

Report to the Future Melbourne (Planning) Committee

Agenda item 6.3

**Ministerial referral: TPM-2016-4
51-65 Clarke Street, Southbank**

7 February 2017

Presenter: Jane Birmingham, Practice Leader Statutory Planning

Purpose and background

1. The purpose of this report is to advise the Future Melbourne Committee of a Ministerial Planning Permit Application for the development of 70 level mixed use development for residential apartments and business centre. The building will have a maximum height of approximately 233m, and a gross floor area of 52,313m².
2. The application was referred by the Department of Environment, Land, Water and Planning (DELWP) for comment on 4 January 2016. Following discussions with DELWP and Council officers, the applicant provided revised plans on 21 September 2016, including details of the proposed public realm contribution. Further revised documents were formally referred by DELWP on 18 January 2017.
3. The site is in the Capital City Zone Schedule 2 and is affected by Design and Development Overlay Schedule 10, Land Subject to Inundation Overlay and Parking Overlay Schedule 1. The application was lodge prior the introduction of Amendment C270 and as such the requirements of amendment C262 are applicable.

Key issues

4. Key issues to consider in the assessment of the application are the appropriateness of exceeding the plot ratio of 24:1, built form, public benefit contribution and internal and external amenity.
5. The proposed height and setbacks of the development are acceptable in this context. With a proposed height of 233m and setbacks that comply with the requirements of DDO10, the development will not overwhelm or dominate the public realm or adjoining buildings, subject to conditions requiring modifications to the mass of the podium. As the development exceeds the maximum plot ratio of 24:1, the applicant is required to demonstrate a public benefit contribution.
6. With the provision of a new through block link between Catherine Street and Hancock Street and contributions to nearby streetscape upgrades and projections actions with the City Road Masterplan and Southbank Structure Plan, it is considered that the plot ratio of 30.8:1 can be supported. However, further refinement of the detailed design of the through block link is required in addition to ongoing discussion with Council in relation to the streetscape upgrades. These contributions will be secured via a Section 173 agreement.
7. The development provides good ground level activation and seeks to retain and increase tree cover to adjoining footpaths and within the immediate area. A revised wind report will be required to ensure that the proposed wind conditions are consistent with the requirements of the Melbourne Planning Scheme.
8. The internal layout of apartments is generally compliant with the proposed Better Apartment Guidelines. As a result of amendments to the application, overall apartment sizes have increased, there are no saddlebag apartments, all habitable rooms have direct access to daylight, and communal open space and numbers of balconies/wintergardens have been increased.

Recommendation from management

9. That the Future Melbourne Committee resolves that a letter be sent to the Department of Environment, Land, Water and Planning advising that the Melbourne City Council offers in principle support for the proposal subject to the conditions outlined in the delegate's report (Attachment 4).

Attachments:

1. Supporting Attachment (page 2 of 46)
2. Locality Plan (page 3 of 46)
3. Selected Plans (page 4 of 46)
4. Delegate Report (page 23 of 46)

Supporting Attachment

Legal

1. As the proposal exceeds 25,000 sqm in gross floor area, the Minister for Planning is the Responsible Authority for determining the application.

Finance

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

Conflict of interest

3. No member of Council staff, or other person engaged under a contract, involved in advising on or preparing this report has declared a 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. Pursuant to Clauses 22.19 and 22.23 of the Melbourne Planning Scheme, an environmentally sustainable design statement was submitted with the original design. It is recommended that if a permit is to issue that an updated ESD report should be submitted.

Locality Plan

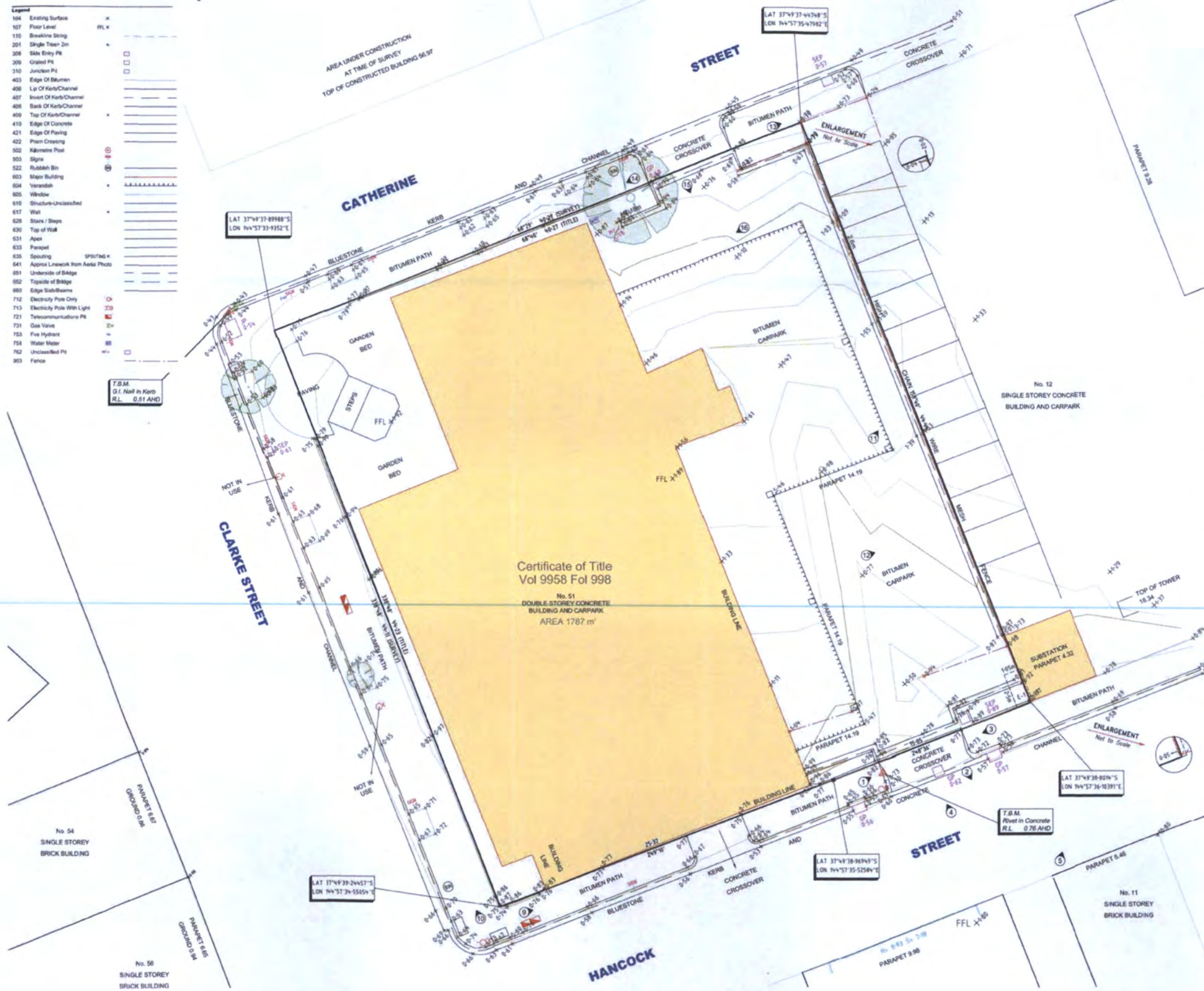
Attachment 2
Agenda item 6.3
Future Melbourne Committee
7 February 2017

51-65 Clark Street Southbank



Legend

104	Existing Surface	x
107	Floor Level	FFL x
110	Breakline String	---
201	Single Tree 2m	○
308	Slate Entry Pit	□
309	Grated Pit	□
310	Junction Pit	□
403	Edge Of Bitumen	---
406	Lo Of Kerb/Channel	---
407	Invert Of Kerb/Channel	---
408	Bank Of Kerb/Channel	---
409	Top Of Kerb/Channel	---
410	Edge Of Concrete	---
421	Edge Of Paving	---
422	Pavement Crossing	---
502	Nikometric Post	○
503	Sign	○
522	Rubbish Bin	○
603	Major Building	---
604	Verandah	---
605	Window	---
610	Structure-Unclassified	---
617	Wall	---
628	Stairs / Steps	---
630	Top Of Walk	---
631	Apex	---
633	Parapet	---
635	Spouting	---
641	Approx Linework from Aerial Photo	---
851	Underside of Bridge	---
852	Topside of Bridge	---
900	Edge Substructure	---
712	Electricity Pole Only	○
713	Electricity Pole With Light	○
721	Telecommunications Pit	○
731	Gas Valve	○
753	Fire Hydrant	○
754	Water Meter	○
762	Unclassified Pit	○
903	Fence	---



Services
Services that were not visible at the time of survey may not be shown on this plan. Reference should be made to service authority plans prior to commencement of works.

In all instances, it is essential that the position of underground services (whether or not shown on this plan) be verified on site and abutting sites prior to any critical design or commencement of works. This should be done in consultation with all relevant Service Authorities.

Substance
Date of Survey: May 2015
Land Subject to Easement: E-1 Carriageway Easement
Subtract 6' 40" for Title Dimensions
Refer to Model Space for overall digital information
Co-ordinate information shown in latitudes and longitudes has been converted from MG84 using Redfearn's Formula provided by Geoscience Australia
This plan is to be read in conjunction with the attached Surveyors Report
Location of buildings beyond site boundaries are indicative only
Information relating to abutting properties has only been shown where visible or access is available
Where boundary dimensions differ from Title dimensions, Land Registry approval must be sought for the survey based dimensions prior to development
Direction of photographs shown thus:

All dimensions and survey marks shown on this plan should be verified/confirmed by all contractors & consultants prior to any future construction & site works

Levels shown thus: ⁺ are to Australian Height Datum vide PR236 with a stated value of RL 1.028
Refer to frozen layers with a suffix of _L for levels
Refer to frozen layers with a suffix of _C for crosses
Refer to frozen layer "TRIANGLE" for 3D Triangles
Contour Interval 0.2 metres

Scale	1:125	0	1.25	2.5	3.75	5
Cartified	HN Licensed Surveyor					
Drawn	DW					
Date	29/05/15					
Survey Date	30/08/07, 8/08					
CAD drawing number	30698008B					
Original sheet size	A1					

Client
Newcity Development Group
C/- PDS Aust Pty Ltd

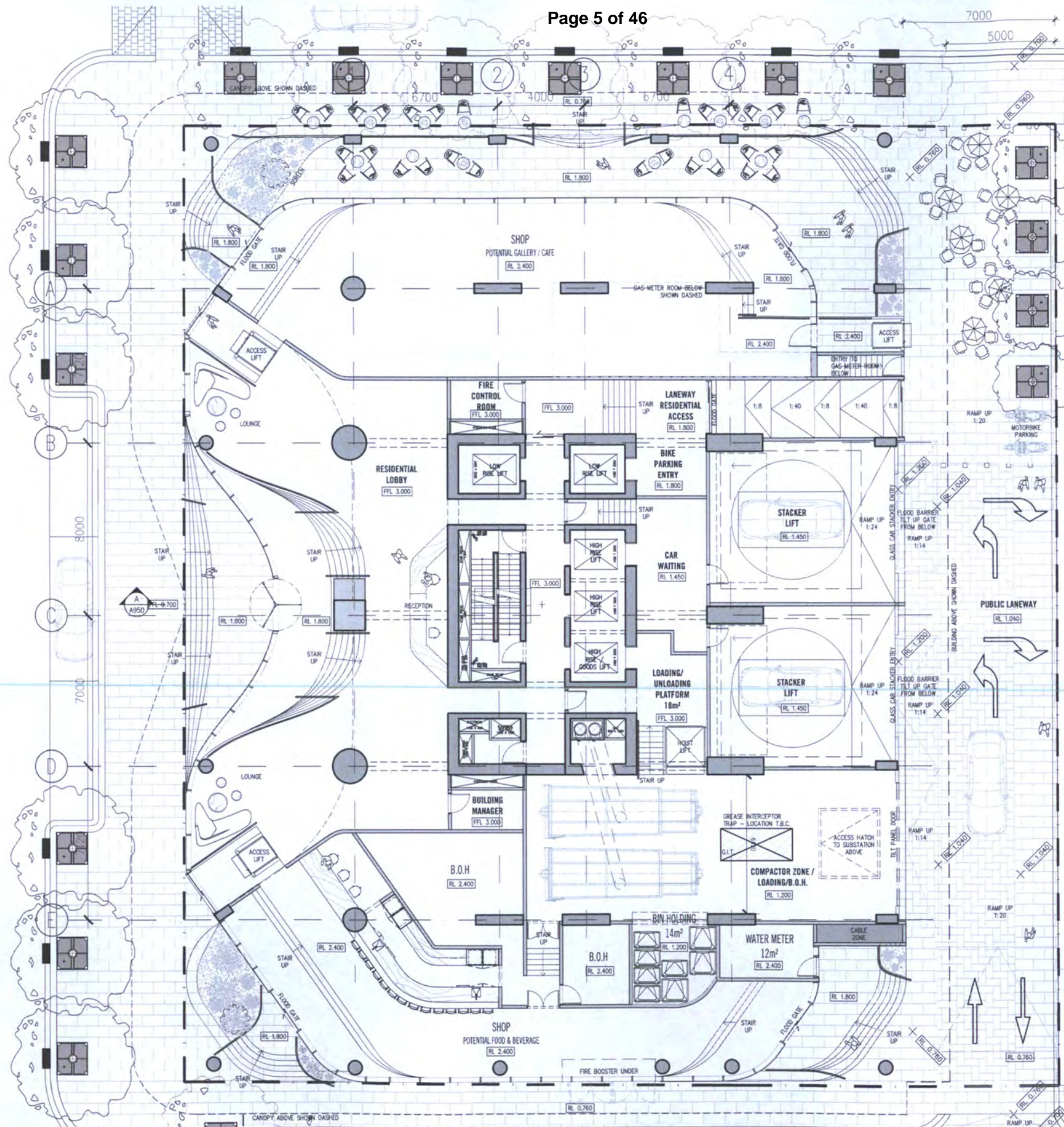
Project
51-65 Clarke Street
Southbank

Details
Boundary Re-establishment
Feature and Level Survey
Volume 9958 Folio 998

Sheet: 1 of 1
Job Number: 30698 003

Boco Jonson Pty Ltd
A.B.N. 75 169 128 827
P.O. Box 5075, South Melbourne, Vic 3205
18 Eastern Road, South Melbourne
Vic 3205 Australia
Tel (03) 9690 1400 Fax (03) 9690 5992

<p>Rev No. Date Reason for issue</p> <p>Rev 1 20.11.2015 ISSUED FOR INFORMATION</p> <p>Rev 2 26.11.2015 ISSUED FOR PLANNING APPROVAL</p>	<p>SCALE@A1 1:125</p> <p>SCALE@A3</p> <p>PRELIMINARY</p> <p>NOT FOR CONSTRUCTION</p> <p><small>Figured dimensions take precedence to scale readings. Verify all dimensions on site. Report any discrepancies to the Architect for decision before proceeding with the work.</small></p>	<p>ELENBERG FRASER</p> <p>LEVEL 1, 160 QUEEN STREET MELBOURNE VICTORIA 3000 AUSTRALIA</p> <p>TEL +61 3 9600 2260 FAX +61 3 9600 2266 EMAIL MAIL@ELENBERGFRASER.COM WWW.ELENBERGFRASER.COM</p> <p>ABN 57 556 189 728</p>	<p>Project Title</p> <p>51-65 CLARKE STREET SOUTHBANK</p> <p>Client</p> <p>NEW CITY INVESTMENT HOLDING GROUP Pty Ltd</p>	<p>Drawing Title</p> <p>SITE SURVEY PLAN</p> <p>Project Number</p> <p>14029</p> <p>Drawing Number</p> <p>A0002</p> <p>Revision</p> <p>A</p> <p>Jun 20, 2016 - 11:16pm</p>
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26-40 MORAY STREET DOUBLE STOREY FIRE STATION

SCHEDULE OF DRAWING SET AMENDMENTS

1. INTEGRATED SEATING TO CATHERINE STREET FOR STREET LEVEL ACTIVATION.
2. ADDITION OF TERRACED PLATFORM (1.800AHD) TO CATHERINE STREET FOR RETAIL OUTDOOR SEATING.
3. ADDITION OF TERRACED ENTRIES TO HANCOCK STREET (1.800AHD & 2.400AHD) AND CLARKE STREET (1.800AHD & 3.000AHD) FOR VISUAL ENGAGEMENT WITH STREET.
4. AMALGAMATION OF RESIDENTIAL AND SERVICED APARTMENT LOBBIES.
5. ADDITION OF ENTRIES TO 4 CORNERS OF THE SITE.
6. INTEGRATION OF RESIDENTIAL THROUGH-BLOCK LINK FROM CLARKE STREET TO NORTH-EAST OF PUBLIC LANEWAY.
7. RESTRICTION OF CAR ACCESSIBILITY TO END OF PUBLIC LANEWAY. INTRODUCTION OF OUTDOOR SEATING AND RETAIL ENTRIES ON CATHERINE STREET END.
8. ADDITION OF RESIDENTIAL ENTRY FROM PUBLIC LANEWAY.
9. CONSOLIDATION OF SERVICES ON ACTIVE FRONTAGES.
10. RELOCATION OF LOADING/WASTE MANAGEMENT LANEWAY ENTRY TO HANCOCK STREET END.
11. RECONFIGURATION OF RESIDENTIAL LIFT CORE.
12. REMOVAL OF SERVICED APARTMENT LIFTS.
13. RELOCATION OF GAS ROOM BENEATH NORTH RETAIL TENANCY. ACCESS PROVIDED VIA LANEWAY.
14. RELOCATION OF BUILDING MANAGERS OFFICE TO SOUTH SIDE OF LIFT CORE.
15. RELOCATION OF FIRE CONTROL ROOM TO NORTH SIDE OF LIFT CORE. ACCESS PROVIDED VIA THE LANEWAY RESIDENTIAL ACCESS.
16. INTERNAL STRUCTURE GRID CHANGE.
17. ADDITION OF LANDSCAPING FOR WIND MITIGATION TO CORNER ENTRIES.

Rev No.	Date	Reason for issue
Rev 1	08.10.2015	ISSUED FOR TOWN PLANNING PRE-APPLICATION
Rev 2	23.10.2015	ISSUED FOR COORDINATION
Rev 3	27.10.2015	ISSUED FOR SERVICES COORDINATION
Rev 4	28.10.2015	ISSUED FOR COORDINATION
Rev 5	28.10.2015	ISSUED FOR SERVICE COORDINATION
Rev 6	28.11.2015	ISSUED FOR SERVICES & STRUCTURE COORDINATION
Rev 7	11.12.2015	ISSUED FOR SERVICE COORDINATION
Rev 8	28.11.2015	ISSUED FOR INFORMATION
Rev 9	28.11.2015	ISSUED FOR PLANNING APPROVAL
Rev 10	28.11.2015	ISSUED FOR PLANNING APPROVAL
Rev 11	28.11.2015	ISSUED FOR PLANNING APPROVAL
Rev 12	18.03.2016	ISSUED FOR CONSULTANT COORDINATION
Rev 13	17.06.2016	ISSUED FOR TOWN PLANNING AFI RESPONSE
Rev 14	22.06.2016	ISSUED FOR COORDINATION
Rev 15	05.08.2016	ISSUED FOR TOWN PLANNING DELWP REVIEW

Task No.	Date	Reason for issue
Task 1	08.10.2015	ISSUED FOR TOWN PLANNING PRE-APPLICATION
Task 2	23.10.2015	ISSUED FOR COORDINATION
Task 3	27.10.2015	ISSUED FOR SERVICES COORDINATION
Task 4	28.10.2015	ISSUED FOR COORDINATION
Task 5	28.10.2015	ISSUED FOR SERVICE COORDINATION
Task 6	28.11.2015	ISSUED FOR SERVICES & STRUCTURE COORDINATION
Task 7	11.12.2015	ISSUED FOR SERVICE COORDINATION
Task 8	28.11.2015	ISSUED FOR INFORMATION
Task 9	28.11.2015	ISSUED FOR PLANNING APPROVAL
Task 10	28.11.2015	ISSUED FOR PLANNING APPROVAL
Task 11	28.11.2015	ISSUED FOR PLANNING APPROVAL
Task 12	18.03.2016	ISSUED FOR CONSULTANT COORDINATION
Task 13	17.06.2016	ISSUED FOR TOWN PLANNING AFI RESPONSE
Task 14	22.06.2016	ISSUED FOR COORDINATION
Task 15	05.08.2016	ISSUED FOR TOWN PLANNING DELWP REVIEW

SCALE
 SCALE@A1 1:100
 SCALE@A3 1:200

**PRELIMINARY
 NOT FOR CONSTRUCTION**

Figure dimensions take precedence to scale readings. Verify all dimensions on site. Report any discrepancies to the Architect for approval before proceeding with the work.

