## Report to the Future Melbourne (Planning) Committee

## Ministerial Referral: TPD-2012-32/A, 731-739 Flinders Street, Docklands

**Presenter:** Jane Birmingham, Practice Leader Land Use and Development

### Purpose and background

- 1. The purpose of this report is to advise the Future Melbourne Committee of a referral of an application to amend a Ministerial Planning Permit 2012/002229 which seeks approval for the development of the land at 731-739 Flinders Street, Docklands (refer Attachment 2 Locality Plan).
- 2. The Department of Environment, Land, Water and Planning (DELWP) has referred the application to Council as a recommending referral authority.
- 3. The applicant is Urbis Consultants, the owner is Asset 1 WTH, and the architect is Fender Katsalidis.
- 4. It is proposed to amend the existing permit, which approved a 14 storey (53.7 metre) office building with commercial and retail spaces. The amendment seeks to construct a 17 level (63.5 metre) building comprising a residential hotel, function centre and apartments with associated car parking.
- 5. The proposed development continues to be based around the existing historic Goods Shed No.5, with the existing shed structure to be refurbished to provide for a function hall facility fronting on the Yarra River's wharf edge, and the construction of a 17 level residential and hotel tower immediately behind the shed structure.
- 6. The proposed residential hotel component has been designed to target the 4 to 4.5 star hotel market with 231 rooms. A further 182 apartments are to be located on levels 8-17.

### **Key issues**

- 7. The building envelope has been altered however the degree of overshadowing remains consistent with that already approved development due to the design and setbacks proposed. There will be no additional detriment to the public realm as a result of this amendment, beyond that deemed acceptable under the existing permit.
- 8. The change of building use from office tower to a mixture of residential hotel, apartments, and commercial space aligns with the prevailing residential uses in this precinct.
- 9. The relationship of the new built form with key heritage sites in proximity, principally, the Goods Shed and Seafarers Mission has been improved.
- 10. The ground level activation and pedestrian north-south link has been enhanced.

#### **Recommendation from management**

11. That the Future Melbourne Committee resolves to advise the Department of Environment, Land, Water and Planning that the Melbourne City Council does not object to the amended application subject to the conditions outlined in the Delegate's Report (Attachment 4).

Attachments:

- 1. Supporting Attachment (Page 2 of 87)
- Locality Plan (Page 3 of 87)
   Selected Plans (Page 4 of 87)
- 4. Delegate Report (Page 54 of 87)

Agenda item 6.2

6 February 2018

### **Supporting Attachment**

### Legal

- 1. The Minister for Planning is the Responsible Authority for determining this application.
- 2. Council is a recommending referral authority under section 55 of the *Planning and Environment Act* 1987 and Clause 66 of the Melbourne Planning Scheme.

### Finance

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

### **Conflict of interest**

4. No member of Council st aff, or other person engaged under a contract, involved in advi sing on or preparing this report has declared a direct or indirect interest in relation to the matter of the report.

### Stakeholder consultation

5. Council officers have not advertised the application or referred this to any other referral authorities. This is the responsibility of the DELWP acting on behalf of the Minister for Plannin g who is the responsible authority.

### **Relation to Council policy**

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

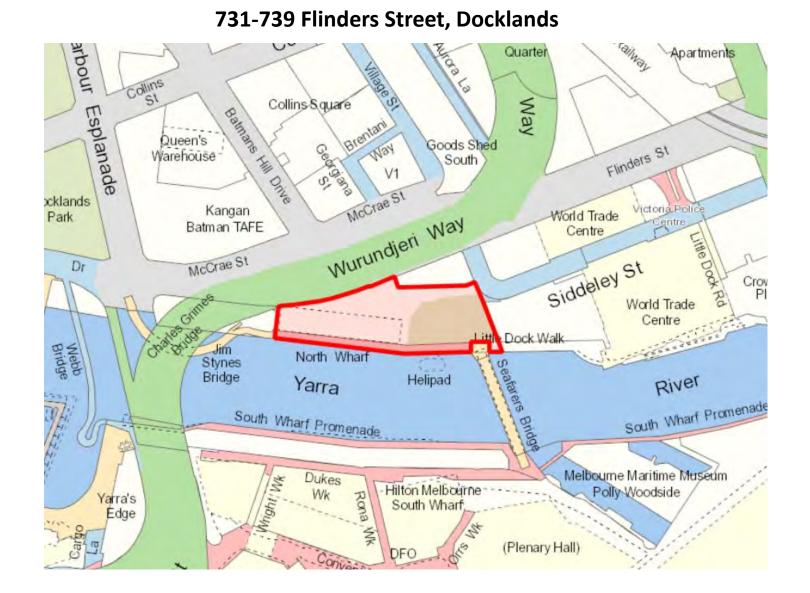
### **Environmental sustainability**

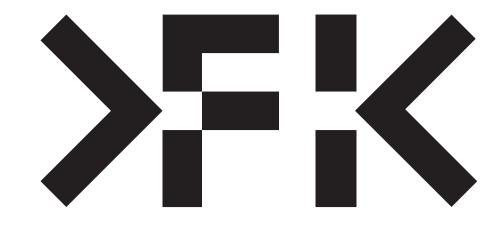
7. The application asserts a number of green initiatives to be incorporated into the design to achieve 5 Star Green Star. If a permit were to issue it is recommended that a condition require the development achieve 1 point for Wat-1 credit under a current version of the Green Building Council of Australia's Green Star – Office rating tool or equivalent.

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# **Locality Plan**

Attachment 2 Agenda item 6.2 Future Melbourne Committee 6 February 2018





FENDER KATSALIDIS

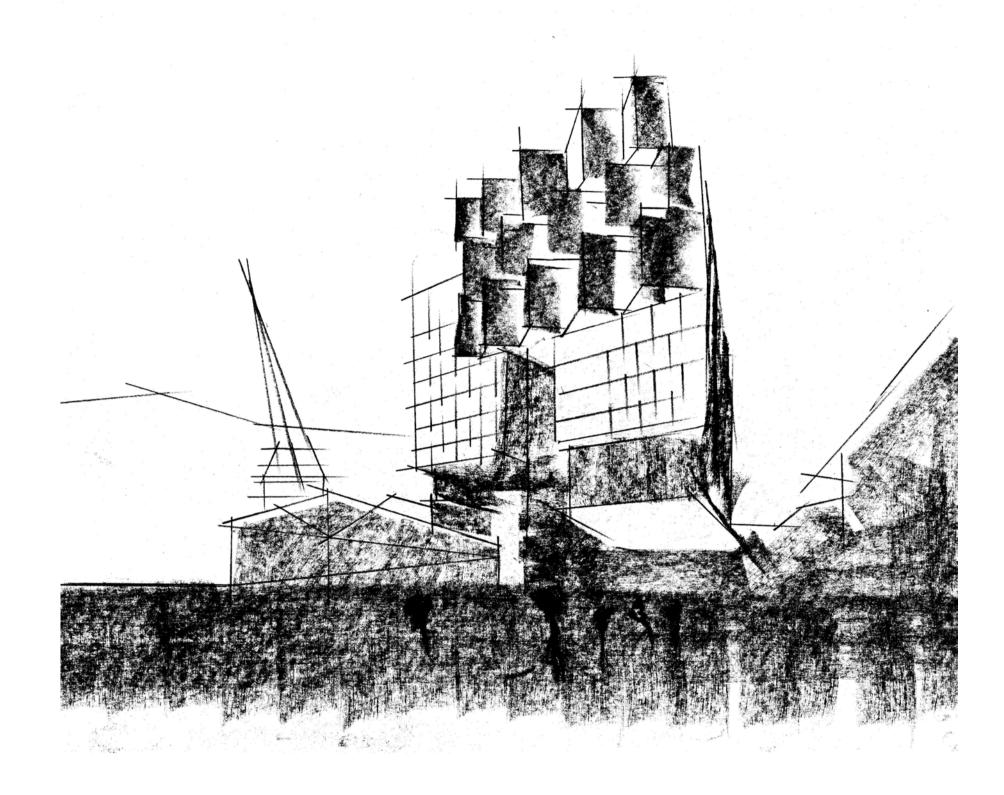
# NORTH BANK GOODS SHED 731-739 Wurundjeri Way Docklands 3008

PROJECT NO: 15047

# PLANNING PERMIT AMENDMENT - DISCUSSION PLAN

DRAWING IN	DEX					
<b>TP002</b>	02	PROJECT SUMMARY	TOWN PLANNING	TP116	01	LEVEL 16 FLOOR PLAN
TP005	03	LOCALITY PLAN	TOWN PLANNING	TP117	05	LEVEL 17 FLOOR PLAN
<b>TP006</b>	03	URBAN CONTEXT PLAN	TOWN PLANNING	TP118	05	LEVEL 18 ROOF PLANT LEVEL
<b>TP007</b>	02	SITE CONTEXT SECTION	TOWN PLANNING			
<b>TP008</b>	01	SITE CONTEXT PERSPECTIVE VIEWS	TOWN PLANNING	TP200	05	SOUTH ELEVATION
TP009	01	PERSPECTIVE VIEWS SCHEME COMPARISON SHEET 01	TOWN PLANNING	TP201	04	NORTH ELEVATION
<b>TP010</b>	02	SITE CONTEXT PERSPECTIVE VIEWS SCHEME COMPARISON SHEET 02	TOWN PLANNING	TP202	04	EAST ELEVATION
TP010a	01	SITE CONTEXT PERSPECTIVE VIEWS SCHEME COMPARISON SHEET 03	TOWN PLANNING	TP203	04	WEST ELEVATION
TP011	04	GOODS SHED 5 DEMOLITION & REMEDIATION WORKS	TOWN PLANNING			
TP012	02	FLOOR PLAN AND ROOF PLAN GOODS SHED 5 DEMOLITION & REMEDIATION WORKS ELEVATIONS	TOWN PLANNING	TP301	04	SECTION
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TP020	-	PERSPECTIVE VIEWS COMPARISON SUMMARY SHEET	TOWN PLANNING			
				TP600	03	SHADOW STUDY DIAGRAMS
				TP601	03	SHADOW STUDY DIAGRAMS
<b>TP099</b>	05	BASEMENT 01 FLOOR PLAN	TOWN PLANNING	TP602	03	SHADOW STUDY DIAGRAMS
TP100	06	GROUND FLOOR PLAN	TOWN PLANNING	TP603	03	SHADOW STUDY DIAGRAMS
<b>TP101</b>	06	LEVEL 01 FLOOR PLAN	TOWN PLANNING			
TP101a	06	MEZZANINE FLOOR PLAN	TOWN PLANNING	TP700	01	3D VISUALISATION SHEET 01
TP102	06	LEVEL 02 FLOOR PLAN	TOWN PLANNING	TP701	01	3D VISUALISATION SHEET 02
TP103	05	LEVEL 03 FLOOR PLAN	TOWN PLANNING	TP702	01	3D VISUALISATION SHEET 03
TP104	05	LEVEL 04-06 FLOOR PLAN	TOWN PLANNING			
TP105	04	LEVEL 05-07 FLOOR PLAN	TOWN PLANNING			
TP107	05	LEVEL 07 FLOOR PLAN	TOWN PLANNING	TDOOO	01	
<b>TP108</b>	01	LEVEL 08-09 FLOOR PLAN	TOWN PLANNING	TP800	01	GROUND LEVEL FLOOR PLAN
TP110	01	LEVEL 10 FLOOR PLAN	TOWN PLANNING	TP801	01	GROUND LEVEL FLOOR PLAN
TP111	05	LEVEL 11 FLOOR PLAN	TOWN PLANNING	TP802	01	GROUND LEVEL FLOOR PLAN
TP112	01	LEVEL 12-13 FLOOR PLAN	TOWN PLANNING			
<b>TP114</b>	02	LEVEL 14 FLOOR PLAN	TOWN PLANNING			
TP115	05	LEVEL 15 FLOOR PLAN	TOWN PLANNING	DRAWINGS	S ISSUE	ED ON: 18.12.2017

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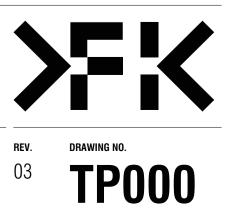
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Attachment 3 Agenda item 6.2 Future Melbourne Committee 6 February 2018

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issue purpose TOWN PLANNING

# GFA SCHEDULE - TOWN PLANNING

BUILDING	LEVEL	AREA
DOILDING		
	GROUND FLOOR	5 329
	MEZZANINE	2 769
	LEVEL 1	2 742
	LEVEL 2	3 079
	LEVEL 3	2 707
	LEVEL 4	3 053
	LEVEL 5	3 053
	LEVEL 6	3 054
	LEVEL 7	3 053
	LEVEL 8	3 114
	LEVEL 9	3 115
	LEVEL 10	3 103
	LEVEL 11	2 561
	LEVEL 12	2 598
	LEVEL 13	2 505
	LEVEL 14	2 390
	LEVEL 15	2 298
	LEVEL 16	1 340
	LEVEL 17	1 339
	LEVEL 18	413
		53 615 m <sup>2</sup>

HOTEL SUMMARY					
LEVEL	HOTEL RM TYPE	QTY	AREA		
LEVEL 3		<b>~</b> ···			
	EXEC. SUITE	1	79		
	JUNIOR_SUITE	1	55		
	NON_STD	3	156		
	NON-STD	1	56		
	STD	41	1 516		
		47	1 862 m <sup>2</sup>		
LEVEL 4					
	EXECSUITE	1	120		
	JUNIOR_SUITE	1	64		
	NON_STD	1	57		
	NON-STD	1	60		
	STD	44	1 791		
		48	2 092 m <sup>2</sup>		
LEVEL 5					
	EXECSUITE	1	121		
	JUNIOR_SUITE	1	64		
	NON_STD	1	56		
	NON-STD	1	60		
	STD	44	1 791		
		48	2 092 m <sup>2</sup>		
LEVEL 6			100		
	EXECSUITE	1	120		
	JUNIOR_SUITE	1	64		
	NON_STD		57		
	NON-STD		60		
	STD	44	1 791		
LEVEL 7		48	2 092 m <sup>2</sup>		
LEVEL /		1	64		
	JUNIOR_SUITE NON STD	1	64 56		
	NON_STD	1			
	PRESIDENTIAL	1			
	STD	36	200 1 466		
		40	1 846 m <sup>2</sup>		
		231	9 984 m <sup>2</sup>		

CARPARKING SCHEDULE					
LEVEL	QTY				
BASEMENT	121				
MEZZANINE	28				
LEVEL 1	39				
LEVEL 2	48				
	236				

BICYCLE PARKIN	IG SCHEDULE
HOTEL STAFF	20
RESIDENTS	50
VISITORS	48

MOTORBIKE PARKING SC	HEDULE
LEVEL	QTY
BASEMENT	3

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APARTMENT NSA SCHEDULE						
BUILDING	LEVEL	AREA				
EAST						
	LEVEL 8	2 320				
	LEVEL 9	2 203				
	LEVEL 10	2 187				
	LEVEL 11	2 052				
	LEVEL 12	2 051				
	LEVEL 13	2 051				
	LEVEL 14	1 906				
	LEVEL 15	1 903				
	LEVEL 16	1 110				
	LEVEL 17	1 102				
		18 885 m <sup>2</sup>				

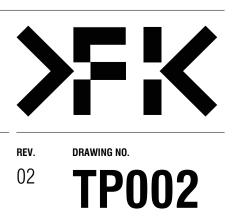
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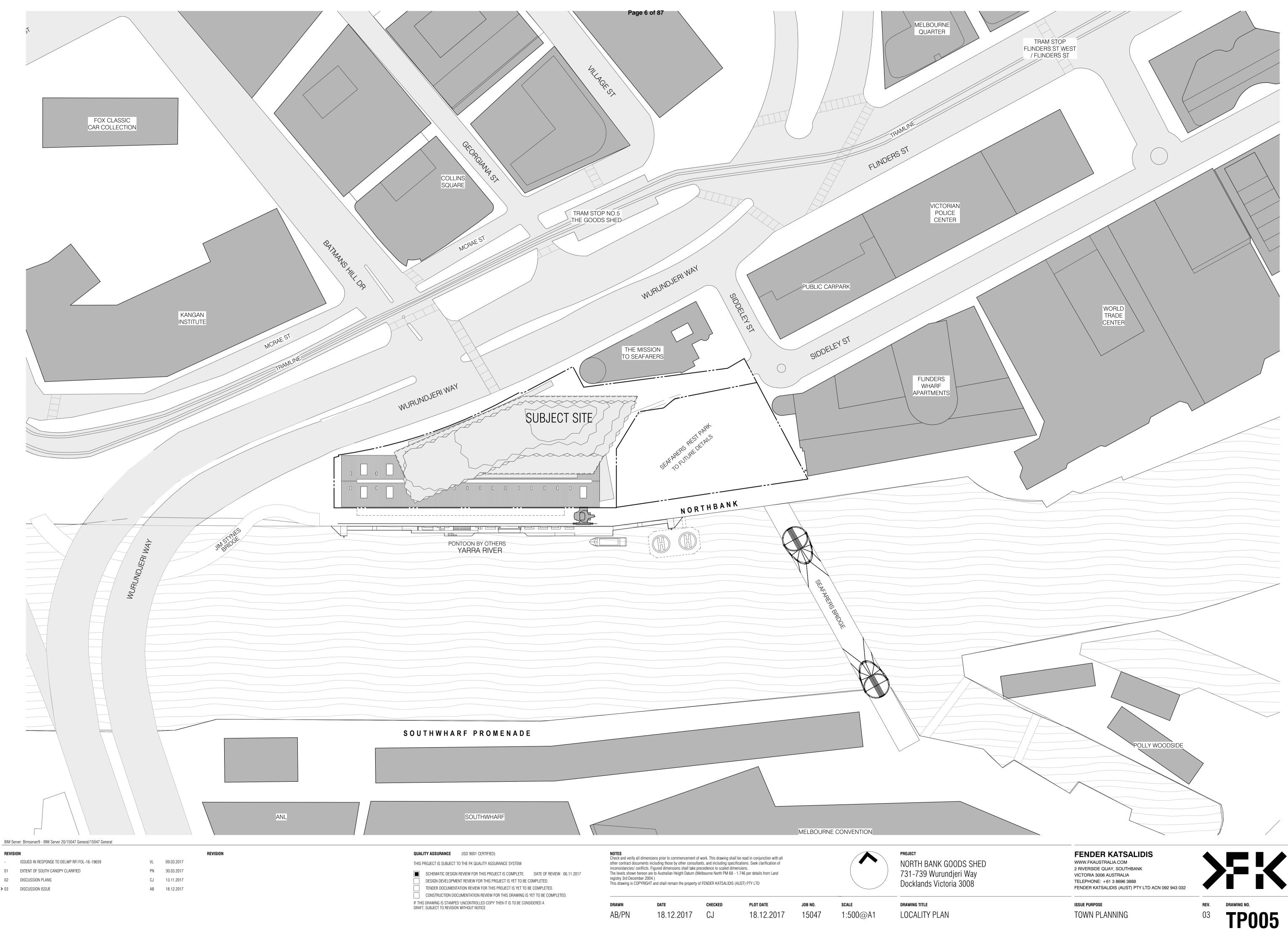
APARTMENT MIX SUMMARY					
LEVEL	APT TYPE	QTY	AREA		
LEVEL 8		I			
	1BR+1B	3	180		
	2BR+2B	17	1 853		
	3BR+2B	1	154		
	3BR+3B	1	133		
		22	2 320 m <sup>2</sup>		
LEVEL 9			2 020 111		
	1BR+1B	3	181		
	2BR+2B	15	1 635		
	2BR+3B	1	101		
	3BR+2B	1	153		
	3BR+3B	1	133		
		21	2 203 m <sup>2</sup>		
LEVEL 10		1			
	1BR+1B	3	168		
	2BR+2B	16	1 732		
	3BR+3B	2	287		
		21	2 187 m <sup>2</sup>		
LEVEL 11					
	1BR+1B	3	172		
	1BR+2B	1	100		
	2BR+2B	14	1 460		
	3BR+2B	1	134		
	4BR+3B	1	186		
		20	2 052 m <sup>2</sup>		
LEVEL 12					
	1BR+1B	3	172		
	2BR+2B	15	1 570		
	3BR+3B	2	309		
		20	2 051 m <sup>2</sup>		
LEVEL 13					
	1BR+1B	3	172		
	2BR+2B	15	1 570		
	3BR+3B	2	309		
		20	2 051 m <sup>2</sup>		
LEVEL 14		0	400		
	1BR+1B	2	120		
	2BR+2B	16	1 663		
	3BR+2B	1	123		
		19	1 906 m <sup>2</sup>		
LEVEL 15					
	1BR+1B	2	120		
	2BR+2B	16	1 660		
	3BR+2B	1	123		
		19	1 903 m <sup>2</sup>		
LEVEL 16		13	1 303 111		
	1DD   1D	4	60		
	1BR+1B	1	60		
	2BR+2B	6	528		
	3BR+3B	2	319		
	4BR+4B	1	203		
		10	1 110 m <sup>2</sup>		
LEVEL 17					
	1BR+1B	1	60		
	2BR+2B	6	528		
	3BR+3B	3	514		
		10	1 102 m <sup>2</sup>		
		182	18 885 m <sup>2</sup>		

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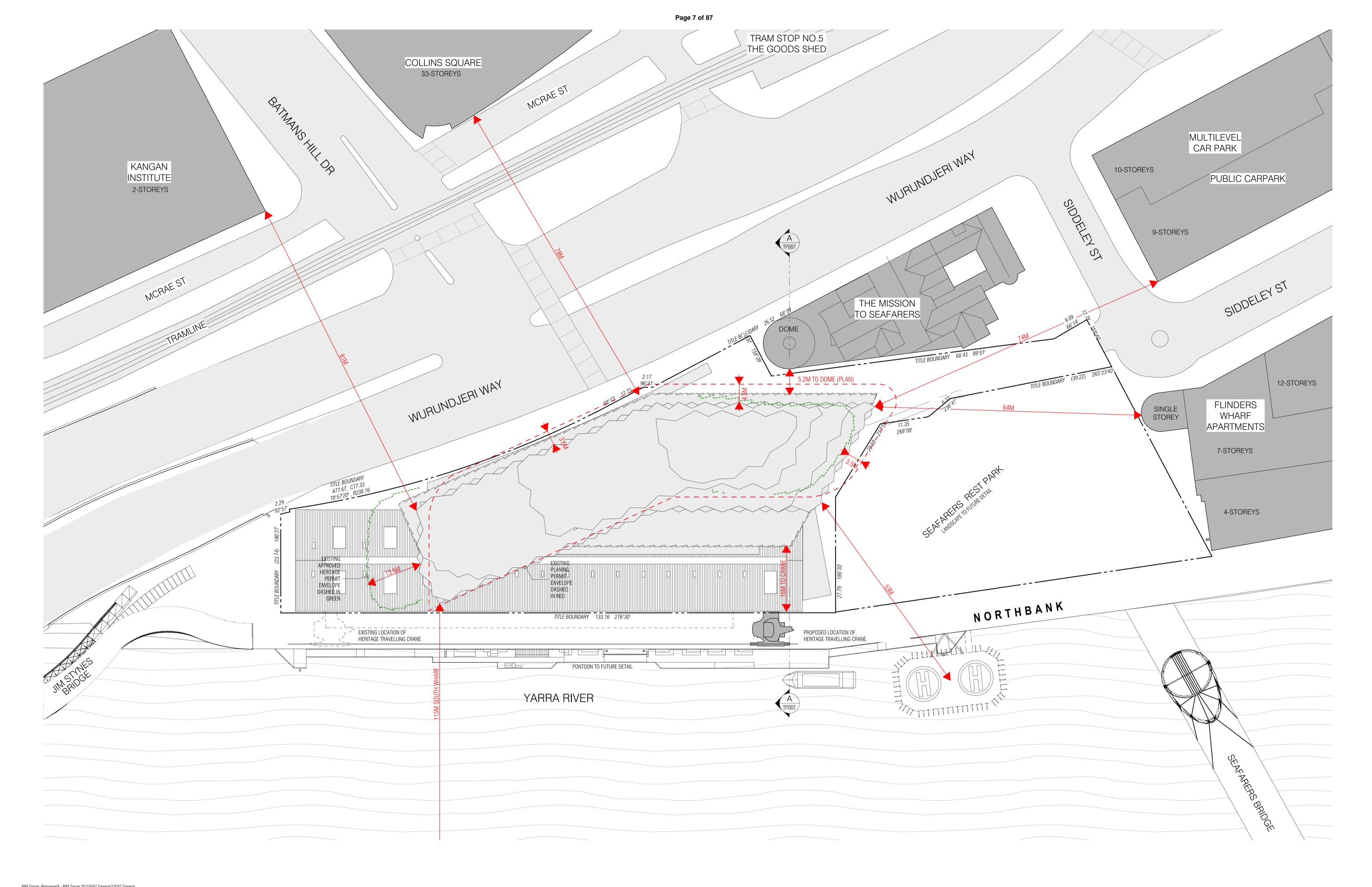
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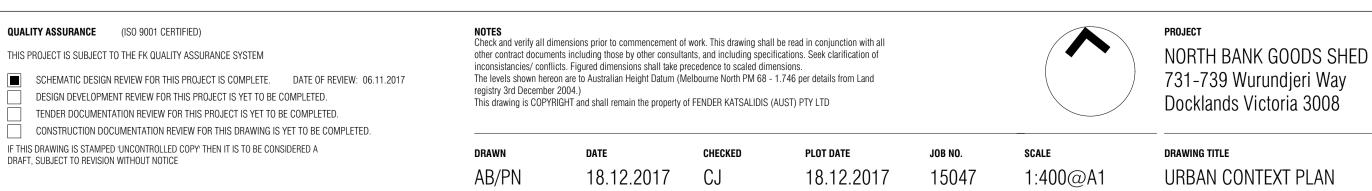


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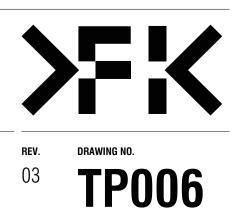


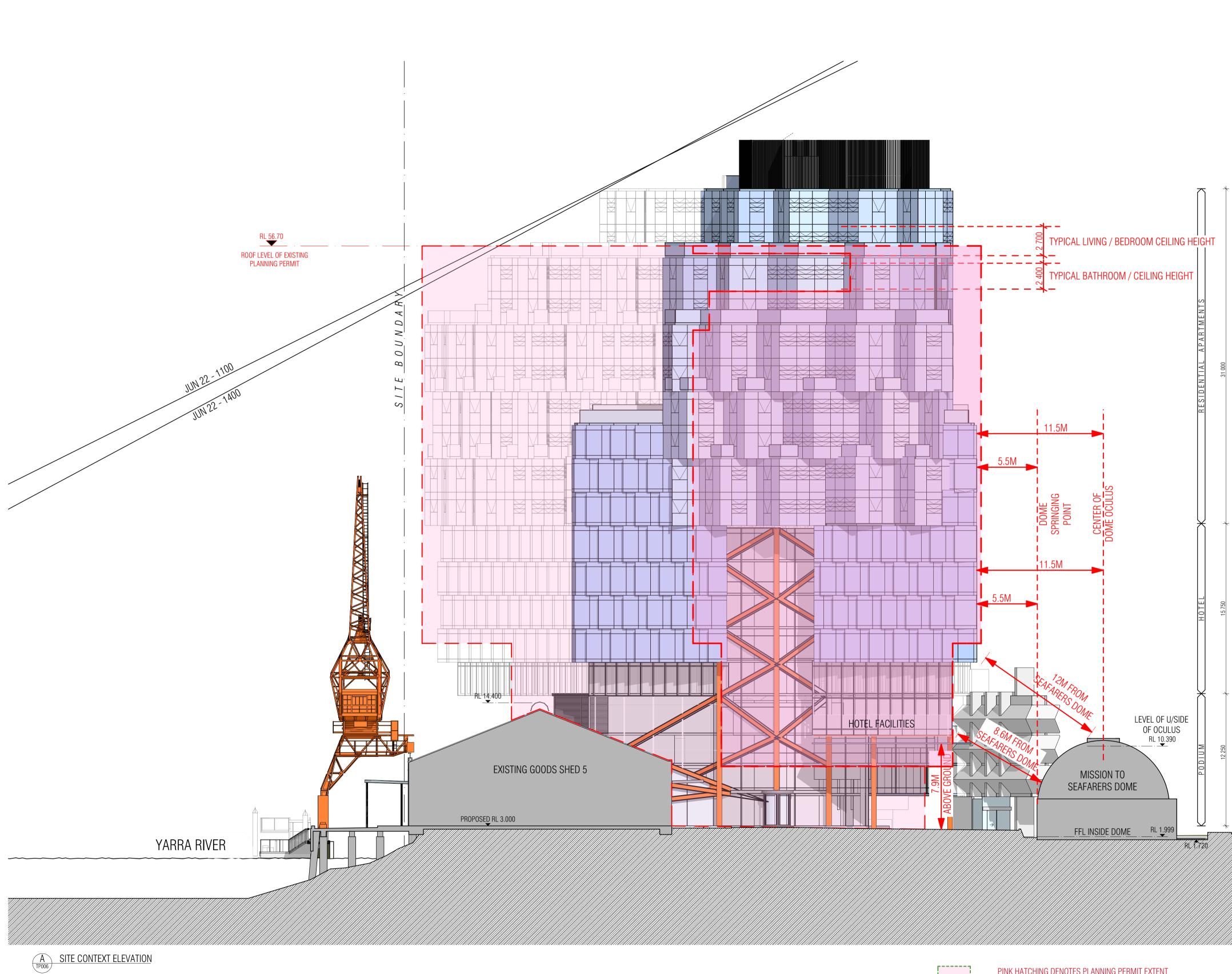
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02	DISCUSSION PLANS	CJ	13.11.2017			
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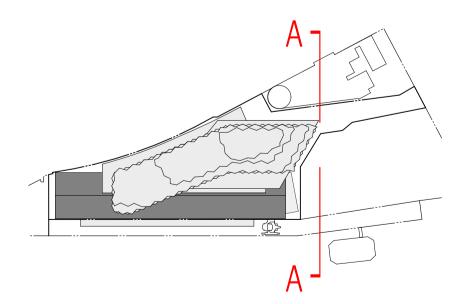
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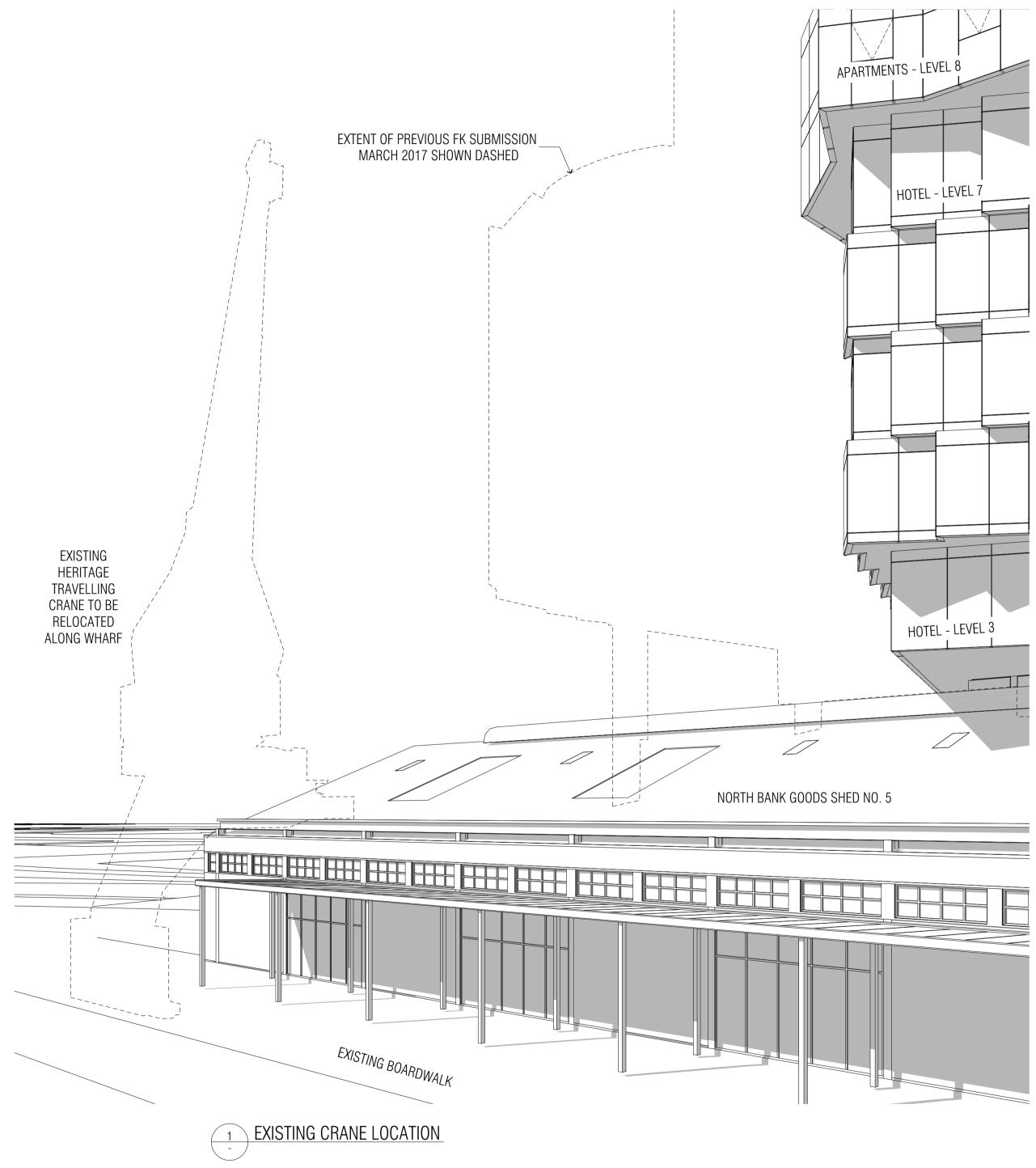
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REFER TO TP006 & TP008 FOR FURTHER CLARIFICATION OF DISTANCES

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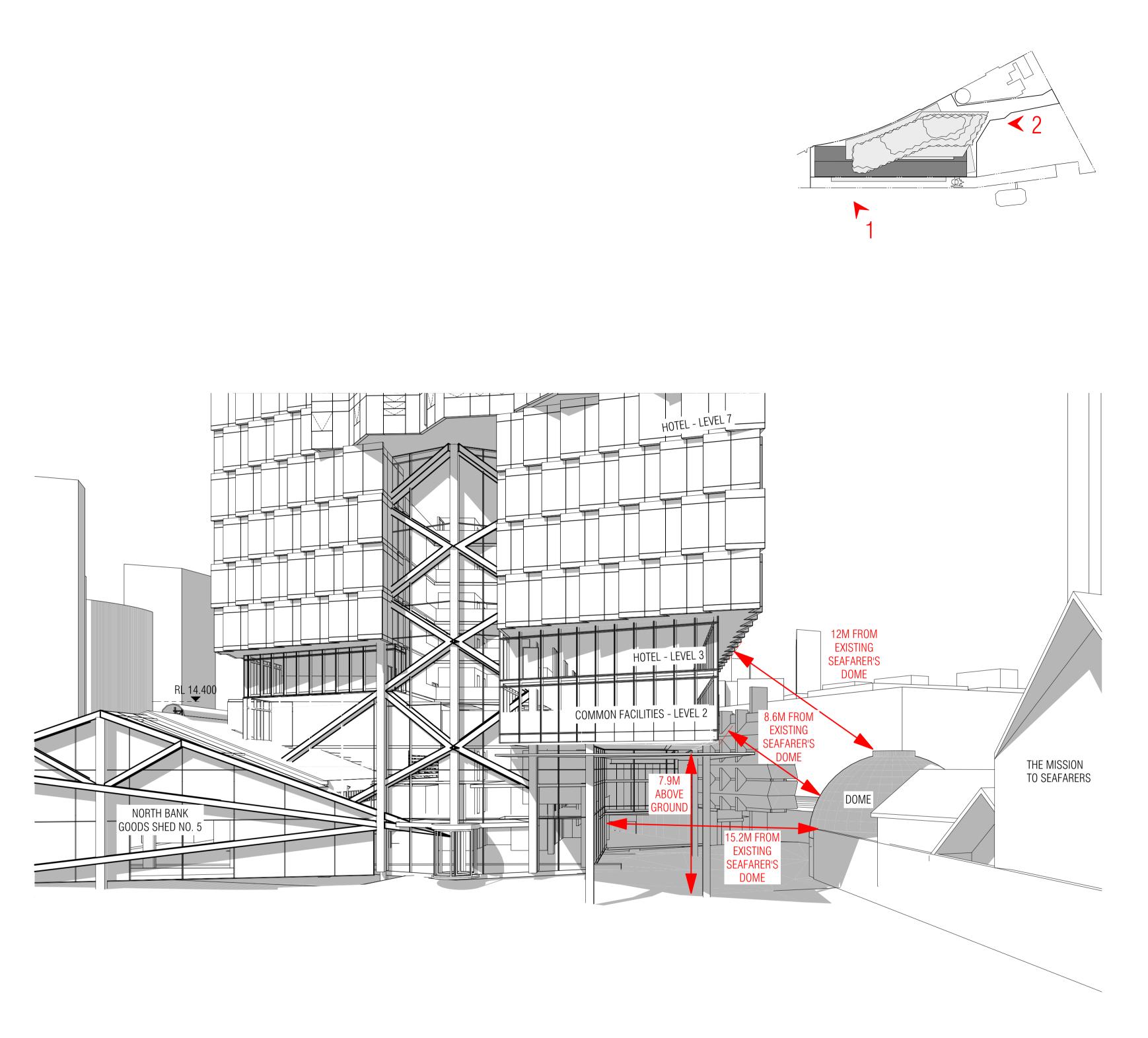
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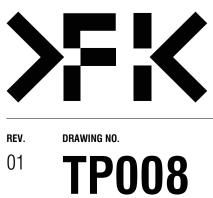


