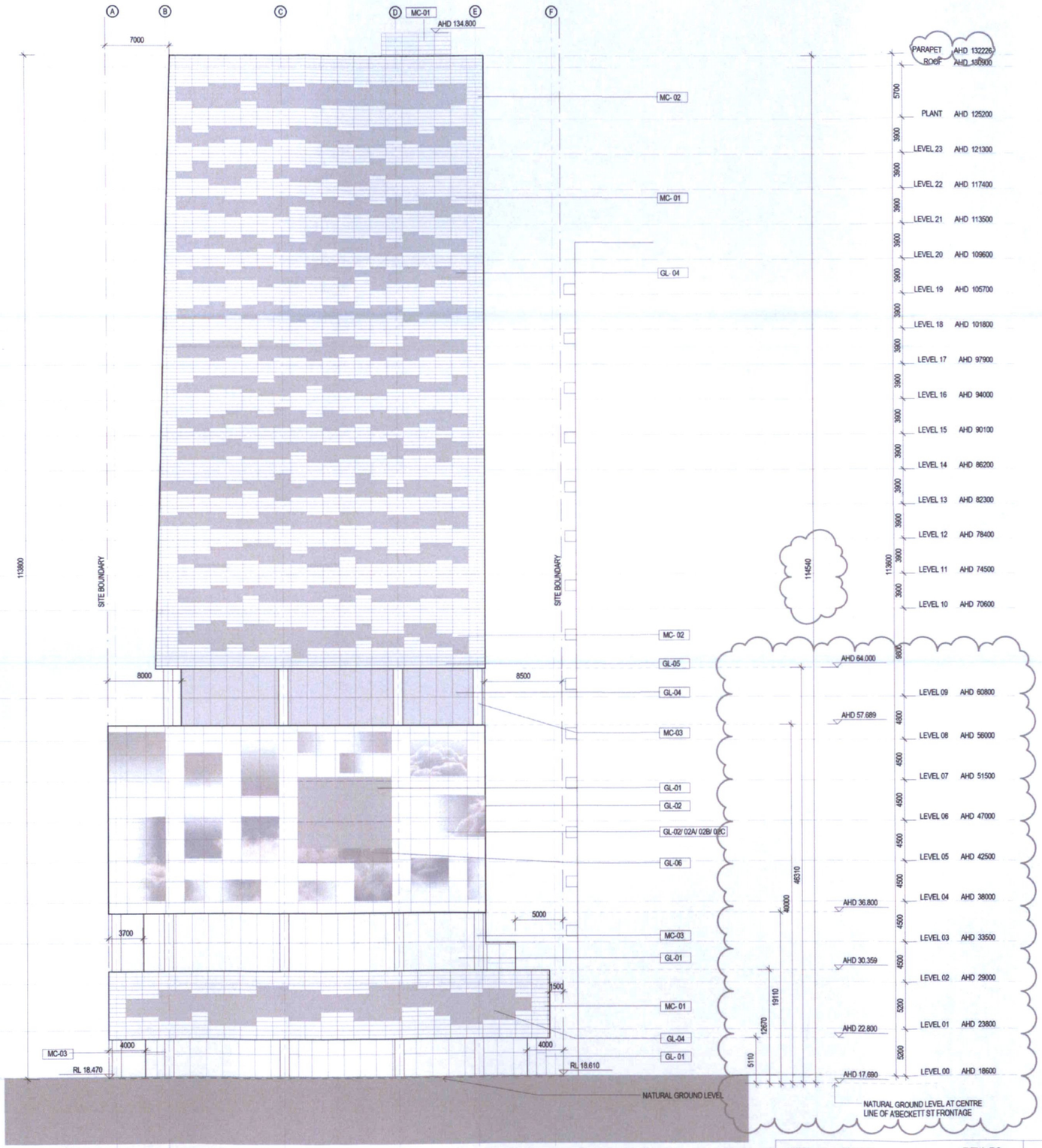
1:250 @ A1
1:500 @ A3
0 2.5 5 7.5 12.5M

DENTON CORKER MARSHALL

A'BECKETT SQUARE + STEWART STREET

RMIT UNIVERSITY

PLANNING
29 FEB 16
SOUTH ELEVATION



MATERIALS LEGEND	
GL-01	SHOPFRONT GLAZING - CLEAR
GL-02| 02A| 02B| 02C	GLAZED CURTAIN WALL - CLEAR | CLEAR WITH GRADUATED WHITE FRIT COATING
GL-04	GLAZED CURTAIN WALL - SILVER
GL-05	GLAZED CURTAIN WALL - SPANDREL TO MATCH GL-04
GL-06	GLASS BALUSTRADE - CLEAR FRAMELESS
MC-01	METAL CLADDING - MID GREY
MC-02	METAL CLADDING - PERFORATED - MID GREY TO MATCH MC-01
MC-03	METAL CLADDING - SILVER
PC-01	PRECAST CONCRETE - TO MATCH ADJACENT METAL CLADDING
PC-02	PRECAST CONCRETE - TO MATCH ADJACENT WHITE FRIT COATED GLAZING

