

Report to the Future Melbourne Committee

Agenda item 6.2

Ministerial Planning Referral: TPM-2020-49 432 - 438 Queen Street, 440 Queen Street and 446 - 450 Queen Street, Melbourne

15 June 2021

Presenter: Larry Parsons, Head of Statutory Planning

Purpose and background

1. The purpose of this report is to advise the Future Melbourne Committee of a Ministerial Planning Application seeking approval for part demolition and construction of buildings and works for the purpose of a multi-storey building (residential and retail) for the land at 432 - 438 Queen Street, 440 Queen Street and 446 - 450 Queen Street, Melbourne (refer Attachment 2 – Locality Plan).
2. The applicant is QVM Development Pty Ltd c/- Tract Pty Ltd, the owner is QVM Development Pty Ltd and the architect is Bates Smart Pty Ltd.
3. The Site is located on the eastern side Queen Street between Franklin Street and Therry Street and forms part of the Queen Victoria Market Precinct. The Site is directly opposite the existing at-grade car park and south-west of the Queen Victoria Market sheds. The Site has area of approximately 1016 m² and comprises of three properties.
4. The Site is located within the Capital City Zone Schedule 1 (CCZ1) and Heritage Overlay 07 (Queen Victoria Market Precinct), Design and Development Overlay Schedules 1 Area 2 (Active Street Frontage), Development Plan Overlay 11 (Queen Victoria Market Precinct) and Parking Overlay Schedule 1 (PO1).
5. The application seeks to retain the Queen Street façade and part of the laneway façade of the C graded building at 432 - 438 Queen Street, demolish two contributory heritage buildings and construct a 20 level (67 metres) building with 129 apartments including 13 affordable rental apartments (representing 10 per cent, and secured by a legal agreement) and retail uses.
6. The building has a total gross floor area of 15,224 m², a floor area ratio of 13.98:1 and has 1455 m² of retail uses.
7. The development plan application (TPM-2020-57) is running concurrently with this planning application. An application for a planning permit can only be approved after a development plan has been approved.
8. The Department of Environment, Land, Water and Planning, on behalf of the Minister for Planning, has referred the application to Council (Council is not a Recommending Referral Authority in this case).

Key issues

9. The proposed works for 432 - 438 Queen Street generally comply with Part B of the heritage policy at Clause 22.04 which requires amongst other matters, to conserve a building's significant heritage fabric and maintain the heritage building's prominence. Part A of the heritage policy at Clause 22.04 is the applicable heritage policy for the buildings at 440-444 and 446-450 Queen Street. While partial retention of these buildings is encouraged by heritage policy, their demolition is acceptable in this unique circumstance given the former low grading (both formerly D graded in a level 2 streetscape), the limited architectural interest of both buildings and the quality of the infill development proposed.
10. The proposal responds positively to the QVM Precinct Framework Plan 2017 and the vision statements and built form outcomes contained in DPO11. The proposal is of high quality, well-articulated and responds appropriately to the Site's context, and does not overshadow any significant public spaces.
11. The proposal is consistent with key aspects of the seriously entertained Melbourne Planning Scheme Amendment C308. This includes providing multiple pedestrian entry points to the site, the use of high quality and tactile materials, a fine grain design at the lower levels and building programming which engages pedestrians, and does not provide any on site car parking.

Recommendation from management

12. That the Future Melbourne Committee resolves to advise the Department of Environment, Land, Water and Planning that the Melbourne City Council supports the proposal subject to the conditions outlined in the delegate report (refer to Attachment 4 of the report from management).

Attachments:

1. Supporting Attachment (Page 2 of 70)
2. Locality Plan (Page 3 of 70)
3. Selected Plans (Page 4 of 70)
4. Delegate Report (Page 27 of 70)

Supporting Attachment

Legal

1. The Minister for Planning is the Responsible Authority for determining this application.
2. The Minister for Planning has informally referred the application to Council.

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 and potential amenity impacts that could impact on health and safety have been considered within the planning permit application and assessment process.

Stakeholder consultation

6. Provided the Development Plan (MCC ref: TPM-2020-57) has been prepared to the satisfaction of the responsible authority, an application under any provision of this planning scheme 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 Planning & Environment Act.
7. The Department of Environment, Land, Water and Planning, on behalf of the Minister for Planning, has informally referred the proposed application to the City of Melbourne. The application is under 25,000 m² and therefore is exempt from the referral notice of Clause 66.04.

Relation to Council policy

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

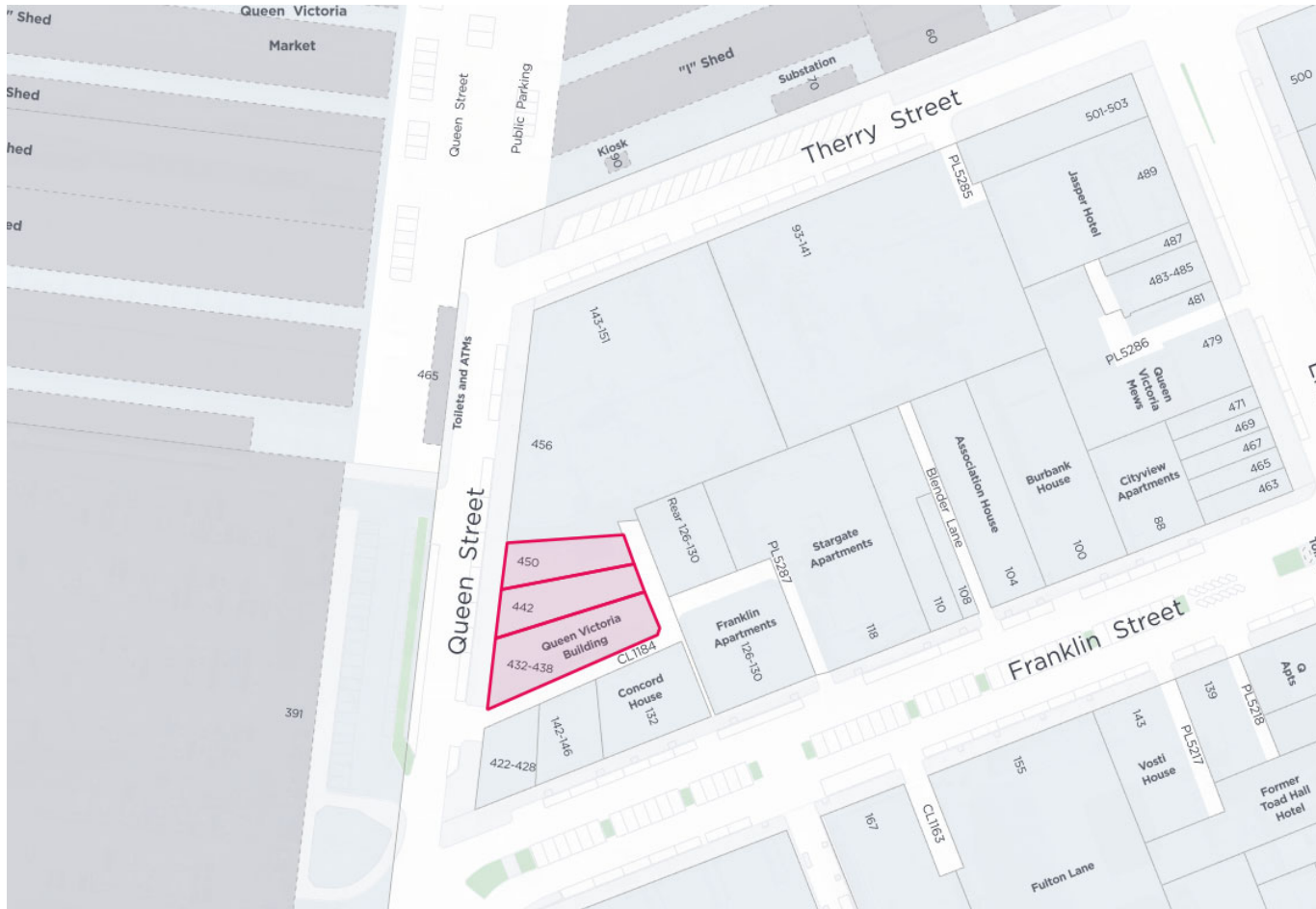
Environmental sustainability

9. The Environmentally Sustainable Design 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.
10. Permit conditions requiring implementation of the ESD initiatives are recommended.

Locality Plan

Attachment 2
Agenda item 6.2
Future Melbourne Committee
15 June 2021

432 - 438 Queen Street, 440 Queen Street and 446 - 450 Queen Street, Melbourne



432-450 QUEEN STREET, MELBOURNE, VIC, 3000
TOWN PLANNING SUBMISSION, 30.04.2021

DRAWING SCHEDULE

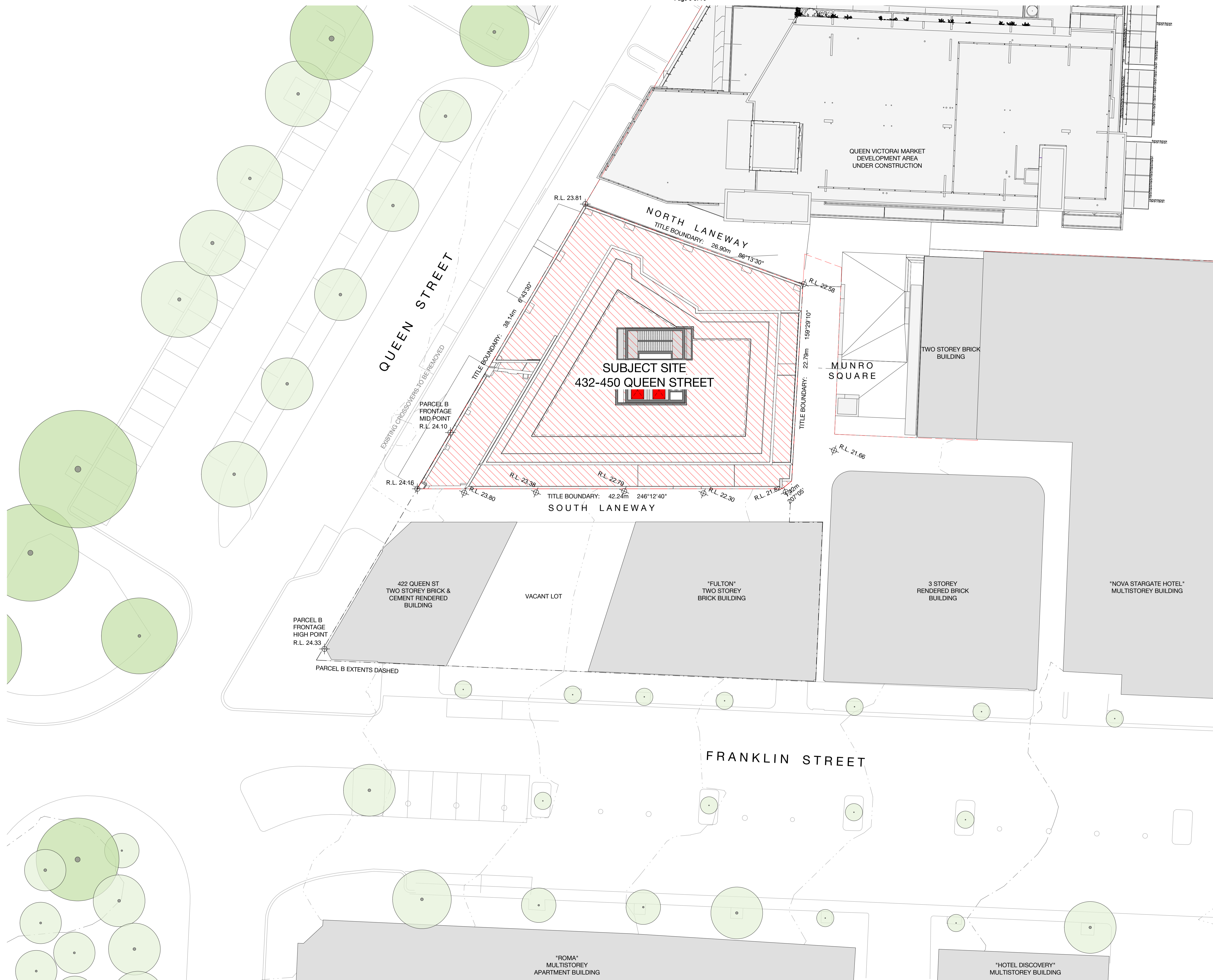
DWG NO.	REV	DRAWING SERIES	DRAWING TITLE
TP01.00	D	Site	Location Plan
TP01.10	C	Site	Existing Site Survey Plan
TP01.20	C	Site	Demolition Plan
TP03.00	D	GA Plans	Ground Level
TP03.01	C	GA Plans	Level 01 (Retail)
TP03.02	C	GA Plans	Level 02 (Podium Levels 02-04)
TP03.05	C	GA Plans	Level 05 (Amenities)
TP03.06	D	GA Plans	Level 06 (Mid-Rise Terrace)
TP03.07	A	GA Plans	Level 07 (Mid-Rise Level 07-11)
TP03.12	D	GA Plans	Level 12 (High-Rise Terrace)
TP03.13	D	GA Plans	Level 13 (High-Rise Levels 13-20)
TP03.21	D	GA Plans	Level 21 (Roof Plant)
TP03.22	D	GA Plans	Roof Plan
TP03.B01	C	GA Plans	Basement Level 01
TP09.00	D	GA Elevations	West Elevation
TP09.01	D	GA Elevations	North Elevation
TP09.02	D	GA Elevations	East Elevation
TP09.03	D	GA Elevations	South Elevation
TP10.00	D	GA Sections	Section AA
TP10.01	D	GA Sections	Section BB
TP10.10	A	Detail Section	Typical Apartment Section

BATES SMART

450 QUEEN

M12359

Check all dimensions and site conditions prior to commencement of any work, the purchase or ordering of any materials, fittings, plant, services or equipment and the preparation of shop drawings and or the fabrication of any components. Do not scale drawings - refer to figured dimensions only. Any discrepancies shall immediately be referred to the architect for clarification. All drawings may not be reproduced or distributed without prior permission from the architect.



Rev	Date	Description	Initial	Checked
D	30.04.21	TOWN PLANNING UPDATES	BL	BL
C	12.10.20	RFI ISSUE	PG	BL
B	19.05.20	TOWN PLANNING	PG	BL
A	15.05.20	TOWN PLANNING DRAFT	PG	BL

450 QUEEN 432-450 QUEEN STREET

Site
Location Plan



Status	TOWN PLANNING		
Scale	1 : 200	@	A1
Drawn	PG	Checked	BL
Project No.	M12359		
Plot Date	30/04/2021 9:48:12 AM		
BIM			

Drawing no.	Revision
TP01.00	D

Melbourne 1 Nicholson Street
Melbourne VIC 3000 Australia
T 03 8664 6200 F 03 8664 6300
email mel@batesmart.com.au
http://www.batesmart.com.au

Sydney 43 Brisbane Street
Surry Hills NSW 2010 Australia
T 02 8354 5100 F 02 8354 5199
email syd@batesmart.com.au
http://www.batesmart.com.au

Bates Smart Pty Ltd ABN 70 004 999 400



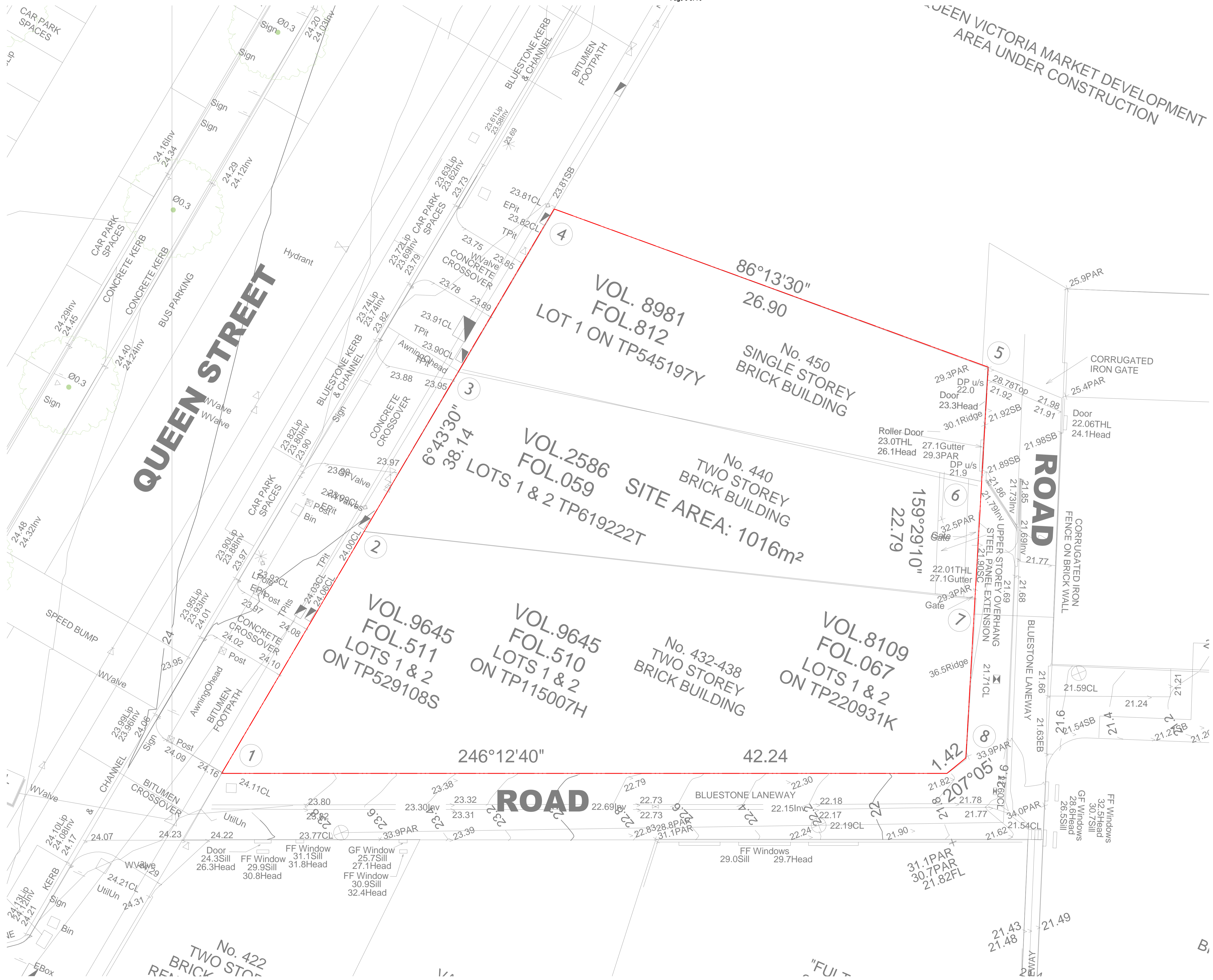
QUEEN VICTORIA MARKET DEVELOPMENT AREA UNDER CONSTRUCTION

Check all dimensions and site conditions prior to commencement of any work, the purchase or ordering of any materials, fittings, plant, services or equipment and the preparation of shop drawings and or the fabrication of any components.
Do not scale drawings - refer to figured dimensions only. Any discrepancies shall immediately be referred to the architect for clarification.
All drawings may not be reproduced or distributed without prior permission from the architect.

DRAWING NOTES:

Plan of relocation features and levels survey drawn and prepared by REEDS Consulting. Drawing included for reference only. Please refer to original surveyors drawing for full details.