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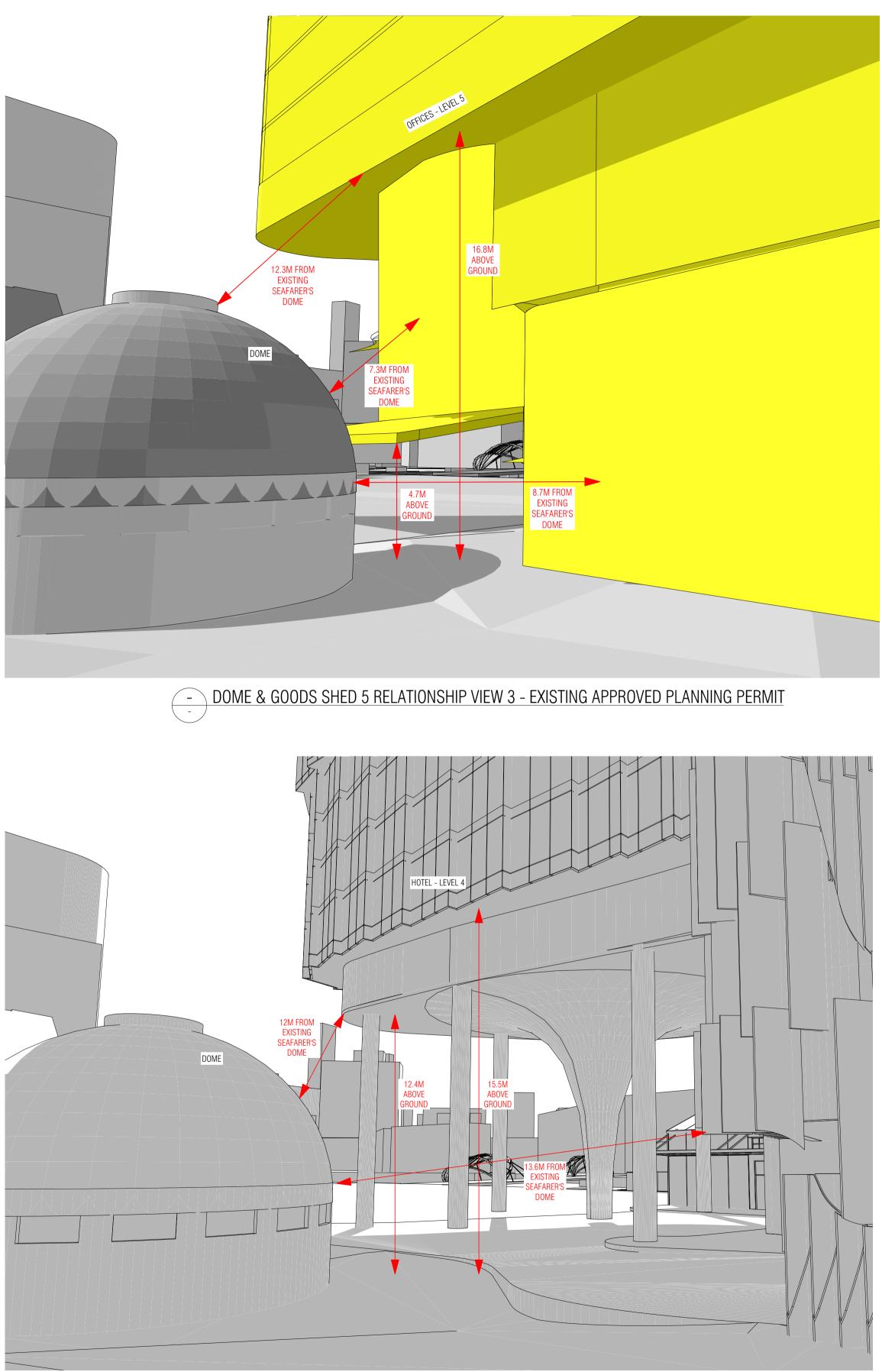
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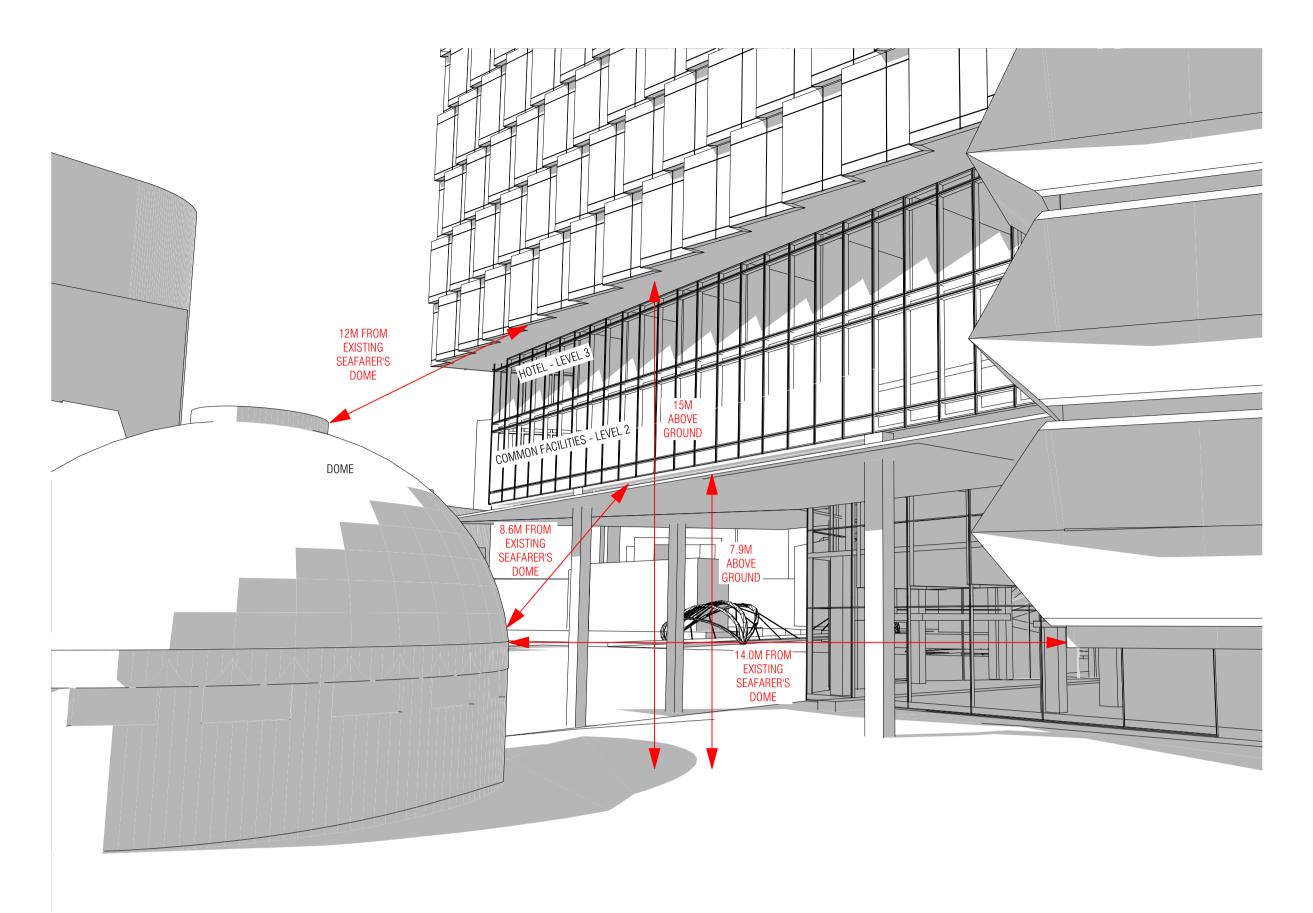
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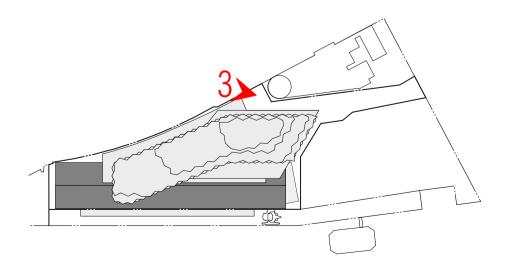
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	PN	18.12.2017	CJ	18.12.2017	15047	N.T.S.@A1	PERSPECTIVE VIEWS SCHEME COMPARISON

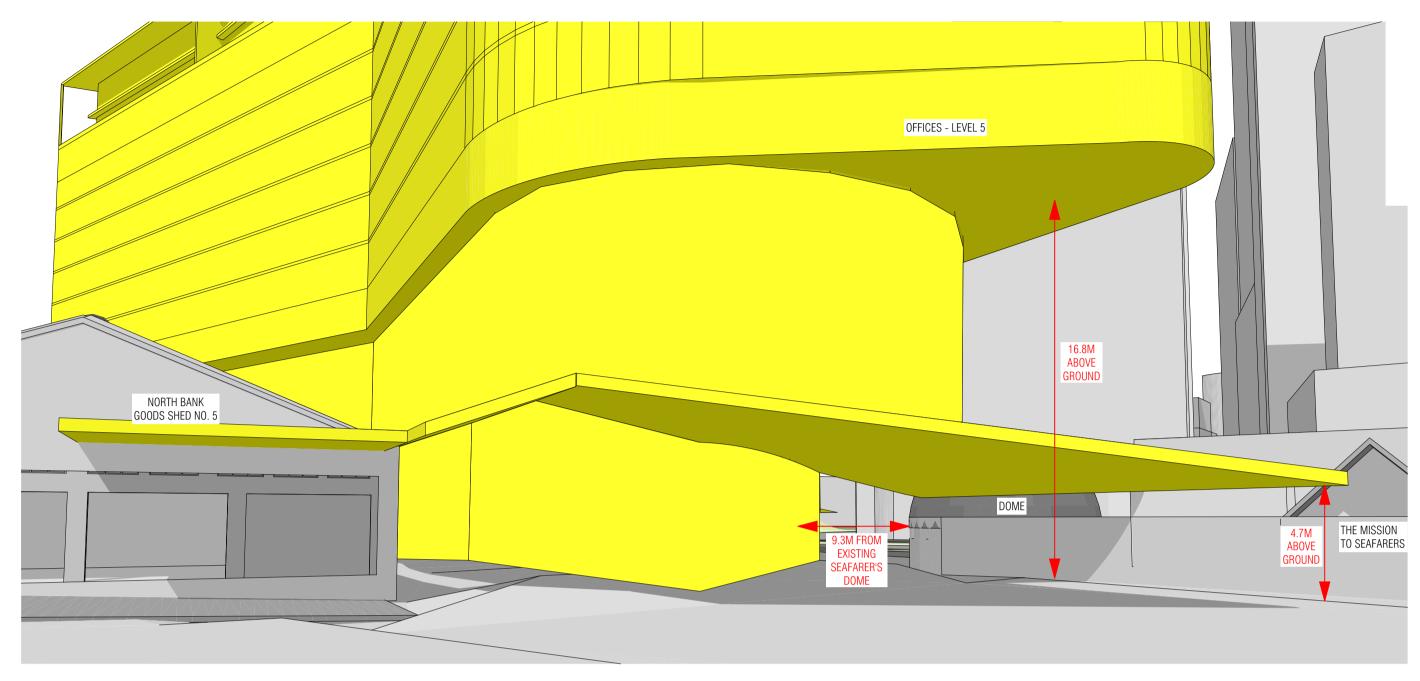
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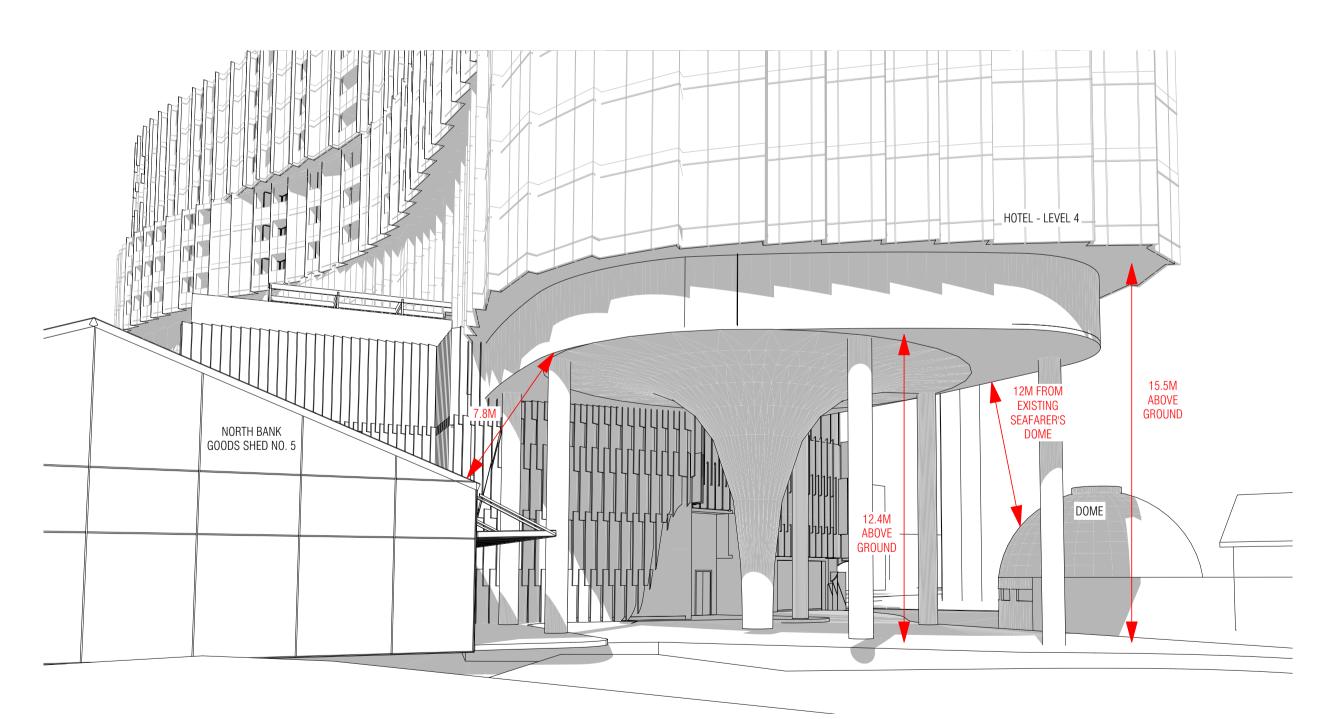




ISSUE PURPOSE TOWN PLANNING



- DOME & GOODS SHED 5 RELATIONSHIP VIEW 4 - EXISTING APPROVED PLANNING PERMIT



DOME & GOODS SHED 5 RELATIONSHIP VIEW 4 - PREVIOUS FK SUBMISSION MARCH 2017

- ISSUED FOR PLANNING AMENDMENT

REVISION

QUALITY ASSURANCE (ISO 9001 CERTIFIED) THIS PROJECT IS SUBJECT TO THE FK QUALITY ASSU

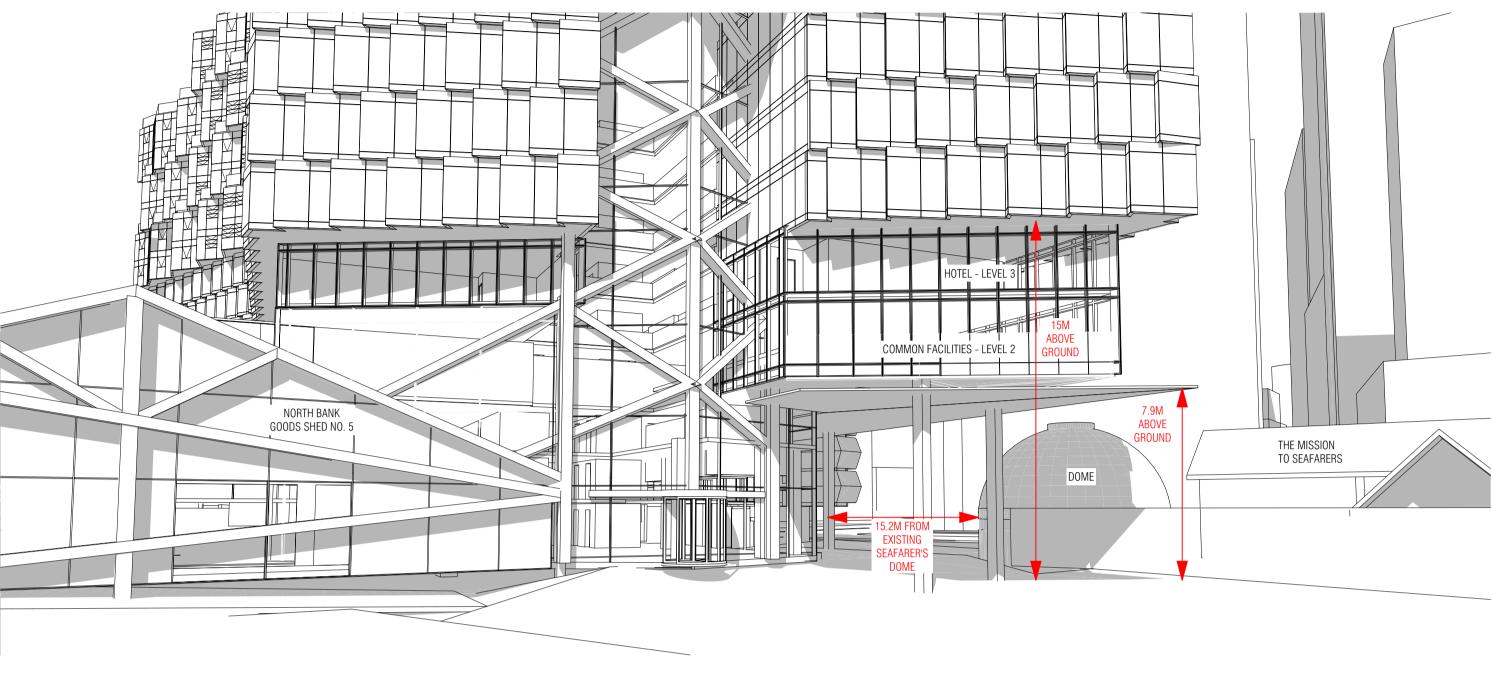
CJ 28.03.2017 AB 18.12.2017

JL 19.08.2016



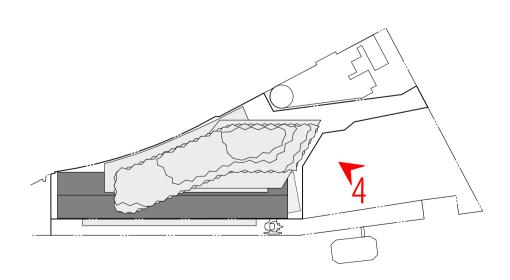
REVISION



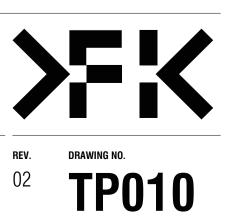


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COPY THEN IT IS TO BE CONSIDERED A	DRAWN	DATE	CHECKED	PLOT DATE	JOB NO.	SCALE	DRAWING TITLE
	PN	18.12.2017	CJ	18.12.2017	15047	N.T.S.@A1	SITE CONTEXT PERSPECTIVE SCHEME COMPARISON

04 DOME & GOODS SHED 5 RELATIONSHIP VIEW 4 - PROPOSED

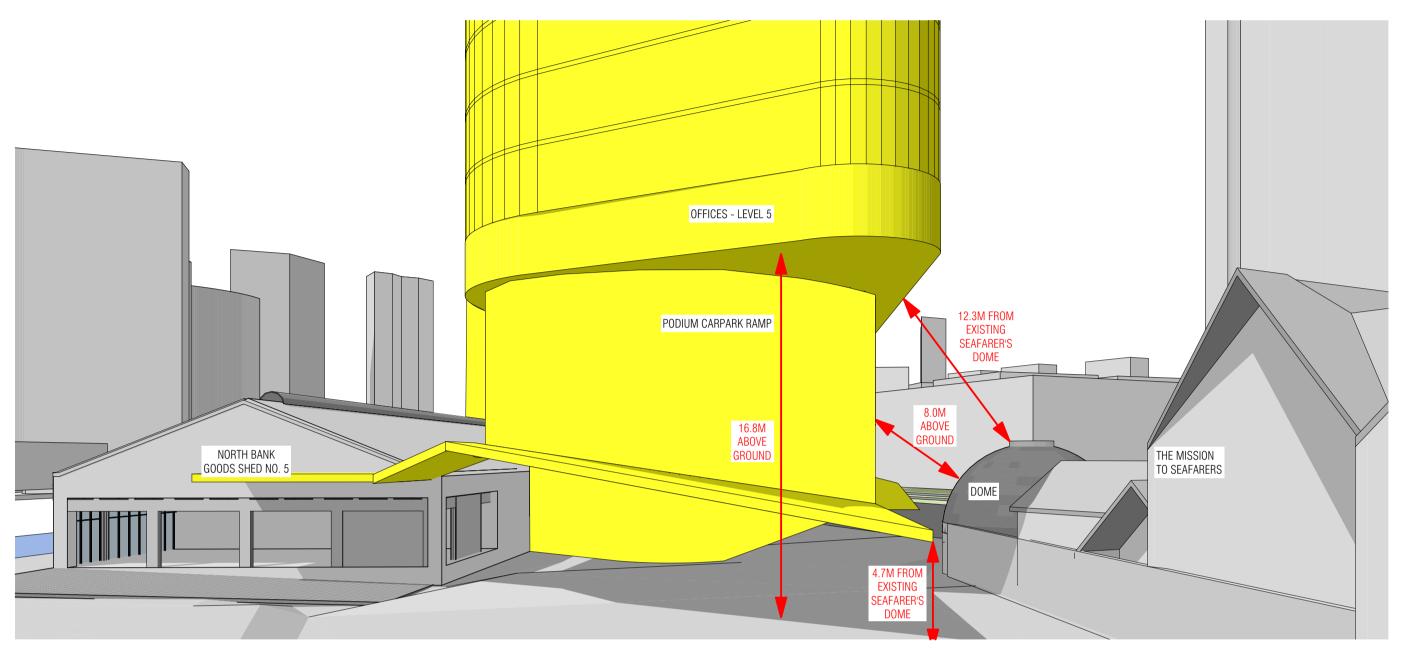


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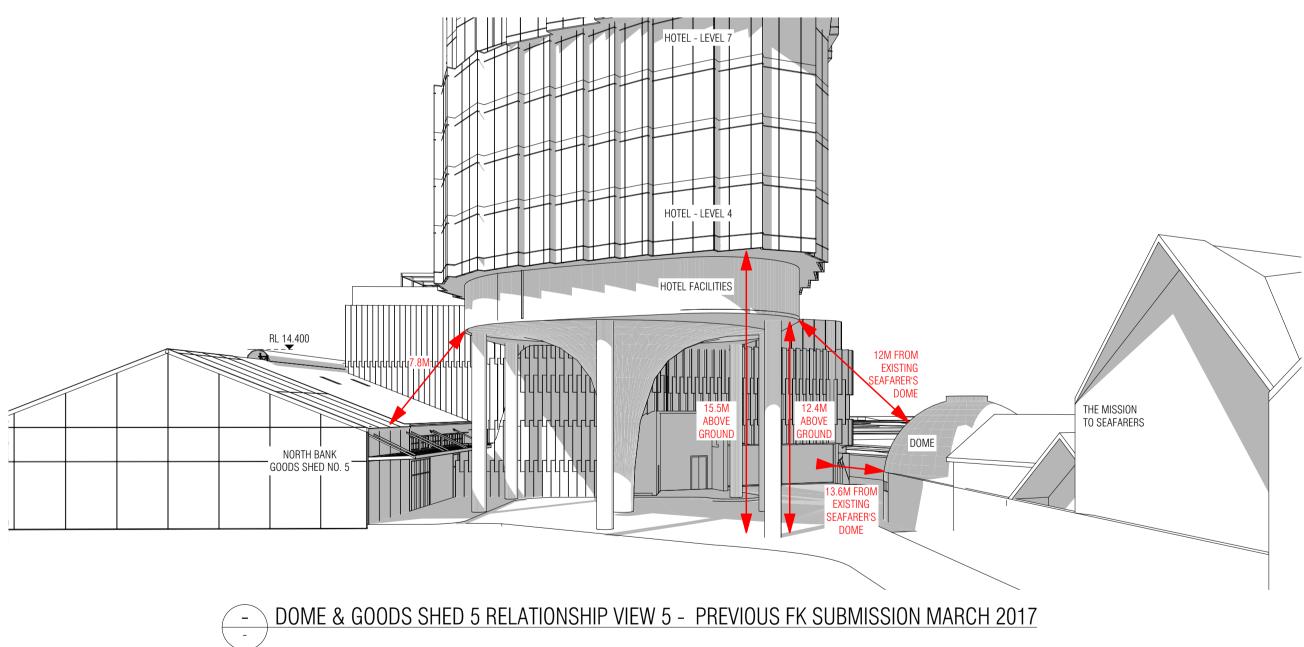


ISSUE PURPOSE TOWN PLANNING

TIVE VIEWS



- DOME & GOODS SHED 5 RELATIONSHIP VIEW 5 - DOME EXISTING APPROVED PLANNING PERMIT

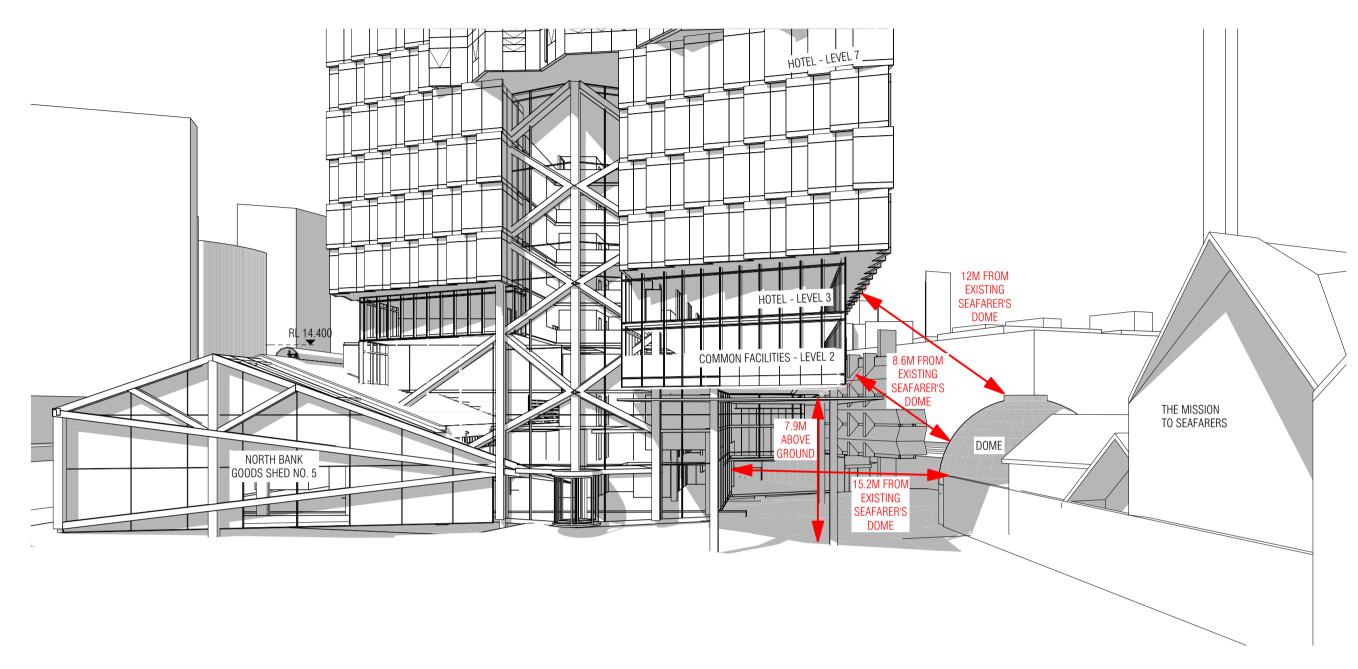




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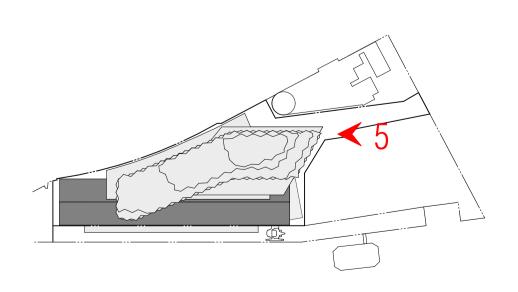
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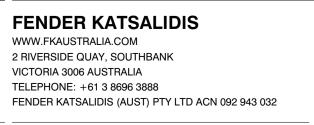
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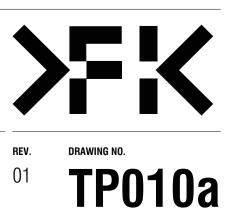


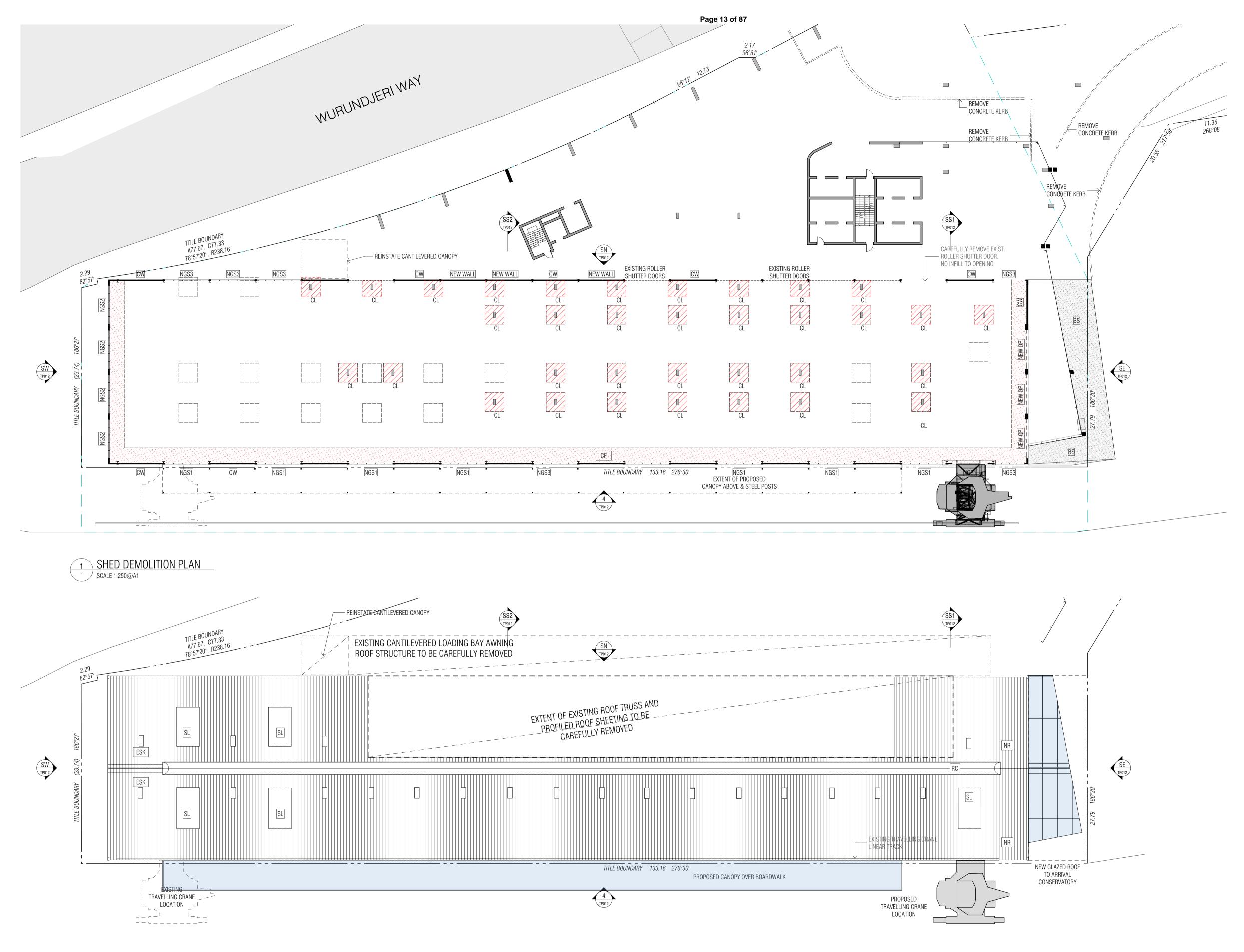
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- DOME & GOODS SHED 5 RELATIONSHIP VIEW 5 - PROPOSED









# SHED DEMOLITION ROOF PLAN / SCALE 1:250@A1

19.08.2016

14.12.2016

09.03.2017

13.11.2017

18.12.2017

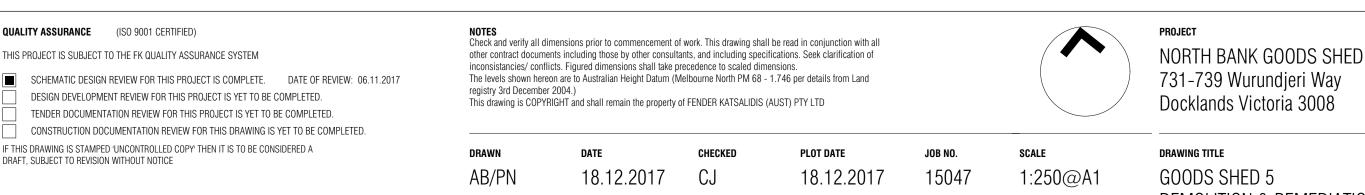
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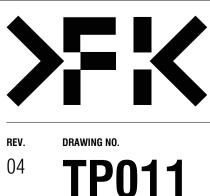
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# <sup>\*</sup>DEMOLITION & REMEDIATION WORK LEGEND

CF	REFURBISH, CLEAN AND SEAL EXISTING CONCRETE
	FLOOR,
	NEW FINISHES TO GO ON TOP OF EXISTING SLAB

- CL NEW COLUMN SUPPORTING BUILDING ABOVE
- CW REFURBISH, CLEAN AND SEAL EXISTING CONCRETE WALL PANEL BETWEEN PRIMARY STEEL FRAME
- ES EXISTING STEEL WORK - ALL EXPOSED PRIMARY AND SECONDARY STEELWORK TO BE CLEANED AND REPAIRED WHERE REQUIRED. ALL STEELWORK TO BE REPAINTED TO MATCH GOODS SHED ORIGINALCOLOUR SCHEME. EXISTING MALCOM MOORE CRANE RUNNING TRACK BEAM AND ASSOCIATED STEEL COLUMN CONNECTION SECTIONS TO BE RECONDITIONED/REPAIRED AND PAINTED TO MATCH ORIGINAL COLOUR SCHEME.
- ESK EXISTING SKYLIGHT REFURBISH EXISTING SKYLIGHT
- SL EXISTING SKYLIGHT ENLARGED
- GFC GABLED FASCIA CLADDING - REMOVE EXISTING PANELIZED ASBESTOS WALL CLADDING TILES TO WALL. REPLACE WITH TRANSLUCENT EPOXY BASED PANELS MOULDED TO MATCH EXISTING ASBESTOS TILE PROFILES SHAPE, SIZE AND STAGGERED LAPPED PATTERN. NEW GLAZED WALL PANELS TO BE FIXED TO NEW STEEL INFILL FRAME ABOVE EXISTING CONCRETE BASE WALL.
- NC NEW CEILING - INTERNAL NEW CEILINGS TO BE LINED AS WELL AS THERMALLY & ACOUSTICALLY IMPROVED THROUGH THE OVERLAYING OF NEW PLYWOOD AND NEW INSULATED LINING.
- NGS1 NEW GLAZING SUITE TYPE 1 - EXISTING TIMBER FRAMED METAL CLAD SLIDING DOOR TO BE RETAINED & PINNED-BACK. OPENING TO BE IN-FILLED WITH NEW GLAZING SUITE TO FUTURE DETAIL.
- NGS2 NEW GLAZING SUITE TYPE 2 - EXISTING OPENING TO CONCRETE WALL TO BE IN-FILLED WITH NEW GLAZING SUITE TO FUTURE DETAIL.
- NEW GLAZING SUITE TYPE 3 EXISTING ROLLER NGS3 SHUTTER DOOR TO BE REMOVEDAND REPLACED WITH NEW GLAZING SUITE TO FUTURE DETAIL.
- NEW OP. NEW OPENING DEMOLISH EXISTING CONCRETE WALL BETWEEN EXISTING OVERHEAD BEAM AND ADJACENT COLUMNS TO CREATE OPENINGS IN FACADE.
- NR NEW ROOF - EXISTING ASBESTOS CORRUGATED ROOF SHEET TO BE REMOVED ACROSS ALL OF GABLE ROOF AND VENTED RIDGE LINE SECTIONS. ROOF SHEET TO BE REMOVED AND REPLACED WITH CORRUGATED METAL SHEET IN SUPER SIX PROFILE WITH DETAILS TO MATCH EXISTING ROOF IN SUITABLE COLORBOND COLOUR TO MATCH THE GREY OF EXISTING ROOF (COLORBOND EVENING HAZE OR SIMILAR). ALL ASSOCIATED EXISTING ROOF EAVES GUTTERS. BOX GUTTERS, DOWNPIPES AND RAINWATER HEADS TO BE REMOVED AND REPLACED WITH COLORBOND METAL PRODUCTS. EXISTING TIMBER ROOFING PURLINS TO BE RECONDITIONED OR REPLACED WHERE REQUIRED.
- RC EXISTING ASBESTOS ROOF SHEETING TO ROOF RIDGE VENT TO BE REMOVED AND REPLACED WITH CORRUGATED METAL SHEET IN SUPER SIX PROFILE WITH DETAILS TO MATCH EXISTING DETAIL WITH CUSTOM CURVED PROFILE. NEW ROOF TO BE INSTALLED IN SUITABLE COLORBOND COLOUR TO MATCH THE GREY OF EXISTING ROOF (COLORBOND EVENING HAZE OR SIMILAR)
- RHG REFURBISHED HIGHLIGHT GLAZING - ALL EXISTING STEEL FRAMED HIGHLIGHT GLAZING TO BE REFURBISHED TO ORIGINAL STATE, SUPPORTING TIMBER FRAMEWORK TO BE RECONSTRUCTED WHERE NECESSARY. RE-CLAD, AND REPAINTED.
- WF EXISTING ASBESTOS WALL LINING SHEET TO BE REPLACED WITH COLORBOND METAL SHEET, COLOUR TO MATCH GOOD SHED ORIGINAL COLOUR SCHEME.
- BS EXISTING BLUESTONE RAMP TO BE RETAINED. NEW GLAZED CONSTERVATORY THAT WILL FORM THE ENTRY TO A HOTEL TO HAVE A FLOATING VEIWING PLATFORM
- $\overline{Z}$ REMOVAL OF EXISTING SLAB REQUIRED FOR STRUCTURAL WORKS PROPOSED

