

Report to the Future Melbourne Committee

Agenda item 6.1

Planning Permit Application: TP-2020-235 10-16 Dorcas Street, Southbank

2 February 2021

Presenter: Larry Parsons, Practice Leader Land Use and Development

Purpose and background

1. The purpose of this report is to advise the Future Melbourne Committee of a planning permit application seeking approval for the construction of a multi-storey mixed-use building comprising office space, a residential hotel and dwellings at 10-16 Dorcas Street, Southbank (refer attachment 2 – Locality Plan).
2. The applicant is Tract Consultants, the owner is Triumphant Wealth Capital Pty. Ltd. and the architect is Plus Architecture.
3. The site is located in a Mixed Use Zone (MUZ), Design and Development Overlay Schedules 27 (DDO27, CityLink exhaust stack environs) and 60 (DDO60, Special character areas - Built form, Southbank) and Parking Overlay Schedule 12 (PO12, Residential development in specific inner city areas).
4. The proposed building is 19 storeys high and features three distinct elements; a podium and two stacked off-centre tower forms. The building would comprise 2,293 square metres of office space, 172 hotel rooms and associated conference and recreation facilities and 36 dwellings.
5. Public notice (advertising) of the application was undertaken and 47 objections and one letter of support were received.

Key issues

6. The key issues for consideration are the potential impacts of the building upon the setting of the Shrine of Remembrance and the general amenity of surrounding residents.
7. The proposed building would be visible from acute angles only when viewed from the Shrine, and in accordance with recommended conditions, the overall height of the building would be reduced to a maximum of 70 metres, as measured to the Australian Height Datum (AHD). This, together with the similar heights of existing surrounding buildings, ensures the development will not visually impact upon the Shrine, nor overshadow the Shrine surrounds.
8. The stacked off-centre form of the building successfully responds to the constraints of the site, including the proximity of sensitive interfaces (window, balconies and open spaces). A minimum distance of nine metres to facing windows and balconies will be provided. Though this is one metre less than preferred by Schedule 60 of the Design and Development Overlay, it nevertheless accords with the overlooking standards set out elsewhere in the planning scheme.
9. This separation distance between facing windows was a key issue raised by objectors together with associated amenity impacts; concerns regarding the atypical form and appearance of the building; the traffic and parking demands generated by the development; and access to the on site car park via Wells Place. Refer to Delegate's Report for detailed responses.
10. Recommended conditions require projecting elements at the rear of the building to be reduced in order to provide a greater degree of outlook from the adjacent approved residential development to the north. Aside from this recommended alteration, the form of the building is otherwise considered to be acceptable

Recommendation from management

11. That the Future Melbourne Committee resolves to issue a Notice of Decision to Grant a Permit subject to the conditions set out in the delegate report (refer Attachment 4 of the report from management).

Attachments:

1. Supporting Attachment (Page 2 of 54)
2. Locality Plan (Page 3 of 54)
3. Selected Plans (Page 4 of 54)
4. Delegate Report (Page 25 of 54)

Supporting Attachment

Legal

1. Division 1 of Part 4 of the *Planning and Environment Act 1987 (Act)* sets out requirements in relation to applications for permits pursuant to the relevant planning scheme.
2. As objections have been received, sections 64 and 65 of the Act provide that the Responsible Authority must give the applicant and each objector notice in the prescribed form of its decision to either grant a permit or refuse to grant a permit. The Responsible Authority must not issue a permit until the end of the period in which an objector may apply to VCAT for a review of the decision or, if an application for review is made, until the application is determined by VCAT.

Finance

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

Conflict of interest

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

Health and Safety

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

Stakeholder consultation

6. Public notice of the application has been undertaken to surrounding owners and occupiers, pursuant to Section 52 of the Act.

Relation to Council policy

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

Environmental sustainability

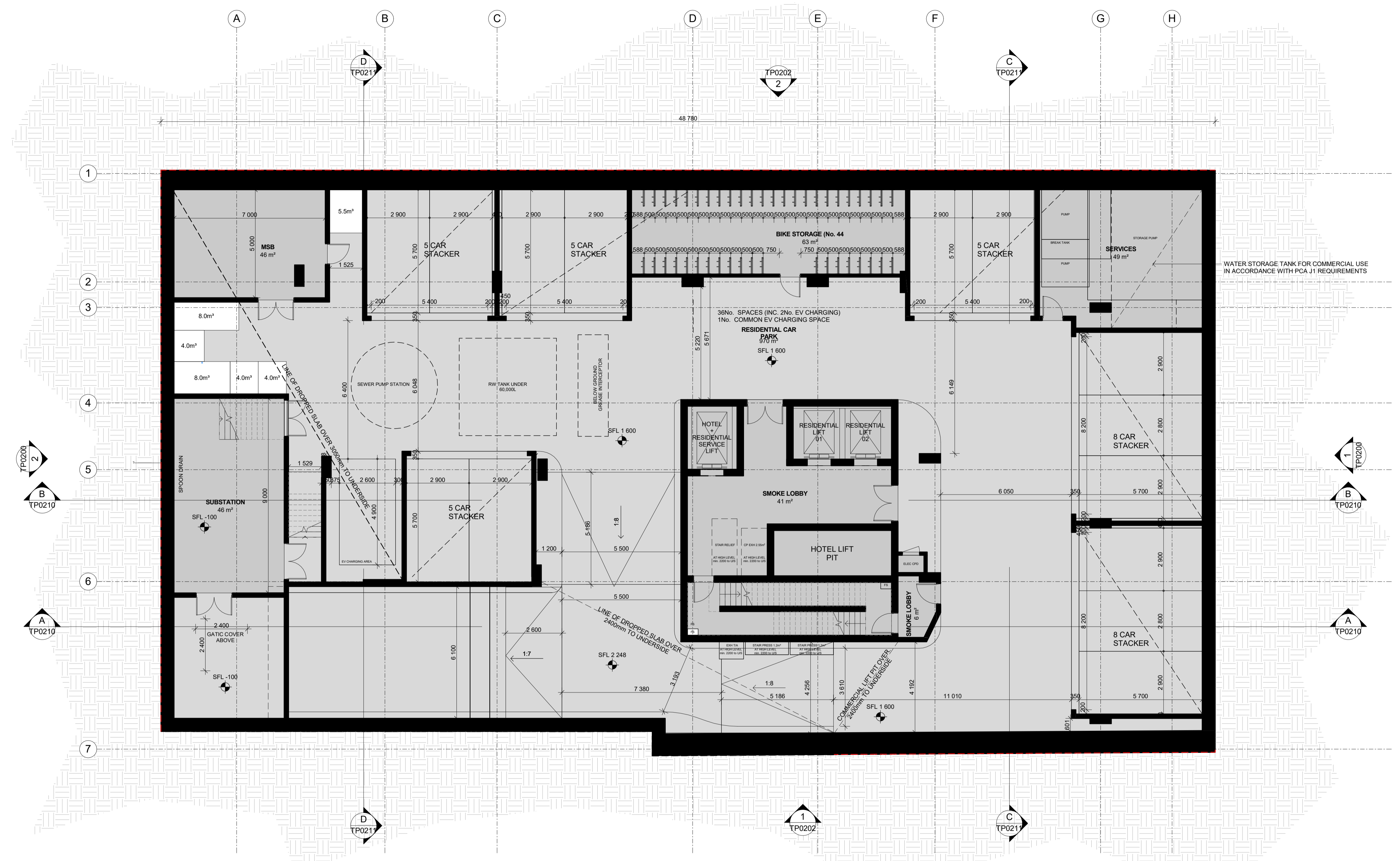
8. The Environmentally Sustainable Design (ESD) report submitted with the application confirms the development will achieve the relevant performance measures set out in Clauses 22.19 (Energy, Water and Waste Efficiency) and 22.23 (Stormwater Management) of the Melbourne Planning Scheme.