7502 SK202 REV P2

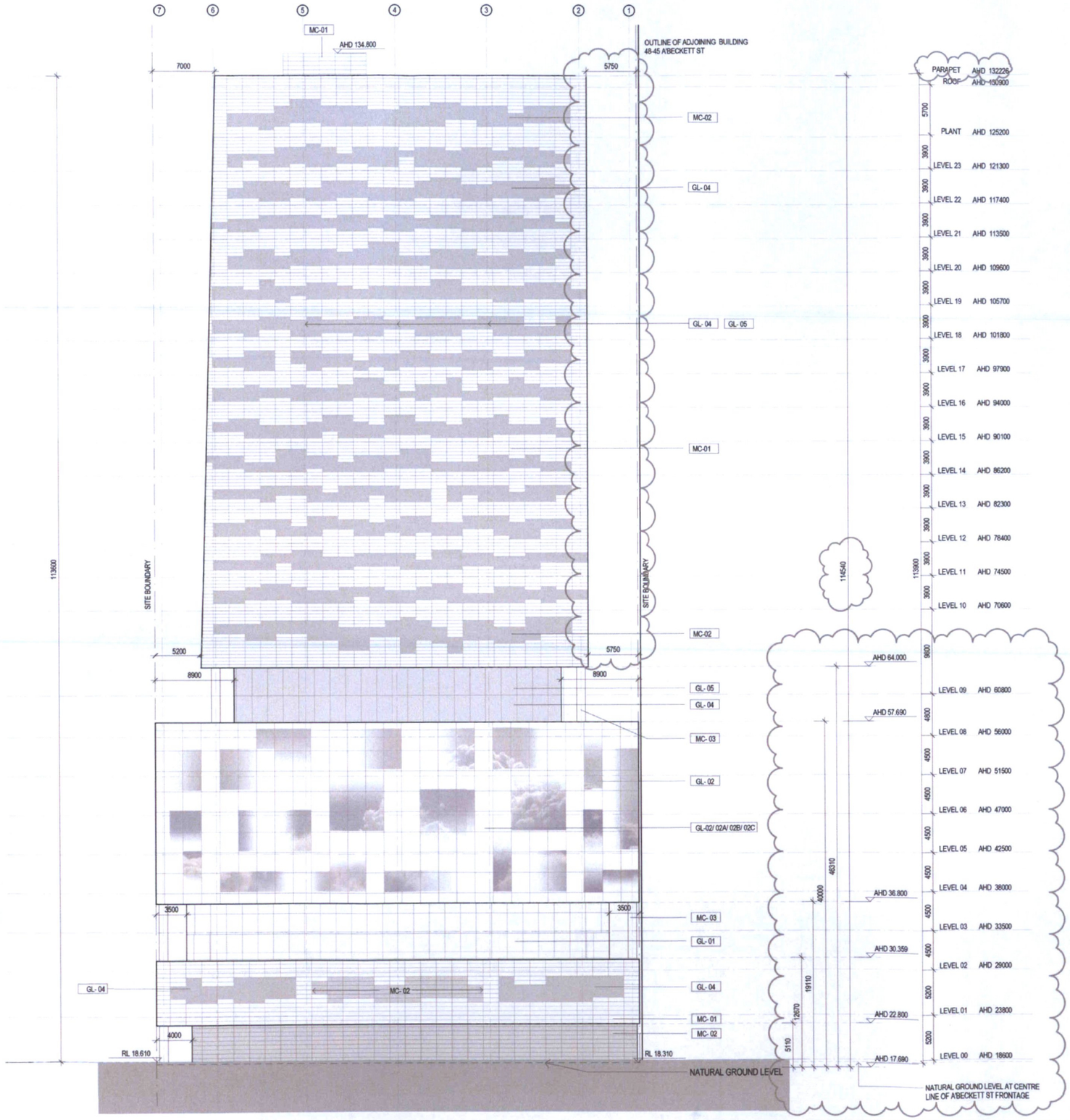
1:250 @ A1 0 2.5 5 7.5 12.5M
1:500 @ A3

DENTON CORKER MARSHALL

A'BECKETT SQUARE + STEWART STREET

RMIT UNIVERSITY

PLANNING
29 FEB 16
EAST ELEVATION



MATERIALS LEGEND	
GL-01	SHOPFRONT GLAZING - CLEAR
GL-02| 02A| 02B| 02C	GLAZED CURTAIN WALL - CLEAR | CLEAR WITH GRADUATED WHITE FRIT COATING
GL-04	GLAZED CURTAIN WALL - SILVER
GL-05	GLAZED CURTAIN WALL - SPANDREL TO MATCH GL-04
GL-06	GLASS BALUSTRADE - CLEAR FRAMELESS
MC-01	METAL CLADDING - MID GREY
MC-02	METAL CLADDING - PERFORATED - MID GREY TO MATCH MC-01
MC-03	METAL CLADDING - SILVER
PC-01	PRECAST CONCRETE - TO MATCH ADJACENT METAL CLADDING
PC-02	PRECAST CONCRETE - TO MATCH ADJACENT WHITE FRIT COATED GLAZING

7502 SK203 REV P2

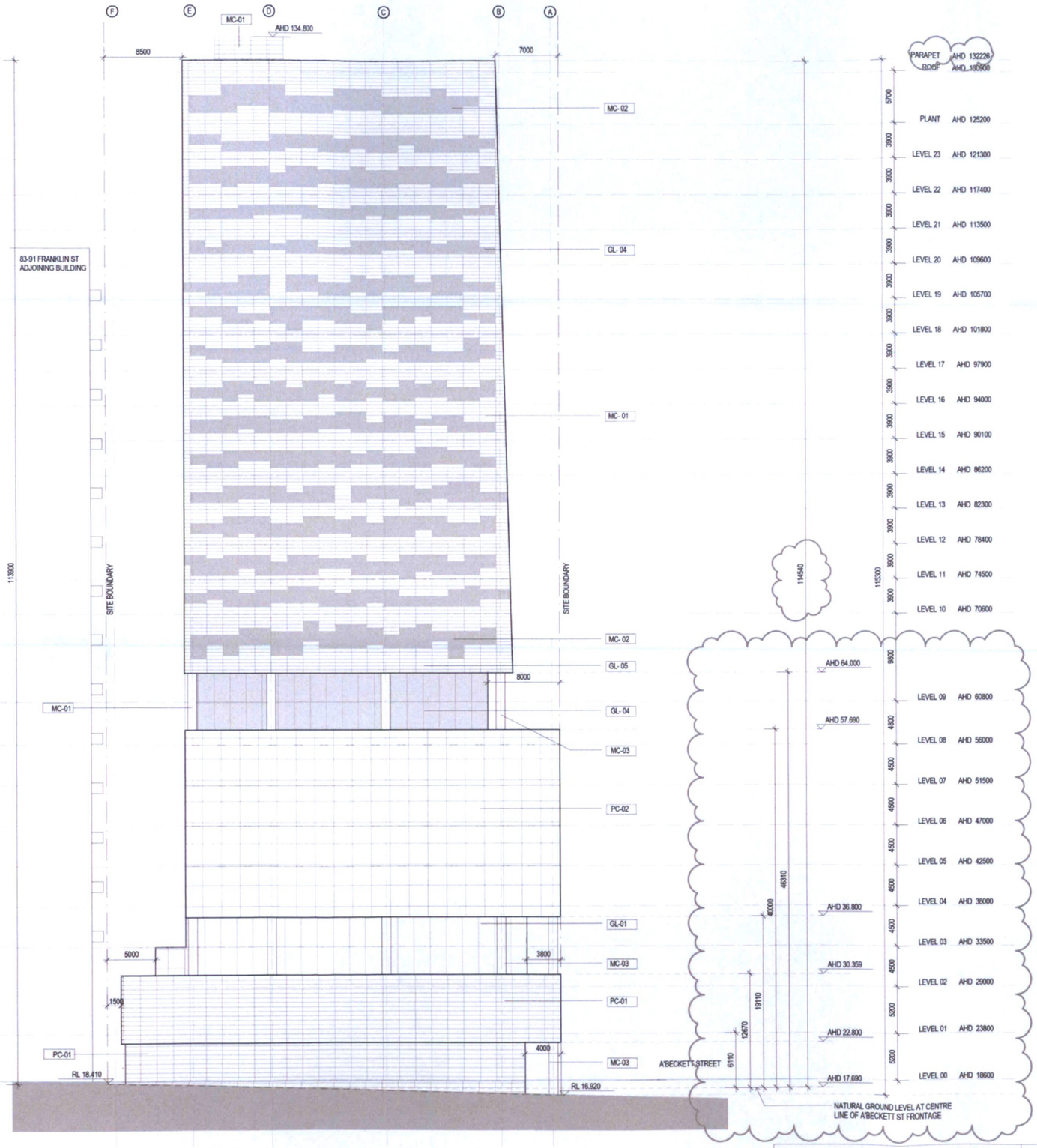
1:250 @ A1 0 2.5 5 7.5 12.5M
1:500 @ A3

DENTON CORKER MARSHALL

A'BECKETT SQUARE + STEWART STREET

RMIT UNIVERSITY

PLANNING
29 FEB 16
NORTH ELEVATION



MATERIALS LEGEND	
GL-01	SHOPFRONT GLAZING - CLEAR
GL-02| 02A| 02B| 02C	GLAZED CURTAIN WALL - CLEAR | CLEAR WITH GRADUATED WHITE FRIT COATING
GL-04	GLAZED CURTAIN WALL - SILVER
GL-05	GLAZED CURTAIN WALL - SPANDREL TO MATCH GL-04
GL-06	GLASS BALUSTRADE - CLEAR FRAMELESS
MC-01	METAL CLADDING - MID GREY
MC-02	METAL CLADDING - PERFORATED - MID GREY TO MATCH MC-01
MC-03	METAL CLADDING - SILVER
PC-01	PRECAST CONCRETE - TO MATCH ADJACENT METAL CLADDING
PC-02	PRECAST CONCRETE - TO MATCH ADJACENT WHITE FRIT COATED GLAZING

