

**Ministerial Planning Referral: TPM-2014-37
2-12 Batmans Hill Drive (Tower 5 of the Collins Square Development Plan)**

11 November 2014

Presenter: Karen Snyders, Planning Coordinator

Purpose and background

1. The purpose of this report is to advise the Future Melbourne Committee of an application for planning permit for Tower 5 (Site 4E) at 2-12 Batmans Hill Drive (reference 2014/003437 and 2011/003084), Melbourne and associated amendments to the Collins Square Development Plan Volume 4 (refer Attachment 2 – Locality Plan). The Minister for Planning is the responsible authority for considering and determining the application and the proposed amendment to the Development Plan as the gross floor area of the development exceeds 25,000 sqm.
2. The applicant is Walker Corporation and Urbis, the architect is Woods Bagot and the owner is Places Victoria.
3. The application seeks approval for the construction of a 27 storey office building including six levels of car parking. It is also proposed to amend the Collins Square Development Plan which envisaged a 20 storey tower at this location. It is also proposed to increase the total number of car parking spaces allowed for the precinct under the approved Development Plan from 648 spaces to 800 spaces.
4. Tower 5 is the final building to be approved as part of the Collins Square Development Plan.
5. Under the relevant Melbourne Planning Scheme provisions, the application is not exempt from notification. The Department of Transport, Planning and Local Infrastructure (DTPLI) has not required that notification of the application be given.

Key issues

6. The key considerations associated with the proposal are the design and built form, including the design of the pedestrian thoroughfare at the northern edge of the site, as well as parking, traffic and waste issues.
7. The size, bulk and massing of the proposed development is considered acceptable in context. The fissure detail reduces the visual mass and bulk, creating interest and a point of difference. This building element contributes to a pedestrian scale by angling the fissure towards the lobby and pedestrian thoroughfare. The design of the building does not cause unreasonable overshadowing, importantly not affecting the new open space Seafarers Rest.
8. A number of traffic issues relating to the workability and management of the car park, potential queuing issues and potential traffic impacts were raised. The applicant has responded to these issues in such a way that outstanding matters can be adequately addressed by conditions to be included on any permit to issue.
9. The amendments to the approved development plan are also supported. The additional seven levels to the subject site, which was envisaged at 20 levels, are considered to be an acceptable outcome for the precinct. A moderately larger building at the subject site is supported at such a prominent location.
10. The increase in the number of car spaces envisaged for the entire precinct is supported. The total number of spaces for the subject building is below the maximum number spaces allowed under the Parking Overlay, even though the resultant total number of spaces for the precinct is greater than the current maximum envisaged under the Development Plan. Conditions are recommended to deal with issues with the detailed layout of the car park, loading and vehicle access.

Recommendation from management

11. That the Future Melbourne Committee resolves to issue a letter of support for the application subject to the conditions set out in the delegate report (refer Attachment 4 – Delegate's Report).

Attachments:

1. Supporting Attachment
2. Locality Plan
3. Plans
4. Delegates Report

Supporting Attachment

Legal

1. The Melbourne City Council is the responsible authority for determining the application. The application is exempt from advertising.

Finance

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

Conflict of interest

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

Stakeholder consultation

4. The application is not exempt from advertising, however, Department of Transport, Planning and Local Infrastructure have indicated that no formal notification was undertaken.

Relation to Council policy

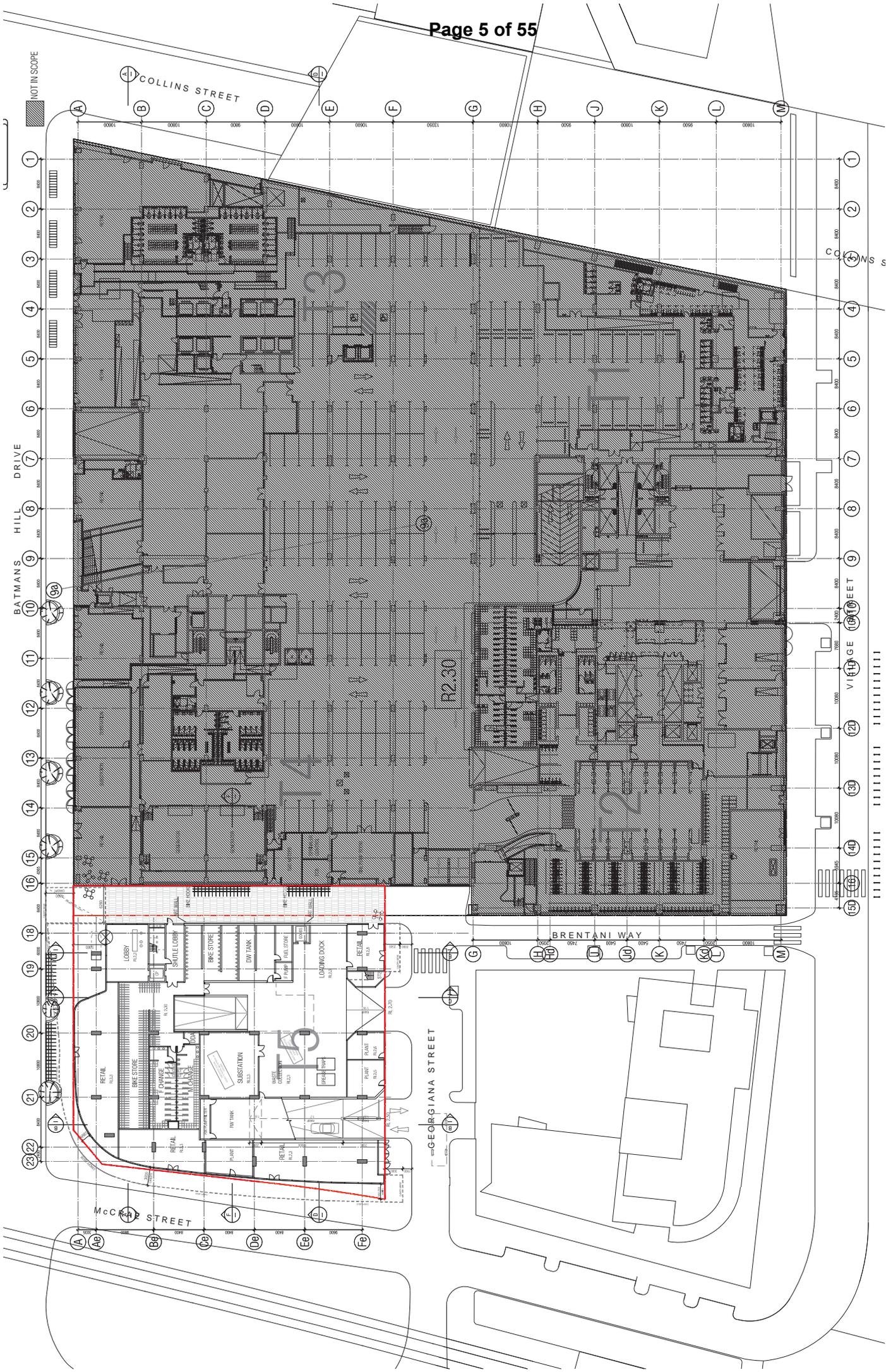
5. Relevant Council policies are discussed in attached delegate report (refer Attachment 4).

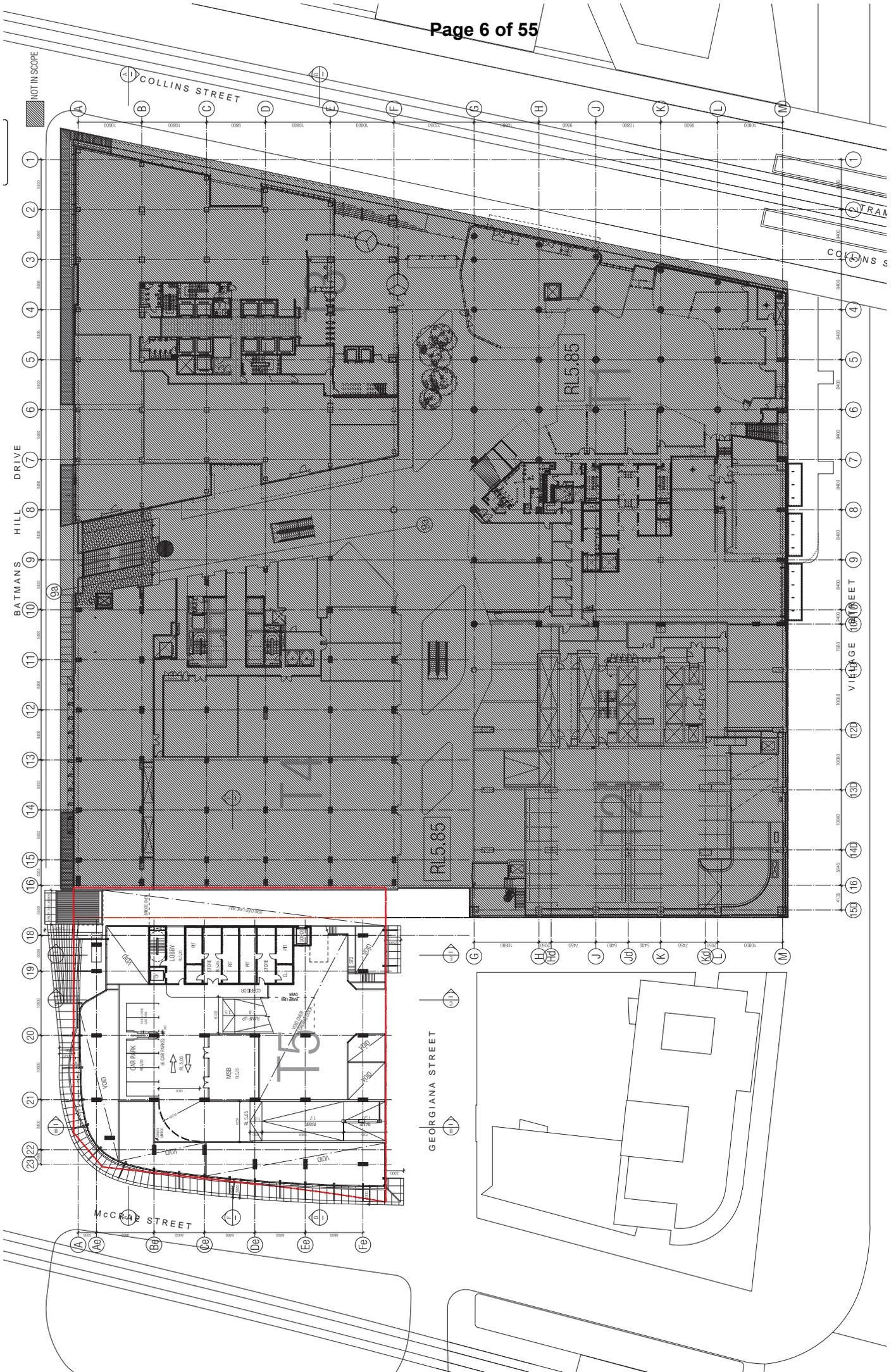
Environmental sustainability

6. An Environmentally Sustainable Development report was provided with the application indicating that the proposal will achieve sustainable objectives.