Locality Plan

10-16 Dorcas Street, Southbank

Attachment 2
Agenda item 6.1
Future Melbourne Committee
2 February 2021





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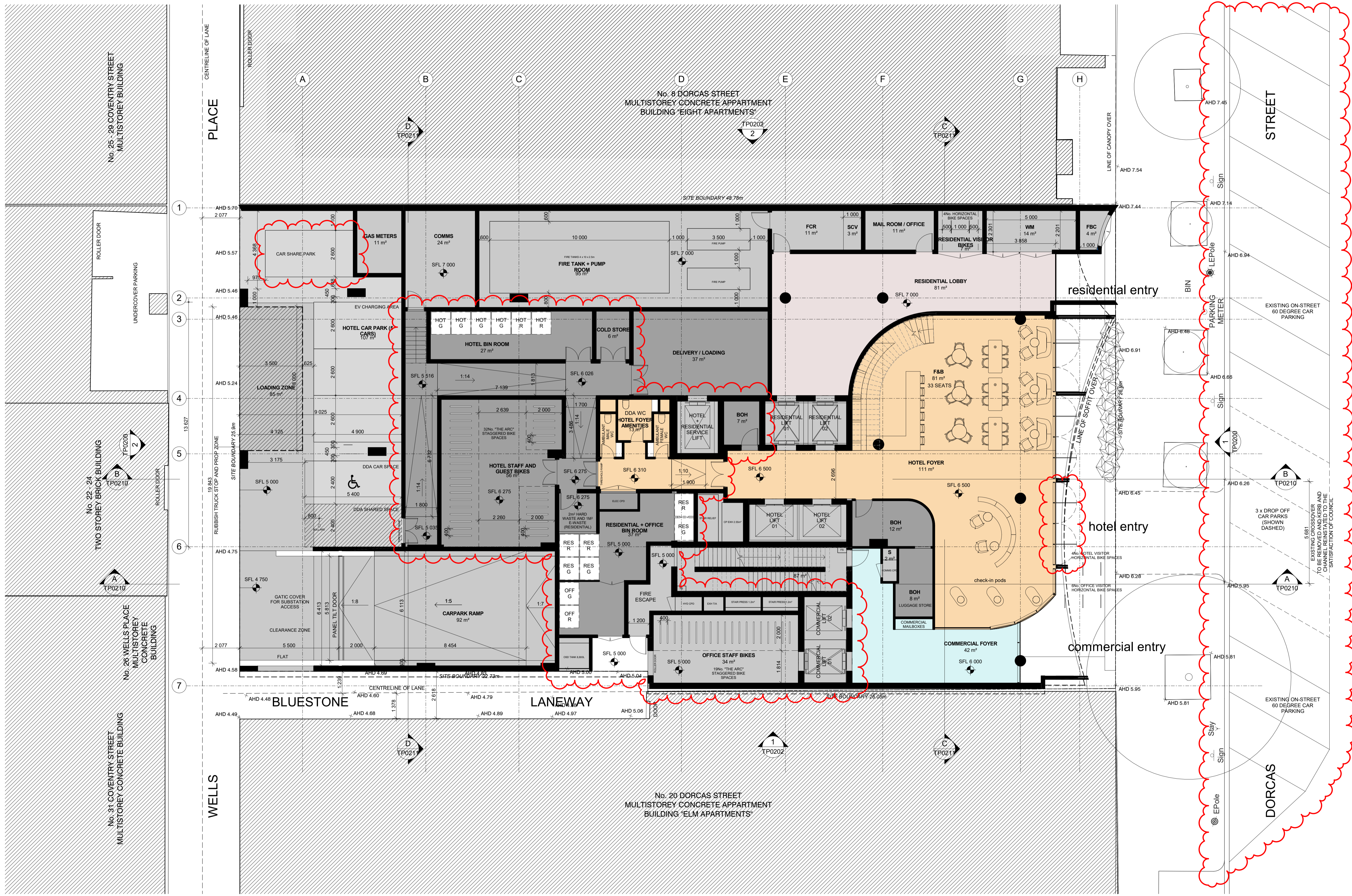
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PROJECT 10 DORCAS STREET, SOUTHBANK	DRAWING TITLE BASEMENT PLAN (RESIDENTIAL)
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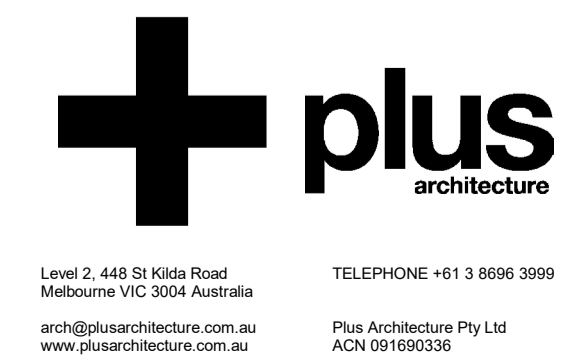
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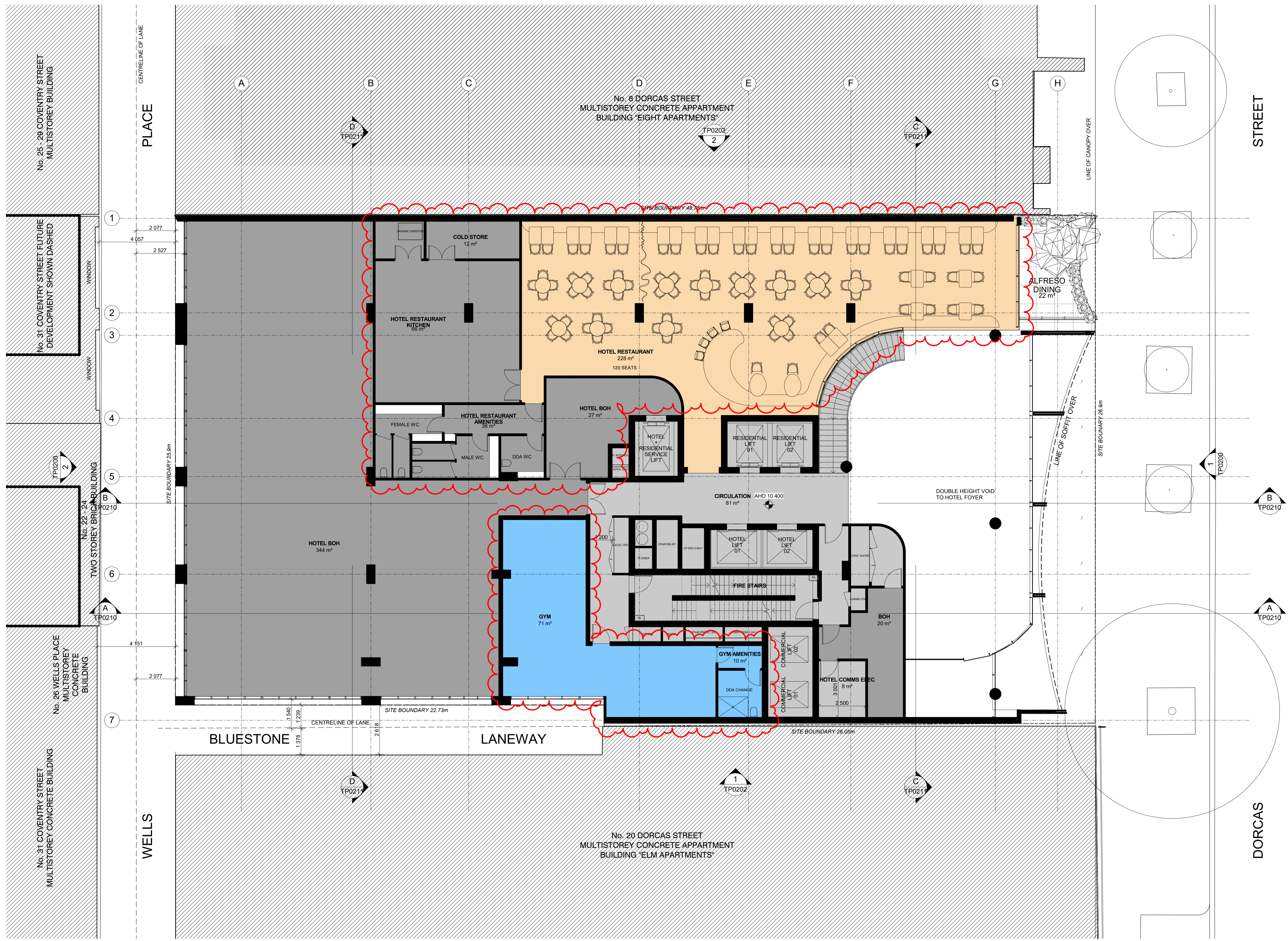
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PROJECT
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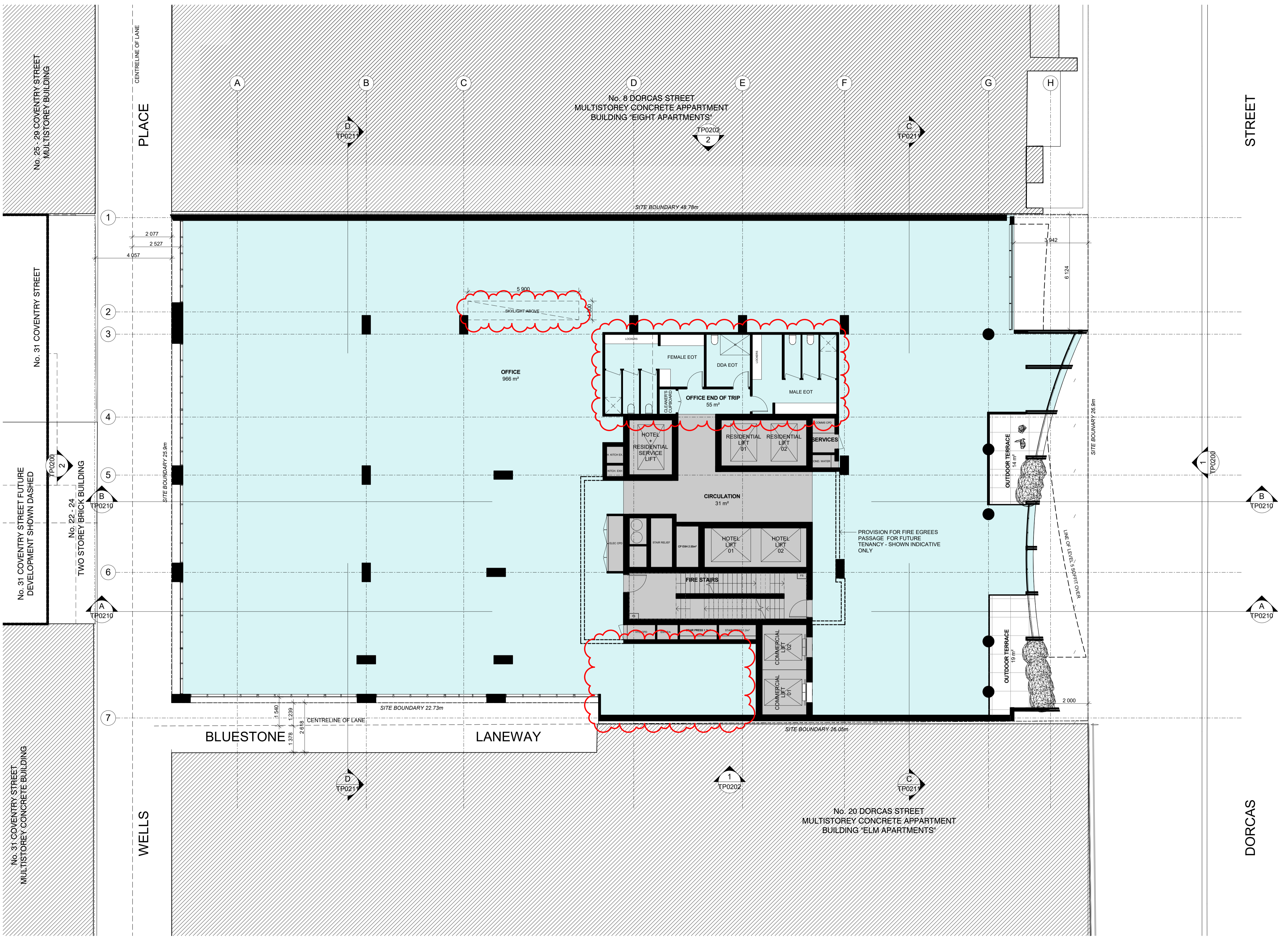
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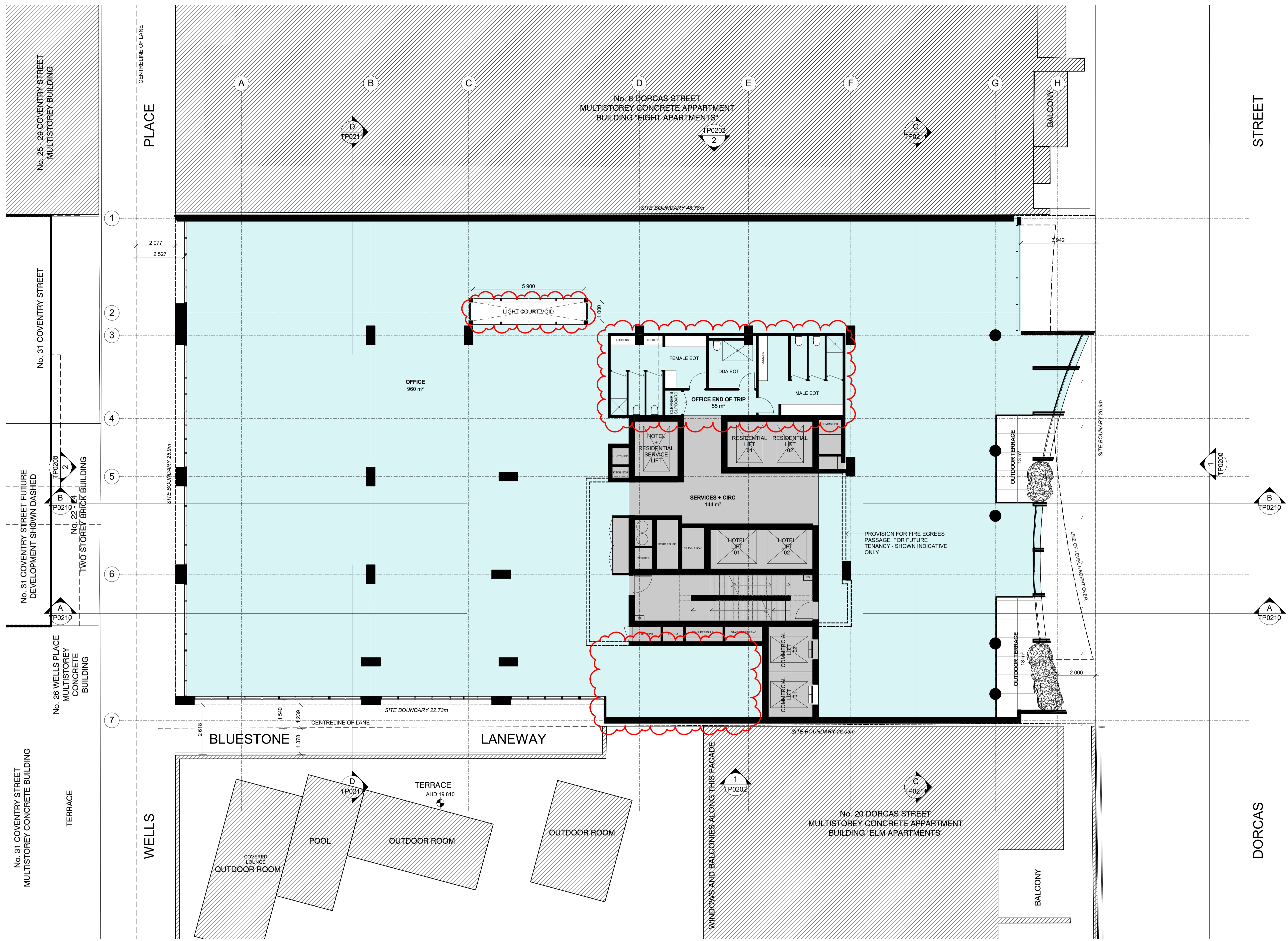
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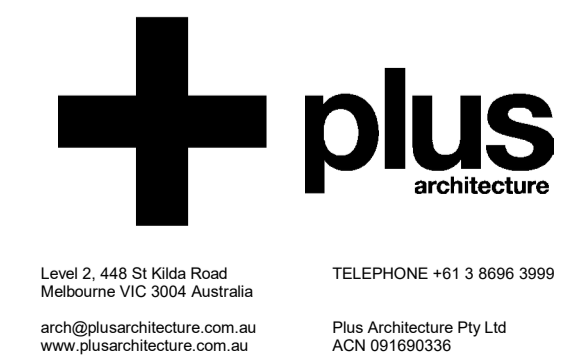
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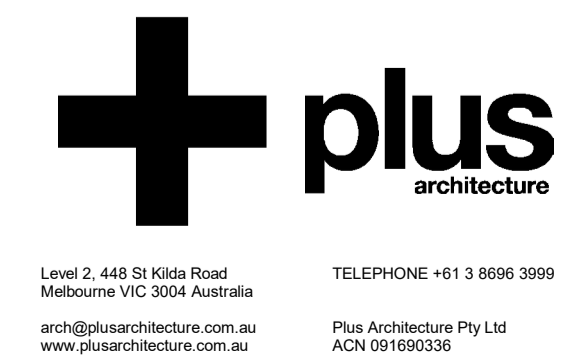
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PROJECT
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LEVEL 06, 12 + 13 TYPICAL PLAN (HOTEL)

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PROJECT
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LEVEL 07 - 11 TYPICAL PLAN (HOTEL)

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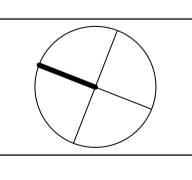
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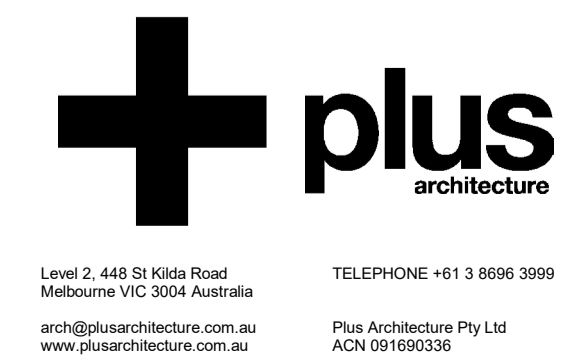
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PROJECT
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LEVEL 15 - 19 TYPICAL PLAN (RESIDENTIAL)

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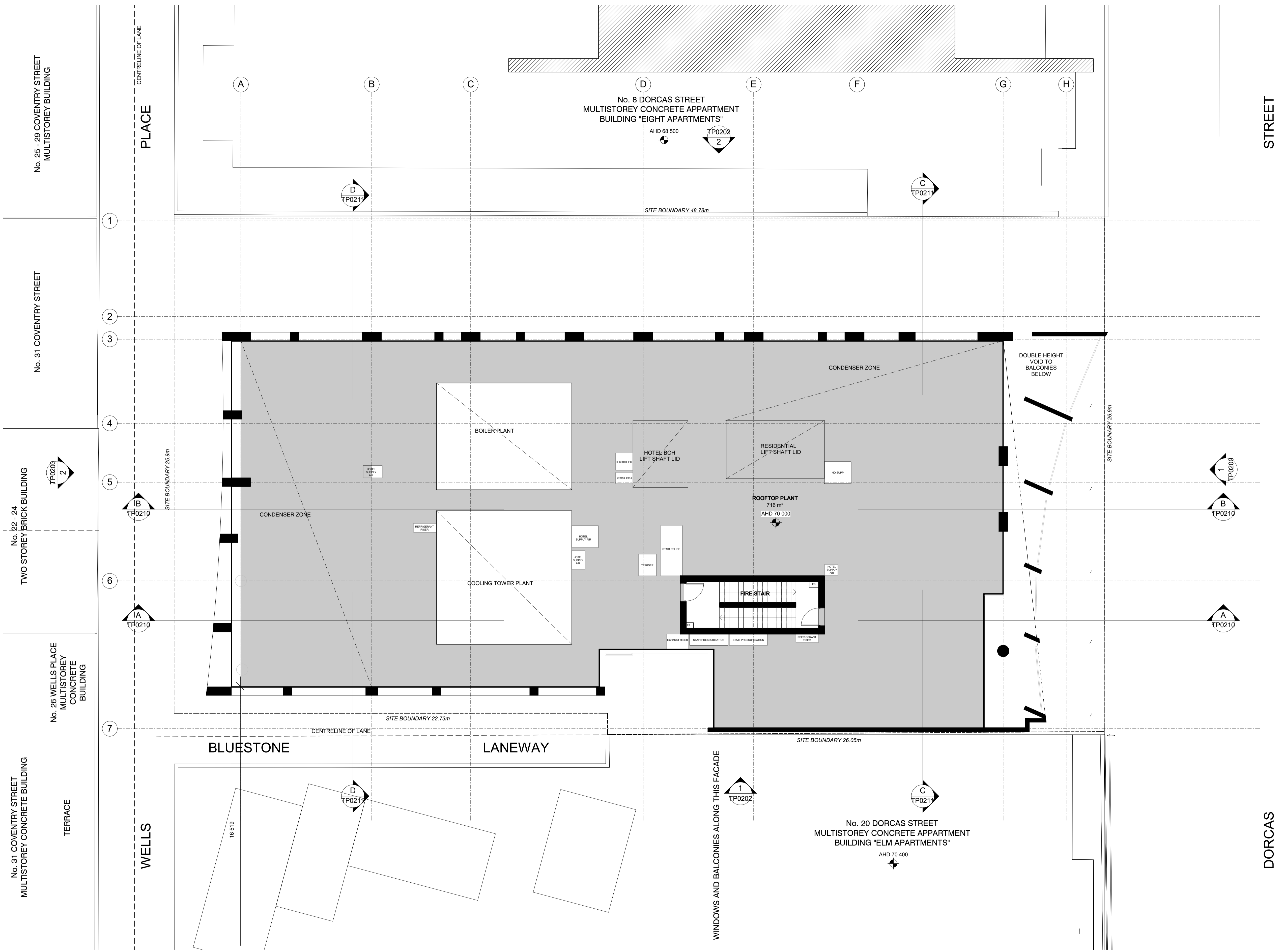
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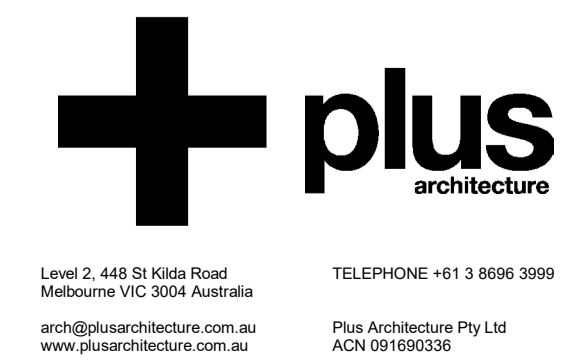
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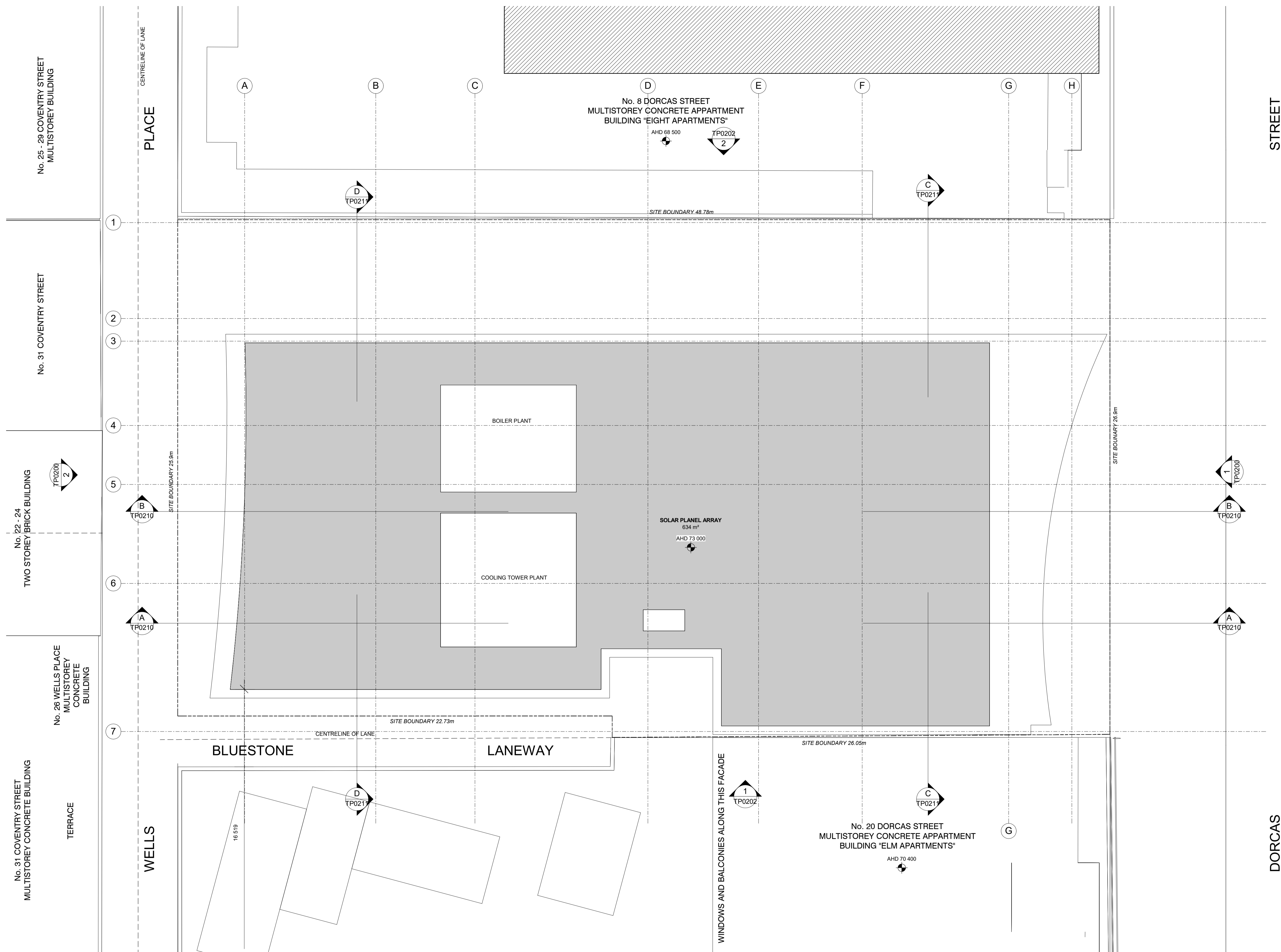


