

STAGE A  
150 - 188 TURNER STREET  
PORT MELBOURNE, VICTORIA

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# 1.0

## URBAN CONTEXT & SITE ANALYSIS

# 1.01 FISHERMANS BEND FRAMEWORK PRECINCT VISION

“A thriving place that is a leading example for environmental sustainability, liveability, connectivity, diversity & innovation”.



# 1.02 PROJECT MACRO CONTEXT

## Landmarks

1	Melbourne Exhibition Centre
2	Marvel Stadium
3	North port Oval
4	Murphy Reserve
5	Royal Botanic Gardens
6	Southern Cross Station
7	Southbank Markets
8	Docklands Park
9	National Gallery of Victoria
10	CBD
11	Bolte Bridge Off Ramp
12	Bolte Bridge On Ramp
13	Collins Street West
14	Port Melbourne Circle
15	Ron Barrasi Snr Park

## Legend

	Subject Site
	Master Plan Site
	Freeway
	Major Road
	Minor Road
	Collins Street Alignment



# 1.03 FISHERMANS BEND FRAMEWORK - SITE ANALYSIS

## Strategic Influences:

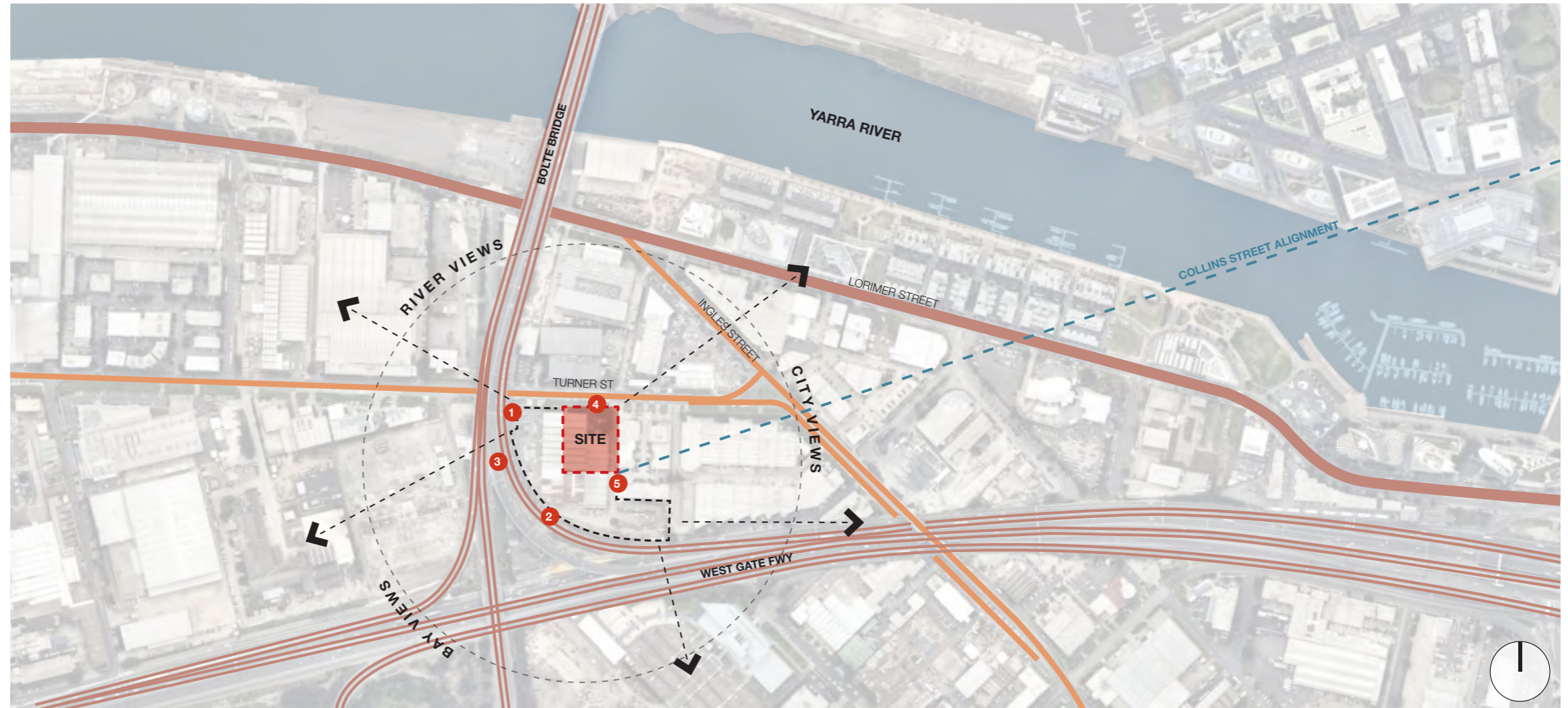
- Fishermans Bend Framework Plan 2018 defines planning controls
- Located along new proposed tram route
- Proposed roads enhancing connections to the site
- Forms part of the Lorimer Precinct
- A short walk to River Esplanade

## Site Features

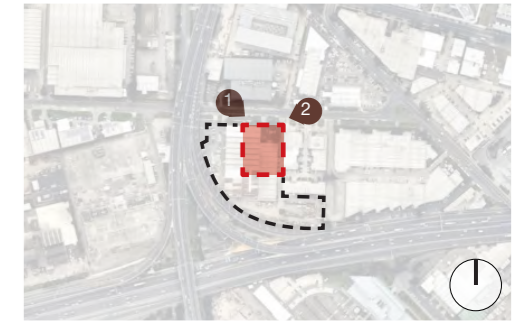
1	Existing Electrical Easement
2	Traffic Noise
3	Unutilised Bolte Bridge Undercroft
4	Existing Site Access
5	Future East West Access

## Legend

	Subject Site
	Master Plan Site
	Freeway
	Major Road
	Minor Road
	Collins Street Alignment
	Views



# 1.04 EXISTING SITE PHOTOGRAPHS



**View 1**  
From Turner Street looking South East

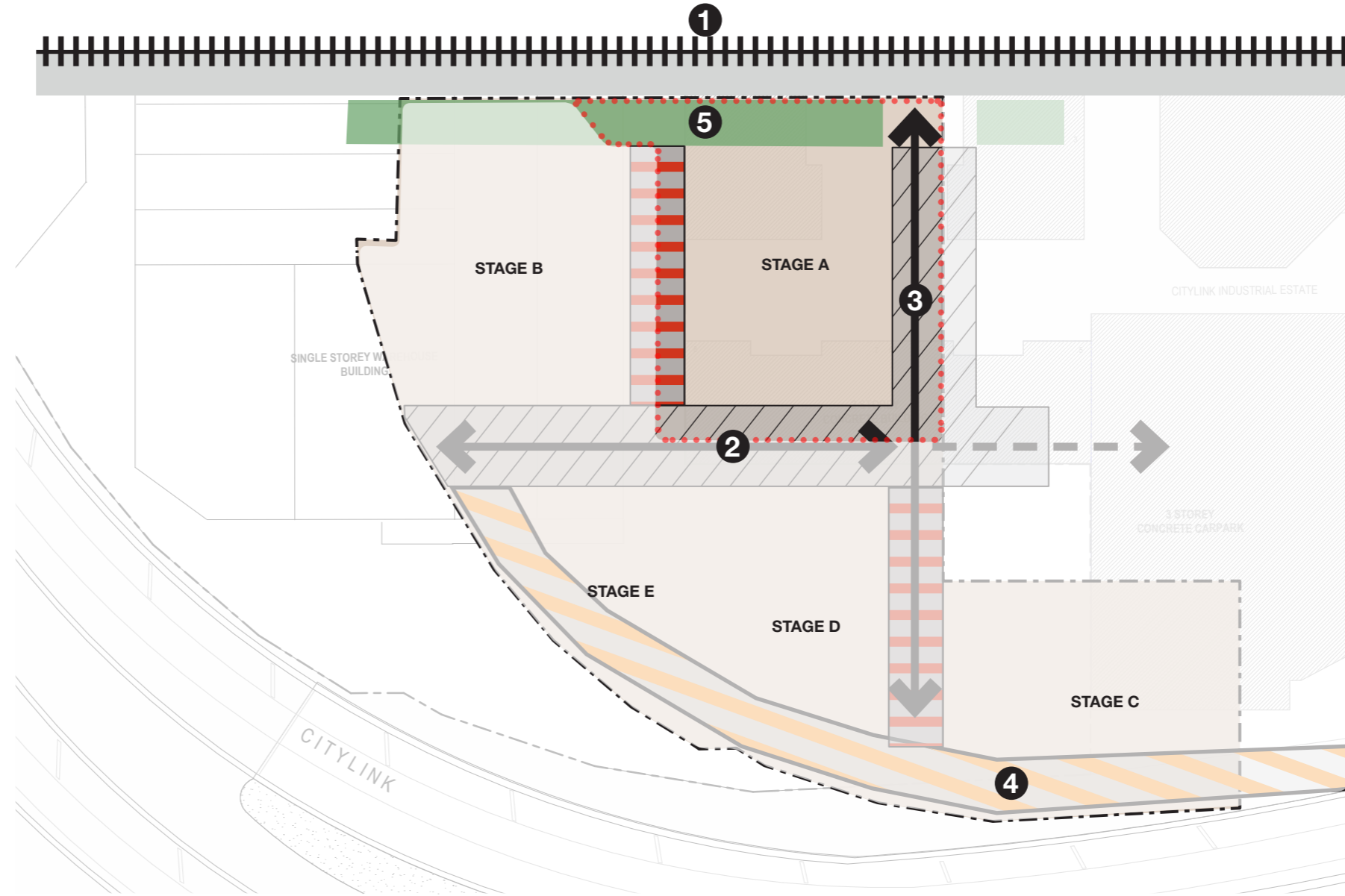


**View 2**  
From Turner Street looking South West

# 1.05 FISHERMANS BEND FRAMEWORK PLAN - STRATEGIC OBJECTIVES

## Strategic Objectives

1	Public Transport
2	Potential East West Connection
3	Potential North South Connection
4	New Southern Service Connection
5	Objective 3.7 Improved Public Open Space



## Legend

- Proposed tram route
- New laneway - 6m wide (location indicative)
- New road - 12m wide
- New road - 18m wide
- New road - 22m wide
- Existing road
- New public open space
- Stage A Site



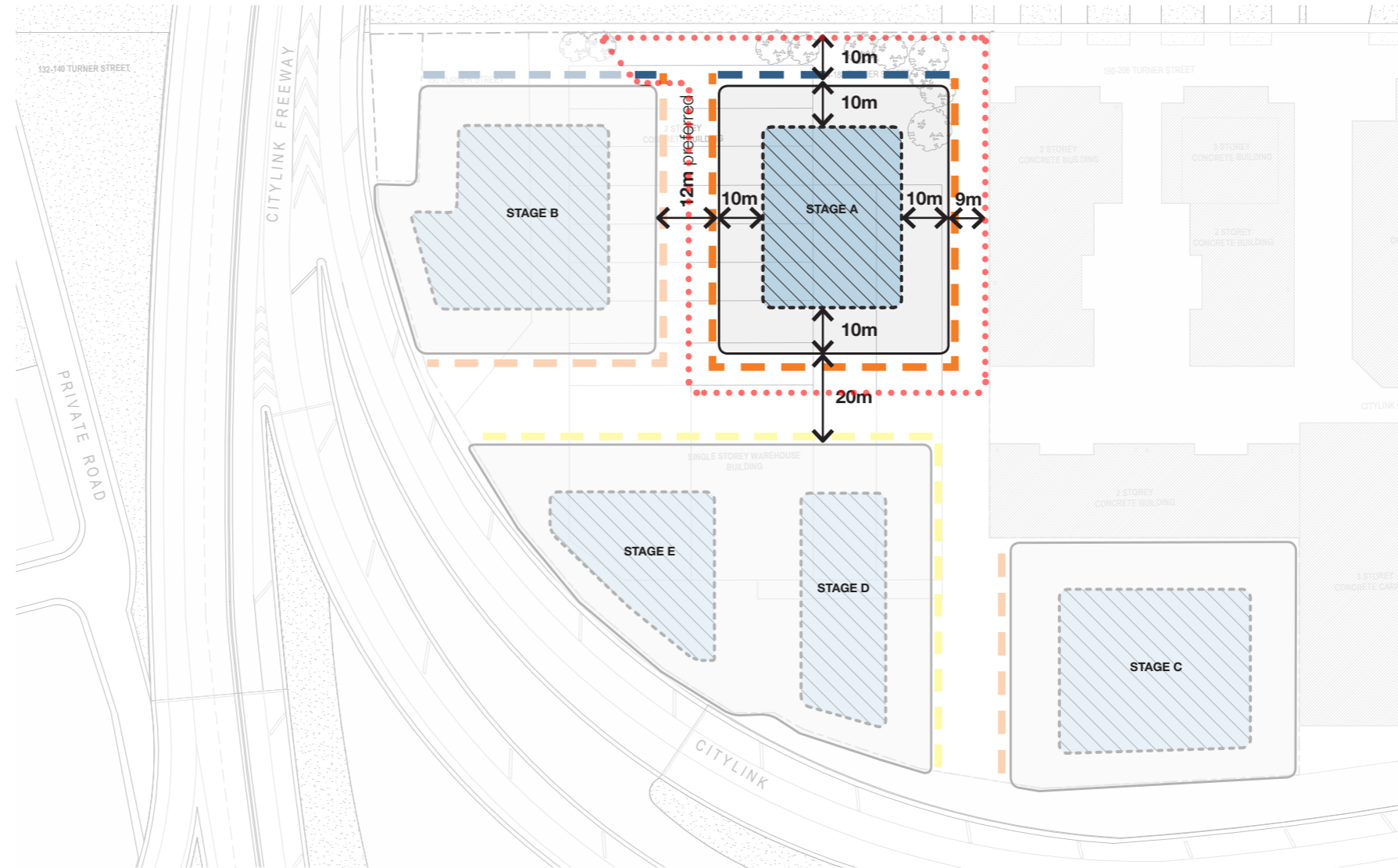
# 1.06 SCHEDULE 67 - DESIGN & DEVELOPMENT CONTROLS DD067