2-12 Batmans Hill Drive, Docklands



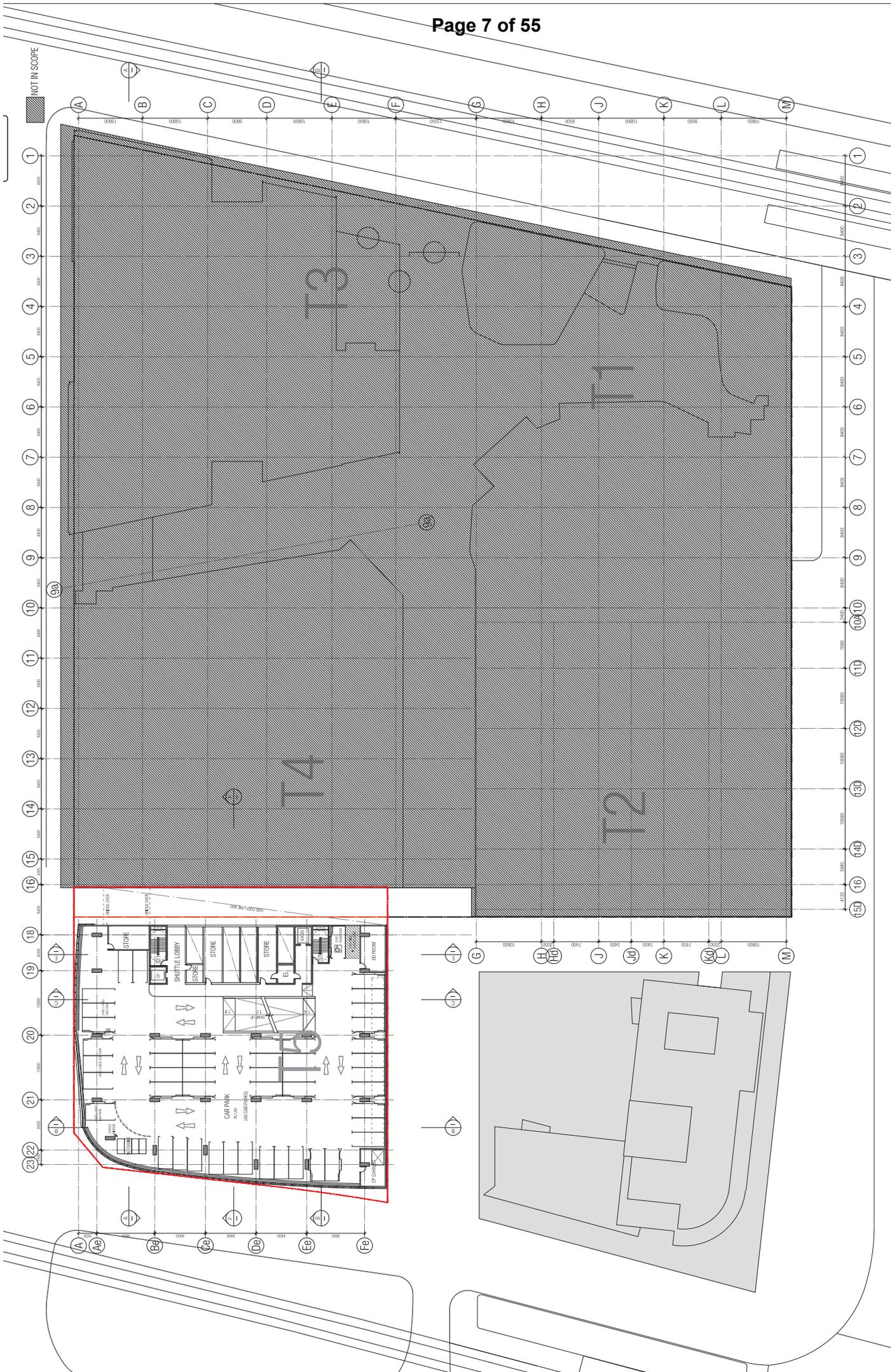




Combined Plan - Level 01

COLLINS SQUARE PROJECT

WALKER CORPORATION

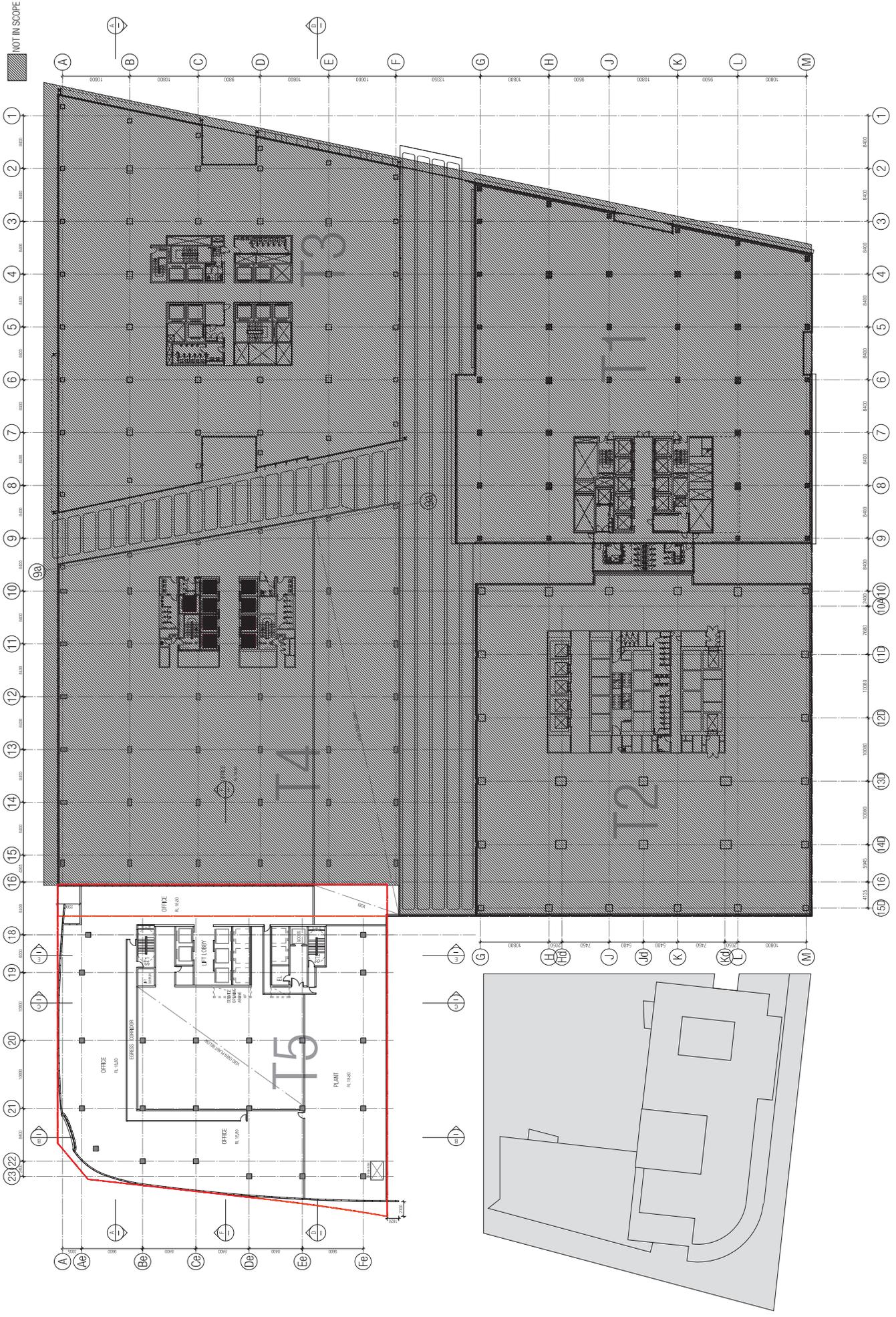


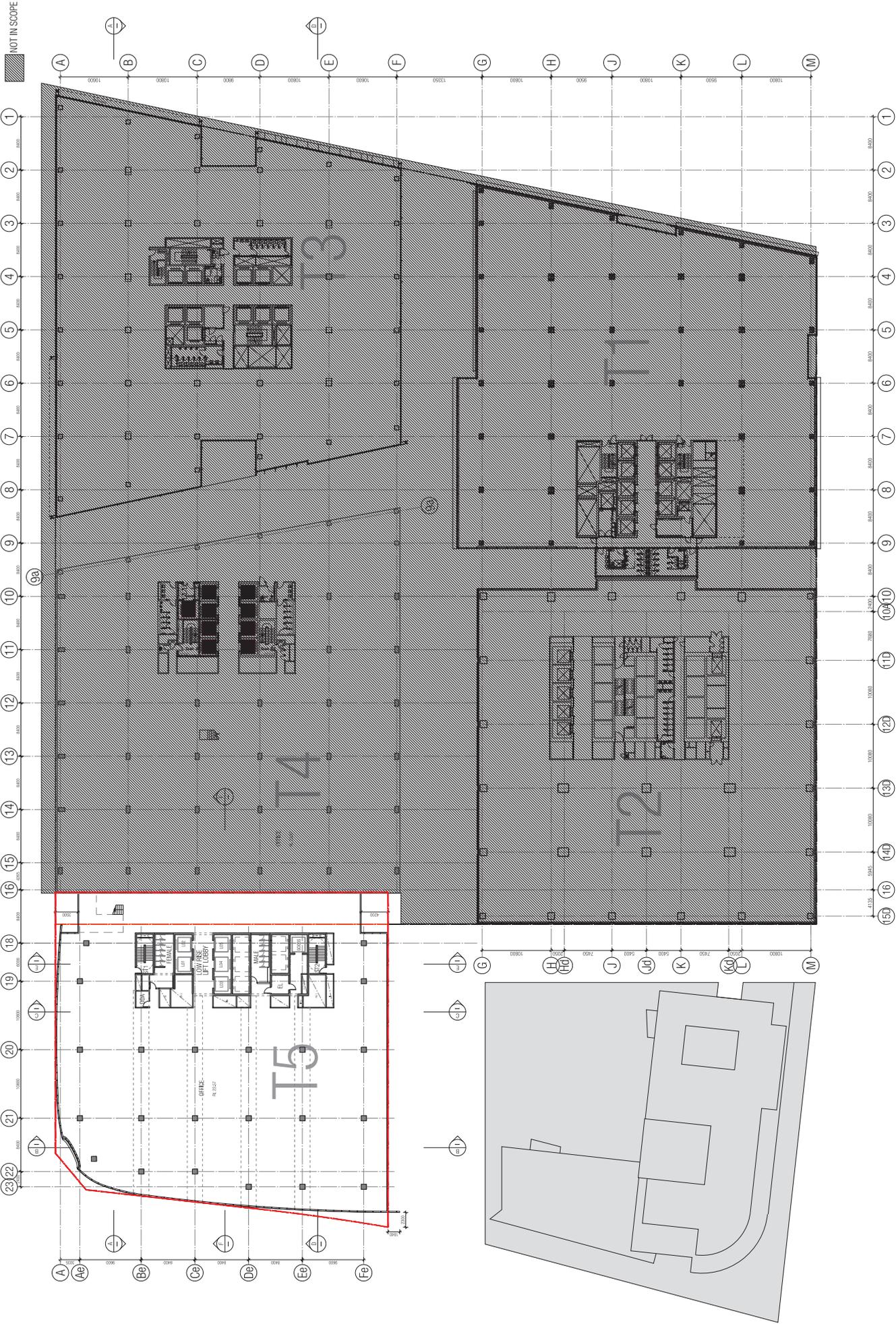


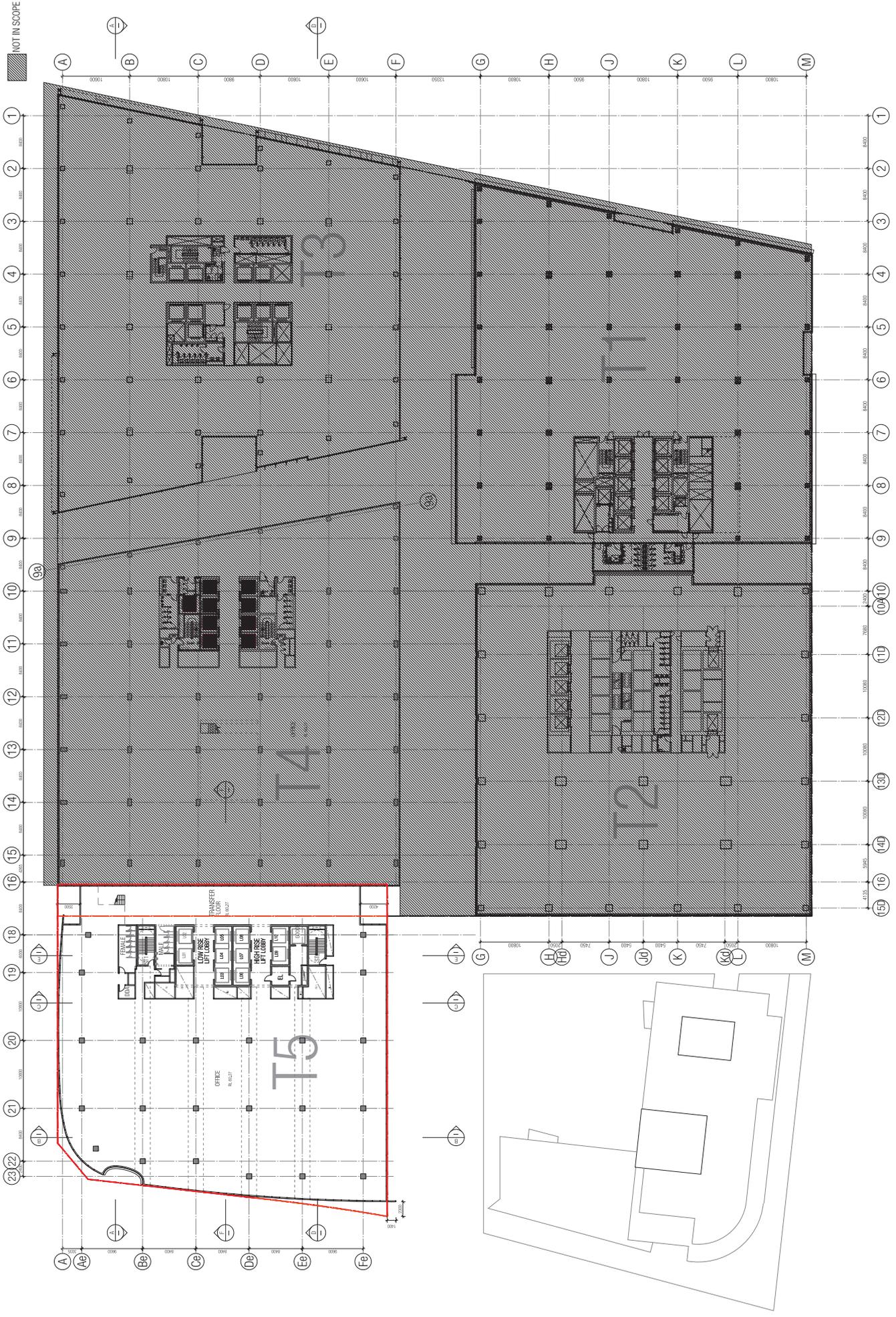


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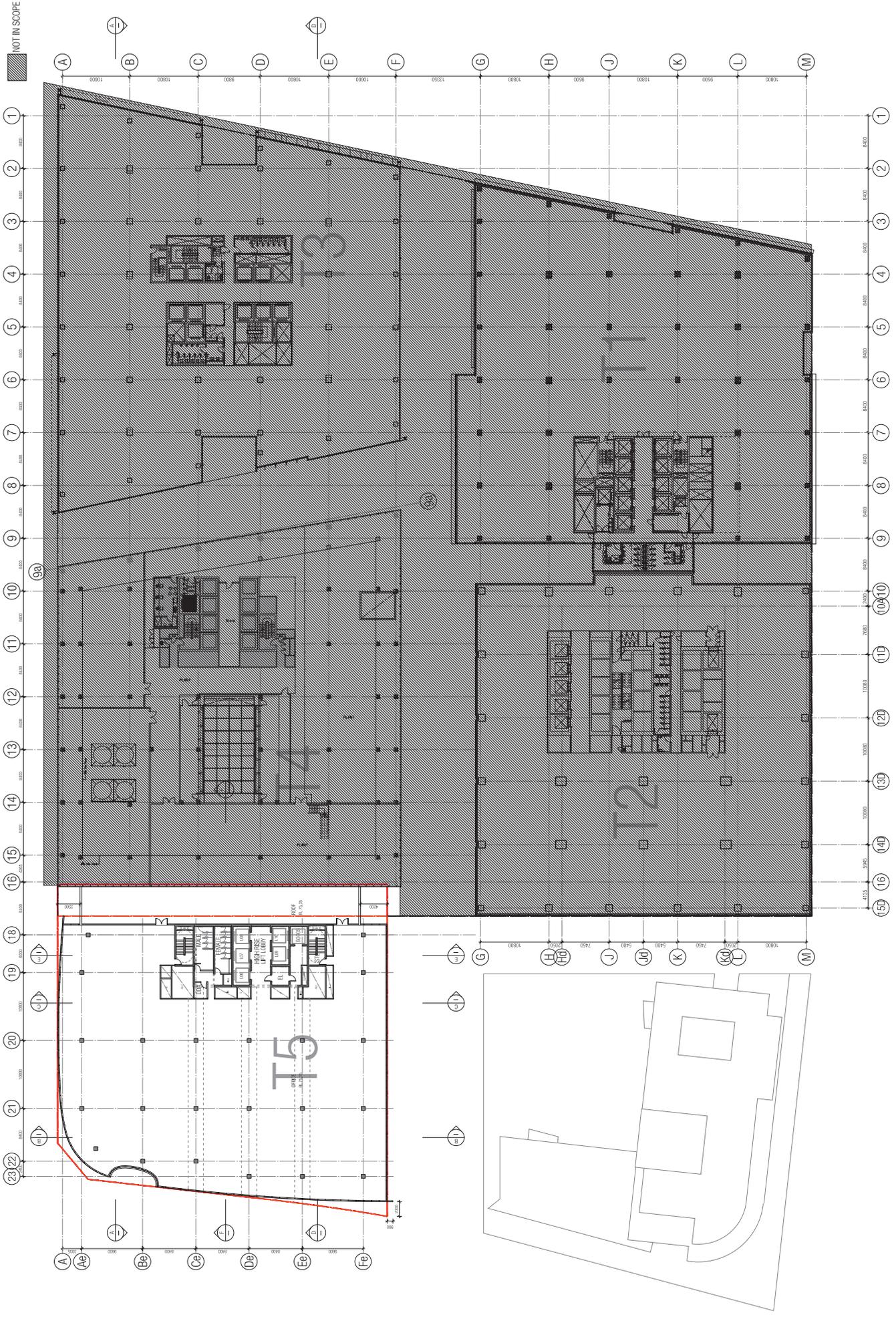