7502 SK204 REV P2

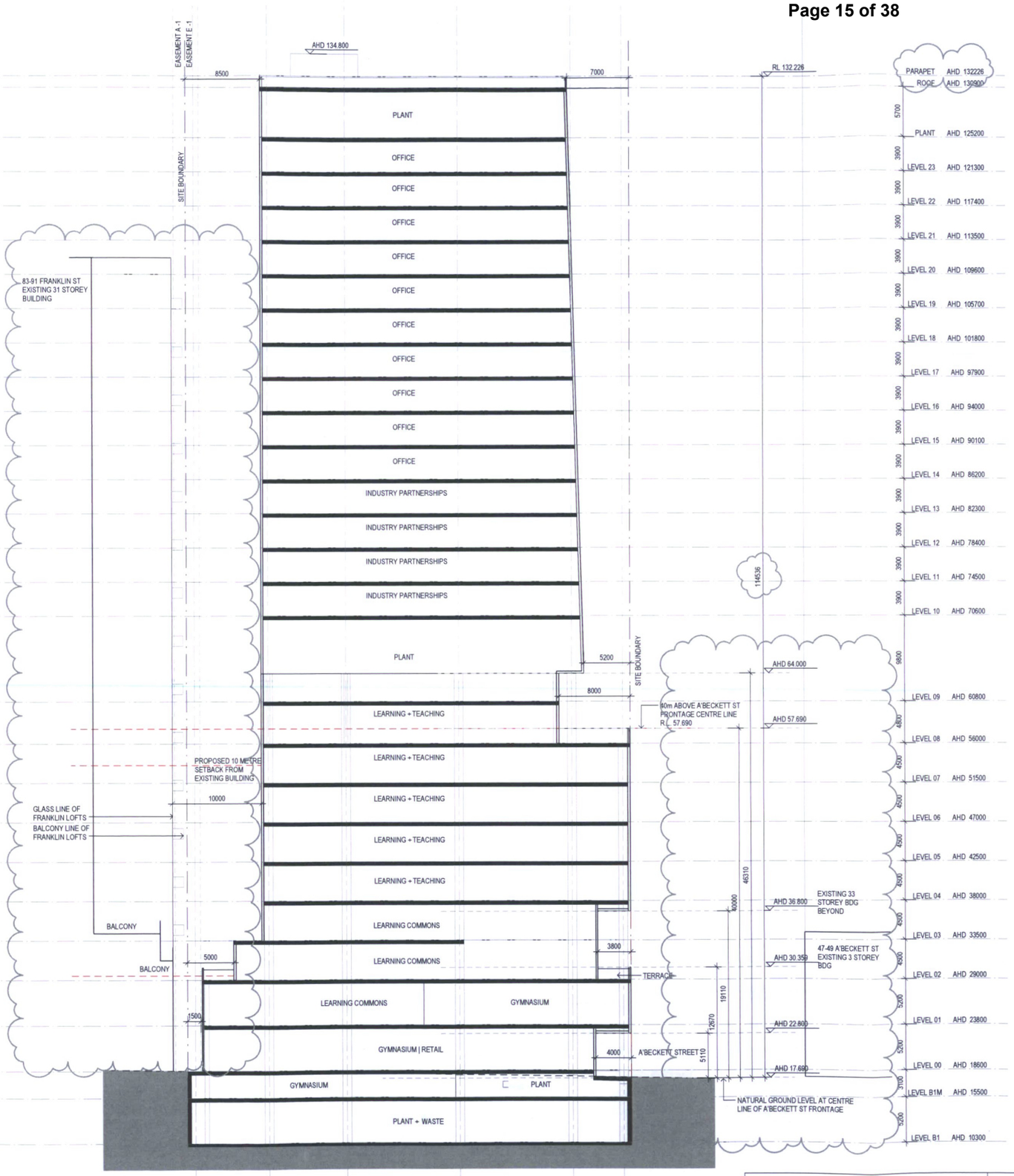
1:250 @ A1 0 2.5 5 7.5 12.5M
1:500 @ A3

DENTON CORKER MARSHALL

A'BECKETT SQUARE + STEWART STREET

RMIT UNIVERSITY

PLANNING
29 FEB 16
WEST ELEVATION



7502	SK301	REV P2	DENTON CORKER MARSHALL	A'BECKETT SQUARE + STEWART STREET RMIT UNIVERSITY	PLANNING 29 FEB 16 SECTION AA (NORTH-SOUTH)

1:250 @ A1 1:500 @ A3 — 0 2.5 5 7.5 12.5M

PLANNING REPORT

MINISTERIAL REFERRAL

Application number:	**TPM-2016-3**
DTPLI Application number:	PA1500059
Applicant / Owner / Architect:	SJB Planning Pty Ltd, RMIT University, Denton Corker Marshall
Address:	24-46 A'Beckett Street, MELBOURNE VIC 3000
Proposal:	Construction of a multi-storey mixed use building
Cost of works:	$137.4 million
Date received by City of Melbourne:	29 December 2015
Responsible officer:	Billy Rebakis
Report Date:	06 April 2016

1. SUBJECT SITE AND SURROUNDS

The subject site is located on the northern side of A'Beckett Street, Melbourne in between Stewart Street to the east of the site and Elizabeth further west of the site. The site is currently used as a temporary 'urban park', comprising basketball courts, BBQ facilities and seating area for RMIT staff and students, and the general public.

The subject site has a frontage to A'Beckett Street of 55.68 metres and a depth of 50.40 metres resulting in an overall area of approximately 2806 square metres. The site is a compilation of seven parcels of land and all certificates of title have been provided with the application. The site features a light and air easement across the northern boundary.

Vehicle crossings exist on the A'Beckett Street frontage and Stewart Street frontage. The Stewart Street crossover will be removed and the A'Beckett Street crossover relocated to allow access to the proposed basement.

Surrounding development within the immediate area has been undergoing significant change with a number of multi-storey developments approved and constructed in recent years. The adjoining properties include:

East

- 427-435 Swanston Street – RMIT University Swanston Academic Building (Building 80) comprising a ten (10) storey education building with limited boundary setbacks. The building is currently on the western edge of the campus, with RMIT Buildings 8 and 12 located further east, across Swanston Street.

North

- 79-81 Franklin Street – Currie & Richards Building consists of a three (3) storey heritage building with offices and residential properties. The rear of the

property, as it presents to the common boundary comprises a blank wall with a pitched roof profile.

- 83-91 Franklin Street – also known as 'Franklin Lofts' currently comprises an existing 30 storey building with a four (4) storey podium constructed to the Franklin Street frontage. The podium is set back from the common title boundary and above it the tower is further set back from the podium façade. Facing the subject land, the podium accommodates car parking and the tower residential apartments with balconies orientated over the subject land.
- 97-111 Franklin Street – currently comprises a three (3) storey brick commercial building. A sixty-three (63) level, 212m high residential building has been approved on the land.

West

- 48-50 A'Beckett Street – The site has planning approval allowing a 45 storey residential building known as 'Uni Tower'. The building will incorporate a 5.2 metre tower setback on the northern and western sides. The approved development will present a blank wall to the subject site with a light court/void in the centre of the frontage.
- 58-64 A'Beckett Street – planning approval allowing a 48 storey residential building known as 'Avant' with no tower setbacks.
- 410 Elizabeth Street – MY80 Apartments comprising 55 storey (175m) residential building with shops at ground level. The building does not comprise a podium or tower setbacks.

South

- 19-37 A'Beckett Street – A-Beckett Towers comprises an existing 33 storey residential building with ground floor retail. It is constructed to the front boundary and has a tower setback of approximately 2 metres from A'Beckett Street.
- 398-406 Elizabeth Street – Empire Melbourne is currently under construction for a 55 storey mixed use building.

Aerial Photo / Locality Plan

Figure One: City of Melbourne aerial photograph taken 15 September 2015

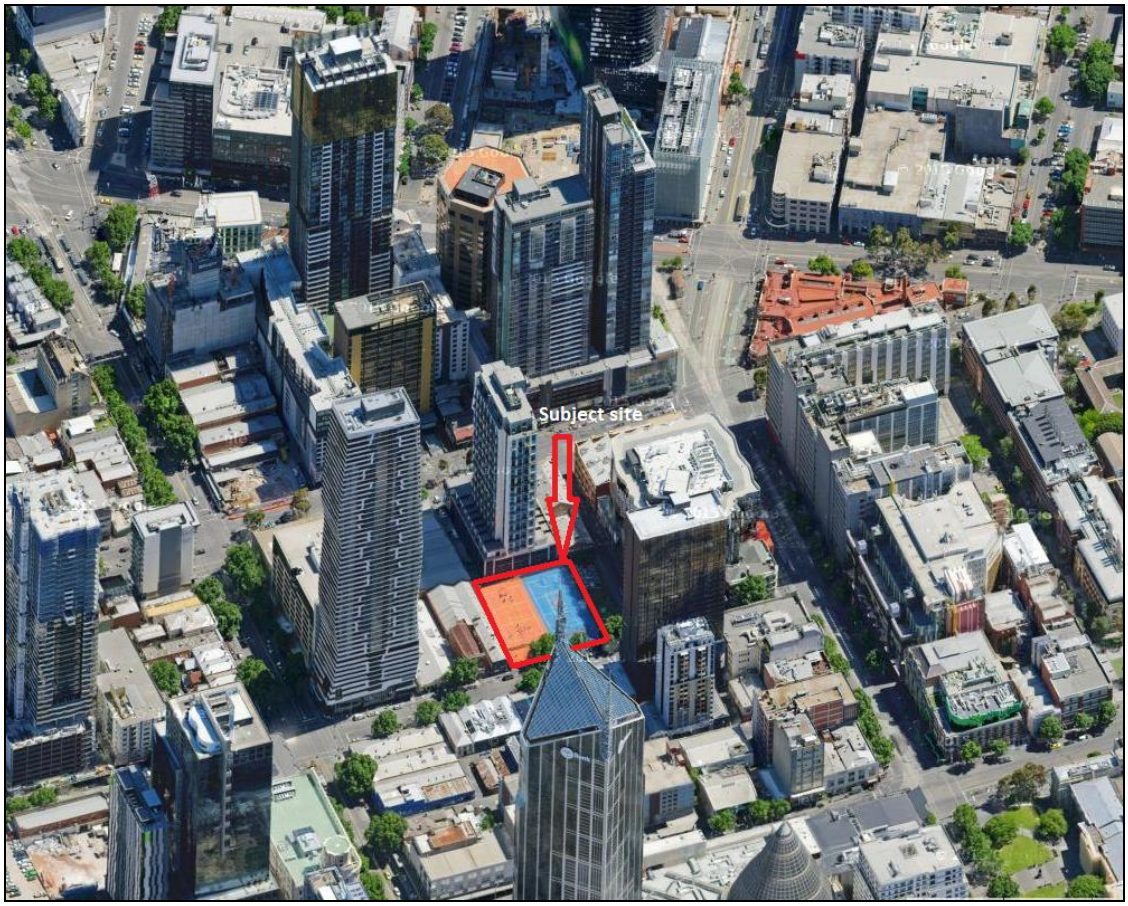


Figure Two: Oblique aerial view (Google Maps)

2. THE PROPOSAL

The plans referred to the City of Melbourne for comment were originally received on 29 December 2015. On 11 January 2016, DELWP sent a Request for Further Information to the applicant.