## Street Wall Height - Maximum

- Type A- 6 Storeys
- Type B- 8 Storeys
- Type C- 6 Storeys

## Legend

- Podium
- Tower above 20 Storeys
- Built Form Setback
- Stage A Site



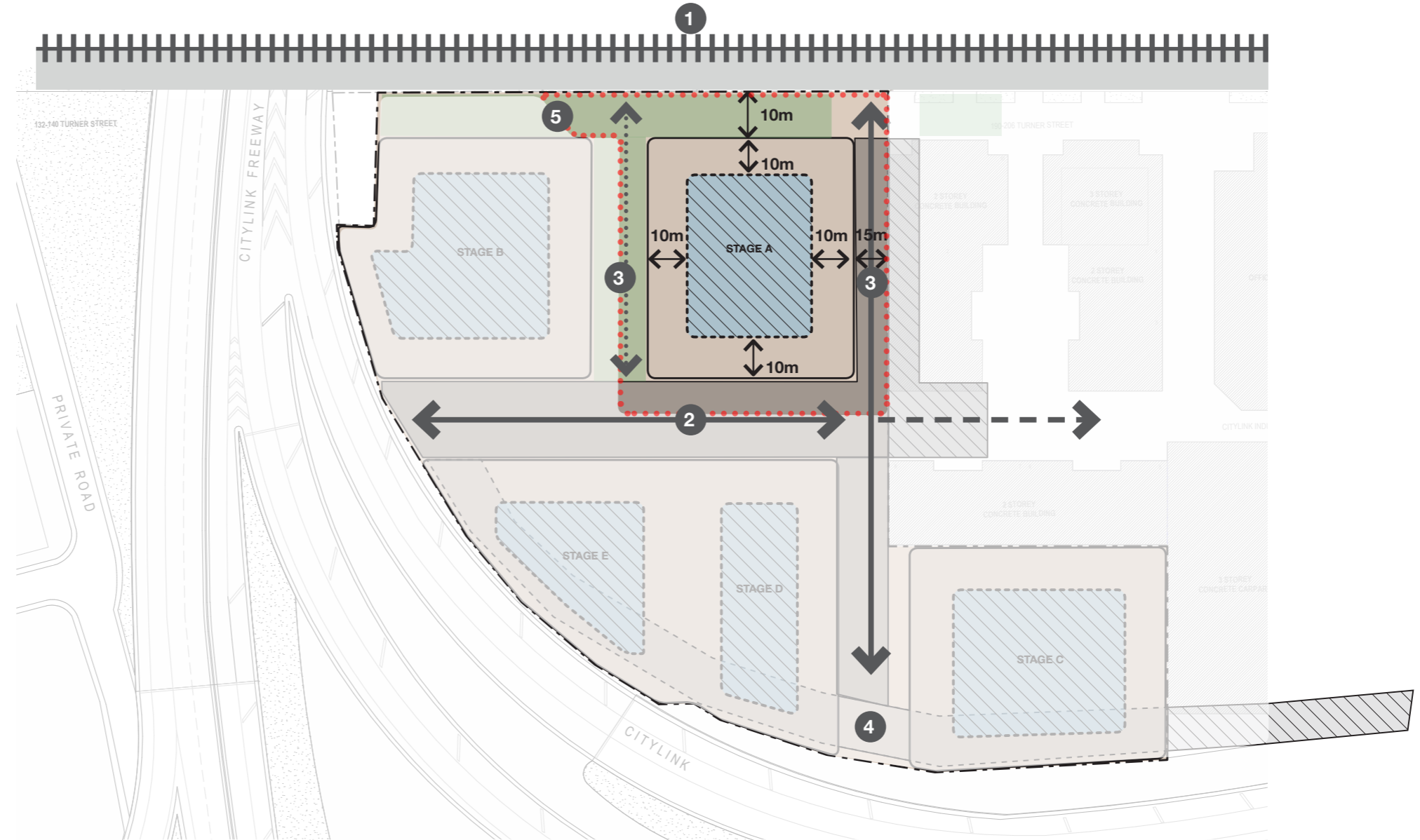
# 1.07 COMBINED PLANNING RESPONSE

## Design Objectives

1	Future Tram Route
2	East West Connection
3	North South Connection & Public Plaza
4	Service Connection
5	Public Open Space









## Legend

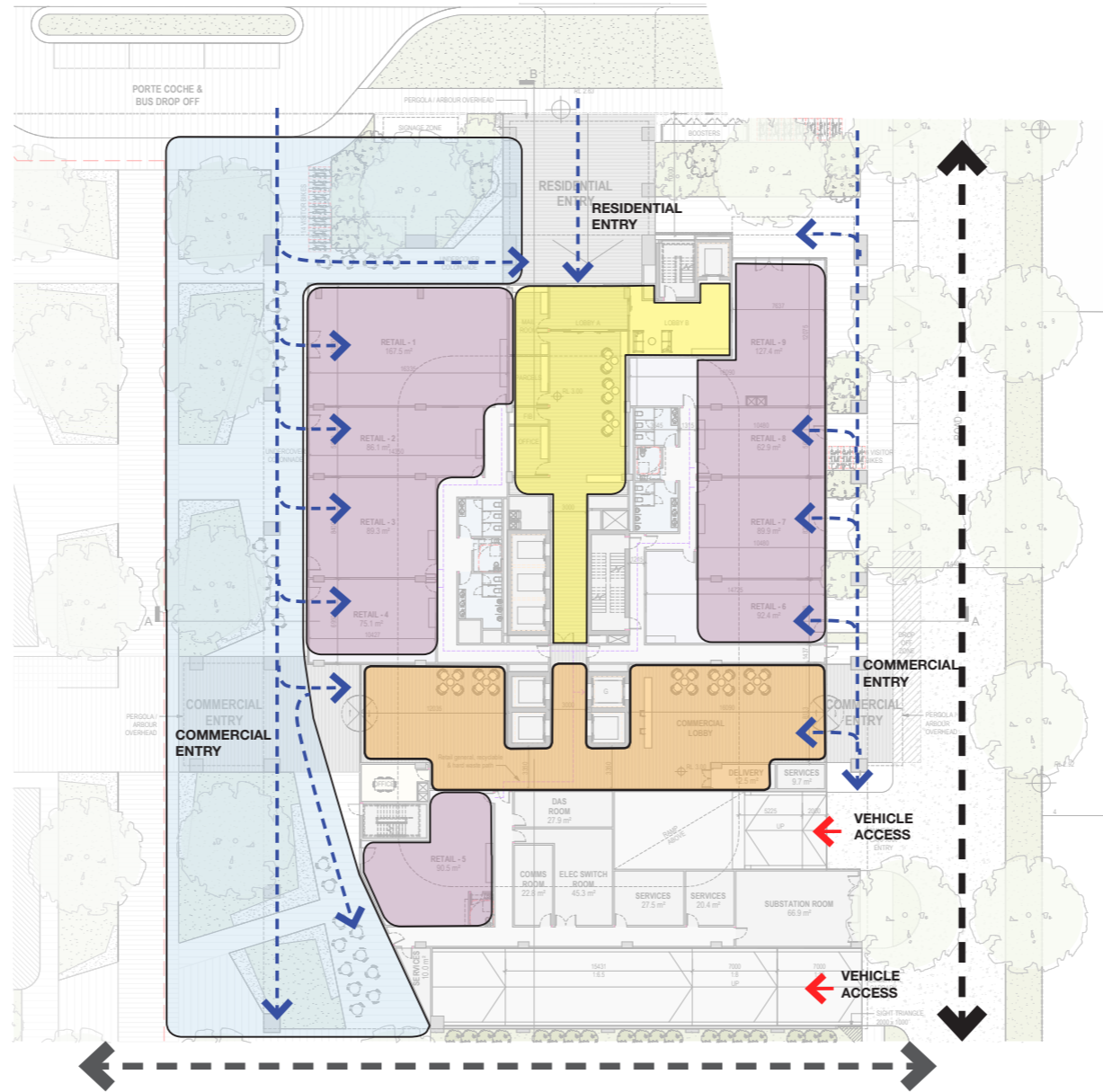
	Podium
	Tower
	Proposed Tram Line
	Stage A Site



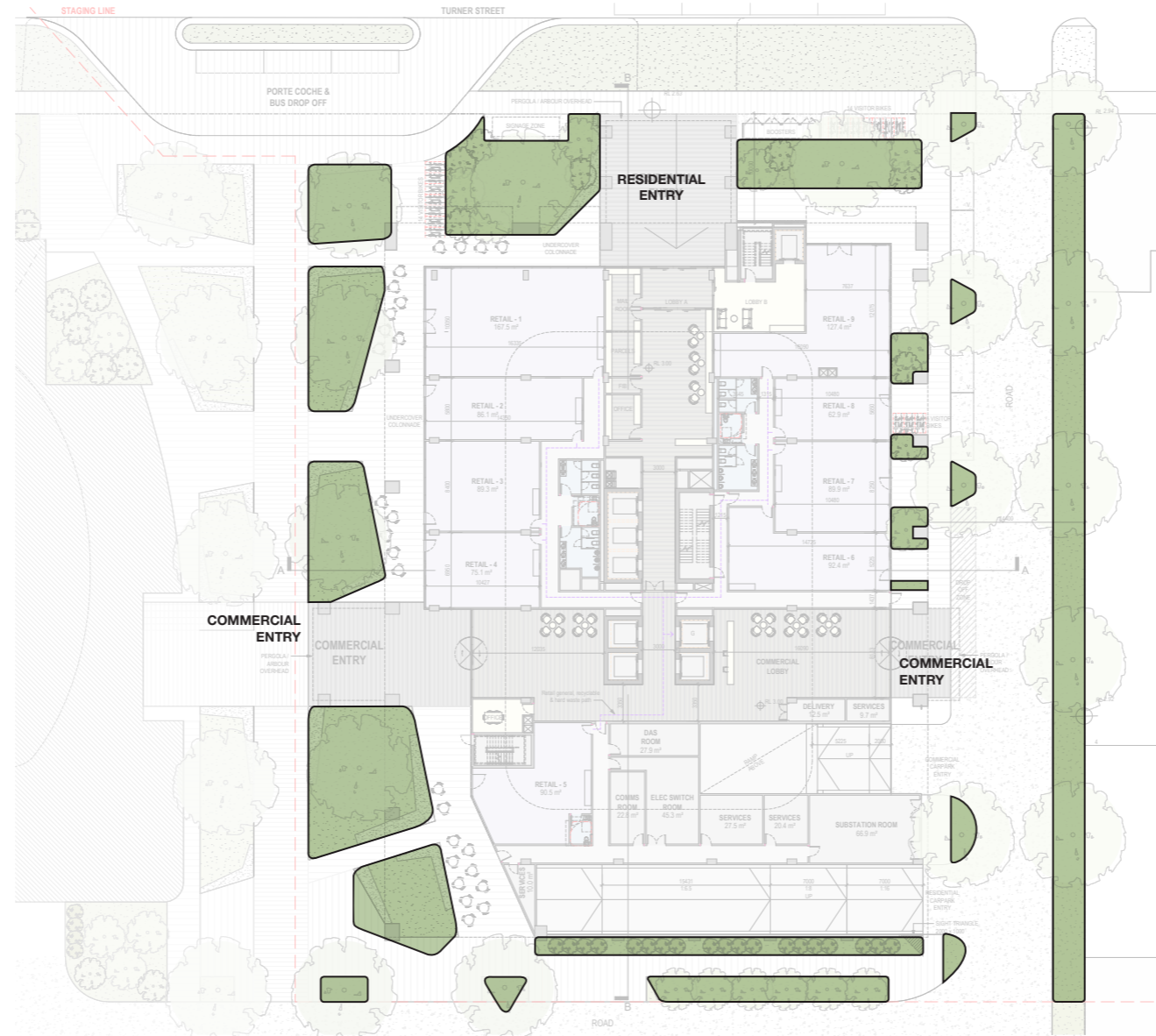
# 1.08 SITE STRATEGY - GROUND FLOOR AMENITY

Legend

	Commercial Lobby
	Residential Lobby
	Retail
	Pedestrian Zone
	Pedestrian Access
	Primary Road
	Secondary Road
	Vehicle Access



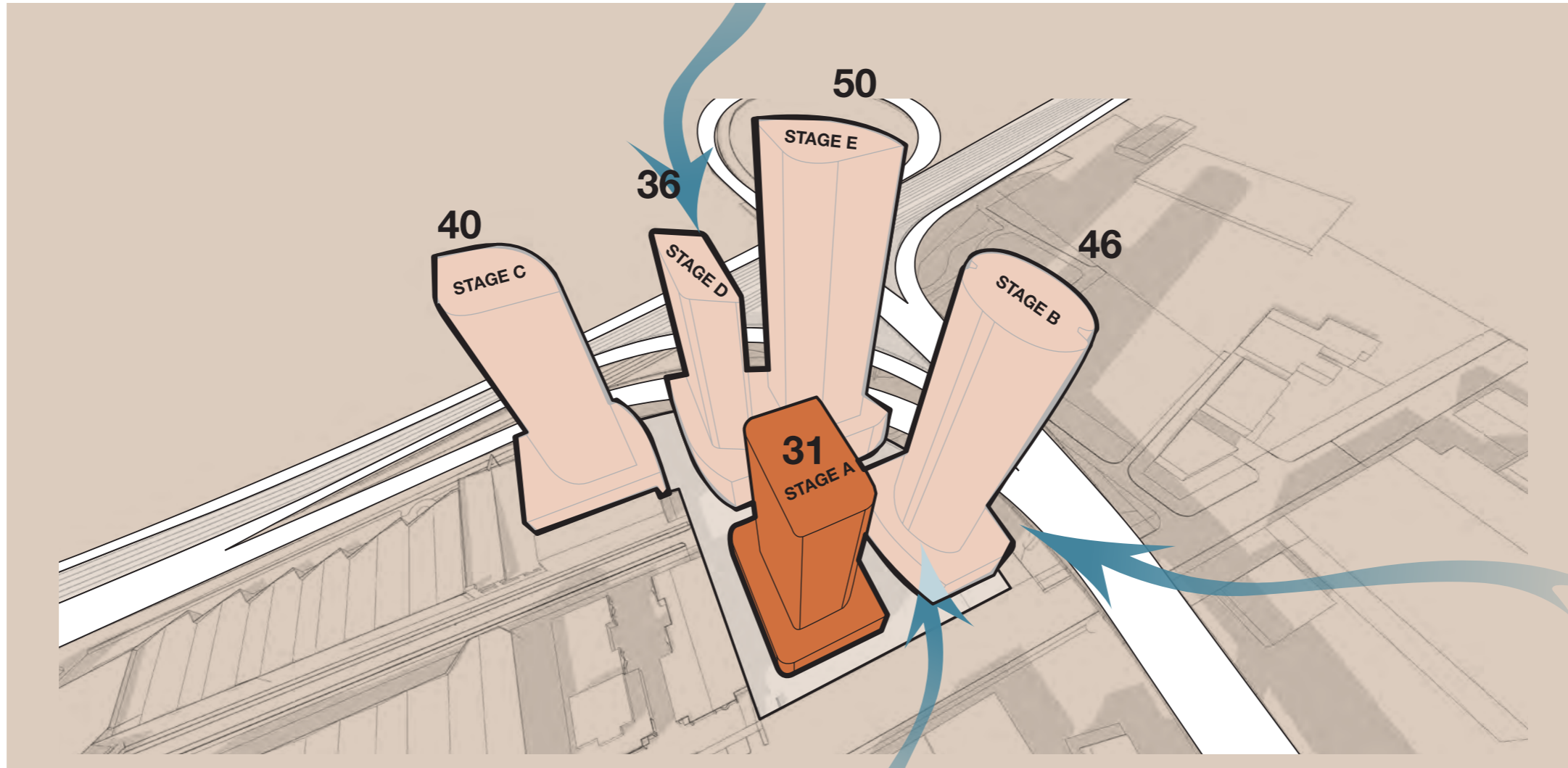
# 1.09 SITE STRATEGY - LANDSCAPE AREA



Legend

 Green Space 1038m<sup>2</sup>

# 1.10 SITE - STAGE A



Stage A - 31 Levels

# 2.0

## DESIGN RESPONSE - STAGE A

## 2.01 ARCHITECTURAL STATEMENT

Stage A, 150-188 Turner Street, Port Melbourne is the first of five towers within the new Turner Street Masterplan submission.