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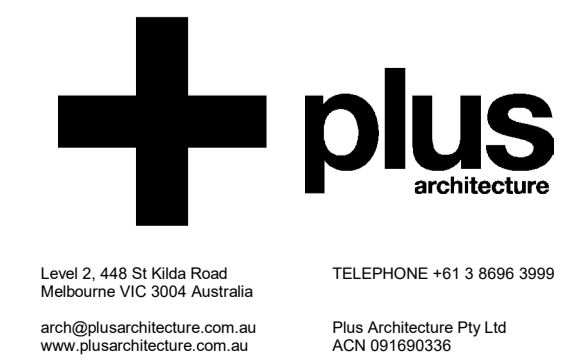
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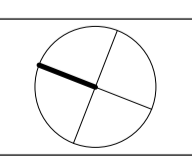


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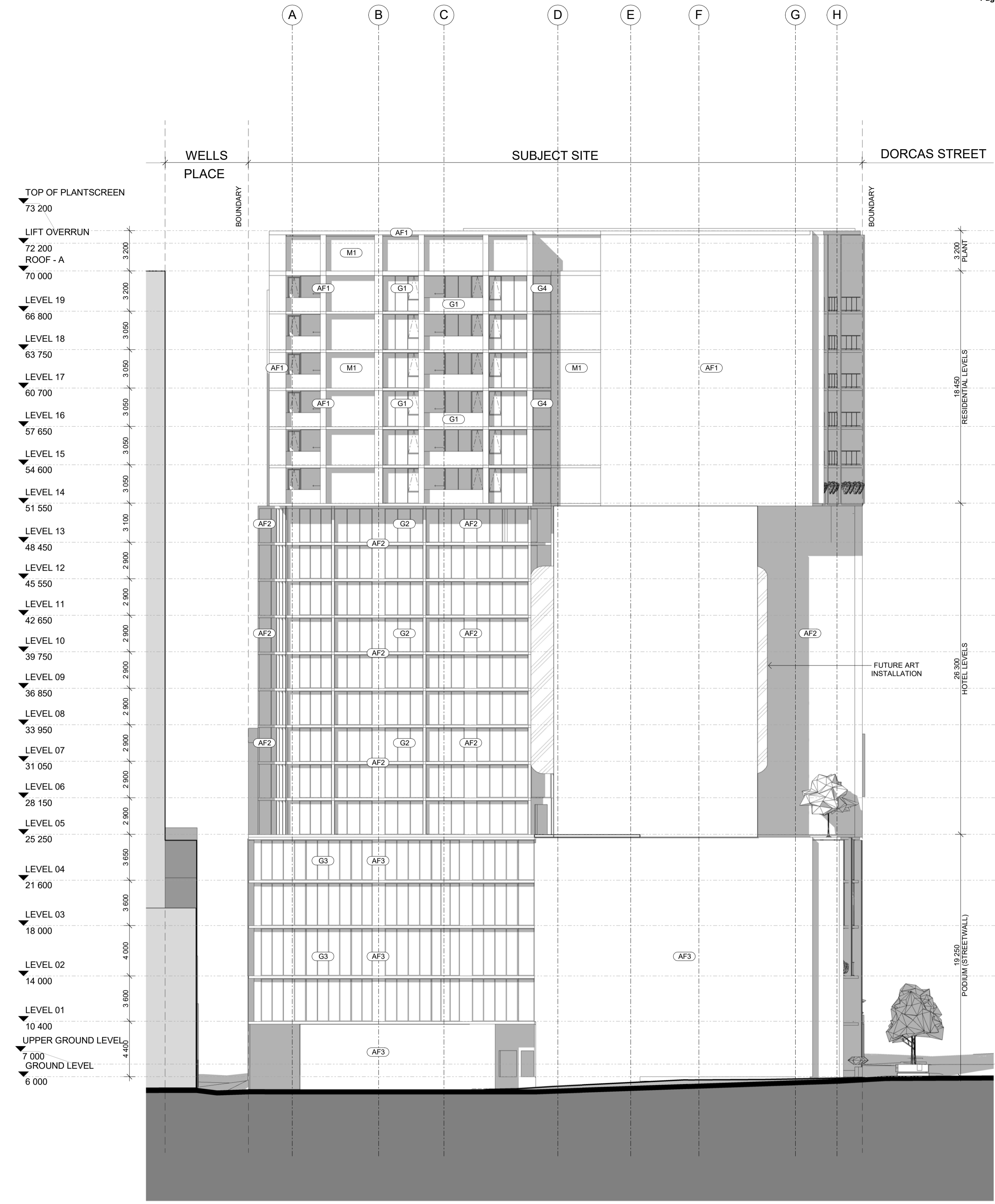
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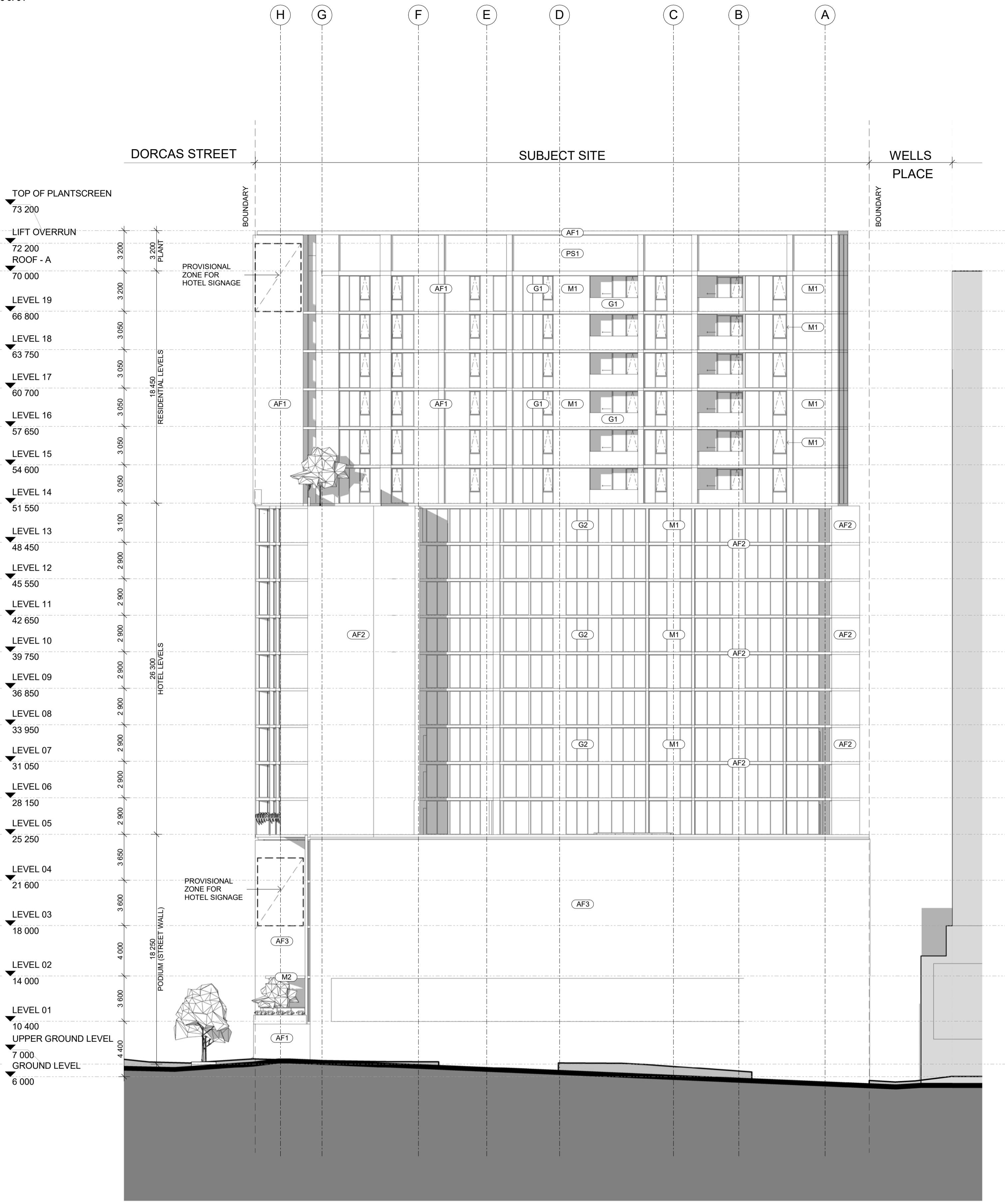
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1 WEST ELEVATION
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2 EAST ELEVATION
Scale: 1 : 200

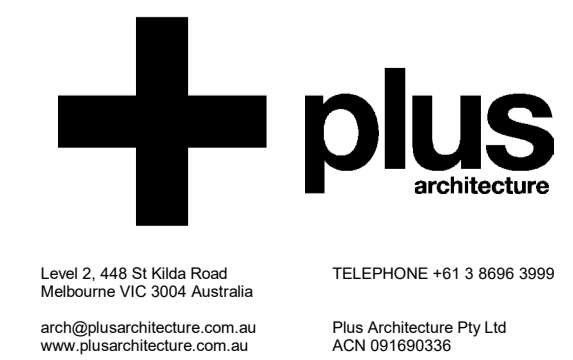
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(TL1) TILE - MID GREY	(G4) GLAZING DARK (COMMERCIAL)	(PS1) PERORATED PLANT SCREEN

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BUILDING SURVEYOR	SURVEYOR Email: EMAIL	03 9650 7999
FIRE SAFETY ENGINEER	FIRE SAFETY Email: EMAIL	03 9620 4025



PROJECT
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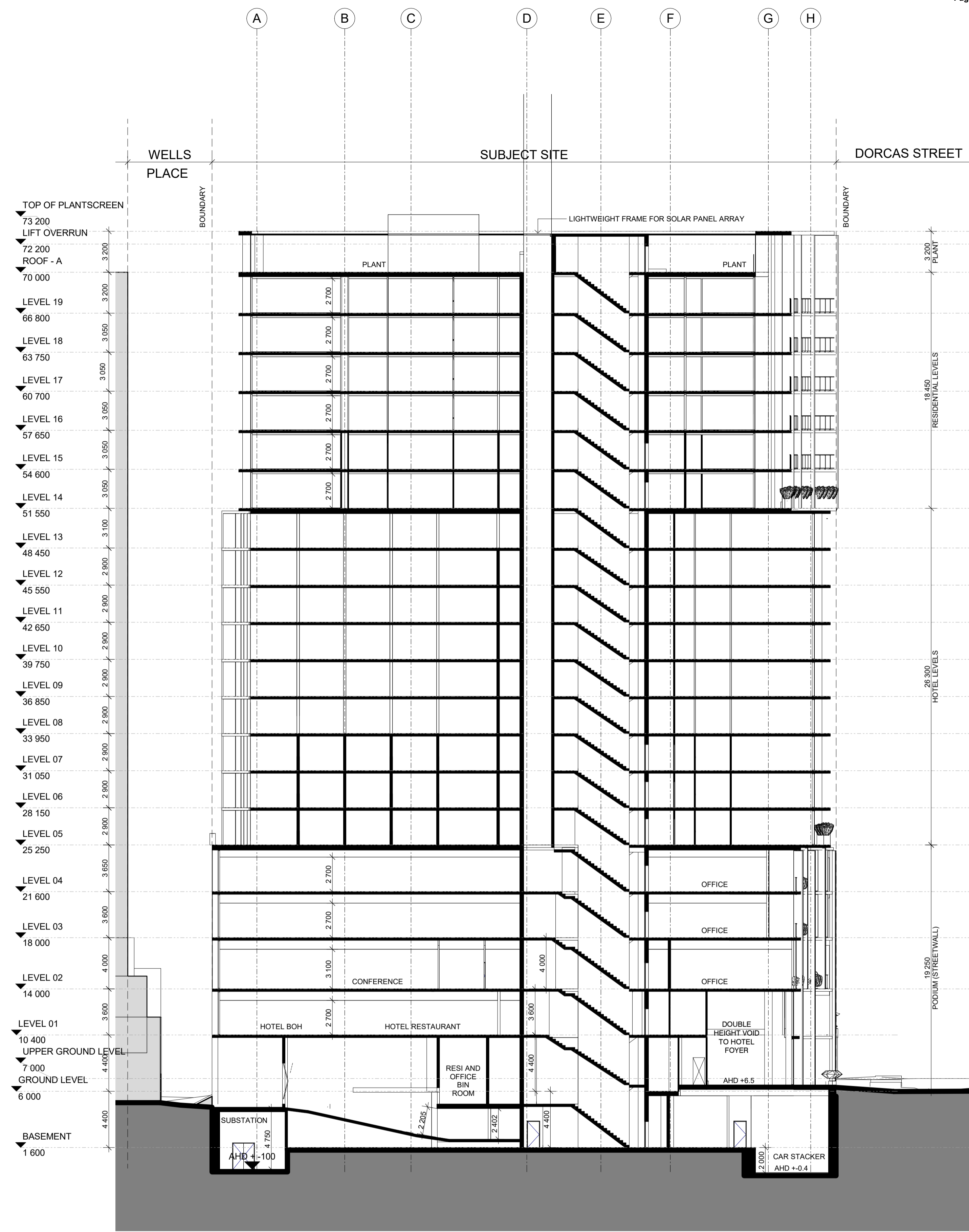
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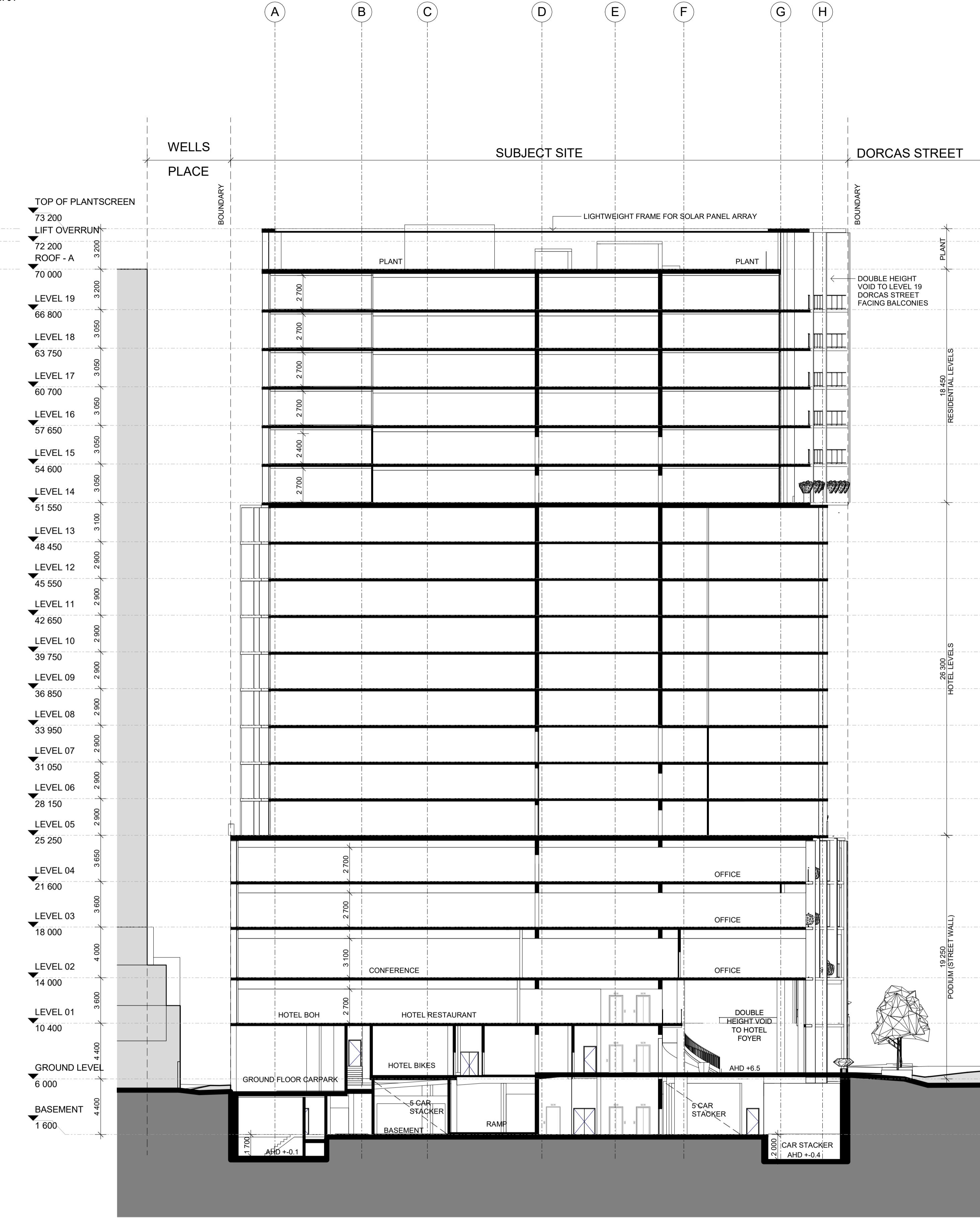
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A SECTION A
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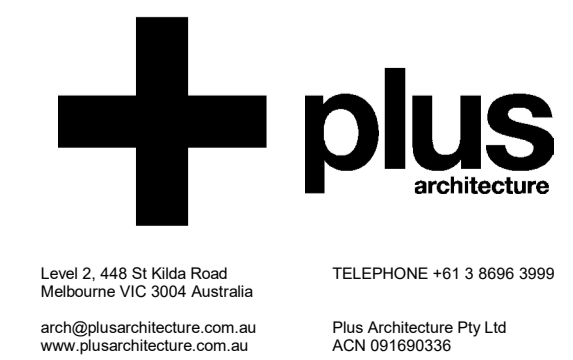