Combined Plan - Level 17

WALKER CORPORATION COLLINS SQUARE PROJECT

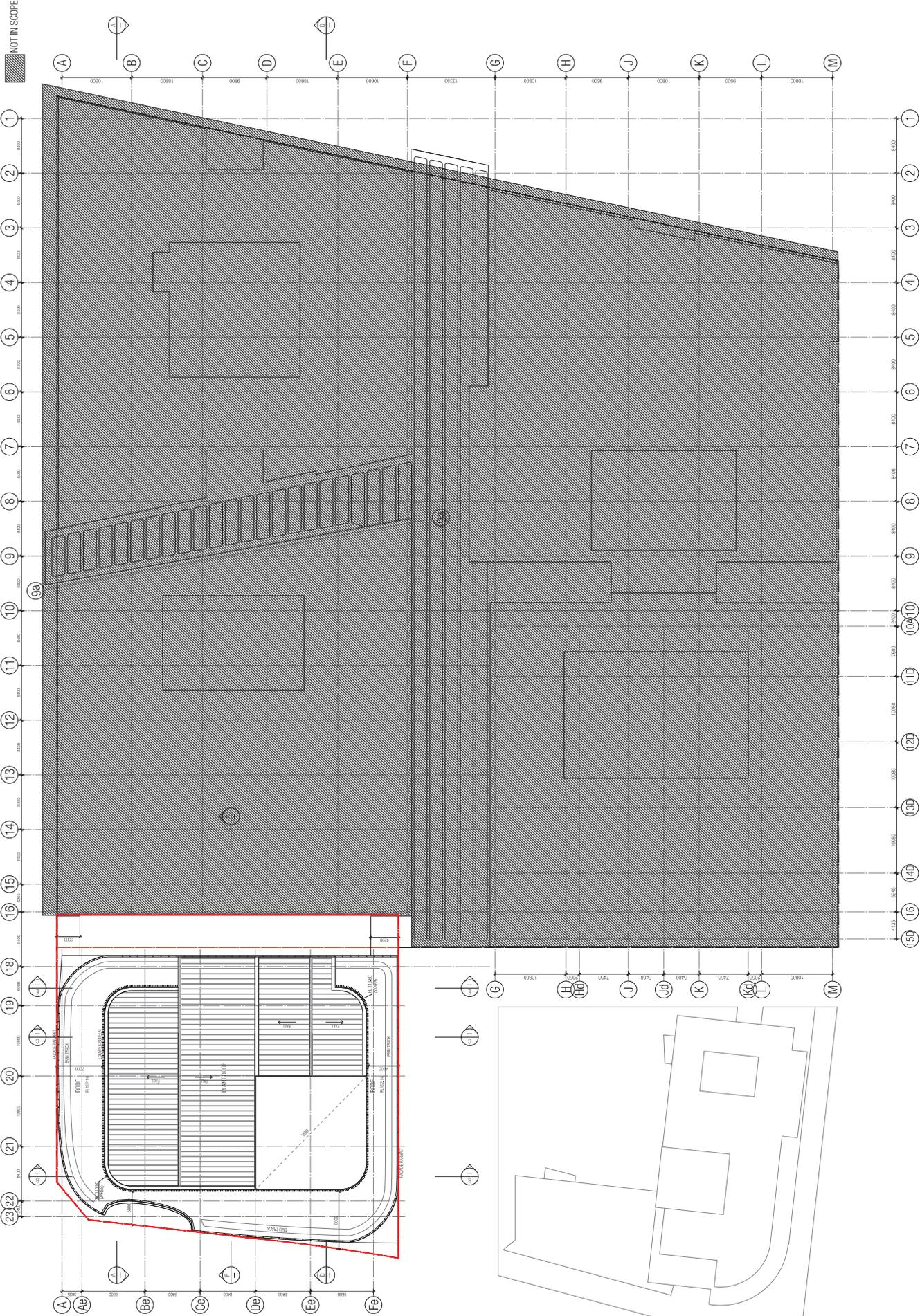
WOODS BAGOT



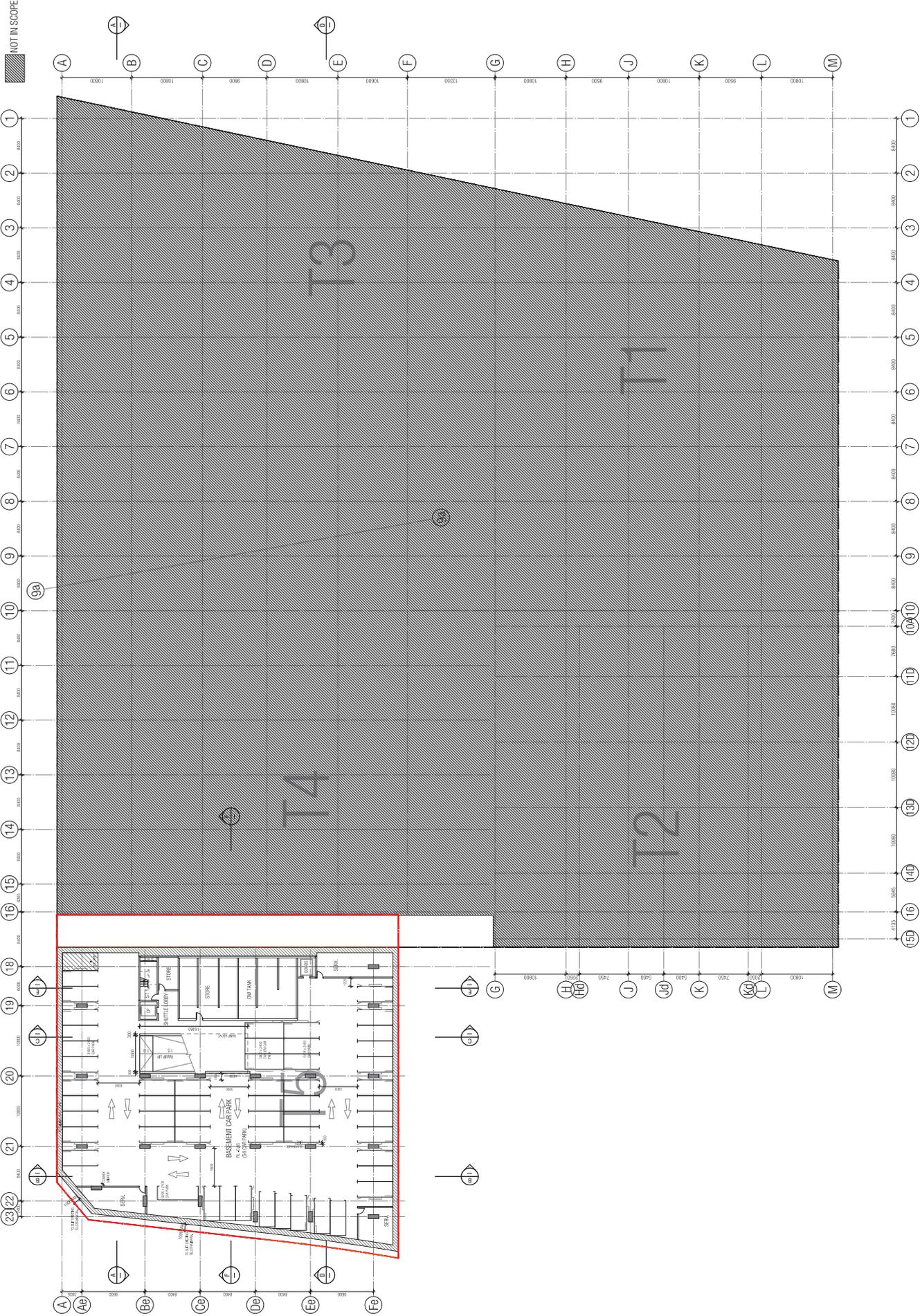
Combined Plan - Level 21

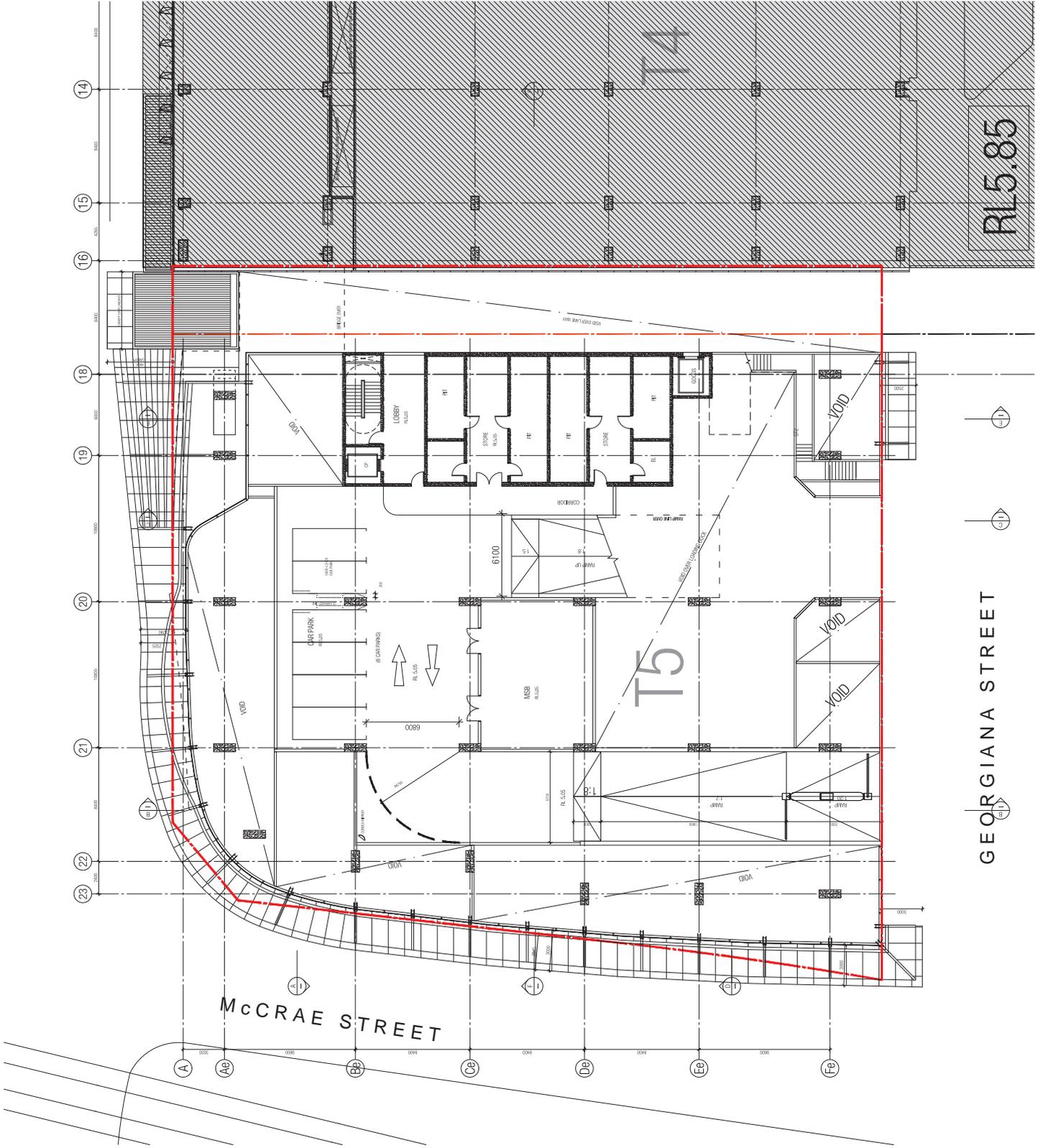
COLLINS SQUARE PROJECT

WALKER CORPORATION



NOT IN SCOPE





Tower 5 (E) Floor Plan - Level 01

WALKER CORPORATION COLLINS SQUARE PROJECT

WALKER CORPORATION



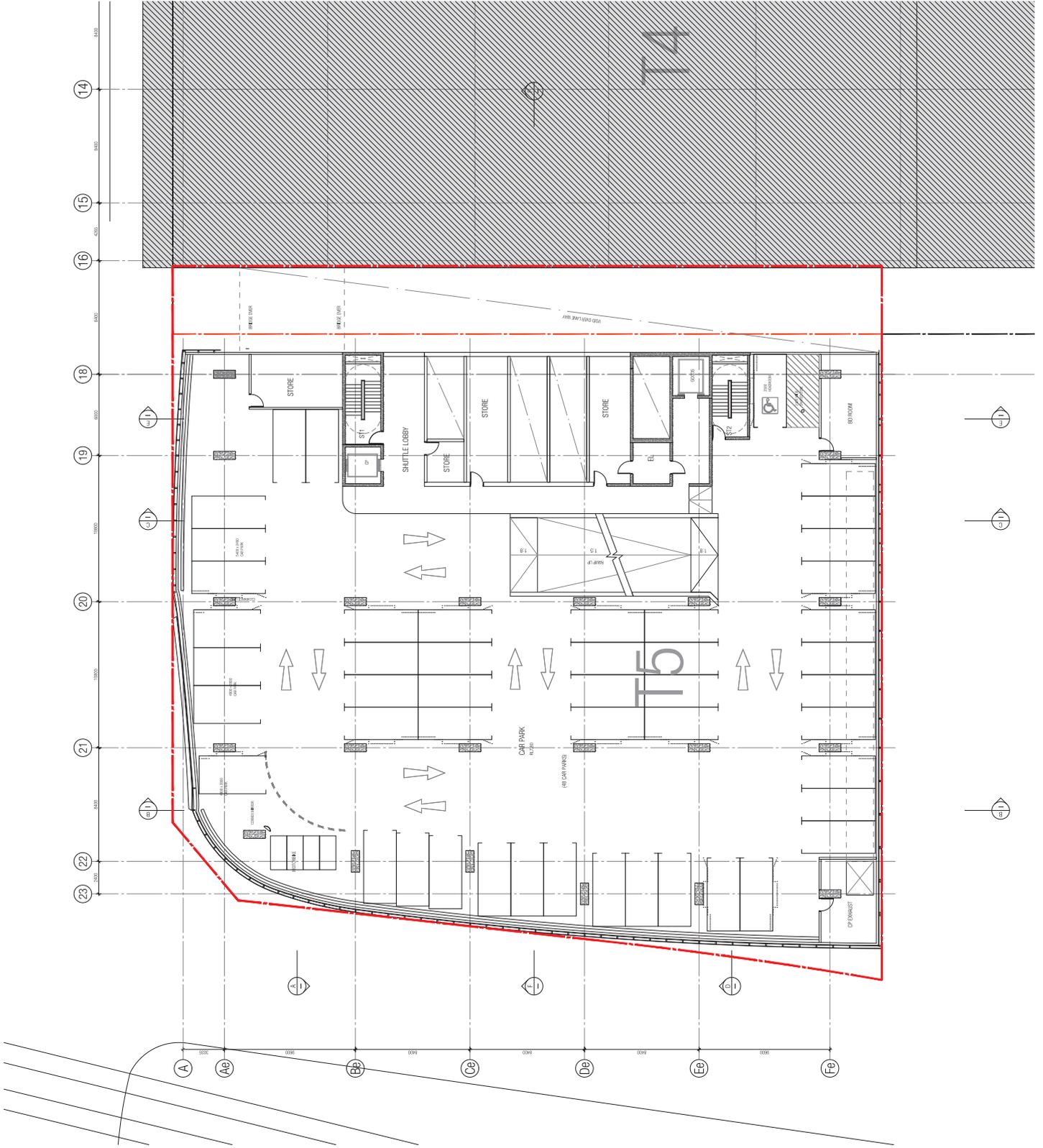