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Project Title
**51-65 CLARKE STREET
 SOUTHBANK**

Client
**NEW CITY INVESTMENT
 HOLDING GROUP Pty Ltd**

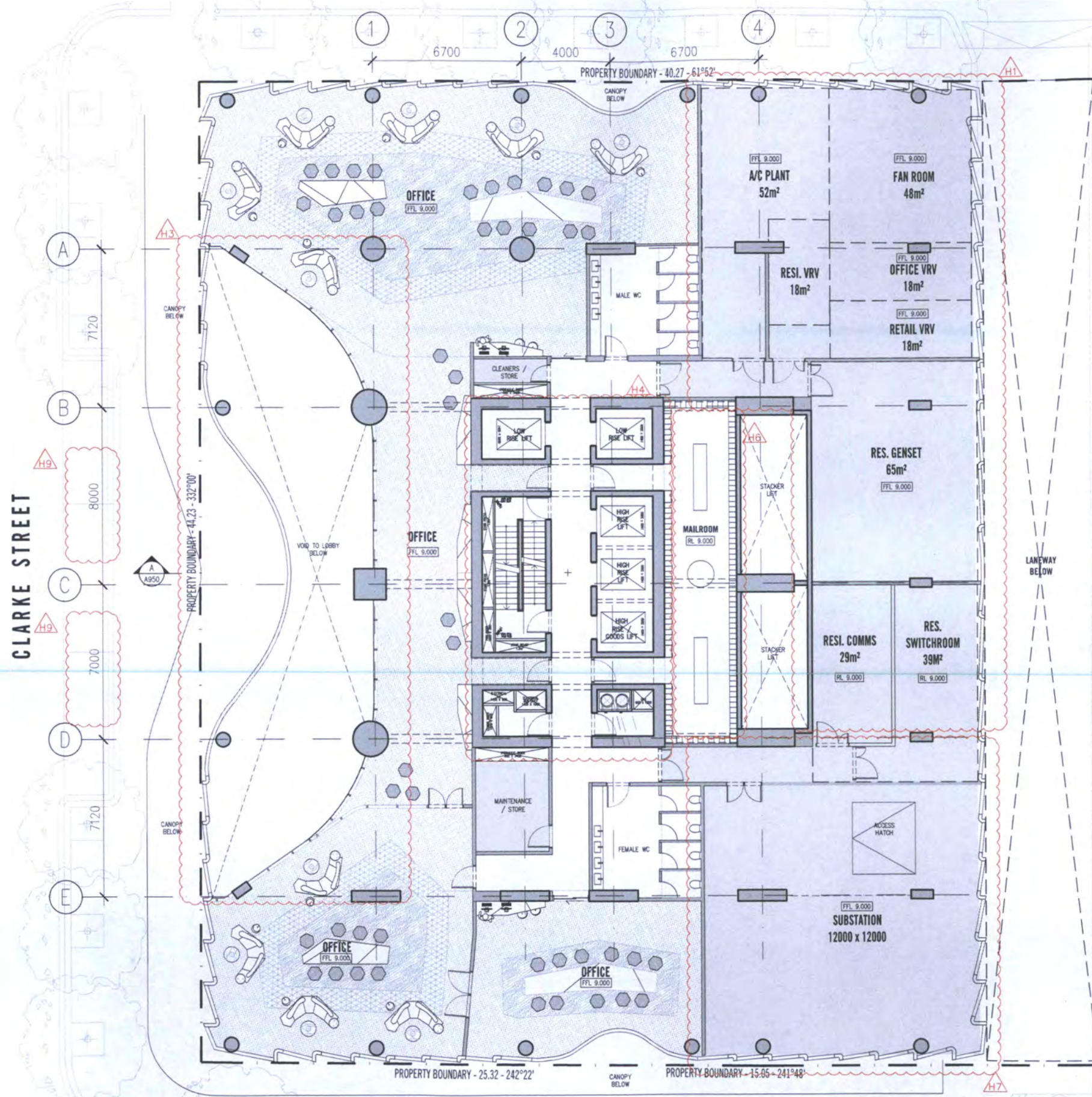
Drawing Title
**LEVEL 00 FLOOR PLAN
 GROUND FLOOR**

Project Number
14029

Drawing Number
A0100

Issue
P

TP



26-40 MORAY STREET DOUBLE STOREY FIRE STATION

- SCHEDULE OF DRAWING SET AMENDMENTS**
1. CONSOLIDATION OF BUILDING SERVICES.
 2. REMOVAL OF SERVICES PREVIOUSLY ALLOCATED FOR SERVICED APARTMENTS.
 3. INTRODUCTION OF VOID TO OFFICE SPACE.
 4. RECONFIGURATION OF RESIDENTIAL LIFT CORE.
 5. REMOVAL OF SERVICED APARTMENT LIFTS.
 6. RELOCATION OF RESIDENTIAL MAILROOM.
 7. RELOCATION OF SUBSTATION TO HANCOCK SOUTH-EAST CORNER.
 8. REMOVAL OF CAR-STACKING SYSTEM FROM THIS LEVEL.
 9. INTERNAL STRUCTURE GRID CHANGE.

Rev No.	Date	Reason for Issue
Rev A	08.10.2015	ISSUED FOR CONSULTANTS COORDINATION
Rev B	09.11.2015	ISSUED FOR SERVICES & STRUCTURE COORDINATION
Rev C	11.11.2015	ISSUED FOR DESIGN COORDINATION
Rev D	20.11.2015	ISSUED FOR INFORMATION
Rev E	23.11.2015	ISSUED FOR INFORMATION
Rev F	26.11.2015	ISSUED FOR PLANNING APPROVAL
Rev G	03.06.2016	ISSUED FOR COORDINATION
Rev H	17.06.2016	ISSUED FOR TOWN PLANNING, BY RESPONSE
Rev I	04.08.2016	ISSUED FOR TOWN PLANNING, DCLMP REVIEW

Issued To	Rev No.	Date	Reason for Issue

NOTES

1. The client has approved the design of the building and the building is to be constructed in accordance with the approved plans and specifications.

2. The client has approved the design of the building and the building is to be constructed in accordance with the approved plans and specifications.

3. The client has approved the design of the building and the building is to be constructed in accordance with the approved plans and specifications.

SCALE@A1 1:100
SCALE@A3 1:200

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Project Title
**51-65 CLARKE STREET
SOUTHBANK**

Client
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HOLDING GROUP Pty Ltd**

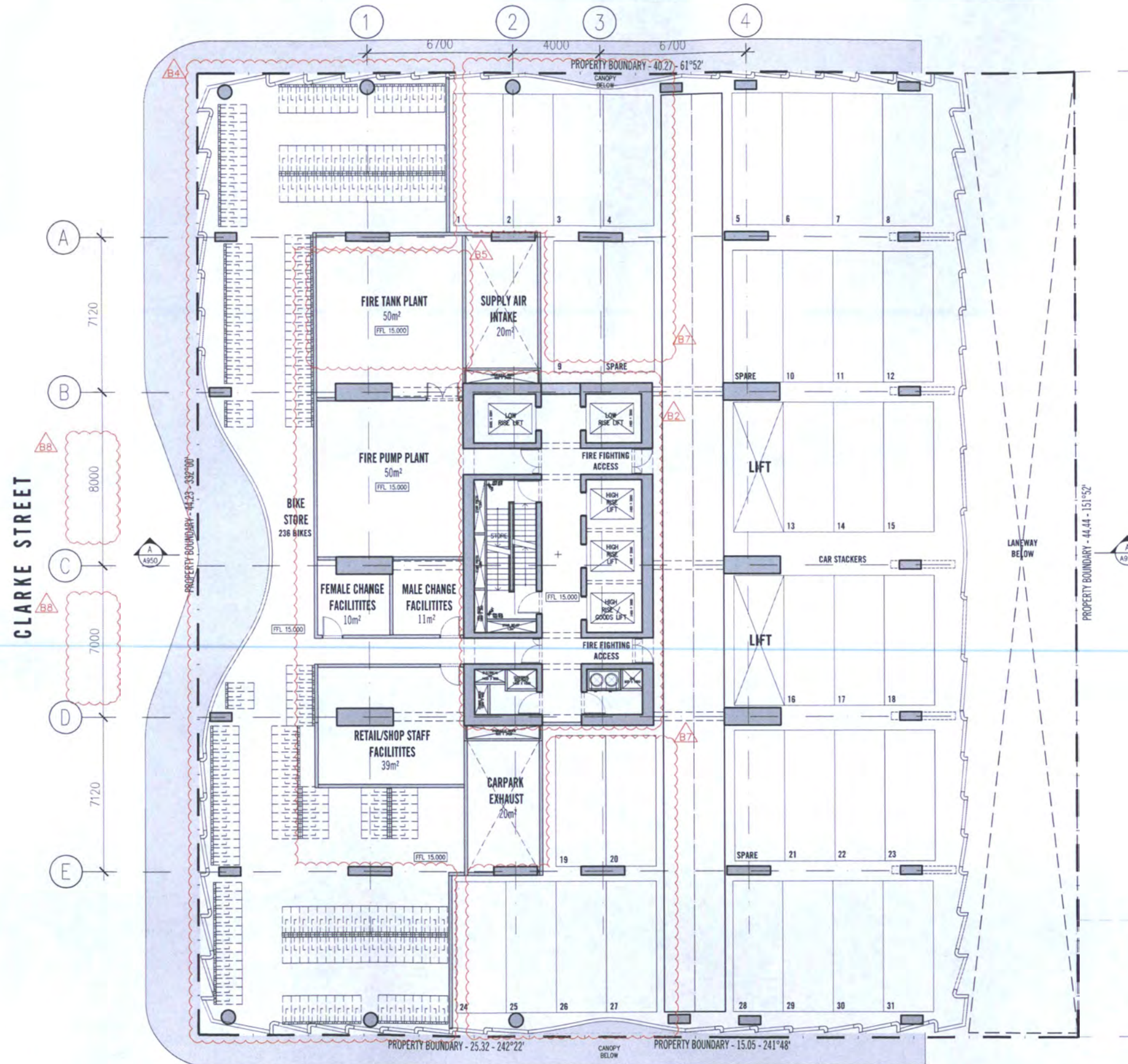
Drawing Title
**LEVEL 01 FLOOR PLAN
BIKE STORE / SERVICES**

Project Number
14029

Drawing Title
TP

Drawing Number
A0101

Revision
H



26-40 MORAY STREET DOUBLE STOREY FIRE STATION

- SCHEDULE OF DRAWING SET AMENDMENTS**
1. REMOVAL OF SERVICED APARTMENTS.
 2. RECONFIGURATION OF RESIDENTIAL LIFT CORE.
 3. REMOVAL OF SERVICED APARTMENT LIFTS.
 4. RELOCATION OF BIKE FACILITIES TO THIS LEVEL.
 5. RELOCATION OF FIRE TANK PLANT TO THIS LEVEL.
 6. ADDITION OF RETAIL STAFF FACILITIES.
 7. ADDITIONAL CAR-STACKING SPACES.
 8. INTERNAL STRUCTURE GRID CHANGE

Rev No.	Date	Reason for issue	Issued by	Rev No.	Date	Reason for issue	Issued by
Rev A	17.08.2016	ISSUED FOR TOWN PLANNING - RFI RESPONSE					
Rev B	05.09.2016	ISSUED FOR TOWN PLANNING - DEVELOPMENT REVIEW					

**PRELIMINARY
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SCALE@A1 1:100
SCALE@A3 1:200

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Project Title
**51-65 CLARKE STREET
SOUTHBANK**

Client
**NEW CITY INVESTMENT
HOLDING GROUP Pty Ltd**

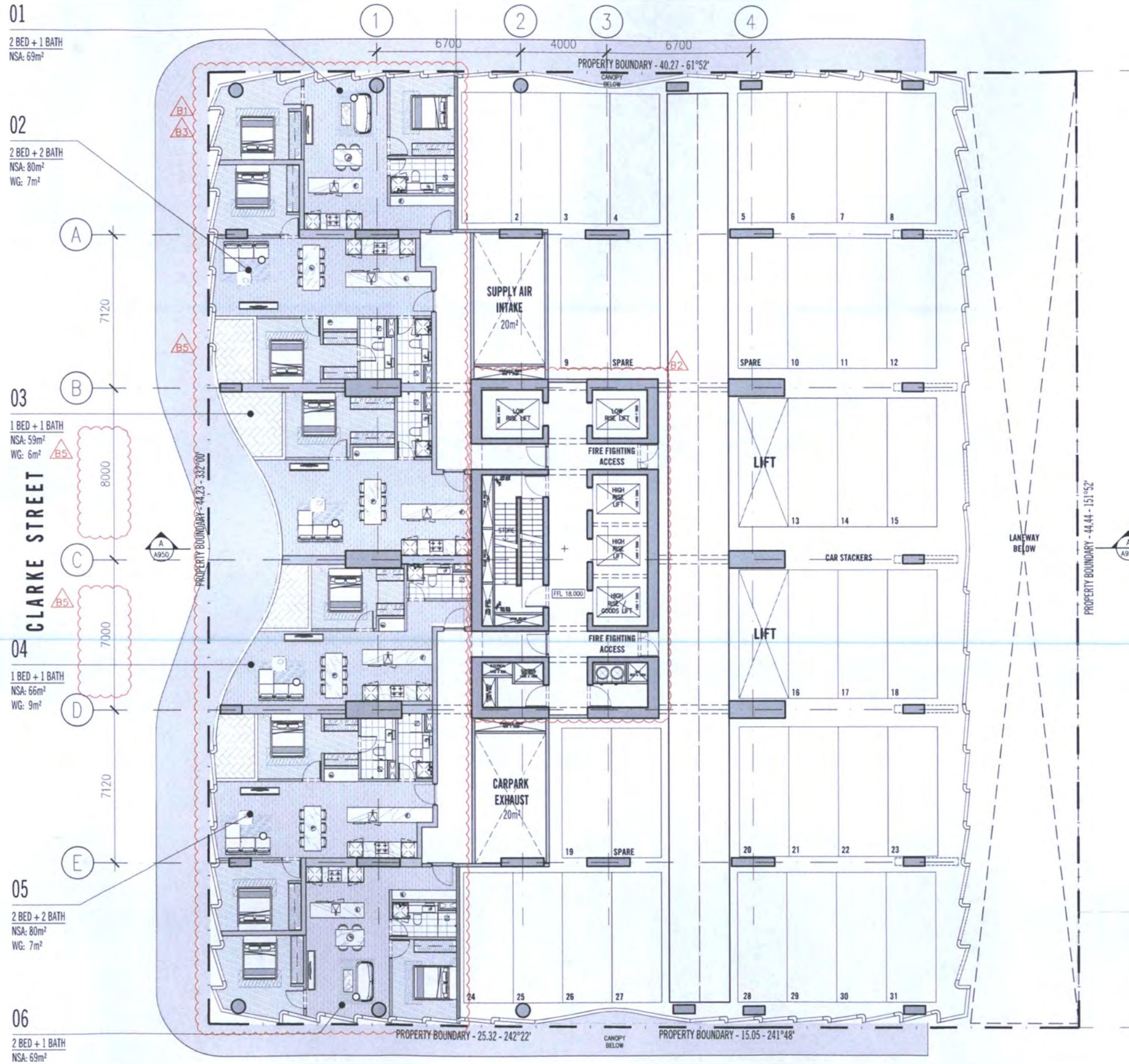
Drawing Title
**LEVEL 02 FLOOR PLAN
BIKE STORAGE/CAR-STACKERS**

Project Number
14029

Drawing Number
A0102

Revision
B

Drawing Status
TP



- 01
2 BED + 1 BATH
NSA: 69m²
- 02
2 BED + 2 BATH
NSA: 80m²
WG: 7m²
- 03
1 BED + 1 BATH
NSA: 59m²
WG: 6m²
- 04
1 BED + 1 BATH
NSA: 66m²
WG: 9m²
- 05
2 BED + 2 BATH
NSA: 80m²
WG: 7m²
- 06
2 BED + 1 BATH
NSA: 69m²

26-40 MORAY STREET DOUBLE STOREY FIRE STATION

- SCHEDULE OF DRAWING SET AMENDMENTS
1. READJUSTMENT OF PODIUM APARTMENT LAYOUTS.
 2. RECONFIGURATION OF RESIDENTIAL LIFT CORE.
 3. REDESIGN OF PODIUM FORM FOR IMPROVED APARTMENT AMENITY.
 4. REMOVAL OF SERVICED APARTMENT LIFTS.
 5. ADDITION OF WINTER GARDENS TO PODIUM APARTMENTS.

Rev No.	Date	Reason for Issue	Issued by	Rev No.	Date	Reason for Issue	Issued by
Rev A	12.08.2016	ISSUED FOR TOWN PLANNING - RFI RESPONSE					
Rev B	15.09.2016	ISSUED FOR TOWN PLANNING - RFI RESPONSE					

**PRELIMINARY
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SCALE@A1 1:100
SCALE@A3 1:200

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Project Title
**51-65 CLARKE STREET
SOUTHBANK**

Client
**NEW CITY INVESTMENT
HOLDING GROUP Pty Ltd**

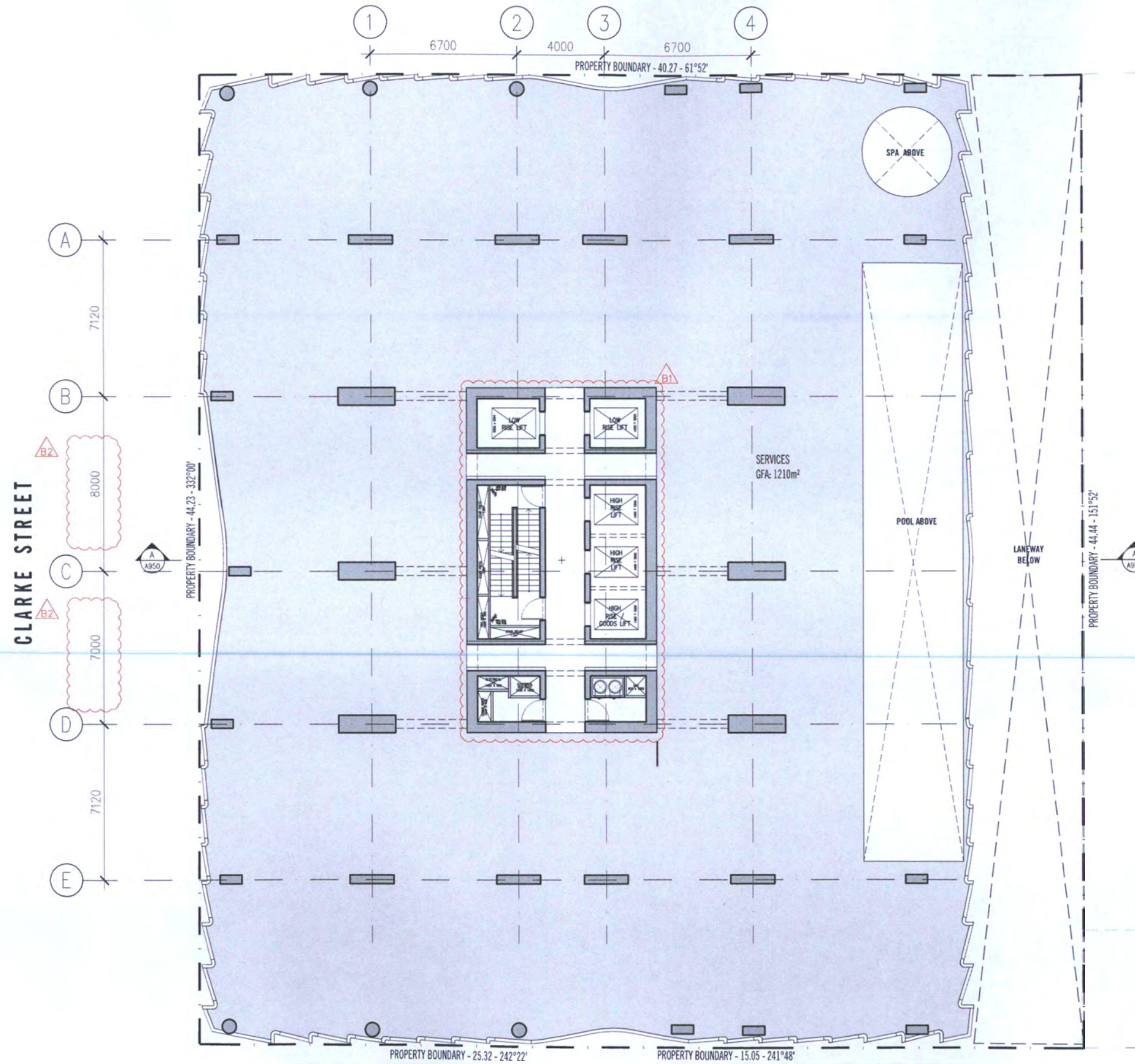
Drawing Title
**LEVEL 03-05 FLOOR PLAN
PODIUM APARTMENTS + SERVICES**

Project Number
14029

Drawing Number
A0103

Revision
B

TP



SCHEDULE OF DRAWING SET AMENDMENTS

1. RECONFIGURATION OF RESIDENTIAL LIFT CORE.
2. INTERNAL STRUCTURE GRID CHANGE.

Rev No.	Date	Reason for Issue	Issued by	Rev No.	Date	Reason for Issue	Issued by
Rev 1	09.09.2016	ISSUED FOR COORDINATION					
Rev 4	17.09.2016	ISSUED FOR TOWN PLANNING 8/1 RESPONSE					
Rev 9	05.10.2016	ISSUED FOR TOWN PLANNING DELWP REVIEW					

NOTES

1. All dimensions are to be taken from the face of the wall unless otherwise stated.
2. All dimensions are to be taken from the face of the wall unless otherwise stated.
3. All dimensions are to be taken from the face of the wall unless otherwise stated.
4. All dimensions are to be taken from the face of the wall unless otherwise stated.
5. All dimensions are to be taken from the face of the wall unless otherwise stated.