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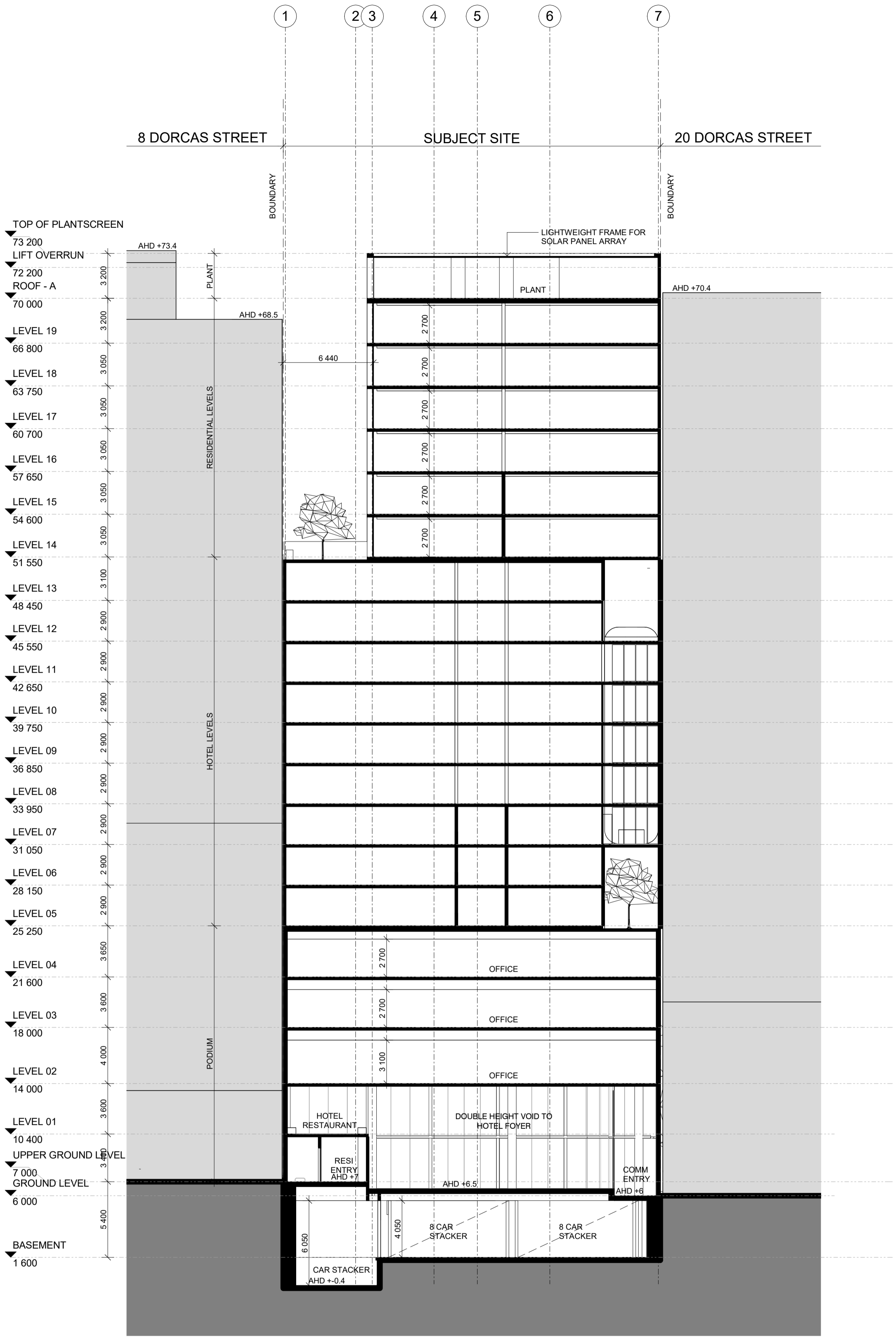
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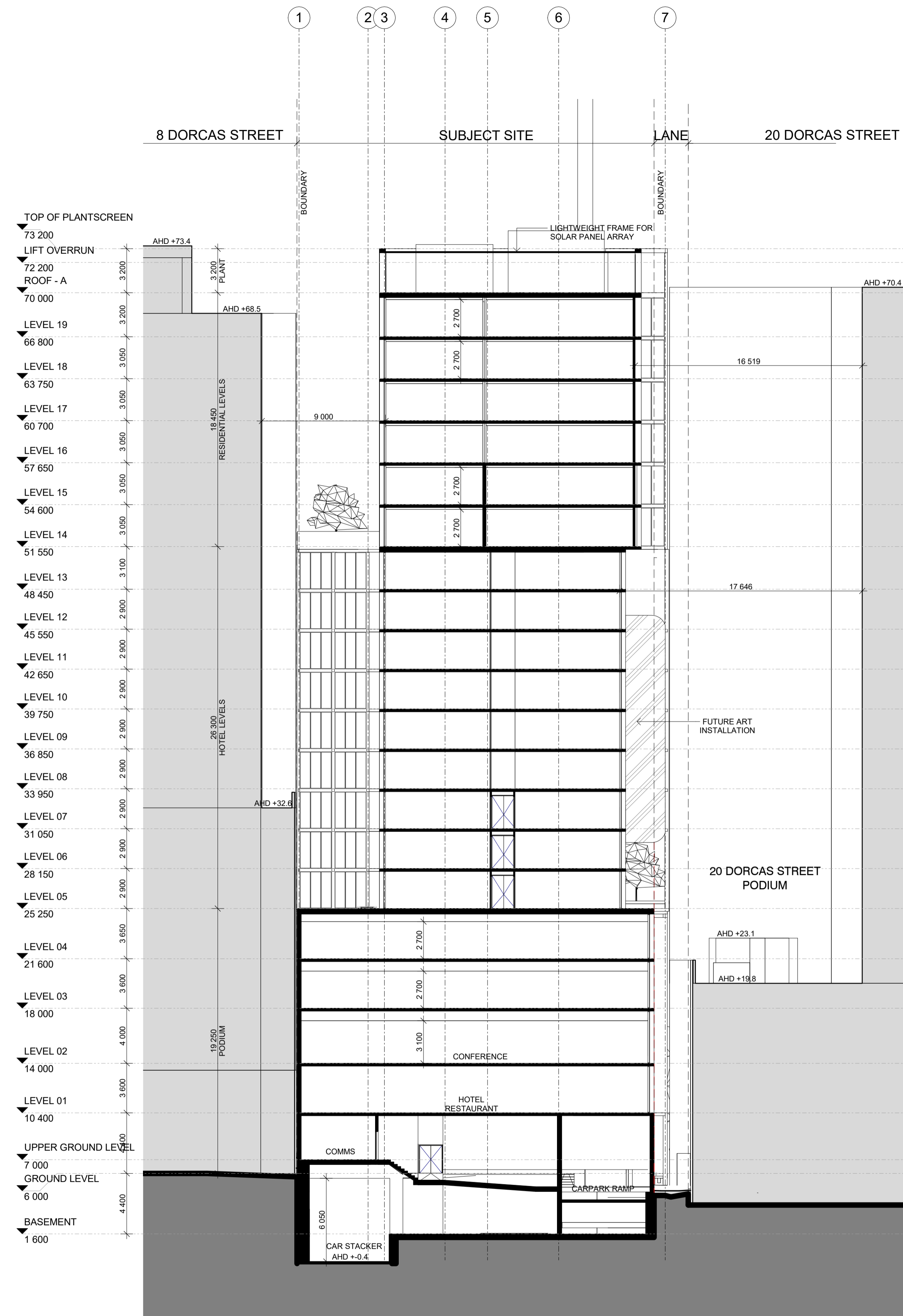
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10 DORCAS STREET, SOUTHBANK	SECTIONS A + B

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D SECTION D
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PROJECT
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OUTLINE OF SHADOWS CAST BY PROPOSED DEVELOPMENT

ADDITIONAL SHADOWS CAST BY PROPOSED DEVELOPMENT

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PROJECT
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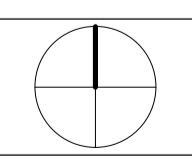
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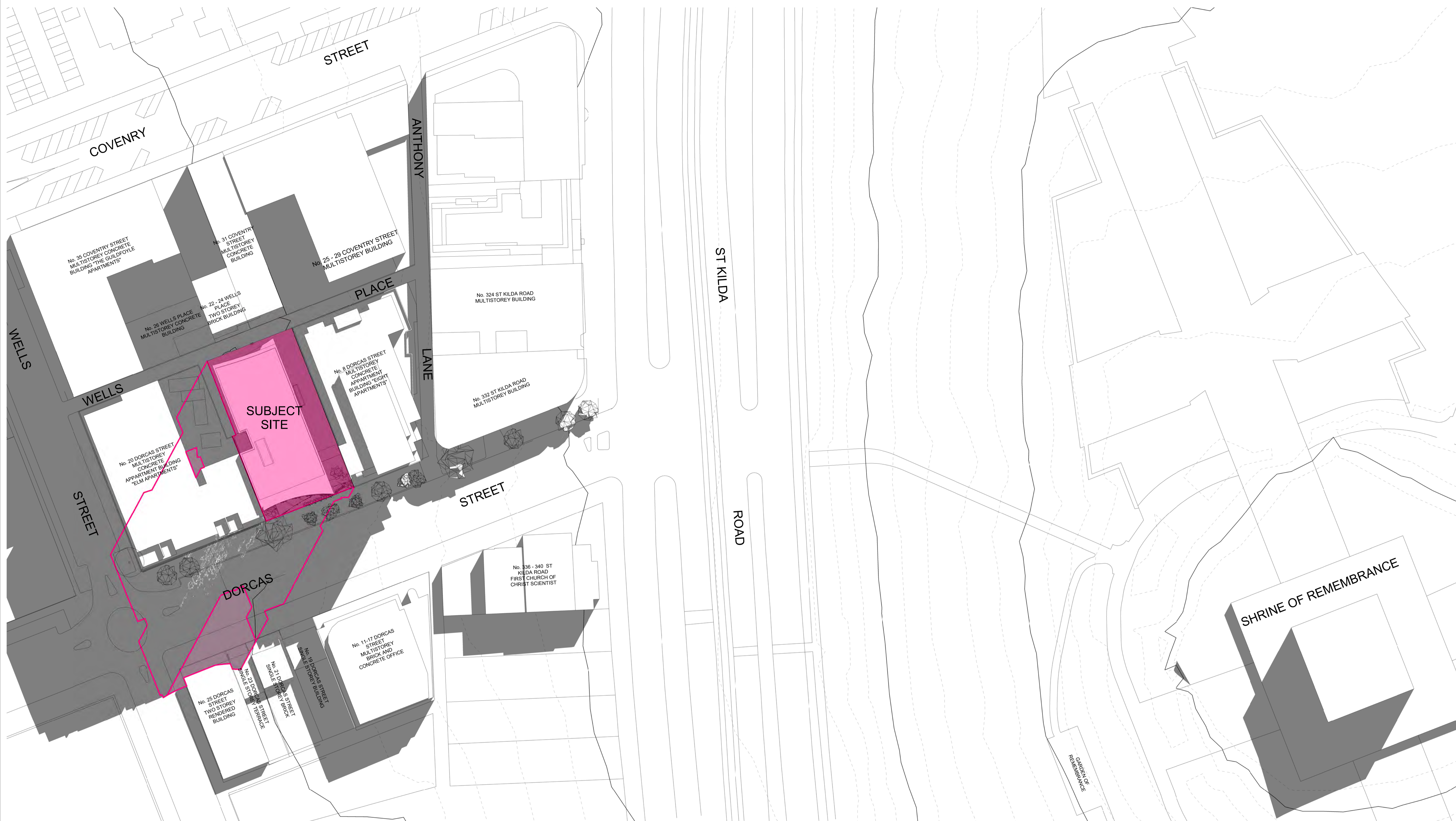
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ADDITIONAL SHADOWS CAST BY PROPOSED DEVELOPMENT

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PROJECT
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PROJECT
10 DORCAS STREET, SOUTHBANK

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PLANNING PERMIT APPLICATION DELEGATE REPORT

Application number:	TP-2020-235
Applicant:	Tract Consultants Pty. Ltd.
Owner:	Triumphant Wealth Capital Pty. Ltd.
Architect:	Plus Architecture
Address:	10-16 Dorcas Street, Southbank
Proposal:	Construction of a multi-storey mixed-use building comprising office space, dwellings and a residential hotel and reduction of car parking requirements
Cost of works:	\$57,000,000
Date received:	25 March 2020
Responsible officer:	Connor Perrott, Principal Urban Planner

1 SUBJECT SITE AND SURROUNDS

1.1 Subject site

The subject site is located on the north side of Dorcas Street, a short distance west of St. Kilda Road, Southbank. Measuring approximately 1,293 square metres, the site accommodates an eight-storey office building setback from the street frontage behind a narrow garden. This garden is intersected by a vehicular access point leading to a car park at ground and basement levels.

Access to this car park may also be obtained via Wells Place at the rear. This laneway extends off Wells Street a short distance to the west beyond the adjacent Elm Apartments.

Pedestrian access to the building may be obtained off Dorcas Street via an elevated lobby abutting the eastern property boundary.

