

Report to the Future Melbourne (Planning) Committee

Agenda item 6.2

**Ministerial Planning Referral: TPM-2019-4
102-108 Jeffcott Street, 355-369 and 371-383 Spencer Street, West
Melbourne**

3 September 2019

Presenter: Evan Counsel, Acting Manager Planning and Building

Purpose and background

1. The purpose of this report is to advise the Future Melbourne Committee of a Ministerial planning application seeking approval to develop land at 102-108 Jeffcott Street, 355-369 and 371-383 Spencer Street, West Melbourne (refer Attachment 2 – Locality plan).
2. The application proposes partial demolition of the existing buildings, use and development of the land for a residential hotel, office, food and drink premises, licensed restaurant, tavern, and shop, and a reduction of the car parking requirement.
3. The Department of Environment, Land, Water and Planning (DELWP), on behalf of the Minister for Planning, has given formal notice of the application to the City of Melbourne.
4. The applicant is Contour Consultants Australia Pty Ltd on behalf of 355 Spencer Street Pty Ltd, the owner is 355 Spencer Street Pty Ltd, 371 Spencer Street and 102 Jeffcott Street Pty Ltd and the architect is Hachem.
5. The site is located within the Mixed Use Zone and is affected by Heritage Overlay (HO771), the Design and Development Overlay Schedule 12 (Noise Attenuation Area) and Schedule 33 (CBD Fringe).
6. The applicant has lodged an appeal with the Victorian Civil and Administrative Tribunal (VCAT) for failure of the Responsible Authority (Minister for Planning) to grant a planning permit within the prescribed time.
7. The City of Melbourne has been joined as a party to the proceeding and is required to serve on the parties an assessment and formal position on the proposal.

Key issues

8. The key issues in consideration in relation to this application include impact on the heritage fabric of the 'A' graded Sands and McDougall Manufactory and Warehouse at 355-383 Spencer Street and 'D' graded heritage building at 102-108 Jeffcott Street, the appropriateness of the proposed built form, traffic and public realm impacts and compliance with Local and State Planning policy provisions.
9. The proposal is considered to appropriately respond to the existing and preferred future built form character of the area. The proposal is considered to achieve the built form outcomes sought by Clause 22.17 (Urban Design outside the Capital City Zone), the Design and Development Overlay Schedule 33 and subject to conditions, Clause 22.05 Heritage Places Outside of the Capital City Zone.
10. Broadly it is considered that the proposal is highly responsive to the heritage context, and will ensure the retention, ongoing protection and adaptive re-use of the significant heritage places. The development will ensure the Sands and McDougall Historic Precinct remains intact, with breathing space from tall built form and continues to inform the strong industrial brick heritage character of the Flagstaff Precinct.
11. The proposal has also had regard to The West Melbourne Structure Plan 2018, adopted by Council, and will contribute meaningfully to the employment generating land uses sought by the Structure Plan in addition to the built form outcomes desired for the Flagstaff Precinct (in particular by achieving a floor area ratio generally consistent with the floor area ratio sought in the Structure Plan).

Recommendation from management

12. That the Future Melbourne Committee resolves to advise all parties to the VCAT proceeding that the Melbourne City Council does not object to the application subject to the conditions outlined in the Delegate's Report (Attachment 4).

Attachments:

1. Supporting Attachment (Page 2 of 118)
2. Locality Plan (Page 3 of 118)
3. Plans (Page 4 of 118)
4. Delegate Report (Page 51 of 118)

Supporting Attachment

Legal

1. The Minister for Planning is the Responsible Authority for determining this application. The City of Melbourne has been joined as a party to the VCAT proceedings.

Finance

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

Conflict of interest

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

Health and Safety

4. Relevant planning considerations such as traffic and waste management and potential amenity impacts that could impact on health and safety have been considered within the planning permit application and assessment process.

Stakeholder consultation

5. Council officers have not undertaken public notice of the application or referred this to any other referral authorities. This is the responsibility of the DELWP acting on behalf of the Minister for Planning.

Relation to Council policy

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

Environmental sustainability

7. The Environmentally Sustainable Design (ESD) Report submitted with the application demonstrates that the development will achieve the ESD performance requirements of Clause 22.19 (Energy, Water and Waste Efficiency) and Clause 22.23 (Stormwater Management).
8. Permit conditions requiring implementation of the ESD initiatives are recommended.

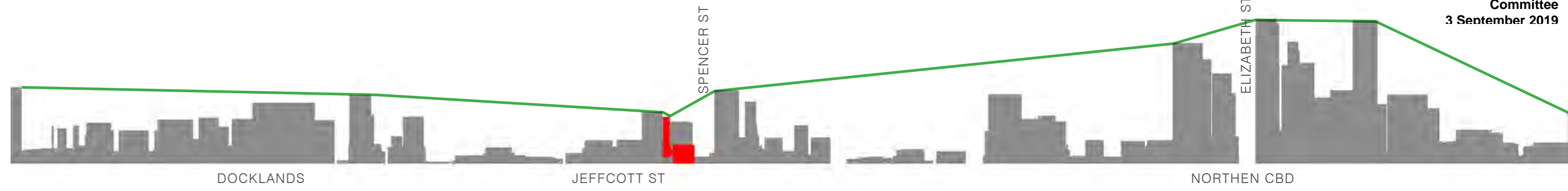
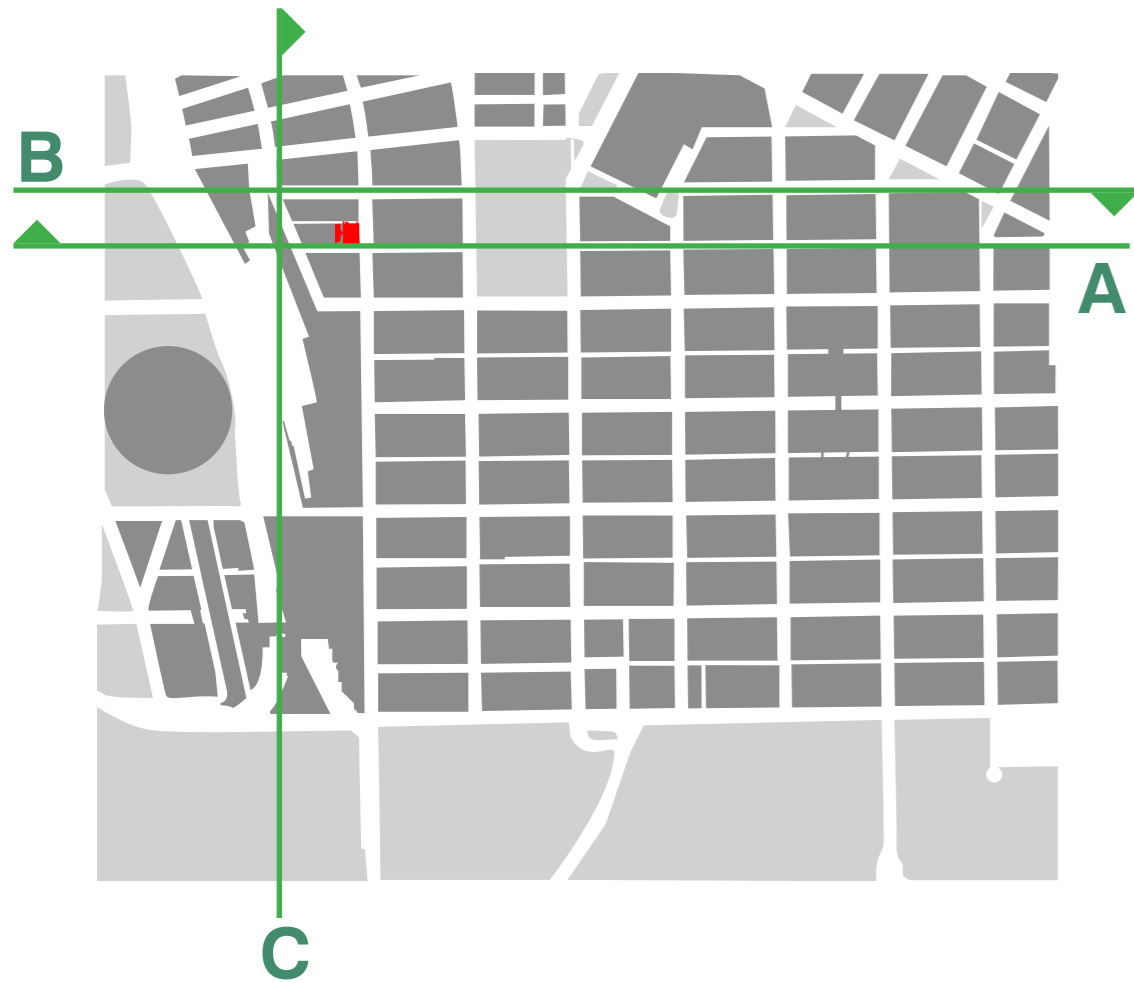
Locality Plan

Attachment 2
Agenda item 6.2
Future Melbourne
Committee
3 September 2019

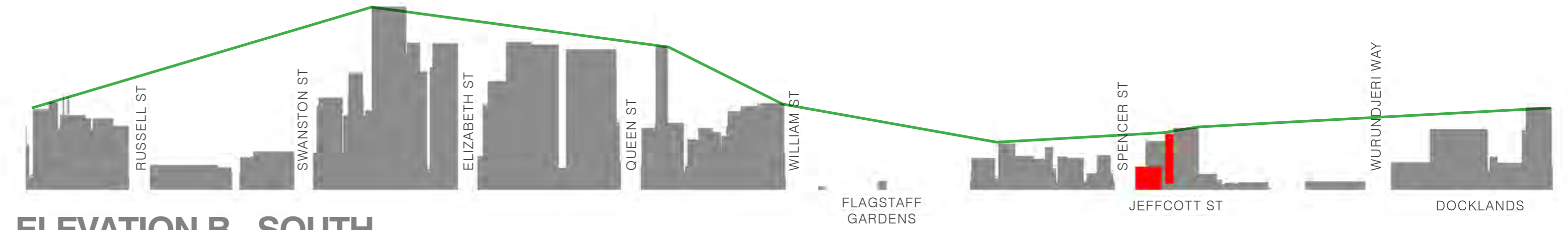
102-108 Jeffcott Street, 355-369 & 371-383 Spencer Street, West Melbourne



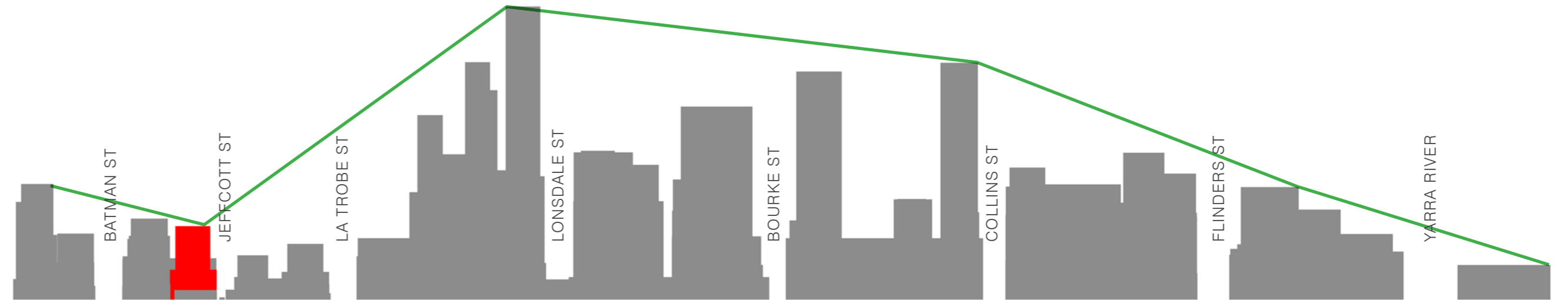
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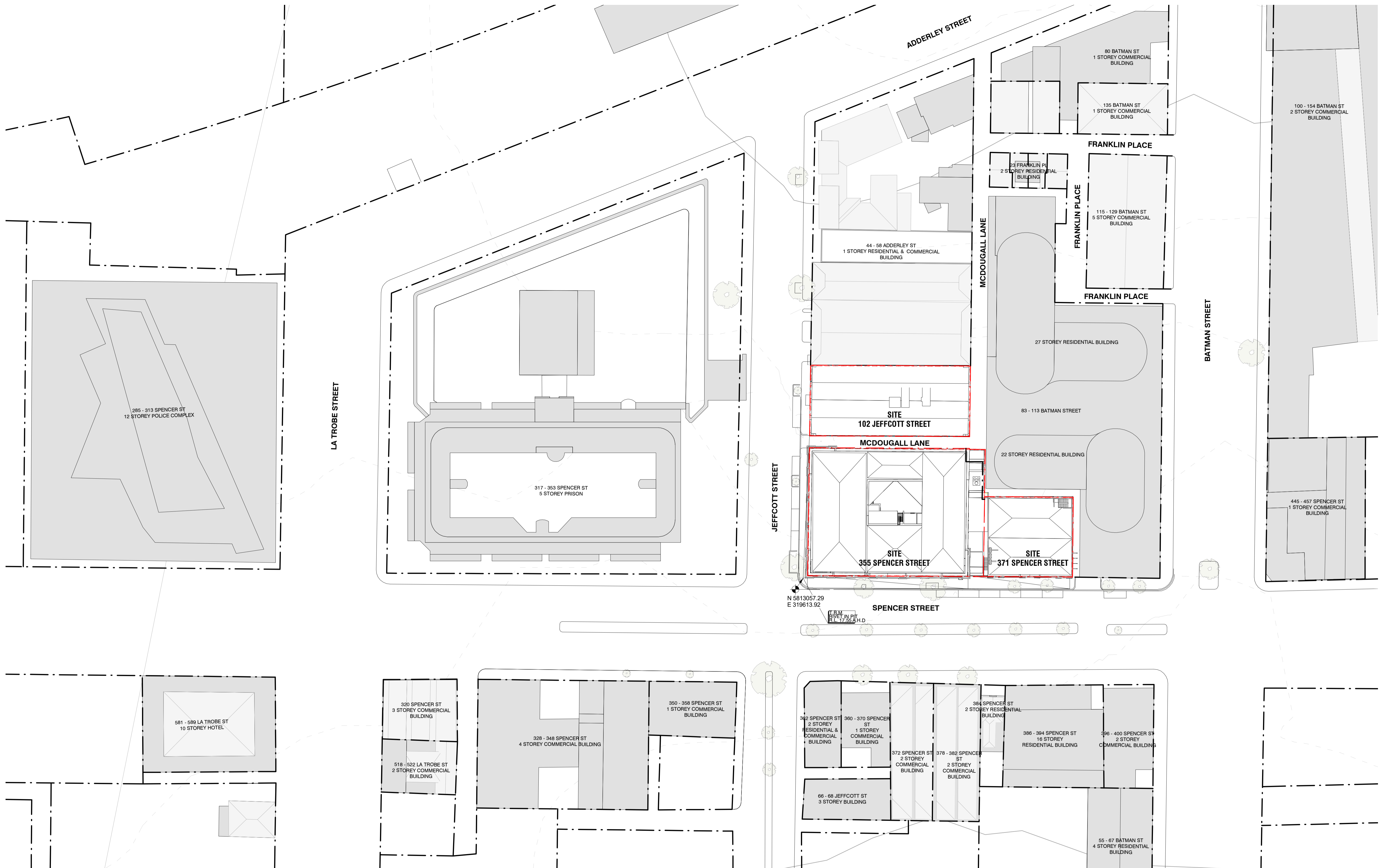
ELEVATION A - NORTH



ELEVATION B - SOUTH



ELEVATION C - EAST



1 TOWN PLANNING - SITE CONDITIONS - EXISTING
1 : 500

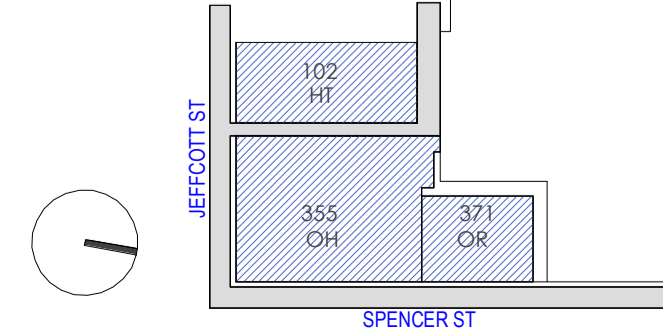
183 WESTON STREET
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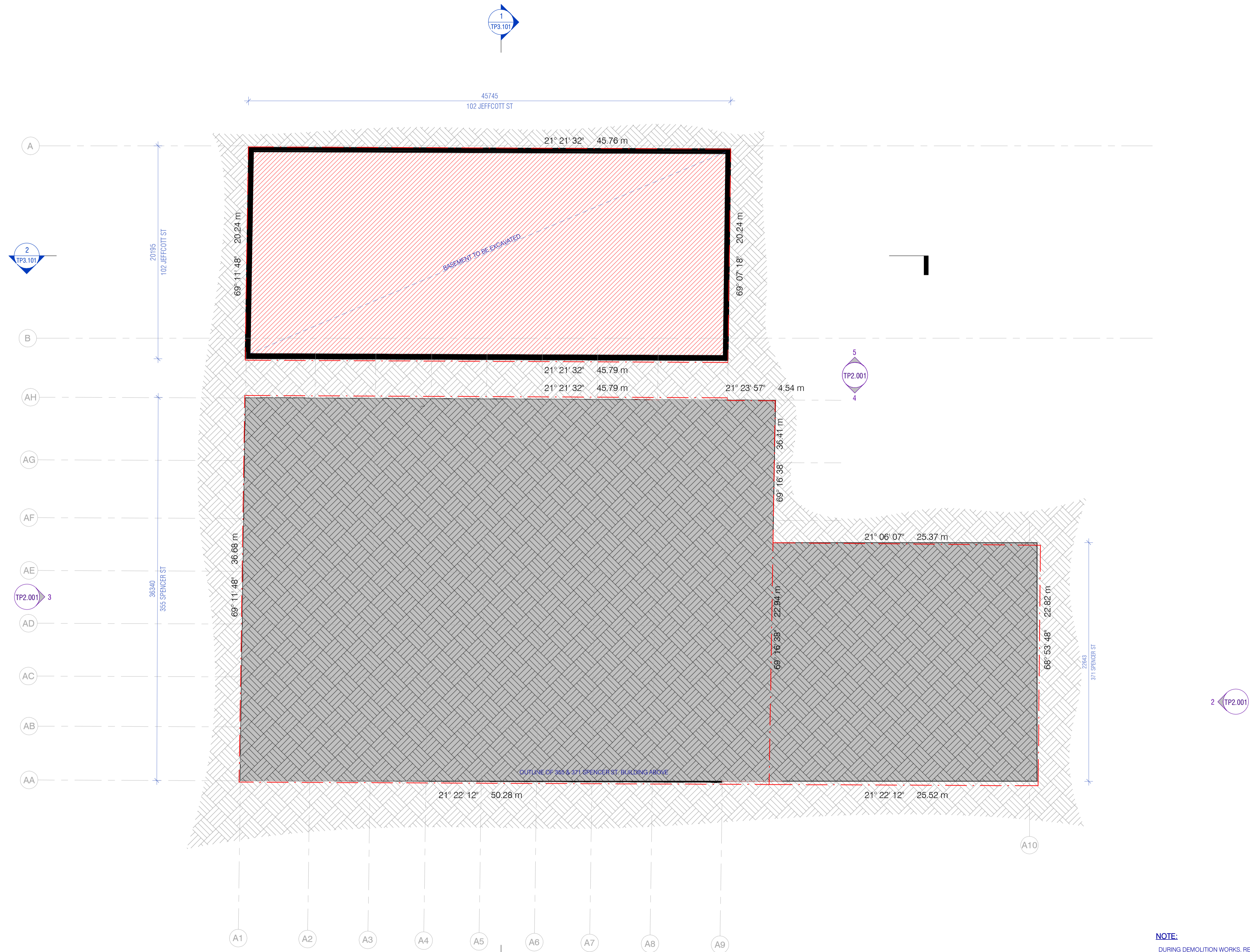


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CLIENT	DRAWING DATE	CHECK	DRAWN
355 SPENCER STREET PTY LTD.	12/03/18	DM	AG



DRAWING TITLE	REVISION	BUILDING / ATTRIBUTE
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PROJECT NAME	DRAWING NO.	
SANDS & MCDUGALL HOTEL DEVELOPMENT	TP0.101	

TOWN PLANNING

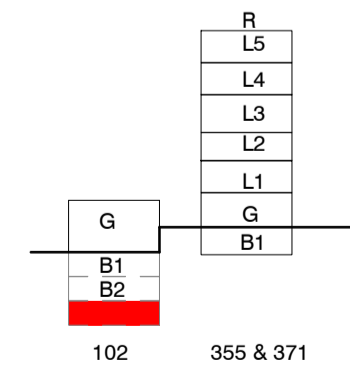


1 EXISTING & DEMOLITION PLAN - BASEMENT 02-03
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NOTE:
DURING DEMOLITION WORKS, REMAINING ORIGINAL BRICK WALL (470mm THICK) & ORIGINAL STRUCTURES TO BE PROTECTED

LEGEND:
[Red hatched box] DENOTES DEMOLISHED EXISTING BUILDING PARTS

TOWN PLANNING



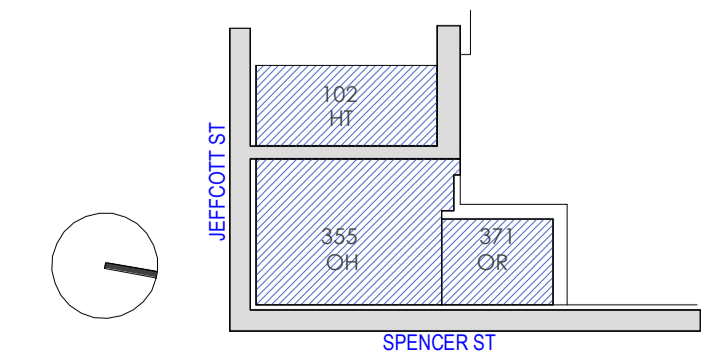
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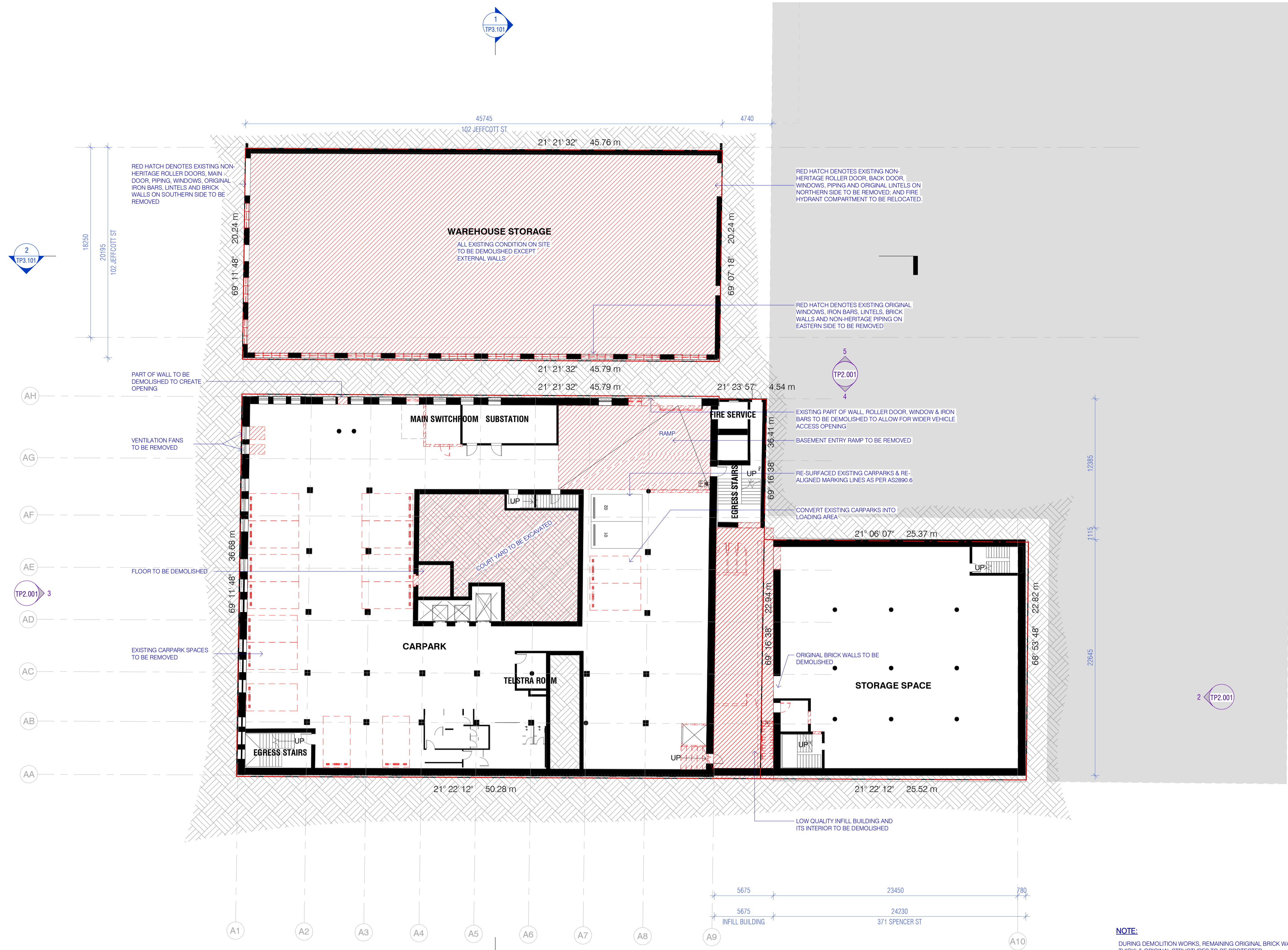


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BASEMENT 02-03

PROJECT NAME
SANDS & MCDUGALL
HOTEL DEVELOPMENT

REVISION BUILDING / ATTRIBUTE
1

DRAWING NO.
TP1.001

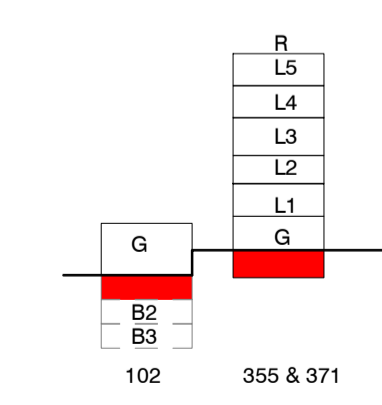


1 EXISTING & DEMOLITION PLAN - BASEMENT 01
1 : 200

NOTE:
DURING DEMOLITION WORKS, REMAINING ORIGINAL BRICK WALL (470mm THICK) & ORIGINAL STRUCTURES TO BE PROTECTED

LEGEND:
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TOWN PLANNING



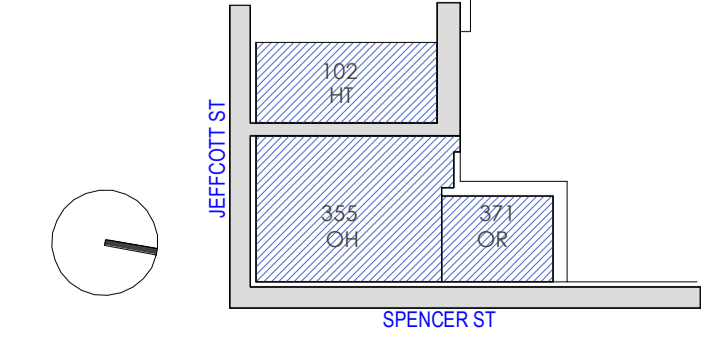
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REV.	DESCRIPTION	DATE
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CLIENT 355 SPENCER STREET PTY LTD.	DRAWING DATE 10/25/18	CHECK DM	DRAWN AG



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EXISTING & DEMOLITION PLAN -
BASEMENT 01

PROJECT NAME
SANDS & MCDUGALL
HOTEL DEVELOPMENT

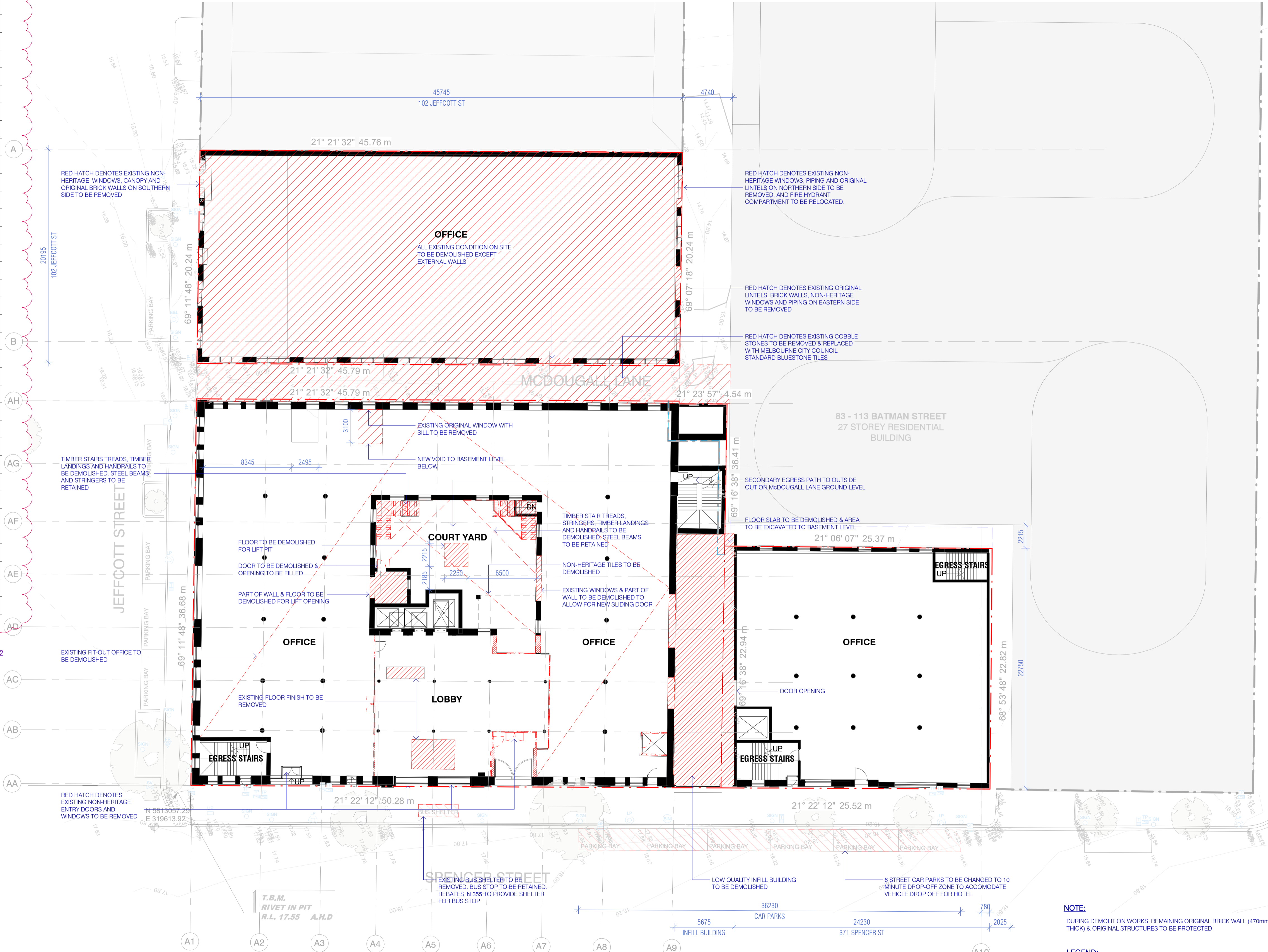
REVISION
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BUILDING / ATTRIBUTE

DRAWING NO.
TP1.002

LEGEND:

INSTRUMENT STATION	△	
EXISTING SURFACE	x	
FLOOR LEVEL	FFL x	
CHANGE OF GRADE	x	
TREE > 2M		
DRAIN - CON/EARTH	x	
GRATED PIT	GP	
JUNCTION PIT LID	J.P. +	
CENTRE OF BITUMEN	x	
EDGE OF BITUMEN	x	
EDGE OF FORMATION	x	
INVERT OF KERB/CHANNEL		
BACK OF KERB/CHANNEL		
ROAD MARKS		
LANE LINES(SOLID)	x	
EDGE OF CONCRETE		
EDGE OF PAVING		
SIGN	SGN	
RUBBISH BIN	BN	
TICKET MACHINE	TM	
BUILDING		
DOORWAY		
STAIRS / STEPS	x	
LIGHT POLE	LP	
ELECTRICITY POLE WITH LIGHT	EAL	
TELECOM PIT	TP	
TELECOM PIT	TP	
GAS VALVE	GV	
SEWERAGE PIT	SP	
STOP VALVE	SV	
FIRE HYDRANT	FR	
UNCLASSIFIED PIT	UP	
UNCLASSIFIED UTILITY	UP	
EDGE OF CONSTRUCTION SITE		
BUS/TRAM SHELTER	x	
FENCE		
TITLE		
EASEMENT		



1 EXISTING & DEMOLITION PLAN - GROUND
1 : 200

NOTE:
DURING DEMOLITION WORKS, REMAINING ORIGINAL BRICK WALL (470mm THICK) & ORIGINAL STRUCTURES TO BE PROTECTED

LEGEND:
 DENOTES DEMOLISHED EXISTING BUILDING PARTS

TOWN PLANNING

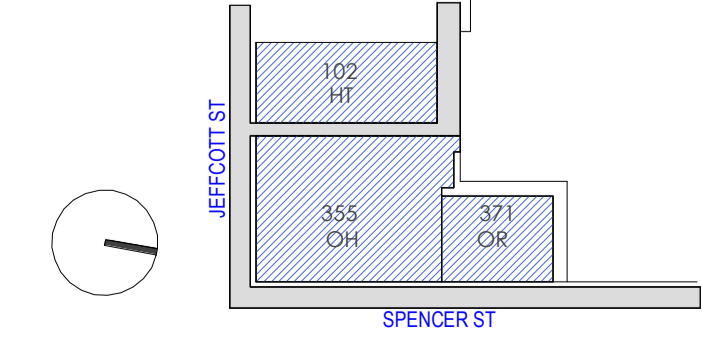
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2	RE-ISSUED FOR TOWN PLANNING	29/03/19



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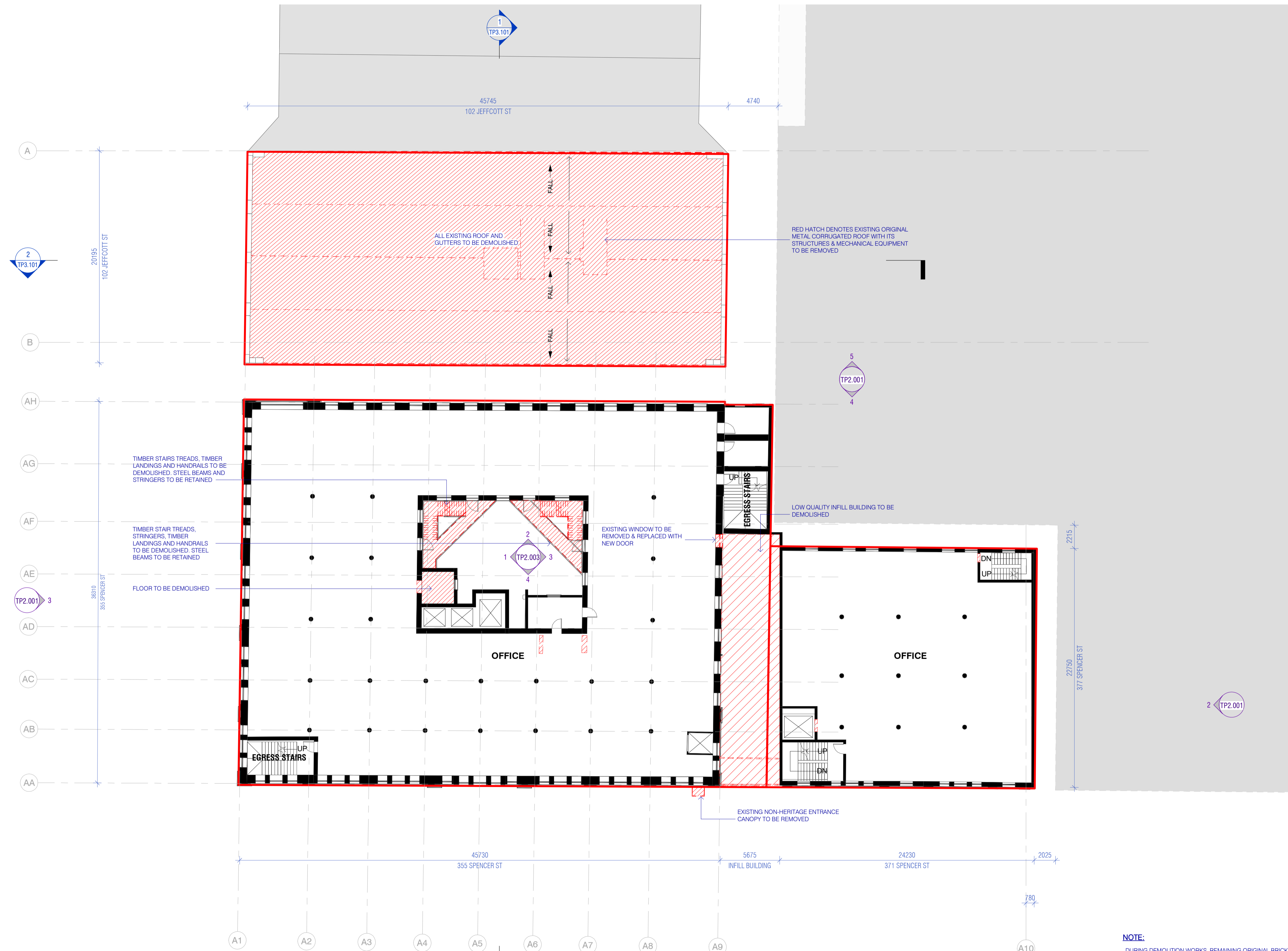
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GROUND

PROJECT NAME
SANDS & MCDUGALL
HOTEL DEVELOPMENT

REVISION
2

BUILDING / ATTRIBUTE

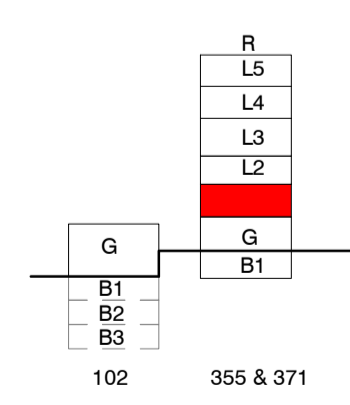
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1 EXISTING & DEMOLITION PLAN - LEVEL 01
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NOTE:
DURING DEMOLITION WORKS, REMAINING ORIGINAL BRICK WALL (470mm THICK) & ORIGINAL STRUCTURES TO BE PROTECTED

LEGEND:
[Red Hatched Box] DENOTES DEMOLISHED EXISTING BUILDING PARTS



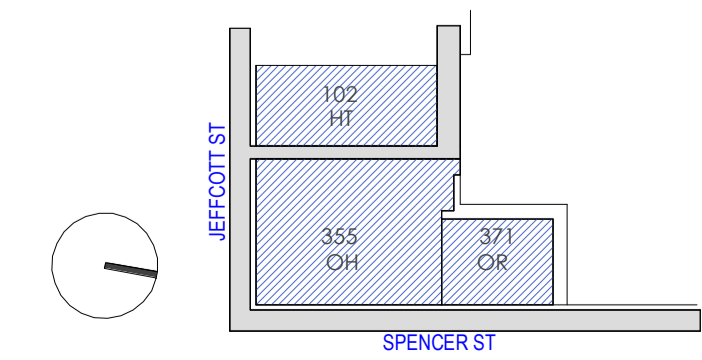
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REV.	DESCRIPTION	DATE
1	ISSUED FOR TOWN PLANNING	17/12/18



PROJECT LOCATION
355 SPENCER STREET,
WEST MELBOURNE

CLIENT
355 SPENCER STREET
PTY LTD.

DRAWING SCALE
As indicated

DRAWING DATE
10/25/18

SHEET SIZE
A1

PROJECT NO
197

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DM

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LEVEL 01

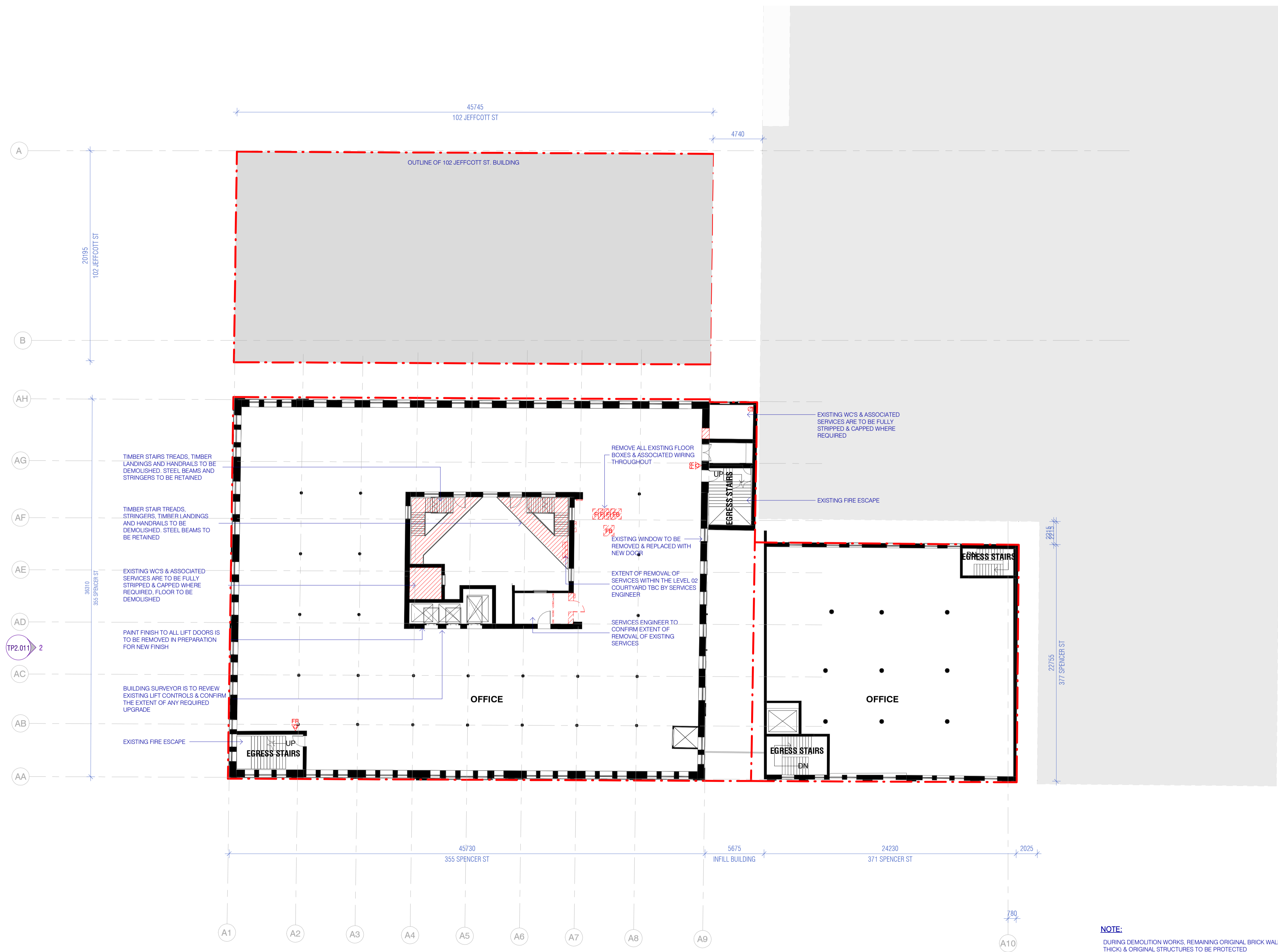
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SANDS & MCDUGALL
HOTEL DEVELOPMENT

REVISION
BUILDING / ATTRIBUTE

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DRAWING NO.
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TOWN PLANNING

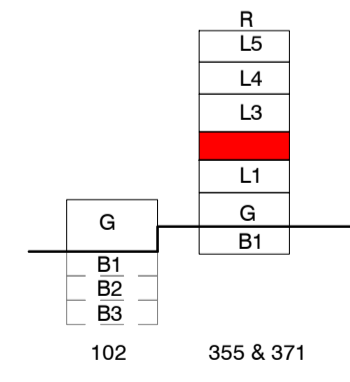


1 EXISTING & DEMOLITION PLAN - LEVEL 02
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NOTE:
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TOWN PLANNING



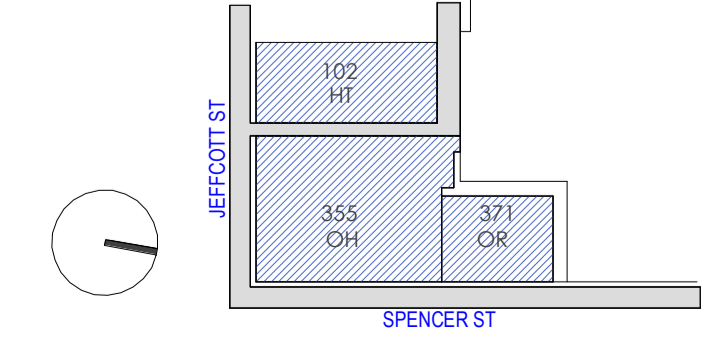
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REV.	DESCRIPTION	DATE
1	ISSUED FOR TOWN PLANNING	17/12/18



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CLIENT 355 SPENCER STREET PTY LTD.	DRAWING DATE 10/25/18	CHECK DM	DRAWN AG

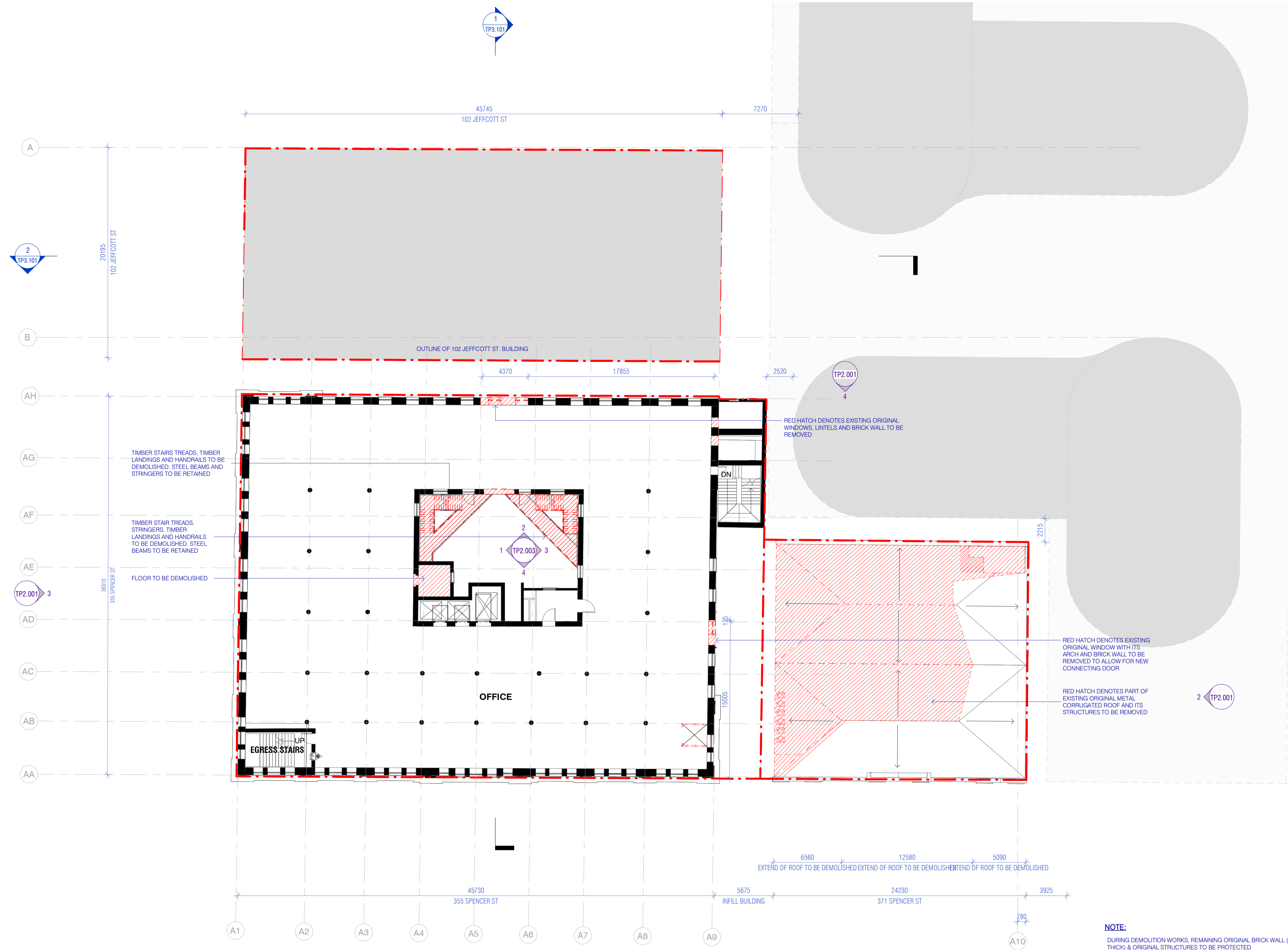


DRAWING TITLE
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LEVEL 02

PROJECT NAME
SANDS & MCDUGALL
HOTEL DEVELOPMENT

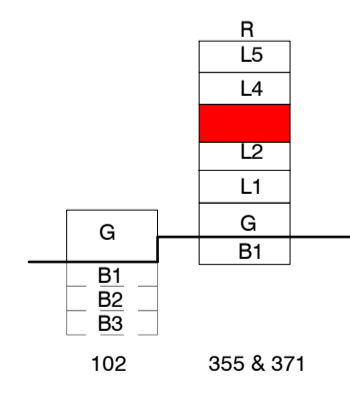
REVISION BUILDING / ATTRIBUTE
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DRAWING NO.
TP1.005



1 EXISTING & DEMOLITION PLAN - LEVEL 03

1 : 200



NOTE:
DURING DEMOLITION WORKS, REMAINING ORIGINAL BRICK WALL (470mm THICK) & ORIGINAL STRUCTURES TO BE PROTECTED

LEGEND:
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TOWN PLANNING

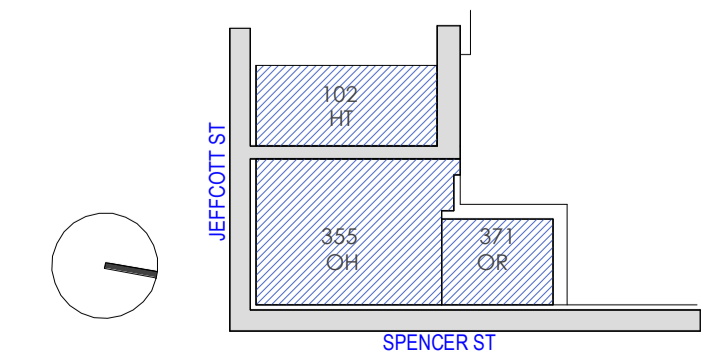
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REV.	DESCRIPTION	DATE
1	ISSUED FOR TOWN PLANNING	17/12/18



PROJECT LOCATION
355 SPENCER STREET,
WEST MELBOURNE

CLIENT
355 SPENCER STREET
PTY LTD.

DRAWING SCALE
As indicated

DRAWING DATE
10/25/18

SHEET SIZE
A1

CHECK
DM

PROJECT NO
197

DRAWN
AG



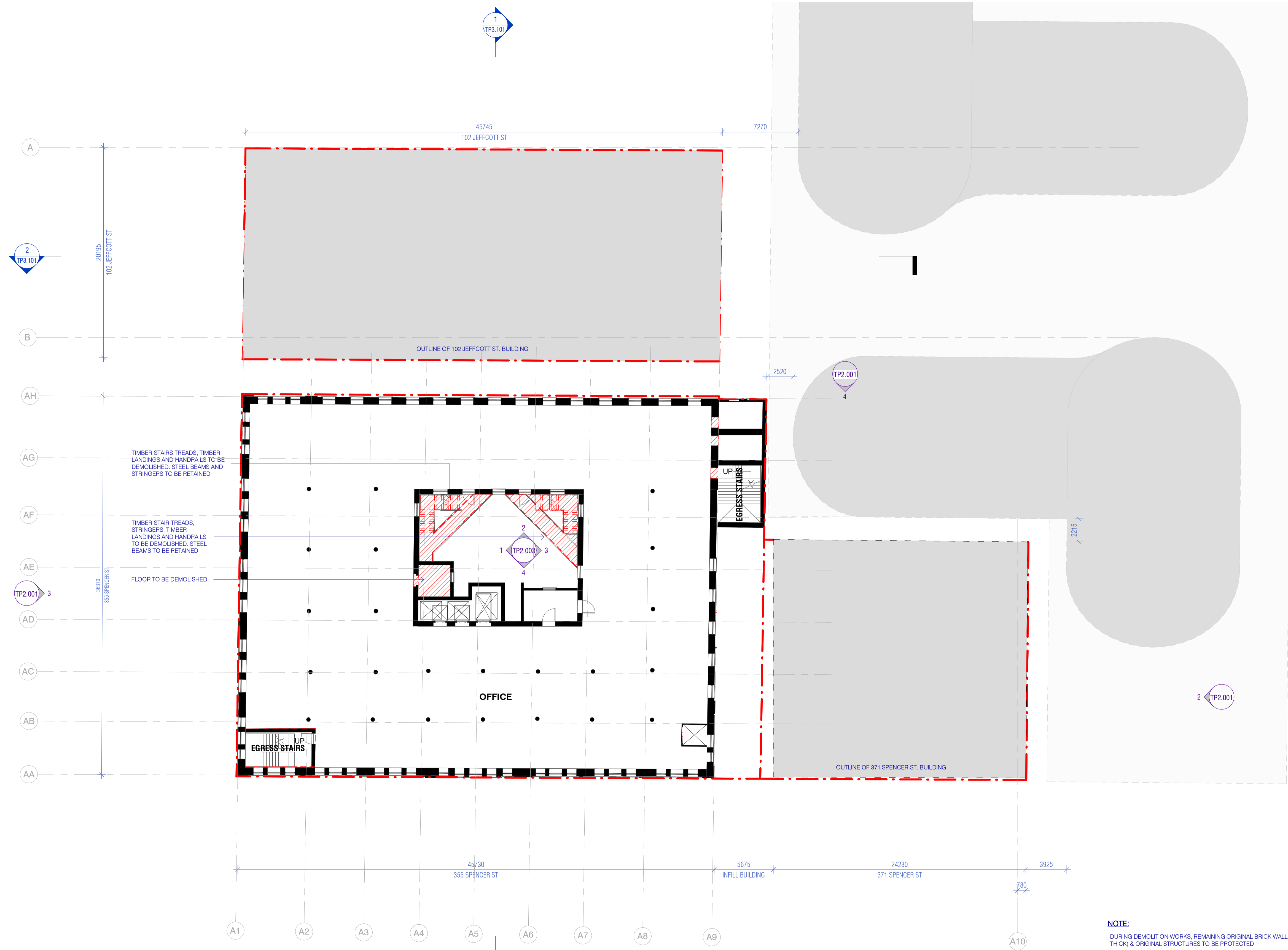
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LEVEL 03

PROJECT NAME
SANDS & MCDUGALL
HOTEL DEVELOPMENT

REVISION
1

BUILDING / ATTRIBUTE

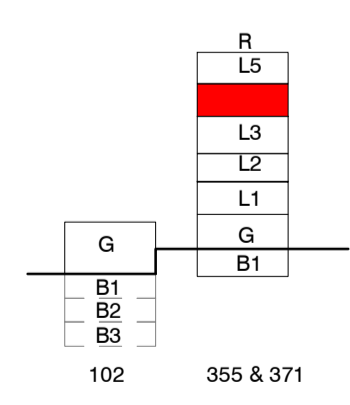
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TP1.006



1 EXISTING & DEMOLITION PLAN - LEVEL 04
1 : 200

NOTE:
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LEGEND:
 DENOTES DEMOLISHED EXISTING BUILDING PARTS



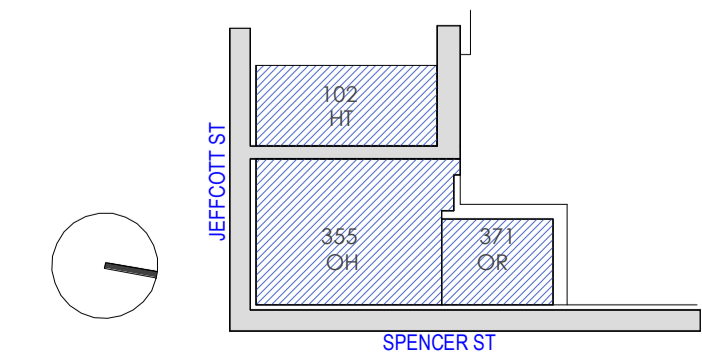
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REV.	DESCRIPTION	DATE
1	ISSUED FOR TOWN PLANNING	17/12/18



PROJECT LOCATION
355 SPENCER STREET,
WEST MELBOURNE

CLIENT
355 SPENCER STREET
PTY LTD.

DRAWING SCALE
As indicated

DRAWING DATE
10/25/18

SHEET SIZE
A1

CHECK
DM

PROJECT NO
197

DRAWN
AG



DRAWING TITLE
EXISTING & DEMOLITION PLAN -
LEVEL 04

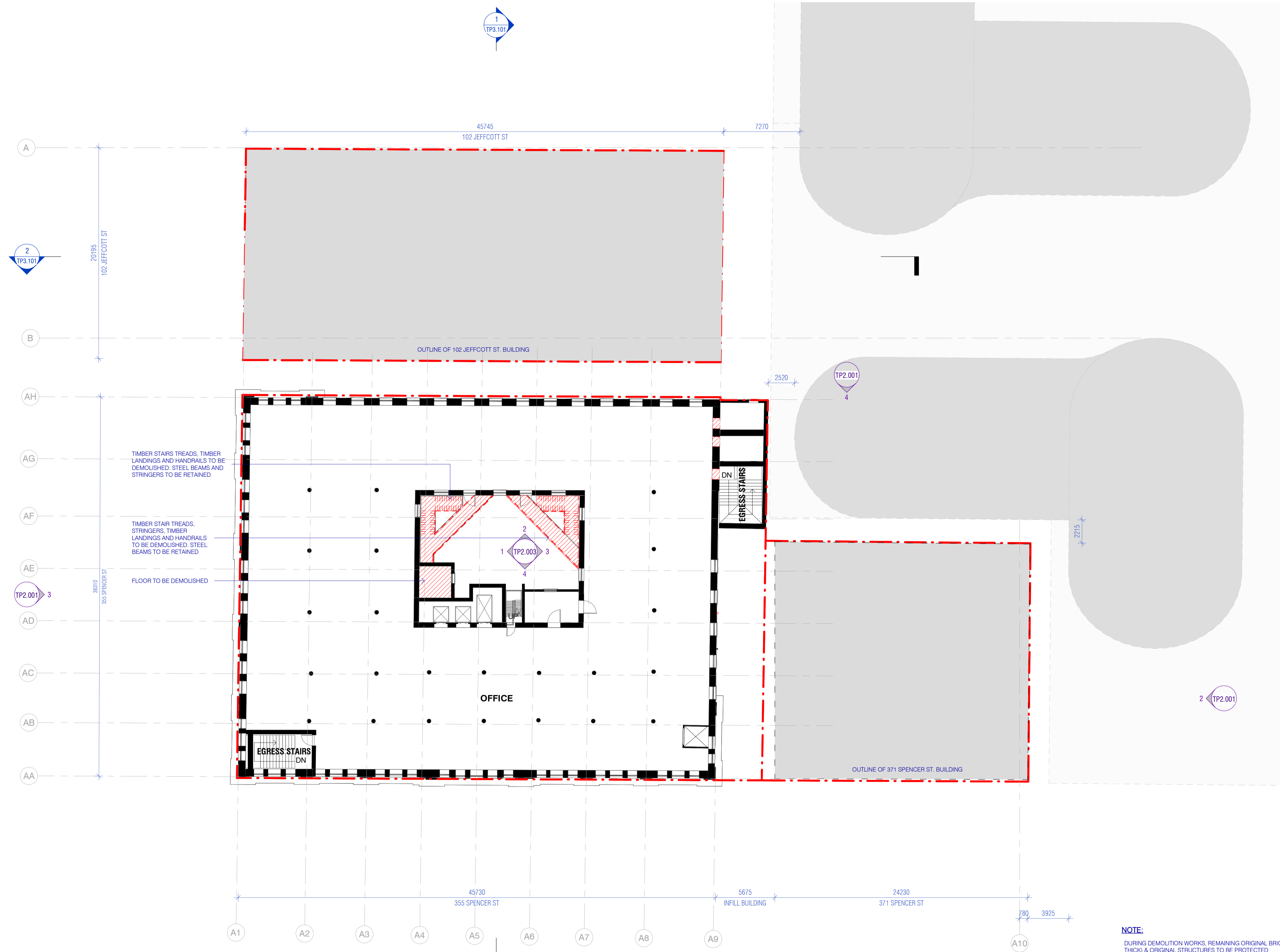
PROJECT NAME
SANDS & MCDUGALL
HOTEL DEVELOPMENT

REVISION
1

BUILDING / ATTRIBUTE

DRAWING NO.
TP1.007

TOWN PLANNING

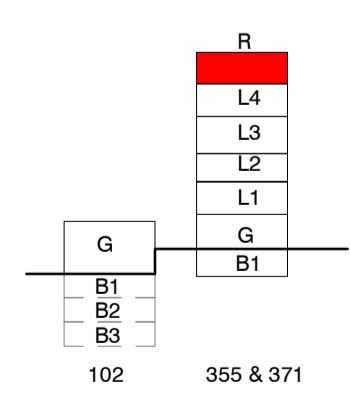


1 EXISTING & DEMOLITION PLAN - LEVEL 05
1 : 200

NOTE:
DURING DEMOLITION WORKS, REMAINING ORIGINAL BRICK WALL (470mm THICK) & ORIGINAL STRUCTURES TO BE PROTECTED

LEGEND:
[Hatched Box] DENOTES DEMOLISHED EXISTING BUILDING PARTS

TOWN PLANNING

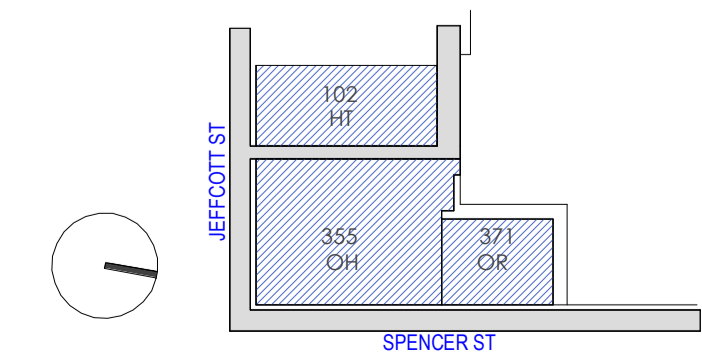


183 WESTON STREET
BRUNSWICK EAST, VIC 3067
LEVEL 2, 2 DREVERY PLACE
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REV.	DESCRIPTION	DATE
1	ISSUED FOR TOWN PLANNING	17/12/18

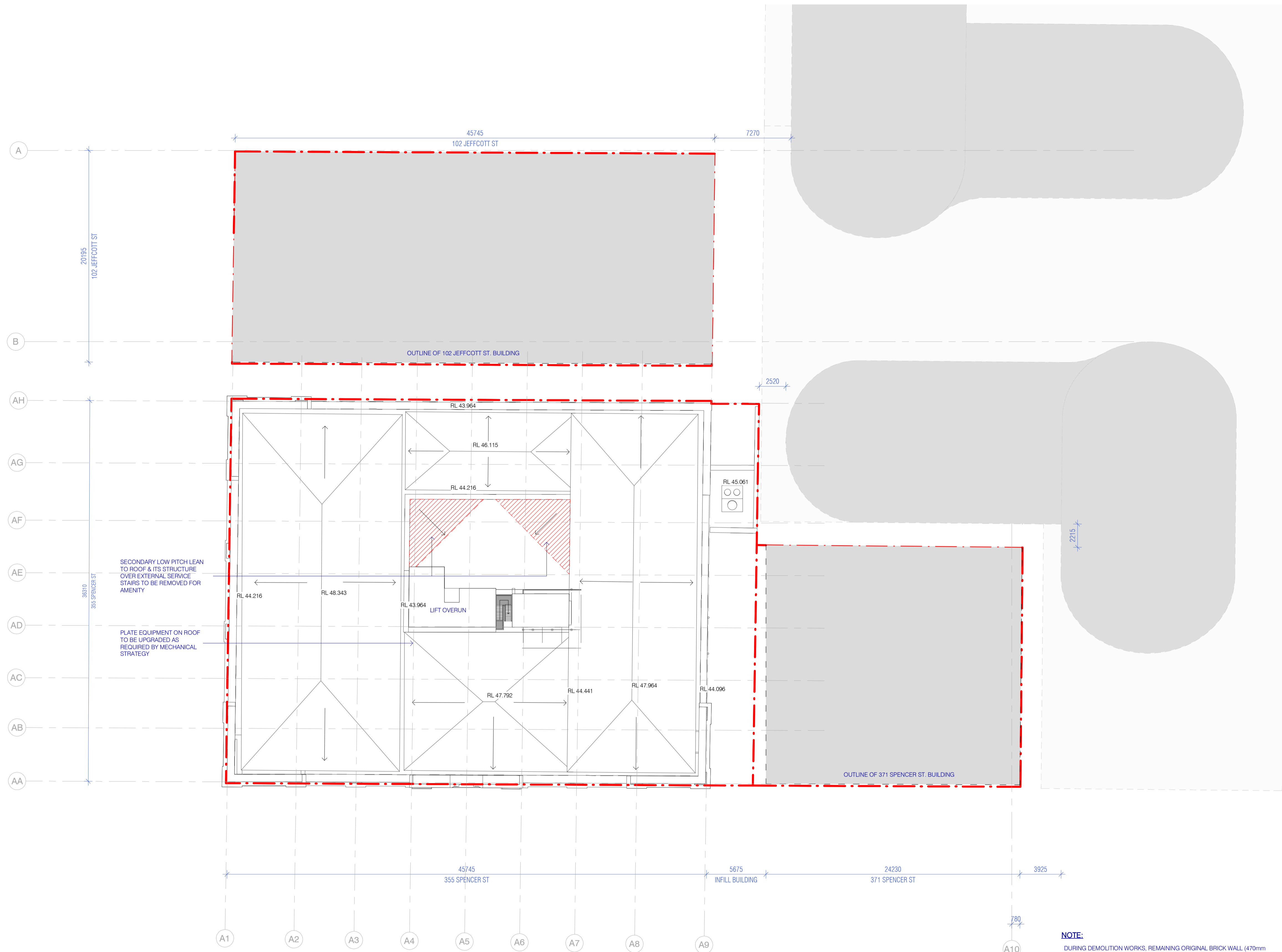


PROJECT LOCATION 355 SPENCER STREET, WEST MELBOURNE	DRAWING SCALE As indicated	SHEET SIZE A1	PROJECT NO 197
CLIENT 355 SPENCER STREET PTY LTD.	DRAWING DATE 10/25/18	CHECK DM	DRAWN AG



DRAWING TITLE
EXISTING & DEMOLITION PLAN -
LEVEL 05
PROJECT NAME
SANDS & MCDUGALL
HOTEL DEVELOPMENT

REVISION BUILDING / ATTRIBUTE
1
DRAWING NO.
TP1.008

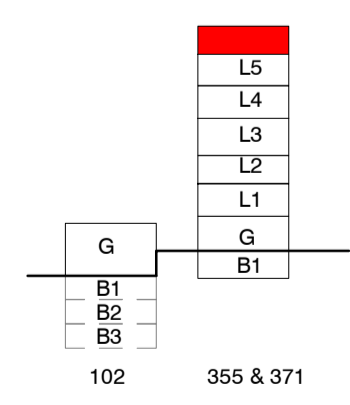


1 EXISTING & DEMOLITION PLAN - ROOF

1 : 200

NOTE:
DURING DEMOLITION WORKS, REMAINING ORIGINAL BRICK WALL (470mm THICK) & ORIGINAL STRUCTURES TO BE PROTECTED

LEGEND:
[Red hatched box] DENOTES DEMOLISHED EXISTING BUILDING PARTS



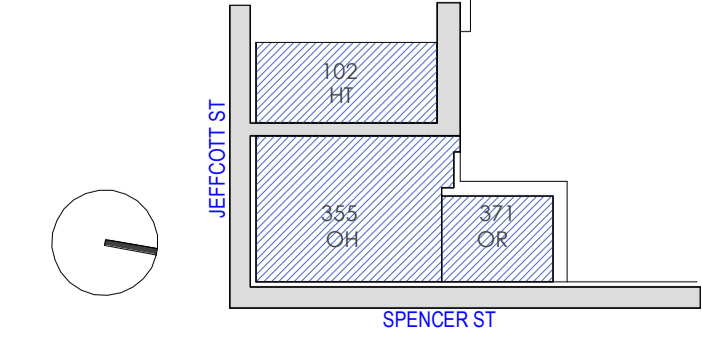
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REV.	DESCRIPTION	DATE
1	ISSUED FOR TOWN PLANNING	17/12/18



PROJECT LOCATION
355 SPENCER STREET,
WEST MELBOURNE

CLIENT
355 SPENCER STREET
PTY LTD.