The 31-storey mixed use building is located on the north-east portion of the site. It takes the composition of a podium tower arrangement as nominated in the planning guidelines.

The mixed uses of the project comprise ground level retail, carpark podium with residential skin, an amenity deck, and a blended tower of both office and residential.

The ground level is activated by retail together with clear residential and commercial entry lobby statements, defined by arbour canopies, associated with an expressed planted podium. An undercover colonnade runs the length of the Plaza providing pedestrian weather and wind protection.

The Podium defines the landscaped street edge and is broken in to 3 elements separated by landscaped gussets above each entry. Utilising a robust materiality with masonry finishes, it creates a strong base relating to a pedestrian scale. A grid assembly contains balconies, living areas and planting, exposing residential habitation and façade activation. A feature glass ended pool is exposed at the podium roof level providing sophisticated user amenity.

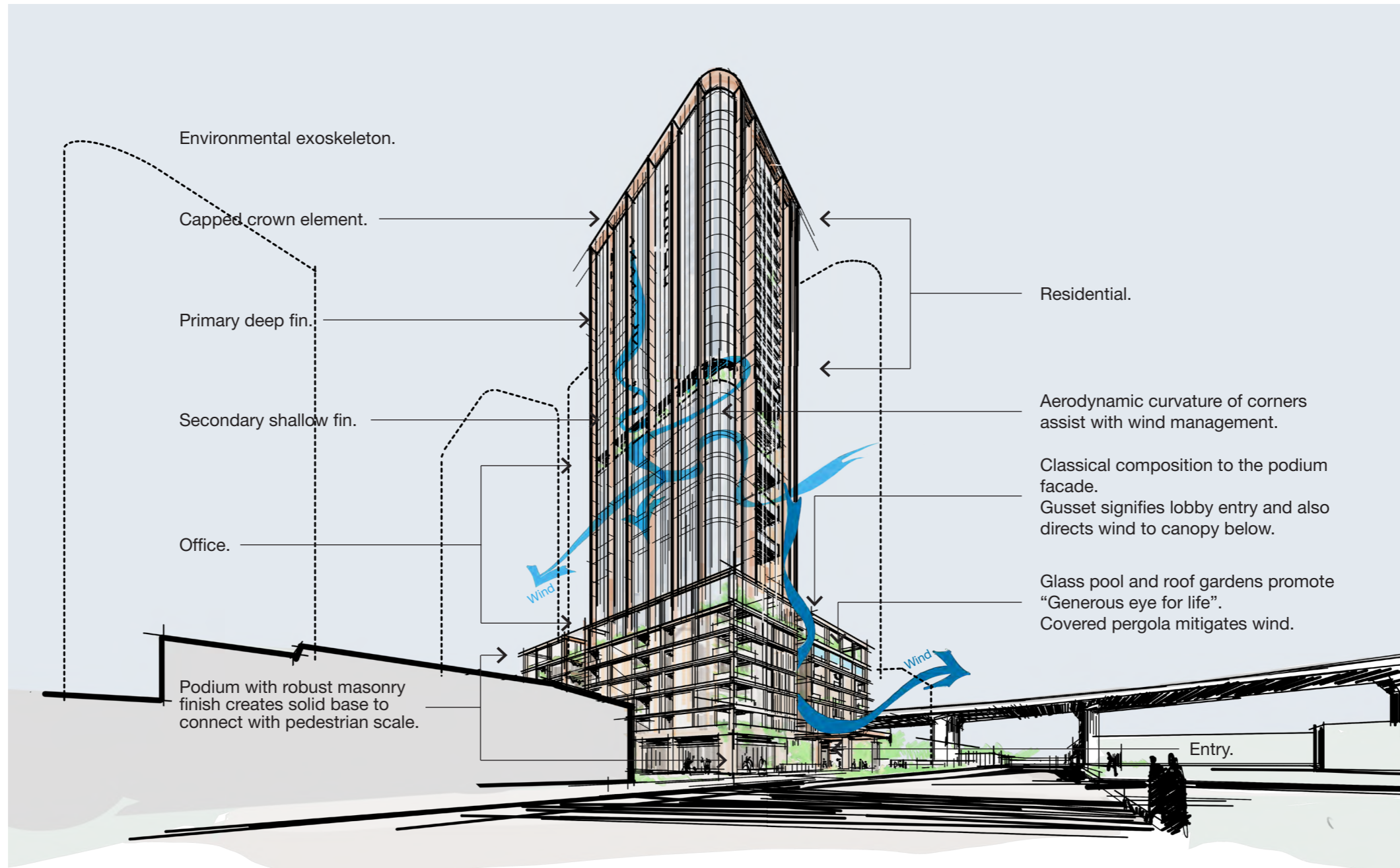
The tower assembly locates the office component at the lower portion and residential at the upper levels. Each are separated by an expressed services floor with a decorated art ceiling. The recess edges of this level assist in wind mitigation at the lower podium. The edges of the tower are also rounded with terraces located away from the corners to further manage wind dynamics.

Both the residential and office elements are “held” together by an expressed primary column framework. This exoskeleton is capped with a crown feature terminating the tower. The materiality of the building emphasises warmth and elegance. Natural stone and masonry finishes create a tactile human scale in the podium complimented by smooth bronze detailing in the tower.

Passive ESD principals are adopted through the use of horizontal shading devices towards the north and vertical fins on the east and west. The latter providing a dynamic solidity as one moves around the building.

Stage A is classic in its composition and considered in its execution. It will sit comfortably within the collection of towers and set the stage for this new mixed-use precinct.

## 2.02 DESIGN PROPOSAL







# PART 1

## THE PLACE

- Ground plane colonnade provides shade.
- Transitional spaces enhance the pedestrian and retail experience.





188 TURNER ST.

RESIDENTIAL ENTRANCE



COVERED COLONNADE



## RETAIL EXPERIENCE





# PART 2

## THE STREET

- Classical composition of the podium.
- Residential and office entrances are the focal points of the ground plane.





188 TURNER

 **acciona**



GENEROUS EYE FOR LIFE







188 TURNER



# PART 3

## THE SKY

- Classical composition.
- Exoskeleton structural system.
- Vertical expression of the tower supports environmentally sustainable design.





rothelowman



188 TURNER

CLASSICAL COMPOSITION



NORTH



TURNING THE CORNER



188 TURNER

CLASSICAL COMPOSITION



SOUTH

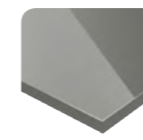


188 TURNER

# 3.0

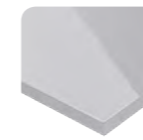
## MATERIALS & FINISHES

# 3.01 MATERIAL SCHEDULE - PODIUM



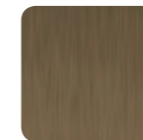
**GT01**

**Finish** Glass - Dark Grey  
**Location** Windows & sliding doors  
**Reflectivity** Less than 20%



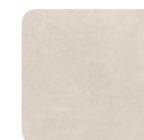
**GT03**

**Finish** Glass - Clear Grey  
**Location** Ground floor windows & doors



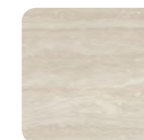
**MF01**

**Finish** Metal Finish - Bronze  
**Location** Window Frames & Fins



**MN01**

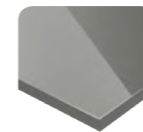
**Finish** Masonry finish - Warm Grey  
**Location** External walls & slab



**ST01**

**Finish** Travertine Cladding  
**Location** Ground floor

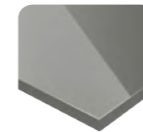
# 3.02 MATERIAL SCHEDULE - TOWER



**GT01**

**Finish**  
**Location**  
**Reflectivity**

Glass - Dark Grey  
Windows & sliding doors  
Less than 20%



**GT02**

**Finish**  
**Location**  
**Reflectivity**

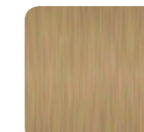
Glass Spandrel - Dark Grey  
Window spandrels  
Less than 20%



**MF01**

**Finish**  
**Location**

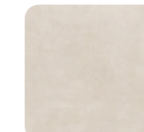
Metal Finish - Bronze  
Window Frames & Fins



**MF02**

**Finish**  
**Location**

Metal Finish - Patterned  
Soffits

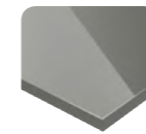


**MN01**

**Finish**  
**Location**

Masonry finish - Warm Grey  
External walls & slab

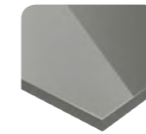
# 3.03 MATERIAL SCHEDULE - CROWN



**GT01**

**Finish**  
**Location**  
**Reflectivity**

Glass - Dark Grey  
Windows & sliding doors  
Less than 20%



**GT02**

**Finish**  
**Location**  
**Reflectivity**

Glass Spandrel - Dark Grey  
Window spandrels  
Less than 20%



**MF01**

**Finish**  
**Location**

Metal Finish - Bronze  
Window Frames & Fins



**MF03**

**Finish**  
**Location**

Metal Finish - Charcoal Grey  
Plant



**MN01**

**Finish**  
**Location**

Masonry finish - Warm Grey  
External walls & slab

# 4.0 DRAWINGS



## DELEGATE REPORT

### MINISTERIAL PLANNING REFERRAL

<b>Application number:</b>	<b>ID-2022-2</b>
<b>DELWP Reference Number:</b>	Planning Scheme Amendment C420melb
<b>Applicant:</b>	Contour Consultants
<b>Owner:</b>	Springbank Properties Pty Ltd
<b>Architect</b>	Rothelowman
<b>Address:</b>	150-188 Turner Street, PORT MELBOURNE VIC 3207
<b>Proposal:</b>	Proposed Melbourne Planning Scheme Amendment C420melb 150-188 Turner Street, PORT MELBOURNE  The proposed Amendment facilitates a staged development of five new buildings, ranging in height from 31 to 50 storeys contain dwellings, office, retail premises and minor sports and recreation facility.
<b>Cost of Works:</b>	\$600 Million
<b>Date of application:</b>	16 March 2022
<b>Responsible officer:</b>	Xavier Livy, Acting Manager Statutory Planning

## 1 SUBJECT SITE AND SURROUNDS

### 1.1 Subject Site

The subject site (Site) is located on the south side of Turner Street, Port Melbourne, approximately 220 metres west of Ingles Street. Part of the CityLink freeway infrastructure runs along the southern and western property boundaries.

The Site is irregular in shape and has a frontage to Turner Street of 144 metres, a maximum depth of 172 metres and overall site area of 2.31 hectares. The Site is located within the Lorimer Precinct of the Fishermans Bend Urban Renewal Area which currently contains a variety of commercial and industrial uses.

This application has been supplied with a due diligence report that concludes that there has been significant ground disturbance on the land and a mandatory Cultural Heritage Management Plan (CHMP) is not required.

The Site is not included in the City of Melbourne's Heritage Places Inventory February 2020 Part A (Amended March 2022).



**Figure 1 – The Site**



**Figure 2 – The Site (viewed from Turner Street)**

## **1.2 Surrounds**

The main characteristics observed in the area include:

- To the south and west is the Bolte Bridge / CityLink exit ramp. Further west are various warehouse buildings and the Docklands Terminal Stations.
- To the east is No. 196-200 Turner Street which is occupied by a small business park that contains three separate buildings each accommodating strata-titled warehouse units.

- Further to the east bordered by Turner Street, Ingles Street and CityLink is a large site in single ownership which is occupied by a number of warehouse units.
- To the north, on the opposite site of Turner Street is a two storey warehouse (181 Turner Street). The building is contemporary in design and comprises associated car parking to the east.

## **2 BACKGROUND AND HISTORY**

### **2.1 Fishermans Bend**

Fishermans Bend is one of Australia's largest urban renewal projects covering approximately 480 hectares of mainly industrial land. The area includes land in the City of Melbourne and the City of Port Phillip.

Fishermans Bend is identified as a priority precinct in Plan Melbourne and will play a key role in accommodating significant population and employment growth.

In 2012, the former Minister for Planning declared Fishermans Bend a project of State significance and approved Melbourne Planning Scheme (MPS) Amendment C170 and Port Phillip Planning Scheme Amendment C102.

On 3 October 2016 the Minister for Planning released the Fishermans Bend Vision – The next chapter in Melbourne's growth story, September 2016.

In November 2016 the Minister introduced interim planning controls as part of Planning Scheme Amendment GC50 (updated by Amendment GC59).

In October 2017, the Minister released the draft Fishermans Bend Framework. Proposed permanent planning controls through draft Amendment GC81 were prepared to enable the realisation of the Vision and support implementation of the Framework.

On 19 December 2017 and 21 February 2018, the Minister called in twenty six applications for land use and development in Fishermans Bend from VCAT (pursuant to clause 58(2)(a) of Schedule 1 to the Victorian Civil and Administrative Tribunal Act 1998) and from himself (as the responsible authority under section 97B of the Planning and Environment Act 1987) (the Applications).

Consideration of the Applications was deferred until the permanent planning controls for Fishermans Bend were approved as it was considered that the cumulative impact of the applications raised major issues of policy.

On 5 October 2018, Planning Scheme Amendment GC81 was gazetted into the MPS. The amendment introduced permanent controls, including the Infrastructure Contributions Overlay (ICO), which prohibits the grant of a permit until an Infrastructure Contributions Plan (ICP) has been approved and incorporated into the MPS. Therefore, to allow for development to be approved in the interim, the Minister has invited the submission of a Planning Scheme Amendment to allow for site-specific controls that will facilitate the redevelopment of the site.

An advisory committee, known as The Fishermans Bend Standing Advisory Committee (FBSAC) was appointed pursuant to section 151 of the *Planning and Environment Act 1987* to advise the Minister and Melbourne City Council (MCC) on outstanding issues relating to site-specific planning controls. The FBSAC is designed to facilitate proposals to redevelop land within Fishermans Bend prior to the introduction of an Infrastructure Contributions Plan. Site specific planning controls relate to:

- land subject to permit applications called in by the Minister before the approval of Amendment GC81; and
- land subject to a proposal for use and development in Fishermans Bend that responds to local policy set out in the relevant planning scheme, meets the requirements of the controls introduced by Amendment GC81 and makes appropriate development contributions.