RL5.85

T4

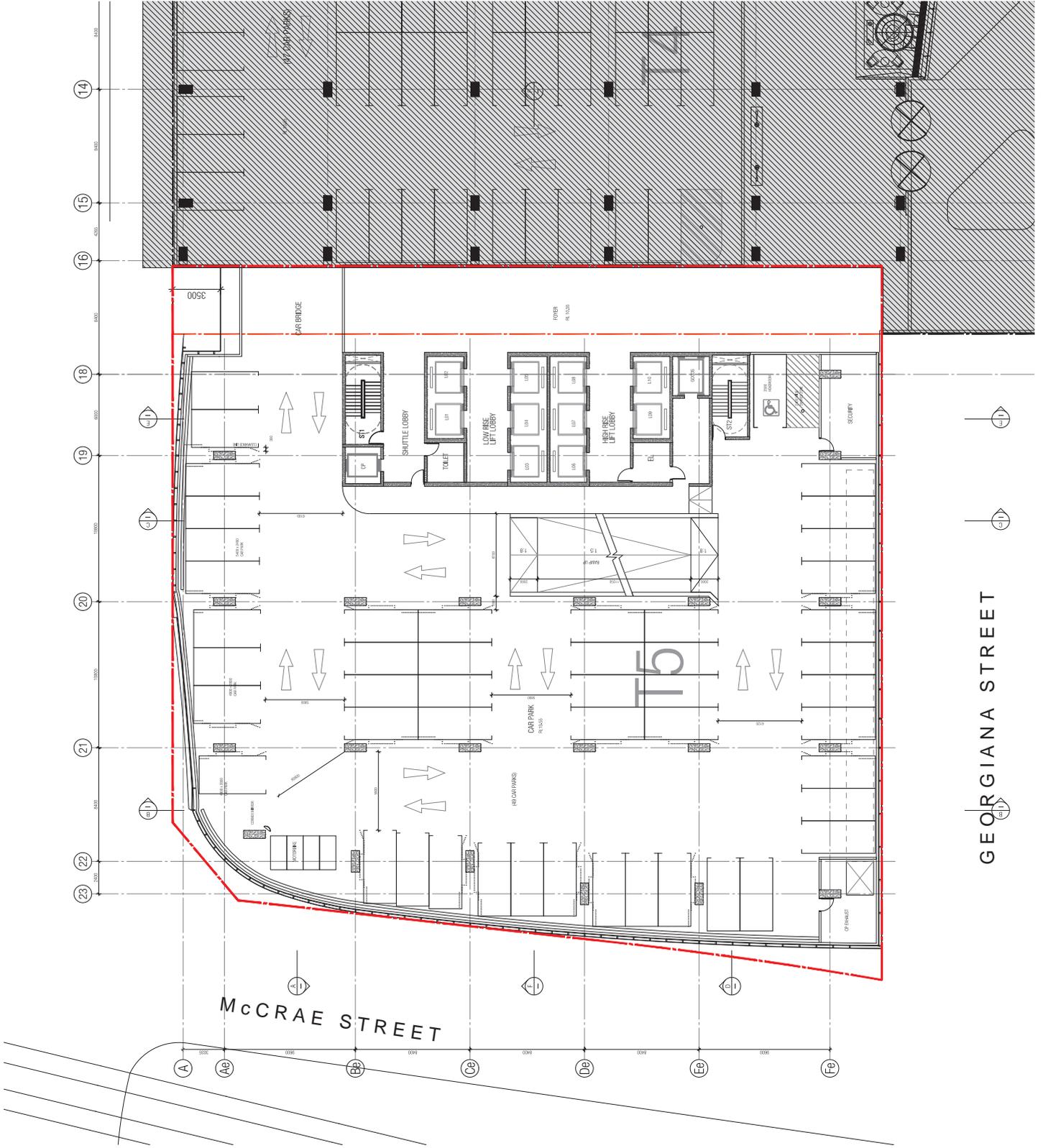
T5

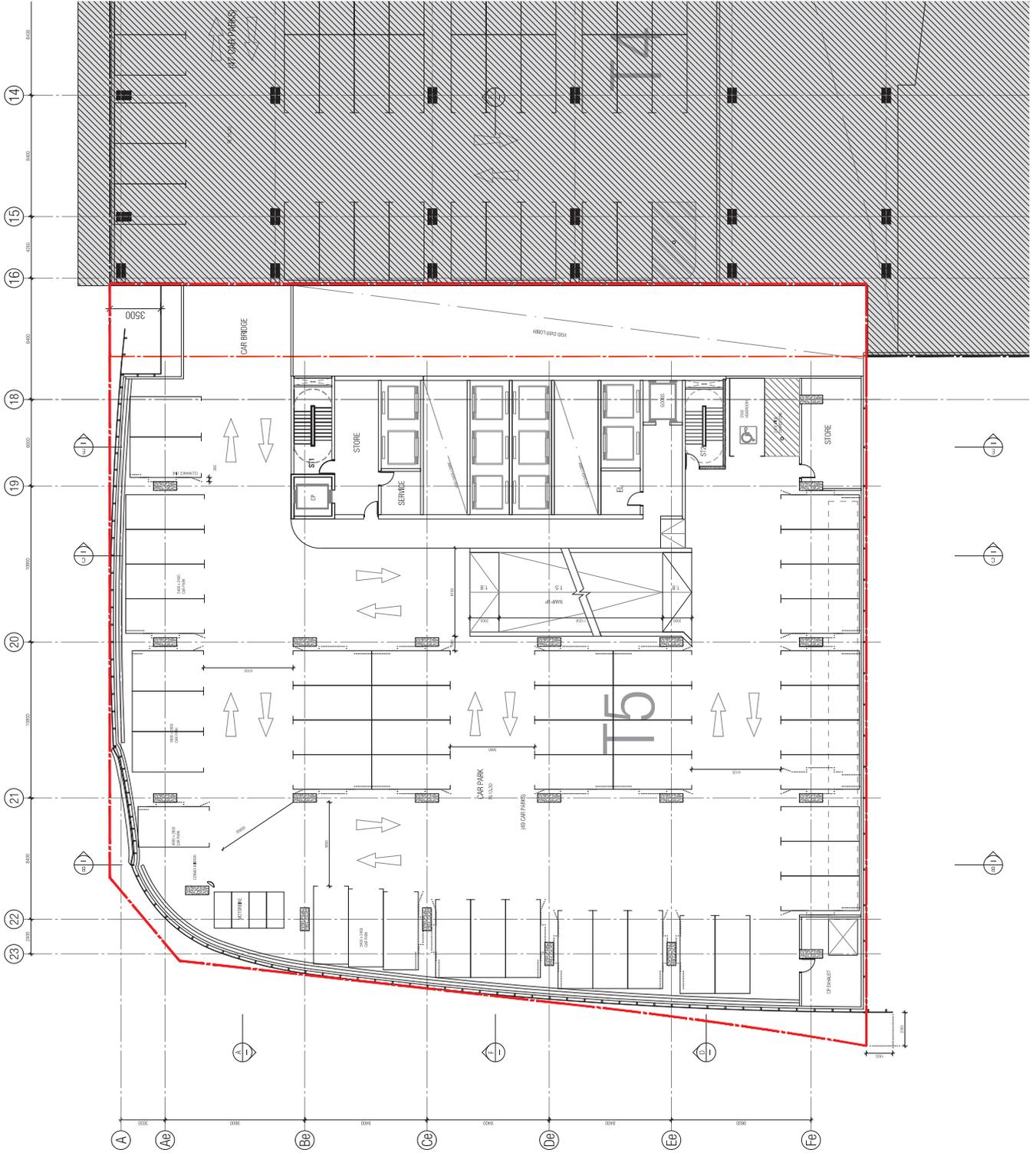
GEORGIANA STREET

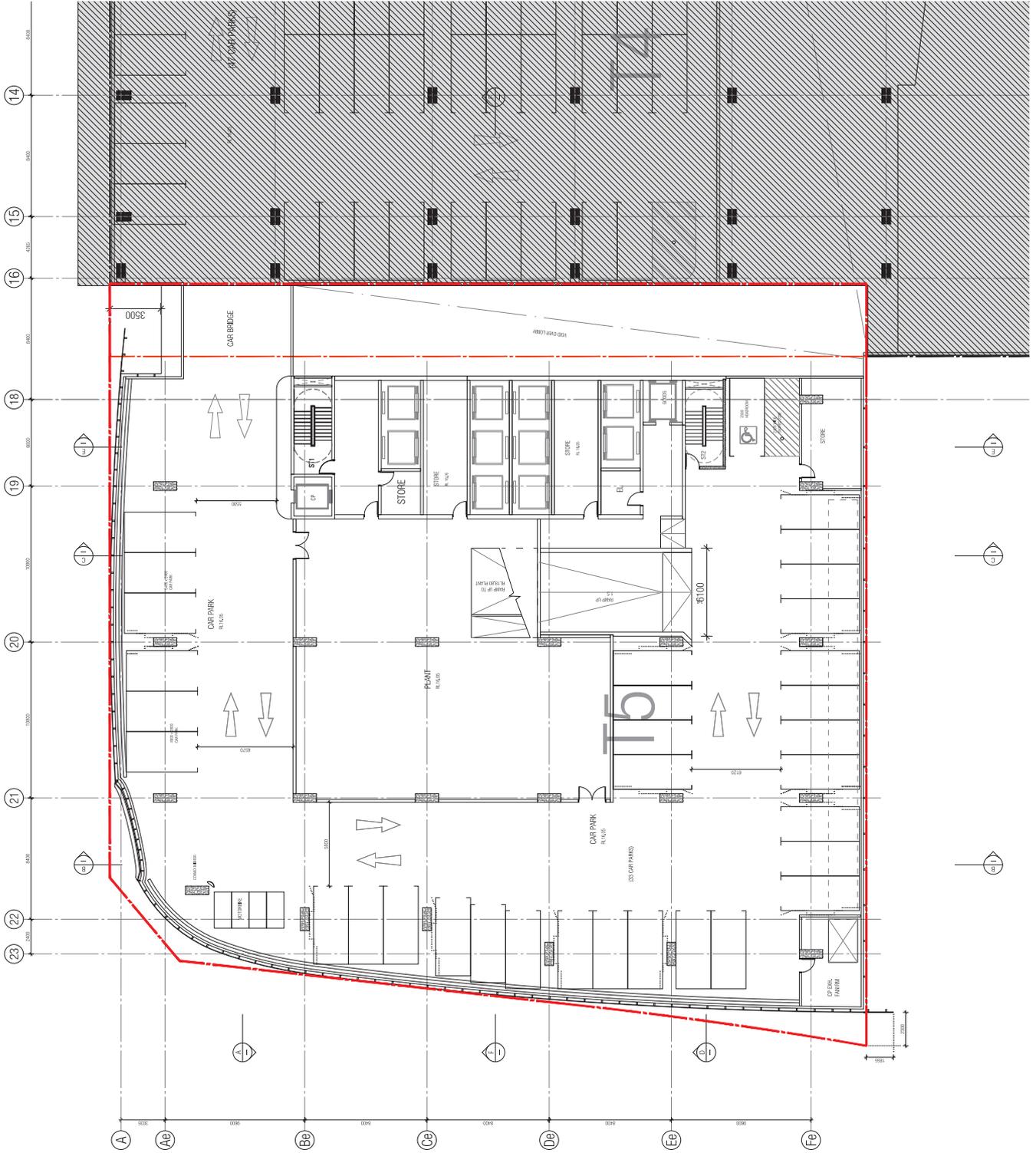
McCRAE STREET

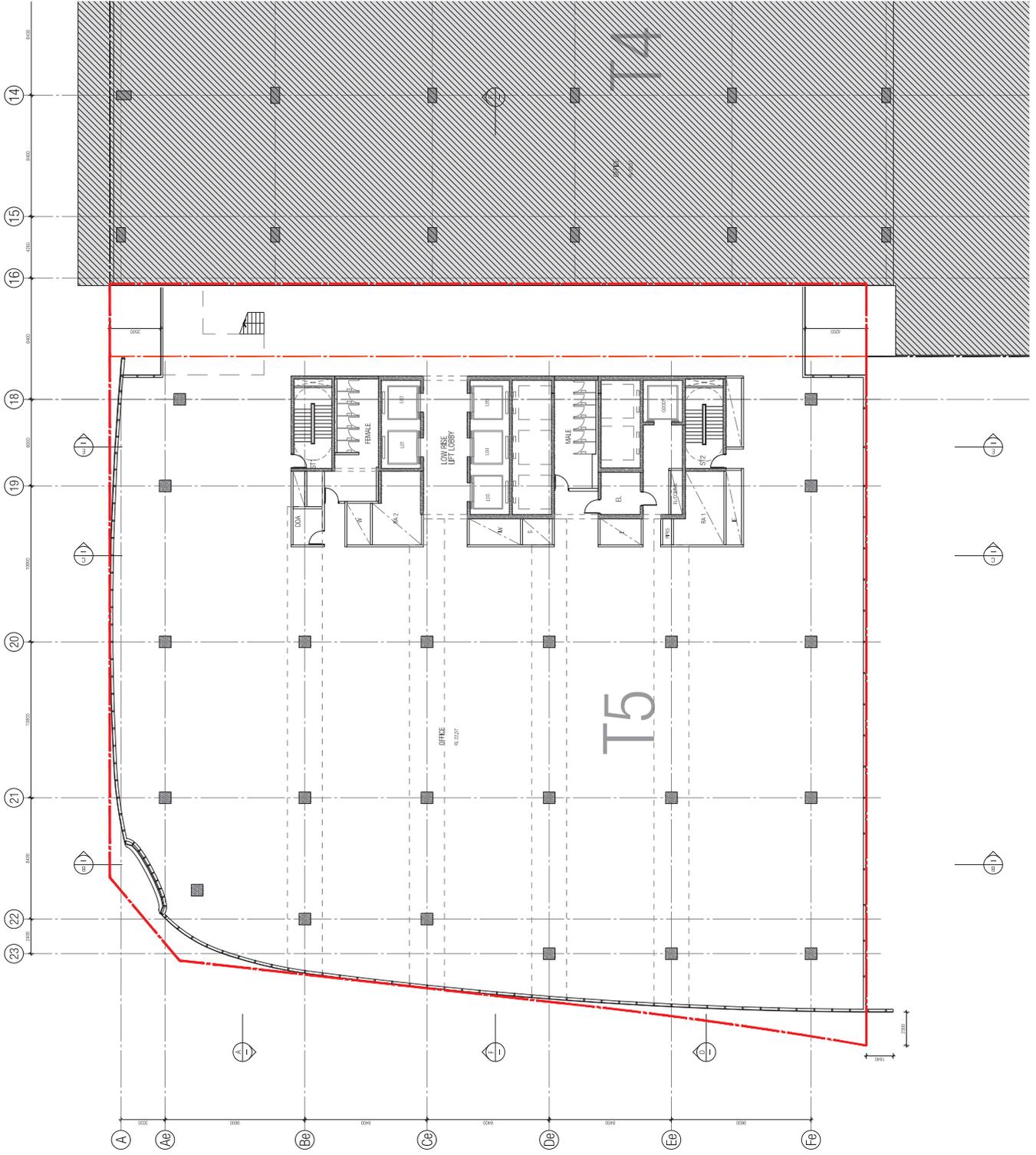


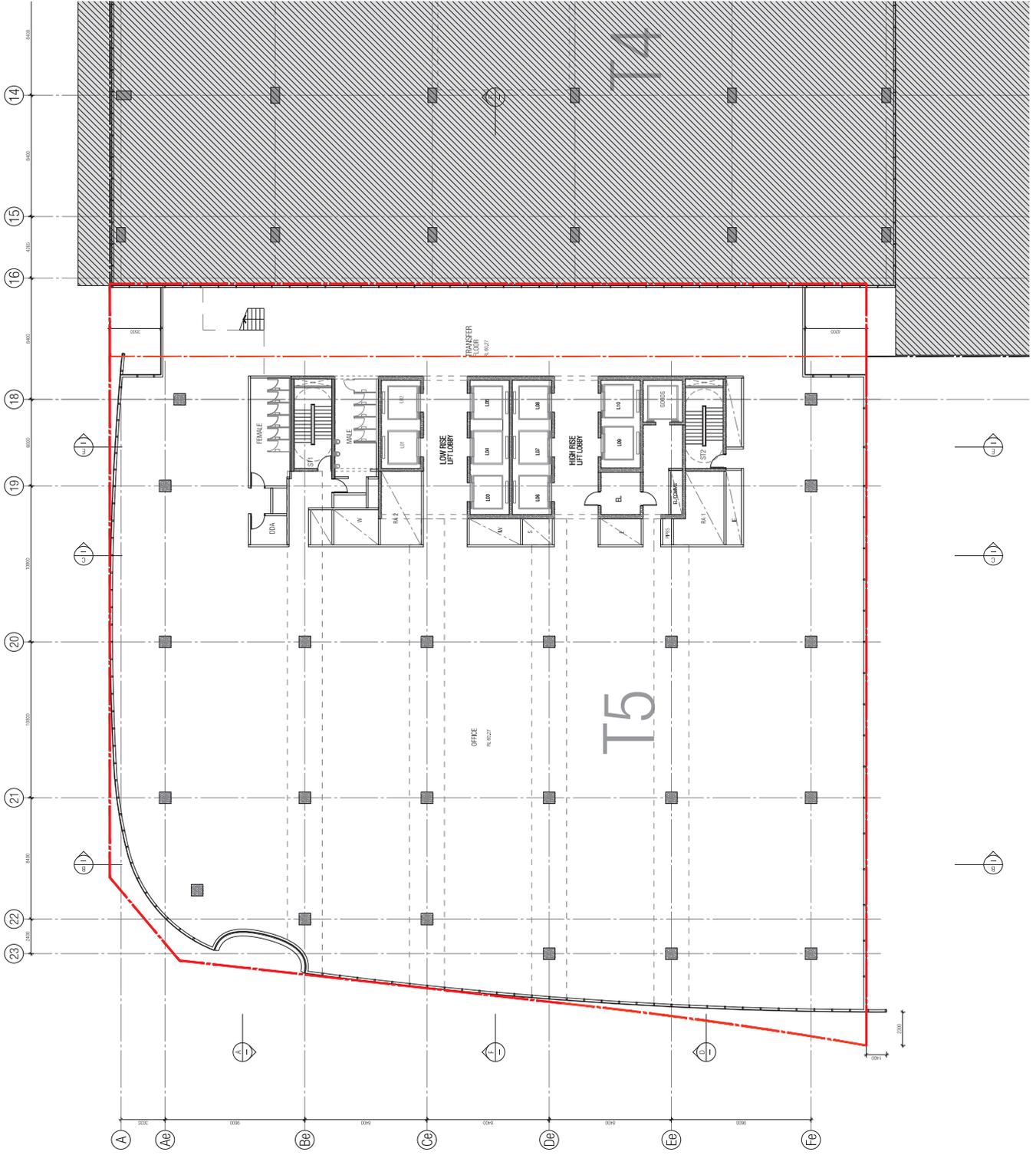
Tower 5 (E) Floor Plan - Level 02

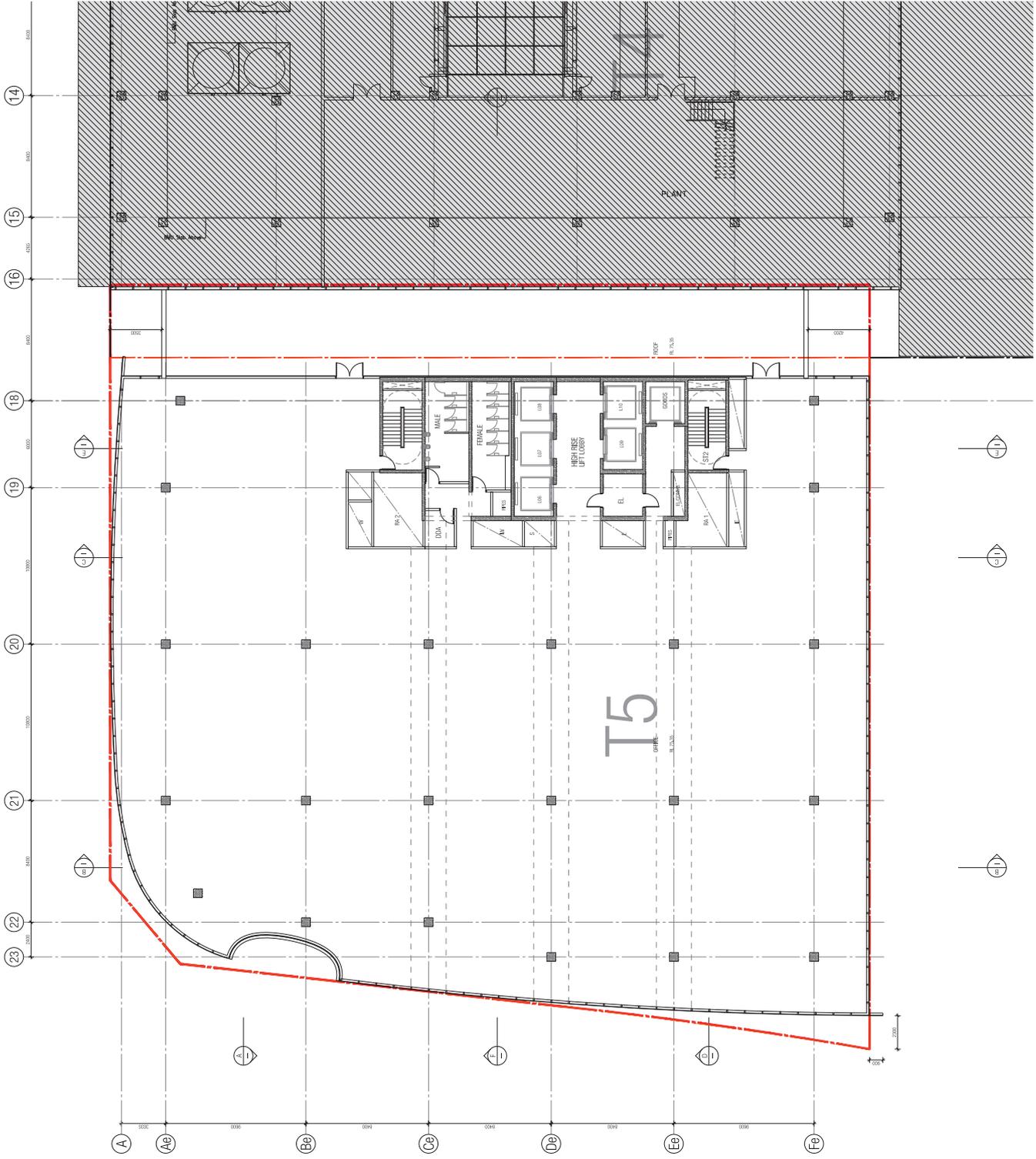










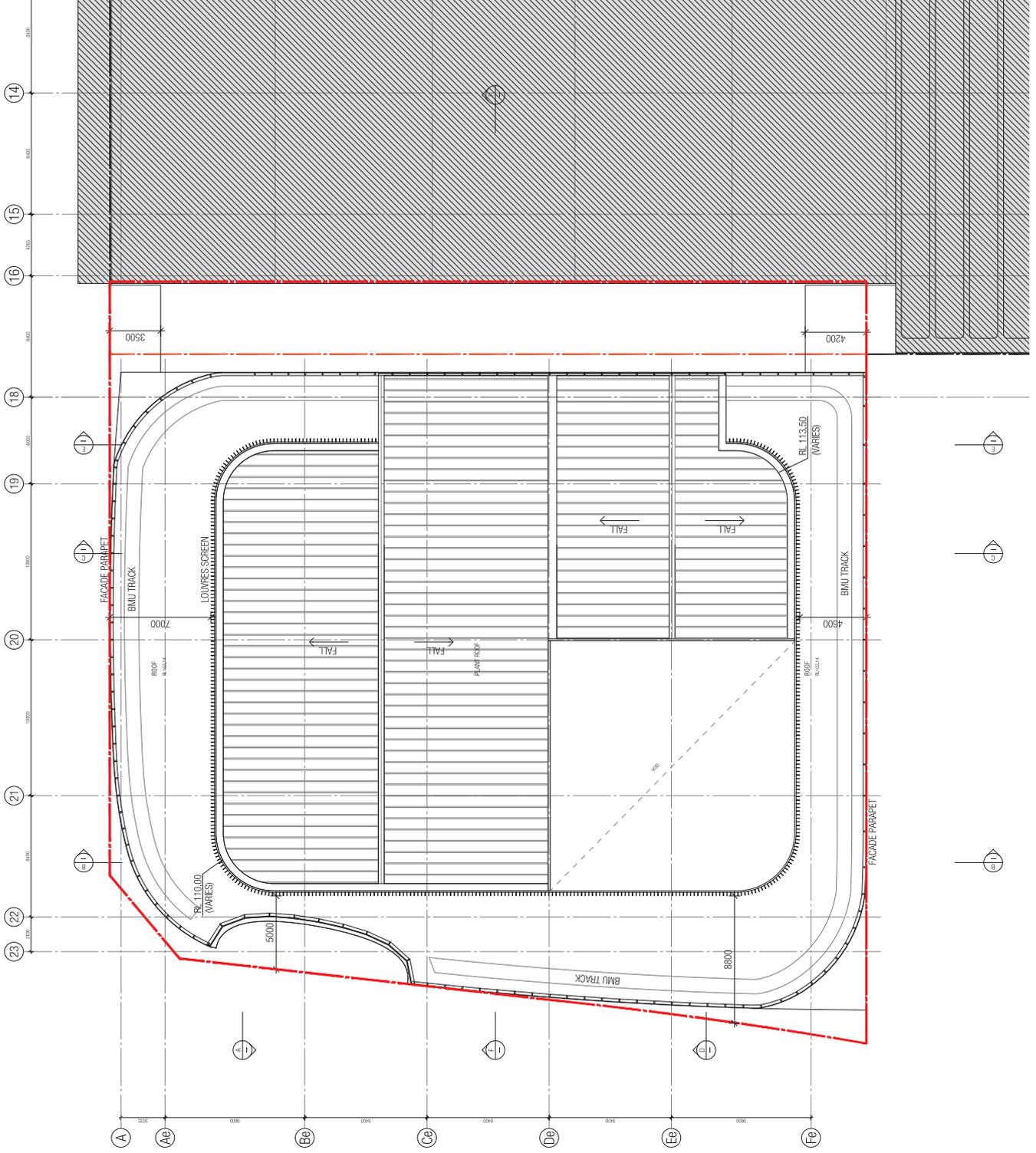


Tower 5 (E) Floor Plan - Level 21