DRAWING SCALE
As indicated

DRAWING DATE
10/25/18

SHEET SIZE
A1

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DM

PROJECT NO
197

DRAWN
AG



DRAWING TITLE
EXISTING & DEMOLITION PLAN -
ROOF

PROJECT NAME
SANDS & MCDUGALL
HOTEL DEVELOPMENT

REVISION
BUILDING / ATTRIBUTE

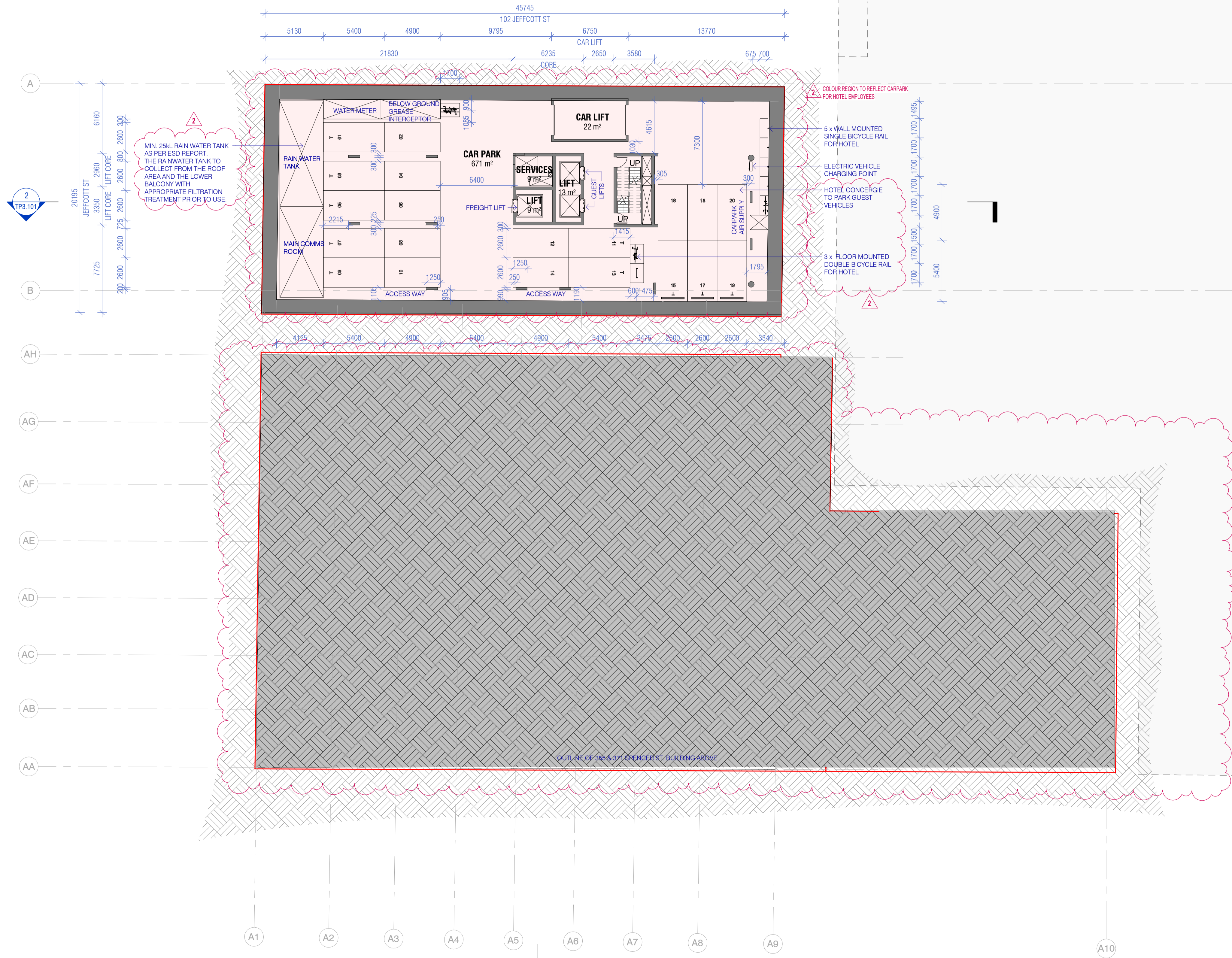
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DRAWING NO.
TP1.009

TOWN PLANNING

BICYCLE PARKING
102 JEFFCOTT ST
11

1
TP3.101



2
MIN. 25KL RAIN WATER TANK AS PER ESD REPORT. THE RAINWATER TANK TO COLLECT FROM THE ROOF AREA AND THE LOWER BALCONY WITH APPROPRIATE FILTRATION TREATMENT PRIOR TO USE

2
COLOUR REGION TO REFLECT CARPARK FOR HOTEL EMPLOYEES

5 x WALL MOUNTED SINGLE BICYCLE RAIL FOR HOTEL

ELECTRIC VEHICLE CHARGING POINT

HOTEL CONCERGE TO PARK GUEST VEHICLES

3 x FLOOR MOUNTED DOUBLE BICYCLE RAIL FOR HOTEL

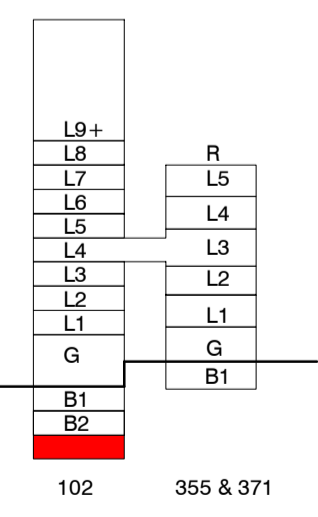
OUTLINE OF 365 & 371 SPENCER ST BUILDING ABOVE

2 HATCH PATTERN UPDATE

ACCESSED AREAS LEGEND:

[Red Box] DENOTES AREA ACCESSED BY HOTEL STAFF

[Green Box] DENOTES AREA ACCESSED BY OFFICE WORKER



1 TOWN PLANNING - BASEMENT 03
1 : 200

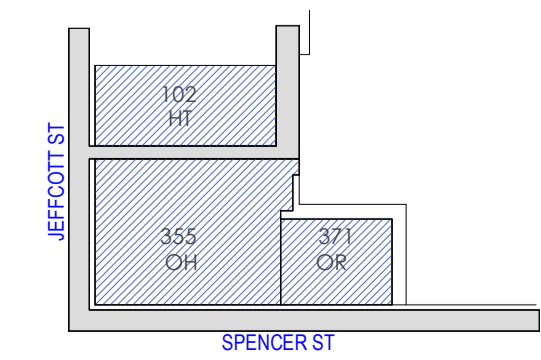
TOWN PLANNING

183 WESTON STREET
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REV.	DESCRIPTION	DATE
1	ISSUED FOR TOWN PLANNING	17/12/18
2	RE-ISSUED FOR TOWN PLANNING	29/03/19



PROJECT LOCATION
**355 SPENCER STREET,
WEST MELBOURNE**

CLIENT
**355 SPENCER STREET
PTY LTD.**

DRAWING SCALE
As indicated

SHEET SIZE
A1

PROJECT NO.
197

DRAWING DATE
12/04/18

CHECK
DM

DRAWN
AG



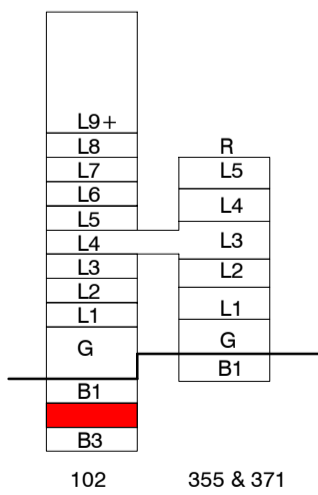
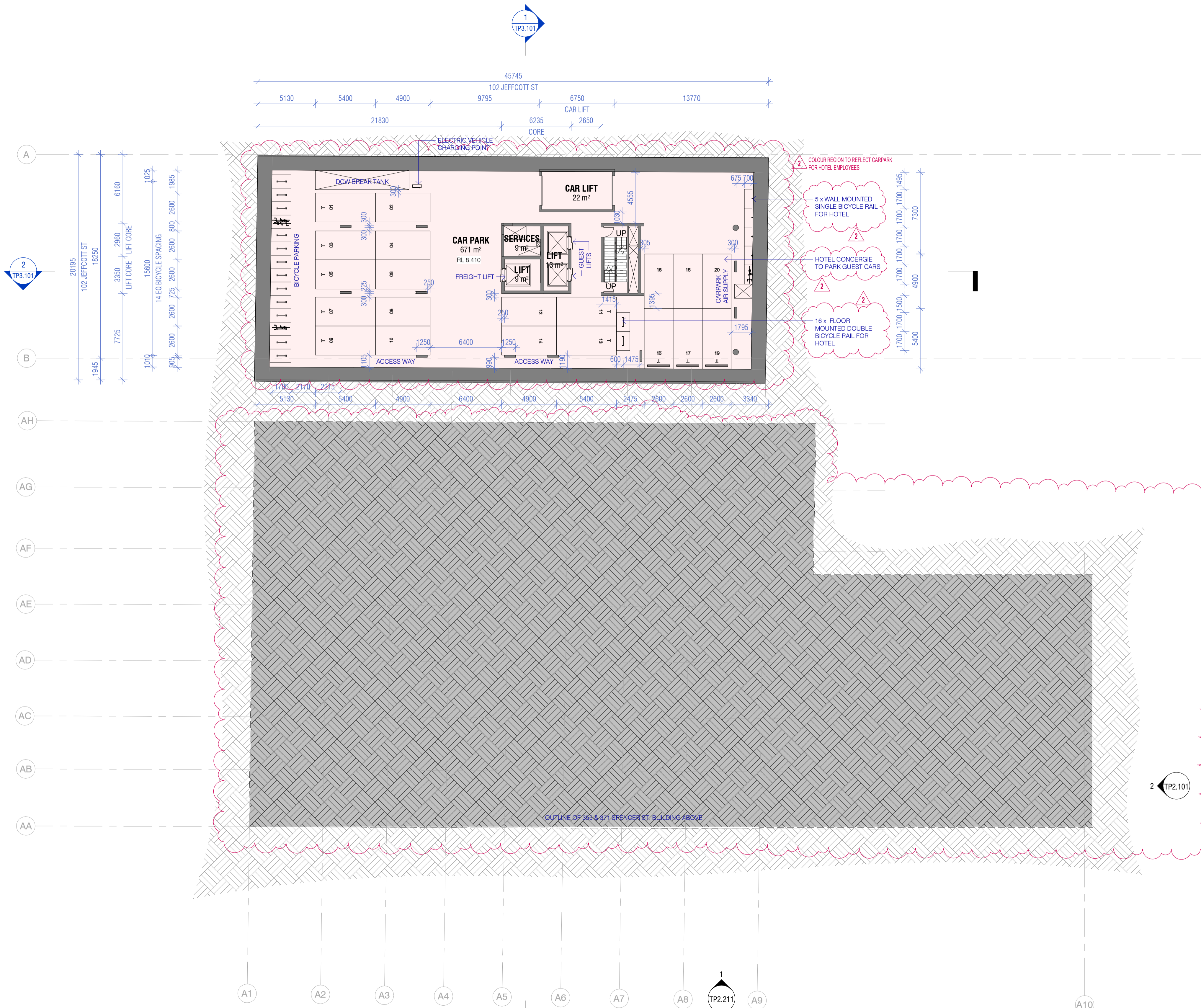
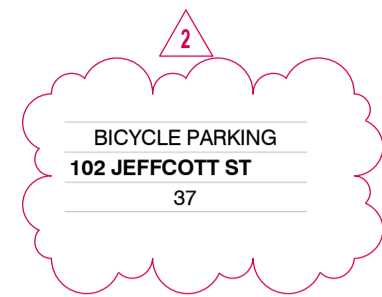
DRAWING TITLE
OVERALL PLAN - BASEMENT 03

REVISION
2

BUILDING / ATTRIBUTE

PROJECT NAME
**SANDS & MCDUGALL
HOTEL DEVELOPMENT**

DRAWING NO.
TP1.101



1 TOWN PLANNING - BASEMENT 02
1 : 200

2 HATCH PATTERN UPDATE

ACCESSED AREAS LEGEND:

- [Pink Hatched Box] DENOTES AREA ACCESSED BY HOTEL STAFF
- [Green Hatched Box] DENOTES AREA ACCESSED BY OFFICE WORKER

TOWN PLANNING

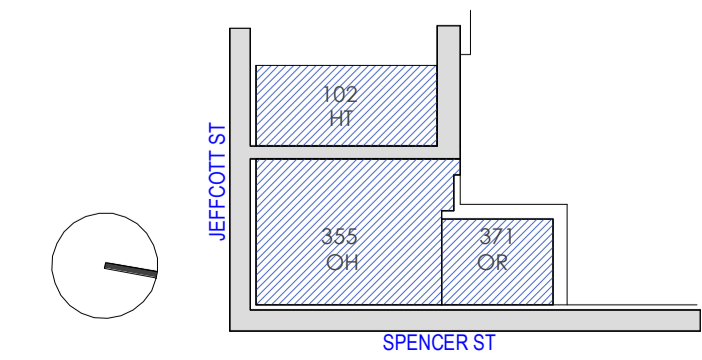
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1	ISSUED FOR TOWN PLANNING	17/12/18
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PROJECT LOCATION
**355 SPENCER STREET,
WEST MELBOURNE**

CLIENT
**355 SPENCER STREET
PTY LTD.**

DRAWING SCALE
As indicated

SHEET SIZE
A1

PROJECT NO
197

DRAWING DATE
11/05/18

CHECK
DM

DRAWN
KS



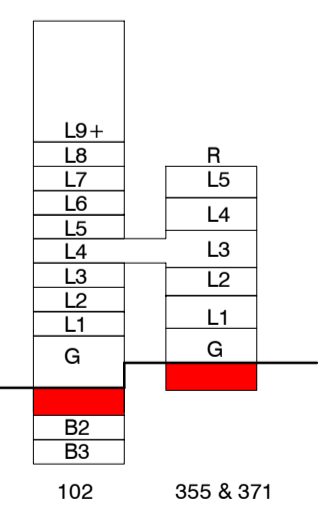
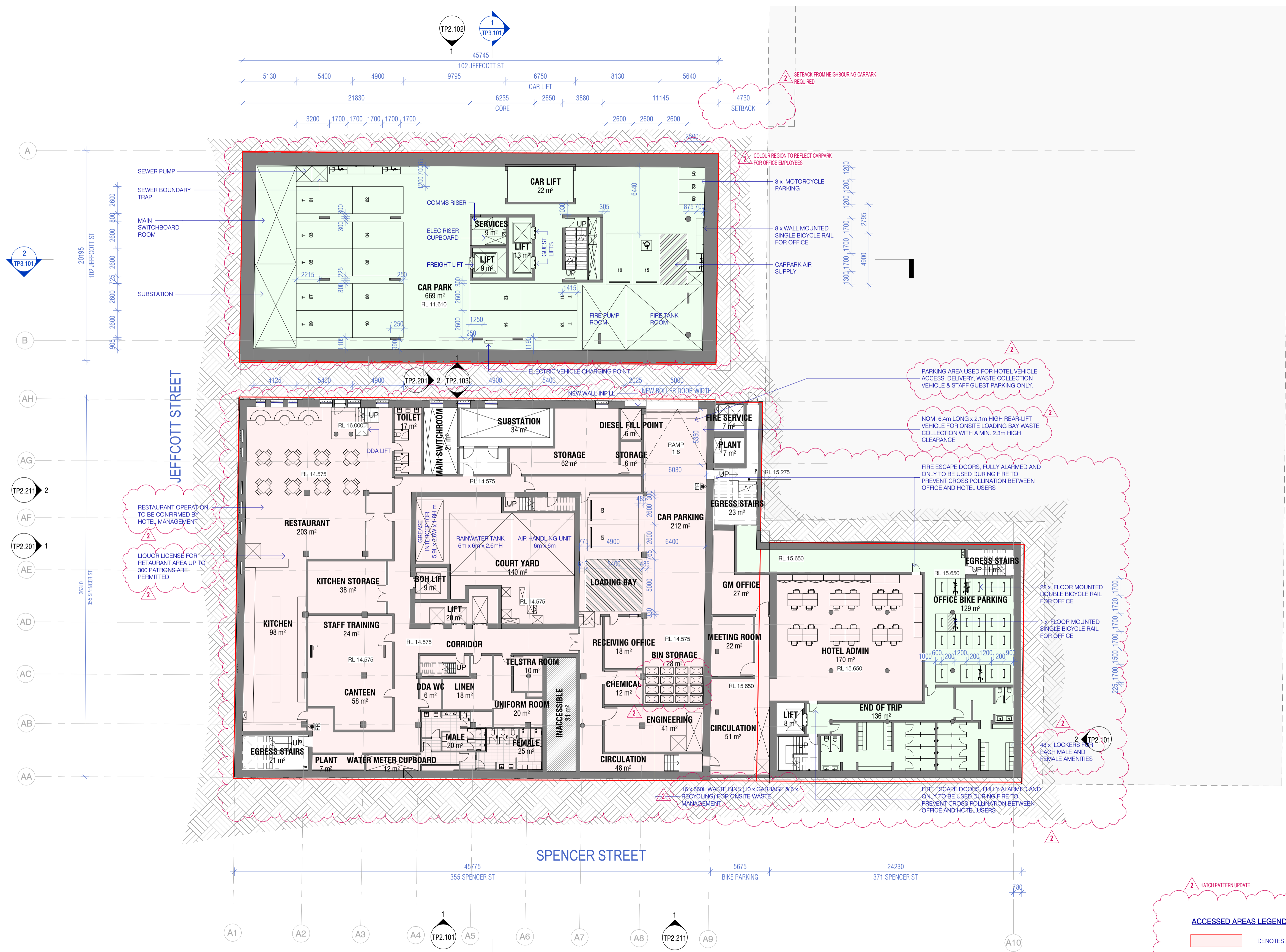
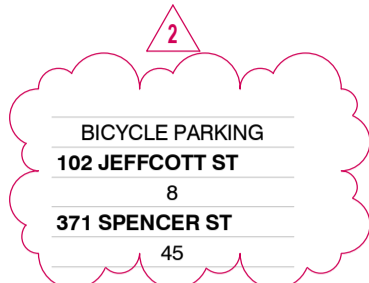
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REVISION
2

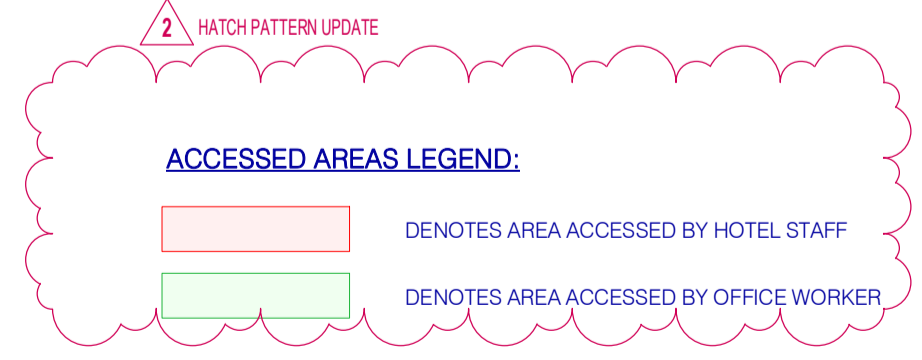
BUILDING / ATTRIBUTE

PROJECT NAME
**SANDS & MCDUGALL
HOTEL DEVELOPMENT**

DRAWING NO.
TP1.102



1 TOWN PLANNING - BASEMENT 01
1 : 200



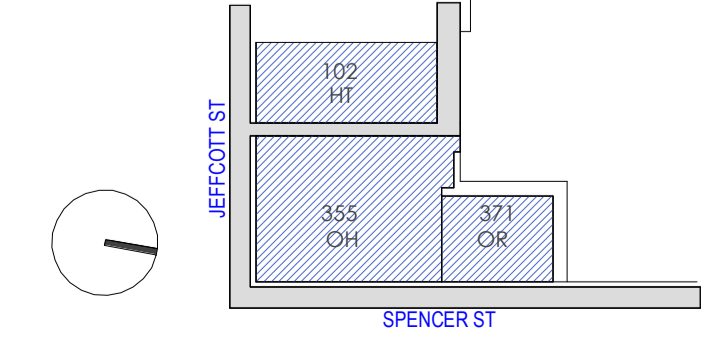
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1	ISSUED FOR TOWN PLANNING	17/12/18
2	RE-ISSUED FOR TOWN PLANNING	29/03/19



PROJECT LOCATION
355 SPENCER STREET,
WEST MELBOURNE

CLIENT
355 SPENCER STREET
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DRAWING SCALE
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SHEET SIZE
A1

PROJECT NO
197

DRAWING DATE
05/29/18

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AG



DRAWING TITLE
OVERALL PLAN - BASEMENT 01

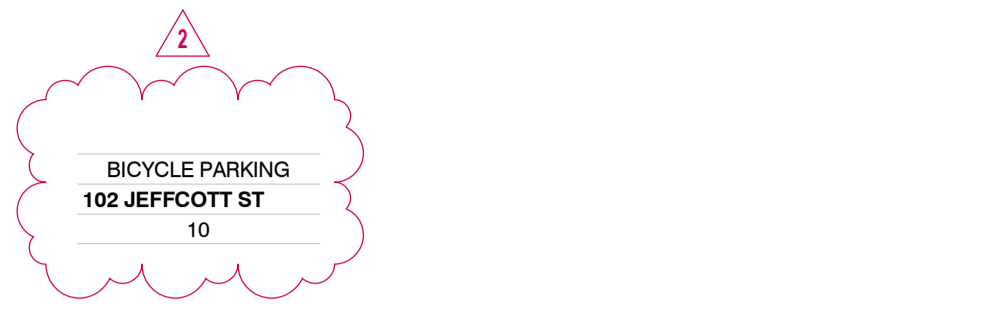
REVISION
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BUILDING / ATTRIBUTE

PROJECT NAME
SANDS & MCDUGALL
HOTEL DEVELOPMENT

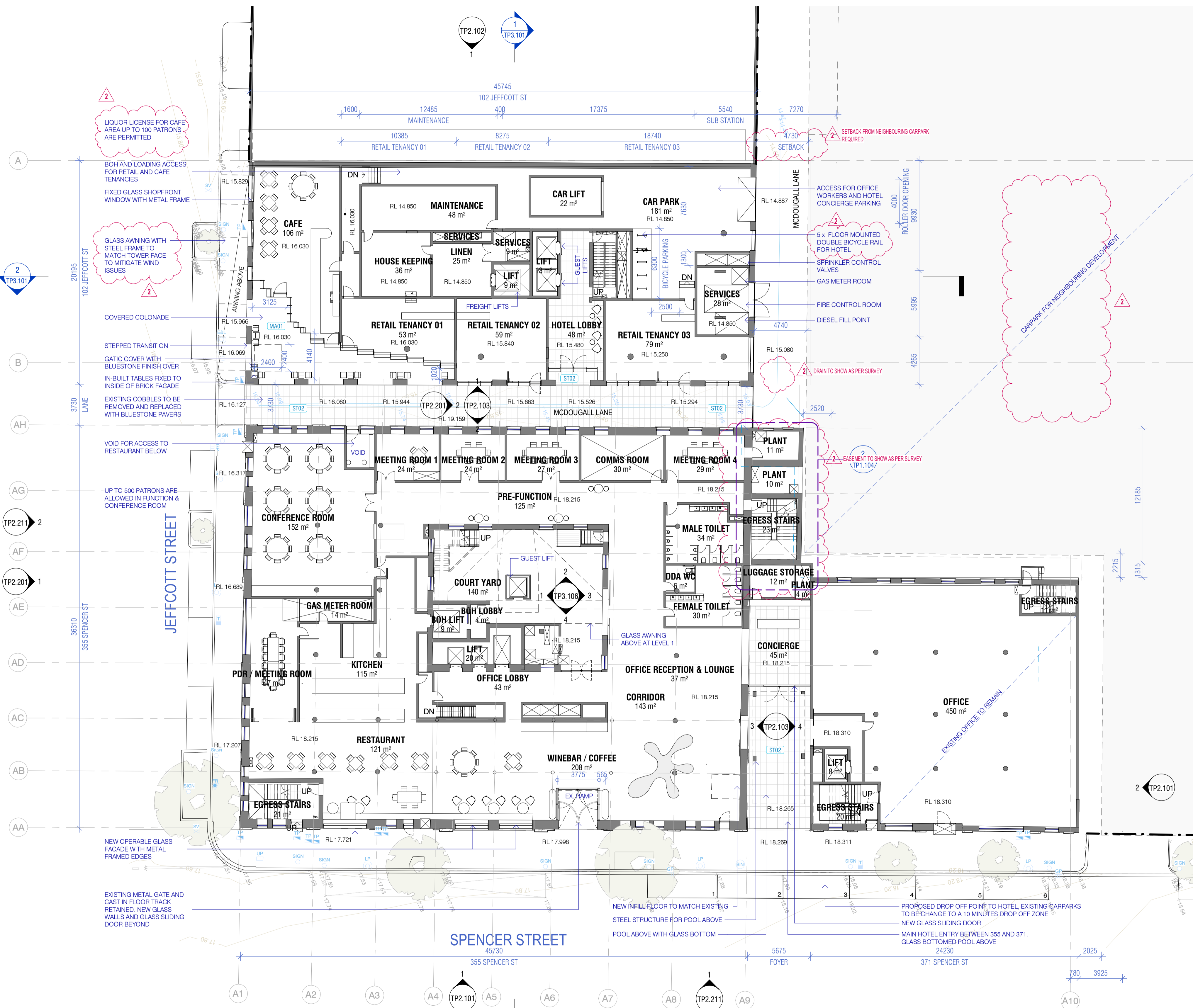
DRAWING NO.
TP1.103

TOWN PLANNING

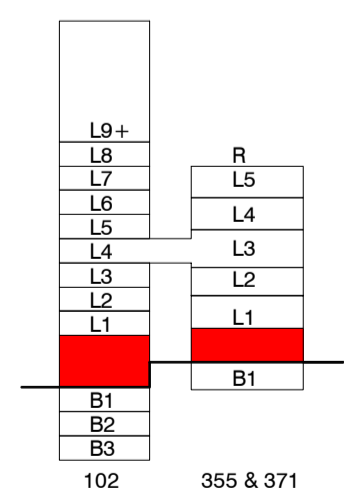
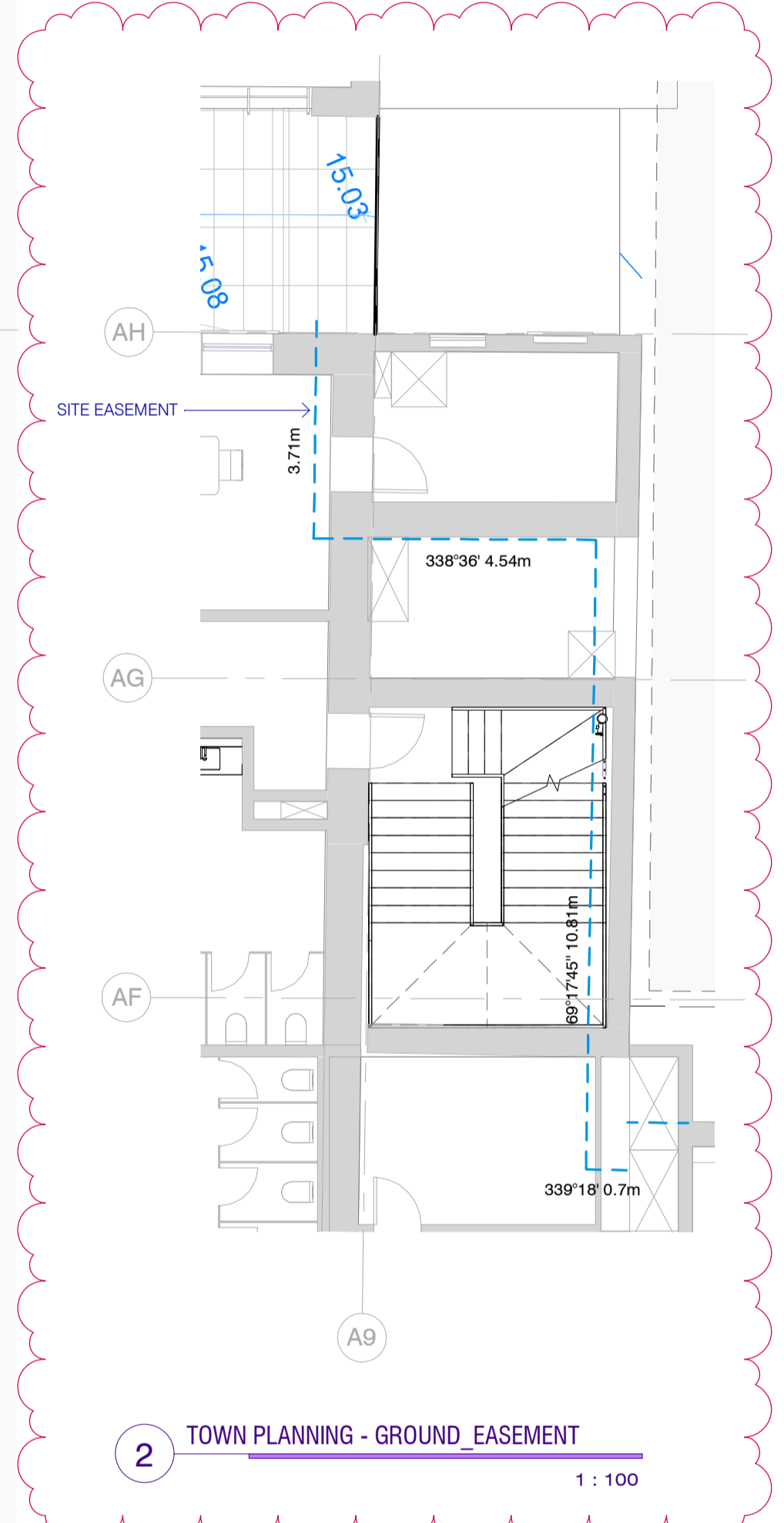


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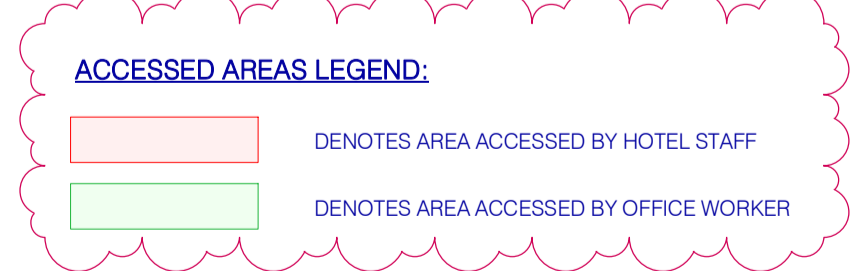
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EXISTING SURFACE	X	
FLOOR LEVEL	FFL X	
CHANGE OF GRADE	X	
TREE > 2M	🌳	
DRAIN - CON/EARTH	X	
GRATED PIT	GP	
JUNCTION PIT LID	J.P. +	
CENTRE OF BITUMEN	X	
EDGE OF BITUMEN	X	
EDGE OF FORMATION	X	
INVERT OF KERB/CHANNEL		
BACK OF KERB/CHANNEL		
ROAD MARKS		
LANE LINES(SOLID)	X	
EDGE OF CONCRETE		
EDGE OF PAVING		
SIGN	SIGN	
RUBBISH BIN	BIN	
TICKET MACHINE	TM	
BUILDING		
DOORWAY		
STAIRS / STEPS	X	
LIGHT POLE		
ELECTRICITY POLE WITH LIGHT		
TELECOM PIT	TP	
TELECOM PIT	TP	
GAS VALVE	GV	
SEWERAGE PIT	SP	
STOP VALVE	SV	
FIRE HYDRANT	FH	
UNCLASSIFIED PIT	UP	
UNCLASSIFIED UTILITY		
EDGE OF CONSTRUCTION SITE		
BUS/TRAM SHELTER	X	
FENCE		
TITLE		
EASEMENT		



LAND SURVEY DETAILS SHOWN & LEGEND ON GROUND FLOOR PLAN



1 TOWN PLANNING - GROUND 1 : 200

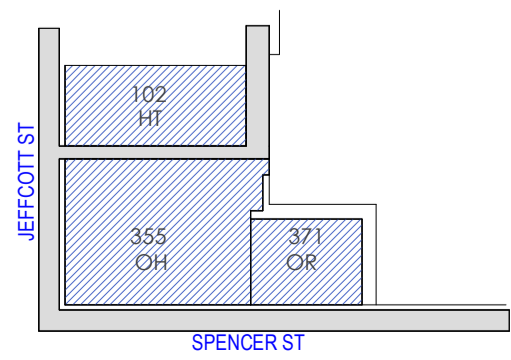


TOWN PLANNING

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MELBOURNE, VIC 3000

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PROJECT LOCATION
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CLIENT
355 SPENCER STREET
PTY LTD.

DRAWING SCALE
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SHEET SIZE
A1

PROJECT NO
197

DRAWING DATE
06/19/18

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DRAWING TITLE
OVERALL PLAN - GROUND

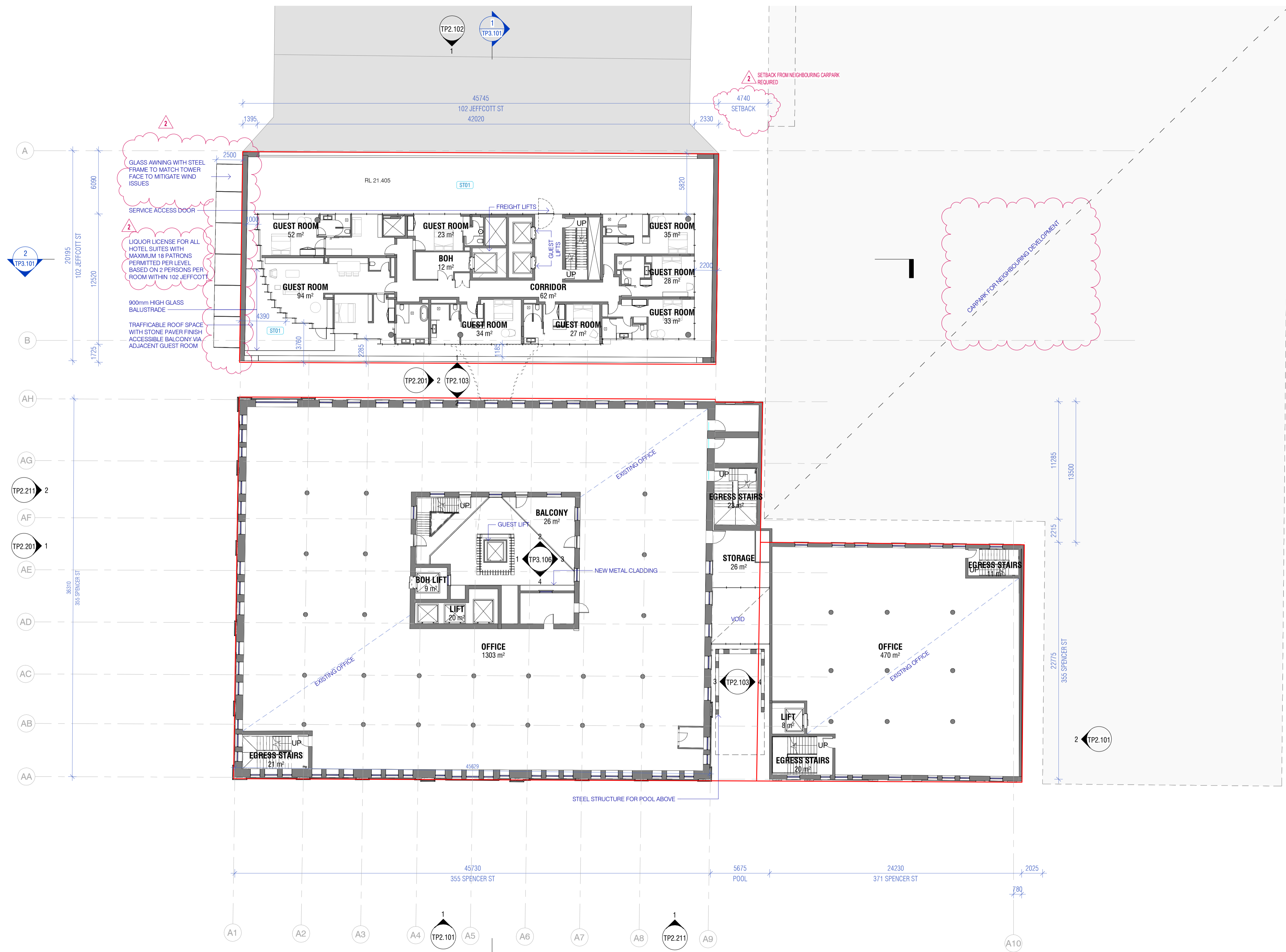
REVISION
2

BUILDING / ATTRIBUTE

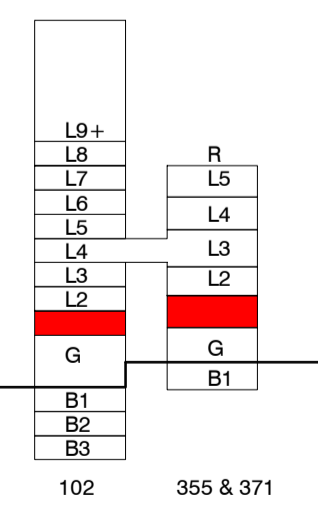
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TP1.104

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1 TOWN PLANNING - LEVEL 01 / 102_LEVEL 01
1 : 200



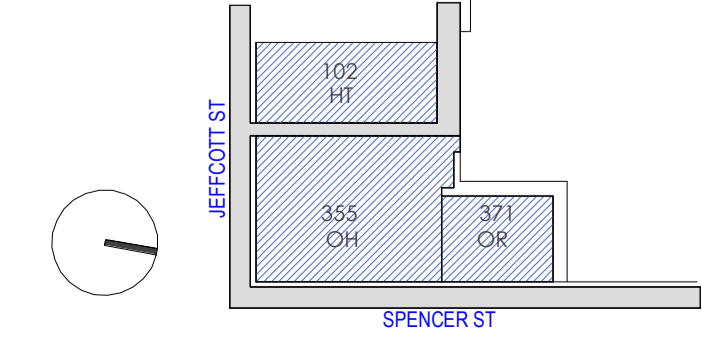
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REV.	DESCRIPTION	DATE
1	ISSUED FOR TOWN PLANNING	17/12/18
2	RE-ISSUED FOR TOWN PLANNING	29/03/19



PROJECT LOCATION
355 SPENCER STREET,
WEST MELBOURNE

CLIENT
355 SPENCER STREET
PTY LTD.

DRAWING SCALE
As indicated

DRAWING DATE
07/02/18

SHEET SIZE
A1

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PROJECT NO
197

DRAWN
TN



DRAWING TITLE
OVERALL PLAN - LEVEL 01 &
102_LEVEL 01

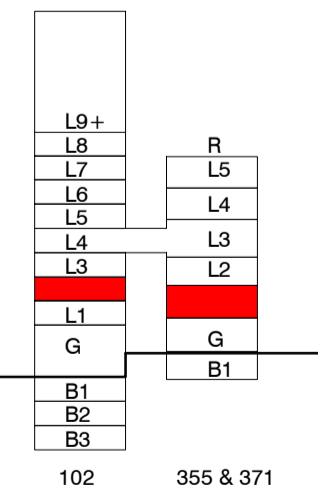
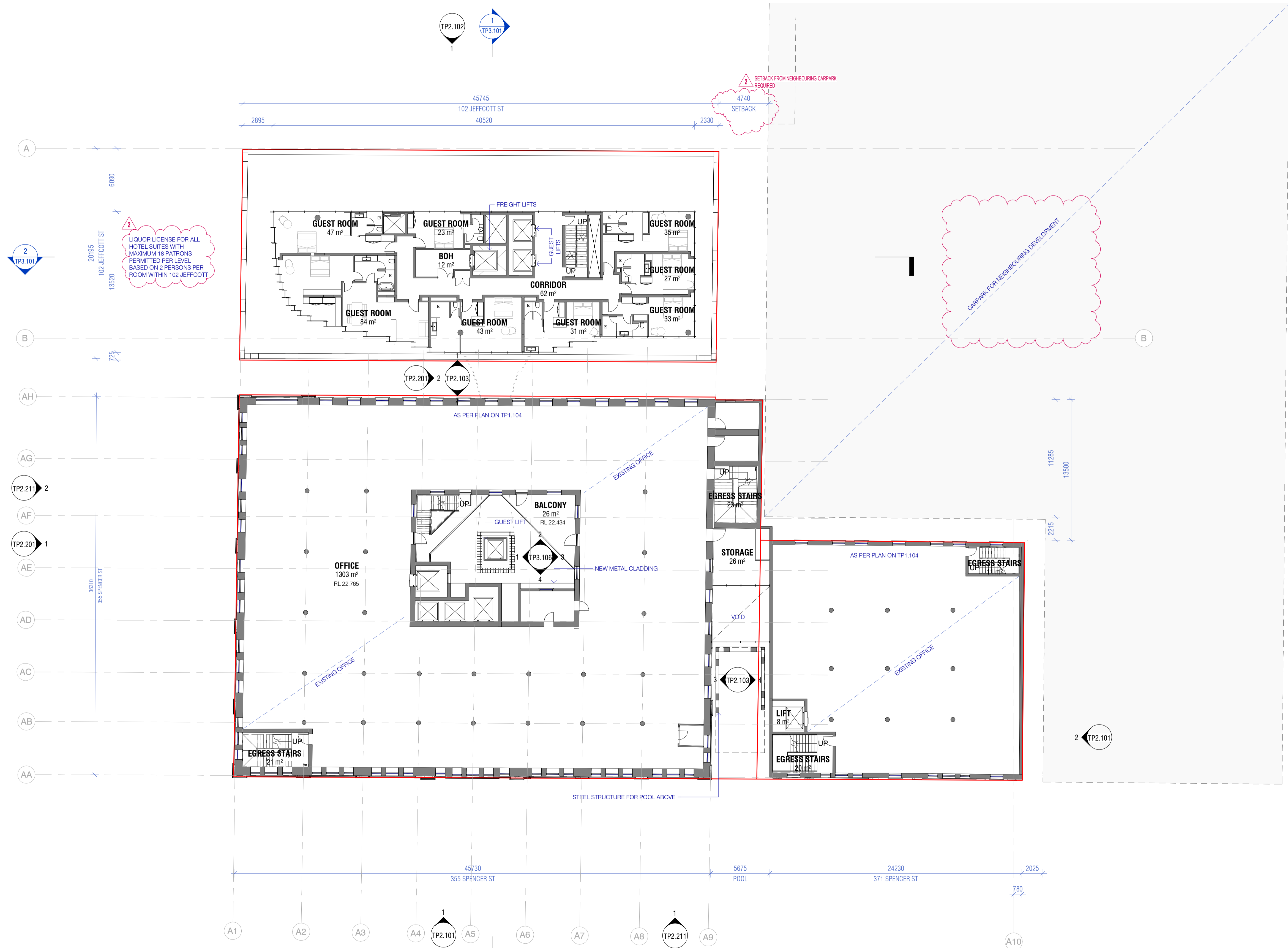
PROJECT NAME
SANDS & MCDUGALL
HOTEL DEVELOPMENT

REVISION
2

BUILDING / ATTRIBUTE

DRAWING NO.
TP1.105

TOWN PLANNING



1 TOWN PLANNING - LEVEL 01 / 102_LEVEL 02
1 : 200

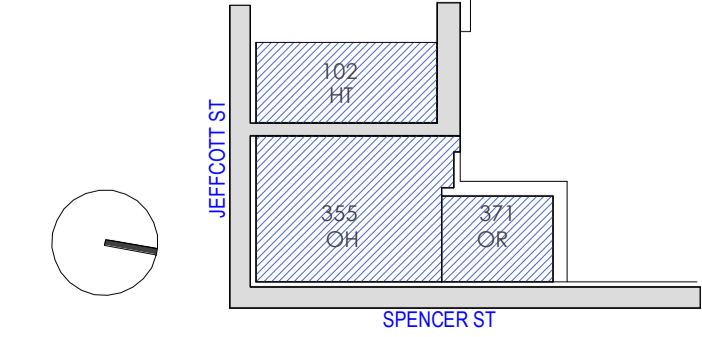
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REV.	DESCRIPTION	DATE
1	ISSUED FOR TOWN PLANNING	17/12/18
2	RE-ISSUED FOR TOWN PLANNING	29/03/19



PROJECT LOCATION 355 SPENCER STREET, WEST MELBOURNE	DRAWING SCALE As indicated	SHEET SIZE A1	PROJECT NO. 197
CLIENT 355 SPENCER STREET PTY LTD.	DRAWING DATE 10/29/18	CHECK DM	DRAWN AG



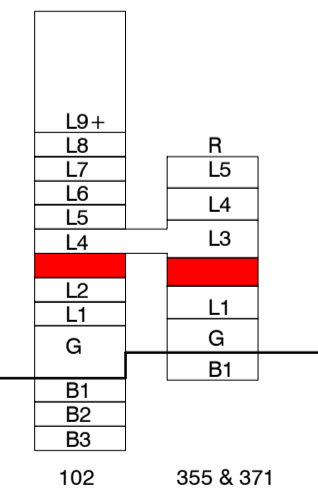
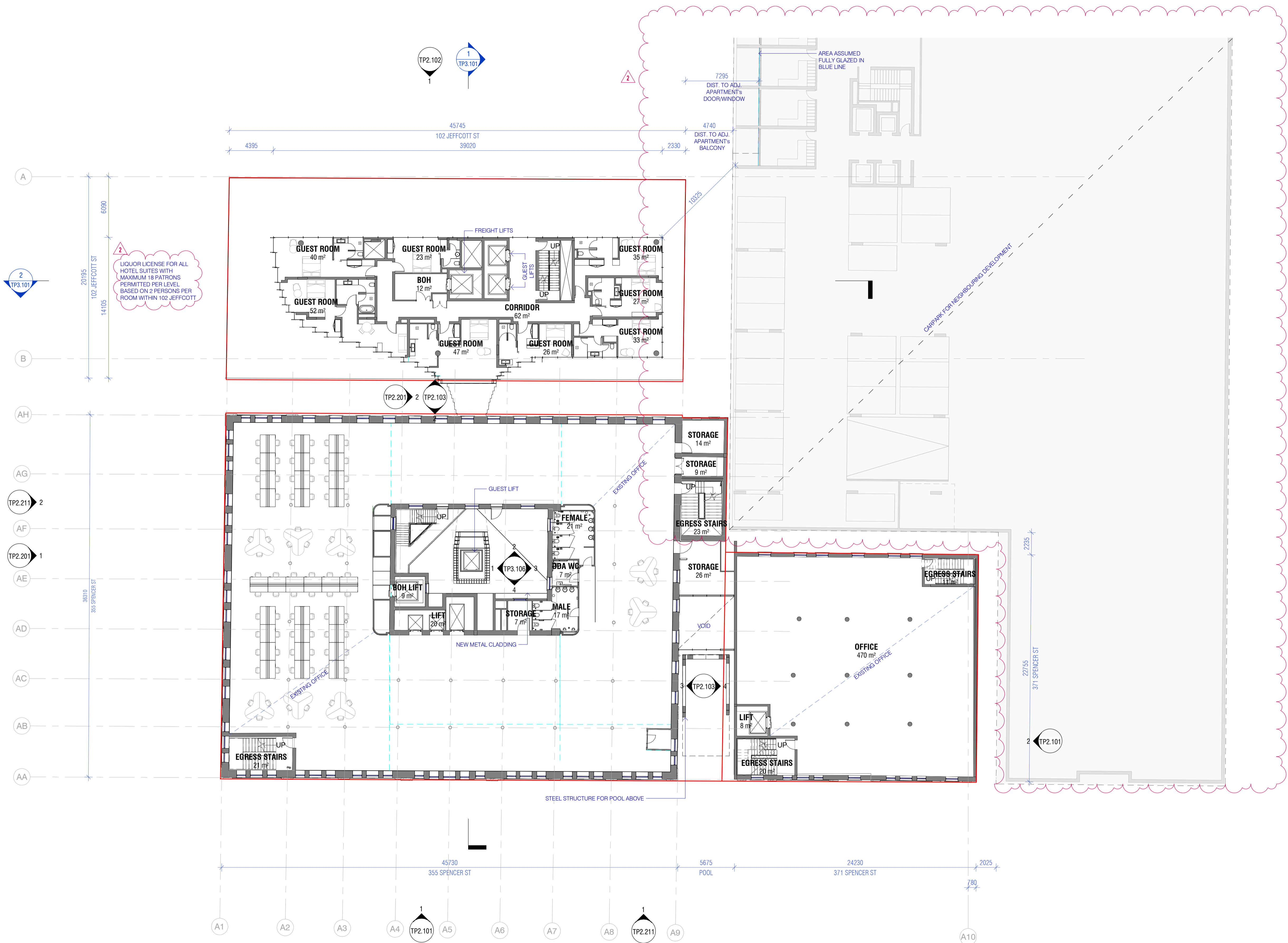
DRAWING TITLE
OVERALL PLAN - LEVEL 01 &
102_LEVEL 02

DRAWING NO.
TP1.106

TOWN PLANNING

REVISION BUILDING / ATTRIBUTE
2

DRAWING NO.
TP1.106



1 TOWN PLANNING - LEVEL 02 / 102_LEVEL 03
1 : 200

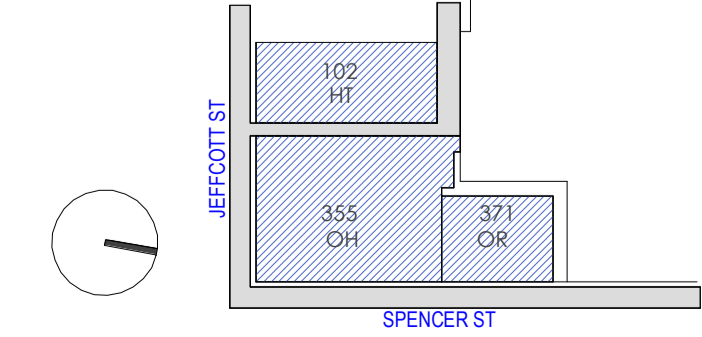
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REV.	DESCRIPTION	DATE
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PROJECT LOCATION
355 SPENCER STREET,
WEST MELBOURNE

CLIENT
355 SPENCER STREET
PTY LTD.

DRAWING SCALE
As indicated

DRAWING DATE
06/19/18

SHEET SIZE
A1

PROJECT NO
197

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DRAWING TITLE
OVERALL PLAN - LEVEL 02 &
102_LEVEL 03

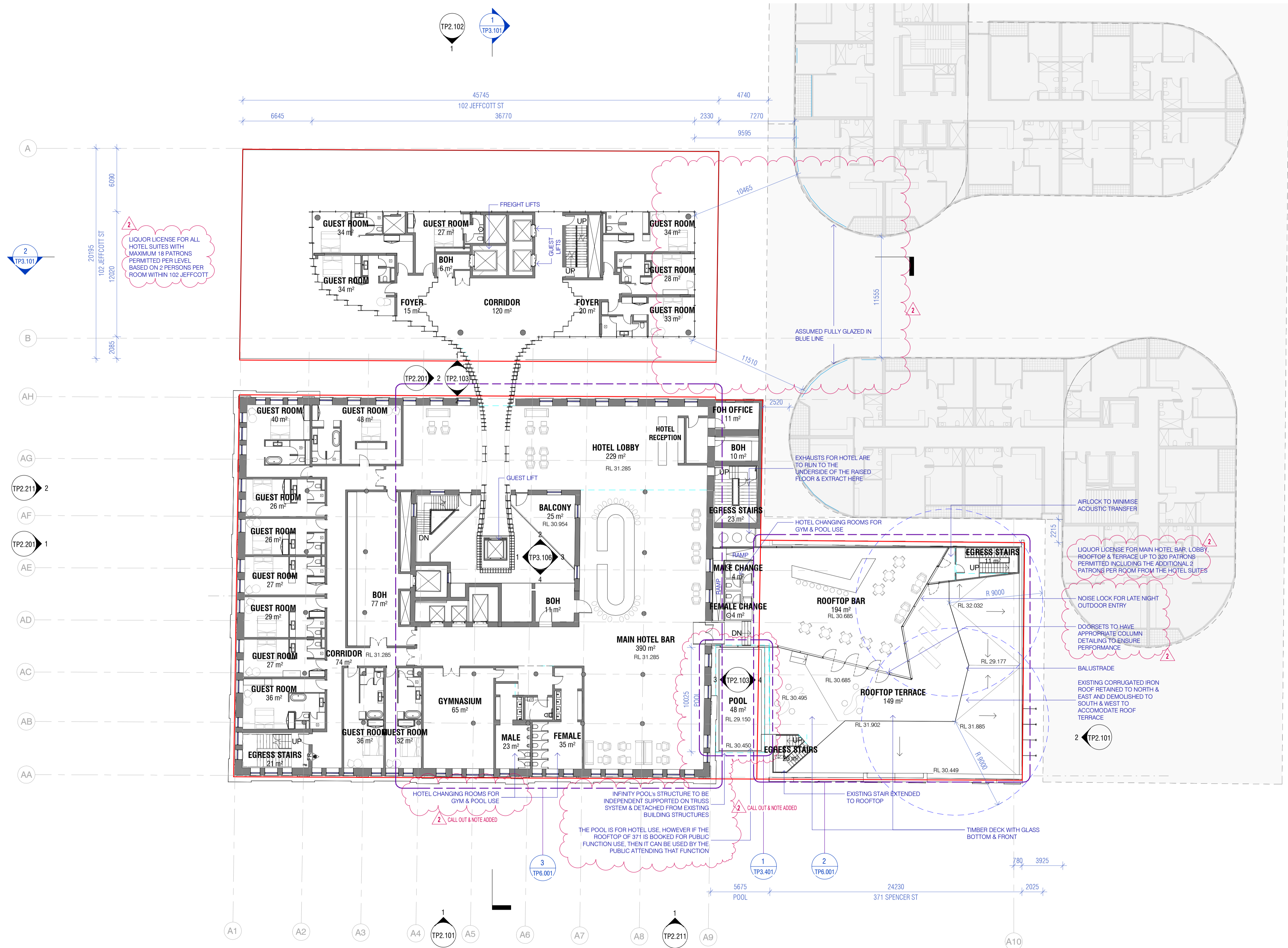
PROJECT NAME
SANDS & MCDUGALL
HOTEL DEVELOPMENT

REVISION
2

BUILDING / ATTRIBUTE

DRAWING NO.
TP1.107

TOWN PLANNING



1 TOWN PLANNING - LEVEL 03 / 102_LEVEL 04

1 : 200

L9+	R
L8	L5
L7	L4
L6	L3
L5	L2
L4	L1
L3	G
L2	B1
L1	B2
G	B3
B1	
B2	
B3	

102 355 & 371

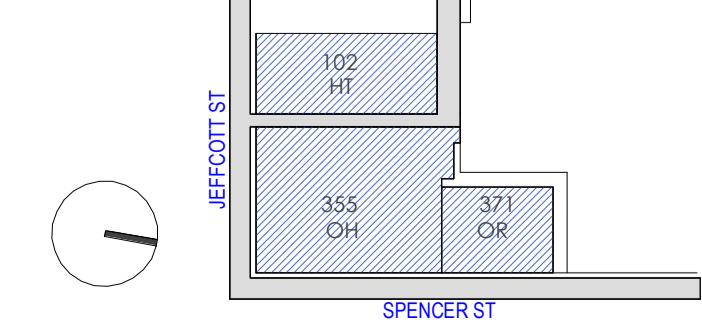
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REV.	DESCRIPTION	DATE
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PROJECT LOCATION 355 SPENCER STREET, WEST MELBOURNE	DRAWING SCALE As indicated	SHEET SIZE A1	PROJECT NO 197
CLIENT 355 SPENCER STREET PTY LTD.	DRAWING DATE 06/19/18	CHECK DM	DRAWN KS

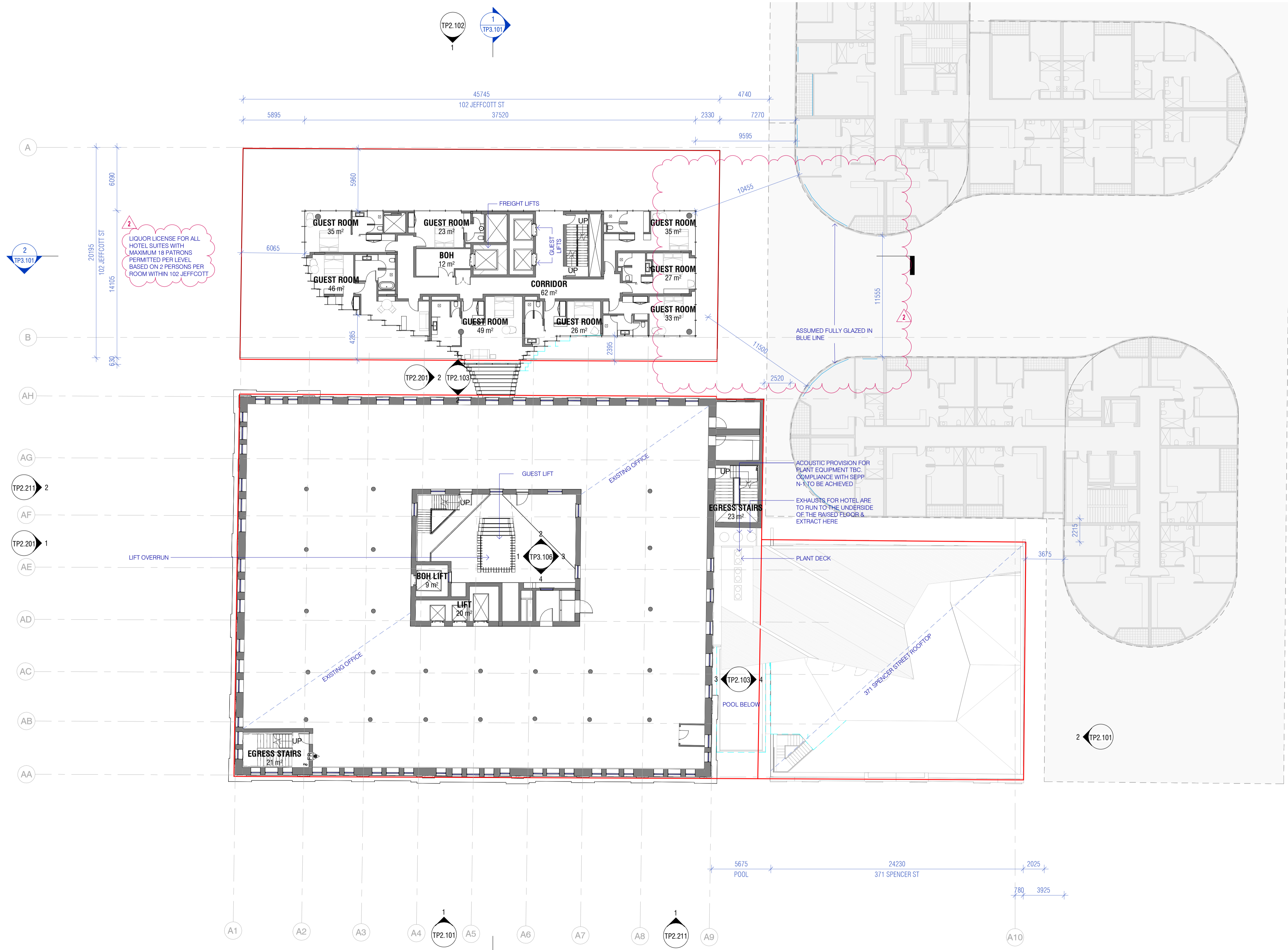


DRAWING TITLE OVERALL PLAN - LEVEL 03 & 102_LEVEL 04	REVISION 2
PROJECT NAME SANDS & MCDUGALL HOTEL DEVELOPMENT	DRAWING NO. TP1.108

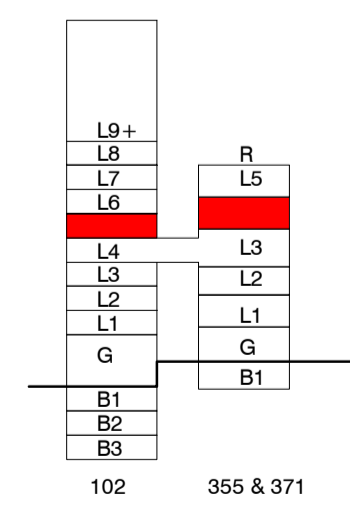
TOWN PLANNING

BUILDING / ATTRIBUTE

TP1.108



1 TOWN PLANNING - LEVEL 04 / 102_LEVEL 05
1 : 200

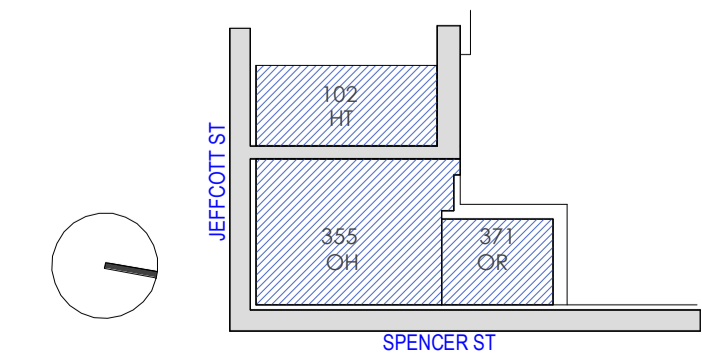


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REV.	DESCRIPTION	DATE
1	ISSUED FOR TOWN PLANNING	17/12/18
2	RE-ISSUED FOR TOWN PLANNING	29/03/19



PROJECT LOCATION
355 SPENCER STREET,
WEST MELBOURNE

CLIENT
355 SPENCER STREET
PTY LTD.

DRAWING SCALE
As indicated

DRAWING DATE
06/19/18

SHEET SIZE
A1

CHECK
DM

PROJECT NO
197

DRAWN
AG



DRAWING TITLE
OVERALL PLAN - LEVEL 04 &
102_LEVEL 05

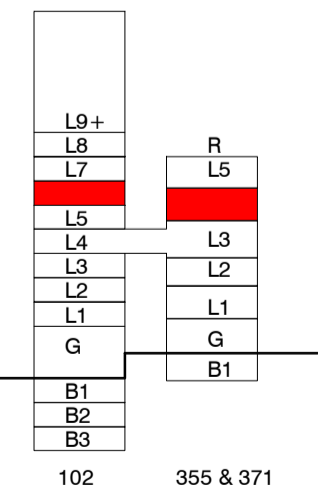
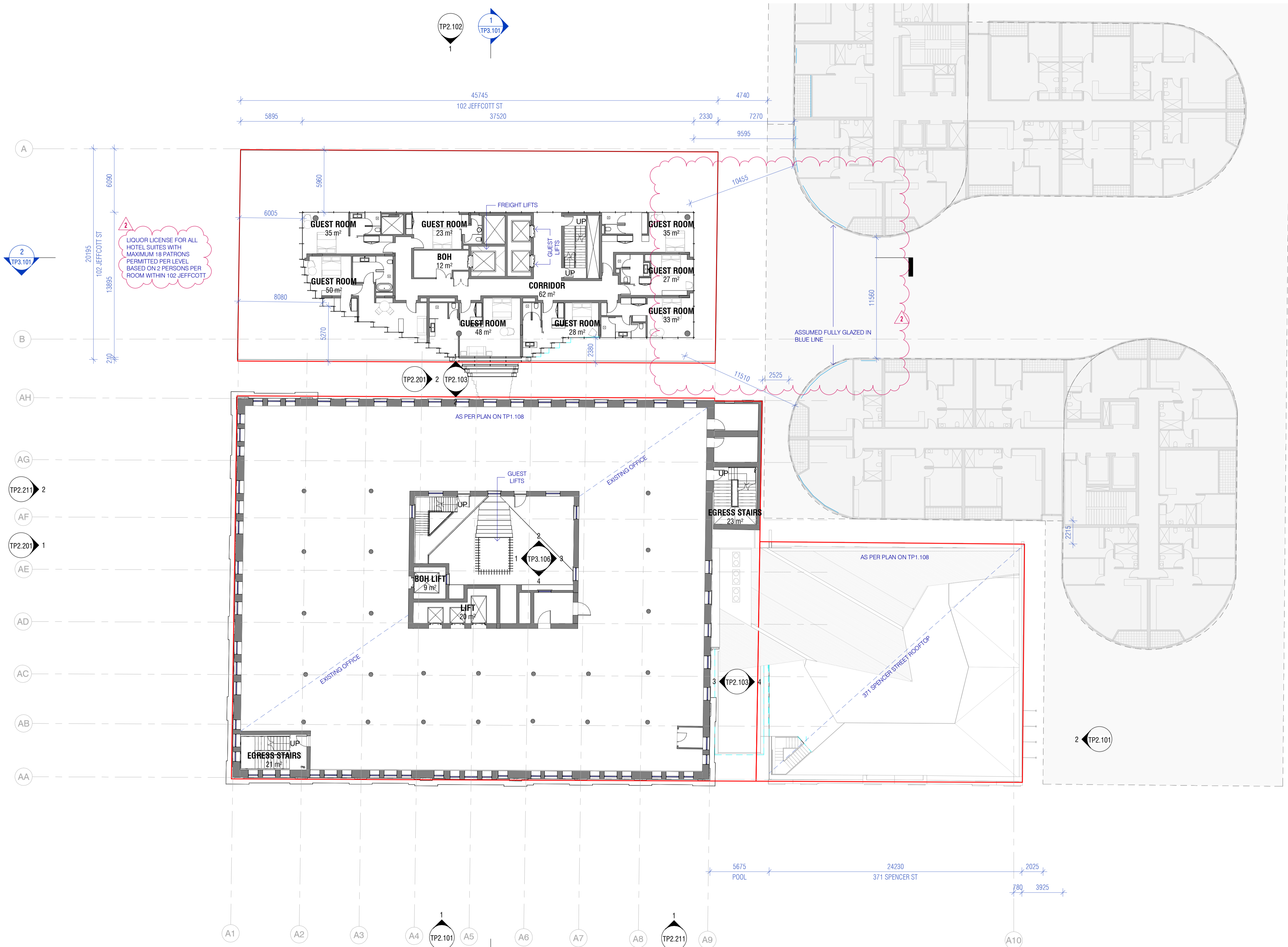
PROJECT NAME
SANDS & MCDUGALL
HOTEL DEVELOPMENT

REVISION
2

BUILDING / ATTRIBUTE

DRAWING NO.
TP1.109

TOWN PLANNING



1 TOWN PLANNING - LEVEL 04 / 102_LEVEL 06
1 : 200

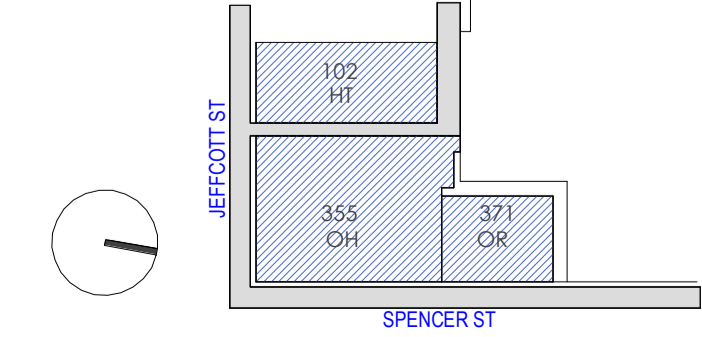
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REV.	DESCRIPTION	DATE
1	ISSUED FOR TOWN PLANNING	17/12/18
2	RE-ISSUED FOR TOWN PLANNING	29/03/19



PROJECT LOCATION
355 SPENCER STREET,
WEST MELBOURNE

CLIENT
355 SPENCER STREET
PTY LTD.