**Land subject to permit applications called in by the Minister before the approval of Amendment GC81**

The FBSAC is to consider a site-specific planning control to facilitate a proposal for land use and development within Fishermans Bend, subject to the proposal:

- a) Responding to local policy,
- b) Meeting the requirements of the Design and Development Overlay, Parking Overlay and Capital City Zone other than:
  - i. the dwelling density requirement.
  - ii. the requirement to be generally in accordance with the Fishermans Bend Framework (September, 2018).
  - iii. the permit condition requirement to enter a section 173 agreement to provide a new road or laneway.
- c) Making appropriate development contributions.

In relation to the requirements to be generally in accordance with the Fishermans Bend Framework (September 2018), new roads and laneways should be provided by proponents.

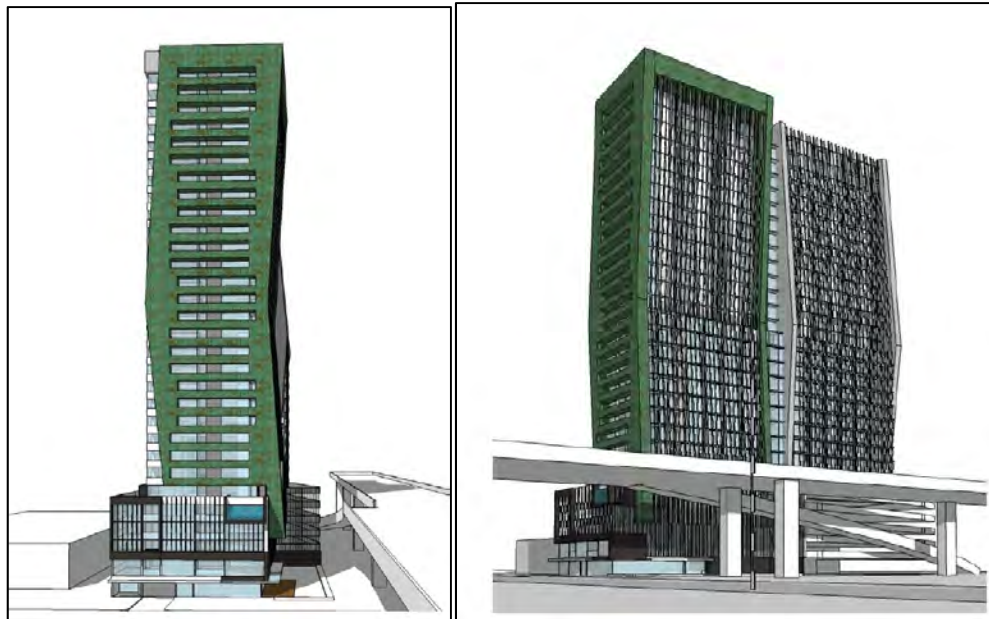
Proponents who lodged a permit application prior to the approval of GC81, may prepare a site specific planning control to facilitate a proposal which responds to the permanent planning controls as set out in above.

**2.2 History for 150 -160 Turner Street and 162-188 Turner Street**

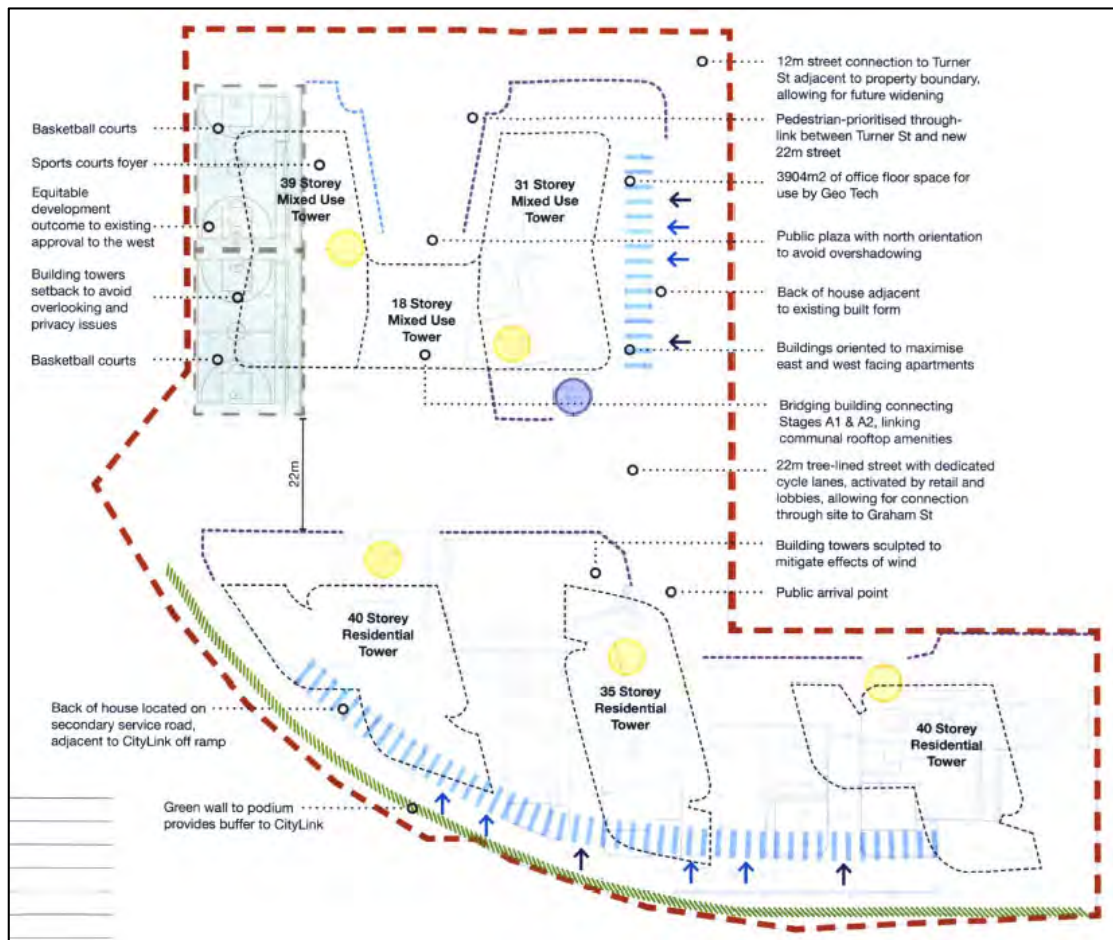
Following the introduction of Amendment GC81 consideration was given to amalgamate lot 150-160 and 162-188 Turner Street. These two lots now results in the Site.

Previous planning applications have been considered for both sites. At 150-160 Turner Street, Port Melbourne there is an existing approval for a 30 storey mixed use tower and at 162-188 Turner Street, Port Melbourne a staged masterplan for five towers was supported at a previous Future Melbourne Committee on 23 February 2018. While supported at FMC the Minister of Planning did not subsequently issue a decision due to implications associated with Planning Scheme Amendment GC81.

The Application now under consideration draws cues from these previously considered proposals.



**Figure 3 – Approved 30 storey tower at 150-160 Turner Street, Port Melbourne - PA2013/006334 issued by the Minister of Planning on 6 September 2016 (TPM-2013-15)**



**Figure 4 – Staged Masterplan for 5 towers ranging from 30 to 40 storeys at 162-188 Turner Street, Port Melbourne – PA2015/35676 was supported at a Future Melbourne Committee on 20 February 2018 (TPM-2015-19).**

## 2.3 Planning applications

The following applications, listed as considered relevant to the current proposal, have previously been considered for the north adjoining sites (Table 1):

<b>Table 1: Planning Application History</b>			
<b>Reference</b>	<b>Address</b>	<b>Description of Application</b>	<b>Decision &amp; Date</b>
TPM-2013-15 (DELWP referral)	150-160 Turner Street, Port Melbourne	Construct a 30 storey mixed use building	Planning Permit PA2013/006334 issued by the Minister of Planning on 06/09/2016
TPM-2015-19	The Site	Staged development of the site consisting of a five towers through the endorsement of a masterplan	Response issued by CoM at FMC on 23/02/2018  Note: PA2015/35676 was not subsequently issued by the Minister of Planning
TPM-2014-19/A (DELWP referral)	85-93 Lorimer Street, Docklands	Amend Condition 8 and delete Conditions 40 and 41.	Response to PA2014001587-1 issued under delegation on 05/07/2019.  Amended Permit subsequently issued by Minister of Planning.
ID-2020-6	111 Lorimer Street, Docklands	Planning Scheme Amendment C364MELB.	Response Issued by CoM at FMC on 08/12/2020  Not yet gazetted
ID-2020-5	850-868 Lorimer Street, Port Melbourne	Planning Scheme Amendment C361MELB	Response Issue by CoM at FMC on 16/02/2021  Gazetted in May 2022
ID-2021-3	13-33 Hartley Street, Docklands	Planning Scheme Amendment C413MELB	Response Issued by CoM at FMC 21/02/2022  Not yet gazetted

## 3 PROPOSAL

On 16 March 2022, MCC received notice from DELWP of an application to amend the MPS to facilitate the redevelopment of the Site.

Though lodged in accordance with Section 20(4) of the *Planning and Environment Act 1987*, the application was referred to Council in accordance with Section 20(5). Whereas Section 20(4) does not allow for consultation, Section 20(5) allows this, albeit limited only. In this case, this includes MCC.

### 3.1 Planning Scheme Amendment

This application seeks approval to amend the MPS to introduce site specific controls governing the future use and development of the land.

The proposed primary control is the Specific Controls Overlay (SCO). The purpose of this overlay is to apply specific controls designed to achieve a particular land use and development outcome in extraordinary circumstances.

Clause 45.12-1 (Use or Development) of the SCO states:

*Land affected by this overlay may be used or developed in accordance with a specific control contained in the incorporated document corresponding to the notation on the planning scheme map (as specified in the schedule to the overlay). The specific control may:*

- *Allow the land to be used or developed in a manner that would otherwise be prohibited or restricted;*
- *Prohibit or restrict the use or development of the land beyond the controls that may otherwise apply; and*
- *Exclude any other control in this scheme.*

In this case, the schedule to the SCO would be amended to reference a new schedule number (yet to be determined). This, in turn, would introduce a new Incorporated Document (ID) entitled 'Specific controls for 150-188 Turner Street, Port Melbourne'.

The stated purpose of the ID is to facilitate the demolition of the existing buildings on the Site for the use and development of five multi-storey buildings comprising retail premises, offices, indoor recreation facility and dwellings.

Importantly, Clause 4 of the draft ID specifically states:

- 4.1 *Subject to Clause 4.2, no planning permit is required for, and no provision in the Planning Scheme operates to prohibit, control or restrict the use or development of the land in accordance with the provisions contained in Clause 4.*
- 4.2 *A permit is required to subdivide the land and any such application is:*
- a) *Exempt from the requirements in Clause 45.11 (Infrastructure Contributions Overlay) of the Planning Scheme.*
  - b) *Exempt from the requirements in Clause 53.01 (Public Open Space Contributions) of the Planning Scheme.*

In summary, the proposal seeks to amend the MPS by introducing:

- An Incorporated Document to the Schedule to Clause 51.01 (Specific Sites and Exclusions) to facilitate the proposed development.
- A new site Specific Control Overlay to the Schedule to Clause 45.12 (Specific Controls Overlay).
- An update to the Schedule to Clause 72.04 (Documents Incorporated in this Planning Scheme).

### 3.2 Application material

The documents assessed in this application are listed at Table 2:

<b>Table 2 – Application documents</b>		
<b>Document</b>	<b>Author / title</b>	<b>Date</b>
Title	Crown Allotment 17D, 20A(Part) and 20C, Melbourne South City of Port Melbourne Crown Allotment 20D, Melbourne South City of Port Melbourne	October 2021
Urban Context and Planning Report	Rothelowman	November 2021
Traffic and Transport Assessment	GTA Consulting	November 2021
Clause 58 Assessment	Hatch Roberts Day	October 2021
Landscape Plan	Tract	October 2021
Cultural heritage due diligence report	Andrew Long and Associates	October 2015
Masterplan Drawings	Rothelowman	June 2022
Stage A Plans	Rothelowman	May 2022
Waste Management Plan	Leigh Design Pty Ltd	November 2021
Acoustic Report	AECOM	October 2021
Amenity Impact Plan	GHD Pty Ltd	March 2022
Accessibility Report	Du Chateau Chun	November 2021
Sustainability Management Plan	Simson Katzman	October 2021
Environmental Site Assessment	URS	November 2007
Wind impact assessment	Windtech	October 2021

### **3.3 Proposed Development**

The proposed masterplan is to be completed in five stages. The plans for Stage 1 (Tower A) have also been submitted and considered as a part of this referral.

To facilitate the above outcome the development proposes the introduction of a SCO and ID. Further details are as follows:

#### Towers

- Five towers with four podiums ranging in height from 31-50 storeys to be delivered in stages:



- Tower A: 31 storeys.
- Tower B: 46 storeys.
- Tower C: 40 storeys.
- Tower D: 36 storeys.
- Tower E: 50 storeys.
- 1,526 dwellings, including 6% affordable housing.
- 15,803 m<sup>2</sup> for office use.
- 3,058.1 m<sup>2</sup> for retail use.
- 2,046.2 m<sup>2</sup> for a minor sports and recreation facility (2 x basketball courts).

#### Ground plane

- A 10 metre landscape setback from Lorimer Street.
- A plaza of 2,335 m<sup>2</sup> extending north-south between towers A and B.
- A 20 metre east-west road extending centrally through the site.
- A north-south road with a width of 15 metres along the northern section of the eastern boundary and 20 metres in the southern part of the Site between towers C and D.
- A service / access road extending around the southern boundary to the rear of towers C, D and E. Two residential towers (Stage 2) located on the western portion of the site.