Drawing Title: Plan of relocation features and levels
Reference: 23539 (Version A)
Survey Datum: MGA2020 Zone 55
Issue Date: 16.09.2019



Rev	Date	Description	Initial	Checked
C	12.10.20	RFI ISSUE	PG	BL
B	19.05.20	TOWN PLANNING	PG	BL
A	15.05.20	TOWN PLANNING DRAFT	PG	BL

**450 QUEEN
432-450 QUEEN STREET**

Site
Existing Site Survey Plan



Status	TOWN PLANNING
Scale	1 : 100 @ A1
Drawn	PG Checked BL
Project No.	M12359
Plot Date	12/10/2020 1:11:09 PM
BIM	

Drawing no.	Revision
TP01.10	C

Melbourne 1 Nicholson Street
Melbourne VIC 3000 Australia
T 03 8664 6200 F 03 8664 6300
email mel@batesmart.com.au
http://www.batesmart.com.au

Sydney 43 Brisbane Street
Surry Hills NSW 2010 Australia
T 02 8354 5100 F 02 8354 5199
email syd@batesmart.com.au
http://www.batesmart.com.au




Bates Smart Pty Ltd ABN 70 004 999 400



C:\temp\450QUEEN_BS_ARCH\202010_GRP.PLT

Check all dimensions and site conditions prior to commencement of any work, the purchase or ordering of any materials, fittings, plant, services or equipment and the preparation of shop drawings and or the fabrication of any components. Do not scale drawings - refer to figured dimensions only. Any discrepancies shall immediately be referred to the architect for clarification. All drawings may not be reproduced or distributed without prior permission from the architect.

Legend - Demolition Plan

-  Demolition works
-  Existing walls to remain
-  Reconstructed walls

Notes - Demolition Plan

1. Refer to Heritage consultant drawings and report for demolition details and requirements.
2. Refer to Mechanical and Electrical drawings for re-location and demolition of existing services.

QUEEN STREET

QUEEN VICTORIA MARKET DEVELOPMENT AREA UNDER CONSTRUCTION

450 QUEEN STREET SINGLE STOREY BRICK BUILDING

440 QUEEN STREET TWO STOREY BRICK BUILDING

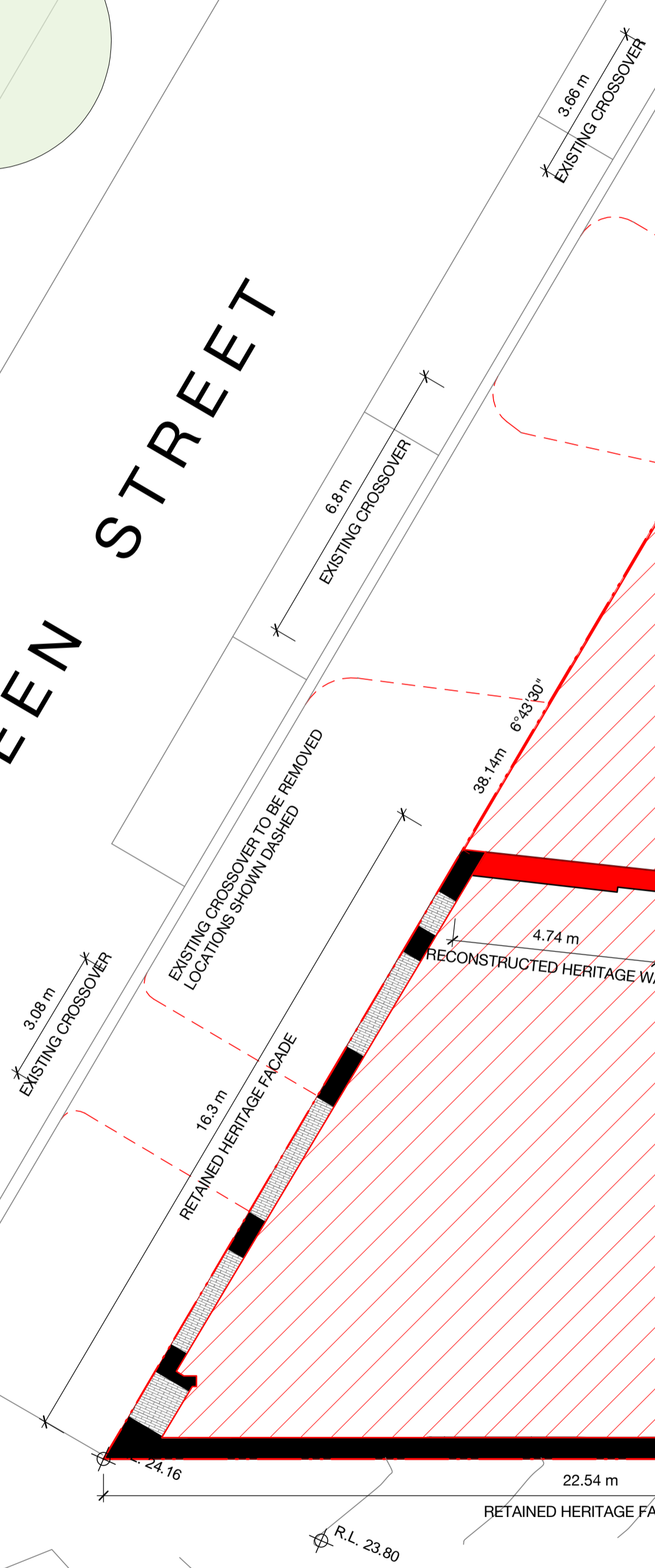
432-438 QUEEN STREET TWO STOREY BRICK BUILDING

422 QUEEN ST TWO STOREY BRICK & CEMENT RENDERED BUILDING

VACANT LOT

"FULTON" TWO STOREY BRICK BUILDING

3 STOREY RENDERED BRICK BUILDING



Rev	Date	Description	Initial	Checked
C	12.10.20	RFI ISSUE	PG	BL
B	19.05.20	TOWN PLANNING	PG	BL
A	15.05.20	TOWN PLANNING DRAFT	PG	BL

**450 QUEEN
432-450 QUEEN STREET**

**Site
Demolition Plan**



Status	TOWN PLANNING		
Scale	1 : 100	@	A1
Drawn	PG	Checked	BL
Project No.	M12359		
Plot Date	12/10/2020 1:11:12 PM		
BIM			
Drawing no.	TP01.20	Revision	C

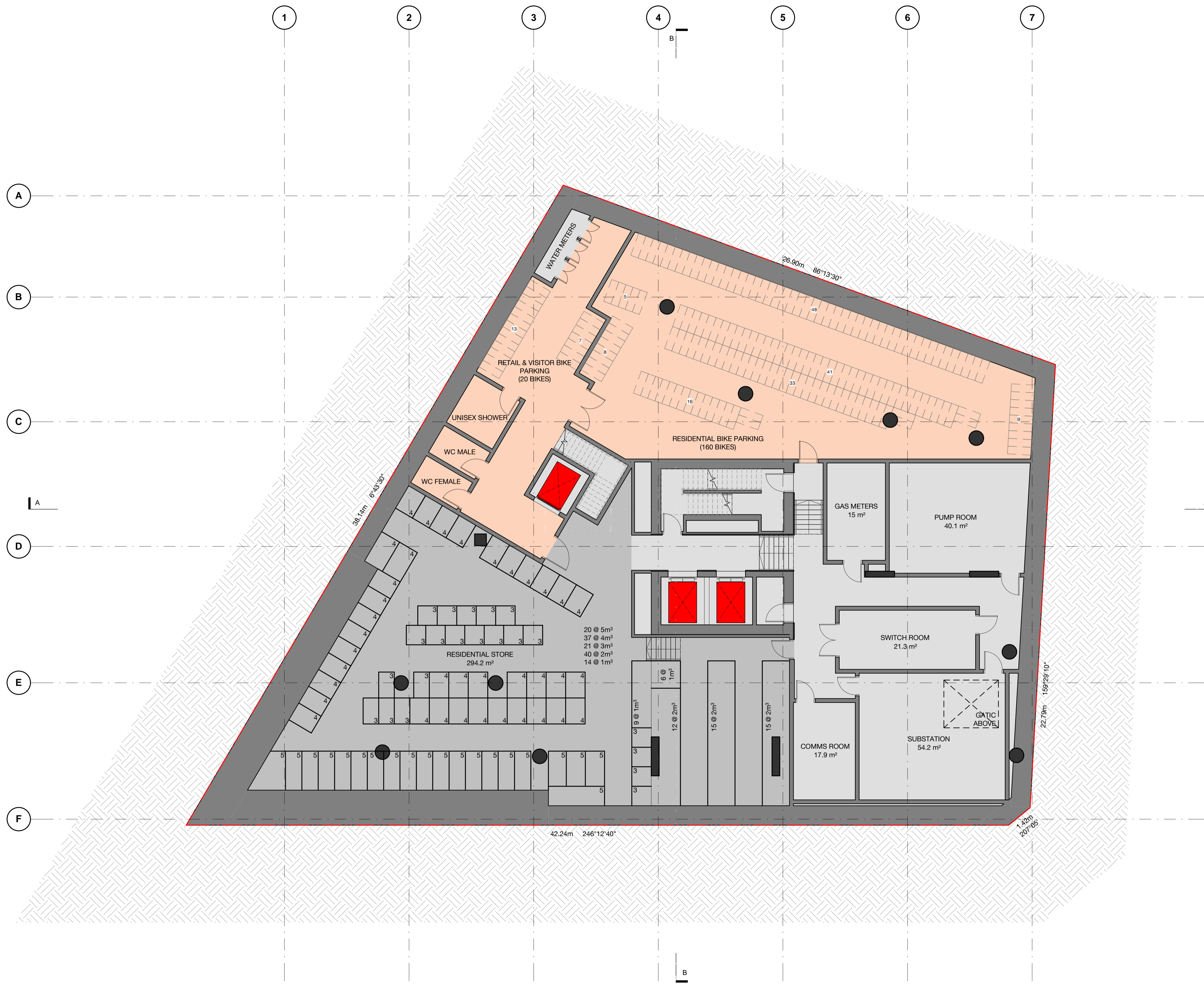
Melbourne 1 Nicholson Street
Melbourne VIC 3000 Australia
T 03 8664 6200 F 03 8664 6300
email mel@batesmart.com.au
http://www.batesmart.com.au

Sydney 43 Brisbane Street
Surry Hills NSW 2010 Australia
T 02 8354 5100 F 02 8354 5199
email syd@batesmart.com.au
http://www.batesmart.com.au

Bates Smart Pty Ltd ABN 70 004 999 400

BATESSMART

Check all dimensions and site conditions prior to commencement of any work, the purchase or ordering of any materials, fittings, plant, services or equipment and the preparation of shop drawings and or the fabrication of any components.
 Do not scale drawings - refer to figured dimensions only. Any discrepancies shall immediately be referred to the architect for clarification.
 All drawings may not be reproduced or distributed without prior permission from the architect.



Rev	Date	Description	Initial	Checked
C	12.10.20	RFI ISSUE	PG	BL
B	19.05.20	TOWN PLANNING	PG	BL
A	15.05.20	TOWN PLANNING DRAFT	PG	BL

**450 QUEEN
432-450 QUEEN STREET**

GA Plans
Basement Level 01

Status	TOWN PLANNING
Scale	1 : 100 @ A1
Drawn	PG Checked BL
Project No.	M12359
Plot Date	12/10/2020 1:12:06 PM
BIM	

Drawing no. **TP03.B01** Revision **C**

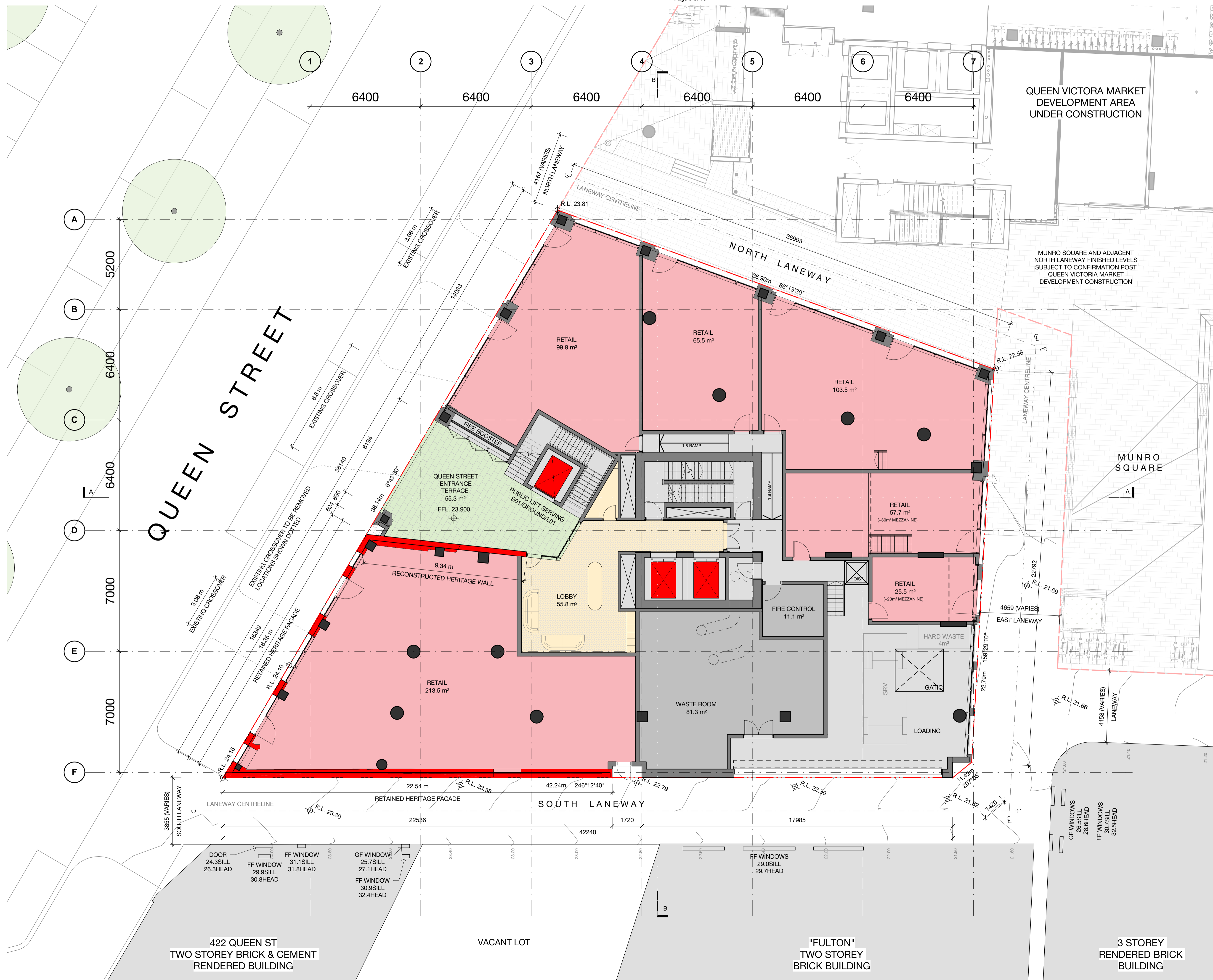
Melbourne 1 Nicholson Street
Melbourne VIC 3000 Australia
T 03 8664 6200 F 03 8664 6300
email mel@batesmart.com.au
http://www.batesmart.com.au

Sydney 43 Brisbane Street
Surry Hills NSW 2010 Australia
T 02 8354 5100 F 02 8354 5199
email syd@batesmart.com.au
http://www.batesmart.com.au

Bates Smart Pty Ltd ABN 70 004 999 400



Check all dimensions and site conditions prior to commencement of any work, the purchase or ordering of any materials, fittings, plant, services or equipment and the preparation of shop drawings and or the fabrication of any components.
Do not scale drawings - refer to figured dimensions only. Any discrepancies shall immediately be referred to the architect for clarification.
All drawings may not be reproduced or distributed without prior permission from the architect.



Rev	Date	Description	Initial	Checked
C	12.10.20	RFI ISSUE	PG	BL
B	19.05.20	TOWN PLANNING	PG	BL
A	15.05.20	TOWN PLANNING DRAFT	PG	BL

450 QUEEN 432-450 QUEEN STREET

GA Plans
Ground Level



Status	TOWN PLANNING
Scale	1 : 100 @ A1
Drawn	PG Checked BL
Project No.	M12359
Plot Date	12/10/2020 1:11:18 PM
BIM	
Drawing no.	Revision
TP03.00	C

Melbourne 1 Nicholson Street
Melbourne VIC 3000 Australia
T 03 8664 6200 F 03 8664 6300
email mel@batesmart.com.au
http://www.batesmart.com.au

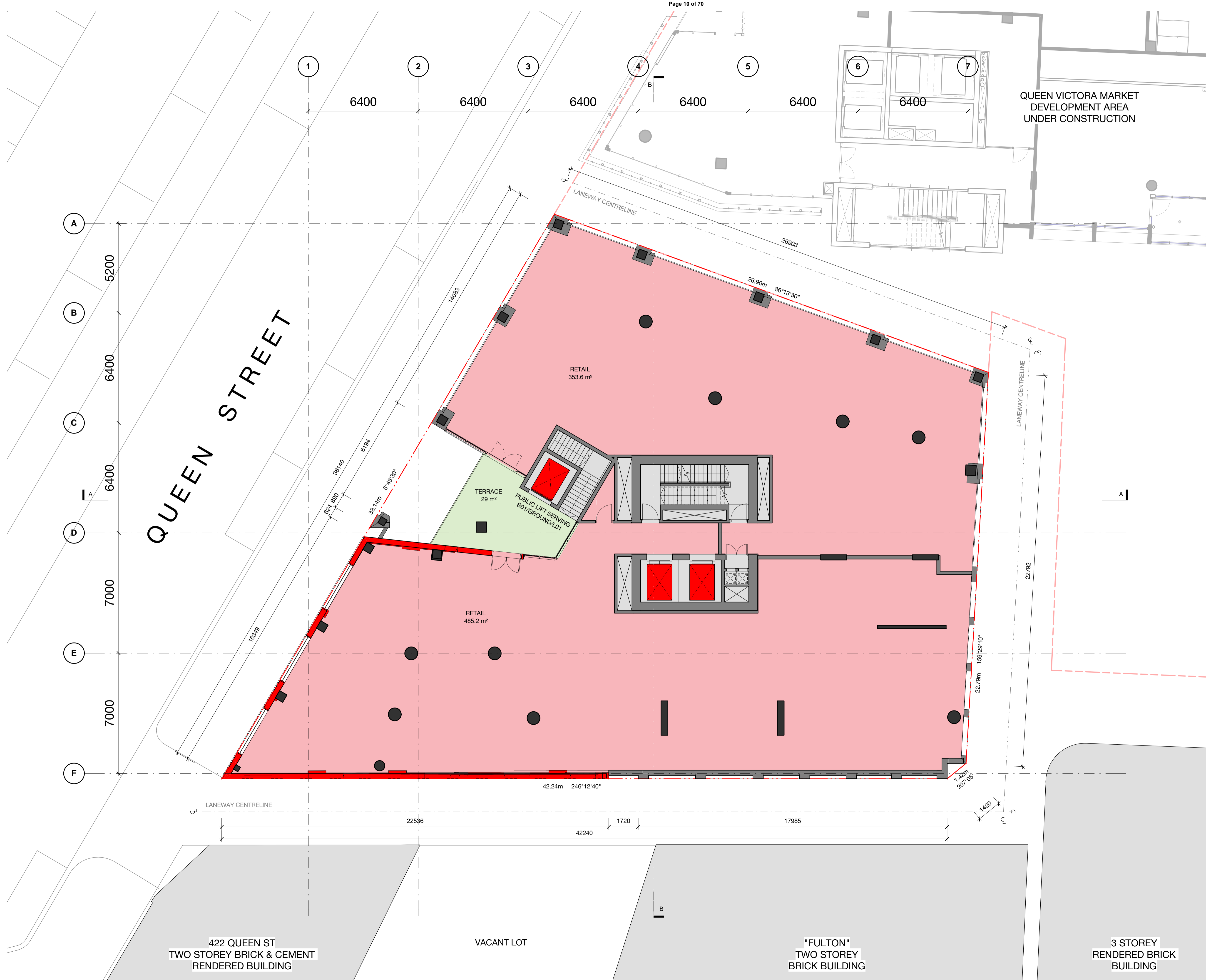
Sydney 43 Brisbane Street
Surry Hills NSW 2010 Australia
T 02 8354 5100 F 02 8354 5199
email syd@batesmart.com.au
http://www.batesmart.com.au

Bates Smart Pty Ltd ABN 70 004 999 400



C:\temp\450QUEEN_BS_ARCH\2020_03\RP1.dwg


Check all dimensions and site conditions prior to commencement of any work, the purchase or ordering of any materials, fittings, plant, services or equipment and the preparation of shop drawings and or the fabrication of any components. Do not scale drawings - refer to figured dimensions only. Any discrepancies shall immediately be referred to the architect for clarification. All drawings may not be reproduced or distributed without prior permission from the architect.