The applicant responded to this request on 22 March 2016 making some minor changes to the plans. This latest set of plans is referred to throughout this report unless otherwise noted.

The application, as detailed in the plans prepared by Denton Corker Marshall and submitted to the City of Melbourne on 22 March 2016 proposes the following uses:

Education facility **(including learning areas and industry partnerships)**	Level 1 – 13: 16,708sqm
Office	Level 13-23: 13,954sqm
Retail (ground level)	472sqm
Education Facility (gymnasium)	Basement 1 to Level 1: 1,995sqm

The specific details of the proposal are as follows:

Building height	115.2 metres – 24 levels
Podium height	40 metres – 9 levels
Front, side and rear setbacks above	North – 8.5m

podium	South – 5.4m East – 5.4m West – 5.75m
Gross floor area (GFA)	46,813sqm
Plot ratio	15:1
Car parking spaces	0
Bicycle facilities and spaces	206 bicycle parking spaces (192 at basement level and 14 at ground level) 15 showers and 120 lockers
Loading/unloading	Loading bay provided in the basement with a total area of 193.4sqm and a height clearance of 4 metres.
Vehicle access	Via a new crossover toward the western end of the site on A'Beckett Street

Figure three: 3D image of proposed tower as viewed from A'Beckett Street

Podium - The podium is built to the property boundary on all sides apart from the north. As seen in figure three, the podium has two elements; lower element with metal cladding and the upper element with a white material with voids throughout which act as break out areas and terraces.

Tower - The tower tapers along the western, southern and eastern edges to provide increasing setbacks with height.
A setback of 5.2 metres from the western, southern and eastern title boundaries are provided at the base of the tower and increases to 7 metres at the top of the tower. Along the northern boundary, the podium setback of 8.5 metres (10 metres to the

Franklin Lofts glass line) is maintained. The tower will be treated with a variety of metal cladding and glazing.

3. BACKGROUND

3.1. Pre-application discussions

Pre-application meetings were held between the applicant, Melbourne City Council Planning officers and Planning Officers of the Department of Environment, Land, Water and Planning.

Discussions at these meetings focussed around compliance with DDO10, tower separation and urban design principles.

3.2. Site history

Planning Permit TP-2013-905 was issued on 20 December 2013. This permit allowed buildings and works associated with the use of the land for informal outdoor recreation and associated advertising signage.

Prior to the construction of the temporary urban park the site was vacant and fully paved with a bitumen and concrete surface. Aerial photographs show the site has previously been used as an at grade car park for a number of years prior to this.

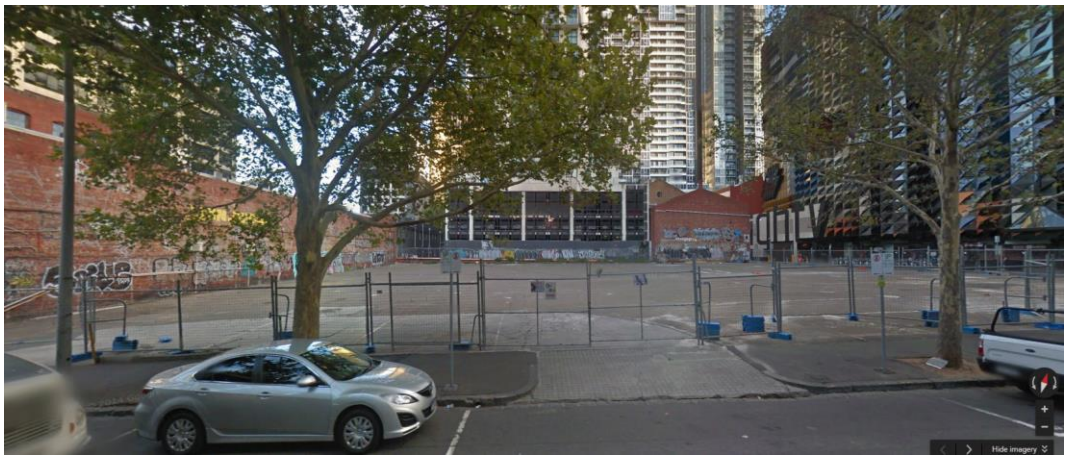


Figure Four: Subject site – March 2014 – source: Google Street view

Figure Five: Subject site – November 2014 – source: Google Street view

4. PLANNING SCHEME PROVISIONS

The following provisions of the Melbourne Planning Scheme apply:

State Planning Policies	• Clause 9, Plan Melbourne

	• Clause 11, Settlement • Clause 15.01-1, Urban design • Clause 15.01-2, Urban design principles • Clause 15.02, Sustainable development • Clause 15.02-1, Energy and resource efficiency • Clause 17.01-1, Business • Clause 18.02-1, Sustainable personal transport • Clause 18.02-2, Cycling • Clause 18.02-5, Car parking •
Municipal Strategic Statement	• Clause 21.02, Municipal Profile • Clause 21.03, Vision • Clause 21.04, Settlement • Clause 21.05, City Structure and Built Form • Clause 21.06, Built Environment and Heritage • Clause 21.08, Economic Development • Clause 21.12, Hoddle Grid
Local Planning Policies	• Clause 22.01, Urban Design within the Capital City Zone • Clause 22.02, Sunlight to Public Spaces • Clause 22.19, Energy, Water and Waste Efficiency • Clause 22.20, CBD Lanes • Clause 22.23, Stormwater Management (Water Sensitive Urban Design)

Statutory Controls	
Clause 37.04 Capital City Zone Schedule 1 (Outside the Retail Core)	Pursuant to Clause 37.04-1 and Section 1.0 of the Schedule, a planning permit is not required to use the land for the purposes of an Education Centre and an office.A permit is not required for the proposed uses of the land. Pursuant to Clause 37.04-4 and Section 3.0 of the Schedule, a permit is required to construct a building or construct or carry out works.
Clause 45.09 Parking Overlay	Clause 45.09 operates in conjunction with Clause 52.06. Pursuant to Clause 45.09-4, a schedule to this overlay may specify 'maximum and minimum car parking requirements for any use of land'.

Schedule 1 (Capital City Zone outside the Retail Core)	Section 2.0, Permit requirements, of Schedule 1 states that: 'A permit is required to provide car parking spaces in excess of the car parking rates in Clause 3.0 of this schedule.' As no car spaces are proposed under this application, the relevant maximum number is not exceeded and a permit is not required pursuant to Clause 45.09 of the planning scheme and associated Schedule 1.
Clause 43.02 Design and Development Overlay Schedule 10	Pursuant to Clause 43.02-2 a planning permit is required to construct a building or carry out works unless exempted by the relevant schedule. A planning permit cannot be granted for buildings and works which exceed the requirements specified in Table 1 to DDO10, with the exception of architectural features, building services and landscaping, amongst other things. A planning permit also cannot be granted for buildings or works which exceed the site plot ratio specified in Table 2 to DDO10 unless it can be demonstrated that the buildings and works will achieve the Design Objectives and Built Form Outcomes of the schedule.