WALKER CORPORATION COLLINS SQUARE PROJECT

WOODS BAGOT



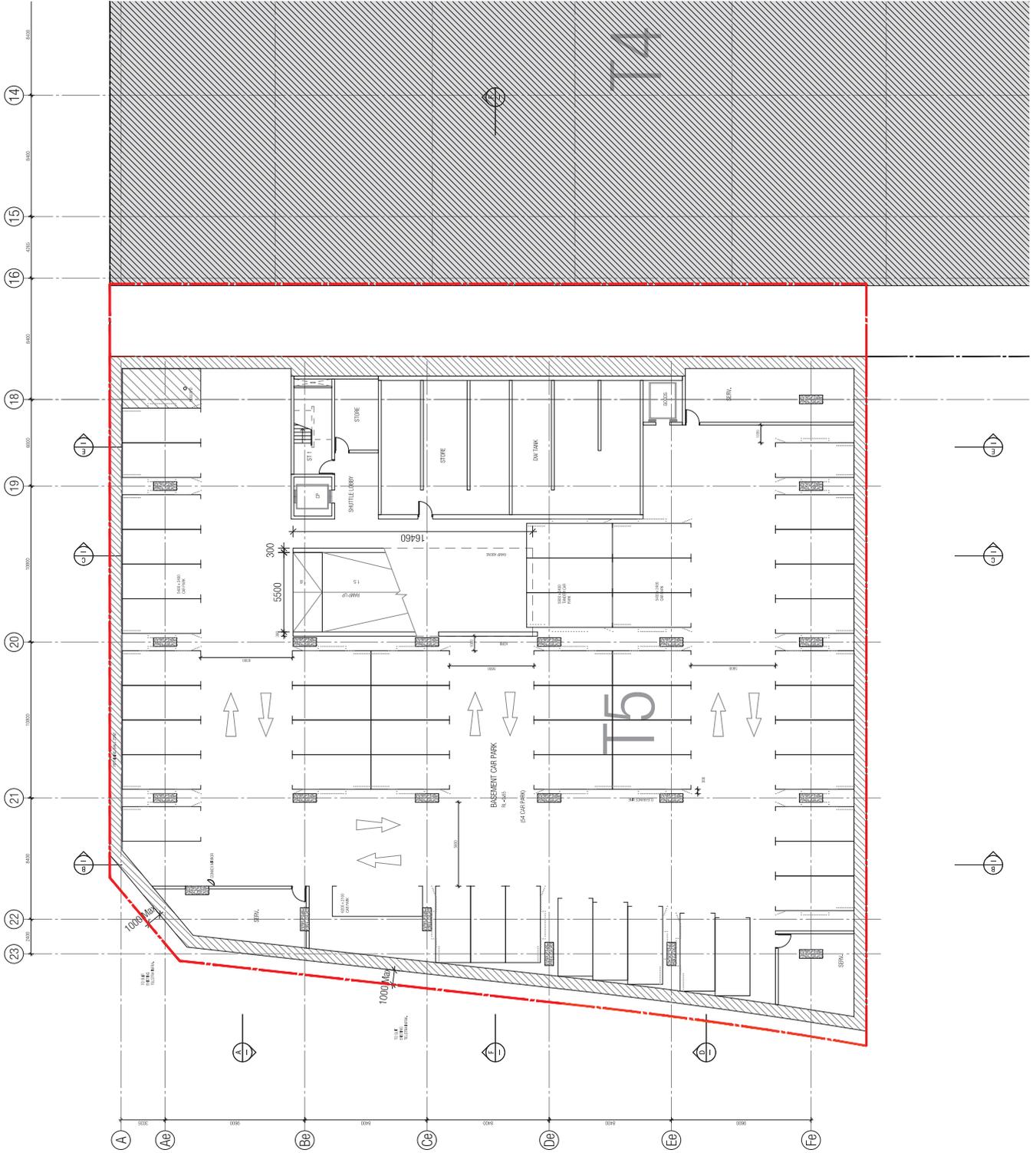


Tower 5 (E) Floor Plan - Roof

COLLINS SQUARE PROJECT

WALKER CORPORATION



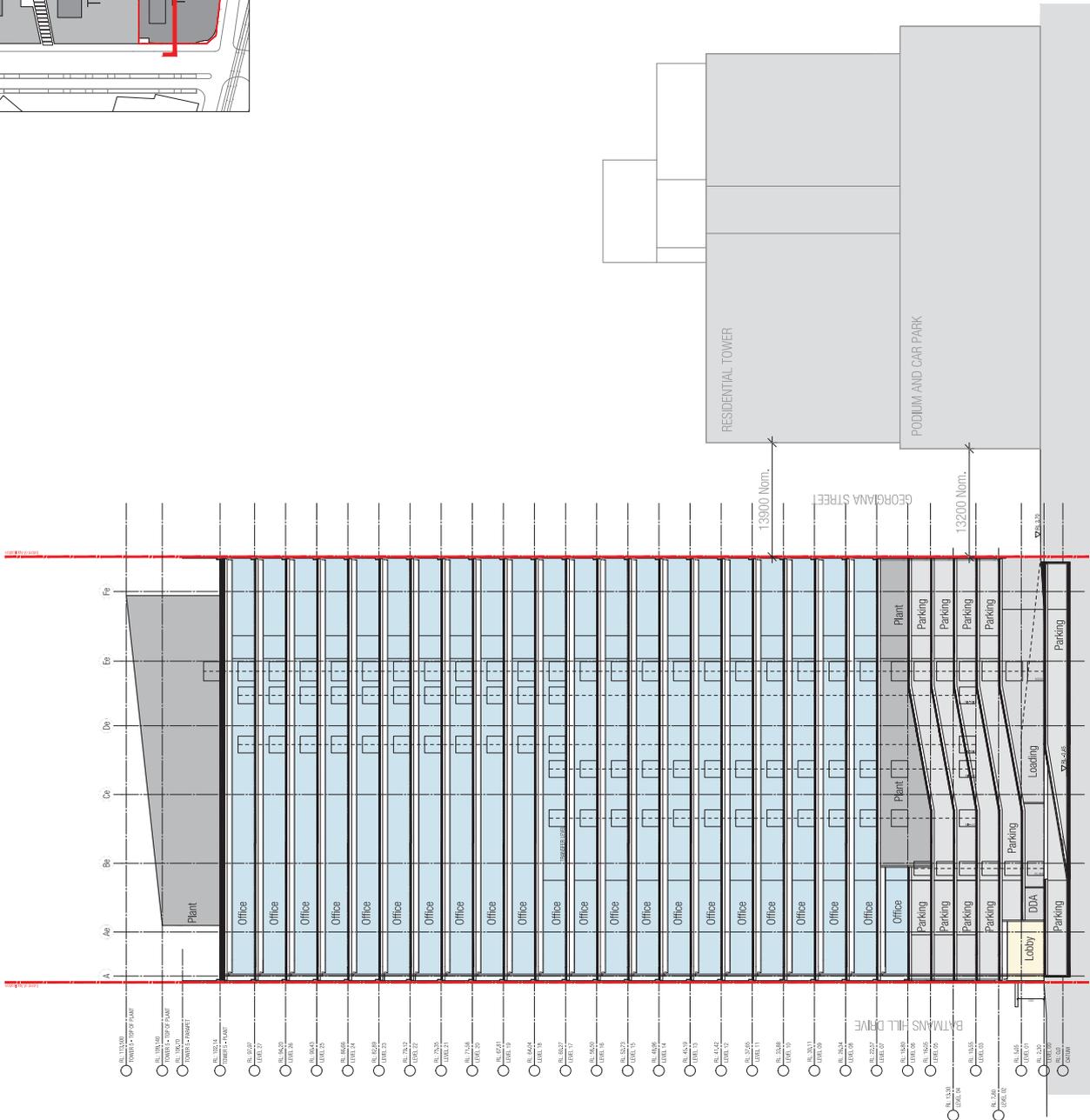
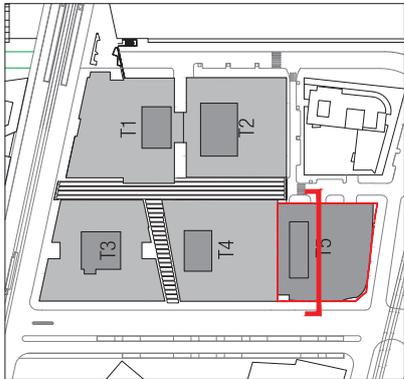


Tower 5 (E) Floor Plan - Level B1

COLLINS SQUARE PROJECT

WALKER CORPORATION



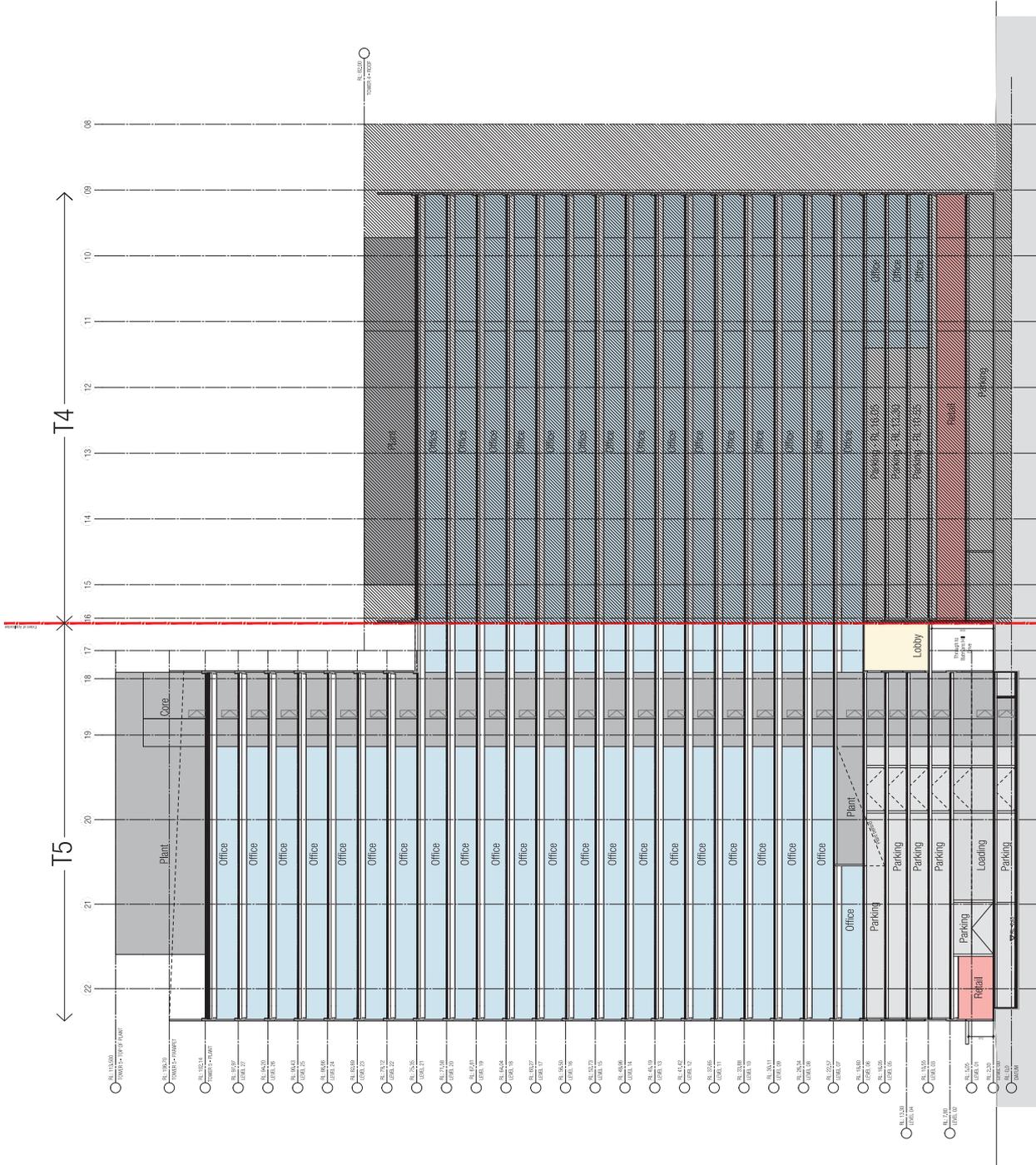
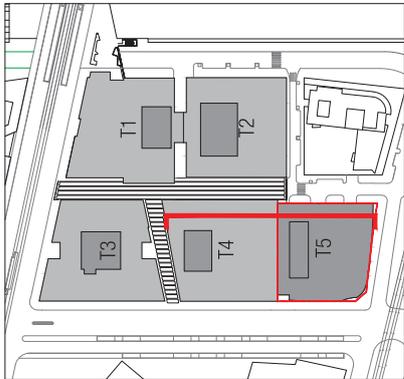