DRAWING SCALE
As indicated

DRAWING DATE
10/29/18

SHEET SIZE
A1

PROJECT NO
197

CHECK
DM

DRAWN
AG



DRAWING TITLE
OVERALL PLAN - LEVEL 04 &
102_LEVEL 06

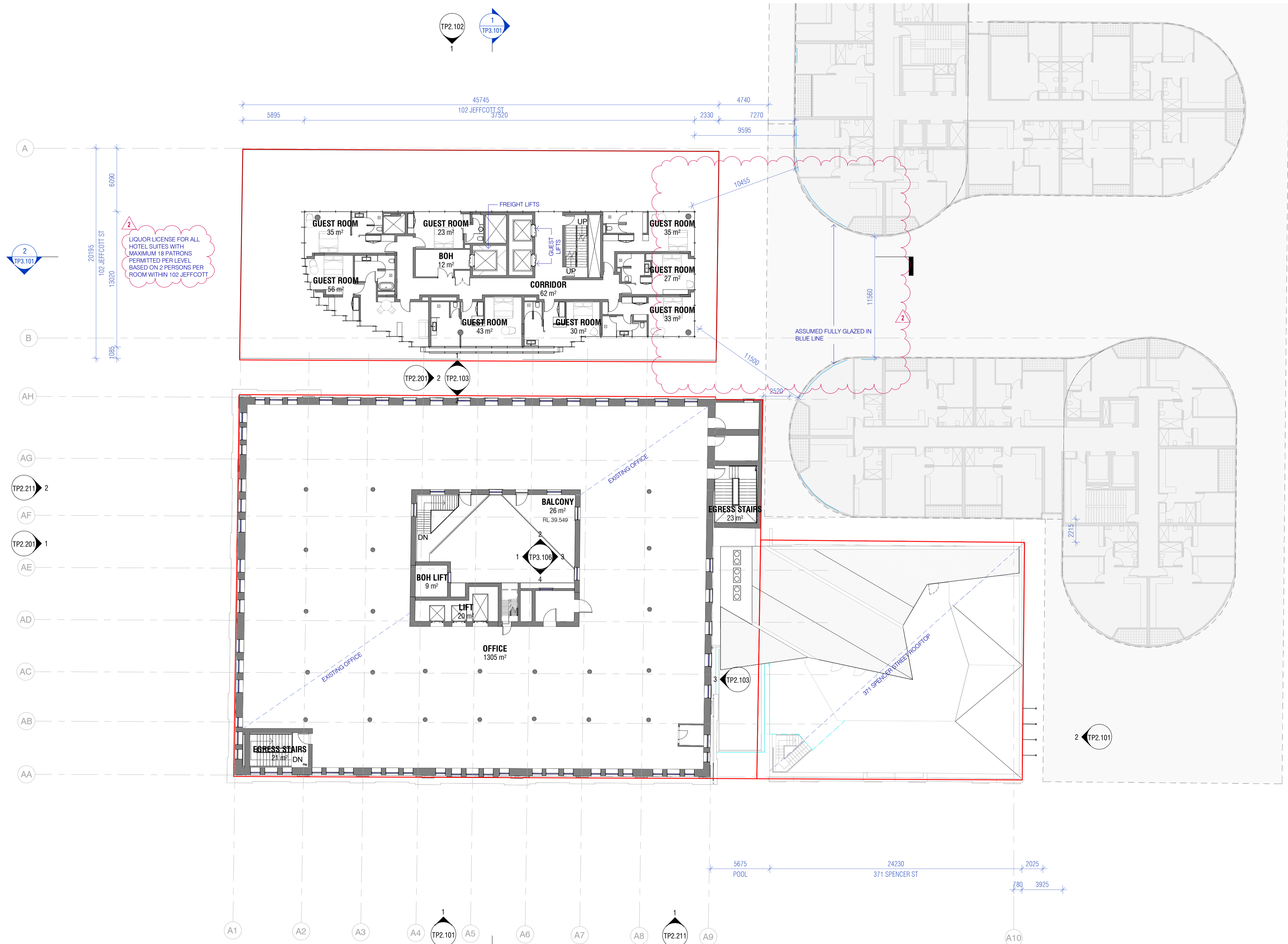
PROJECT NAME
SANDS & MCDUGALL
HOTEL DEVELOPMENT

REVISION
2

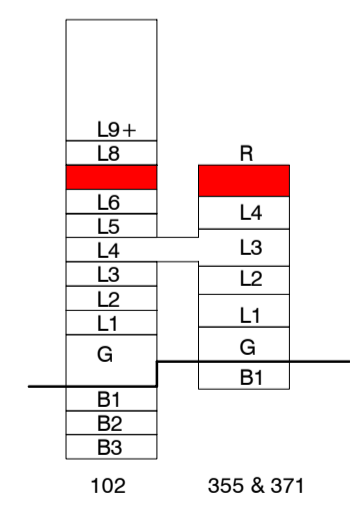
BUILDING / ATTRIBUTE

DRAWING NO.
TP1.110

TOWN PLANNING



1 TOWN PLANNING - LEVEL 05 1 : 200



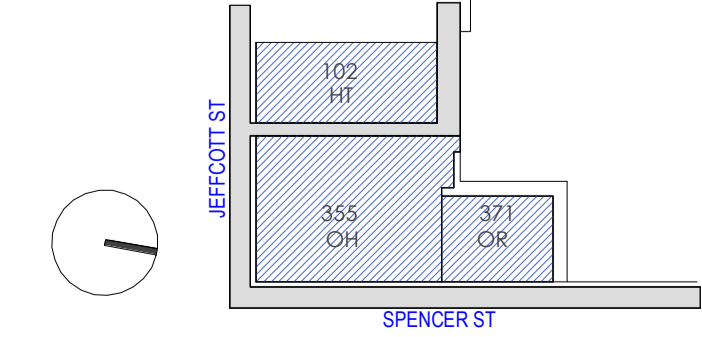
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REV.	DESCRIPTION	DATE
1	ISSUED FOR TOWN PLANNING	17/12/18
2	RE-ISSUED FOR TOWN PLANNING	29/03/19



PROJECT LOCATION
355 SPENCER STREET,
WEST MELBOURNE

CLIENT
355 SPENCER STREET
PTY LTD.

DRAWING SCALE
As indicated

DRAWING DATE
06/19/18

SHEET SIZE
A1

CHECK
DM

PROJECT NO
197

DRAWN
AG



DRAWING TITLE
OVERALL PLAN - LEVEL 05 &
102_LEVEL 07

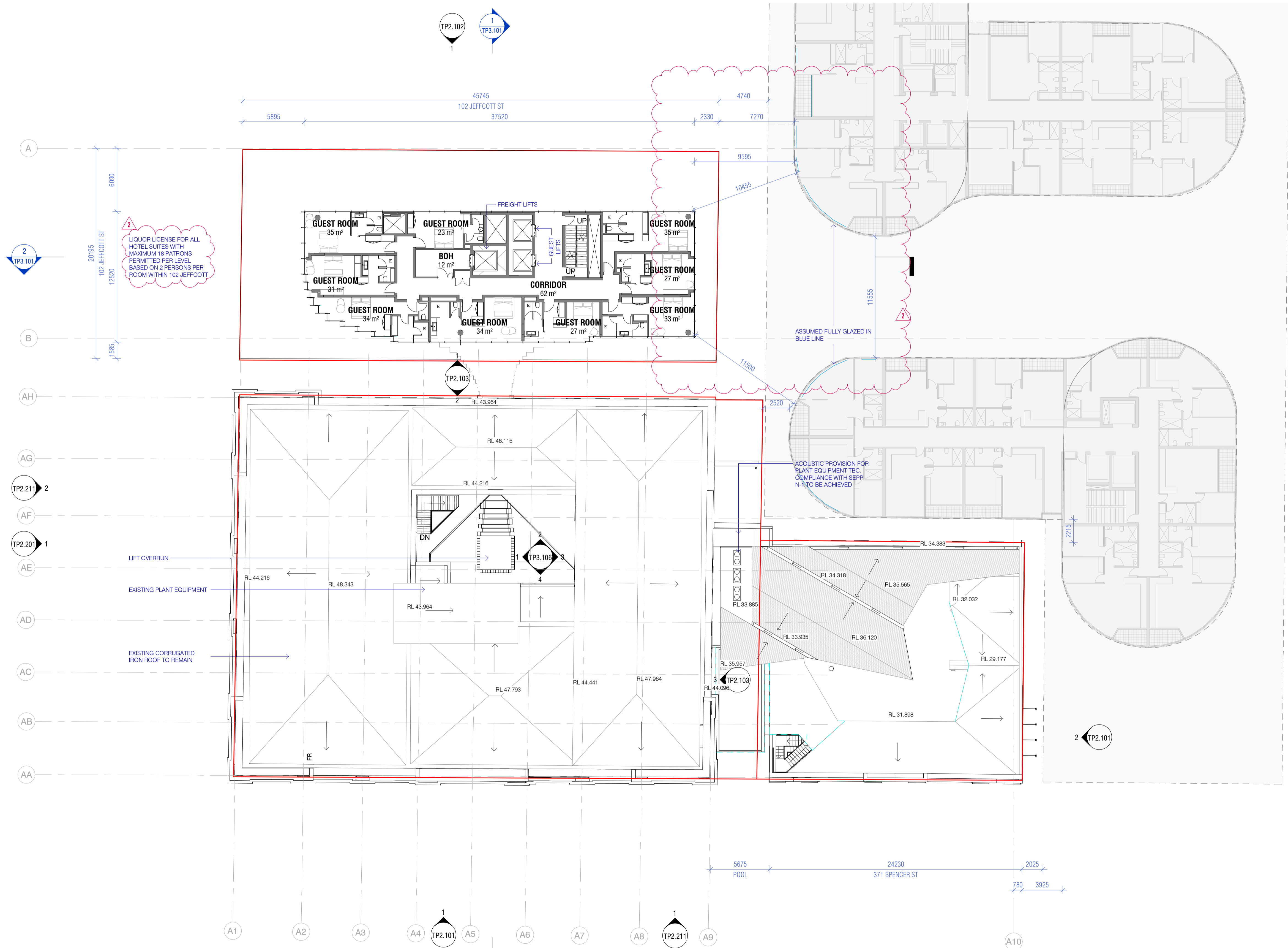
PROJECT NAME
SANDS & MCDUGALL
HOTEL DEVELOPMENT

REVISION
2

BUILDING / ATTRIBUTE

DRAWING NO.
TP1.111

TOWN PLANNING



1 TOWN PLANNING - LEVEL 08 1 : 200

L9+	
L7	L5
L6	L4
L5	L3
L4	L2
L3	L1
L2	G
L1	B1
G	B2
B1	B3
B2	
B3	

102 355 & 371

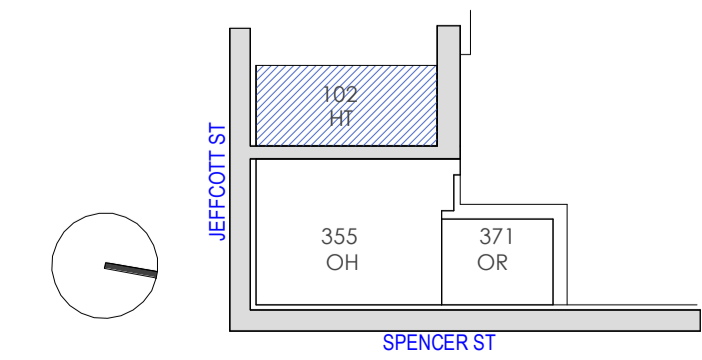
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REV.	DESCRIPTION	DATE
1	ISSUED FOR TOWN PLANNING	17/12/18
2	RE-ISSUED FOR TOWN PLANNING	29/03/19



PROJECT LOCATION
355 SPENCER STREET,
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CLIENT
355 SPENCER STREET
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DRAWING SCALE
As indicated

DRAWING DATE
06/19/18

SHEET SIZE
A1

PROJECT NO
197

CHECK
DM

DRAWN
AG



DRAWING TITLE
OVERALL PLAN - LEVEL ROOF &
102_LEVEL 08

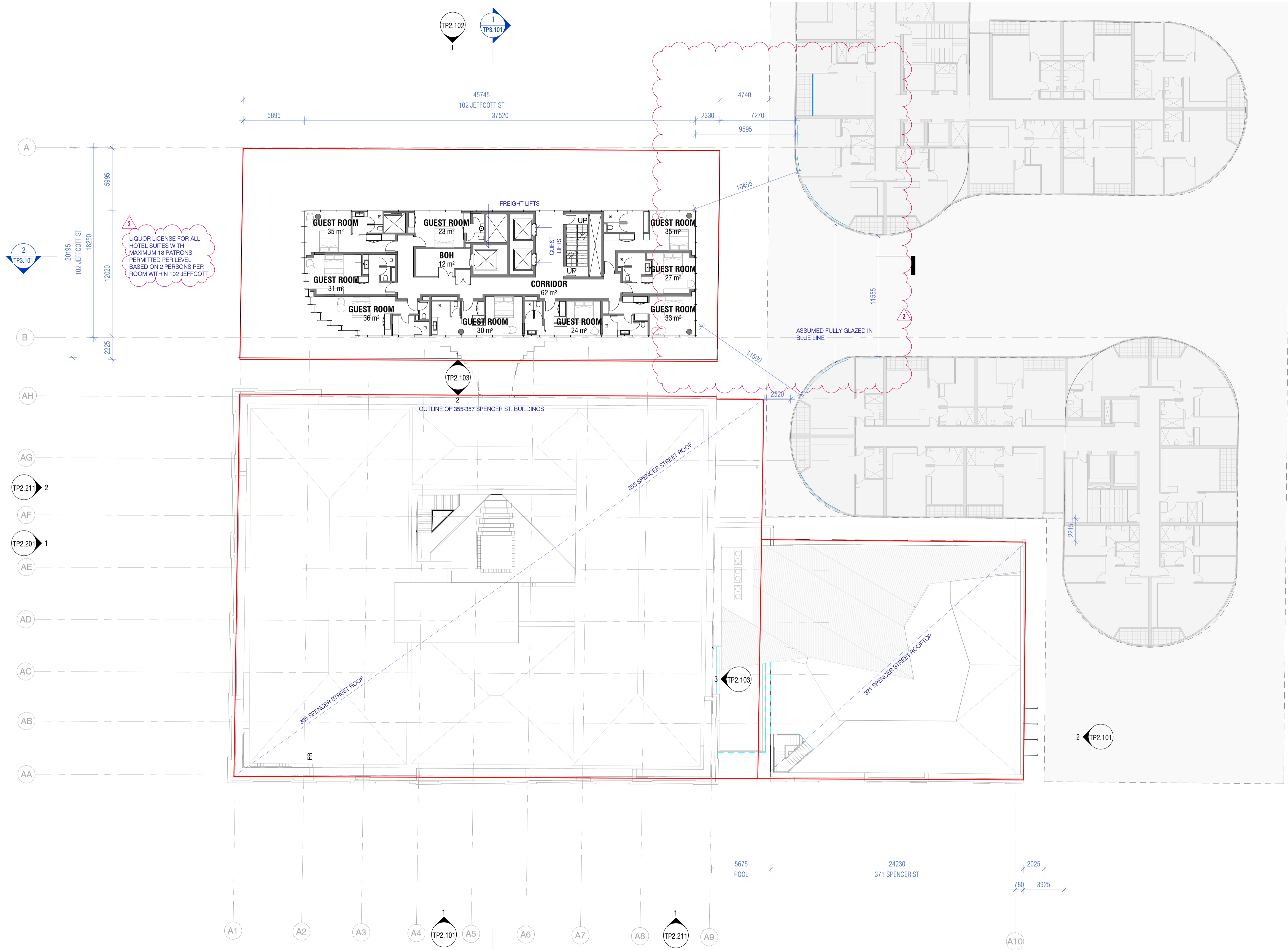
PROJECT NAME
SANDS & MCDUGALL
HOTEL DEVELOPMENT

REVISION
2

BUILDING / ATTRIBUTE

DRAWING NO.
TP1.112

TOWN PLANNING



L8	L5
L7	L4
L6	L3
L5	L2
L4	L1
L3	L1
L2	L1
L1	L1
G	G
B1	B1
B2	
B3	

102 355 & 371

1 TOWN PLANNING - LEVEL 09 1 : 200

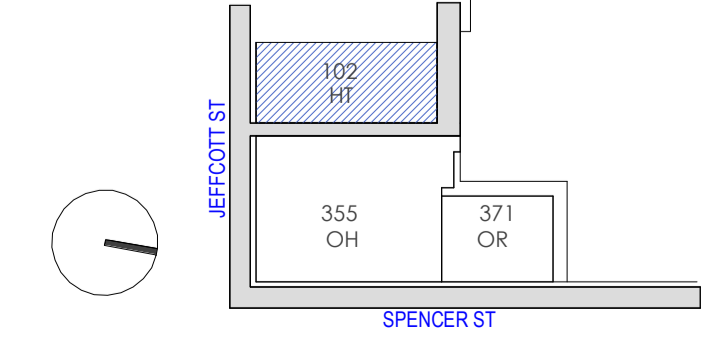
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1	ISSUED FOR TOWN PLANNING	17/12/18
2	RE-ISSUED FOR TOWN PLANNING	29/03/19



PROJECT LOCATION
**355 SPENCER STREET,
WEST MELBOURNE**

CLIENT
**355 SPENCER STREET
PTY LTD.**

DRAWING SCALE
As indicated

SHEET SIZE
A1

PROJECT NO
197

DRAWING DATE
06/19/18

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DM

DRAWN
AG



DRAWING TITLE
OVERALL PLAN - LEVEL 09

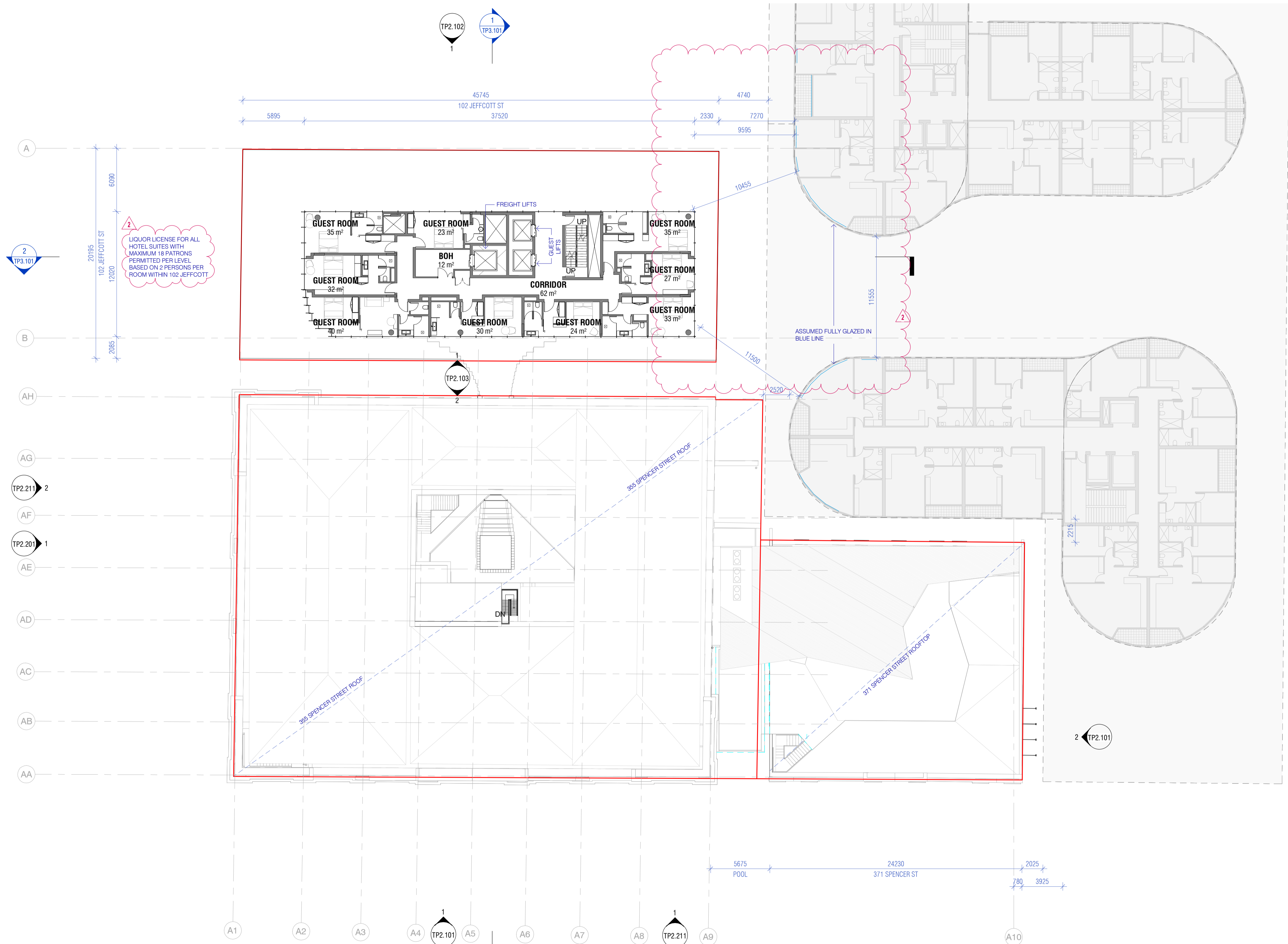
PROJECT NAME
**SANDS & MCDUGALL
HOTEL DEVELOPMENT**

REVISION
2

BUILDING / ATTRIBUTE

DRAWING NO.
TP1.113

TOWN PLANNING



LIQUOR LICENSE FOR ALL HOTEL SUITES WITH MAXIMUM 18 PATRONS PERMITTED PER LEVEL BASED ON 2 PERSONS PER ROOM WITHIN 102 JEFFCOTT

1 TOWN PLANNING - LEVEL 10 1 : 200

LB	L5
L7	L4
L6	L3
L5	L2
L4	L1
L3	L1
L2	L1
L1	L1
G	G
B1	B1
B2	
B3	

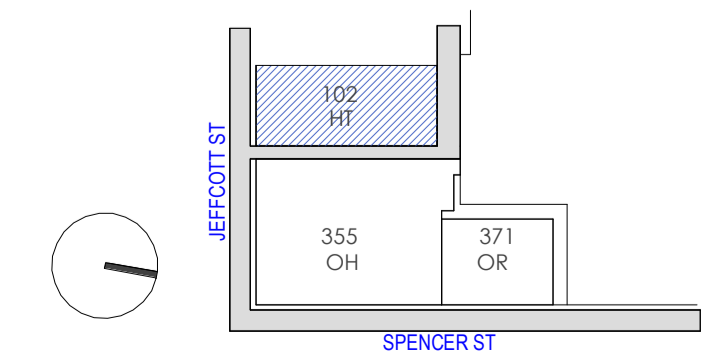
102 355 & 371

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REV.	DESCRIPTION	DATE
1	ISSUED FOR TOWN PLANNING	17/12/18
2	RE-ISSUED FOR TOWN PLANNING	29/03/19



PROJECT LOCATION 355 SPENCER STREET, WEST MELBOURNE	DRAWING SCALE As indicated	SHEET SIZE A1	PROJECT NO 197
CLIENT 355 SPENCER STREET PTY LTD.	DRAWING DATE 06/19/18	CHECK DM	DRAWN AG



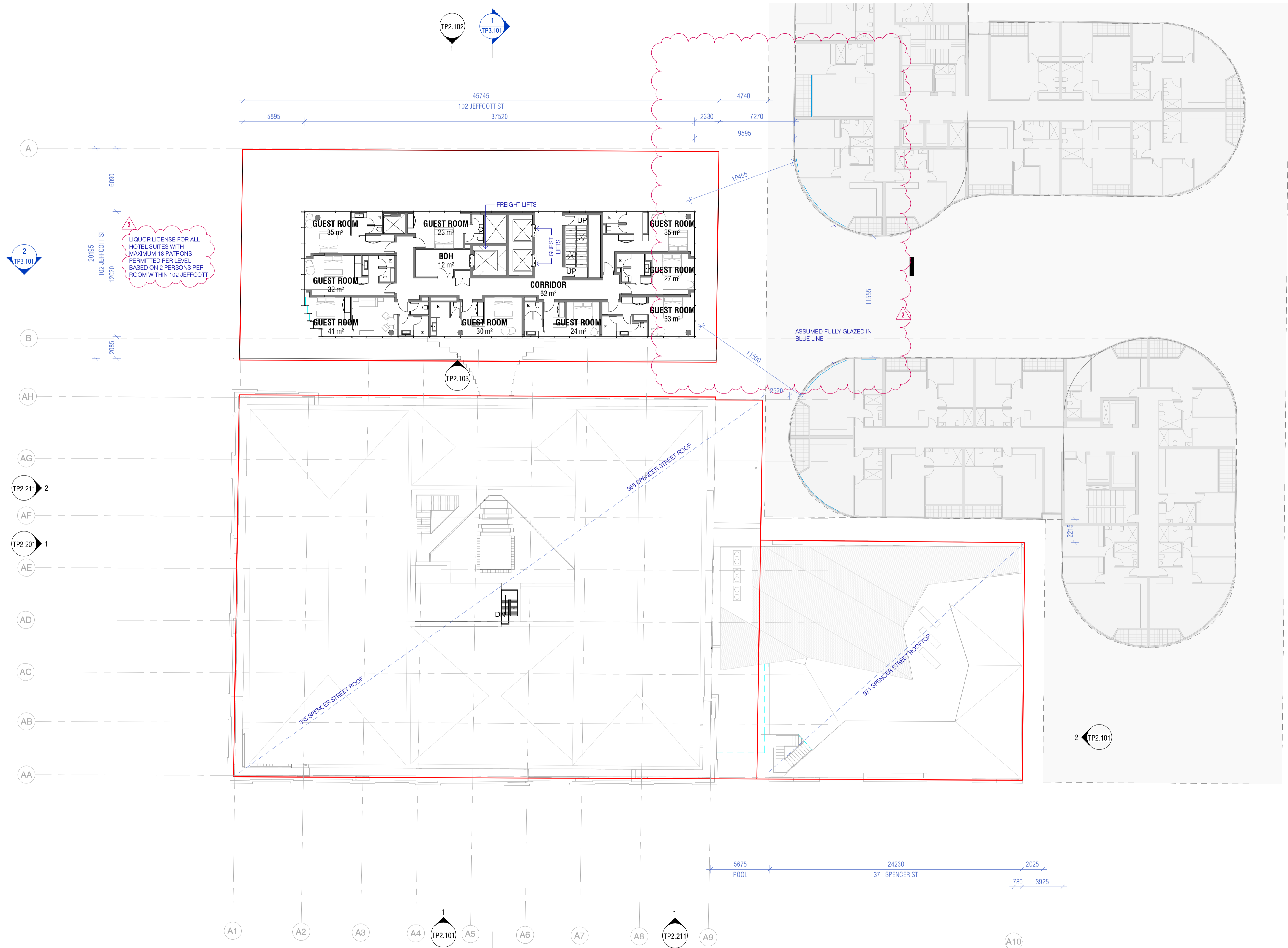
DRAWING TITLE
OVERALL PLAN - LEVEL 10

PROJECT NAME
SANDS & MCDUGALL
HOTEL DEVELOPMENT

REVISION BUILDING / ATTRIBUTE
2

DRAWING NO.
TP1.114

TOWN PLANNING



L8	L5
L7	L4
L6	L3
L5	L2
L4	L1
L3	L1
L2	G
L1	B1
G	B2
B1	B3
B2	
B3	

1 TOWN PLANNING - LEVEL 11
1 : 200

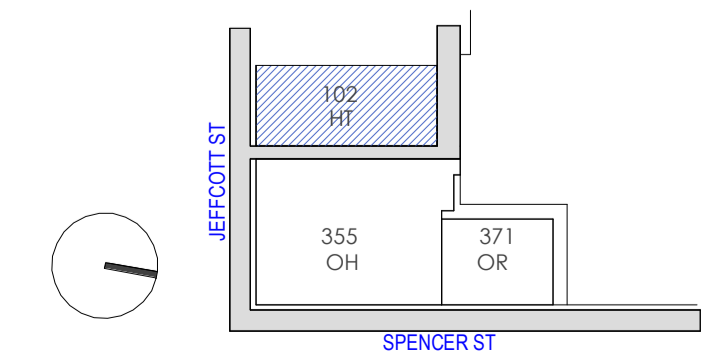
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REV.	DESCRIPTION	DATE
1	ISSUED FOR TOWN PLANNING	17/12/18
2	RE-ISSUED FOR TOWN PLANNING	29/03/19



PROJECT LOCATION
**355 SPENCER STREET,
WEST MELBOURNE**

CLIENT
**355 SPENCER STREET
PTY LTD.**

DRAWING SCALE
As indicated

SHEET SIZE
A1

PROJECT NO
197

DRAWING DATE
06/19/18

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DM

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AG



DRAWING TITLE
OVERALL PLAN - LEVEL 11

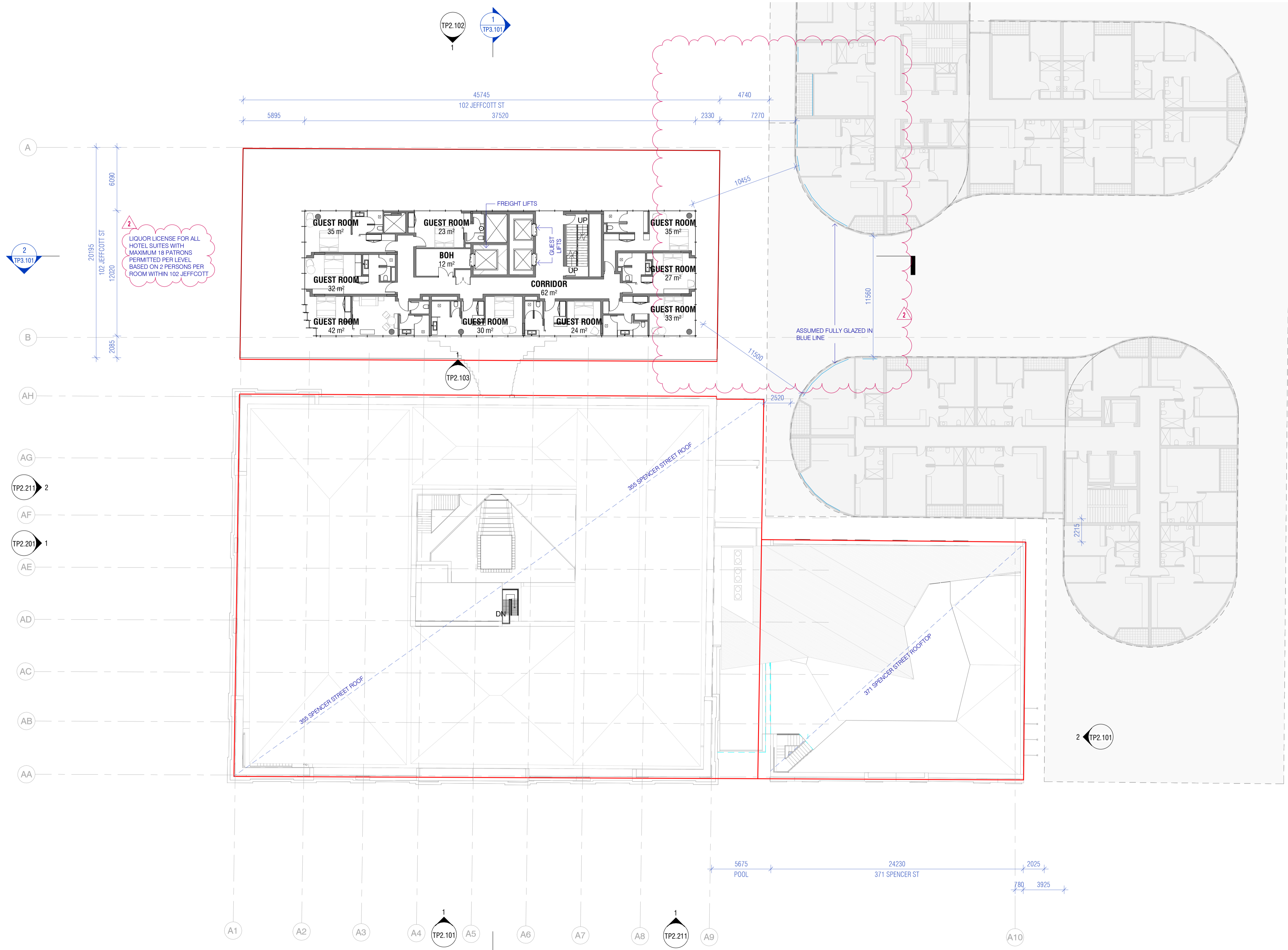
PROJECT NAME
**SANDS & MCDUGALL
HOTEL DEVELOPMENT**

REVISION
2

BUILDING / ATTRIBUTE

DRAWING NO.
TP1.115

TOWN PLANNING



1 TOWN PLANNING - LEVEL 12
1 : 200

LB	L5
L7	L4
L6	L3
L5	L2
L4	L1
L3	L1
L2	L1
L1	L1
G	G
B1	B1
B2	
B3	

102 355 & 371

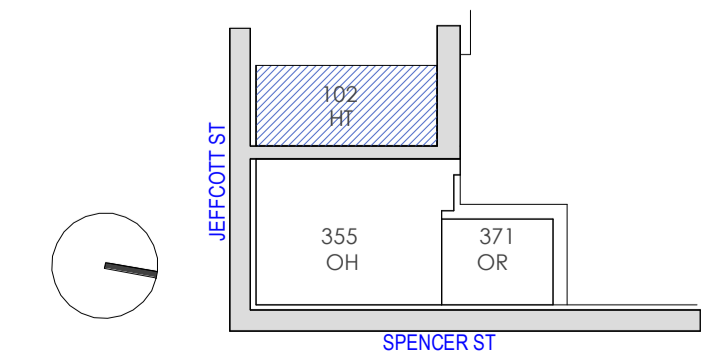
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REV.	DESCRIPTION	DATE
1	ISSUED FOR TOWN PLANNING	17/12/18
2	RE-ISSUED FOR TOWN PLANNING	29/03/19



PROJECT LOCATION
355 SPENCER STREET,
WEST MELBOURNE

CLIENT
355 SPENCER STREET
PTY LTD.

DRAWING SCALE
As indicated

SHEET SIZE
A1

PROJECT NO
197

DRAWING DATE
06/19/18

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DM

DRAWN
AG



DRAWING TITLE
OVERALL PLAN - LEVEL 12

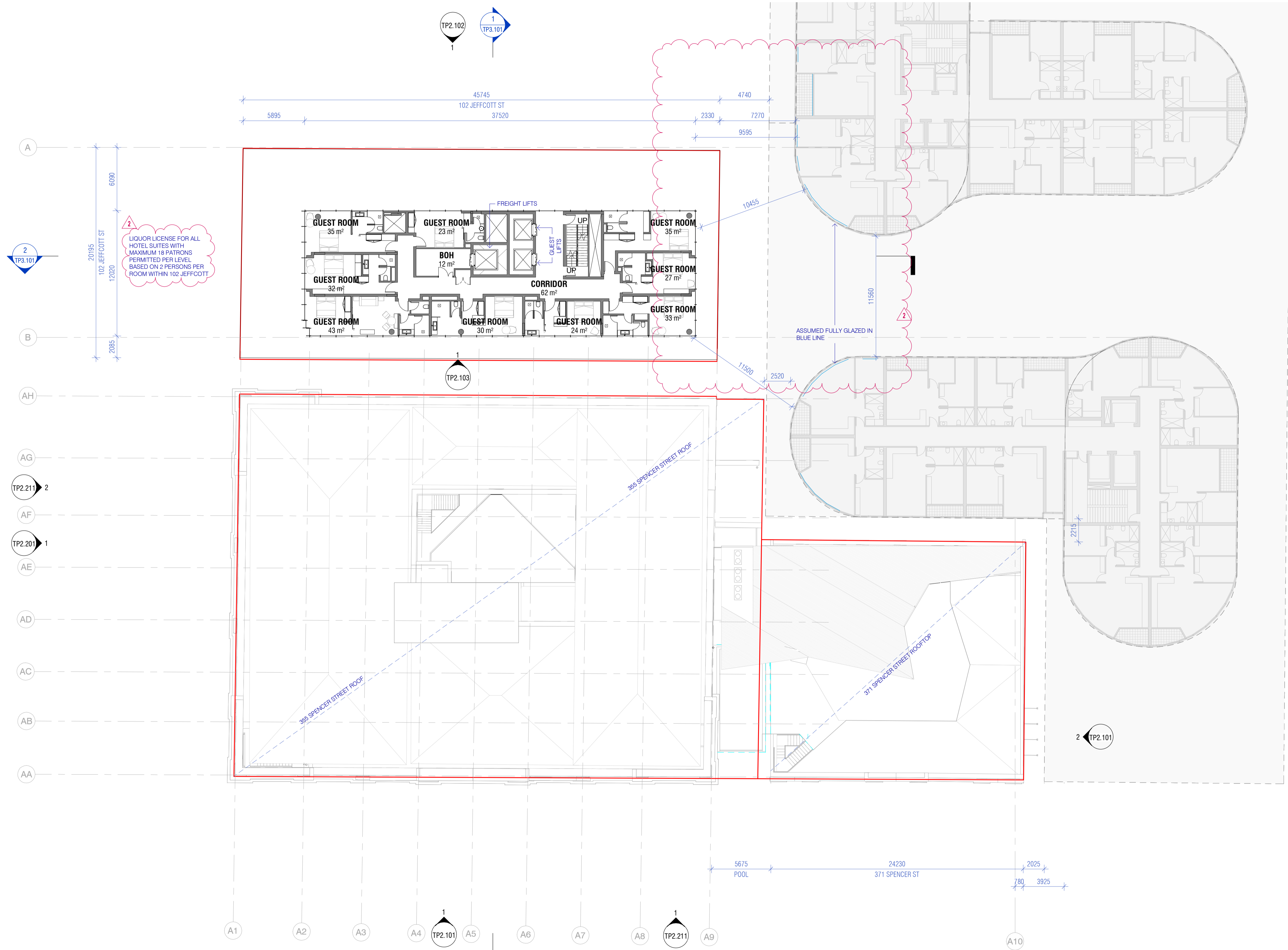
PROJECT NAME
SANDS & MCDUGALL
HOTEL DEVELOPMENT

REVISION
2

BUILDING / ATTRIBUTE

DRAWING NO.
TP1.116

TOWN PLANNING



1 TOWN PLANNING - LEVEL 13 1 : 200

L8	L5
L7	L4
L6	L3
L5	L2
L4	L1
L3	G
L2	B1
L1	B2
G	B3
B1	
B2	
B3	

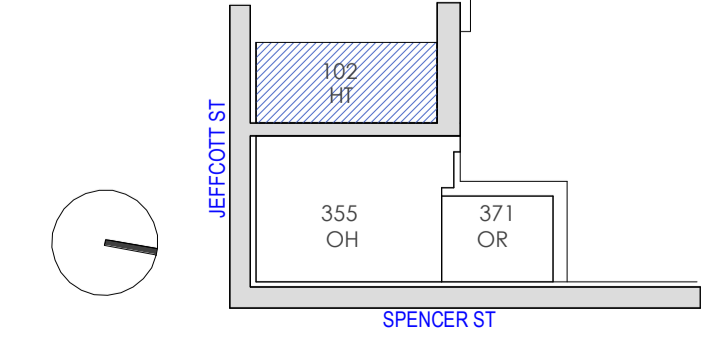
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REV.	DESCRIPTION	DATE
1	ISSUED FOR TOWN PLANNING	17/12/18
2	RE-ISSUED FOR TOWN PLANNING	29/03/19

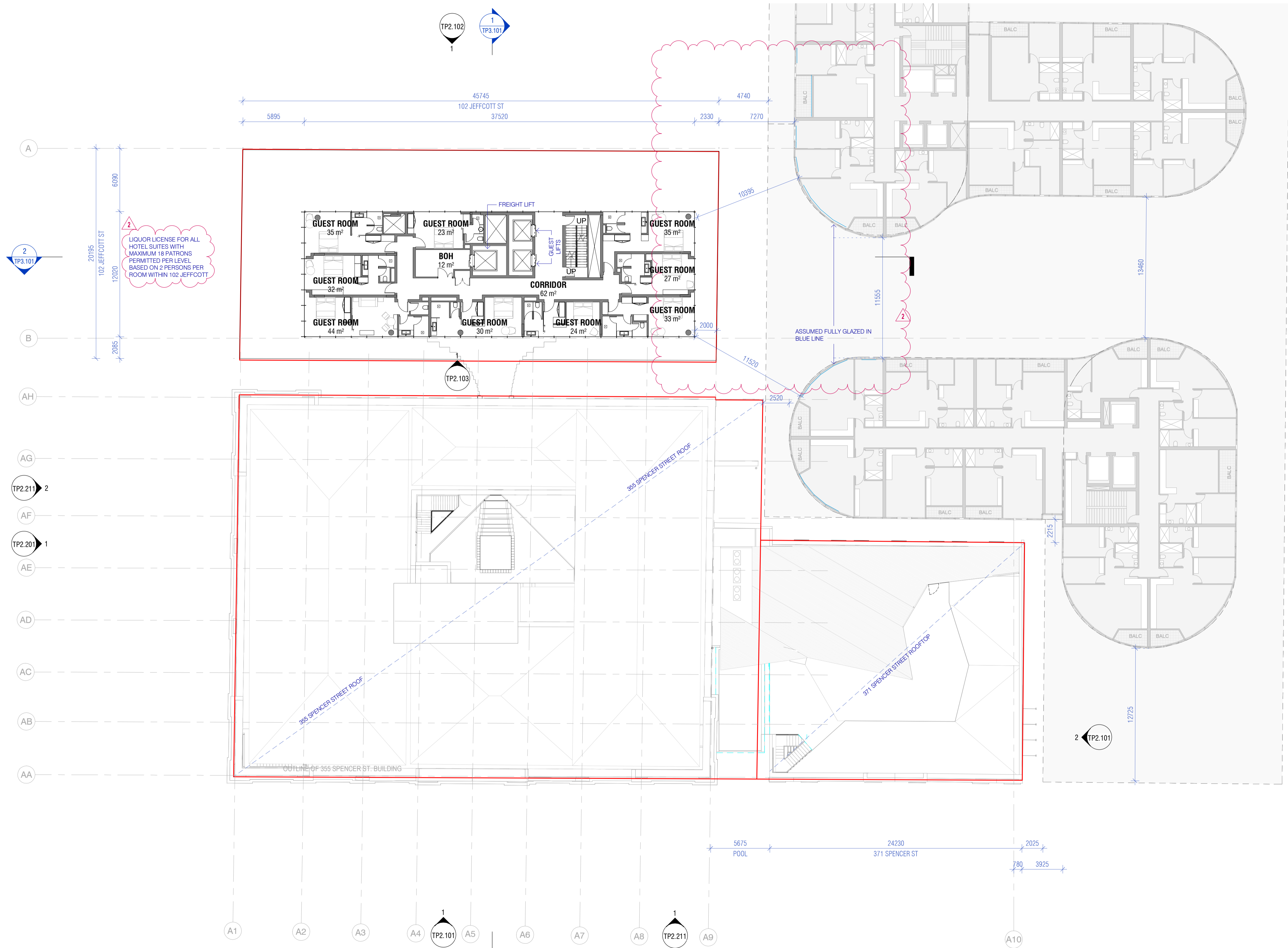


PROJECT LOCATION 355 SPENCER STREET, WEST MELBOURNE	DRAWING SCALE As indicated	SHEET SIZE A1	PROJECT NO 197
CLIENT 355 SPENCER STREET PTY LTD.	DRAWING DATE 06/19/18	CHECK DM	DRAWN AG



DRAWING TITLE OVERALL PLAN - LEVEL 13	REVISION 2	BUILDING / ATTRIBUTE
PROJECT NAME SANDS & MCDUGALL HOTEL DEVELOPMENT	DRAWING NO. TP1.117	

TOWN PLANNING



LIQUOR LICENSE FOR ALL HOTEL SUITES WITH MAXIMUM 18 PATRONS PERMITTED PER LEVEL BASED ON 2 PERSONS PER ROOM WITHIN 102 JEFFCOTT

1 TOWN PLANNING - LEVEL 14 1 : 200

L8	L5
L7	L4
L6	L3
L5	L2
L4	L1
L3	L1
L2	L1
L1	L1
G	G
B1	B1
B2	
B3	

102 355 & 371

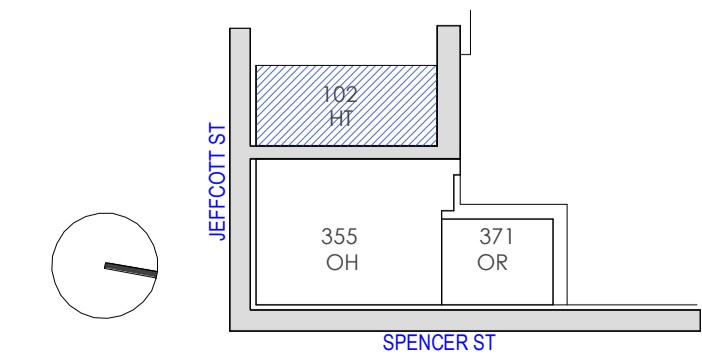
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REV.	DESCRIPTION	DATE
1	ISSUED FOR TOWN PLANNING	17/12/18
2	RE-ISSUED FOR TOWN PLANNING	29/03/19



PROJECT LOCATION
355 SPENCER STREET,
WEST MELBOURNE

CLIENT
355 SPENCER STREET
PTY LTD.

DRAWING SCALE
As indicated

DRAWING DATE
06/19/18

SHEET SIZE
A1

PROJECT NO
197

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DRAWING TITLE
OVERALL PLAN - LEVEL 14 -
21_TYPICAL

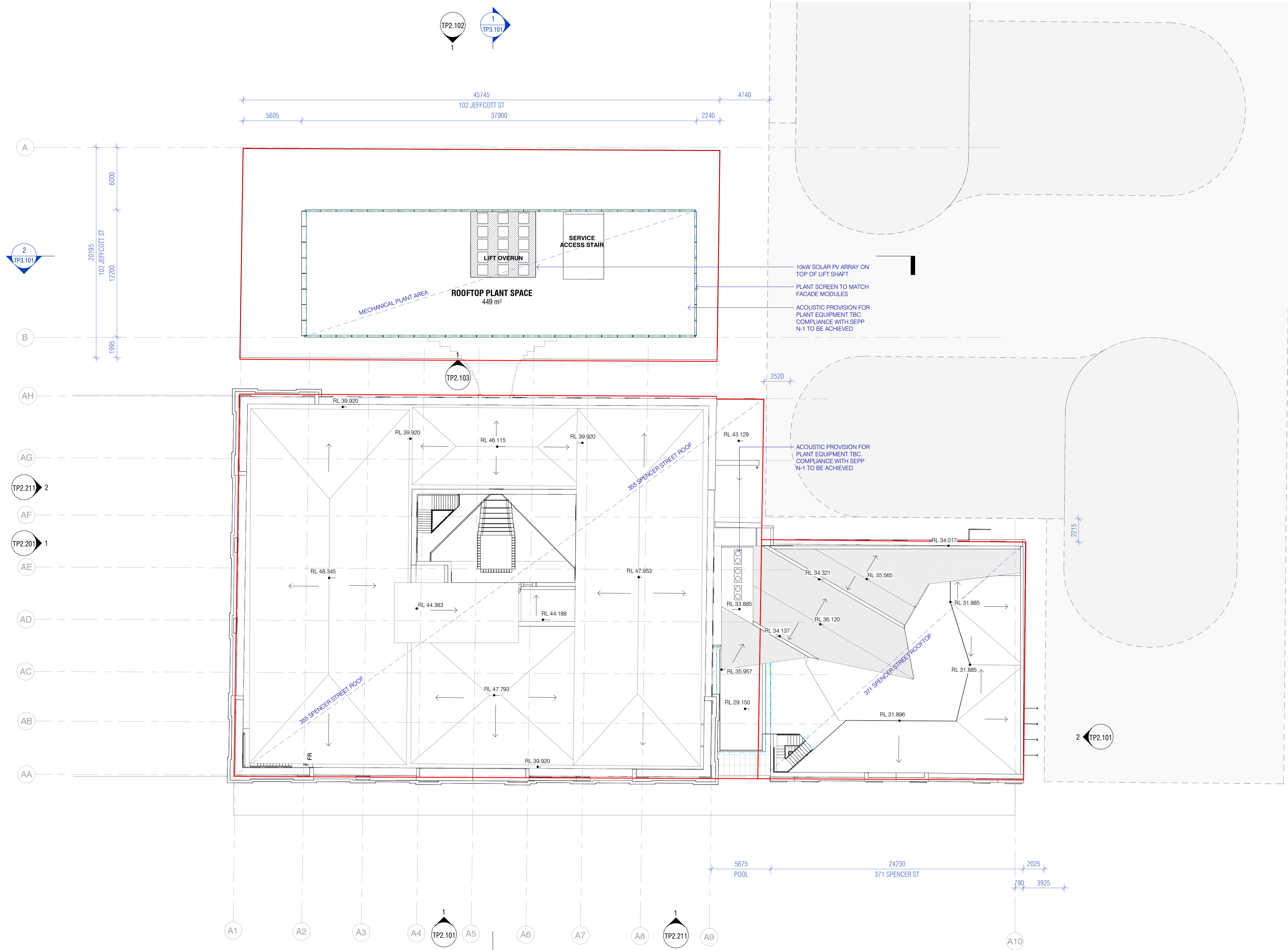
PROJECT NAME
SANDS & MCDUGALL
HOTEL DEVELOPMENT

REVISION
2

BUILDING / ATTRIBUTE

DRAWING NO.
TP1.118

TOWN PLANNING



1 TOWN PLANNING - ROOF 1 : 200

L8	L5
L7	L4
L6	L3
L5	L2
L4	L1
L3	L1
L2	G
L1	B1
G	B2
B1	B3
B2	
B3	

102 355 & 371

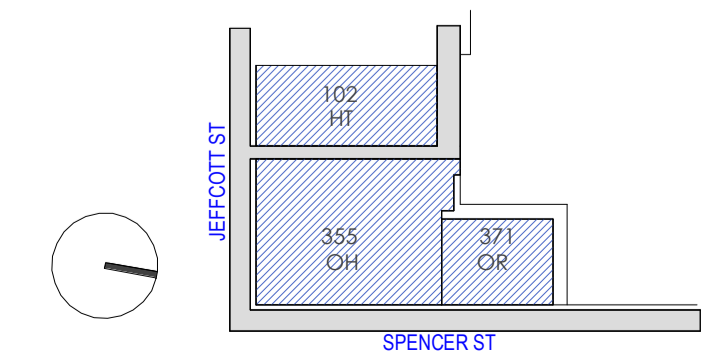
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REV.	DESCRIPTION	DATE
1	ISSUED FOR TOWN PLANNING	17/12/18

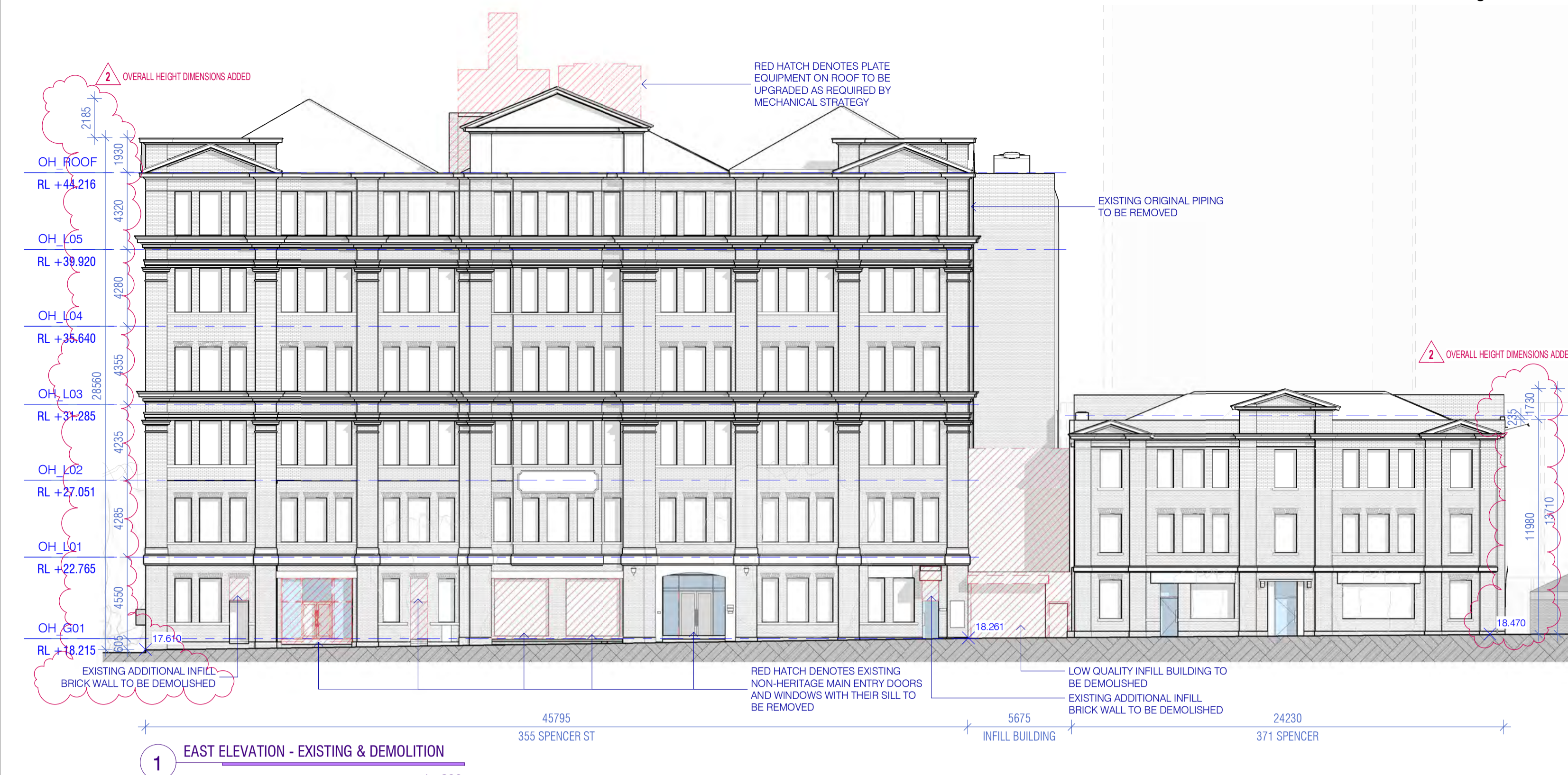


PROJECT LOCATION	DRAWING SCALE	SHEET SIZE	PROJECT NO
355 SPENCER STREET, WEST MELBOURNE	As indicated	A1	197
CLIENT	DRAWING DATE	CHECK	DRAWN
355 SPENCER STREET PTY LTD.	10/29/18	DM	AG



DRAWING TITLE	REVISION	BUILDING / ATTRIBUTE
OVERALL PLAN - ROOF LEVEL	1	
PROJECT NAME	DRAWING NO.	
SANDS & MCDUGALL HOTEL DEVELOPMENT	TP1.119	

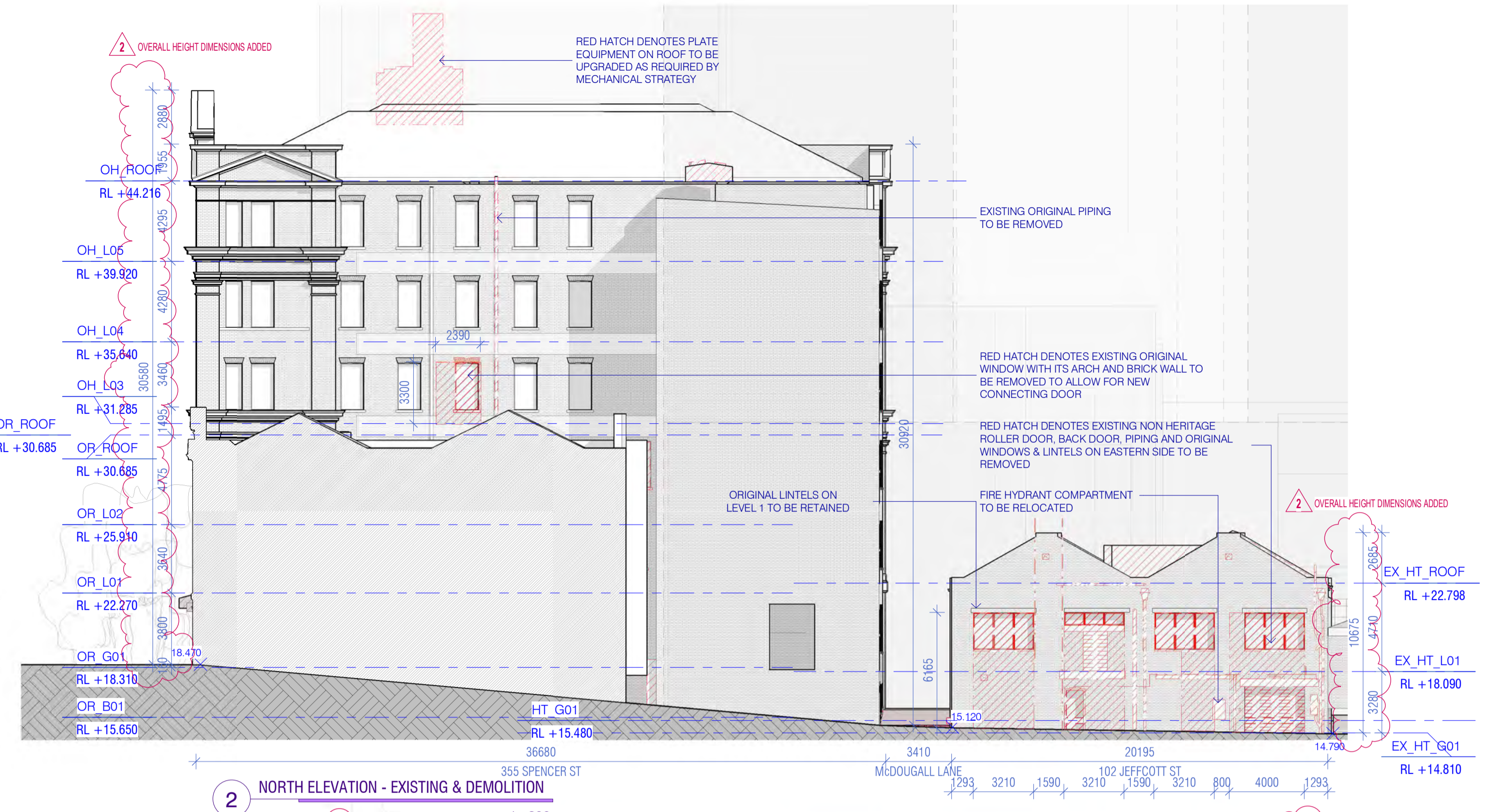
TOWN PLANNING



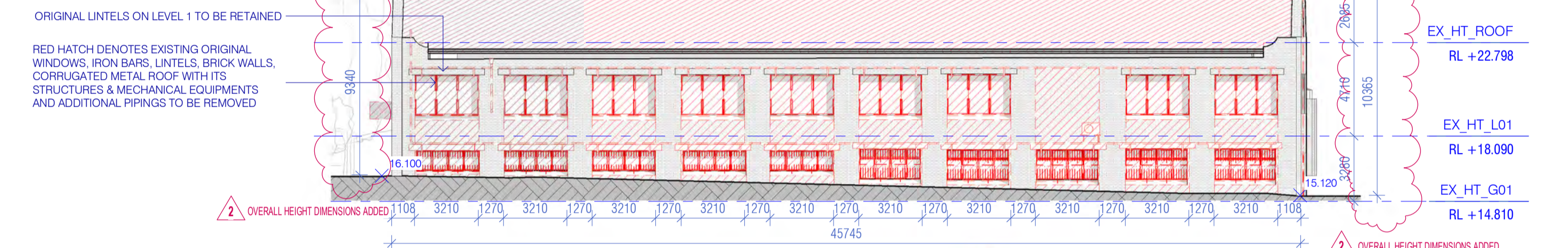
1 EAST ELEVATION - EXISTING & DEMOLITION
1 : 200

NOTE:
DURING DEMOLITION WORKS, REMAINING ORIGINAL BRICK WALL (470mm THICK) & ORIGINAL STRUCTURES TO BE PROTECTED

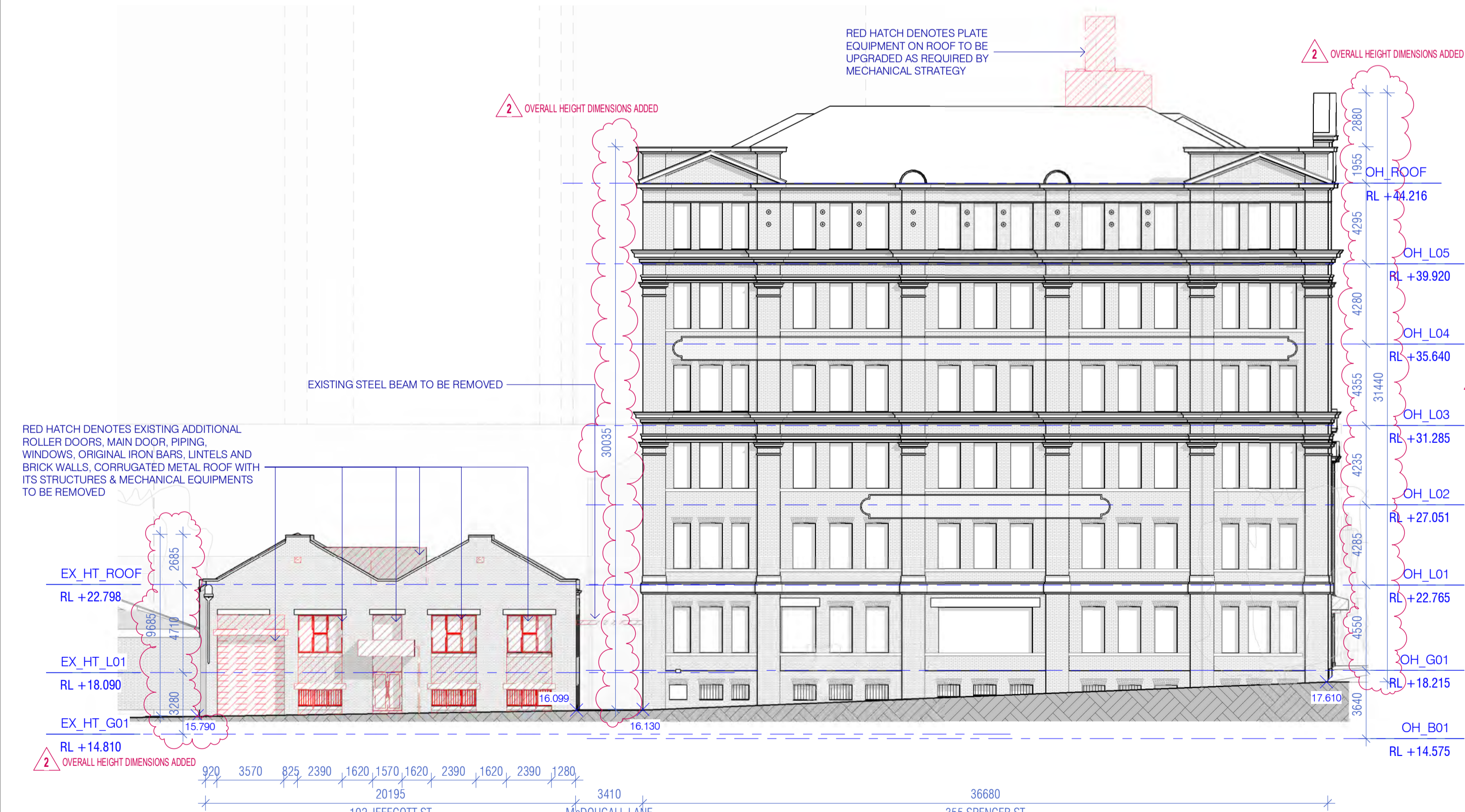
LEGEND:
[Red hatched box] DENOTES DEMOLISHED EXISTING BUILDING PARTS



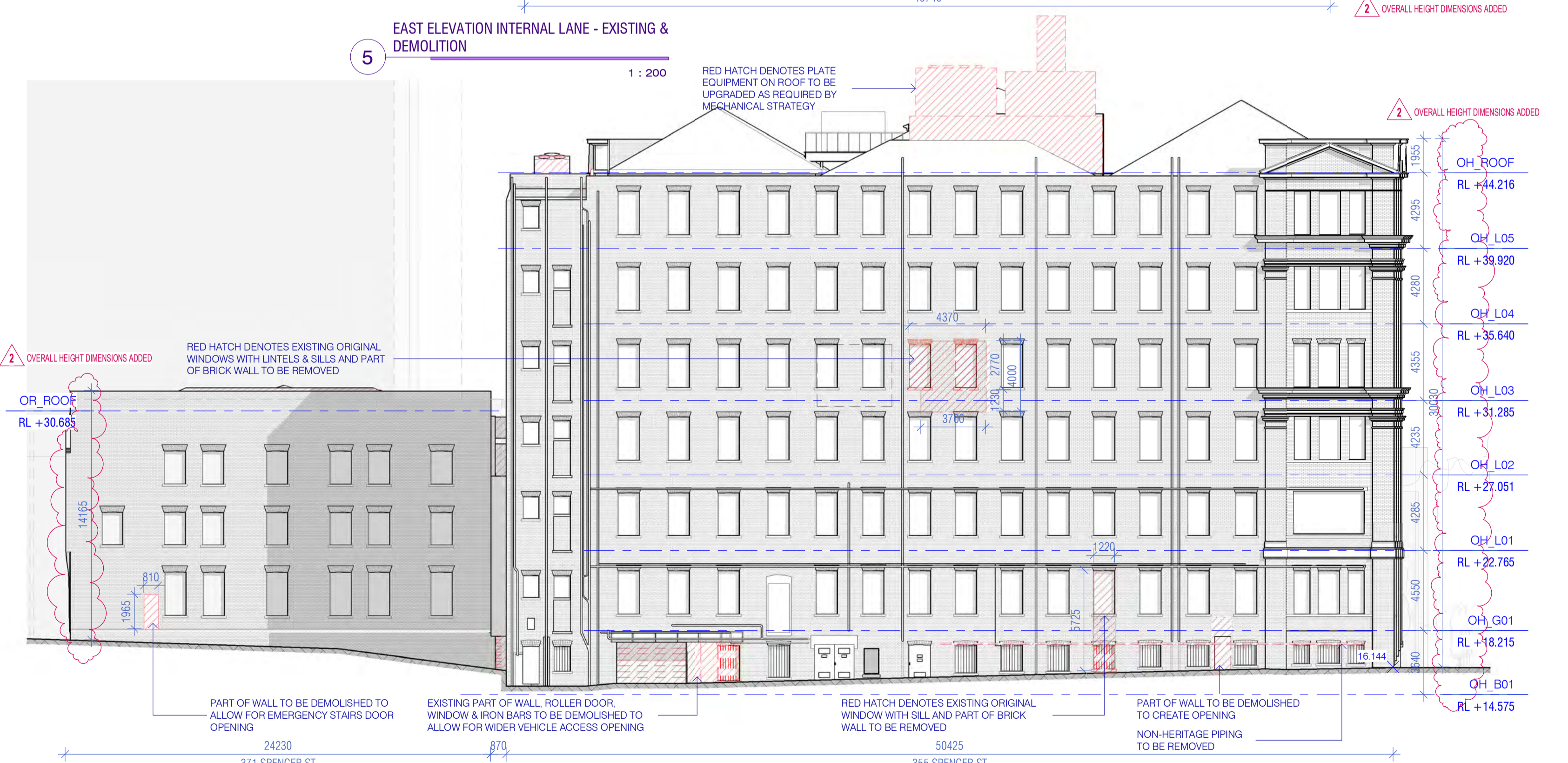
2 NORTH ELEVATION - EXISTING & DEMOLITION
1 : 200



5 EAST ELEVATION INTERNAL LANE - EXISTING & DEMOLITION
1 : 200



3 SOUTH ELEVATION - EXISTING & DEMOLITION
1 : 200



4 WEST ELEVATION INTERNAL LANE - EXISTING & DEMOLITION
1 : 200

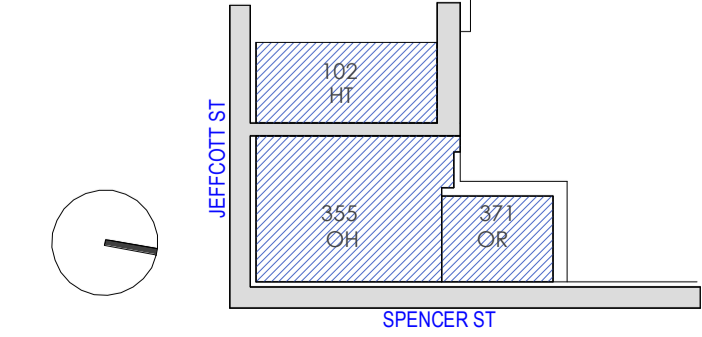
183 WESTON STREET
BRUNSWICK EAST, VIC 3087
LEVEL 2 DREVERY PLACE
MELBOURNE, VIC 3000

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29/03/2019 5:43:09 PM

REV.	DESCRIPTION	DATE
1	ISSUED FOR TOWN PLANNING	17/12/18
2	RE-ISSUED FOR TOWN PLANNING	29/03/19



PROJECT LOCATION	DRAWING SCALE	SHEET SIZE	PROJECT NO
355 SPENCER STREET, WEST MELBOURNE	As indicated	A1	197
CLIENT	DRAWING DATE	CHECK	DRAWN
355 SPENCER STREET PTY LTD.	10/22/18	DM	KS