SCALE@A1 1:100
SCALE@A3 1:200

**PRELIMINARY
NOT FOR CONSTRUCTION**

Figured dimensions take precedence to scale markings. Verify all dimensions on site.
Report any discrepancies to the Architect for inclusion before proceeding with the work.

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Project Title
**51-65 CLARKE STREET
SOUTHBANK**

Client
**NEW CITY INVESTMENT
HOLDING GROUP Pty Ltd**

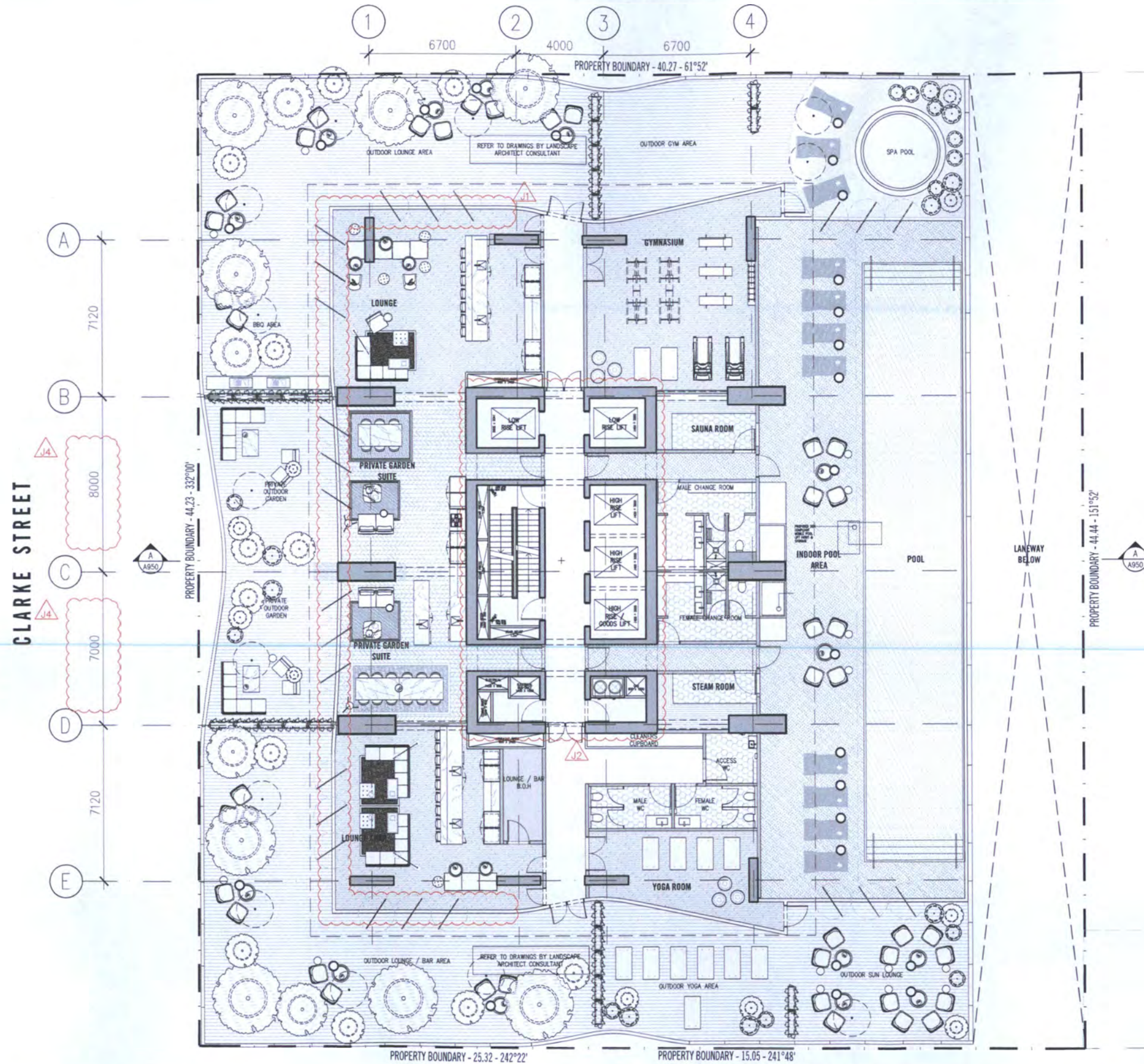
Drawing Title
**LEVEL 6 FLOOR PLAN
SERVICES**

Project Number
14029

Drawing Status
TP

Drawing Number
A0106

Revision
B



- SCHEDULE OF DRAWING SET AMENDMENTS**
1. READJUSTMENT OF LINE OF GLAZING TO LOUNGE AREAS AND SUITES.
 2. RECONFIGURATION OF RESIDENTIAL LIFT CORE.
 3. REMOVAL OF SERVICED APARTMENT LIFTS.
 4. INTERNAL STRUCTURE GRID CHANGE.

Rev No.	Date	Reason for Issue	Issued by	Rev No.	Date	Reason for Issue	Issued by
Rev 1	08.10.2015	ISSUED FOR TOWN PLANNING PRE-APPLICATION					
Rev 2	23.10.2015	ISSUED FOR COORDINATION					
Rev 3	24.10.2015	ISSUED FOR COORDINATION					
Rev 4	28.10.2015	ISSUED FOR CONSULTANT'S COORDINATION					
Rev 5	11.11.2015	ISSUED FOR LANDSCAPE COORDINATION					
Rev 6	13.11.2015	ISSUE FOR DESIGN COORDINATION					
Rev 7	20.10.2015	ISSUED FOR INFORMATION					
Rev 8	26.11.2015	ISSUED FOR PLANNING APPROVAL					
Rev 9	17.06.2016	ISSUED FOR TOWN PLANNING - BY RESPONSE					
Rev 10	05.09.2016	ISSUED FOR TOWN PLANNING - DELMP REVIEW					

CONDITIONS:
 1. This plan is to be used as a preliminary design only. It is not to be used for construction or for any other purpose without the written consent of the architect.
 2. The architect is not responsible for any errors or omissions in this plan, or for any consequences arising therefrom, whether or not such errors or omissions are caused by negligence.
 3. The architect is not responsible for any errors or omissions in this plan, or for any consequences arising therefrom, whether or not such errors or omissions are caused by negligence.
 4. The architect is not responsible for any errors or omissions in this plan, or for any consequences arising therefrom, whether or not such errors or omissions are caused by negligence.
 5. The architect is not responsible for any errors or omissions in this plan, or for any consequences arising therefrom, whether or not such errors or omissions are caused by negligence.

SCALE@A1 1:100
 SCALE@A3 1:200

**PRELIMINARY
 NOT FOR CONSTRUCTION**

Figured dimensions take precedence to scale markings. Verify all dimensions on site. Report any discrepancies to the architect for correction before proceeding with the work.

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Project Title
**51-65 CLARKE STREET
 SOUTHBANK**

Client
**NEW CITY INVESTMENT
 HOLDING GROUP Pty Ltd**

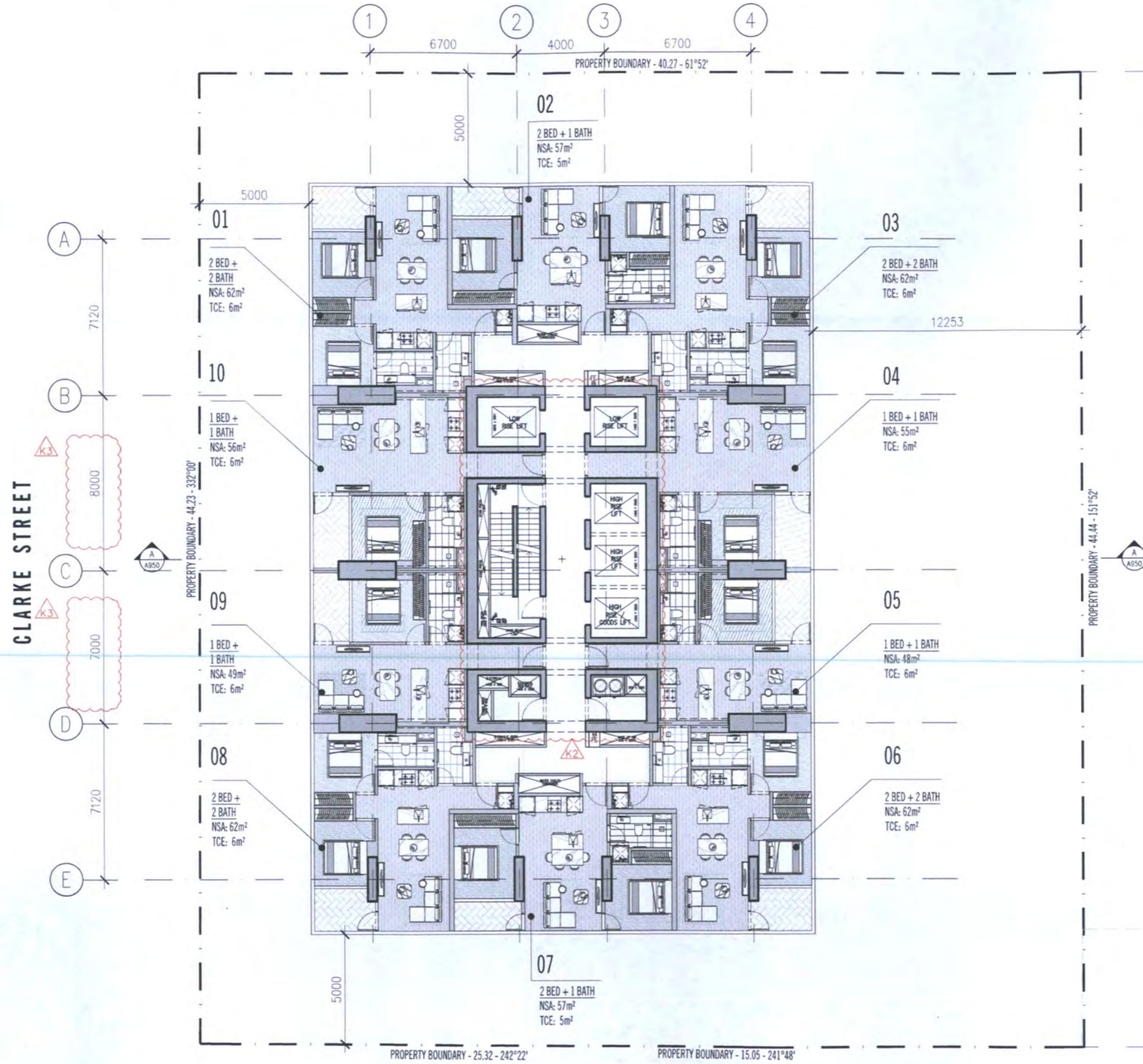
Project Title
**LEVEL 07 FLOOR PLAN
 ROOF GARDEN - RESIDENTIAL FACILITIES**

Project Number
14029

Drawing Number
A0107

Revision
J

TP



- SCHEDULE OF DRAWING SET AMENDMENTS**
1. REMOVAL OF 4 TOWER LOW-RISE APARTMENT LEVELS
 2. RECONFIGURATION OF RESIDENTIAL LIFT CORE.
 3. INTERNAL STRUCTURE GRID CHANGE.

Rev No.	Date	Reason for Issue	Issued by	Rev No.	Date	Reason for Issue	Issued by
Rev A	09.10.2010	ISSUED FOR TOWN PLANNING PRE-APPLICATION					
Rev B	22.10.2010	ISSUED FOR COORDINATION					
Rev C	05.10.2010	ISSUED FOR CONSULTANTS COORDINATION					
Rev D	09.10.2010	ISSUED FOR SERVICES & STRUCTURE COORDINATION					
Rev E	12.11.2010	ISSUED FOR DESIGN COORDINATION					
Rev F	20.11.2010	ISSUED FOR INFORMATION					
Rev G	23.11.2010	ISSUED FOR INFORMATION					
Rev H	20.11.2010	ISSUED FOR PLANNING APPROVAL					
Rev I	20.11.2010	OVERLA REVIEW					
Rev J	17.06.2016	ISSUED FOR TOWN PLANNING RTI RESPONSE					
Rev K	05.09.2016	ISSUED FOR TOWN PLANNING DELUP REVIEW					

NOTES

1. This drawing is a preliminary design and is not to be used for construction purposes without the written approval of the Architect.
2. All dimensions are in millimetres unless otherwise stated.
3. The client is responsible for ensuring that all necessary permits and approvals are obtained before construction commences.
4. The Architect is not responsible for any errors or omissions in this drawing.
5. The client is responsible for ensuring that all necessary permits and approvals are obtained before construction commences.
6. The Architect is not responsible for any errors or omissions in this drawing.

SCALE@A1 1:100
SCALE@A3 1:200

PRELIMINARY
NOT FOR CONSTRUCTION

Figured dimensions take precedence to scale readings. Verify all dimensions on site.
 Report any discrepancies to the Architect for decision before proceeding with the work.

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 WWW.ELENBERGFRASER.COM
 A/N 07 156 188 726

Project Title
51-65 CLARKE STREET
SOUTHBANK

Client
NEW CITY INVESTMENT
HOLDING GROUP Pty Ltd

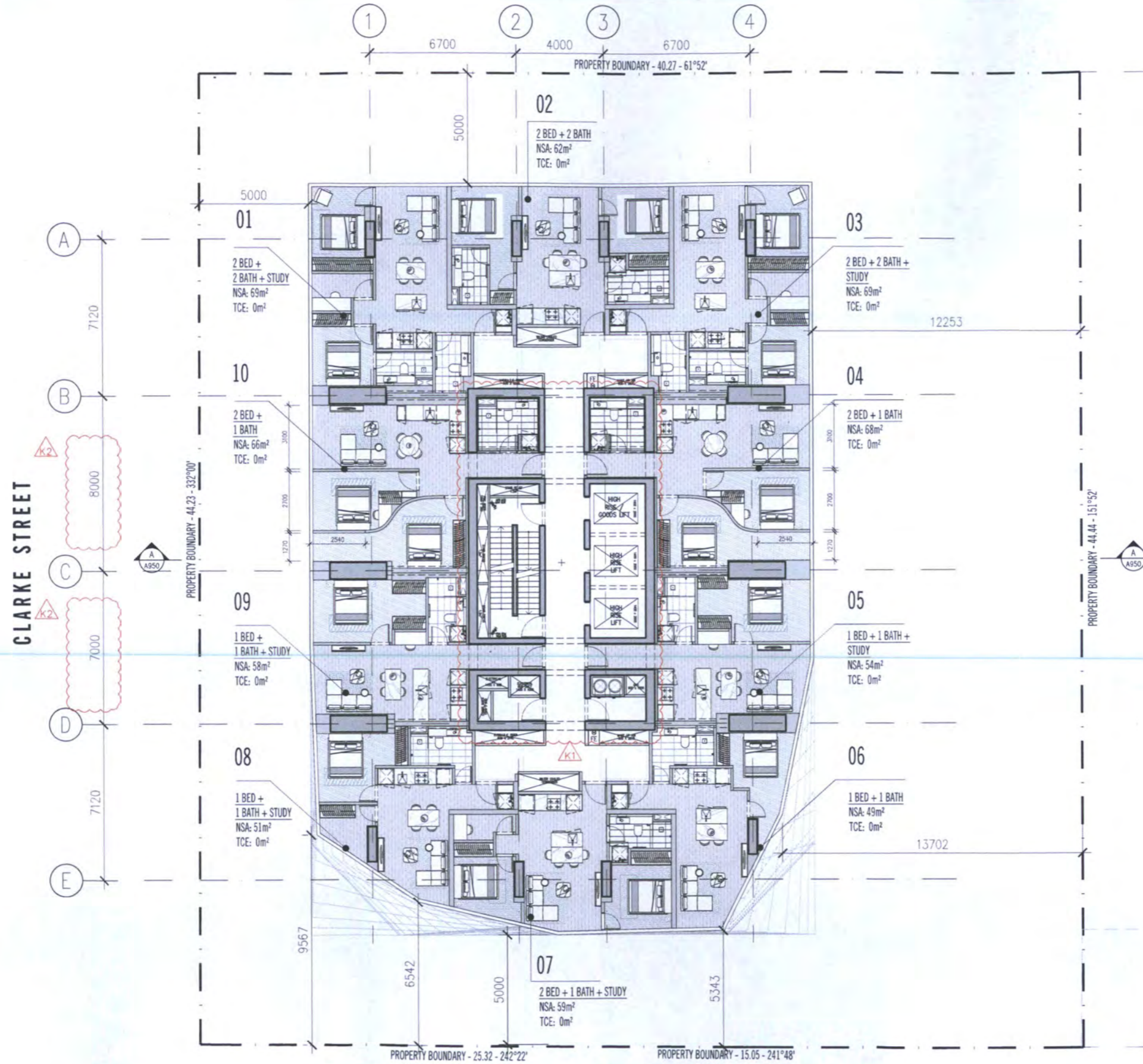
Drawing Title
LEVEL 08 - 18
TYPICAL LOW RISE APARTMENT PLAN

Project Number
14029

Drawing Number
A0108

Drawing Status
 TP

Revision
 K



SCHEDULE OF DRAWING SET AMENDMENTS

1. RECONFIGURATION OF RESIDENTIAL LIFT CORE.
2. INTERNAL STRUCTURE GRID CHANGE.

Rev No.	Date	Reason for Issue	Issued by	Rev No.	Date	Reason for Issue	Issued by
Rev A	09.10.2015	ISSUED FOR TOWN PLANNING PRE-APPLICATION					
Rev B	22.10.2015	ISSUED FOR COORDINATION					
Rev C	20.10.2015	ISSUED FOR CONSULTANT'S COORDINATION					
Rev D	09.11.2015	ISSUED FOR SERVICES & STRUCTURE COORDINATION					
Rev E	11.11.2015	ISSUED FOR DESIGN COORDINATION					
Rev F	18.11.2015	ISSUED FOR COORDINATION					
Rev G	20.11.2015	ISSUED FOR INFORMATION					
Rev H	23.11.2015	ISSUED FOR INFORMATION					
Rev I	20.11.2015	ISSUED FOR PLANNING APPROVAL					
Rev J	17.06.2016	ISSUED FOR TOWN PLANNING - DTI RESPONSE					
Rev K	05.09.2016	ISSUED FOR TOWN PLANNING - DELWP REVIEW					