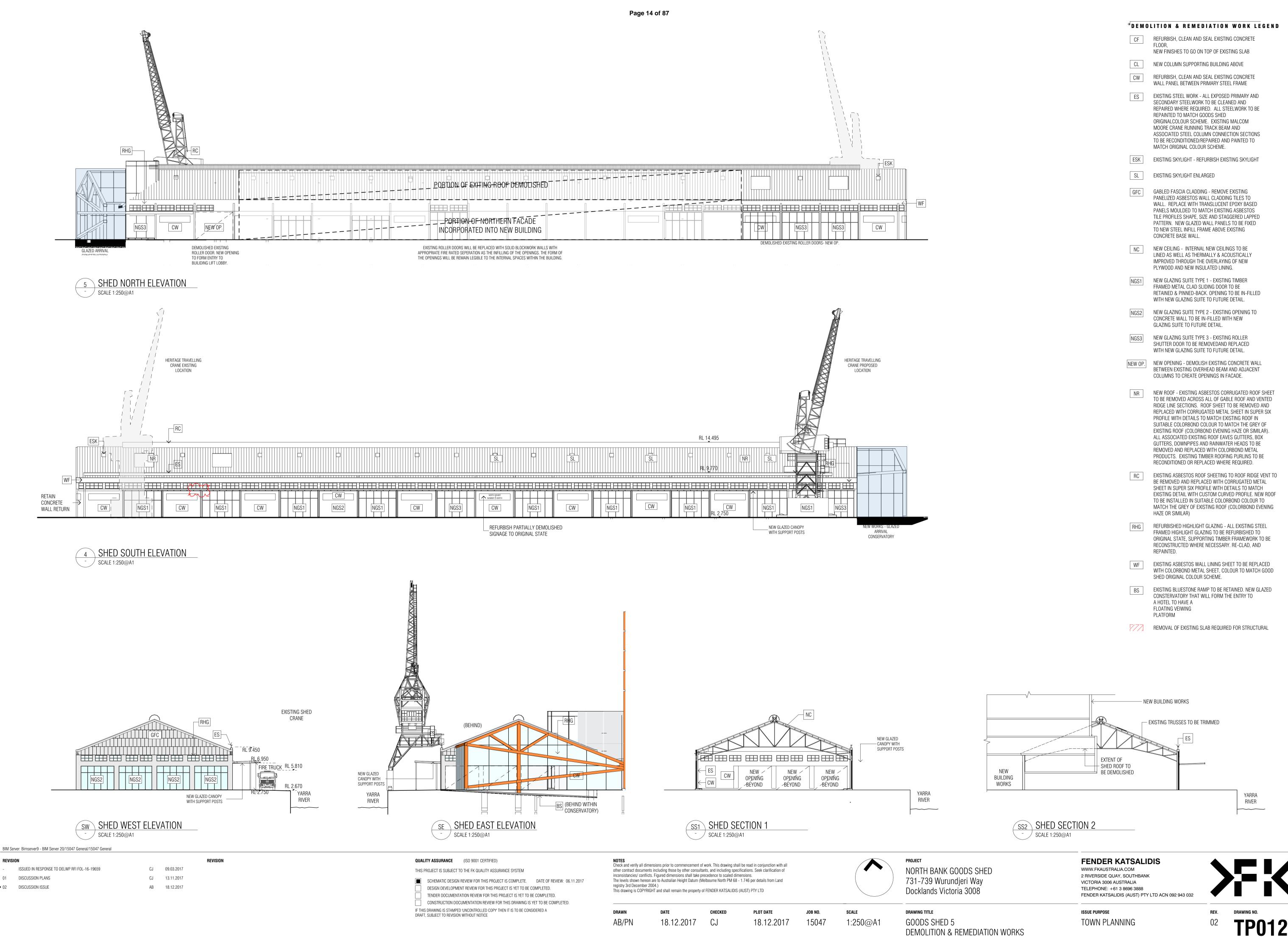


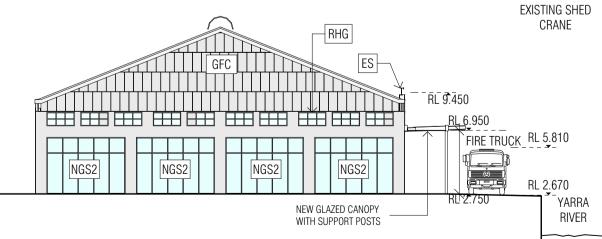
# FENDER KATSALIDIS

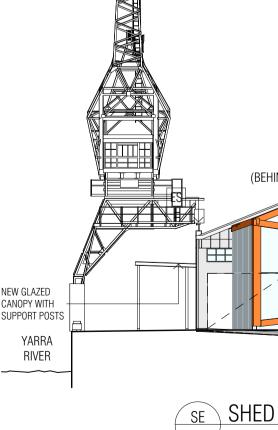
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TOWN PLANNING

**ISSUE PURPOSE** 







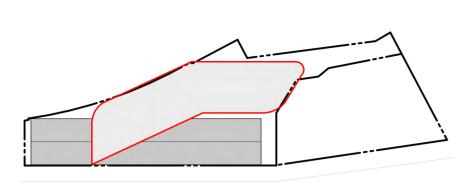
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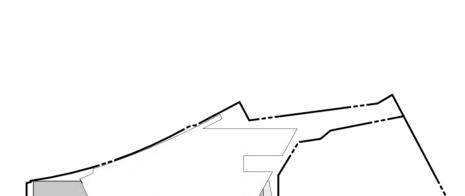
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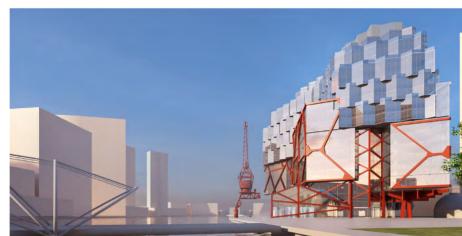




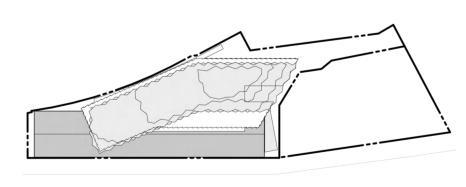














#### BIM Server: Bimserver9 - BIM Server 20/15047 General/15047 General

REVISION REVISION ISSUED IN RESPONSE TO DELWP RFI FOL-16-19659 CJ 15.12.2017

# QUALITY ASSURANCE (ISO 9001 CERTIFIED)

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DRAWN

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NOTES Check and verify all dimensions prior to commencement of work. This drawing shall be read in conjunction with all other contract documents including those by other consultants, and including specifications. Seek clarification of inconsistancies/ conflicts. Figured dimensions shall take precedence to scaled dimensions. The levels shown hereon are to Australian Height Datum (Melbourne North PM 68 - 1.746 per details registry 3rd December 2004.) This drawing is COPYRIGHT and shall remain the property of FENDER KATSALIDIS (AUST) PTY LTD

CHECKED

CJ

PLOT DATE

18.12.2017

DATE

15.12.2017

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s from Land			

JOB NO.

15047

SCALE

N.T.S.@A1

# PROJECT

NORTH BANK GOODS SHED 731-739 Wurundjeri Way Docklands Victoria 3008

DRAWING TITLE
PERSPECTIVE VIEWS
COMPARISON SUMMARY SHEET

# DEVELOPMENT TIMELINE

TOWN PLANNING PERMIT 2012

THE CONCERNS WITH THIS SCHEME INCLUDE 1. THE LACK OF ACTIVATION ALONG WURUNDJERI WAY.

2. INADEQUATE OFFSET DISTANCE FROM THE ADJACENT HERITAGE DOME.

TRAFFIC CONGESTION DUE TO THE PROPOSED COMEMRICAL USE.
 VEHICULAR RAMP AND CIRCULATION AT GROUND FLOOR PROPOSED A CONFLICT WITH

PEDESTRIAN ACCESS TO THE YARRA.



TOWN PLANNING PERMIT AMENDMENT 19 AUGUST 2016

DELWP PRESENTATION 31 AUGUST 2017

RIVER





CITY OF MELBOURNE URBAN DESIGN FACADE & MASSING PRESENTATION 22 NOVEMBER 2017

SCHEME MODIFIED IN RESPONSE TO NUMEROUS MEETINGS WITH CoM AND DELWP.

SCHEME MODIFIED IN RESPONSE TO COM URBAN DESIGN COMMENTS INCLUDING

2. REDUCED HEIGHT AND LENGTH OF BUILT FORM. 3. ACTIVATED GROUND PLANE. EMPHASIS WAS PLACED ON THE FACADE ACTIVATION OF WURUNDJERI WAY DUE TO THE COMPLEXITY OF ROAD NETWORK. THIS EFFECTIVELY CREATED A BUILDING WITHOUT A BACK OF HOUSE.

3. NORTH-SOUTH LINK PROPOSED THROUGH SHED 4. CRANE RELOCATED EAST TO FORM EDGE OF NEW PARK REDEVELOPMENT 5. INTRODUCTION OF ARTIUM TO ACTIVATE EAST FACADE IN RESPONSE TO THE PARK AND

6. INTRODUCTION OF SWEEPING CURVED PODIUM IN RESPONSE TO WURUNDJERI WAY 7. TRI-PARTITE MASSING INTRODUCED TO BETTER DEFINE SHED BASE-HOTEL PODIUM-RESIDENCE TOP. 8. INTERNAL PLANNING AND NEW ADDITION TO EAST END OF SHED STEPS AWAY TO REVEAL

AND RETAIN HERITAGE SHED WHERE POSSIBLE. 9. REDUCED SHADOWS ONTO NORTHBANK, NEW PARK AND YARRA. 10. TRAFFIC AND PEDESTRIAN INTERFACE AT GROUND FLOOR IMPROVED THROUGH THE USE

1. REFERENCE TO PORT/WHARF BUILDINGS AND INDUSTRIAL INFLUENCE.

OF TRAFFIC CALMING DEVICES, VEHICLE LIFTS, LANDSCAPING. 11. COLOUR INVESTIGATED AS A DESIGN DEVICE ALONG THE RIVERFRONT.

2. REDUCED HEIGHT AND LENGTH OF BUILT FORM.

- 1. PODIUM FACADE SIMPLIFIED TO AVOID APPLIED 'GRID' 2. NATURE OF TRIPARTITE MASSING. 3. DATE FOR HELI-PAD PONTOON RELOCATION CONFIRMED AS 31 JANUARY 2018



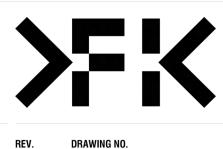
DISCUSSION PLANS SUBMITTED TO DELWP & CoM DECEMBER 2017

MINOR MODIFICATIONS IN RESPONSE TO MEETINGS WITH COM URBAN DESIGN TEAM

1. LEVEL 3 PODIUM RECESSED TO DISTANCE THE PROJECT FROM THE HERITAGE SHED. 2. CANTILEVERED RESIDENCES TO SOUTH AND WEST REDUCED TO 1.5M (REDUCED SHADOWS ARE ONE OF THE RESULTS).

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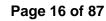
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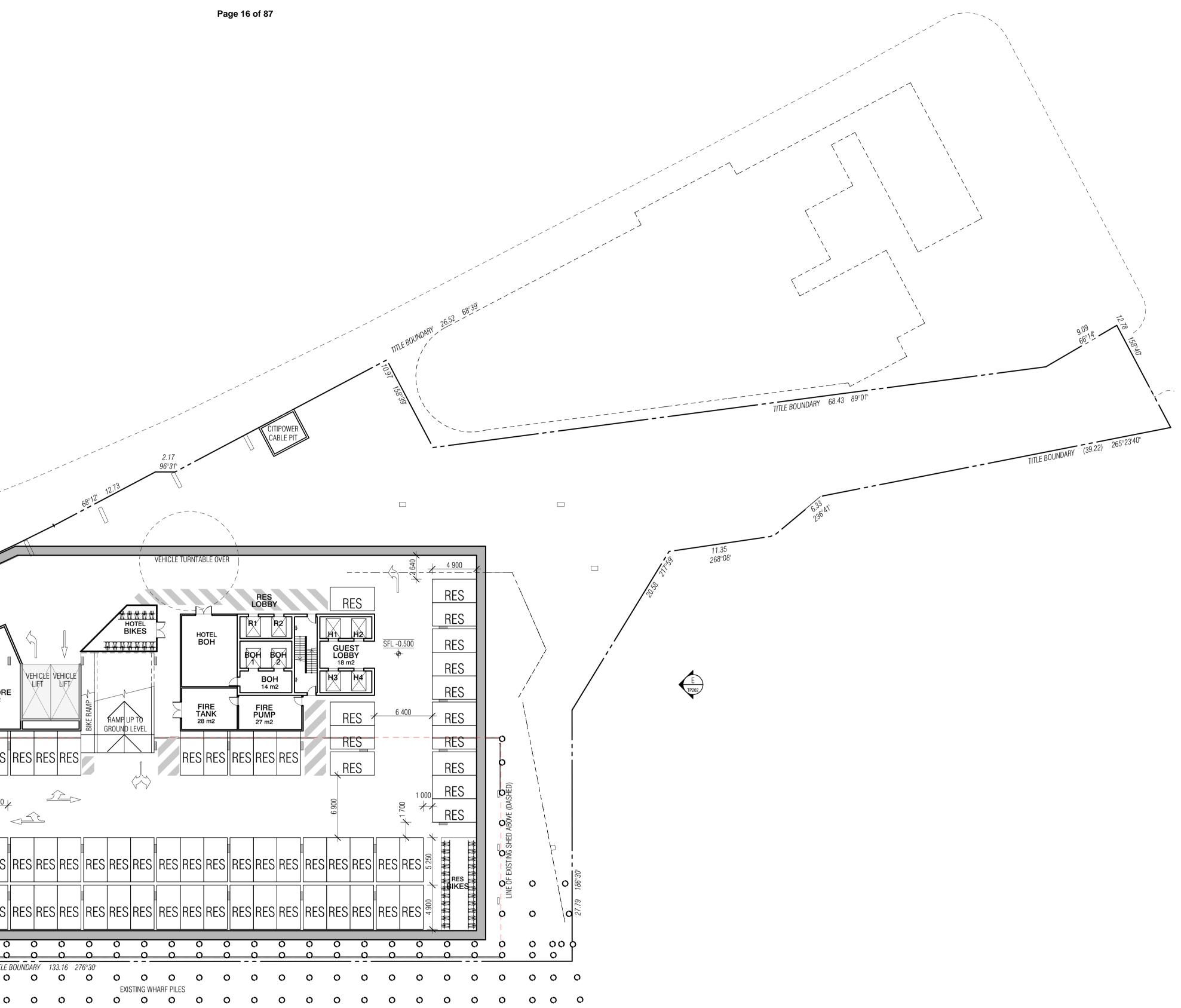


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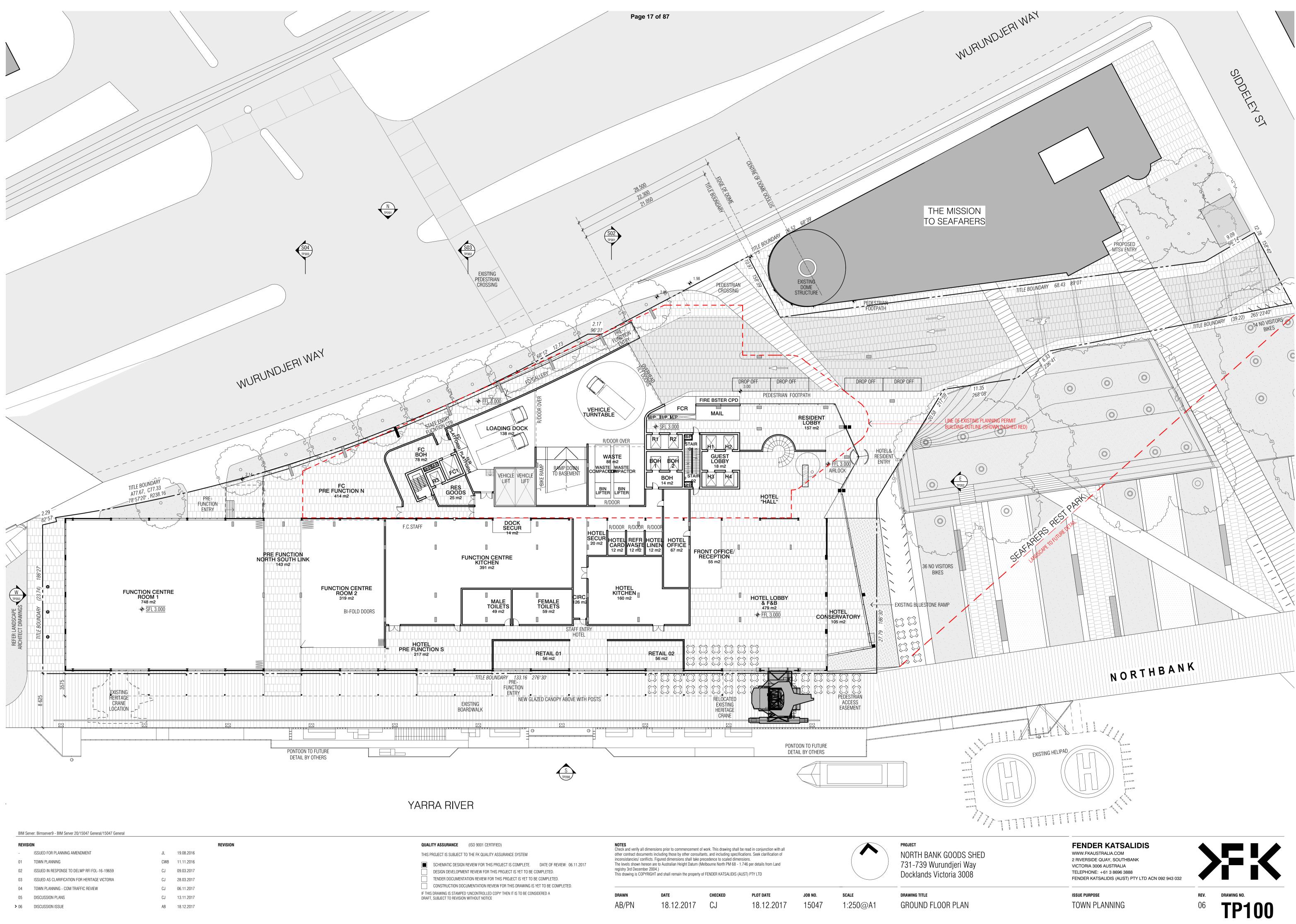
REVISION	REVISION	QUALITY ASSURANCE (ISO 9001 CERTIFIED)	NOTES						PROJECT
- ISSUED FOR PLANNING AMENDMENT	JL 19.08.2016	THIS PROJECT IS SUBJECT TO THE FK QUALITY ASSURANCE SYSTEM	other contract docum	imensions prior to commencement o ents including those by other consult	ants, and including spec	ifications. Seek clarification of			NORTH BANK GOODS SHED
01 TOWN PLANNING	CWB 11.11.2016	SCHEMATIC DESIGN REVIEW FOR THIS PROJECT IS COMPLETE. DATE OF REVIEW: 06.11.2017		licts. Figured dimensions shall take p eon are to Australian Height Datum (N					731-739 Wurundjeri Way
02 ISSUED IN RESPONSE TO DELWP RFI FOL-16-19659	CJ 09.03.2017	DESIGN DEVELOPMENT REVIEW FOR THIS PROJECT IS YET TO BE COMPLETED.	registry 3rd Decembe This drawing is COPY	r 2004.) RIGHT and shall remain the property	of FENDER KATSALIDIS	(ΔΙΙςΤ) ΡΤΥ Ι ΤΠ			Docklands Victoria 3008
03 TOWN PLANNING - COM TRAFFIC REVIEW	CJ 06.11.2017	TENDER DOCUMENTATION REVIEW FOR THIS PROJECT IS YET TO BE COMPLETED.							
04 DISCUSSION PLANS	CJ 13.11.2017	CONSTRUCTION DOCUMENTATION REVIEW FOR THIS DRAWING IS YET TO BE COMPLETED.							
> 05 DISCUSSION ISSUE	AB 18.12.2017	IF THIS DRAWING IS STAMPED 'UNCONTROLLED COPY' THEN IT IS TO BE CONSIDERED A DRAFT, SUBJECT TO REVISION WITHOUT NOTICE	DRAWN	DATE	CHECKED	PLOT DATE	JOB NO.	SCALE	DRAWING TITLE
			AB/PN	18.12.2017	CJ	18.12.2017	15047	1:250@A1	BASEMENT 01 FLOOR PLAN



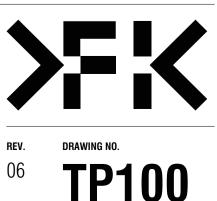


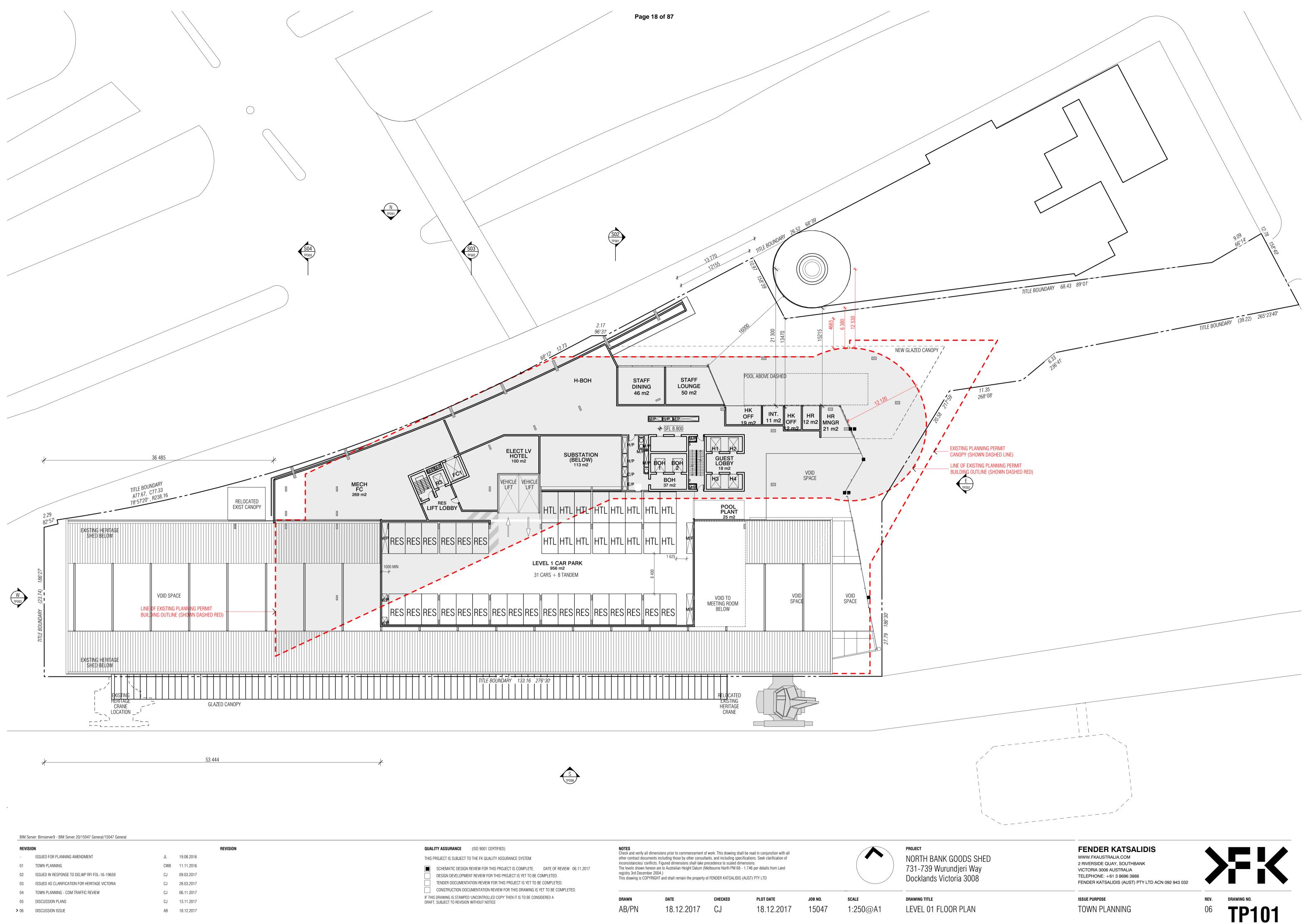
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-	ISSUED FOR PLANNING AMENDMENT	JL	19.08.2016	THIS PROJECT IS SUBJECT TO THE FK QUALITY
01	TOWN PLANNING	CWB	11.11.2016	SCHEMATIC DESIGN REVIEW FOR THIS
02	ISSUED IN RESPONSE TO DELWP RFI FOL-16-19659	CJ	09.03.2017	DESIGN DEVELOPMENT REVIEW FOR TH
03	ISSUED AS CLARIFICATION FOR HERITAGE VICTORIA	CJ	28.03.2017	TENDER DOCUMENTATION REVIEW FOR
04	TOWN PLANNING - COM TRAFFIC REVIEW	CJ	06.11.2017	CONSTRUCTION DOCUMENTATION REV
05	DISCUSSION PLANS	CJ	13.11.2017	IF THIS DRAWING IS STAMPED 'UNCONTROLLED ( DRAFT, SUBJECT TO REVISION WITHOUT NOTICE
06	DISCUSSION ISSUE	AB	18.12.2017	

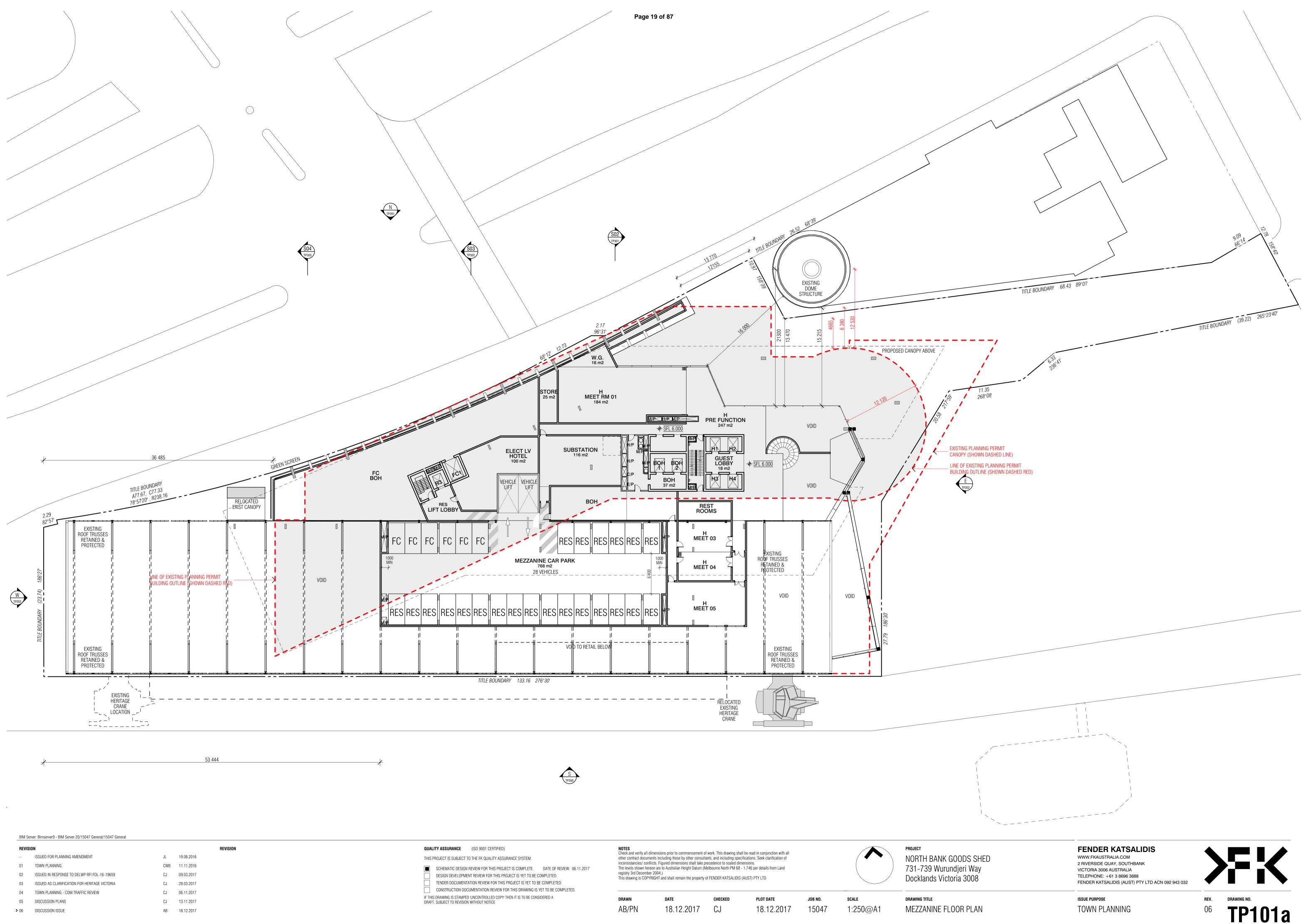




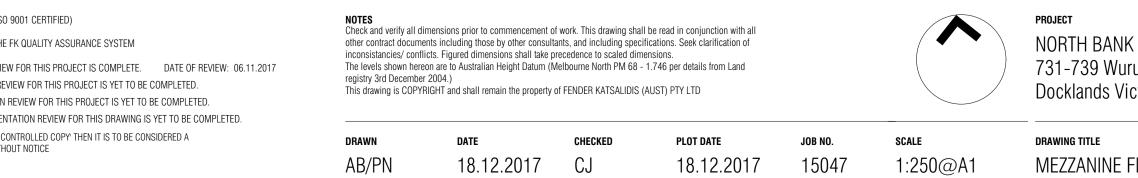
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01	TOWN PLANNING	CWB	11.11.2016	SCHEMATIC DESIGN REVIEW F
02	ISSUED IN RESPONSE TO DELWP RFI FOL-16-19659	CJ	09.03.2017	DESIGN DEVELOPMENT REVIE
03	ISSUED AS CLARIFICATION FOR HERITAGE VICTORIA	CJ	28.03.2017	TENDER DOCUMENTATION RE
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05	DISCUSSION PLANS	CJ	13.11.2017	IF THIS DRAWING IS STAMPED 'UNCONT DRAFT, SUBJECT TO REVISION WITHOUT
<b>&gt;</b> 06	DISCUSSION ISSUE	AB	18.12.2017	

LEVEL 01 FLOOR PLAN

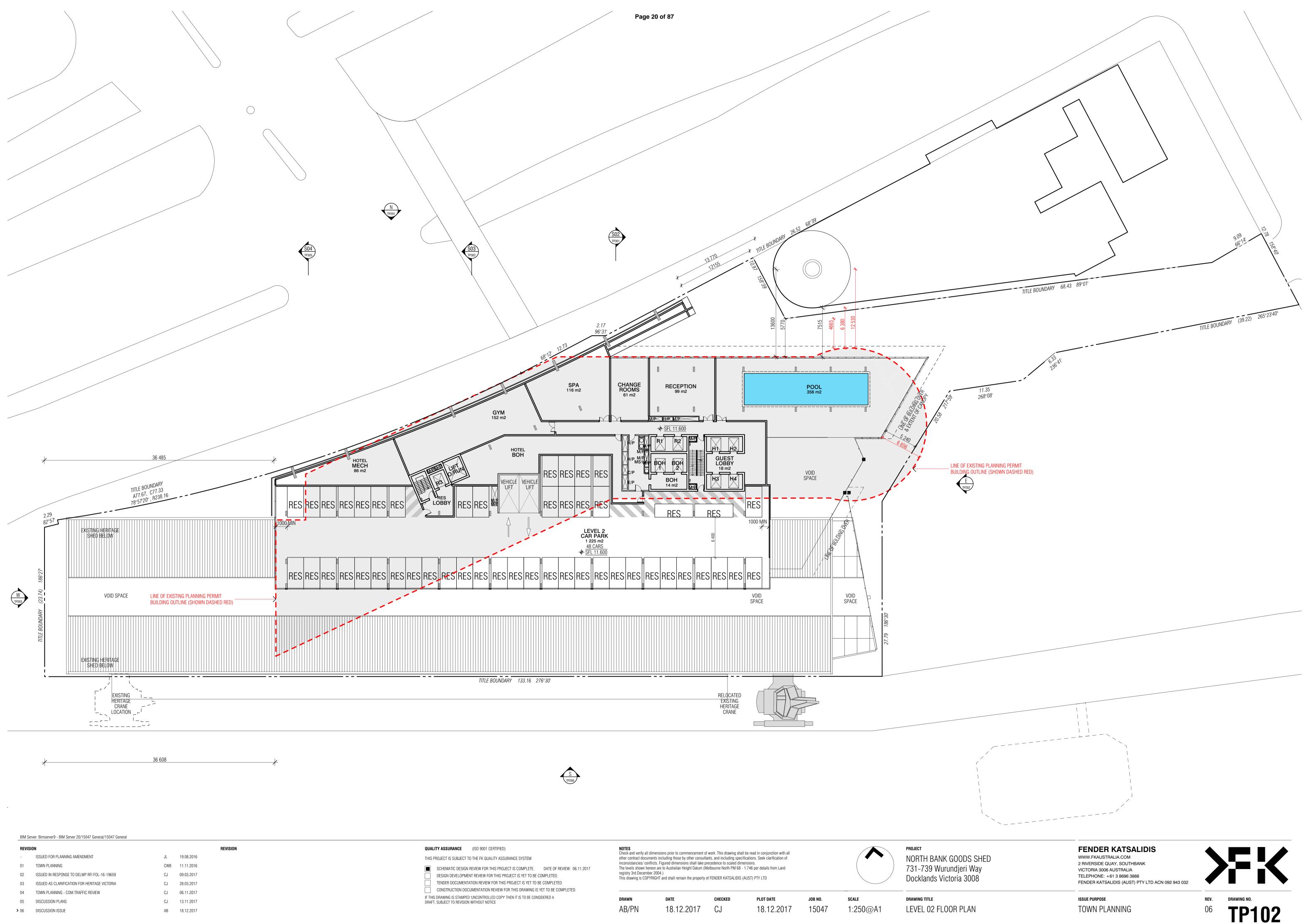
TOWN PLANNING



REVIS	ION		REVISION	QUALITY ASSURANCE
-	ISSUED FOR PLANNING AMENDMENT	JL	19.08.2016	THIS PROJECT IS SUBJECT TO
01	TOWN PLANNING	CWB	11.11.2016	SCHEMATIC DESIGN R
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03	ISSUED AS CLARIFICATION FOR HERITAGE VICTORIA	CJ	28.03.2017	TENDER DOCUMENTAT
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05	DISCUSSION PLANS	CJ	13.11.2017	IF THIS DRAWING IS STAMPED " DRAFT, SUBJECT TO REVISION V
06	DISCUSSION ISSUE	AB	18.12.2017	



MEZZANINE FLOOR PLAN



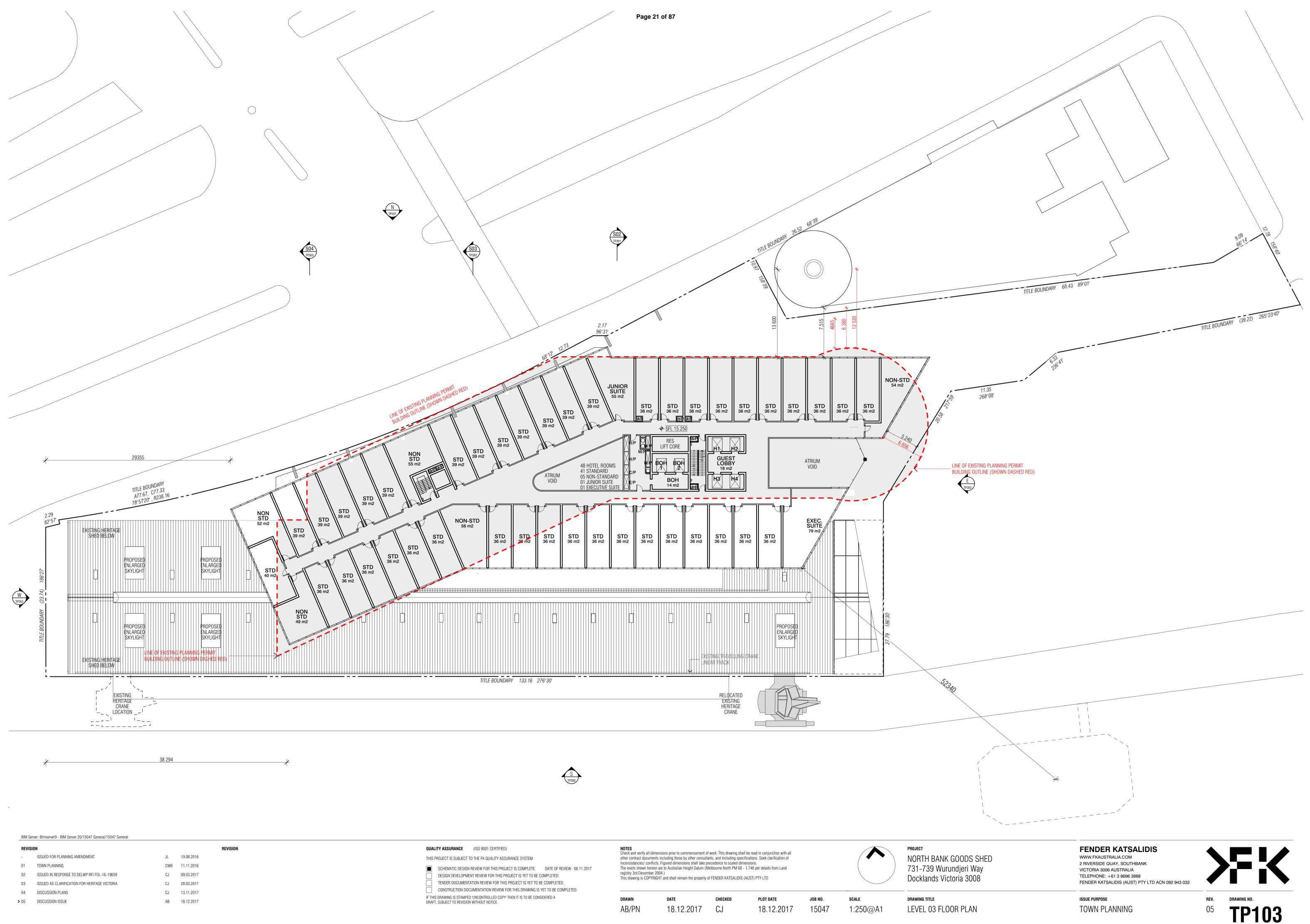
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05	DISCUSSION PLANS	CJ	13.11.2017	IF THIS DRAWING IS DRAFT, SUBJECT TO
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AB/PN 18.12.2017 CJ

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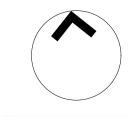
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LEVEL 02 FLOOR PLAN