Specific details of the proposal are as follows:

<b>TOWER A (Stage 1)</b>	
<b>Building Height</b>	31 storeys (116.6 metres excluding roof services)
<b>Street Wall Height</b>	6 storeys (23.9 metres)
<b>Uses / Floor Area</b>	Office = 9,755.1 m <sup>2</sup> NFA Retail = 695.0 m <sup>2</sup> NFA Dwellings <ul style="list-style-type: none"> <li>● 1 Bedroom = 47</li> <li>● 2 Bedroom = 109</li> <li>● 3 Bedroom = 25</li> <li>● Total = 181</li> </ul>
<b>TOWER B (Stage 2)</b>	
<b>Building Height (Both Towers)</b>	46 storeys (158.0 metres excluding roof services)
<b>Street Wall Height</b>	6 storeys (29.6 metres)
<b>Uses / Floor Area</b>	Office = N/A Retail = 920.2 m <sup>2</sup> NFA + 2,046 m <sup>2</sup> for the minor sports and recreation facility. Dwellings <ul style="list-style-type: none"> <li>● 1 Bedroom = 171</li> <li>● 2 Bedroom = 149</li> <li>● 3 Bedroom = 63</li> </ul>

	<ul style="list-style-type: none"> <li>Total = 383</li> </ul>
<b>TOWER C (Stage 3)</b>	
<b>Building Height (Both Towers)</b>	40 storeys (132.4 metres excluding roof services)
<b>Street Wall Height</b>	6 storeys (25.6 metres)
<b>Uses / Floor Area</b>	Office = 3,822.8 m <sup>2</sup> NFA Retail = 544.0 m <sup>2</sup> NFA Dwellings <ul style="list-style-type: none"> <li>1 Bedroom = 114</li> <li>2 Bedroom = 156</li> <li>3 Bedroom = 50</li> <li>Total = 320</li> </ul>
<b>TOWER D (Stage 4)</b>	
<b>Building Height (Both Towers)</b>	36 storeys (123.2 metres excluding roof services)
<b>Street Wall Height</b>	8 storeys (31.3 metres)
<b>Uses / Floor Area</b>	Residential = 336 dwellings Office / Commercial = 20,205 m <sup>2</sup> NFA Retail = 1,406 m <sup>2</sup> NFA
<b>TOWER E (Stage 5)</b>	
<b>Building Height (Both Towers)</b>	50 storeys (166.6 metres excluding roof services)
<b>Street Wall Height</b>	8 storeys (31.3 metres)
<b>Uses / Floor Area</b>	Office = 2,214.2 m <sup>2</sup> NFA Retail = 626.5 m <sup>2</sup> NFA Dwellings <ul style="list-style-type: none"> <li>1 Bedroom = 71</li> <li>2 Bedroom = 153</li> <li>3 Bedroom = 47</li> <li>Total = 271</li> </ul>