Figures 1 and 2 below show the site and Wells Place in greater detail.



Figure 1: The subject site as viewed from Dorcas Street (source: Google streetview).



Figure 2: Wells Place as viewed from Wells Street (source: Google streetview).

1.2 Surrounds

Immediately to the east of the site (8 Dorcas Street) stands a multi-storey mixed-use building. This building accommodates both commercial and residential uses, including serviced apartments (Quest).

Figure 3 below shows this adjoining building in greater detail.



Figure 3: The adjoining building to the east (source: Google streetview)

To the west of the site (22 Dorcas Street) stands the aforementioned Elm Apartments. Though at the street front this building extends up to the western property boundary of the subject site, at the rear it is setback to accommodate an upper level communal open space.

Figure 4 below shows this adjoining building is greater detail.



Figure 4: Elm Apartments (source: Google streetview)

To the north of the site, across Wells Place, stands two multi-storey mixed-use buildings (Nos. 33 and 39 Coventry Street).

Approval was recently granted to demolish a single storey brick warehouse at the rear of No. 33 (refer 29A-2020-84, 22 - 24 Wells Place) to accommodate a multi-storey mixed-use building upon this site and also No. 31 Coventry Street (refer Planning Permit TP-2016-888 issued on 27 March 2018).

Figure 5 below shows the Coventry Street frontage of this approved building together with adjoining existing and approved buildings.

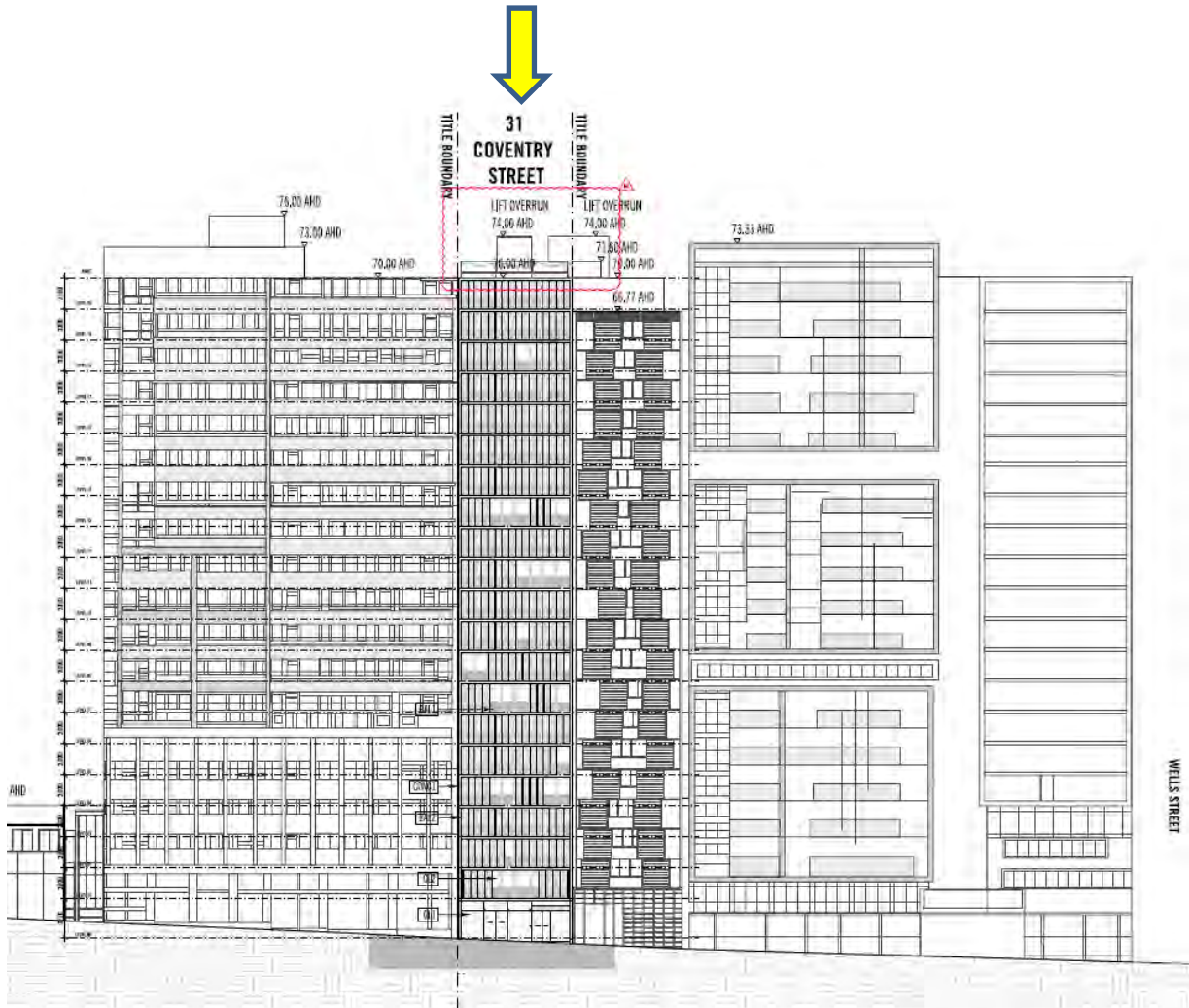


Figure 5: Approved building at 31 Coventry Street, Southbank (source: application plans by Ellenberg Fraser). The building shown to the right of 31 Coventry Street was approved by Permit TP-2012-170.

To the south of the site, across Dorcas Street, land is administered by the City of Port Phillip. Buildings here are generally lower scale and used for a variety of commercial purposes. Figure 6 below shows these buildings in greater detail.



Figure 6: Existing buildings along south side of Dorcas Street generally opposite subject site (source: Google streetview)

Beyond immediately surrounding buildings, the key built form component of the area is the Shrine of Remembrance a short distance to the east across St. Kilda Road.

2 BACKGROUND AND HISTORY

2.1 Pre-application discussions

Planning Officers met with the applicant in November 2019 to discuss the merits of the proposed development (refer pre-application meeting reference PA-2019-472).

Whilst Officers were generally supportive of the proposal in principle, concerns were raised with regard to the potential impacts of the development upon the upper level communal open space of Elm Apartments immediately to the west.

2.2 Planning application history

No planning permit applications of relevance have previously been lodged on site.

3 PROPOSAL

This application seeks approval to construct a multi-storey mixed-use building on site. This building would stand to a height of 63.4 metres (19 storeys) and accommodate 36 dwellings, a 172-room residential hotel and 2,293 square metres of office space. The total gross floor area of the building would be 19,536 square metres.

At ground floor level, the building would comprise the hotel lobby (and associated food and drink space) and separate residential and office entries. Building services, including bicycle parking facilities and waste storage would be located behind this and adjacent to five at-grade car parking spaces at the rear of the site. This parking, together with a separate entry to the basement car park may be accessed off Wells Place.

The hotel would occupy up to Level 13 and in addition to private rooms measuring between 25 and 33 square metres, would also feature a restaurant, gym and four conference spaces. These spaces would be accessed directly off a pre-function lobby space.

In addition to this, a landscaped garden measuring 346 square metres would be provided on Level 5. This garden would wrap around the rear wing of the building though would not be accessible from adjoining rooms.

The office component of the development would occupy Levels 2, 3 and 4 whilst the residential component would occupy the upper levels (14 - 19).

Of the 36 proposed apartments, six would comprise one-bedroom, 12 would comprise two-bedrooms and the remaining 18 three-bedrooms.

A total of 41 car parking spaces would be provided at ground and basement levels. One space would be allocated to each of the dwellings whilst the five at grade spaces at the rear of the site would be allocated to the residential hotel.

In addition to this, a total of 82 bicycle parking spaces would be provided on site. This includes 38 hotel staff and guest spaces, 35 resident spaces and nine spaces allocated to the office component of the development.

As shown in Figures 7 to 9 below, the form of the building would be irregular. This includes a podium and two stacked off-centre tower elements.

The podium would stand to a height of 19.25 metres and be setback from the street front behind a curved forecourt. Above this, the lower part of the tower would be setback four metres from the western boundary and varying distances from the rear of the site behind the aforementioned landscaped garden on Level 5.

The upper levels of the tower would be setback 6.44 metres from the eastern boundary. This setback would, in turn, provide for a minimum separation distance of nine metres to the facing windows and balconies of the adjoining building to the east. Like the lower levels of the tower, the upper levels would also be setback varying distances from western and rear property boundaries.

The building would feature a number of Environmentally Sustainable Design (ESD) features (refer below) ensuring a 5-star Green Star energy rating, a 5-star NABERS rating (office component only) and a 7-star NatHers rating (residential component only).



Figure 7: The proposed development as viewed from Dorcas Street (source: application plans prepared by Plus Architecture)



Figure 8: Dorcas Street frontage showing ground level setback (source: application plans prepared by Plus Architecture)



Figure 9: View of rear of building showing upper level communal open space of Elm Apartments immediately to west (source: application plans prepared by Plus Architecture)

4 STATUTORY CONTROLS

The following provisions of the Melbourne Planning Scheme apply.

Planning Policy Framework:	<p>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</p>
Municipal Strategic Statement:	<p>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 21.13 - Urban renewal areas (Southbank)</p>
Local Planning Policies:	<p>Clause 22.02 - Sunlight to public places Clause 22.17 - Urban design outside the Capital City Zone Clause 22.19 - Energy, water and waste efficiency Clause 22.23 - Stormwater management (Water Sensitive Urban Design)</p>

Statutory Controls	
Clause 32.04 - Mixed use Zone	<p>In accordance with Clause 32.04-2, a dwelling is an as of right use in this zone. A permit is however required to operate a residential hotel (included within the definition of 'residential building' which is in turn included within the definition of 'accommodation') and office (on the basis the leasable floor area would exceed 250 square metres).</p> <p>In accordance with Clause 32.04-6, a permit is required to construct two or more dwellings on a lot.</p> <p>This clause also states that an apartment development of five or more storeys must satisfy the provisions of Clause 58 (Apartment developments).</p> <p>In accordance with Clause 32.04-9, a permit is required to construct a building and construct/carry out works in association with a use which also requires approval.</p>
Clause 43.02 - Design and Development Overlay, Schedules 27 and 60	<p>Schedule 27 - City Link exhaust stack environs</p> <p>In accordance with Clause 2.0, a permit is not required to construct a building/carry out works.</p> <p>In accordance with Clause 4.0, where a permit is required to use land (as is the case here for both the residential hotel and office components of the development), notice of an application must be sent to the relevant persons/bodies specified in Clause 66.06 (Notice of applications under local provisions). In this case this includes the Environment Protection Agency (EPA), Transurban City Link and VicRoads.</p> <p>Schedule 60 - Special character areas - Built form (Southbank)</p> <p>The site is located in Area 5B of this schedule. The built form outcomes of this area are:</p> <ul style="list-style-type: none"> ▪ <i>The preservation of the setting of the Shrine of Remembrance;</i> ▪ <i>To ensure that any new development or redevelopment does not adversely impact on the historic or cultural significance and visual prominence of the Shrine of Remembrance by reason of height and/or materials and finishes to buildings.</i> <p>In Area 5B a maximum permissible building height of 70 metres to the Australian Height Datum (AHD) applies.</p>

	<p>In accordance with Clause 2.3, a permit <i>must</i> not be granted for a building exceeding a height of 40 metres which would create unsafe wind conditions in publically accessible areas within a specified distance of the site. In addition to this, a permit <i>should</i> not be granted for a building exceeding a height of 40 metres which would not achieve comfortable wind conditions within the same specified area.</p> <p>Clause 2.3 also states that a permit <i>must</i> not be granted for a building that would cast shadows over the Shrine of Remembrance and its northern forecourt between 11.00am and 3.00pm on 22 April and 22 September. In addition to this, no unreasonable shadows may be cast over any other public space.</p>
Clause 45.09 - Parking Overlay, Schedule 12	<p>The site is located within the bounds of Schedule 12 (Residential development in specific inner city areas) where a maximum of one car parking space per dwelling may be provided on site.</p> <p>With regard to both the residential hotel and office components of the development, Clause 52.06 (Car parking) and the rates set out in Column B of Clause 52.05-6 otherwise apply. These rates apply in lieu of those set out in Column A on the basis the site is located within the bounds of the Principal Public Transport Network (PPTN).</p> <p>Column B states that three car parking spaces should be provided on site for every 100 square metres of office floor space. On the basis Clause 52.05-6 does not specify a rate for residential hotels, Council need only be satisfied that the number of spaces provided in association with this use is sufficient.</p> <p>Given the building would comprise 2,293 square metres of office floor space, 69 on site car parking spaces are required in association with this component of the development.</p> <p>In addition to this, a maximum of 36 spaces may be provided in association with the proposed dwellings.</p> <p>On the basis 41 spaces only would be provided on site, a permit is required to reduce the statutory parking requirement.</p>

Particular Provisions	
Clause 52.34 - Bicycle Facilities	<p>In accordance with the provisions of this clause, 81 bicycle parking spaces are required on site. This includes:</p> <ul style="list-style-type: none"> ▪ Resident spaces - 35; ▪ Resident visitor spaces - 3; ▪ Residential hotel guest spaces - 17; ▪ Residential hotel visitor spaces - 17; ▪ Office employee spaces - 7; and ▪ Office visitor spaces - 2 <p>In addition to this, one shower and an associated change room are also required in association with the office component of the development.</p> <p>82 bicycle parking spaces would be provided on site. This is one more than required.</p> <p>No showers/change room will be provided in association with the office component.</p> <p>A permit is required to waive this shower/change room only.</p>
Clause 58 - Apartment development	<p>This clause sets out objectives and associated performance standards relating to the layout, amenity, facilities and design of apartment developments.</p> <p>A development <i>must</i> satisfy the objectives of this clause and <i>should</i> satisfy the associated standard.</p>

General Provisions	
Clause 65 - Decision Guidelines	This clause lists the matters to be considered when determining a permit application. This includes Section 60 of the <i>Planning and Environment Act 1987</i> .
Clause 66 - Referral and notice provisions	In accordance with Clause 66.02-11, the application was referred to Transport for Victoria, a determining referral authority. In accordance with Clause 66.06, notice of the application was sent to the Environment Protection Agency, Transurban City Link and VicRoads.

5 PLANNING SCHEME AMENDMENTS

In addition to the preceding policies, Amendment C308 (Urban Design in the Central City and Docklands) is also relevant. This amendment was adopted by Council on 26 November 2019 and as such is now seriously entertained.

The amendment seeks to introduce a new urban design policy (Schedule 1 to the DDO) into the Melbourne Planning Scheme along with an illustrative guide detailing policy objectives.

The overarching objective of the amendment is to improve the quality of design and development in the central city and Southbank.

6 PUBLIC NOTIFICATION

It was considered that the proposed development may cause third parties material detriment. As such, notice of the application was sent to the owners and occupiers of adjacent properties (including those to the south within the City of Port Phillip) on 3 April 2020.

In accordance with Clause 66.06, notice of the application was also sent to the Environment Protection Agency (EPA), Transurban City Link and VicRoads.

Neither the EPA or Transurban City Link responded to this notice. The comments of the Head of Transport Victoria on behalf of VicRoads is noted below.

Two public notices were also displayed on site between 24 April and 8 May 2020. One notice was displayed upon the Dorcas Street frontage and the other upon the Wells Place frontage.

7 OBJECTIONS

47 objections were received in response to the application. The concerns of objectors are:

- The timing of the advertising process given the restrictions put in place in response to Covid19;
- The documents submitted in support of the application do not allow for an informed assessment of the development;
- The proposed building represents an overdevelopment of the site;
- The height of the building is excessive and exceeds the maximum height limit specified in Schedule 60 of the Design and Development Overlay (DDO60);
- The setbacks of the tower do not comply with the requirements of DDO60 and as such the building would present as a dominant element of the streetscape;
- The height of the Wells Place street wall is excessive;
- The development should be redesigned to better address the relevant provisions of Amendment C308 (Urban design within the central city and Southbank);
- Elements which allow for the passive surveillance of Wells Place should be incorporated into the design of the building;
- The form and appearance of the building does not adequately complement the character of the surrounding area, including the Shrine of Remembrance or Botanic Gardens;
- The impact of the development upon the quality of life/general amenity of existing surrounding residents, including by way of overlooking, loss of outlook, overshadowing, loss of daylight and noise;

- The traffic movements generated by the development and the added congestion this will cause;
- The development will place undue strain upon the already limited number of on-street car parking spaces available in the immediate surrounding area;
- The parking survey submitted in support of the application does not accurately reflect local parking conditions across a typical week;
- The laneway at the rear of the site is too narrow to accommodate the anticipated volume of traffic that will be generated by the development. Vehicle access to the site should be provided off Dorcas Street also;
- Pedestrian movement to and around the site should be prioritised;
- The development will place undue strain upon local infrastructure, including tram services;
- How will the noise generated from the commercial components of the development be managed, in particular conferencing spaces?; and
- The development will introduce transient people into the area and this could result in increased crime/anti-social behaviour.