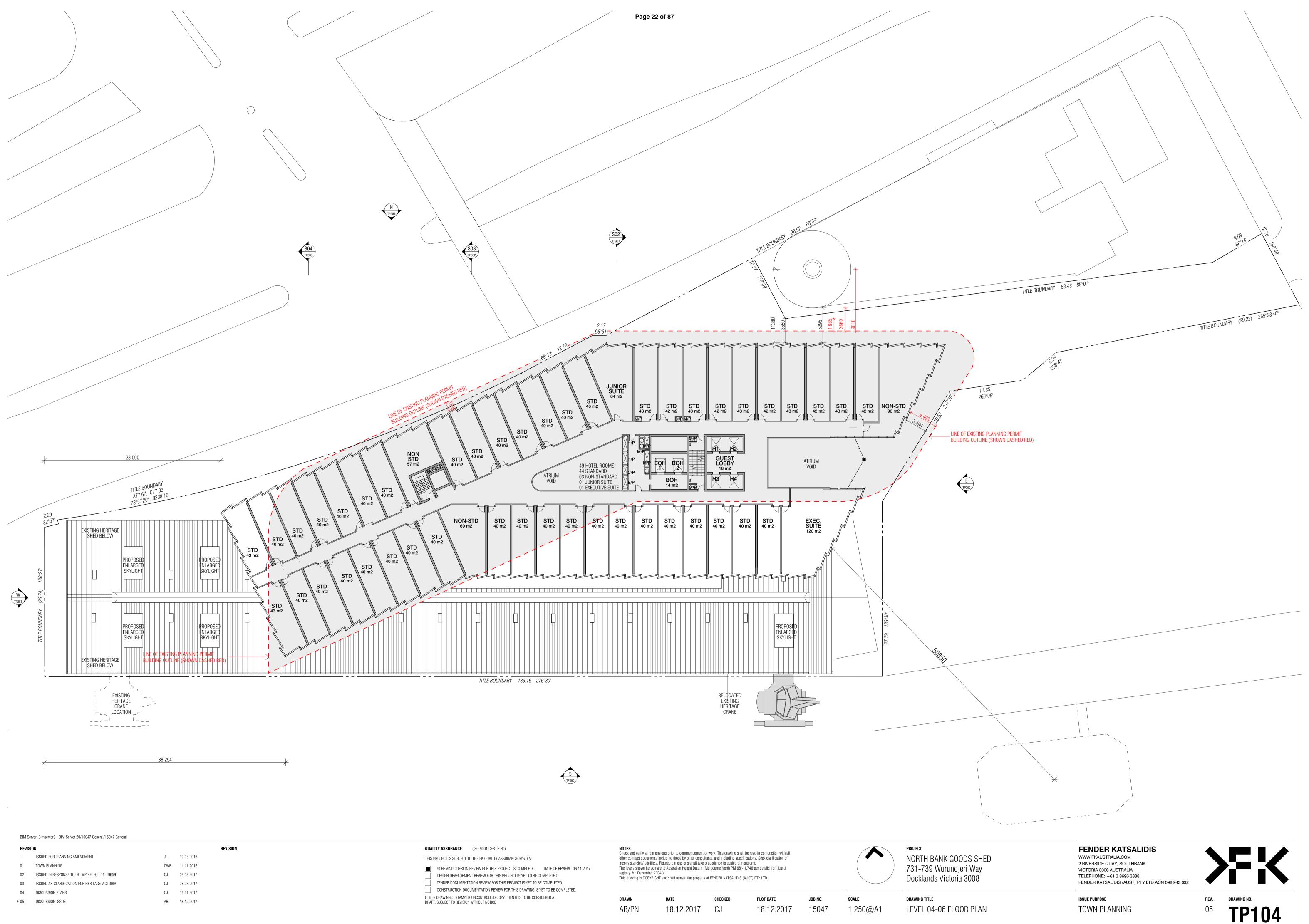


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REVIS	ION			REVISION
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03	ISSUED AS CLARIFICATION FOR HERITAGE VICTORIA	CJ	28.03.2017	
04	DISCUSSION PLANS	CJ	13.11.2017	
• 05	DISCUSSION ISSUE	AB	18.12.2017	

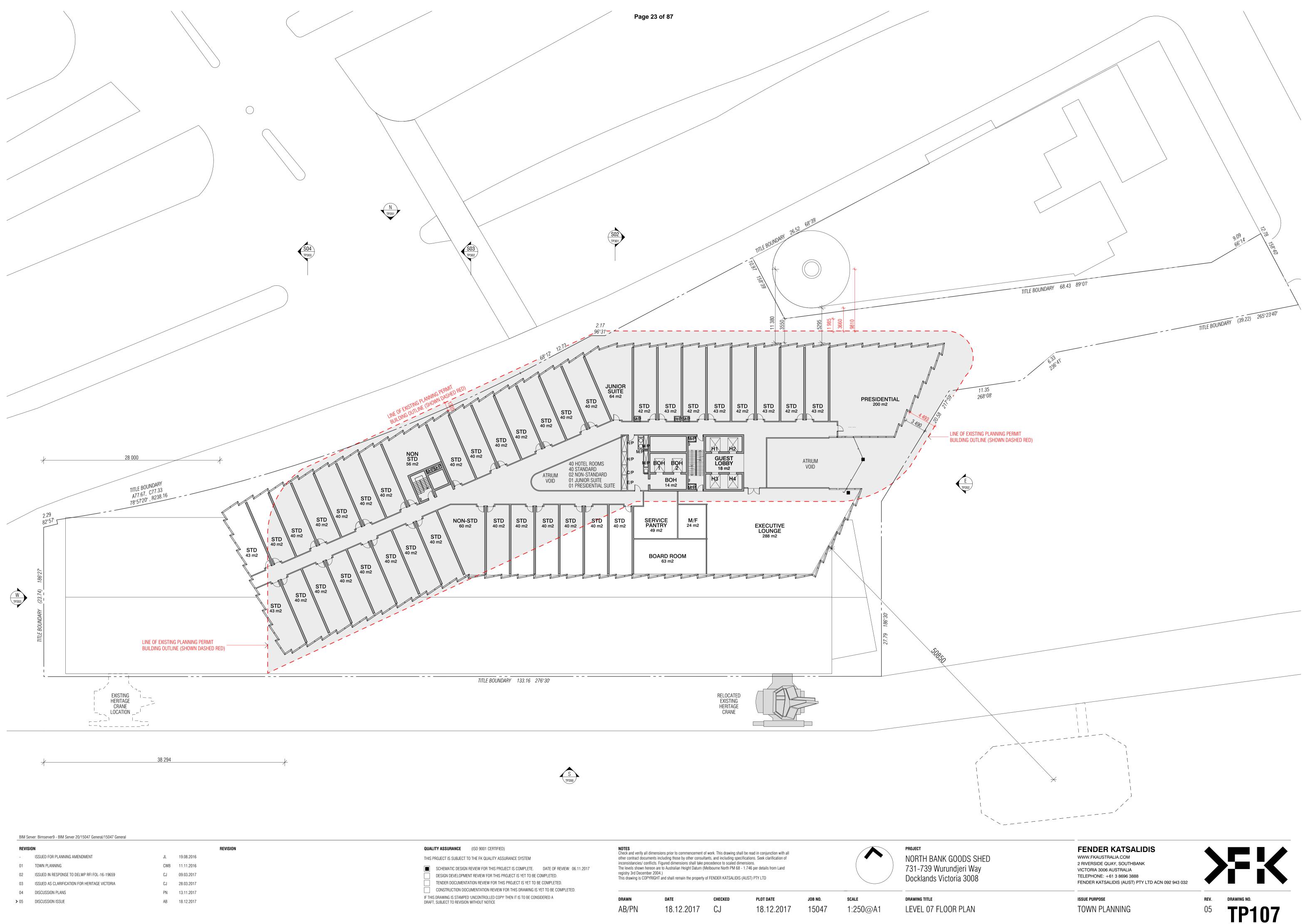


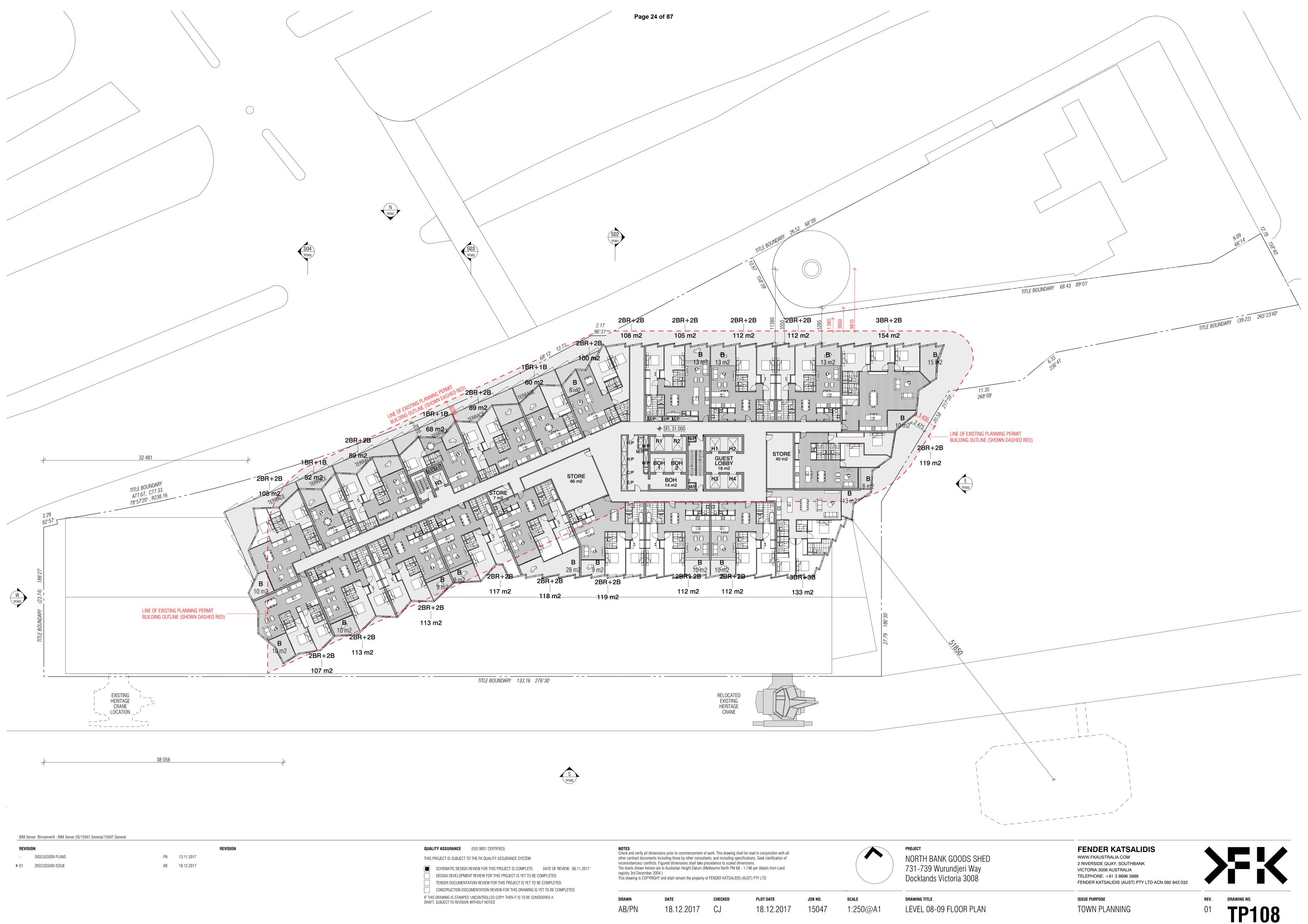


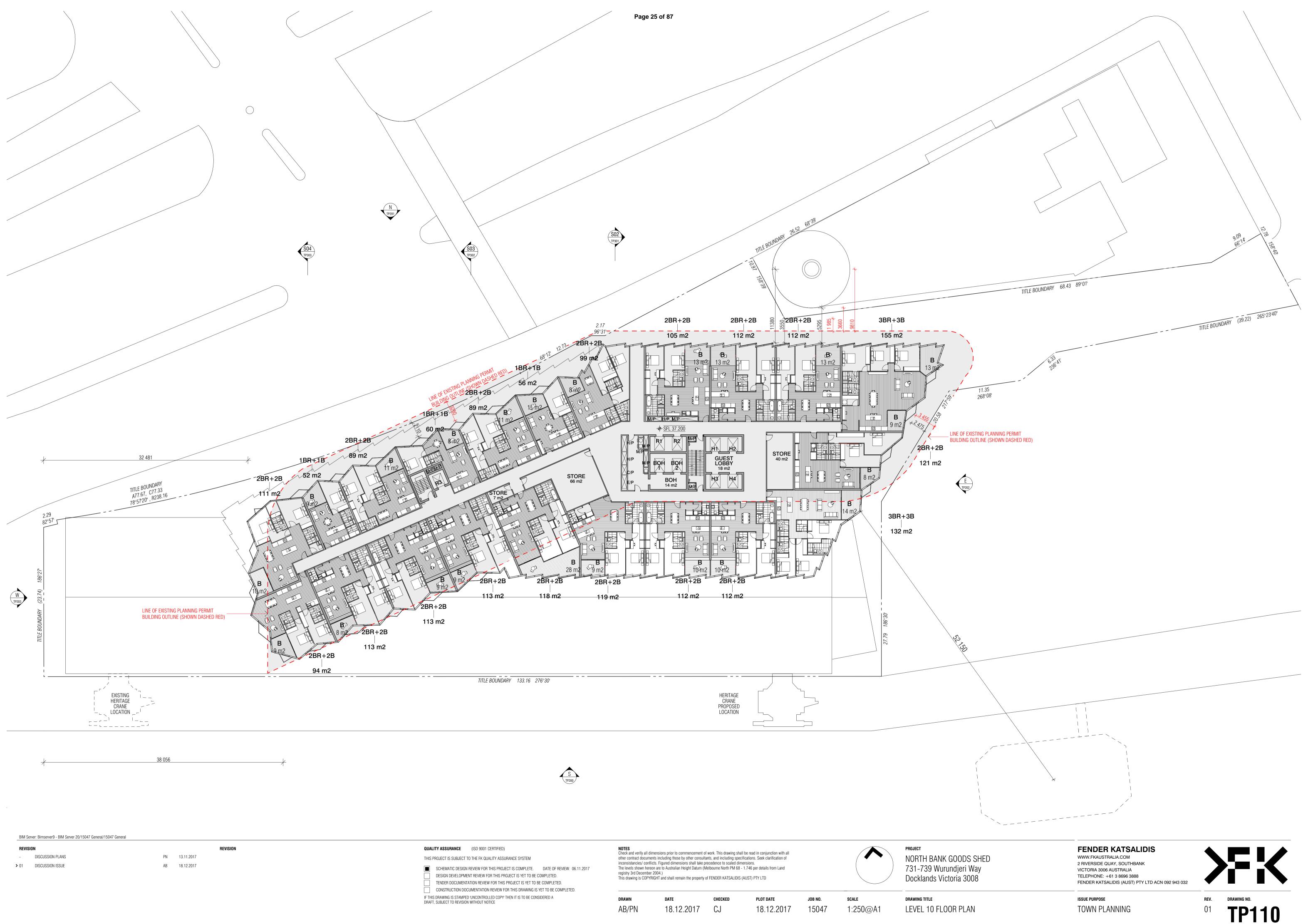


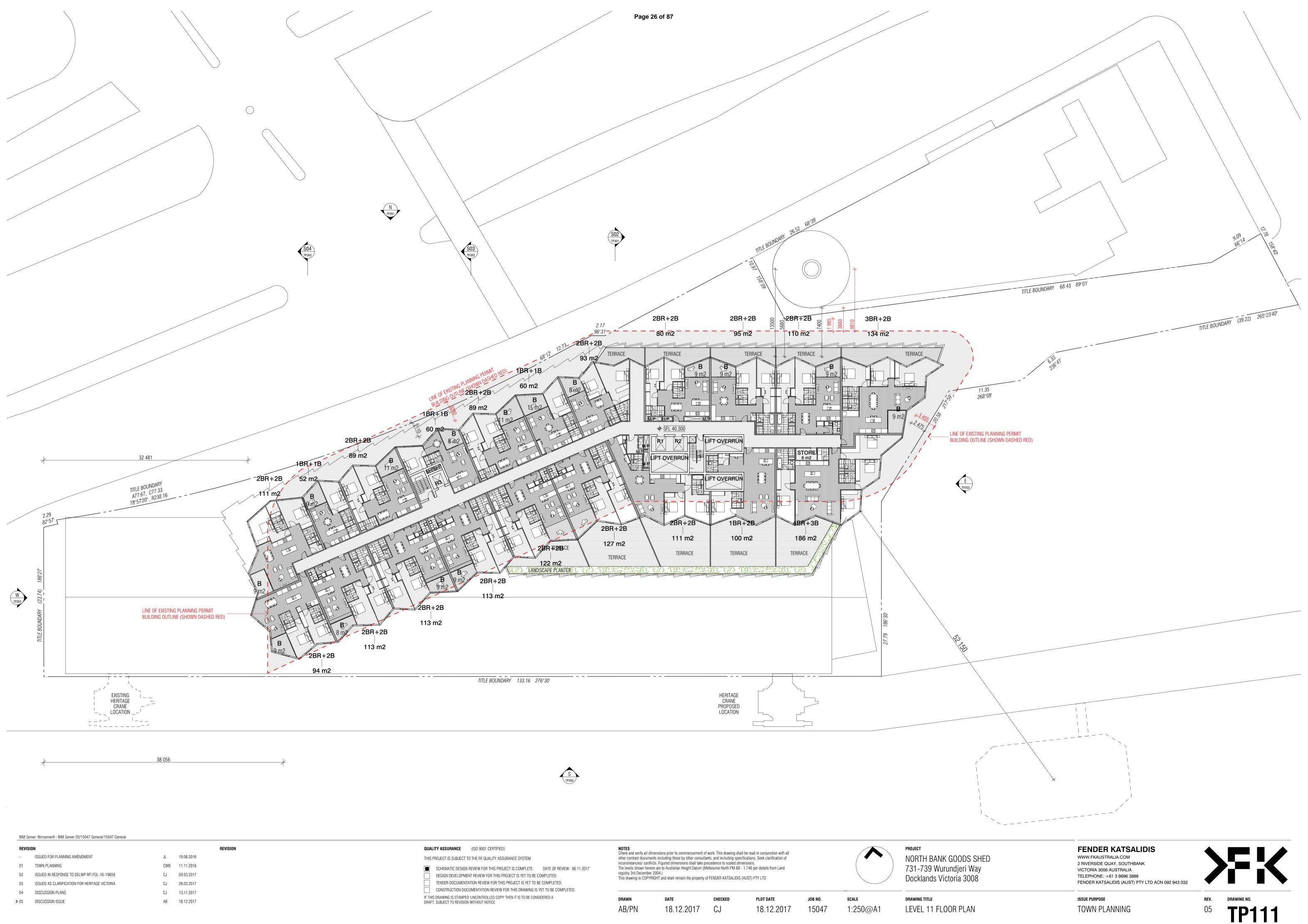


BIM S	Gerver: Bimserver9 - BIM Server 20/15047 General/15047 General		
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03	ISSUED AS CLARIFICATION FOR HERITAGE VICTORIA	CJ	28.03.2017
04	DISCUSSION PLANS	CJ	13.11.2017

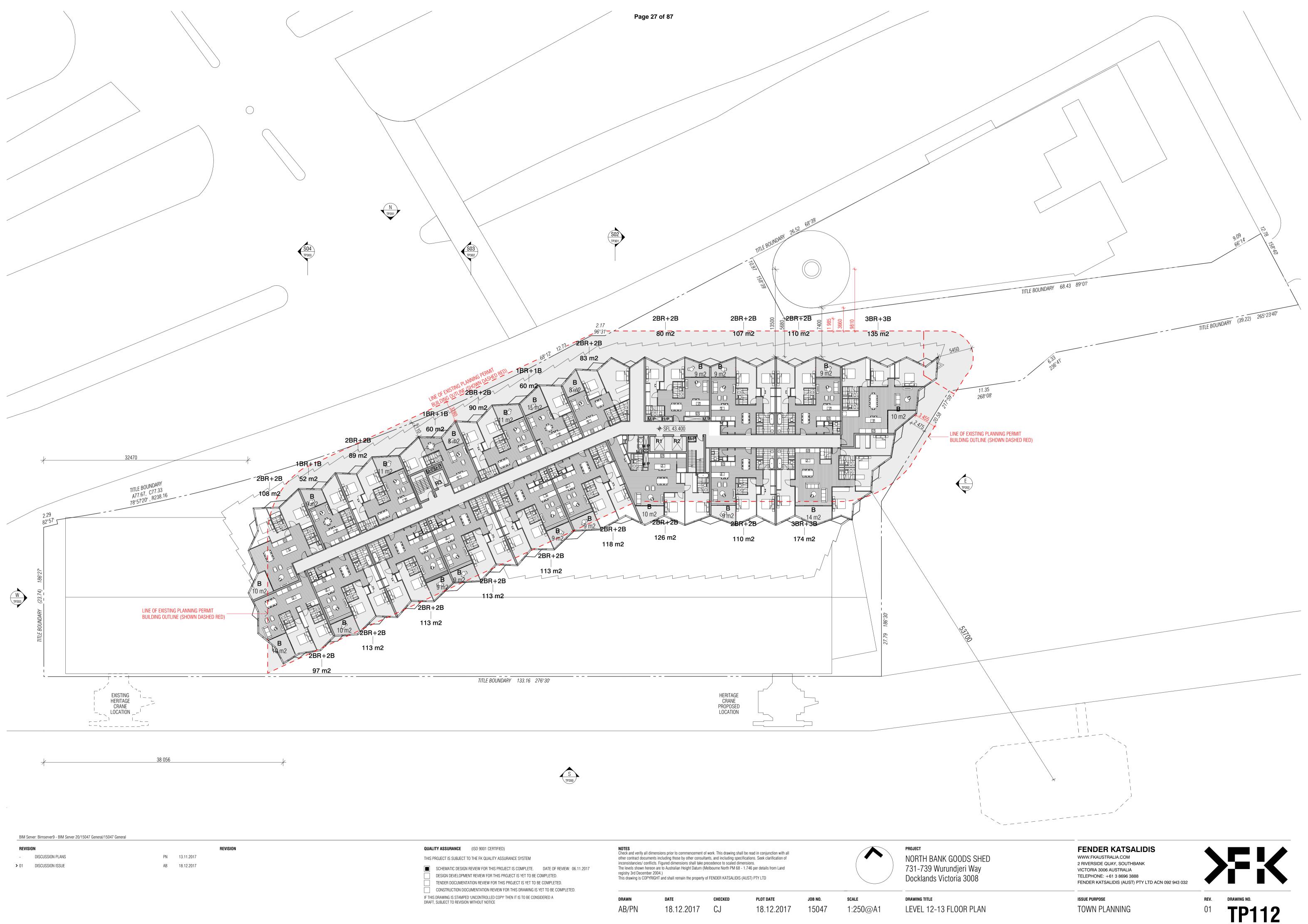


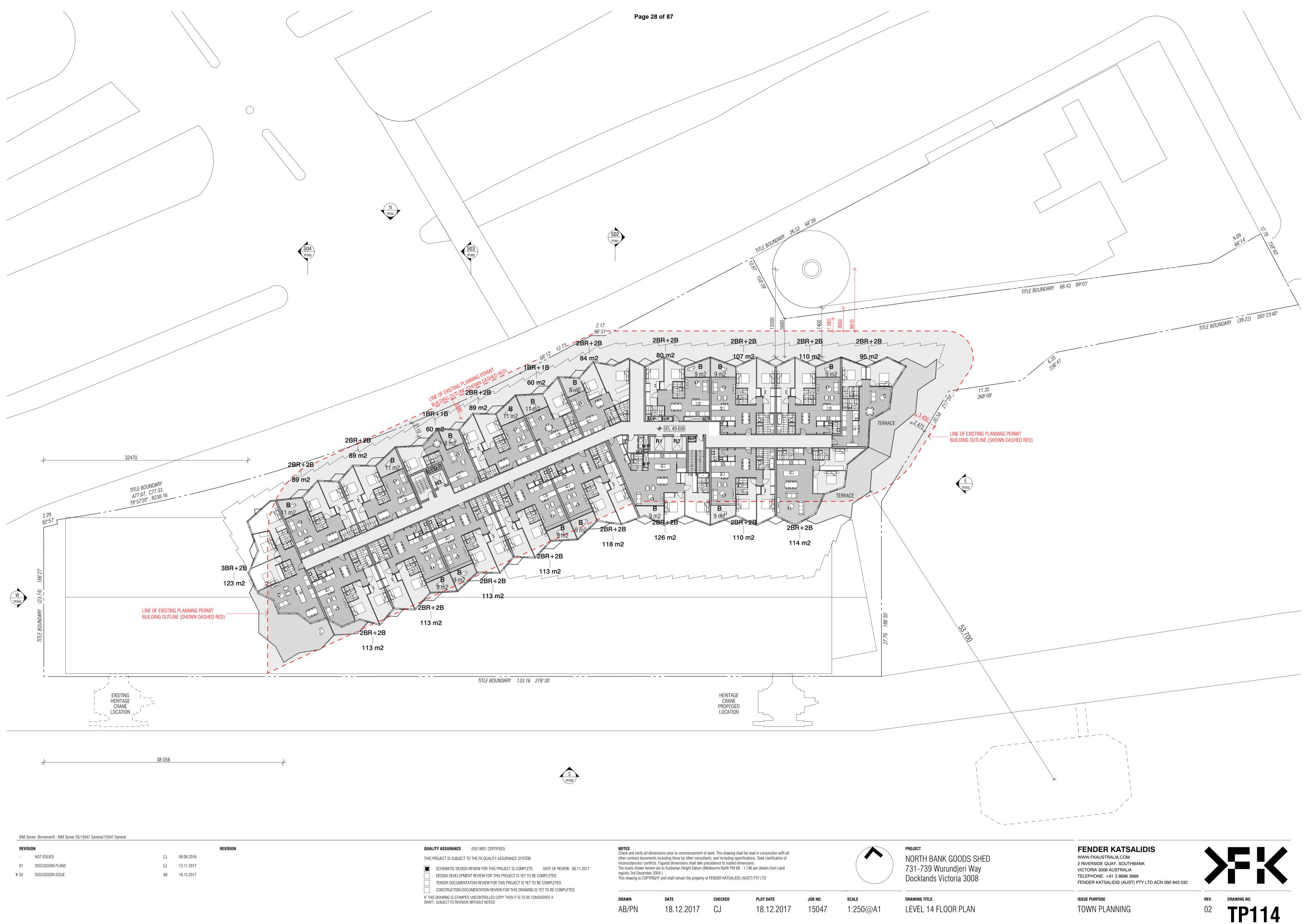


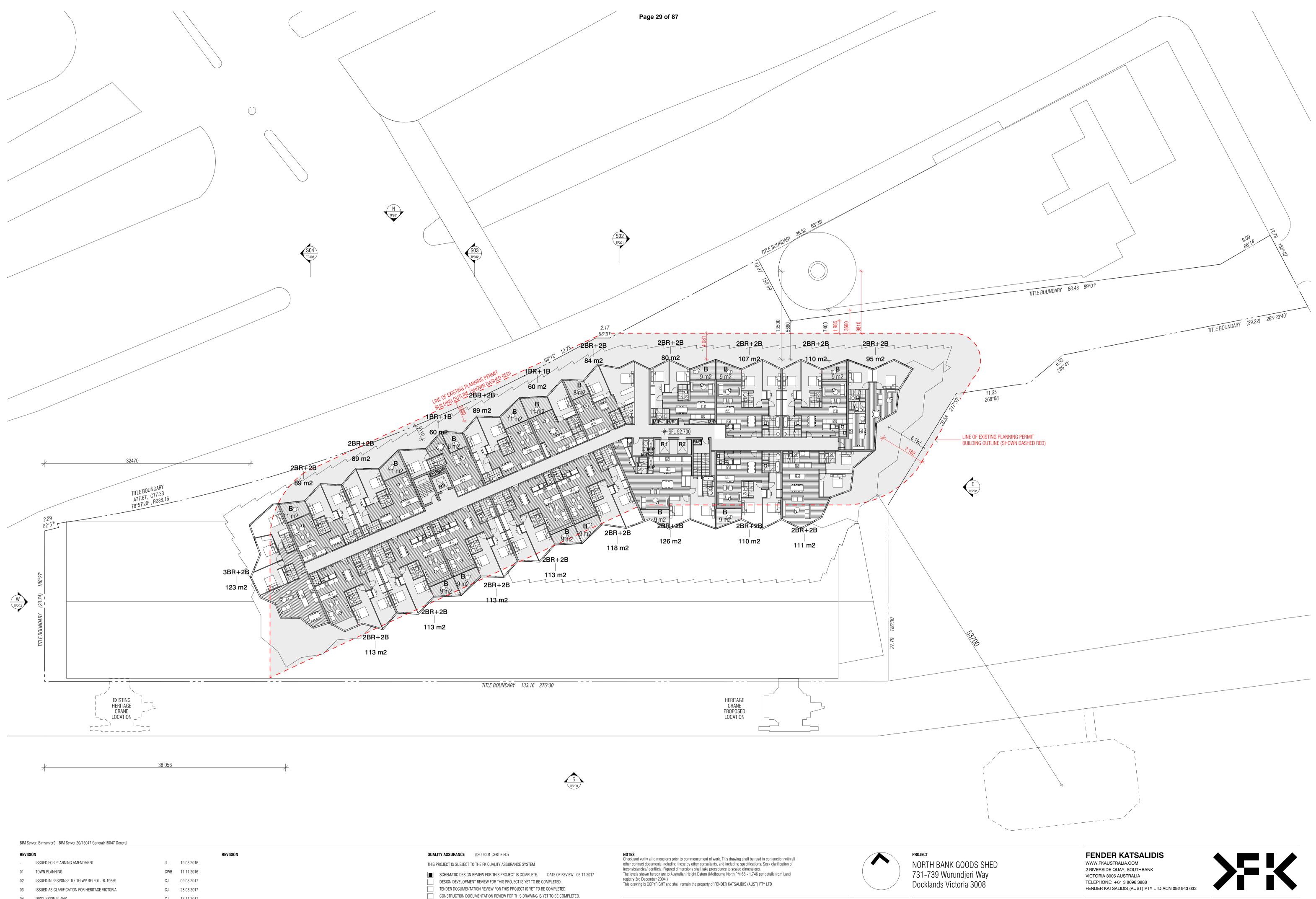




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03	ISSUED AS CLARIFICATION FOR HERITAGE VICTORIA	CJ	28.03.2017	
04	DISCUSSION PLANS	CJ	13.11.2017	
<b>&gt;</b> 05	DISCUSSION ISSUE	AB	18.12.2017	







REVISI	ON .			REVISION
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04	DISCUSSION PLANS	CJ	13.11.2017	
05	DISCUSSION ISSUE	AB	18.12.2017	

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DRAW CHECKED AB/PN 18.12.2017 CJ

18.12.2017 15047

PLOT DATE

SCALE

JOB NO.

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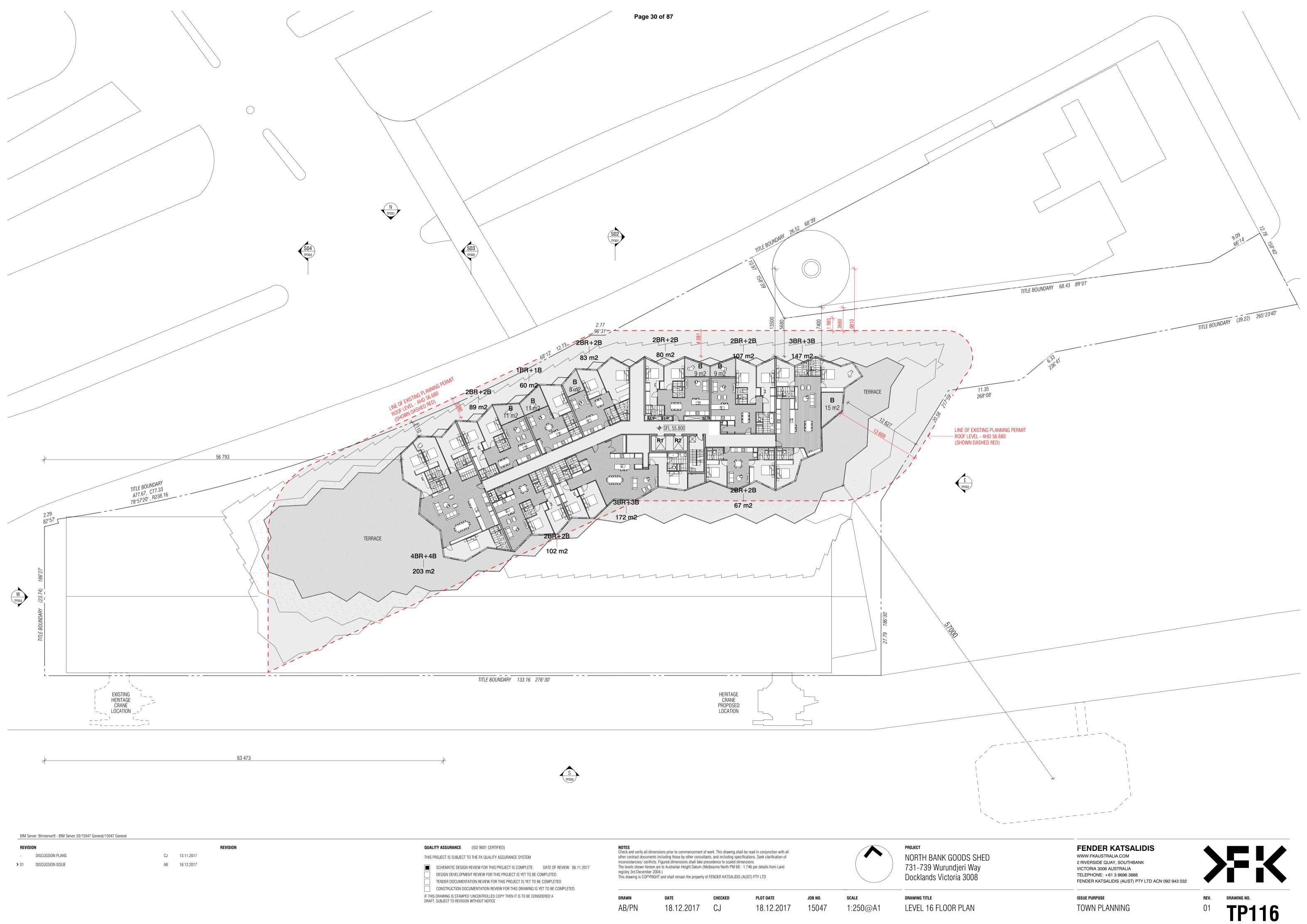
LEVEL 15 FLOOR PLAN