Rev	Date	Description	Initial	Checked
C	12.10.20	RFI ISSUE	PG	BL
B	19.05.20	TOWN PLANNING	PG	BL
A	15.05.20	TOWN PLANNING DRAFT	PG	BL

**450 QUEEN
432-450 QUEEN STREET**

GA Plans
Level 01 (Retail)



Status	TOWN PLANNING		
Scale	1 : 100	@	A1
Drawn	PG	Checked	BL
Project No.	M12359		
Plot Date	12/10/2020 1:11:23 PM		
BIM			
Drawing no.	TP03.01	Revision	C

Melbourne 1 Nicholson Street
Melbourne VIC 3000 Australia
T 03 8664 6200 F 03 8664 6300
email mel@batesmart.com.au
http://www.batesmart.com.au

Sydney 43 Brisbane Street
Surry Hills NSW 2010 Australia
T 02 8354 5100 F 02 8354 5199
email syd@batesmart.com.au
http://www.batesmart.com.au

Bates Smart Pty Ltd ABN 70 004 999 400



C:\temp\450QUEEN_BS_ARCH\20210_GRP\M

Check all dimensions and site conditions prior to commencement of any work, the purchase or ordering of any materials, fittings, plant, services or equipment and the preparation of shop drawings and or the fabrication of any components. Do not scale drawings - refer to figured dimensions only. Any discrepancies shall immediately be referred to the architect for clarification. All drawings may not be reproduced or distributed without prior permission from the architect.



QUEEN STREET

QUEEN VICTORIA MARKET DEVELOPMENT AREA UNDER CONSTRUCTION

C	12.10.20	RFI ISSUE	PG	BL
B	19.05.20	TOWN PLANNING	PG	BL
A	15.05.20	TOWN PLANNING DRAFT	PG	BL
Rev	Date	Description	Initial	Checked

450 QUEEN 432-450 QUEEN STREET

GA Plans
Level 02 (Podium Levels 02-04)



Status	TOWN PLANNING
Scale	1 : 100 @ A1
Drawn	PG Checked BL
Project No.	M12359
Plot Date	13/10/2020 3:50:47 PM
BIM	
Drawing no.	Revision
TP03.02	C

Melbourne 1 Nicholson Street
Melbourne VIC 3000 Australia
T 03 8664 6200 F 03 8664 6300
email mel@batesmart.com.au
http://www.batesmart.com.au

Sydney 43 Brisbane Street
Surry Hills NSW 2010 Australia
T 02 8354 5100 F 02 8354 5199
email syd@batesmart.com.au
http://www.batesmart.com.au

Bates Smart Pty Ltd ABN 70 004 999 400

422 QUEEN ST
TWO STOREY BRICK & CEMENT
RENDERED BUILDING

VACANT LOT

"FULTON"
TWO STOREY
BRICK BUILDING

3 STOREY
RENDERED BRICK
BUILDING

BATESSMART


Check all dimensions and site conditions prior to commencement of any work, the purchase or ordering of any materials, fittings, plant, services or equipment and the preparation of shop drawings and or the fabrication of any components. Do not scale drawings - refer to figured dimensions only. Any discrepancies shall immediately be referred to the architect for clarification. All drawings may not be reproduced or distributed without prior permission from the architect.



C	12.10.20	RFI ISSUE	PG	BL
B	19.05.20	TOWN PLANNING	PG	BL
A	15.05.20	TOWN PLANNING DRAFT	PG	BL
Rev	Date	Description	Initial	Checked

**450 QUEEN
432-450 QUEEN STREET**

GA Plans
Level 05 (Amenities)



Status	TOWN PLANNING
Scale	1 : 100 @ A1
Drawn	PG Checked BL
Project No.	M12359
Plot Date	12/10/2020 1:11:35 PM
BIM	
Drawing no.	Revision
TP03.05	C

Melbourne 1 Nicholson Street
Melbourne VIC 3000 Australia
T 03 8664 6200 F 03 8664 6300
email mel@batesmart.com.au
http://www.batesmart.com.au

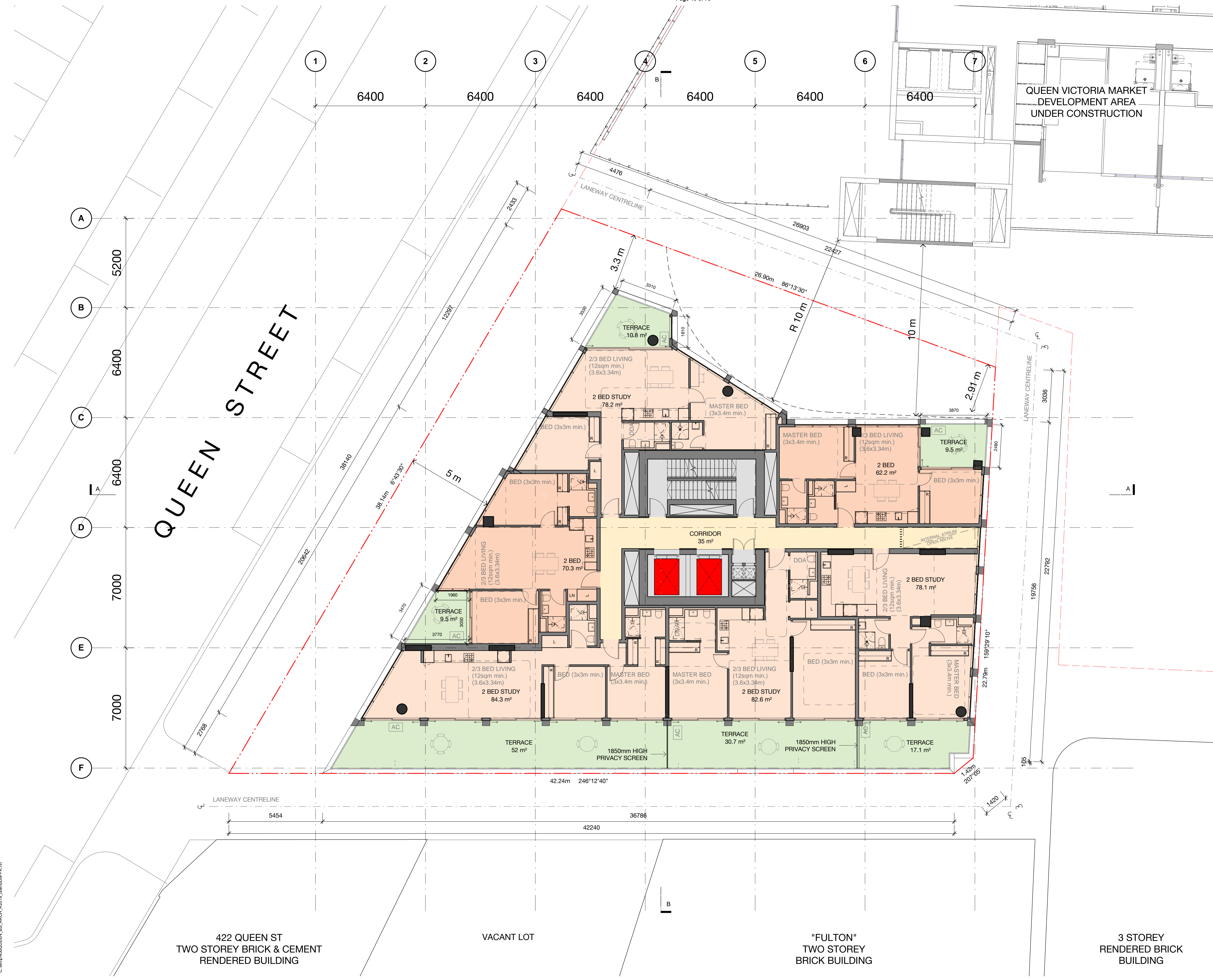
Sydney 43 Brisbane Street
Surry Hills NSW 2010 Australia
T 02 8354 5100 F 02 8354 5199
email syd@batesmart.com.au
http://www.batesmart.com.au

Bates Smart Pty Ltd ABN 70 004 999 400



C:\temp\450QUEEN_BS_ARCH\20210_GRP\M

Check all dimensions and site conditions prior to commencement of any work, the purchase or ordering of any materials, fittings, plant, services or equipment and the preparation of shop drawings and or the fabrication of any components. Do not scale drawings - refer to figured dimensions only. Any discrepancies shall immediately be referred to the architect for clarification. All drawings may not be reproduced or distributed without prior permission from the architect.



Rev	Date	Description	Initial	Checked
D	30.04.21	TOWN PLANNING UPDATES	BL	BL
C	12.10.20	RFI ISSUE	PG	BL
B	19.05.20	TOWN PLANNING	PG	BL
A	15.05.20	TOWN PLANNING DRAFT	PG	BL

450 QUEEN 432-450 QUEEN STREET

GA Plans
Level 06 (Mid-Rise Terrace)



Status	TOWN PLANNING		
Scale	1 : 100	@	A1
Drawn	PG	Checked	BL
Project No.	M12359		
Plot Date	30/04/2021 9:48:18 AM		
BIM			
Drawing no.	TP03.06	Revision	D

Melbourne 1 Nicholson Street
Melbourne VIC 3000 Australia
T 03 8664 6200 F 03 8664 6300
email mel@batesmart.com.au
http://www.batesmart.com.au

Sydney 43 Brisbane Street
Surry Hills NSW 2010 Australia
T 02 8354 5100 F 02 8354 5199
email syd@batesmart.com.au
http://www.batesmart.com.au

Bates Smart Pty Ltd ABN 70 004 999 400

422 QUEEN ST
TWO STOREY BRICK & CEMENT
RENDERED BUILDING

VACANT LOT

"FULTON"
TWO STOREY
BRICK BUILDING

3 STOREY
RENDERED BRICK
BUILDING



C:\temp\450QUEEN_BS_ARCH\20210310\13am\13RFK\K1

Check all dimensions and site conditions prior to commencement of any work, the purchase or ordering of any materials, fittings, plant, services or equipment and the preparation of shop drawings and or the fabrication of any components. Do not scale drawings - refer to figured dimensions only. Any discrepancies shall immediately be referred to the architect for clarification. All drawings may not be reproduced or distributed without prior permission from the architect.

QUEEN STREET

QUEEN VICTORIA MARKET DEVELOPMENT AREA UNDER CONSTRUCTION

422 QUEEN ST TWO STOREY BRICK & CEMENT RENDERED BUILDING

VACANT LOT

"FULTON" TWO STOREY BRICK BUILDING

3 STOREY RENDERED BRICK BUILDING



Rev	Date	Description	Initial	Checked
A	30.04.21	TOWN PLANNING UPDATES	BL	BL

450 QUEEN 432-450 QUEEN STREET

GA Plans
Level 07 (Mid-Rise Level 07-11)



Status	TOWN PLANNING		
Scale	1 : 100	@	A1
Drawn	SX	Checked	BL
Project No.	M12359		
Plot Date	30/04/2021 9:48:23 AM		
BIM			

Drawing no.	Revision
TP03.07	A

Melbourne 1 Nicholson Street
Melbourne VIC 3000 Australia
T 03 8664 6200 F 03 8664 6300
email mel@batesmart.com.au
http://www.batesmart.com.au

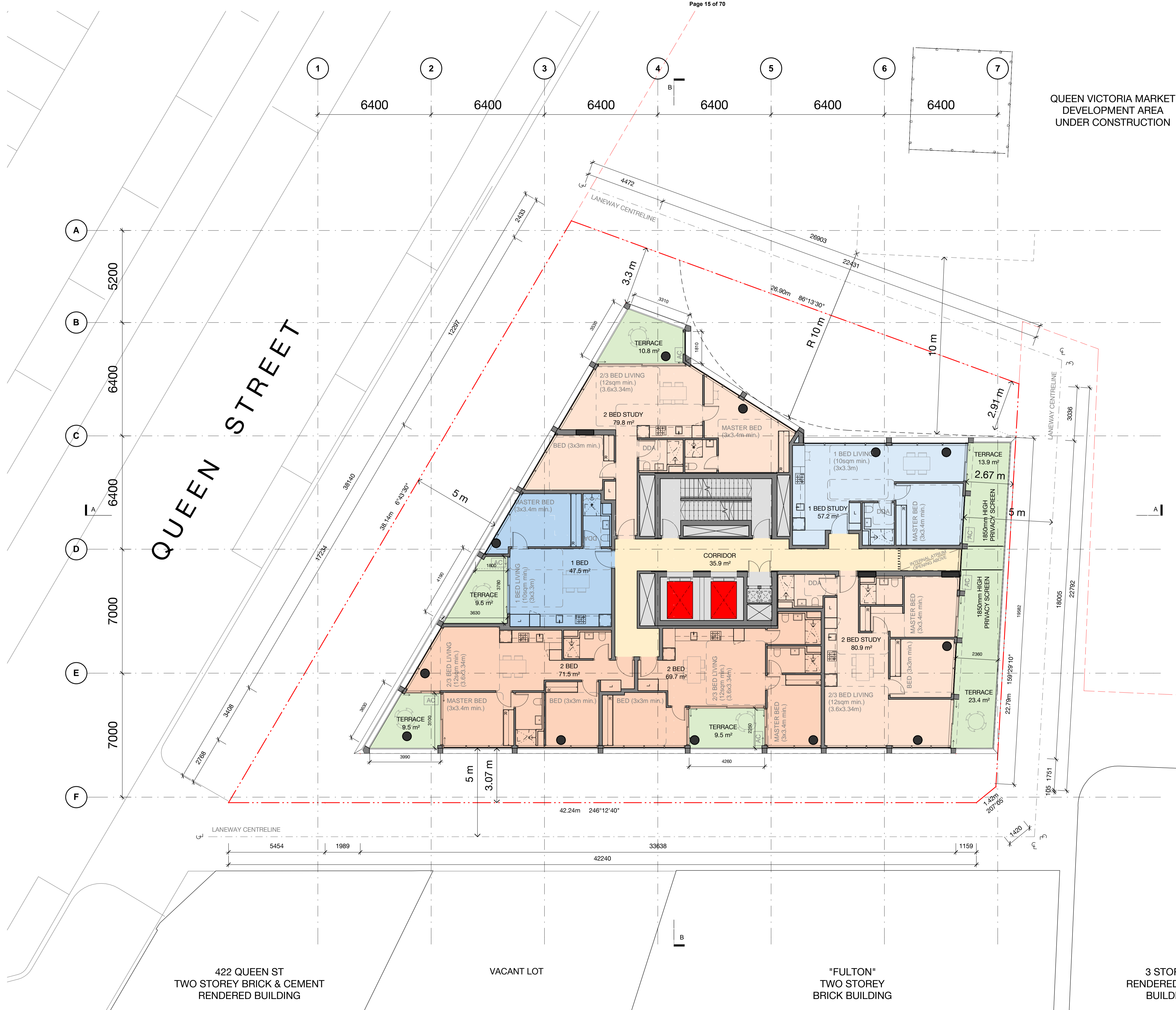
Sydney 43 Brisbane Street
Surry Hills NSW 2010 Australia
T 02 8354 5100 F 02 8354 5199
email syd@batesmart.com.au
http://www.batesmart.com.au

Bates Smart Pty Ltd ABN 70 004 999 400



C:\temp\450QUEEN_BS_ARCH\R2010_biamu\BFFK\K

Check all dimensions and site conditions prior to commencement of any work, the purchase or ordering of any materials, fittings, plant, services or equipment and the preparation of shop drawings and or the fabrication of any components. Do not scale drawings - refer to figured dimensions only. Any discrepancies shall immediately be referred to the architect for clarification. All drawings may not be reproduced or distributed without prior permission from the architect.