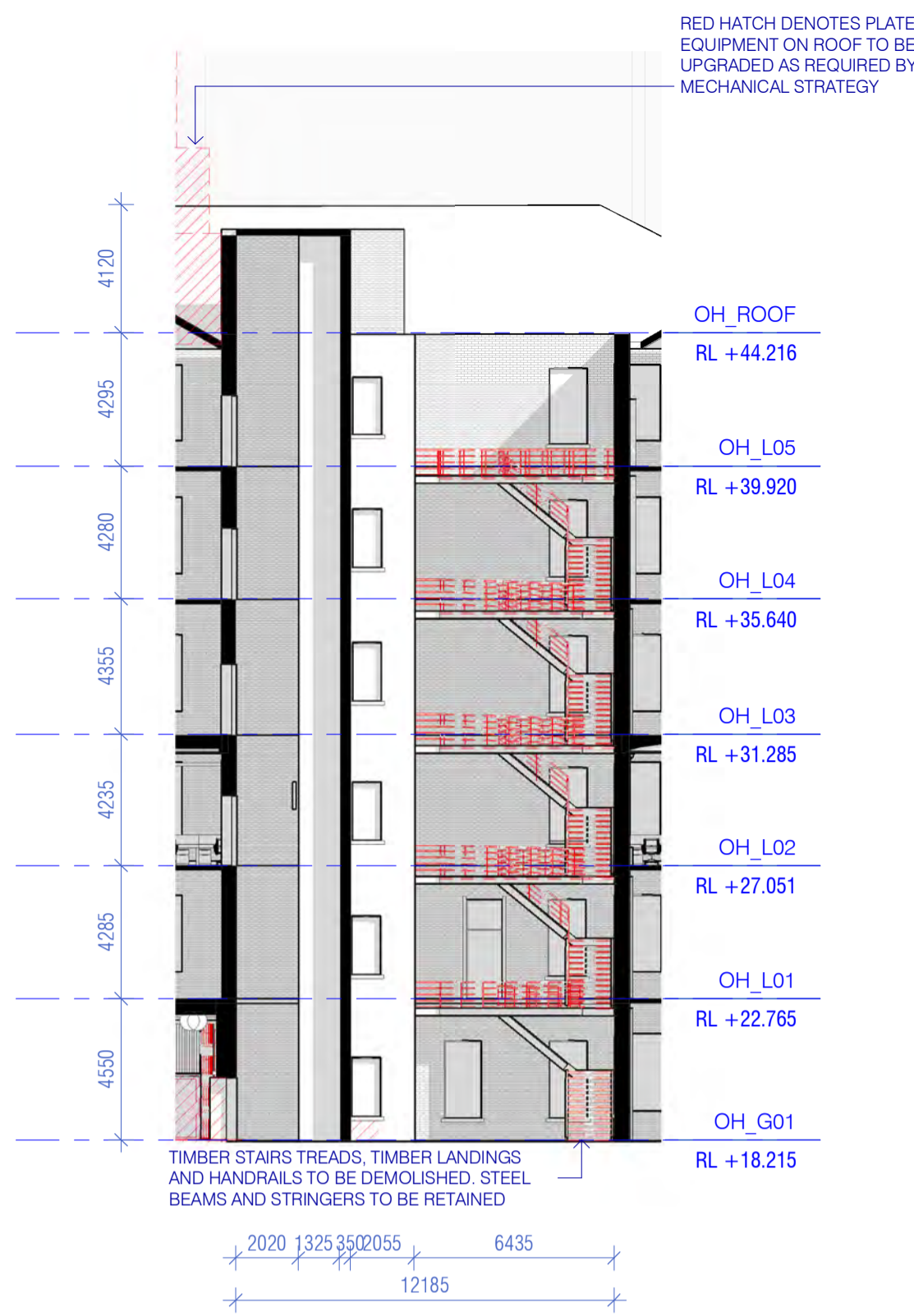
DRAWING TITLE	REVISION	BUILDING / ATTRIBUTE
EXISTING & DEMOLITION BUILDING ELEVATIONS	2	
DRAWING NAME	DRAWING NO.	
SANDS & MCDUGALL HOTEL DEVELOPMENT	TP2.001	

TOWN PLANNING

REVISION BUILDING / ATTRIBUTE
2

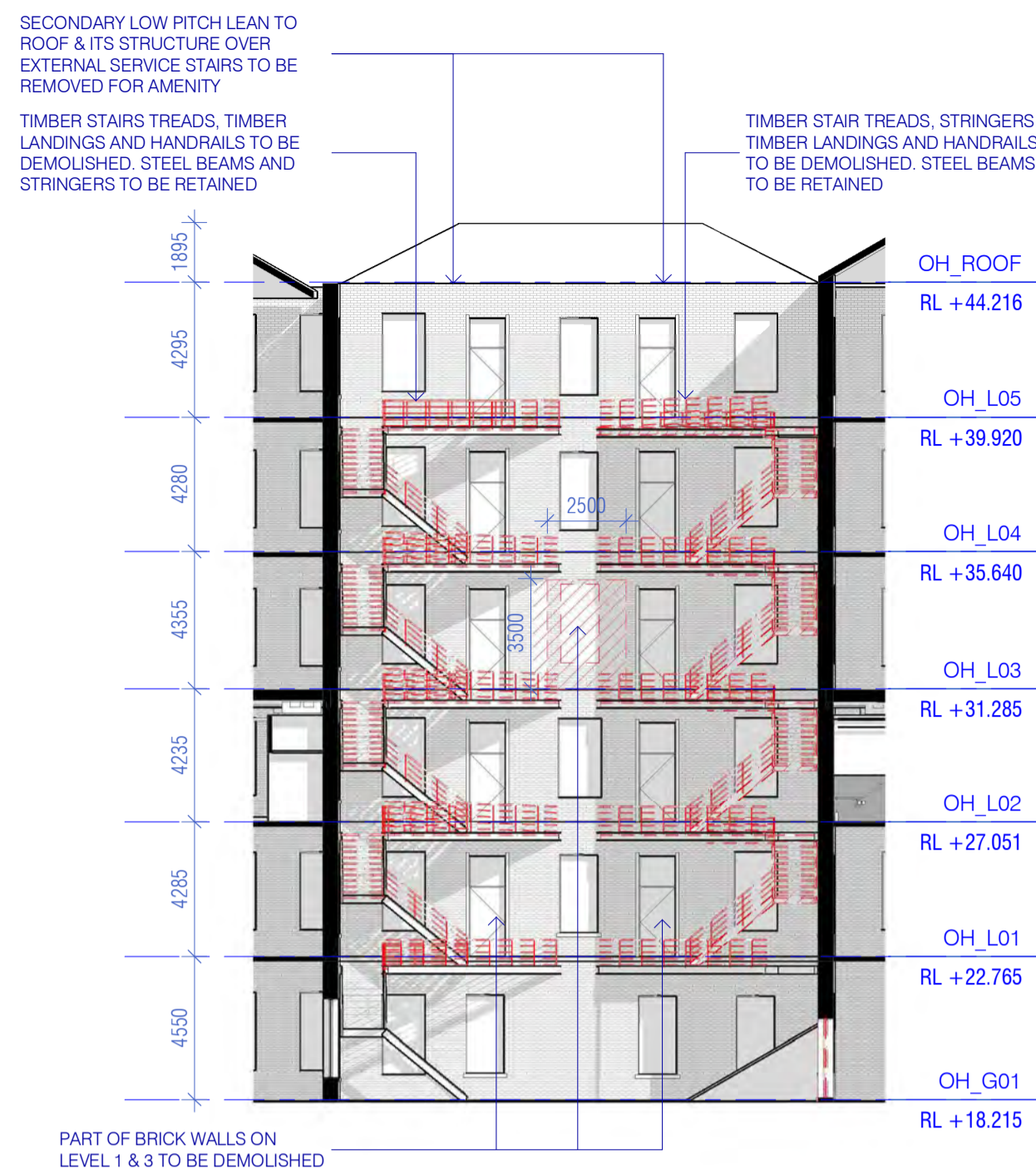
DRAWING NAME
SANDS & MCDUGALL HOTEL DEVELOPMENT

DRAWING NO.
TP2.001



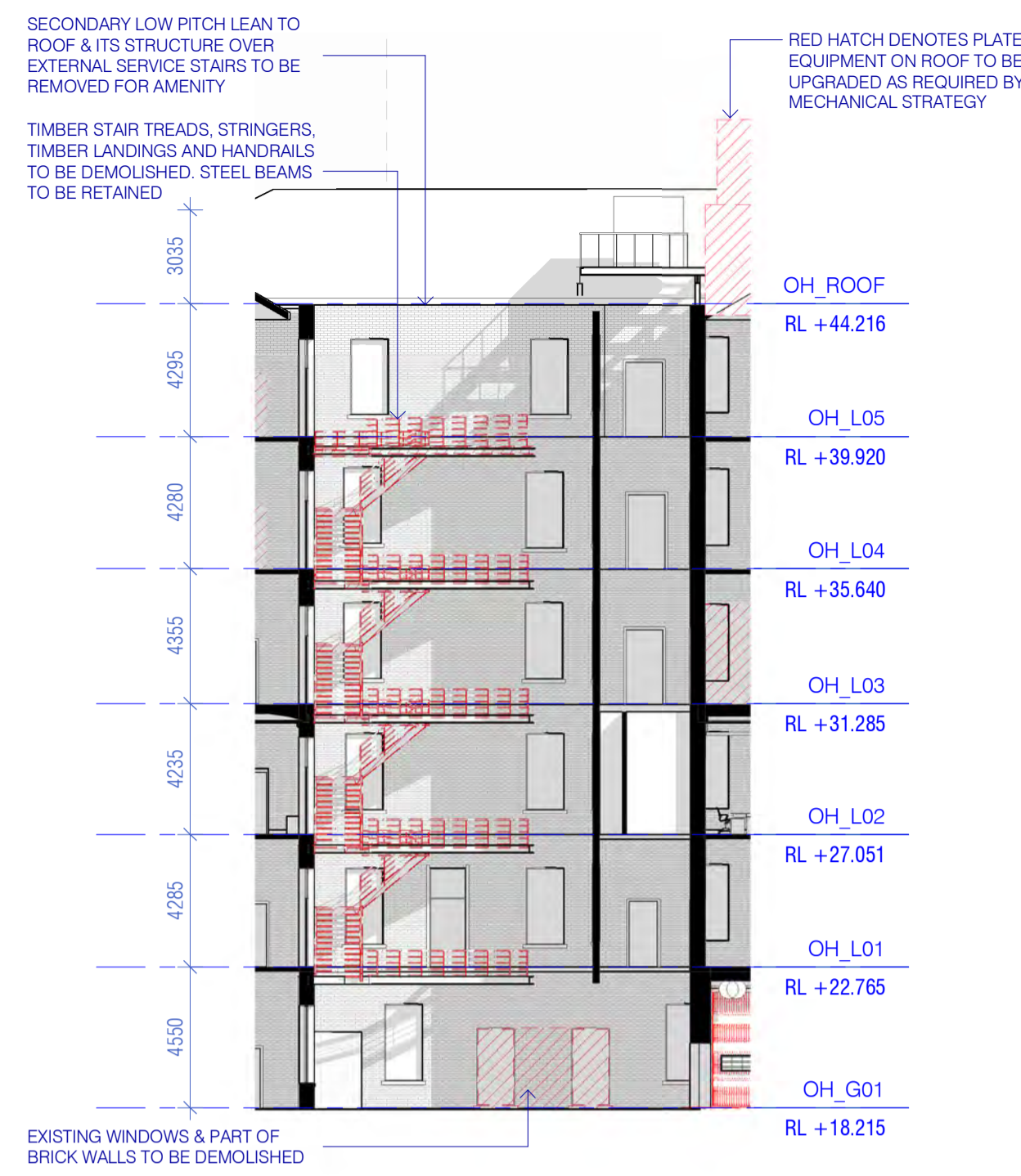
1 SOUTH ELEVATION COURTYARD - EXISTING & DEMOLITION

1 : 200



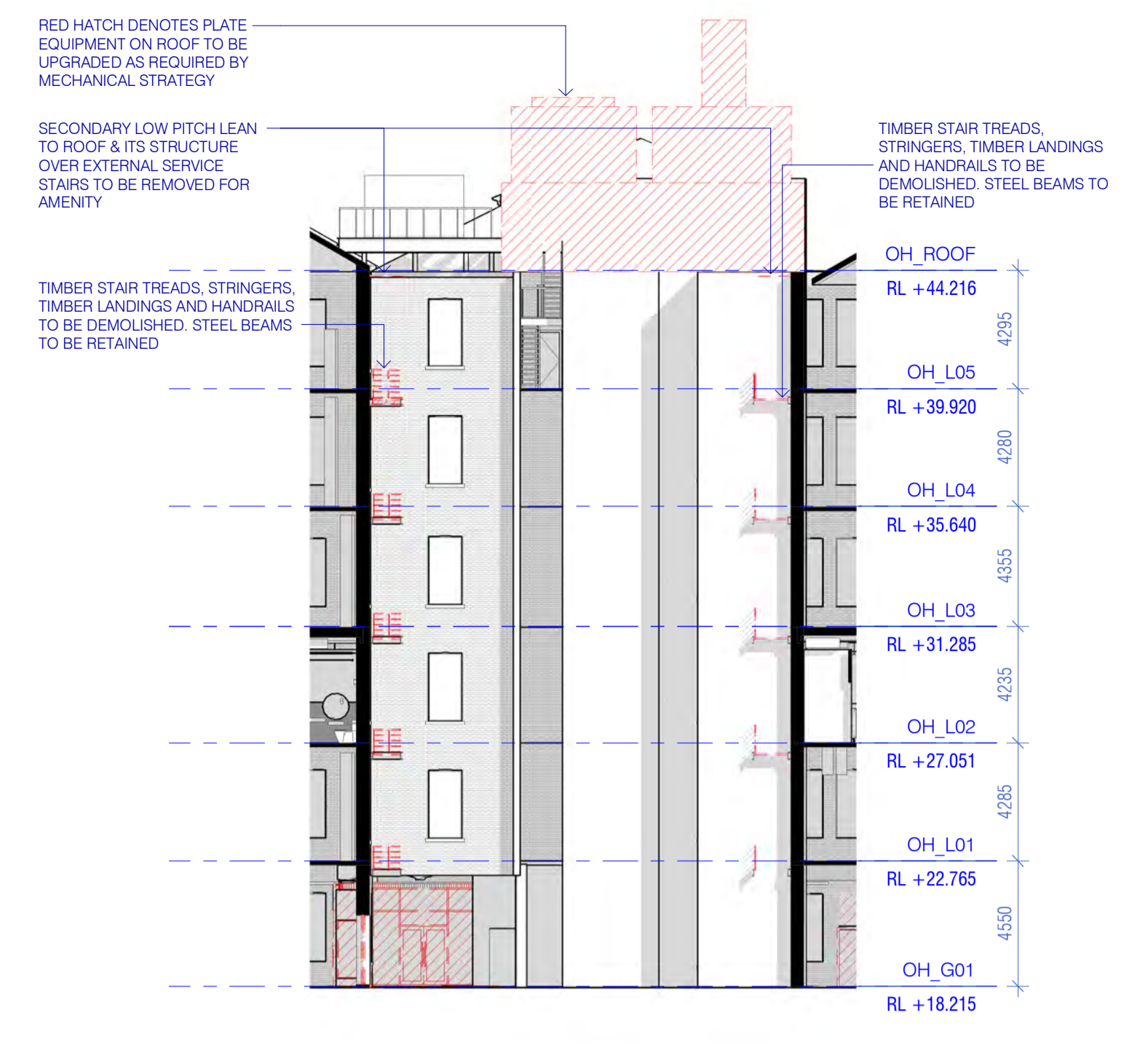
2 WEST ELEVATION COURTYARD - EXISTING & DEMOLITION

1 : 200



3 NORTH ELEVATION COURTYARD - EXISTING & DEMOLITION

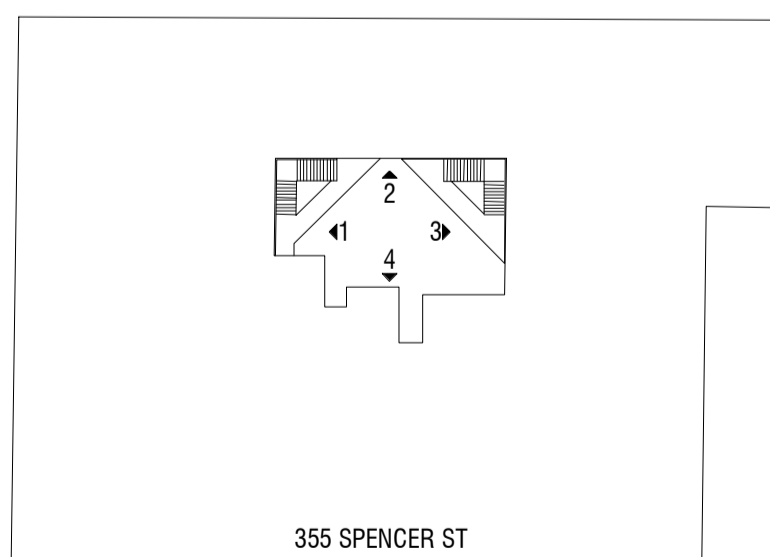
1 : 200



4 EAST ELEVATION COURTYARD - EXISTING & DEMOLITION

1 : 200

KEY PLAN



NOTE:
DURING DEMOLITION WORKS, REMAINING ORIGINAL BRICK WALL (470mm THICK) & ORIGINAL STRUCTURES TO BE PROTECTED

LEGEND:
[Red hatched box] DENOTES DEMOLISHED EXISTING BUILDING PARTS

TOWN PLANNING

183 WESTON STREET
BRUNSWICK EAST, VIC 3087
LEVEL 2, 2 DREWEY PLACE
MELBOURNE, VIC 3000

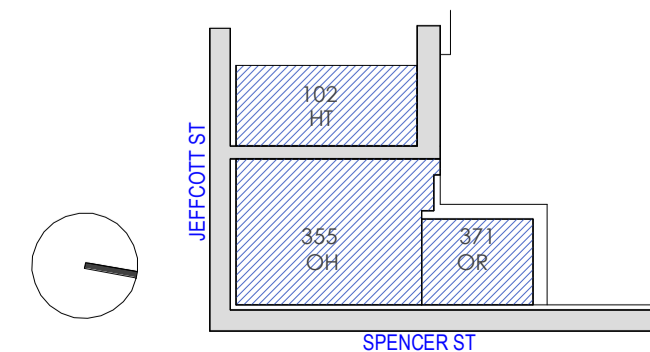
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REV.	DESCRIPTION
1	ISSUED FOR TOWN PLANNING

DATE
17/12/18



PROJECT LOCATION
355 SPENCER STREET,
WEST MELBOURNE

DRAWING SCALE
As indicated

SHEET SIZE
A1

PROJECT NO
197

CLIENT
355 SPENCER STREET
PTY LTD.

DRAWING DATE
10/22/18

CHECK
DM

DRAWN
AG



DRAWING TITLE
EXISTING & DEMOLITION
BUILDING ELEVATIONS - 355
SPENCER ST'S COURTYARD

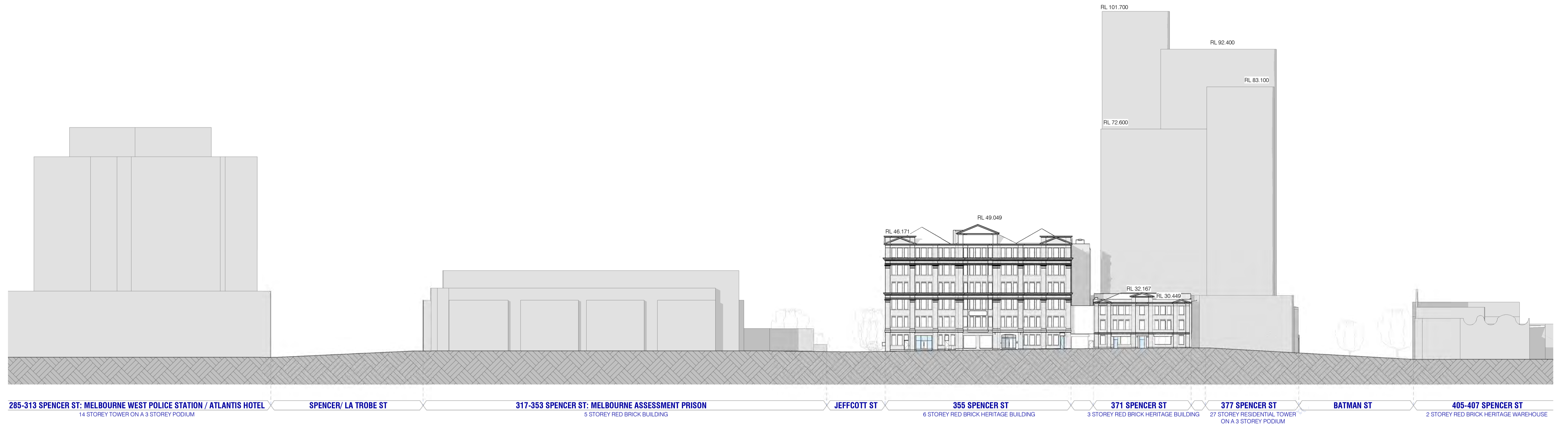
PROJECT NAME
SANDS & MCDUGALL
HOTEL DEVELOPMENT

REVISION
BUILDING / ATTRIBUTE

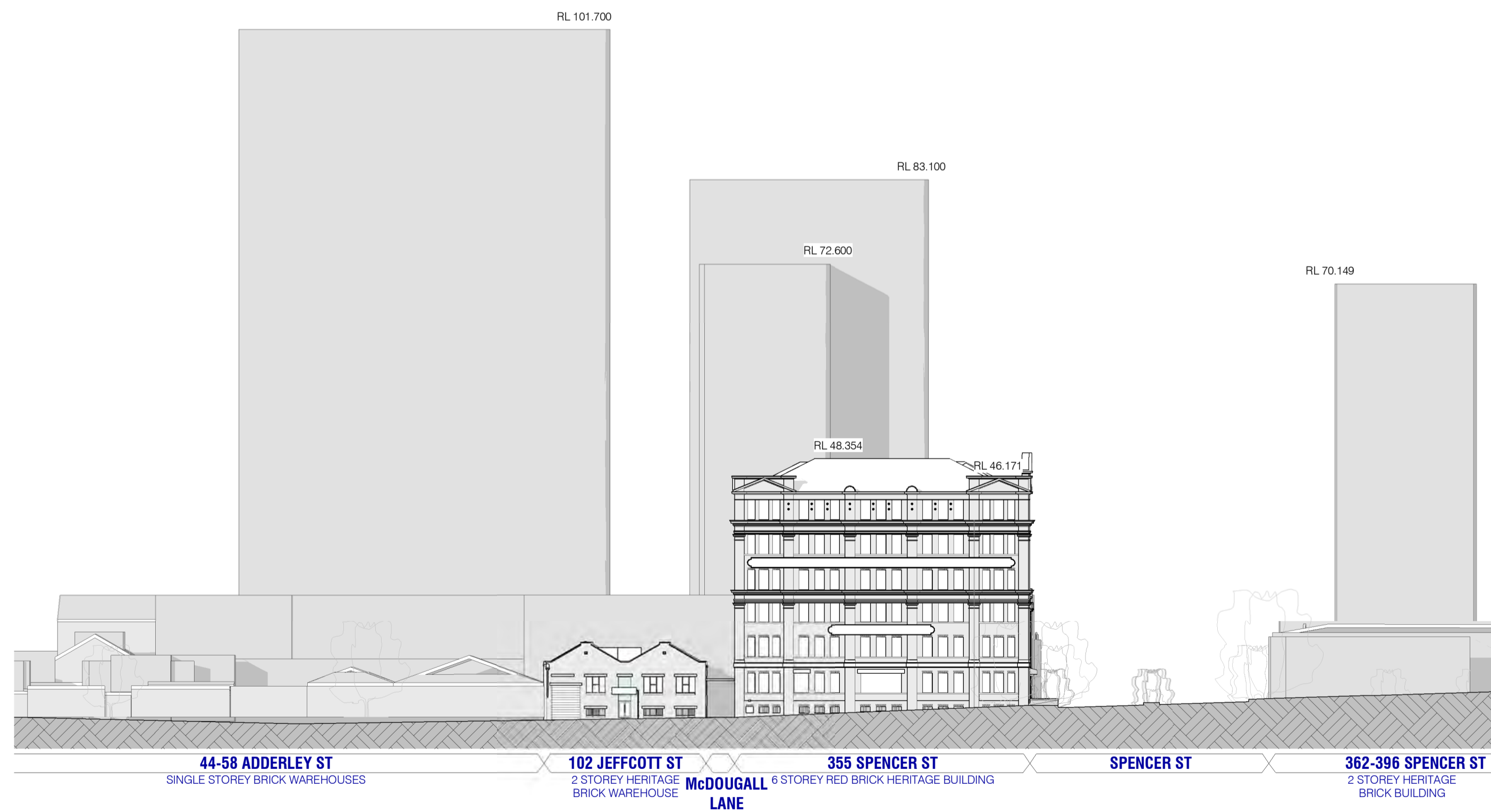
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DRAWING NO.

TP2.003



1 SPENCER STREET EXISTING SCAPE ELEVATION
1 : 500



2 JEFFCOTT STREET EXISTING SCAPE ELEVATION
1 : 500

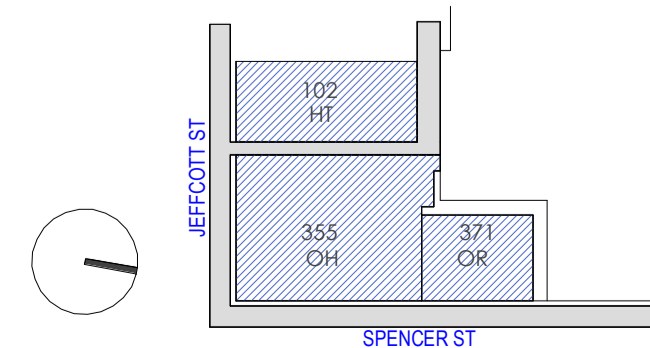
183 WESTON STREET
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LEVEL 2, 2 DREWEY PLACE
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29/03/2019 5:43:42 PM

REV.	DESCRIPTION	DATE
1	ISSUED FOR TOWN PLANNING	17/12/18



PROJECT LOCATION
355 SPENCER STREET,
WEST MELBOURNE

CLIENT
355 SPENCER STREET
PTY LTD.

DRAWING SCALE
1 : 500

DRAWING DATE
12/03/18

SHEET SIZE
A1

CHECK
DM

PROJECT NO
197

DRAWN
AG



DRAWING TITLE
EXISTING STREET SCAPE
ELEVATION

PROJECT NAME
SANDS & MCDUGALL
HOTEL DEVELOPMENT

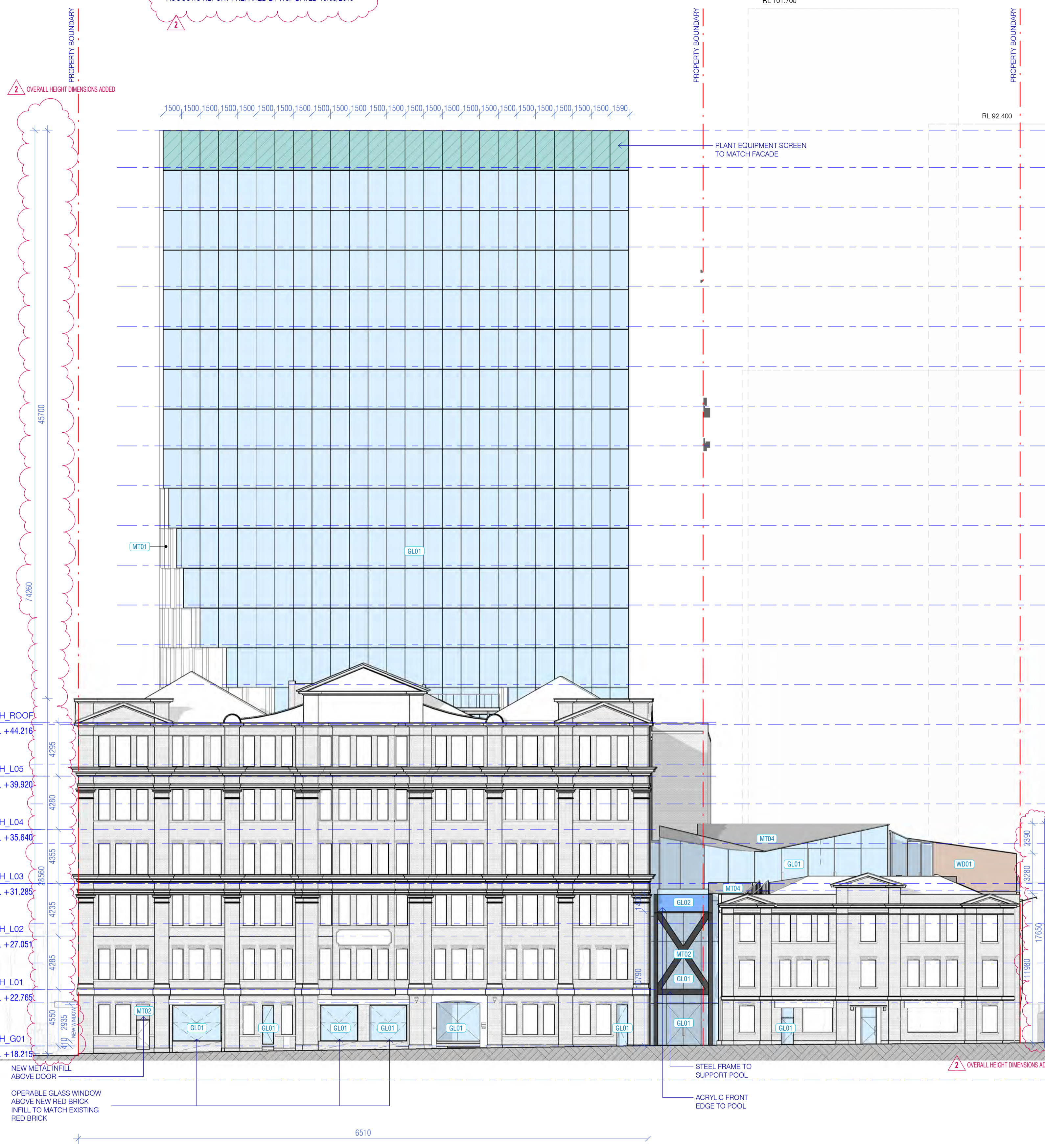
TOWN PLANNING

REVISION BUILDING / ATTRIBUTE

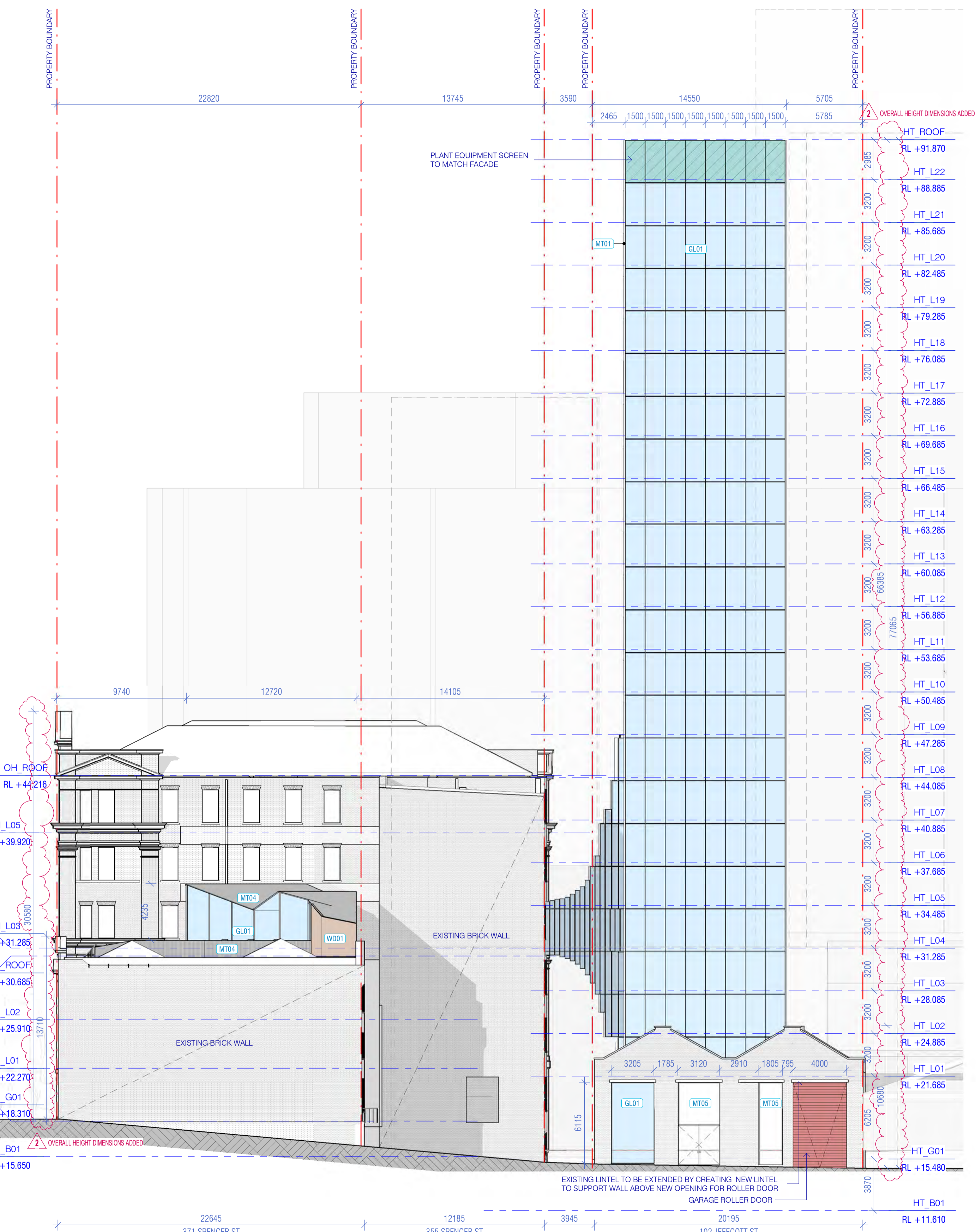
DRAWING NO.
TP2.011

GLAZING NOTE:

EXTERNAL GLAZING SPECIFICATION TO COMPLY WITH THE ACOUSTIC REPORT PREPARED BY WSP DATED 18/03/2019



1 EAST ELEVATION - PROPOSED
1 : 200



2 NORTH ELEVATION
1 : 200

BRICKWORK NOTE:
EXISTING BRICKWORK FAÇADES TO BE CLEANED & BRICKS REPOINTED AS REQUIRED

TOWN PLANNING

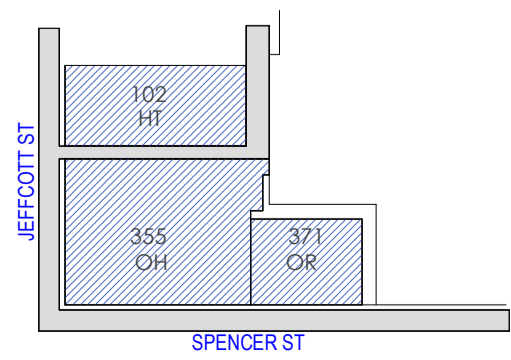
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29/03/2019 5:45:00 PM

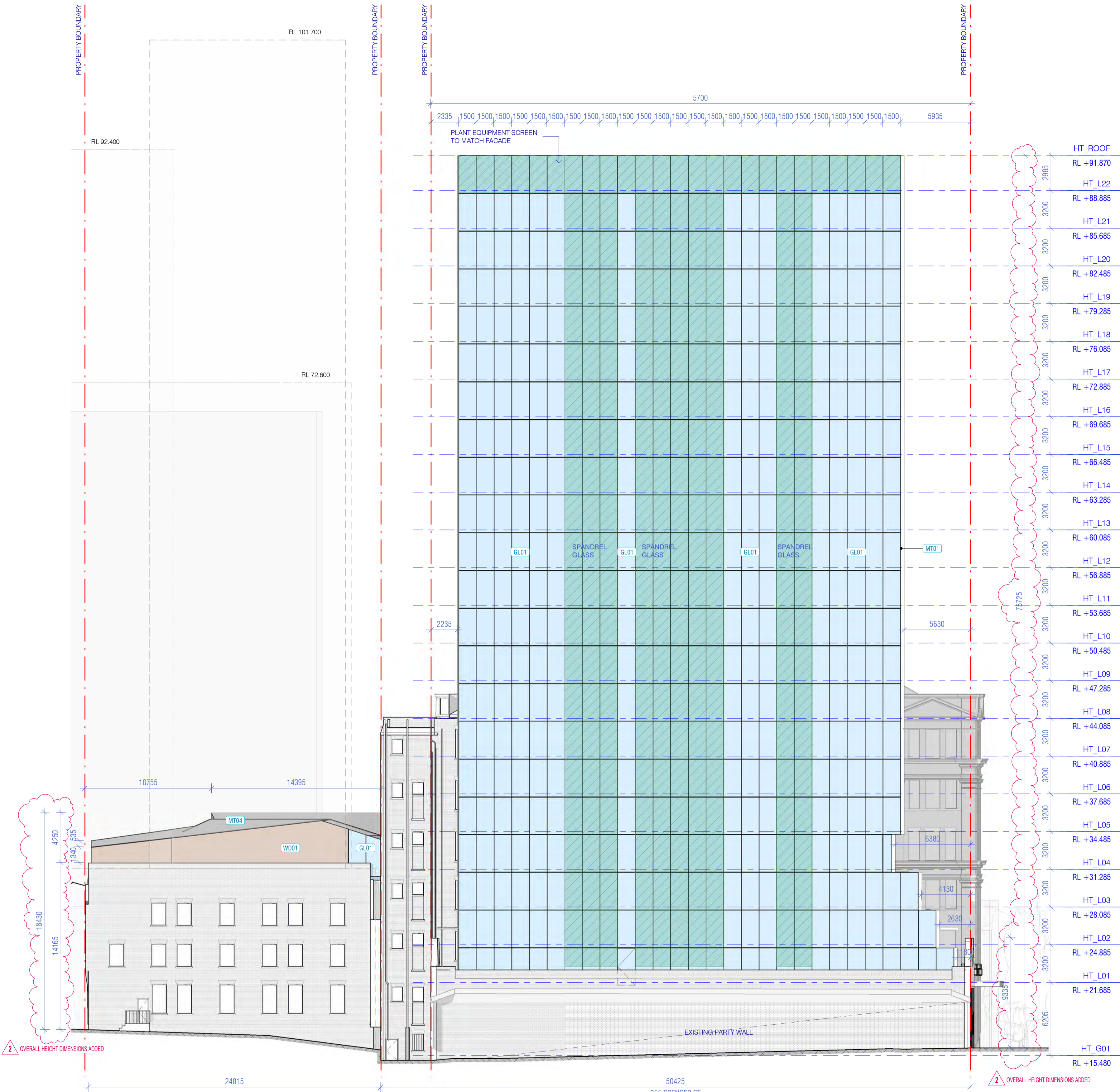
REV.	DESCRIPTION	DATE
1	ISSUED FOR TOWN PLANNING	17/12/18
2	RE-ISSUED FOR TOWN PLANNING	29/03/19



PROJECT LOCATION	DRAWING SCALE	SHEET SIZE	PROJECT NO
355 SPENCER STREET, WEST MELBOURNE	As indicated	A1	197
CLIENT	DRAWING DATE	CHECK	DRAWN
355 SPENCER STREET PTY LTD.	06/29/18	DM	AG



DRAWING TITLE	REVISION	BUILDING / ATTRIBUTE
BUILDING ELEVATIONS	2	
PROJECT NAME	DRAWING NO.	
SANDS & MCDUGALL HOTEL DEVELOPMENT	TP2.101	



GLAZING NOTE:
EXTERNAL GLAZING SPECIFICATION TO COMPLY WITH THE ACOUSTIC REPORT PREPARED BY WSP DATED 18/03/2019

BRICKWORK NOTE:
EXISTING BRICKWORK FACADES TO BE CLEANED & BRICKS REPOINTED AS REQUIRED

TOWN PLANNING

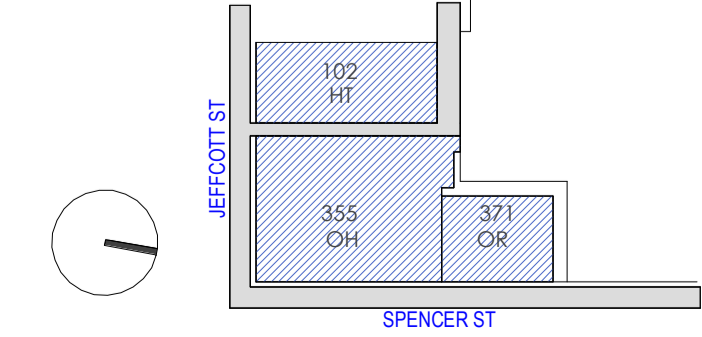
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29/03/2019 5:45:43 PM

REV.	DESCRIPTION	DATE
1	ISSUED FOR TOWN PLANNING	17/12/18
2	RE-ISSUED FOR TOWN PLANNING	29/03/19



PROJECT LOCATION	DRAWING SCALE	SHEET SIZE	PROJECT NO
355 SPENCER STREET, WEST MELBOURNE	As indicated	A1	197
CLIENT	DRAWING DATE	CHECK	DRAWN
355 SPENCER STREET PTY LTD.	10/22/18	DM	AG



DRAWING TITLE
BUILDING ELEVATIONS

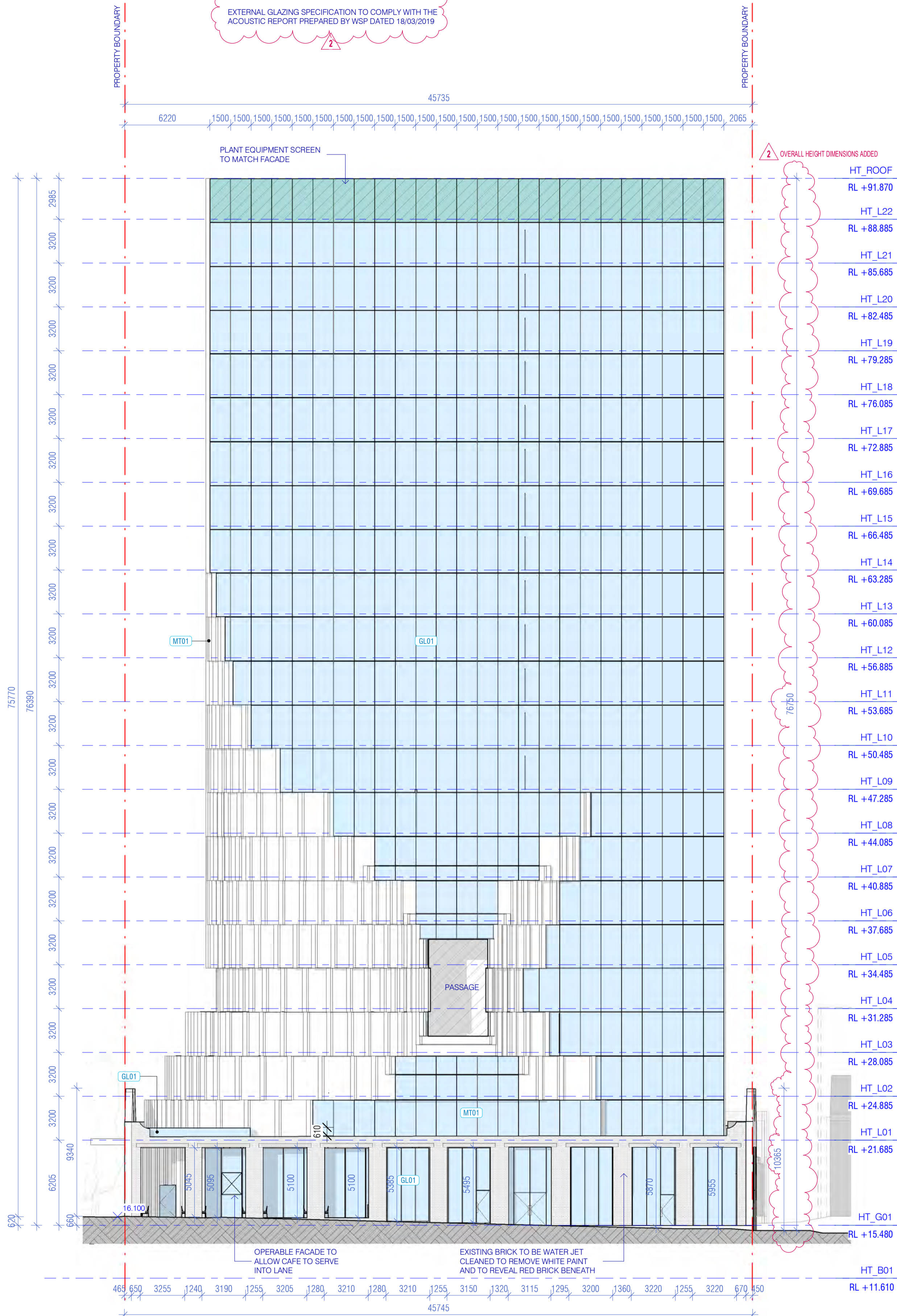
PROJECT NAME
SANDS & MCDUGALL HOTEL DEVELOPMENT

REVISION BUILDING / ATTRIBUTE
2

DRAWING NO.
TP2.102

GLAZING NOTE:

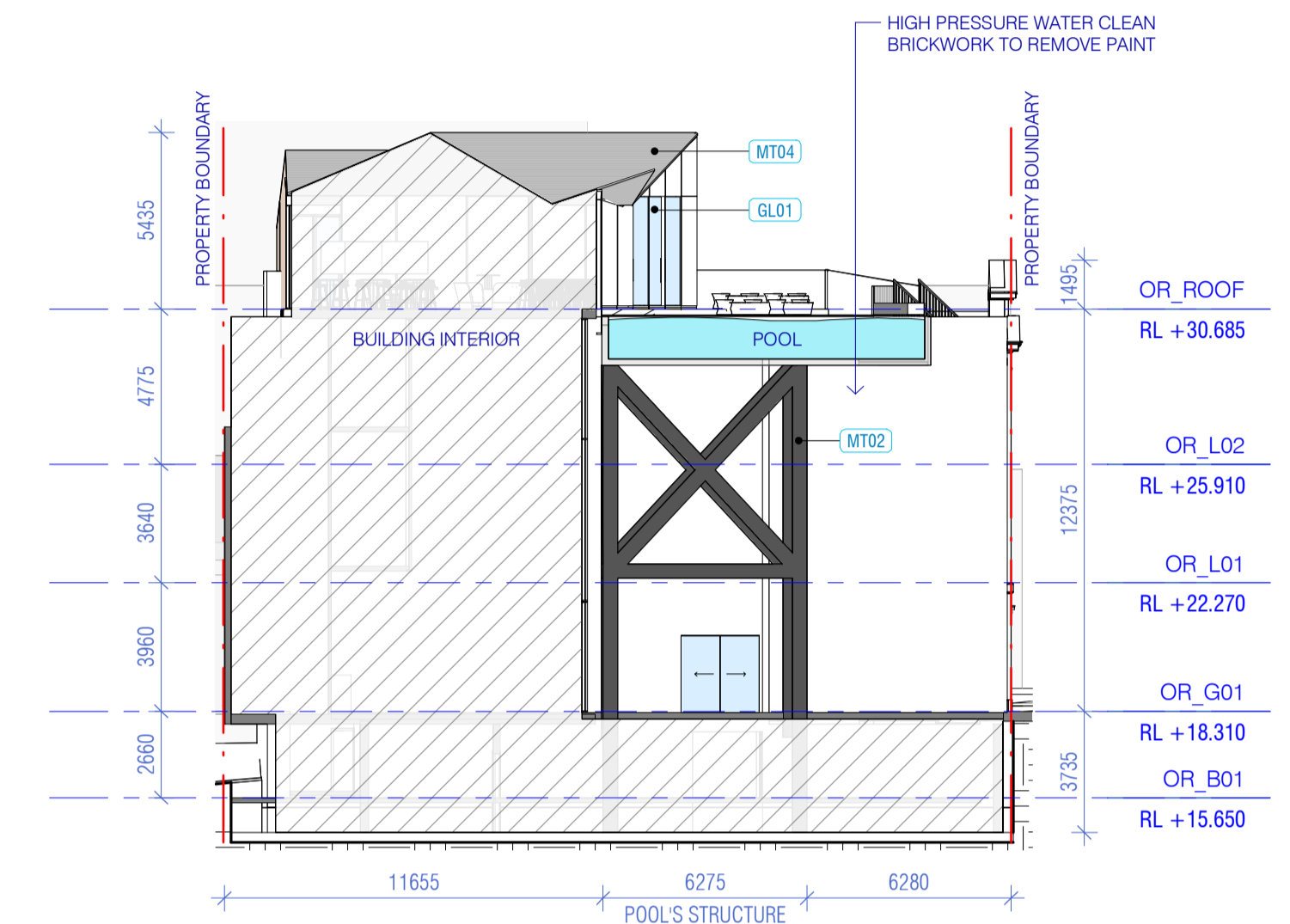
EXTERNAL GLAZING SPECIFICATION TO COMPLY WITH THE ACOUSTIC REPORT PREPARED BY WSP DATED 18/03/2019



1 EAST ELEVATION - INTERNAL LANE PROPOSED
1 : 200



3 SOUTH ELEVATION - ENTRANCE CORRIDOR PROPOSED
1 : 200



4 NORTH ELEVATION - ENTRANCE CORRIDOR PROPOSED
1 : 200



2 WEST ELEVATION - INTERNAL LANE PROPOSED
1 : 200

BRICKWORK NOTE:
EXISTING BRICKWORK FACADES TO BE CLEANED & BRICKS REPOINTED AS REQUIRED

TOWN PLANNING

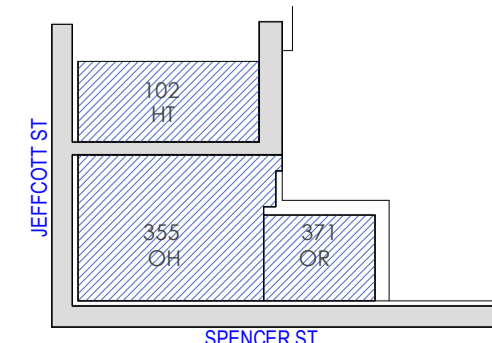
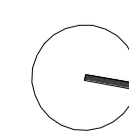
183 WESTON STREET
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REV.	DESCRIPTION	DATE
1	ISSUED FOR TOWN PLANNING	17/12/18
2	RE-ISSUED FOR TOWN PLANNING	29/03/19



PROJECT LOCATION
355 SPENCER STREET,
WEST MELBOURNE

CLIENT
355 SPENCER STREET
PTY LTD.

DRAWING SCALE	SHEET SIZE	PROJECT NO
As indicated	A1	197
DRAWING DATE	CHECK	DRAWN
10/22/18	DM	AG



DRAWING TITLE
BUILDING ELEVATIONS

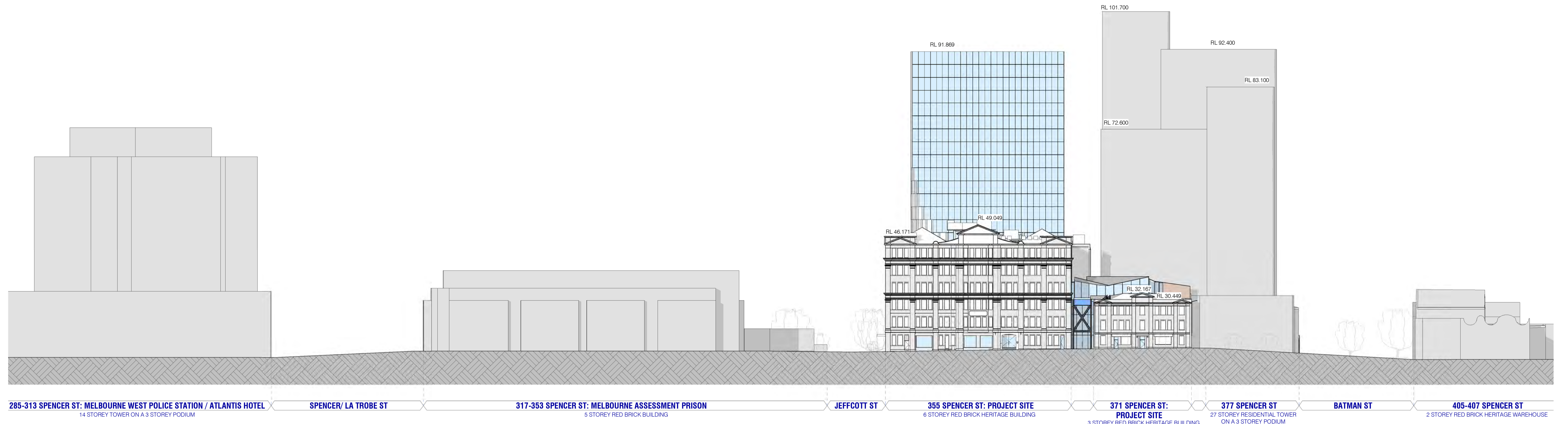
PROJECT NAME
SANDS & MCDUGALL
HOTEL DEVELOPMENT

REVISION BUILDING / ATTRIBUTE

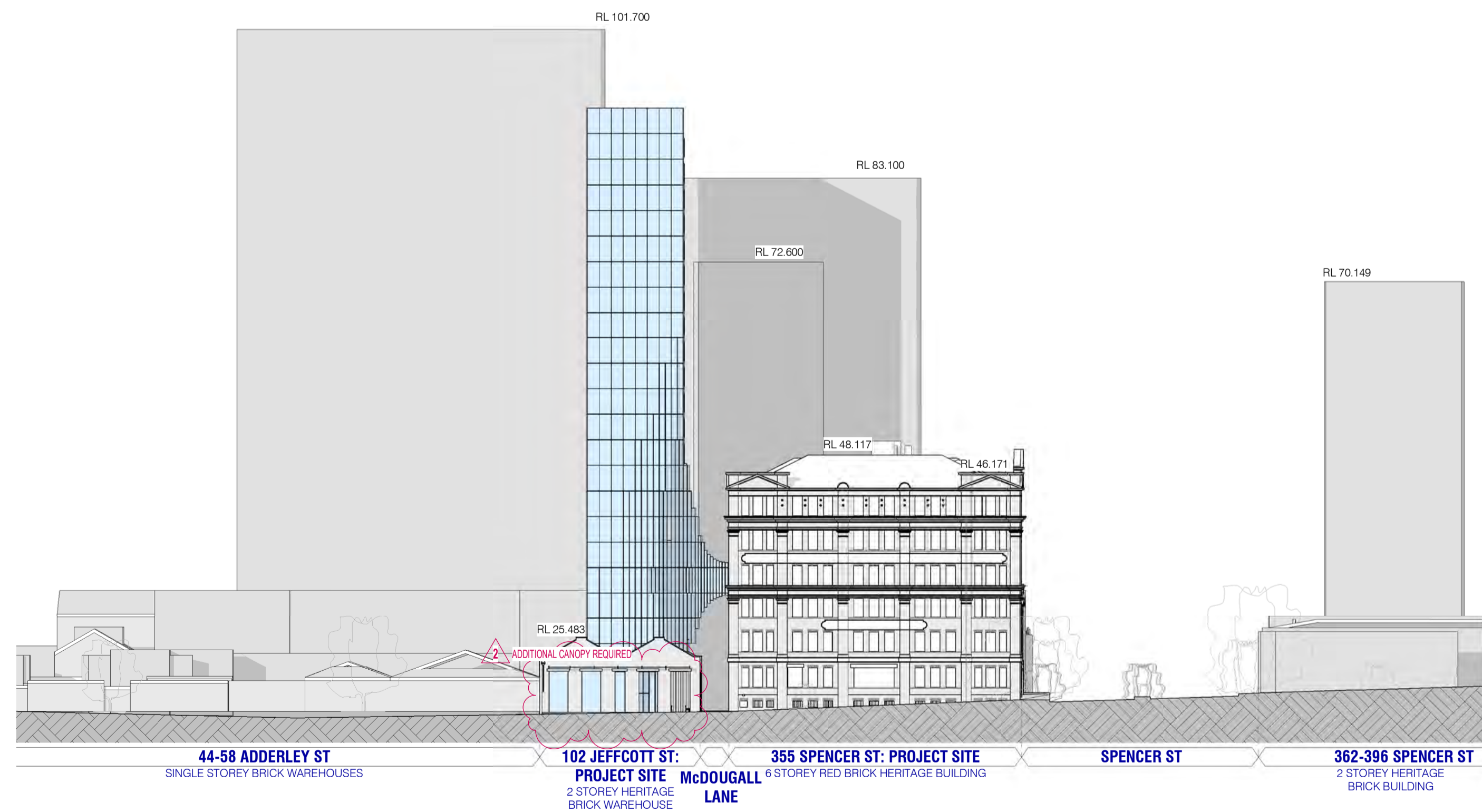
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DRAWING NO.

TP2.103



1 SPENCER STREET SCAPE ELEVATION
1 : 500



2 JEFFCOTT STREET SCAPE ELEVATION
1 : 500

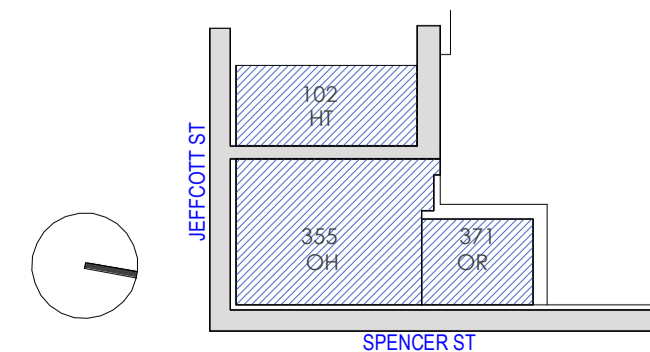
183 WESTON STREET
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29/03/2019 5:48:44 PM

REV.	DESCRIPTION	DATE
1	ISSUED FOR TOWN PLANNING	17/12/18
2	RE-ISSUED FOR TOWN PLANNING	29/03/19

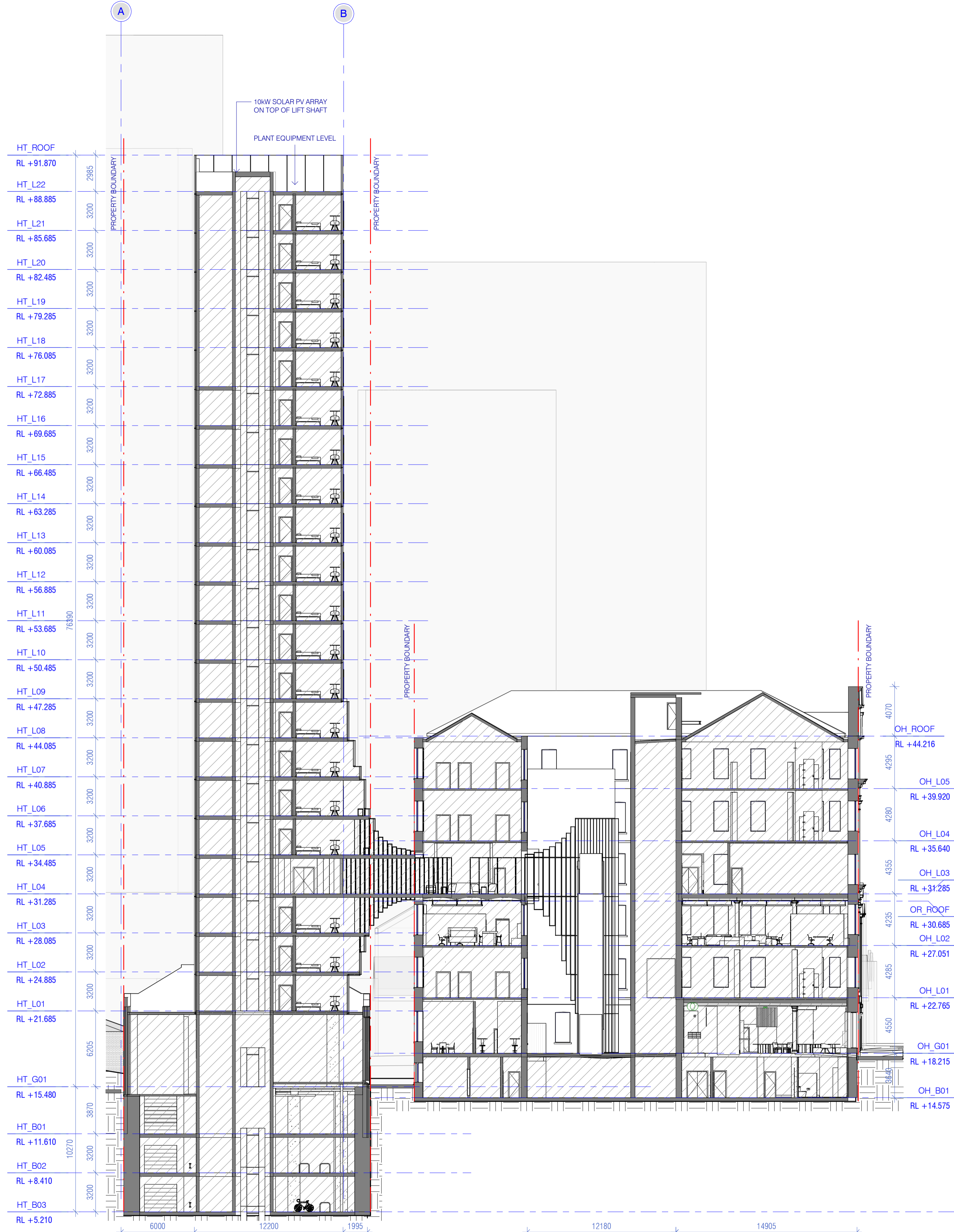


PROJECT LOCATION 355 SPENCER STREET, WEST MELBOURNE	DRAWING SCALE 1 : 500	SHEET SIZE A1	PROJECT NO. 197
CLIENT 355 SPENCER STREET PTY LTD.	DRAWING DATE 11/16/18	CHECK DM	DRAWN AG



DRAWING TITLE STREET SCAPE ELEVATIONS	REVISION 2	BUILDING / ATTRIBUTE
PROJECT NAME SANDS & MCDUGALL HOTEL DEVELOPMENT	DRAWING NO. TP2.211	

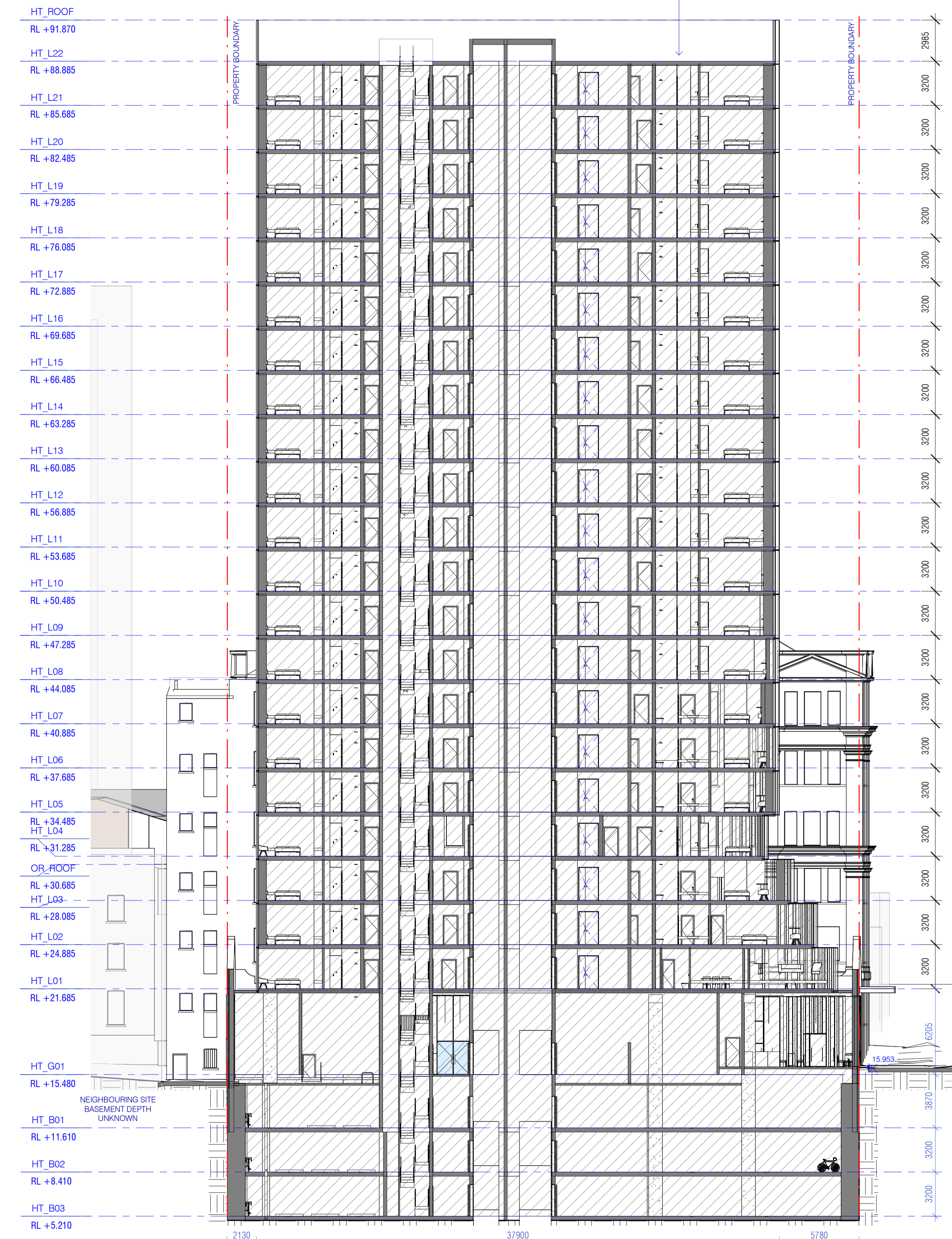
TOWN PLANNING



HT_ROOF	RL +91.870
HT_L22	RL +88.885
HT_L21	RL +85.685
HT_L20	RL +82.485
HT_L19	RL +79.285
HT_L18	RL +76.085
HT_L17	RL +72.885
HT_L16	RL +69.685
HT_L15	RL +66.485
HT_L14	RL +63.285
HT_L13	RL +60.085
HT_L12	RL +56.885
HT_L11	RL +53.685
HT_L10	RL +50.485
HT_L09	RL +47.285
HT_L08	RL +44.085
HT_L07	RL +40.885
HT_L06	RL +37.685
HT_L05	RL +34.485
HT_L04	RL +31.285
HT_L03	RL +28.085
HT_L02	RL +24.885
HT_L01	RL +21.685
HT_G01	RL +15.480
HT_B01	RL +11.610
HT_B02	RL +8.410
HT_B03	RL +5.210

OH_ROOF	RL +44.216
OH_L05	RL +39.920
OH_L04	RL +35.640
OH_L03	RL +31.285
OR_ROOF	RL +30.685
HT_L03	RL +28.085
OH_L02	RL +27.051
OH_L01	RL +22.765
OH_G01	RL +18.215
OH_B01	RL +14.575

SECTION 01
102 JEFFCOTT ST
1 : 200



HT_ROOF	RL +91.870
HT_L22	RL +88.885
HT_L21	RL +85.685
HT_L20	RL +82.485
HT_L19	RL +79.285
HT_L18	RL +76.085
HT_L17	RL +72.885
HT_L16	RL +69.685
HT_L15	RL +66.485
HT_L14	RL +63.285
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HT_L07	RL +40.885
HT_L06	RL +37.685
HT_L05	RL +34.485
HT_L04	RL +31.285
OR_ROOF	RL +30.685
HT_L03	RL +28.085
HT_L02	RL +24.885
HT_L01	RL +21.685
HT_G01	RL +15.480
HT_B01	RL +11.610
HT_B02	RL +8.410
HT_B03	RL +5.210

SECTION 02
TOWER 45745
1 : 200

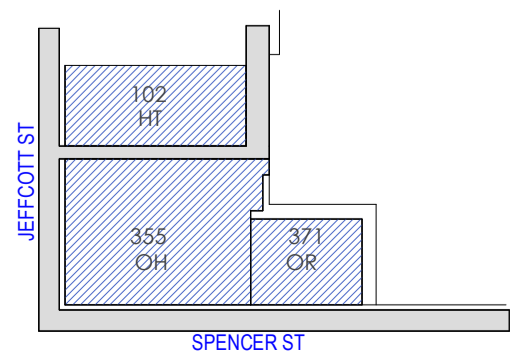
183 WESTON STREET
BRUNSWICK EAST, VIC 3087
LEVEL 2, 2 DREWEY PLACE
MELBOURNE, VIC 3000