DRAWING TITLE

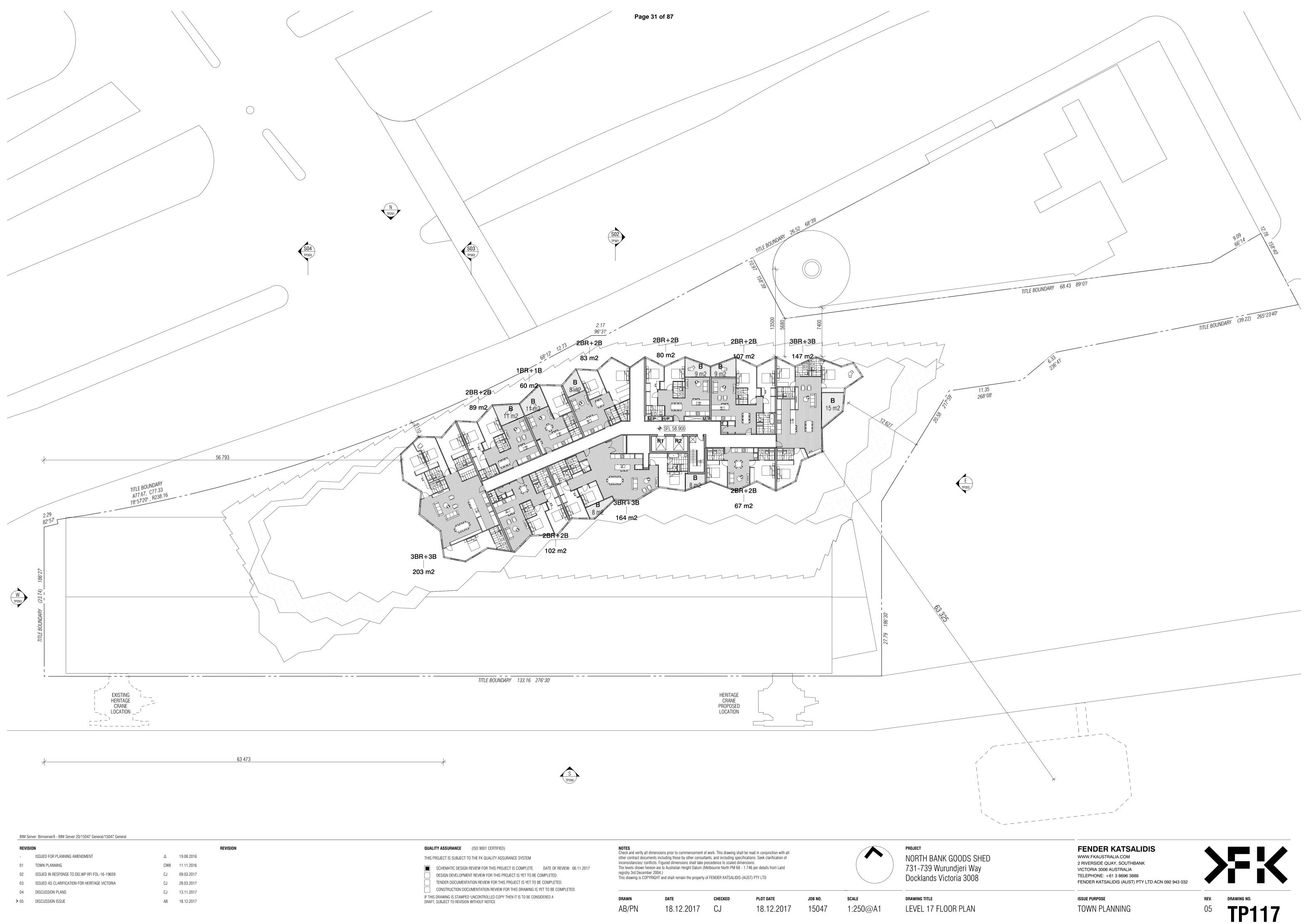
ISSUE PURPOSE TOWN PLANNING

REV. 05

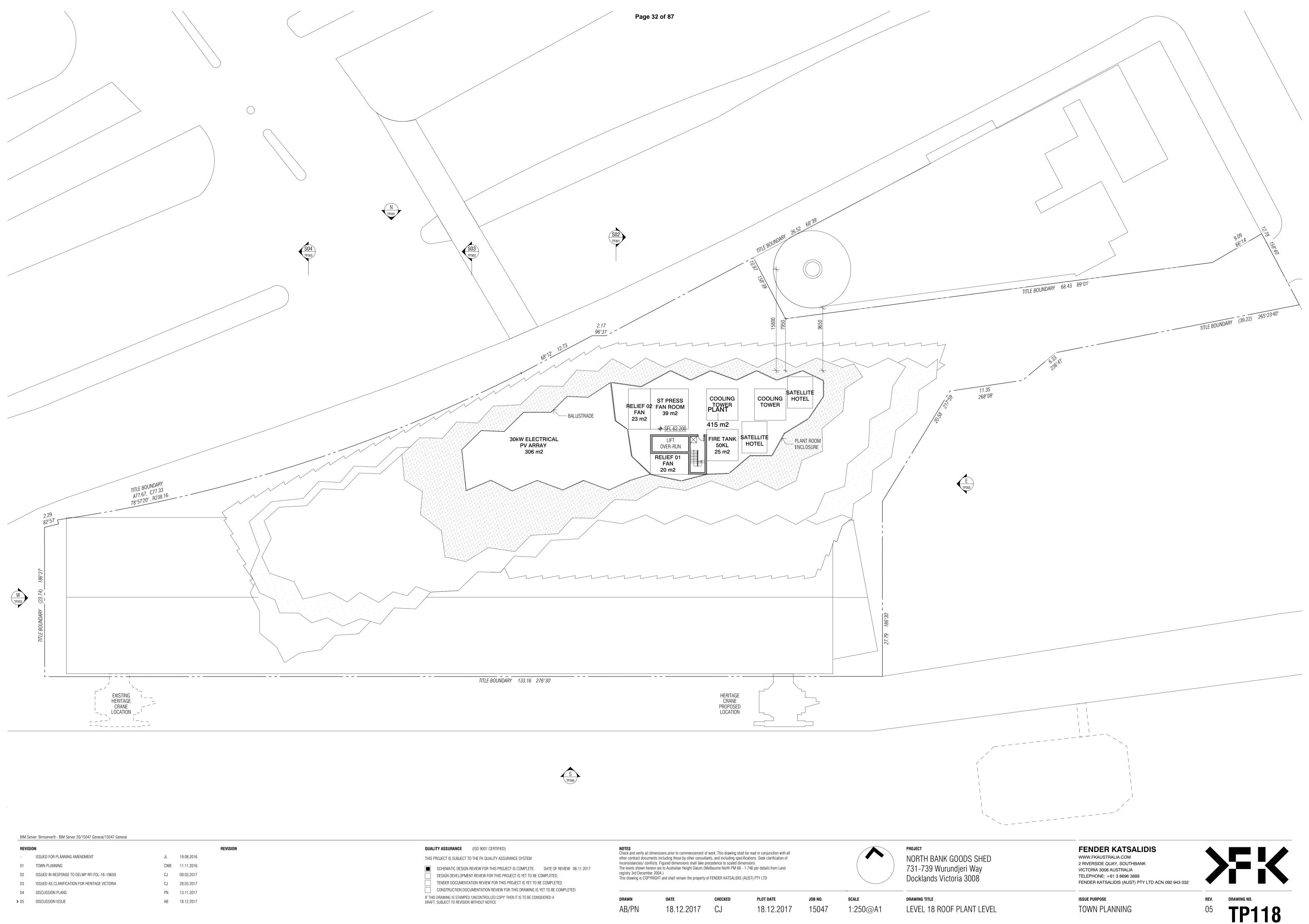
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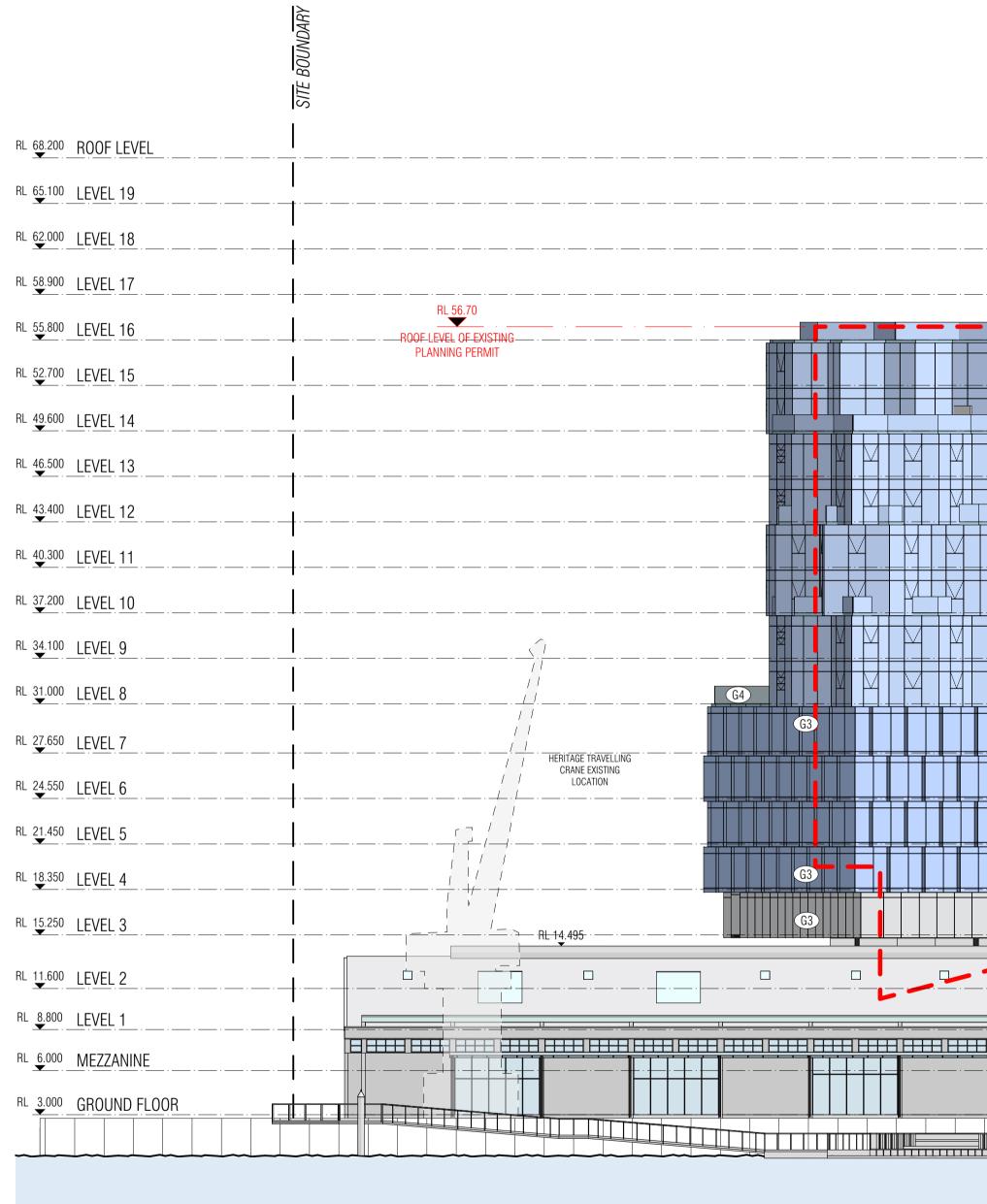




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SOUTH ELEVATION - SCALE 1:250@A1

BIM Server: Bimserver9 - BIM Server 20/15047 General/15047 General

- REVISION -
- ISSUED FOR PLANNING AMENDMENT 01 TOWN PLANNING
- 02 ISSUED IN RESPONSE TO DELWP RFI FOL-16-19659
- EXTENT OF SOUTH CANOPY CLARIFIED 03
- DISCUSSION PLANS 04 > 05 DISCUSSION ISSUE

CJ 09.03.2017 PN 30.03.2017 CJ 13.11.2017

JL 19.08.2016

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AB 18.12.2017

REVISION

# QUALITY ASSURANCE (ISO 9001 CER

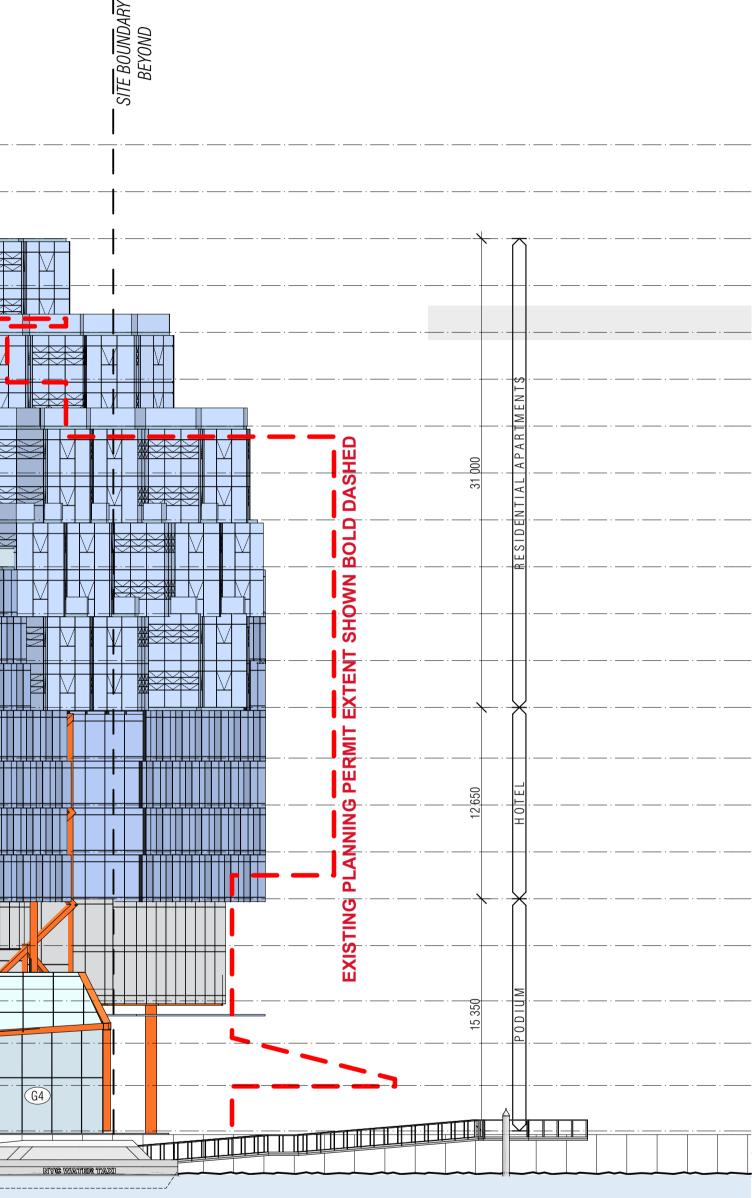
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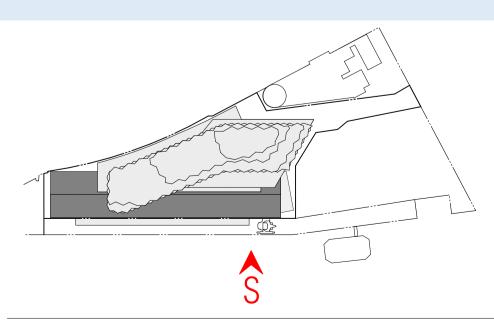
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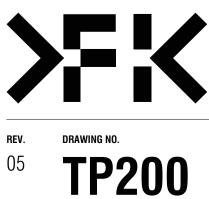
→ FINI	SHES LEGEN	D
G1)	FACADE GLAZING	SILVER GREY TINT
G2)	FACADE GLAZING	SILVER GREY TINT SPANDREL
<b>G</b> 3	FACADE GLAZING	GREY TINT COLOUR
<u>G4</u>	FACADE GLAZING	CLEAR VISION
<u>(C1)</u>	CONCRETE FINISH	BRITE-ON-LITE COLOUR, CLEAR SEALER
C2	CONCRETE FINISH	NATURAL GREY COLOUR
(M1)	METAL FINISH	BRONZE COLOUR
(M2)	METAL FINISH	SILVER COLOUR
(M3)	METAL FINISH	CHARCOAL COLOUR
(M4)	METAL FINISH	GALVANIZED FINISH

(P1) PAINT FINISH INDUSTRIAL 'BURNT ORANGE'

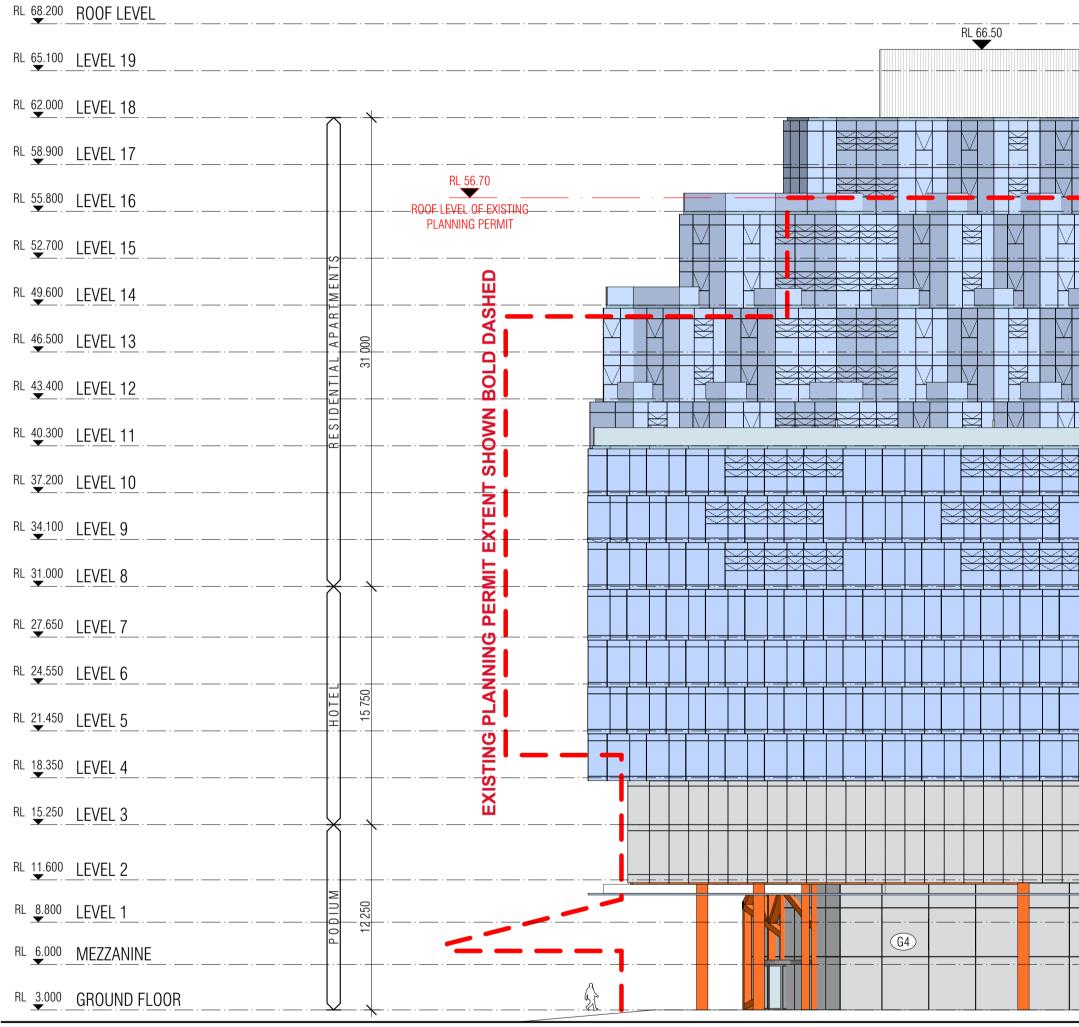




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**ISSUE PURPOSE** TOWN PLANNING



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NORTH ELEVATION - SCALE 1:250@A1

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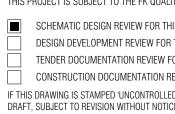
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	-	ISSUED FOR PLANNING AMENDMENT							
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	02	ISSUED IN RESPONSE TO DELWP RFI FOL-16-19659							
	03	DISCUSSION PLANS							
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REVISION

JL 19.08.2016 CWB 11.11.2016

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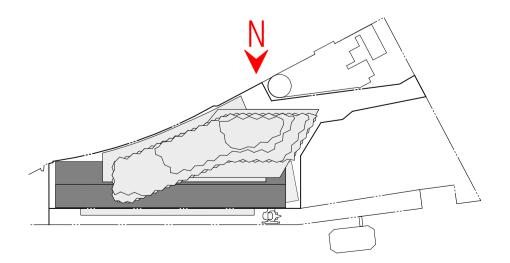
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FUNCTION CENTRE ENTRY - N.E

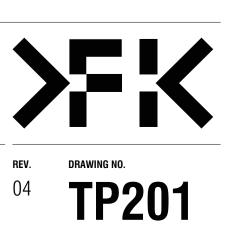
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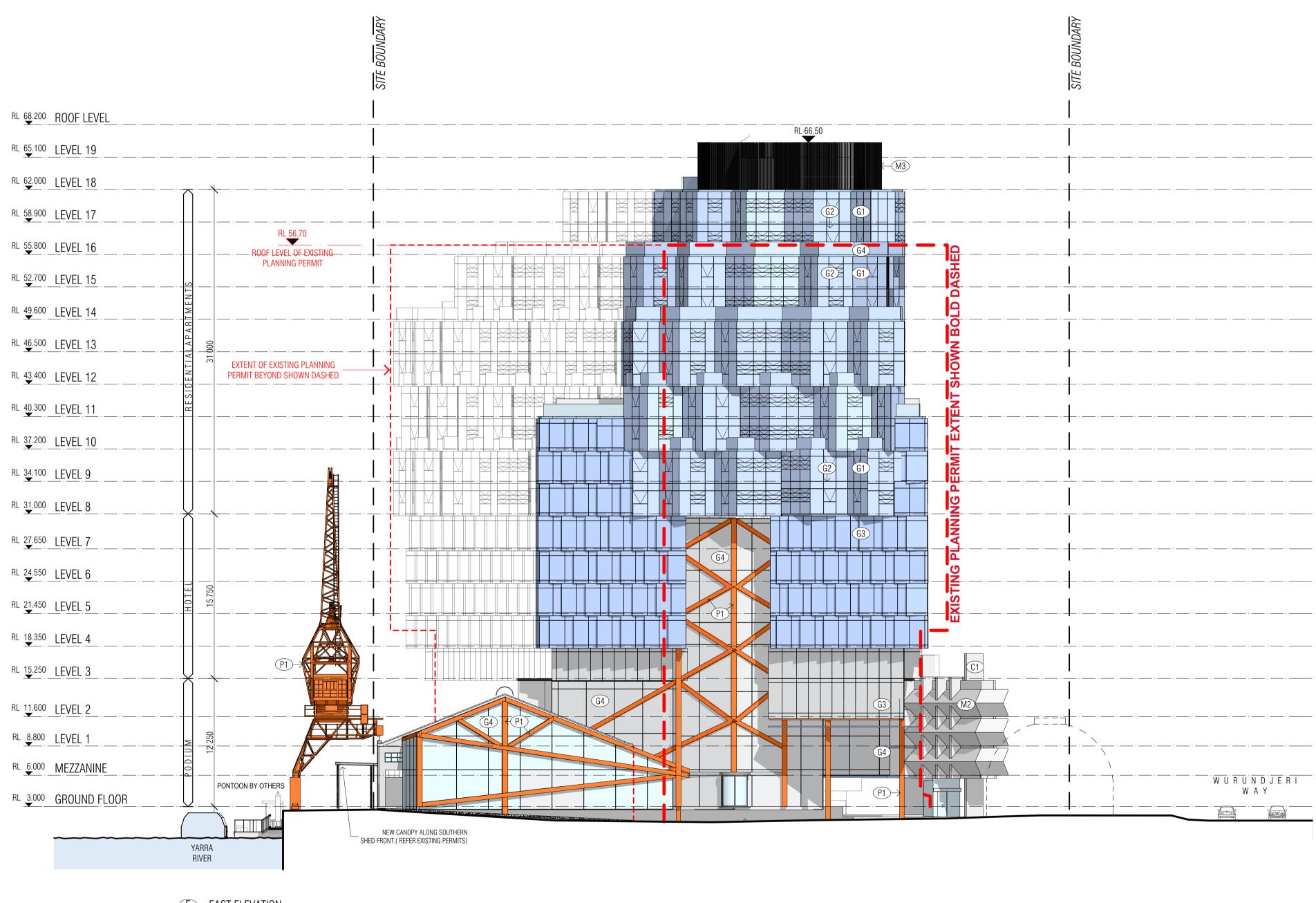
	→ FINI	SHES LEGEN	 D
	G1	FACADE GLAZING	SILVER GREY TINT
	G2)	FACADE GLAZING	SILVER GREY TINT SPANDREL
	G3)	FACADE GLAZING	GREY TINT COLOUR
	<u>G4</u> )	FACADE GLAZING	CLEAR VISION
	<u>(C1)</u>	CONCRETE FINISH	BRITE-ON-LITE COLOUR, CLEAR SEALER
	<u>C2</u>	CONCRETE FINISH	NATURAL GREY COLOUR
	(M1)	METAL FINISH	BRONZE COLOUR
	M2	METAL FINISH	SILVER COLOUR
	(M3)	METAL FINISH	CHARCOAL COLOUR
	(M4)	METAL FINISH	GALVANIZED FINISH
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FUNCTION CENTRE ENTRY - N.W









E EAST ELEVATION - SCALE 1:250@A1

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REVISION - ISSUED FOR PLANNING AMENDMENT 01 TOWN PLANNING 02 ISSUED IN RESPONSE TO DELWP RFI FOL-16-19659 REVISION

CJ 13.11.2017 AB 18.12.2017

JL 19.08.2016

CWB 11.11.2016

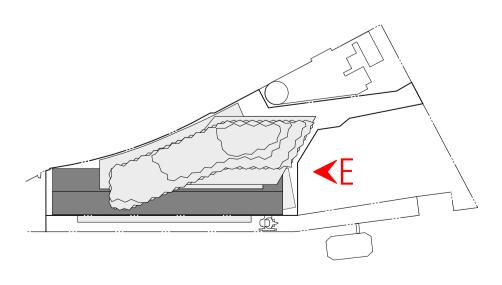
CJ 09.03.2017

03 DISCUSSION PLANS > 04 DISCUSSION ISSUE

QUALITY ASSURANCE       (ISO 9001 CERTIFIED)         THIS PROJECT IS SUBJECT TO THE FK QUALITY ASSURANCE SYSTEM         Image: SCHEMATIC DESIGN REVIEW FOR THIS PROJECT IS COMPLETE.       DATE OF REVIEW: 06.11.2017         Image: DESIGN DEVELOPMENT REVIEW FOR THIS PROJECT IS YET TO BE COMPLETED.       DATE OF REVIEW: 06.11.2017         Image: DESIGN DEVELOPMENT REVIEW FOR THIS PROJECT IS YET TO BE COMPLETED.       DATE OF REVIEW: 06.11.2017         Image: DESIGN DEVELOPMENT REVIEW FOR THIS PROJECT IS YET TO BE COMPLETED.       DATE OF REVIEW: 06.11.2017         Image: DESIGN DEVELOPMENT REVIEW FOR THIS PROJECT IS YET TO BE COMPLETED.       DATE OF REVIEW: 06.11.2017         Image: DESIGN DEVELOPMENT REVIEW FOR THIS PROJECT IS YET TO BE COMPLETED.       DATE OF REVIEW: 06.11.2017         Image: DESIGN DEVELOPMENTATION REVIEW FOR THIS PROJECT IS YET TO BE COMPLETED.       DATE OF REVIEW: 06.11.2017	other contract docum inconsistancies/ com The levels shown her registry 3rd Decembe	limensions prior to commencement of ents including those by other consult licts. Figured dimensions shall take pr eon are to Australian Height Datum (N er 2004.) 'RIGHT and shall remain the property of	PROJECT NORTH BANK GOODS SHED 731-739 Wurundjeri Way Docklands Victoria 3008				
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# → FINISHES LEGEND

G1)	FACADE GLAZING	SILVER GREY TINT
G2)	FACADE GLAZING	SILVER GREY TINT SPANDREL
G3)	FACADE GLAZING	GREY TINT COLOUR
<u>G4</u>	FACADE GLAZING	CLEAR VISION
(C1)	CONCRETE FINISH	BRITE-ON-LITE COLOUR, CLEAR SEALER
<u>(C2</u> )	CONCRETE FINISH	NATURAL GREY COLOUR
(M1)	METAL FINISH	BRONZE COLOUR
(M2)	METAL FINISH	SILVER COLOUR
(M3)	METAL FINISH	CHARCOAL COLOUR
(M4)	METAL FINISH	GALVANIZED FINISH
(P1)	PAINT FINISH	INDUSTRIAL 'BURNT ORANGE'



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RL 68.200 ROOF LEVEL	
RL 65.100 LEVEL 19	
RL 62.000 LEVEL 18	
RL 58.900 LEVEL 17	
RL 52.700 LEVEL 15	PLA
RL 49.600 LEVEL 14	
RL 46.500 LEVEL 13	
RL <u>43.400 LEVEL 12</u>	EXTENT OF EXPERIMENT OF EXPERIMENT OF EXAMPLE AND A DESCRIPTION OF EXAMPLE AND A DESCRIPANTE AND A DESCRIPTION OF EXAMPLE AND A DESC
RL 40.300 LEVEL 11	
RL <u>37.200 LEVEL 10</u>	
RL <u>34.100 LEVEL 9</u>	
RL <u>31.000 LEVEL 8</u>	
RL <u>27.650 LEVEL 7</u>	
RL <u>24.550</u> LEVEL 6	
RL <u>21.450 LEVEL 5</u>	
RL <u>18.350 LEVEL 4</u>	
RL <u>15.250 LEVEL 3</u>	
RL <u>11.600 LEVEL 2</u>	
RL <u>8.800</u> LEVEL 1	
RL 3.000 GROUND FLOOR	

W WEST ELEVATION - SCALE 1:250@A1

BIM Server: Bimserver9 - BIM Server 20/15047 General/15047 General

> 04 DISCUSSION ISSUE

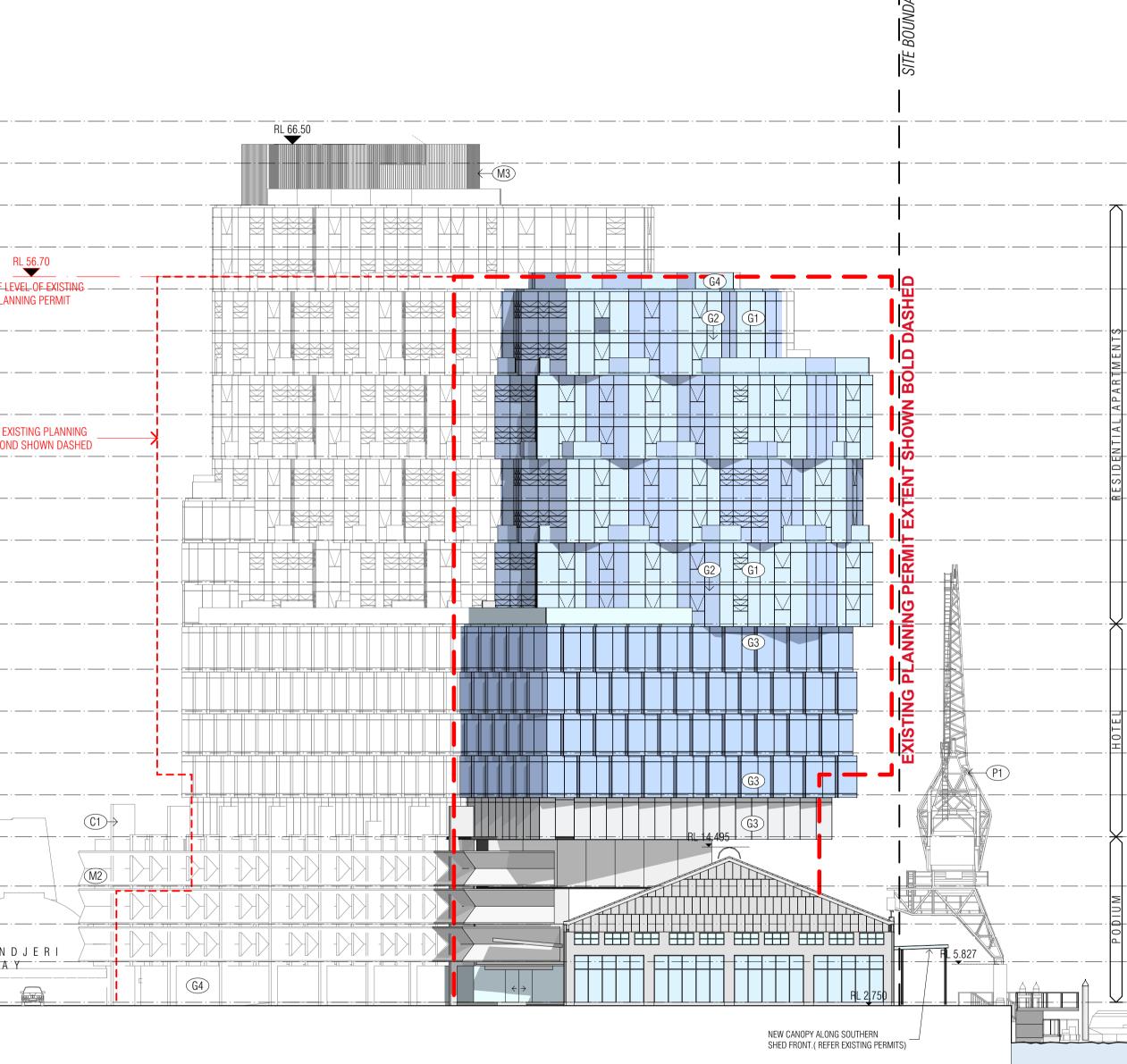
REVISION - ISSUED FOR PLANNING AMENDMENT 01 TOWN PLANNING 02 ISSUED IN RESPONSE TO DELWP RFI FOL-16-19659 03 DISCUSSION PLANS

REVISION

JL 19.08.2016 CWB 11.11.2016 CJ 09.03.2017

CJ 13.11.2017 AB 18.12.2017 QUALITY ASSURANCE (ISO 9001 CE THIS PROJECT IS SUBJECT TO THE FK QUAL

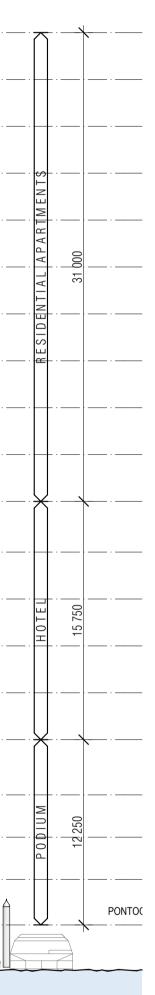


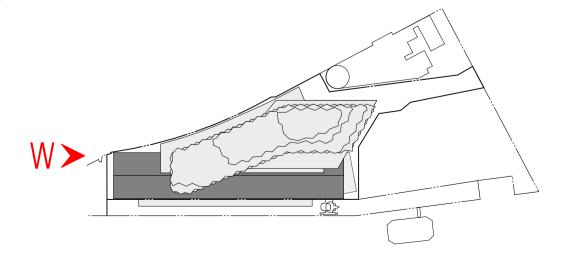


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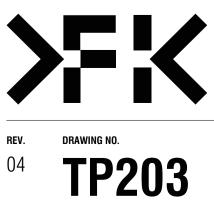
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<u>G4</u>	FACADE GLAZING	CLEAR VISION
01	CONCRETE FINISH	BRITE-ON-LITE COLOUR, CLEAR SEALER
<u>(C2</u> )	CONCRETE FINISH	NATURAL GREY COLOUR
(M1)	METAL FINISH	BRONZE COLOUR
(M2)	METAL FINISH	SILVER COLOUR
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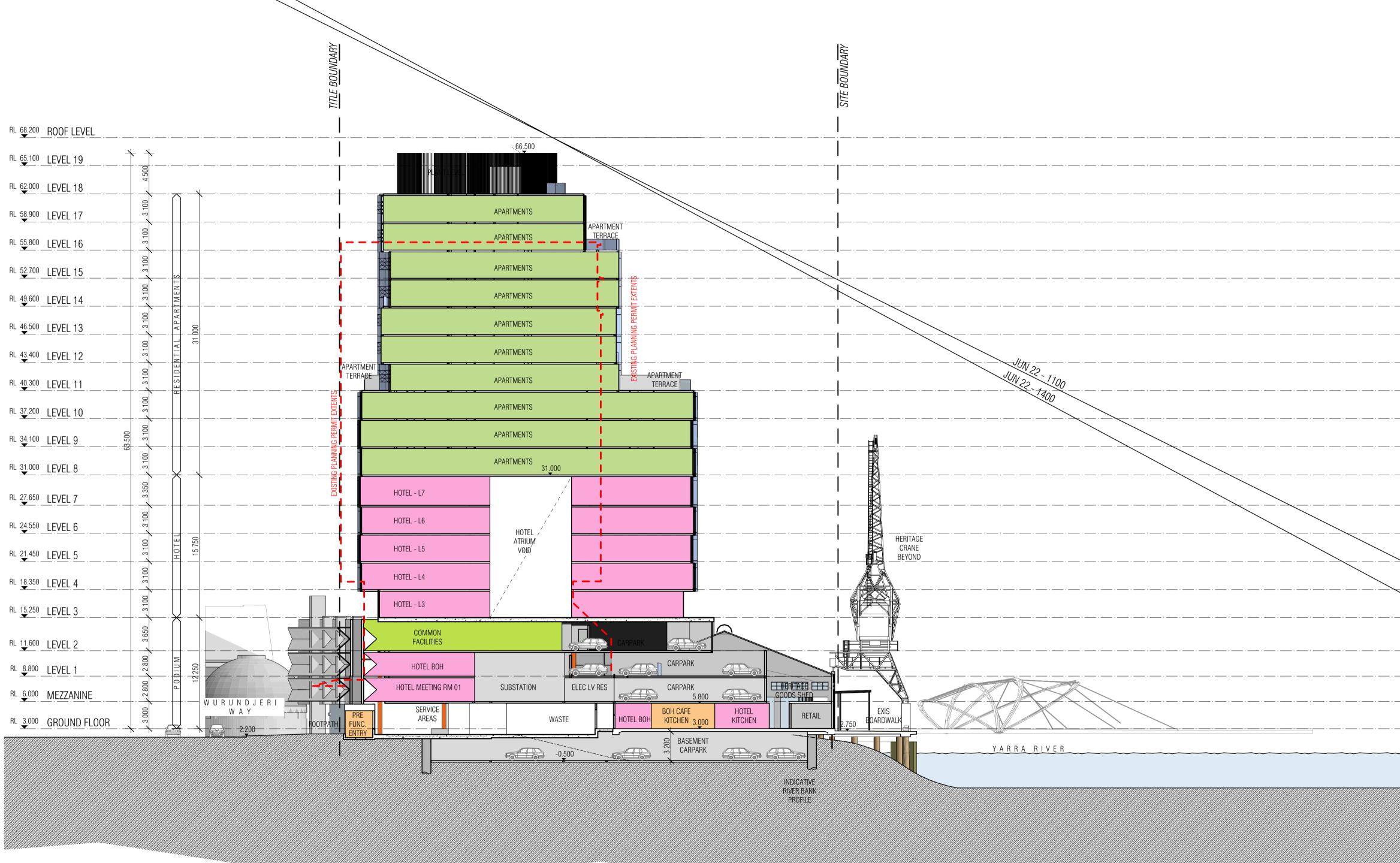




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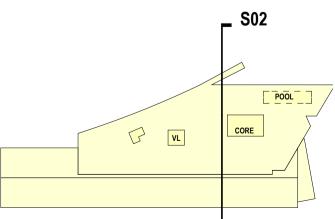
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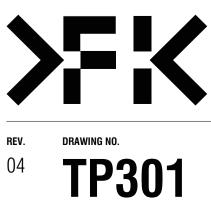