QUEEN VICTORIA MARKET DEVELOPMENT AREA UNDER CONSTRUCTION

QUEEN STREET

D	30.04.21	TOWN PLANNING UPDATES	BL	BL
C	12.10.20	RFI ISSUE	PG	BL
B	19.05.20	TOWN PLANNING	PG	BL
A	15.05.20	TOWN PLANNING DRAFT	PG	BL
Rev	Date	Description	Initial	Checked

450 QUEEN 432-450 QUEEN STREET

GA Plans
Level 12 (High-Rise Terrace)



Status	TOWN PLANNING		
Scale	1 : 100	@	A1
Drawn	PG	Checked	BL
Project No.	M12359		
Plot Date	30/04/2021 9:48:30 AM		
BIM			
Drawing no.	TP03.12	Revision	D

Melbourne 1 Nicholson Street
Melbourne VIC 3000 Australia
T 03 8664 6200 F 03 8664 6300
email mel@batesmart.com.au
http://www.batesmart.com.au

Sydney 43 Brisbane Street
Surry Hills NSW 2010 Australia
T 02 8354 5100 F 02 8354 5199
email syd@batesmart.com.au
http://www.batesmart.com.au

Bates Smart Pty Ltd ABN 70 004 999 400

422 QUEEN ST
TWO STOREY BRICK & CEMENT
RENDERED BUILDING

VACANT LOT

"FULTON"
TWO STOREY
BRICK BUILDING

3 STOREY
RENDERED BRICK
BUILDING

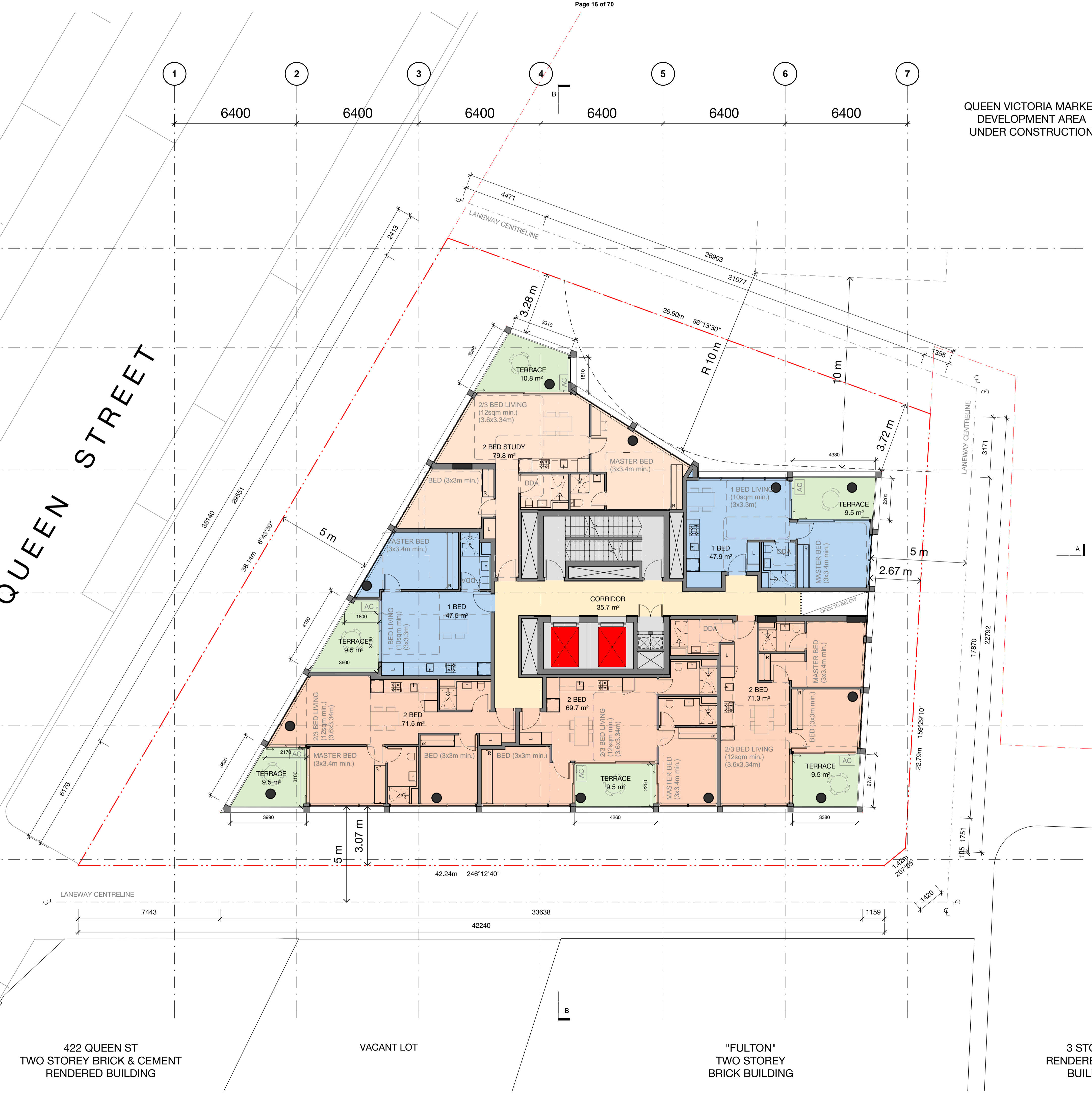
BATESSMART

C:\temp\450QUEEN_BS_ARCH\20210_biamu\98FKC\K

Check all dimensions and site conditions prior to commencement of any work, the purchase or ordering of any materials, fittings, plant, services or equipment and the preparation of shop drawings and or the fabrication of any components. Do not scale drawings - refer to figured dimensions only. Any discrepancies shall immediately be referred to the architect. All drawings may not be reproduced or distributed without prior permission from the architect.

QUEEN VICTORIA MARKET DEVELOPMENT AREA UNDER CONSTRUCTION

QUEEN STREET



Rev	Date	Description	Initial	Checked
D	30.04.21	TOWN PLANNING UPDATES	BL	BL
C	12.10.20	RFI ISSUE	PG	BL
B	19.05.20	TOWN PLANNING	PG	BL
A	15.05.20	TOWN PLANNING DRAFT	PG	BL

450 QUEEN
432-450 QUEEN STREET

GA Plans
Level 13 (High-Rise Levels 13-20)



Status	TOWN PLANNING		
Scale	1 : 100	@	A1
Drawn	PG	Checked	BL
Project No.	M12359		
Plot Date	30/04/2021 9:48:35 AM		
BIM			
Drawing no.	TP03.13	Revision	D

Melbourne 1 Nicholson Street
Melbourne VIC 3000 Australia
T 03 8664 6200 F 03 8664 6300
email mel@batesmart.com.au
http://www.batesmart.com.au

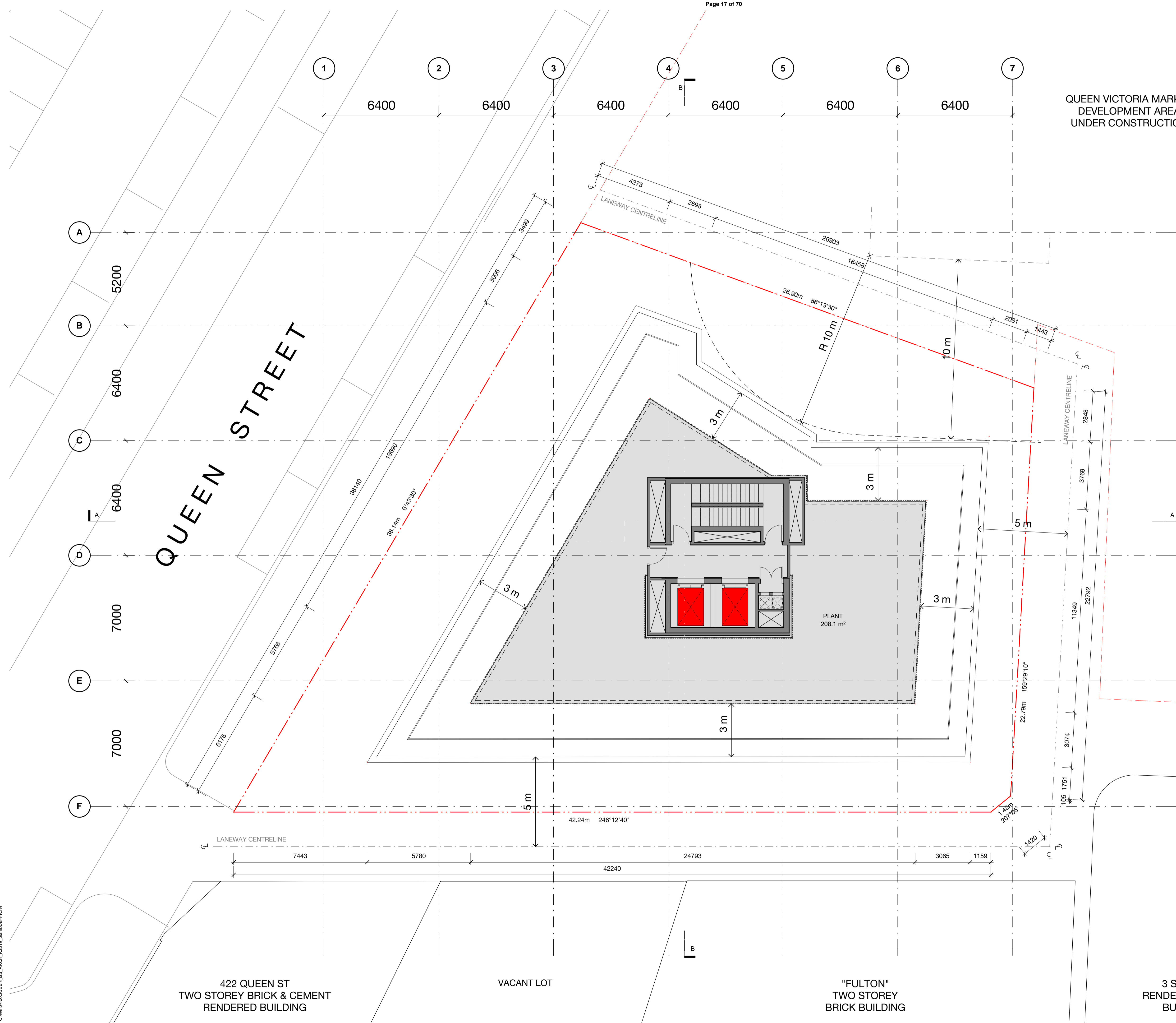
Sydney 43 Brisbane Street
Surry Hills NSW 2010 Australia
T 02 8354 5100 F 02 8354 5199
email syd@batesmart.com.au
http://www.batesmart.com.au

Bates Smart Pty Ltd ABN 70 004 999 400



C:\temp\450QUEEN_BS_ARCH\20210_biamu\98FFK\K

Check all dimensions and site conditions prior to commencement of any work, the purchase or ordering of any materials, fittings, plant, services or equipment and the preparation of shop drawings and or the fabrication of any components. Do not scale drawings - refer to figured dimensions only. Any discrepancies shall immediately be referred to the architect for clarification. All drawings may not be reproduced or distributed without prior permission from the architect.



QUEEN VICTORIA MARKET
DEVELOPMENT AREA
UNDER CONSTRUCTION

QUEEN STREET

PLANT
208.1 m²

Rev	Date	Description	Initial	Checked
D	30.04.21	TOWN PLANNING UPDATES	BL	BL
C	12.10.20	RFI ISSUE	PG	BL
B	19.05.20	TOWN PLANNING	PG	BL
A	15.05.20	TOWN PLANNING DRAFT	PG	BL

450 QUEEN 432-450 QUEEN STREET

GA Plans
Level 21 (Roof Plant)



Status	TOWN PLANNING		
Scale	1 : 100	@	A1
Drawn	PG	Checked	BL
Project No.	M12359		
Plot Date	30/04/2021 9:48:43 AM		
BIM			
Drawing no.	TP03.21	Revision	D

Melbourne 1 Nicholson Street
Melbourne VIC 3000 Australia
T 03 8664 6200 F 03 8664 6300
email mel@batesmart.com.au
http://www.batesmart.com.au

Sydney 43 Brisbane Street
Surry Hills NSW 2010 Australia
T 02 8354 5100 F 02 8354 5199
email syd@batesmart.com.au
http://www.batesmart.com.au

Bates Smart Pty Ltd ABN 70 004 999 400

422 QUEEN ST
TWO STOREY BRICK & CEMENT
RENDERED BUILDING

VACANT LOT

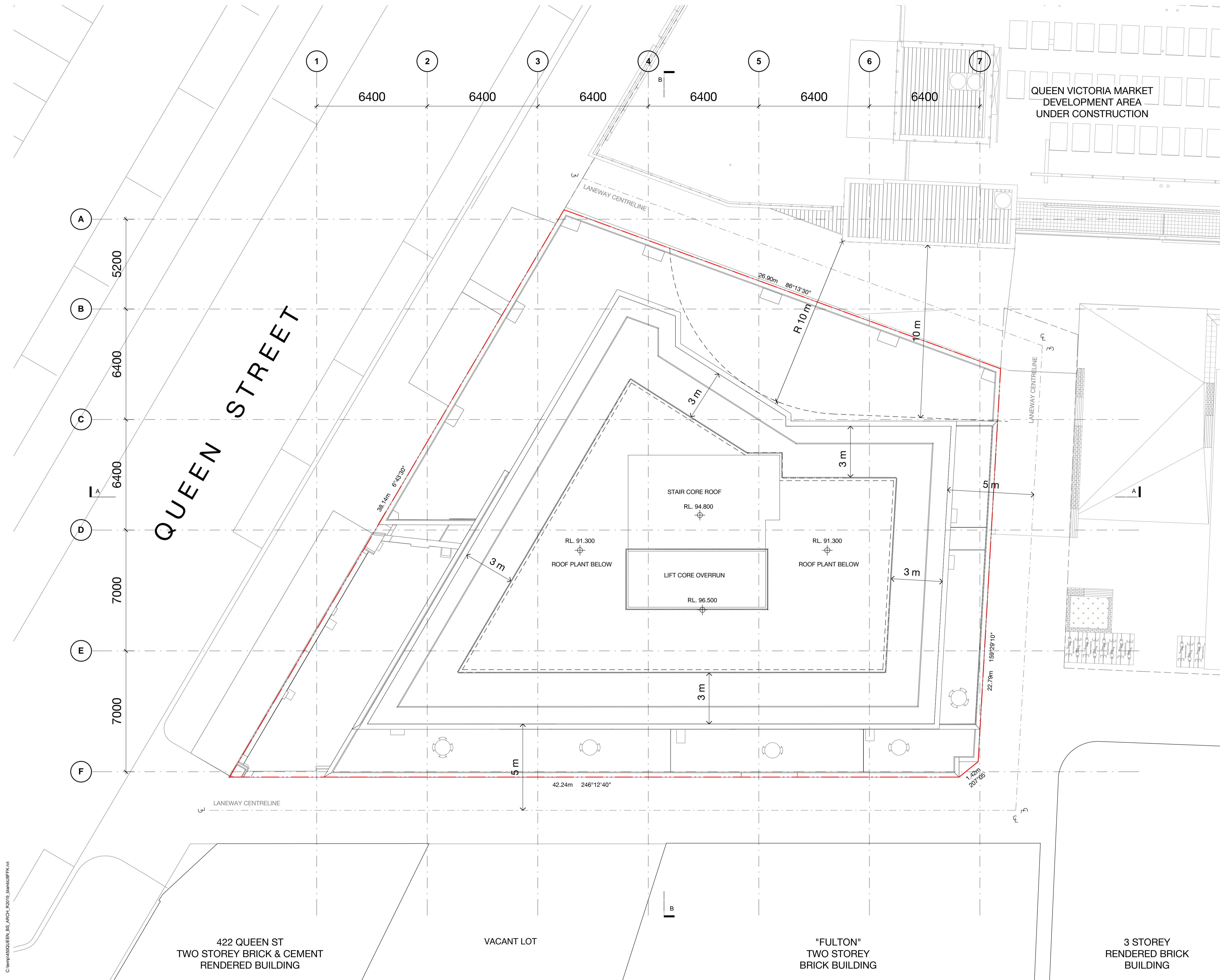
"FULTON"
TWO STOREY
BRICK BUILDING

3 STOREY
RENDERED BRICK
BUILDING

BATESSMART

C:\temp\450QUEEN_BS_ARCH\20210_biamu\98FKC\K

Check all dimensions and site conditions prior to commencement of any work, the purchase or ordering of any materials, fittings, plant, services or equipment and the preparation of shop drawings and or the fabrication of any components. Do not scale drawings - refer to figured dimensions only. Any discrepancies shall immediately be referred to the architect for clarification. All drawings may not be reproduced or distributed without prior permission from the architect.



Rev	Date	Description	Initial	Checked
D	30.04.21	TOWN PLANNING UPDATES	BL	BL
C	12.10.20	RFI ISSUE	PG	BL
B	19.05.20	TOWN PLANNING	PG	BL
A	15.05.20	TOWN PLANNING DRAFT	PG	BL

450 QUEEN 432-450 QUEEN STREET

GA Plans
Roof Plan



Status	TOWN PLANNING		
Scale	1 : 100	@	A1
Drawn	PG	Checked	BL
Project No.	M12359		
Plot Date	30/04/2021 9:48:58 AM		
BIM			

Drawing no. **TP03.22** Revision **D**

Melbourne 1 Nicholson Street
Melbourne VIC 3000 Australia
T 03 8664 6200 F 03 8664 6300
email mel@batesmart.com.au
http://www.batesmart.com.au

Sydney 43 Brisbane Street
Surry Hills NSW 2010 Australia
T 02 8354 5100 F 02 8354 5199
email syd@batesmart.com.au
http://www.batesmart.com.au

Bates Smart Pty Ltd ABN 70 004 999 400



C:\temp\450QUEEN_BS_ARCH_P2010_12am\18RFK1.vc

422 QUEEN ST
TWO STOREY BRICK & CEMENT
RENDERED BUILDING

VACANT LOT

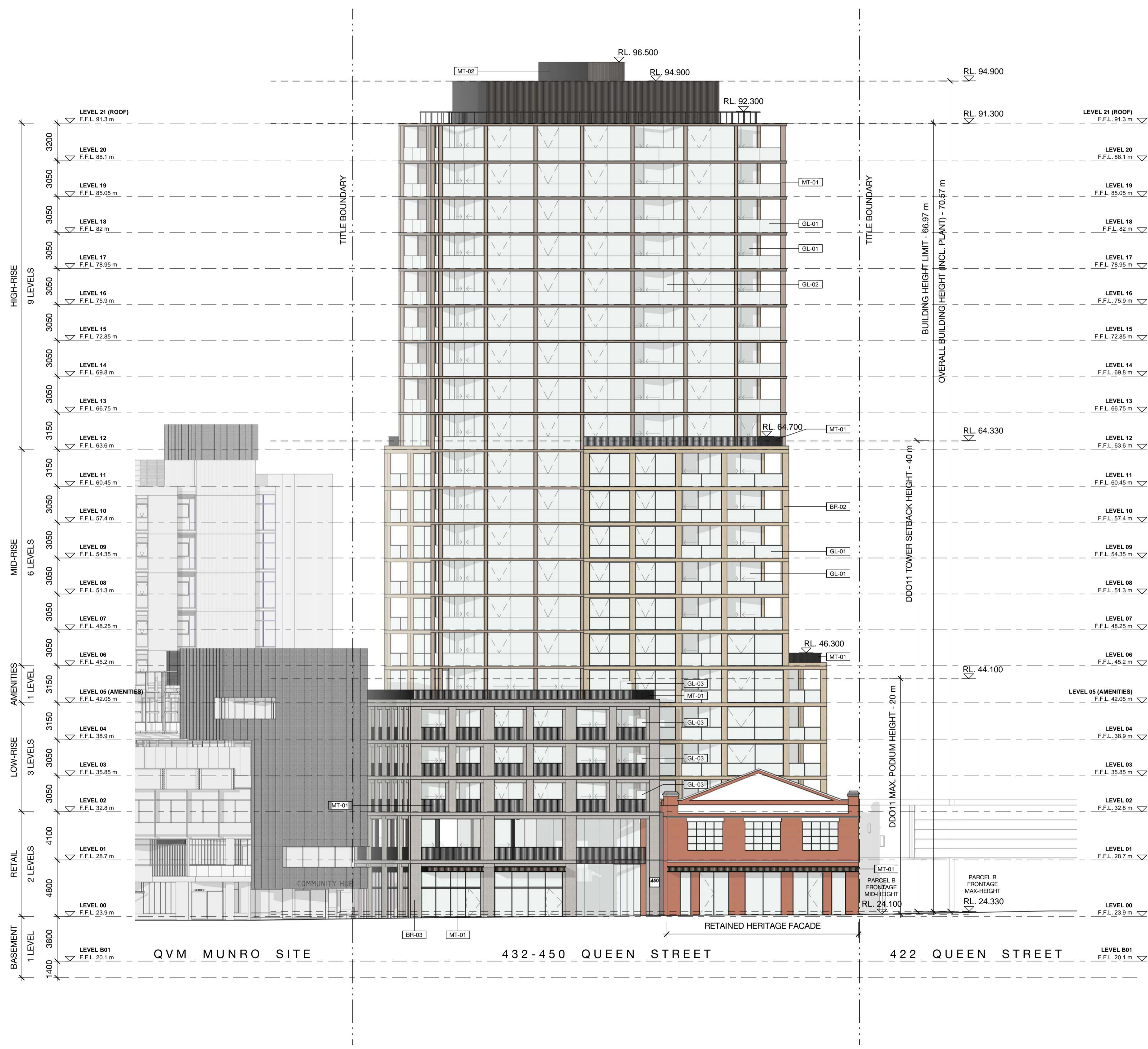
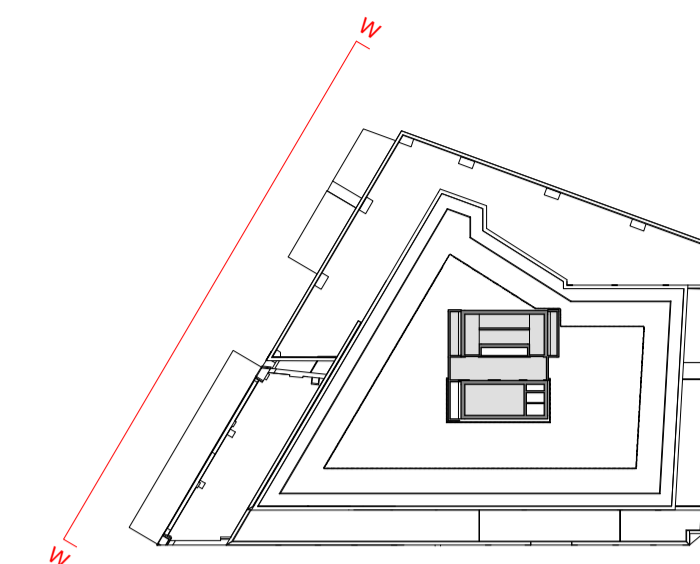
"FULTON"
TWO STOREY
BRICK BUILDING

3 STOREY
RENDERED BRICK
BUILDING

Check all dimensions and site conditions prior to commencement of any work, the purchase or ordering of any materials, fittings, plant, services or equipment and the preparation of shop drawings and or the fabrication of any components.