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REV.	DESCRIPTION	DATE
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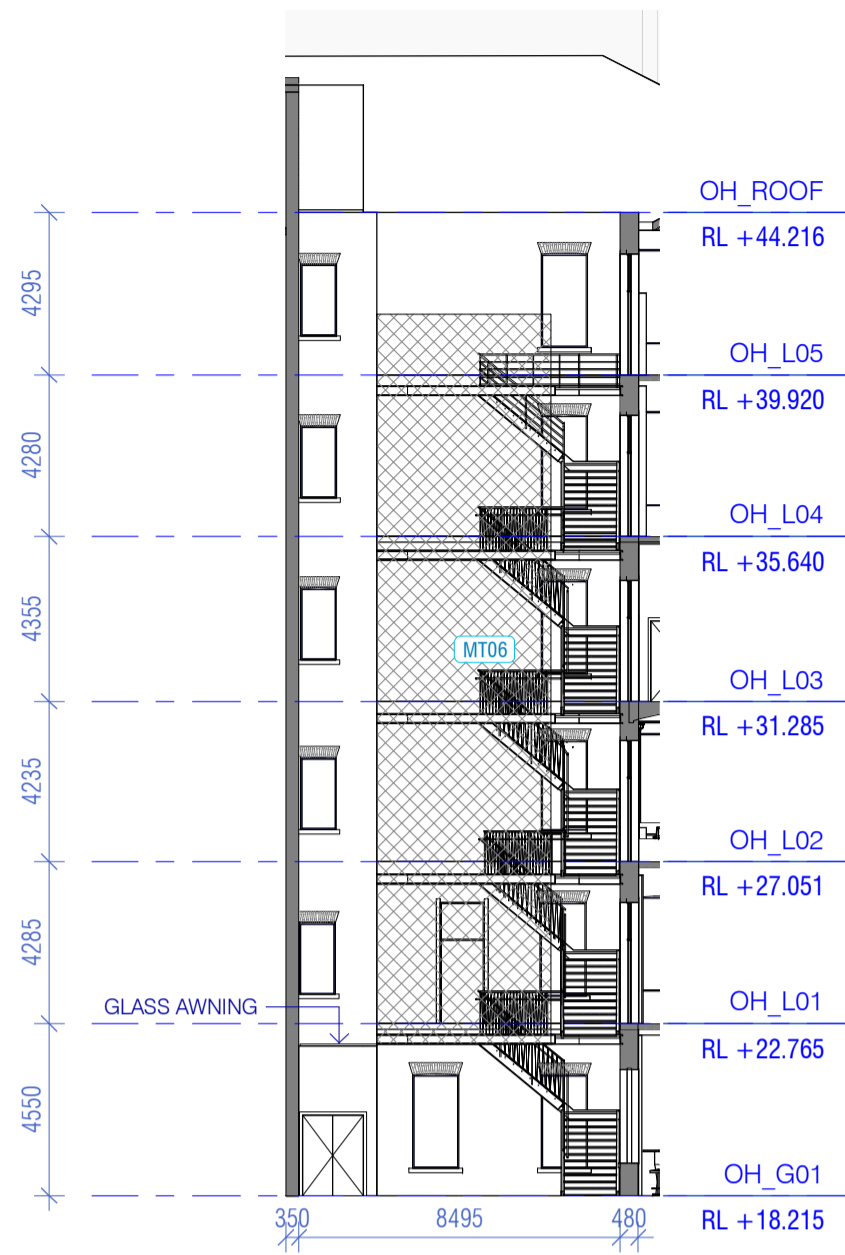


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CLIENT	355 SPENCER STREET PTY LTD.
DRAWING SCALE	1 : 200
DRAWING DATE	10/11/18
SHEET SIZE	A1
CHECK	DM
PROJECT NO	197
DRAWN	KS

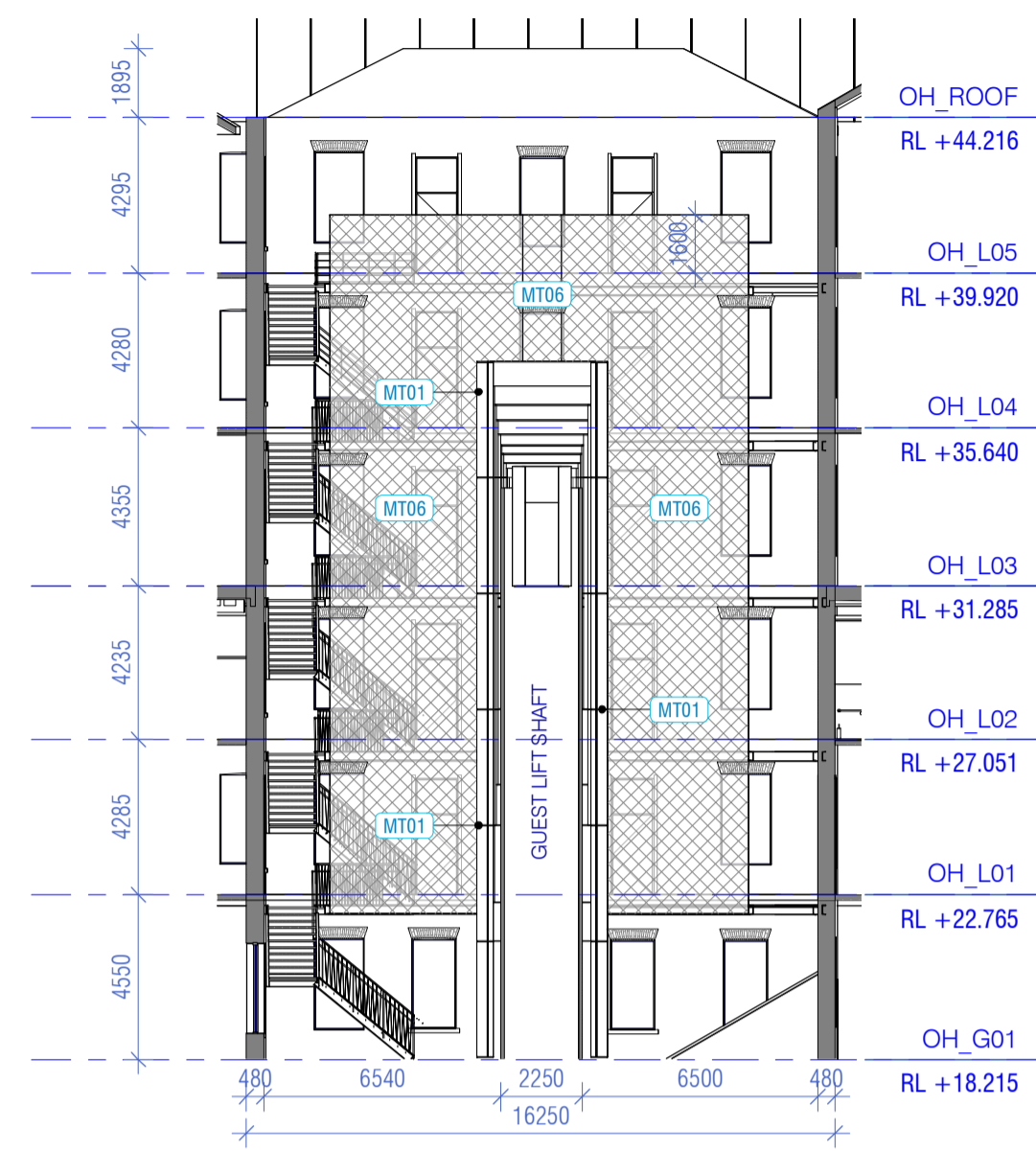


DRAWING TITLE	BUILDING SECTIONS
REVISION	1
PROJECT NAME	SANDS & MCDUGALL HOTEL DEVELOPMENT
DRAWING NO.	TP3.101

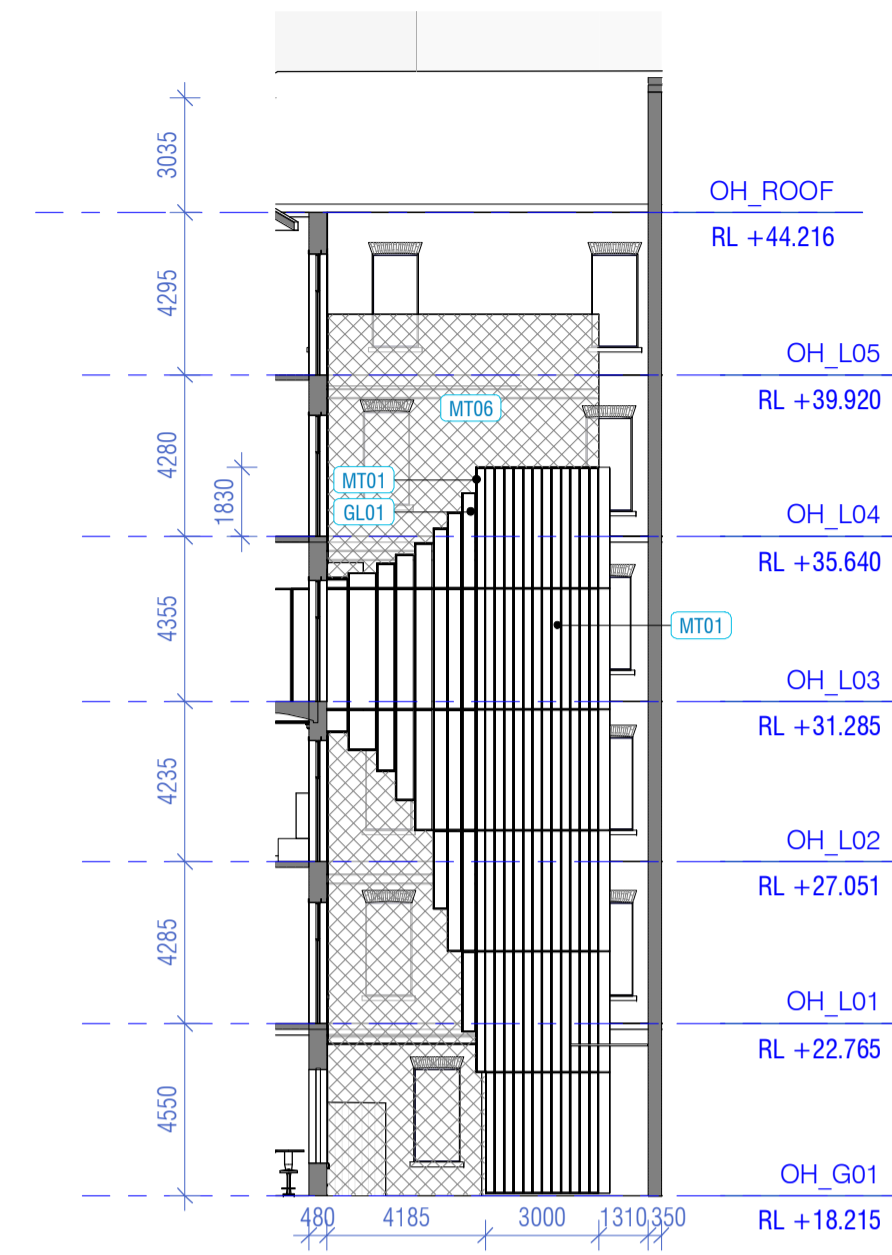
TOWN PLANNING



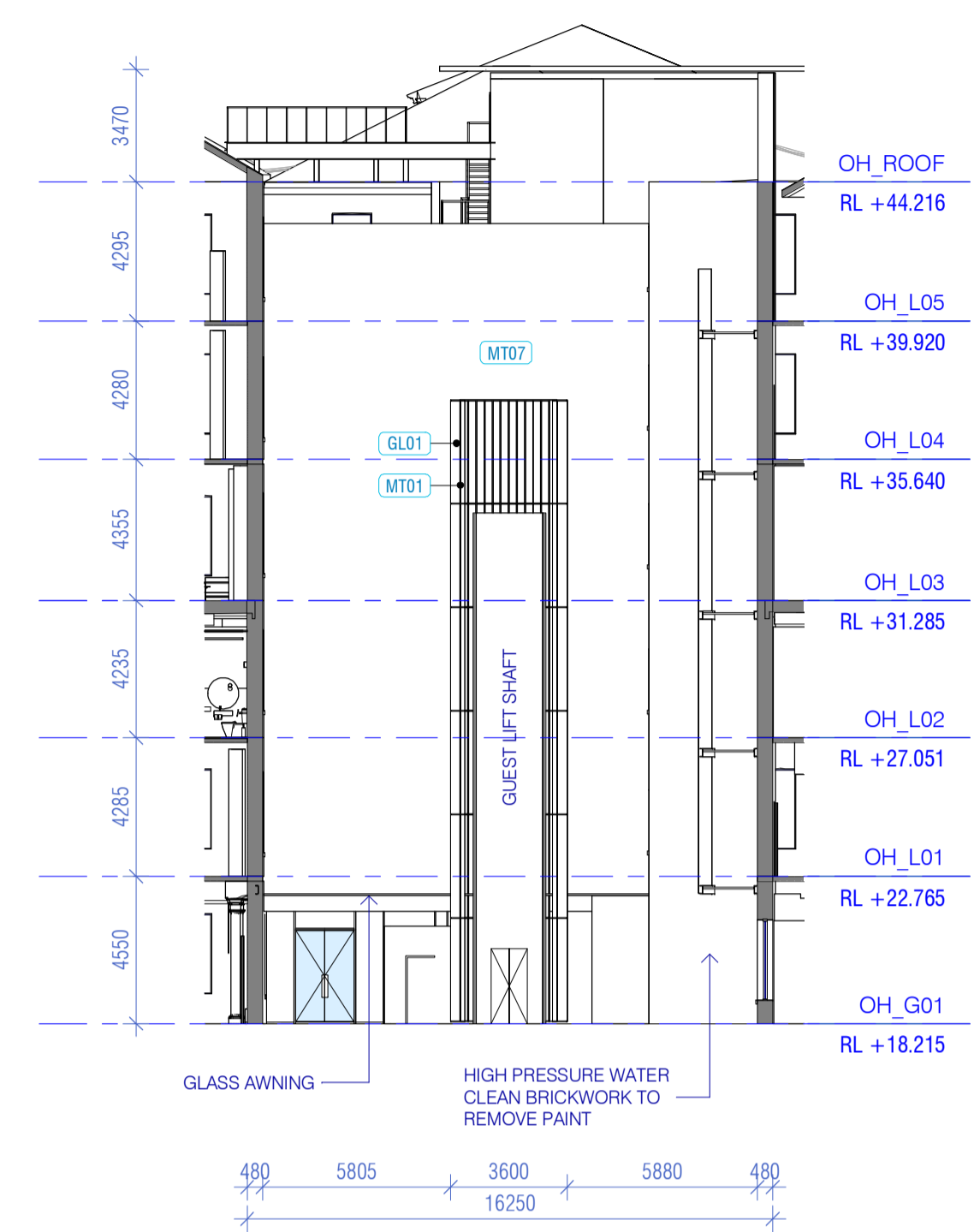
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1 : 200



2 COURTYARD'S PROPOSED WEST ELEVATION 2
1 : 200

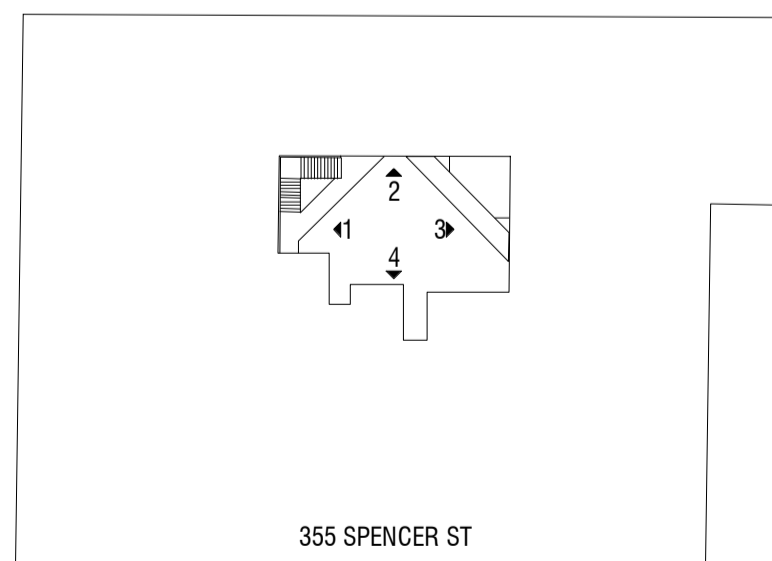


3 COURTYARD'S PROPOSED NORTH ELEVATION 3
1 : 200



4 COURTYARD'S PROPOSED EAST ELEVATION 4
1 : 200

KEY PLAN



183 WESTON STREET
BRUNSWICK EAST, VIC 3067
LEVEL 2, 2 DREVERY PLACE
MELBOURNE, VIC 3000

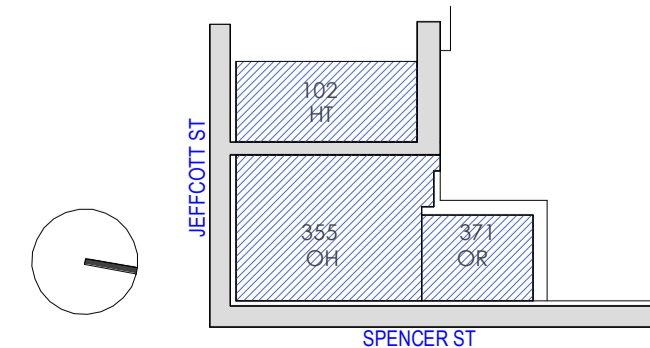
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REV.	DESCRIPTION
1	ISSUED FOR TOWN PLANNING

DATE
17/12/18



PROJECT LOCATION
355 SPENCER STREET,
WEST MELBOURNE

DRAWING SCALE
As indicated

SHEET SIZE
A1

PROJECT NO
197

CLIENT
355 SPENCER STREET
PTY LTD.

DRAWING DATE
11/15/18

CHECK
DM

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KS



DRAWING TITLE
BUILDING SECTIONS

PROJECT NAME
SANDS & MCDUGALL
HOTEL DEVELOPMENT

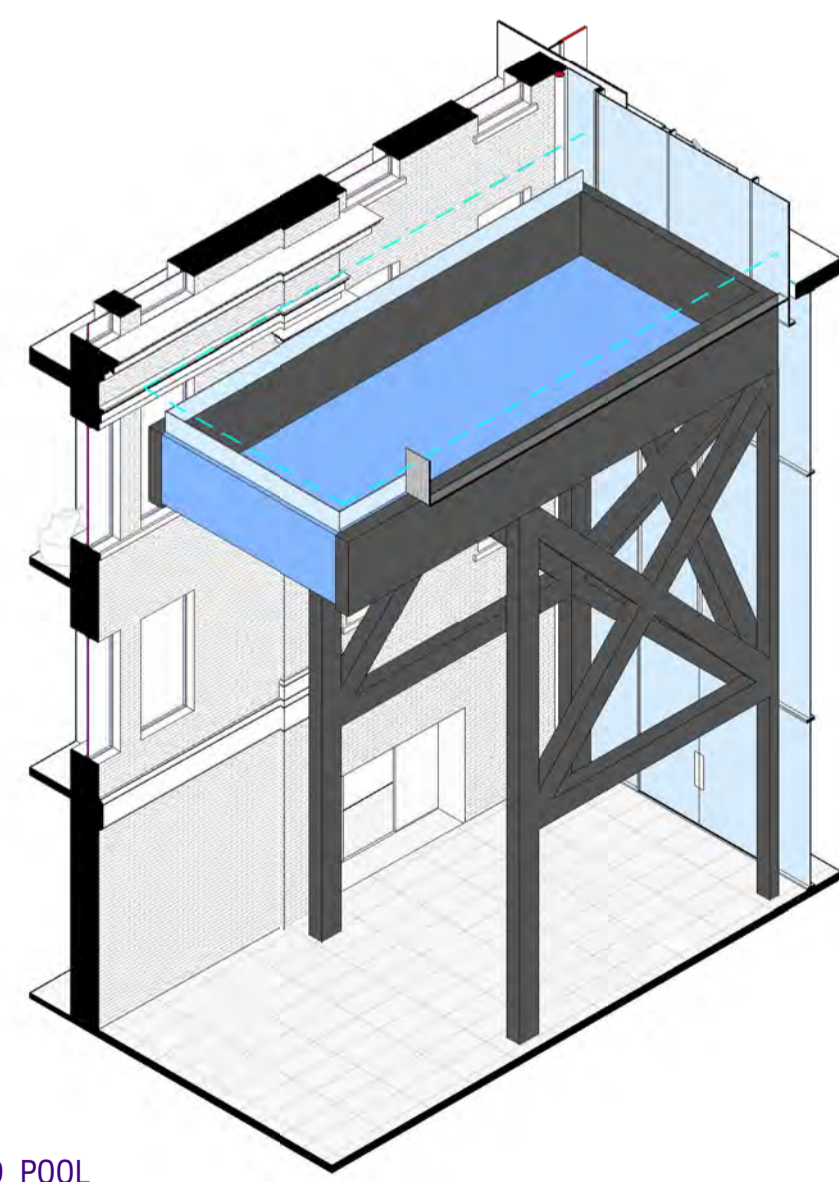
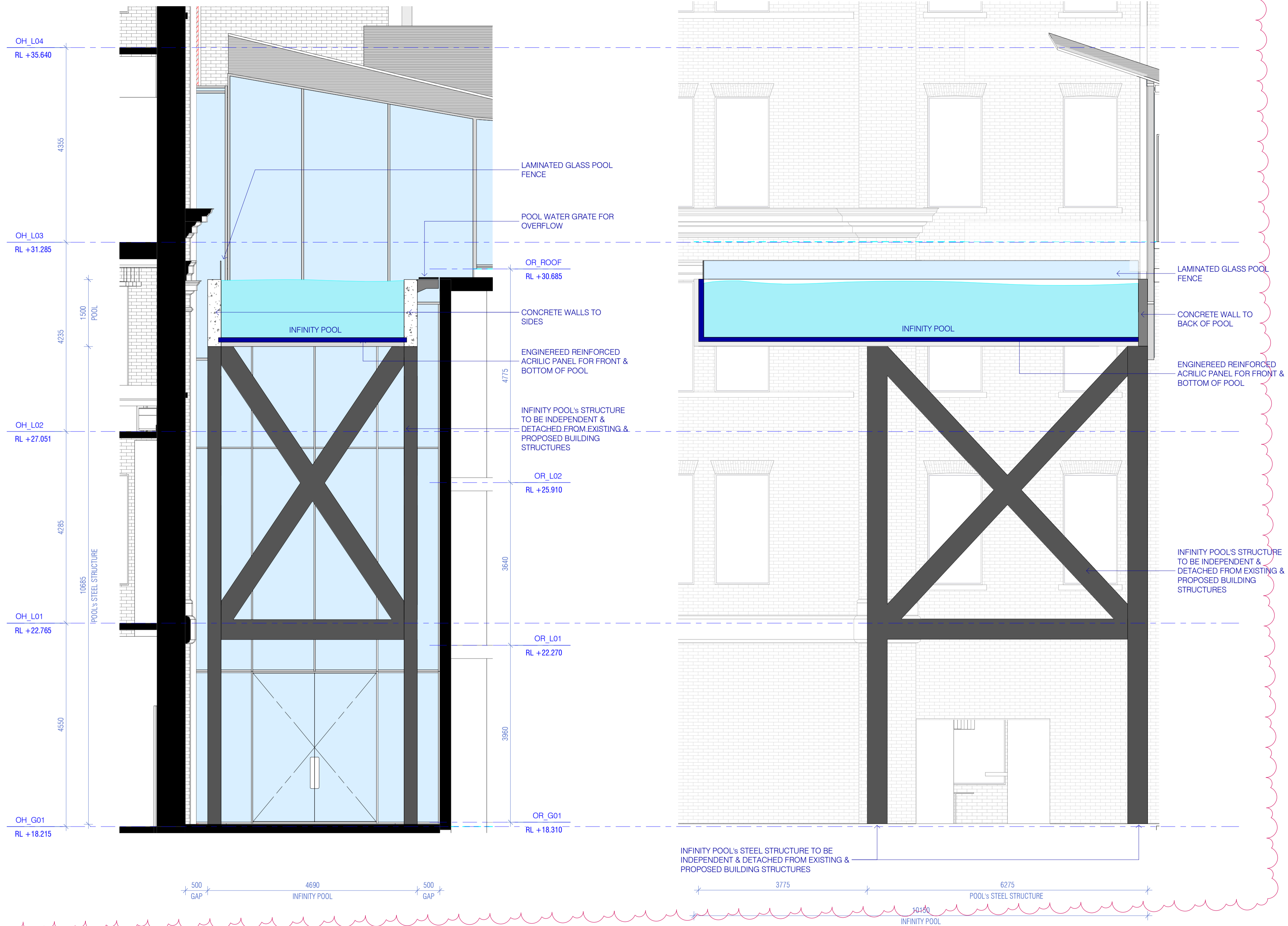
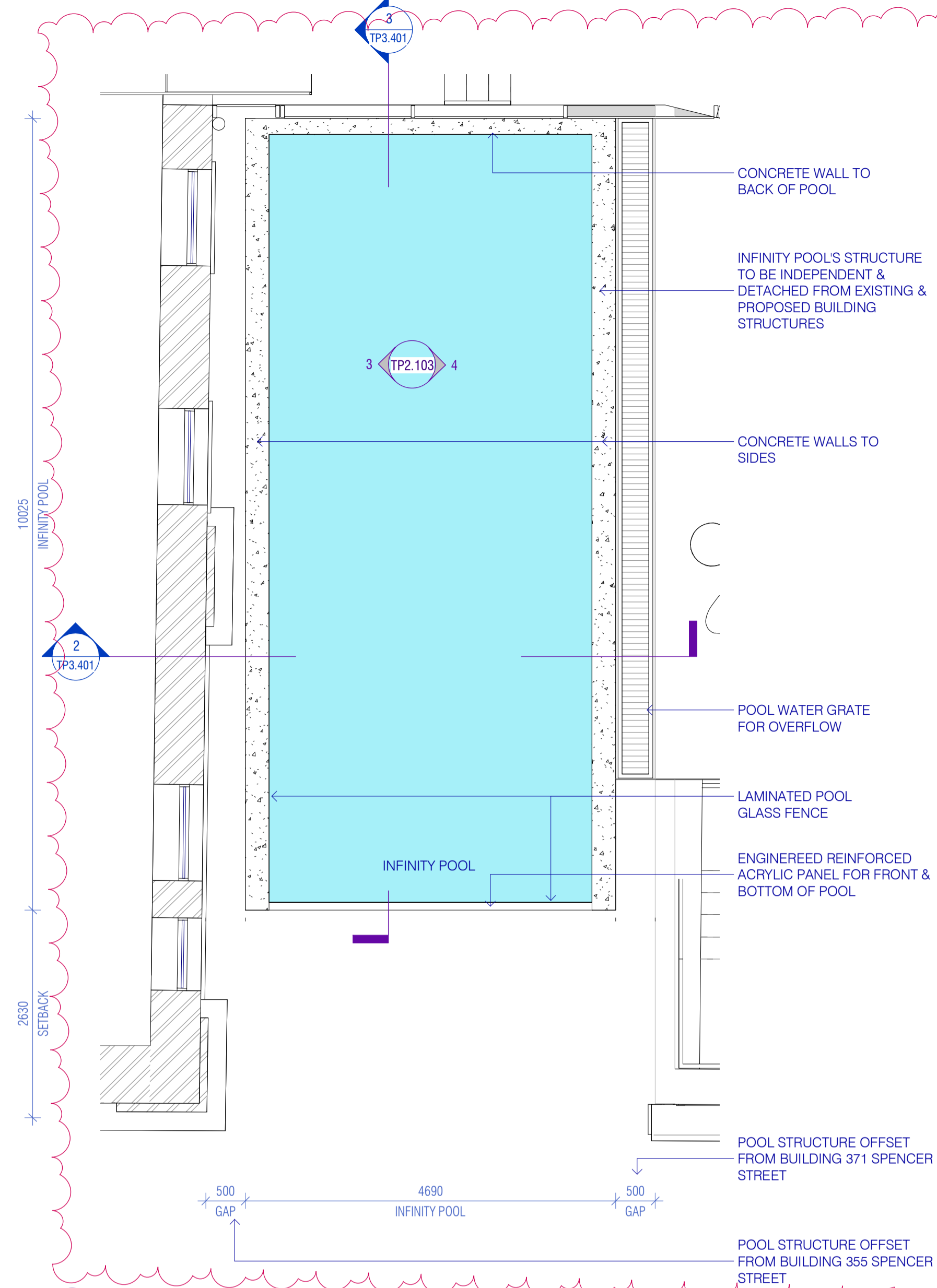
TOWN PLANNING

REVISION BUILDING / ATTRIBUTE

1

DRAWING NO.

TP3.106



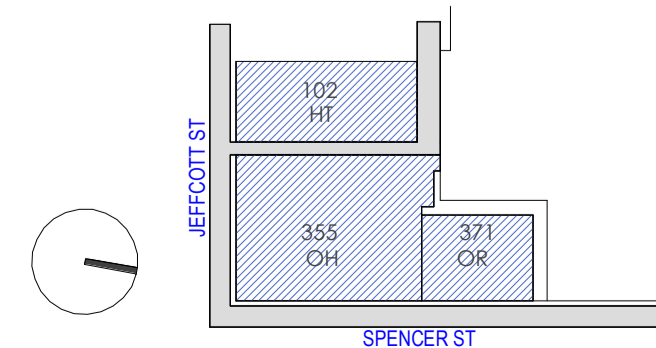
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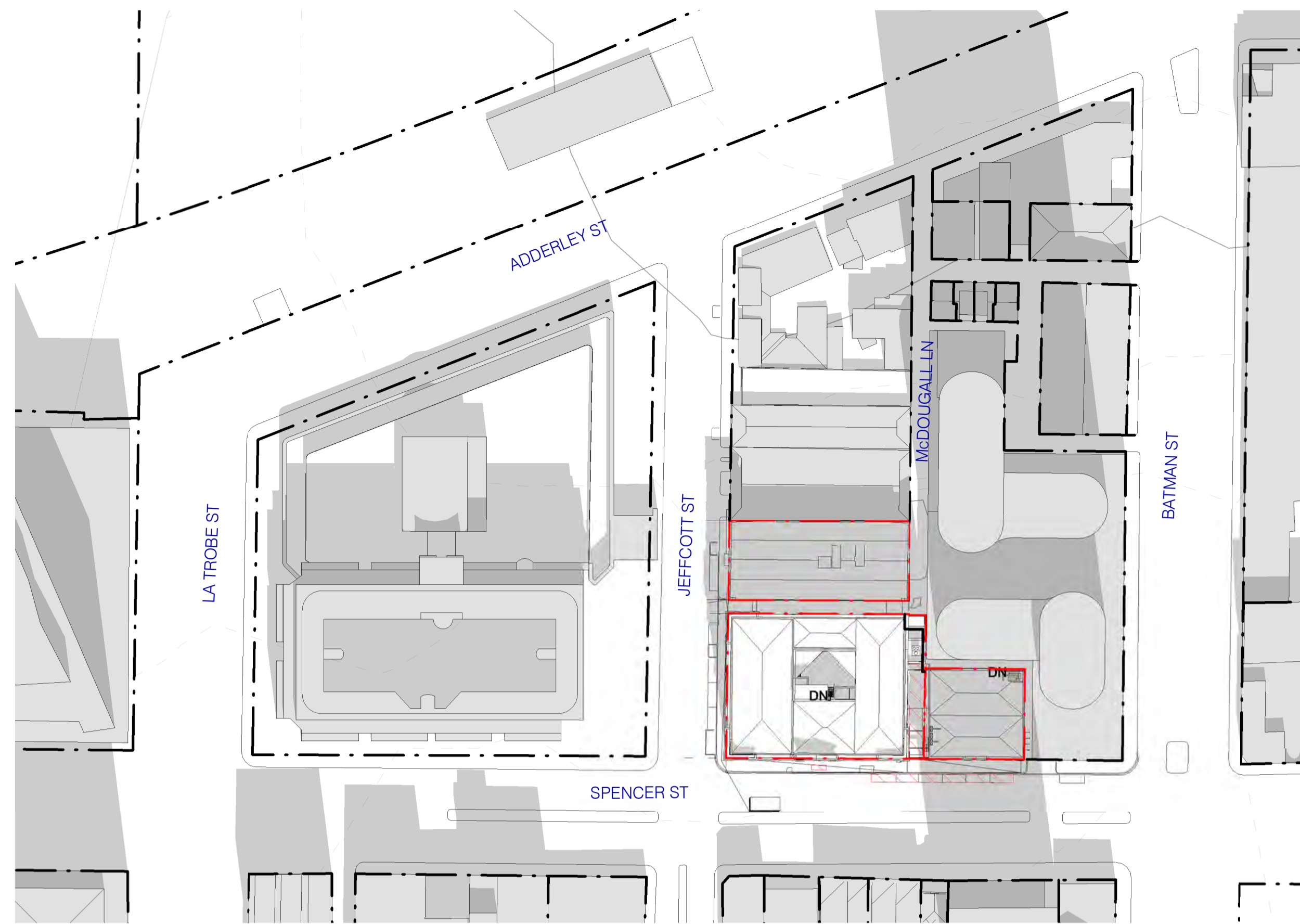


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CLIENT	DRAWING DATE	CHECK	DRAWN
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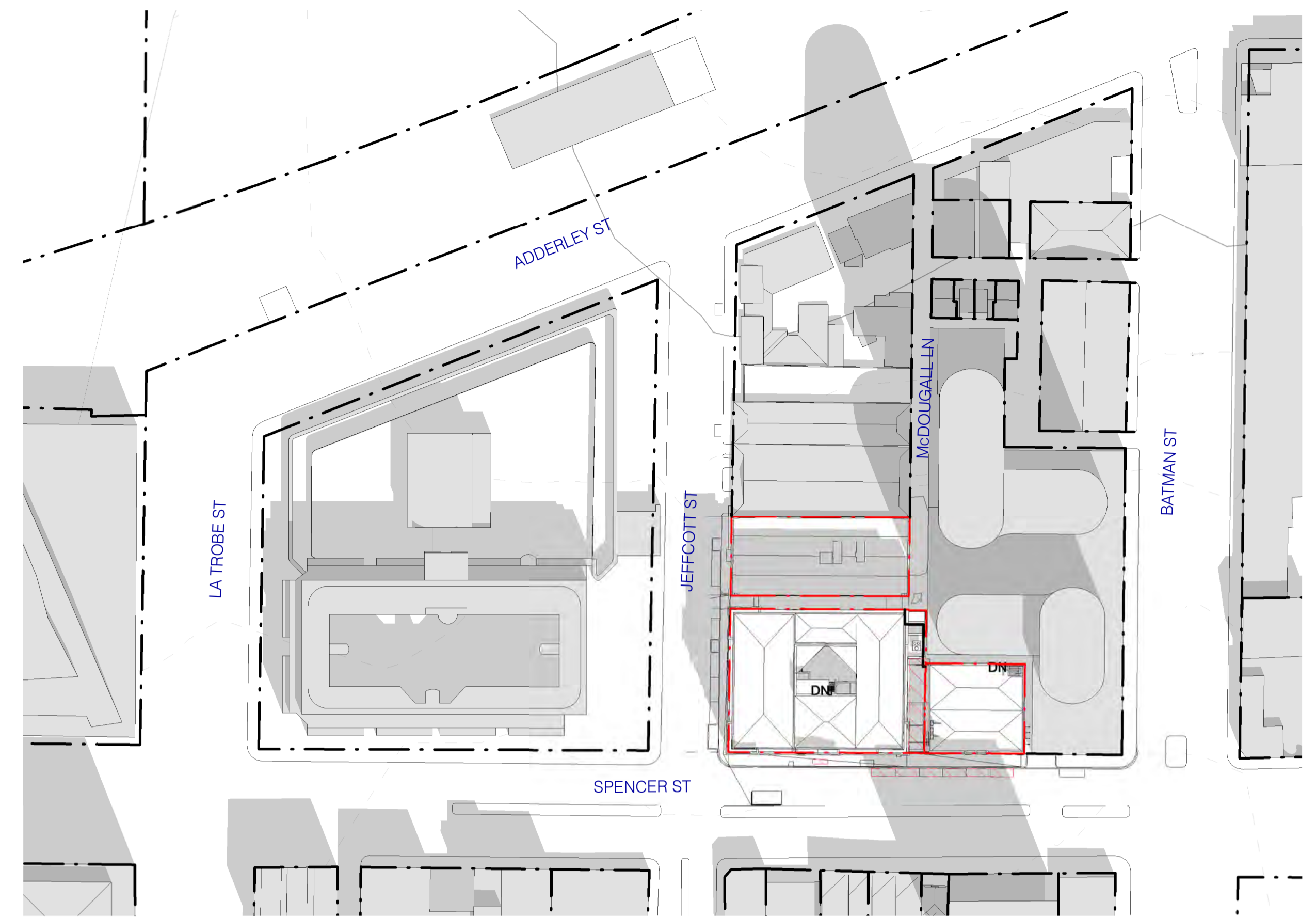


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PROJECT NAME	DRAWING NO.	
SANDS & MCDUGALL HOTEL DEVELOPMENT	TP3.401	

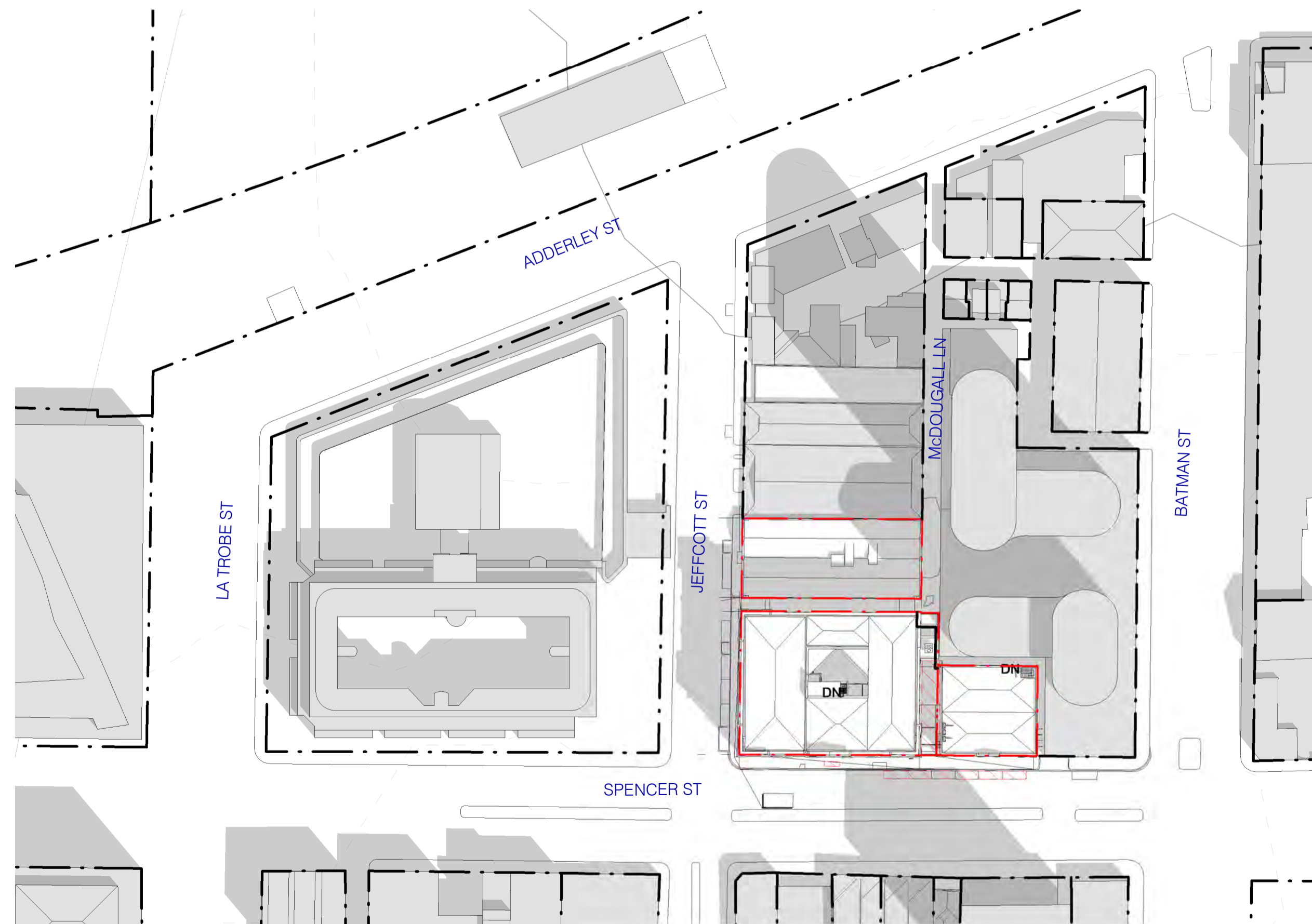
TOWN PLANNING



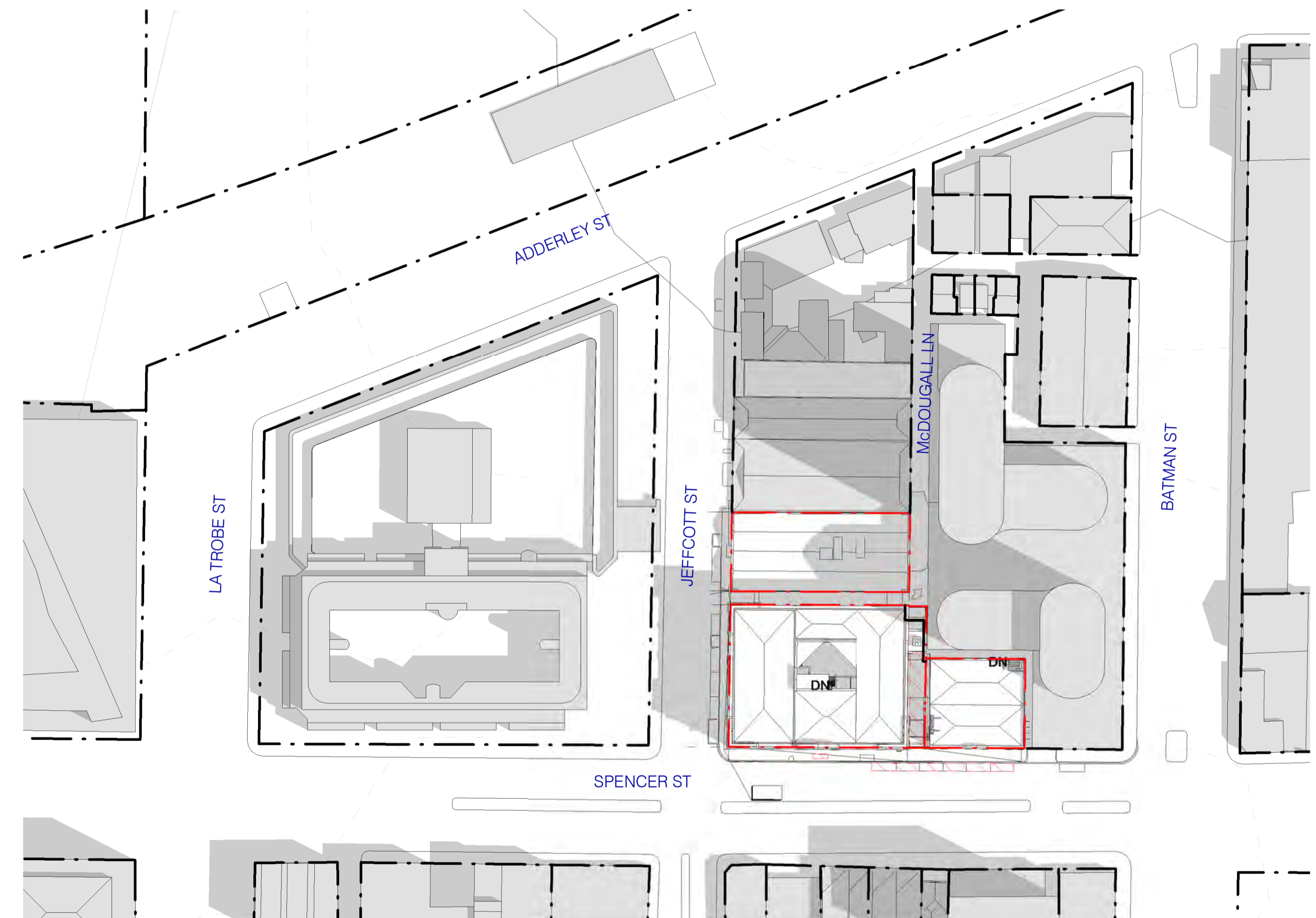
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2 EXISTING SHADOW DIAGRAM 22 SEP 10AM
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3 EXISTING SHADOW DIAGRAM 22 SEP 11AM
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4 EXISTING SHADOW DIAGRAM 22 SEP 12PM
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183 WESTON STREET
BRUNSWICK EAST, VIC 3087
LEVEL 2, 2 DREVERY PLACE
MELBOURNE, VIC 3000

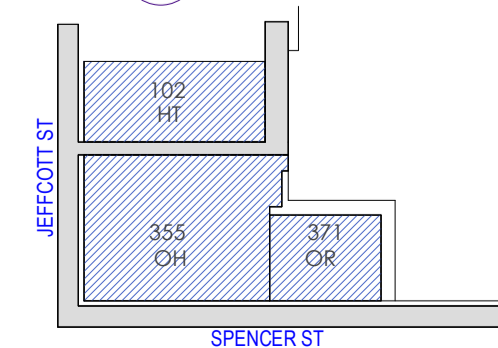
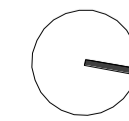
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REV.	DESCRIPTION
1	ISSUED FOR TOWN PLANNING

DATE
17/12/18



PROJECT LOCATION
355 SPENCER STREET,
WEST MELBOURNE

CLIENT
355 SPENCER STREET
PTY LTD.

DRAWING SCALE
1 : 1000

SHEET SIZE
A1

PROJECT NO
197

DRAWING DATE
10/11/18

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KS



DRAWING TITLE
EXISTING SHADOW DIAGRAMS

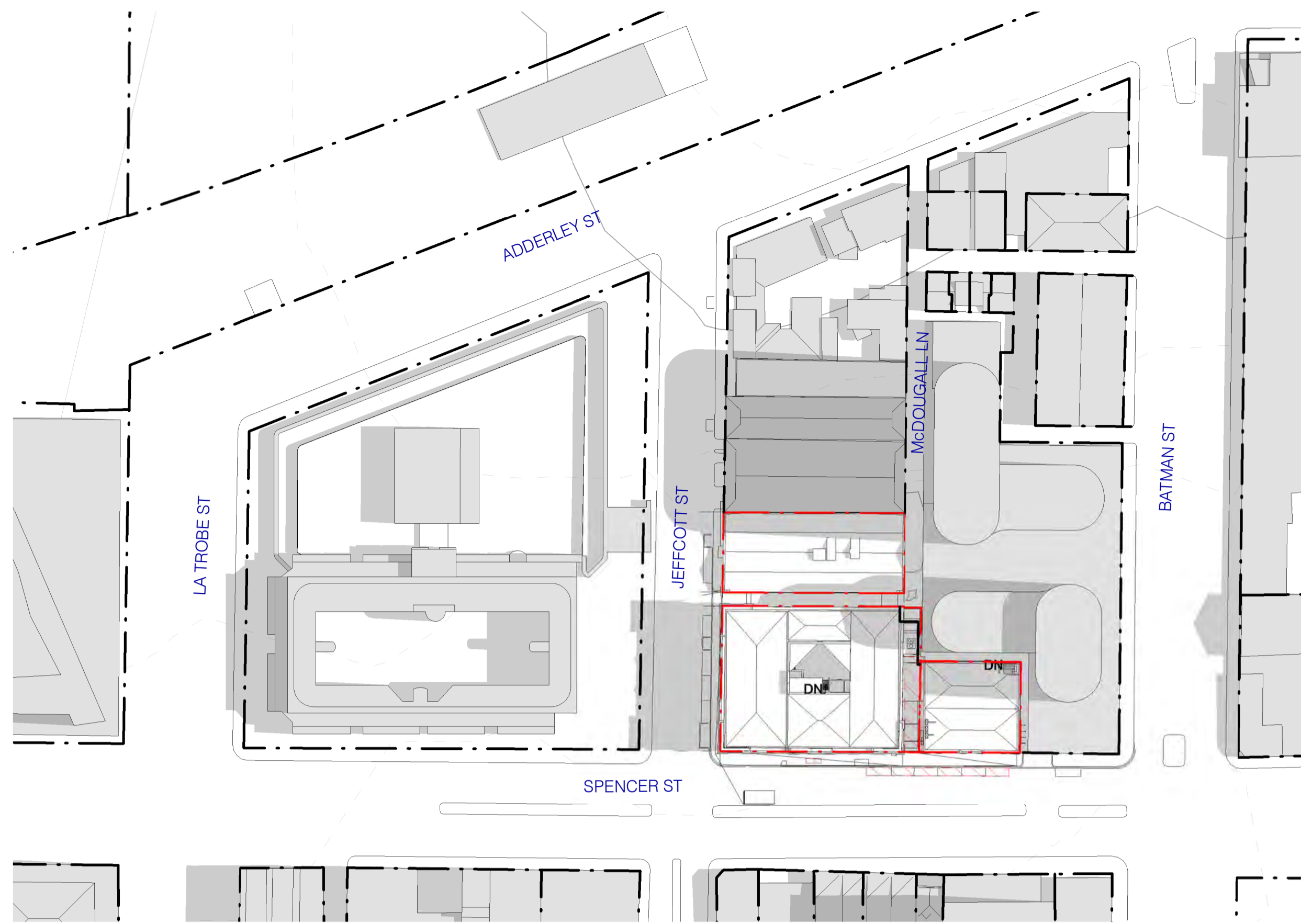
PROJECT NAME
SANDS & MCDUGALL
HOTEL DEVELOPMENT

REVISION
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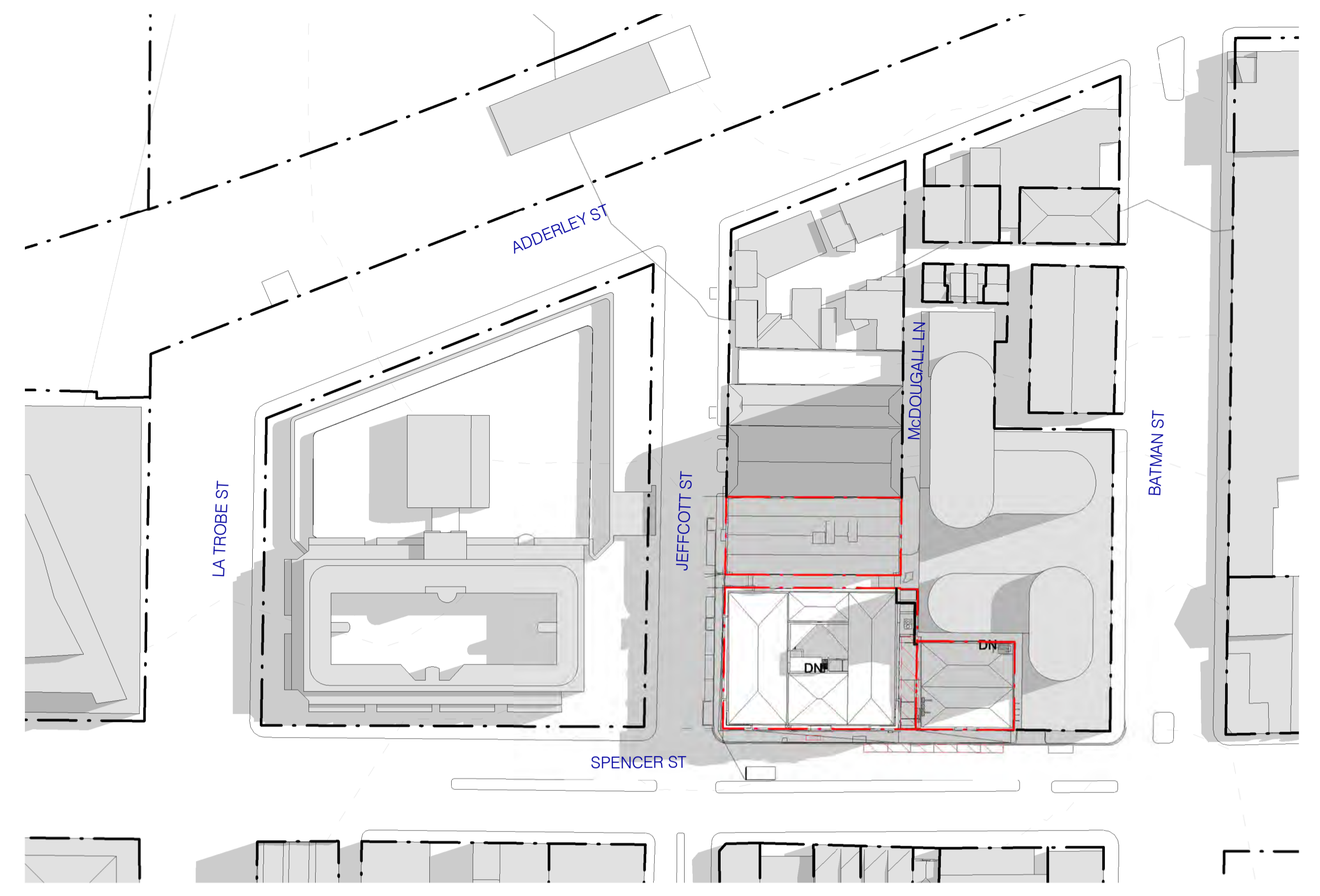
BUILDING / ATTRIBUTE

DRAWING NO.
TP5.001

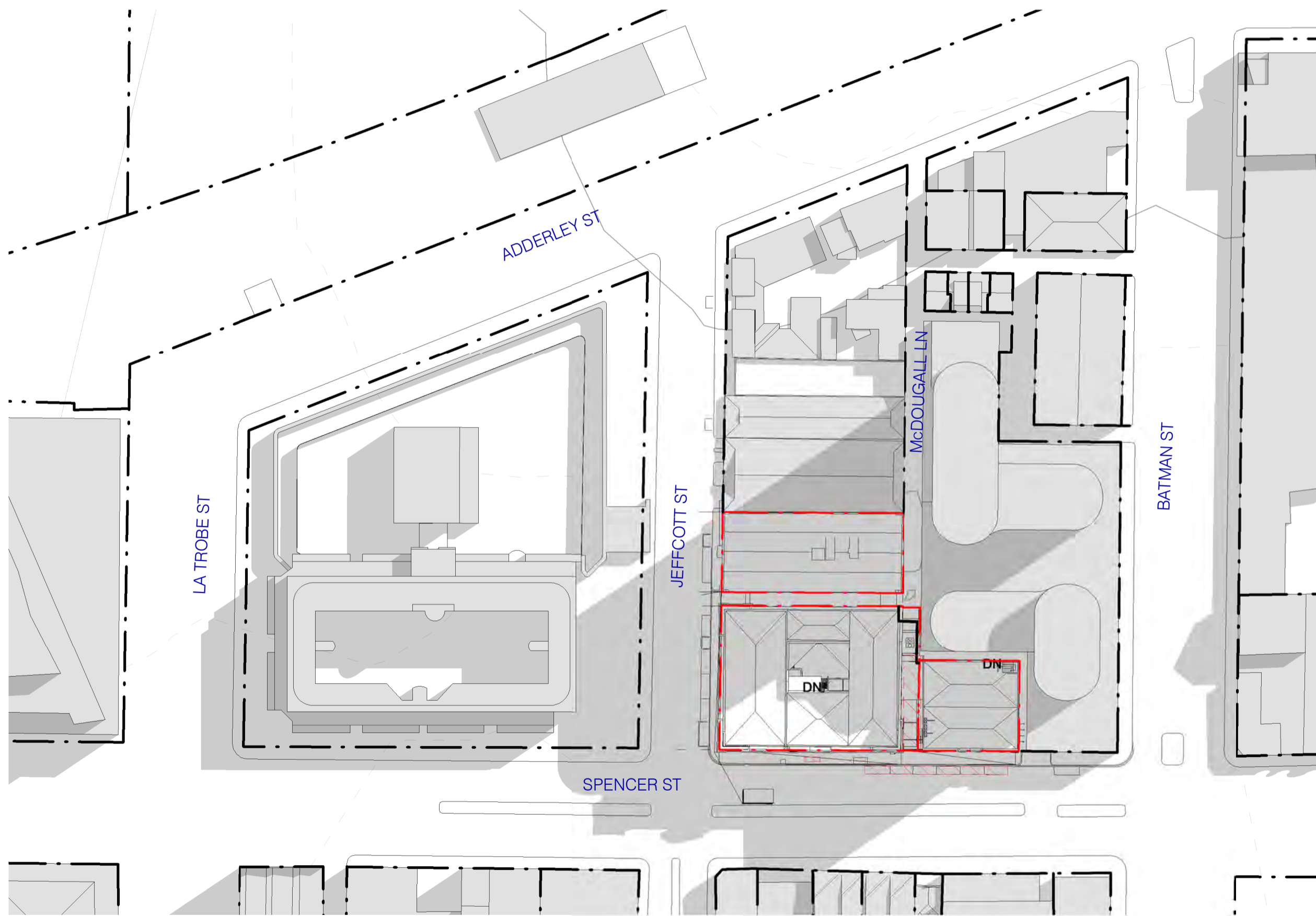
TOWN PLANNING



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3 EXISTING SHADOW DIAGRAM 22 SEP 3PM
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183 WESTON STREET
BRUNSWICK EAST, VIC 3067
LEVEL 2, 2 DREVERY PLACE
MELBOURNE, VIC 3000

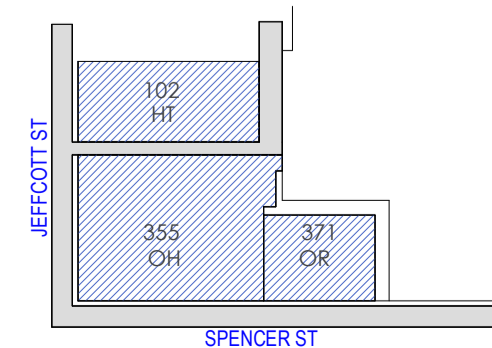
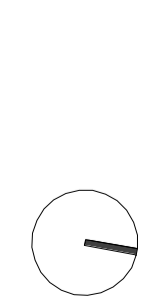
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REV.	DESCRIPTION
1	ISSUED FOR TOWN PLANNING

DATE
17/12/18



PROJECT LOCATION
355 SPENCER STREET,
WEST MELBOURNE

CLIENT
355 SPENCER STREET
PTY LTD.

DRAWING SCALE
1 : 1000

DRAWING DATE
10/26/18

SHEET SIZE
A1

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PROJECT NO
197

DRAWN
AG



DRAWING TITLE
EXISTING SHADOW DIAGRAMS

PROJECT NAME
SANDS & MCDUGALL
HOTEL DEVELOPMENT

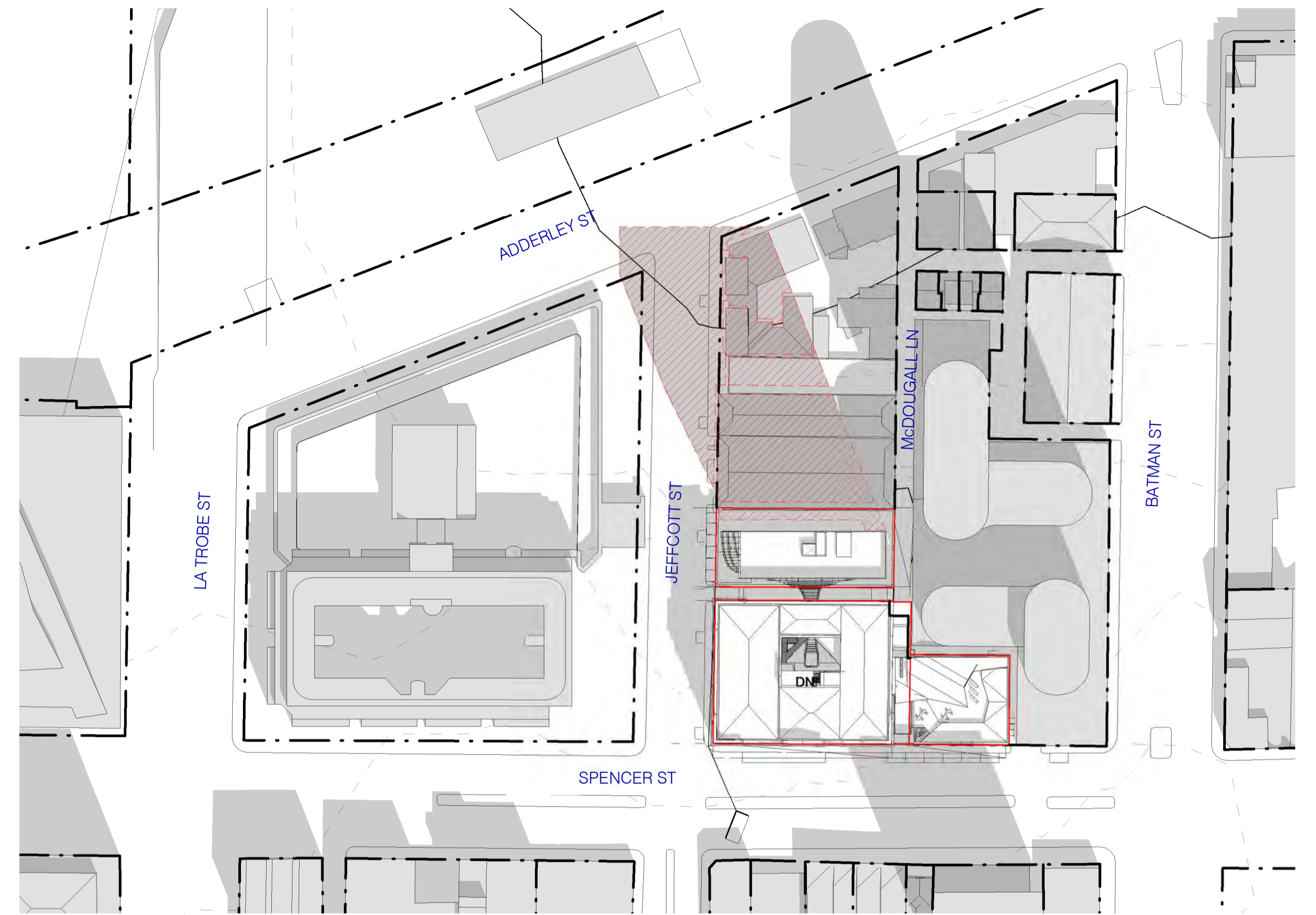
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REVISION BUILDING / ATTRIBUTE

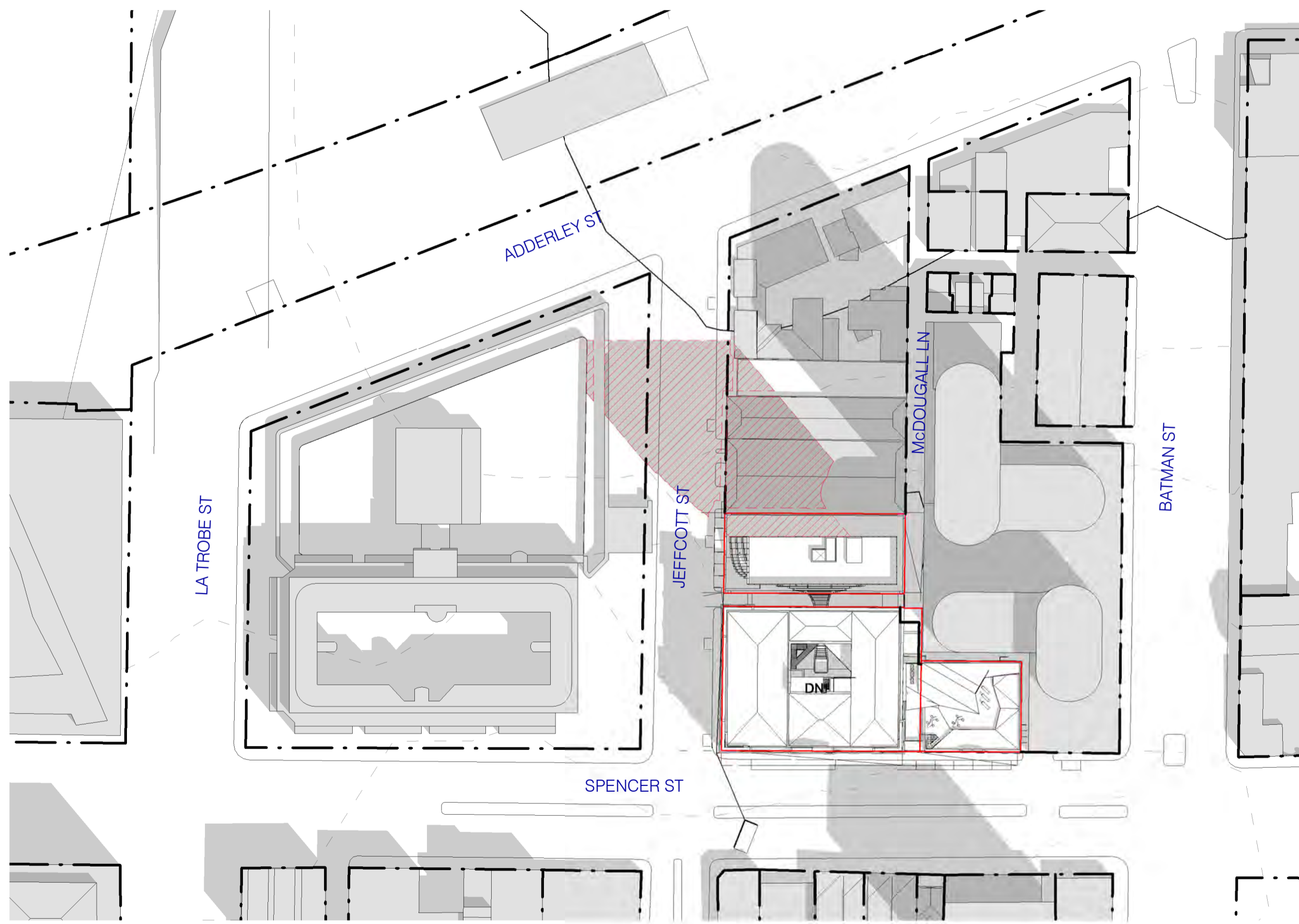
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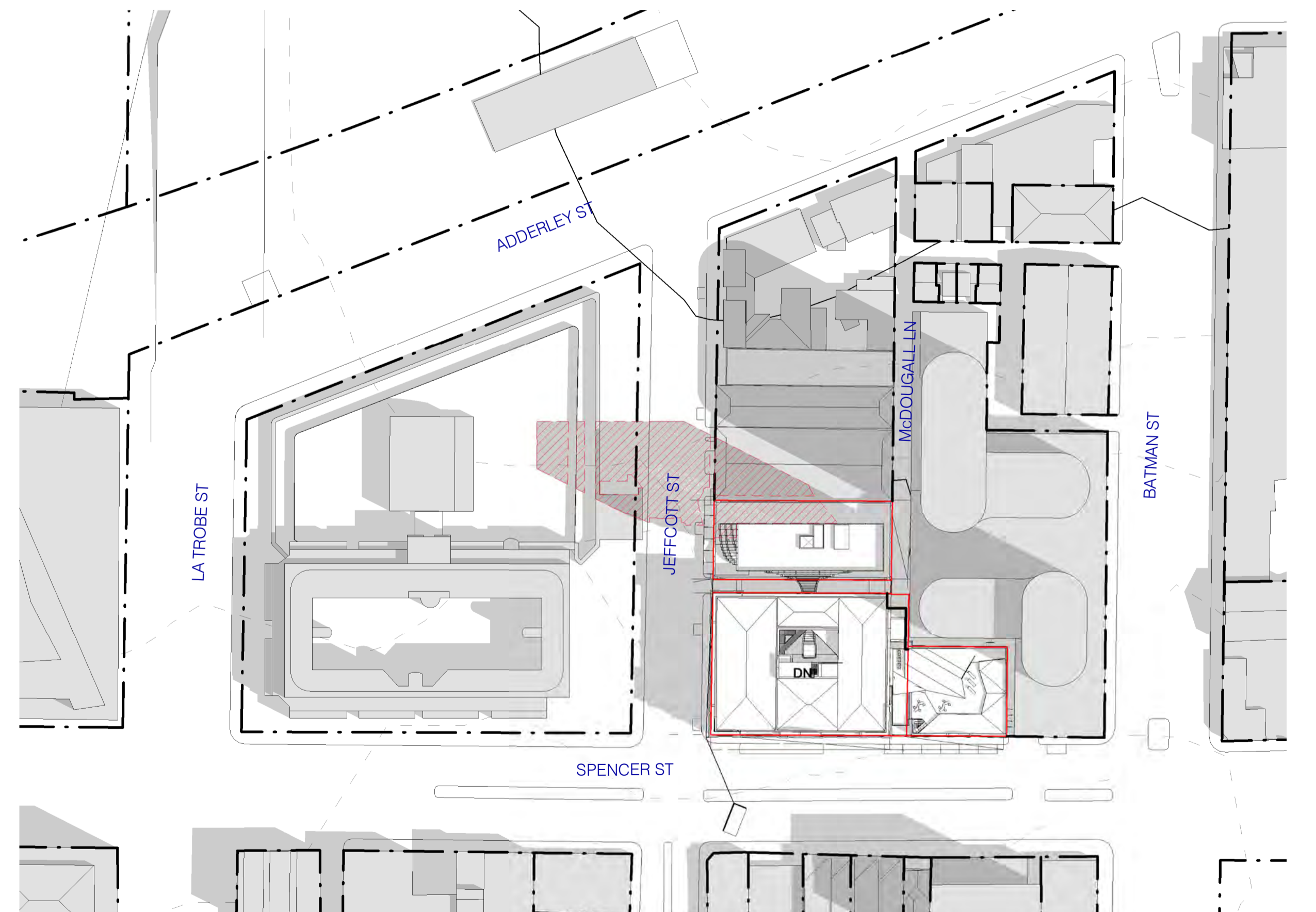
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2 PROPOSED SHADOW DIAGRAM 22 SEP 10AM
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3 PROPOSED SHADOW DIAGRAM 22 SEP 11AM
1 : 1000



4 PROPOSED SHADOW DIAGRAM 22 SEP 12PM
1 : 1000

INDICATES NEW SHADOW BY PROPOSED BUILDING

TOWN PLANNING

183 WESTON STREET
BRUNSWICK EAST, VIC 3087
LEVEL 2, 2 DREVERY PLACE
MELBOURNE, VIC 3000

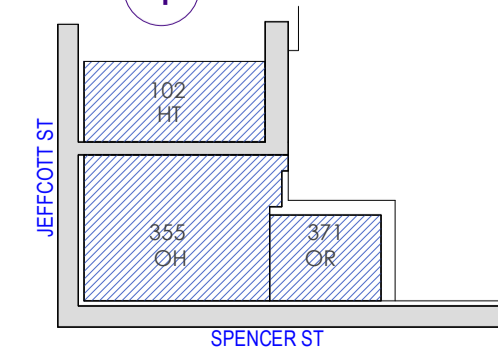
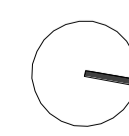
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REV. 1 DESCRIPTION ISSUED FOR TOWN PLANNING

DATE 17/12/18



PROJECT LOCATION
355 SPENCER STREET,
WEST MELBOURNE

CLIENT
355 SPENCER STREET
PTY LTD.