Scale: SCALE@A1 1:100
SCALE@A3 1:200

**PRELIMINARY
NOT FOR CONSTRUCTION**

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ABN 97 556 138 726

Project Title:
**51-65 CLARKE STREET
SOUTHBANK**

Client:
**NEW CITY INVESTMENT
HOLDING GROUP Pty Ltd**

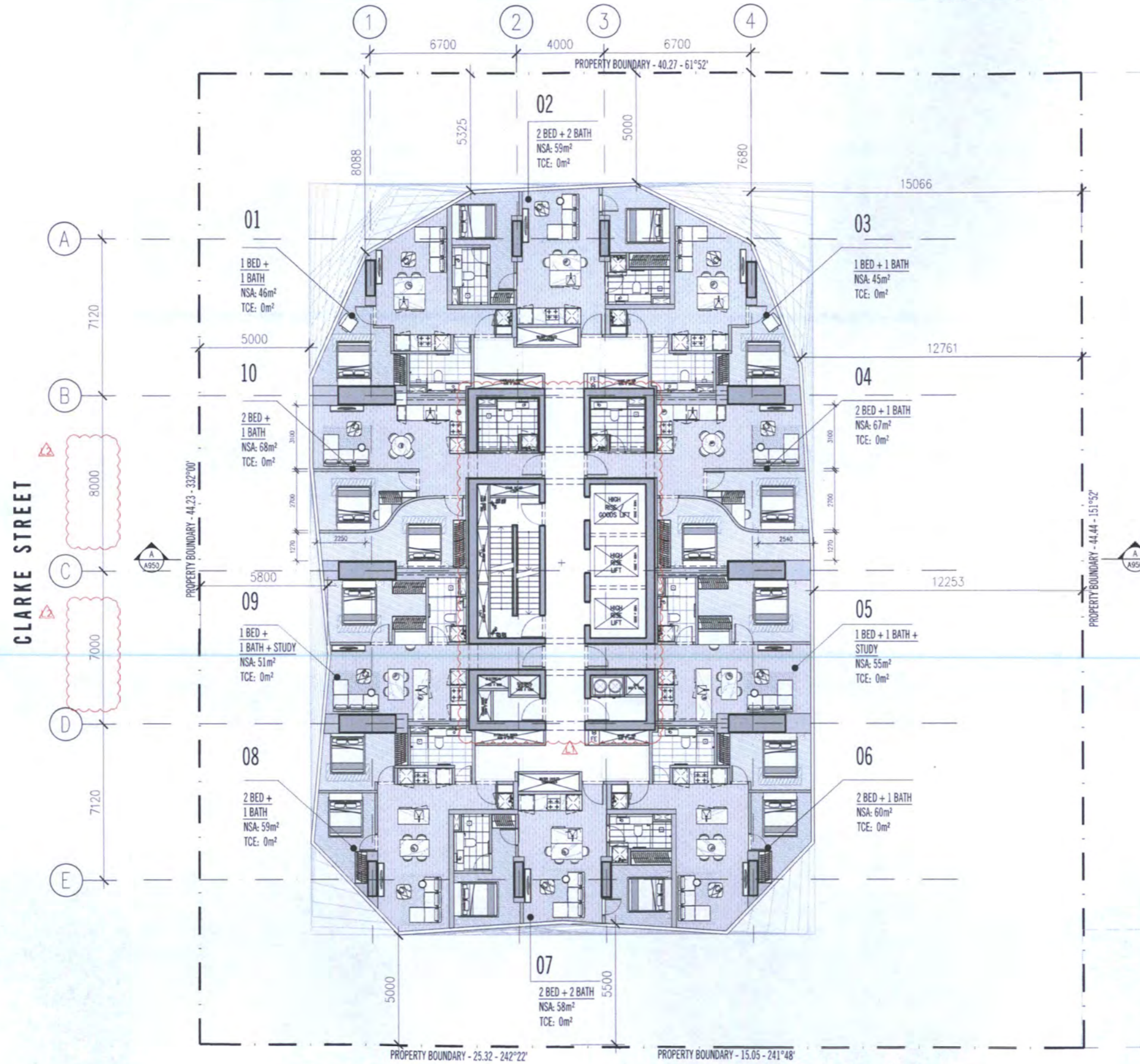
Drawing Title:
**LEVEL 32
TYPICAL TYPE 1 TRANSITION APARTMENT PLAN**

Project Number:
14029

Drawing Number:
A0132

Drawing Status:
TP

Revision:
K



SCHEDULE OF DRAWING SET AMENDMENTS	
1.	RECONFIGURATION OF RESIDENTIAL LIFT CORE.
2.	INTERNAL STRUCTURE GRID CHANGE.

Rev No.	Date	Reason for Issue	Issued by	Rev No.	Date	Reason for Issue	Issued by
Rev A	09.10.2016	ISSUED FOR TOWN PLANNING PRE-APPLICATION					
Rev B	12.10.2016	ISSUED FOR COORDINATION					
Rev C	16.10.2016	ISSUED FOR CONSULTANT'S COORDINATION					
Rev D	06.11.2016	ISSUED FOR SERVICES & STRUCTURE COORDINATION					
Rev E	13.11.2016	ISSUED FOR DESIGN COORDINATION					
Rev F	18.11.2016	ISSUED FOR COORDINATION					
Rev G	23.11.2016	ISSUED FOR INFORMATION					
Rev H	28.11.2016	ISSUED FOR PLANNING APPROVAL					
Rev I	28.01.2018	UFGA REVIEW					
Rev J	17.06.2018	ISSUED FOR TOWN PLANNING SET RESPONSE					
Rev K	05.08.2018	ISSUED FOR TOWN PLANNING DELWP REVIEW					

Rev No.	Date	Reason for Issue	Issued by

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 This drawing is to be used as a guide only and is not to be relied upon for construction. It is the responsibility of the contractor to verify all dimensions and details on site. The architect is not responsible for any errors or omissions in this drawing. The architect is not responsible for any delays or costs incurred by the contractor as a result of any errors or omissions in this drawing. The architect is not responsible for any claims or damages arising from the use of this drawing. The architect is not responsible for any claims or damages arising from the use of this drawing.

SCALE@A1 1:100
 SCALE@A3 1:200

**PRELIMINARY
 NOT FOR CONSTRUCTION**

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Project Site
**51-65 CLARKE STREET
 SOUTHBANK**

Client
**NEW CITY INVESTMENT
 HOLDING GROUP Pty Ltd**

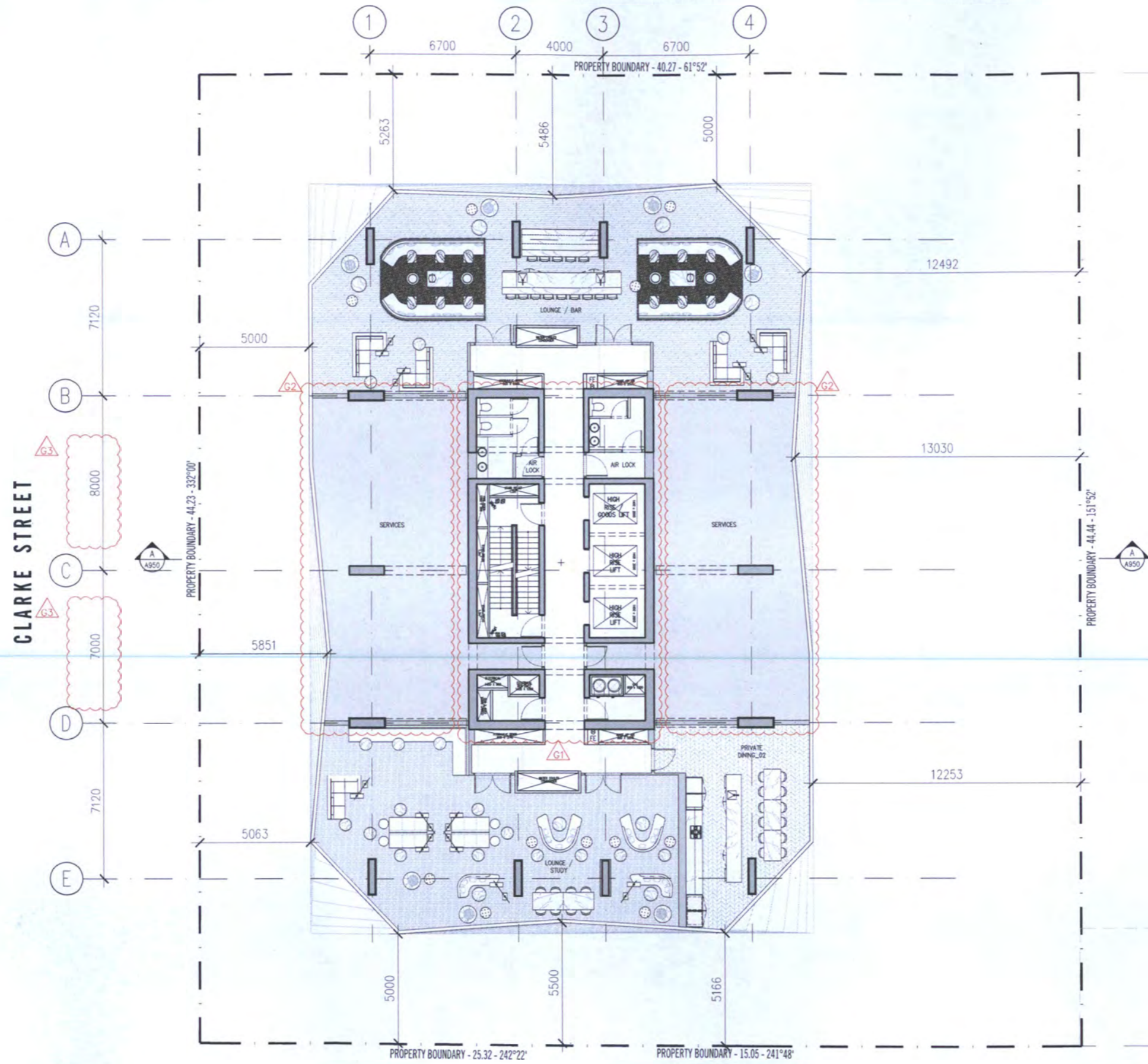
Drawing Title
**LEVEL 42
 TYPICAL TYPE TRANSITION APARTMENT PLAN**

Project Number
14029

Drawing Number
A0142

Drawing Status
 TP

Revision
 L



- SCHEDULE OF DRAWING SET AMENDMENTS**
1. RECONFIGURATION OF RESIDENTIAL LIFT CORE.
 2. COMBINATION OF SERVICES AND RESIDENTIAL FACILITIES AND SERVICES.
 3. INTERNAL STRUCTURE GRID CHANGE.

Rev. No.	Date	Reason for Issue	Issued By	Rev. No.	Date	Reason for Issue	Issued By
Rev. A	06.10.2015	ISSUED FOR TOWN PLANNING PRE-APPLICATION					
Rev B	22.10.2015	ISSUED FOR COORDINATION					
Rev C	20.10.2015	ISSUED FOR CONSULTANTS COORDINATION					
Rev D	13.11.2015	ISSUED FOR DESIGN COORDINATION					
Rev E	20.11.2015	ISSUED FOR INFORMATION					
Rev F	26.11.2015	ISSUED FOR PLANNING APPROVAL					
Rev G	17.06.2016	ISSUED FOR TOWN PLANNING AFI RESPONSE					
Rev H	03.09.2016	ISSUED FOR TOWN PLANNING DELWP REVIEW					

SCALE@A1 1:100
SCALE@A3 1:200

**PRELIMINARY
NOT FOR CONSTRUCTION**

Figure dimensions take precedence to scale readings. Verify all dimensions on site. Report any discrepancies to the architect for decision before proceeding with the work.

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ABN 52 154 188 276

Project Title
**51-65 CLARKE STREET
SOUTHBANK**
Client
**NEW CITY INVESTMENT
HOLDING GROUP Pty Ltd**

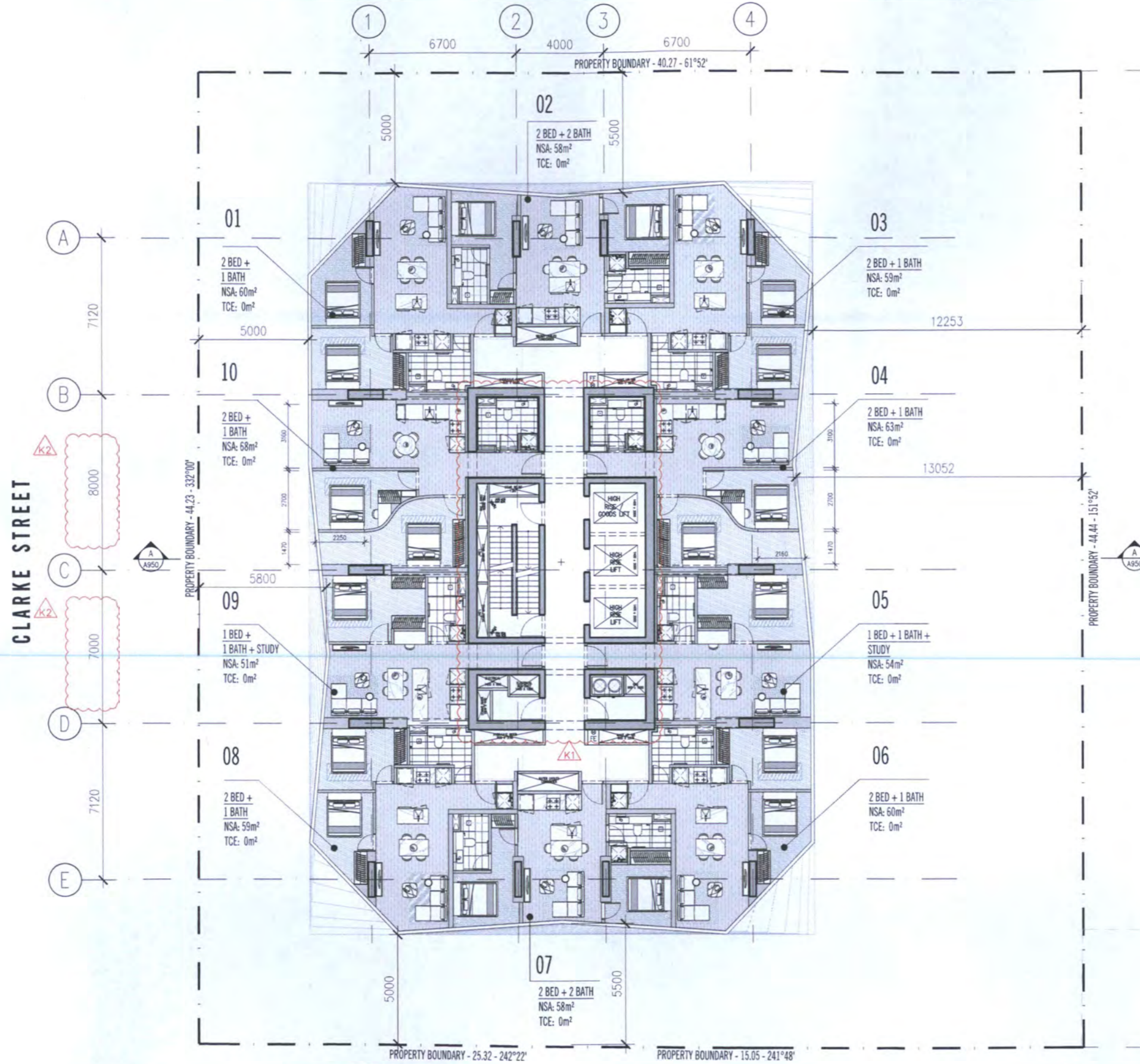
Drawing Title
**LEVEL 49
SKY LOBBY-RESIDENTIAL FACILITIES + SERVICES**

Project Number
14029

Drawing Number
A0149

Revision
G

TP



SCHEDULE OF DRAWING SET AMENDMENTS

1. RECONFIGURATION OF RESIDENTIAL LIFT CORE.
2. INTERNAL STRUCTURE GRID CHANGE.

Rev No.	Date	Reason for Issue	Issued by	Rev No.	Date	Reason for Issue	Issued by
Rev 0	09.10.2015	ISSUED FOR TOWN PLANNING PRE-APPLICATION					
Rev 1	22.10.2015	ISSUED FOR COORDINATION					
Rev 2	26.10.2015	ISSUED FOR CONSULTANT'S COORDINATION					
Rev 3	26.10.2015	ISSUED FOR SERVICES & STRUCTURE COORDINATION					
Rev 4	26.10.2015	ISSUED FOR COORDINATION					
Rev 5	26.10.2015	ISSUED FOR DESIGN COORDINATION					
Rev 6	23.11.2015	ISSUED FOR INFORMATION					
Rev 7	26.11.2015	ISSUED FOR PLANNING APPROVAL					
Rev 8	02.02.2016	ISSUED FOR TOWN PLANNING DELWP RESPONSE					
Rev 9	02.02.2016	ISSUED FOR TOWN PLANNING DELWP RESPONSE					

Rev No.	Date	Reason for Issue	Issued by

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SCALE@A1 1:100
 SCALE@A3 1:200

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Product Title
**51-65 CLARKE STREET
 SOUTHBANK**

Client
**NEW CITY INVESTMENT
 HOLDING GROUP Pty Ltd**

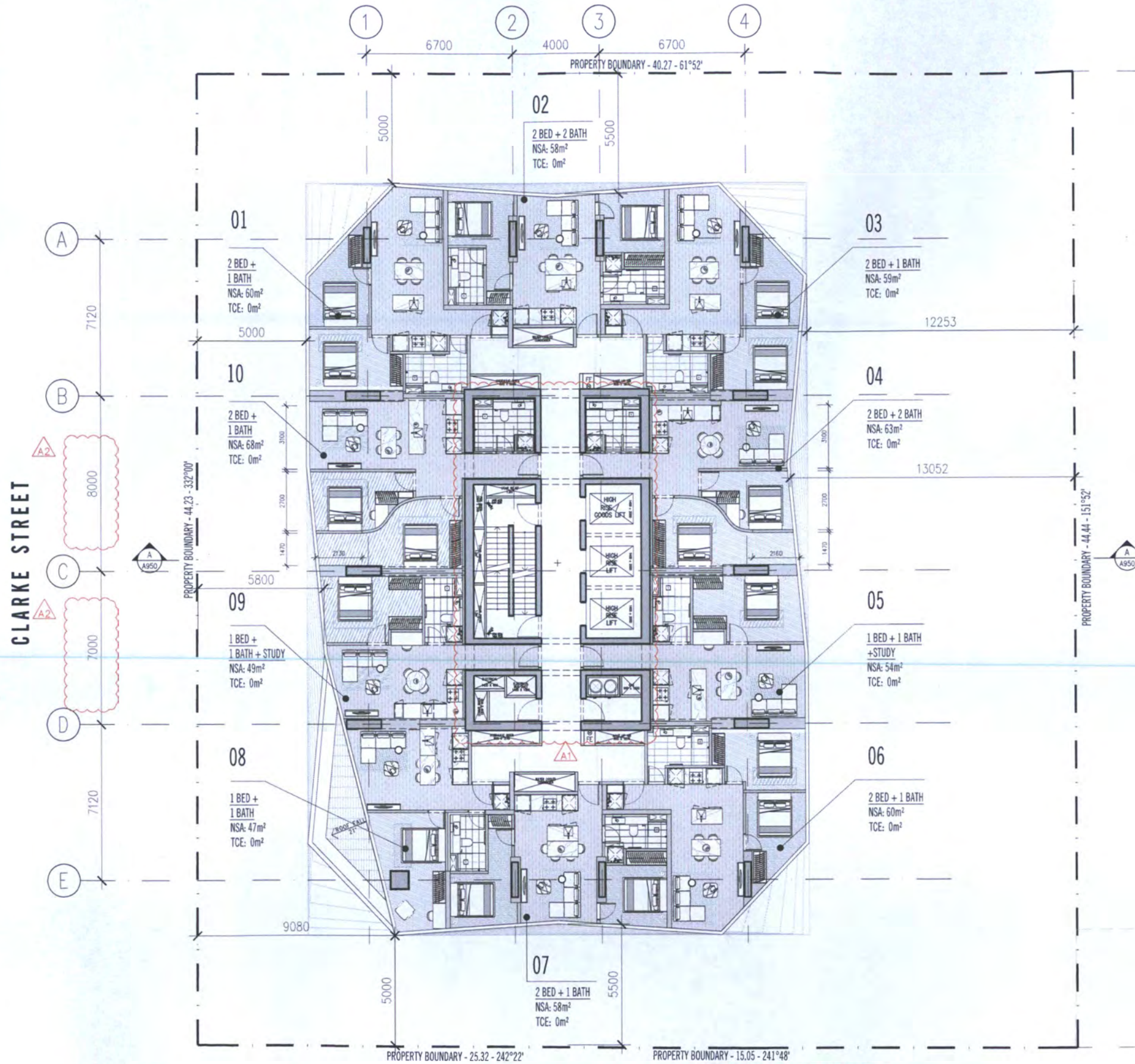
Drawing Title
**LEVEL 51 - 53
 TYPICAL HIGH RISE APARTMENT PLAN**

Project Number
14029

Drawing Status
 TP

Drawing Number
A0151

Revision
 K



SCHEDULE OF DRAWING SET AMENDMENTS

1. RECONFIGURATION OF RESIDENTIAL LIFT CORE.
2. INTERNAL STRUCTURE GRID CHANGE.

Rev No.	Date	Reason for Issue	Issued by	Rev No.	Date	Reason for Issue	Issued by
Rev A	17.06.2016	ISSUED FOR TOWN PLANNING BP1 RESPONSE					
Rev A	03.09.2016	ISSUED FOR TOWN PLANNING DELWP REVIEW					

CONSTRUCTION

1. The construction shall be in accordance with the approved plans and specifications. The contractor shall be responsible for obtaining all necessary permits and approvals. The contractor shall be responsible for the safety of the construction site and for the safety of the public. The contractor shall be responsible for the removal of all construction waste and debris. The contractor shall be responsible for the protection of all existing services and structures. The contractor shall be responsible for the completion of the construction within the agreed time frame. The contractor shall be responsible for the payment of all bills and invoices. The contractor shall be responsible for the maintenance of the construction site and for the safety of the public. The contractor shall be responsible for the removal of all construction waste and debris. The contractor shall be responsible for the protection of all existing services and structures. The contractor shall be responsible for the completion of the construction within the agreed time frame. The contractor shall be responsible for the payment of all bills and invoices.