Particular Provisions	
Clause 52.06 Car Parking	No car parking is proposed as a part of this development and as such a permit is not required pursuant to Clause 52.06 or PO1
Clause 52.07 Loading and unloading of vehicles	The proposal has a statutory requirement to provide loading for the proposed retail tenancy. The Scheme requires the provision of a loading bay that is 2.74 square metres for areas less than 2,600 square metres with a 4 metre head clearance. The proposal includes a loading bay in the basement which covers an area of 193.4 square metres and has a height clearance of 4 metres, which exceeds the loading bay requirements. The loading bay is accessible from A'Beckett Street.
Clause 52.34 Bicycle Facilities	Pursuant to Clause 52.34-2, a permit is required to reduce or waive any requirement of Clause 52.34-3 and 52.34-4. The proposed development has a statutory requirement for a total of 165 spaces (57 bicycle spaces for employees, 93 spaces for students and 15 spaces for visitors). The development will provide a total of 206 bicycle parking spaces, which exceeds the statutory requirement. 192 spaces of the total will be provided within the basement bicycle store and 14 will be provided at ground level.
Clause 52.36 Integrated Public Transport Planning	An application for an education centre must be referred to PTV for comment. DELWP is responsible for this referral requirement.

General Provisions	
Clause 61.01 – Administration and enforcement of this scheme	The Minister for Planning is the responsible authority for this planning permit application as the total floor area of the development exceeds 25,000 square metres

Clause 65 Decision Guidelines	Before deciding on an application or approval of a plan, the responsible authority must consider the decision guidelines of Clause 65.

5. PUBLIC NOTIFICATION

Pursuant to Clause 7.0 of Schedule 1 of Clause 37.04, the application has been referred to the City of Melbourne as a recommending referral authority as the gross floor area of the development exceeds 25,000sqm.

Pursuant to Clause 37.04, and 43.01, this application is exempt from the notice requirements of Section 52 (1) (a), (b) and (d), the decision requirements of Section 64 (1), (2) and (3) and the review rights of Section 82 (1) of the Act.

6. REFERRALS

The application, as originally submitted, was referred to the following internal departments of Melbourne City Council and the following comments were provided:

6.1. Urban Design

Issues

1. Sufficiency of Documentation:

We have not received an urban context report, nor a street elevation or perspective showing how the development would relate to the proposed future streetscape (including approved developments to the west). Detailed elevations and perspectives of the lower levels are warranted.

2. Existing Assets:

The existing temporary park is an exemplary facility; we recommend that it be retained as long as possible and that its nature and use be thoroughly recorded prior to demolition.

3. Building Height & Setbacks

The proposal is a 115m tall tapered tower set back 8.5m or 8.6m from the rear boundary and 5.2m to 7m from all other boundaries above a 40m podium.

DDO10 interim controls apply. It is our understanding that DDO10 requires the whole of the tower to be set back at least 5.76m from the west boundary. From an urban design perspective, it would be beneficial to increase this side setback by at least 0.56m, retaining its rake. (We would not recommend reshaping the tower simply to "tick this box" without increasing the average side setback.) The podium appears to exceed the 40m maximum by about 600mm, and we do not consider the balustrade to be an Architectural Feature. This is not an urban design problem, but appears to be a technicality which needs to be addressed. (It is preferable that the balustrade remains integrated with the podium rather than becoming an architectural feature.)

The proposal otherwise appears to be consistent with DDO10, including its plot ratio of 15:1.

4. Building Design

The design is broadly supported. The terraces recessed into the podium are of particular value.

The plan notes a roller door to the vehicle ramp; this should be something more attractive than a standard roller door, and the cyclist door should be as convenient as possible.

To fully assess the design, more detailed elevations and perspectives of the lower levels are needed, along with details of finishes. These will need to demonstrate that the silver glass (GL4) is not unduly reflective. Soffit treatments will be important.

5. Public Space

We note the benefit of colonnades providing pedestrian shelter along each street boundary; however, consideration needs to be given to how sight-impaired people would navigate along each street boundary, given the proposed ground-level setbacks. We recommend that the depth of the recess at the top of the vehicular ramps be no greater than 2/3 of its width.

It would be desirable, in liaison with adjoining landowners, to provide a north-south through-block pedestrian link at or near the west boundary of the site. This could pass through the building if lobby areas are publicly accessible for extended hours.

We support the location of the substation in the basement. Other plant areas currently proposed at ground floor level should be relocated to other levels wherever possible.

Conclusion

In summary, this proposal is supported, subject to the above comments.

6.2. Land Survey

Land Survey have reviewed the documents for the above application and have no objection to the proposal provided a condition is placed on the permit for the land to be consolidated prior to the commencement of works.

The proposed works as shown on the plans do not affect the easement along the northern boundary and so no extra information is needed for this.

6.3. Waste Management

I have reviewed the WMP (DM#9624560) submitted by the above development by Leigh Design dated 9 Dec 2015 and found it to be acceptable.

Condition:

The waste storage and collection arrangements must be in accordance with the Waste Management Plan (WMP) prepared by Leigh Design dated 9 December 2015. The submitted WMP must not be modified or altered without prior consent of the City of Melbourne – Engineering Services.

6.4. Civil Design

No comment aside from standard conditions which will be added to the recommendation.

6.5. Traffic Engineering

Proposal

The site is located at the north-west corner of the intersection of A'Beckett and Stewart Streets. RMIT University, the owners of the land is planning to build a 24 storey building which would be used as part of its education centre on the site.

The new building would also feature a gym, retail outlets and offices. There are provisions for a loading dock, 206 bicycle storage spaces but no off street car park.

Car Parking Assessment
The Melbourne Planning Scheme does not require the provision of any parking spaces and given no off street parking is being provided; Engineering Services offers no objection to the lack of parking for this new building.

Engineering Services still requires a note in the planning permit that the existing parking resections will not be amended to cater for future parking needs of the education centre.

Bicycle Parking
The Melbourne Planning scheme states a requirement of 165 bicycle storage spaces, the building will provide 206 bicycle spaces (192 spaces in the basement and 14 spaces on the ground level within the property line). While Engineering Services is satisfied that the minimum number of bicycle storage spaces will be provided, Engineering Services recommends more bicycle spaces be provided to cater for the growing popularity of students / office workers cycling as a means of transport.

It should also be noted in the planning permit that Engineering Services will not install bicycle hoops on the footpath for future bicycle parking needs of the education centre.

Loading
The total retail space is less than the 2600m2 minimum requirement to trigger the need for a loading dock. The proposed building will have a loading dock in the basement which also serves as access to the waste storage area.

Swept path analysis provided by Cardno shows an 8.8m long service is able to drive along the ramp into the basement loading dock.

It is noted on the plans that a short section of the ramp will have a width of 4.6m. More information is required on how that section of the ramp will be managed to prevent potential conflicts.

The plans also indicate a possible connection between the proposed building and the existing RMIT building across the street in Stewart Street. Should there be a bridge linking the two buildings, a minimum of 5 metre height clearance must be maintained.

6.6. Urban Sustainability

Urban Sustainability have some concerns for the street trees on A'Beckett which can be alleviated via permit conditions.

7. ASSESSMENT

The key issues in the consideration of this application are built form including DDO10 compliance, Urban Design, wind impacts and ESD.

7.1. Built Form

7.1.1 DDO10 requirements

Built form	Requirement	Design Response	Compliance
Podium Height	Up to 40 metres	The maximum height of the podium is 40m which is measured	Yes

Built form	Requirement	Design Response	Compliance
		at the top of the balustrade.	
Street Setbacks	Above the podium height, towers are setback a minimum of 5 metres to the street.	The tower form is setback 5.2m from A'Beckett Street to the south and 5.2m from Stewart Street to the east.	Yes
Tower setbacks to all boundaries excluding streets	**Buildings in excess of 100 metres in height** A minimum tower setback from all boundaries and from the centre of the laneway above the podium height of 5% of the overall building height (115.2 x 5%) = 5.76m	The tower, where no part of the existing building structure, is set back by: - 8.9m from the north property boundary; - 5.75m metres from the east property boundary; and	Yes
Site Plot Ratio	24:1	15:1	Yes

As show in the table above, the proposal meets the mandatory requirements of DDO10. Overall, the built form outcomes listed in Table 1 to Schedule 10 of the DDO are met including; the podium has a human scale and respects adjoining buildings, tower setbacks are appropriate so as to achieve good sun penetration and do not appear as a continuous wall of towers. Existing and proposed apartments on adjoining lots have their amenity protected by these tower setbacks.