Though objectors have also raised concerns regarding fire safety, local property values and disturbances caused during the construction period, these are not planning-related matters.

8 SUPPORT

In addition to the aforementioned objections, one letter of support was also received. The supporter stated that the proposed development would assist in improving the built form character of the area.

9 INTERNAL REFERRALS

9.1 Urban Design

The application was referred to Council's Urban Designers who provided the following comments (summarised):

- Building mass -
 - The setbacks of the upper levels behind the street wall do not comply with the provisions of Schedule 60 of the DDO. Notwithstanding this, these setbacks generally match those of adjoining buildings;
 - Upper level setbacks from the western boundary should comply with the provisions of Schedule 60. The justification given by the applicant for the reduced setbacks proposed (being elements of the adjoining building to the west are setback significant distances from the shared boundary) is not sufficient; and
 - Upper level setbacks from the eastern boundary should also comply with the provisions of Schedule 60.
- Building program -
 - A light well should be provided to increase natural lighting to the centre of the building. The depth of the floor plate does not currently allow for this; and
 - Any art installations mounted upon the building must not limit natural lighting and outlook to/from hotel rooms.
- Public interfaces -
 - The extent of glazing across the ground level street frontage of the building should be reduced; and
 - A greater degree of articulation and interest should be provided along the Dorcas Street frontage by way of the provision of columns and deep window frames.
- Details -
 - Rooftop garden beds should be deep enough to accommodate substantial size trees/vegetation;

- Hardy plant species only should be provided;
- The finishes of the building must be high quality given its prominent location; and
- Should a permit be issued, a condition should be included upon it requiring the submission of a facade strategy.

9.2 Traffic

The application was referred to Council's Traffic Engineers who provided the following comments (summarised):

- A further assessment of the vehicle movements likely to be generated by the development, including those associated with hotel drop-offs/pick-ups and conference spaces, is required. This is in order to better understand the likely impacts of the development upon the function of the surrounding road network;
- Given the amount of office floor space proposed, it is likely associated parking needs will place undue demands upon existing on-street parking spaces. As such, it is considered that additional car parking should be provided on site;
- One on-site car share space should also be provided;
- All hotel drop-off/pick-up spaces must be provided off-street;
- All car parking spaces, ramps, transition spaces, access ways and height clearances must comply with the requirements of Clause 52.06 of the Melbourne Planning Scheme and/or Australian Standard (AS) 2890.1:2004;
- All proposed access/egress arrangements to/through the on site car park are generally acceptable though line marking should be provided to formalise directions of travel;
- Given car stackers will be provided, it is likely vehicles circulating through the car park will be delayed while vehicles enter/exit stackers;
- Due to the configuration of the car park, larger vehicles may not be able to access certain parking spaces;
- The number of bicycle parking spaces provided on site is sufficient;
- Line marking and signage should be provided along the ramp into the basement separating car and bicycle access lanes;
- The design and layout of all bicycle parking facilities should comply with the relevant AS and/or Bicycle Network Guidelines;
- An assessment of likely loading and drop-off/pick-up requirements should be submitted for further consideration. This assessment should reference existing on-street parking vacancy rates during a typical week;
- A Loading Management Plan (LMP) detailing how access/egress to the on site loading bay will be managed is required. This is on the basis that this bay will serve the competing needs of all components of the development; and
- The design and layout of the loading bay must comply with the requirements of Australian Standard AS 2890.2-2002.

9.3 Civil Engineering

The application was referred to the Council's Civil Engineers who advised that the proposed development was generally acceptable subject to the conditions listed below.

9.4 Waste

The application was referred to the Council's Waste Officer who provided the following comments (summarised):

- The submitted Waste Management Plan (WMP) is unacceptable;
- A revised WMP is required. This Plan must state that all eight 1,100 litre residential bins provided on site will be placed along the Dorcas Street frontage for collection;
- A bin tug (and associated storage space) is required given the grades of access ramps; and
- The height clearance above the loading bay must be clarified. Is it 2.1 or 2.2 metres?

9.5 ESD and Green Infrastructure

The application was referred to the Council's ESD and Green Infrastructure Officer who provided the following comments (summarised):

- The ESD report submitted in response to preliminary advice addresses all concerns previously raised;
- The landscape plan also responds to previous concerns and will result in an appropriate outcome; and
- The applicant should consider benchmarking the quality of the green infrastructure of the building against the Council's Green Factor Tool.

10 ASSESSMENT

In response to the aforementioned objections and the advice of officers, the applicant submitted concept plans for further consideration. These plans were not formally lodged and seek only to assist in framing permit conditions. The plans showed a number of minor alterations, including:

- The reconfiguration of ground level service areas to enable residential waste to be transferred through the office entry into the building to Dorcas Street for collection;
- The provision of a light well at office Levels 3 and 4; and
- The provision of one car share space at the rear of the site.

The basic form and presentation of the building, as well as the quantum of uses, remain as originally proposed. Given this, it was not considered necessary to notify third parties of the concept plans.

Importantly, the plans were accompanied by an amended landscape plan, traffic assessment, Waste Management Plan, Loading Management Plan and ESD statement.

The following assessment considers the merits of the concept plans and accompanying technical documents with reference to the original application plans.

The key issues for consideration are:

- The provisions of Schedule 60 of the Design and Development Overlay;
- The impacts of the development upon the general amenity of neighbouring residents; and
- The internal amenity of the proposed dwellings and the provisions of Clause 58 (Apartment developments)

10.1 The provisions of Schedule 60 of the Design and Development Overlay

A number of objectors have raised concerns regarding the form of the building, including its varied upper level side setbacks. Though the form of the building is indeed irregular, it is considered that it adequately responds to the opportunities and constraints of the site. This includes the relationship of upper levels with the facing habitable room windows and open spaces of adjoining residential buildings.

Importantly, the setbacks preferred by Schedule 60 of the Design and Development Overlay are not mandatory and as such can be varied in appropriate circumstances. Again, given the form and configuration of adjoining buildings and the location of facing windows and balconies, it is considered that the proposed upper level setbacks appropriately respond to these sensitive interfaces. Indeed, it is these sensitive interfaces which have influenced the form of the building.

Figures 7 and 9 show the relationship of the building with adjacent forms and sensitive interfaces respectively.

Figure 12 below shows the floor layouts of the upper levels of the building in greater detail. As shown, minimum setbacks of nine metres to facing windows would be provided and whilst certain setbacks do not strictly accord with the requirements of Schedule 60 of the DDO (five

metres from side boundaries) these nevertheless still provide the residents of facing apartments with a sufficient degree of outlook.

In higher density urban environments such as this, a reduced level of amenity is expected and the setbacks preferred by Schedule 60 seek to provide this. Whilst the side setbacks of the proposed building are less than those preferred these are again appropriate in context and indeed exceed those provided by the adjoining building to the east (8 Dorcas Street). To this end, the facing habitable room windows of this building rely, to a degree, upon the subject site for broader outlook. This, in turn, impinges upon the development potential of the site, with the upper levels of the building to be setback an increased distance from 8 Dorcas Street in order to provide a minimum nine metre separation between facing windows. This is accepted elsewhere in the planning scheme as the minimum distance necessary between facing windows.

Whilst discretion may be applied with regard to setbacks, the stated maximum building height (70 metres to Australian Height Datum (AHD)) is mandatory. This maximum height limit seeks to ensure that new development accords with the desired built form outcomes of the immediate surrounding area. These include:

- *The preservation of the setting of the Shrine of Remembrance;*
- *To ensure that any new development or redevelopment does not adversely impact on the historic and cultural significance and visual prominence of the Shrine of Remembrance by reason of height and/or materials and finishes to buildings.*

The building would stand to a height of 63.4 metres. Measured to AHD, this translates to 70.4 metres. Whilst the additional height proposed would not likely result in an outcome inconsistent with the stated built form outcomes of Schedule 60, the stated height limit is again mandatory. As such, it is recommended that a condition be included upon any permit issued requiring the height of the building to be reduced to 70 metres AHD. This reduction in height may reasonably be achieved by reducing floor to ceiling heights, reducing the height of the parapet, a combination of both or other minor alterations. Importantly, such measures would not alter the basic presentation of the building.

A maximum street wall height of 20 metres also applies. Though setback a short distance behind the Dorcas Street boundary, what is otherwise considered to be the street wall would stand to a maximum height of 19.25 metres only. Though again upper level setbacks above this street wall do not strictly comply with the provisions of Schedule 60, this is acceptable in context. This includes the fact that these upper levels would be setback further from the street front than adjoining buildings and the building would not otherwise contravene the desired outcomes of Schedule 60.

To this end, in accordance with this schedule, it is noted that the ground level of the building will feature a minimum clearance of four metres and upper levels will be setback five metres from the centre of the rear laneway (to the glass line). This is important in this case given the proximity of facing residential uses to the north. A compliant setback here (as generally proposed) will assist in maintaining an adequate degree of outlook from adjacent dwellings. This point is discussed further in greater detail below.

Though again the form of the building is irregular, this not only responds to site constraints but will also generate visual interest. The stacking of the form challenges accepted norms however is again acceptable on the basis it achieves the desired outcomes of the schedule.

Though distinctly contemporary, the building would not impact upon the more restrained and dignified setting of the Shrine of Remembrance. Indeed, the two buildings may only be appreciated together from limited acute vantage points. Figure 11 below confirms this.

Wind effects

Clause 2.3 of Schedule 60 states that a permit must not be granted for any building exceeding a height of 40 metres which would generate unsafe wind conditions within a

specified distance of a site (being equal to half the longest width of the building above 40 metres or half its total height, whichever is greater).

On the basis the building would stand to a height of 63.4 metres, an assessment area of 31.7 metres applies (this exceeds half the longest width of the building above 40 metres (being 24.5 metres only)).

The wind assessment submitted in support of the application confirms that conditions in surrounding publically accessible areas will satisfy the walking comfort criteria and at the entrances to the building (along Dorcas Street) the standing comfort criteria.

To this end, the development will not generate unsafe wind conditions and mitigation measures are not considered necessary.

Overshadowing

Table 1 of Schedule 60 lists those public places which *must* not be overshadowed on specific dates and times. In addition to this, Table 2 lists those places which *should* not be overshadowed on specific dates/times. These places may only be overshadowed where it is considered that this would not unreasonably prejudice the general amenity of the place.

Given the height and location of the proposed building, it will not overshadow any place listed in either Tables 1 or 2. This includes the Shrine of Remembrance and its northern forecourt between 11.00am and 3.00pm on 22 April to 22 September.

As shown in Figure 10 below, the shadows cast by the development will largely fall upon Dorcas Street.



Figure 10: Diagram showing extent of shadows cast by development at 2pm on 22 September. 22 April shadows comparable. (source: application plans prepared by Plus Architecture)

Design matters

Though Council’s Urban Designers originally questioned the extent of glazing at ground level along the Dorcas Street frontage, on the basis this is now understood to be operable and will allow the adjacent hospitality space to spill out onto the building forecourt, it is considered to be acceptable. Importantly, this proposed extent of glazing would comply with the provisions of proposed Schedule 1 of the Design and Development Overlay (refer Amendment C308). To this end, in excess of 80% of the frontage would be glazed.

The success or otherwise of this frontage is however largely dependent upon its design quality and the use of appropriate materials. In accordance with the advice of Council’s Urban Designers therefore, it is recommended that a condition be included upon any permit issued requiring the submission of a façade strategy. This strategy should not only provide

further details of the treatment of the ground level street front of the building (including the finishes of supporting columns and window frames) but also the manner in which the proposed upper level art installation interacts with adjacent hotel room windows. This installation should allow for a sufficient degree of natural lighting to these windows.

10.2 Amenity impacts

The objectives of Schedule 60 of the Design and Development Overlay include *to ensure that new buildings respect the potential of future development on adjacent sites to access privacy, sunlight, daylight and an outlook from habitable interiors.*

Though this objective relates to the future development potential of adjacent sites, on the basis all have either recently been redeveloped or are the subject of existing permits, it is unlikely any would again be redeveloped in the medium to long term.

Notwithstanding this, as a means of guiding an assessment of amenity effects, the basic intent of this objective could reasonably be applied here together with related side setback objectives. These include to ensure 'new buildings are setback to allow for adequate sunlight, daylight, privacy and outlook from habitable rooms...'

Figure 9 shows the relationship of the rear of the building with adjacent facing windows, balconies and open spaces. Again, these windows/balconies/open spaces have influenced the form of the building. To this end, the various stacked elements of the tower are positioned so as to maximise separation distances to these interfaces.

A separation of distance of between 17.5 metres (at Levels 5 - 13) and 16.5 metres (Levels 14 - 19) would exist between the rear wing of the building and that of the adjacent building to the west (22 Dorcas Street). This far exceeds that otherwise required by Schedule 60 (being 10 metres and typically five metres each side of the shared boundary). To this end, it is considered that the form of the rear of the building would allow for a sufficient degree of sunlight penetration to, and outlook from, facing windows and balconies.

The separation distance to the adjacent roof top communal open space is however far less. This is due to the fact that Levels 14 - 19 would be setback four metres only from the shared boundary and the adjacent open space extends up to the eastern (facing) wall of the adjoining building. To this end, this open space is setback only the width of the bluestone laneway that extends between the two sites.

Figure 11 below shows the separation distance which would exist between the proposed building and the adjacent roof top communal open space.

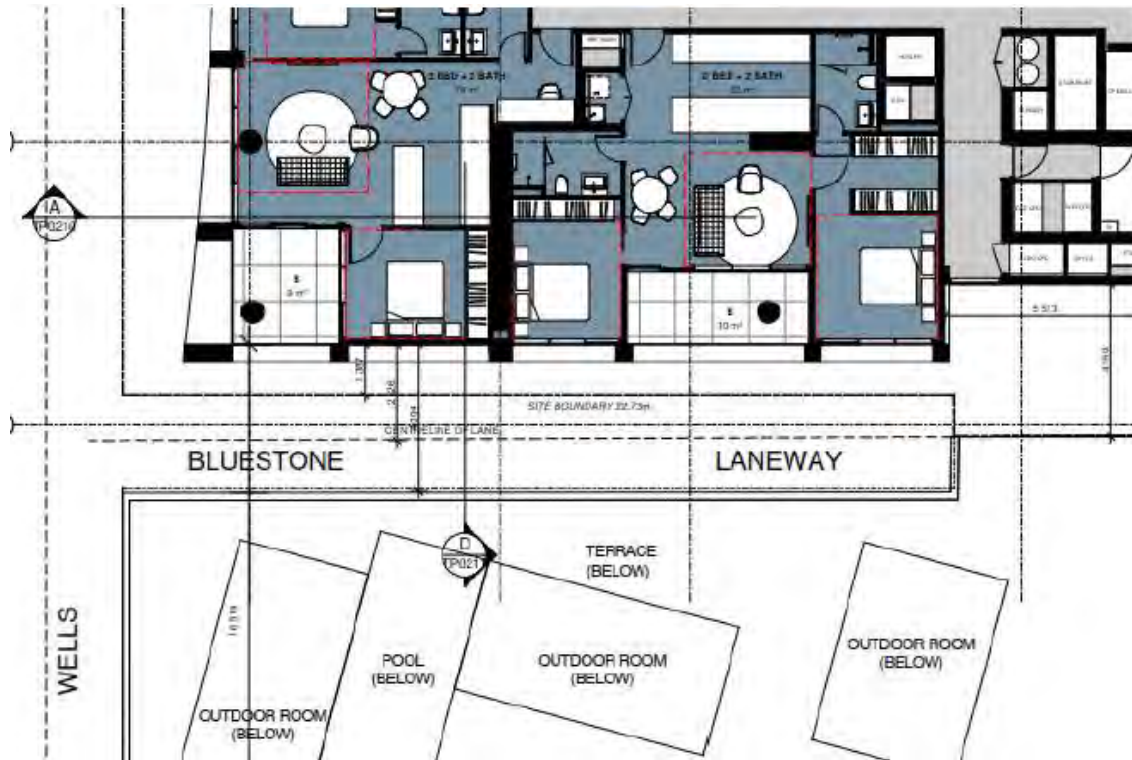


Figure 11: Separation distance to roof top open space at 22 Dorcas Street
(source: application plans prepared by Plus Architecture)

Notwithstanding the location of this open space, it is considered that the proposed separation distance is sufficient in context. This includes the fact that the open space is communal and as such users do not occupy it as a private space. It is shared and as such its personal amenity value is reduced. Though this does not warrant larger adjacent forms, it certainly allows for some flexibility and this is recognised by the aforementioned amenity-related objectives of Schedule 60. These objectives require the provision of 'adequate' access to sunlight, daylight and outlook only. This is a lesser standard than might otherwise be required in a Neighbourhood or General Residential Zone where a high degree of amenity is rightly expected. In this context, where higher forms are encouraged, reduced amenity often results.