DRAWING SCALE As indicated
SHEET SIZE A1
PROJECT NO 197

DRAWING DATE 10/18/18
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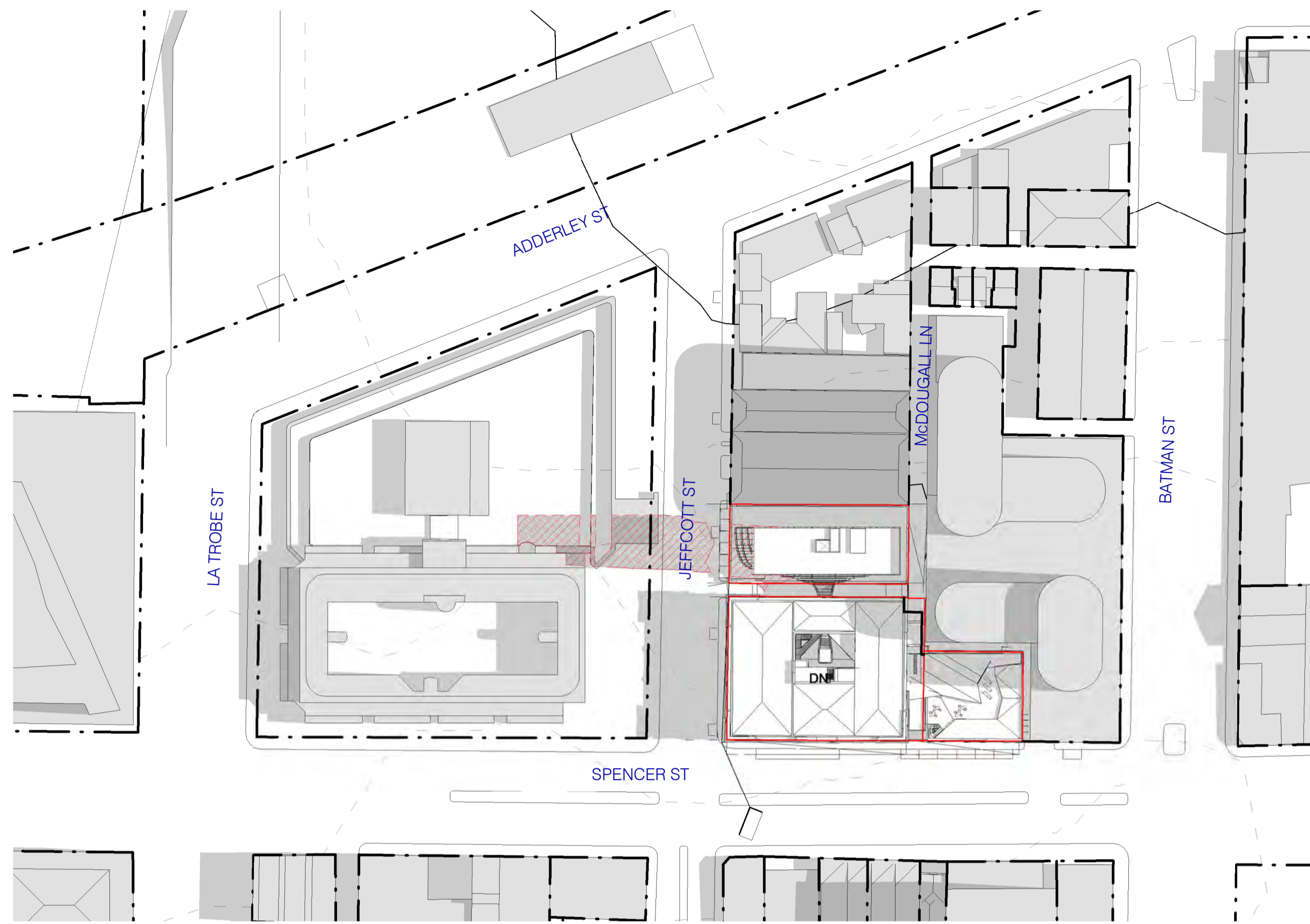


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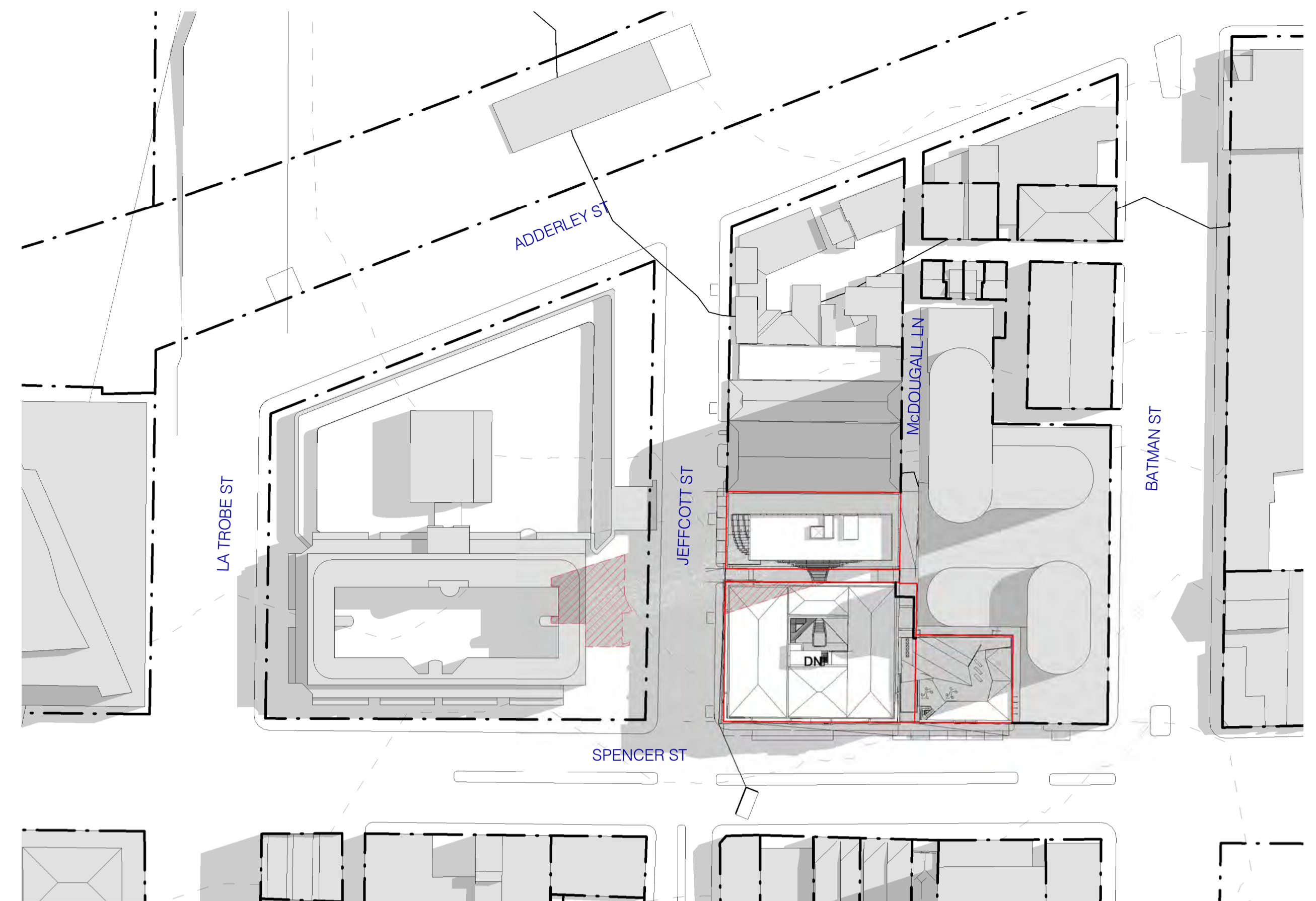
PROJECT NAME
SANDS & MCDUGALL
HOTEL DEVELOPMENT

REVISION 1 BUILDING / ATTRIBUTE

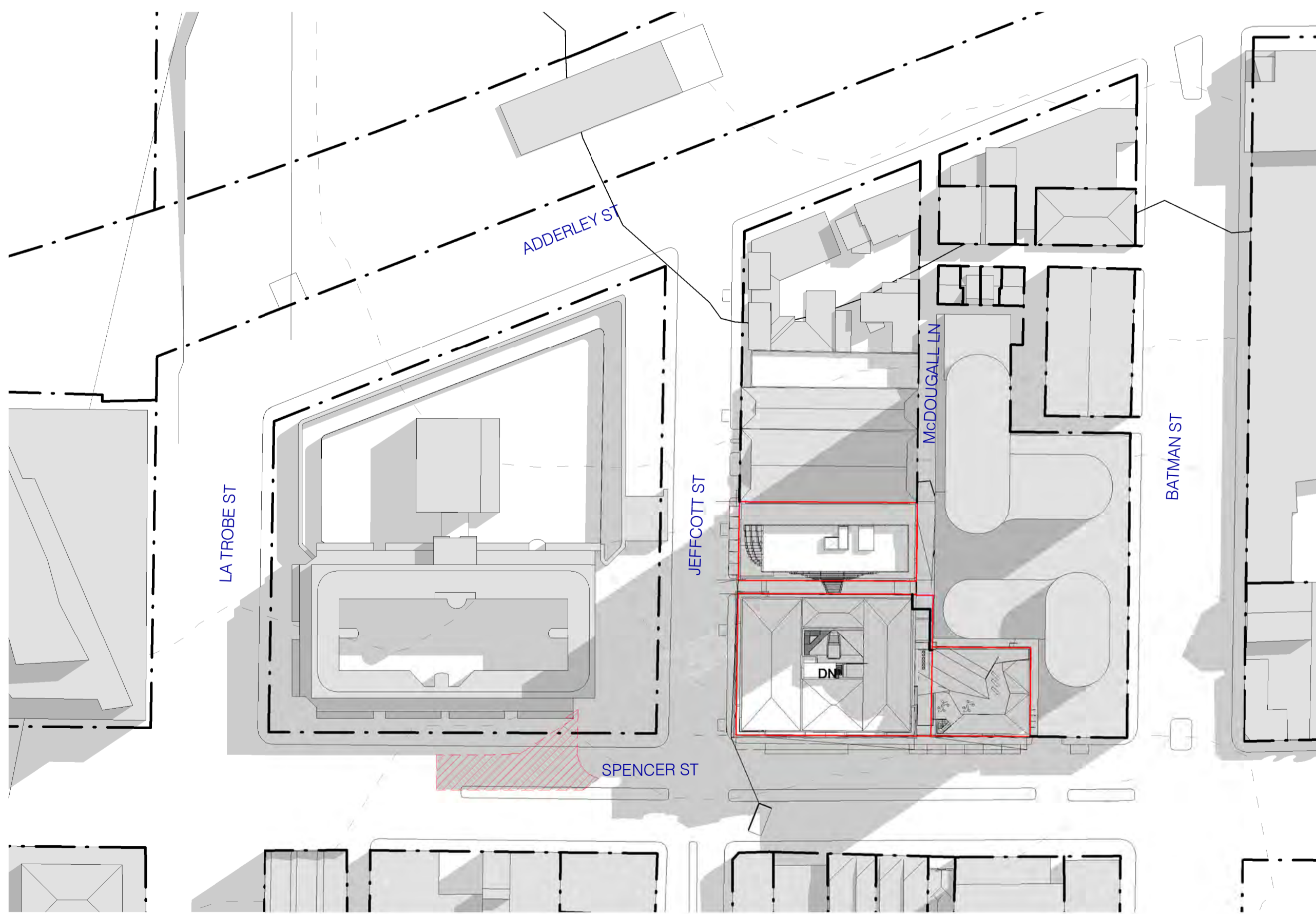
DRAWING NO.
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2 PROPOSED SHADOW DIAGRAM 22 SEP 2PM
1 : 1000



3 PROPOSED SHADOW DIAGRAM 22 SEP 3PM
1 : 1000

INDICATES NEW SHADOW BY PROPOSED BUILDING

TOWN PLANNING

183 WESTON STREET
BRUNSWICK EAST, VIC 3067
LEVEL 2, 2 DREVERY PLACE
MELBOURNE, VIC 3000

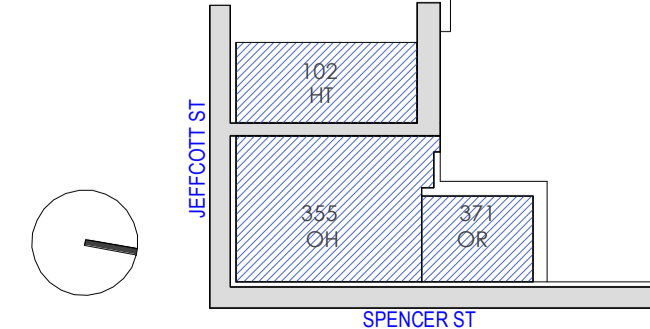
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WEST MELBOURNE

DRAWING SCALE As indicated SHEET SIZE A1 PROJECT NO 197

CLIENT
355 SPENCER STREET
PTY LTD.

DRAWING DATE 10/26/18 CHECK DM DRAWN KS



DRAWING TITLE
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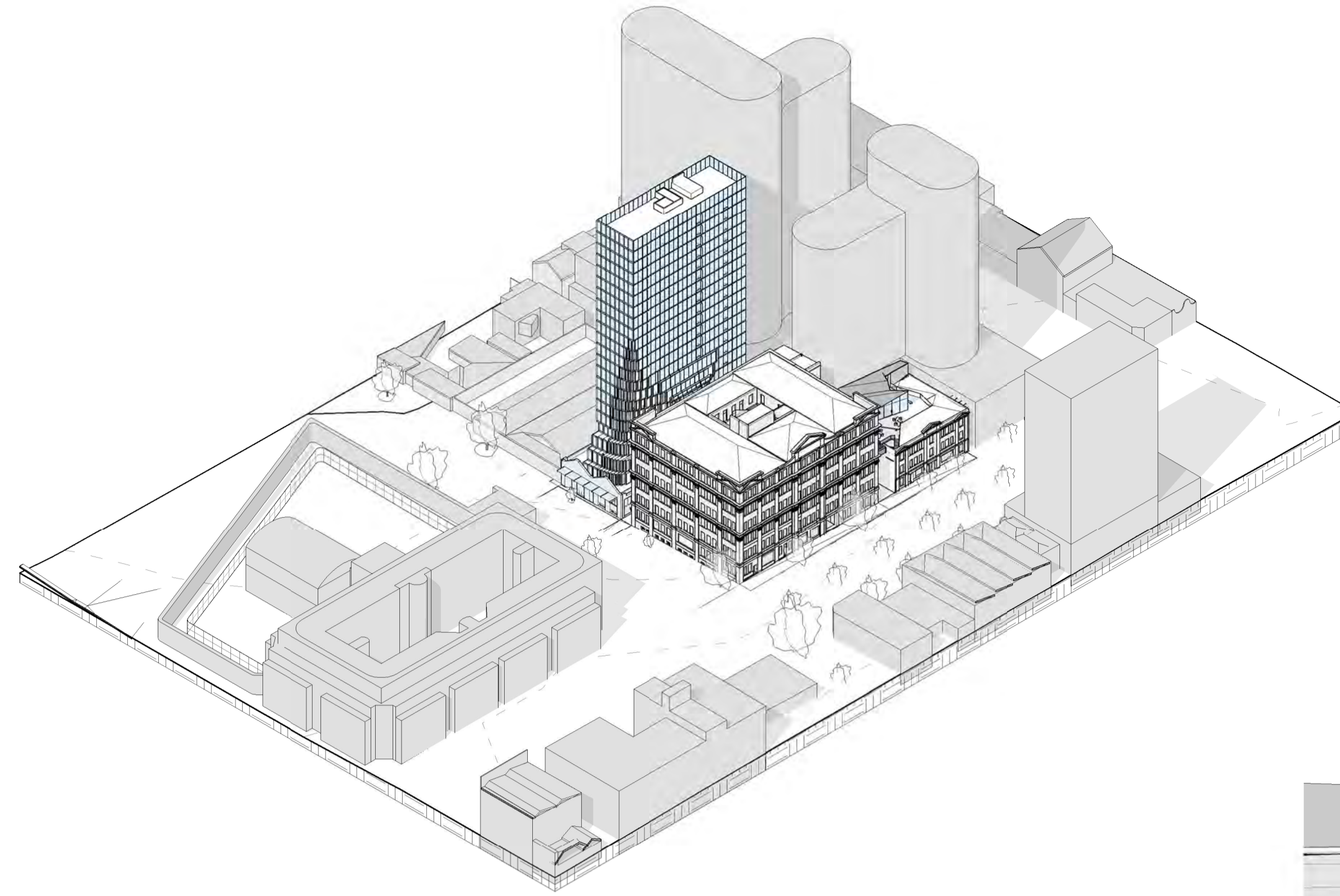
PROJECT NAME
SANDS & MCDOLGALL
HOTEL DEVELOPMENT

REVISION 1 BUILDING / ATTRIBUTE

DRAWING NO.
TP5.004



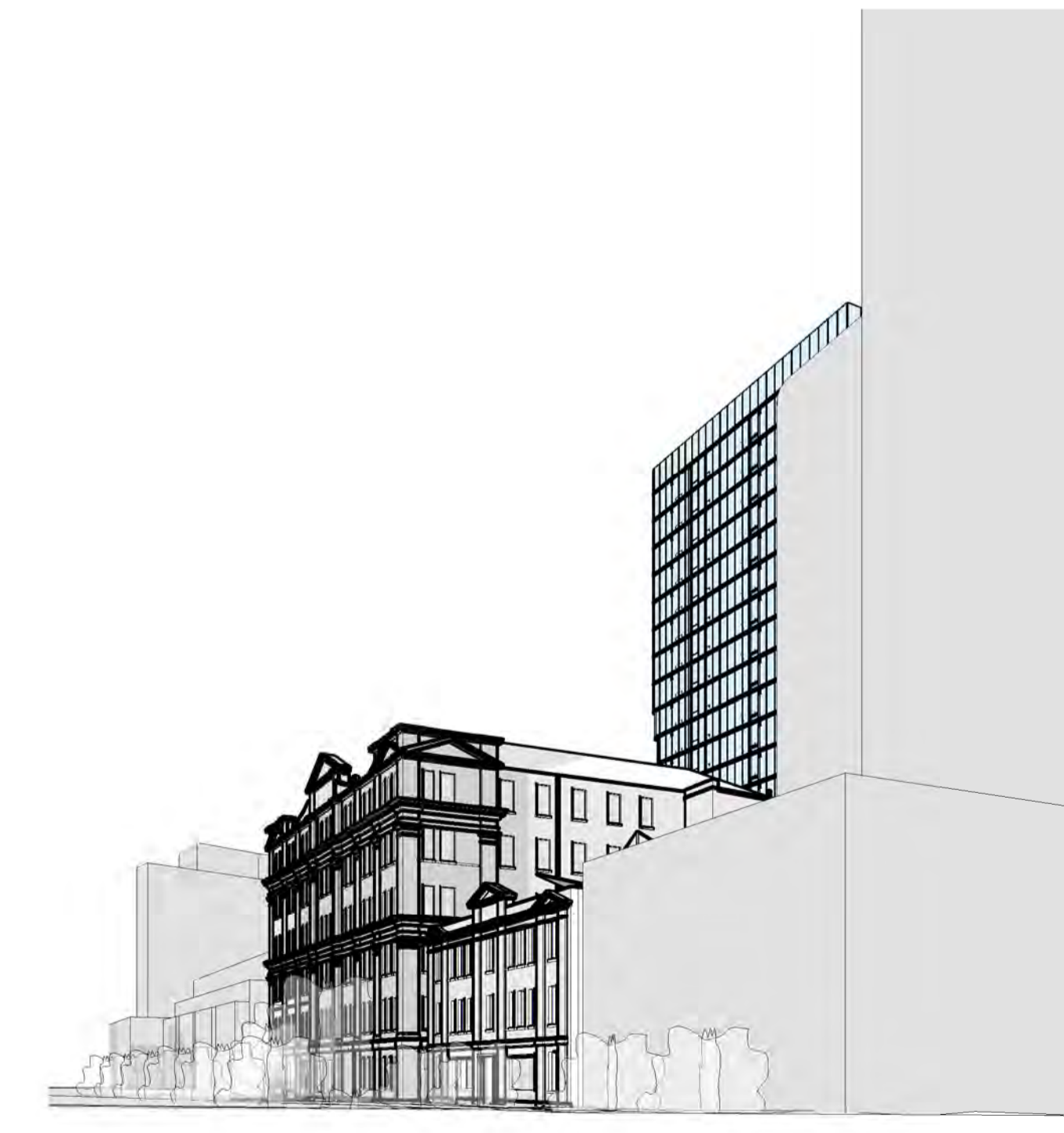
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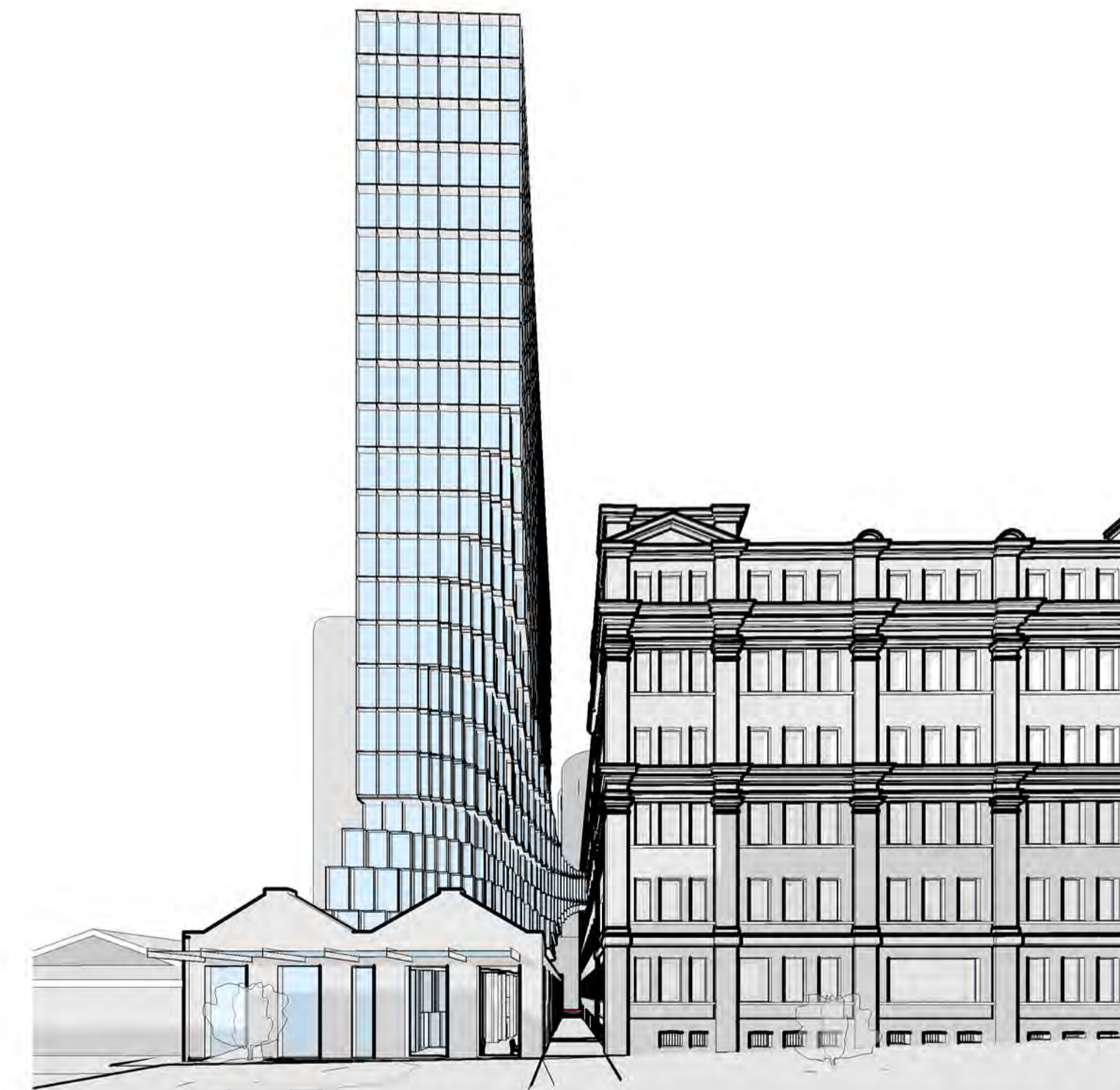
2 3D VIEW 01



4 3D VIEW 02



5 3D VIEW 03



6 3D VIEW 04



7 3D VIEW 05

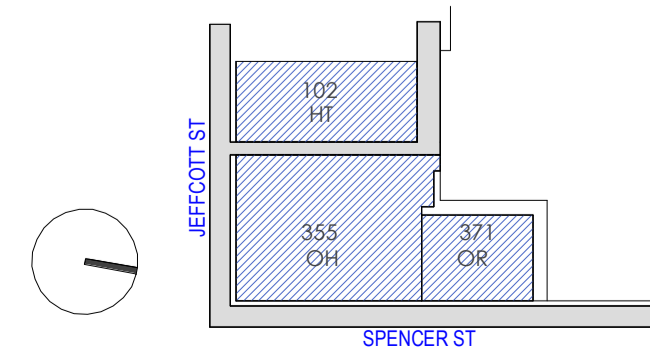
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REV.	DESCRIPTION	DATE
1	ISSUED FOR TOWN PLANNING	17/12/18



PROJECT LOCATION 355 SPENCER STREET, WEST MELBOURNE	DRAWING SCALE 1 : 1000	SHEET SIZE A1	PROJECT NO 197
CLIENT 355 SPENCER STREET PTY LTD.	DRAWING DATE 14/11/2018	CHECK DM	DRAWN AG



DRAWING TITLE	REVISION	BUILDING / ATTRIBUTE
3D VIEWS	1	

PROJECT NAME
SANDS & MCDUGALL
HOTEL DEVELOPMENT

DRAWING NO.
TP5.005

TOWN PLANNING

DELEGATE REPORT MINISTERIAL PLANNING REFERRAL

City of Melbourne application number:	TPM-2019-4
DELWP application number:	PA1800480
Applicant:	355 Spencer Street Pty Ltd C/- Contour Consultants Australia Pty Ltd
Owner:	355 Spencer Street Pty Ltd, 371 Spencer Street & 102 Jeffcott Street Pty Ltd
Architect:	Hachem
Address:	102-108 Jeffcott Street, 355-369 & 371-383 Spencer Street, West Melbourne
Proposal summary:	Part demolition of the existing buildings, use and development of the site for a residential hotel, office, food and drink premises, licensed restaurant, tavern, and shop, and a reduction of the car parking requirement.
Cost of works:	\$56,331,500.00
Date received by DELWP	19 December 2018
Date received by City of Melbourne:	24 January 2019
City of Melbourne Status	Consultee (informal referral) Confirmed party to VCAT Proceeding
Responsible officer:	Colin Charman, Acting Principal Urban Planner

1 SUBJECT SITE AND SURROUNDS

1.1 Subject Site

Ministerial Application PA1800480 concerns the site known as 355-369 & 371-383 Spencer Street, and 102-108 Jeffcott Street, West Melbourne.

The subject site consists of three individual buildings, and forms the south-east corner of the block bounded by Spencer, Batman, Adderley and Jeffcott Streets. Notably, the subject site is located within, and forms a part of, the Sands and McDougall precinct, affected by interim Heritage Overlay HO771 (introduced by Amendment C273, gazetted 4 May 2017).

The site comprises the following parcels of land:

- **102-108 Jeffcott Street, West Melbourne, being Lot 1 on Plan of Subdivision 744960S (Vol. 11835, Fol. 057)**, occupied by 1914 two-storey brick industrial building featuring a hipped roof with double gabled façade, currently in use as a car park at the ground floor, accessed via roller-door to Jeffcott Street and panel lift door to McDougall Lane. Notably, the building at 102-108 Jeffcott Street is separated from 355-369 Spencer Street and the property at the rear, 85-113 Batman Street, via McDougall Lane, a ~3.7-4.5 metre wide bluestone public lane for which Melbourne City Council is responsible.

The West Melbourne Heritage Review 2016 identifies that the building at 102-108 Jeffcott Street, West Melbourne is:

- A 'D' graded heritage building, fronting a 'Level 2' graded Streetscape (for the purpose of applying the existing heritage policy in the Melbourne Planning Scheme).
 - 'Contributory' to the Sands and McDougall Precinct (for the purpose of applying the proposed heritage policy under Melbourne Planning Scheme Amendment C258).
- **355-369 Spencer Street, West Melbourne, 'the Sands and McDougall Manufactory', being Lot 2 on Plan of Subdivision 744960S (Vol. 11835, Fol. 058)**, occupied by the main wing and publishing manufactory for the former Sands and McDougall complex. Originally constructed in ~1888 to the design of Thomas Watts and Sons, the main wing of the Sands and McDougall complex presents prominently to the intersection of Spencer Street and Jeffcott Street as a grand, six-storey, factory building in red brick with stucco detailing. There is evidence of painted advertising signage on all facades of the building.

The West Melbourne Heritage Review 2016 identifies that the building at 355-369 Spencer Street, West Melbourne is:

- An 'A' graded heritage building, fronting a 'Level 1' graded Streetscape (for the purpose of applying the existing heritage policy in the Melbourne Planning Scheme).
 - Individually 'Significant', and 'Contributory' to the Sands and McDougall Precinct (for the purpose of applying the proposed heritage policy under Melbourne Planning Scheme Amendment C258).
- **371-383 Spencer Street, West Melbourne, 'the Sands and McDougall Warehouse', being Lot 2 on Plan of Subdivision 744961Q (Vol. 11835, Fol. 061)**, occupied by a warehouse for the former Sands and McDougall complex. Originally constructed in ~1900 in a comparable (albeit simpler) style to the adjacent main and publishing manufactory wing at 355-369 Spencer Street, the warehouse at 371-383 Spencer Street presents as a three-storey factory building in red brick with stucco detailing. There is a narrow infill structure between the main wing at 355 Spencer Street and the warehouse at 371-383 Spencer Street, West Melbourne.

The West Melbourne Heritage Review 2016 identifies that the building at 371-383 Spencer Street, West Melbourne is:

- An 'A' graded heritage building, fronting a 'Level 1' graded Streetscape (for the purpose of applying the existing heritage policy in the Melbourne Planning Scheme).
- Individually 'Significant', and 'Contributory' to the Sands and McDougall Precinct (for the purpose of applying the proposed heritage policy under Melbourne Planning Scheme Amendment C258).

Relevant details regarding the existing conditions and dimensions of the subject site are provided below.

Table: Subject Site Details/Dimensions	
Street Frontage:	<p>60 metres to Jeffcott Street, broken up as follows:</p> <ul style="list-style-type: none"> • 20.195 metres: 102-108 Jeffcott Street, West Melbourne; • 3.730 metres: McDougall Lane; • 36.310 metres: 355-369 Spencer Street, West Melbourne. <p>Jeffcott Street is a 20 metre wide street with a single carriageway. Parallel parking is available adjacent to the subject site's frontage, interspersed with two juvenile English Elm public tree plots. Angled parking is available on the opposite side (adjacent to Melbourne Assessment Prison's frontage).</p> <p>There is a mature English Elm located on the Jeffcott Street road reserve adjacent to the frontage of 355-369 Spencer Street, at the intersection of Spencer Street and Jeffcott Street.</p> <p>75.6 metres to Spencer Street, broken up as follows:</p> <ul style="list-style-type: none"> • 45.730 metres to 355-369 Spencer Street, West Melbourne; • 5.675 metres to in-fill foyer between 355-369 & 371-383 Spencer Street, West Melbourne; • 24.320 metres to 371-383 Spencer Street, West Melbourne. <p>Spencer Street is a 30 metre wide boulevard style street with a central reserve dividing the road reservation into two carriageways. Two mature London Plane trees are located on the Spencer Street road reserve adjacent to the frontage of 355-369 Spencer Street, and two juvenile Cyprus Plane trees are located on the Spencer Street road reserve adjacent to the frontage of 371-383 Spencer Street, West Melbourne.</p> <p>102-108 Jeffcott Street and 355-369 Spencer Street, have frontage to McDougall Lane of 46 metres (north-south), and 102-108 Jeffcott Street has frontage of 20.19 metres to McDougall Lane at the rear (east-west).</p>
Site Depth:	<p>45.745 metres (measured from the Jeffcott Street title boundary)</p> <p>22.755 metres (measured from the Spencer Street title boundary)</p>
Site Area:	3,352m ²
Topography:	The slope of the land falls by approximately 1 metre (north to south), and approximately 2 metres (east to west).
Heritage Status:	<p>The subject site is affected by Schedule HO771 to the Heritage Overlay, an interim Heritage Overlay introduced by Amendment C273 (West Melbourne Heritage Review interim controls), gazetted 5 May 2017.</p> <p>The interim heritage protections introduced by Amendment C273 over the subject site have subsequently been extended several times under Amendment C321 and Amendment C348, so that they are now set to expire on 31 January 2020.</p> <p>It is noted that a permanent Heritage Overlay preceded application of the interim Heritage Overlay over the entire subject site, affecting 102-108 Jeffcott Street and 355-369 Spencer Street, West Melbourne.</p>

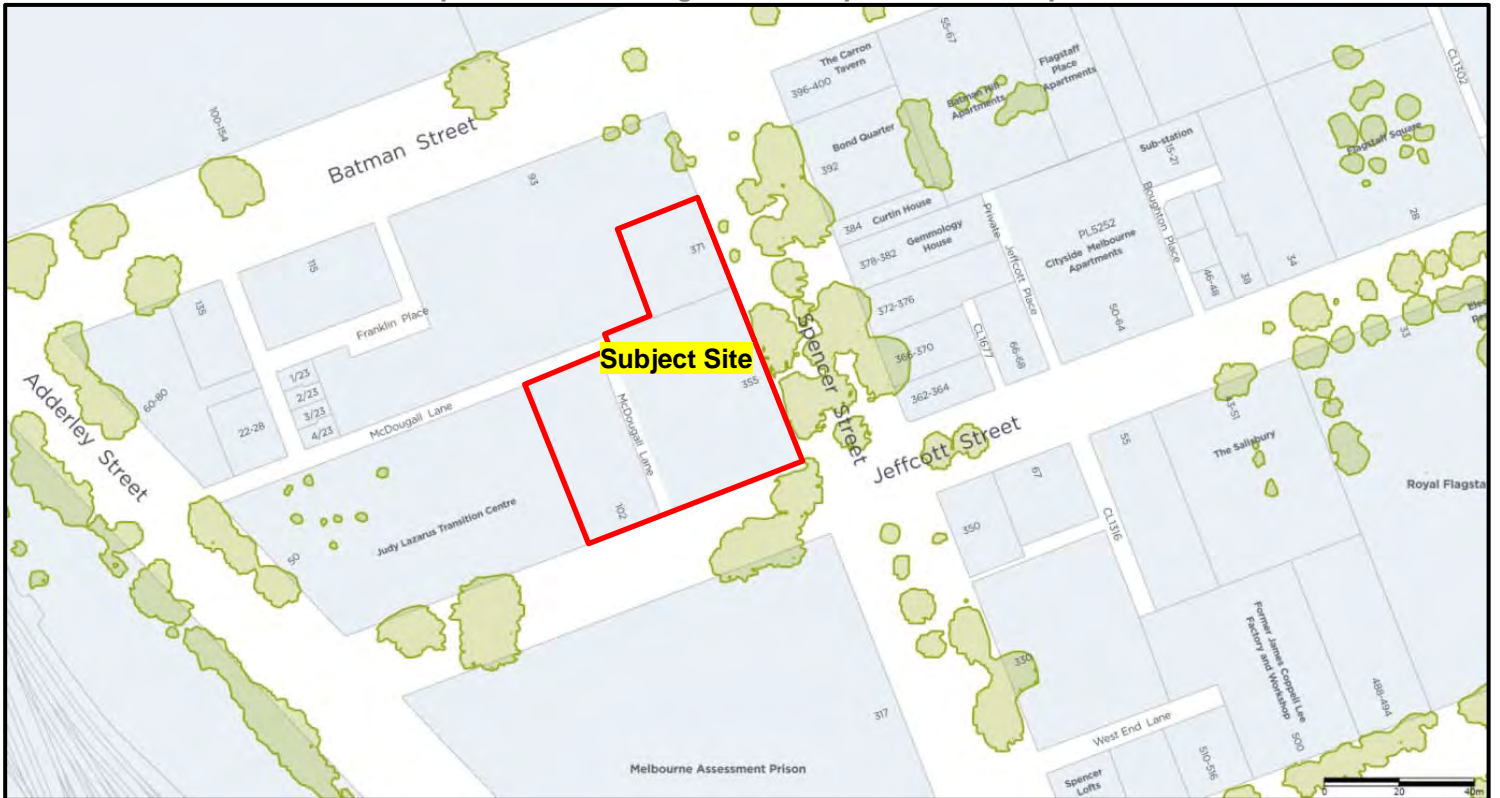
1.1.1 Jeffcott Street (facing east toward Spencer Street)



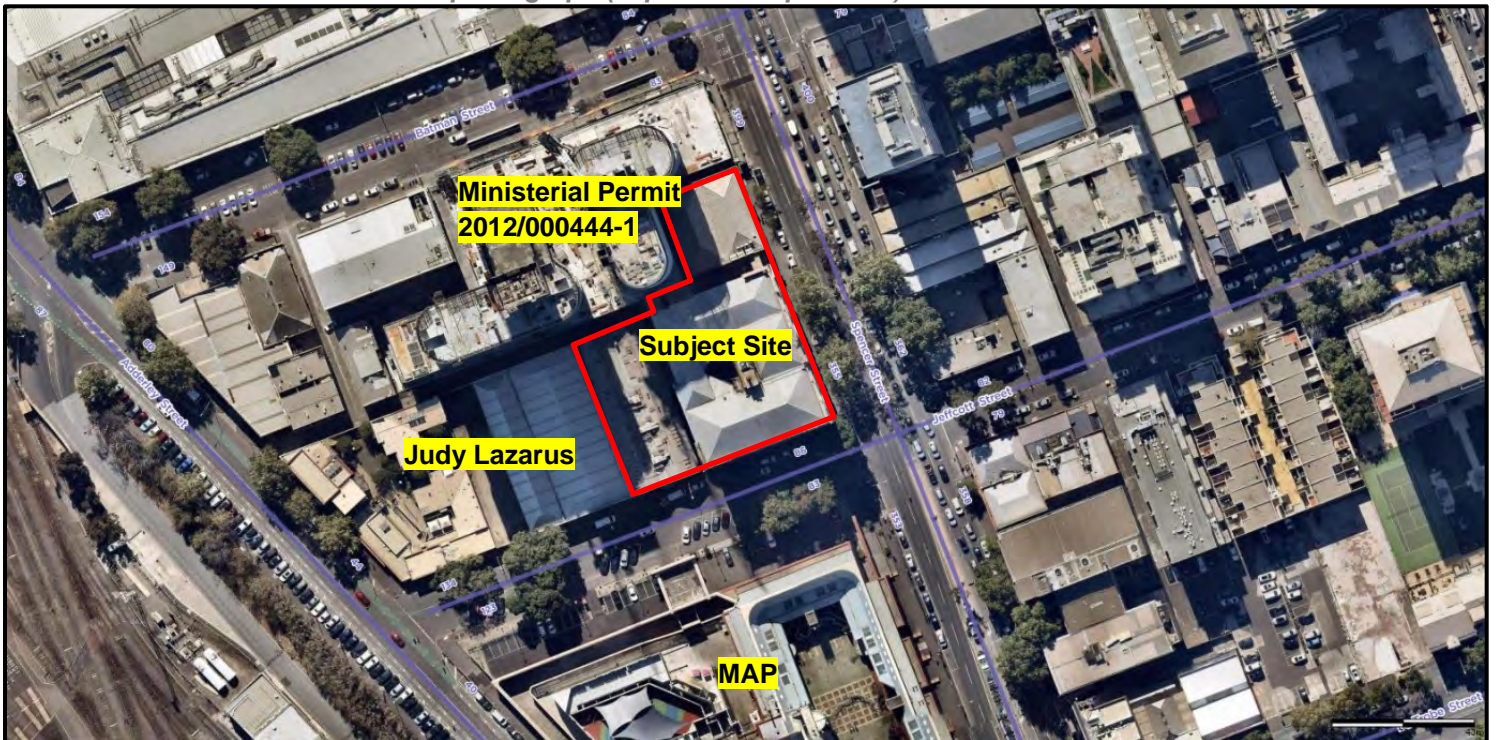
1.1.2 O'Connell Street Frontage (facing south-east)



1.1.3 CoMPASS base plan of surrounding cadastre & public tree canopies



1.1.4 CoMPASS aerial photograph (captured: 7 April 2019)



1.2 Surrounds

1.2.1 83-113 Batman Street, Melbourne

The subject site shares a direct interface with 83-113 Batman Street, West Melbourne, which is currently a construction site for a major development authorised under a Planning Permit 2012/000444-1.

Planning Permit 2012/000444-1 was granted by the Minister for Planning on 12 August 2015, and authorised:

Demolition of existing buildings including part demolition and construction or carry out works within the Heritage Overlay, and construction of two multi-storey buildings comprising of dwellings, office and retail premises (other than hotel, tavern and gaming premises), to vary the requirements of Design and Development Overlay (Schedule 33) and to reduce the car parking requirements and loading and unloading requirements of the Melbourne Planning Scheme in accordance with the endorsed plans.

The permit was later amended on 13 January 2017 pursuant to Section 72 of the *Planning and Environment Act 1987* to:

- Add office use to the permit preamble;
- Amend Conditions 1(a), (b) & (h), 8(c) and 15(g).
- Amend the plans, including:
 - Changes to the basement and car park layout;
 - Additional height for communal space on the western tower;
 - Changes to the apartment mix;
 - Seven (7) additional apartments; and
 - Revised façade treatment.

Amended plans were endorsed in accordance with Planning Permit 2012/000444-1 on 13 January 2017.

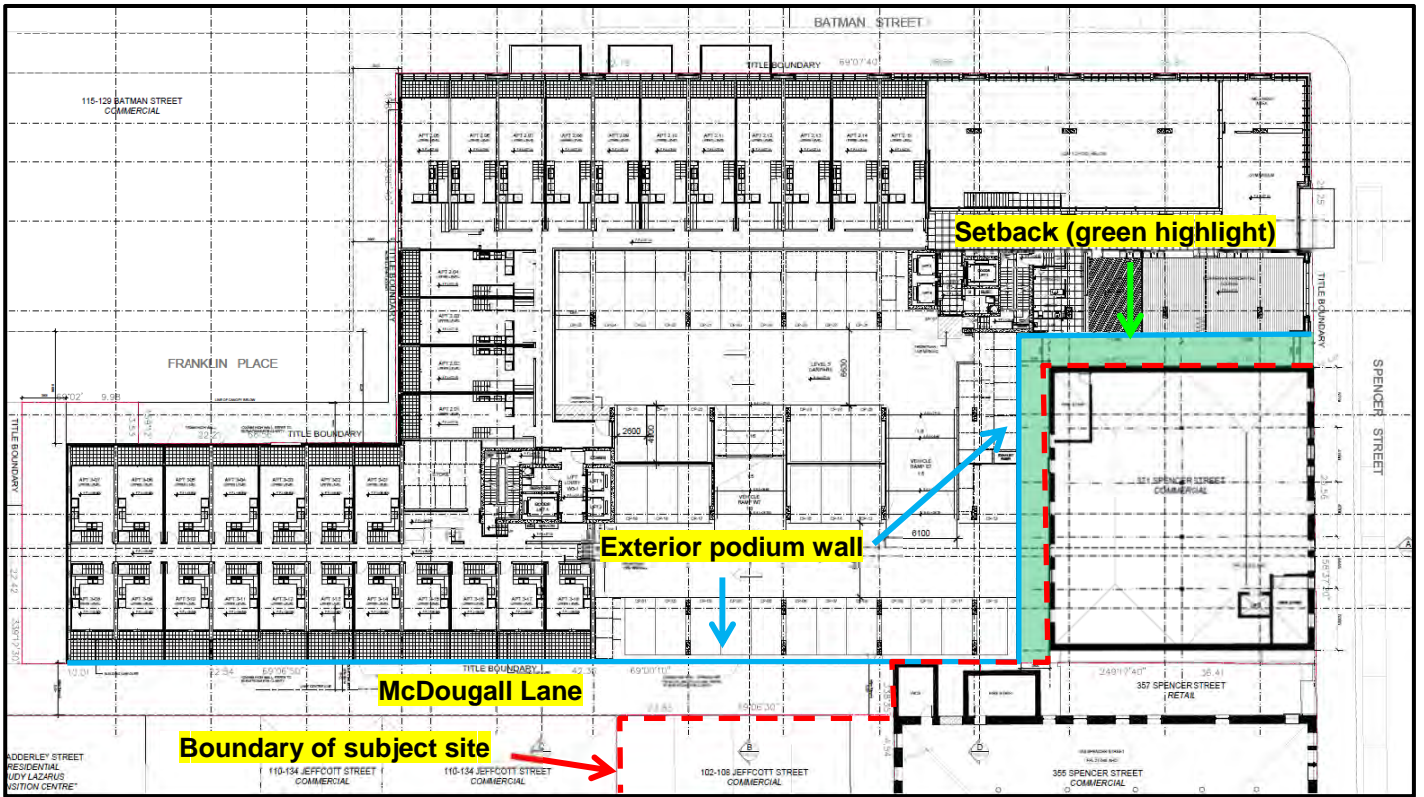
The interface between the site at 83-113 Batman Street, West Melbourne and the subject site is characterised by:

- The podium of 83-113 Batman Street (with a maximum height of AHD 31.5 metres (approximately 15 metres tall, as measured from the surface of McDougall Lane), which is occupied by car parking and services, and is setback the following distances from the subject site:
 - 2.650 metres to the north boundary of 371-383 Spencer Street;
 - 2.425 metres to the west boundary of 371-383 Spencer Street;
 - 0 metres to the north boundary of 355-369 Spencer Street; and
 - Separation from 102-108 Jeffcott Street via McDougall Lane (a 4.515 metre wide laneway).
- Above the podium, the south wing of the eastern tower at 83-113 Batman Street (with a maximum height of AHD 73.950 metres (approximately 58 metres above the pavement surface level of McDougall Lane)), which is occupied by apartments, and features variable setbacks generally consistent with the setbacks to the podium.

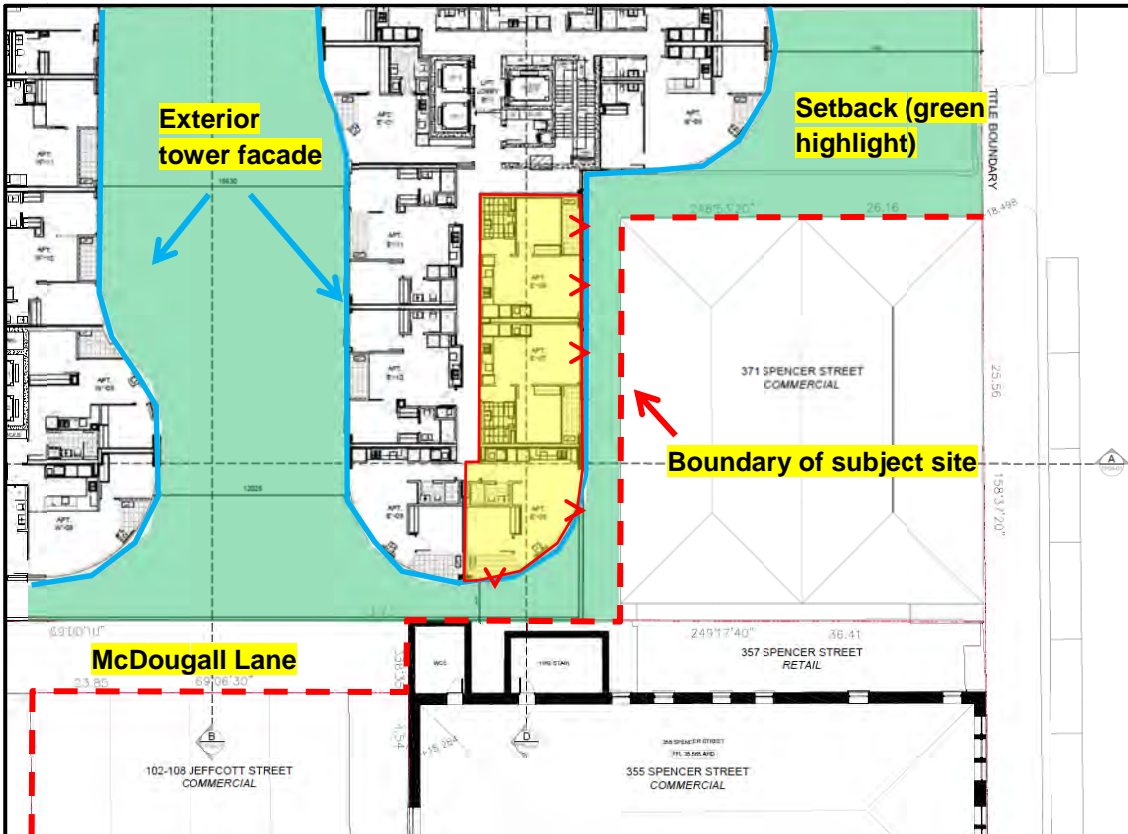
This interface represents a sensitive interface for the subject site, as at least two apartments per floorplate (across 14 floors) in the neighbouring tower authorised under Planning Permit

2012/000444-1 are single aspect, with habitable room windows and balcony interfaces located a minimum distance of less than 4.5 metres from the subject site.

Excerpt from 'Podium' plans endorsed under Planning Permit 2012/000444-1 highlighting interface with subject site



Excerpt from 'Tower' plans endorsed under Planning Permit 2012/000444-1 highlighting interface with subject site & potentially impacted apartments



Across Jeffcott Street to the immediate south of the subject site is the Melbourne Assessment Prison (MAP), an Australian remand and reception prison operated by the Department of Justice.

Of relevance to the subject site, the Melbourne Assessment Prison complex includes several outdoor recreation yards, which include the central forecourt of the historic four-storey brick building located to the east of the site. This central forecourt is raised above ground level, and views into the forecourt could therefore be readily achieved from neighbouring development (including development at the subject site) if windows oriented toward MAP are not appropriately managed.

An aerial photograph has been provided below highlighting the location of these outdoor recreation yards, which are considered to represent a sensitive interface for the subject site.

1.2.4 Judy Lazarus Transition Centre (JLTC) (45-58 Adderley Street, West Melbourne)

Immediately west of the subject site is the Judy Lazarus Transition Centre (JLTC).

Of relevance to the subject site, the Judy Lazarus Transition Centre complex includes a ground-level outdoor recreation area.

An aerial photograph has been provided below highlighting the location of this outdoor recreation yard, which is considered to represent a sensitive interface for the subject site.

1.2.5 CoMPASS aerial photograph (captured 7 April 2019) highlighting outdoor recreation areas at MAP and JLTC



1.3 Amendment C258: West Melbourne Heritage Review and Heritage Policies Review & Amendment C273: West Melbourne Interim Heritage Protections

Melbourne Planning Scheme Amendment C258 was prepared by Council and applies to all land within the municipality affected by a Heritage Overlay, including land within the West Melbourne Structure Plan area (representing land within the scope of the West Melbourne Heritage Review 2016).

Broadly, Amendment C258 seeks to implement:

- The Heritage Policies Review, which includes a review of the existing heritage policies in the Melbourne Planning Scheme (Clause 22.04/Clause 22.05), preparation of statements of significance for large precincts (e.g. Carlton and South Yarra) and conversion of the current A-D letter grading system to the contemporary Significant, Contributory and Non-Contributory classification system for heritage assets; and
- The West Melbourne Heritage Review 2016, which made recommendations regarding the heritage significance, and appropriate degree of protection, of heritage places within the West Melbourne Structure Plan area.

Amendment C273, gazetted on 4 May 2017, introduced interim heritage overlays in West Melbourne (which largely mirror the permanent controls sought by Amendment C258). The interim controls have been extended twice under Amendments C321 and C348 to the Melbourne Planning Scheme, so that they are now set to expire on 31 January 2020.

The independent Panel appointed to consider Amendment C258 issued its report on 21 May 2019. Council officers expect that the recommendations of the Panel report, together with a version of Amendment C258 incorporating changes in response to the Panel's recommendations will be presented to Melbourne City Council for adoption in Q2 Financial Year 2019-2020.

As Melbourne City Council has not yet adopted Amendment C258, it is not considered that the Amendment has attained the status of being 'seriously entertained'. However it is acknowledged that this could occur as early as October / November this year.

With the exception of rendering the existing interim heritage protections over the site permanent, it is not considered that approval of Amendment C258 will fundamentally transform the operation of heritage controls over the subject site, noting:

- The West Melbourne Heritage Review 2016 identified recommended gradings for the heritage place under both the existing A-D grading system and the proposed Significant, Contributory and Non-Contributory heritage classification system in Amendment C258;
- The broad guidance provided by the existing heritage policy in the Melbourne Planning Scheme relevant to the subject site; *Clause 22.05 Heritage Places outside the Capital City Zone*, does not differ fundamentally from the updated version of this policy publicly exhibited with Amendment C258, having regard to the grading of the heritage places under the existing A-D system, and under the proposed Significant, Contributory and Non-Contributory system.

Application PA1800480 has therefore been assessed on the basis of the existing A-D heritage grading system, adopting the gradings for each heritage place recommended in the West Melbourne Heritage Review 2016, and against the existing heritage policy in the Melbourne Planning Scheme relevant to the subject site, *Clause 22.05 Heritage Places outside the Capital City Zone*.

1.4 Amendment C309: West Melbourne Structure Plan 2018

Status of West Melbourne Structure Plan 2018 and Melbourne Planning Scheme Amendment C309

West Melbourne is an area undergoing rapid change due in part to its proximity to the central city, Queen Victoria Market, Flagstaff Gardens and Errol Street. To manage this growth, Melbourne City Council has prepared the West Melbourne Structure Plan 2018 (the **Structure Plan**).

Adopted by Council on 6 February 2019, the Structure Plan will be implemented by Melbourne Planning Scheme Amendment C309, the Panel Hearing for which concluded on 24 July 2019.

The independent Panel appointed to consider Amendment C309 is not expected to issue its report until 18 September 2019.

Noting that the Panel has not yet issued its report, and Melbourne City Council has not adopted Amendment C309, it is not considered that the Amendment (which includes a suite of planning policies and controls to implement the Structure Plan) has attained the status of being 'seriously entertained'.

Limited weight can therefore be placed on the planning controls sought to be introduced by the Amendment in assessing Application PA1800480.

Notwithstanding this, the West Melbourne Structure Plan 2018 has been adopted by Council, and provides relevant strategic context for the subject site and proposed development.

Strategic context for subject site in West Melbourne Structure Plan 2018

The Structure Plan identifies that West Melbourne has a distinct character with a dynamic mix of residential, business and industrial uses. It also identifies a number of precincts each with their own character, in terms of built form and the range of existing and future expected activities. Of these precincts, the subject site is located in the Flagstaff Precinct.

The Flagstaff Precinct, located to the west of Flagstaff Gardens and bounded by King, La Trobe, Adderley and Dudley Streets, is a distinct area within West Melbourne by virtue of its intensive built form character and proximity to Flagstaff Gardens and the central city. Many of the buildings that make up its built form character are larger institutional building, industrial warehouses, residential towers and office buildings. It is also the home to large iconic brick buildings such as the Sands and McDougall Building, Australian Red Cross building and Melbourne Assessment Prison.

The vision for the Flagstaff Precinct articulated in the Structure Plan is:

Flagstaff will be a busy, diverse area of mostly residential and commercial buildings that is well connected to the iconic Flagstaff Gardens. The area will be distinct from the central city, characterised by large historic brick buildings, contemporary developments and warehouse restorations.

Local streets will be home to small parks, recreation spaces and broad canopy trees, while a variety of shops and services will be found on Spencer, King and La Trobe Streets. A sense of proximity to Flagstaff Gardens permeates the area and streets are sheltered and green at pedestrian level due to the avenues of canopy trees.

Acknowledging that limited weight can be given to the controls sought in the Structure Plan by Amendment C309, it is noted that the following key land use and built form outcomes are sought:

Built form outcomes (Flagstaff Precinct):

- *Maximum floor area ratio (FAR) of 6:1*
- *Preferred maximum building height of 16 storeys*
- *Street wall height ranging from 3 and 10 storeys*

- Ground floor setback of 3m from the laneway centre line
- Minimum 6m setback above the podium from laneways and all side and rear boundaries
- Minimum 3m setback above podium from front boundary
- Minimum floor-to-ceiling height of 3.3m for non-residential uses or 4m if ground floor.

Land use outcomes (Flagstaff Precinct):

- Minimum employment floorspace of 1:1 (i.e. for the subject site, at least 3,352m² of the GFA should be committed to employment generating land uses).

Traffic (car parking) (Flagstaff Precinct):

- A maximum car parking rate is applied (instead of the current minimum requirement).

1.4.1 Map identifying location of the subject site within the West Melbourne Structure Plan 2018 area



1.5 Restrictions / Easements

1.5.1 Restrictive Covenants / S.173 Agreements

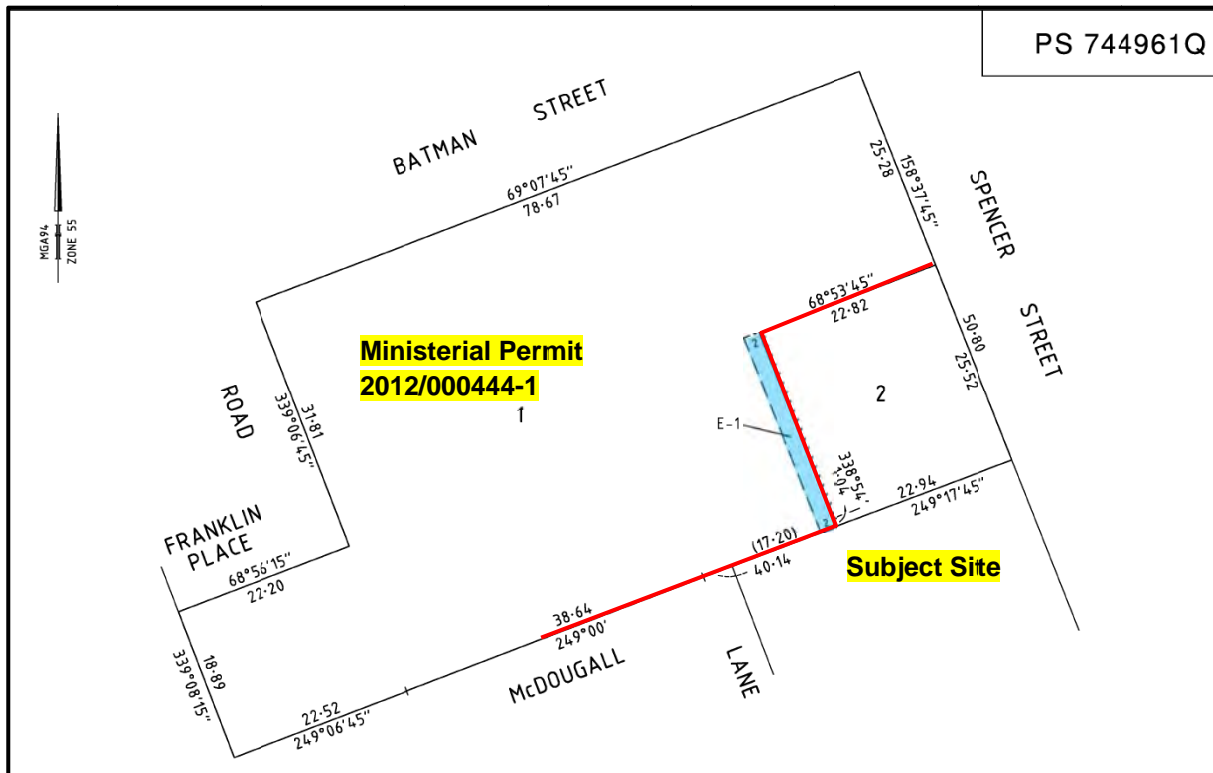
The register search statement for the Certificates of Title listed below identify that these properties are not burdened by any restrictive covenant or Section 173 Agreement:

- **Lot 1 on Plan of Subdivision 744960S (Vol. 11835, Fol. 057)**
- **Lot 2 on Plan of Subdivision 744960S (Vol. 11835, Fol. 058)**
- **Lot 2 on Plan of Subdivision 744961Q (Vol. 11835, Fol. 061)**

1.5.2 Easements in favour of subject site

Easement E-1 on Plan of Subdivision PS744961Q

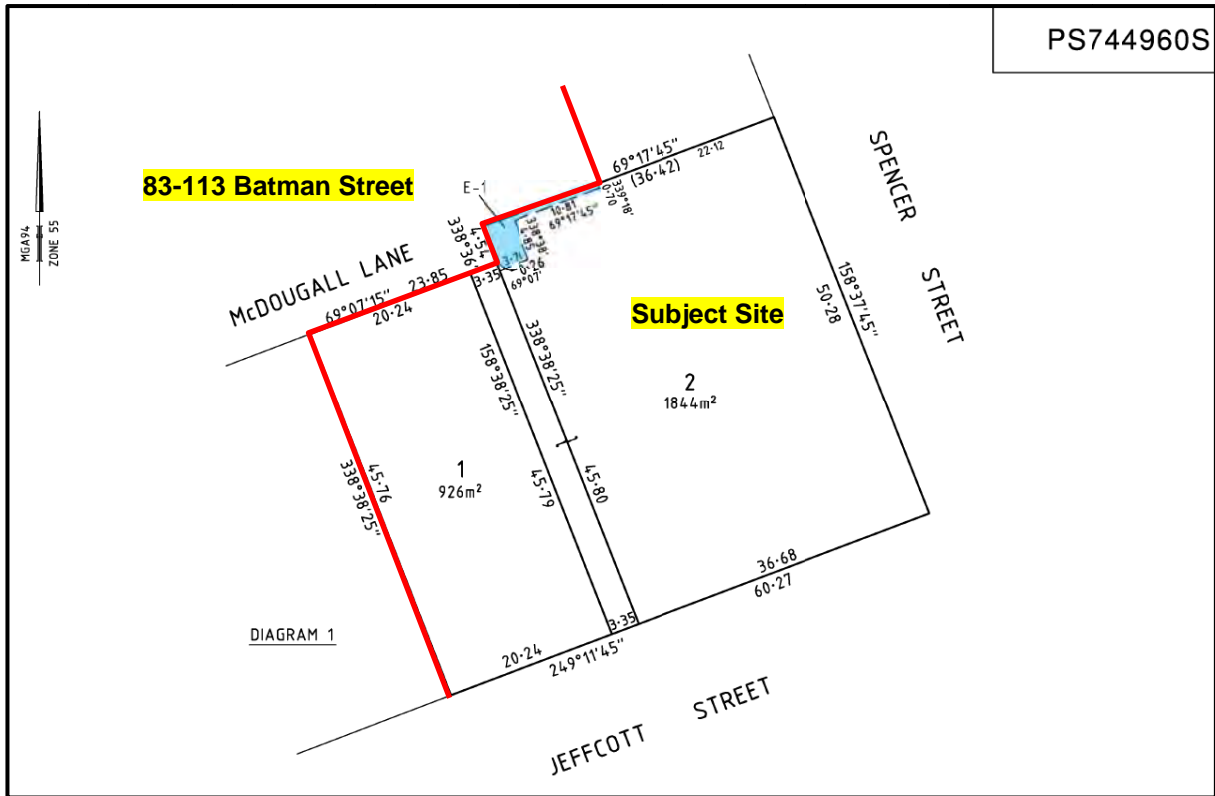
371-383 Spencer Street, West Melbourne, benefits from a 2 metre wide light and air easement (highlighted blue in the below map), which encumbers the neighbouring site at 83-113 Batman Street, West Melbourne.



1.5.3 Easements encumbering subject site

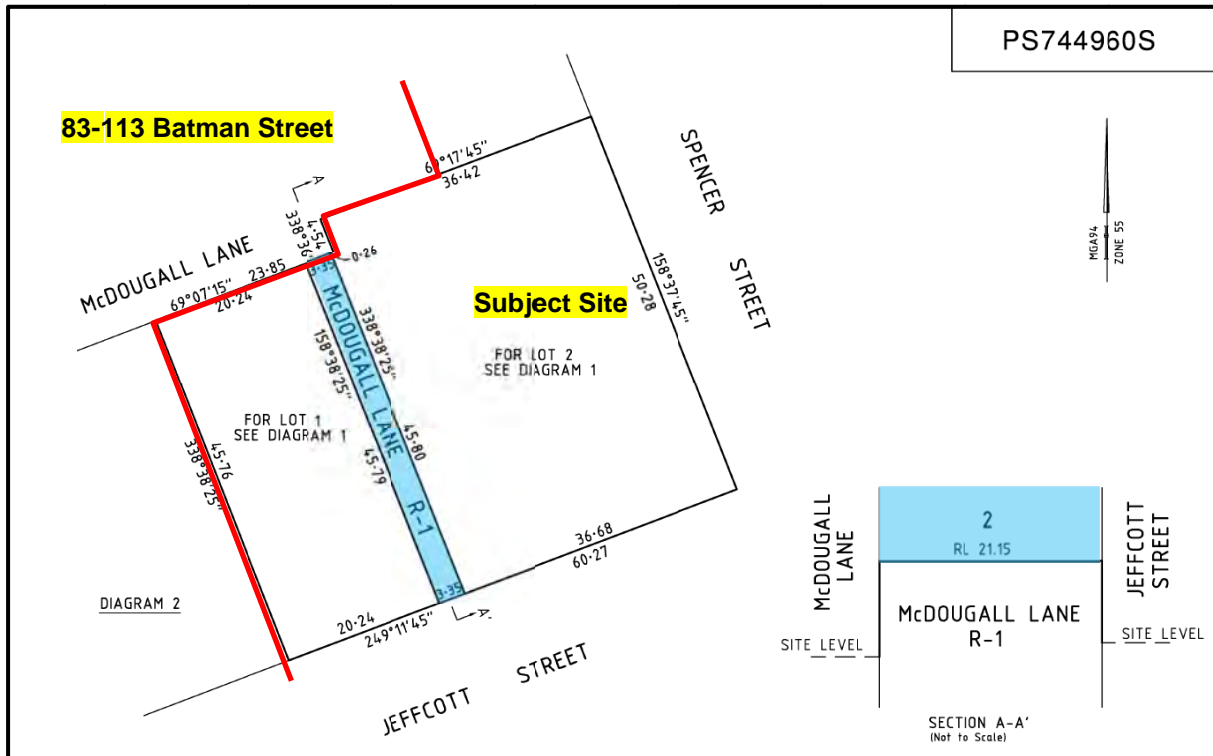
Easement E-1 on Plan of Subdivision PS744960S

355-369 Spencer Street, West Melbourne, is encumbered by a fire access easement (highlighted blue in the below map) to its north-west corner. This easement is in favour of the land contained in Vol. 11577, Fol. 993. Certificate of Title documentation has not been provided by the applicant to confirm full details of the land benefited by the easement, but it appears to benefit the neighbouring site at 83-118 Batman Street, and the site forming part of Application PA1800480; 371-383 Spencer Street, West Melbourne.