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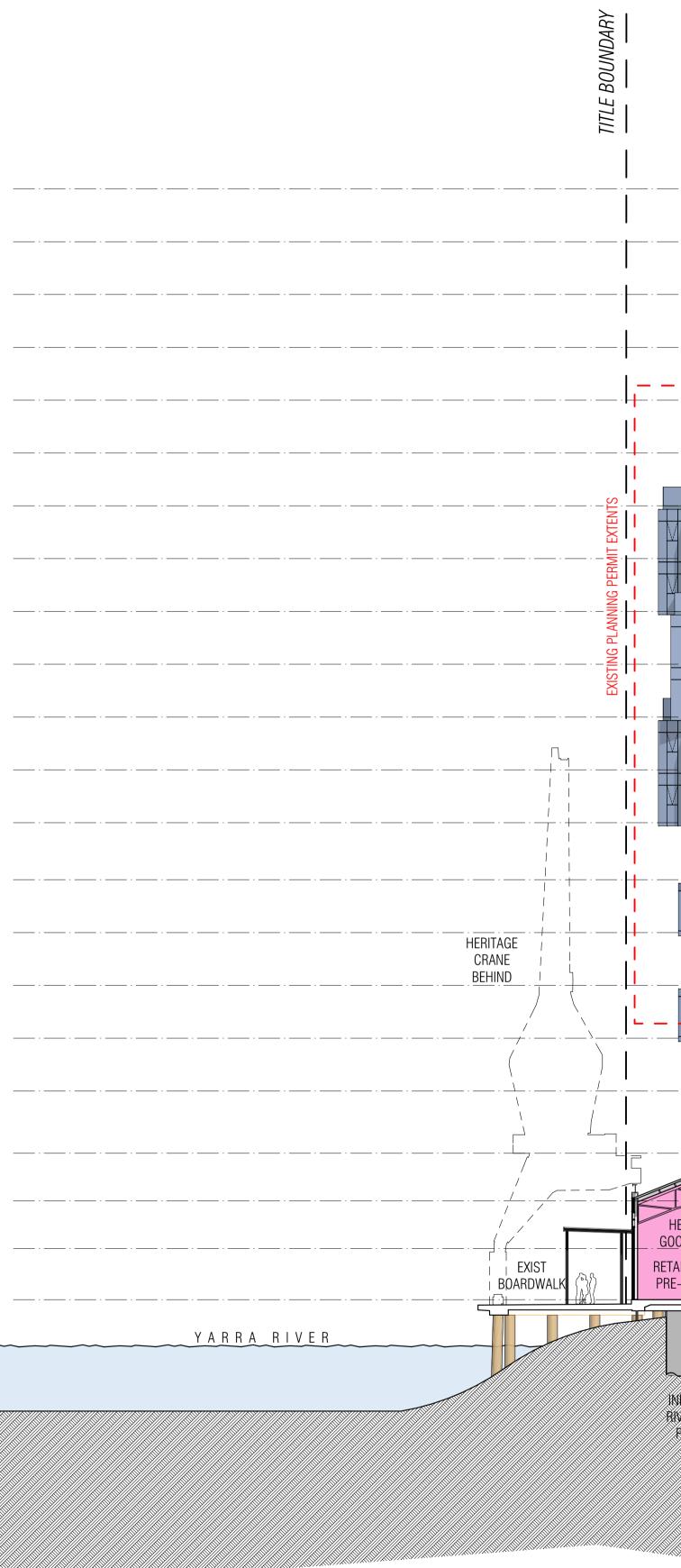
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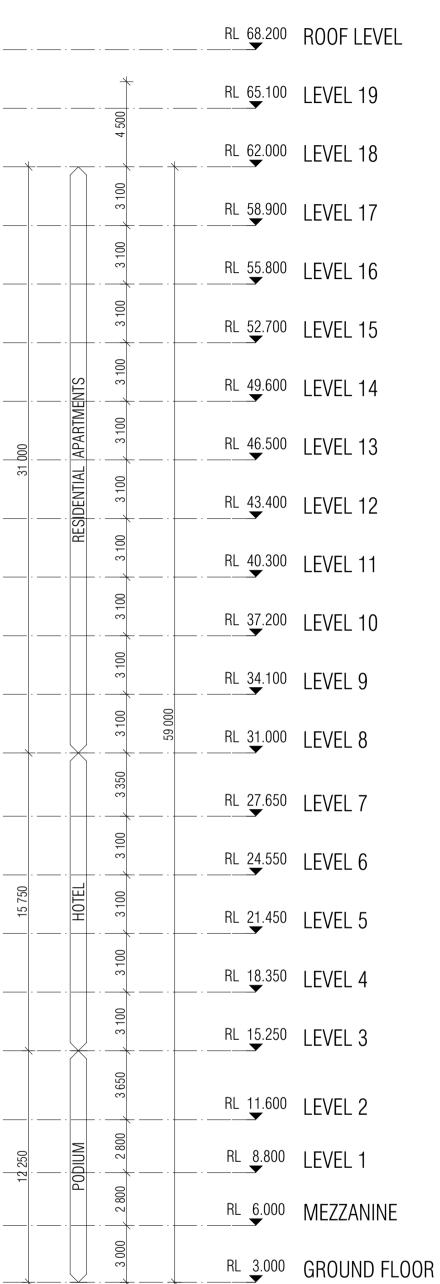
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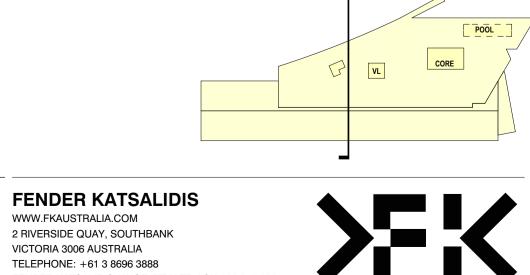
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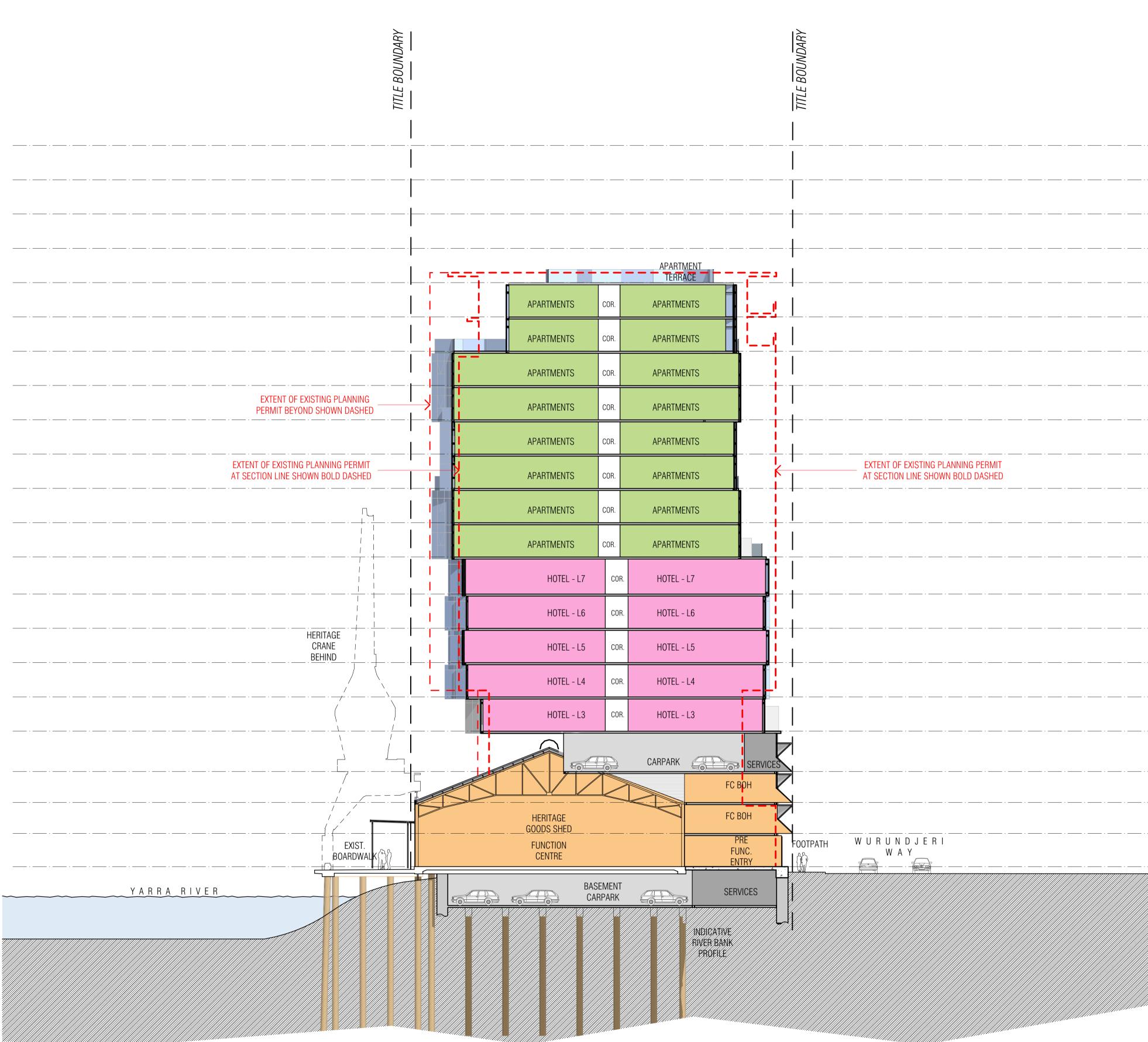
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· ·	RL 49.600	LEVEL 14
	RL 46.500	LEVEL 13
	RL 43.400	LEVEL 12
· ·	RL 40.300	LEVEL 11
	RL 37.200	LEVEL 10
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	RL 31.000	LEVEL 8
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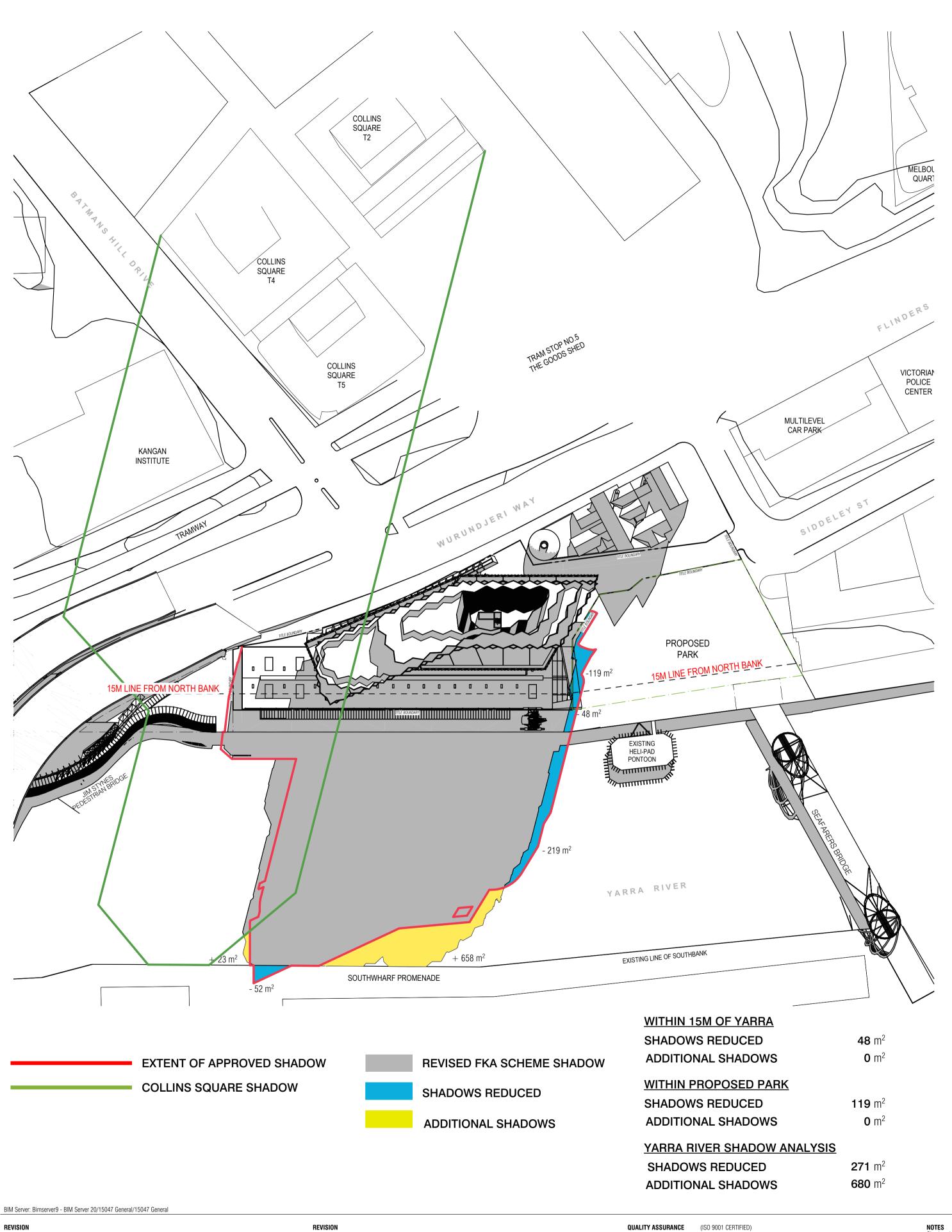
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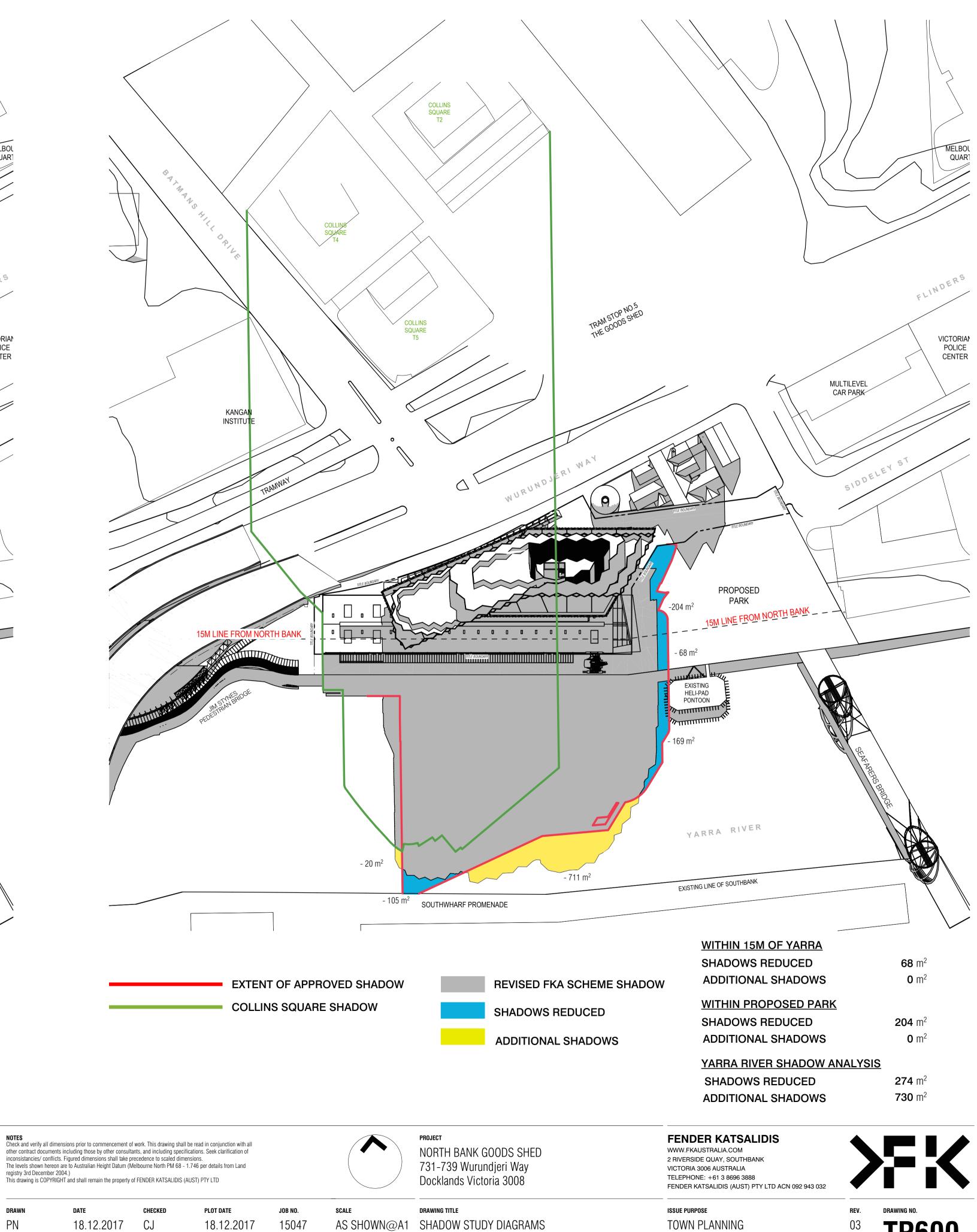
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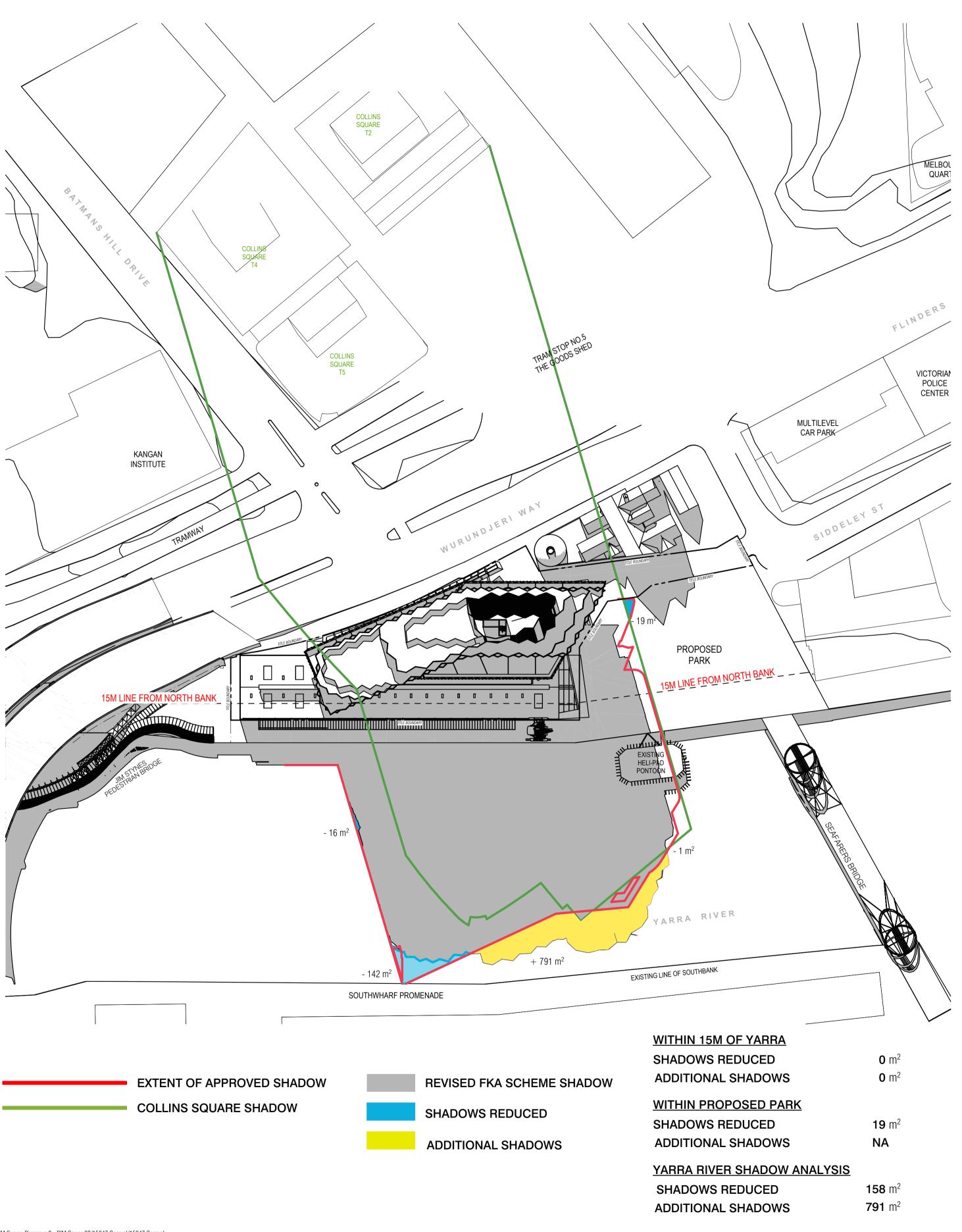




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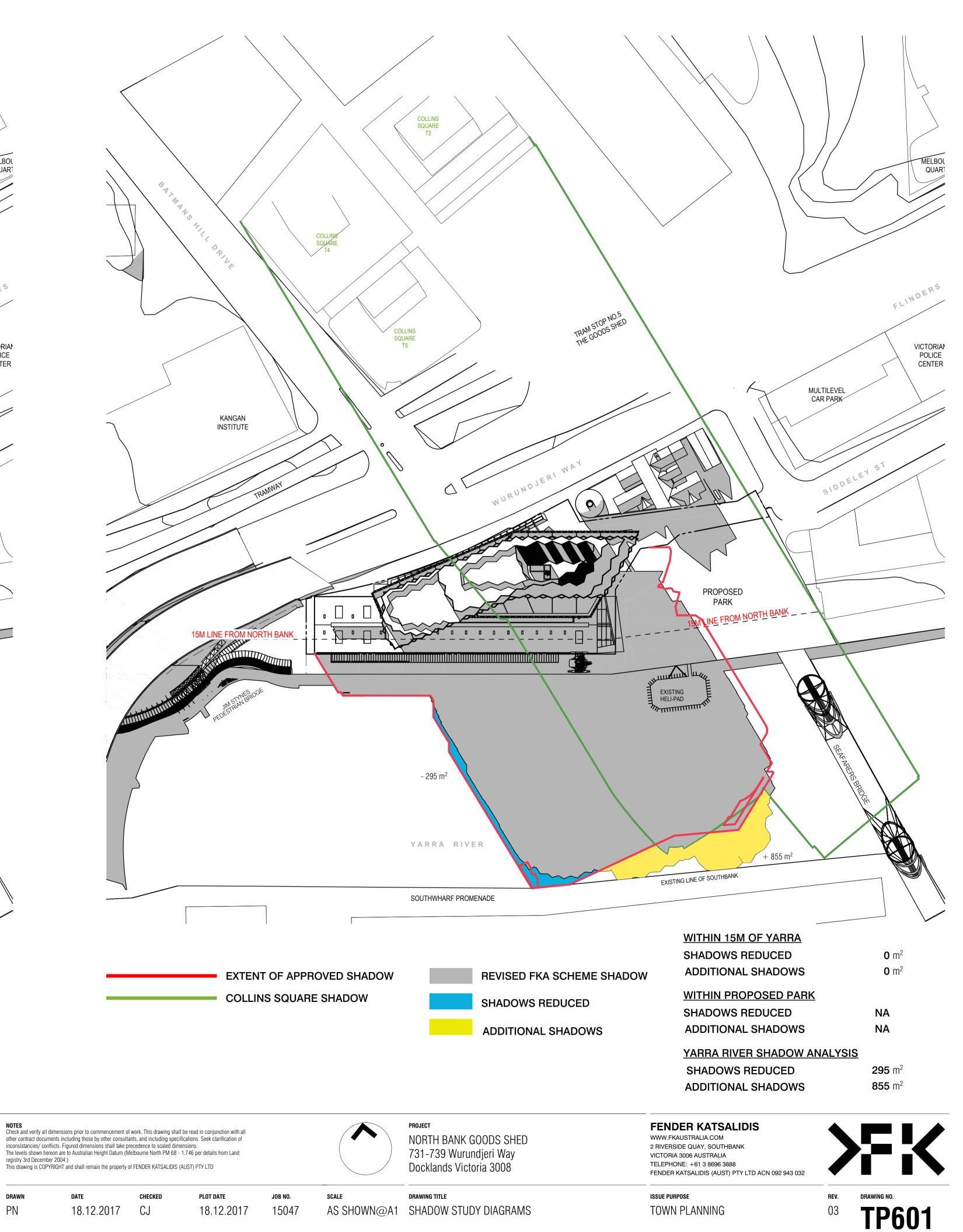
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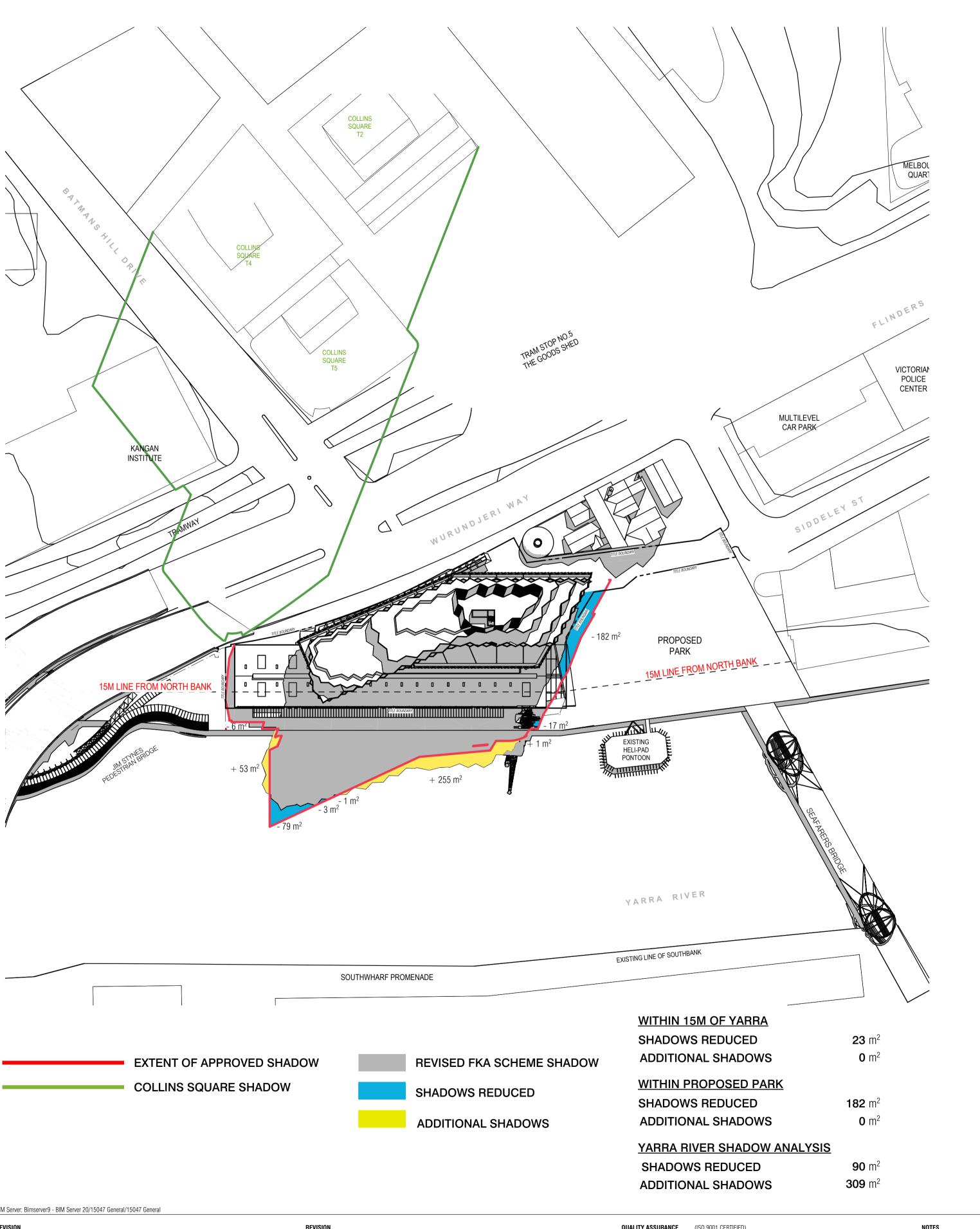


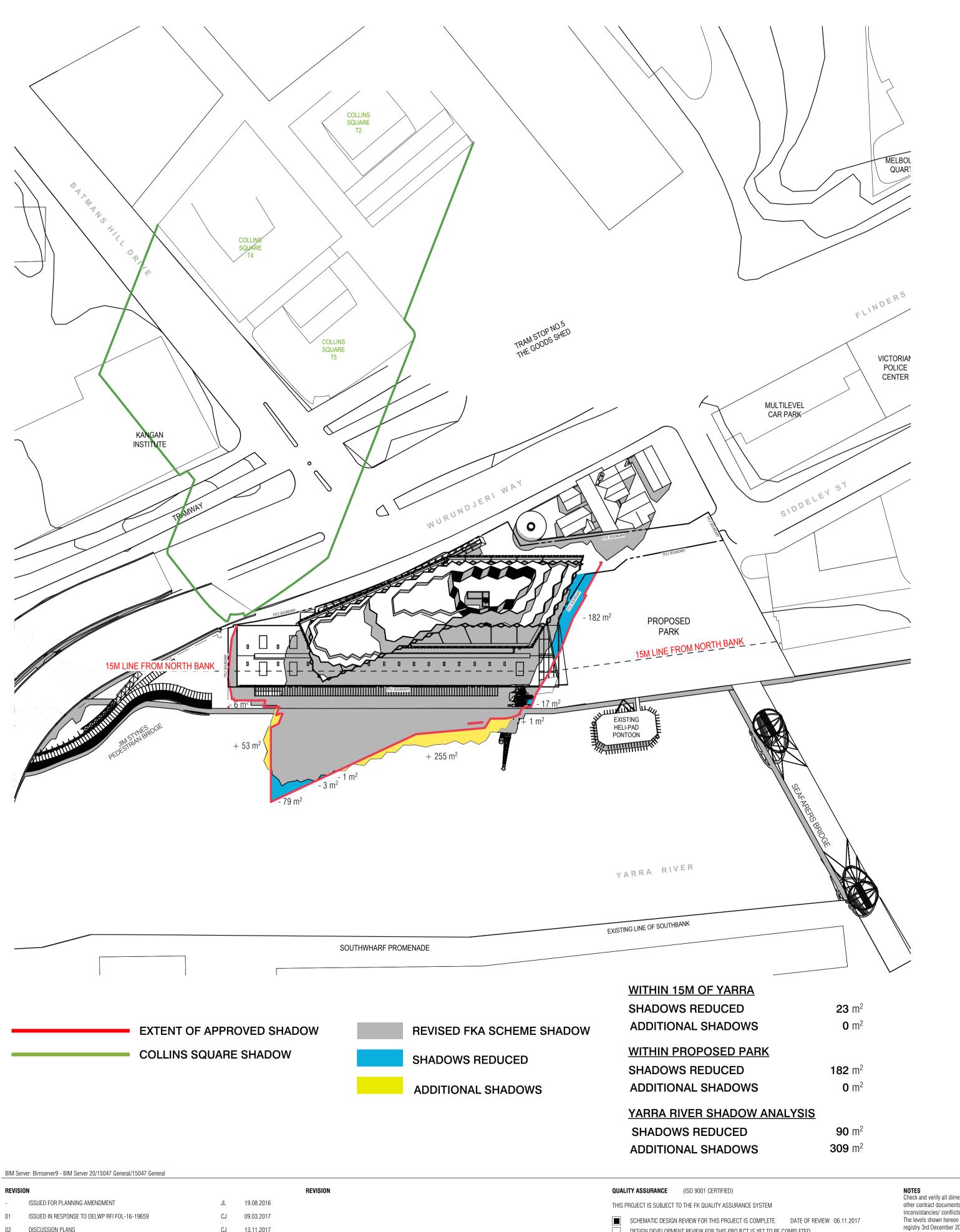
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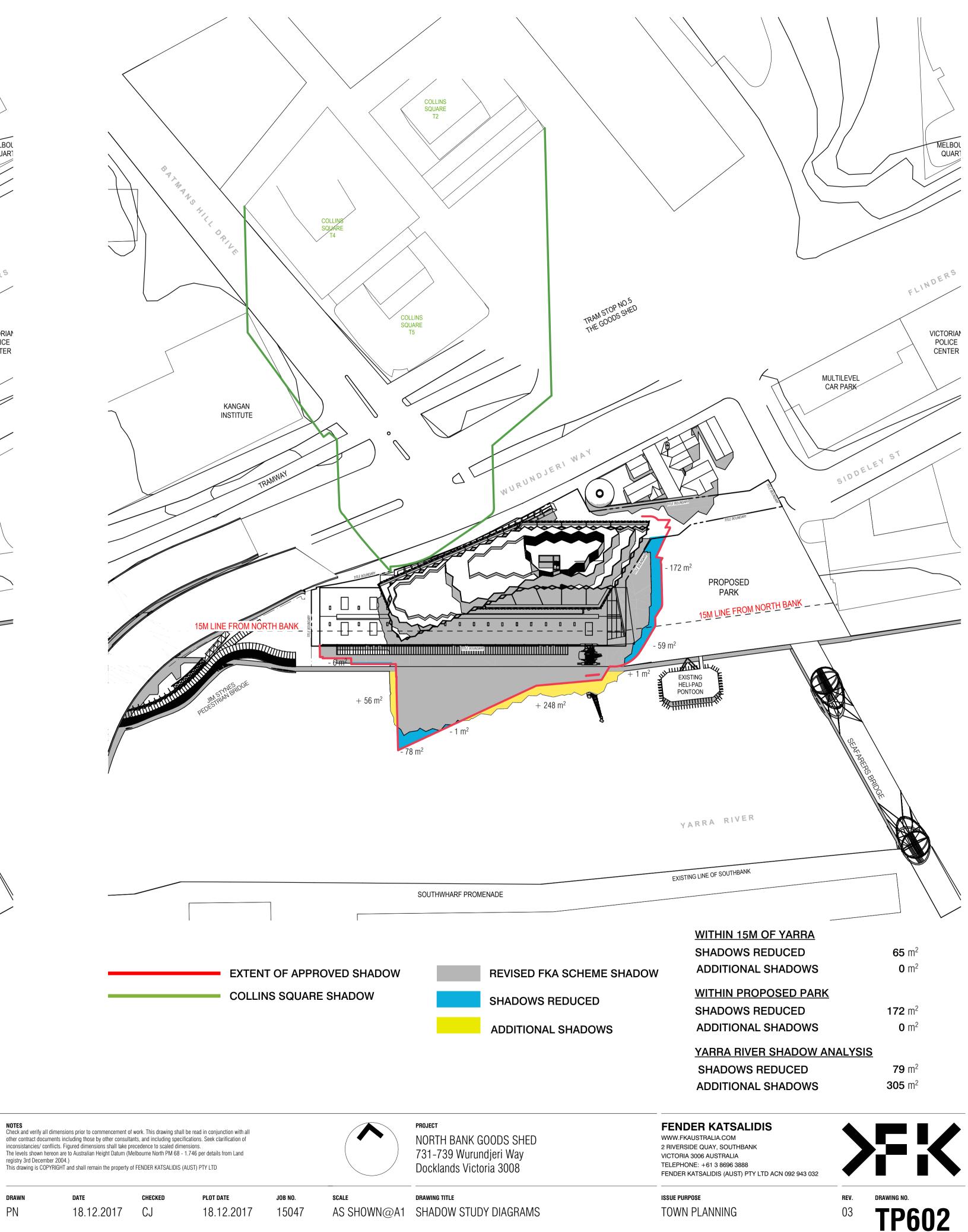




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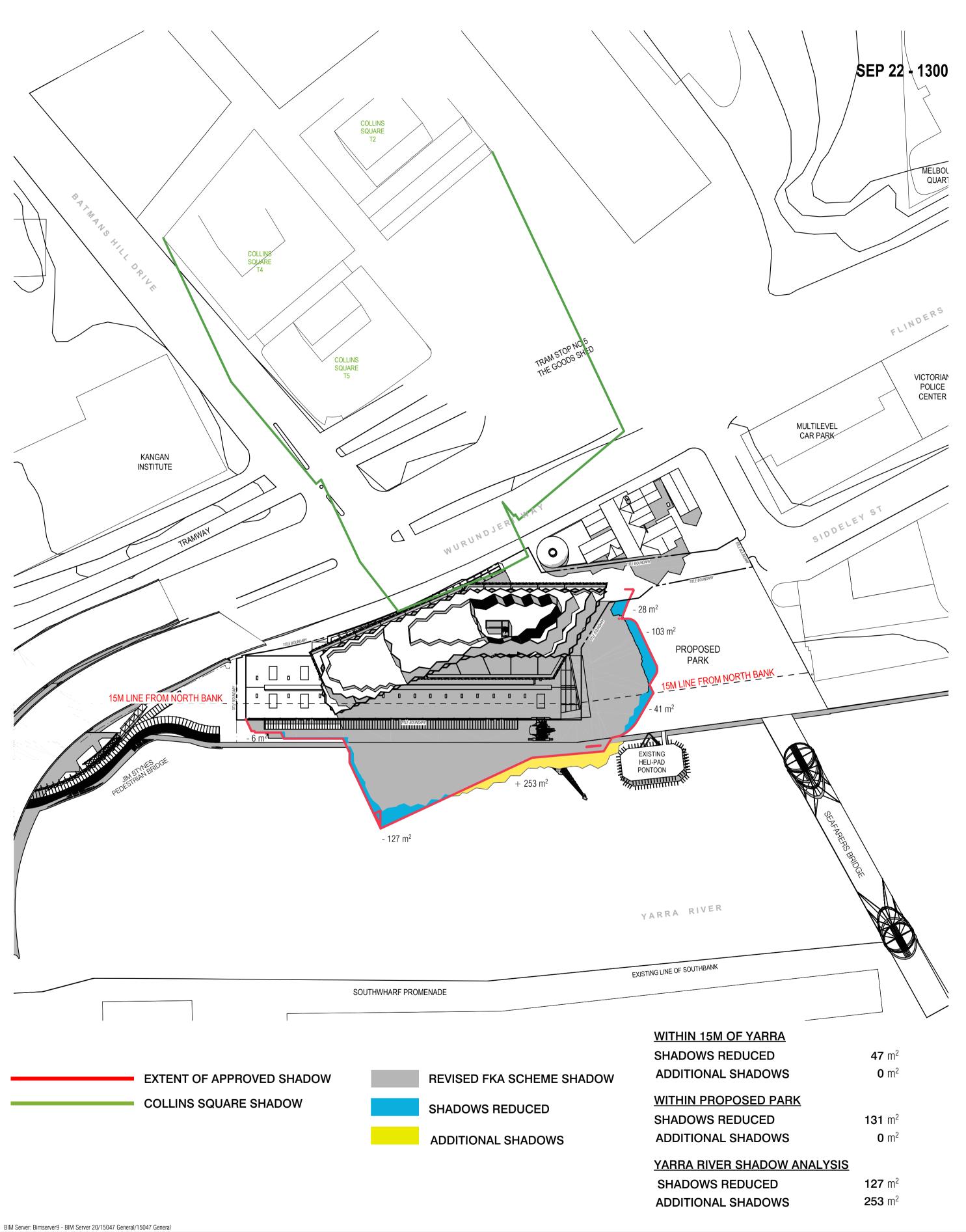
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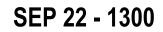
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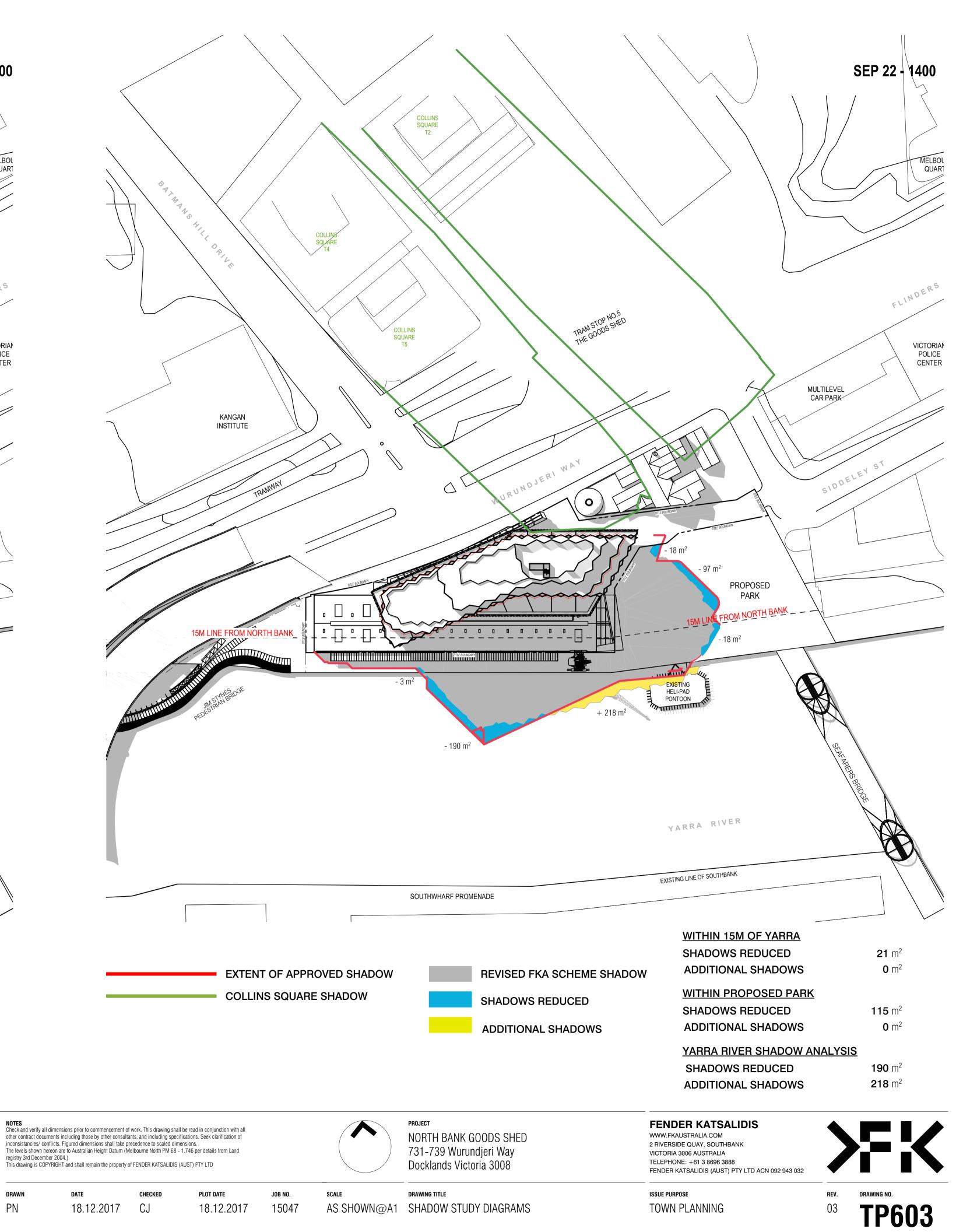
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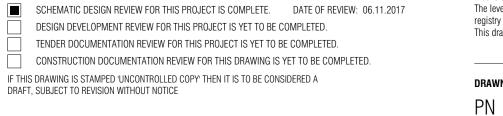