Do not scale drawings - refer to figured dimensions only. Any discrepancies shall immediately be referred to the architect for clarification.

All drawings may not be reproduced or distributed without prior permission from the architect.



FACADE LEGEND:

- GL-01 VISION GLASS
- GL-02 SPANDREL GLASS (SHOWN DOTTED FOR DRAWING CLARITY)
- GL-03 OBSCURE GLASS
- MT-01 BRONZE COLOUR METAL VERTICAL RHS EXTRUSION ON GLAZED FACADE OR CHARCOAL METAL PANEL
- MT-02 BRONZE COLOUR METAL VERTICAL RHS EXTRUSION
- MT-03 GREY COLOUR METAL VERTICAL RHS EXTRUSION
- MT-04 GREY COLOUR METAL VERTICAL RHS EXTRUSION
- BR-01 RED COLOUR BRICK
- BR-02 BROWN COLOUR BRICK
- BR-03 GREY COLOUR BRICK

DRAWING NOTES:

- REFER TO TP03 PLANS FOR BOUNDARY SETBACK DIMENSIONS

Rev	Date	Description	Initial	Checked
D	30.04.21	TOWN PLANNING UPDATES	BL	BL
C	12.10.20	RFI ISSUE	PG	BL
B	19.05.20	TOWN PLANNING	PG	BL
A	15.05.20	TOWN PLANNING DRAFT	PG	BL

**450 QUEEN
432-450 QUEEN STREET**

**GA Elevations
West Elevation**

Status	TOWN PLANNING		
Scale	1 : 200	@	A1
Drawn	PG	Checked	BL
Project No.	M12359		
Plot Date	30/04/2021 9:49:57 AM		
BIM			

Drawing no.	Revision
TP09.00	D

Melbourne 1 Nicholson Street
Melbourne VIC 3000 Australia
T 03 8664 6200 F 03 8664 6300
email mel@batesmart.com.au
http://www.batesmart.com.au

Sydney 43 Brisbane Street
Surry Hills NSW 2010 Australia
T 02 8354 5100 F 02 8354 5199
email syd@batesmart.com.au
http://www.batesmart.com.au

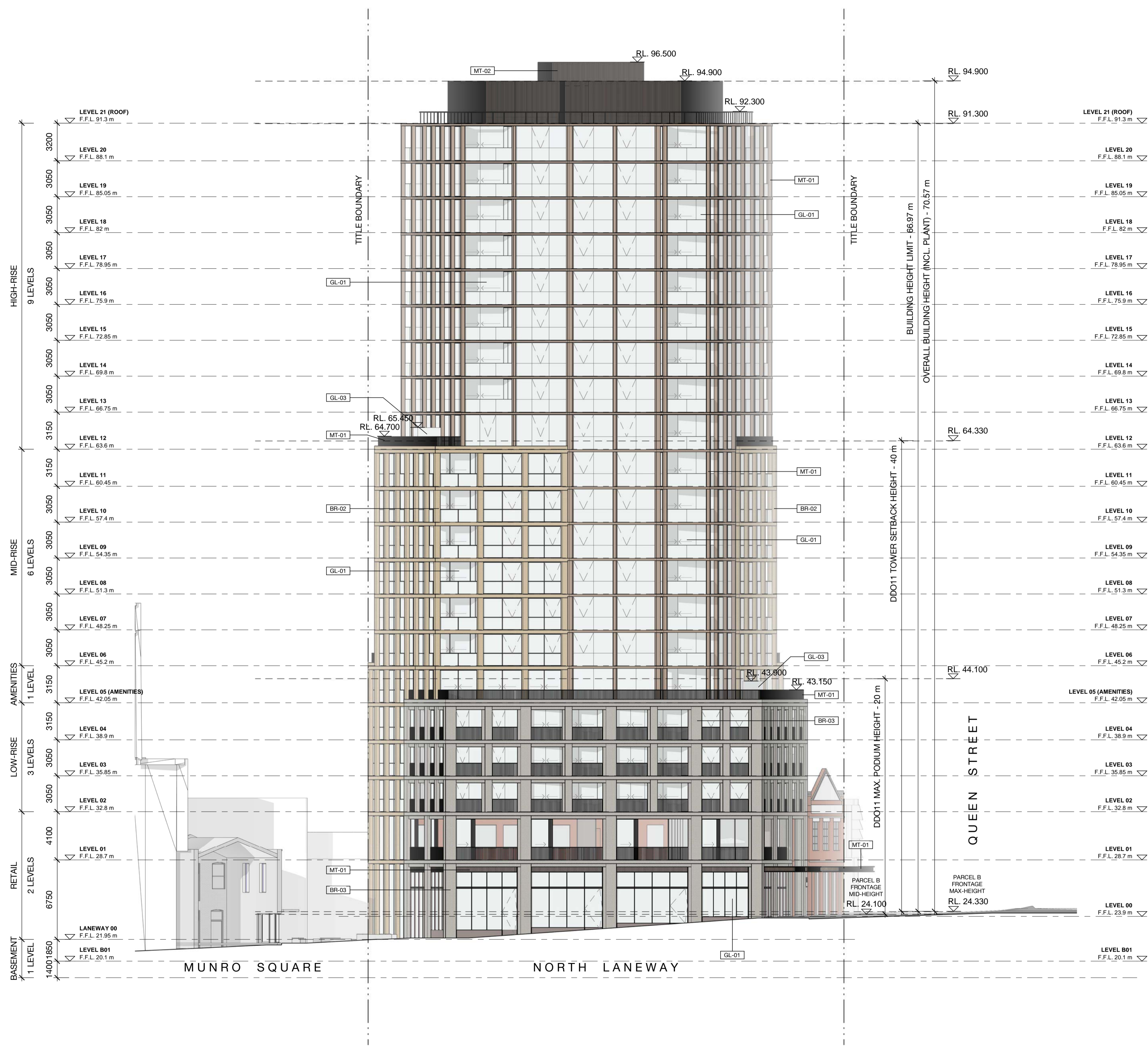
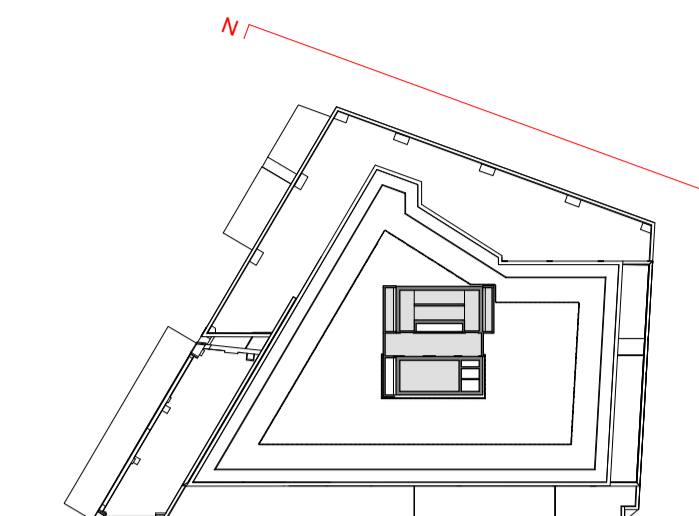
Bates Smart Pty Ltd ABN 70 004 999 400



Check all dimensions and site conditions prior to commencement of any work, the purchase or ordering of any materials, fittings, plant, services or equipment and the preparation of shop drawings and or the fabrication of any components.

Do not scale drawings - refer to figured dimensions only. Any discrepancies shall immediately be referred to the architect for clarification.

All drawings may not be reproduced or distributed without prior permission from the architect.



FACADE LEGEND:

- GL-01 VISION GLASS
- GL-02 SPANDREL GLASS (SHOWN DOTTED FOR DRAWING CLARITY)
- GL-03 OBSCURE GLASS
- MT-01 BRONZE COLOUR METAL VERTICAL RHS EXTRUSION ON GLAZED FACADE OR CHARCOAL METAL PANEL
- MT-02 BRONZE COLOUR METAL VERTICAL RHS EXTRUSION ON GLAZED FACADE OR CHARCOAL METAL PANEL
- MT-03 GREY COLOUR METAL VERTICAL RHS EXTRUSION
- MT-04 GREY COLOUR METAL VERTICAL RHS EXTRUSION
- BR-01 RED COLOUR BRICK
- BR-02 BROWN COLOUR BRICK
- BR-03 GREY COLOUR BRICK

DRAWING NOTES:

- REFER TO TP03 PLANS FOR BOUNDARY SETBACK DIMENSIONS

Rev	Date	Description	Initial	Checked
D	30.04.21	TOWN PLANNING UPDATES	BL	BL
C	12.10.20	RFI ISSUE	PG	BL
B	19.05.20	TOWN PLANNING	PG	BL
A	15.05.20	TOWN PLANNING DRAFT	PG	BL

**450 QUEEN
432-450 QUEEN STREET**

**GA Elevations
North Elevation**

Status	TOWN PLANNING		
Scale	1 : 200	@	A1
Drawn	PG	Checked	BL
Project No.	M12359		
Plot Date	30/04/2021 9:50:40 AM		
BIM			

Drawing no.	Revision
TP09.01	D

Melbourne 1 Nicholson Street
Melbourne VIC 3000 Australia
T 03 8664 6200 F 03 8664 6300
email mel@batesmart.com.au
http://www.batesmart.com.au

Sydney 43 Brisbane Street
Surry Hills NSW 2010 Australia
T 02 8354 5100 F 02 8354 5199
email syd@batesmart.com.au
http://www.batesmart.com.au

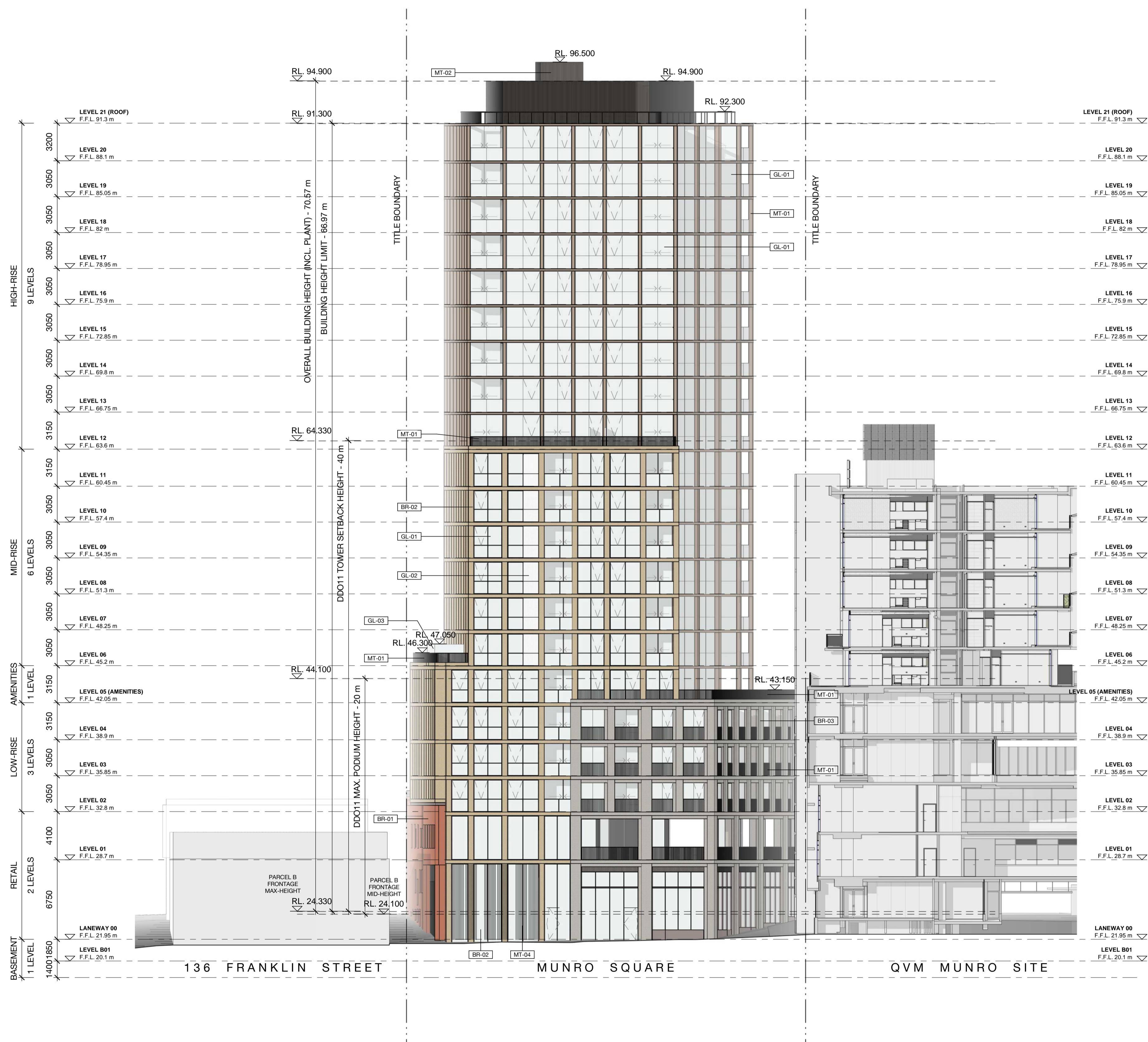
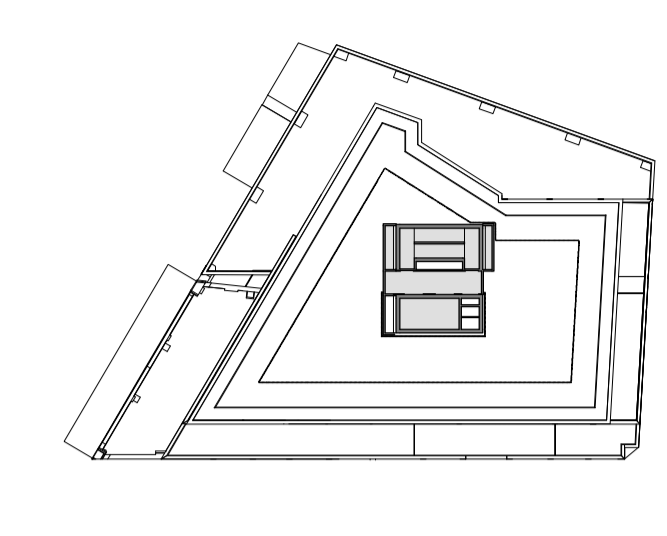
Bates Smart Pty Ltd ABN 70 004 999 400



Check all dimensions and site conditions prior to commencement of any work, the purchase or ordering of any materials, fittings, plant, services or equipment and the preparation of shop drawings and or the fabrication of any components.

Do not scale drawings - refer to figured dimensions only. Any discrepancies shall immediately be referred to the architect for clarification.

All drawings may not be reproduced or distributed without prior permission from the architect.