SECTION C-C

COLLINS SQUARE PROJECT

WALKER CORPORATION



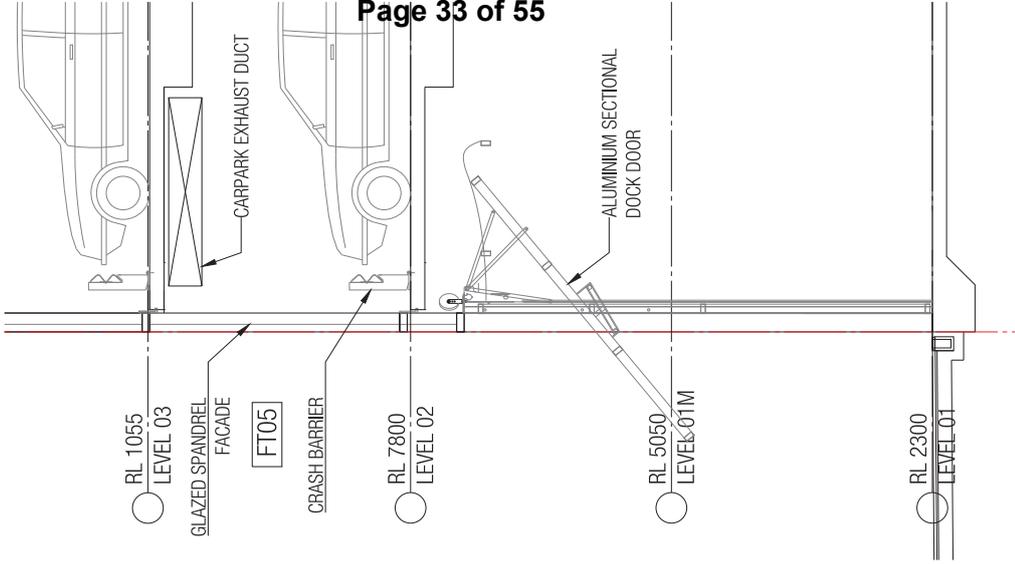
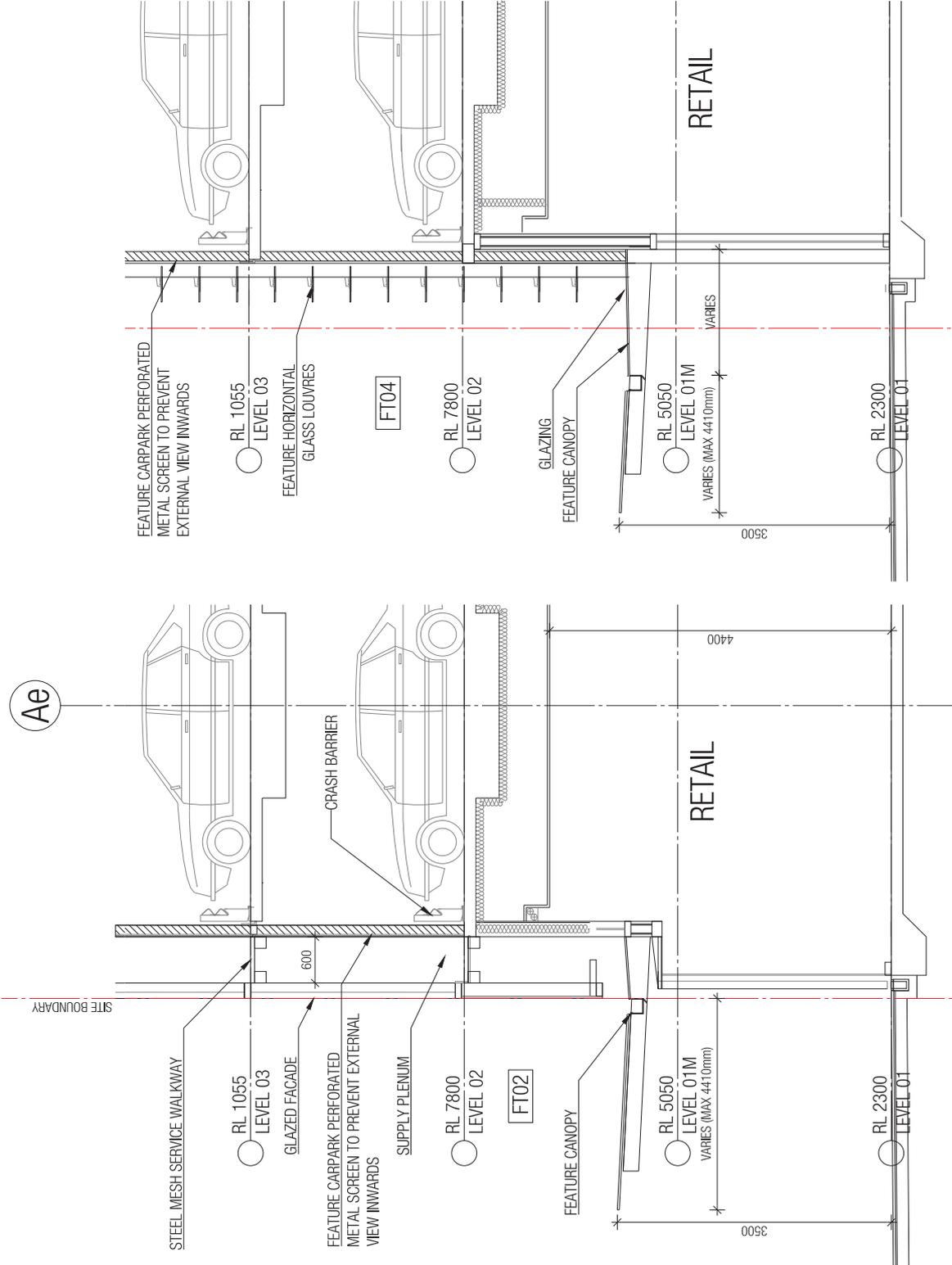
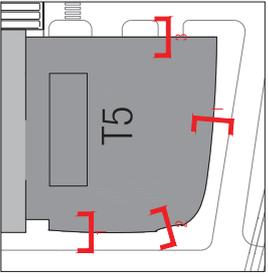


SECTION D-D

COLLINS SQUARE PROJECT

WALKER CORPORATION

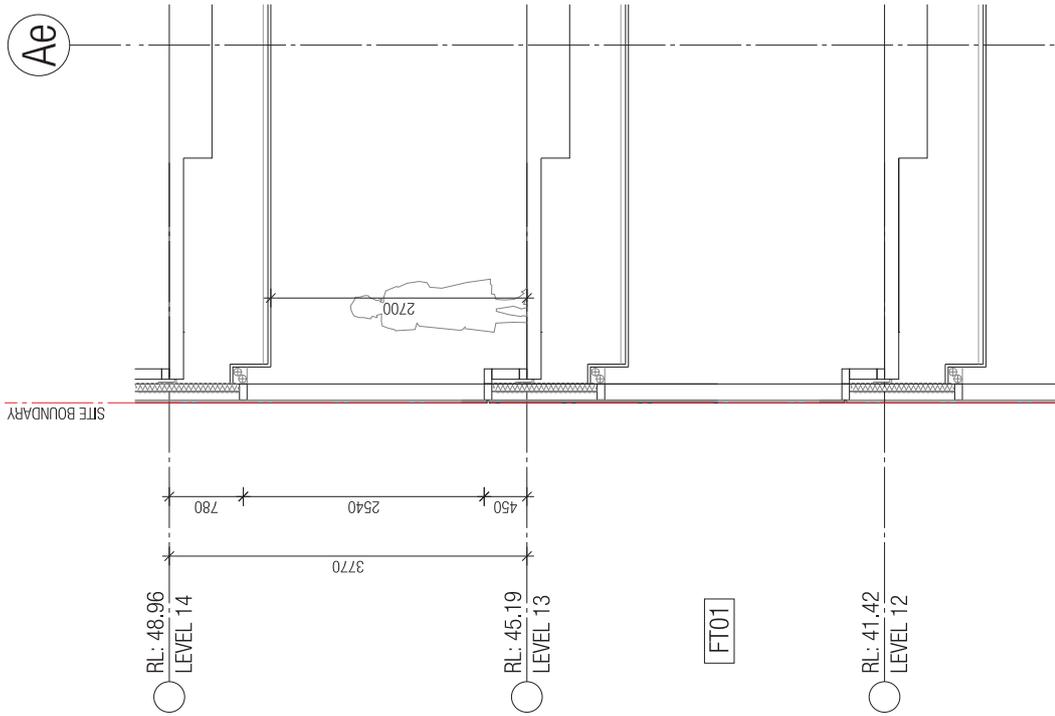
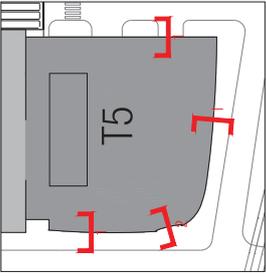




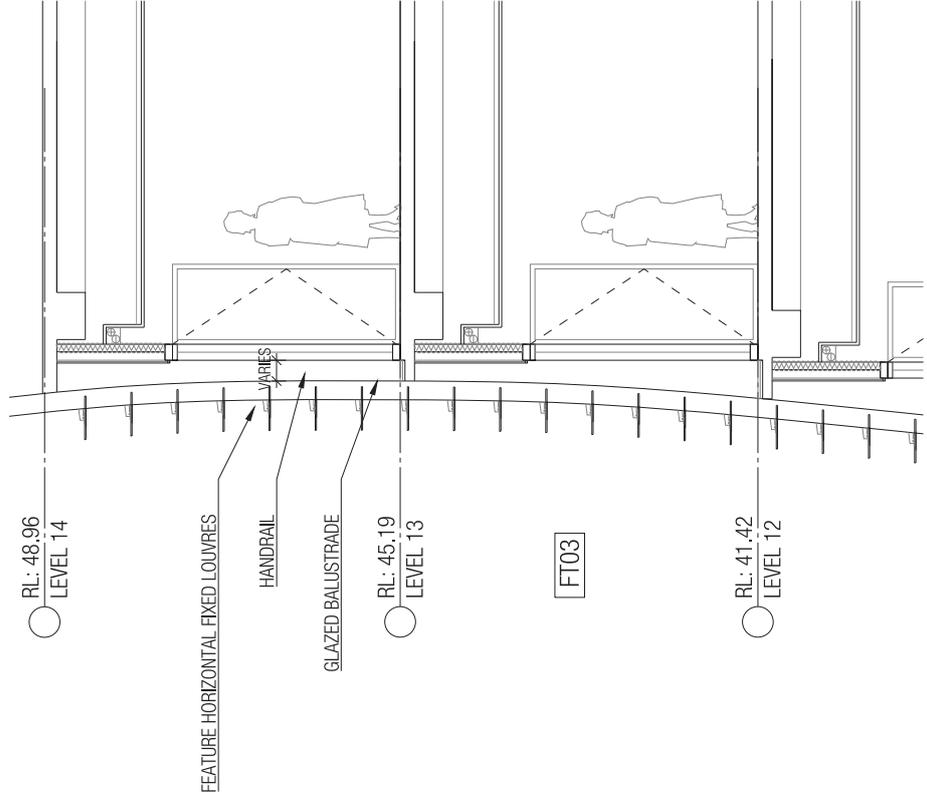
A5 SECTION - RETAIL CARPARK FACADE
SCALE 1:20

A6 SECTION - RETAIL CARPARK FACADE
SCALE 1:20

A5 SECTION - EAST CARPARK FACADE
SCALE 1:20



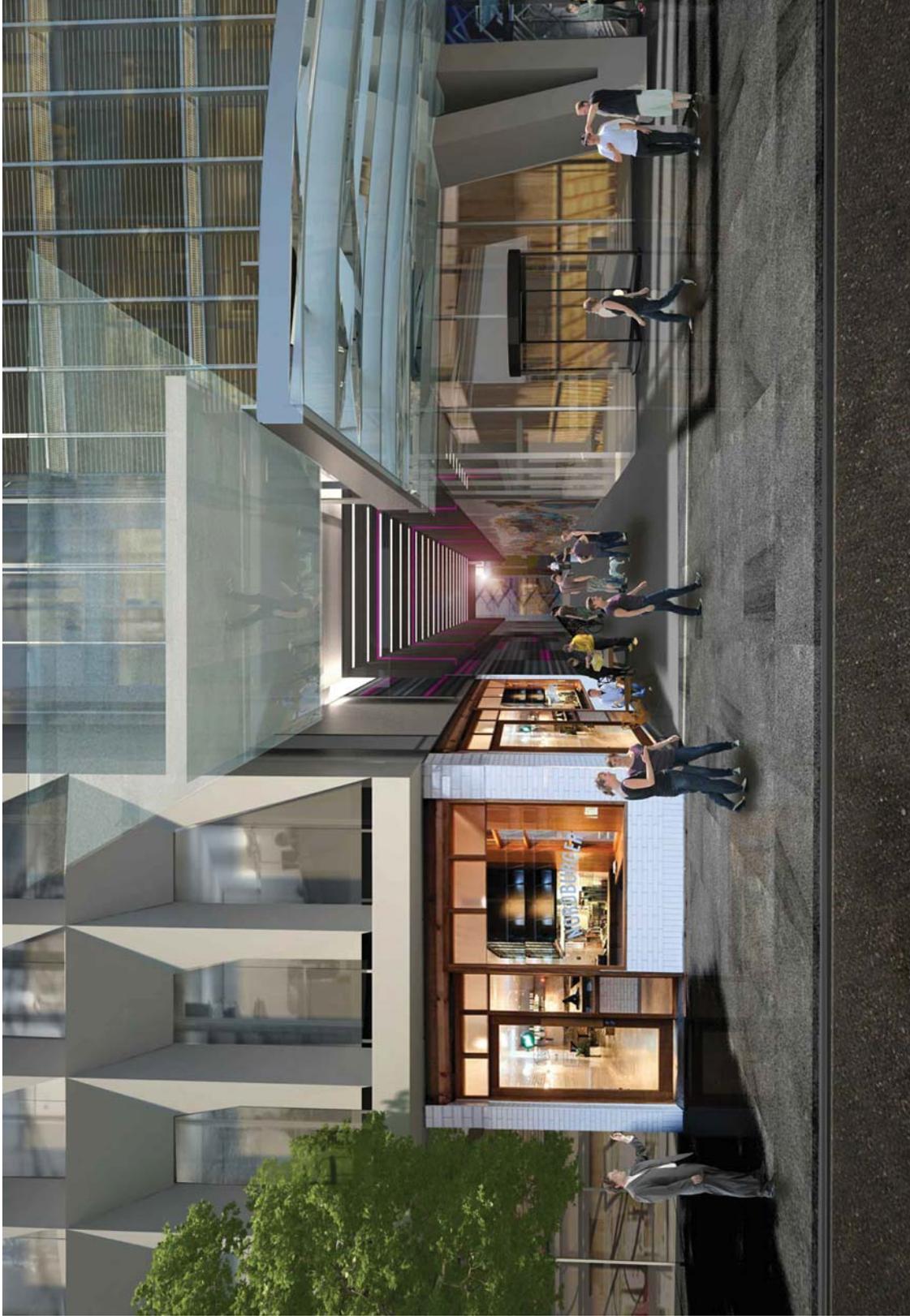
SECTION: INTERNAL LOUVER ESCAPE SECTION
SCALE: 1/20



SECTION: INTERNAL LOUVER ESCAPE SECTION
SCALE: 1/20



- 1. **GL01** - LOW IRON IGU, VLT 42%, REFL. OUT 20%
- 2. **GL02** - LAMINATED SAFETY GLASS WITH COLOURED INTERLAYER
- 3. **GL03** - LAMINATED SAFETY GLASS WITH COLOURED INTERLAYER
- 4. **PA01** - POWDERCOAT PAINT, CHAMPAGNE COLOUR
- 5. **PA02** - POWDERCOAT PAINT, SILVER COLOUR
- 6. **PA03** - POWDERCOAT PAINT, BRASS COLOUR
- 7. **PA04** - POWDERCOAT PAINT, WHITE COLOUR
- FT01** - UNITISED CURTAIN WALL, GL01, PA01
- FT02** - AS PER FT01 WITH METAL SCREEN BEHIND, PA03 FINISH
- FT03** - ALUMINIUM FRAMED GLAZING SYSTEM, GL01, PA01 WITH GLASS LOUVRES, GL02
- FT04** - METAL SCREEN, PA03 FINISH WITH GLASS LOUVRES, GL02
- FT05** - AS PER FT01, WITH SPANDRELL
- FT06** - ALUMINIUM POWDERCOATED LOUVRES, PA01 FINISH
- FT07** - SHOP FRONT GLAZING SYSTEM, GL01, PA01
- CE01** - OFF-FORM CONCRETE WITH APPLIED FINISH
- CE02** - POLISHED PRECAST FEATURE COLUMNS
- CANOPY 01** - CANTILEVERED STEEL SYSTEM, PA04, GL03
- CANOPY 02** - CANTILEVERED STEEL SYSTEM, PA02, GL03



INDICATIVE ARTISTS IMPRESSION

PLANNING REPORT

MINISTERIAL REFERRAL

Application number:	TPM-2014-37
DTPLI Application number:	
Applicant / Owner / Architect:	Walker Corporation and Urbis / Victorian Urban Development Authority/ Woods Bagot
Address:	2-12 Batmans Hill Drive, DOCKLANDS VIC 3008
Proposal:	Development of a multi-storey commercial office building tower 5 (4E) with associated parking and amendment to the Collins Square Development Plan (Volume 4)
Date received by City of Melbourne:	5 September 2014
Responsible officer:	Julian Larkins
Report Date:	6 October 2014
(DM# 8777736)	

1. SUBJECT SITE AND SURROUNDS

1.1. The site

Collins Square, Docklands is bounded by Collins Street, Aurora Lane, Wurundjeri Way / McCrae Street and Batmans Hill Drive. The following building sites make up the Collins Square Development Plan Area:

- The Goods Shed South, on the eastern edge of the precinct.
- Sites 4A and 4B, multi-level commercial buildings fronting Collins Street.
- Sites 4C and 4D which are immediately south of 4A and 4B. 4C is immediately north of the subject site and currently under construction.
- The subject site, site 4E, which fronts McCrae Street to the south, Batmans Hill Drive to the west and Georgiana Street to the east.