7.2.1 Height

The height at 24 levels (116 metres) is in keeping with the emerging built form of the area, noting there are a number of approvals with built form well above this height. To the north west, 97-111 Franklin Street has an approval at 212m high. 89-91 Franklin Street to the immediate north is 31 storeys in height. The site immediately to the west at 48-50 A'Beckett has an approval at 45 storeys in height and an application to increase this by 9 levels while the site further to the west at 58-64 A'Beckett Street has an approval for a 48 storey building.

As such, the proposed development will be modest in height compared with the recent approvals on all sides, which were approved prior to Amendment C262 and would be prohibited under the current controls in DDO10.

7.3.1 Setbacks

North

The proposal is setback 6.8m from the Franklin Loft (83-91 Franklin Street) building glass line at level 2 and 10m above level 10. This site has south facing balconies on the boundary which will benefit from 10m tower separation to the subject site.

The site at 79-81 Franklin Street is not considered developable in a typical tower and podium form using the current planning controls. The site is also covered by the Victorian Heritage Register and contains an A graded building which would not be allowed to be substantially demolished.

South

The building fronts A'Beckett Street to the south. The podium is built to the boundary up to 40m while the tower is setback 5.2m off the podium. This complies with the requirements of DDO10 and respects the existing built form in the immediate area.

East

The podium is built to the eastern side boundary which creates an effective building separation of 13.2m (10m for Stewart Street and 3.2m minimum building setback) for the 40m podium height. The RMIT Building 80 is 45.5m high thus is only 5.5m higher than the subject sites' podium. Above podium level, the proposal is setback an additional 5.2m off Stewart Street. This is considered appropriate as there will be a noticeable appreciation of the tower form from the east as the majority of the tower will be seen due to the low maximum building height of the RMIT Building.

West

The building at 48-50 A'Beckett Street has an existing approval where there is a boundary wall extending the majority of the height of the building. The wall in solid to level 2 and between levels 2 and 12 there is a light court of 2.65m depth x 5m width. From levels 12 to 42, there is no light court but the boundary wall is limited to the tower element of the site, which is to the northern side.

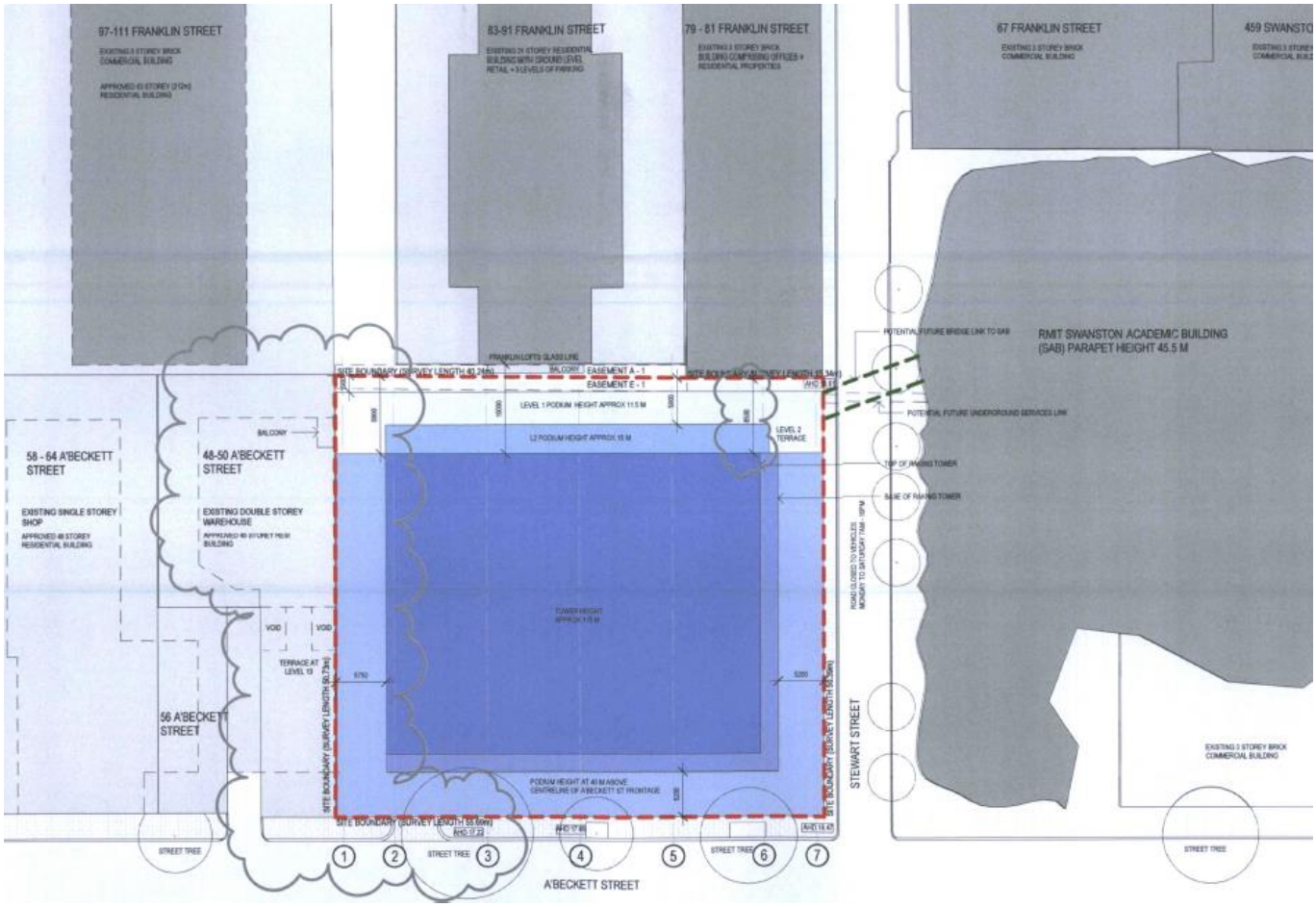


Figure Six: Plan showing proposed setbacks and existing/approved built form on adjoining sites.

7.2. Urban Design

Clause 22.01 – Urban Design within the Capital City Zone includes policies that are relevant to the assessment of this proposal as follows:

Building Design

The development is built to the street edge and maintains a continuous building façade at the lower levels which reinforces its corner location to A'Beckett Street and Stewart Street.

The proposed building comprises two components; a podium component with a street wall height of 40 metres and a tower component above. The setbacks to the tower component, consisting of 5 metres to the eastern, western and southern boundaries; and a more significant setback of 10 metres to the northern boundary help define the lower levels in a podium style treatment.

The building provides activated facades to A'Beckett Street and Stewart Street, especially at ground level. The ground level treatment which provides for the retail to be inset 4m from the boundary on the southern and eastern frontages provides weather protection and good articulation.

Facades

The proposed façade treatments comprise a variety of materials, colours and finishes. The facades are articulated through variation to building alignment, the recessing of terrace facades, the use of glazing and the siting of active uses along the A'Beckett Street and Stewart Street edges.

The voids/ external outdoor terraces together with the variation in setbacks and variation in material composition create a degree of articulation to all facades and serve to break up the built form.

An active street frontage is proposed at ground floor level to both A'Beckett Street and Stewart Street. Ground level glazing and clearly defined building entries designed with weather protection ensures ongoing activation with the street and a strong sense of address.

The amenity of the public realm will be enhanced with the activation of the street frontage will the retail element and sections of the learning commons area designed to interact with and overlook the surrounding street and laneway network, providing opportunity for passive surveillance.

Council's Urban Design team broadly support the architectural treatment of the building and have stated that the terraces recessed into the podium are of particular value.

Overall, it is considered that the siting, modulation and architectural expression will create a highly stylised building in a prominent location. The proposal complies with the various provisions of Clause 22.01.

7.3. Shadows

Clause 22.02 Sunlight to Public Spaces includes policies that seek to protect the level of sunlight to public spaces during times of the year when the intensity of use is at its highest. Importantly, the policy includes a specific requirement not to cast additional shadows on the State Library forecourt between 11am and 2pm from 22 March to 22 September. Clause 37.04-7.0 also states it would be prohibited to shadow this space.

Shadow diagrams prepared by the applicant show the proposal will not overshadow the State Library forecourt between 11am to 2pm in the Winter months. As such, the proposal in its current form complies with Clause 22.02 and 37.4-7.0.

7.4. Traffic considerations

Council's traffic engineers are generally supportable of the proposal subject to a number of minor revisions. The loading bay dimensions are acceptable and zero car parking is supported in the area.