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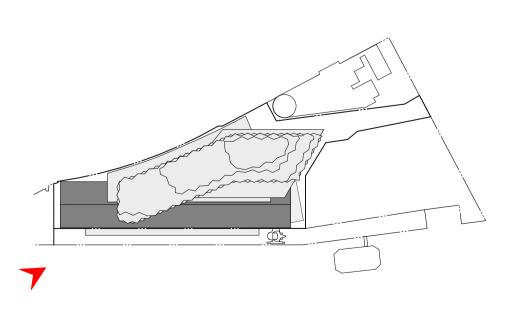
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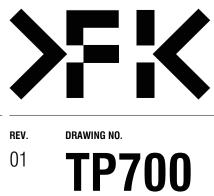
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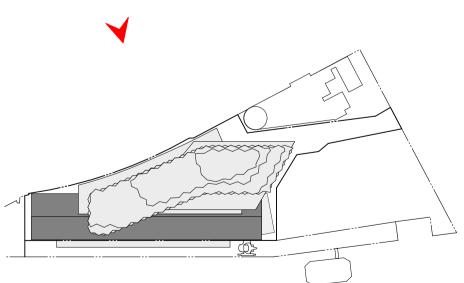
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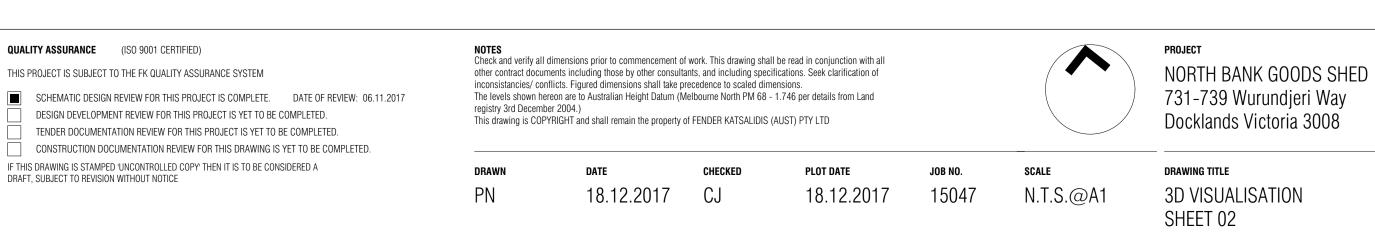
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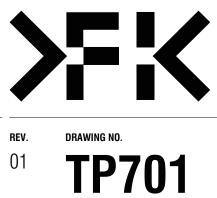
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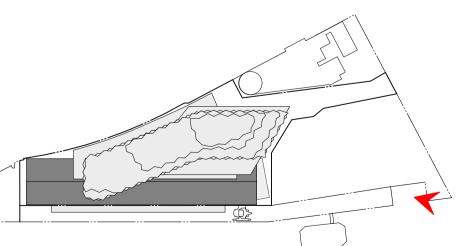
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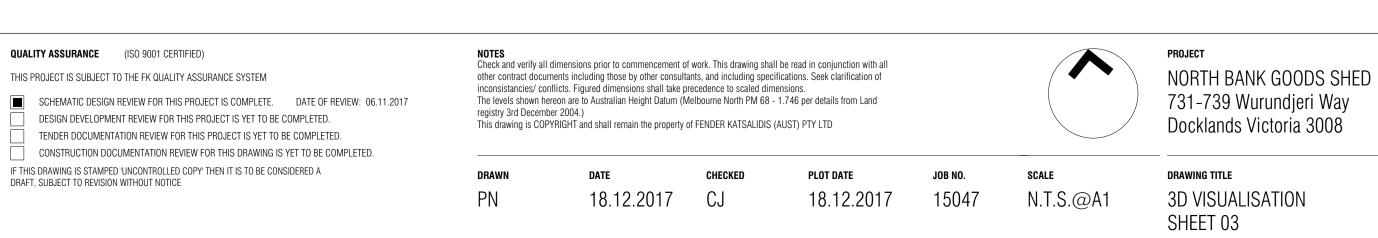


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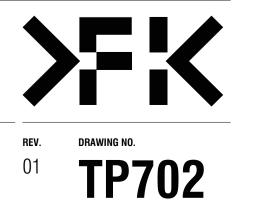
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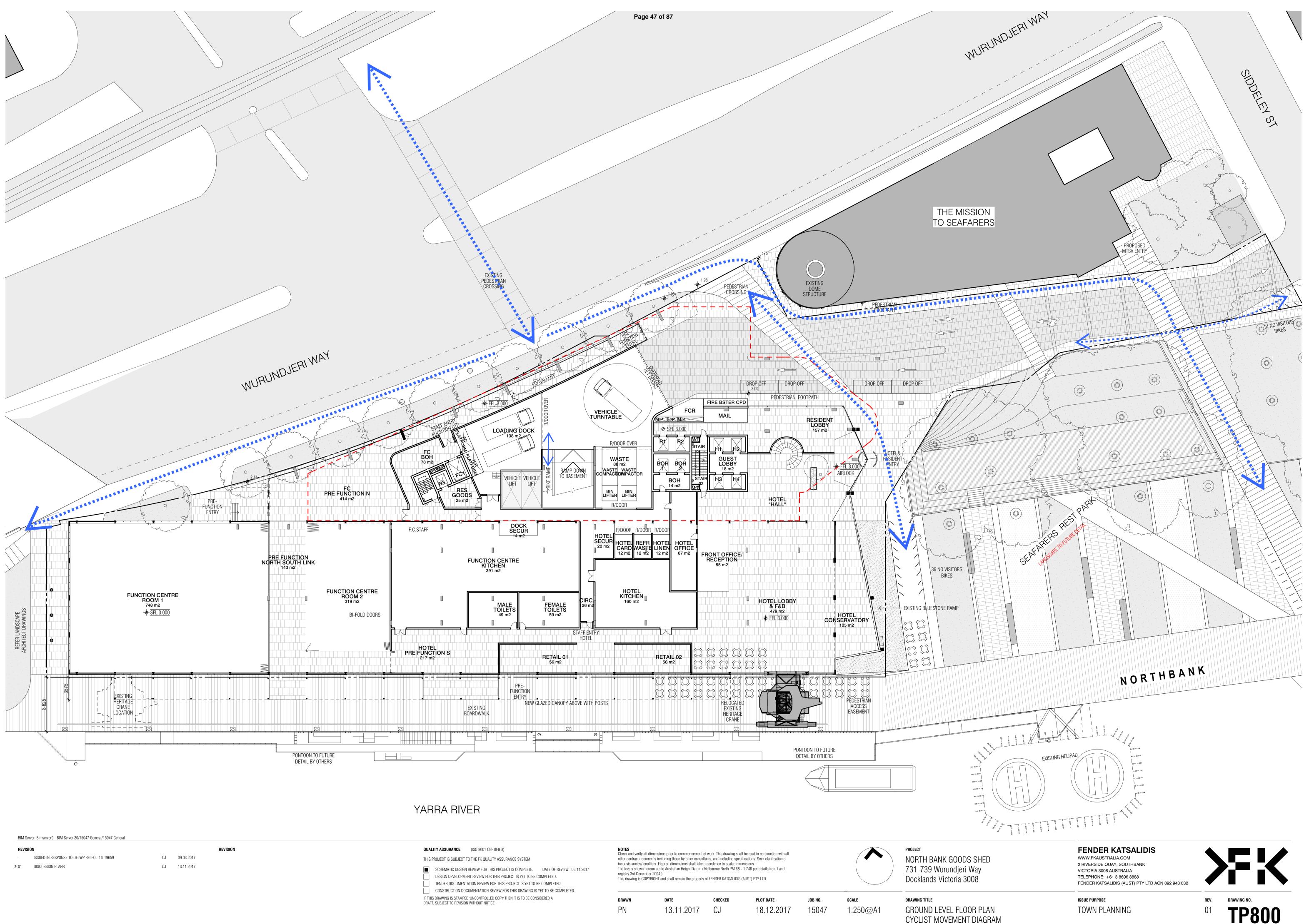


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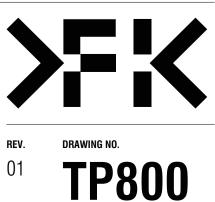


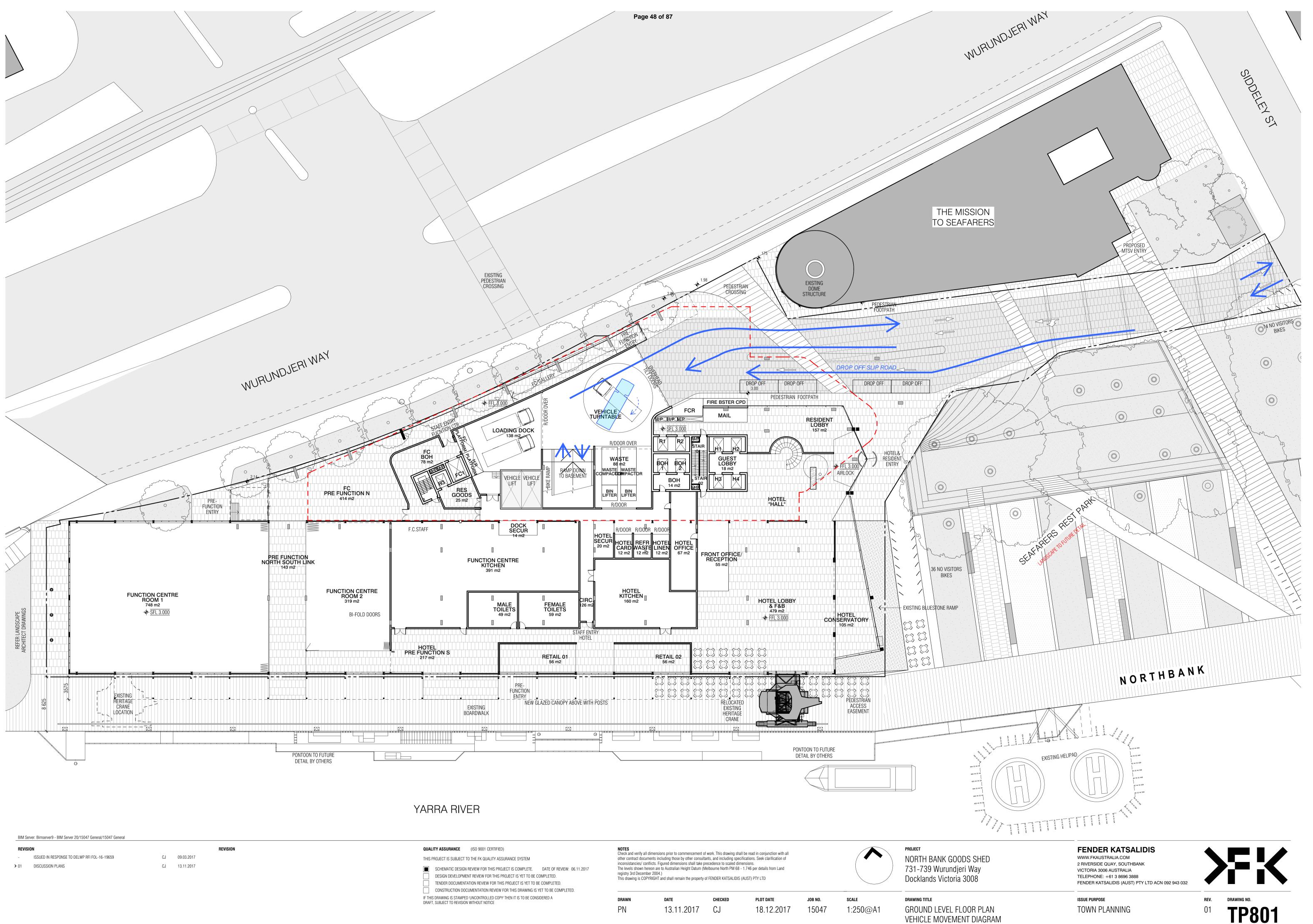
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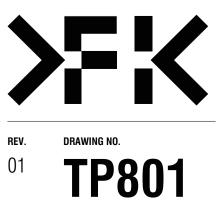


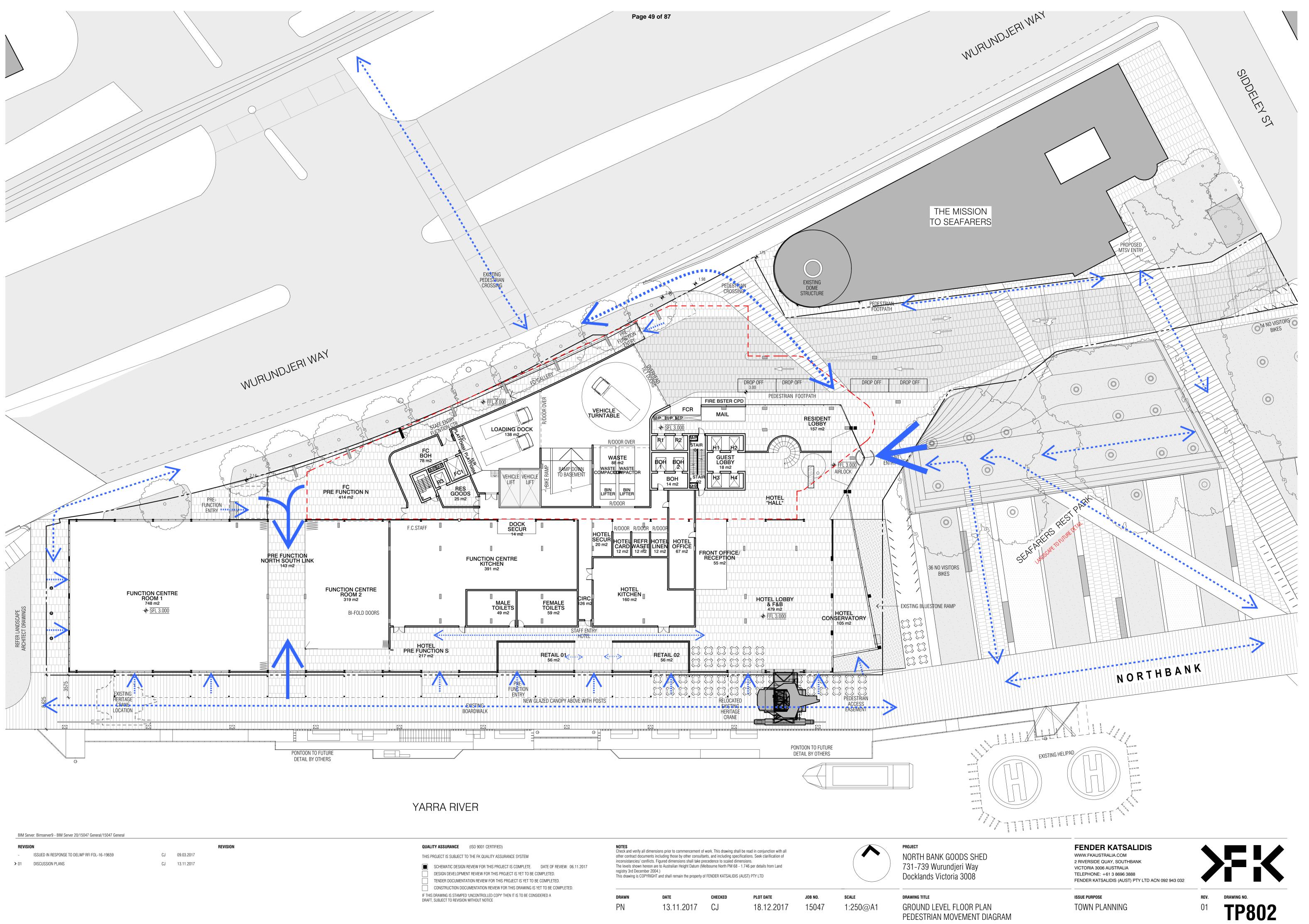






















# DELEGATED PLANNING APPLICATION REPORT

Application number:	TPD-2012-32/A
Applicant:	Asset 1 WTH Pty Ltd C/- Urbis
Address:	731-739 Flinders Street, DOCKLANDS VIC 3008
Proposal:	Partial demolition and buildings and works associated with the construction of a multi storey building for a hotel and apartments and refurbishment of the existing Goods Shed no 5
Date of application:	19 August 2016
Responsible officer:	Katherine Smart

## 1 SUBJECT SITE AND SURROUNDS

The subject site comprises of an irregular shaped parcel of land located on the southern side of Wurundjeri Way and the north bank of the Yarra River in Docklands. It is bounded to the west by the Charles Grimes Bridge and a small section of the eastern boundary of the site abuts Siddeley Street (Refer to figure 1).



Figure 1. Aerial view of subject site and surrounds. Source Compass 10.10.2017

The site is currently occupied with Goods Shed No.5; a historical shipping and cargo shed which is included on the Victorian Heritage Register (H1798). A significant feature of this shed is a three tonne electric crane which is attached to and hangs from the roof of this shed (see figures 2 and 3). Also located on the allotment is an open lot public car park and a public open space known as 'Seafarers Rest'.



Figure 2. Aerial view of subject site. Source Compass 9.01.2017

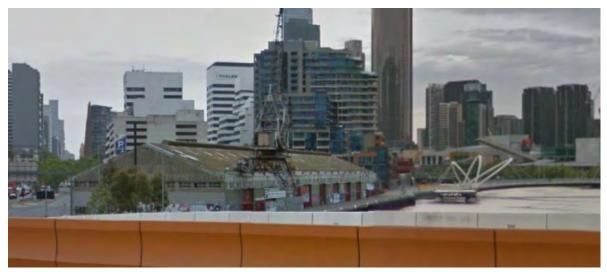


Figure 3. View of Goods Shed No. 5, the crane and the Yarra River taken from Charles Grimes Bridge. Source StreetView 9.01.2018.

Vehicle access to the site is provided from Siddeley Street. There is no direct vehicle access provided to the site from Wurundjeri Way or Charles Grimes Bridge (see figures 2 and 7).

### 1.1 Surrounds

The 'Mission to Seafarers' building (formerly known as Mission to Seamen) is located to the north-east of the subject site. This rendered brick building built in 1917 is of historical and cultural significance, and is also on the Victorian Heritage Register (H1496).

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Figure 4. Mission to Seafarers' building taken from Wurundjeri Way. Source StreetView 9.01.2018



Figure 5. Mission to Seafarers' building and Good Shed No. 5 taken from Wurundjeri Way. Source StreetView 9.01.2018

Between the 'Mission to Seafarers' building and the subject site is a public park identified as 'Seafarers Rest'. The 'Seafarers Bridge' spanning the Yarra River provides pedestrian access to this public open space to and from the south side of the river.

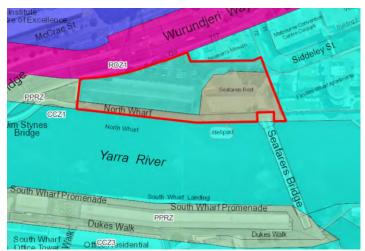


Figure 6. Subject site and nearby public open space including Seafarers Rest and South Wharf Promenade. Source: Compass 9.01.2018



Figure 7. View of subject site including Seafarers' Rest Park and the access road to the subject site. Source StreetView 9.01.2018

Abutting the site, located on the Yarra River is a helipad leased to Parks Victoria. The lease will expire early in 2018 and the helipad will be removed from this location.

Adjoining developments include residential and hotel towers. The Flinders Wharf Apartments tower, the World Trade Centre, part of the Melbourne Convention Centre and Crowne Plaza Hotel are located further east of the site. The former Hilton Hotel (now the Pan Pacific), part of the Melbourne Convention Centre and South Wharf office and residential towers are located to the south of the site, opposite the Yarra River.

The buildings situated in the immediate vicinity of the site are generally of a maximum height of between 12 to 18 storeys.

### 2 BACKGROUND AND HISTORY

#### 2.1 History of the site

The subject site is Crown Land and the Department of Treasury and Finance is the Committee of Management of the site.

The Minister for Planning is the Responsible Authority for the land.

A precinct plan, 'North Wharf Precinct Plan, January 2009' which sets out the long term vision, development framework and design principles for the North Wharf area was prepared by City of Melbourne on behalf of the Northbank Project Control Group (DPCD, Parks Victoria, Places Victoria and City of Melbourne). As part of the precinct planning the subject site was rezoned from Public Park and Recreation Zone to the Capital City Zone (Schedule 1). The Seafarers Rest public park remains in the Public Park and Recreation Zone.

The development of the subject site was put out to tender. As part of the contract, to ensure compliance with the Precinct Plan, there are 'non negotiable' development criteria including the provision of public space, public connections and open areas for community uses, retaining heritage significant buildings and structures and providing acceptable built form outcomes. The successful developer was required to enter into a legal agreement with relevant parties including the City of Melbourne who is part of the Committee of Management to ensure that the required criteria are met.

The subject land is currently held in Crown ownership but is subject to a sales contract and is in the process of becoming freehold land. The sale of the land is premised on a number of deliverables including the provision of a public park, and retention and refurbishment of the wharf and crane. The public works upgrades have been considered in both the approved permit and the proposed plans. The contract includes a sunset clause of three years, whereby the wharf and crane upgrades must be completed and at which point titles can be exchanged.

## 2.2 Planning History of the Site

The Minister approved Planning Permit 2012/002229 (City of Melbourne reference TPD-2012-32) on 15 July 2013 for: "Buildings and works for the construction of a multi-storey building comprising of office and retail, and partial demolition and refurbishment of the existing Goods Shed No. 5, in accordance with the endorsed plans".

More specifically, the permit provided for:

- 14 level office tower with 21,000m<sup>2</sup> net leasable area of office space;
- 129 car parking spaces provided within the podium levels 1-4;
- Shed 5 transformed to provide for food and retail tenancies;
- The existing helipad located on the river front retained;
- A public plaza to the east of Shed 5, south of Seafarers Mission, addressing the Yarra River.



Figure 8. 3D image of the approved building, Cox Architecture.

In 2016 the amendment was lodged with the Minister to change the use from office to a mixed use (residential hotel, function centre and dwellings) and a new building scheme using different architects.

A number of meetings have been held between DELWP, Council Officers and the applicant in which concerns have been raised regarding the amended proposal. Several iterations of amended plans have been submitted to address concerns raised.

## 3 PROPOSAL

The plans considered in this report are prepared by Fender Katsalidis, dated 18 December 2017.

The creation of the public open space, Seafarers Rest, is a requirement of the North Wharf Precinct Plan and the responsibility of the developer. This part of the proposal has been removed from the planning application process and is being assessed by the City of Melbourne's City Strategy and Place Branch.

The existing permit in place, 2012/002229 allows for the construction of a 14 storey office building with supplementary retail and commercial tenancies. It is sought to amend the permit to provide for the following:

 Partial demolition of the existing Goods Shed and construction of a 17 level tower plus mezzanine and roof plant which partly straddles the Goods Shed and comprises of a residential hotel, function centre and apartments with associated carpark and services within the revised building design.

- The proposed development continues to be based around the existing historic Goods Shed No.5, with the existing shed structure to be refurbished to provide for a function hall facility fronting on the Yarra River's wharf edge; and the construction of a 17 level residential and hotel tower immediately behind the shed structure.
- The proposed residential hotel component has been designed to target the 4 to 4.5 star hotel market. The lobby and reception areas, as well as a function area (1634m<sup>2</sup>) associated with the hotel are situated on the ground level, with the rooms, bar/lounge and business centre located on levels 4-6 (inclusive). A total of 231 hotel rooms are proposed.
- The amended proposal includes 182 apartments located on levels 8-17 (inclusive) comprising a mix of 1 bedroom (25), 2 bedroom (137), 3 bedroom (18) and 4 bedroom (2).
- Shared communal facilities have been provided for within the development and include a health club, residents club and pool located on level 2.
- Car parking will be provided in the basement and levels 1-3, with a total of 236 car parks proposed. 181 car parks are to be attributed to the residences, 20 car spaces to the hotel use, whilst 5 spaces are to be set aside for the function centre. The proposal also provides for 118 bicycle spaces and 3 motorcycle spaces.
- The building will have a total gross floor area of 53,615 m<sup>2</sup>.
- Amend the conditions of the permit to reflect the new plans and documentation.
- In addition to the above, although not part of the application site, the applicant has advised that the nearby helipad will be removed/relocated and a pontoon may be built at the front of the site. This is subject to ongoing negotiations with Parks Victoria, Melbourne Water and the State.

The proposed development comprises:

Dwellings (Levels 8-17)	Total number of residential apartments: 182 ranging in size from 60sqm to 200sqm
	One bedroom units: 25
	Two bedroom units: 137
	Three bedroom units: 18
	Four bedroom units: 2
Hotel (Levels 3-7)	231 rooms ranging in size from 55sqm to 200sqm.
Function Venue (Ground floor)	700 patrons

The specific details of the proposal are as follows:

Building height	69.4 metres (including plant)
Gross floor area (GFA)	53,615sqm

Car parking spaces	236 spaces
Motorcycle spaces	3
Bicycle facilities and spaces	108 spaces: hotel staff – 24, residents – 48 (Basement) and visitors – 36 (Ground level near entry lobby



Figure 9. 3D image of proposed development west and south elevation. Fender Katsalidis, 18 December 2017

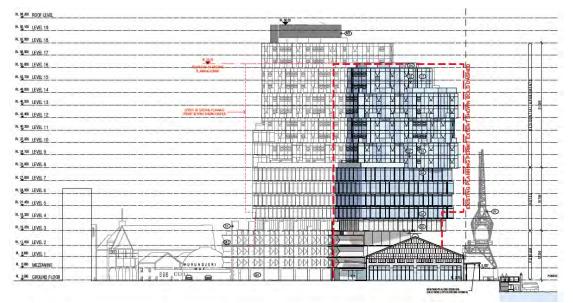


Figure 10. West elevation. The outline of the approved development is indicated by the dotted red line. Fender Katsalidis, 18 December 2017.

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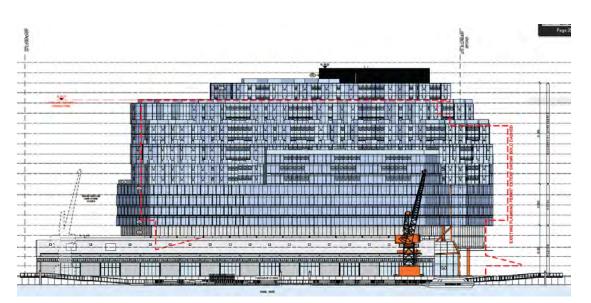


Figure 11. South elevation. The outline of the approved development is indicated by the dotted red line. Fender Katsalidis, 18 December 2017.



Figure 12. 3D image of proposed development north elevation. Fender Katsalidis, 18 December 2017



Figure 13. North elevation. The outline of the approved development is indicated by the dotted red line. Fender Katsalidis, 18 December 2017.



Figure 14. 3D image of proposed development east elevation. Fender Katsalidis, 18 December 2017

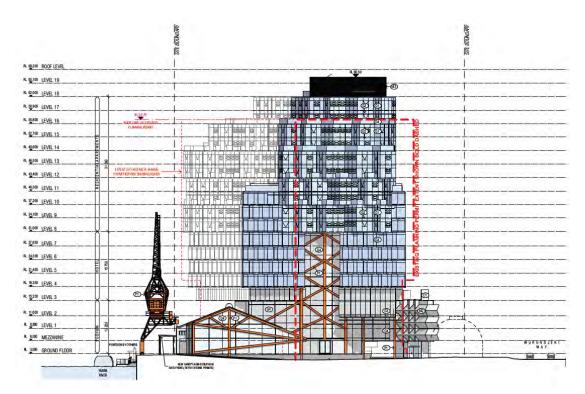


Figure 15. East elevation. The outline of the approved development is indicated by the dotted red line. Fender Katsalidis, 18 December 2017.

## 4 STATUTORY CONTROLS

The Minister is the Responsible Authority for this application, the City of Melbourne is a Recommending Referral Authority.

The Section 72 to amend the application was lodged on 22 August 2016 which is after the gazettal of Planning Scheme Amendment C262 and before the gazettal of Amendment C270. Therefore the C270 transitional provisions apply to the proposed development but not the C262 provisions. Accordingly, DDO10 (relevant to C262) applies to the proposed amendments.

The following clauses in the Melbourne Planning Scheme require a planning permit for this proposal:

CCZ1 Capital City Zone 1

PPRZ Public Park and Recreation Zone

HO918 Berth No. 5 North Wharf Flinders Street

DDO59 North Wharf Precinct

EAO Environmental Audit Overlay

Parking Overlay Schedule 1

DDO10 Built Form Controls (relevant to C262)

The following controls apply to the site, with planning permit triggers as described.

Clause Title	Permit Trigger
Capital City Zone Schedule 1	The subject site is located in the Capital City Zone (Schedule 1).
	Pursuant to Clause 37.04-1 a permit is not required for a use

	<ul> <li>listed in Section 1 of the schedule to the zone. Schedule 1 uses include: <ul> <li>accommodation, which includes a residential hotel and dwellings</li> <li>place of Assembly which includes a function centre</li> </ul> </li> <li>The proposed uses are as of right, no permit required.</li> <li>Pursuant to Clause 37.04-4 a permit is required to construct a building or construct or carry out works unless exempted by the relevant schedule.</li> <li>Schedule 1:</li> <li>Does not exempt the proposed buildings and works from requiring planning approval.</li> <li>A permit is required for demolition.</li> </ul> <li>The public space 'Seafarers Rest' which is proposed to be</li>
Public Park and Recreation Zone	<ul> <li>transformed into an urban park is located in the Public Park and Recreation Zone.</li> <li>Pursuant to Clause 36.02-1 no permit is required to use the site for informal outdoor recreation.</li> <li>Pursuant to Clause 36.02-2 a permit is required to construct a building or construct or carry out works. This does not apply to the following (as relevant): <ul> <li>Pathways, trails, seating, picnic tables, drinking taps, shelters, barbeques, rubbish bins, security lighting, irrigation, drainage or underground infrastructure.</li> <li>Playground equipment or sporting equipment, provided these facilities do not occupy more than 10 square metres of parkland.</li> <li>Navigational beacons and aids.</li> <li>Planting or landscaping.</li> <li>A building or works carried out by or on behalf of a public land manager or Parks Victoria under the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forest Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958 or the Crown Land (Reserves) Act 1978.</li> </ul> </li> <li>As such, pursuant to the above a planning permit is not required to carry out works to the public space to transform it into an urban park.</li> </ul>
Heritage Overlay Schedule 918	The Goods Shed is affected by this Heritage Overlay. Pursuant to Clause 43.01-2 no planning permit is required to develop a heritage place which is included on the Victorian Heritage Register.
Design and Development Overlay	Pursuant to Clause 43.02-2, a permit is required to construct a building or construct or carry out works unless a schedule to

Schedule 10: Built Form Controls	the Design and Development Overlay specifically states that a permit is not required.
	Clause 2.0 of Schedule 10 to the Design and Development Overlay requires that a permit cannot be granted for buildings and works which exceed the requirements contained within the DDO.
	As a permit has issued, any amendment to that permit cannot increase any non-compliance with the requirements of the Schedule in relation to the; height, setbacks or additional habitable space of the approved building.
	The requirements of DDO10 include: podium height, setbacks and a 24:1 plot ratio.
Design and Development Overlay	The subject site is affected by Schedule 59 of the Design and Development Overlay.
Schedule 59	Pursuant to Clause 43.02-2, a planning permit is required to construct a building or construct or carry out works unless exempted by the relevant schedule.
	Schedule 59:
	Outlines the following design objectives:
	<ul> <li>To ensure that new development respects and responds to the heritage elements of the site and surrounds.</li> </ul>
	• To achieve a balanced spatial relationship between built forms and open spaces and create well connected linkages to open spaces adjoining the riverfront and beyond.
	<ul> <li>To connect North Wharf Precinct with its surrounds, including Docklands, through elements encouraging movement and access.</li> </ul>
	<ul> <li>To recognise the site's location adjoining public open spaces.</li> </ul>
	<ul> <li>To provide safe paths of movement for pedestrians and cyclists through the precinct and beyond.</li> </ul>
	<ul> <li>States that a permit is required to construct buildings and to carry out works.</li> </ul>
	<ul> <li>Outlines a list of built form outcomes relating to heritage, open space, movement and access.</li> </ul>
Environmental Audit Overlay	Pursuant to Clause 45.03-1 before a sensitive use (residential use, child care centre, pre-school centre or primary school) commences or before the construction or carrying out of buildings and works in association with a sensitive use commences, either:
	A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment

	Protection Act 1970, or
	• An environmental auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.
	<ul> <li>As the site proposes a sensitive use the overlay is a permit trigger.</li> </ul>
Parking Overlay Schedule 1	There are no transitional provisions for this overlay and therefore the overlay applies to this application.
	A permit is required to provide car parking in excess of the car parking rates in Clause 3.0 of this schedule:
	• Where a site is used wholly for dwellings, the number of spaces for each dwelling must not exceed one (1).
	<ul> <li>Where a site is used partly for dwellings and partly for other uses, the maximum number of spaces allowed:</li> </ul>
	<ul> <li>for that part of the site devoted to dwellings (including common areas serving the dwellings) must not exceed one (1) space per dwelling.</li> </ul>
	<ul> <li>for that part of the site devoted to other uses, (excluding common areas serving the dwellings) must not exceed the number calculated using one of the following formulas:</li> </ul>
	Maximum spaces = <u>5 x net floor area of buildings on that part of the</u> <u>site in sq m</u> 1000 sq m
	or
	<u>12 x that part of the site_area in sq m</u> 1000 sq m
	Car spaces: 236
	Dwellings: 182
	240 spaces permitted without a permit trigger.
	236 spaces provided.
	Therefore no permit is required pursuant to Parking Overlay Schedule 1.
Specific Sites and Exclusions Clause 52.03	The site is listed in the Schedule to Clause 52.03, specific sites and exclusions under the incorporated document 'Melbourne Convention Centre Development, Southbank and North Wharf redevelopment, Docklands, April 2006'.
	Land identified in the schedule may be used or developed in accordance with the specific controls contained in the

	incorporated document. The subject site is located in Precinct C.
Car Parking	Pursuant to Clause 52.06-1, a new use must not commence or the floor area of an existing use must not be increased until the required car spaces have been provided on the land.
	Pursuant to Clause 52.06-2 if a schedule to the Parking Overlay specifies a maximum parking provision, the maximum provision must not be exceeded except in accordance with a permit issued under Clause 52.06-3.
	Pursuant to Clause 52.06-3 a permit is required to provide more than the maximum parking provision specified in a schedule to the Parking Overlay. As the site is in PO1 and the maximum number of spaces has not been exceeded no permit is required under this clause (refer to PO1 below).
	<ul> <li>Pursuant to Clause 52.06-8 plans must be prepared to the satisfaction of the responsible authority before any of the following occurs:</li> <li>a new use commences. Therefore a car park layout must be to the satisfaction of the Responsible Authority.</li> </ul>
Loading and unloading of vehicles	Pursuant to Clause 52.07 no building or works may be constructed for the manufacture, servicing, storage or sale of goods or materials unless a space is provided on the land for loading and unloading of vehicles.
	The amendment changes the use to hotel and residential and therefore this is no longer a permit trigger. However the proposal seeks to provide a back of house area to the rear of the site which is accessed via Siddeley Street. This area will be used for loading and unloading.
Bicycle Spaces	Pursuant to Clause 52.34 a new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land.
	<ul> <li>Pursuant the requirements of the Clause, the proposal generates a statutory requirement of a total of:</li> <li>Dwellings: resident 182 / 5 = 36, visitor 185 / 10 = 18</li> <li>Residential building: resident 23, visitor 23</li> <li>Function Centre (1,634sqm): staff 1, visitor 2</li> <li>A total of 103 bicycle spaces to be provided.</li> </ul>
	The proposal seeks to provide for a total of 108 bicycle space which exceeds the Planning Scheme requirements.
Urban Context Report and Design Response for Residential Development of Five or More Storeys	<ul> <li>Pursuant to Clause 52.35, an application for a residential development of five or more storeys in any zone must be accompanied by:</li> <li>An urban context report.</li> <li>A design response.</li> </ul>
More Storeys Integrated Public Transport	Referral Requirement – Determining Referral Authority.

Planning	<ul> <li>Pursuant to Clause 52.36-1, an application to construct a building or to construct or carry out works involving:</li> <li>A residential building comprising 60 or more dwellings or lots; or</li> <li>A residential building comprising 60 or more lodging rooms, Must be referred in accordance with Section 55 of the <i>Planning and Environment Act 1987</i> to the Public Transport Development Authority.</li> <li>As the proposed development includes in excess of 60 dwellings and hotel lodging rooms, the Minister must refer the application to Public Transport Victoria pursuant to Section 55 of the <i>Planning and Environment Act 1987</i>.</li> </ul>
Administration and Enforcement of this Scheme	The site is listed in the Schedule to Clause 61.01 as a site for which the Minister is responsible for administering and enforcing the Planning Scheme.
Clause 61.01	
Referral and Notice Provisions	Pursuant to Clause 37.04 and Clause 66.04 for any permit application for development with a gross floor area exceeding 25,000 square metres within the Capital City Zone the City of Melbourne is a Recommending Referral Authority.

The Section 72 application was lodged before the gazettal of the Better Apartments Draft Design Standards, 13 April 2017. The standards seek to improve the liveability of apartments by introducing a set of objectives and standards to guide future development. The standards are around themes of building setbacks, light wells, room depth, windows, storage, noise impacts, energy efficiency, solar access, natural ventilation, open space, landscaping, accessibility, dwelling entry and internal circulation, waste and water management.

## 5 STRATEGIC FRAMEWORK

## 5.1 State Planning Policy Framework (SPPF)

The relevant provisions of the SPPF are summarised as follows:

Clause 11.02 Urban Growth seeks 'to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses'.

Clause 11.04-2 Activity Centre hierarchy recognises the role of the Central Activities District as Metropolitan Melbourne's largest centres of activity with the greatest variety of uses and functions, and seeks to strengthen this role.

Clause 15.01-2 Urban Design principles seek to achieve high quality urban design and architecture that contributes positively to local urban character and enhances the public realm.

Clause 15.02 Sustainable development seeks 'to encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions.

Clause 17.01-1 Business seeks 'to encourage development which meet the communities' needs for retail, entertainment, office and other commercial services and provides net

community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities.

Clause 18.01-1 Land use and transport planning seeks 'to create a safe and sustainable transport system by integrating land use and transport'.