SCALE@A1 1:100
SCALE@A3 1:200

**PRELIMINARY
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Project Title
**51-65 CLARKE STREET
SOUTHBANK**

Client
**NEW CITY INVESTMENT
HOLDING GROUP Pty Ltd**

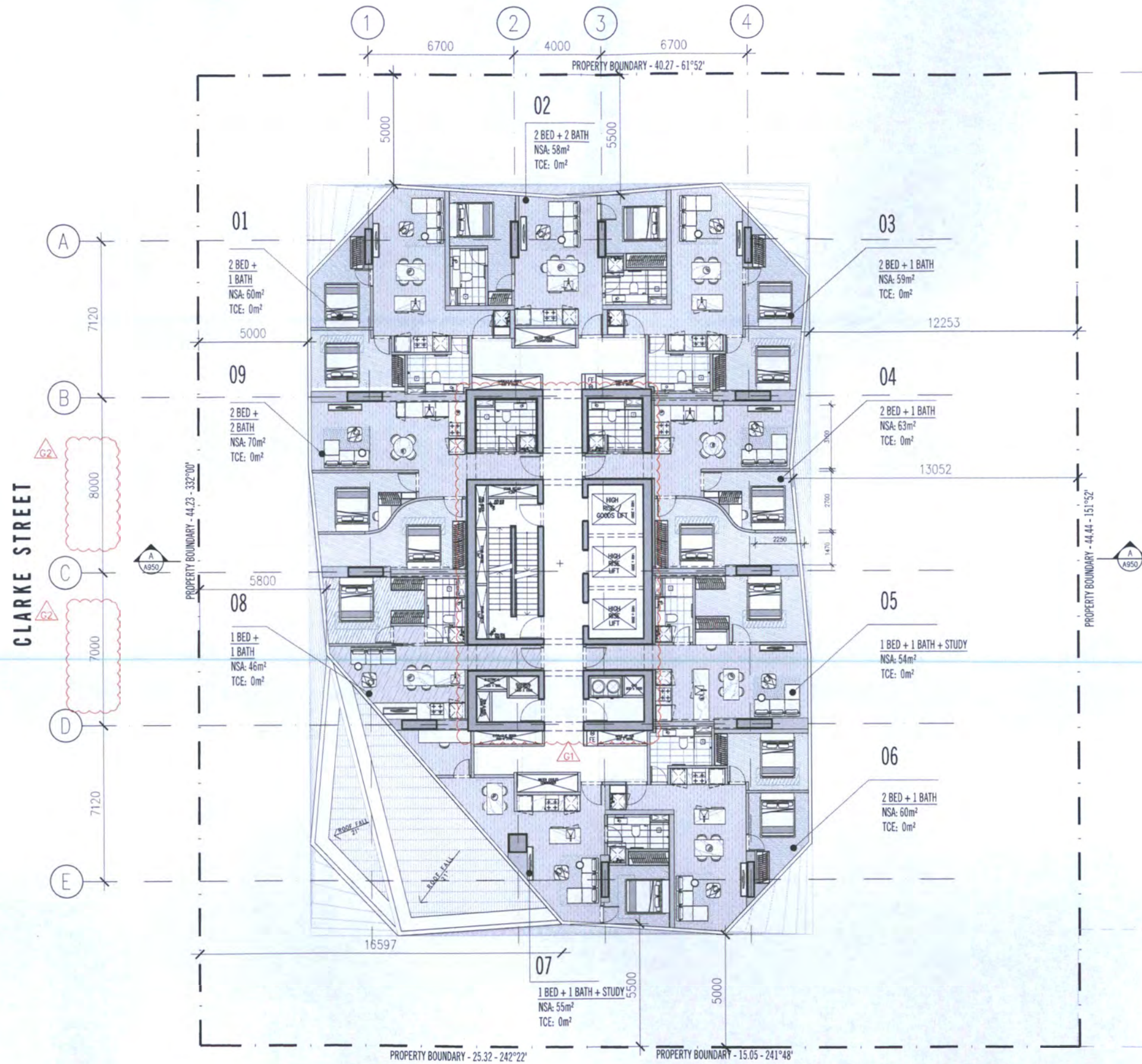
Drawing Title
**LEVEL 54
TYPICAL SKY RESIDENCE PLAN**

Project Number
14029

Drawing Status
TP

Drawing Number
A0154

Revision
A



SCHEDULE OF DRAWING SET AMENDMENTS

1. RECONFIGURATION OF RESIDENTIAL LIFT CORE.
2. INTERNAL STRUCTURE GRID CHANGE.

Rev No.	Date	Reason for Issue
Rev A	23.10.2015	ISSUED FOR COORDINATION
Rev B	30.10.2015	ISSUED CONSULTANTS FOR COORDINATION
Rev C	13.11.2015	ISSUED FOR DESIGN COORDINATION
Rev D	20.11.2015	ISSUED FOR INFORMATION
Rev E	23.11.2015	ISSUED FOR INFORMATION
Rev F	26.11.2015	ISSUED FOR PLANNING APPROVAL
Rev G	17.08.2016	ISSUED FOR TOWN PLANNING_APT RESPONSE
Rev H	05.08.2016	ISSUED FOR TOWN PLANNING_DELP REVIEW

Issued To	Rev No.	Date	Reason for Issue

PROVISIONS

1. The Architect's drawings shall be used in accordance with the provisions of the Building Act 2006 and the Building Regulations 2006.

2. The Architect's drawings shall be used in accordance with the provisions of the Building Act 2006 and the Building Regulations 2006.

3. The Architect's drawings shall be used in accordance with the provisions of the Building Act 2006 and the Building Regulations 2006.

SCALE@A1 1:100
SCALE@A3 1:200

**PRELIMINARY
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ABN 51 154 188 276

Project Title
**51-65 CLARKE STREET
SOUTHBANK**

Client
**NEW CITY INVESTMENT
HOLDING GROUP Pty Ltd**

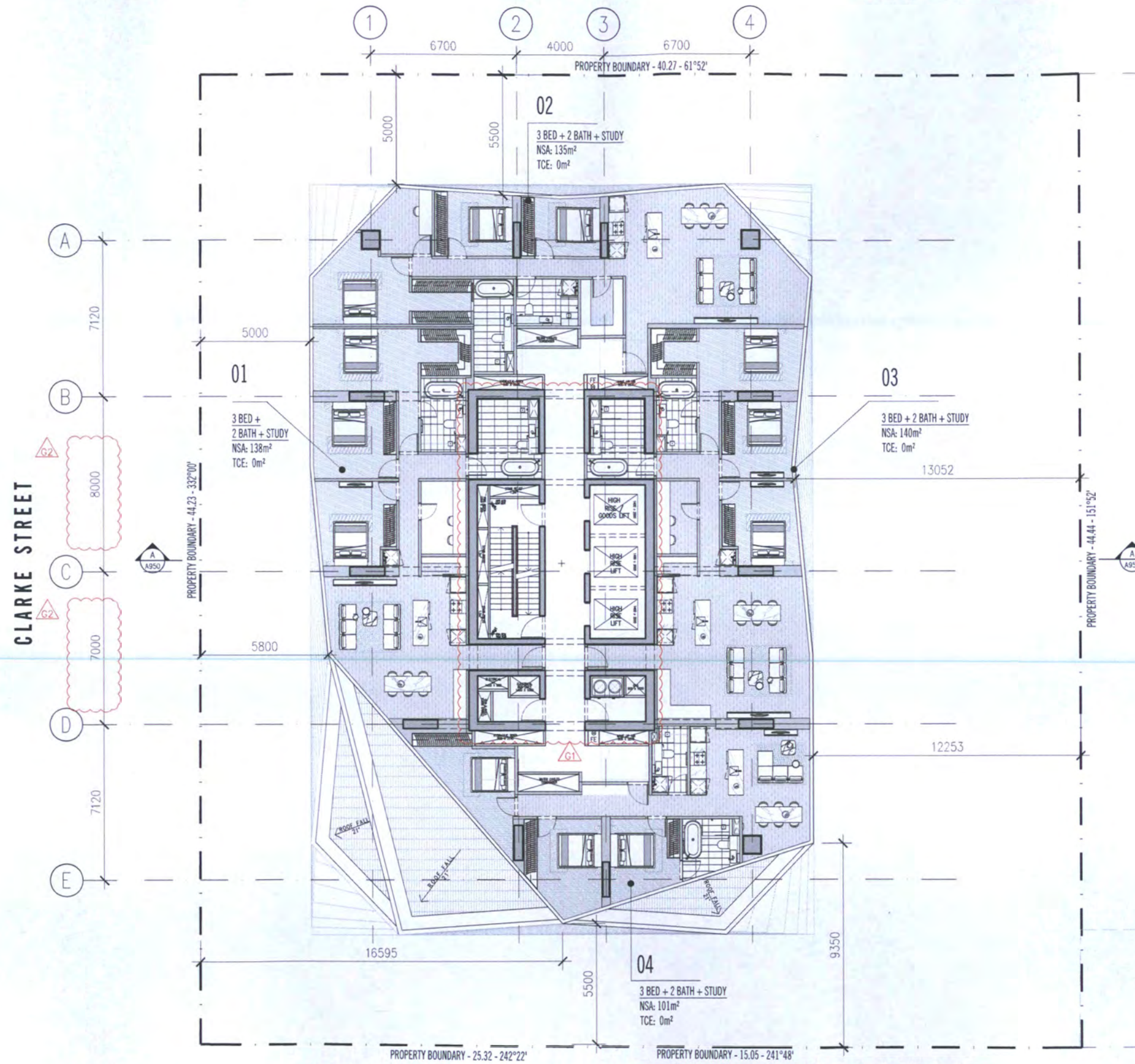
Drawing Title
**LEVEL 58
TYPICAL SKY RESIDENCE PLAN**

Project Number
14029

Drawing Number
A0158

Revision
G

TP



SCHEDULE OF DRAWING SET AMENDMENTS

1. RECONFIGURATION OF RESIDENTIAL LIFT CORE.
2. INTERNAL STRUCTURE GRID CHANGE.

Rev No.	Date	Reason for Issue
Rev A	23.10.2016	ISSUED FOR COORDINATION
Rev B	10.10.2015	ISSUED CONSULTANTS FOR COORDINATION
Rev C	23.11.2015	ISSUED FOR DESIGN COORDINATION
Rev D	20.11.2015	ISSUED FOR APPROVAL
Rev E	23.11.2015	ISSUED FOR INFORMATION
Rev F	26.11.2015	ISSUED FOR PLANNING APPROVAL
Rev G	17.06.2016	ISSUED FOR TOWN PLANNING - RFI RESPONSE
Rev H	05.05.2016	ISSUED FOR TOWN PLANNING - DELWP REVIEW

Issued by	Rev No.	Date	Reason for Issue

Conditions:

This document may only be used as a guide to the design of the building. It is not intended to be a contract document and should not be used to determine the scope of work or the quality of work. The design is subject to change without notice. The design is based on the information provided to the architect at the time of the design. The architect is not responsible for the accuracy of the information provided. The architect is not responsible for the construction of the building. The architect is not responsible for the safety of the building. The architect is not responsible for the performance of the building. The architect is not responsible for the maintenance of the building. The architect is not responsible for the operation of the building. The architect is not responsible for the repair of the building. The architect is not responsible for the replacement of the building. The architect is not responsible for the demolition of the building. The architect is not responsible for the reconstruction of the building. The architect is not responsible for the renovation of the building. The architect is not responsible for the extension of the building. The architect is not responsible for the alteration of the building. The architect is not responsible for the addition of the building. The architect is not responsible for the subtraction of the building. The architect is not responsible for the modification of the building. The architect is not responsible for the improvement of the building. The architect is not responsible for the enhancement of the building. The architect is not responsible for the optimization of the building. The architect is not responsible for the maximization of the building. The architect is not responsible for the minimization of the building. The architect is not responsible for the reduction of the building. The architect is not responsible for the elimination of the building. The architect is not responsible for the annihilation of the building. The architect is not responsible for the destruction of the building. The architect is not responsible for the annihilation of the building. The architect is not responsible for the destruction of the building.

SCALE@A1 1:100
SCALE@A3 1:200

**PRELIMINARY
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Project Title
**51-65 CLARKE STREET
SOUTHBANK**

Client
**NEW CITY INVESTMENT
HOLDING GROUP Pty Ltd**

Drawing Title
**LEVEL 63-64
TYPICAL SKY RESIDENCE PLAN**

Project Number
14029

Drawing Status
TP

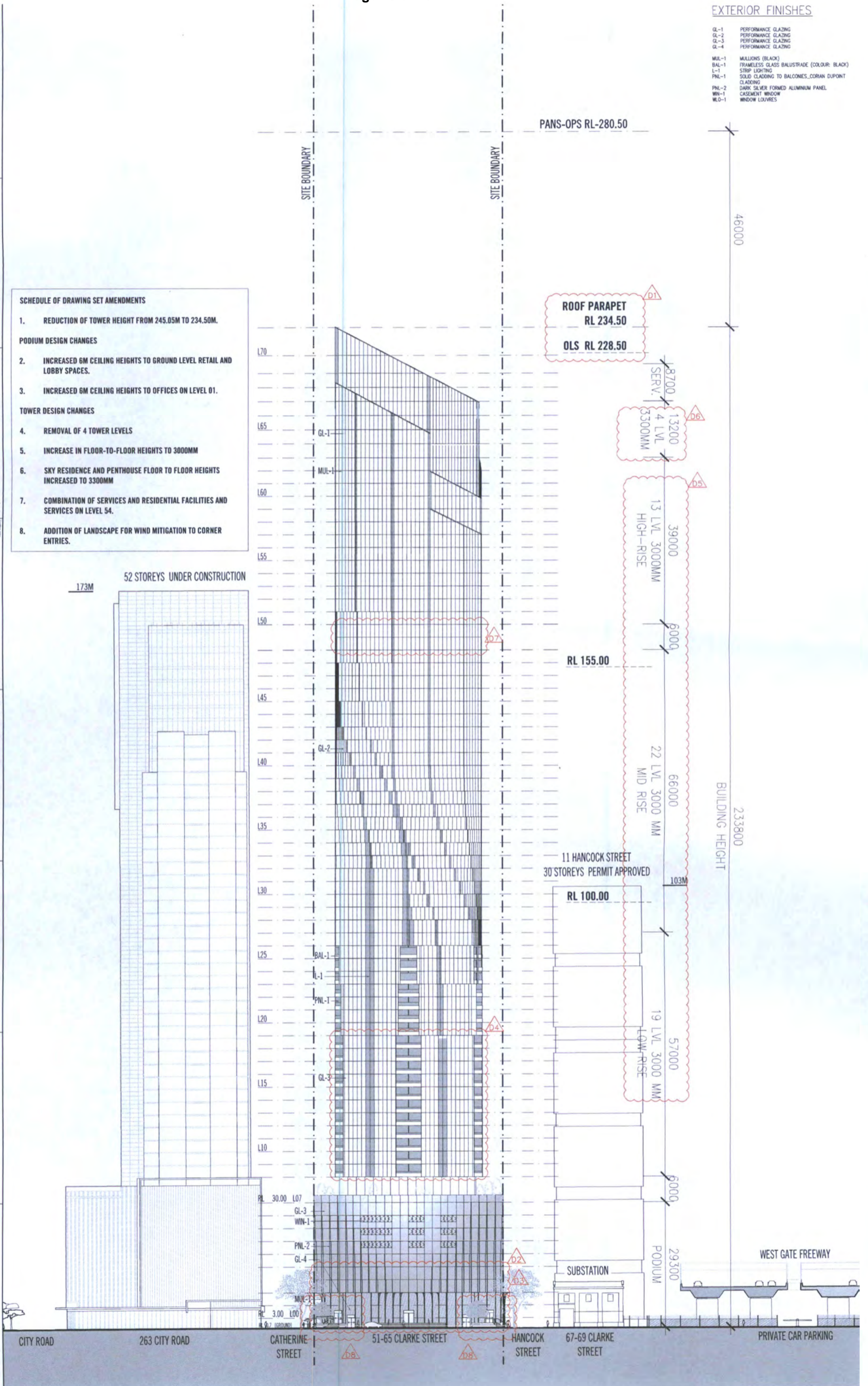
Drawing Number
A0163

Revision
G

EXTERIOR FINISHES

- GL-1 PERFORMANCE GLAZING
- GL-2 PERFORMANCE GLAZING
- GL-3 PERFORMANCE GLAZING
- GL-4 PERFORMANCE GLAZING
- MUL-1 MULLIONS (BLACK)
- BAL-1 FRAMELESS GLASS BALUSTRADE (COLOUR: BLACK)
- L-1 STRIP LIGHTING
- PNL-1 SOLID CLADDING TO BALCONIES, CORIAN DUPONT CLADDING
- PNL-2 DARK SILVER FORMED ALUMINIUM PANEL
- WIN-1 CASEMENT WINDOW
- WLG-1 WINDOW LOUVRES

- SCHEDULE OF DRAWING SET AMENDMENTS**
1. REDUCTION OF TOWER HEIGHT FROM 245.05M TO 234.50M.
 - PODIUM DESIGN CHANGES**
 2. INCREASED 6M CEILING HEIGHTS TO GROUND LEVEL RETAIL AND LOBBY SPACES.
 3. INCREASED 6M CEILING HEIGHTS TO OFFICES ON LEVEL 01.
 - TOWER DESIGN CHANGES**
 4. REMOVAL OF 4 TOWER LEVELS
 5. INCREASE IN FLOOR-TO-FLOOR HEIGHTS TO 3000MM
 6. SKY RESIDENCE AND PENTHOUSE FLOOR TO FLOOR HEIGHTS INCREASED TO 3300MM
 7. COMBINATION OF SERVICES AND RESIDENTIAL FACILITIES AND SERVICES ON LEVEL 54.
 8. ADDITION OF LANDSCAPE FOR WIND MITIGATION TO CORNER ENTRIES.