1.5.4 Status of McDougall Lane

The section of McDougall Lane between 102-108 Jeffcott Street and 355-369 Spencer Street, West Melbourne labelled, 'R-1' on Plan of Subdivision PS744960S (highlighted blue in the below map) is limited in height to RL 21.15 (approximately 6 metres above the surface level of McDougall Lane).



1.6 Archaeology and Heritage Inventory

The subject site is not included in the [Victorian Heritage Inventory](#).

1.7 Aboriginal Cultural Heritage

The subject site is not included in an area of legislated cultural heritage sensitivity.

2 BACKGROUND AND HISTORY

2.1 Application PA1800480

On 19 December 2018, Application PA1800480 was received by DELWP, seeking planning permission for the following:

Part demolition of the existing buildings, use and development of the site for a residential hotel, office, food and drink premises, licensed restaurant, tavern, and shop, and a reduction of car parking.

DELWP gave notice of Application PA1800480 to Melbourne City Council pursuant to S.52(1)(c) of the *Planning and Environment Act 1987* on 24 January 2019.

2.2 Consultation Meetings

A consultation meeting was held between DELWP, Melbourne City Council and the permit applicant on 30 January 2019.

Feedback given at this meeting was predominantly supportive, including in relation to the heritage response of the development, the proposed connection between the buildings, and the achievement of a Floor Area Ratio of 6:1, which is consistent with the built form requirements for the site envisioned by the West Melbourne Structure Plan 2018.

The application was subsequently progressed through the ordinary planning process, with further information being provided to assist consideration of the application on 3 May 2019.

2.3 S.79 Application for Review

On 28 June 2019, the applicant filed an Application for Review of the Responsible Authority's failure to grant a permit within the prescribed time period pursuant to Section 79 of the *Planning and Environment Act 1987*.

A copy of the S.79 Failure Application was served on Council by the permit applicant on 22 July 2019 in accordance with VCAT's initiating order (dated 4 July 2019).

City of Melbourne filed a statement of grounds identifying that it intended to participate in the VCAT hearing on 5 August 2019.

Following a Practice Day Hearing held on 16 August 2019:

- Melbourne City Council was joined as a party to the proceeding;
- The date for the Compulsory Conference was confirmed for 9 October 2019; and
- The date for the Merits Hearing was confirmed for 27 November 2019.

3 PROPOSAL

3.1 Plans / Reports Considered in Assessment

Table: Plans / Reports considered in assessment		
Plan / Report Title	Plan/Report Author	Plan/Report Date
Planning Report	Contour Town Planners	December 2018
Letter accompanying further information	Contour Town Planners	3 April 2019
Architectural Drawings (Revision 2)	Hachem	29 March 2019
Design Response	Hachem	29 March 2019
Heritage Impact Assessment	Trethowan	7 December 2018
Sustainability Management Report & Covering Letter	WSP	28 March 2019 (SMP) 1 April 2019 (letter)
Traffic Impact Assessment Report	GTA Consultants	19 February 2019
Waste Management Plan	Leigh Design	17 December 2018
Wind Assessment	RWDI	11 February 2019
Acoustic Report	WSP	18 March 2019
Cultural Heritage Statutory Obligations Assessment	Archaeology at Tardis	14 March 2019
Population capacity assessment for licensed premises and hotel	PLP Building Surveyors & Consultants Pty Ltd	28 March 2109

3.2 Summary of Proposed Development / Land Use & Plan Excerpts

3.2.1 Summary of proposed development / use

Broadly, Application PA1800480 comprises:

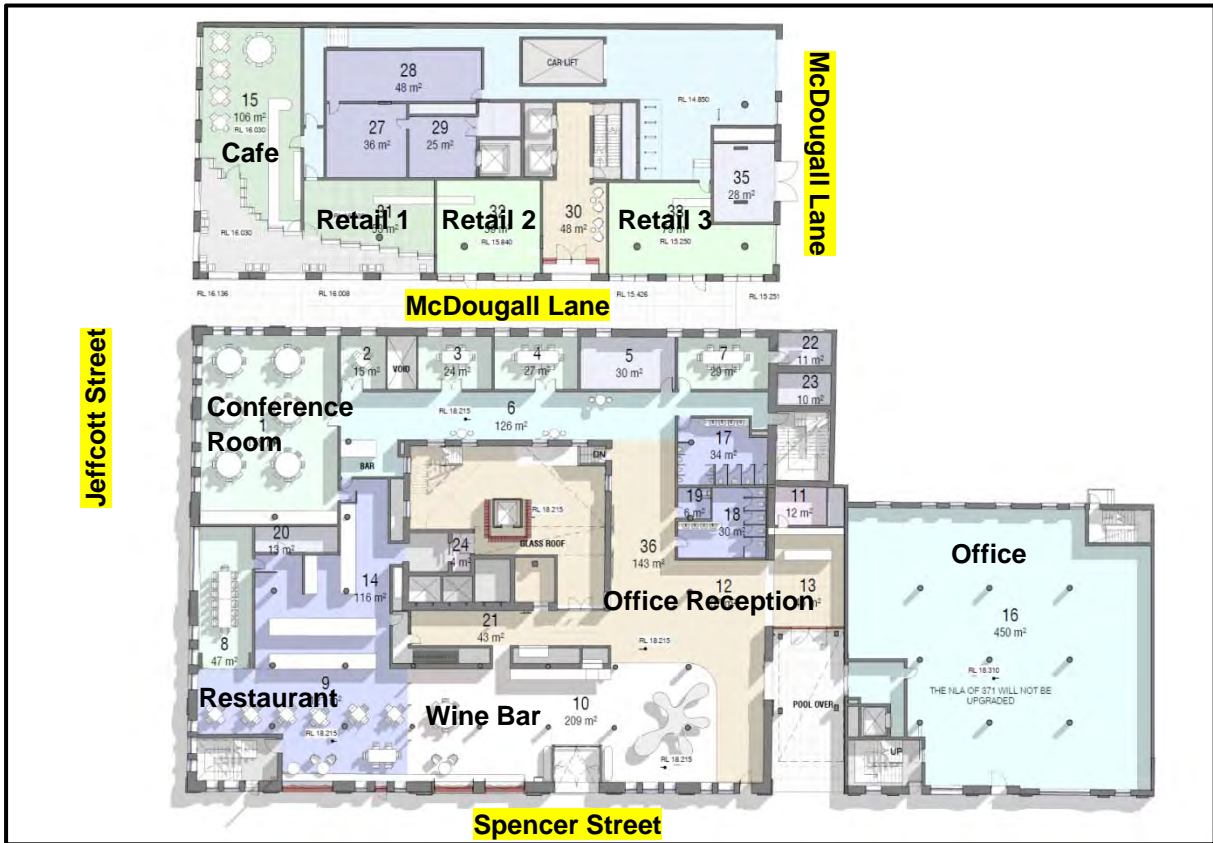
- Partial demolition of the heritage building at 102-108 Jeffcott Street and development of the site for a twenty-three (23) storey residential hotel tower with retail at ground floor over a basement.
- A bridge connection over McDougall Lane will be extruded from the east façade of Level 4 of the residential hotel tower at 102-108 Jeffcott Street, connecting to level 3 of 355-369 Spencer Street (the Sands and McDougall manufactory);
- Partial demolition of the 'Sands and McDougall Manufactory' at 355-369 Spencer Street (limited to minor external building works) and development of Level 3 as an extension to the proposed hotel and a tavern (including sale and consumption of liquor), a licensed restaurant at basement and at ground floor, and use of the building remainder as office;

- Partial demolition of the 'Sands and McDougall Warehouse' at 371-383 Spencer Street, including external works at Level 3 and partial removal of the roof structure, and extension of the tavern at level 3 of 355-369 Spencer Street on the 371-383 Spencer Street building rooftop.
- Remaining building levels of 355-369 Spencer Street and 371-383 Spencer Street will be used as office.

The application accordingly seeks planning permission for the following:

- Use of land for Residential Hotel, Food and Drink Premises, Office (other than Medical Centre) and Shop (other than Adult sex product shop) and construct a building or construct or carry out works in the Mixed Use Zone.
- Demolish or remove a building or works and construct a building or construct or carry out works in the Heritage Overlay HO771.
- Construct a building or construct or carry out works under the Design and Development Overlay Schedule 12 (Noise Attenuation Area) and Schedule 33 (CBD Fringe).
- Reduction of the car parking requirement under *Clause 52.06 Car Parking*.
- Operation of a licensed premises, under *Clause 52.27 – Licensed Premises*.
- Create or alter access to a road in a Road Zone, Category 1, under *Clause 52.29 – Land Adjacent to a Road in a Road Zone, Category 1*.

3.2.2 Ground plane (Urban Context Report, 7 July 2019)



3.2.3 Jeffcott Street presentation (Design Response, 29 March 2019)



3.2.4 Tower link to Sands & McDougall Manufactory (Design Response, 29 March 2019)



3.2.5 Roof-top bar above Sands & McDougall Warehouse (Design Response, 29 March 2019)



3.3 Detailed Information: Built Form (Architectural Drawings dated 29 March 2019)

3.3.1 Site layout and GFA

<p>Total Site Area:</p> <p>102 Jeffcott Street</p> <p>355 Spencer Street</p> <p>371 Spencer Street</p> <p>'R-1' McDougall Lane</p>	<p>3,505m²</p> <p>926m²</p> <p>1844m²</p> <p>582m²</p> <p>153m²</p>	<p>Site Coverage*:</p> <p>3,352m² (95%)</p> <p><i>*Note: Site across the three building sites is 100%. The 'R-1' section of McDougall Lane will be open to the sky (with the exception of the sky bridge), and has an area of 170m².</i></p>	
<p>Landscaped Area:</p>	<p>Nil.</p>	<p>Permeable Area:</p>	<p>Nil.</p>
<p>Floor Area Ratio (FAR)*</p> <p><i>*Note: FAR has been calculated by subtracting the basement areas from the total 'Area' calculation provided on Drawing No. TP0.000 and dividing by site area. It is noted that this may not represent a true account of the actual FAR.</i></p>	<p>26,683sqm (total) – 4,969sqm (basement) = 21,714 sqm</p> <p>21,714sqm (floor area) 3,505sqm (site area) = 6.2: 1</p> <p>Proposed FAR: 6.2:1</p> <p>C309 max: 6:1</p>	<p>Floor area uplift sought:</p>	<p>N/A – No applicable uplift mechanism.</p>
<p>Total Employment Floor Area*</p> <p><i>*Note: Car parking areas have been subtracted from the calculation of all employment floor area figures.</i></p>	<p>26,683sqm (total) – 2,576sqm (car park) = 24,107sqm</p> <p>Total Employment Floor Area: 24,107m²</p>	<p>Employment Floor Area Site Ratio (ESR)*</p>	<p>24,107sqm (floor area) 3,505sqm (site area) = 6.8: 1</p> <p>Proposed ESR: 6.8:1</p> <p>C309 minimum: 1:1</p>
<p>Residential Hotel FA</p> <p><i>*Note: Car parking areas have been subtracted from this calculation.</i></p>	<p>16,077m²</p>	<p>Office FA*</p> <p><i>*Note: Car parking areas have been subtracted from this calculation.</i></p>	<p>7,571m²</p>
<p>Retail/Shop FA*</p>	<p>191m²</p>	<p>Food and Drink Premises FA:</p>	<p>1,222m²</p>

3.3.2 Building Height and Setbacks

Number of storeys above ground level (excluding mezzanines):	Max: 23	Number of basement levels:	Max: 3	
102 Jeffcott Street	23 (including roof level)	102 Jeffcott Street	3	
355 Spencer Street	1	355 Spencer Street	1	
371 Spencer Street	1	371 Spencer Street	1	
Maximum Building Height (residential hotel tower): *Note – RL 16.1 has been adopted as ground surface level, representing the centre point of the Jeffcott Street frontage.	Including plant: $RL91.87 - RL16.1 = 75.77 \text{ metres}^1$ Excluding plant: $RL88.885 - RL16.1 = 72.785 \text{ metres}$	Street Wall Height (residential hotel tower): *Note – RL 16.1 has been adopted as ground surface level, representing the centre point of the Jeffcott Street frontage.	The street wall for the residential hotel tower comprises the exterior form of the double-gabled heritage asset at 102-108 Jeffcott Street: $RL25 - RL16.1 = 8.9 \text{ metres}$	
Minimum Residential Hotel Tower Setbacks (above street wall):	North (McDougall Lane)	2.33m	East McDougall Lane	0.725m
	South (Jeffcott Street)	2.895m *6.635m above Level 3	West (JLTC)	6.090m
Minimum Residential Hotel Tower Building Separation (above street wall):	North (western tower)	10.465m		
	North (eastern tower)	11.510m		

¹ The height of the residential hotel tower proposed under Application PA1800480 (AHD 91.87) sits between the height of the east (AHD 83.1) and west (AHD 101.7) towers at 83-113 Batman Street, West Melbourne approved under Ministerial Planning Permit 2012/000444-1.

3.3.3 Access, car parking, bicycle facilities and loading/unloading

Car parking, bicycle facilities and loading and unloading			
Car parking spaces:	61	Bicycle spaces:	111
Motorcycle spaces:	N/A	Bicycle facilities:	8 showers and change rooms.
Parking access:	Car parking access will be via a car lift, accessible from the rear of the 102-108 Jeffcott Street via McDougall Lane (east-west orientation).		
Loading/unloading:	Loading will be via a ramp, accessible from the west (side) of 355-369 Spencer Street (the Sands and McDougall Manufactory) via McDougall lane (north-south orientation).		

3.3.4 Building Programme

102-108 Jeffcott Street	
Basement levels 1-3:	Car parking associated with Residential Hotel and Office land uses.
Ground level	4 x Retail premises (1x café & 3 x retail tenancies), back of house, car parking access
Level 4	Residential Hotel guest rooms and sky bridge connecting tower to Level 3 of Sands and McDougall Manufactory.
Levels 1-21	Residential Hotel guest rooms
Roof (enclosed level 22)	Plant
355-369 Spencer Street (Sands and McDougall Manufactory)	
Basement level 1	Restaurant, Residential Hotel back of house, services, loading
Ground level	Conference/meeting rooms, Restaurant, Wine Bar, reception for Residential Hotel and lobby for Office
Levels 1-2	Office
Level 3	Residential Hotel guest rooms, main hotel bar, lobby, gymnasium, sky bridge connecting Sands and McDougall Manufactory to level 4 of Residential Hotel tower.
Levels 4-5	Office
371-383 Spencer Street (Sands and McDougall Warehouse)	
Basement level 1	Residential Hotel admin, bicycle facilities (including parking and end of trip change rooms and showers)
Ground level – Level 2	Office
Level 3 / Rooftop	Rooftop bar

3.4 Detailed Information: Land Uses

Application PA1800480 includes a diverse range of uses, including Shop, Food and Drink Premises, Office and Residential Hotel.

Application PA1800480 also seeks permission to operate many of these tenancies / areas as licensed premises, and has identified that 'ordinary trading hours' hours will be adopted for all proposed licensed premises within the development:

- 7.00am to 11.00pm on each day other than Sunday, Good Friday and ANZAC Day;
- 10.00am to 11.00pm on Sunday;
- 12 noon to 11.00pm on Good Friday and ANZAC Day.

3.4.1 Use of land for 'Shop'

Application PA1800480 includes three tenancies / areas proposed to be used for a Shop:

102-108 Jeffcott Street

Ground level:

1. Retail Tenancy 1 (53m²)
2. Retail Tenancy 2 (59m²)
3. Retail Tenancy 3 (79m²)

3.4.2 Use of land for 'Food and Drink Premises'

Application PA1800 includes six tenancies / areas proposed to be used for Food and Drink Premises:

102-108 Jeffcott Street

Ground level:

1. Café (106m², maximum no. patrons: 106) **(proposed to be licensed)**

355-369 Spencer Street (Sands and McDougall Manufactory)

Basement level 1:

2. Restaurant (203m², maximum no. patrons: 203) **(proposed to be licensed)**

Ground level:

3. Restaurant (121m², maximum no. patrons: 121) **(proposed to be licensed)**
4. Wine Bar / Café (208m², maximum no. patrons: 208) **(proposed to be licensed)**

Level 3

5. Tavern / Bar (390m², maximum no. patrons: 644) associated with Residential Hotel lobby/balcony areas **(proposed to be licensed)**

371-383 Spencer Street (Sands and McDougall Warehouse)

Level 3 / Rooftop

6. Tavern / Bar (internal: 194m², outdoor: 149m² (+48m² pool), maximum no. patrons: 391) **(proposed to be licensed)**

3.4.3 Use of land for 'Office'

355-369 Spencer Street (Sands and McDougall Manufactory)

The Manufactory will be used for an Office across the ground level, levels 1-2 and level 4-5. The following areas associated with the use of the Manufactory for Office are **proposed to be licensed**:

- Conference room (152m²)
- PDR / Meeting room (47m²)
- Meeting rooms 1-4 (104m²)
- Pre-function area (125m²)

371-383 Spencer Street (Sands and McDougall Warehouse)

The Warehouse will be used for an Office across the ground level and levels 1-2. No areas associated with the use of land for an Office in the Warehouse are proposed to be licensed.

3.4.4 Use of land for 'Residential Hotel'

The predominant use within the proposed development is the Residential Hotel, comprising admin and services across each basement proposed within the development, a reception / lobby area at the ground level of the Manufactory, 180 guest rooms across all levels of the tower above 102-108 Jeffcott Street, and a hotel bar, lobby and gymnasium and 10 additional guest rooms on level 3 of the Manufactory.

The following areas associated with the Residential Hotel are **proposed to be licensed**:

- 180 guest rooms on each level of the tower above 102-108 Jeffcott Street and 10 guest rooms on level 3 of the Manufactory (355-369 Spencer Street), maximum no. patrons: 2 per hotel suite.
- Hotel Lobby and outdoor Balcony on level 3 of the Manufactory (355-369 Spencer Street), maximum no. patrons: 644, combined with Hotel Tavern / Bar).

4 STATUTORY CONTROLS

Application PA1800480 requires the following planning permissions under the Melbourne Planning Scheme:

- Use of land for Residential Hotel, Food and Drink Premises, Office (other than Medical Centre) and Shop (other than Adult sex product shop) and construct a building or construct or carry out works in the Mixed Use Zone.
- Demolish or remove a building or works and construct a building or construct or carry out works in the Heritage Overlay HO771.
- Construct a building or construct or carry out works under the Design and Development Overlay Schedule 12 (Noise Attenuation Area) and Schedule 33 (CBD Fringe).
- Reduction of the car parking requirement under *Clause 52.06 Car Parking*.
- Operation of a licensed premises, under *Clause 52.27 – Licensed Premises*.
- Create or alter access to a road in a Road Zone, Category 1, under *Clause 52.29 – Land Adjacent to a Road in a Road Zone, Category 1*.

4.1 Zone

The subject site is located in the Mixed Use Zone.

4.1.1 Use of land

A planning permit is required for the use of land for:

- Residential Hotel;
- Food and Drink Premises;
- Office;

- Shop.

Application PA1900537 includes the following land uses (as characterised under the Melbourne Planning Scheme for the purpose of determining the applicable planning requirements in the Mixed Use Zone):

- **Residential Hotel**

Use of land for 'Accommodation' is a 'Section 2 – permit required' land use in the Mixed Use Zone. Residential Hotel is nested under Accommodation in *Clause 73.04 Nesting Diagrams* of the Melbourne Planning Scheme.

- **Food and Drink Premises**

Use of land for 'Food and Drink Premises' is a 'Section 1 – permit not required' land use in the Mixed Use Zone provided the leasable floor area does not exceed 150 square metres. The cumulative leasable floor area of the proposed use of land for Food and Drink Premises exceeds 150 square metres. The proposed use of land for Food and Drink Premises is therefore a 'Section 2 – permit required' land use in the Mixed Use Zone.

- **Office**

Use of land for 'Office' (other than a Medical Centre) is a 'Section 1 – permit not required land use' in the Mixed Use Zone provided the leasable floor area does not exceed 250 square metres. The cumulative leasable floor area of the proposed use of land for Office exceeds 250 square metres. The proposed use of land for Office is therefore a 'Section 2 – permit required' land use in the Mixed Use Zone.

- **Shop**

Use of land for 'Shop' (other than Adult sex product shop) is a 'Section 1 – permit not required' land use in the Mixed Use One provided the leasable floor area does not exceed 150 square metres. The cumulative leasable floor area of the proposed use of land for Shop exceeds 150 square metres. The proposed use of land for Shop is therefore a 'Section 2 – permit required' land use in the Mixed Use Zone.

4.1.2 *Buildings and Works*

A planning permit is required to construct a building or construct or carry out works associated with a 'Section 2 – permit required' land use in the Mixed Use Zone.

4.1.3 *Advertising Signs*

Application PA1800480 has not sought permission to erect an advertising sign.

Furthermore, the Architectural Drawings prepared by Hachem do not show the location (indicative or otherwise) of any proposed advertising signage.

It is considered that permission can be sought separately for the erection / display of advertising signage under a future planning permit application.

4.2 **Overlays**

4.2.1 **Heritage Overlay (Schedule HO771: Sands & McDougall precinct, 115, 133-137 Batman Street, 23 Franklin Place, 102 Jeffcott Street, 355 & 371 Spencer Street, West Melbourne)**

A planning permit is required to demolish or remove a building, or construct a building or construct or carry out works under HO771.

4.2.2 **Design and Development Overlay (Schedule 12: Noise Attenuation Area)**

A planning permit is required to construct a building or construct or carry out works under DDO12.

DDO12 specifies the following requirements that apply to an application for a planning permit under this overlay:

Any new or refurbished development or any conversion of part of all of an existing building that will accommodate new residential or other noise-sensitive uses must:

- *Be designed and constructed to include noise attenuation measures. These measures must achieve a maximum noise level of 45 dB in habitable rooms with windows closed when music is emitted from the Major Sports and Recreation Facility in the Melbourne Docklands Area.*
- *Be fitted with ducted air conditioning if the new or refurbished development is within 400 metres of the centre point of the Docklands Major Sports and Recreation Facility.*
- *Have external glazing and doors and air conditioning or ventilation system in all new residential and other noise-sensitive use and development designed by a recognised acoustic consultant.*

For the purpose of this requirement, noise-sensitive uses are those that have an element of residential accommodation and are nested under the definition of accommodation in the planning scheme.

4.2.3 Design and Development Overlay (Schedule 33: CBD Fringe)

A planning permit is required to construct a building or construct or carry out works under DDO33.

The Table to DDO33 sets out the following discretionary building height, podium height and minimum building setback requirements that apply to the use / development proposed under Application PA1800480:

Area	Maximum Building Height, Podium Height and Minimum Building Setback	Built Form Outcomes
DDO33	<p>Height 40 metres</p> <p>Podium Height Podium height of 16 metres or an appropriate lesser height where the site is adjacent to a heritage building.</p> <p>Setbacks Setbacks above podium:</p> <ul style="list-style-type: none"> ▪ 6 metres from all front, side and rear boundaries. ▪ 2 metres from laneways. 	<p>Built form which provides a visual transition between the taller prevailing heights of the CBD and the lower scale built form of West Melbourne.</p> <p>Development provides a transition to adjoining lower scale heritage buildings be the use of podiums and upper level setbacks. Development that does not overshadow Flagstaff Gardens between 11am and 2pm on 22 September and 22 June.</p> <p>Building setbacks that strengthen the pedestrian scale and focus of the area and maintain a sense of open outlook from the Flagstaff Gardens.</p>

4.3 Particular Provisions

4.3.1 Clause 52.05 Signs

As identified in Section 4.1.3 of this report, Application PA1800480 has not sought permission to erect an advertising sign and therefore does not require a planning permit under *Clause 52.05 Signs*.

4.3.2 Clause 52.06 Car Parking

A planning permit is required to reduce the number of car parking spaces required under *Clause 52.06 Car Parking*.

Minimum car parking space requirement

Clause 52.06 Car Parking sets out the following car parking rate as bearing on the proposed use/development under Application PA1800480, noting that the subject site is located within the Principal Public Transport Network Area, and the rate at Column B of the Table therefore applies:

Use	Rate	Rate	
	Column A	Column B	
Residential Hotel	N/A	N/A	None specified (must therefore be to the satisfaction of the Responsible Authority)
Food and Drink Premises other than listed in this table	4	3.5	To each 100sqm of leasable floor area
Office	3.5	3	To each 100sqm of net floor area
Shop – other than listed in this table	4	3.5	To each 100sqm of leasable floor area

Accordingly, the required number of car parking spaces for:

- The 'Food and Drink Premises' use is:

$$3.5 \left(\frac{1,222sqm}{100} \right) = 42.7 \text{ car parking spaces (round to 42)}$$

- The 'Office' use is:

$$3 \left(\frac{7,571sqm}{100} \right) = 227.13 \text{ car parking spaces (round to 227)}$$

- The 'Shop' use is:

$$3.5 \left(\frac{191sqm}{100} \right) = 6.7 \text{ car parking spaces (round to 6)}$$

The total required number of car parking spaces is therefore:

$$42 + 227 + 6 = 275 \text{ car parking spaces}$$

Application PA1800480 provides 61 car parking spaces, and therefore seeks to reduce the required number of car parking spaces under Clause 52.06 Car Parking by 214 car parking spaces.

4.3.3 Clause 52.27 Licensed Premises

A planning permit is required to operate licensed premises in the Mixed Use Zone under Clause 52.27 Licensed Premises.

4.3.4 Clause 52.29 Land Adjacent to a Road Zone Category 1

A planning permit is required to create or alter access to a road in a Road Zone, Category 1.

The subject site fronts Spencer Street, which is include in the Road Zone, Category 1.

Application PA1800480 seeks to alter access to Spencer Street by virtue of:

- The creation or alteration of openings in the buildings fronting Spencer Street forming part of the subject site; and
- Alteration of access to Spencer Street via Jeffcott Street, due to changes to the land uses occurring at the site and the generation of traffic.

VicRoads is a Determining Referral Authority for an application for a planning permit under *Clause 52.29 Land Adjacent to a Road Zone Category 1*.

4.3.5 Clause 52.34 Bicycle Facilities

Application PA1800480 complies with the following requirements of *Clause 52.34 Bicycle Facilities*:

- The minimum bicycle parking spaces requirement;
- The shower requirements for end of trip facilities where bicycle parking is provided;
- The change room requirements for end of trip facilities where bicycle parking is provided.

A planning permit is therefore not required under *Clause 52.34 Bicycle Facilities*.

Minimum bicycle parking spaces requirement:

Clause 52.34 Bicycle Facilities sets out the following bicycle parking rate as bearing on the proposed use / development under Application PA1900537:

Use	Employee/Resident	Visitor/Shopper/Student
Office other than specified in this table	1 to each 300sqm net floor area if the net floor area exceeds 1000sqm	1 to each 1000sqm of net floor area if the net floor area exceeds 1000sqm.
Residential building other than specified in this table	In developments of four or more storeys, 1 to each 10 lodging rooms	In developments of four or more storeys, 1 to each 10 lodging rooms
Retail premises other than specified in this table	1 to each 300sqm of leasable floor area	1 to each 500sqm of leasable floor area
Shop	1 to each 600sqm of leasable floor area if the leasable floor area exceeds 1000sqm	1 to each 500sqm of leasable floor area if the leasable floor area exceeds 1000sqm

Accordingly the required number of bicycle spaces for:

- the 'Office' use is:

$$1\left(\frac{7,571sqm}{300}\right) + 1\left(\frac{7,571sqm}{1000}\right) = 32.81 \text{ bicycle spaces (round to 33)}$$

- the 'Residential Hotel' use is:

$$1\left(\frac{190}{10}\right) + 1\left(\frac{190}{10}\right) = 38 \text{ bicycle spaces}$$

- the 'Food and Drink Premises' use is:

$$1\left(\frac{1,222sqm}{300}\right) + 1\left(\frac{1,222sqm}{500}\right) = 6.5 \text{ bicycle spaces (round to 7)}$$

- the 'Shop' use is:

Nil, as the total leasable floor area for the 'Shop' use does not exceed 1000sqm.

The total required number of bicycle spaces is therefore:

$$33 + 38 + 7 = 78 \text{ bicycle spaces}$$

Application PA1800480 includes 111 bicycle spaces and therefore complies with the minimum bicycle spaces requirement under *Clause 52.34 Bicycle Facilities*.

Shower requirement:

Clause 52.34 *Bicycle Facilities* sets out the following shower requirement as bearing on the proposed use / development under Application PA1800480:

Use	Employee/Resident	Visitor/Shopper/Student
Any use listed in Table 1	If 5 or more employee bicycle spaces are required, 1 shower for the first 5 employee bicycle spaces, plus 1 to each 10 employee bicycle spaces thereafter.	None

Accordingly, the required number of shower facilities is:

$$1 + \frac{(78 - 5)}{10} = 8 \text{ showers}$$

Application PA1800480 includes provision for 8 showering facilities and therefore complies with the minimum shower requirement under *Clause 52.34 Bicycle Facilities*.

Changing room requirement:

Clause 52.34 *Bicycle Facilities* sets out the following changing room requirement as bearing on the proposed use / development under Application PA1800480:

Use	Employee/Resident	Visitor/Shopper/Student
Any use listed in Table 1	1 change room or direct access to a communal change room to each shower. The change room may be a combined shower and change room.	None

Application PA1800480 includes communal changing rooms which are directly accessible by all showering facilities, and therefore complies with the change room requirement under *Clause 52.34 Bicycle Facilities*.

4.3.6 Clause 53.18 Stormwater Management in Urban Development

Clause 53.18 *Stormwater Management in Urban Development* applies to Application PA1800480.

The Sustainability Management Plan prepared by WSP dated 28 March 2019 addresses how the proposed development will achieve outcomes consistent with water sensitive urban design and the requirements of *Clause 22.23 Stormwater Management (Water Sensitive Urban Design)*.

A condition has been recommended for inclusion on any permit being granted requiring a stormwater drainage system for the development incorporating best practice integrated water management design principles to be submitted to Melbourne City Council’s Drainage Engineer for approval, with reference to the Sustainability Management Plan prepared by WSP (dated 28 March 2019), it is considered that the objectives of *Clause 53.18 Stormwater Management in Urban Development* will be met.

4.3.7 Clause 53.06 Live Music and Entertainment Noise

Clause 53.06 *Live Music and Entertainment Noise* applies to an application required under any zone of the Melbourne Planning Scheme to use land for, or to construct a building or carry out works associated with:

- A live music entertainment venue (which includes a food drink premises, night club, function centre or residential hotel that includes live music entertainment).
- A noise sensitive residential use that is within 50 metres of a live music entertainment venue.

The acoustic report prepared by WSP (dated 18 March 2019) does not provide details of any plans to provide live music entertainment in any of the proposed commercial tenancies, including the Food and Drink Premises or Residential Hotel.

Conditions have been recommended for any permit being granted to ensure the commercial tenancies within any authorised development / use do not include a live / amplified music entertainment offering, except with a further permit.

4.4 General Provisions

4.4.1 Clause 65 Decision Guidelines

Before deciding on an application or approval of a plan, the responsible authority must consider the matters set out in *Clause 65 Decision Guidelines*, as appropriate.

5 STRATEGIC FRAMEWORK

5.1 Planning Policy Framework

The Planning Policy Framework (PPF) provides the broad policy direction within the Victoria Planning Provisions. The planning principles set out under the PPF are to be used to guide decision making on planning proposals across the state.

The PPF provides broad support for the proposed use/development of the subject site under Application PA1800480.

The following PPF clauses are considered relevant to Application PA1800480.

- Clause 11 – Settlement
 - Clause 11.01-1R – Settlement – Metropolitan Melbourne
 - Clause 11.03-1S – Activity Centres
 - Clause 11.03-1R – Activity Centres – Metropolitan Melbourne
- Clause 13 – Environmental Risks and Amenity
 - Clause 13.01 – Climate Change Impacts
 - Clause 13.01-1S – Natural hazards and climate change
 - Clause 13.04 – Soil Degradation
 - Clause 13.04-1S – Contaminated and potentially contaminated land
 - Clause 13.05 – Noise
 - Clause 13.05-1S – Noise Abatement
 - Clause 13.06 – Air Quality
 - Clause 13.06-1S – Air Quality Management
 - Clause 13.07 – Amenity and Safety
 - Clause 13.07-1S – Land Use Compatibility
- Clause 15 – Built Environment and Heritage
 - Clause 15.01 – Built Environment

- Clause 15.01-1S – Urban Design
- Clause 15.01-1R – Urban Design – Metropolitan Melbourne
- Clause 15.01-2S – Building Design
- Clause 15.01-4R – Healthy Neighbourhoods – Metropolitan Melbourne
- Clause 15.01-5S – Neighbourhood Character
- Clause 15.02 – Sustainable Development
 - Clause 15.02-1S Energy and Resource Efficiency
- Clause 15.03 - Heritage
 - Clause 15.03-1S – Heritage Conservation
- Clause 17 – Economic Development
 - Clause 17.01 - Employment
 - Clause 17.01-1S – Diversified Economy
 - Clause 17.01-1R – Diversified Economy – Metropolitan Melbourne
 - Clause 17.01-2S – Innovation and Research
 - Clause 17.02 - Commercial
 - Clause 17.02-1S – Business
 - Clause 17.03 - Industry
 - Clause 17.03-2S – Industrial Development Siting
- Clause 18 – Transport
 - Clause 18.01 – Integrated Transport
 - Clause 18.01-1S – Land Use and Transport Planning
 - Clause 18.02 – Movement Networks
 - Clause 18.02-1S – Sustainable Personal Transport
 - Clause 18.02-2S – Public Transport
 - Clause 18.02-4S – Car Parking
- Clause 19 - Infrastructure
 - Clause 19.03 – Development Infrastructure
 - Clause 19.03-3S Integrated Water Management

5.2 Municipal Strategic Statement

The Municipal Strategic Statement (MSS) is a concise statement of the key strategic planning, land use and development objectives for the municipality and the strategies and actions for achieving the objectives.

The MSS furthers the objectives of planning in Victoria to the extent that the State Planning Policy Framework is applicable to the municipality and local issues, and provides the strategic basis for the application of the zones, overlays and particular provisions in the planning scheme and decision making by the responsible authority.

The following clauses of the MSS in the Melbourne Planning Scheme are considered relevant to Application PA1800480:

- Clause 22.02 – Municipal Profile
- Clause 21.03 – Vision
- Clause 21.04 – Settlement
- Clause 21.06 – Built Environment and Heritage
- Clause 21.08 – Economic Development
- Clause 21.09 – Transport
- Clause 21.10 – Infrastructure
- Clause 21.14 – Proposed Urban Renewal Areas

5.3 Local Planning Policy Framework

A Local Planning Policy (LPP) is a policy statement of intent or expectation. It states what the responsible authority will do in specified circumstances or the responsible authority's expectation of what should happen. LPP's provide the responsible authority an opportunity to state its view of a planning issue and its intentions for an area, and provides guidance to decision making on a day to day basis.

The following LPP's in the Melbourne Planning Scheme are considered relevant to Application PA1800480:

- Clause 22.02 – Sunlight to Public Spaces
- Clause 22.05 – Heritage Places outside the Capital City Zone
- Clause 22.17 – Urban Design outside the Capital City Zone
- Clause 22.19 – Energy, Water and Waste Efficiency
- Clause 22.22 – Policy for Licensed Premises that require a Planning Permit
- Clause 22.23 – Stormwater Management

6 PUBLIC NOTIFICATION

The following planning permissions required by Application PA1800480 under the Melbourne Planning Scheme are exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3), and the review rights of section 82(1) of the *Planning and Environment Act 1987*:

- Construct a building or construct or carry out works under the Design and Development Overlay Schedule 12 (Noise Attenuation Area).
- Create or alter access to a road in a Road Zone, Category 1, under Clause 52.29 – Land Adjacent to a Road in a Road Zone, Category 1.

The following planning permissions required by Application PA1800480 under the Melbourne Planning Scheme are not exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3), and the review rights of section 82(1) of the *Planning and Environment Act 1987*, representing the planning permissions under which formal notice has been given to Melbourne City Council of the application:

- Use of land for Residential Hotel, Food and Drink Premises, Office (other than Medical Centre) and Shop (other than Adult sex product shop) and construct a building or construct or carry out works in the Mixed Use Zone.
- Demolish or remove a building or works and construct a building or construct or carry out works in the Heritage Overlay HO771.

- Construct a building or construct or carry out works under the Design and Development Overlay Schedule 33 (CBD Fringe).
- Reduction of the car parking requirement under *Clause 52.06 Car Parking*.
- Operation of a licensed premises, under *Clause 52.27 – Licensed Premises*.

7 REFERRALS

7.1 External Referrals

7.1.1 VicRoads (Determining Referral Authority)

Application PA1800480 seeks planning permission to create or alter access to a road in a Road Zone, Category 1.

The Roads Corporation (VicRoads) therefore represents a Determining Referral Authority for the application under *Clause 66.03 Referral of Permit Applications under Other State Standard Provisions*.

As the Minister for Planning is the responsible authority for Application PA1800480, Council has not had oversight of any recommended conditions or requirements sought by VicRoads.

A placeholder for VicRoads conditions will be included in Council's recommended conditions list.

7.1.2 Head, Transport for Victoria (Determining Referral Authority)

Application PA1800480 seeks planning permission to construct a building or construct or carry out works associated with a residential building comprising 60 or more lodging rooms.

Transport for Victoria therefore represents a Determining Referral Authority for the application under *Clause 66.02-11 Integrated Public Transport Planning*.

As the Minister for Planning is the responsible authority for Application PA1800480, Council has not had oversight of any recommended conditions or requirements sought by Transport for Victoria.

A placeholder for Transport for Victoria conditions will be included in Council's recommended conditions list.

7.2 Internal Referrals

7.2.1 Heritage Advisor

Council's Heritage Advisor provided detailed comments on the application on 5 June 2019, which have informed consideration of Application PA1800480 against the requirements of *Clause 22.05 Heritage Places outside the Capital City Zone*.

Council's Heritage Advisor provided the following key recommendations in relation to Application PA1800480:

More intensive development has been focussed at the "contributory" building 102 Jeffcott Street, limiting intervention into the heritage fabric for the 2 individually significant buildings at 355 Spencer and 371 Spencer Street. The project includes substantive areas of heritage fabric loss at 102 Jeffcott Street, areas of loss at 371 Spencer Street and relatively small areas of fabric loss at 355 Spencer Street.

There are five main matters of concern; recommendations are noted for each.

- *Tower height*

Using the height and proximity of permitted tower development at 81-113 Batman Street as a measure, the impact of the proposed tower on 355 Spencer Street would be greater than for

81-113 Batman Street. For the height proposed the tower would be too close to the building at 355 Spencer Street.

At the Batman Street development, the western tower at AHD92.4 is set 20 metres from 355 Spencer Street at its closest point, and the eastern tower at AHD 73.8 is set 7 metres from 355 Spencer Street at its closest point. At the subject site, the proposed tower is set at AHD 92.4, but is set only 5.2 metres from the heritage building at 355 Spencer Street.

A reduction in tower height so that the highest point is set at AHD 73.8 would more closely reflect the separation to height relationship at 81-113 Batman Street.

- 371 Spencer Street. Fabric loss and works directly on top of the building.

The majority of the roof and roof structure is proposed to be demolished and a Roof Terrace added at ridge height with an attached Roof top bar structure.

The loss of fabric which contributes to significance is not consistent with the provisions of Clause 22.0-5. The roof form contributes to its significance.

The proposed Roof Terrace and Roof Top Bar would be visually intrusive, highlighting the loss of heritage fabric. Deletion of the Roof Terrace and Roof Top Bar, with retention of the existing roof, is recommended.

- 355 Spencer Street. Fabric loss.

There would appear to be alternatives to closing off the footpath level (Basement level) windows along Jeffcott Street, the loss of the roof and the slate slabs on the two external Courtyard service stairs. The Footpath level (Basement) windows could be closed from the inside only, leaving the original in place, the slate slabs could be reinstated after the structure is repaired, and a glass covering could be used at the service stair roofs. At the Ground level in Spencer Street, less extensive change to the window openings could lead to a better heritage outcome. Small changes are recommended.

- 102 Jeffcott Street. Loss of heritage fabric, loss of three dimensional form.

The proposal would effectively turn the three-dimensional building into a fence. There would appear to be alternatives which would produce a better heritage outcomes, consistent with the retention of a 'contributory' heritage structure, allowing the existing building to be interpreted in a three dimensional form. Recommendations are: Retain the original window joinery to the majority of the windows along McDougall Lane; retain enclosing door/window joinery along Jeffcott Street (leading to more café and retail space); retain the existing gable roof west of the tower and the double gable roof for 6 metres in depth from Jeffcott Street, and provide a program of conservation works which includes removal of paint from the brickwork.

- McDougall Lane. Retention of existing bluestone pitcher paving.

The lane surface contributes to the heritage context. Moderation of intervention could remain consistent with DDA requirements in this public roadway if the extent of intervention is reduced.

Subject to conditions being included on any permit being granted addressing the key recommendations of Council's Heritage Advisor, noting the detailed consideration of Application PA1800480 against the requirements of *Clause 22.05 Heritage Places outside the Capital City Zone* in Section 8 of this report, it is considered that the proposed use / development will broadly achieve an acceptable outcome having regard to Council's heritage policy.

7.2.2 Urban Design

Council's Urban Design team provided detailed comments on the application on 29 March 2019, which have informed consideration of Application PA1800480 against the design objective and built form outcomes set out in Design and Development Overlay Schedule 33 (CBD Fringe).

Council's Urban Design team provided the following key recommendations in relation to Application PA1800480:

- Recommend more generous tower setbacks to McDougall Lane.

- *Rethink the lift location central to the heritage courtyard, considering spatial and light impacts.*
- *Encourage amendments to basement plans to improve carpark arrangements, bike parking locations and amenity of office spaces.*
- *Minimise signage along the laneway to avoid visual clutter that detracts from the surroundings.*
- *Ensure no overlooking from hotel rooms in to the Melbourne Assessment Prison.*
- *Finally, this is a significant form, visible from numerous vantage points and so the finishes must befittingly be of a high quality.*

Council's Urban Designer's key recommendations have been considered below.

Recommend more generous tower setbacks to McDougall Lane.

The tower floor plate for the residential hotel proposed in Application PA1800480 generally achieves and exceeds the 2 metre setback requirement from McDougall Lane (both the north-south and east-west orientation).

It is further noted that the tower floor plate sought by Application PA1800480 is particularly constrained, due to meaningful efforts to limit any additions above the individually significant historic buildings on the subject site within the Sands and McDougall Precinct (being the 'Manufactory' at 355-369 Spencer Street and the 'Warehouse' at 371-383 Spencer Street).

Importantly, there will be no tower form above the 'Manufactory', and the orientation of the subject site and McDougall Lane favours a tower form above 102-108 Jeffcott Street as the ideal location to minimise potential impacts on available sunlight and daylight to McDougall Lane.

Conditions have therefore not been recommended requiring an increased setback between the tower form and McDougall Lane.

Rethink the lift location central the heritage courtyard, considering spatial and light impacts

Whilst it is recognised that locating the guest lift for the Residential Hotel within the centre of the courtyard area to the Manufactory will alter the presentation of this space to the interior-facing balconies and access, it is acknowledged that this element represents part of the primary connection between the Manufactory and the residential hotel tower at 102-108 Jeffcott Street.

The extent of demolition works and proposed layout of the revised access stairs and balconies within the central 'quadrangle' courtyard within the Manufactory building, broadly achieve an acceptable balance between the retention / restoration of significant heritage fabric where possible, and necessary alterations to this structure to ensure that the adaptive re-use of the building for a Residential Hotel is successful.

Encourage amendments to basement plans to improve carpark arrangements, bike parking locations and amenity of office spaces.

The subject site is highly constrained, due to the meaningful retention of three heritage assets across 102-108 Jeffcott Street, 355-369 Spencer Street and 371-383 Spencer Street, West Melbourne.

Provided the proposed car parking arrangements and bike locations are satisfactory, having regard to relevant Australian and New Zealand Standards and the requirements of the Melbourne Planning Scheme (as determined by Council's Traffic Engineer), further amendments are not considered necessary.

With respect to the amenity of submerged office spaces, or above ground office spaces, provided in the Sands and McDougall Manufactory and Warehouse, it must be recognised that Application PA1800480 ultimately relates to the adaptive re-use of existing heritage assets. It is considered that the configuration of the office spaces within the development broadly achieve an acceptable balance between providing appropriate levels of amenity for future commercial spaces, and retaining exterior

heritage fabric that contributes to the historic significance of the Sands and McDougall heritage precinct.

Minimise signage along the laneway to avoid visual clutter that detracts from the surroundings.

As discussed in section 4.1.3 of this report, Application PA1800480 does not seek planning permission to construct or display advertising signage.

It is recommended that a note be included on any permit being granted drawing the permit holder's attention to the comments of Council's Urban Designer, which seek to ensure that signage clutter is minimised along the important north-south section of McDougall Lane between 102-108 Jeffcott Street and 355-369 Spencer Street, West Melbourne, and that an integrated approach to advertising signage is employed in lieu of ad-hoc applications.

Ensure no overlooking from hotel rooms in to the Melbourne Assessment Prison.

Conditions have been recommended for any permit being granted, to ensure that overlooking opportunities into sensitive areas within the Melbourne Assessment Prison are suitably limited.

Finally, this is a significant form, visible from numerous vantage points and so the finishes must befittingly be of a high quality.

Conditions have been recommended for any permit being granted, requiring the preparation of a sophisticated façade strategy for all elements of the development, with a focus on the residential hotel tower form, to ensure that the materials and finishes of this element are of a high quality.

Subject to conditions being included on any permit being granted addressing the key recommendations of Council's Urban Designer as discussed above, and noting the detailed consideration of Application PA1800480 against the requirements of Design and Development Overlay Schedule 33 (CBD Fringe) in Section 8 of this report, it is considered that the proposed use / development will broadly achieve an acceptable outcome having regard to relevant urban design considerations (including *Clause 22.17 Urban Design outside the Capital City Zone*).

7.2.3 Environmentally Sustainable Design & Green Infrastructure

Council's ESD Officer provided advice on the application on 6 February 2019, requesting that the applicants ESD consultant, WSP, prepare an updated Sustainability Management Plan addressing a number of key areas requiring further clarification to ensure that the following targets set out in the WSP's Sustainability Management Plan are achieved in the completed development:

- Achievement of Green Star 5-star Design & As-Built

An updated Sustainability Management Plan (dated 28 March 2019) has been prepared by WSP, accompanied by a letter identifying that all of Council's ESD Officer's comments have been addressed and incorporated.

Resolution of these matters can be dealt with post-permit, and conditions have been recommended for inclusion on any permit being granted to ensure that the development meets the requirements of *Clause 22.19 Energy, Water and Waste Efficiency*, and *Clause 22.23 Stormwater Management (Water Sensitive Urban Design)*.

7.2.4 Urban Forestry

Council's Urban Forester provided the following advice on 28 February 2019:

Visually prominent and high amenity value public trees are growing in individual tree plots along the properties eastern and southern boundaries. The 'Overall Plan – Ground Floor' (DWG No. TP1.104) shows all trees to be retained. In view of this there is no object to the application.

Conditions have been recommended for any permit being granted to ensure that a Tree Protection Management Plan is prepared, and endorsed to form part of the permit, to protect public trees during the construction of any authorised development.

7.2.5 Traffic Engineering

Council's Traffic Engineer provided advice on the application on 19 July 2019.

The primary concern identified in Council's Traffic Engineer's comments is in relation to the level of car parking proposed within the development and associated level of traffic generated by this car parking, with the potential for significant congestion and pedestrian / traffic conflicts within McDougall Lane.

Conditions have been recommended for any permit being granted to address this concern.

The advice of Council's Traffic Engineer is paraphrased below.

Car Parking Provision and Access

- The reduction sought to the car parking requirement is appropriate, and Engineering Services has no objection to the proposed parking provision.
- A note should be included on any permit being granted identifying that:

Melbourne City Council (MCC) will not change the on-street parking restrictions to accommodate the access, servicing, delivery, parking and the hotel guest pick up / drop off needs of this development. However, new parking restrictions may be introduced in the surrounding streets if considered appropriate by MCC. The occupants / visitors of this development will not be eligible to receive parking permits and will not be exempt from any of the existing / future on-street parking restrictions

- The assumptions underpinning the expected traffic generated by the car parking assigned to the proposed 'Office' use in the Traffic Impact Assessment (TIA) prepared GTA Consultants (dated 19 February 2019) are inadequate and far from conservative. Further, the assumptions underpinning the expected traffic generated by the car parking assigned to the 'Residential Hotel' use in the TIA do not appear to make sense.

In the absence of a comprehensive assessment / adequate justification for the adopted traffic generation and projected movement, it could be conservatively assumed that ¾ of the generated traffic will use the north-south section of McDougall Lane. Assuming the car parking provision within the site generates 58 vehicle movements per hour in peak periods, the acceptable limit of 30 vehicle movements per hour for single-width laneways specified in the Australian Standards will not be met.

The proposed access arrangements via McDougall Lane are not supported, as they would result in conflict between the entering / exiting vehicles leading to vehicles having to reverse into Jeffcott Street, creating significant safety concerns. In order to address this concern, a setback / passing area would need to be provided in McDougall Lane where it intersects with Jeffcott Street.

- The restricted vehicle movements at the 90 degree bend in McDougall Lane are also of concern. While the swept path diagrams indicate B99 vehicles are able to travel around this bend, such tight access on a public roadway is considered to be unacceptable for a development of this size, as it would result in the regular scraping of vehicles. A splay would need to be provided, subject to heritage considerations, to address this concern.
- Pedestrian sight triangles of 2 x 2.5m would need to be provided at the intersection of McDougall Lane with Jeffcott Street to enable visibility of pedestrians, as recommended by the Melbourne Planning Scheme. If it is not possible to provide a splay/setback on either side

due to heritage considerations, the restricted sightlines would result in pedestrian safety concerns.

- McDougall Lane is signed as a 'No Stopping Area', with the exception for vehicles undertaking loading / unloading activities. Melbourne City Council (MCC) cannot guarantee vehicular access to and egress from the site will be possible via either leg of this laneway, as vehicles stopping in the laneway, either legally or illegally, would block access. MCC will not get involved in resolving any access difficulties / disputes that may occur as a result of vehicles stopping in the laneway.
- The number of pedestrians in the laneway is likely to increase significantly as a result of both this and adjacent developments. This would result in significant conflict between vehicles and pedestrians. In order to improve pedestrian safety, the laneway should be designated as a Shared Zone at the developer's expense, which will require VicRoads' approval.

Noting all of the above paraphrased comments from Council's Traffic Engineer, it is acknowledged that access via McDougall Lane is highly problematic for the proposed development. Council's Traffic Engineer recommended that alternative access arrangements be explored, including via a double-width crossover to Jeffcott Street or Spencer Street (which would be subject to VicRoads approval).

In addition to the above broad concerns, Council's Traffic Engineer provided the following key recommendations for the design of the car parking layout and access:

- All spaces, ramps, grades, transitions, accessways, height clearances and car lift must be designed in accordance with the Melbourne Planning Scheme and/or AS/NZS 2890.1:2004, to the satisfaction of Melbourne City Council – Engineering Services. Pedestrian sight triangles of 2 x 2.5m must be provided at the exits from both car parks, as required by the Melbourne Planning Scheme. Columns should be located between 0.25-1.25m from the open-end and ≤ 1.75 m from the closed end of the relevant standard car spaces, as required by the Melbourne Planning Scheme.

Bicycle and Motorcycle parking

- The provision of 111 bicycle spaces is supported, as it exceeds the requirement of the Melbourne Planning Scheme.
- The design / dimensions of the bicycle parking should comply with the relevant Australian Standards or Bicycle Network guidelines.
- It is recommended that at least 6 motorcycle parking spaces be provided within the development.

Loading and unloading

- A comprehensive Loading Management Plan should be prepared, detailing the proposed loading / servicing arrangements. It is noted that the availability of the on-street parking / loading spaces cannot be guaranteed. A Dock Manager should ideally be employed, responsible for controlling the operation of the loading bay and unloading of goods. The loading bay should be designed as per Clause 52.07². As previously noted, vehicles stopping in the laneway would block access, both for cars accessing the site and for loading vehicles.

Road Safety Audit

- A formal independent desktop Road Safety Audit of the proposed development should be undertaken prior to construction, at the developer's expense, which should include the vehicular / bicycle / pedestrian / access arrangements, loading arrangements and internal

² It is noted that *Clause 52.07 Loading and Unloading* no longer exists in the Melbourne Planning Scheme. Loading bays will therefore be required to be designed to meet relevant standards.

circulation / layout. The findings of the Audit should be incorporated into the detailed design at the developer's expense.

Car Share

- In 2015, Council approved a new car share policy that has set a target of 2,000 on-street and off-street car share spaces within the municipality by 2021. Such an ambitious target was approved because car share programs help reduce the number of privately owned cars on the road and in private car parks. Research suggests each car share vehicle reduces the number of each member's private vehicle usage by 50%. Therefore, a car share space should be provided within the site, to meet the likely demand.

Conditions and notes have been recommended for inclusion on any permit being granted to ensure that all of the requirements and recommendations of Council's Traffic Engineer are resolved in the final development.

7.2.6 Civil Engineering

Council's Principal Engineer (Infrastructure) provided advice on 13 March 2019.

Council's Principal Engineer's (Infrastructure) recommendations have been paraphrased below:

Tenure issues

- The proposed development includes construction over a portion of road abutting the subject land and known by the City of Melbourne as McDougall Lane. Prior to commencement of any works on site the portion of road to be built on should be formally discontinued and purchased by the developer. The discontinued portion of road should be consolidated with the subject land.

It is noted that discontinuation of McDougall Lane does not need to be purchased prior to the commencement of the proposed development, due to the land owner having the right to build over McDougall Lane above RL21.5, as reflected in the Certificate of Title for Lot 2 on Plan of Subdivision PS744960S. A condition has been recommended for any permit being granted to ensure the plans demonstrate that the skybridge is located entirely within the Certificate of Title for Lot 2 on Plan of Subdivision PS744960S.

Impacts on street lighting to McDougall lane

- The proposed development will impact on wall mounted street lights attached to the existing building in McDougall Lane. The proposed development should therefore be redesigned to allow installation of power conduits and street lights on the external walls of the building. The power conduits for the wall mounted lights shall be designed perpendicular to the surface pavement. The building should provide a minimum vertical clearance of 6.0 metres above and 2.0 metres below the surface pavement to allow installation of electrical conduits and wall-mounted lights.

It is noted that the minimum clearance to the underside of the skybridge structure connecting the residential hotel tower at 102-108 Jeffcott Street and the Manufactory is well in excess of 6 metres above the pavement surface level to McDougall Lane.

Works to Spencer Street

- Pursuant to the *Road Management Act 2004* any works within the road reserve of Spencer Street, an arterial road, requires the written consent of VicRoads, the Coordinating Road Authority. Footpaths, nature strips and medians of such roads fall under the City of Melbourne's control although the Act specifically states that the Coordinating Road Authority gives conditions for works on these roads and the "road" is the reserve from building line to building line. Subsequently our conditions for non-road works on footpaths, nature strips and medians of arterial roads are listed below.

Maximum width of vehicle crossings

- The maximum permissible width of a vehicle crossover without a pedestrian refuge is 7.6 metres. Crossings wider than 7.6 metres should include pedestrian refuges a minimum of 2.0 metres in length at 7.6 metre maximum clear spacing.

Projections over the street alignment

- The Manager Engineering Services recommends that all projections over the street alignment must conform to the relevant requirements under the *Building Regulations 2018*. Reference may be made to the City of Melbourne's Road Encroachment Operational Guidelines with respect to projections impacting on street trees and clearances from face / back of kerb.

It is noted that Council's Principal Engineer (Infrastructure) also identified that the proposed development involves works within close proximity to several street trees, and recommended that Application PA1800480 be referred to Council's Urban Forester for comment. This has been undertaken.

Conditions and notes have been recommended for inclusion on any permit being granted to ensure that all of the requirements and recommendations of Council's Principal Engineer (Infrastructure) will be resolved in the final development.

7.2.7 Urban Services Engineering

Council's Performance Management Engineer provided advice on the application on 3 June 2019, indicating that that the Waste Management Plan (WMP) prepared by Leigh Design dated 17 December 2018 was unacceptable for the following reasons:

- Individual bins should be shown in the bin storage area.
- As only the Basement Floorplan has been included in the WMP, it is not shown how all tenancies will access the bin storage area. The expected path of travel to the bin storage area for all commercial tenancies must be shown.

A condition has been recommended for inclusion on any permit being granted to allow the WMP to be updated to record changes made to the internal layout of the development in resolution of the final design, and to provide Council's Performance Management Engineer a further opportunity to review this updated WMP and ensure it complies with City of Melbourne's Waste Management Guidelines.

8 ASSESSMENT

8.1 Key Issues

The key issues for consideration in the assessment of Application PA1900537 include:

- Whether the proposed land uses are acceptable, having regard to the purpose and relevant decision guidelines of the Mixed Use Zone.
- Whether the proposed licensed premises are acceptable, having regard to the requirements of *Clause 22.22 Policy for Licensed Premises that require a Planning Permit*.
- Whether the extent of the proposed demolition and the proposed development is acceptable, having regard to the requirements of the Heritage Overlay (Schedule HO771) and *Clause 22.05 Heritage Places outside the Capital City Zone*.
- Whether the proposed development is acceptable, having regard to requirements of Development Overlay Schedule 12 (Noise Attenuation Area).
- Whether the proposed development is acceptable, having regard to the design objectives, built form requirements and built form outcomes (as appropriate) of the Design and Development Overlay Schedule 33 (CBD Fringe).

- Whether the proposed development is acceptable, having regard to relevant traffic considerations, including the reduction sought to the car parking requirement under *Clause 52.06 Car Parking*.

Other relevant matters that have been considered below include building separation from neighbouring approved developments, contaminated land and sustainability.

8.2 Land Uses

8.2.1 Alignment with purpose of the Mixed Use Zone

The purpose of the Mixed Use Zone is:

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.

To provide for housing at higher densities.

To encourage development that responds to the existing or preferred neighbourhood character of the area.

To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone.

The proposed land uses, including the use of land for Shop, Food and Drink Premises, Residential Hotel and Office, will serve the commercial and mixed-use aspirations of the Mixed Use Zone, and are considered to be compatible with the shared residential purpose of the zone.

8.2.2 Planning Policy Framework and Municipal Strategic Statement

As articulated in Section 8.2.1 above the proposed land uses will serve the purpose of the Mixed Use Zone, beyond this the proposed uses also find broad support in the Planning Policy Framework and Municipal Strategic Statement.

In particular, *Clause 21.16-5 North and West Melbourne*, which seeks to support commercial development in the Hoddle Grid fringe, which is where the subject site is generally located.

Notably, the substantial provision of employment generating land uses on the land, with active frontages to Jeffcott Street, Spencer Street and McDougall Lane (where possible), aligns with the outcomes for the subject site sought by the West Melbourne Structure Plan 2018.

As documented in Section 3.3.1 of this report discussing the proposal details, Application PA1800480 proposes an employment floor area to site ratio of **6.8:1**, which far exceeds the minimum employment floor area to site ratio envisioned by the West Melbourne Structure Plan 2018 (being 1:1).

The delivery of employment opportunities in the Flagstaff Precinct to meet population projections for the broader West Melbourne Structure Plan area will be essential in serving the needs of the future community.

An excerpt from the table provided in Section 3.3.1 of this report is provided below for reference:

<p>Total Employment Floor Area*</p> <p><small>*Note: Car parking areas have been subtracted from the calculation of all employment floor area figures.</small></p>	<p>26,683sqm (total) – 2,576sqm (car park) = 24,107sqm</p> <p>Total Employment Floor Area: 24,107m²</p>	<p>Employment Floor Area Site Ratio (ESR)*</p>	<p>24,107sqm (floor area) 3,505sqm (site area) = 6.8:1</p> <p>Proposed ESR: 6.8:1</p> <p>C309 minimum: 1:1</p>
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8.2.3 Amenity

Noise

An acoustic report prepared by WSP (dated 18 March 2019) has been provided with Application PA1800480 to assist with considering potential amenity impacts associated with noise emissions from uses within the proposed development.

It is noted that internal noise levels within the development (and therefore external noise emissions) will likely be self-regulated to a degree, to ensure that occupants of the proposed residential hotel tower and guest rooms within the Manufactory are not impacted by noise sources associated with the proposed land uses.

It is further noted that by virtue of the proximity of the subject site to Melbourne’s CBD and surrounding industrial uses, background noise levels during ordinary trading hours for the proposed licensed premises are likely to compete with noise emissions on-site.

SEPP N-1 (Control of Noise from Commerce, Industry and Trade)

The acoustic report prepared by WSP proposes indicative noise limits under State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1 (SEPP N-1) (excerpt below).

Table 3.7 Preliminary SEPP N-1 noise limits

DESCRIPTOR	SEPP N-1 TIME PERIOD		
	Day	Evening	Night
Background Noise Level – L _{A90} dBA	58	54	52
Zoning Level - dBA	60	53	48
Background designation	High	High	High
Noise Limit – L _{eq}	64	57	55

Excerpt from Acoustic Report prepared by WSP (dated 18 March 2019) showing noise limits under SEPP N-1

SEPP N-2 (Control of Music Noise from Public Premises)

The acoustic report prepared by WSP does not identify whether any amplified music is proposed within the proposed land uses, and suggests that consideration of the compliance of the proposed land uses (e.g. the Residential Hotel or Bar / Taverns) could be determined at a later date.

Management of Noise via Permit Conditions

Subject to conditions being included on any permit being granted requiring the use / development to comply with the requirements set out below, it is considered that noise associated with the operation of the commercial areas within the development will be appropriately limited, and further, noise associated with music will be limited to background levels only until a further permit (supported by a more detailed acoustic assessment of each individual tenancy seeking amplified music) is obtained.

- Except with a further permit, the development / uses hereby permitted must not include:
 - A live music entertainment venue;
 - Amplified music or entertainment, which exceeds background music levels;
 - Any loudspeaker, amplified, relay or other audio equipment installed outside the building.
- The development / uses hereby permitted must at all times comply with:

- State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1 (SEPP N-1); and
- State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2 (SEPP N-2).

It is noted that the above requirements will not manage noise generated by patrons of the licensed premises. Patron management has been separately considered in the assessment of Application PA1800480 against the requirements of *Clause 22.22 Policy for Licensed Premises that require a Planning Permit*.

Vehicle Movements

To assist with resolving concerns raised by Council's Traffic Engineer in relation to vehicle movements within McDougall Lane and likely pedestrian / vehicle conflicts, conditions have been recommended that will reduce the extent to which McDougall Lane is relied on for access / egress.

Subject to a further condition being included on any permit being granted requiring any Loading Management Plan (LMP) to identify the times for deliveries by trucks that, insofar as possible, limit the potential for amenity impacts on nearby sensitive land uses, including guest rooms within the proposed Residential Hotel (e.g. by limiting vehicle deliveries to standard business hours), it is considered that vehicle movements and loading activities associated with the proposed use / development will be appropriately managed so as not to unreasonably affect the amenity of nearby sensitive uses.

8.3 Licensed Premises

Clause 22.22 Policy for Licensed Premises that require a Planning Permit sets out a series of policies that apply to planning permit applications that seek to operate licensed premises.

It is considered that the proposed licensed premises under Application PA1800480 can be appropriately managed, subject to conditions being included on any permit being granted to:

- Manage noise in the manner proposed in Section 8.2. of this report;
- Require a separate red line (licensed area) plan to be prepared for each licensed premises within the development;
- Require operating hours for all licensed premises within the development to be limited to ordinary trading hours, being:
 - 7am to 11pm on each day other than Sunday, Good Friday and ANZAC Day;
 - 10am to 11pm on Sunday;
 - Midday to 11pm on Good Friday and ANZAC Day.
- Require a patron management plan to be provided for the following licensed premises within the development, addressing matters required under *Clause 22.22 Policy for Licensed Premises that require a Planning Permit*:

355-369 Spencer Street (Sands and McDougall Manufactory)

Ground level:

- Wine Bar / Café (208m², maximum no. patrons: 208) **(proposed to be licensed)**

Level 3

- Tavern / Bar (390m², maximum no. patrons: 644) associated with Residential Hotel lobby / balcony areas **(proposed to be licensed)**

371-383 Spencer Street (Sands and McDougall Warehouse)

Level 3 / Rooftop

- Tavern / Bar (internal: 194m², outdoor: 149m² (+48m² pool), maximum no. patrons: 391) **(proposed to be licensed)**.

8.4 Heritage

The subject site comprises three heritage buildings.

Of these heritage buildings:

- The Manufactory (355-369 Spencer Street) and Warehouse (371-383 Spencer Street) are both historically significant in their own right (individually significant) and contributory to the Sands and McDougall Heritage Precinct affected by HO771.

Under the A-D grading system employed by *Clause 22.05 Heritage Places outside the Capital City Zone*, these heritage places are graded 'A1'.

- The building at 102-108 Jeffcott Street, West Melbourne is contributory to the Sands and McDougall Heritage Precinct affected by HO771.

Under the A-D grading system employed by *Clause 22.05 Heritage Places outside the Capital City Zone*, this heritage place is graded 'D2'.

Built form expectations for the subject site are considered to be primarily informed by the presence of these heritage places (in particular the Manufactory and Warehouse), and the guidance provided by *Clause 22.05 Heritage Places outside the Capital City Zone* (Council's Heritage Policy) for managing the relationship between these heritage assets and new built form.

Broadly, as identified by Council's Heritage Advisor, the level of intervention proposed by Application PA1800480 in relation to the Manufactory and Warehouse has been limited, with minimal loss of heritage fabric. This should be lauded.

The primary elements of the proposed development under Application PA1800480 of concern to Council's Heritage Advisor include:

- The residential hotel tower above 102-108 Jeffcott, including the level of intervention sought to this historic building (i.e. the extent of demolition and external alterations) and the height of the tower.
- The rooftop addition above the Warehouse (371-383 Spencer Street).

The above elements of concern to Council's Heritage Advisor have been given further consideration below, having regard to Council's Heritage Policy.

In respect of the remaining key recommendations raised by Council's Heritage Advisor, conditions have been recommended for inclusion on any permit being granted to require the following matters to be addressed in a detailed conservation management plan:

- Further exploration of:
 - Alternatives to closing off the footpath level (Basement level) windows along Jeffcott Street (i.e. by closing the windows from inside only, leaving the original openings in the exterior-facing wall).
 - The reinstatement of the slate slabs above the internal quadrangle Courtyard service stairs.
 - The retention of a greater proportion of the window openings at ground level in Spencer Street.

- Salvaging of bluestone pitcher pavers and the reuse of these pavers in the reconstruction of McDougall Lane to the extent possible whilst complying with the requirements of Melbourne City Council – Engineering Services.

8.4.1 Residential Hotel Tower at 102-108 Jeffcott Street, West Melbourne

Key concerns raised by Council’s Heritage Advisor in relation to the proposed residential hotel tower at 102-108 Jeffcott Street, West Melbourne include:

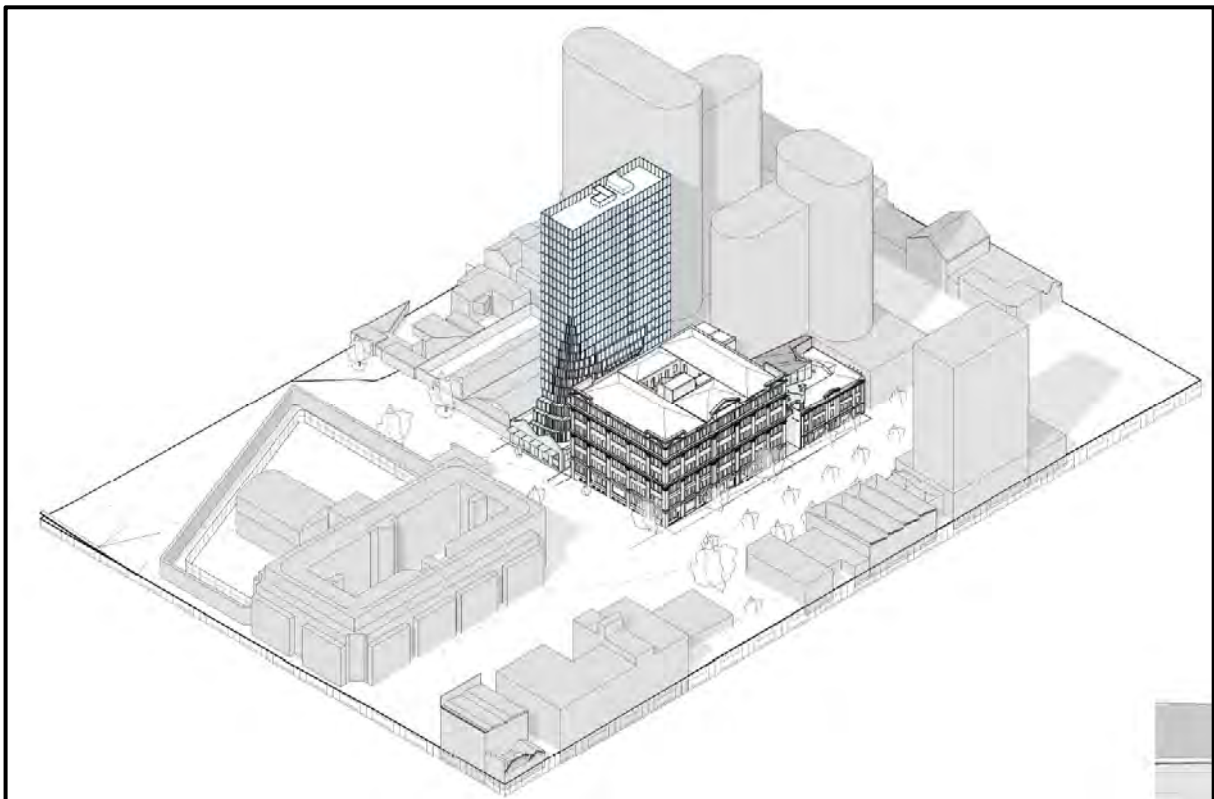
- The height of the proposed tower
- The extent of demolition proposed to the existing historic building.