Clause 18.02-1 Sustainable personal transport seeks 'to promote the use of sustainable personal transport'.

## 5.2 Local Planning Policy Framework (LPPF)

#### 5.2.1 Municipal Strategic Statement (MSS)

The relevant provisions of the MSS are summarised as follows:

The MSS includes a section that is based on objectives and strategies, which revolve around the four themes of land use, built form, transport and environment. These themes are applied to local areas of the municipality.

The vision for the Central City is outlined under Clause 21.08-1 and includes the following (as relevant):

- The Central City continues to be the primary place of employment, business, finance, entertainment, cultural activity and retail in Victoria, and a place that facilitates the growth of innovative business activity.
- Important components of the Central City's built form and public realm have been
  protected and enhanced, including the Yarra River corridor, significant parks and
  gardens and the Central City's significant heritage assets. The creation of a high
  quality, useable and exciting public realm continues to make the city an attractive and
  exciting place for workers, residents and visitors.

For retail, entertainment, office and commercial uses in the Central City the following relevant land use implementation strategies are identified:

- Encourage the development of a range of complementary precincts within the Central City that offer a diverse range of specialist retail, cultural and entertainment opportunities.
- Support the Central City's role as the principal centre in the State for government, commerce, professional, business and financial services.
- Encourage the development and establishment of new and innovative professional, commercial and retail business which take advantage of the City's central location, technology, and its accessibility by a range of transport nodes.
- Support the role of the Queen Victoria Market, Northbank, Southbank, State Library, Federation Square, the Arts Precinct and the Yarra River waterfront (identified on Figure 12).
- Encourage a mix of public and commercial uses at ground level in new developments to support street life and provide pedestrian interest.

In relation to the waterfront and the Yarra River, the clause outlines the following relevant land use implementation strategies:

- Ensure active land uses such as cafes, restaurants and leisure uses in the areas fronting the waterfront, particularly those with a northern orientation.
- Ensure developments along the Yarra River address the waterfront.
- Encourage maximum usage and activity at the waterfront.
- Ensure an attractive night landscape along the waterfront.

In relation to built form the Clause outlines the following implementation strategies:

- Ensure that development is sympathetic to the heritage values of adjacent heritage areas and places, including the World Heritage Listed Royal Exhibition Building and Carlton Gardens.
- Ensure the Northbank of the Yarra River, including the North Wharf, (identified on Figure 12) has increased open space opportunities.
- Encourage low rise development on the northern and southern sides of the Yarra River and Arts Precinct (identified as [4] in Figure 12) to maintain the low scale river edge to protect key views to the Arts Centre Spire and prevent overshadowing of the south bank of the River.
- Ensure that the design of buildings and public realm in the Central City enhances the safety of pedestrians, visitors and occupants of buildings.
- Protect the Yarra River and its south bank from overshadowing throughout the year.
- The Clause also outlines the following implementation strategies which relates to creating links in the Central city:
- Ensure the Central City, Yarra River and Docklands waterfront are physically and visually linked.
- Ensure streets and open space are physically and visually linked to the waterfront, where practicable.
- Develop better links between the water side entertainment and recreational attractions of the north and south banks of the Yarra.
- Strengthen public space and pedestrian and cycle connections on both sides and across the Yarra River.

#### 5.2.2 Local Policies

The relevant local policies are summarised as follows:

Clause 22.01 Urban Design within the Capital City Zone seeks to achieve the following design objectives:

- To ensure that new development responds to the underlying framework and fundamental characteristics of the Capital City Zone while establishing its own identity.
- To enhance the physical quality and character of Melbourne's streets, lanes and Capital City Zone form through sensitive and innovative design.
- To improve the experience of the area for pedestrians.
- To create and enhance public spaces within the Capital City Zone to provide sanctuary, visual pleasure and a range of recreation and leisure opportunities.
- To ensure that the design of public spaces, buildings and circulation spaces meets appropriate design standards.

The Clause outlines a list of urban design policies that new developments should be assessed against to achieve the above objectives.

Clause 22.02 Sunlight to Public Spaces seek to achieve the following objectives:

• To ensure new buildings and works allow good sun penetration to public spaces.

- To ensure that overshadowing from new buildings or works does not result in significant loss of sunlight and diminish the enjoyment of public spaces for pedestrians.
- To achieve a comfortable and enjoyable street environment for pedestrians.
- To protect and where possible increase the level of sunlight to public spaces during the times of the year when the intensity of use is at its highest.

In relation to sunlight to the Yarra River Corridor the clause outlines the following relevant policy:

- Development in the Capital City Zone and Docklands Zone must not cast a shadow across the south bank of the Yarra River between 11.00 am and 2.00 pm on 22 June.
- Clause 22.04 Heritage Places within the Capital City Zone seeks to conserve and enhance all heritage places, and ensure that any alterations or extensions to them are undertaken in accordance with accepted conservation standards.
- Clause 22.19 Environmentally Sustainable Accommodation Building seeks to minimise greenhouse gas emissions, minimise overshadowing impacts of adjoining buildings, encourage water efficiency and waste management practices.

### 6 ZONE

The subject site where the tower is proposed to be built is located in Schedule 1 of the Capital City Zone which seeks ' to provide for a range of financial, legal, administrative, cultural, recreational, tourist, entertainment and other uses that complement the capital city function of the locality'.

## 7 OVERLAY(S)

The subject site is affected by the following overlays:

Heritage Overlay Schedule 918.

Environmental Audit Overlay.

Design and Development Overlay Schedule 49 (North Wharf Precinct) (DDO59).

As described, a planning permit is not required for the proposed works pursuant to the Heritage Overlay. A planning permit is required pursuant to the DDO59.

DDO59 outlines a list of built form outcomes relating to heritage, open space, movement and access which the responsible authority should have regards to when assessing new developments in this area.

DDO10 (relevant to C262). Key requirements relevant to this proposal include:

- Podium height up to 40m;
- Mandatory street and side setbacks of 5m above podium;
- Discretionary site plot ratio of 24:1.

## 8 PARTICULAR PROVISIONS

The following particular provisions apply to the application:

Clause 52.03, Specific Sites and Exclusions

Clause 52.06, Car Parking

Clause 52.07, Loading and Unloading of Vehicles

Clause 52.29, Land adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road

Clause 52.34, Bicycle Facilities

Clause 52.35, Urban Context Report and Design Response for Residential Development of Four or More Storeys

Clause 52.36, Integrated Public Transport Planning

### 9 GENERAL PROVISIONS

The following general provisions apply to the application:

Clause 65, Decision Guidelines, which includes the matters set out in Section 60 of the Planning and Environment Act 1987.

Clause 66, Referral and Notice Provisions.

### 10 CONSULTATION

A number of meetings with the applicant, DELWP and MCC officers (planning, urban design and engineering).

### 11 REFERRALS

### 11.1 Internal

The application was referred internally to:

#### 11.1.1 Urban Design

During the assessment of the amendment, Urban Design have raised a number of concerns and the applicant has responded with several amended plans for discussion purposes.

The drawings submitted for the purposes of this assessment generally address all of the issues raised by Council's Urban Design team. The main issues included the following:

- Changes to the tower to move the upper portion further away from river and to refine the way the upper apartment fenestration intersected with the lower hotel parts.
- The lower portion of the building has an improved interface with the shed and much improved interconnection with all 3 sides of public realm:
  - The setback from the Seafarers' Mission Dome is improved providing a visual link through the site;
  - the car parking/servicing has been restricted or undergrounded,
  - there are a number of residential, staff, hotel, function centre entries to all sides,
  - visitor set-down has been simplified and reduced,
  - the crane has been relocated closer to park, and
  - priority has been given to familiar Melbourne laneway details and connection between Wurundjeri Way and Siddeley Street.
- The red detail to east façade is an obvious one but much reduced in visual impact than earlier versions.
- Overall the tower is a building of its time and now sits comfortably within a glass box context along the river with the backdrop of Collins Square and Melbourne Quarter.

# 11.1.2 Engineering Services

### Traffic

Engineering Services (Traffic) has no objections to the proposed arrangements, subject to a number of conditions including loading matters and a requirement for a Road Safety Audit.

#### Waste

The WMP for this proposal prepared by Irwinconsult dated 14 November 2017 has been found to be *unacceptable*.

The following items need to be addressed:

- Whilst details of hard waste storage have been provided in the plan, the hard waste storage area needs to be shown in the drawings.
- All bins being used for the temporary holding of waste prior to transferral to the compactors need to be shown in the drawings.
- The collection vehicles will be entering via Siddeley Street, not Wurundjeri Way this needs to be amended in the plan. Swept path diagrams showing sufficient clearance for the vehicles to access the development from Siddeley Street needs to be provided.
- Section 4.3.2 reads "It is understood the City of Melbourne are willing to collect both residential and commercial recyclables and therefore will undertake all commingled recycling compactor collections".

CoM will only collect the residential component of recycling and therefore the recycling compactor will be collected once per fortnight. The commercial component of recycling will need to be collected by a private contractor at the development's own cost.

This can be addressed via a condition of permit requiring an updated WMP.

### **CIVIL DESIGN**

The City of Melbourne's Civil Engineers have viewed the proposal and have raised concerns with aspects of the proposal. A number of conditions have been suggested should an amended permit issue.

## 11.2 External

The application will be referred externally by the Responsible Authorit y, the Minister for Planning.

### 12 ASSESSMENT

The application seeks to amend the existing Ministerial planning permit via Section 72 of the Planning and Environment Act 1987 by amending the built form and building design to cater for a hotel and residential purposes (as of right), altering the car and bicycle parking arrangements and amending the permit to reflect the proposed changes.

The key issues for consideration in the assessment of this application are; changes to the plans from the original approval, changes in planning policy since the issue of the original permit, change of use, built form, building design and car/bicycle parking.

# 12.1 Changes to the building plans and envelope

The proposed amendment seeks variation from the approved permit allows generally as follows:

Approved	Proposed
14 level office tower 56.7RL, 53.7 metres	17 level (plus mezzanine and roof plant) mixed use tower 66.5RL, 63.5 (excluding roof plant) metres which is an increased height of 9.8 metres.
129 car parking spaces provided within the podium levels 1-4	236 car parking spaces provided within a basement and levels 1-3
Office 21,000sqm net leasable floor area	231 hotel rooms, function centre and 182 apartments
Total gross floor area of 56, 506.5 m <sup>2</sup>	Total gross floor area of 53,615 m <sup>2</sup>

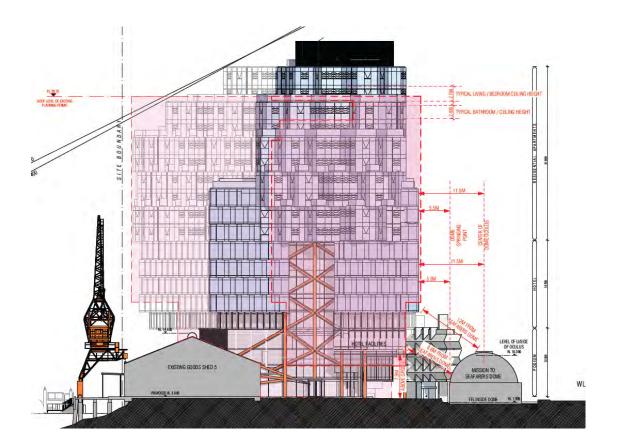


Figure 16. elevation indicating some of the changes from the approved to the proposed building envelope

## 12.2 Changes to the relevant planning controls since the issue of the permit

### 12.2.1 Planning Scheme Amendment C262

Planning Scheme Amendment C262 introduced Design and Development Overlay DDO10 which introduced new built form controls including podium/tower heights, tower setbacks above podium and a plot ratio of 24:1.

As a permit has issued, any amendment to that permit cannot increase any non-compliance with the requirements of DDO10, as it relates to C262, in relation to the; height, setbacks or the plot ratio of the approved building.

The podium height and setbacks of the proposed building have been modified but are generally the same configuration as the approved building envelope as demonstrated in Figure 16 above. The building envelope does not increase any non-compliance in relation to the proposed podium height and setbacks.

The gross floor area of the proposal has reduced from the approved 56, 506.5 m<sup>2</sup> to the proposed 53,615 m<sup>2</sup> thereby reducing the overall plot ratio.

## 12.2.2 Better Apartments Design Standards (BADS) Clause 58

The standards seek to improve the liveability of apartments by introducing a set of objectives and standards to guide future development. The standards relate to building setbacks, light wells, room depth, windows, storage, noise impacts, energy efficiency, solar access, natural ventilation, open space, landscaping, accessibility, dwelling entry and internal circulation, waste and water management.

The application to amend was lodged prior to the introduction of the standards, Clause 58 and therefore do not apply to this amendment. Notwithstanding this the proposal has been assessed against the BADS within this report.

## 12.3 Use

Although it is noted that the proposed use of the site for the purpose of Hotel and Residential Accommodation does not require a planning permit, the applicant has advised that the change in use has arisen principally because of the following:

- The market demand for hotel and residential uses in this locale;
- The ability to apply for an alternate use following confirmation of the conversion to a freehold title; and
- The limited activation that an office would create after hours in this area.

The current planning approval provides for the use of the site for office and retail. The site is located within an area which could potentially provide for the city's increasing visitor numbers. The hotel also has a function centre component and supplemented by a number of residential apartments to create a mixed use development in this area.

The site is within walking distance to a number of amenities and services associated with the site's CBD location, close to public transport as well as the public park proposed as part of the application. Therefore the site is suitable for residential development particularly in this quieter quadrant of the city which would benefit from activation through the presence of people.

The apartment mix includes 1, 2, 3 and 4 bedroom apartments allowing some diversity of demographics.

The changes to the use are considered appropriate, particularly as they are as of right, Section 1, uses under the Melbourne Planning Scheme.

# 12.4 Built form and design

### 12.4.1 Height, scale and bulk

The new building is proposed to be 17 levels, a total height of 63.5 metres (excluding roof plant) and generally straddles part of the historic Goods Shed building.

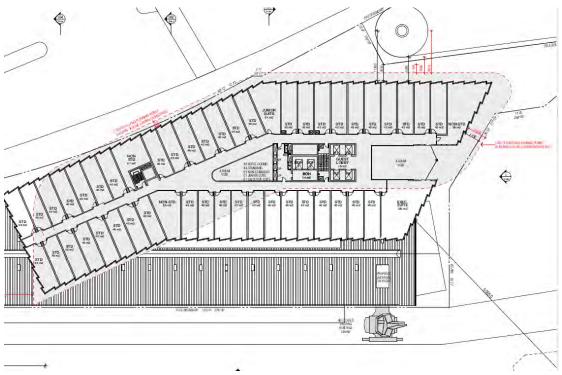


Figure 17. Lower levels approved and proposed building footprint

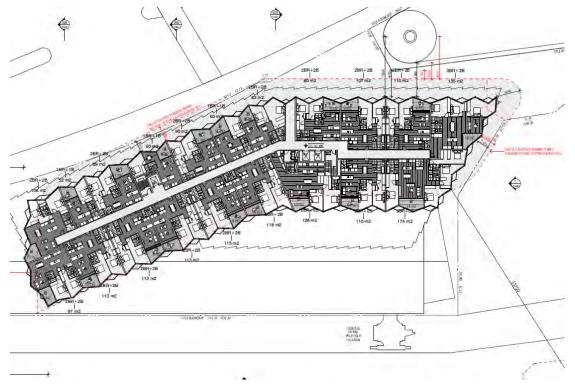


Figure 18 upper levels approved and proposed building footprint

The amended proposal is 9.8 metres higher than the approved proposal. The lower levels of the amended tower element project to a greater extent over both the south eastern section and the western section of the Goods Shed than the approved scheme. However the proposed amended tower footprint has a greater setback to the Dome of the Seafarers Mission and Seafarers Rest Park reducing the visual impact the building will have on the adjacent heritage buildings and public realm.

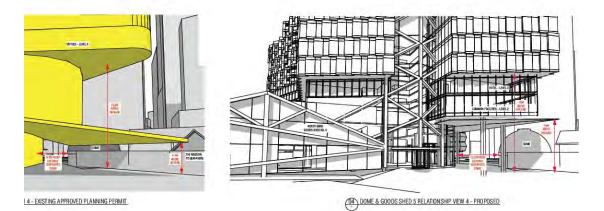


Figure 19 comparison between the approved and proposed developments relating to the building's separation from the Seafarers Mission Dome and the pedestrian's visual link through the site between Wurundjeri Way, Seafarers Rest Park and the Yarra River.

City of Melbourne's Urban Design is generally supportive of the height, scaling and massing of the proposed amended development. Urban Design has supported the increased separation from the Seafarers Mission Dome which provides a better visual link for pedestrians through the site and to the Seafarers Rest Park stating that:

"Changes to the tower to move the upper portion further away from river and to refine the way the upper apartment fenestration intersected with the lower hotel parts."

Other built form improvements that the amended proposal displays include the following:

- The lower portion of the building has an improved interface with the shed and much improved interconnection with all 3 sides of public realm;
- The setback from the Seafarers' Mission Dome is improved providing a visual link through the site;
- The car parking/servicing has been restricted or undergrounded;
- There are a number of residential, staff, hotel, function centre entries to all sides;
- Visitor set-down has been simplified and reduced;
- The crane has been relocated closer to park;
- Priority has been given to familiar Melbourne laneway details and connection between Wurundjeri Way and Siddeley Street;

As stated above City of Melbourne's Urban Design is generally supportive of the amended proposal stating:

"Overall the tower is a building of its time and now sits comfortably within a glass box context along the river with the backdrop of Collins Square and Melbourne Quarter."

Schedule 59 of the Design and Development Overlay outlines the following built form outcomes, as relevant, for new developments in the North Wharf Precinct:

- Development must respect the primary views from the public domain to the heritage elements of the Wharf, Crane, Shed 5 and the Mission to Seafarers.
- The physical scale of any development proposal for the precinct must be responsive to the scale of the existing buildings in the precinct, in particular with Shed 5 and the Mission to Seafarers building, and the adjoining public open spaces.
- Building forms must orientate towards and be responsive to public open spaces and the river with strong building frontages enclosing and framing the river corridor and spaces, providing a range of views and settings for heritage structures and publicly accessible areas.

The tower element dominates the scale of the Mission and Goods Shed heritage buildings, however, the amended proposal, as stated above, has a number of design improvements over the approved development which are more in keeping with the above policies.

The new building is proposed to be 17 levels in height, approximately 63.5 metres which is 9.8 metres taller than the approved building. The building is generally tiered at the upper levels and the additional height does not impact on the surrounding streetscape and is of a similar scale to surrounding towers.

The critical issue in relation to the additional height and change to the building envelope relates to the mandatory overshadowing control at Clause 22.02 which requires that new developments do not cast a shadow across the Southbank of the Yarra between 11.00 am and 2.00 pm on 22 June.

## 12.4.2 Overshadowing

Clause 22.02 Sunlight to Public Spaces outlines the following general policy:

• 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.

In the case of Seafarers Rest, the park is already overshadowed by existing buildings to the north, namely Collins Square. The proposed amendment will cause no further impact beyond the existing and slightly improves the situation in respect of this park.

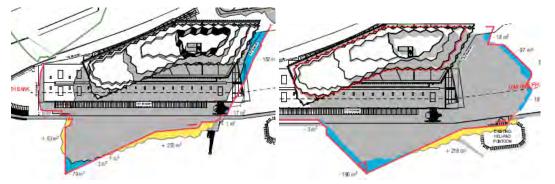


Figure 20. Shadow diagrams 22 September 11am and 2pm showing the blue area as a reduction in shadow.

For new developments in the Central City which are adjacent to the Yarra River Corridor, the clause outlines the following policy:



Development in the Capital City Zone and Docklands Zone must not cast a shadow across the south bank of the Yarra River between 11.00 am and 2.00 pm on 22 June.

Figure 20. Shadow diagrams 22 June 11am and 22 June 12pm

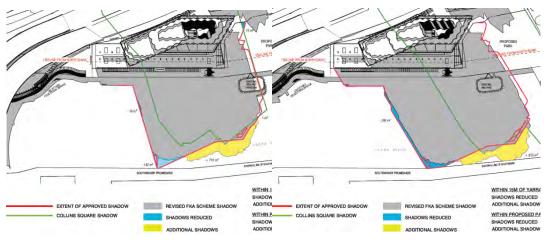


Figure 21. Shadow diagrams 22 June 1am and 22 June 2pm

The submitted shadow diagrams indicate that the proposed development will not cast a shadow across the south bank of the Yarra River between 11.00 am and 2.00 pm on 22 June.

Whilst the building envelope has been altered, the degree of overshadowing remains consistent with that already approved due to the design and setbacks proposed. It is acknowledged that the shadows cast by the proposed amendment will in some circumstances step outside of the existing shadow lines as it affects the Yarra River, however generally the degree of overshadowing does not go beyond what has already approved, including the point in which the shadows hit the south bank. In this regard, it is submitted there will be no additional detriment to the public realm as a result of this amendment, beyond that deemed acceptable under the existing permit.

## 12.4.3 Façade Treatments

The urban design objectives at Clause 22.01 encourage new façade to respect the rhythm, scale, architectural features, fenestrations, finishes and colour of the existing streetscape. It also seeks to ensure that high quality building material and details are used that engages the eye of the pedestrian.

The new building is proposed to be modern in appearance with significant amounts of glazing. This is in keeping and in context with the surrounding glass towers.

The urban design team have commented that the amended façade treatment and materials used on the northern elevation fronting Wurundjeri Way is an improvement on the previous scheme.

## 12.4.4 Ground level activation

Pursuant to the built form outcomes expressed in DDO59, any redevelopment of Shed 5 must address the waterfront by providing active land uses that allows public to engage with the river promenade.

Clause 21.08-1 which outlines the vision for the Central City also seeks to ensure that new developments adjacent to Yarra River provide active land uses such as cafés, restaurants and leisure uses in the areas fronting the waterfront.

The ground level of the new building will be integrated to form part of the Goods Shed. Major refurbishment is proposed to be undertaken to Goods Shed to allow for active uses being the hotel lobby with seating and alfresco seating, retail and function centre to be accommodated on ground level. New openings in the form of clear glazing is also proposed on the southern elevation of the Goods Shed which fronts the river. The presence of these uses along with opening up the southern elevation of the Goods Shed will allow the public to interact and engage with the river edge promenade which will improve the pedestrian experience. This is consistent with the above policies.

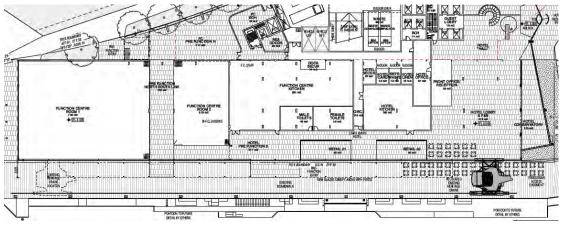


Figure 23 ground level plan

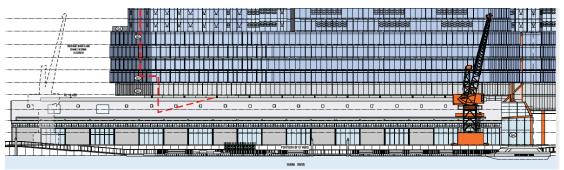


Figure 24 goods shed southern elevation

# 12.5 Pedestrian links and connectivity

Currently this part of the North Wharf precinct is not well connected to its surrounds including the Docklands. One of the key design features of developing this precinct as outlined in

DDO59 is to ensure that it is well connected with its surrounds, including Docklands, through elements encouraging movement and access.

The existing public open space 'Seafarers Rest' is proposed to be transformed into a new urban park and will provide access from the 'Seafarers' bridge to 'Seamans Mission' building and the pedestrian footpath in Wurundjeri Way.

City of Melbourne's Urban Design Department supports the proposed pedestrian routes stating that the proposed pedestrian connections are now more legible than the approved scheme. The City of Melbourne previously requested that a public north-south link between the midline of the Goods Shed and Wurundjeri Way be provided which has been provided in amended design and is strongly supported.

The proposed development will provide access from the river promenade to the existing pedestrian footpath at Wurundjeri Way. This access will be from the east side of Goods Shed and the new building adjacent to the public open space. The access does not provide direct connection to the existing footpath crossing at Wurundjeri Way. This access arrangement is however consistent with the built form outcome in DDO59.

Engineering Services have raised issues relating to the access from the east side of the Goods Shed, this includes:

- Pedestrian management at the Siddeley St roundabout & along the accessway, if a zebra crossing is to be introduced at the roundabout, VicRoads' approval would be required.
- To ensure consistent driver/pedestrian expectations, all legs of the roundabout would need to be similarly treated. Ultimately, the revised design of the roundabout (including all legs) is to be to the satisfaction of ES, at the developer's expense.
- It is strongly recommended that the developer contact the Mission to Seafarers (MtS) management to discuss the proposed pedestrian access arrangements, including the layout/design/operation of the 3 pedestrian crossing points across the accessway.
- Loading activities should be scheduled to occur outside of peak times to reduce the probability of conflict between vehicles & pedestrians.

These issues will be conveyed to DELWP and addressed via permit conditions.

## 12.6 Residential Amenity Considerations

The proposal does not require assessment against Clause 58, the Better Apartment Design Standards. However the proposal generally complies with many of the standards to ensure that the development will have a suitable level of internal amenity. The following key features of the proposal will contribute to this:

- Apartments will have uninhibited views in all orientations given the site's context in that it is unlikely that any further significant buildings will be constructed within close proximity to the site,
- The provision of a combination of private balconies and communal space,
- An area of proposed public open space adjacent to the apartments,
- A variety of apartment types and sizes, all providing for reasonable living areas, often with double aspect,
- The apartments are open plan in design providing a sense of spaciousness within the apartments,
- There are no habitable rooms within the apartments which rely on borrowed light,

- Apartments comprise a floor to ceiling height of 2.7 metres,
- A separate residential lobby is provided and enables a clear sense of address, and
- The proposal is provided with an appropriate number of car and motorcycle parks and bicycle spaces.

## 12.7 Heritage

The subject site has heritage significance due to the presence of Berth No.5 North Wharf. The wharf has been in place since 1955, and ceased operation in 1975. Berth No. 5 North Wharf represents a complete and intact example of cargo handling methods of the precontainerisation era in the Port of Melbourne and for this reason, is registered on the Victorian Heritage Register (H1798).

Like the previously approved scheme, the current proposal seeks to integrate elements of the wharf into the design of the proposal through the inclusion of the goods shed, use of the wharf and activation of the currently unutilised area. The applicant has indicated that preliminary discussions have been held with Heritage Victoria who has indicated their support with the extension of the building.

The Goods Shed is included in the Victorian Heritage Register, a heritage assessment of the proposal is required to be undertaken by Heritage Victoria.

# 12.8 Aboriginal Cultural Sensitivity

Although the subject site is located within 200 metres of a waterway, the applicant has submitted that it is not an area of cultural heritage sensitivity because all of the activity area has been subject to significant ground disturbance as a result of existing buildings and the previous use of the site by the Port of Melbourne.

Although the amended building does not afford the exact footprint of that previously approved, the matter of cultural sensitivity of the land is to be addressed by the Responsible Authority who is the Minister for Planning in this instance.

## 12.9 Building and Site Performance

A number of technical reports have been provided to confirm the appropriateness of the proposed design. These include waste, traffic, wind, sustainable design and landscape reports. These reports supersede those prior technical reports on this site. Each is discussed below:

### 12.9.1 Waste

A WMP prepared by Irwinconsult dated 14 November 2017 was lodged for this proposal. Council's engineering department have reviewed it and and found it to be *unacceptable*. The issues raised can be addressed via a condition of permit requiring an updated WMP.

### 12.9.2 Traffic

Access to the site is proposed from Siddeley Street which provides for two-way vehicular traffic. The access leads to a dedicated hotel drop-off/pick-up area as well as to the ramps leading to the mezzanine and basement car parks respectively. Cardno confirms that the configuration of the access and car parking areas, sight lines and queuing space is appropriate to ensure that the proposal will not cause undue adverse impacts on the surrounding area.

The proposed number of car parking spaces, 326 is less than the maximum number allowed pursuant to Parking Overlay Schedule 1.

Engineering Services have commented on the traffic generated by the proposed uses and numbers of car parking spaces and stated:

Although almost twice the number of spaces are currently proposed compared to the approved development, the proposed residential development would generate significantly less traffic during both the AM & PM peak hours, compared to the approved scheme. It is therefore accepted that the impact of the proposed development on the traffic conditions on the surrounding road network is expected to be low, particularly compared to the approved development.

Engineering Services has no objections to the proposed arrangements, subject to a number of conditions. Comments included:

In relation to pedestrian management at the Siddeley St roundabout and along the accessway, if a zebra crossing is to be introduced at the roundabout, VicRoads' approval would be required.

To ensure consistent driver/pedestrian expectations, all legs of the roundabout would need to be similarly treated.

It is strongly recommended that the developer contact the Mission to Seafarers (MtS) management to discuss the proposed pedestrian access arrangements, including the layout/design/operation of the 3 pedestrian crossing points across the accessway.

There is potential for conflict between the loading vehicles accessing/egressing the loading dock, vehicles accessing/egressing the podium/basement car parks and vehicles using the hotel/resident 'drop off' area. A comprehensive Loading Management Plan (LMP) is required.

A formal Road Safety Audit (RSA) must be undertaken prior to the occupation and use of the development

#### 12.9.3 Bikes

A total of 108 bicycle spaces have been provided. Twenty four for hotel staff, and 48 for residents located within the basement. Thirty six spaces have been provided for visitors at ground level near entry lobby. The number of spaces exceeds the statutory requirements as outlined in Clause 52.34 of the Melbourne Planning Scheme.

### 12.9.4 Civil design

Raised a number of issues including:

- The plans to the Seafarers Rest park must be referred to Council's Parks, Property and Waterways for comment.
- A large part of the park is above the existing wharf structure. The submission should include detailed plans and sections drawings clearly showing extent and levels of the existing wharf and proposed depth of finishes.
- Object to the use of timber decking in the park. It is not a supported finish within the public realm. All finishes within the public realm must be City of Melbourne standard.
- The internal paths and roads must remain the responsibility of the property owner at perpetuity. The City of Melbourne is unlikely to agree to the internal paths and roads being made public.
- Any work affecting Wurundjeri Way, an arterial road, requires the written consent of VicRoads.
- The works shall be undertaken in accordance with the current Docklands Design and Construction Standards for Infrastructure Works.

A number of conditions are required should a permit issue these relate to:

- Wharf remediation works
- Existing drains relocation
- Drainage system provision
- Demolition and construction access
- Footpaths
- Street levels not to be altered
- Existing street lighting not altered without approval
- Public lighting system provision for wharf and park
- Access to the wharf and park.

## 12.10 Wind

A desktop wind assessment has been undertaken by MEL Consultants relating to the amended proposal. MEL Consultants in their report dated December 2017 have found that the subject site generally achieved criterion for stationary activities with the exception of the following:

- In the area between Mission to Seafarers and the North Wharf development where flow was observed to accelerate through this narrow area.
- The wind conditions on the Terrace areas on levels 8, 11, 15 and 16 were measured and shown to generally achieve the stationary activities criterion for most wind directions, except on the level 16 terraces, which exceeded the walking criterion due to the exposure of the west sector winds.

Further mitigation strategies will be required to improve the local wind conditions. Where outdoor retail and/or dining is proposed, the report suggests that the use of local screening would be an effective way of improving the local wind conditions during windy periods. Mitigation Strategies would be required as a condition of permit.

# 12.11 Environmentally Sustainable Design

The Melbourne Planning Scheme places a significant focus on environmentally sustainable design, with a number of local planning policies, and more specifically Clause 22.19, seeking a high level of building performance in new developments throughout the municipality.

A report by Arcadis has assessed the development in detail against Clause 22.19 and outlines the initiatives by this amended proposal. The report found the amended development meets the following criteria:

- Meet Eco-city goals for residents in relation to operational greenhouse gas emissions, water consumption and waste management;
- Achieve 1 point for the Green Star Multi Unit Residential Wat-1 credit;
- Provide a Waste Management Plan in accordance with the current version of the City of Melbourne's Guidelines for Waste Management Plans.
- Attain the Best Practice standard for urban stormwater quality, through the use of STORM with potential for reduction via future MUSIC modelling; and
- Exceeds the NCC energy rating standard, with an average NatHERS rating of 6.1.

In relation to Clause 22.13, Stormwater Management (Water Sensitive Urban Design), Arcadis have confirmed the proposal will attain the Best Practice standard for urban stormwater quality, through the use of STORM.

# 13 CONCLUSION

It is considered that the proposal is consistent with the relevant sections of the Melbourne Planning Scheme, as discussed above, and that an Amended Planning Permit be issued for the proposal subject to the following conditions:

# 14 **RECOMMENDATION**

That DELWP be advised the City of Melbourne does not object to an amended permit being granted provided the following conditions being included or existing conditions amended in accordance with the conditions below:

- 1. The development must not cast a shadow across the south bank of the Yarra River between 11.00 am and 2.00 pm on 22 June.
- 2. Prior to the commencement of the development, a revised Waste Management Plan (WMP) shall be prepared and submitted to the City of Melbourne - Engineering Services. The WMP should detail waste storage and collection arrangements and be prepared with reference to the City of Melbourne Guidelines for Preparing a Waste Management Plan. Waste storage and collection arrangements must not be altered without prior consent of the City of Melbourne - Engineering Services.
- 3. Prior to the commencement of the development (excluding any demolition, bulk excavation, construction or carrying out of works (specify all or any of these to be consistent with any condition 1 requirement)), wind tests carried out by a suitably qualified consultant, must be carried out on a model of the approved building. A report detailing the outcome of the testing must be submitted to and be to the satisfaction of the Responsible Authority. The report must also recommend any modifications which must be made to the design of the building to reduce any adverse wind conditions in areas used by pedestrians, to the satisfaction of the Responsible Authority. The report must be implemented at no cost to the Responsible Authority and must not include reliance on street trees.
- 4. The car lifts, spaces, ramp, grades, transitions, accessways & head clearances should generally designed in accordance with the Melbourne Planning Scheme (MPS) and/or AS/NZS 2890.1:2004 (AS).
- 5. Appropriate pedestrian sight lines must be provided at the exit from the accessway to the roundabout, as per relevant Australian Standards.
- 6. A comprehensive Loading Management Plan (LMP) is required, which should specify how the access/egress of loading vehicles is to be managed, so that any potential conflicts are satisfactorily addressed. A Dock Manager (or another appropriate position/person) should be employed, responsible for controlling the operation of the loading bay and unloading of goods. A signalling system may be required, to alert other road users when a loading vehicle is entering/egressing the loading dock.
- 7. In order to reduce the probability of conflict between vehicles and pedestrians, loading activities should be scheduled to occur outside of peak times. A permit should include a condition limiting deliveries to occur at times outside of 7-9am, 12-2pm and 4:30-6:30pm Monday-Friday.
- 8. Any grades within the loading bay and along the accessway should comply with relevant standards for Commercial Vehicles (AS2890.2-2002). Appropriate height clearances must be provided into, from and within the loading area, in accordance with the relevant standards.
- 9. The internal paths and roads must remain the responsibility of the property owner in perpetuity. The City of Melbourne is unlikely to agree to the internal paths and roads being made public.
- 10. The works shall be undertaken in accordance with the current Docklands Design and Construction Standards for Infrastructure Works.

### Wharf remediation works

11. As part of the redevelopment the wharf structure is to be remedied and upgraded to extend its life to 50 years before it is given back to the State Government of Victoria with the City of Melbourne as Committee of Management and as such all proposed works to the wharf must be undertaken to the requirements and satisfaction of the City of Melbourne – Engineering Services.

### **Existing drains relocation**

12. The proposed development includes construction over existing Council's stormwater drains. Prior to commencement of any works on site the stormwater drains must be relocated in accordance with plan and specification first approved by the City of Melbourne - Engineering Services.

### Drainage system provision

13. Prior to the commencement of the development, a stormwater drainage system incorporating integrated water management design principles must be submitted to, and approved, by the Responsible Authority - Engineering Services. This system must be constructed prior to the occupation of the development and provision made to connect this system to the City of Melbourne's stormwater drainage system.

#### **Demolish and construct access**

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

#### Footpaths

15. The footpaths adjoining the site along Wurundjeri Way and Siddeley Street must be reconstructed together with associated works including the reconstruction or relocation of kerb and channel and/or services as necessary at the cost of the developer, in accordance with plans and specifications first approved by the City of Melbourne – Engineering Services.

#### Street levels not to be altered

16. Existing street levels in Wurundjeri Way and Siddeley Street must not be altered for the purpose of constructing new vehicle crossings or pedestrian entrances without first obtaining approval from the City of Melbourne – Engineering Services and VicRoads.

### Existing street lighting not altered without approval

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

### Public lighting system provision for Wharf and Park

18. Prior to the commencement of the development, a public lighting design for the wharf and the park must be submitted to, and approved, by the Responsible Authority -Engineering Services. This system must be metered, use City of Melbourne standard lights and must be constructed prior to the occupation of the development.

#### Access to Wharf and Park

19. Prior to the commencement of the development plans showing proposed access to the wharf and the park for maintenance vehicle must be submitted to, and approved, by the City of Melbourne - Engineering Services and Parks, Property and Waterways.

# Additional Permit Notes:

Council may not change the on-street parking restrictions to accommodate the access, servicing, delivery and parking needs of this development. The developments in this area are not entitled to resident parking permits. Therefore, the residents/occupants/staff/visitors of this development will not be eligible to receive parking permits and will not be exempt from any on-street parking restrictions.

# Notes to DELWP for information only:

- In relation to pedestrian management at the Siddeley Street roundabout and along the accessway, if a zebra crossing is to be introduced at the roundabout, VicRoads' approval would be required.
- To ensure consistent driver/pedestrian expectations, all legs of the roundabout would need to be similarly treated, which raises approval issue with VicRoads and detailed design/cost issues including costs associated with any infrastructure impediments.
- The impacts of these crossings on vehicle queues in Siddeley Street and operation of Flinders/Siddeley Street intersection should also be assessed.
- The plans show pathways crossing the accessway at 3 locations and it is unclear whether motorists or pedestrians would have priority.
- A dedicated footpaths is proposed on the north side of the accessway.
- It is strongly recommended that the developer contact the Mission to Seafarers (MtS) management to discuss the proposed pedestrian access arrangements, including the layout/design/operation of the 3 pedestrian crossing points across the accessway.
- There is potential for conflict between the loading vehicles accessing/egressing the loading dock, vehicles accessing/egressing the podium/basement car parks and vehicles using the hotel/resident 'drop off' area.
- The plans to the Seafarers Rest park must be referred to Council's Parks, Property and Waterways for comment.
- A large part of the park is above the existing wharf structure. The submission should include detailed plans and sections drawings clearly showing extent and levels of the existing wharf and proposed depth of finishes.
- Object to the use of timber decking in the park. It is not a supported finish within the public realm. All finishes within the public realm must be City of Melbourne standard.
- Any work affecting Wurundjeri Way, an arterial road, requires the written consent of VicRoads