- GL-01 VISION GLASS
- GL-02 SPANDREL GLASS (SHOWN DOTTED FOR DRAWING CLARITY)
- GL-03 OBSCURE GLASS
- MT-01 BRONZE COLOUR METAL
- MT-02 BRONZE COLOUR METAL VERTICAL RHS EXTRUSION ON GLAZED FACADE OR CHARCOAL METAL PANEL
- MT-03 GREY COLOUR METAL
- MT-04 GREY COLOUR METAL VERTICAL RHS EXTRUSION
- BR-01 RED COLOUR BRICK
- BR-02 BROWN COLOUR BRICK
- BR-03 GREY COLOUR BRICK

DRAWING NOTES:

- REFER TO TP03 PLANS FOR BOUNDARY SETBACK DIMENSIONS

Rev	Date	Description	Initial	Checked
D	30.04.21	TOWN PLANNING UPDATES	BL	BL
C	12.10.20	RFI ISSUE	PG	BL
B	19.05.20	TOWN PLANNING	PG	BL
A	15.05.20	TOWN PLANNING DRAFT	PG	BL

**450 QUEEN
432-450 QUEEN STREET**

**GA Elevations
East Elevation**

Status	TOWN PLANNING		
Scale	1 : 200	@	A1
Drawn	PG	Checked	BL
Project No.	M12359		
Plot Date	30/04/2021 9:51:27 AM		
BIM			
Drawing no.	TP09.02		Revision
			D

Melbourne 1 Nicholson Street
Melbourne VIC 3000 Australia
T 03 8664 6200 F 03 8664 6300
email mel@batesmart.com.au
http://www.batesmart.com.au

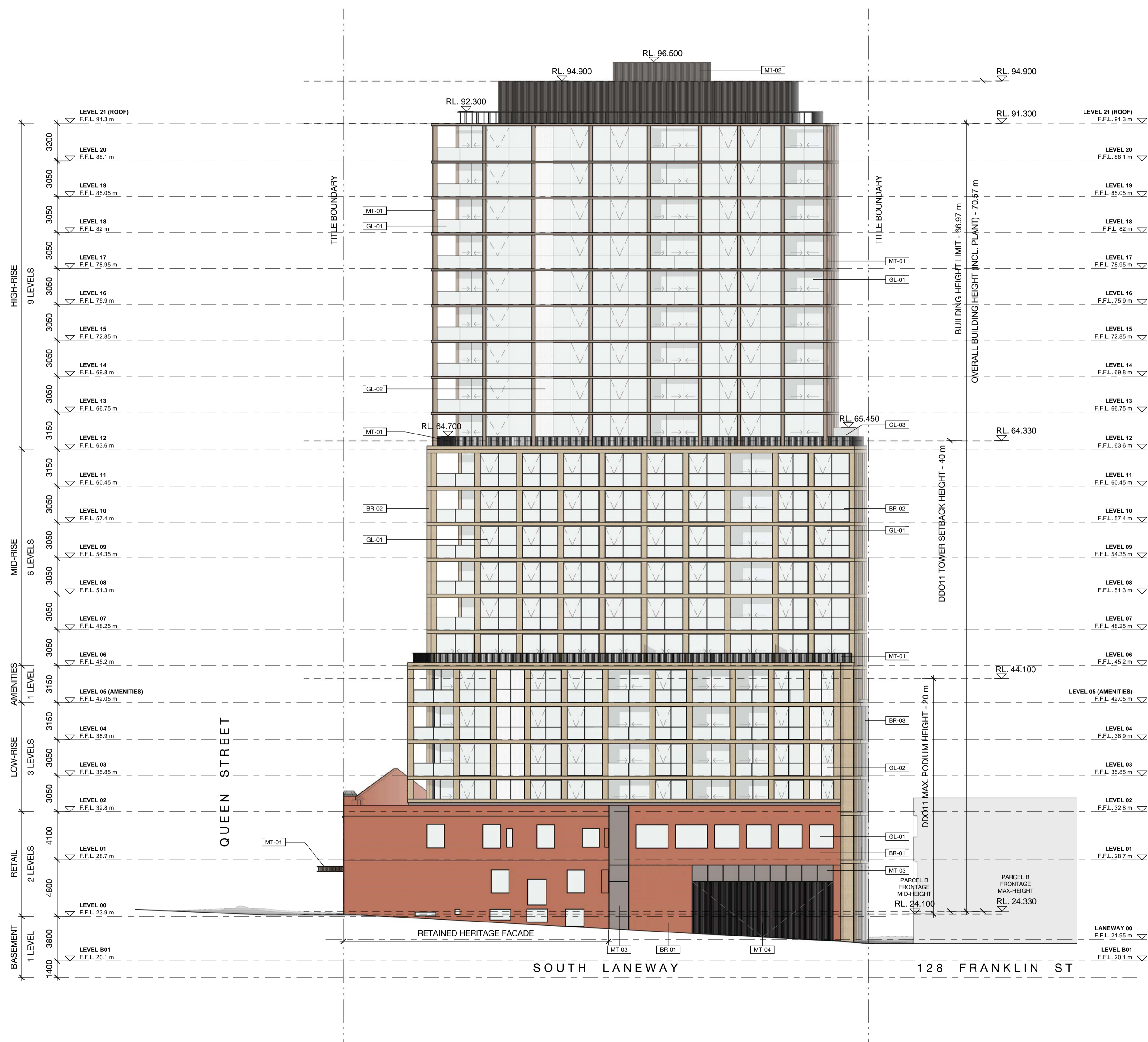
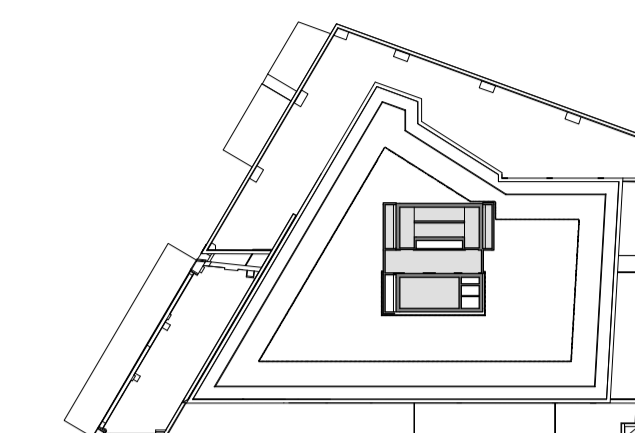
Sydney 43 Brisbane Street
Surry Hills NSW 2010 Australia
T 02 8354 5100 F 02 8354 5199
email syd@batesmart.com.au
http://www.batesmart.com.au

Bates Smart Pty Ltd ABN 70 004 999 400

Check all dimensions and site conditions prior to commencement of any work, the purchase or ordering of any materials, fittings, plant, services or equipment and the preparation of shop drawings and or the fabrication of any components.

Do not scale drawings - refer to figured dimensions only. Any discrepancies shall immediately be referred to the architect for clarification.

All drawings may not be reproduced or distributed without prior permission from the architect.



FACADE LEGEND:

- GL-01** VISION GLASS
- GL-02** SPANDREL GLASS (SHOWN DOTTED FOR DRAWING CLARITY)
- GL-03** OBSCURE GLASS
- MT-01** BRONZE COLOUR METAL
- MT-02** BRONZE COLOUR METAL VERTICAL RHS EXTRUSION ON GLAZED FACADE OR CHARCOAL METAL PANEL
- MT-03** GREY COLOUR METAL
- MT-04** GREY COLOUR METAL VERTICAL RHS EXTRUSION
- BR-01** RED COLOUR BRICK
- BR-02** BROWN COLOUR BRICK
- BR-03** GREY COLOUR BRICK

DRAWING NOTES:

- REFER TO TP03 PLANS FOR BOUNDARY SETBACK DIMENSIONS

Rev	Date	Description	Initial	Checked
D	30.04.21	TOWN PLANNING UPDATES	BL	BL
C	12.10.20	RFI ISSUE	PG	BL
B	19.05.20	TOWN PLANNING	PG	BL
A	15.05.20	TOWN PLANNING DRAFT	PG	BL

**450 QUEEN
432-450 QUEEN STREET**

**GA Elevations
South Elevation**

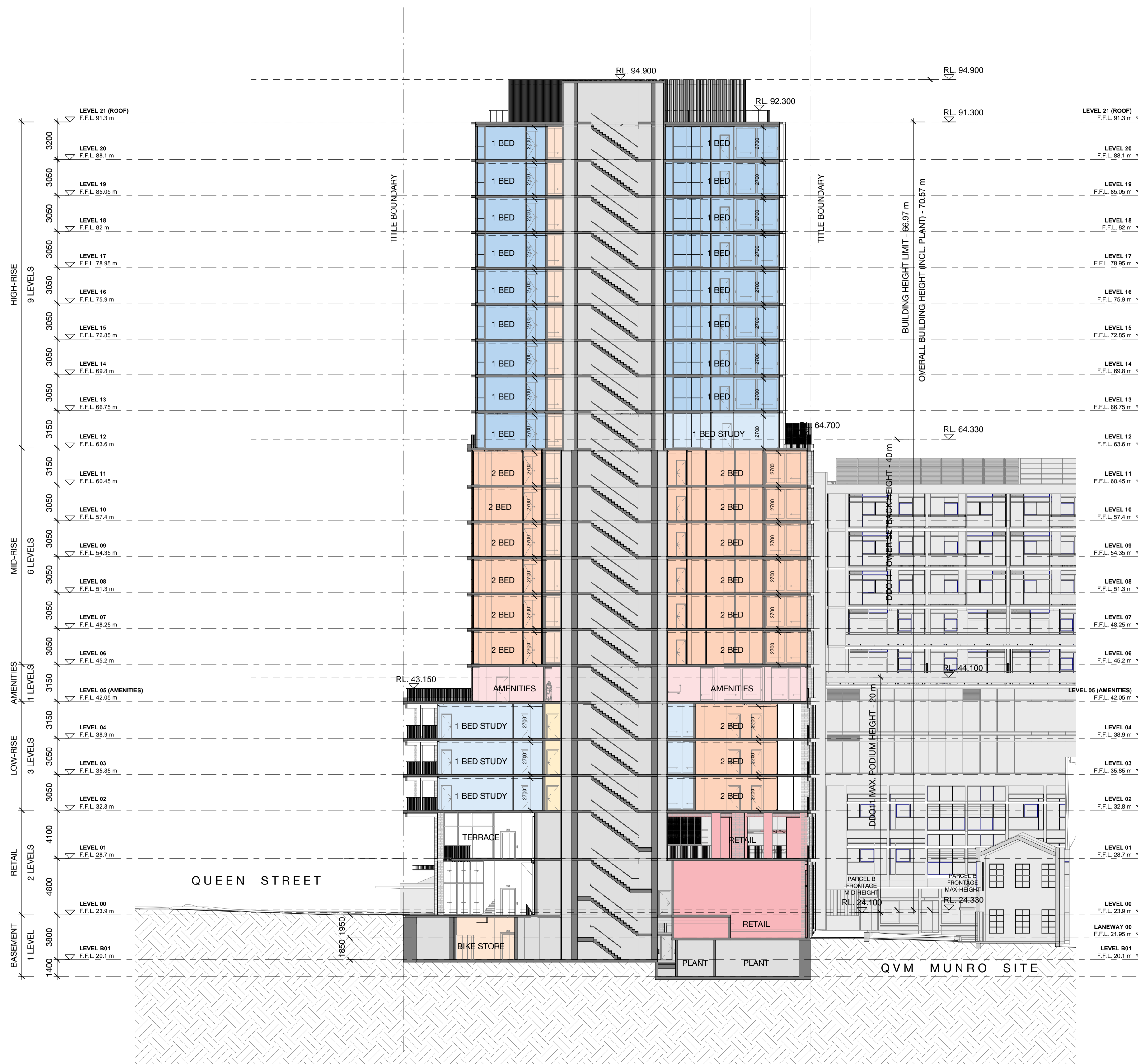
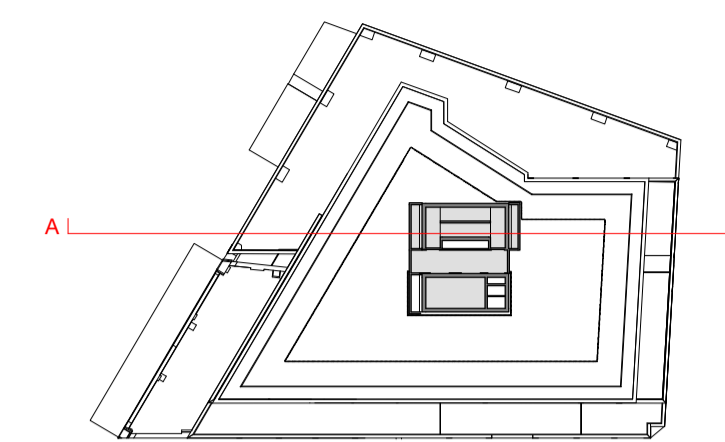
Status	TOWN PLANNING		
Scale	1 : 200	@	A1
Drawn	PG	Checked	BL
Project No.	M12359		
Plot Date	30/04/2021 9:52:06 AM		
BIM			
Drawing no.	TP09.03		Revision
			D

Melbourne 1 Nicholson Street
Melbourne VIC 3000 Australia
T 03 8664 6200 F 03 8664 6300
email mel@batesmart.com.au
http://www.batesmart.com.au

Sydney 43 Brisbane Street
Surry Hills NSW 2010 Australia
T 02 8354 5100 F 02 8354 5199
email syd@batesmart.com.au
http://www.batesmart.com.au

Bates Smart Pty Ltd ABN 70 004 999 400

Check all dimensions and site conditions prior to commencement of any work, the purchase or ordering of any materials, fittings, plant, services or equipment and the preparation of shop drawings and or the fabrication of any components.
Do not scale drawings - refer to figured dimensions only. Any discrepancies shall immediately be referred to the architect for clarification.
All drawings may not be reproduced or distributed without prior permission from the architect.



DRAWING NOTES:

- REFER TO TP03 PLANS FOR BOUNDARY SETBACK DIMENSIONS

Rev	Date	Description	Initial	Checked
D	30.04.21	TOWN PLANNING UPDATES	BL	BL
C	12.10.20	RFI ISSUE	PG	BL
B	19.05.20	TOWN PLANNING	PG	BL
A	15.05.20	TOWN PLANNING DRAFT	PG	BL

**450 QUEEN
432-450 QUEEN STREET**

**GA Sections
Section AA**

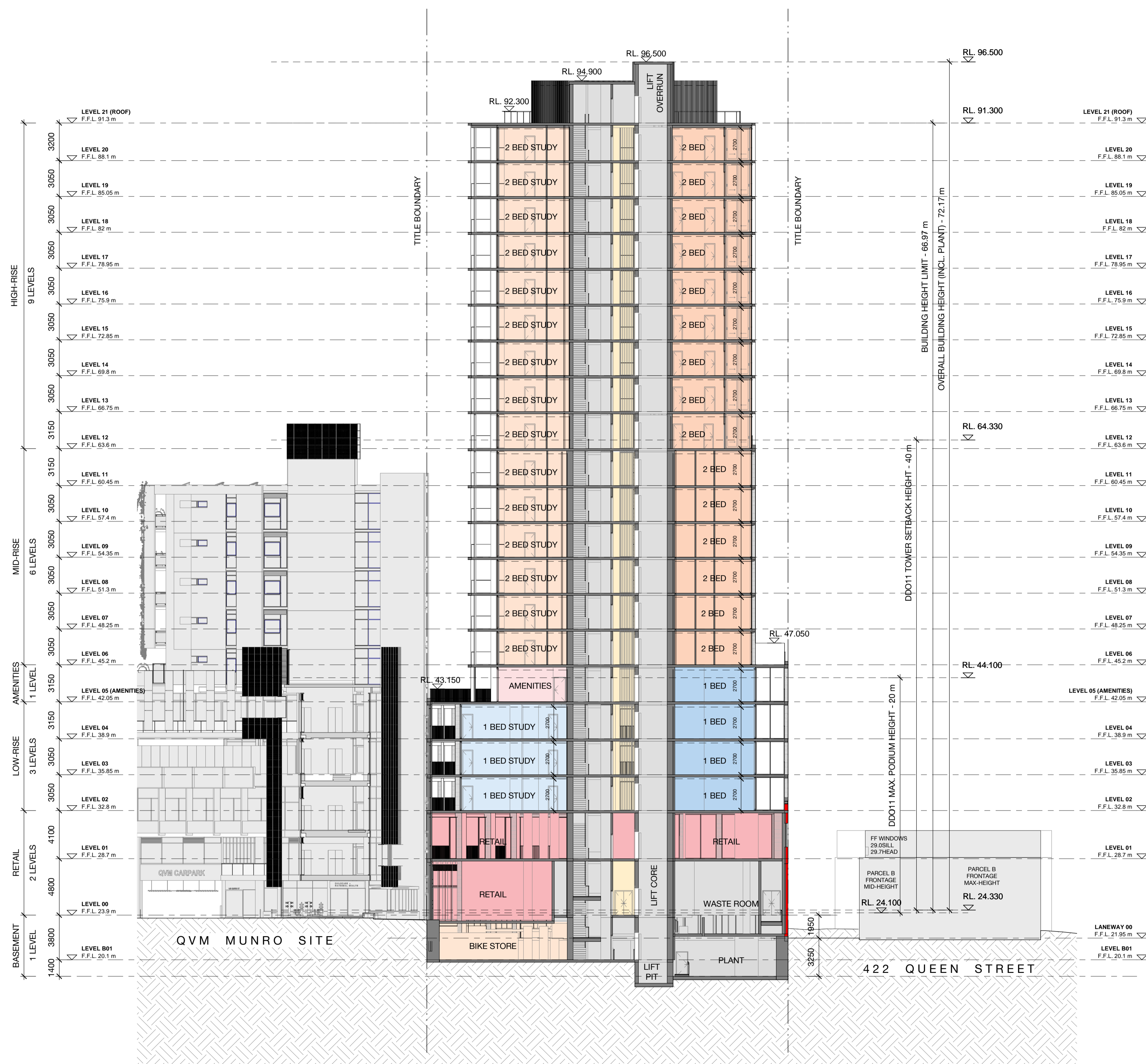
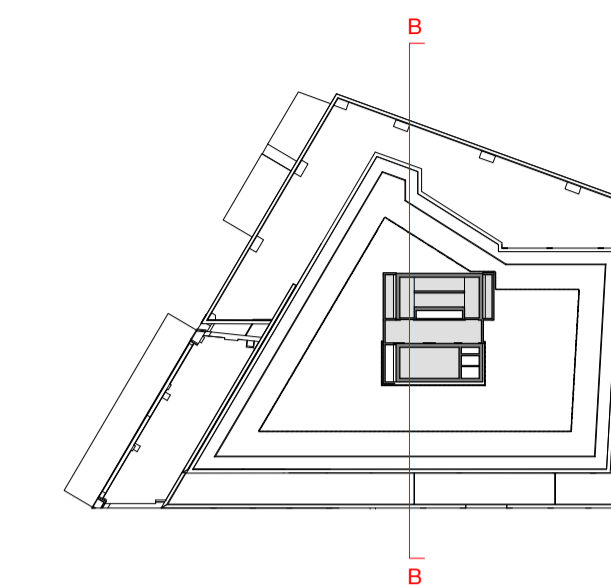
Status	TOWN PLANNING		
Scale	1 : 200	@	A1
Drawn	PG	Checked	BL
Project No.	M12359		
Plot Date	30/04/2021 9:52:29 AM		
BIM			
Drawing no.	TP10.00	Revision	D

Melbourne 1 Nicholson Street
Melbourne VIC 3000 Australia
T 03 8664 6200 F 03 8664 6300
email mel@batesmart.com.au
http://www.batesmart.com.au

Sydney 43 Brisbane Street
Surry Hills NSW 2010 Australia
T 02 8354 5100 F 02 8354 5199
email syd@batesmart.com.au
http://www.batesmart.com.au

Bates Smart Pty Ltd ABN 70 004 999 400

Check all dimensions and site conditions prior to commencement of any work, the purchase or ordering of any materials, fittings, plant, services or equipment and the preparation of shop drawings and or the fabrication of any components.
Do not scale drawings - refer to figured dimensions only. Any discrepancies shall immediately be referred to the architect for clarification.
All drawings may not be reproduced or distributed without prior permission from the architect.