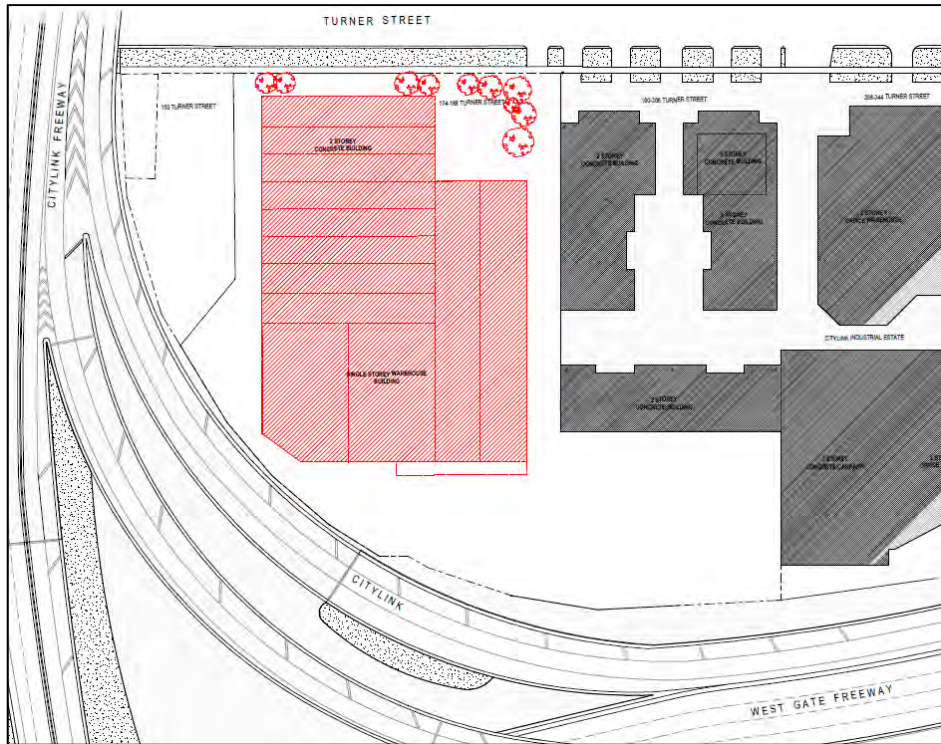


Figure 5 – Demolition plan

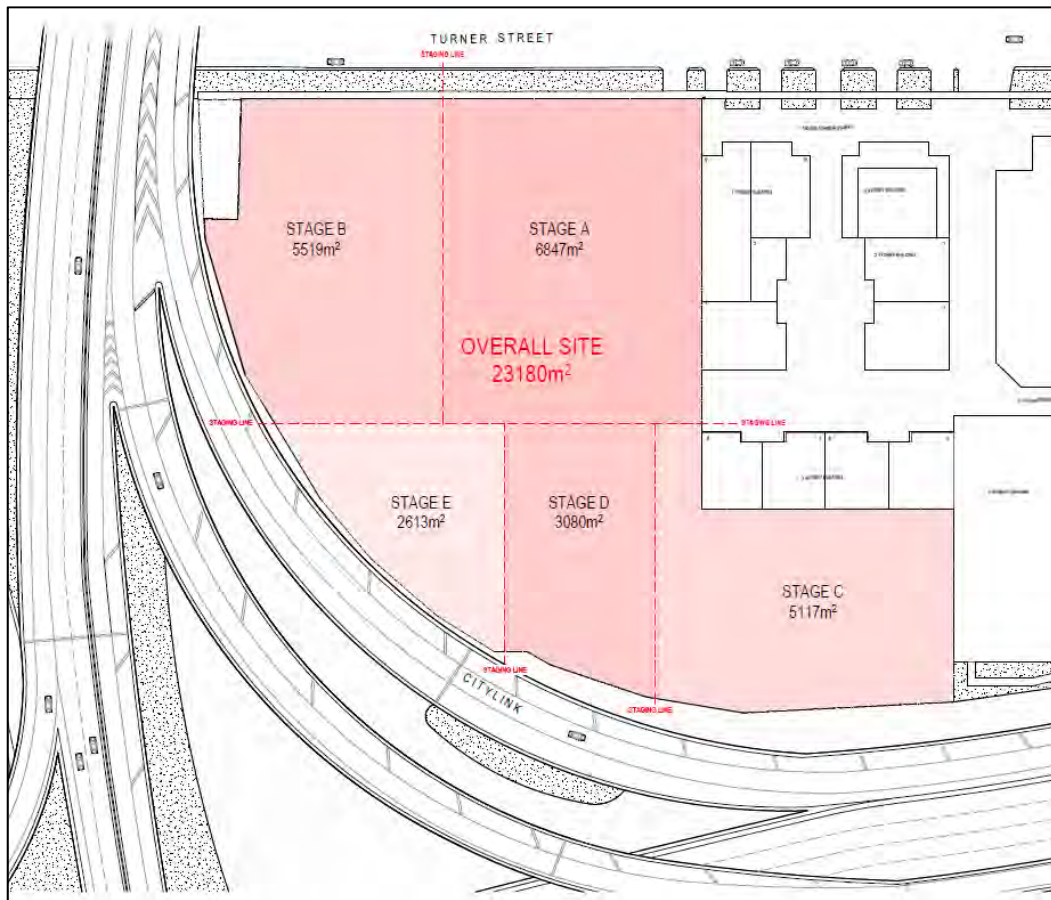


Figure 6 – Staging

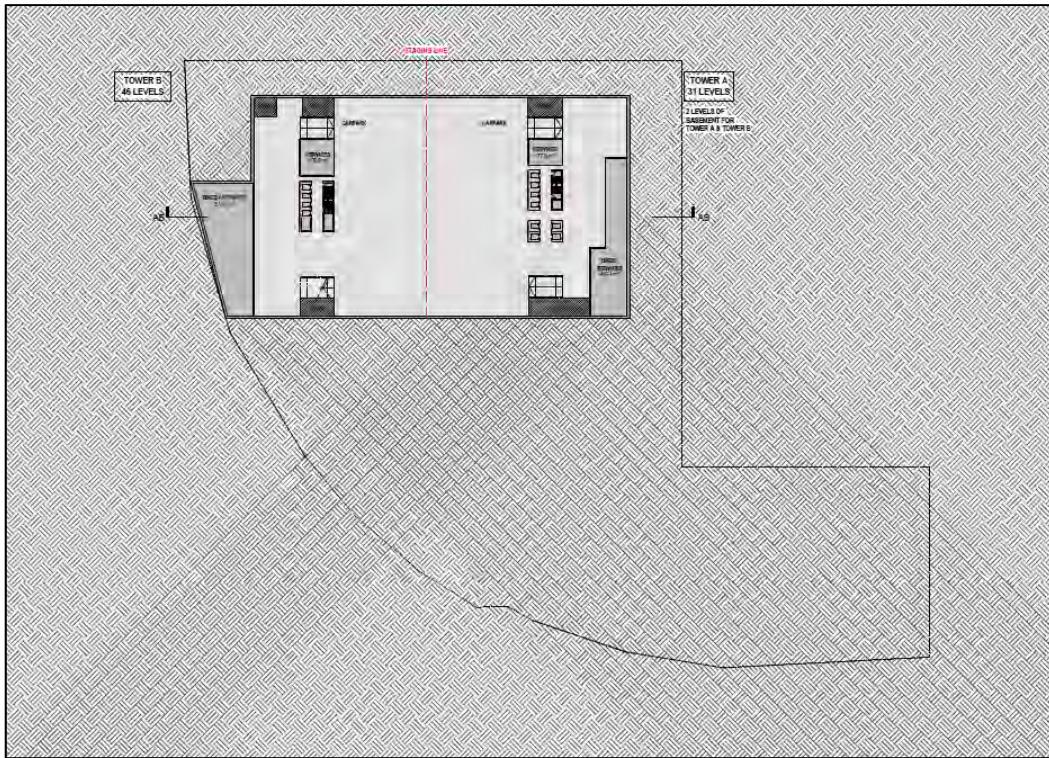


Figure 7 – Basement Level 2

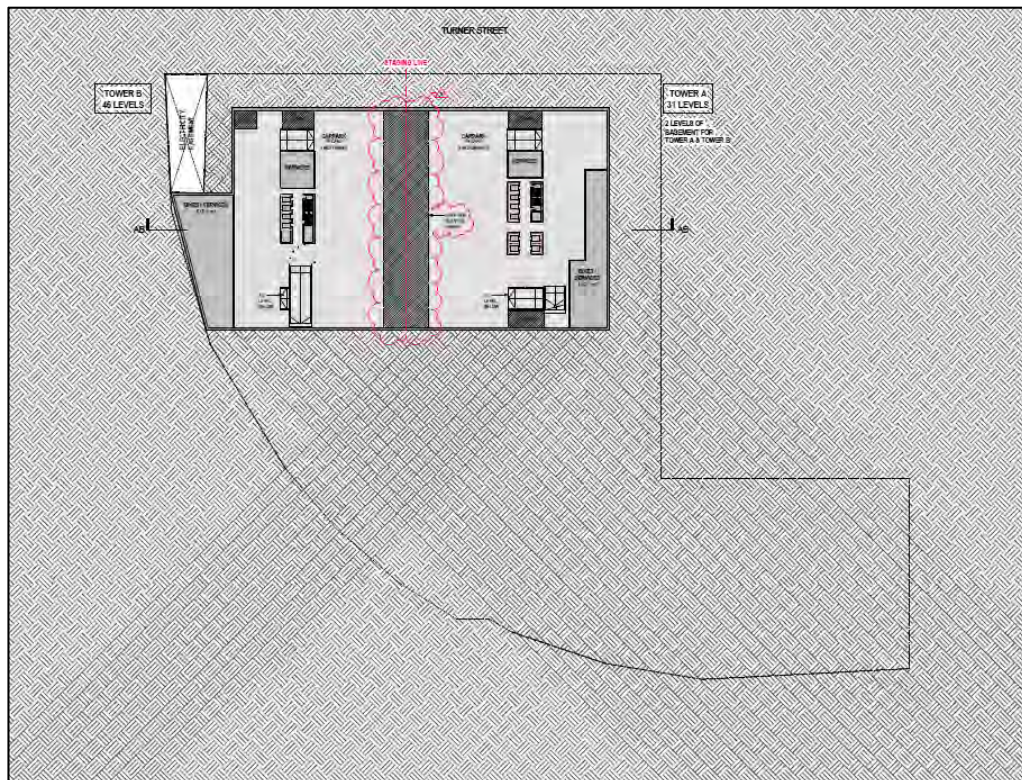


Figure 8 – Basement Level 1



Figure 9 – Ground

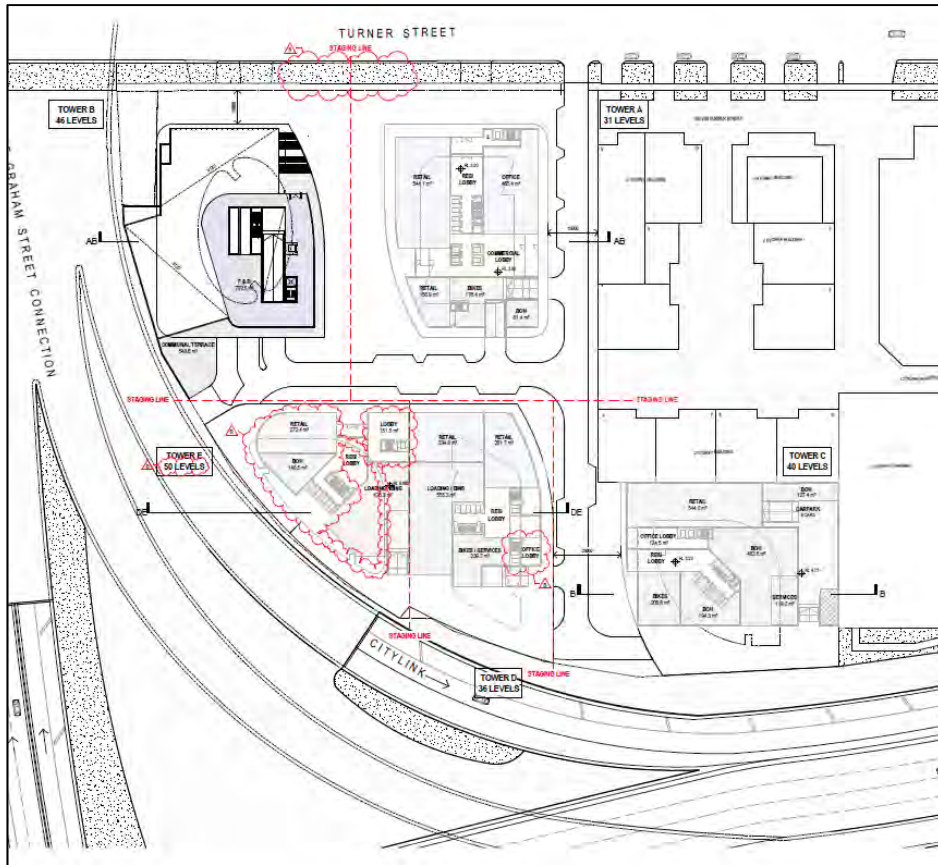


Figure 10 – Mezzanine level

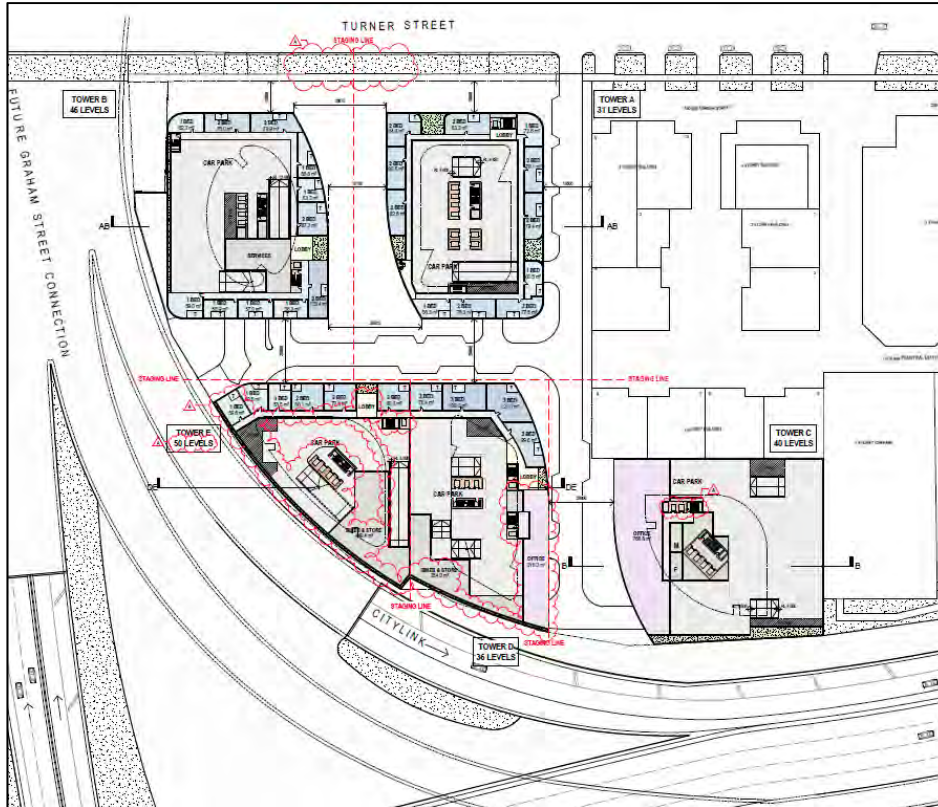


Figure 11 – Level 1

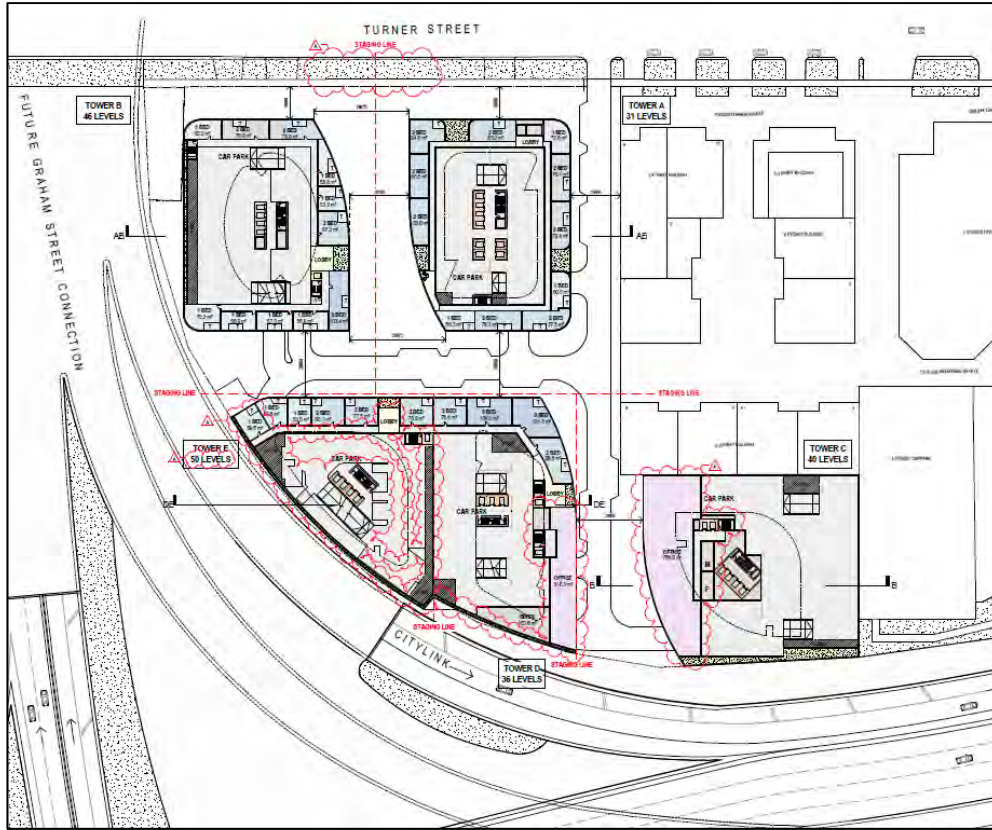


Figure 12 – Proposed level 4 and 5

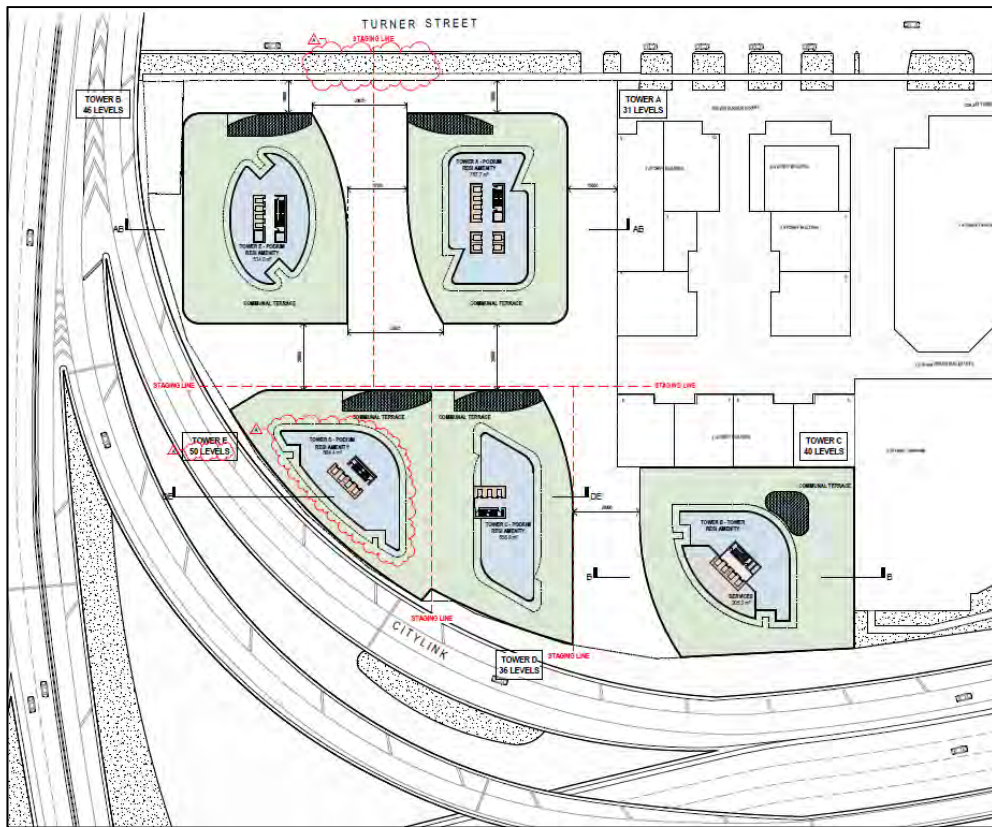


Figure 13 – Proposed podium level

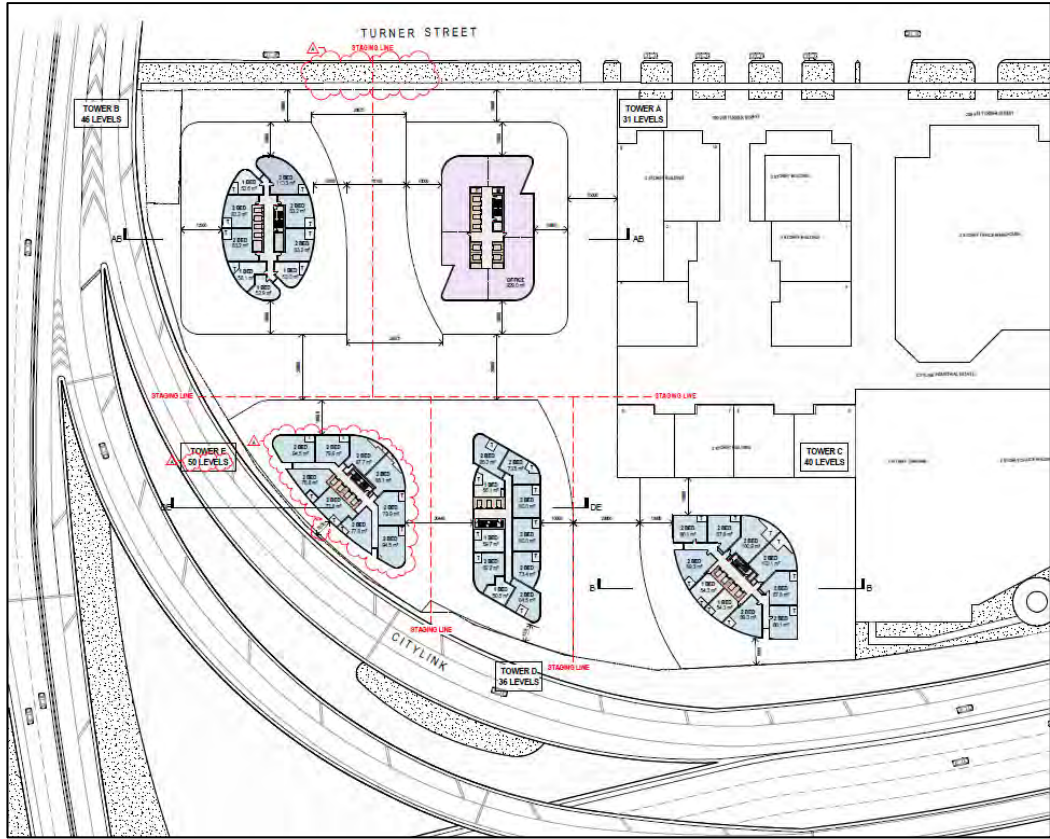


Figure 14 – Stage A Office and Stage B to E Dwellings

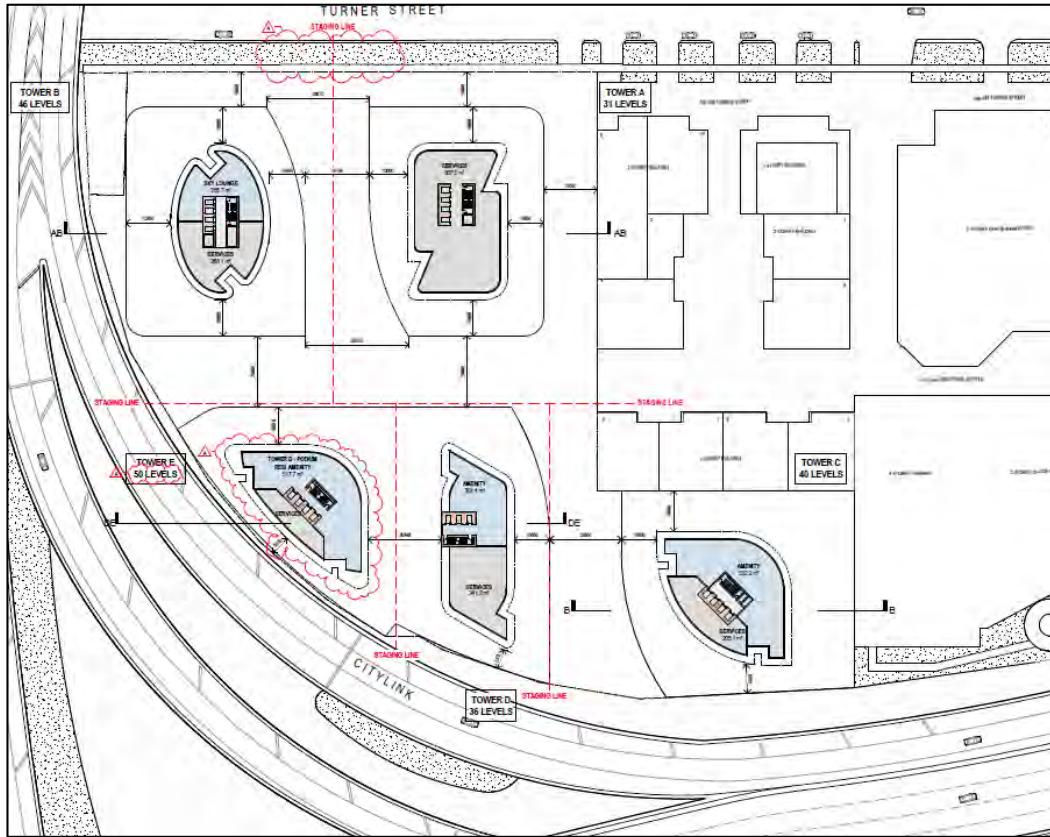