173M 52 STOREYS UNDER CONSTRUCTION

PANS-OPS RL-280.50

46000

ROOF PARAPET
RL 234.50
OLS RL 228.50

8700
SERV. 4 LVL 3300MM
13200

39000
13 LVL 3000MM
HIGH-RISE

6000
66000
22 LVL 3000 MM
MID RISE

103M
57000
19 LVL 3000 MM
LOW RISE

BUILDING HEIGHT
233.800

11 HANCOCK STREET
30 STOREYS PERMIT APPROVED
RL 100.00

103M

57000

29.300
PODIUM

SUBSTATION

WEST GATE FREEWAY

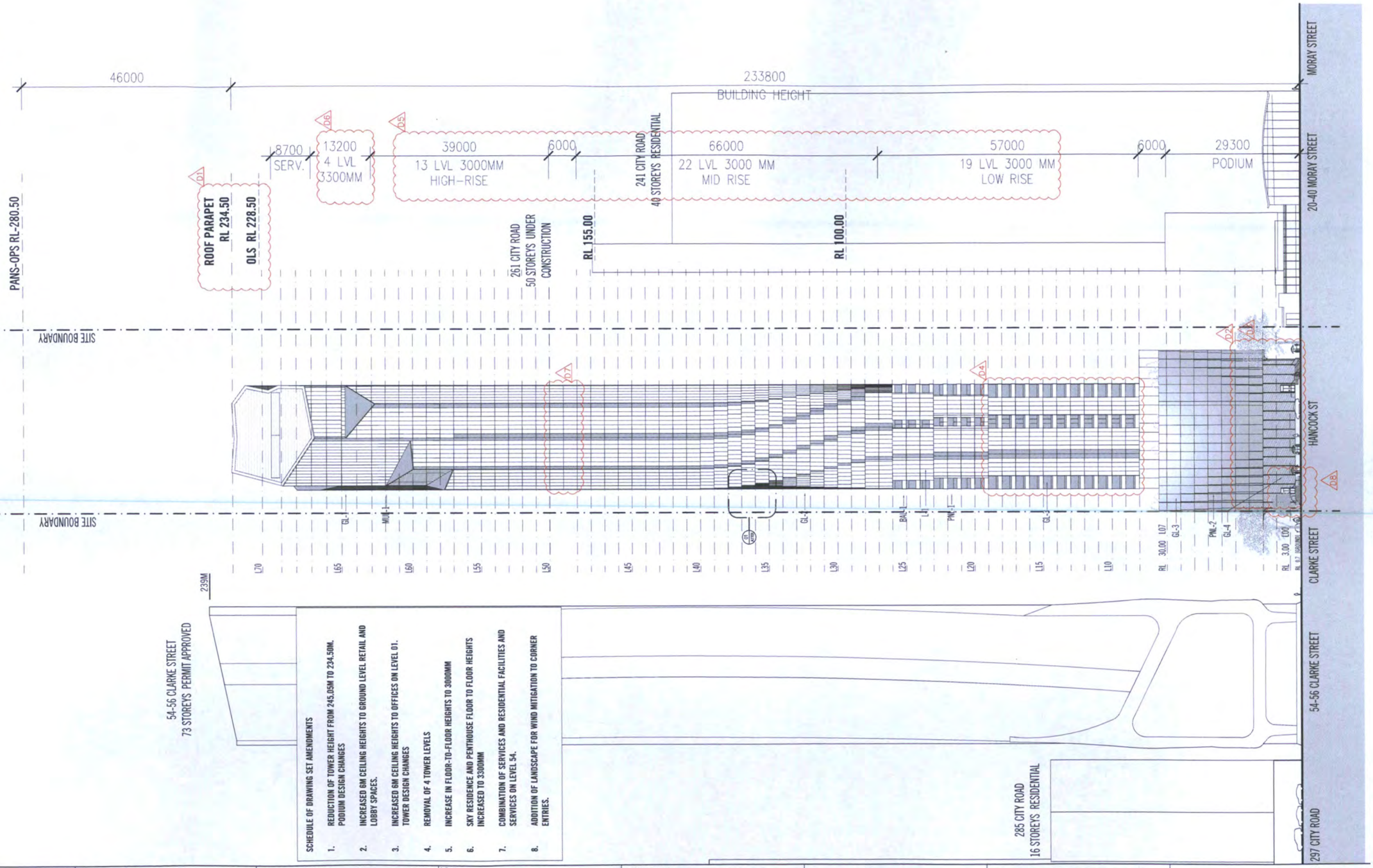
PRIVATE CAR PARKING

CITY ROAD 263 CITY ROAD CATHERINE STREET 51-65 CLARKE STREET HANCOCK STREET 67-69 CLARKE STREET

Scale: 1:100
PRELIMINARY NOT FOR CONSTRUCTION
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 SOUTH BANK
 WEST ELEVATION
 CLARKE ST
 14029
 A09000

EXTERIOR FINISHES

- GL-1 PERFORMANCE GLAZING
- GL-2 PERFORMANCE GLAZING
- GL-3 PERFORMANCE GLAZING
- GL-4 PERFORMANCE GLAZING
- MIL-1 MILLIONS (BLACK)
- BAL-1 FRAMELESS GLASS BALUSTRADE (COLOUR: BLACK)
- PNL-1 FRAMELESS GLASS BALUSTRADE (COLOUR: BLACK)
- CLD-1 SOLID CLADDING TO BALCONIES, CORIAN DUPONT
- PNL-2 DARK SILVER FORMED ALUMINIUM PANEL
- MIL-2 MILLIONS (BLACK)
- MIL-1 MILLIONS (BLACK)



54-56 CLARKE STREET
73 STOREYS PERMIT APPROVED

- SCHEDULE OF DRAWING SET AMENDMENTS**
1. REDUCTION OF TOWER HEIGHT FROM 245.05M TO 234.50M. PODIUM DESIGN CHANGES
 2. INCREASED GROUND CEILING HEIGHTS TO GROUND LEVEL RETAIL AND LOBBY SPACES.
 3. INCREASED GROUND CEILING HEIGHTS TO OFFICES ON LEVEL 01. TOWER DESIGN CHANGES
 4. REMOVAL OF 4 TOWER LEVELS
 5. INCREASE IN FLOOR-TO-FLOOR HEIGHTS TO 3000MM
 6. SKY RESIDENCE AND PENTHOUSE FLOOR TO FLOOR HEIGHTS INCREASED TO 3300MM
 7. COMBINATION OF SERVICES AND RESIDENTIAL FACILITIES AND SERVICES ON LEVEL 54.
 8. ADDITION OF LANDSCAPE FOR WIND MITIGATION TO CORNER ENTRIES.

285 CITY ROAD
16 STOREYS RESIDENTIAL

Rev No.	Date	Issued For Issue	Drawn By	Rev No.	Date	Reason for Issue
Rev A	20.11.2016	ISSUED FOR INFORMATION				
Rev B	25.11.2016	ISSUED FOR PLANNING APPROVAL				
Rev C	02.12.2016	ISSUED FOR PLANNING APPROVAL				
Rev D	17.06.2016	ISSUED FOR TOWN PLANNING - APT RESPONSE				
Rev E	05.09.2016	ISSUED FOR TOWN PLANNING - DELMP REVIEW				

Rev No.	Date	Issued For Issue	Drawn By	Rev No.	Date	Reason for Issue

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SCALE @ A1 1:400
SCALE @ A3

**PRELIMINARY
NOT FOR CONSTRUCTION**

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Project No:
**51-65 CLARKE STREET
SOUTHBANK**

Drawing No:
A0901

Project Number:
14029

Drawing Title:
**SOUTH ELEVATION
HANCOCK ST**

Client:
TP

Project No:
**51-65 CLARKE STREET
SOUTHBANK**

Drawing No:
A0901

Project Number:
14029

Drawing Title:
**SOUTH ELEVATION
HANCOCK ST**

Client:
TP

PLANNING REPORT

MINISTERIAL REFERRAL

Application number:	TPM-2016-4
DELWP Application number:	PA1500053
Applicant / Owner / Architect:	Urbis Pty Ltd / New City Lane (One) Pty Ltd / Elenberg Fraser
Address:	51-65 Clarke Street, SOUTHBANK VIC 3006
Proposal:	Application for Planning Permit PA1500053 51 - 65 Clarke Street SOUTHBANK Demolition of the existing building, construction of a multi-level mixed used development and reduction of loading requirements
Cost of works:	172281200
Date received by City of Melbourne:	4 January 2016
Responsible officer:	Brendan Cousins
Report Date:	23 February 2016

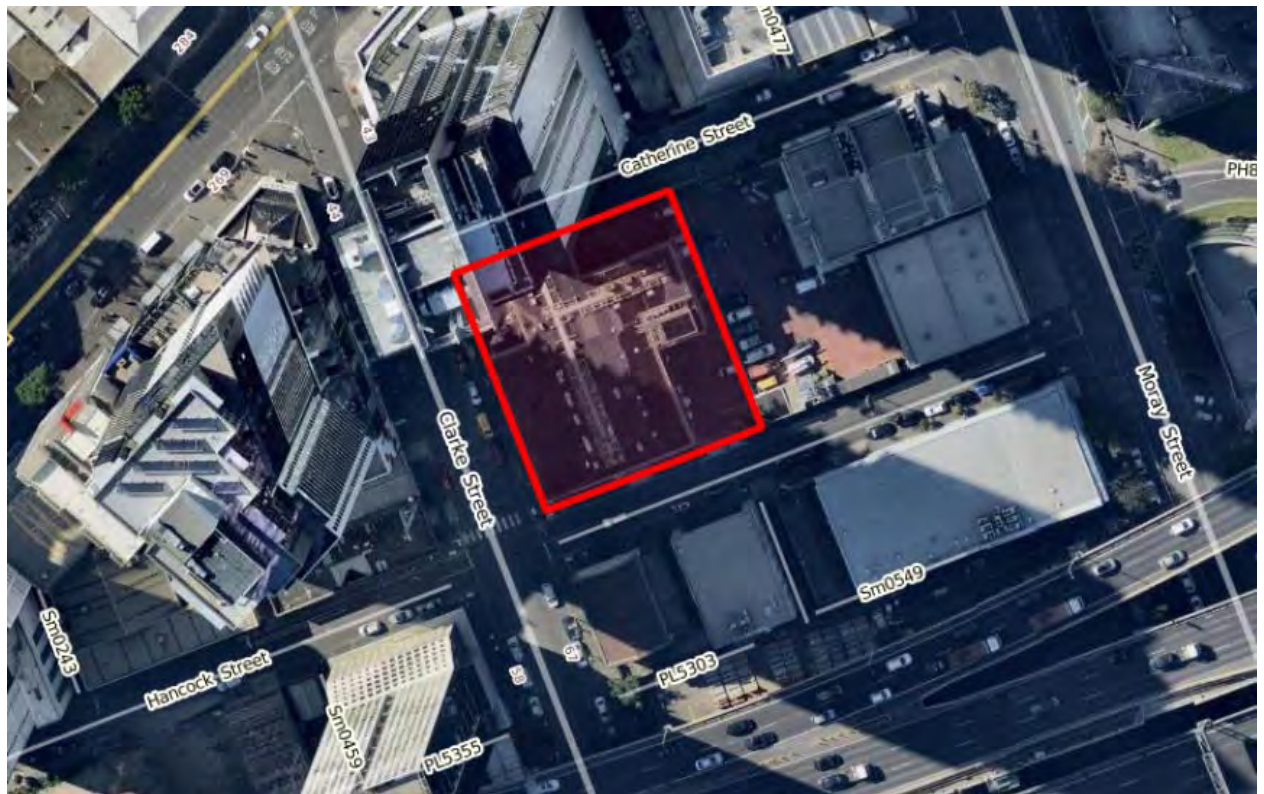
1. SUBJECT SITE AND SURROUNDS

1.1. The site

The subject site is located on the east side of Clarke Street between Catherine Street and Hancock Street. It is a rectangular-shaped site with a frontage to Clarke Street of approximately 44m and frontages to Catherine Street and Hancock Street of approximately 40m. The total site area is approximately 1784m².

The subject site is developed with a three storey office building with ground level car parking accessed via Hancock Street.

Aerial Photo / Locality Plan



1.2. Surrounds

The surrounds are characterised by a range of buildings styles and heights. Southbank is experiencing significant change with mixed-use high density development. The immediately adjoining sites are as follows

- East – Two-storey Metropolitan Fire Brigade Station at 26-40 Moray Street
- North – over Catherine Street is the 52 storey Platinum Apartments under construction at 45 Clarke Street
- South – over Hancock Street is a two storey substation at 67-69 Clarke Street and a three storey office building at 15-17 Hancock Street
- West – over Clarke Street is the 42 storey Bank Apartments at 269-283 City Road and an approved 73 storey residential development at 54-56 Clarke Street

Clarke Street has a traffic lane and parallel parking on either side whereas Catherine Street and Hancock Street are narrower with only parallel parking on one side.

2. THE PROPOSAL

The application seeks approval for the demolition of the existing building, construction of a multi-level mixed used development and reduction of loading requirements.

The initial plans and application documents referred to the City of Melbourne for comment were received on 4 January 2016. Following discussions with Department of Environment, Land, Water and Planning (DELWP) and Council officers, the applicant provided revised plans in a submission dated 21 September 2016 including details of the proposed public realm contribution.

On the 12 January 2017 DELWP referred further documents to the City of Melbourne for consideration. Broadly, the plans sought to address matters relating to

the through block link, proposed street works, internal layout, internal amenity and proposed wind conditions. The plans dated 20 December 2016 do not formally amend the application but are intended to be read in conjunction with plans dated 21 September 2016.

The following description and assessment is based on the revised plans in the submission dated 21 September 2016 and plans referred on 12 January 2017.

The application proposes the following uses:

Dwellings	565 dwellings (194 one bedroom, 361 two bedroom and 10 three bedroom) Ancillary communal residential facilities including roof garden, pool, gymnasium, yoga space, lounge and bar
Retail	422m ² at ground level fronting Catherine Street and Clarke Street including outdoor seating area to Catherine Street and in the north-end of the through-block link
Office	653m ² at level 1

The application proposes the following public benefit contributions as described in the *Public Realm Contribution* document prepared by Elenberg Fraser and dated 21 September 2016 including the memorandum prepared by the PDS Group:

Publicly accessible open areas on site	A through-block link located on the east side of the building between Catherine Street and Hancock Street
Commercial office use on site or within proposed building	Business hub (office space) at level 1 that creates street activation via a void above the residential lobby
Contribution to streetscape or public realm	Streetscape or public realm improvements in the proximity of the subject site on Clarke Street, Catherine Street and Hancock Street with the balance towards the Kings Way Southern undercroft

The specific details of the proposal are as follows:

Building height	70 levels excluding building services with an overall building height of 233.8m
Plot ratio	30.8:1
Podium height	29.3m
Front, side and rear setbacks	West (Clarke Street) – minimum 5m North (Catherine Street) – minimum 5m East (26-40 Moray Street) – minimum 12.25m South (Hancock Street) – minimum 5m
Gross floor area (GFA)	52,313m ²
Car parking	155 spaces accessed via lifts from Hancock Street and

	the proposed through-block link
Bicycle facilities and spaces	236 spaces with change rooms
Loading/unloading	A loading bay at ground floor accessed via Hancock Street and the proposed through-block link

3. BACKGROUND

3.1. Site history

The following planning permits issued for this site and surrounding sites are considered relevant to this application:

TP number	Description of Proposal	Decision & Date of Decision
TPM-2002-15 (51-65 Clarke Street)	Development of a 32 level residential tower building with associated car parking and recreational facilities and offices at ground level	Permit issued by the Minister for Planning 18 September 2002
TPM-2009-57 (43-47 Clarke Street and 252 City Road Southbank)	Development of a multi-storey residential tower with ground floor retail (excluding Hotel, Tavern and/or Gambling premises), a reduction in the requirements of Clause 52.06 (Car Parking), partial waiver of the loading bay requirements at Clause 52.07 (Loading and Unloading Facilities)	Permit issued by the Minister for Planning 18 September 2002 Under construction and known as Platinum Apartments
TPM-2013-13 (54-56 Clarke Street)	Demolition of existing buildings on site and development of a multi-storey residential tower, variation of the Design and Development Overlay (DDO60) and clause 52.07 (loading)	Permit issued by the Minister for Planning 19 December 2013 Construction has not yet commenced

4. PLANNING SCHEME PROVISIONS

The following provisions of the Melbourne Planning Scheme apply:

State Planning Policies	<ul style="list-style-type: none"> • Clause 9, Plan Melbourne • Clause 11.02, Urban Growth • Clause 15.01-2, Urban design principles (includes reference to the <i>Design Guidelines for Higher Density Residential Development</i>) • Clause 15.02-1, Energy and resource efficiency • Clause 16.01-2, Location of residential development • Clause 17.01, Commercial • Clause 18.02-1, Sustainable personal transport • Clause 18.02-2, Cycling • Clause 18.02-5, Car parking
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Municipal Strategic Statement	<ul style="list-style-type: none"> • Clause 21.03, Vision for Melbourne • Clause 21.04-1.2, Urban Renewal Areas references the <i>Southbank Structure Plan</i> (2010) • Clause 21.06, Built Form and Heritage • Clause 21.07, Housing • Clause 21.13-1, Southbank
Local Planning Policies	<ul style="list-style-type: none"> • 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 22.23, Stormwater Management (Water Sensitive Urban Design)

Statutory Controls	
<p>Clause 37.04</p> <p>Capital City Zone, Schedule 3 (Southbank) (CCZ3)</p>	<p>Pursuant to Clause 37.04-1 and 1.0 of CCZ3, a planning permit is not required to use the land for accommodation, office or retail premises (other than Adult sex bookshop, Department store, Hotel, and Tavern).</p> <p>Pursuant to Clause 37.04-4 and 3.0 of CCZ3, a permit is required to construct a building or construct or carry out works.</p> <p>Pursuant to Clause 37.04-4 and 4.0 of CCZ3, a permit is required to construct a building or construct or carry out works, and to demolish or remove a building or works.</p>
<p>Clause 43.02</p> <p>Design and Development Overlay, Schedule 10 (DDO10) (Built Form Controls)</p>	<p>Pursuant to Clause 43.02-2, a permit is required to construct a building or construct or carry out works.</p> <p>Clause 2.0, Buildings and Works, of Schedule 10 states that: 'A permit cannot be granted for buildings and works which exceed the requirements specified in Table 1 to this schedule, with the exception of:</p> <ul style="list-style-type: none"> • Architectural features, building services and landscaping. <p>A permit cannot be granted for buildings or works which exceed the site plot ratio specified in Table 2 to this schedule unless it can be demonstrated that the buildings and works will achieve the Design Objectives and Built Form Outcomes of this schedule, any local planning policy requirements, and at least one of the following requirements is met:</p> <ul style="list-style-type: none"> • The development or proposed development is declared to be of State or regional significance under section 201F of the Planning and Environment Act 1987, • The applicant demonstrates a commitment and ability to deliver public amenity improvements as agreed to by the Responsible Authority and performance of which can be appropriately secured to the satisfaction of the Responsible Authority.' <p>Planning Scheme Amendment C262 was gazetted into the Melbourne</p>

	Planning Scheme on 4 September 2015 to provide interim built form controls. The application was lodged after 4 September 2015 therefore, the requirements of DDO10 (C262) apply.
Clause 44.04 Land Subject to Inundation Overlay, Schedule 1 (LSIO1)	Pursuant to Clause 44.04-1, a permit is required to construct a building or to construct or carry out works. In accordance with Clause 44.04-5, an application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the floodplain management authority.
Clause 45.09 Parking Overlay, Schedule 1 (PO1) (Capital City Zone – Outside the Retail Core)	Pursuant to Clause 52.06-2, 'before a new use commences, the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay must be provided to the satisfaction of the responsible authority'. The proposal seeks 155 spaces, which is less than the calculated maximum of 570 spaces. Therefore, no planning permit is required pursuant to PO1.

Particular Provisions	
Clause 52.06	Refer to PO1 regarding car parking rates.
Car parking	Clause 52.06-8 provides design standards for car parking.
Clause 52.07 Loading and unloading of vehicles	<p>Pursuant to Clause 52.07, no building or works may be constructed for the manufacture, servicing, storage or sale of goods or materials unless:</p> <ul style="list-style-type: none"> • 'Space is provided on the land for loading and unloading vehicles as specified in the table below. • The driveway to the loading bay is at least 3.6 metres wide. If a driveway changes direction or intersects another driveway, the internal radius at the change of direction or intersection must be at least 6 metres. • The road that provides access to the loading bay is at least 3.6 metres wide.' <p>A permit may be granted to reduce or waive these requirements if either:</p> <ul style="list-style-type: none"> • The land area is insufficient. • Adequate provision is made for loading and unloading vehicles to the satisfaction of the responsible authority.' <p>The proposal includes retail premises which do trigger a requirement for the minimum loading bay dimensions. It does include a loading bay accessed via the proposed through-block link however, as referenced at Section 6, Council's Engineering Services Group has requested additional information regarding ownership of the space in terms of loading.</p>

<p>Clause 52.34 Bicycle Facilities</p>	<p>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.</p> <p>The proposal includes 236 spaces, which is greater than the calculated minimum of 170 spaces. Therefore, the total provision exceeds the statutory requirement.</p>
<p>Clause 52.35 Urban Context Report and Design Response for Residential Development of Four or More Storeys</p>	<p>An application for a residential development of five or more storeys within the Capital City Zone must be accompanied by:</p> <ul style="list-style-type: none"> • An urban context report. • A design response.
<p>Clause 52.36 Integrated Public Transport Planning</p>	<p>An application for an excess of 60 dwellings must be referred to PTV for comment.</p>

General Provisions	
<p>Clause 61.01 Administration and enforcement of this scheme</p>	<p>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 / the site is listed in the schedule to Clause 61.01 of the Melbourne Planning Scheme (which specifies the Minister for Planning as the responsible authority for administering and enforcing the Scheme).</p>

5. PUBLIC NOTIFICATION

The application has been referred to the City of Melbourne for comment by DELWP.