DRAWING NOTES:

- REFER TO TP03 PLANS FOR BOUNDARY SETBACK DIMENSIONS

Rev	Date	Description	Initial	Checked
D	30.04.21	TOWN PLANNING UPDATES	BL	BL
C	12.10.20	RFI ISSUE	PG	BL
B	19.05.20	TOWN PLANNING	PG	BL
A	15.05.20	TOWN PLANNING DRAFT	PG	BL

**450 QUEEN
432-450 QUEEN STREET**

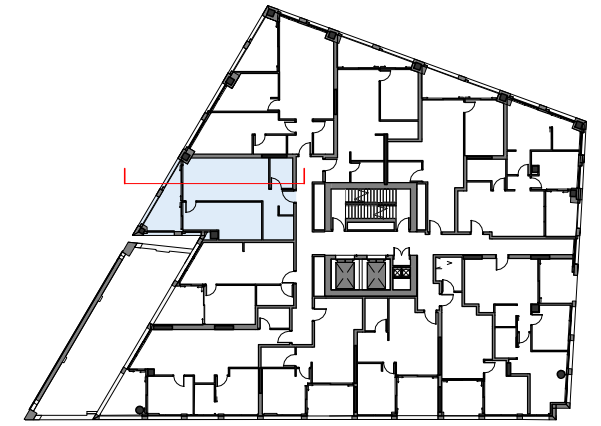
**GA Sections
Section BB**

Status	TOWN PLANNING		
Scale	1 : 200	@	A1
Drawn	PG	Checked	BL
Project No.	M12359		
Plot Date	30/04/2021 9:52:56 AM		
BIM			
Drawing no.	TP10.01	Revision	D

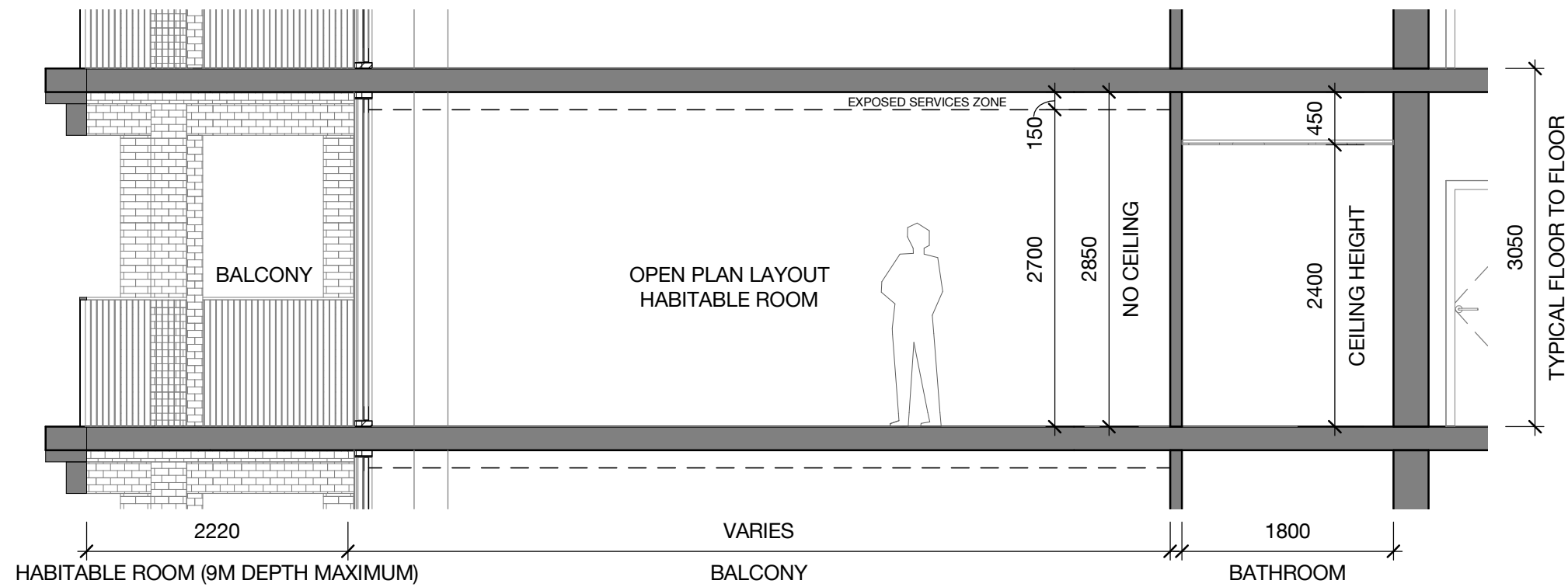
Melbourne 1 Nicholson Street
Melbourne VIC 3000 Australia
T 03 8664 6200 F 03 8664 6300
email mel@batesmart.com.au
http://www.batesmart.com.au

Sydney 43 Brisbane Street
Surry Hills NSW 2010 Australia
T 02 8354 5100 F 02 8354 5199
email syd@batesmart.com.au
http://www.batesmart.com.au

Bates Smart Pty Ltd ABN 70 004 999 400



KEY PLAN - TYPICAL PODIUM (L02)



TYPICAL APARTMENT SECTION

Bates Smart Architects Pty Ltd
 ABN 68 094 740 986
 Melbourne 1 Nicholson Street
 Melbourne Victoria 3000 Australia
 T+613 8664 6200 F+613 8664 6300
 melb@batesmart.com.au
 Sydney 43 Brisbane Street
 Surry Hills NSW 2010 Australia
 T+612 8354 5100 F+612 8354 5199
 syd@batesmart.com.au
 www.batesmart.com.au



Architecture 450 Queen Street
Interior Design
Urban Design Build to Sell Residential Scheme - 67m Tower
Strategy

Note: All area calculations are advisory only and all figures should be checked and verified by a licensed surveyor

Date 27.05.2021 - TP UPDATE (To be read in conjunction with Revised TP Submission drawings dated 30.04.2021)

AREA SCHEDULE
 Summary

TOTAL GFA (INCLUDING BASEMENT) sqm	15,224
TOTAL GFA (ABOVE GROUND) sqm	14208.00
SITE AREA	Nom.1016
FAR	13.98

TOTAL NO. OF APARTMENTS	129
TOTAL NSA sqm	8,432
TOTAL RESIDENTIAL AMENITY sqm	389
TOTAL PUBLIC AMENITY sqm	84
TOTAL RETAIL GLAR sqm	1,455

AHD	RL	F2F		GFA (sqm)	NSA (sqm)	1 Bed	1 Bed + Study	2 Bed	2 Bed + Study	Residential Amenity	Balcony Apartments	Retail GLAR (sqm)	Public Amenity (Not inc. in NLA)
91.30	67.40		L21	Plant	285								
88.10	64.20	3.20	L20	Residential	543	388	2	0	3	1	58		
85.05	61.15	3.05	L19	Residential	543	388	2	0	3	1	58		
82.00	58.10	3.05	L18	Residential	543	388	2	0	3	1	58		
78.95	55.05	3.05	L17	Residential	543	388	2	0	3	1	58		
75.90	52.00	3.05	L16	Residential	543	388	2	0	3	1	58		
72.85	48.95	3.05	L15	Residential	543	388	2	0	3	1	58		
69.80	45.90	3.05	L14	Residential	543	388	2	0	3	1	58		
66.75	42.85	3.05	L13	Residential	543	388	2	0	3	1	58		
63.60	39.70	3.15	L12	Residential	543	407	1	1	2	2	77		
60.45	36.55	3.15	L11	Residential	589	427	0	0	5	1	58		
57.40	33.50	3.05	L10	Residential	589	427	0	0	5	1	58		
54.35	30.45	3.05	L9	Residential	589	427	0	0	5	1	58		
51.30	27.40	3.05	L8	Residential	589	427	0	0	5	1	58		
48.25	24.35	3.05	L7	Residential	589	427	0	0	5	1	58		
45.20	21.30	3.05	L6	Residential	589	456	0	0	2	4	129		
42.05	18.15	3.15	L5	Residential / Amenities	690	335	3	1	2	0	389	62	
38.90	15.00	3.15	L4	Residential	917	665	3	4	4	0	105		
35.85	11.95	3.05	L3	Residential	917	665	3	4	4	0	105		
32.80	8.90	3.05	L2	Residential	917	665	3	4	4	0	105		
28.70	4.80	4.10	L1	Retail	991							839	29
25.70	1.80	3.00	MEZ	Retail	56							50	
23.90	0.00	1.80	GF	Retail/Plaza/Lobby	1014							566	55
Total Above Ground				14,208	8,432	29	14	67	19	389	1,335	1,455	84
Apartment Mix						22%	11%	52%	15%				

Basement 1	Retail/BOH	1016											
Total Below Ground		1,016											

Notes & Definitions

- GFA** Gross Floor Area (GFA) has been calculated based on the Melbourne Planning Scheme definition of GFA: Gross Floor Area is the total floor area of a building, measured from the outside of external walls or the centre of party walls, and includes all roofed areas.
- NSA** Nett Saleable Area (NSA) has been calculated based on the definition of the Property Council of Australia Method of Measurement
- GLAR** Gross Lettable Area- Retail (GLAR) has been calculated based on the definition of the Property Council of Australia Method of Measurement

DELEGATE REPORT

MINISTERIAL REFERRAL - PLANNING APPLICATION

City of Melbourne Application no.:	TPM-2020-49
Applicant:	Tract Consultants Pty Ltd
Owner/Address	QVM Development Pty Ltd <ul style="list-style-type: none"> ▪ 432 - 438 Queen Street, Melbourne ▪ 440-444 Queen Street, Melbourne ▪ 446 - 450 Queen Street, Melbourne
Architect:	Bates Smart Pty Ltd
Proposal summary:	Part demolition and construction of buildings and works for the purpose of a multi-storey building (residential and retail)
Date received by City of Melbourne:	Lodged 17 July 2020 RFI response 16 November 2020 Revised Development Plan 3 May 2021 S50 Amendment 28 May 2021
City of Melbourne Status	Ministerial Consultee DELWP has sought the City of Melbourne's comments on the application
Responsible officer:	Kate Yuncken, Principal Urban Planner

1 SUBJECT SITE AND SURROUNDS

1.1 Subject Site

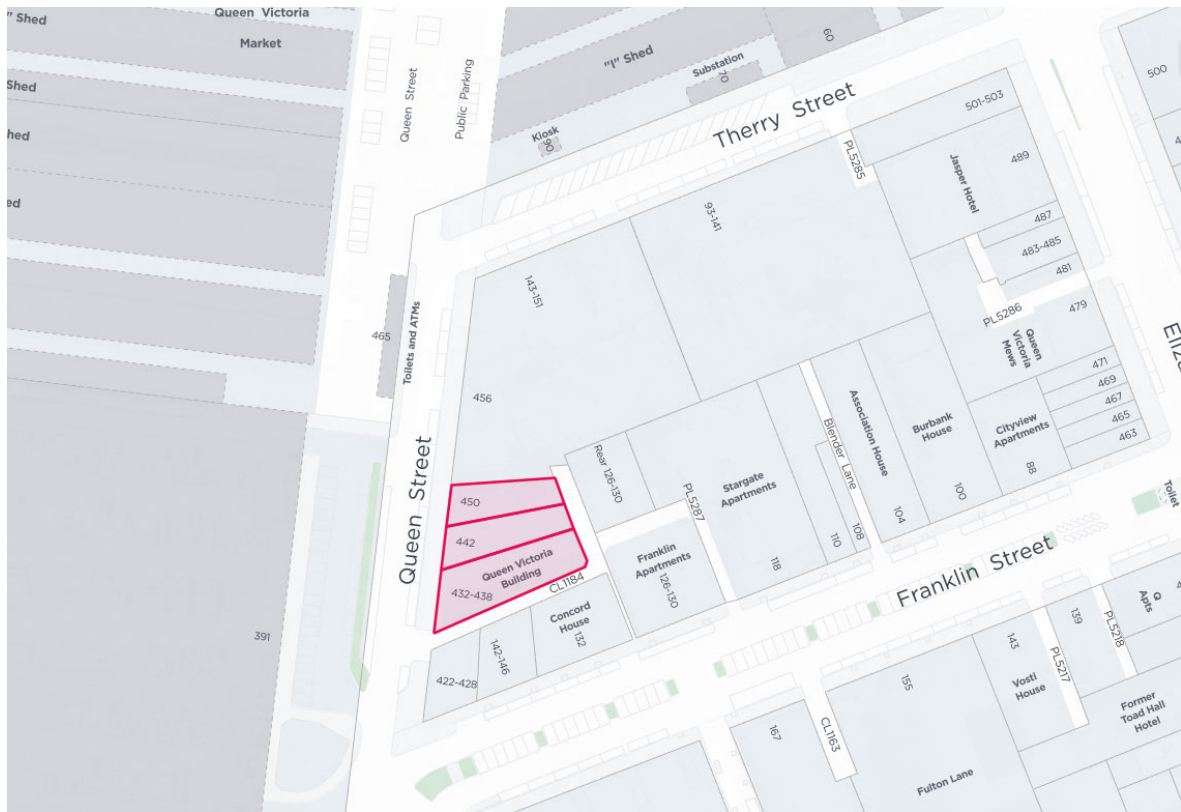
The subject site (the Site) is made up of several land titles located on the east side of Queen Street between Franklin Street and Therry Street, Melbourne. The Site consists of land at 432 - 438 Queen Street, 440 Queen Street and 446 - 450 Queen Street, Melbourne.

The Site is located within the Queen Victoria Market Precinct, directly opposite the existing at-grade car park and south-west of the Queen Victoria Market sheds. The 'QVM Munro' site, which is approved for mixed-use development and will accommodate basement car parking to replace much of the existing at-grade supply, is currently under construction to the immediate north of the site.

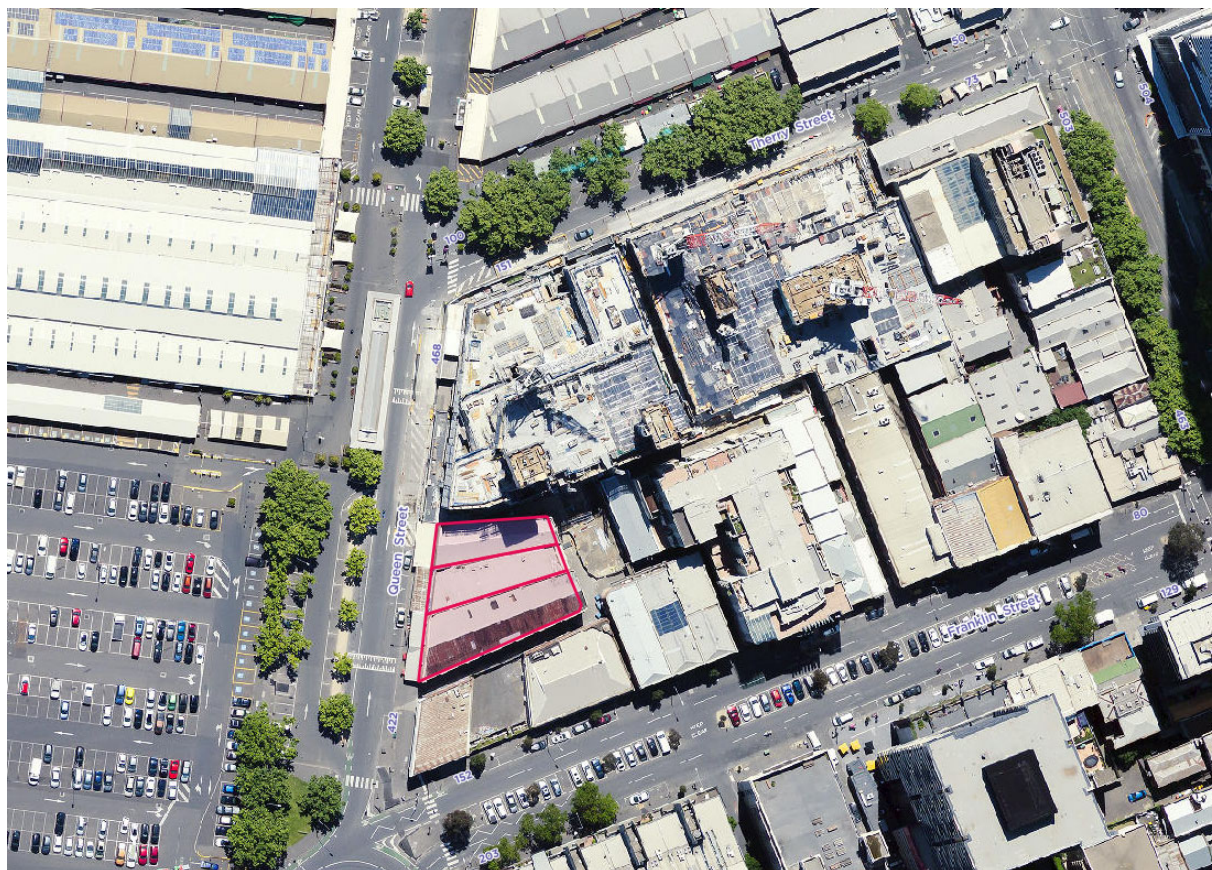
The Site has an approximate area of 1,016 m² and is irregularly shaped, with approximately 38.14 metres frontage to Queen Street along the western boundary and 42.24 metres frontage to Council Lane CL1184 along the southern site boundary and 22.79 metres to Council Lane CL1184 along the eastern site boundary.

East and south of the Site is Council Lane CL1184. The laneway bends to the north and south. The northern extension of CL1184 has an approximate width of 4.7 metres and

terminates at the northern site boundary to the immediate south of the 'Munro Site'. The southern extension of CL1184 has a width of 0.9 metres and extends through to Franklin Street.



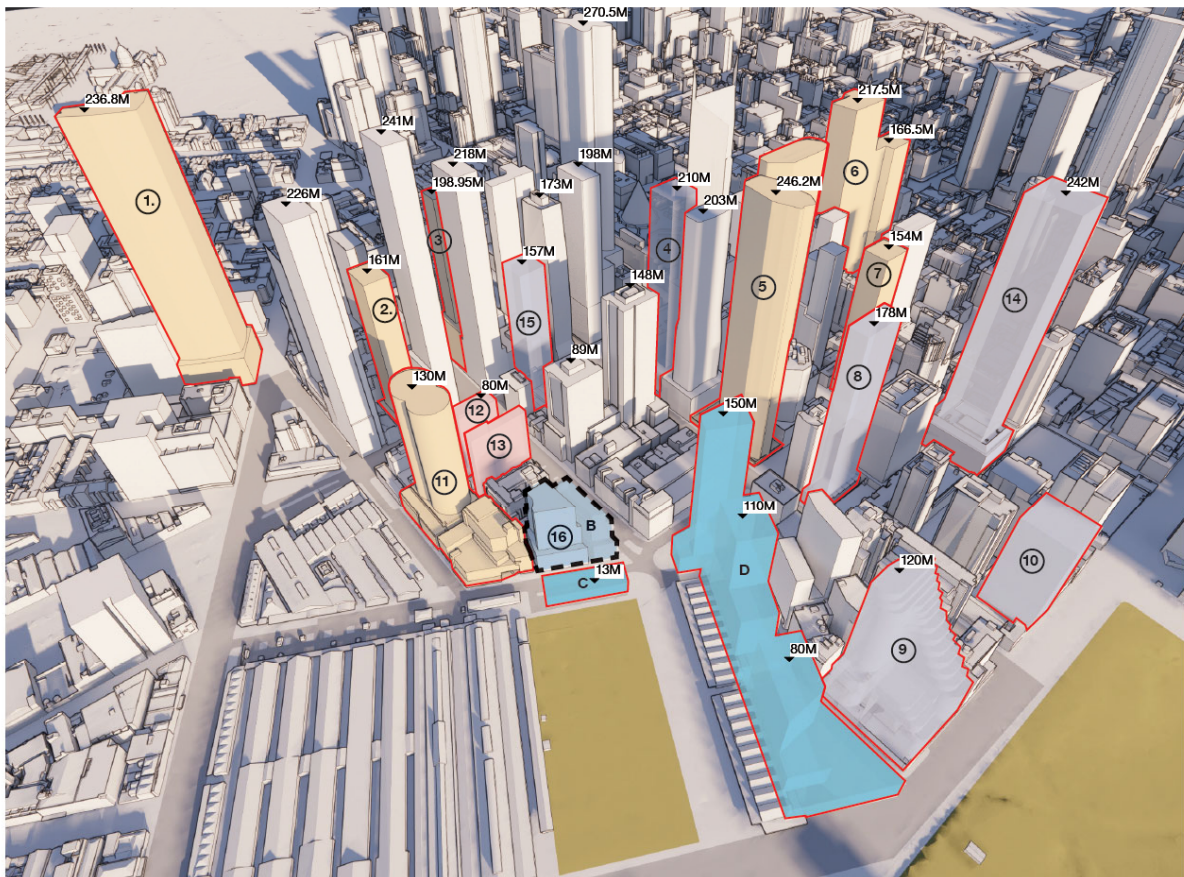
1. Map of the Site and surrounds



2. Aerial of the Site and surrounds (3 November 2020)



3. Aerial view of the Site Parcel B and Surrounds including Queen Victoria Market (facing south-east): Photograph by BatesSmart Pty Ltd



KEY

- 1/ Swanston Central, 168 Victoria Street. 236.8m
- 2/ Unilodge Place 478-488 Elizabeth Street. 161m
- 3/ 97 Franklin Street. 198.95m
- 4/ Uno Melbourne 111 A Beckett Street. 210m
- 5/ Queens Place, 350 Queen Street. 246.2m
- 6/ 380 Melbourne, 380 Lonsdale Street. 217.5m & 166.5m
- 7/ Paragon Tower, 316-320 Queen Street. 154m
- 8/ 183-189 A Beckett Street. 178m

- 9/ 388 William, 386-412 William Street. 120m & 57m
- 10/ 360 William Street, 31 levels
- 11/ QVM Residences, 93-141 Therry Street. 130m & 40m
- 12/ Burbank House, 96-102 Franklin Street. 80m
- 13/ 110-112 Franklin Street.
- 14/ 383 La Trobe Street. 242m
- 15/ 441-451 Elizabeth Street. 157m
- 16/ Parcel B

- UNDER CONSTRUCTION
- APPROVED
- PROPOSED
- POTENTIAL DEVELOPMENT

Note: Building heights are approximate and to be confirmed by licensed surveyor

4. Surrounding Built Form Analysis – Future Context: BatesSmart Pty Ltd



5. The Site - Queen Street (facing south-east): Photograph by BatesSmart Pty Ltd



6. The Site - Queen Street (facing north-east): Photograph by BatesSmart Pty Ltd



7. The Site – corner Queen Street and Franklin Street (facing north-east): Photograph by BatesSmart Pty Ltd



8. Perspective of QVM Munro Development – corner Queen Street and Therry (facing south-east): BatesSmart Pty Ltd

The following table provides summary of past and current heritage gradings / classification of each building on the Site and the applicable heritage policy to each building.