Figure 15 – Apartment amenity



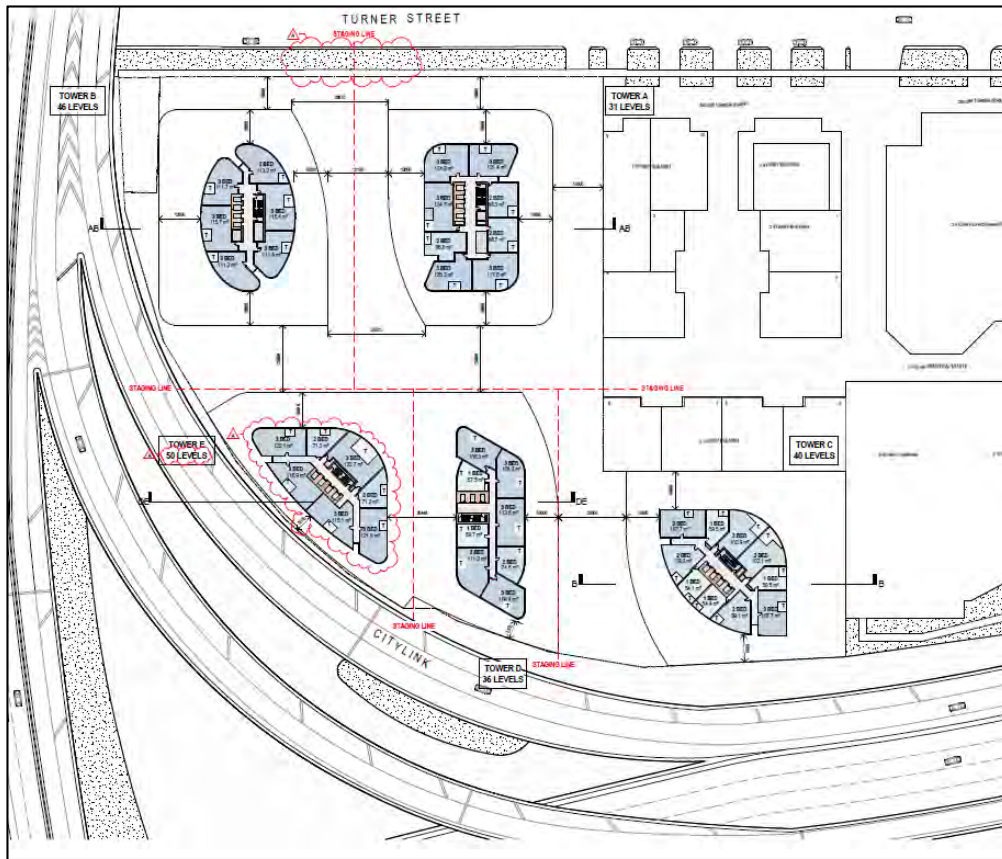


Figure 16 – Premium apartments

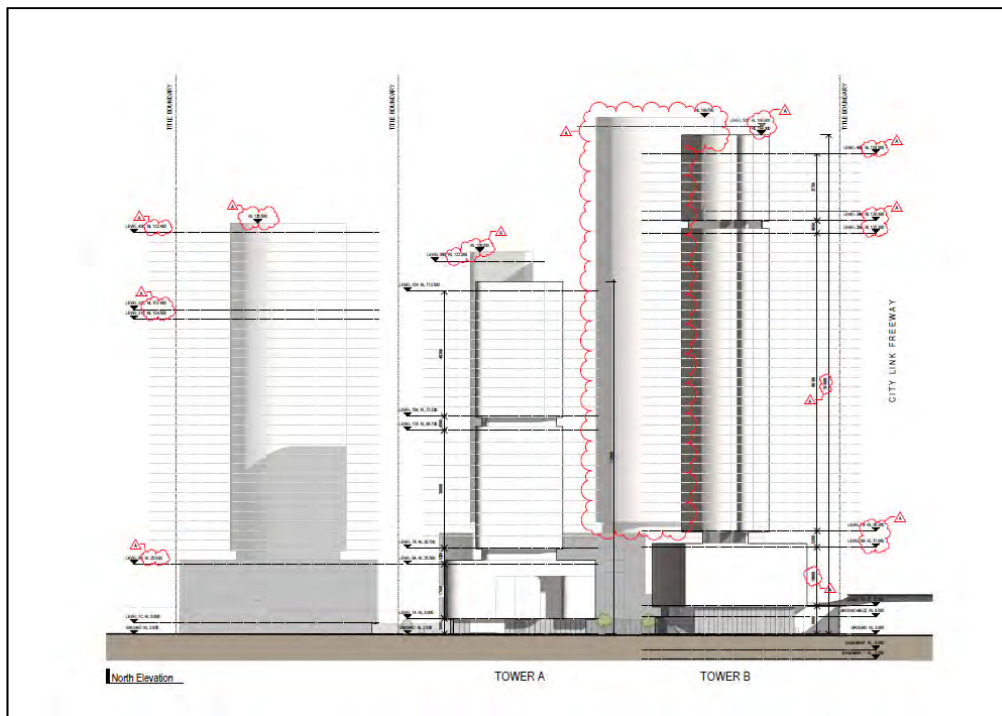


Figure 17 – Northern elevations

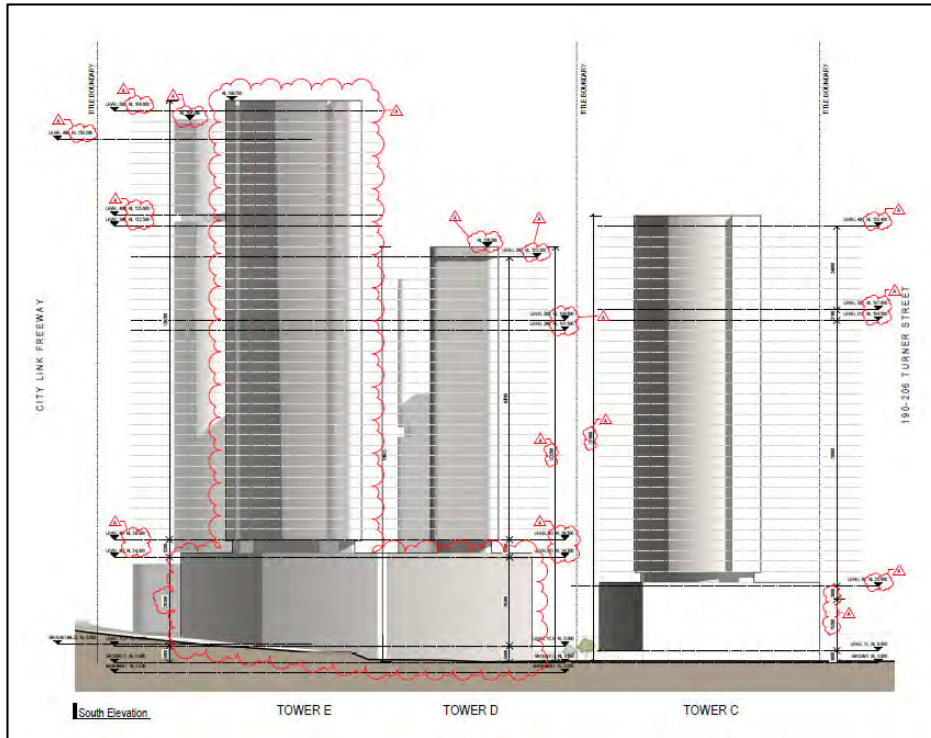


Figure 18 – Southern elevations

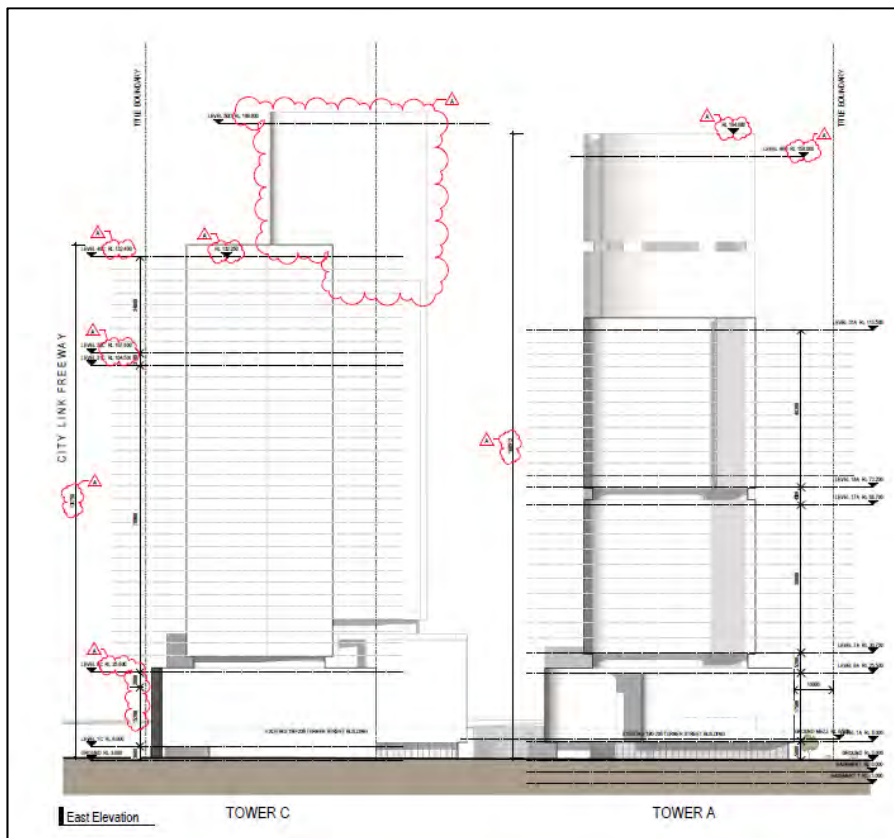


Figure 19 – Eastern elevations

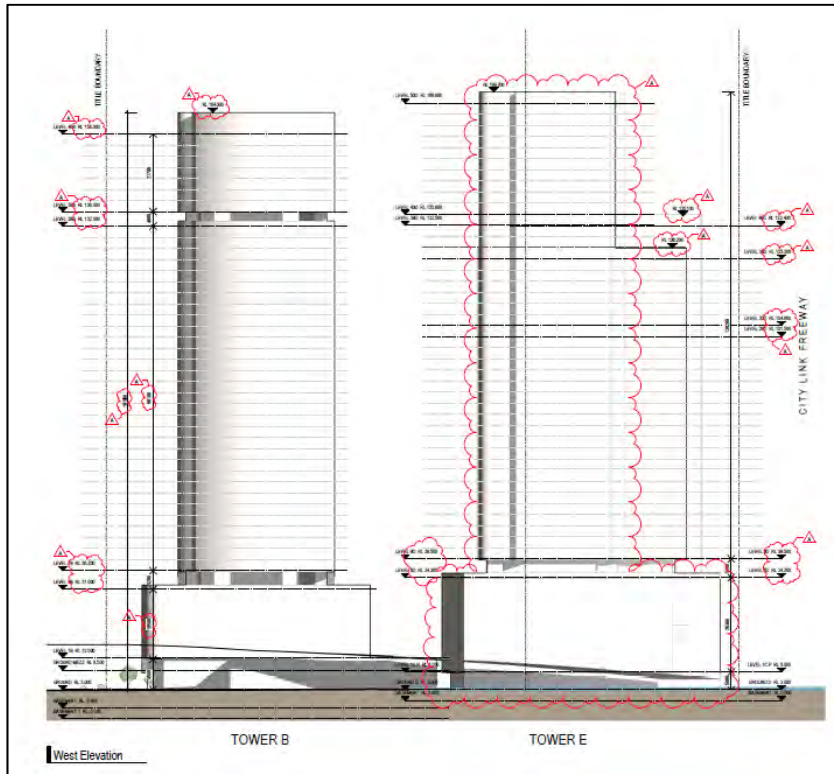


Figure 20 – Western elevations

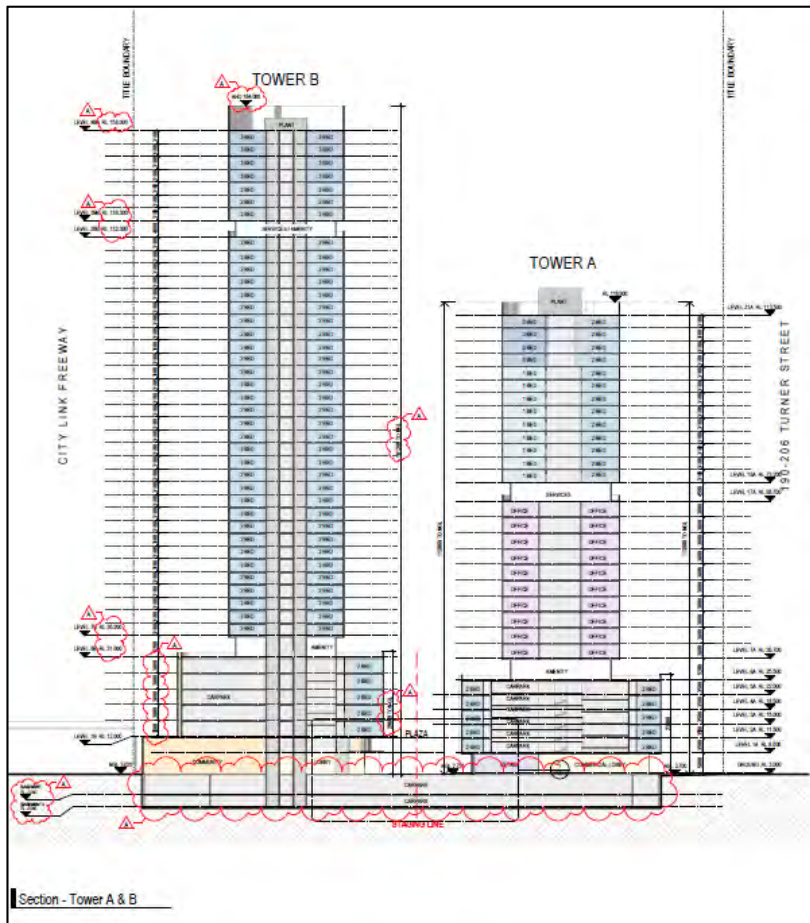


Figure 21 – Tower A & B Section

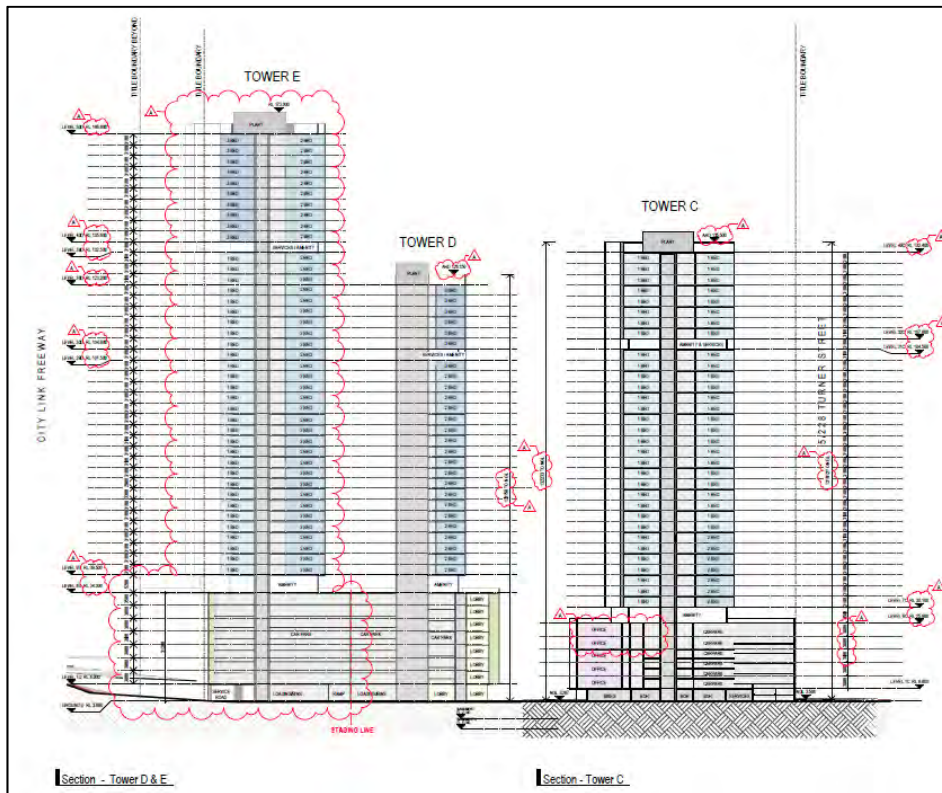


Figure 22 – Tower C, D & E Section



Figure 23 – Perspectives from Turner Street

## 4 PLANNING FRAMEWORK AND STATUTORY CONTROLS

Table 3 below contains the relevant framework and statutory controls that apply to the Site.