The site has excellent access to public transport, especially trams and trains being located in the central city. It is submitted that the majority of staff and students will utilise this form of transport to travel to and from the site. The Green Travel Plan prepared by Cardo Engineering reiterates these comments.

7.4.1 Bicycle Parking

The proposal provides for a total of 206 bicycle parking spaces, which is in excess of the 165 required by Clause 52.34. The proposal also provides showers, change rooms and lockers in accordance with the rates required by Clause 52.34. This rate is considered to be acceptable and will encourage the bicycle to be used for a mode of transport for the development.

Component	Area/No	Requirement	
		Rate	Total
Office	13,740 m²	1 space per 300m² for employees 1 space per 1000m² for visitors	49 14
Education Facility	112 staff 1,869 students	1 space per 20 employees 1 space per 20 full-time students	6 93
Retail	472 m²	1 space per 300m² for employees 1 space per 500m² for visitors	2 1
Total - Employees - Students - Visitors			**57 spaces 93 spaces 15 spaces**

Clause 52.34 (Bicycle parking) requirements

7.5. Wind Impacts

An environmental wind assessment has been undertaken by MEL Consultants dated December 2015 which found that the proposed development achieves:

- The criterion for walking comfort for all wind directions along A'Beckett Street. It achieves the short term stationary activities criteria with many directions achieving the long term stationary criteria.

- The criterion for walking comfort for all wind directions along Stewart Street, with the majority wind directions achieving the short term stationary criterion. The short term stationary criterion for all wind directions at both the A'Beckett Street and Stewart Street entrances of the proposed development.

Clause 37.04-7.0, states that "All other areas (outside DDO1) should be designed to be generally acceptable for short term wind exposure". The results of the wind test, as shown in figure seven below, comply with this provision as the majority of wind directions achieve short term stationary criterion (yellow colour) while many achieve long term stationary criteria (green colour).

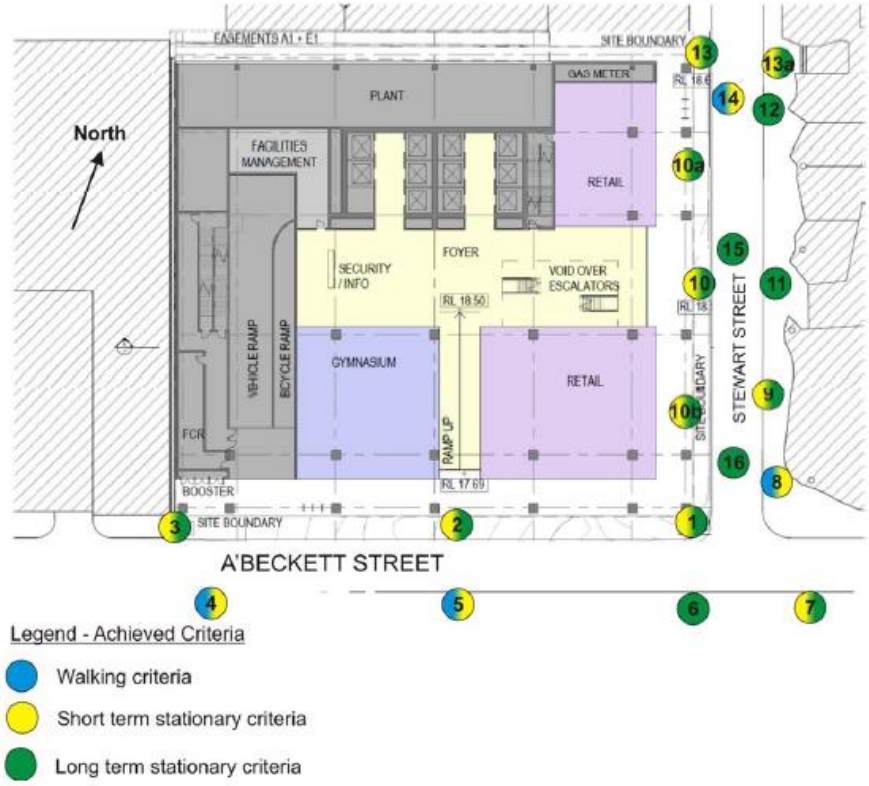


Figure Seven: Summary of ground level wind condions as described by the Mel Consultants report.

8. Environmentally Sustainable Design

A Sustainable Design Statement has been prepared by Umow Lai and submitted as part of the application. This report addresses Clause 22.19 of the Melbourne Planning Scheme relating to Energy, Water and Waste Efficiency.

Broadly, the development incorporates a range of sustainable design initiatives including building energy management; water management; sustainable transport; materials and waste management. Overall, the development attains a 5 Star Green Star level under the current Green Star Design and As Built 2014 tool.
The development has the following targets:

- A minimum 5 Star Green Star Design and As Built 2014 Certified rating;
- Design to achieve 5 star NABERS Energy for the Office component;
- A reduction in greenhouse gas emissions of greater than 35%, equating to greater than 5 points for Ene-1 under the GBCA's Design and As Built 2014 rating tool;
- A reduction in water consumption for the development with greater than 3 points for Wat-1 under the GBCA's Design and As Built 2014 rating tool;
- A reduction in the generation of waste that is sent to landfill;
- A Waste Management Plan has been prepared in accordance with the City of Melbourne's Guidelines for Waste Management Plans.

9. Stormwater Management (Water Sensitive Urban Design)

Clause 22.23-4 outlines a number of policies in regards to Water Sensitive Urban Design (WSUD).

Broadly, the enclosed WSUD response demonstrates that the proposal complies with Clause 22.23-4 of the Melbourne Planning Scheme. Briefly the response:
• Shows the harvesting and re-use measures and demonstrates that the water will be captured and filtered by a SPEL Hydrosystem 1500
• It includes a MUSIC rating and calculation;
• The project design will include measures to mitigate the impact of litter, sediments and pollution entering stormwater systems during construction.

10. Noise Impacts

A noise impact assessment has been prepared by Renzo Tonin & Associates dated 8 December 2015. This report states that the noisiest items of plant associated with the development will be chillers and cooling towers.

Upgrading the walls of chiller rooms can control noise from chillers. Attenuation shall be designed for plant such that the total resultant noise level from all equipment complies with SEPP N-1 at all times. This is deemed as appropriate to protect the amenity of existing and new residences in adjoining sites.

10.1. Conclusion

Overall, the proposal complies with the various provisions of the Melbourne Planning Scheme and importantly complies with the mandatory built form requirements of DDO10.

The proposal will add a carefully designed and highly articulated building to RMIT's existing building stock, further enhancing Melbourne's reputation as a 'Knowledge City'.

11. OFFICER RECOMMENDATION

That a letter be sent to DELWP advising that the City of Melbourne offers in principle support for the proposal subject to the following conditions:

1. Prior to the commencement of the development on the land, two copies of plans, drawn to scale must be submitted to the Responsible Authority generally in accordance with the plans received on 22 March 2016 but amended to show:

    a) Detailed elevations and perspectives of the lower levels with details of all materials and finishes
    b) Roller door to the vehicle ramp to be redesigned with a visually attractive form.
    c) Redesign plant room to achieve compliance with SEPP N-1 as discussed in Renzo Tonin & Associates report dated 8 December 2015

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

Traffic

2. Prior to the commencement of the development, a revised traffic report must be submitted to Melbourne City Council showing how the 4.6m wide ramp will be managed to prevent potential traffic conflicts.

Schedule of Materials

3. Prior to the commencement of the development a schedule and samples of all external materials, colours and finishes including a colour rendered and notated plans and elevations must be submitted to, and approved by the Responsible Authority. The schedule and samples must demonstrate that the silver glass (GL4) is a material type that does not reflect more than 15% of visible light, when measured at an angle of 90 degrees to the surface, to the satisfaction of the Responsible Authority

Titles Consolidation

4. Prior to the commencement of the development, the land titles must be consolidated, to the satisfaction of the Responsible Authority.

Construction Management Plan

5. Prior to the commencement of the development a detailed construction and demolition management plan must be submitted to and be approved by Melbourne City Council - Construction Management Group. This construction management plan must be prepared in accordance with the Melbourne City Council - Construction Management Plan Guidelines and is to consider the following:
    a) public safety, amenity and site security.
    b) operating hours, noise and vibration controls.
    c) air and dust management.
    d) stormwater and sediment control.
    e) waste and materials reuse.
    f) traffic management.
    g) street trees

Archaeology

6. The subject site is identified in Heritage Victoria's Heritage Inventory as having archaeological potential. If an archaeological site is uncovered in the course of a building project it is an offence under the *Heritage Act 1995* to knowingly disturb, damage or excavate without obtaining the consent of the Executive Director of Heritage Victoria. The applicant is therefore advised to

contact Heritage Victoria prior to the commencement of any demolition, excavation or works on the site.