The Collins Square Development Plan is currently developed with parcels 4A and 4B fronting Collins Street, while the construction of parcels 4C and 4D, the tallest building in the precinct, are underway. The subject site, Tower 5 (Site 4E) located 2-12 Batmans Hill Drive, which is approximately 2300 sqm, is the final tower to be approved as part of the Collins Square Development Plan.

The subject site 4E occupies the south-west corner of the development plan site, bounded by Batmans Hill Drive to the west, McCrae Street to the south and Georgiana Street to the east.

The proposed design also includes a thoroughfare along the northern edge of the site which provides a pedestrian connection between Brentani Way and Batmans Hill Drive. This thoroughfare is on private land but will be publicly accessible.

The application form states that the proposal is not affected by any easements or restrictive covenants.

Aerial Photo / Locality Plan



2. THE PROPOSAL

The plans and documents referred to the City of Melbourne for comment were received on 5 September 2014. The application seeks to amend the Collins Square Development Plan as well as concurrently apply for a planning permit for the Tower 5 (site 4E). The proposal is the final building to be approved as part of the Collins Square Development Plan.

The approved Collins Square Development Plan envisages a building envelope comparable to that of Tower 4, in the order of approximately 20 levels. The subject proposal is for 27 levels, thus the amendment is seeking a 7 level increase to what is currently envisaged. The amendment is required as it is not generally in accordance with the approved development plan, triggering a permit under Clause 43.04 of the Melbourne Planning Scheme (Development Plan Overlay).

In addition to the 7 level increase, the application also seeks to increase the number of car spaces for the entire precinct from 648 to 800 spaces. Again this triggers a permit under Clause 43.04 as it is not generally in accordance with the approved development plan.

The application proposes the following:

<p>Six storey podium</p>	<p>Incorporates external retail activation at lower levels, with car parking, loading and other servicing areas and a basement car parking level. The podium carpark for the subject site will connect with the podium car park of the adjacent site to the north (Site 4C) from levels two through to level 20. This connect allows the podium car parks and the upper level office floorplates to connect.</p>
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Levels 6-27 (office space)	Leasable Floor Area of approximately 34,700 sqm of office floor space.
Retail (ground level)	Retail spaces at ground level totalling 472 sqm

The specific details of the proposal are as follows:

Building height	111.2m high to top of the highest point of the plant equipment
Podium height	The podium is six levels or 16.5m high
Front, side and rear setbacks	<p>The design has no substantial setback to any frontage and retains the same curved footprint from the ground to the top floor.</p> <p>The design does include small sections with minor setbacks including the south-eastern corner of the site which has a maximum 2.5m setback from the splayed property boundary to McCrae Street.</p> <p>There is also a ground floor setback to the entry point of the pedestrian thoroughfare at the Batmans Hill Drive entry point.</p> <p>In addition, there are setbacks above the pedestrian thorough fare.</p>
Gross floor area (GFA)	67970 sqm
Car parking spaces	242 car spaces
Bicycle facilities and spaces	<p>The bike store is located at the ground level.</p> <p>118 employee and 36 visitor bicycle spaces have been provided in accordance with Clause 52.34 of the Melbourne Planning Scheme.</p>
Loading/unloading	The loading dock is located on ground floor accessed via Georgiana Street
Vehicle access	Vehicle access into the site is via two entry points from Georgiana Street.

3. BACKGROUND

3.1. Pre-application discussions

There were several pre-application discussions over a number of weeks between City of Melbourne, Places Victoria and DTPLI as well as the applicant, Walker Corporation, and their representatives Urbis and Woods Bagot. Much of this discussion centred on the design of the thoroughfare on the northern edge of the subject site. All the agencies agreed that the thoroughfare must maximise natural light opportunities and not simply be an arcade. The plans presented at the pre-application meetings showed various alternate designs but after much discussion and resistance to the closing off of the pedestrian thoroughfare over a number of weeks an agency only meeting on 18 July 2014 resulted in advice being given to the applicant. Following this the plans were further revised to show a design that was deemed to be generally supportable by all the agencies. The key agency recommendations of achieving at least a double storey clearance for the laneway as well as minimising the building above through setbacks at both ends and more light penetration were shown on the most recent set of pre-application plans.

3.2. Site history

The following is a summary of development plan approvals and planning permits issued for this site:

Development Plan Approvals

Village Docklands Outline Development Plan approved on 1 November 2007.

The plan approves a general building layout, car parking numbers, building height, retail amenity and landscaping theme to be mirrored in future planning applications. 164,500 sqm GFA approved across the site.

Amendment approved on 13 July 2010

Addendum to Outline Development Plan to meet ATO requirements. Amend staging plan and areas schedule to redistribute GFA from 4D to accommodate tenancy requirements.

Collins Square Development Plan approved on 30 June 2011.

Supersedes the Village Docklands Development Plan. A new Outline Development Plan based on revised building designs for sites B & D change to public realm.

Amendment (Volume 3) to Collins Square Development Plan approved on 14 August 2013

Increase in building height of Tower D and function of Brentani Way

Amendment (Volume 4) to Collins Square Development Plan **currently under consideration**

Allow for variation to the design (linkages to Towers C and E at the lower podium level) and an increase in the maximum permissible car spaces on the site from the current approved 648 up to 800 cars.

Planning permit approvals

DTPLI have issued a number of Planning Permits on the with the key office tower permits summarised as follows:

Planning Permit No. 2008 0651 approved on 2 May 2008

Building 4A. Development of the land including buildings and works associated with the construction of a multi storey building for the purpose of office, retail premises and associated car parking in a podium building with a reduction in the bicycle parking rate.

Planning Permit No. 2010 29973 approved on 7 April 2011

Buildings and Works for the Lantern Building (Goods Shed).

Planning Permit No. 2011 5185 approved on 30 June 2011

Building 4B (commercial office tower).

Planning Permit No. 2012 6516 approved on 20 November 2012.

Building 4C. Development of a Commercial Office Tower to Site 4C. Addressing Batmans Hill Drive/Brentani Way.

Planning Permit No. 2013 6976 approved on 10 January 2014.

Building 4D. Commercial office building.

4. PLANNING SCHEME PROVISIONS

The following provisions of the Melbourne Planning Scheme apply:

State Planning Policies	Clause 15.01-1 Urban design Clause 17.01-1 Business
Municipal Strategic Statement	Clause 21.04-1.2 Urban renewal areas Clause 21.06-1 Urban design Clause 21.13-2 Docklands
Local Planning Policies	Clause 22.02 Sunlight to public spaces Clause 22.18 Urban Design in Docklands Clause 22.19 Energy Water and Waste Efficiency Clause 22.23 Stormwater Management (Water Sensitive Urban Design)

Statutory Controls	
Docklands Zone Schedule 3	A permit is required to carry out demolition. A permit is required to carry out buildings and works.
Design and Development Overlay Schedules 12 & 51-A3	A permit is required to carry out buildings and works. Schedule 12, which relates to noise attenuation, is not applicable as the proposal involves commercial uses. Schedule 51 Area 3 requires a maximum building height of 40 metres with the exception of: <ul style="list-style-type: none"> Towers not exceeding 60 metres. One tower in the south east portion of this area, which must not exceed a height of 90 metres. Therefore a permit is required under schedule 51 as the requirements of table 1 are not met.
Development Plan Overlay 4 Batman's Hill Precinct	This provision specifies that a permit must not be granted to use or subdivide land, construct a building or construct or carry out works until a development plan has been prepared to the satisfaction of the responsible authority. As noted above, the Collins Square Development Plan was issued on 30 June 2011. Therefore a permit can be issued to use and develop the land that is deemed generally in accordance with this approved

	<p>development plan.</p> <p>As the proposal involves a 7 storey addition to what is envisaged in the approved development plan a permit to amend the approved development plan is required.</p>
Parking Overlay 7	<p>A permit is required to provide parking in excess of a rate of:</p> <ul style="list-style-type: none"> • 1.5 spaces to each 100 sqm of gross office floor area • 1 space to each 100 sqm of gross retail area <p>A maximum provision of 520 spaces applies to the 34 700 sqm of office area.</p> <p>A maximum provision of 4.72 spaces applies to the 417 sqm of retail area.</p> <p>The 242 spaces proposed is therefore well under the maximum rate and does not require a permit.</p>

Particular Provisions	
Clause 52.07, Loading and Unloading of Vehicles	<p>This provision requires land be set aside for loading and unloading of vehicles in accordance with the table.</p> <p>A permit may be granted to reduce or waive these requirements if either the land area is insufficient or adequate provision is made for loading and unloading vehicles to the satisfaction of the responsible authority.</p> <p>The loading dock shown on the plans appears to be more than compliant with the requirements of this provision.</p>
Clause 52.34, Bicycle Facilities	<p>A permit may be granted to reduce or waive the bicycle parking requirement.</p> <p>118 spaces are proposed to be provided which is below the 154 spaces (118 employee and 36 visitor) that is required.</p> <p>Employee bicycle store rooms are shown at ground level as well as change rooms and 16 showers, which exceeds the statutory requirement.</p> <p>The footpath of Batmans Hill Drive and the pedestrian extension of Brentani Way also show bicycle parking.</p>
Clause 52.35, Urban Context Report and Design Response for Residential Development of Four or More Storeys	<p>Although the application is for a commercial building, an Urban Context Report has been provided.</p>
Clause 52.36, Integrated Public Transport Planning	<p>An application for an office development of 10,000 or more square metres of leasable floor area is required to be referred to Public Transport Victoria in accordance with Section 55 of the Act.</p>

General Provisions	
Clause 61.01 – Administration and enforcement of this scheme	The Minister for Planning is the responsible authority for this planning permit application as the total floor area of the development exceeds 25,000 square metres.
Clause 65 – Approval of an application or plan	Before deciding on an application or approval of a plan, the responsible authority must consider the items specified under this provision.

5. PUBLIC NOTIFICATION

The application has been referred to the City of Melbourne for comment. Pursuant to Clause 4.0 of the Docklands Zone 3, an application to construct or carry out works is exempt from the notice requirements of Section 52 (1) (a), (b) and (d), the decision requirements of Section 64 (1), (2) and (3) and the review rights of Section 82 (1) of the Act.

Pursuant to Clause 43.04-2 an application under any provision of this scheme which is generally in accordance with the development plan is exempt from notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

As the application involves amending the existing Collins Square Development Plan, the application is not exempt from notice.

DTPLI did not notify the public of the application.

It is noted that the proponent led a public consultation process which was held with the adjoining apartment building owner/occupiers. A flyer was sent to all residents on 23 July 2014 inviting residents to attend an information session to be held on 30 July 2014 and also informing of readily available project information on the Collins Square website.

6. REFERRALS

The application was referred to a number of internal departments who provided the following comments:

Urban Design comments dated 12 September 2014

1. 'We offer general support of this proposal that has been the subject of pre-app discussions with Places Victoria and DTPLI.
2. We support the proposal for a fully accessible public arcade as a link between Brentani Way and Batmans Hill Drive and note this is nominated as 6.28 metres wide. This should be bluestone paved to send a clear signal that it is a public thoroughfare.
3. We are concerned regarding the extent of enclosure and cover to this arcade, particularly at the eastern end and have consistently argued for greater height and volume and access to light and air at the eastern end. Building 4E effectively joins onto 4C and 4D at a point. This point could be more effectively opened up by the following means:
 - Plan level RL 10.55 (dwg 04.01 Design response)
 - cut back floor plate between grid lines 15D/16 and F/G
 - cut back foyer area between g/l 16/18 and Fe/Ee

- this will involve loss of 8 car bays in T4 to allow for desired access between foyers Plan level RL 13.30, RL 16.05, RL 18.80, RL 22.75, RL 60.27 and RL 75.35 as above re. cutback floor plate between g/l 15D/16 and F/G
 - Ref. drawing TP3002E North Elevation shows a section through the arcade. Allowance must be made for daylight to be introduced between the setback parking 'bridge' link structure and the canopy structure.
4. The above matters should be included as conditions of permit.'

Civil Engineering comments dated 30 September 2014

The Civil Engineering provided standard conditions of permit which are all included as part of the recommendation below.

Traffic Engineering comments dated 7 October 2014 (summarised)

'There is a number of traffic and waste related matters that have been raised that are of concern to Engineering Services. Engineering Services does not support the issue of a permit until these have matters have been resolved/clarified.'

On 15 October 2014 a response was submitted to the City of Melbourne. At the time of writing this report the Traffic Engineers had not yet provided further comments, though it is anticipated that the above concerns can be either satisfied via condition or through further information provided by the applicant.

On 20 October 2014 the Traffic Engineers provided detailed comments and recommended conditions responding to the additional information provided. The recommended conditions are below.

Land Survey comments dated 12 September 2014

The condition proposed should be amended to read as follows:

'Before the commencement of the use on the land, the owner of the land must enter into an agreement pursuant to Section 173 of the Planning and Environment Act 1987 with the City of Melbourne. The Agreement must be to the satisfaction of the City of Melbourne and must provide for the following:

- a. The laneway between Batmans Hill Drive and Brentani way must be open at all times to the public 24 hours per day and 7 days a week unless otherwise required with the prior written consent of the City of Melbourne.

The owner of the land must pay all of the City of Melbourne's reasonable legal costs and expenses of the agreement, including drafting, execution and registration of the agreement. The Agreement must be registered on title prior to occupation of the building.

In addition to the above, in regards to the proposed width and location of the laneway, the application should be referred to Urban Design for comment as it was Land Surveys understanding, from safety and design point of view that the access through the site would be of similar width. The laneway also shows proposed bikes hooks which may impact on emergency vehicle access.'

7. ASSESSMENT

The key issues in the consideration of this application are:

- Policies and provisions of the scheme including the MSS, Clause 22.18, DDO51-A3, DPO4 and the Docklands Zone 3

- Amendments to the Collins Square Development Plan
- Design and built form
- The design of the pedestrian thoroughfare
- Parking, Traffic and Waste
- Overshadowing
- Wind and ESD

MSS and related policies

The MSS identifies this area of Docklands as providing a physical and visual link with the west end of the Hoddle Grid and encourages a built form profile that forms an extension of the Hoddle Grid building profile. This is, therefore, an area where significant growth can occur supporting the overall urban consolidation objectives outlined in the State Planning Policy framework.

Clause 21.04-1.2 specifically highlights Docklands as an urban renewal area, stating that 'these areas have been planned and designed to provide for the expansion of the Central City in optimal living and working environments with a new mix of uses, higher density of development and excellent provision for walking, cycling and public transport services.

Amendment to Collins Square Development Plan

The Collins Street Development Plan was approved by the Minister on 29 June 2011 under Clause 43.04 of the Melbourne Planning Scheme. A subsequent amendment was approved on 13 August 2013 (Volume 3), which provided for an increased height to Tower 2 (Site 4D) and variation to the function of Brentani Way.

The current proposed amendment to the development plan seeks to facilitate additional height to Tower 5 (Site 4E) while remaining compliant with the Yarra River shadowing requirements. The amendment also seeks to change the proposed car parking provision and the proposed arrangement of the design of the pedestrian thoroughfare adjoining to the north, formerly referred to as 'Walkers Lane'.

Building envelope

In regard to the building envelope, the approved CSDP envisages a building envelope comparable to that of Tower 4, in the order of approximately 20 levels. The subject proposal is for 27 levels, thus the amendment is seeking a 7 level increase to what is currently envisaged. According to the Urbis submission dated 3 September 2014:

'This increase enables the incorporation of additional floor space within Tower 5, to best utilise the site and to enable greater flexibility to meet market requirements and hence deliver the project. While a building of scale has always been envisaged for this site, the determining factor for height is the prohibition of shadows over the south bank of the Yarra River, which essentially sets a defacto height limit for the site. The shadows associated with the increase in height have been documented and it has been confirmed that with the increase in height there will be no overshadowing of the south bank between 11am-2pm at the winter solstice.'

The overall size and bulk of the 27 storey building is not considered to be unreasonable in context, with no objections being offered by the Urban Design branch.

Furthermore, it is acknowledged that the prominent location of the subject site lends well to a moderately larger built form than other sites, such as 4C.