Table 3 - relevant framework and statutory controls	
Planning Policies	
<b>Planning Policy Framework</b>	Clause 11 – Settlement Clause 13 – Environmental Risks and Amenity Clause 15 – Built Environment and Heritage Clause 16 – Housing Clause 17 – Economic Development Clause 18 – Transport Clause 19 – Infrastructure
<b>Municipal Strategic Statement</b>	Clause 21.04 – Settlement Clause 21.06 – Built Environment and Heritage Clause 21.07 – Housing Clause 21.08 – Economic Development Clause 21.09 – Transport Clause 21.10 – Infrastructure Clause 21.13 – Urban Renewal Areas Clause 21.13-3 – Fishermans Bend Urban Renewal Area Clause 21.17 – Reference Documents
<b>Local Planning Policies</b>	Clause 22.02 – Sunlight to Public Spaces Clause 22.19 – Energy, Water and Waste Efficiency Clause 22.23 – Stormwater Management (Water Sensitive Urban Design) Clause 22.27 – Fishermans Bend Urban Renewal Area Policy
Statutory Controls	
Clause 37.04 Capital City Zone Schedule 4	<p><u>Use</u></p> <p>Pursuant to Schedule 4 to the Capital City Zone:</p> <ul style="list-style-type: none"> <li>▪ Office is a Section 1 Use (no permit required).</li> <li>▪ Minor sports and recreation facility is a Section 1 Use (no permit required)</li> <li>▪ Retail Premises is a Section 1 Use (no permit required) provided it does not exceed 1,000 m<sup>2</sup> of gross leasable floor area. The proposed Retail Premises across the overall development exceed 1,000 m<sup>2</sup>; therefore, <b>a permit is required.</b></li> <li>▪ Dwelling is a Section 1 Use (no permit required) on the basis that it is not within an Amenity buffer shown within Map 3 of CCZ4. The site is located within an Amenity buffer area and therefore a <b>permit is required.</b></li> </ul>

	<p><u>Development</u></p> <p>Pursuant to Schedule 4 to the Capital City Zone, a <b>permit is required</b> to construct a building or construct or carry out works and to demolish or remove a building or works.</p> <p><u>Parking</u></p> <p>Schedule 4 to the Capital City Zone sets out minimum bicycle, motorcycle and car share parking space requirements as follows:</p> <p>Dwellings:</p> <ul style="list-style-type: none"> <li>▪ 1 resident bicycle space per dwelling.</li> <li>▪ 1 visitor bicycle space per 10 dwellings.</li> <li>▪ 1 resident motorcycle space per 50 dwellings.</li> <li>▪ 2 car share scheme spaces plus 1 per 25 car spaces.</li> </ul> <p>Non-Residential:</p> <ul style="list-style-type: none"> <li>▪ 1 staff / employee bicycle space per 50 m<sup>2</sup> of net non-residential floor area.</li> <li>▪ 1 visitor bicycle space per 1,000 m<sup>2</sup> of net non-residential floor area.</li> <li>▪ 1 staff / employee motorcycle space per 100 car parking spaces.</li> <li>▪ Minimum 2 car share scheme spaces for developments with 120 or less car spaces.</li> <li>▪ 1 car share scheme space per 60 car parking spaces for developments with more than 120 car spaces.</li> </ul>
<p>Clause 43.02 Design and Development Overlay Schedule 67</p>	<p>Pursuant to Clause 43.02-2, a <b>permit is required</b> to construct a building or construct or carry out works.</p> <p>Clause 2.4 of Schedule 67 to the Design and Development Overlay specifies preferred building typologies by precinct.</p> <p>In accordance with Map 1, the site is located in Area L4 where 'Hybrid (predominantly high-rise)' forms are preferred.</p> <p>In accordance with Map 2, the Site is in an area with no specified building height.</p> <p>In accordance with Map 3:</p> <ul style="list-style-type: none"> <li>▪ Type A (applies to the new frontages to Turner Street) (preferred street wall of minimum 4 storeys and maximum 6 storeys).</li> <li>▪ Type B (applies to the south of the proposed east-west new road) (preferred street wall of minimum 4 storey and maximum 8 storeys).</li> <li>▪ Type C (applies to north of the proposed east-west new road, to the frontage to the central 'plaza' and to the north-south new road) (preferred street wall of minimum 4 storeys and maximum of 6 storeys).</li> </ul> <p>Schedule 67 sets out performance measures relating to, amongst other things:</p> <ul style="list-style-type: none"> <li>▪ Overshadowing (Clause 2.6). This clause states that buildings must not cast any additional shadow above the shadows cast by hypothetical buildings built to the maximum street wall height and existing buildings over new and existing open space. The proposal does not have any overshadowing implications of the open space shown in Map 5.</li> </ul>

	<ul style="list-style-type: none"> <li>▪ Wind Effects on the Public Realm (Clause 2.11). This clause states that buildings and works higher than 40 m must not cause unsafe wind conditions in publicly accessible areas within the assessment distance from all façades; and should achieve comfortable wind conditions in publicly accessible areas within the assessment distance from all façades.</li> <li>▪ Adaptable Buildings (Clause 2.13). This clause states that buildings should provide for the future conversion of those parts of the building accommodating non-employment uses to employment uses; and car parking can be adapted to other uses over time.</li> </ul>
Clause 45.03 Environmental Audit Overlay	This clause states that prior to the commencement of a sensitive use (in this case this includes the residential component of the building) either a certificate of environmental audit or a statement that the site is suitable for its intended uses must be issued.
Clause 45.09 Parking Overlay Schedule 13	<p>Pursuant to Schedule 13 to the Parking Overlay, maximum car parking rates are as follows:</p> <ul style="list-style-type: none"> <li>▪ Dwelling – 0.5 spaces to each one and two bedroom dwelling and 1 space to each 3 or more bedroom dwelling.</li> <li>▪ Office – 1 space to each 100 m<sup>2</sup> of gross floor area.</li> <li>▪ Retail Premises – 1 space to each 100 m<sup>2</sup> of gross floor area.</li> </ul> <p>Pursuant to Clause 2.0 of Schedule 13 to the Parking Overlay, a permit is required to provide more than the maximum parking provision specified for a use in Table 1 to this schedule.</p> <p>There are 1,526 dwellings (including 235 three bedroom dwellings), allowing a maximum of 880 car parking spaces for dwellings.</p> <p>The proposal also contains 15,803 m<sup>2</sup> of office floor area and 3058.1 m<sup>2</sup> of retail floor area which allows a maximum of:</p> <ul style="list-style-type: none"> <li>▪ 158.0 car parking spaces for offices.</li> <li>▪ 30.5 car parking spaces for retail premises.</li> </ul> <p>The proposal has a maximum limitation of 1,068 car parking spaces.</p> <p>The proposal contains 1,560 car parking spaces. The proposal seeks to exceed the maximum car parking rate; therefore, a <b>permit is required.</b></p>
Clause 45.11 Infrastructure Contributions Overlay Schedule 1	<p>This clause states that a permit must not be granted to construct a building or construct or carry out works until an infrastructure contributions plan has been incorporated into the planning scheme. The requirements of the relevant infrastructure contributions plan incorporated into this scheme apply to the development of land covered by this overlay.</p> <p>To date, no infrastructure contributions plan has been incorporated into the planning scheme.</p> <p>This provision is discussed further at Section 7.8 of this report.</p>
<b>Particular Provisions</b>	
Clause 52.06 Car Parking	In this instance the Parking Overlay Schedule 13 provides maximum car parking rates for the proposed uses.

<p>Clause 52.34 Bicycle Facilities</p>	<p>Pursuant to Clause 52.34-1, a new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage have been provided on the land.</p> <ul style="list-style-type: none"> <li>• Pursuant to Clause 52.34-2, a permit may be granted to vary, reduce or waive any requirement of Clause 52.34-5 and Clause 52.34-6.</li> </ul> <p>Pursuant to Clause 52.34-5, Tables 1, 2 and 3 to this clause set out the number and type of bicycle facilities required. Bicycle facilities are required if the use is listed in column 1 of the table. The number of bicycle facilities required for a use is the sum of columns 2 and 3 of the tables.</p> <p>If in calculating the number of bicycle facilities the result is not a whole number, the required number of bicycle facilities is the nearest whole number. If the fraction is one-half, the requirement is the next whole number.</p> <ul style="list-style-type: none"> <li>• Table 1 to Clause 52.34-5 sets out the following requirements:</li> <li>• <u>Dwellings:</u> <ul style="list-style-type: none"> <li>▪ In developments of four or more storeys, 1 bicycle parking space is required to each 5 dwellings for residents.</li> <li>▪ In developments of four or more storeys, 1 bicycle parking space is required to each 10 dwellings for visitors.</li> </ul> </li> <li>• <u>Office:</u> <ul style="list-style-type: none"> <li>▪ 1 bicycle parking space is required to each 300 m<sup>2</sup> of net floor area if the net floor area exceeds 1000 m<sup>2</sup> for employees.</li> <li>▪ 1 bicycle parking space is required to each 1000 m<sup>2</sup> of net floor area if the net floor area exceeds 1000 m<sup>2</sup> for shoppers.</li> </ul> </li> <li>• <u>Retail Premises:</u> <ul style="list-style-type: none"> <li>▪ 1 bicycle parking space is required to each 300 m<sup>2</sup> of leasable floor area for employees.</li> <li>▪ 1 bicycle parking space is required to each 500 m<sup>2</sup> of leasable floor area for shoppers.</li> </ul> </li> </ul> <p>Details have not been provided to demonstrate on the masterplan whether the proposal achieves compliance with Clause 52.34. It is considered this matter can be resolved via a condition recommending the development achieve full compliance as it is anticipated over 2,068 spaces are to be provided for across the Site.</p>
<p>Clause 53.01 Public Open Space Contribution and Subdivision</p>	<ul style="list-style-type: none"> <li>• This application does not seek to subdivide the land however, Clause 53.01 is relevant as the Incorporated Document seeks to waive the public open space contribution requirement.</li> <li>• The proposal is located in the Fishermans Ben Urban Renewal Area (Area C) at Map 3 in the schedule to Clause 53.01 which nominates an 8 per cent contribution rate.</li> <li>• This provision is discussed further at Section 7.8 of this report.</li> </ul>
<p>Clause 53.18 Stormwater Management in Urban Development</p>	<ul style="list-style-type: none"> <li>• Pursuant to Clause 53.18, an application to construct a building or construct or carry out works: <ul style="list-style-type: none"> <li>▪ Must meet all of the objectives of Clauses 53.18-5 and 53.18-6.</li> <li>▪ Should meet all of the standards of Clauses 53.18-5 and 53.18-6.</li> </ul> </li> </ul>



<p>Clause 58 Apartment Developments</p>	<p>Clause 58 applies to an application to construct an apartment development, if:</p> <ul style="list-style-type: none"> <li>▪ The apartment development is in the Capital City Zone.</li> </ul> <p>A development:</p> <ul style="list-style-type: none"> <li>▪ Must meet all of the objectives of this clause.</li> <li>▪ Should meet all of the standards of this clause.</li> </ul>
<b>General Provisions</b>	
<p>Clause 65 Decision Guidelines</p>	<p>The Minister for Planning is the Responsible Authority and must determine if the proposed development will generate acceptable outcomes with reference to the provisions of this clause. This includes, amongst other things, the matters set out in Section 60 of the <i>Planning and Environment Act 1987</i>.</p>
<p>Clause 66.02 Use and Development Referrals</p>	<p>The Minister for Planning must consult all relevant authorities.</p> <p>Pursuant to Clause 62.02-11, an application to construct a building comprising 60 or more dwellings and 10,000 m<sup>2</sup> or more of office leasable floor area must be referred to Head, Transport for Victoria (Department of Transport) as a determining referral authority.</p>
<p>Clause 66.04 Referral of Permit Applications under Local Provisions</p>	<p>The Minister for Planning must consult all relevant authorities.</p> <p>Pursuant to the Schedule to Clause 66.04, any permit application to construct a building or to construct or carry out works under Schedule 4 to the Capital City Zone must be referred to Melbourne Water as a recommending referral authority; and any permit application for development with a gross floor area exceeding 25,000 m<sup>2</sup> within the Capital City Zone must be referred to Melbourne City Council as a recommending referral authority.</p>
<p>Clause 66.06 Notice of Permit Applications Under Local Provisions</p>	<p>Ordinarily the Minister for Planning must notify all relevant authorities.</p> <p>Pursuant to the Schedule to Clause 66.06, where a permit is required for the construction of a building or the construction and carrying out of works under Schedule 4 to the Capital City Zone, the Secretary to the Department of Environment, Land, Water and Planning must be notified; and where a permit is required within 50 metres of the proposed Metro alignment, possible tram routes, proposed bus routes and possible elevated freight routes under Schedule 4 to the Capital City Zone, Transport for Victoria must be notified.</p> <p>However, on the basis this application is being considered in accordance with Section 20(5) of the <i>Act</i>, it is not known if the Minister notified these bodies.</p>
<p>Clause 72.01 Responsible Authority for this Planning Scheme</p>	<p>The Minister for Planning is the Responsible Authority in this case.</p> <p>Should the Incorporated Document be approved, Melbourne City Council would be responsible for the future assessment of related plans.</p>

## 5 PUBLIC NOTIFICATION

The Minister for Planning referred the application to Council for comment in accordance with Section 20(5) of the Planning and Environment Act 1987.