Pursuant to CCZ3, DDO10 and LSIO1, the application is exempt from the notice requirements of Section 52 (1) (a), (b) and (d), the decision requirements of Section 64 (1), (2) and (3) and the review rights of Section 82 (1) of the Act. However, the application is not exempt from these requirements pursuant to 52.07.

6. REFERRALS

The application was referred to the following internal departments:

- Urban Design
- Engineering
- Land Survey
- Urban Sustainability
- Open Space
- Strategic Planning

The comments received are summarised below.

6.1. Urban Design

The revised plans dated 21 September 2016 were referred to Council's Urban Design Team. Urban Design stated that they 'are unable to provide urban design support for the proposal which we maintain results in a poor outcome for the surrounding public realm'. The comments also noted the following key areas of concern:

- 'The proposed Floor Area Uplift proportion relative to the quantity and quality of public realm offering (when compared to 600 Collins Street for example, which pursued a similar bonus).
- The lack of activation and pedestrian priority surrounding the proposed design of the through-block link, in accordance with the Southbank Structure Plan 2010.
- Unsuitable wind exposure to outdoor seating areas surrounding the perimeter of the building.
- Architectural resolution of the proposed podium and tower form to minimise tower dominance and reinforce an active and engaging street edge.
- Adaptability of podium parking to enable long term transition to productive uses.
- The lack of private open space and provision of balconies to a high proportion of podium and tower apartments.
- The lack of natural light and ventilation to corridors, depth of certain apartment modules and snorkels to deep set bedrooms.'

Following the submission of plans dated 20 December 2016, the following additional comments were provided:

- Our previous review was undertaken without awareness of the proposed improvements proposed to surrounding streetscapes including street tree planting. This is a positive gesture and supported. Any works should be developed in conjunction with Council's City Design Studio team.
- Consistent with earlier comments, the 29.9:1 plot ratio, exceeds the 24:1 floor area ratio outlined in C262 by 6:1 or 25% which is a significant proportion. A comparable public offering, both in size and in terms of quality should be secured as per 600 Collins Street.
- The through-block link has potential to provide a component of the public benefit, however we remain concerned with the activation and dominance of vehicles in the through block link. The bollards have not assisted in this regard, as this visually relegates the pedestrian space to a narrow sliver of land. We encourage further development of the shared space, including any opportunity for one way vehicle traffic, aided by electronic signalling or similar to manage conflicts.
- The activation of the shared way / laneway could be greatly improved through the reconfiguration of stairs within the café / gallery spaces. The stairs should be arranged to maximise usable space up against the building perimeter. An elevated terrace at the building line, with openings to provide surveillance would achieve greater activation as opposed to residual forecourt space adjacent to the grand stairs. The stairs could be re-contoured to maintain the design intent, whilst increasing opportunity for activation.
- We are satisfied with the gesture to increase the proportion of balconies in the tower. However, we remain critical of the winter garden resolution. Further detail should be provided to demonstrate acceptable amenity and

usability of the winter balconies, with regard to the operable components. Subtracted, open balconies would be preferred within the podium to add depth to the façade, and maximise usability.

- The suggestion by the applicant that snorkels will be removed is supported.
- Similarly the applicant's suggested intent to explore a greater sense of mass in the building base is supported, in order to reduce the comparative dominance of the tower within the surrounding streetscapes.
- We maintain that natural light and natural ventilation should be provided to corridors. If ventilation cannot be achieved in the higher levels, then natural light should be achieved as a minimum.
- The section study depicting parking adaptation is positive and suggestive of future opportunity.
- The wind impacts on the potential for stationary activity in the surrounding public realm and steps appear not to have been addressed at this stage.

6.2. Engineering

The revised plans dated 21 September 2016 were referred to Council's Engineering Services Group (ESG). The following key relevant comments:

Traffic

- Car parking provision of 155 is supported but ESG requested details regarding car lift dimensions, sight triangles and the ownership of the proposed through-block link.
- Further justification is required in relation to the provision of kerb extensions and the 'raised threshold treatments' including swept path diagrams given the loss of on-street car parking.
- ESG requested a comprehensive Loading Management Plan (LMP) specifying how the access/egress of loading vehicles is to be managed and including all space dimensions, grades & height clearances, should comply with relevant standards for Commercial Vehicles (AS2890.2-2002).
- Whilst the proposal seeks to remove the existing loading zone on the north side of Hancock Street, ESG advised that they do not intend to remove this loading zone. As such, access/egress from the site by loading vehicles must be demonstrated with this loading zone in place and potentially alternative loading arrangements may need to be considered as part of the LMP, without having to remove the loading zone.
- Bicycle parking of 236 is supported but the layout of bicycle parking must meet the relevant requirements of Clause 52.34, AS2890.3:2015 and/or Bicycle Network guidelines.
- Despite a proposed provision of two spaces, it is required that a minimum of 11 motorcycle parking spaces be provided based on a rate one per 50 car parking spaces permitted.
- ESG stated that the 'queuing of vehicles within the laneway would only be considered to be acceptable if the laneway is to be privately owned/controlled, as this queuing would affectively occur on-site. However, if the laneway is to be owned/controlled by Council, then such queuing would be unacceptable, as ES does not accept any queuing on the public roads/lanes.'
- ESG also requested that a formal Road Safety Audit (RSA) be undertaken as part of the detailed design process prior to construction.

Following the submission of plans dated 20 December 2016, the following additional comments (summarised) were provided:

- As noted in our previous comments of 26/10/2016 below, in providing these comments it is assumed that the laneway will be privately owned/controlled. If this is the case, then Engineering Services (ES) has no objection to the slight amendments to the layout of the laneway (including the 1.2m wide pedestrian path along the eastern boundary of the site, delineated by bollards), given that the access arrangements have remained essentially unchanged compared to the previous application for this site. However, if the laneway is to be public, then we may consider providing further comments, particularly in relation to the appropriateness/possible issues with the use of the bollards within the public realm. In any case, the ownership of the laneway should be clarified, to the satisfaction of ES.
- While ES has no objection to the proposed works along Clarke, Catherine & Hancock Streets (including new paving, kerb extensions in Clarke St within No Stopping areas at Catherine/Hancock Streets, tree planting etc) it is also strongly recommended that this funding be put towards 'capital projects within the vicinity of the site which will improve the public realm as well as pedestrian amenities consistent with the City Road Master Plan and Southbank Structure Plan'.
- The following wording could be considered for the relevant planning permit condition: 'Prior to the commencement of the development (including demolition), the owner of the land must enter into an agreement pursuant to Section 173 of the Planning and Environment Act 1987 with the Melbourne City Council and Vic Roads (if applicable). This agreement shall be prepared by the owner at no cost to the Responsible Authority, the Melbourne City Council or VicRoads (if applicable) and provide for a financial contribution of \$xxx towards the capital projects within the vicinity of the site which will improve the public realm as well as pedestrian amenities consistent with the City Road Master Plan and Southbank Structure Plan'.

Civil design

- The architectural drawings show provision of a new public road between the subject land and 26-40 Moray Street, Southbank. The proposed road is required for provision of access to the subject land. The road should remain the responsibility of the land owner(s).
- In terms of public realm works, ESG objects to the proposed raised pedestrian crossings given the area is subject to an inundation overlay. In addition, ESG does not support the proposed widening of the footpath in Catherine Street and kerb extension in Hancock Street. The footpath alignment 'does not match with the existing width of the footpath in Catherine Street' and the kerb extension in Hancock Street 'may have impact on flow of stormwater during intensive stormwater events'.
- All projections over the street alignment must conform to Building Regulations 2006, Part 5, Sections 505 to 514 as appropriate. The Melbourne City Council's Road Encroachment Operational Guidelines address projections impacting on street trees and clearances from face/back of kerb.

- The architectural drawings show provision of street trading furniture in Clarke Street, which should be removed as street trading activities in the public realm are subject to a separate application to Council's Street Trading Team.
- The comments also include permit conditions relating to stairs to the property boundary, vehicle crossings (widths and pedestrian refuges), drainage, footpaths, street levels, street lighting and furniture.

Following the submission of plans dated 20 December 2016, the following additional comments were provided:

- Engineering Infrastructure offers no objection to the proposed additional streetscaping works along the extended surrounding streets involving upgrade of kerb, channel and footpath to sawn bluestone.
- Provision must be made for an assessment of existing street lighting in the extended surrounding streets and installation of additional street lighting if required first approved by Melbourne City Council.
- It is also anticipated the existing overhead power lines in Hancock Street will be made underground during the street scape works subject to relevant authority consent.

Waste

- The original application included a *Waste Management Plan (WMP)* prepared by Wastech and dated 1 December 2015. The revised plans dated 21 September 2016 did not include a revised WMP. If the application was supported, a revised WMP could be required via a permit condition.

6.3. Land Survey

The revised plans dated 21 September 2016 were referred to Council's Land Survey Team, which commented that the creation of a road is not supported. The comments also included suggested permit conditions relating to projections and car parking and vesting of the lane should it be approved.

6.4. Urban Sustainability

The revised plans dated 21 September 2016 were referred to Council's Urban Sustainability Team, which provided the following comments:

- 'To facilitate proposed plantings on existing frontages it appears that the existing trees on Catherine Street and Clarke Street will need removal. In addition, the parking bays proposed on Clarke Street inhibiting future planting in an area that has historically contained trees.
- On this basis the proposal is not supported and it is believed a redesign should be supplied that is sympathetic to retention of existing trees and potential plantings.'
- The comments also included details regarding the amenity value, ecological services and removal costs and reinstatement greening costs of the Melbourne City Council's *Tree Retention and Removal Policy*, setback from kerb for any projections to allow for tree canopies, new trees and a Tree Management Protection Plan (TPMP) and bond. If the application was supported, these matters could be addressed via permit conditions.

Following the submission of plans dated 20 December 2016, the following additional comments were provided:

- An initial assessment of the application documents found no Arboricultural Impact Assessment, as required by council's Tree Retention and Removal

Policy, where publically owned trees may be affected by proposed development.

- Publically owned trees are located directly adjacent to the St Kilda Road boundary of the subject property, as well as the eastern boundary with Fawkner Park and identified on plan reference TP001 'Existing Conditions Survey'.
- The proposal seems to show that all publically owned trees will be retained and additional canopy cover, as well as greening and linkage opportunities will be provided, which is supported.
- However, the specific impacts on publically owned trees cannot be fully determined without the provision of further information.

6.5. Open Space

The revised plans dated 21 September 2016 were referred to Council's Open Space Team, which provided the following comments:

- 'This development site is within the area noted in the Melbourne City Council's Open Space Strategy as needing a new Small Local open space within safe walking distance of the nearby population. The area noted as a public use area could be expanded to provide a more useable open space of 0.03 to 0.25ha of space. It is not an ideal location for the open space given its overshadowing and detail on the shadow profile could determine if this is a useful option. This would require some building setback and opportunities for in-ground trees and landscaping.
- The open spaces highlighted in the document are very long term proposals and consideration of how the new population will access public and private open space needs to be incorporated into the development. This is already an area that has been identified as having the low provision of open space in the municipality and poorly located. With predicted changes in demographics for increasing numbers of children in the 0-14 age group and an increase in older people 65+ age group provision of universally accessible public and private spaces is critical.
- The overall building is not allowing for the provision of large canopy street trees (I believe the Urban Forest and Ecology team have commented on this). The building should be setback to allow for good light, canopy formation and access to rainfall. This will also provide a human scale experience for people walking through the space, which would meet the current character of the area. Trees will also provide a comfortable and cool environment to allow pedestrian comfort.'
- The comments also referred to design details including steps, green infrastructure and universal access, which could be addressed via permit conditions if the application was supported.

6.6. Strategic Planning

Council's Strategic Planning Team was consulted regarding the proposed public benefit. The team indicated that a financial contribution to the City Road Master Plan can be supported. There are projects identified within the Master Plan within close proximity to the subject site that could better service the public.

This matter will be discussed in more detail later in the report.

7. ASSESSMENT

The application seeks approval for the demolition of the existing building, construction of a multi-level mixed used development and reduction of loading requirements.

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

- Built form
- Public amenity benefit contribution
- External amenity
- Internal amenity
- Environmentally sustainable design
- Stormwater management

These issues are addressed in the following sections. In addition, it is noted that if the application was supported, in addition to issues relating to the public benefit contribution (refer to Section 7.2 below), the remaining engineering and street tree matters raised in referrals could generally be addressed via permit conditions.

7.1. Built Form

The design objectives of DDO10 (C262 version) seek to ensure a high quality of pedestrian amenity, respectful built form scale and urban structure, equitable development opportunities and a high level of internal amenity. These design objectives are also reflected in local policy at Clause 22.01.

The mandatory built form requirements in terms of podium height, tower setbacks and site plot ratio and the related built form outcomes are set out above at Section 4. An assessment against the built form requirements is as follows:

- The proposed maximum podium height of 29.3 metres is less than the requirement of up to 40 metres.
- The proposed minimum street setbacks of the tower from Clarke Street, Catherine Street and Hancock Street of 5 metres complies with the street setback requirement.
- The proposed minimum tower setback is 12.25 metres from the east boundary, which complies with the tower setback requirement for buildings exceeding 100 metres.
- The site plot ratio of approximately 30.8:1 is greater than the maximum requirement of 24:1. Hence, the applicant has proposed a public benefit contribution (refer below to Section 7.2).

Whilst the development exceeds the plot ratio of 24:1 it does comply with the preferred podium height and street setbacks.

With regards to the plans submitted 21 September 2016, Council's Urban Design Team commented that:

'A tower of this height and urban impact should seek an increasingly degree of slenderness higher up to reduce bulk. The floorplate of the tower has been driven by the setback limitations rather than good tower proportion. Consequently, the girth and shaping of the tower should be reconsidered to reduce its impact when viewed from the immediate surrounding public realm, as well as when viewed from afar.'

Council's Urban Design Team also raised concern with the materials and finishes of the podium and the lack of differentiation between the podium and the tower. In

particular, the comments raised a key concern regarding the 'resolution of the proposed podium and tower form to minimise tower dominance and reinforce an active and engaging street edge'. If the application was supported, these detailed design matters could potentially be addressed via permit conditions.

Plans submitted on the 20 December 2016 sought to address the matters above.

Whilst details have not yet been submitted, the applicant has indicated that they are currently exploring a design response that will introduce a greater sense of mass in lower part of the building. It is considered that this approach will help reduce the comparative dominance of the tower within the surrounding streetscapes, thus addressing the concerns with the height of the tower. Although specific details have not yet been provided, it is considered that they can be required via a condition of permit.



Perspective images of the proposed podium and tower form

It is considered that the inclusion of the through block link allows for the remaining three frontages of the site to be fully activated (albeit this is limited by the floor level heights required by flood level requirements) and to minimise areas of blank walls, crossovers and service areas.

The podium is well activated along Clarke Street and at the corners of Catherine and Hancock Streets. The applicant has demonstrated that the car stackers could be converted to habitable floor space if they are not required in the future.

The proposed frontage to and quality of the through-block link is addressed below in further detail at Section 7.2 in terms of the public benefit contribution.

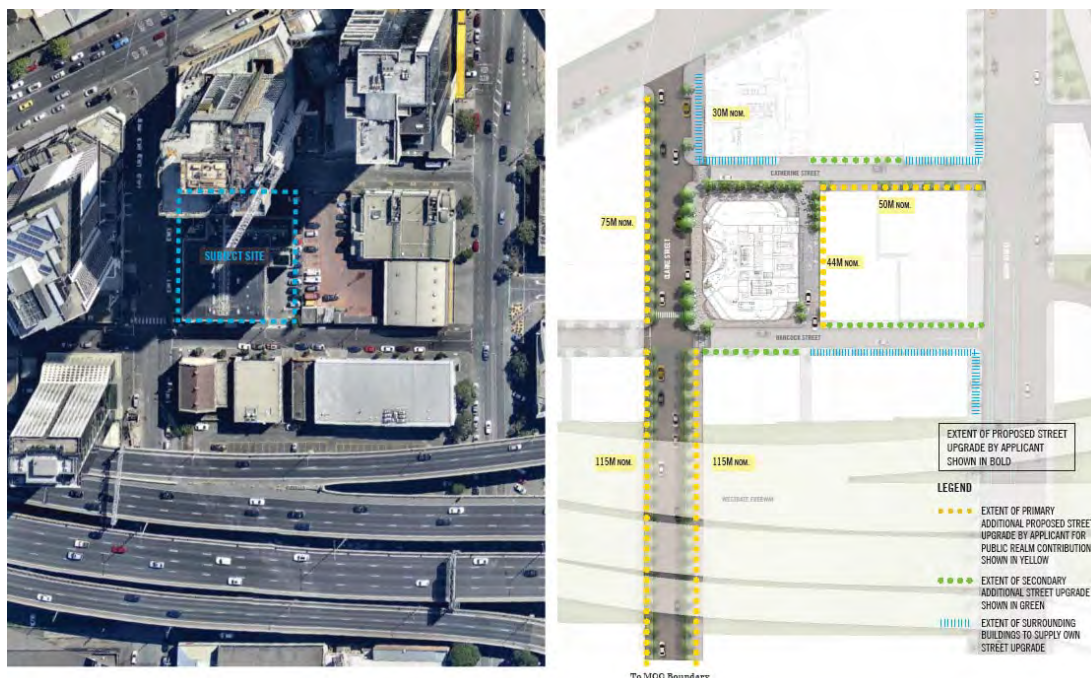
7.2. Public benefit contribution

Given the site plot ratio exceeds 24:1 the applicant has proposed a public benefit contribution to achieve a Floor Area Uplift in accordance with DDO10 under Planning Scheme Amendment C262. In response to seeking to exceed the preferred plot ratio of 24:1 the applicant has submitted the following contributions:

<p>Publicly accessible open areas on site</p>	<p>A through-block link located on the east side of the building between Catherine Street and Hancock Street. Total area is approximately 355m²</p>
<p>Commercial office use on site or within proposed building</p>	<p>Business hub (office space) at level 1 that creates street activation via a void above the residential lobby Total area is approximately 653m²</p>
<p>Contribution to streetscape or public realm</p>	<p>Streetscape or public realm improvements in the proximity of the subject site on Clarke Street, Catherine Street and Hancock Street with the balance towards the Kings Way Southern undercroft Total area of street works is approximately 713m²</p>

Through block link

In relation to the through-block link, the quality of the space is not yet considered to provide a sufficient public benefit, particularly at the southern end of the link that provides access to the loading bay and car parking lifts. However it is considered that the through-block link has the potential to be a positive and supportable component of the public benefit.



Proposed public realm (streetscape works) contribution by the applicant

Council’s Urban Design team highlighted that a tertiary laneway (as identified in the Southbank Structure Plan 2010) is required to incorporate at least 50 per cent of the building interface as an active frontage. As illustrated in the ‘Laneway Activation’ plan (Drawing No. ASK-051), approximately 52 per cent of the eastern façade is to be activated. This has been achieved by consolidating and relocating some of the essential services. This level of activation along the building edge is generally supported and allows the other three frontages to be very well activated.

However it is considered that, in order to support the through block link, further design refinement is required that will increase activation within the laneway and

reduce the physical constraints and dominance of vehicles. Elements such as bollards between the dedicated pedestrian pathway and vehicle access to the car lifts and loading bay should be relooked at in favour of a more pedestrian friendly/focused environment that still allows access for vehicles (subject to engineer requirements).

Further activation of the shared way / laneway could be greatly improved through the reconfiguration of stairs within the café / gallery spaces. The stairs could be rearranged to maximise usable space up against the building perimeter. An elevated terrace at the building line, with openings to provide surveillance would achieve greater activation as opposed to residual forecourt space adjacent to the grand stairs. The stairs could be re-contoured to maintain the design intent, while increasing the opportunity for activation. These changes can form recommended conditions of permit.