Traffic issues

The proposed amendment to the development plan also seeks to increase the overall parking allowance from 648 spaces to 800 spaces. It is acknowledged that the proposed tower is providing only 242 spaces, which is well under the 524 space rate generated by 34,700 sqm of office space and 474 sqm of retail. However, concerns in regard to traffic analyses of the overall development plan on the surrounding road network have been raised by the City of Melbourne's traffic engineers, particularly in the PM peak period. Until these issues have been addressed the City of Melbourne traffic engineers contend that 'it is not possible to determine if the proposed increase in parking allowed under the Collins Square Development Plan is reasonable'. On 15 October 2014 the

The other key change is that the vehicular access via Brentani Way shown on the current development plan is to be amended to now be from Georgiana Street. The applicant states that this is consistent with the latest amendment to the development, Volume 3, which downgraded the function of Brentani Way to an emergency and services access road. However, the City of Melbourne's traffic engineers have raised a number of issues in relation to the overall functionality of the site and the level of detail provided:

- Requirements of further analysis in regard to the potential for queuing at the southern site access point.
- The traffic estimates must reflect the lower percentage traffic accessing the site to/from Village Street and a significantly higher percentage accessing the site to/from McRae Street.
- Details be provided as to how potential conflict between vehicles accessing the basement car park and vehicles accessing the loading bay is to be managed (or provision of an independent loading bay) and how waste collection arrangements are proposed to work noting that the storage area is remote from the loading bay and the shared nature of the access aisle.
- Assessment be provided that demonstrates how the combined intersections of McRae Street/Georgiana Street and Wurundjeri Way/Georgiana Street are impacted and what mitigating measures are required, noting concerns regarding the operation and safety of the existing arrangement for all road users, pedestrians, cyclists, motorists and tram operations. Functional Layout Plans should be provided, as required.
- A Functional Layout Plan must be prepared showing the changes to the operation and traffic management proposed for Bretani Way.
- Details of how pedestrian movements are to be managed to/from the proposed pedestrian walkway, and in the vicinity of the car park access point for Towers 1, 2, 3 and 4.
- An independent Road safety Audit for the proposed Zebra pedestrian crossing in Georgiana Street, immediately south of the Georgiana

Street/Brentani Way/off-street car park access (Towers 1, 2, 3 and 4) intersection.

Other lesser issues raised include:

- Details of how access to the basement from the northern access point will be controlled.
- The disabled parking spaces on each level of the car park be relocated to the western side of the car park, near the access lift.
- Pedestrian site triangles required adjacent the exit side of the northern access point, in accordance with Clause 52.06-8 of the scheme.
- The break-up of the allocation of spaces to office, retail, visitor etc should be provided as well as consideration of short-term parking for taxis and passenger drop-off/pick-ups should be provided.
- Exact dimensions and details of bicycle parking systems. Bicycle spaces on Batmans Hill Drive to be replaced with a small number of bicycle hoops and/or relocated to pedestrian extension of Brentani Way
- The Zebra pedestrian crossing in Georgiana Street is a Major Traffic Control item and therefore approval would need to be obtained from VicRoads by the applicant for the proposed treatment.
- A waste management plan is required.

Although some of these issues could be addressed via conditions of permit, Engineering Services indicated that were unresponsive of a permit until they are resolved. On 8 October 2014 a full copy of the traffic advice was sent to the applicant to ensure they were aware of the issues and could respond to them as quickly as possible.

On 15 October 2014, following a meeting between the proponent, Traffic Engineers and the Planning Officer, a response to the above issues was received. On 20 October 2014 the Traffic Engineer's provided detailed comments and recommended conditions that satisfied all their original concerns.

Design and built form

As stated above, the amendment to the Collins Square Development Plan to facilitate a higher building than the previously envisaged 20 level building at the subject site is supported.

Clause 22.18 states that diversity and complementary design between buildings and public spaces is encouraged within Docklands. The policy seeks to encourage exciting, viable developments built to the highest design and environmental standards.

In regard to the design of the proposed 27 level building an Urban Context Report and submissions from Urbis and Walker Corporation have been included in the application.

It is felt that the design is complemented by the 'sash' or architectural fissure which dissects the length of the building on the south west corner. The fissure, created using a combination of faceted glazing elements and curved glass louvres with a coloured interlayer, provides an interesting point of difference and helps to break-up the mass of the building while also helping to create a pedestrian scale by linking

this element to the awnings / lobby at the bottom of the building. This unique design allows the increased height to act as a strong introduction to the rest of the site when approaching from the southern side. Urbis state that 'The Tower 5 feature 'fissure' has been used as an architectural element to highlight and address the prominent South Western corner of the Collins Square development.'

The rest of the building is shown in a curved glazed form, which in combination with the fissure, creates a unique and interesting building with a soft, aesthetic appearance.

Moreover, the additional seven levels will not cause unreasonable amenity impacts to any nearby development such as the V1 Village Docklands to the east.

Overall, it is felt that the size and massing of the building responds well to its surrounds. At this location the building will sit comfortably within in its surrounds and will act as a successful introduction to the highly visible south western edge of the Collins Square precinct.

For these reasons, the design of the proposed Tower 5 is supported.

Pedestrian thoroughfare and Public realm

Clause 22.18 includes design principles to create active streets throughout Docklands with ground floor active uses and facades that are attractive to passing pedestrians with interest provided by window and door openings. Although there a number of issues that have been raised by the Engineering team, predominantly in regard to traffic management issues, the design of the building is considered to complement the existing road and pedestrian network while also providing an important link to the CBD. The design of the building has a high degree of ground level activation and pedestrian amenity including canopies for weather protection.

As stated above, the pedestrian thoroughfare running between Georgiana Street and Batmans Hill Drive at the northern edge of the site has been the source of much pre-application discussion. The initial position from the applicant was that this link could potentially be closed off to accommodate a combined floorplate of Towers 4 and 5 for a single tenant. In essence the two buildings could be joint with the podium car spaces and office layouts connected. The agencies were resistant to this concept indicating that the original development plan intended on this space to be retained as a pedestrian thoroughfare. Following feedback from a final agency only ore-application meeting on 18 July 2014 the application was revised to retain the thoroughfare.

The design of the thoroughfare now includes a double level clearance, modest upper level setbacks at both entry points as well as bicycle hooks and an art piece. In addition to this the ground level lobby includes an open-air entry. All of these features will help ensure that the thoroughfare is to be a functional and safe area that pedestrians will utilise move in and out of the site. The Urban Design Branch, who have been a strong advocate for the retention of the pedestrian thoroughfare throughout the pre-application process, provided general support of the design while also suggesting a number of further measures to improve the space as follows:

- Bluestone paving to ensure it is clearly identifiable as a public thoroughfare.
- Cutting back the floor plate at the entry points to the thoroughfare and at other nearby points to increase light penetration, site lines and openness.
- Allowance to be made for daylight to be introduced between the setback parking bridge link structure and the canopy structure.

These measures will be included as recommendations, rather than conditions of permit, as they do impact on already endorsed adjoining schemes.

Overshadowing

At the request of the City of the Melbourne Planning Officer a shadow analysis was provided on 9 October 2014. Importantly, the submitted shadow plan shows that between 11am and 2pm on June 22 the revised built form will not overshadow the south bank of the Yarra. At 11am it is shown to be very close to the south bank of the Yarra. Following further analysis using the City of Melbourne's GIS system, it appears the applicant's shadow analysis is accurate, though it may be prudent to request a more detailed analysis for 11am on June 22 to make absolutely certain.

At equinox the shadow impact is shown to be relatively limited, predominantly affecting the car park adjoining to the north of 731-739 Flinders Street. Also encouraging is that Seafarers Rest is shown to not be affected at equinox. The shadow analysis was compared to the City of Melbourne's GIS system and deemed to be accurate.

Wind, ESD and Water Sensitive Urban Design

The Wind report prepared by MEL Consultants indicates that the wind conditions at ground level around the development were shown to be either on or within criterion for waling comfort for all wind directions.

The ESD statement prepared by Inhabit Australasia Pty Ltd states that the new building will be designed to achieve 5 star energy ratings.

The submitted Water Sensitive Urban Design submission details that the stormwater harvesting through the use of an 80,000 litre rainwater tank will satisfy the required water quality performance objectives.

7.1. Conclusion

The proposed amendments to the development plan are considered to be generally supported subject to further details being provided in regard to the various traffic / parking issues raised by the City of Melbourne's Traffic Engineers.

Provided the additional traffic and parking information that is required is deemed satisfactory, then the proposed permit application for Tower 5 is also deemed to be supportable.

Given the outstanding information and the objection raised by the Engineering Branch it is deemed necessary for a letter to be sent raising in principle support subject to confirmation from our Traffic Engineers that the above concerns have been satisfied. It is anticipated that some of the concerns will be satisfied through conditions.

8. OFFICER RECOMMENDATION

That a letter be sent to DTPLI advising that the City of Melbourne offers in principle support for the proposal but the following issues require further resolution:

Urban design recommendations

We are concerned regarding the extent of enclosure and cover to this arcade, particularly at the eastern end and have consistently argued for greater height and volume and access to light and air at the eastern end. Building 4E effectively joins onto 4C and 4D at a point. It is recommended this point could be more effectively opened up by the following means:

Plan level RL 10.55 (dwg 04.01 Design response)

- cut back floor plate between grid lines 15D/16 and F/G
- cut back foyer area between g/l 16/18 and Fe/Ee
- this will involve loss of 8 car bays in T4 to allow for desired access between foyers Plan level RL 13.30, RL 16.05, RL 18.80, RL 22.75, RL 60.27 and RL 75.35 as above re. cutback floor plate between g/l 15D/16 and F/G

Ref. drawing TP3002E North Elevation shows a section through the arcade. Allowance must be made for daylight to be introduced between the setback parking 'bridge' link structure and the canopy structure.

Urban Design also recommends that the pedestrian thoroughfare be bluestone, something which the proponent has confirmed is to be implemented.

Traffic and parking recommended conditions

Traffic Report

Before the development starts or as otherwise agreed, excluding preliminary site works, bulk excavation, site preparation, soil removal, site remediation, retention works, piling and footings an amended Traffic Report shall be prepared and submitted to the Responsible Authority in consultation with the City of Melbourne Engineering Services addressing the following matters.

- a) A revision of the traffic analyses using more conservative traffic generation rates for the three unbuilt towers. As a minimum, a rate that is the average of the rates adopted in the 2013 Collins Square Development Plan and the rates surveyed for Towers 1 and 2 must be used.
- b) A review of DDA parking locations and confirmation that the proposed locations are suitable with regard to distance of travel and access arrangements to the lift lobbies and car park exits.
- c) A review of the access to the basement car park through the northern access point to ensure that the proposed access control does not impact on loading operations and is designed with appropriate grades at the access control.
- d) A review of the access to the podium car park to accommodate a minimum vehicle queue of 2 vehicles at an appropriate grade.

This report must be to the satisfaction of the City of Melbourne Engineering Services and approved by the Responsible Authority.

Bicycle Parking

A minimum 154 on-site bicycle parking for visitors and employees shall be provided to the satisfaction of the Responsible Authority.

All bicycle parking proposed along the site's street frontage's are to be removed from the plans.

Loading Bay Management Plan

Prior to the use of the loading bay or as otherwise agreed, excluding preliminary site works, bulk excavation, site preparation, soil removal, site remediation, retention works, piling and footings a Loading Bay Management Plan Report shall be prepared and submitted to the City of Melbourne Engineering Services addressing the following matters:

- a) Traffic management measures proposed to manage conflict between cars, loading vehicles and pedestrians;
- b) Any associated signage and line marking to improve the use of the area;
- c) Proposed loading hours to be outside of commuter traffic periods.

This report must be to the satisfaction of the City of Melbourne Engineering Services and approved by the Responsible Authority.

Functional Layout Plan

Before the development starts, excluding preliminary site works, bulk excavation, site preparation, soil removal, site remediation, retention works, piling and footings a Functional Layout Plan Report shall be prepared and submitted to and approved by the City of Melbourne Engineering Services addressing the following matters.

- Revised traffic management including signs and line marking for the intersection of McCrae Street/Georgiana Street that improves intersection operation and vehicle priorities through the intersection to minimise the potential impact of inbound vehicle queues on the adjacent trams or as otherwise agreed.
- Preparation of a plan for the intersection of Georgiana Street/Brentani Way/Car Park Access that gives priority to eastbound vehicle movement to Brentani Way over the exit from the existing car park or as otherwise agreed.
- Preparation of a plan for Brentani Way that changes the one way traffic flow from the westbound direction to the eastbound direction including all temporary, i.e. Changed Conditions signs and permanent infrastructure.
- All road works at Bretani Way and the intersection of McRae Street/Georgiana Street and Georgiana Street/Brentani Way/Car Park Access are to be implemented at no cost to Council and in consultation with Engineering Services Infrastructure branch to ensure that they conform to Council's standards.
- An independent Road Safety Audit must be undertaken following completion of mitigating works at the intersection of McRae Street/Georgiana Street by a suitably qualified professional, with the report to be provided to City of Melbourne Engineering Services, and all recommendations from the audit to be implemented, at no cost to Council and with agreement by City of Melbourne Engineering Services.
- All road works at the intersection of Georgiana Street/Brentani Way/Car Park Access are to be implemented at no cost to Council and an independent

Road Safety Audit must be undertaken of the Functional Layout Plan, and following completion of the implementation of road works by a suitably qualified professional, with the report to be provided to City of Melbourne Engineering Services, and all recommendations from the audit to be implemented, at no cost to Council and with agreement by City of Melbourne Engineering Services.

Pedestrian Site Line

Prior to the commencement of the development pedestrian sight triangles to be provided adjacent to the exit side of the northern access point, in accordance with Clause 52.06-8 of the Melbourne Planning Scheme and to the satisfaction of the City of Melbourne Engineering Services and approved by the Responsible Authority.

Land survey recommended condition

'Before the commencement of the use on the land, the owner of the land must enter into an agreement pursuant to Section 173 of the Planning and Environment Act 1987 with the City of Melbourne. The Agreement must be to the satisfaction of the City of Melbourne and must provide for the following:

- b. The laneway between Batmans Hill Drive and Brentani way must be open at all times to the public 24 hours per day and 7 days a week unless otherwise required with the prior written consent of the City of Melbourne.

The owner of the land must pay all of the City of Melbourne's reasonable legal costs and expenses of the agreement, including drafting, execution and registration of the agreement. The Agreement must be registered on title prior to occupation of the building.

Civil Engineering recommended conditions and notes

'The proposed canopy must comply with the City of Melbourne's Road Encroachment Operational Guidelines and be set back 750mm minimum from the face of the kerb at any point.

The works shall be undertaken in accordance with the current Docklands Design and Construction Standards for Infrastructure Works and subject to the inclusion of standard conditions to address detailed matters.

PR.09 Drainage of projections

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 Responsible Authority – Engineering Services

DET.11 Drainage connection underground

Prior to the commencement of the development, a stormwater drainage system, incorporating integrated water management design principles, must be submitted to and approved by the Responsible Authority – Engineering Services. This system

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

AC.02 Demolish and construct access

Prior to the commencement of 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 Responsible Authority – Engineering Services.

AC.06 Sawn bluestone footpaths

The footpaths adjoining the site along Batmans Hill Drive and McCrae Street must be reconstructed in sawn bluestone together with associated works including the reconstruction or relocation of kerb and channel and/or services as necessary at the cost of the developer, in accordance with plans and specifications first approved by the Responsible Authority – Engineering Services.

XX.XX Footpaths

The footpath adjoining the site along Georgiana Street must be reconstructed together with associated works including the reconstruction or relocation of kerb and channel and/or services as necessary at the cost of the developer, in accordance with plans and specifications first approved by the Responsible Authority – Engineering Services.

AC.11 Street levels not to be altered

Existing street levels in Batmans Hill Drive, McCrae Street and Georgiana Street must not be altered for the purpose of constructing new vehicle crossings or pedestrian entrances without first obtaining approval from the Responsible Authority – Engineering Services

AC.12 Existing street lighting not altered without approval

Existing public street lighting must not be altered without first obtaining the written approval of the Responsible Authority – Engineering Services.

NOTES

Any requirement to temporarily relocate street lighting must be first approved by the City of Melbourne – Manager Engineering Services Branch.

Any requirement to temporarily relocate and/or remove street furniture must be first approved by the City of Melbourne – Manager Engineering Services Branch.

The proposed East-West laneway between Batman Hill Drive and Brentani Way shall remain the responsibility of the land owner(s) in perpetuity and no attempt will be made to dedicate the laneway to the public.

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

Waste

Prior to the commencement of development, a Waste Management Plan (WMP) shall be prepared and submitted to the City of Melbourne - Engineering Services. The WMP should detail waste storage and collection arrangements and comply with the City of Melbourne Guidelines for Preparing a Waste Management Plan 2014. Waste storage and collection arrangements must not be altered without prior consent of the City of Melbourne - Engineering Services.

Additional Standard Conditions

- Prior to the commencement of the development a schedule and samples of all external materials, colours and finishes including a colour rendered and notated plan /elevation must be submitted to, and approved by the Responsible Authority.
- No architectural features, plant and equipment or services other than those shown on the endorsed plans are permitted above roof level, unless with the prior written consent of the Responsible Authority.
- Prior to the commencement of the development, including demolition or bulk excavation, a detailed construction and demolition management plan must be submitted to and be approved by the Responsible Authority – 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.
- Glazing materials used on all external walls must be of a type that does not reflect more than 15% of visible light, when measured at an angle of 90 degrees to the glass surface, to the satisfaction of the Responsible Authority.
- This permit will expire if one of the following circumstances applies:
 - a) The development is not started within two years of the date of this permit.
 - b) The development is not completed within four years of the date of this permit.

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.

Julian Larkins
Senior Planning Officer