Despite this, the open space nevertheless benefits from a sufficient degree of outlook to the north. Though this might be reduced as surrounding site are developed, in this context, this extent of outlook remains adequate in accordance with the provisions of Schedule 60.

Importantly, outlook from this open space is safeguarded to a degree by the adjacent rear laneway. This, in turn, affords added visual relief in perpetuity and together with the outlook currently enjoyed from adjacent habitable room windows (a minimum distance of 16.5 metres), residents are assured a continued degree of amenity.

Like the more sensitive elements of the building to the west, the sensitive elements of the building to the east (8 Dorcas Street) face towards the subject site and, to a degree, rely upon it for outlook and general amenity.

In accordance with the provisions of Schedule 60, Levels 5 - 13 of the proposed building would be setback 6.44 metres from the shared boundary. This, in turn, allows for a minimum nine metre separation distance to facing windows/balconies, as shown in Figure 12 below. This again highlights the role the subject site has played in providing for the amenity of facing windows/balconies. To this end, many existing neighbouring windows/balconies are setback from the shared boundary less than the five metres otherwise preferred by Schedule 60.

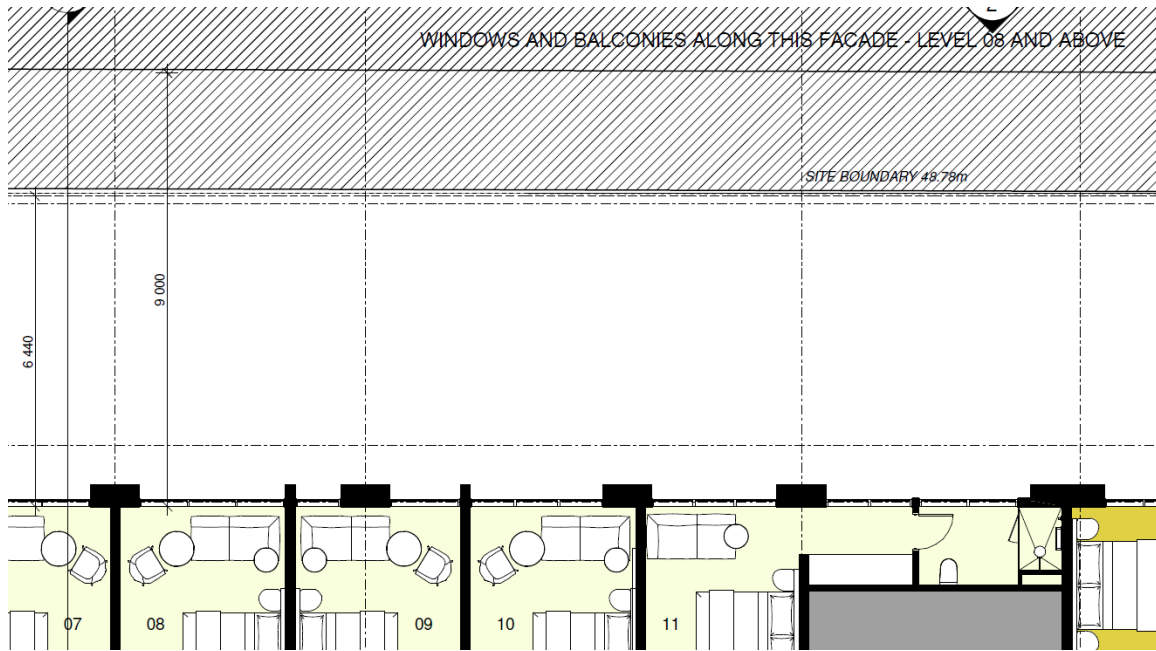


Figure 12: Separation distance to facing windows and balconies of 8 Dorcas Street
(source: application plans prepared by Plus Architecture)

Though the nine metre separation distance that would be provided remains less than that preferred by Schedule 60 (10 metres) it reflects that required elsewhere by the planning scheme in the interests of preventing overlooking.

Importantly, the overarching objectives of Schedule 60 include the need to preserve the equitable development potential of adjoining sites. As previously noted, the form of the building is such that it satisfactorily achieves this. To this end, upper level setbacks from the eastern property boundary are greater than that required (6.44 metres in lieu of five metres) and, as a result, setbacks from the western boundary are less than that preferred (four metres in lieu of five). This response reinforces the existing neighbourhood character, including more robust forms built up to or close to property boundaries whilst still providing neighbouring residents with an adequate degree of outlook.

In addition to the relationship of the building to facing sensitive interfaces to the east and west, it is considered that the development is also setback sufficiently from the aforementioned approved development at 31 Coventry Street to the north (refer Figure 5). This approved building will be built to the rear site boundary up to Level 3. Above this to Level 20, the building would then be setback 2.5 metres, or 4.5 metres from the centre of the laneway dividing the two properties. Figure 13 below shows this relationship.

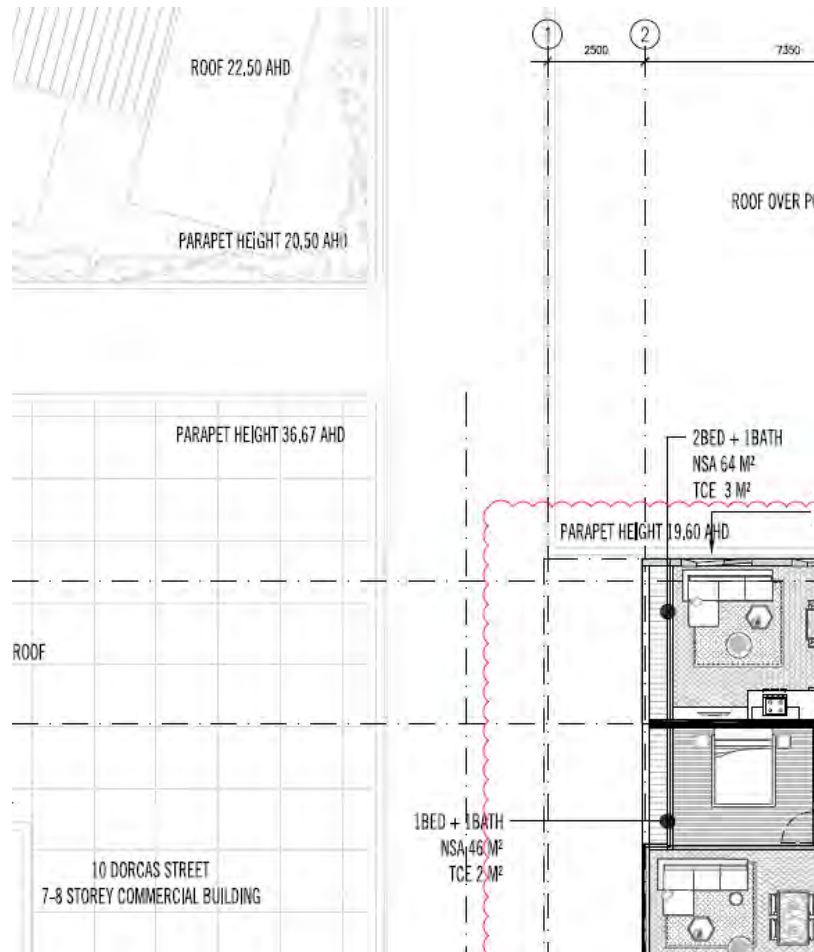


Figure 13: The rear of the approved building at 31 Coventry Street
(source: application plans prepared by Ellenberg Fraser)

The proposed building would be built up to the laneway to Level 4. Above this, upper floors would be setback five metres from the centre of the laneway as required by Schedule 60. Importantly, this setback is to the glass line only. Integral feature elements of the building would project forward of this and as such reduce the effective setback to the centre of the rear laneway to a minimum of three metres. Importantly, this setback is at one point only. Beyond this, the projecting feature elements would angle backward into the site. Figure 9 shows the form of the rear wing of the building and the feature angled elements in greater detail.

A minimum separation distance of 7.5 metres would result at Levels 5 - 13. Though the separation distance between glass lines would be greater (9.57 metres), the projecting feature angled elements cannot be considered 'architectural features' in accordance with the definition of such set out in Schedule 60 on the basis that all protrude more than 300 millimetres beyond the glass line.

It is considered that the scale of these projecting features might impact upon the general amenity of the residents of facing apartments to the north by way of a perceived (and perhaps actual) loss of outlook. It is considered therefore that the projections should be reduced to no more than 300mm (in accordance with the provisions of Schedule 60). This, in turn, would provide the residents of facing apartments with a greater sense of visual relief and outlook.

Though the projecting elements are integral to the design of the rear wing, all are not visible from the primary street frontage of the site and would perhaps only be visible from acute angles along the rear lane and Well Street to the west. To this end, the reduction in size of these elements would not impact upon the basic presentation of the building.

Though not required from an amenity point of view, the matching projecting element of the upper levels of the building (Levels 14 - 19) could also be reduced in the interests of balancing the form and presentation of the rear wing.

10.3 Internal amenity and Clause 58 (Apartment developments)

As previously noted, the building would comprise 36 dwellings of varying size and configuration. Of these, six would comprise one-bedroom (16%), 12 would comprise two-bedrooms (33%) and the remaining 18 (50%) three-bedrooms. After analysis, it is considered that the development complies with the provisions of Standard D3 (dwelling diversity) of Clause 58.

Importantly, on the basis the development would comprise less than 40 dwellings, no communal open space is required in accordance with the provisions of Standard D7.

In response to other relevant standards of Clause 58, it is noted that:

- Standard D19 (Private open space). The private open spaces (balconies) of all dwelling types satisfy the minimum dimension and size requirements of this standard. Though the balconies of Dwelling Types T01 and T02 would accommodate structural elements, the sizes of each (32 and 29 square metres respectively) far exceed the minimum 12 square metres otherwise required. To this end, these balconies will continue to provide for the reasonable service and recreation needs of residents;
- Standard D24 (Functional layout). The dimensions of all proposed bedrooms and living areas comply with the minimum space requirements of this standard. To this end, all main bedrooms will be a minimum width of three metres and depth of 3.4 metres and all second/third bedrooms will be minimum width and depth of three metres. Indeed, many main bedrooms will measure a minimum width or depth of four metres and many second/third bedrooms a minimum width/depth well in excess of three metres.

Similarly, the living areas of all dwelling types would also exceed the minimum requirements of this standard. To this end, living spaces would either exceed a minimum width of 3.3 metres (one bedroom units) or 3.6 metres (two or more bedroom units).

- Standard D25 (Room depth). This standard states that single aspect habitable rooms should not exceed a depth of nine metres. Such rooms should also be open plan and kitchens should be located furthest from the natural light source (window). In addition to this, floor to ceiling clearances should be no less than 2.7 metres.

All proposed living areas will be open plan and kitchens will be located furthest from the light source. On the basis these living areas will also not exceed a depth of nine metres and feature minimum 2.7 metre floor to ceiling clearances, the development complies with the provisions of this standard.

- Standard D26 (Windows). This standard states that bedroom windows may be located off a secondary area no less than 1.2 metres wide and a depth no greater than 1.5 times its width (for example, a 1.2 metre wide space should be a maximum depth of 1.8 metres). This configuration is colloquially referred to as a 'snorkel' room.

No such rooms are proposed. All bedrooms will feature a single primary space with direct access to a natural light source.

- Standard D27 (Natural ventilation). On the basis Dwelling Types T03 and T06 would be single aspect only, cross ventilation is not possible in accordance with the provisions of this standard.

Notwithstanding this, all other dwelling types (accounting for 24 of the 36 proposed units (or 66%) will allow for cross ventilation. This exceeds the 40% minimum otherwise required and as such the development mostly accords with the related objectives of this standard.

The configuration of each dwelling type accords with the functional layout requirements of this clause. Though some units do not comply with natural ventilation provisions, the majority certainly do. Given this, the development generally accords with the objectives of Clause 58. This, in turn, ensures the amenity value of each dwelling type will be satisfactory.

Figures 14 to 19 below show the layout of each dwelling type.

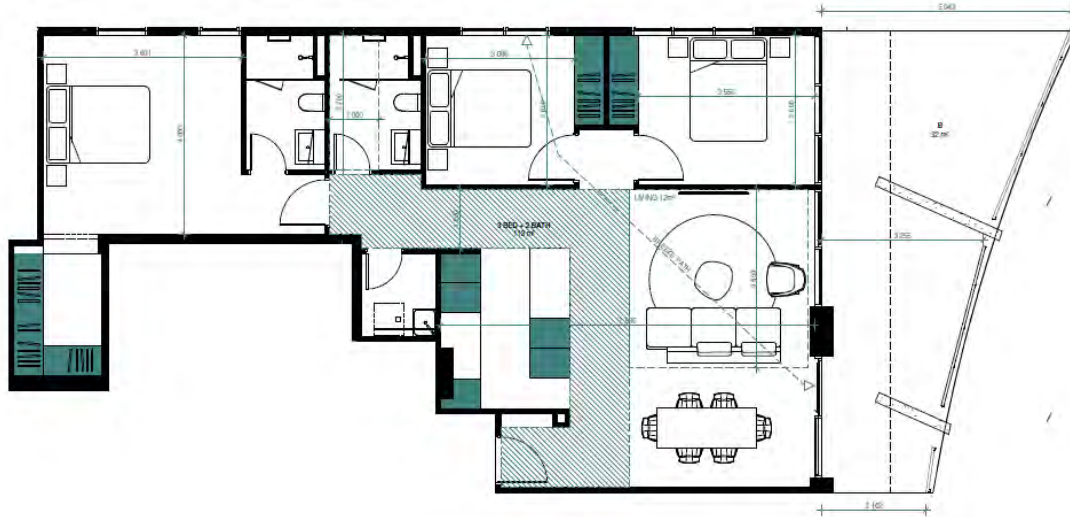


Figure 14: Dwelling Type T01 (source: application plans prepared by Plus Architecture)



Figure 15: Dwelling Type T02 (source: application plans prepared by Plus Architecture)



Figure 16: Dwelling Type T03 (source: application plans prepared by Plus Architecture)

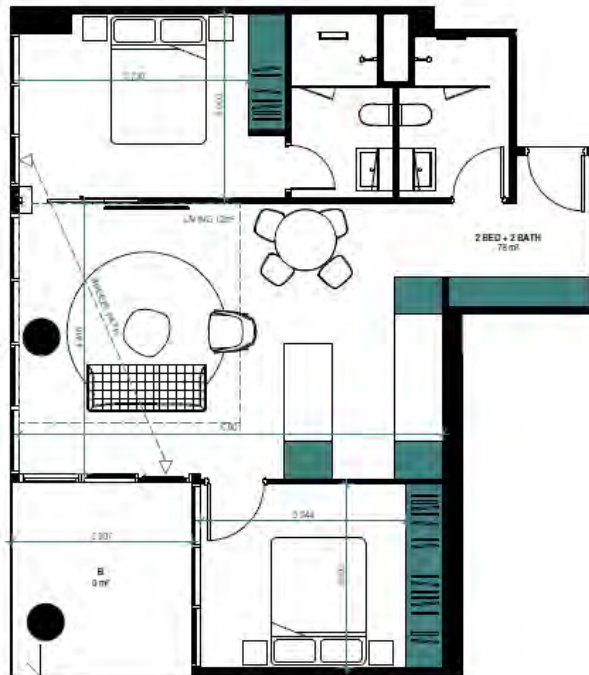


Figure 17: Dwelling Type T04 (source: application plans prepared by Plus Architecture)

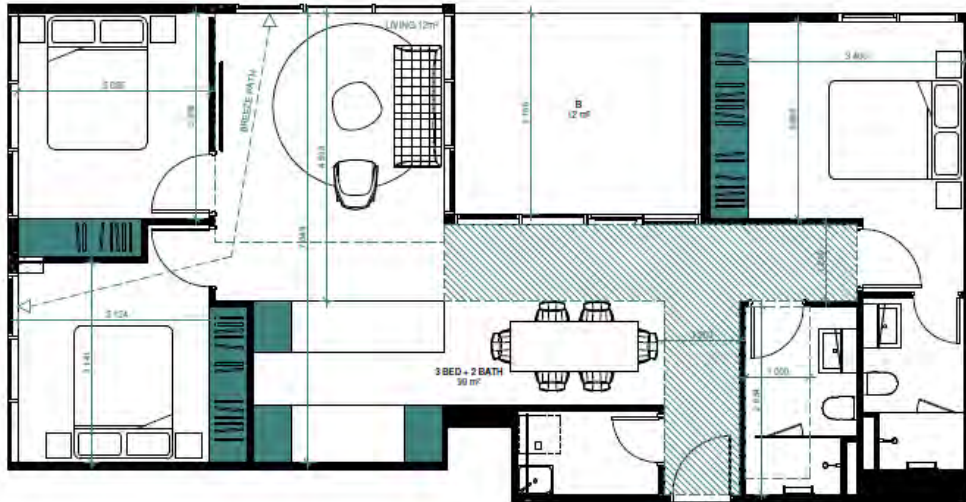


Figure 18: Dwelling Type T05 (source: application plans prepared by Plus Architecture)



Figure 19: Dwelling Type T06 (source: application plans prepared by Plus Architecture)

10.4 Other matters

The ESD credentials of the development

Clause 22.19 (Energy, water and waste efficiency) states that where a new building measures in excess of 2,000m², it must be demonstrated that the potential exists to achieve the relevant performance measures set out in Clause 22.19-5.