Clause 22.05 Heritage Places outside the Capital City Zone provides the following guidance with respect to building height:

The height of a building should respect the character and scale of adjoining buildings and the streetscape. New buildings or additions within residential areas consisting of predominantly single and two-storey terrace houses should be respectful and interpretive.

It is further noted that the section of Jeffcott Street which the historic building at 102-108 Jeffcott Street fronts is a ‘Level 2’ graded streetscape. Council’s Heritage Policy therefore seeks to encourage ‘partial concealment’ of higher rear parts of buildings behind the retained historic form (in this case, the proposed residential hotel tower).

The existing urban context (excerpt from isometric drawings prepared by Hachem below) must be considered when applying this policy in a meaningful way. The primary influence on the urban context for the subject site relevant to the assessment of appropriate building height is the tower development at 83-113 Batman Street, West Melbourne (currently under construction).



Excerpt from Architectural Drawings prepared by Hachem showing urban context of proposed tower

The western tower of this development measures AHD 101.7 metres (or 85.6 metres above RL 16.1, representing the pavement surface level at the centre point of the subject site's Jeffcott Street frontage), and the eastern tower of this development measures AHD 83.1 metres (or 67 metres above RL 16.1).

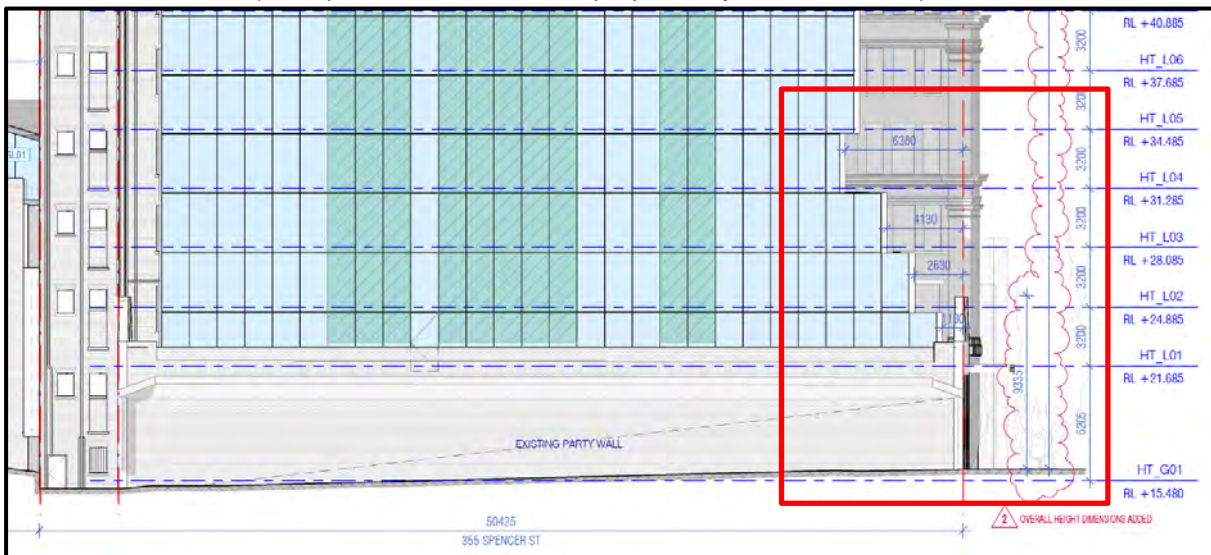
These two towers inform the backdrop to the heritage asset at 102-108 Jeffcott Street. Given this context, there is no expectation that partial concealment will be achieved over the historic form of 102-108 Jeffcott Street (noting its 'D2' heritage grading).

The height of the proposed residential hotel tower is AHD 91.870 (or 75.77 metres above RL 16.1), sitting closer to the shorter of the two towers at 83-113 Batman Street, West Melbourne.

Council's Heritage Advisor has recommended a reduction in the height of the proposed residential hotel tower to AHD 73.8 to match the height of the southern section of the eastern tower closest to the development and better reflect the separation to height relationship at 83-113 Batman Street.

Broadly, it is considered that the height of the proposed residential tower is appropriate as proposed, and does not warrant further reduction, having regard to Council's Heritage Policy, for the following reasons:

- The heritage response across the broader development site is highly responsive to Council's Heritage Policy.
- The proposed residential hotel tower has been sited in an appropriate location for more intensive development, noting the 'D2' heritage status of the existing historic building at 102-108 Jeffcott Street, which identifies it as a contributory heritage asset to the Sands and McDougall Heritage Precinct, but not being of individual heritage significance in its own right.
- The height of the proposed residential hotel tower (at 75.77 metres) achieves an acceptable transition in height between the eastern tower (67 metres) and the western tower (85.6 metres).
- The tower element above the retained historic building achieves a graduating, meaningful setback from all exterior walls of the historic building at 102-108 Jeffcott Street, providing an appropriate degree of relief above the historic building in order to enable it to be appreciated in the round (excerpt from west elevation prepared by Hachem below).



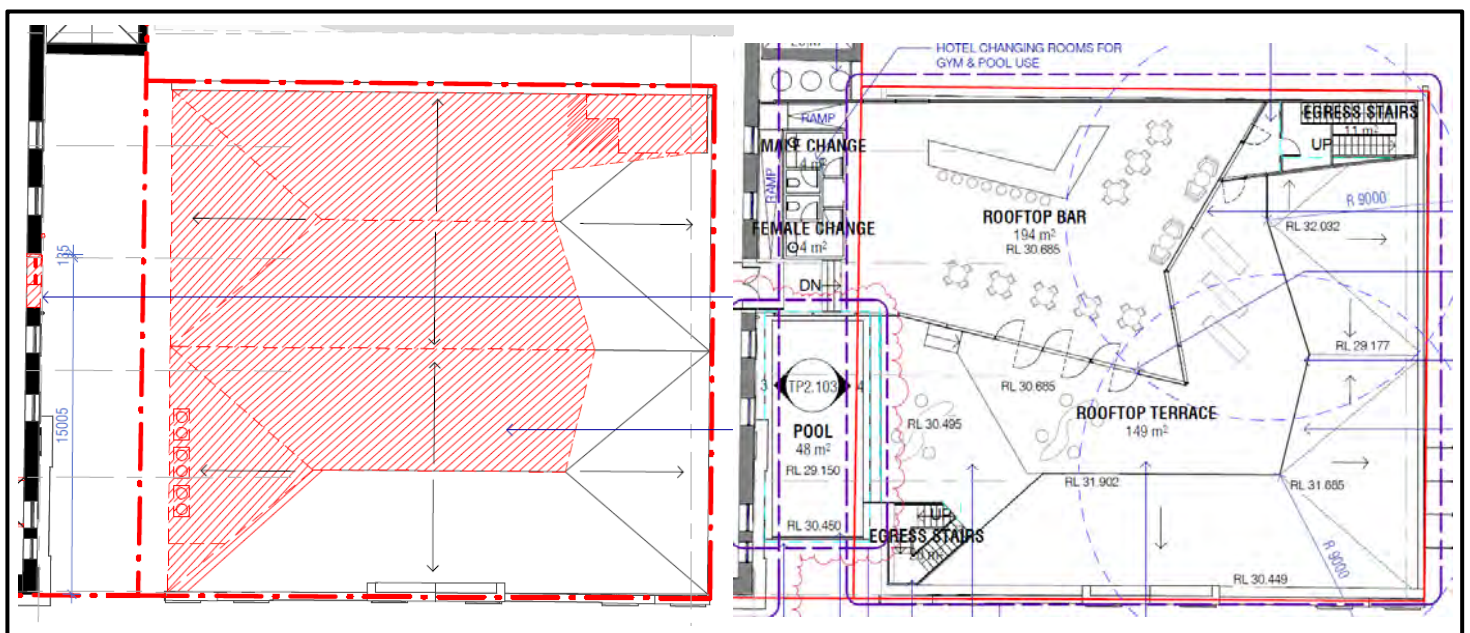
Excerpt from West Elevation plan prepared by Hachem showing setback profile of development above retained historic building to 102-108 Jeffcott Street

- Subject to a condition being included on any permit being granted requiring the reinstatement of the original openings to the Jeffcott Street façade and McDougall Lane façade (for a depth of 6 metres from Jeffcott Street), and any canopy element intended to ameliorate wind conditions to be designed to be clearly distinguishable from, and subservient to, the historic building, it is considered that the existing historic building will generally be sufficiently retained to ensure it presents an intact three-dimensional form to the streetscape.

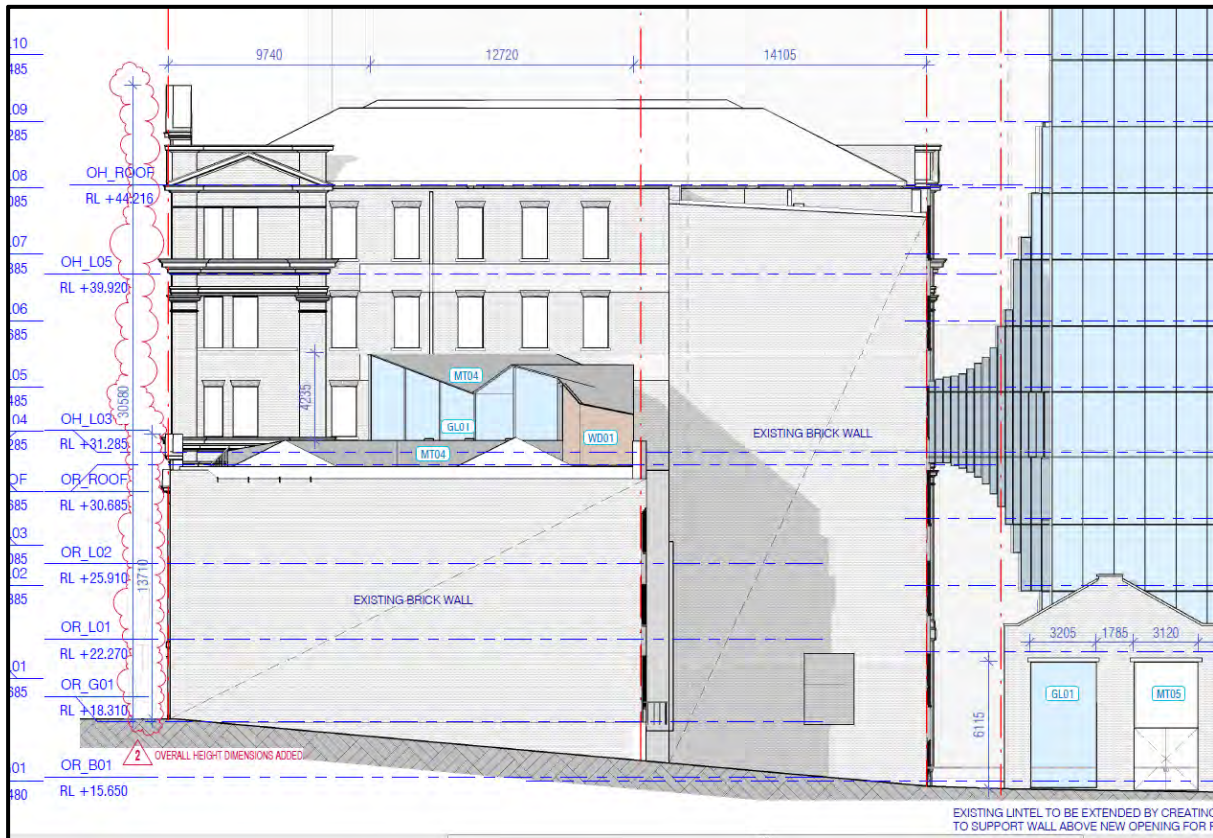
8.4.2 The rooftop addition above the Warehouse (371-383 Spencer Street)

The key concern raised by Council's Heritage Advisor in relation to the proposed rooftop addition above the Warehouse, 371-383 Spencer Street, West Melbourne relates to the extent of proposed demolition of the roof (and subsequent loss of heritage fabric) in order to support the rooftop bar.

Excerpts from the Architectural Drawings prepared by Hachem, which show the extent of proposed demolition of the roof necessary to support the rooftop bar (which will sit behind the ridge-line of the existing roof), and the profile of the rooftop bar addition as viewed from oblique angles approaching the site from the north along Spencer Street are provided below.



Excerpt from Demolition plan and Rooftop plan prepared by Hachem showing extent of demolition proposed to roof of the Warehouse (371-383 Spencer Street)



Excerpt from North Elevation plan prepared by Hachem showing the proposed roof-top bar above the Warehouse (371-383 Spencer Street) and profile of retained roof

Council's Heritage Policy discourages the removal of original parts of 'A' graded heritage buildings, and directs the Responsible Authority to consider the following matters before deciding on a planning application seeking demolition:

- *The degree of its significance.*
- *The character and appearance of the building or works and its contribution to the architectural, social or historic character and appearance of the streetscape and the area.*
- *Whether the demolition or removal of any part of the building contributes to the long-term conservation of the significant fabric of that building.*
- *Whether the demolition or removal is justified for the development of land or the alteration of, or addition to, a building.*

Broadly, it is considered that the proposed roof-top addition above the Warehouse at 371-373 Spencer Street, West Melbourne is appropriate, having regard to Council's Heritage Policy, for the following reasons:

- The planned extent of demolition is limited to the rear part of the existing roof above the Warehouse.
- The proposed rooftop addition will achieve part, if not full, concealment when viewed from street level on the opposite side of Spencer Street and at oblique angles, by virtue of the height of the existing building, the single-storey scale of the proposed addition, and the setback to the Spencer Street façade (approximately 10 metres), generally complying with Council's Heritage Policy that seeks to achieve full concealment for additions to heritage buildings in 'Level 1' graded streetscapes..
- At street level, and at oblique angles, the building will present as intact and robust.
- The proposed development and adaptive re-use of the heritage building will ensure its long-term conservation.

8.5 Built Form

8.5.1 Design and Development Overlay (Schedule 12: Noise Attenuation Areas)

The purpose of Design and Development Overlay (Schedule 12: Noise Attenuation Areas) (DDO12) is to ensure that new or refurbished developments for sensitive land uses constructed in the vicinity of the Docklands Major Sports and Recreation Facility include appropriate acoustic measures to attenuate noise levels, in particular music noise, audible within the building.

Conditions have been recommended for inclusion on any permit being granted to ensure that the requirements of DDO12 are incorporated into the completed development. Subject to the recommended conditions being included on any permit being granted, it is considered that the proposed use / development under Application PA1800480 will meet the design objectives and built form requirements of DDO12.

8.5.2 Design and Development Overlay (Schedule 33: CBD Fringe)

Design and Development Overlay (Schedule 33: CBD Fringe) together with the Heritage Overlay HO771 represent the primary planning controls influencing built form expectations for the subject site.

As identified in Section 8.3. of this report, the role of heritage considerations in influencing built form expectations for the subject site under Application PA1800480 are considered to have primacy, due to the level of heritage significance assigned to the Manufactory (355-369 Spencer Street, West Melbourne), and the Warehouse (371-383 Spencer Street, West Melbourne).

Subject to conditions being included on any permit being granted, to ensure a façade strategy is provided that includes details of high quality exterior finishes and materials to the tower element, it is considered that the proposed development is acceptable having regard to the design objectives, built form requirements and built form outcomes of DDO33.

Area	Maximum Building Height, Podium Height and Minimum Building Setback	Built Form Outcomes
DDO33	<p>Height 40 metres</p> <p>Podium Height Podium height of 16 metres or an appropriate lesser height where the site is adjacent to a heritage building.</p> <p>Setbacks Setbacks above podium:</p> <ul style="list-style-type: none"> ▪ 6 metres from all front, side and rear boundaries. ▪ 2 metres from laneways. 	<p>Built form which provides a visual transition between the taller prevailing heights of the CBD and the lower scale built form of West Melbourne.</p> <p>Development provides a transition to adjoining lower scale heritage buildings be the use of podiums and upper level setbacks. Development that does not overshadow Flagstaff Gardens between 11am and 2pm on 22 September and 22 June.</p> <p>Building setbacks that strengthen the pedestrian scale and focus of the area and maintain a sense of open outlook from the Flagstaff Gardens.</p>
Assessment: Variation acceptable		
<p>Height</p> <p>DDO33 provides the following definition for building height:</p> <p><i>Building height is the vertical distance between the footpath or natural surface level at the centre of the site frontage and the higher point of the building, with the exception of architectural features and building services.</i></p> <p>The height of the proposed residential hotel tower (with the exception of architectural features and</p>		

building services) is 72.75 metres (AHD 88.85 – RL 16.1), representing a variation of 32.75 metres above the height requirement envisioned by DDO33.

The height of the proposed development does not comply with the maximum building height requirement sought by DDO33, however, it is understood that the reason for the height sought under the application is a product of two key considerations, which differentiate the proposed development from other applications that typically seek to vary a maximum height requirement under a DDO:

1. The proposed development is located approximately 10 metres away from an existing (currently under construction) 85.6 metre tall tower, representing the immediate urban context for the site and backdrop to the development.
2. The proposed development is associated with a broader site occupied by several heritage assets of varying degrees of heritage significance, and has sought to consolidate and intensify development in one location to minimise the impact on the individually significant heritage buildings forming part of the subject site.

Notably, the floor area ratio sought by the development is **6.2:1**, which is generally consistent with the floor area ratio sought for the Flagstaff Precinct by the West Melbourne Structure 2018 Plan (**6:1**) (which also contemplates a preferred maximum building height of 16 storeys for the Flagstaff Precinct).

Podium Height

The proposed development adopts the height of the existing historic building at 102-108 Jeffcott Street as its podium, therefore meeting the built form requirement.

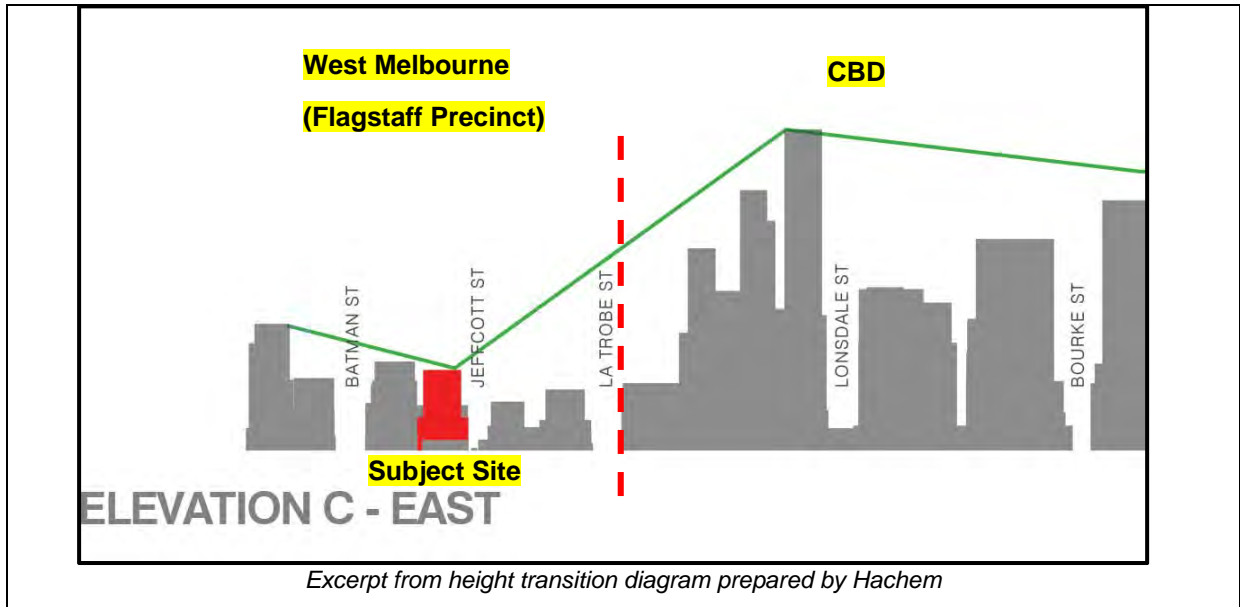
Setbacks

The proposed development generally achieves the required setbacks above podium.

Built Form Outcomes

By virtue of the existing urban context for the subject site, the proposed development meets all of the built form outcomes specified in DDO33, namely:

- The proposed development provides a visual transition between the taller prevailing heights of the CBD, and the lower scale built form of West Melbourne (see diagram below).
- The proposed development provides an appropriate transition to the lower scale historic buildings forming part of the subject site, by setting back the tower form approximately 42 metres from the Spencer Street façade of the Manufactory and Warehouse (Sands and McDougall precinct).
- The proposed development does not overshadow Flagstaff gardens between 11am and 2pm on 22 September and 22 June.
- The proposed development provides appropriate setbacks that will strengthen the pedestrian scale and focus of the area, and is of sufficient distance from Flagstaff Gardens to ensure that open outlook will not be interrupted.

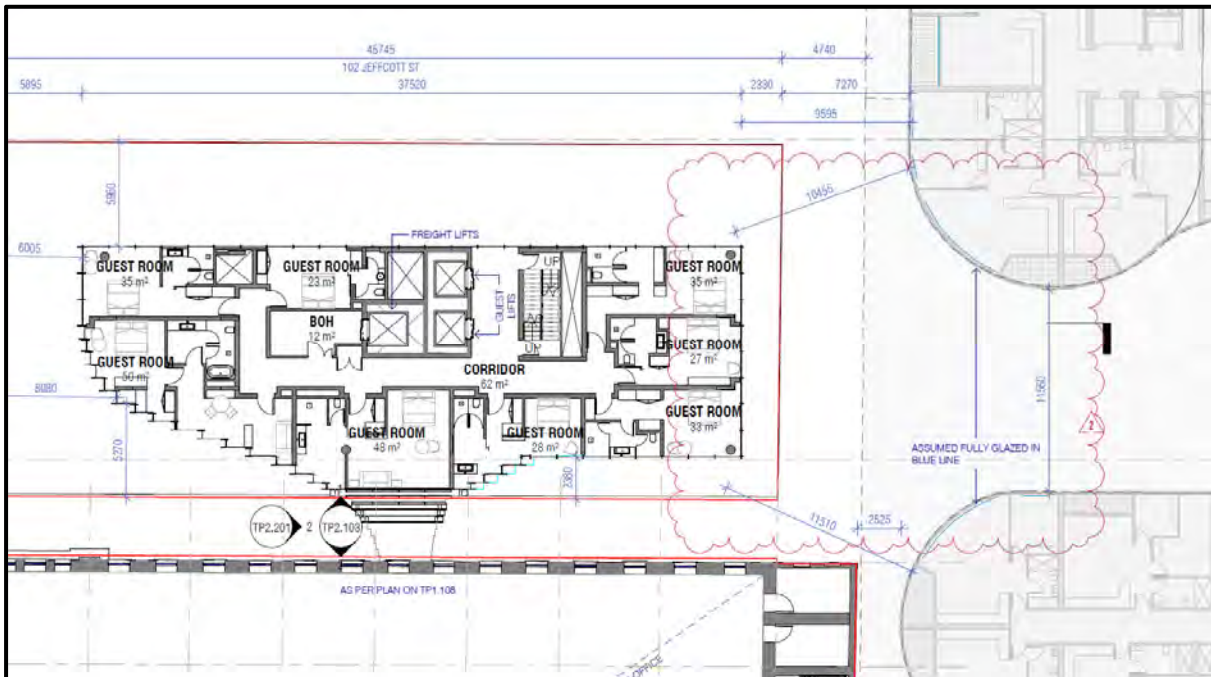


8.5.3 Building Separation (Internal and External Amenity)

The residential hotel tower proposed in Application PA1800480 achieves minimum building separation of 10.5 metres from the western tower, and 11.5 metres from the eastern tower, at 83-113 Batman Street, West Melbourne, for its full height.

Given the narrow profile of the proposed residential hotel tower facing the neighbouring development at 83-113 Batman Street, West Melbourne, and the oblique angle at which it will present to the western and eastern towers on the neighbouring site, this level of building separation is considered acceptable.

The proposed development is therefore considered to comply with *Objective 5.1.3 'To ensure buildings in activity centres provide equitable access to daylight and sunlight'* of the Urban Design Guidelines for Victoria.



Excerpt from tower floor plans prepared by Hachem showing building separation from neighbouring east and west towers at 83-113 Batman Street, West Melbourne

8.5.4 Overlooking toward Melbourne Assessment Prison and Judy Lazarus Transition Centre

It is understood that the Department of Justice have expressed concerns in relation to potential overlooking from the proposed tower into nearby correctional facilities.

It is further noted that the West Melbourne Structure Plan 2018 proposes built form controls that require development adjacent to the Melbourne Assessment Prison to consider potential lines of sight, privacy and security issues.

Given the elevation of guest rooms within the residential hotel tower of the proposed development, and the horizontal distance of the site from both the Melbourne Assessment Prison and Judy Lazarus Transition Centre, unless telescopic devices are used by occupants of the residential hotel, it would ordinarily be expected that overlooking potential would be reasonably limited.

A condition has been recommended for inclusion on any permit being granted to provide an opportunity to the applicant to demonstrate how the proposed development reasonably limits potential sight lines into the neighbouring Melbourne Assessment Prison and Judy Lazarus Transition Centre.

Use of geometry or sightline diagrams with measurements and viewing angles may be an acceptable way for the permit applicant to address this requirement.

8.5.5 Sunlight to Public Spaces & Overshadowing

Shadow diagrams prepared by Hachem (dated 29 March 2019) demonstrate that the proposed development will not result in the loss of sunlight to public open space or private open space associated with nearby dwellings.

Furthermore, the proposed residential hotel tower will not:

- Overshadow the outdoor recreation areas provided within Melbourne Assessment Prison between 9am and 3pm on 22 September (as highlighted in the diagram provided in Section 1.2.3 of this report).
- Overshadow the central open space area provided within the Judy Lazarus Transition Centre between 10am and 3pm on 22 September, with the exception of a minor concrete concourse area at 10am (as highlighted in the diagram provide in Section 1.2.4 of this report).

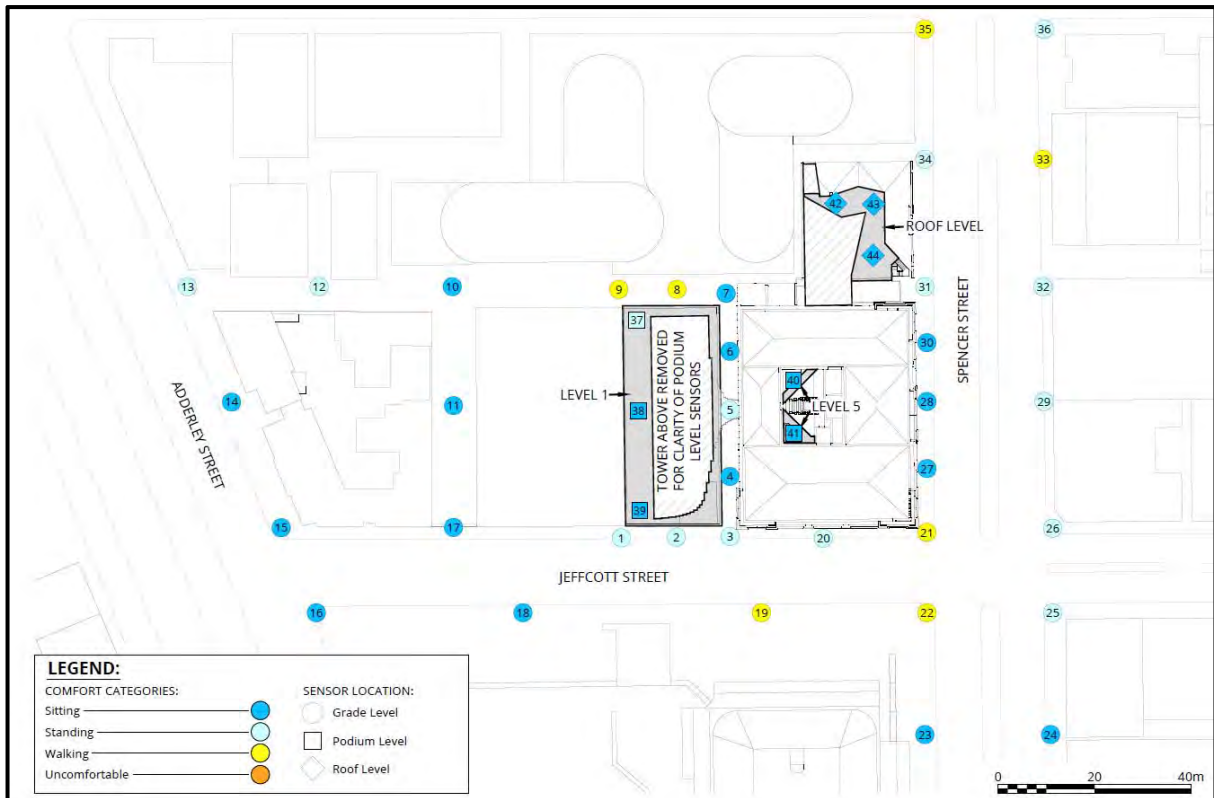
The proposed development is therefore considered to comply with *Clause 22.02 Sunlight to Public Spaces* and meet Objective 5.1.3 'To ensure buildings in activity centres provide equitable access to daylight and sunlight', of the *Urban Design Guidelines for Victoria*.

8.5.6 Protection from Wind

A wind report prepared by RWDI (dated 11 February 2019) has considered wind conditions at ground level on the basis of the proposed development, applying the thresholds for comfort criterion introduced by Amendment C270, which is considered appropriate in this instance.

The findings of the wind report identify that subject to an awning being installed along the Jeffcott Street frontage of the proposed development (likely requiring the removal of the juvenile English Elm tree located immediately in front of 102-108 Jeffcott Street), acceptable comfort criterion will be achieved in all locations surrounding the site, with sitting and standing criterion generally achieved.

The design of the proposed canopy in relation to its impact on the historic building at 102-108 Jeffcott Street has been considered separately in the assessment of the proposed development against the policies of *Clause 22.05 Heritage Places outside the Capital City Zone*.



Excerpt from Wind report prepared by RWDI showing wind comfort criterion at key locations across the subject site and surrounding area, on the basis of a canopy being installed to Jeffcott Street

Subject to the canopy being installed in the manner required to ameliorate unsafe wind conditions on Jeffcott Street, it is considered that the proposed development will comply with *Clause 22.17 Urban Design outside the Capital City Zone*.

8.5.7 Street Level Frontages (Activation)

The proposed development benefits from the existing heritage buildings occupying the subject site, which make a significant contribution to the fine grain, human scale, presentation of the development at the subject site toward Spencer Street, Jeffcott Street and McDougall Lane.

As documented in the assessment of the proposed development at 102-108 Jeffcott Street against the policies of *Clause 22.05 Heritage Places outside the Capital City Zone*, the level of intervention within the Jeffcott Street façade and the McDougall Lane façade (to a depth of 6 metres from Jeffcott Street) of the historic building at 102-108 Jeffcott Street is not supported, and a condition has been recommended requiring the existing openings to be reinstated to these parts of the building.

Subject to a condition being included on any permit being granted requiring a detailed façade strategy that addresses human scale design elements for all street level frontages of the development, it is considered that the proposed development will comply with *Clause 22.17 Urban Design outside the Capital City Zone*.

8.6 Traffic

As documented in Section 7.2.5 of this report Council's Traffic Engineer has raised significant concerns in relation to the level of car parking proposed within the development and associated level of traffic generated by this car parking, with the potential for significant congestion and pedestrian / traffic conflicts within McDougall Lane.

All of the potential solutions explored by Council's Traffic Engineer would require significant interventions into the historic building at 102-108 Jeffcott Street or the Manufactory at 355-369 Spencer Street, West Melbourne, and significant changes to the positive aspects of the proposed floor plan layout of the development. These potential solutions cannot be entertained.

The only option that can be supported to assist with resolving the traffic congestion and vehicle / pedestrian conflict issues identified in the proposed development by Council's Traffic Engineer, and which would find strong support in the West Melbourne Structure Plan 2018 (which seeks to suppress car parking) is for the applicant to internally reconfigure the basement areas, or reduce the number of basement levels, to provide less car parking.

The extent to which car parking is to be reduced must be informed by a sufficiently robust independent road safety audit and traffic assessment to the satisfaction of Melbourne City Council – Engineering Services, and must confirm:

- What level of vehicle movements per hour (must not be greater than 30 vehicle movements per hour) will present a safe environment for pedestrians and vehicles accessing McDougall Lane, without presenting the potential for traffic conflicts.
- What level of reduction of car parking within the development is necessary to achieve compliance with the identified thresholds for achieving a safe level of vehicle movements per hour.

Conditions have been recommended for inclusion on any permit being granted to ensure that the above concern is resolved. It is suggested that the easiest way for this requirement to be resolved by the applicant is to minimise the provision of car parking insofar as possible within the development. This will ensure a walkable, safe, laneway environment is delivered in McDougall Lane.

8.7 Contaminated Land

Clause 13.04-1S provides objectives, strategies and policy guidelines that direct the Responsible Authority to require investigation into potentially contaminated land (in addition to requiring remediation of this land so that the land is fit for the proposed future land use – if the land is found to be contaminated).

The Preliminary Land Contamination Assessment prepared by Golder Associates Pty Ltd on behalf of Council (dated 17 April 2019), to inform application of the Environmental Audit Overlay to the West Melbourne Structure Plan area under Melbourne Planning Scheme Amendment C309, identifies the subject site as being potentially contaminated.

Conditions have been recommended for inclusion on any permit being granted to ensure that appropriate investigation and testing of potential contamination sources is conducted, and remediation carried out (if required), prior to the commencement of the development.

8.8 Sustainability

8.8.1 Energy, Water and Waste Efficiency

Clause 22.19 Energy, Water and Waste Efficiency provides that it is policy to encourage buildings that:

- *Minimise greenhouse gas emissions and maximise energy efficiency.*
- *Minimise mains potable water consumption and encourage the use of alternative water sources, such as rainwater and grey water.*
- *Provide the facilities that will enable building users and occupants to reduce waste sent to landfill, maximise the recycling and reuse of materials and support the municipality's progress towards becoming a resource and material-efficient city.*

The Sustainability Management Plan prepared by WSP (dated 28 March 2019) identifies that the proposed use / development under Application PA1800480 has committed to the following sustainability targets:

- Achievement of Green Star 5-star Design & As-Built

Subject to the conditions recommended by Council's ESD Officer being included on any permit being granted, a further opportunity will be provided to the applicant's sustainability consultant, WSP, to update the submitted SMP to ensure that the technical details and modelling underpinning the assumptions that have informed the targets identified in the SMP are robust.

Further, conditions have been recommended for inclusion on any permit being granted to ensure that the submitted Waste Management Plan reflects the approved internal layout of the development, and is consistent with City of Melbourne's applicable Guidelines for preparing a Waste Management Plan.

It is therefore considered that the proposed development will meet the relevant requirements of *Clause 22.19 Energy, Water and Waste Efficiency*.

8.8.2 Stormwater Management (Water Sensitive Urban Design)

Clause 22.23 Stormwater Management (Water Sensitive Urban Design) sets out the following objectives:

- *To achieve the best practice water quality performance objectives set out in the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999 (or as amended).*
- *To promote the use of water sensitive urban design, including stormwater re-use.*

Subject to the conditions recommended by Council's ESD Officer and Principal Engineer (Infrastructure) being included on any permit being granted, it is considered that the proposed development will meet the relevant requirements of *Clause 22.23 Stormwater Management (Water Sensitive Urban Design)*.

9 OFFICER RECOMMENDATION

That, for the reasons discussed within this report, the proposal is supported and the Melbourne City Council does not object to this application subject to:

9.1 Permit Preamble

The recommended form of the description of what the permit allows is:

Use of land for Residential Hotel, Food and Drink Premises, Office (other than Medical Centre) and Shop (other than Adult sex product shop), development of a residential hotel tower and alterations and additions to the existing buildings with associated partial demolition and works, operation of licensed premises, a reduction of the car parking requirement and the alteration of access to a road in a Road Zone, Category 1, in accordance with the endorsed plans.

9.2 Conditions & Notes

Amended Plans

1. Prior to the commencement of the development, including demolition and bulk excavation, an electronic set of plans, drawn to scale, must be submitted to the Responsible Authority generally in accordance with the plans prepared by Hachem received 3 April 2019, but amended to show:
 - a. Indicative public tree replacement plots.
 - b. The skybridge over McDougall Lane is located entirely within the Certificate of Title for Lot 2 on Plan of Subdivision PS744960S.

- c. That overlooking opportunities into the outdoor recreation areas of the Melbourne Assessment Prison and Judy Lazarus Transition Centre have been reasonably limited (incorporating design initiatives, if necessary, that preserve the internal amenity and outlook of the development).
- d. Reinstatement of original openings, as determined by a suitably qualified heritage professional, to the Jeffcott Street façade and McDougall Lane façade (to a depth of at least 6 metres from Jeffcott Street) to the building at 102-108 Jeffcott Street, West Melbourne, and integration of these openings with the layout of the residential hotel tower.
- e. Retention or reinstatement of original roof form, as determined by a suitably qualified heritage professional, behind the Jeffcott Street facade of the building at 102-108 Jeffcott Street, West Melbourne, to the extent practicable whilst integrating with the residential hotel tower.
- f. Further exploration of:
 - i. Alternatives to closing off the footpath level (Basement level) windows along Jeffcott Street (i.e. by closing the windows from inside only, leaving the original openings in the exterior-facing wall).
 - ii. The reinstatement of the slate slabs above the internal quadrangle Courtyard service stairs.
 - iii. The retention of a greater proportion of the window openings at ground level in Spencer Street.
- g. Reconfiguration of the car parking area under 102-108 Jeffcott Street, West Melbourne, for alternative uses that support the proposed use / development (e.g. motorcycle, bicycle spaces or storage), or a reduction in the number of basement levels, contributing to a reduction in car parking spaces on-site necessary to ensure a safe volume of vehicle movements per hour in McDougall Lane, as a result of the Road Safety Audit.
- h. Any additional changes as required as a result of the Road Safety Audit.
- i. Any changes as required as a result of the Façade Strategy.
- j. Any changes as required as a result of the Loading Management Plan.
- k. Any changes as required as a result of the revised Wind report.
- l. Any changes as required as a result of the revised Waste Management Plan.

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

- 2. The development and land uses as shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
- 3. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
- 4. Prior to the occupation of the development hereby approved, all buildings and works required by this permit must be completed to the satisfaction of the Responsible Authority.
- 5. Glazing materials used on all external walls must be of a type that does not reflect more than 20% of visible light, when measured at an angle of 90 degrees to the glass surface, to the satisfaction of the Responsible Authority.

External materials, colours and finishes

6. Prior to the commencement of the development, excluding demolition, a schedule of all external materials, colours and finishes including a colour rendered and notated set of elevations must be submitted to the Responsible Authority. When provided to the satisfaction of the Responsible Authority, the schedule of materials will be endorsed by the Responsible Authority to form part of this permit.

Staging

7. Prior to the commencement of the development, excluding demolition, bulk excavation, site preparation, soil removal, site remediation, retention works, footings, ground beams and ground slab and temporary structures, a Staging Plan must be submitted to and be approved to the satisfaction of the Responsible Authority and Melbourne City Council. This Staging Plan must include, but is not limited to, plans and information detailing any public realm works, proposed temporary treatment and use of vacant land. The development must proceed in the order of the stages as shown on the endorsed plan(s), unless otherwise agreed to in writing by the Responsible Authority.

Demolition / Heritage Conservation

8. Prior to the commencement of the development, including demolition, a detailed heritage conservation plan must be submitted to and be approved by the Responsible Authority in consultation with Melbourne City Council. The plan must be prepared by a suitably qualified heritage professional and a suitably qualified structural engineer, or equivalent, and include detailed recommendations for the protection and integration of the historic buildings across the site, including salvaging and reuse of bluestone pitcher pavers from McDougall Lane to the extent possible, to ensure the heritage integrity of all buildings is protected and demonstrate the means by which the heritage buildings will be supported during demolition and construction works to ensure their retention.
9. Prior to the commencement of the development, including demolition and bulk excavation, a bank guarantee or bond to the value of \$200,000.00 must be deposited with the Responsible Authority to ensure that the existing historic buildings at 102-108 Jeffcott Street, 355-369 and 371-383 Spencer Street, West Melbourne are not demolished, except to complete the development in accordance with the endorsed plans. The bank guarantee or bond will be returned when the development is completed to the satisfaction of the Responsible Authority.
10. The buildings and works associated with the approved development must be planned and constructed in a manner which prevents damage to the heritage fabric to be retained in accordance with the endorsed heritage conservation plan. Where hidden, original or inaccessible details of the buildings are uncovered, works are to cease until the appropriate further record has been made. Where unanticipated original detail is discovered the Responsible Authority is also to be notified prior to re-commencement of the works.
11. Prior to the commencement of the development, including demolition and bulk excavation, the permit holder must provide evidence to the Responsible Authority that progress has been made toward obtaining the necessary building permits for the development of the land generally in accordance with the development hereby approved, and that the permit holder is actively procuring the construction services for the development, or otherwise agreed with the Responsible Authority.

Façade Strategy

12. Prior to the commencement of the development, excluding demolition and bulk excavation, a facade strategy and material and finishes must be submitted to and approved by the Responsible Authority. All materials, finishes and colours must be in conformity with the approved Façade Strategy to the satisfaction of the Responsible Authority. Unless otherwise approved by the

Responsible Authority, the Facade Strategy must be generally in accordance with the development plans and must detail:

- a. Elevation details generally at a scale of 1:50 illustrating typical podium details, entries and doors, and utilities, typical tower detail, and any special features which are important to the building's presentation. The drawings must demonstrate:
 - i. The Finished floor levels and ceiling levels.
 - ii. Further evolution and detail of the façade design of the tower to ensure the delivery of a high quality, textured, modulated form, as viewed from key vantage points in West Melbourne.
 - iii. The design of the canopy to the Jeffcott Street façade of 102-108 Jeffcott Street, West Melbourne, which must be informed by the advice of a suitably qualified heritage professional and wind engineer, to ensure it provides appropriate wind amelioration whilst also achieving a sensitive response to the heritage building.
 - iv. Detailed design information regarding external materials, colours and finishes, glazing, services, security doors and lighting at the ground level.
 - v. Details of external painting and conservation works to the retained portions of the heritage buildings including the authenticity of any brickwork on the buildings and any corbelling or pattern that is to be employed. Detail in regard to the retention of the steel-framed windows is to be provided noting the windows have been identified has being retained.

Environmentally Sustainable Design (ESD)

13. Prior to the commencement of the development, excluding demolition and bulk excavation, an amended Sustainability Management Plan (SMP), generally in accordance with the Sustainability Management Plan prepared by WSP dated 28 March 2019 must be submitted to the Responsible Authority. The amended SMP must be prepared by WSP or a similarly qualified person / company and provide further details on the targets included in the SMP dated 28 March 2019 (including all calculations, modelling reports, specification extracts, architectural drawing excerpts etc. that have been produced to demonstrate compliance with the identified targets) to the satisfaction of the Responsible Authority. When provided to the satisfaction of the Responsible Authority the amended SMP will be endorsed to form part of this permit.
14. Prior to the occupation of the development, a report from the author of the endorsed SMP, or similarly qualified persons or companies, outlining how the performance outcomes specified in the endorsed SMP have been implemented must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm and provide sufficient evidence that all measures specified in the endorsed SMP have been implemented in accordance with the relevant approved plans. The report must include all final calculations and modelling reports, commissioning and testing reports, building user guides and other supplementary materials etc. that have been produced to demonstrate compliance with the relevant targets included in the endorsed SMP.

Construction Management Plan

15. Prior to the commencement of the development (including demolition and bulk excavation), a detailed construction and demolition management plan must be submitted to and be approved by Melbourne City Council – Construction Management Group.

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

- a. public safety, amenity and site security.
- b. operating hours, noise and vibration controls.

- c. air and dust management.
- d. stormwater and sediment control.
- e. waste and materials reuse.
- f. traffic management.
- g. protection of street trees.

16. If a Construction Management Plan or Traffic Management Plan change any of the tree protection methodologies or impacts on public trees in ways not identified in the endorsed Tree Protection Plan (TPP), a revised TPP must be provided to the satisfaction of, and approved by, Melbourne City Council – Urban Forestry & Ecology.

Design and Development Overlay (Schedule 12: Noise Attenuation Areas)

17. Noise attenuation measures (including external glazing and doors and any air conditioning or ventilation system) designed by a recognised acoustic consultant must be included in any new, refurbished or converted building or part of a building used for residential use (including residential hotel) to ensure that the maximum noise level does not exceed 45dB in habitable rooms with windows closed when music noise is emitted from the stadium in the Docklands Area, to the satisfaction of the Responsible Authority. If the development is within 400 metres of the centre point of the stadium, the building must be fitted with ducted air-conditioning. The recommendations contained in the acoustic report must be implemented, at no cost to the Responsible Authority, prior to the occupation of the residential hotel.

Easement variation/creation/removal

18. <Placeholder for easement condition>

Protection of Public Trees and Public Realm Civil Works (Tree Plots)

Tree Protection Plan (TPP)

19. Prior to the commencement of the development (including demolition and any excavation), a Tree Protection Plan (TPP), for any public trees that may be affected by the development, must be provided to the satisfaction of Melbourne City Council – Urban Forestry & Ecology. When provided to the satisfaction of Melbourne City Council – Urban Forestry & Ecology, the TPP will be endorsed to form part of this permit. The TPP must be in accordance with AS 4970-2009 – Protection of trees on development sites and include:

- a. City of Melbourne asset numbers for the subject trees (found at <http://melbourneurbanforestvisual.com.au>).
- b. Reference to the finalised Construction and Traffic Management Plan, including any public protection gantries.
- c. Site specific details of the temporary tree protection fencing to be used to isolate publicly owned trees from the demolition and construction activities or details of any other tree protection measures considered necessary and appropriate to the site.
- d. Specific details of any special construction methodologies to be used within the Tree Protection Zone of any publicly owned tree. These must be provided for any utility connections or civil engineering works.
- e. Full specifications of any pruning required to publicly owned trees.
- f. Any special arrangements required to allow ongoing maintenance of publicly owned trees for the duration of the development.

- g. Details of the frequency of the Project Arborist monitoring visits, interim reporting periods and final completion report (necessary for bond release). Interim reports of monitoring must be provided to Council's email via trees@melbourne.vic.gov.au.
20. All works (including demolition), within the Tree Protection Zone of public trees must be undertaken in accordance with the endorsed TPP and supervised by a suitably qualified Arborist where identified in the report, except with the further written consent of the Responsible Authority.
21. Following the endorsement of the TPP, a bank guarantee equivalent to the combined environmental and amenity values of public trees that may be affected by the development will be held against the TPP for the duration of construction activities. The bond amount will be calculated by council and provided to the applicant / developer / owner of the site. Should any tree be adversely impacted on, Melbourne City Council will be compensated for any loss of amenity, ecological services or amelioration works incurred.

Public Realm Civil Works (Tree Plots)

22. Prior to the commencement of the development (excluding demolition) Public Realm Civil Works (Tree Plots) Engineering Plans must be provided to the satisfaction of Melbourne City Council – Urban Forestry & Ecology detailing all proposed replacement public tree plots. When provided to the satisfaction of Melbourne City Council – Urban Forestry & Ecology the Public Realm Civil Works (Tree Plots) Engineering Plans will be endorsed to form part of this permit.
23. Prior to the occupation of the development, the civil works shown on the Public Realm Civil Works (Tree Plots) Engineering Plans must be carried out at no cost to, and completed to the satisfaction of, Melbourne City Council.

Land Use (Licensed Premises)

24. Prior to the occupation of the development, a licensed premises management plan for the licensed premises hereby permitted must be prepared and submitted to the satisfaction of the Responsible Authority in consultation with Melbourne City Council. The licensed premises management plan must:
 - a. Provide 'red line' plans identifying the licensed area for each licensed premises authorised under this permit;
 - b. Identify the maximum patron capacity, generally in accordance with the population capacity assessment prepared by PLP Building Surveyors & Consultants Pty Ltd (dated 28 March 2019);
 - c. Identify the operating hours for all licensed premises authorised under this permit, which are to be limited to ordinary trading hours, being:
 - 7am to 11pm on each day other than Sunday, Good Friday and ANZAC Day;
 - 10am to 11pm on Sunday;
 - Midday to 11pm on Good Friday and ANZAC Day.

When provided to the satisfaction of the Responsible Authority the licensed premises management plan will be endorsed to form part of this permit. The licensed premises management plan must not be amended except with the prior written consent of the Responsible Authority.

25. Prior to the occupation of the development, a patron management plan for each of the licensed premises within the development listed below must be provided to the satisfaction of the Responsible Authority in consultation with Melbourne City Council. Each patron management plan must address the matters required under *Clause 22.22 Policy for Licensed Premises that require a Planning Permit*, including detail of the means by which patron noise will be reasonably controlled. When provided to the satisfaction of the Responsible Authority the patron

management plans will be endorsed to form part of this permit. The patron management plans must not be amended except with the prior written consent of the Responsible Authority.

Licensed premises requiring a patron management plan:

- a. 355-369 Spencer Street (Sands and McDougall Manufactory):
 - i. Ground level: Wine Bar / Café
 - ii. Level 3: Tavern / Bar associated with Residential Hotel
- b. 371-383 Spencer Street (Sands and McDougall Warehouse):
 - i. Tavern / Bar

Land Use (General)

26. The uses hereby permitted must at all times comply with the requirements of the State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1, and State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2, to the satisfaction of the Responsible Authority.
27. Except with a further permit, the development / uses hereby permitted must not include:
 - a. A live music entertainment venue;
 - b. Amplified music or entertainment, which exceeds background music levels;
 - c. Any loudspeaker, amplified, relay or other audio equipment installed outside the building.
28. Any music entertainment provided as part of the uses hereby permitted must at all times be limited to background music levels only. For the purpose of this condition 'background music level' has the same meaning as in the *Liquor Control Reform Act 1998*.

Wind Test Modelling

29. Prior to the commencement of the development, excluding demolition and bulk excavation, an updated Wind Tunnel Test and Wind Analysis Report of the development must be submitted.

The updated report must generally be in accordance with the Wind Study prepared by RWDI dated 11 February 2019, but must be prepared on the basis of updated plans for consideration under Condition 1 of this permit. The updated Wind Tunnel Test and Wind Analysis Report must set out any recommended design revisions necessary to achieve the comfort criterion identified in the report prepared by RDWI dated 11 February 2019, and must not rely on existing or proposed vegetation for this purpose.

When provided to the satisfaction of the Responsible Authority, the Wind Tunnel Test and Wind Analysis Report submitted in accordance with this condition will be endorsed to form part of this permit.

Traffic Engineering

Bicycle facilities to comply with relevant Australian Standards

30. The design / dimensions of the bicycle parking spaces must generally comply with the relevant Australian Standards or Bicycle Network guidelines.

Car parking layout & access to comply with relevant Australian & NZ Standards

31. All spaces, ramps, grades, transitions, accessways, height clearances and car lift must be designed in accordance with the Melbourne Planning Scheme and/or AS/NZS 2890.1:2004, to the satisfaction of Melbourne City Council – Engineering Services.
32. Pedestrian sight triangles of 2 x 2.5m must be provided at the exits from both car parks, as required by the Melbourne Planning Scheme. Columns should be located between 0.25-1.25m

from the open-end and $\leq 1.75\text{m}$ from the closed end of the relevant standard car spaces, as required by the Melbourne Planning Scheme.

Car parking layout & access to be constructed and maintained in accordance with endorsed plans

33. The areas set aside for car parking, the access of vehicles and access ways must be constructed, delineated and clearly line-marked to indicate each car space, the access ways and the direction in which vehicles must proceed along the access ways, in conformity with the endorsed plans. Parking areas and access ways must be kept available for these purposes at all times and maintained to the satisfaction of the Responsible Authority.

Road Safety Audit

34. Prior to the commencement of the development, including demolition and bulk excavation, a desktop Road Safety Audit prepared by a suitably qualified professional must be provided to the satisfaction of the Responsible Authority in consultation with Melbourne City Council – Engineering Services. The Road Safety Audit must address the following matters:
- a. The extent to which car parking must be reduced in order to achieve a level of vehicle movements per hour (must not be greater than 30 vehicle movements per hour) generated by the use/development hereby permitted, which will present a safe environment for pedestrians and vehicles accessing McDougall Lane, without presenting the potential for traffic conflicts. This investigation must be informed by a sufficiently robust traffic assessment prepared to the satisfaction of Melbourne City Council – Engineering Services;
 - b. Vehicular / bicycle / pedestrian access arrangements;
 - c. Loading arrangements;
 - d. Internal circulation / layout;
 - e. The need to ensure vehicles entering the site do not stop in Jeffcott Street or McDougall Lane and obstruct pedestrians / bicycles / traffic;
 - f. How appropriate sightlines/ protection can be achieved for pedestrians / vehicles at the intersection of McDougall Lane and Jeffcott Street, whilst preserving the heritage integrity of 102-108 Jeffcott Street and 355-369 Spencer Street, West Melbourne.

When provided to the satisfaction of the Responsible Authority the Road Safety Audit will be endorsed to form part of this permit.

Loading Management Plan

35. Prior to the commencement of the development a comprehensive Loading Management Plan (LMP) is to be prepared, specifying how the access / egress of loading vehicles is to be managed and ensuring that:
- a. All vehicle types expected to service the site are capable of being accommodated within the loading area / bays. Compliance with this requirement is to be demonstrated by the submission of appropriate swept path diagrams accompanying the LMP.
 - b. Loading bays are designed in accordance with relevant Australian and New Zealand Standards or other relevant standards as determined by a suitably qualified Traffic Engineer.
 - c. The delivery needs of the various components of the development can be accommodated.
 - d. Vehicles do not queue on-street.

- e. Vehicles are able to both access / egress the site in a forward direction; and
- f. Any potential conflicts between various vehicles (and other road users) are satisfactorily addressed.
- g. Times for deliveries limit insofar as possible potential for amenity impacts on nearby sensitive land uses, including the guest rooms within the Residential Hotel use approved under this permit (e.g. by limiting vehicle deliveries to ordinary trading hours).

The LMP is to be approved by Melbourne City Council – Engineering Services. The owner must reimburse Melbourne City Council for all costs associated with any parking changes.

Urban Services

- 36. Prior to the commencement of the development, excluding demolition and bulk excavation, an amended Waste Management Plan (WMP) must be submitted generally in accordance with the WMP prepared by Leigh Design dated 17 December 2018, but amended to ensure consistency with the plans referred to in Condition 1 (Amended Plans), Condition 29 (Road Safety Audit) and Condition 30 (Loading Management Plan). The WMP must be in accordance with Melbourne City Council's Guidelines for Preparing a Waste Management Plan to the satisfaction of Melbourne City Council – Engineering Services. When provided to the satisfaction of Melbourne City Council – Engineering Services, the WMP will be endorsed to form part of this permit.
- 37. The waste storage and collection arrangements must be in accordance with the endorsed Waste Management Plan (WMP). Waste storage and collection arrangements must not be altered without prior consent of the City of Melbourne Engineering Services.
- 38. No garbage bin or waste materials generated by the development may be deposited or stored outside the site and bins must be returned to the garbage storage area as soon as practical after garbage collection, to the satisfaction of the Responsible Authority.

Civil Engineering

Title boundaries may not agree with road alignment

- 39. The title boundaries for the property may not exactly agree with the road alignments of the abutting Council lane(s). The approved works must not result in structures that encroach onto any Council lane.

Drainage

- 40. All projections over the street alignment must be drained to a legal point of discharge in accordance with plans and specifications first approved by the Melbourne City Council – Engineering Services.
- 41. Prior to the commencement of the development, excluding demolition and bulk excavation, a stormwater drainage system, incorporating best practice integrated water management design principles to the satisfaction of the Melbourne City Council – Engineering Services, must be submitted to and approved by the Melbourne City Council – Engineering Services. This system must be constructed prior to the occupation of the development and provision made to connect this system to the City of Melbourne's underground stormwater drainage system.

Demolish and construct access

- 42. Prior to the occupation of the development, all necessary vehicle crossings must be constructed and all unnecessary vehicle crossings must be demolished and the footpath, kerb and channel reconstructed, in accordance with plans and specifications first approved by the Melbourne City Council – Engineering Services.
- 43. All pedestrian paths and access lanes shown on the endorsed plans must be constructed and maintained to the satisfaction of the Melbourne City Council - Engineering Services.

Reconstruction of roads/footpaths

44. The road adjoining the site along McDougall Lane must be reconstructed together with associated works including the modification of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by the Melbourne City Council – Engineering Services.
45. The footpath(s) adjoining the site along Spencer Street and Jeffcott Street must be reconstructed together with associated works including the renewal / reconstruction of kerb and channel and modification of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by the Melbourne City Council – Engineering Services.

Street levels not to be altered

46. Existing street levels in Spencer Street, Jeffcott Street and McDougall Lane must not be altered for the purpose of constructing new vehicle crossings or pedestrian entrances without first obtaining approval from the Melbourne City Council – Engineering Services.

Street lighting

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

Street furniture

48. Existing street furniture must not be removed or relocated without first obtaining the written approval of Melbourne City Council – Engineering Services.
49. All street furniture such as street litter bins, recycling bins, seats and bicycle rails must be supplied and installed on Spencer Street and Jeffcott Street footpaths outside the proposed building to plans and specifications first approved by Melbourne City Council – Engineering Services.

Pedestrian ramps

50. All pedestrian ramps must be designed and constructed in accordance with AS 1428:2009 Design for Access and Mobility and should be fitted with ground surface tactile indicators (TGSIs). Details of the TGSIs must be submitted to and approved by City of Melbourne – Engineering Services prior to their installation.

Public lighting

51. Prior to the commencement of the development, excluding preliminary site works, demolition and any clean up works, or as may otherwise be agreed with Melbourne City Council, a lighting plan must be prepared to the satisfaction of Melbourne City Council. The lighting plan should be generally consistent with Melbourne City Council's Lighting Strategy. The lighting works must be undertaken prior to the occupation of the development, in accordance with plans and specifications first approved by Melbourne City Council – Engineering Services.

3D Digital Model

52. Prior to the occupation of the development, a 3D digital model of the approved development must be submitted to, and must be to the satisfaction of, the Responsible Authority. The model should be prepared having regard to Advisory Note – 3D Digital Modelling Melbourne City Council. Digital models provided to the Melbourne City Council may be shared with other government organisations for planning purposes. The Melbourne City Council may also derive a representation of the model which is suitable for viewing and use within its own 3D modelling environment. In the event that substantial modifications are made to the building envelope a

revised 3D digital model must be submitted to, and be to the satisfaction of, the Responsible Authority.

53. Prior to the commencement of the development (including demolition and bulk excavation, or otherwise agreed to by the Responsible Authority), a 3D digital model of the development and its immediate surrounds, as appropriate must be submitted to the Responsible Authority in conformity with the Department of Environment, Land, Water and Planning Advisory Note 3D Digital Modelling.

Building Appurtenances and Services

54. All building plant and equipment on the roofs, balcony areas and common areas are to be concealed to the satisfaction of the Responsible Authority. The construction of any additional plant machinery equipment, including but not limited to air-conditioning equipment, ducts, flues, all exhausts including car parking and communications equipment, shall be to the satisfaction of the Responsible Authority.
55. Any satellite dishes, antennae or similar structures associated with the development must be designed and located at a single point in the development to the satisfaction of the Responsible Authority, unless otherwise approved to the satisfaction of the Responsible Authority.
56. All service pipes, apart from roof down pipes, must be concealed from the view of a person at ground level within common areas, public thoroughfares and adjoining properties.

Potentially Contaminated Land and Remediation

57. Prior to the commencement of the development, excluding demolition and including bulk excavation, the applicant must carry out a Preliminary Environmental Assessment (PEA) of the site to determine if it is suitable for the intended use(s). This PEA must be submitted to, and be approved by the Responsible Authority prior to the commencement of the development.

The PEA should include:

- Details of the nature of the land uses previously occupying the site and the activities associated with these land uses. This should include details of how long the uses occupied the site.
 - A review of any previous assessments of the site and surrounding sites including details of the anticipated sources of any contaminated materials.
 - Identification of the likelihood of the site being potentially contaminated.
58. Should the PEA reveal that further investigative or remedial work is required to accommodate the intended use(s), then prior to the commencement of the development (excluding demolition and any works necessary to undertake the assessment), the applicant must carry out a Comprehensive Environmental Assessment (CEA) of the site to determine if it is suitable for the intended use(s).

This CEA must be carried out by a suitably qualified environmental professional who is a member of the Australian Contaminated Land Consultants Association or a person who is acceptable to the Responsible Authority. This CEA must be submitted to, and be approved by the Responsible Authority prior to the commencement of the development. The CEA should include:

- Details of the nature of the land uses previously occupying the site and the activities associated with these land uses. This includes details of how long the uses occupied the site.
- A review of any previous assessments of the site and surrounding sites, including details of any on-site or off-site sources of contaminated materials. This includes a review of any previous Environmental Audits of the site and surrounding sites.

- Intrusive soil sampling in accordance with the requirements of Australian Standard (AS) 44582.1. This includes minimum sampling densities to ensure the condition of the site is accurately characterised.
- An appraisal of the data obtained following soil sampling in accordance with ecological, health-based and waste disposal guidelines.
- Recommendations regarding what further investigative and remediation work, if any, may be necessary to ensure the site is suitable for the intended use(s).
- Recommendations regarding whether, on the basis of the findings of the CEA, it is necessary for an Environmental Audit in accordance with Section 53Y of the Environment Protection Act 1970 to be performed or a Statement of Environmental Audit in accordance with Section 53Z of the Environment Protection Act 1970 is required, to ensure the site is suitable for the intended use(s).

59. The recommendations of the CEA must be complied with to the satisfaction of the Responsible Authority for the full duration of any buildings and works on the land in accordance with the development hereby approved, and must be fully satisfied prior to the occupation of the development.

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

60. Should the CEA recommend or the Responsible Authority consider that an Environmental Audit of the site is necessary then prior to the commencement of the development, (excluding demolition and any works necessary to undertake the assessment) the applicant must provide either:
- a. A Certificate of Environmental Audit in accordance with Section 53Y of the Environment Protection Act 1970;
 - b. A Statement of Environmental Audit in accordance with Section 53Z of the Environment Protection Act 1970. This Statement must confirm that the site is suitable for the intended use(s).

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

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

VicRoads

61. <Placeholder for VicRoads conditions>

Transport for Victoria

62. <Placeholder for Transport for Victoria conditions>

Permit expiry

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

- a. The development is not started within three years of the date of this permit.
- b. The development is not completed within five years of the date of this permit.
- c. The use has not commenced within two years of the completion of the development.
- d. The use is discontinued for a period of two years.

The Responsible Authority may extend the permit if a request is made in writing before the permit expires, or within six months afterwards.

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

9.3 Notes

McDougall Lane

- A. Signage clutter should be minimised along the important north-south section of McDougall Lane between 102-108 Jeffcott Street and 355-369 Spencer Street, West Melbourne, and an integrated approach to advertising signage should be employed as part of a future planning permit application in lieu of ad-hoc applications.

Building

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

Other approvals may be required

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

Traffic Engineering

- D. Council will not change the on-street parking restrictions to accommodate the access, servicing, delivery or parking needs of this development. Council reserves the right to change / introduce restrictions to on-street parking in the future
- E. Melbourne City Council (MCC) will not change the on-street parking restrictions to accommodate the access, servicing, delivery, parking and the hotel guest pick up / drop off needs of this development. However, new parking restrictions may be introduced in the surrounding streets if considered appropriate by MCC. The occupants / visitors of this development will not be eligible to receive parking permits and will not be exempt from any of the existing/future on-street parking restrictions.
- F. McDougall Lane is signed as a 'No Stopping Area', with the exception for vehicles undertaking loading/unloading activities. Melbourne City Council (MCC) cannot guarantee vehicular access to and egress from the site will be possible via either leg of this laneway, as vehicles stopping in the laneway, either legally or illegally, would block access. MCC will not get involved in resolving any access difficulties / disputes that may occur as a result of vehicles stopping in the laneway.
- G. The number of pedestrians in the laneway is likely to increase significantly as a result of both this and adjacent developments. This would result in significant conflict between vehicles and pedestrians. In order to improve pedestrian safety, the laneway should be designated as a Shared Zone at the developer's expense, which will require VicRoads' approval.

- H. Under the Road Management Act 2004, any works within the road reserve of Spencer Street require the written consent of VicRoads, the Coordinating Road Authority. Footpaths, nature strips and medians of such roads fall under the City of Melbourne's control although the Act specifically states that the Coordinating Road authority gives conditions for works on these roads and the "road" is the reserve from building line to building line.

Civil Engineering

- I. The proposed development will impact on wall mounted street lights attached to the existing building in McDougall Lane. The proposed development should therefore be redesigned to allow installation of power conduits and street lights on the external walls of the building. The power conduits for the wall mounted lights shall be designed perpendicular to the surface pavement. The building should provide a minimum vertical clearance of 6.0 metres above and 2.0 metres below the surface pavement to allow installation of electrical conduits and wall-mounted lights.
- J. The maximum permissible width of a vehicle crossover without a pedestrian refuge is 7.6 metres. Crossings wider than 7.6 metres should include pedestrian refuges a minimum of 2.0 metres in length at 7.6 metre maximum clear spacing.
- K. All necessary approvals and permits are to be first obtained from Melbourne City Council – Manager Engineering Services Branch and VicRoads and the works performed to the satisfaction of Melbourne City Council – Manager Engineering Services Branch and VicRoads.
- L. All projections over the street alignment must conform to the requirements of the *Building Regulations 2018*, as appropriate, unless with the report and consent of the Municipal Building Surveyor.

Reference may be made to the [City of Melbourne's Road Encroachment Operational Guidelines](#) with respect to projections impacting on street trees and clearances from face / back of kerb.

Urban Forestry & Ecology

- M. Approval for any tree removal is subject to the Tree Retention and Removal Policy, Council's Delegations Policy and requirements for public notification, and a briefing paper to councillors. It should be noted that certain tree removals including but not limited to significant or controversial tree removals, may be subject to a decision by Council or a Committee of Council.
- N. All costs in connection with the removal and replacement of public trees, including any payment for the amenity and ecological services value of trees to be removed, must be met by the applicant / developer / owner of the site. The costs of these works will be provided and must be agreed to before Council remove the subject trees.

O. Urban Forestry – Bank Guarantee Execution

In accordance with the Tree Retention and Removal Policy a bank guarantee must be:

- Issued to City of Melbourne, ABN: 55 370 219 287
- From a recognised Australian bank
- Unconditional (i.e. no end date)
- Executed (i.e. signed and dated with the bank stamp)

Please note that insurance bonds are not accepted by the City Of Melbourne. An acceptable bank guarantee is to be supplied to Council House 2, to a representative from Council's Urban Forest and Ecology Team. Please email trees@melbourne.vic.gov.au to arrange a suitable time for the bank guarantee to be received. A receipt will be provided at this time.

At the time of lodgement of the bank guarantee written confirmation that identifies the name of the Project Arborist who will supervise the implementation of the Tree Protection Plan will be required in writing. On completion of the works the bank guarantee will only be released when evidence is

provided of Project Arborist supervision throughout the project and a final completion report confirms that the health of the subject public trees has not been compromised.

- P. Approval for any tree removal is subject to the Tree Retention and Removal Policy, Council's Delegations Policy and requirements for public notification, and a briefing paper to councillors. It should be noted that certain tree removals including but not limited significant or controversial tree removals, may be subject to decision by Council or a Committee of Council.
- Q. All costs in connection with the removal and replacement of public trees, including any payment for the amenity and ecological services value of a tree to be removed, must be met by the applicant / developer / owner of the site. The costs of these works will be provided and must be agreed to before council removes the subject tree.