Tree Protection

7. The trees on A'Beckett Street shown to be retained must be protected in accordance with AS 4970-2009.

8. A Tree Protection Management Plan (TPMP) must be submitted by the property owner/developer to the manager of Urban Sustainability - Melbourne City Council for review and approval prior to any demolition, gantry/scaffold installation or construction works. This must be prepared by an Arborist with minimum (AQF) Level 5, Diploma of Horticulture (Arboriculture) and/or equivalent experience to the satisfaction of the Melbourne City Council.

9. A Bank Guarantee for the combined amenity and environmental service values of all trees to be retained will be held by Melbourne City Council against the TPMP.

10. Property boundary clearance pruning will be provided prior to development; however due to the significant canopy volume this will remove, additional pruning over Melbourne City Council land/public space will not be provided. If additional pruning for gantry/scaffold installation or any other works are required the trees may be considered lost by the manager of Urban Sustainability - Melbourne City Council and the property owner/developer is liable for all costs associated with tree removal, Water Sensitive Urban Design (WSUD) infrastructure development, new tree planting and maintenance for a 24 month period following planting.

11. In the event that damages occur to trees through development activities at the site and additional pruning or branch removal is required, they may similarly be considered lost by the manager of Urban Sustainability - Melbourne City Council. The costs outlined in condition 9 will then be applicable

12. All roots greater than 30mm in diameter located within Melbourne City Council land/public space must be retained. The manager of Urban Sustainability - Melbourne City Council must be contacted if roots greater than 30mm in diameter within Melbourne City Council land/public space are proposed to be removed for review and determine tree viability. If the tree is considered lost the costs outlined in the point 4 will then be applicable.

Landscape Plan

13. Prior to commencement of development, a scheme for landscaping and planting on the upper levels of the proposed development must be submitted to, and be approved by the Responsible Authority. The scheme must incorporate water sensitive urban design features to the satisfaction of the Responsible Authority. Except with the prior written consent of the Responsible Authority the approved landscaping must be implemented prior to the occupation of the development. The landscaped area(s) must be maintained to the satisfaction of the Responsible Authority.

Retain architects

14. Except with the consent of the Responsible Authority, Denton Corker Marshall must be retained to complete and provide architectural oversight during construction of the detailed design as shown in the endorsed plans and endorsed schedule of materials to the satisfaction of Responsible Authority.

Glazing

15. Glazing materials used on all external walls must be of a type that does not reflect more than 15% of visible light, when measured at an angle of 90 degrees to the glass surface, to the satisfaction of the Responsible Authority.

Temporary Works

16. Prior to the commencement of the demolition or removal of existing buildings or works (excluding demolition or removal of temporary structures) on the land, the owner of the land must enter into an agreement 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.

17. 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:

    a) The construction of temporary buildings for short-term retail or commercial use. Such structures shall include the provision of an active street frontage; or

    b) Landscaping of the site for the purpose of public recreation and open space.

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

Waste Management

18. The waste storage and collection arrangements must be in accordance with the Waste Management Plan (WMP) prepared by Leigh Design dated 9 December 2015. The submitted WMP must not be modified or altered without prior consent of the Melbourne City Council – Engineering Services.

Civil Design

19. 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 – Engineering Services. 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. The owner of the subject land must construct a new 300mm diameter drainage extension from the development site to the laneway PL5220 approximately 45m west of the site, in accordance with plans and specifications first approved by Melbourne City Council – Engineering Services.

20. Prior to the commencement of the use/occupation of the development, all necessary vehicle crossings must be constructed and all unnecessary vehicle

crossings must be demolished and the footpath, kerb and channel reconstructed, in accordance with plans and specifications first approved by Melbourne City Council – Engineering Services.

21. The footpath(s) adjoining the site along A'Beckett Street and Stewart Street must be reconstructed in sawn bluestone together with associated works including the renewal or relocation of kerb and channel and/or services as necessary at the cost of the developer, in accordance with plans and specifications first approved by Melbourne City Council – Engineering Services.

22. Existing street levels in A'Beckett Street and Stewart Street must not be altered for the purpose of constructing new vehicle crossings or pedestrian entrances without first obtaining approval from Melbourne City Council – Engineering Services.

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

24. All street furniture such as street litter bins recycling bins, seats and bicycle rails must be supplied and installed on A'Beckett Street and Stewart Street footpaths outside the proposed building to plans and specifications first approved by the Melbourne City Council – Engineering Services.

Preliminary Environmental Assessment

25. Prior to the commencement of the development, the applicant must carry out a Preliminary Environmental Assessment (PEA) of the site to determine if it is suitable for the intended uses. This PEA must be submitted to, and be approved by the Responsible Authority prior to the commencement of the development. The PEA should include:
    - Details of the nature of the land uses previously occupying the site and the activities associated with these land uses. This should include details of how long the uses occupied the site.
    - A review of any previous assessments of the site and surrounding sites including details of the anticipated sources of any contaminated materials.

Should the PEA reveal that further investigative or remedial work is required to accommodate the intended uses, then prior to the commencement of the development, the applicant must carry out a Comprehensive Environmental Assessment (CEA) of the site to determine if it is suitable for the intended use. This CEA must be carried out by a suitably qualified environmental professional who is a member of the Australian Contaminated Land Consultants Association or a person who is acceptable to the Responsible Authority. This CEA must be submitted to, and be approved by the Responsible Authority prior to the commencement of the. The CEA should include:

- Details of the nature of the land uses previously occupying the site and the activities associated with these land uses. This includes details of how long the uses occupied the site.
- A review of any previous assessments of the site and surrounding sites, including details of any on-site or off-site sources of contaminated materials. This includes a review of any previous Environmental Audits of the site and surrounding sites.
- Intrusive soil sampling in accordance with the requirements of Australian Standard (AS) 44582.1. This includes minimum sampling densities to ensure the condition of the site is accurately characterised.
- An appraisal of the data obtained following soil sampling in accordance with ecological, health-based and waste disposal guidelines.

- Recommendations regarding what further investigate and remediation work, if any, may be necessary to ensure the site is suitable for the intended use(s).

Prior to the occupation of the building, the applicant must submit to the Responsible Authority a letter confirming compliance with any findings, requirements, recommendations and conditions of the CEA.

Should the CEA recommend that an Environmental Audit of the site is necessary then prior to the occupation of the building the applicant must provide either:

a) A Certificate of Environmental Audit in accordance with Section 53Y of the *Environment Protection Act 1970*; or

b) A Statement of Environmental Audit in accordance with Section 53Z of the *Environment Protection Act 1970*. This Statement must confirm that the site is suitable for the intended use(s).

Where a Statement of Environmental Audit is provided, all the conditions of this Statement must be complied with to the satisfaction of the Responsible Authority and prior to the occupation of the building. Written confirmation of compliance must be provided by a suitably qualified environmental professional who is a member of the Australian Contaminated Land Consultants Association or other person acceptable to the Responsible Authority. In addition, the signing off of the Statement must be in accordance with any requirements in it regarding the verification of works.

If there are conditions on the Statement that the Responsible Authority consider requires significant ongoing maintenance and/or monitoring, the applicant must enter into a legal agreement in accordance with Section 173 of the *Planning and Environment Act 1987* with the Responsible Authority. This Agreement must be executed on title prior to the occupation of the building. The owner of the site must meet all costs associated with the drafting and execution of this agreement including those incurred by the Responsible Authority.

Expiry

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

    a) The development is not started within two years of the date of this permit;

    b) The development is not completed within four years of the date of this permit; and/or

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

NOTES

a) All necessary approvals and permits are to be first obtained from the Melbourne City Council and the works performed to the satisfaction of the responsible authority – Manager Engineering Services Branch.

b) The City of Melbourne Engineering Services will not install bicycle hoops on the footpath for future bicycle parking needs of the education centre.

c) The City of Melbourne Engineering Services will not amend existing car parking restrictions in the area to cater for the future parking needs of the education centre.

APPENDIX 1 REFERRAL COMMENTS

Urban Design Comments

DM#9645452

Traffic Engineering Comments

DM#9647544

Civil Design Comments

DM# 9661876

Waste Engineering Comments

DM# 9683299