As such it is considered that, subject to conditions of permit focused on improvements to this space, the through block link as a contribution can be supported. The laneway will not be vested in Council as a public highway and as such it will be a private space that will be required to be publically accessible 24/7 by legal restriction.

Public realm and Streetscape works

The proposed contribution to streetscape or public realm is supported however it is considered that there are potentially other civil and public realm works within close proximity to the subject site that could provide greater benefit to the public. Internal referral advice has noted that other projects identified with the City Road Master Plan could provide greater benefits, such as the signalisation of the intersection at Clarke Street and City Road and the upgrading of the Kings Way undercroft near the tram stop.

However the timing of these actions may not coincide with the development. As such it is recommended that the proposed streetscape works are supported subject to further discussions with Melbourne City Council in relation to other projects and action identified in the City Road Masterplan or within close proximity to the development site. Under amendment C262, DDO10 does not preclude a cash contribution or off site works to be provided as part of the public benefit. As such in this instance it is considered that the public benefit can be secured by a condition of permit requiring the financial contribution of a minimum of \$1.6 million towards the capital projects and streetscape within the vicinity of the site. The benefit be associated with projects/works that will improve the public realm as well as pedestrian amenities generally consistent with the City Road Master Plan and Southbank Structure Plan and as outlined by the submitted proposed contribution to the public realm by the applicant plan prepared by Elenberg Fraser dated 20 December 2016.

7.3. External amenity

With regard to external amenity, Clause 22.01, Urban Design within the Capital City Zone, Clause 22.02, Sunlight to Public Spaces, the decision guidelines of CCZ3 and the *Design Guidelines for Higher Density Residential Development* are relevant. In addition, as referenced above in Section 7.1, external amenity considerations are included in DDO10.

The application requirements for CCZ3 state that sites affected by DDO1 should be 'designed to be generally acceptable for stationary long term wind exposure (where the peak gust speed during the hourly average with a probability of exceedence of 0.1% in any 22.5o wind direction sector must not exceed 10 ms-1)'. In addition, the design guidelines for CCZ3 state that areas outside the DDO1 'should be designed to be generally acceptable for short term wind exposure'. However, the application

requirements also state that, where the street frontage is only likely to be used as a thoroughfare for the life of the development, 'the building interface should be designed to be generally acceptable for walking'. It is considered that a revised wind tunnel test should be submitted to ensure that the wind impacts associated with any revisions to the plans are consistent with the requirements of the Melbourne Planning Scheme. This is particularly important in areas associated with the public amenity benefit such as the through block link and streetscape upgrades.

Council's Urban Sustainability Team raised concerns regarding the width of the proposed awning in terms of tree canopies. In response the applicant has setback the ground level on the north elevation, to allow for greater separation between existing and future trees, and the lower parts of the building. In addition the height of the canopy is above 6.3 metres which complies with the Road Encroachment Guidelines for existing street trees. Nevertheless additional detail is required in relation to how existing and future trees will be protected during and after construction

Clause 22.02 states that development, 'should not reduce the amenity of public spaces by casting any additional shadows on public parks and gardens, public squares, major pedestrian routes including streets and lanes (including all streets within the retail core of the Capital City Zone), and privately owned plazas accessible to the public between 11.00 am and 2.00 pm on 22 September'.

The surrounding public spaces are streets including Clarke Street, Catherine Street, Hancock Street, Moray Street and the West Gate Freeway. The submitted shadow diagrams accompanying the original proposal indicate that the development will result in some additional overshadowing of Clarke Street, Hancock Street, the West Gate Freeway and streets to the south of the West Gate Freeway. This level of overshadowing is considered to be acceptable given the existing level of overshadowing and that the spaces affected are not considered to be "major pedestrian routes" as referenced in the policy.

In relation to external private amenity, the decision guidelines of CCZ3 include the impact on the 'amenity of existing and future development in the locality' and the design objectives of DDO10 refer to 'sunlight, daylight, privacy and an outlook from habitable rooms for both existing and proposed development'. In addition, the *Design Guidelines for Higher Density Residential Development* includes objectives relating to equitable access to outlook and sunlight (Objective 2.6) and overlooking (Objective 2.9). An assessment against these key objectives is as follows:

- The key existing interfaces in terms of private amenity impacts are the approved / constructed residential towers at 45 Clarke Street to the north and 54-66 Clarke Street and 269-283 City Road to the west. As identified above, the proposed minimum setback of 5 metres from Clarke Street and Catherine Street results in a combined tower separation of over 17 metres to 45 Clarke Street due to the width of Catherine Street and over 25 metres to 54-56 Clarke Street and 269-283 City Road due to the width of Clarke Street. On the basis of these considerable separations, the proposal is considered to be acceptable as it maintains the opportunity for access to sunlight, daylight, privacy and outlook.
- The adjoining two-storey Metropolitan Fire Brigade Station at 26-40 Moray Street is a potential site for a future residential. Subject to the abovementioned permit condition to ensure compliance with DDO10, the setback from the east boundary means that the separation from any future development would be at least approximately 17 metres depending on the height of such development. On this basis, the proposal maintains the opportunity for appropriate outlook and daylight should this adjoining property be developed.

- In relation to potential development across Hancock Street at 67-69 Clarke Street and 15-17 Hancock Street, the separation afforded by Hancock and a tower setback of 5 metres will maintain the opportunity for appropriate outlook and daylight should this property be developed
- Given the orientation of the subject site and existing built form, the submitted shadow diagrams indicate that the proposal will not cause significant additional overshadowing of approved / constructed residential towers at 45 Clarke Street to the north and 54-66 Clarke Street and 269-283 City Road to the west.
- The proposal includes windows in the tower with an outlook towards 45 Clarke Street to the north and 54-66 Clarke Street and 269-283 City Road to the west. As identified above, given the proposed tower setback from the north and west boundaries, the resulting separation would be over 17 metres to 45 Clarke Street due to the width of Catherine Street and over 25 metres to 54-56 Clarke Street and 269-283 City Road due to the width of Clarke Street. In terms of privacy, the resulting separation is greater than the threshold of 9 metres specified at Standard B22 at Clause 55.05-6.

7.4. Internal amenity

Although the Design Guidelines for Higher Density Residential Development are still relevant, as of March 2017 the Better Apartment Guidelines will be implemented in to the Melbourne Planning Scheme.

The applicant has further improved the internal layout of the dwellings with reference to the Better Apartment Guidelines with the main improvements being:

- Overall sizes of apartments have increased
- No saddleback type apartments
- All habitable rooms have direct daylight access
- Room depths are generally limited to 8 metres

It is also noted that there has been an increase in the proportion of balconies in the tower. However, the Urban Design Team seeks additional detail in relation to the winter gardens to demonstrate acceptable amenity and usability of the winter balconies. This matter can be required via condition of permit.

Overall it is considered that the internal amenity of the apartments is acceptable noting that:

- Dwellings are a mixture of one bedroom (194), two bedroom (361) and three bedroom (10) with areas ranging from 45 to 140m², which is consistent with other approved apartment buildings in the immediate area.
- All dwellings have access to natural ventilation and daylight with no bedrooms relying on borrowed light. All previous dwellings with a second 'snorkel' bedroom have been removed. The maximum depth of living spaces does not generally exceed 8 metres and where it does, it is to the front of the back wall kitchen joinery.
- All dwellings have open plan kitchen, living and dining areas.
- Communal residential facilities are proposed at level 7 and 49 including roof garden, pool, gymnasium, yoga space, lounge and bar. Communal open space has been increased to 2.8m² per apartment which equates to approximately 1770m² of area.

Acoustics within the dwellings is also an important consideration for internal amenity. Decision guidelines of the CCZ3 specify that 'habitable rooms of new dwellings

adjacent to high levels of external noise should be designed to limit internal noise levels to a maximum of 45 dB in accordance with the relevant Australian Standards for acoustic control'. The original submission included a *Town Planning Report (acoustics)* prepared by VIPAC and dated 2 December 2015. It provides recommendations including glazing to achieve design sound levels for background noise as set out at AS/NZ 2107. If the application was supported, a revised acoustic report relating to the revised proposal could be required via a permit condition.

7.5. Environmentally sustainable design

Clause 22.19, Energy, Water and Waste, includes relevant policy objectives at Clause 22.19-2 and policy requirements at Clause 22.19-3. In addition, Clause 22.19-4 requires all applications to include a Waste Management Plan (WMP) and an Environmentally Sustainable Design (ESD) Statement.

The original application included a Waste Management Plan (WMP) prepared by Wastech and dated 1 December 2015. The revised plans dated 21 September 2016 did not include a revised WMP. If the application was supported, a revised WMP could be required via a permit condition.

The submitted *Environmentally Sustainable Design Statement* prepared by Norman Disney & Young and dated 30 November 2015 outlines the proposed strategies and initiatives to meet the performance measures relevant for accommodation at Clause 22.19-5. However, the ESD Statement does not relate to the revised plans dated 21 September 2016, does not reference office or retail and does not confirm the original building had the preliminary design potential to achieve 5 star rating under a current version of Green Star - Multi Unit Residential rating tool or equivalent. If the application was supported, this matter could be addressed via a permit condition for a revised ESD Statement.

7.6. Stormwater management

Clause 22.23, Stormwater Management (Water Sensitive Urban Design), is relevant and requires that applications include a Water Sensitive Urban Design (WSUD) Response addressing the details set out in Clause 22.23-4.

The submitted *Environmentally Sustainable Design Statement* prepared by Norman Disney & Young and dated 30 November 2015 provides an assessment against Clause 22.19 and mentions rainwater harvesting. However, the report does not specifically address the requirements set out at 22.23-4. If the application was supported, this matter could be addressed via a permit condition for a WSUD Response.

8. OFFICER RECOMMENDATION

That a letter be sent to DELWP advising that the City of Melbourne supports the proposal and requests that the following conditions and notes are included if a permit is issued:

Amended plans:

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 and in consultation with Melbourne City Council, generally in accordance with the plans referred by DELWP on 21 September 2016 and informally submitted plans dated 20 December 2016 amended to show:
 - a. Further design refinement of the proposed north – south through block link to increase the quality and pedestrian activation of the space. Consideration should be given for the opportunity of alternatives to manage conflict between vehicles and pedestrian within the south portion

of the link so as to minimize the reliance on bollards (which visually narrow the pedestrian space)

- b. The bollards have not assisted in this regard, as this visually relegates the pedestrian space to a narrow sliver of land. We encourage further development of the shared space, including any opportunity for one way vehicle traffic, aided by electronic signalling or similar to manage conflicts.
- c. A minimum of 11 motorcycle spaces be provided
- d. Increased activation of the shared way / laneway which could be achieved improved through the reconfiguration of stairs within the café / gallery spaces and the introduction of an elevated terrace at the building line, with openings to provide surveillance would achieve greater activation.
- e. Further detail to demonstrate acceptable amenity and usability of the winter balconies, with regard to the operable components. Open balconies are preferred within the podium to add depth to the façade, and maximise usability.
- f. Redesign of the podium level to increase the 'mass' of the lower portion of the building generally consistent with Sketch Plan 'podium Geometry/Materiality plan prepared by Elenberg Fraser dated 18 January 2017.
- g. Layout of apartments generally in accordance with plans dated 20 December 2016 which include the deletion of saddlebag apartments, reduced apartment depths and increased number of balconies/winter gardens.
- h. '*Proposed contribution to the public realm by the applicant*' plan prepared by Elenberg Fraser dated 14 December 2016 to be inclusive of other civic projections as identified with the City Road Master Plan or Southbank Structure Plan, to the satisfaction of the Responsible Authority.

The amended plans must be to the satisfaction of the Responsible Authority in consultation with Melbourne City Council and when approved will be the endorsed plans of this permit.

Public contribution

2. Prior to the commencement of the development, the owner of the land must enter into an agreement with the Melbourne City Council pursuant to Section 173 of the Planning and Environment Act 1987 regarding the north south through block link between Catherine Street and Hancock Street (Link). The Agreement must:
 - a. provide that the Link will remain privately owned and controlled.
 - b. require the Owner to maintain 24-hour unobstructed public access (7 days a week) to the Link
 - c. provide that the Owner is solely responsible for the care and maintenance of the Link at the Owners cost and to the satisfaction of Council
 - d. be to the satisfaction of the Council's Manager Engineering Services and Chief Legal Counsel.

The Owner must pay all of the Melbourne City Council's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.

3. Prior to the commencement of the development (including demolition), the owner of the land must enter into an agreement pursuant to Section 173 of the Planning and Environment Act 1987 with the Melbourne City Council and Vic Roads (if applicable). This agreement shall be prepared by the owner at no cost to the Responsible Authority, the Melbourne City Council or VicRoads (if applicable) and provide for a financial contribution of a minimum of \$1.6 million towards the capital projects and streetscape within the vicinity of the site which will improve the public realm as well as pedestrian amenities consistent with the City Road Master Plan and Southbank Structure Plan and generally consistent with the updated 'contribution to the public realm by the applicant' plan prepared by Elenberg Fraser.

Traffic

4. Prior to the commencement of the development a loading management plan should be prepared, to the satisfaction of Melbourne City Council, Engineering Services. The loading management plan should demonstrate how the access/egress of loading vehicles is to be managed, so that any potential conflicts are satisfactorily addressed and detail the design of the loading bay, including all space dimensions, grades & height clearances, should comply with relevant standards for Commercial Vehicles (AS2890.2-2002).
5. Prior to the commencement of the development a formal Road Safety Audit (RSA) should be prepared, to the satisfaction of Melbourne City Council, Engineering Services, which should include the:
 - a. Access arrangements into/from the site at Hancock St, via the proposed laneway;
 - b. Design, safety & operation along the lengths of the proposed laneway;
 - c. Access/egress arrangements into/from the on-site loading bay, including the LMP; and
 - d. Proposed alterations/works, both within & in the vicinity of the public realm.
6. Prior to the commencement of the development, plans should be submitted that show pedestrian sight triangles should be provided to the satisfaction of Melbourne City Council, Engineering Services at the exits from:
 - e. Both car lifts into the laneway;
 - f. The loading dock into the laneway; and
 - g. The laneway into Hancock St.

a formal Road Safety Audit (RSA) should be prepared, to the satisfaction of Melbourne City Council, Engineering Services,

Civil

7. All projections over the street alignment must be drained to a legal point of discharge in accordance with plans and specifications first approved by Melbourne City Council (Engineering Services).
8. Prior to the commencement of the development, a stormwater drainage system, incorporating integrated water management design principles, must be submitted to and approved by the Responsible Authority – the Melbourne City Council. This

system must be constructed prior to the occupation of the development and provision made to connect this system to Melbourne City Council's underground stormwater drainage system.

9. 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).
10. The footpaths adjoining the site along Clarke Street, Catherine Street and Hancock Street must be reconstructed in sawn bluestone together with associated works including the provision of street trees, renewal of kerb and channel, provision and renewal of street furniture 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).
11. Existing street levels in Clarke Street, Catherine Street and Hancock 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).
12. Prior to the commencement of the development, a lighting plan showing provision of public lighting in must be approved by the Melbourne City Council. All street lighting works shall be completed at the cost of the developer prior to the commencement of the works, in accordance with plans and specifications first approved by Melbourne City Council (Engineering Services).

Waste

13. Prior to the commencement of the development or any stage (excluding bulk excavation and demolition) a revised Waste Management Plan (WMP) shall be prepared and submitted to the Melbourne City Council (Engineering Services). The WMP should detail waste storage and collection arrangements and be prepared with reference to the Melbourne City Council Guidelines for Preparing a Waste Management Plan. Waste storage and collection arrangements must not be altered without prior consent of the Melbourne City Council – Engineering Services.
14. No garbage bin or surplus materials generated by the permitted use may be deposited or stored outside the site and bins must be returned to the garbage storage areas as soon as practicable after garbage collection.
15. The loading and unloading of vehicles and delivery of goods to and from the premises must at all times take place within the boundaries of the site.

Revised ESD statement

16. Prior to the commencement of the development, a revised Environmentally Sustainable Design (ESD) Statement shall be prepared by a suitably qualified professional and submitted to the satisfaction of the Responsible Authority.

The performance outcomes specified in the Environmentally Sustainable Design (ESD) Statement prepared by (specify person or accredited professional) and dated (insert date) for the development must be implemented prior to occupancy at no cost to the Responsible Authority or the Melbourne City Council and be to the satisfaction of the Responsible Authority.

Any change during detailed design, which affects the approach of the endorsed ESD Statement, must be assessed by an accredited professional. The revised

statement must be endorsed by the Responsible Authority prior to the commencement of construction.

Revised wind report

17. Prior to the commencement of the development, an amended wind tunnel test and Environmental Wind Climate Assessment report of the development by a suitably qualified engineering consultant must be undertaken which takes in to consideration the relevant requirements of Melbourne Planning Scheme to the satisfaction of the Responsible Authority and Melbourne City Council.

Revised Acoustic report

18. Prior to the commencement of the development, an acoustic report prepared by a qualified acoustic consultant must be submitted to and be to the satisfaction of the Responsible Authority. Habitable rooms of new dwellings adjacent to high levels of external noise should be designed to limit internal noise levels to a maximum of 45dB in accordance with relevant Australian Standards for acoustic control. The recommendations in the approved acoustic report must be implemented, at no cost to the Responsible Authority, prior to the occupation of the dwelling(s).

Trees

19. Prior to the commencement of works, including any bulk excavation, a Tree Protection Management Plan (TPMP) prepared by a suitably qualified arborist (AFQ Level 5) for all Council Trees with a Tree Protection Zone (TPZ) overlapping the proposed development must be provided to the satisfaction of the Responsible Authority.

This TPMP must meet all of the following criteria:

- a. The report must be prepared in accordance with Council's Tree Retention and Removal Policy.
- b. The report must include recommendations (including design revisions, if necessary) to ensure that the Street Tree(s) proposed to be retained are not adversely impacted on by the development hereby approved.

When provided to the satisfaction of the Responsible Authority, this TPMP will be endorsed to form part of this permit.

20. At all times during the carrying out of works, including site preparation and construction activity, the recommendations contained in the TPMP endorsed under **Condition #** of this permit must be implemented and maintained to the satisfaction of the Responsible Authority.
21. Prior to the commencement of the development, including any bulk excavation, a bank guarantee or bond equivalent to the combined environmental and amenity values of the retained Street Tree(s) identified in the endorsed TPMP, must be deposited with the Responsible Authority, to ensure that should any Street Tree be adversely impacted on, the Melbourne City Council will be compensated for any loss of amenity, ecological services or amelioration works incurred.
22. The bank guarantee or bond will be returned when the works are completed to the satisfaction of the Responsible Authority.
23. Street trees identified as being protected and retained in the endorsed TPMP must not be adversely impacted or removed in association with the development hereby approved.

Construction management plan

24. Prior to the commencement of each stage of the development, excluding demolition, bulk excavation, site preparation and retention works, soil remediation, piling, footings, ground beams and ground slabs, a detailed Construction Management Plan (CMP) must be prepared to and be approved by the Melbourne City Council. All development must be carried out in accordance with the approved Construction Management Plan to the satisfaction of the Melbourne City Council. The CMP must describe how the occupier of the subject land will manage the environmental, construction and amenity impacts associated with the construction of the development. The CMP must address the following:

- a) Staging of construction;
- b) Management of public access and linkages around the site during construction;
- c) Site access and traffic management (including any disruptions to adjoining vehicular and pedestrian access ways);
- d) Any works within the adjoining street network road reserves;
- e) Sediment control and site drainage;
- f) Hours of construction;
- g) Control of noise, dust and soiling of roadways;
- h) Discharge of polluted waters;
- i) Collection and disposal of building and construction waste;
- j) Reasonable measures to ensure that disruption to adjacent public transport services are kept to a minimum.
- k) Protection of street trees.

NOTES

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

Disabled car parking spaces must be shown on any plan of subdivision submitted to Council for certification as common property.

All car parking spaces and motorbike spaces within the proposed development must be allocated on any plan of subdivision submitted to Council for certification.

Existing street furniture must not be removed or relocated without first obtaining the written approval of Melbourne City Council (Engineering Services).

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

The permitted development has not been assessed against the Building Regulations 2006, Part 5, Division 2 – Projections. It is the responsibility of the Relevant Building Surveyor to make such an assessment prior to issuing a Building Permit. Matters that do not meet the requirements of the Regulations require the Report and Consent of Council prior to a building permit being issued.