Clause 22.19-5 states where a new building comprises in excess of 2,000m² of office space, the following performance measures apply:

- Energy efficiency - NABERS energy rating 5 Stars or equivalent;
- Water efficiency - 3 points for Wat-1 credit under a current version of the Green Building Council of Australia's Green Star - Office rating tool or equivalent; and
- Waste efficiency - A Waste Management Plan prepared in accordance with a current version of the City of Melbourne's 'Guidelines for Waste Management Plans'.

In addition to this, Clause 22.19-5 states that where a new building comprises in excess of 5,000m² of accommodation floor space, the following performance measures also apply:

- Energy efficiency - 5 star rating under a current version of the Green Star - Multi unit residential rating tool or equivalent;

- Water efficiency - 1 point for Wat-1 credit under a current version of the Green Building Council of Australia's Green Star - Multi unit residential rating tool or equivalent; and
- Waste efficiency - A Waste Management Plan prepared in accordance with a current version of the City of Melbourne's 'Guidelines for Waste Management Plans'.

The building would feature the following ESD initiatives/devices:

- A 60,000 litre water tank (achieving a STORM rating of 133);
- 62 roof top solar panels;
- Insulation ensuring a maximum cooling load of 30MJ per square metre per year (residential component only);
- Localised lighting controls (office space only);
- Water efficient fixings, including 5-star WELS toilets, 3-star WELS showers and 6-star WELS basins, urinals and dishwashers; and
- Electric vehicle charging points.

In addition to this, the applicant has also committed to using building materials from sustainable sources only.

In response to the amended ESD statement received together with the concept plans, the ESD Officer advised that the above sustainability measures accord with the minimum requirements of Clause 22.19-5 and as such are acceptable. The ESD Officer also advised that the revised landscape treatment of the building would result in an appropriate outcome and, in turn, enhance the presentation of the site.

Access, loading, parking and waste

Access

In response to the concept plans, Council's Traffic Engineers advised that, subject to conditions, all aforementioned residual access and parking issues had now been resolved. This includes the provision of one car share space on site in association with the office use (as shown on the concept plans), the provision of three 'P10' on-street car parking spaces adjacent to the site frontage (to be used as drop-off/pick-up spaces in association with the hotel), the use of a maximum length loading and waste collection vehicle (6.4 metres) and the provision of sufficient end-of-trip facilities.

It is recommended that conditions be included upon any permit issued requiring these items.

Car and bicycle parking

Though the Council's Traffic Engineers were originally of the view that additional car parking spaces should be provided on site in association with the office component of the development, it is considered that no such parking is necessary. This is on the basis that the site is currently well served by public transport (including a number of tram services extending along St. Kilda Road) and a new train station will soon be opened a short distance to the east (Domain at the Shrine of Remembrance). This suite of transport options available to residents/hotel guests/staff/visitors and office workers provide appropriate alternatives to driving to/from the site. To this end, it is considered that the provision of additional car parking on site would represent an unsustainable outcome.

Notwithstanding this, it is noted that the concept plans submitted on 18 November show the provision of one new car share space on site. This space will assist in providing for the needs of all office workers and, in turn, further reduce demands for on-street parking. It is recommended that a condition be included upon any permit issued requiring the formalisation of this space by way of the submission of amended plans.

Importantly, whilst Clause 52.34 requires nine bicycle parking spaces on site in association with the office component of the development (seven staff and two visitor spaces). The concept plans show 19 spaces will be provided. This is well in excess of that required and again further reduces the need to drive to/from the site.

Though the number of bicycle parking spaces provided is considered to be sufficient, the one shower and associated change room required by Clause 52.34 in association with the office component of the development will not be provided. As such it is recommended that a condition be included upon any permit issued requiring this shower/change room.

Waste

Though Council's Waste Engineers originally raised concerns regarding proposed residential waste collection arrangements, these concerns have now been resolved. As shown in the revised WMP submitted on 11 January 2021, all residential waste will now be collected by Council's contractors from the Dorcas Street frontage of the site. Originally, this waste was to be collected from Wells Street along with the waste of the adjacent residential building to the west. This was not agreed to by Council's Waste Engineers on the basis this was dependent upon the ongoing agreement of third parties.

Whilst this principal issue has now been resolved, access and internal layout issues remain. These matters are however minor and can be resolved via the submission of an amended WMP. It is recommended that a condition requiring this be included upon any permit issued.

11 CONCLUSION AND RECOMMENDATION

Though irregular in its form and presentation, the development nevertheless successfully responds to its immediate context. This includes adjacent sensitive interfaces to the east, west and, to a lesser extent, north. These interfaces have resulted in the rear wing of the building being stacked off-centre in order to create the separation distances necessary around facing windows/balconies/open spaces. This, in turn, has influenced the form of the street front of the building and its unique contribution to the public realm.

In addition to its form, the presentation of the building is also distinctly contemporary. Again, this is considered to be acceptable in context.

The Shrine of Remembrance is the key visual element of the surrounding area and new development must therefore complement its setting. On the basis the proposed building would only be visible from acute angles when viewed from the Shrine, it is considered that it would not impact upon its significance.

Technical parking and waste issues have now been resolved and as such it is considered these elements of the building will function as required. This includes residential waste collections from Dorcas Street by Council contractors and office/hotel collections via the rear laneway.

The provision of three drop-off/pick-up spaces forward of the site along Dorcas Street has also now been agreed by Council's Traffic Engineers. These spaces replace an existing crossover leading into the site and as such increase the availability of on-street parking in the immediate surrounding area.

In accordance with the preceding discussion, it is recommended that a Notice of Decision to Grant a Permit be issued subject to the following conditions:

RECOMMENDED PERMIT CONDITIONS:

1. Prior to the commencement of the use and development hereby approved, the applicant shall submit to and have approved in writing by the Responsible Authority, electronic plans generally in accordance with those submitted with the application prepared by Plus Architecture and dated 6 March 2020 but amended to show:
 - a) The overall height of the building reduced to a maximum of 70 metres, as measured to the Australian Height Datum (AHD). This excludes all non-habitable architectural features less than 3.0 metres in height and building services;
 - b) The depth of the projecting rear elements at Levels 5 - 13 reduced to no more than 300mm beyond the adjacent glass line. The corresponding projections at Levels 14 - 19 may also be reduced to match;

- c) The ground floor of the building reconfigured generally in accordance with the concept plans prepared by Plus Architecture and received by the City of Melbourne on 18 November 2020;
 - d) The provision of a light well extending through office Levels 3 and 4 generally in accordance with the concept plans prepared by Plus Architecture and received by the City of Melbourne on 18 November 2020;
 - e) The provision of one car share space on site generally in accordance with the concept plans prepared by Plus Architecture and received by the City of Melbourne on 18 November 2020;
 - f) The provision of three P10 car parking spaces on Dorcas Street adjacent to the site frontage generally in accordance with the concept plans prepared by Plus Architecture and received by the City of Melbourne on 18 November 2020 and in accordance with plans and specifications first approved by Council's Infrastructure and Assets department;
 - g) The provision of line markings throughout the on-site car park formalising directions of travel;
 - h) The provision of line markings and signage along the ramp leading into the basement car park clearly showing car and bicycle access lanes;
 - i) A minimum of one shower and associated change room within or conveniently located near to the office end-of-trip facility; and
 - j) Any alterations required by the amended Waste Management Plan (WMP) required by Condition 22.
2. The development hereby approved must not be altered or modified unless with the prior written consent of the Responsible Authority.
 3. Prior to the commencement of the development hereby approved, excluding preliminary site works, demolition and clean up, or as may otherwise be agreed by Council, a façade strategy must be submitted to and be approved in writing by the Responsible Authority. This strategy must further detail the lower levels of the building, in particular the ground level operable glazed façade along the Dorcas Street frontage, including its supporting columns and windows frames, as well as the manner in which the art installation interacts with adjacent hotel room windows. This installation must allow for a sufficient degree of natural light to these windows.
 4. All car parking spaces, ramps, transition spaces, access ways and height clearances must comply with the requirements of Clause 52.06 of the Melbourne Planning Scheme and/or Australian Standard (AS) 2890.1:2004.
 5. The design and layout of all bicycle parking facilities must comply with the relevant Australian Standards and/or Bicycle Network Guidelines.
 6. The design and layout of the loading bay must comply with the requirements of Australian Standard (AS) 2890.2-2002.
 7. All commercial loading/unloading and waste collections must be carried out within the confines of the loading bay. The maximum length vehicle to be used for these purposes is 6.4 metres, manoeuvrable within a 2.1 metre head clearance.
 8. Any 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 - Infrastructure and Assets.
 9. The title boundaries of the site may not align with abutting roads and laneways. The approved development must not encroach onto these roads/laneways.
 10. Prior to the commencement of the development hereby approved, details of the site stormwater drainage system, incorporating integrated water management design principles, must be submitted to and be approved in writing by the Responsible Authority - Infrastructure and Assets. This system must be constructed prior to the first

use/occupation of the development and provision made to connect it to the City of Melbourne's underground stormwater drainage system.

11. Prior to the first use/occupation of the development hereby approved, all necessary vehicle crossings must be constructed and all unnecessary vehicle crossings demolished and footpaths, kerbs and channels reconstructed in accordance with plans and specifications first approved by the Responsible Authority - Infrastructure and Assets.
12. Wells Place and laneway SM0248 must be reconstructed together with associated works including the modification of services as necessary at the cost of the developer in accordance with plans and specifications first approved by the Responsible Authority - Infrastructure and Assets.
13. The Dorcas Street footpath adjacent to the site must be reconstructed in sawn bluestone together with associated works, including the renewal of kerbs and channels, the provision of sawn bluestone lining around tree planter boxes and the modification of services as necessary at the cost of the developer in accordance with plans and specifications first approved by the Responsible Authority - Infrastructure and Assets.
14. All existing levels along roads adjoining the site must not be altered for the purposes of constructing new vehicle crossings or pedestrian entrances without first obtaining the written approval of the Responsible Authority - Infrastructure and Assets.
15. All existing street lighting temporarily removed or altered to facilitate construction works must be reinstated once the need for removal or alteration has ceased. This lighting must not otherwise be altered without first obtaining the written approval of the Responsible Authority - Infrastructure and Assets.
16. Existing street furniture adjacent to the site must not be removed or relocated without first obtaining the written approval of the Responsible Authority - Infrastructure and Assets.
17. All street furniture including litter bins, recycling bins, seats and bicycle rails must be supplied and installed along the Dorcas Street footpath adjacent to the site in accordance with plans and specifications first approved by the Responsible Authority - Infrastructure and Assets.
18. Prior to the commencement of the development hereby approved, excluding preliminary site works, demolition and clean up works, or as may otherwise be agreed in writing by the City of Melbourne, a lighting plan must be prepared and submitted to Council for approval. This plan should be generally consistent with Council's Lighting Strategy and include the provision of public lighting along Wells Place and laneway SM0248. All approved lighting works must be completed prior to the first use/occupation of the development in accordance with plans and specifications first approved by the Responsible Authority - Infrastructure and Assets.
19. Prior to the first use/occupation of the development hereby approved, a statement from the author of the submitted ESD report, or similarly qualified persons/companies, outlining how the performance outcomes specified in the report have been implemented must be submitted to and be approved in writing by the Responsible Authority. This report must also confirm and provide sufficient evidence that all measures specified in the ESD report were implemented in accordance with the relevant endorsed plans. The report must also include all final calculations and modelling to the appropriate standard, commissioning and testing reports, building user guides and other supplementary materials that have been produced to demonstrate compliance with the relevant targets set out in the ESD report.
20. The landscape treatment of the site and building must accord with the landscape concept plan entitled 'Landscape Architectural Concept, 10 Dorcas Street, South

Melbourne' prepared by Etched and dated October 2020. This includes all irrigation and maintenance measures as set out on Pg. 13.

21. Prior to the commencement of the development hereby approved, including demolition and bulk excavation, a detailed Construction and Demolition Management Plan must be submitted to and be approved in writing by the Responsible Authority - Construction Management Group. This plan must be prepared in accordance with the Council's Construction Management Plan Guidelines and is to consider the following as a minimum:
 - 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; and
 - f) Traffic management.
22. Prior to the commencement of the development hereby approved, an amended Waste Management Plan (WMP) generally in accordance with the WMP entitled '10 Dorcas Street, Southbank, Waste Management Plan' prepared by WSP and dated 17 December 2020 must be submitted to and be approved in writing by the Responsible Authority - Waste and Recycling. This amended WMP must show/include:
 - The deletion of all references (in written and diagrammatic form) to waste vehicles approaching the site from Anthony Lane. Waste vehicles may approach the site from Wells Street onto Wells Place only; and
 - A scaled drawing of the Hotel Bin Room clearly demonstrating that all bins can be comfortably manoeuvred for rotation purposes within the space provided and easily removed/returned for collection. The dimensions of all bins and any separation distances between each should also be shown.
23. The approved WMP referenced in Condition 22 must not be altered or modified without the prior written consent of the Responsible Authority - Waste and Recycling.
24. This permit will expire if one or more of the following circumstances apply:
 - a) a). The development hereby approved is not commenced within three years of the date of this permit;
 - b) b). The development hereby approved is not completed within five years of the date of this permit; or
 - c) c). The uses hereby approved are not commenced within five years of the date of this permit.

The Responsible Authority may extend the expiry dates of this permit upon request. This request must be in writing and be received before the permit expires or within three months afterwards.

Notes

The City of Melbourne will not alter existing on-street parking restrictions to accommodate the access, servicing, delivery and parking needs of the development as the restrictions are designed to cater for other competing demands and access requirements. New parking restrictions may however be introduced if considered appropriate.

New developments in this area that increase the density of residential development are not entitled to resident parking permits. Therefore, the residents/occupants/visitors of this development will not be eligible to receive parking permits and will not be exempt from on-street parking restrictions.

All necessary approvals and permits are to first be obtained from the City of Melbourne and all works performed to the satisfaction of the Responsible Authority - Infrastructure and Assets.

All projections over the street alignment must conform with the Building Regulations 2018, Part 6, Sections 98 to 110 as appropriate. Reference should be made to the City of Melbourne's 'Road Encroachment Operational Guidelines' with respect to projections affecting street trees and clearances from face/back of kerb.

The applicant is encouraged to benchmark the green infrastructure of the site and building against Council's Green Factor Tool. Further information may be found at <https://www.melbourne.vic.gov.au/community/greening-the-city/green-infrastructure/Pages/green-factor-tool.aspx> and <https://www.greenfactor.com.au/>