Address	Summary Description	2015 Heritage Grading	Amendment C258 Heritage Inventory Part A (February 2020)	Applicable Heritage Policy
432-438 Queen Street	Vacant shopfront 1924 double-storey brick gabled store.	C2	N/A Removed from the Part A inventory because it is a C graded property in a City North Heritage Review precinct and these properties require further review and will be the subject of a further amendment. 432-438 Queen Street is not in the Part B inventory	Part B Policy

			because the previous inventory did not typically contain properties in the Hoddle Grid.	
440-444 Queen Street	Shopfront building currently occupied by a pet shop. Two storey brick warehouse with a basement. Built in 1956. Vehicle crossing provided on to Queen Street.	D2	Contributory	Part A Policy
446-450 Queen Street	Shopfront building currently occupied by a luggage retailer. c.1934 double-storey c.1930s-40s brick store. Vehicle crossing provided on to Queen Street.	D2	Contributory	Part A Policy
Council Lane 1184	Public Laneway	Ungraded	Ungraded Council policy relating to laneways at Clause 22.20 does not identify the laneways within Parcel B as graded within its 3-tier classification system of Classes 1-3.	Part A policy

1.2 Surrounds

To the north of the Site is the QVM Munro development, which is currently under construction. The Munro development will include a child care centre, provision of family services, community meeting rooms and event spaces, commercial and retail spaces and residential uses (hotel, serviced apartments, residential accommodation and affordable housing). The built form of the QVM Munro development varies from 130 metres to 40 metres.

To the west is Queen Street which directs traffic one-way north east, between Franklin Street and Therry Street. The carriageway is approximately 15 metres wide, with provision

for parallel parking. There are footpaths on either side of the street and a pedestrian crossing in front of 432-438 Queen Street.

Further west of Queen Street is the Queen Victoria Market car park and a single storey brick building comprising public toilets and ATM facilities. The Queen Victoria Market is located north of the car park, approximately 50 m north-west of the site.

To the south of the Site is Council Lane 1184. Further south on the corner of Queen Street and Franklin Street is 422-428 Queen Street (148-152 Franklin Street) which contains a double storey shopfront building previously occupied by a café / lounge. This building is C graded. Further east at 142-146 Franklin Street is a vacant site and further east is a single storey shopfront building which is classified as a 'contributory' building. These sites front onto Franklin Street. Franklin Street connects to Queen Street to the west and Elizabeth Street to the east.

Further south of Franklin Street are numerous multi-storey commercial and residential apartment blocks that accommodate ground level retail.

To the east is a former brick warehouse that has recently been renovated, with residential properties on the first and second level and retail on the ground level. Directly north of this building is the proposed Munro Square, which is a publicly accessible open square that is part of the broader QVM Munro development.

2 BACKGROUND

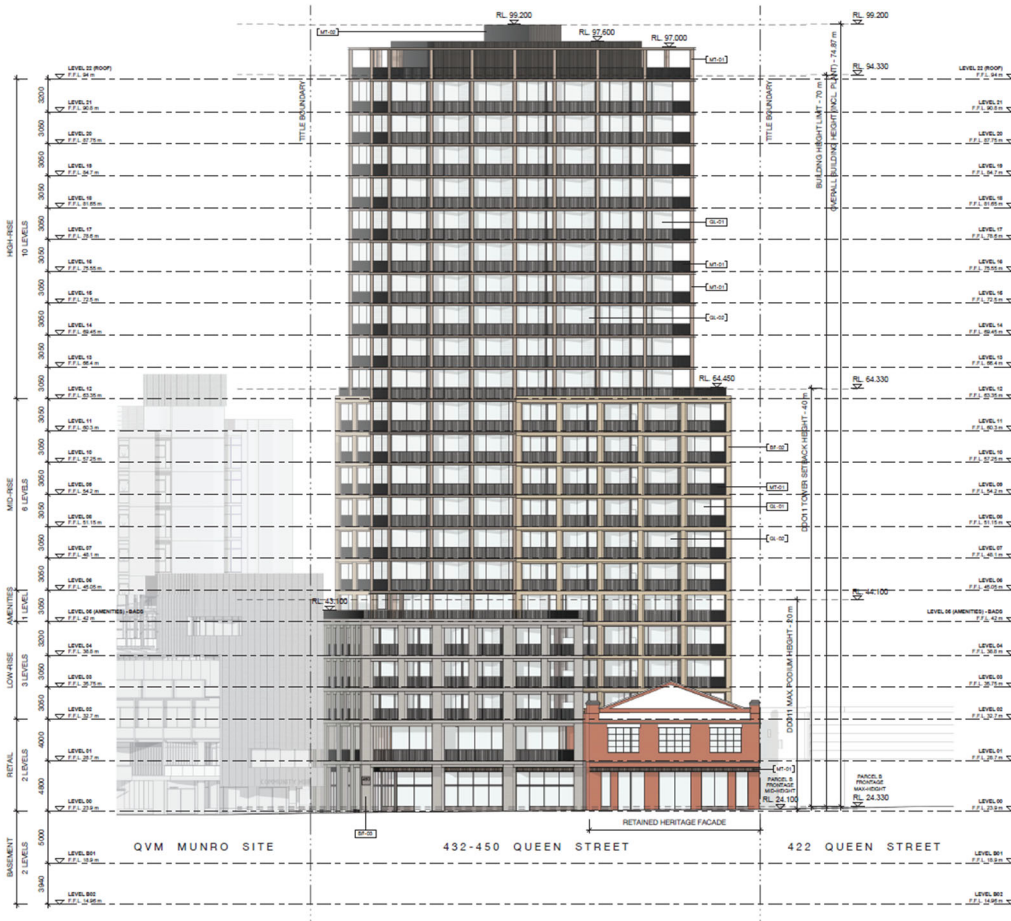
2.1 Pre-application discussions

Pre-application discussions were held at the Department of Environment, Land, Water & Planning (DELWP) in 2018, 2019 and 2020. Further meetings have been held with the agencies and the applicant during the application process. In summary the following matters were discussed:

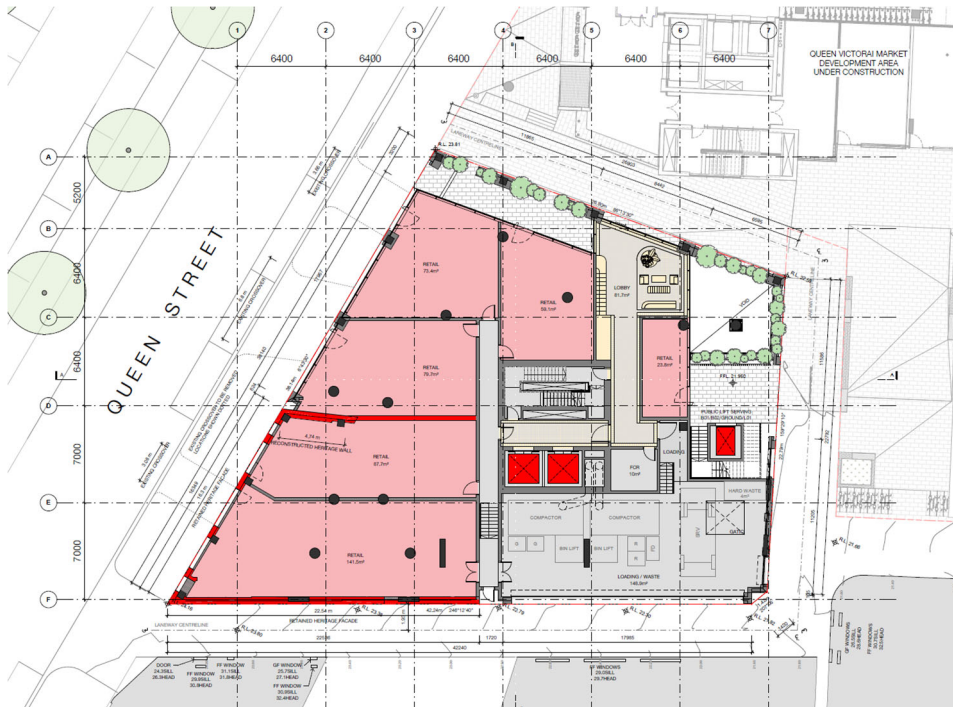
- Proposed Development Plan
- Building heights and setbacks
- Heritage
- Pedestrian access through the Site
- Vehicle access to and from the Site

2.2 History of Development Application and Planning Permit Application

On 20 May 2020 the Development Plan application was lodged with DELWP. The planning permit application was lodged on 21 May 2020. Both the Development Plan application and Planning Permit application were referred to Melbourne City Council on 11 June 2020.



9. Queen Street (west) elevation – May 2020. BatesSmart Pty Ltd.



10. Ground floor – May 2020. BatesSmart Pty Ltd.

On 17 June DELWP requested further information (RFI) for both the applications pursuant to Section 54(1) of the Planning and Environment Act 1987.

On 16 October 2020 the applicant responded to the RFI and also revised the applications in response to meetings held with DELWP and City of Melbourne, including the removal of the colonnade along the northern boundary of the Site and relocating the residential lobby to Queen Street. The applications were referred to the City of Melbourne by DELWP on 30 October 2020.

City of Melbourne officers raised the following concerns with the proposed 40 metre podium for Stage 1 and planning application:

- The 40 metre podium height does not positively respond to the narrow width of the laneway and is not an appropriate level of street enclosure.
- Poor amenity outcomes for south facing habitable rooms in the podium of Stage 1.

City of Melbourne officers recommended the proposed 40 metre podium for Stage 1 be reduced to approximately 20 metres. The reduced podium height will ensure:

- A human scale.
- Complement adjoining building podiums.
- Improved daylight to the south facing habitable rooms for Stage 1 and Council Lane CL1184.

On 3 May 2021 the applicant amended the Development Plan and Planning Application by reducing the height of the southern section of the podium (Stage 1) from 40 metres to 22 metres and increased the height of the tower (Stage 1) from 65 metres to 67 metres. These changes resulted in a reduction of apartments from 135 to 129.

The applicant formally substituted these plans via section 50 of the Planning and Environment Act 1987 on 28 May 2021.

2.3 Concurrent Development Plan Application

The Site is also known as Stage 1 of QVM Parcel B. QVM Parcel B is proposed to be redeveloped in two stages and is located on the north east corner of Queen Street and Franklin Street, Melbourne. QVM Parcel B is made up of the Site and 428 Queen Street, 132 - 136 Franklin Street and 146 Franklin Street, Melbourne and Council Lane 1184.



11. Map of the Parcel B and surrounds

Clause 3.0 of DPO11 requires that a Development Plan submitted for approval to the Responsible Authority must include the following:

- A Planning Report that demonstrates how the Development Plan is consistent with this schedule.

A draft Development Plan for the Queen Victoria Market Precinct Parcel B has been prepared and responds to the vision and requirements of Development Plan Overlay – Schedule 11 (DPO11 – Queen Victoria Market Environs).

The draft Development Plan has been referred by the Minister for Planning to the City of Melbourne for comment (MCC ref: TPM-2020-57).

The purpose of the Development Plan is to guide the future use and development of Parcel B in the context of the broader Queen Victoria Market (QVM) precinct.

The development plan application is running concurrently with this planning application (TPM-2020-49). An application (or applications) for a planning permit can only be approved after a development plan has been approved.

2.4 Summary of Proposed Development Plan

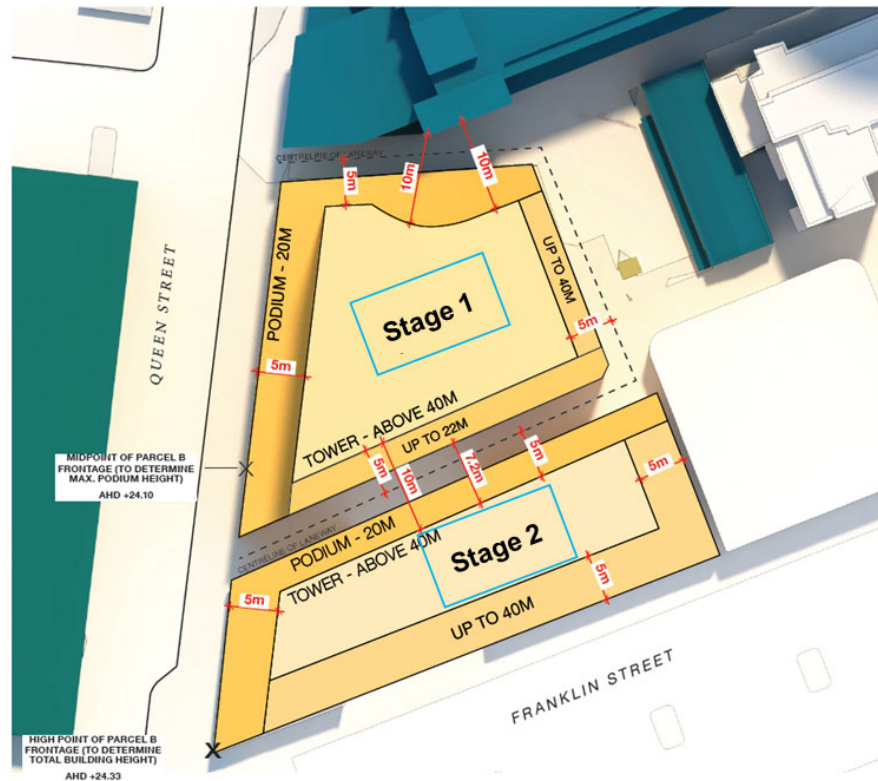
The proposed Development Plan for the Queen Victoria Market Precinct Parcel B can broadly be described as comprising two stages and includes two built form envelopes and internal laneways.

- **Stage 1** comprises of the properties at 432 - 438 Queen Street, 440-444 Queen Street, and 446 - 450 Queen Street, Melbourne. Stage 1 of the Development Plan will provide:
 - One mixed-use built form envelope comprising of a podium tower format.

- The podium heights vary from 20 metres to 40 metres.
 - The maximum height of the tower is 67 metres.
 - Minimum tower setbacks vary from 5 metres from the centre of the laneway to approximately 7 metres.
 - Vehicle access to Stage 1 is via Council Laneway (CL1184) south of Stage 1 which runs east-west and bisects Parcel B.
- **Stage 2** comprises of the properties at 422- 428 Queen Street, 132 - 136 Franklin Street, and 142 - 146 Franklin Street, Melbourne. Stage 1 of the Development Plan will provide:
 - One mixed-use built form envelope comprising of a podium tower format.
 - The podium heights vary from 20 metres to 40 metres.
 - The maximum height of the tower is 50 metres.
- Minimum tower setbacks vary from 5 metres from the centre of the laneway to approximately 5 metres elsewhere.
 - Vehicle access to Stage 2 is via 3.8 m wide council laneway (CL1184) north of Stage 2 which runs east-west and bisects Parcel B.

3.1 BUILT FORM & SETBACKS

PARCEL B	
Podium Height:	20m
Mandatory Max.	
Tower Setback:	
Discretionary Min. from Queen St. Frontage:	10m
Mandatory Min. from Franklin St. Frontage:	5m
Discretionary Min. from Sides / Rear / CL of Laneways below 40m:	0m
Mandatory Min. from Sides / Rear / CL of Laneways above 40m:	5m
Tower Separation:	
Discretionary Min.	24m
Mandatory Min.	10m
Building Heights:	
Discretionary Height	40m



12. Built Form and Setbacks and Development Plan Staging - QVM Precinct Parcel B Development Plan April 2021 by BatesSmart Pty Ltd

3.1 BUILT FORM & SETBACKS

- / 20m podium height from DPO11
- / 40m discretionary height
- / 67m total height to north portion (excluding plant) is derived from the surrounding context
- / 50m total height to south portion (excluding plant) is derived from the surrounding context

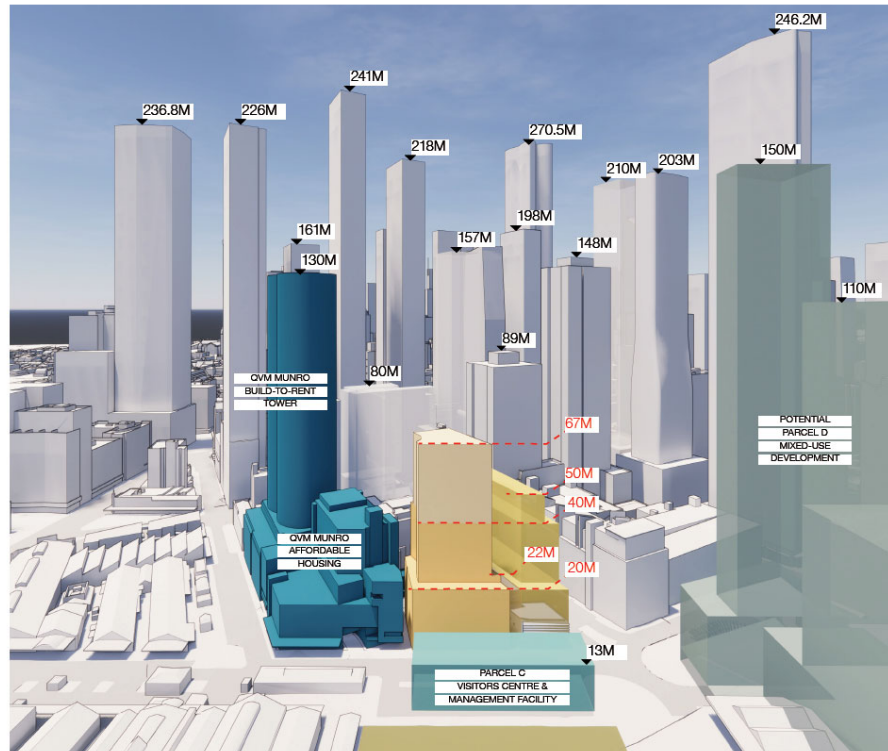
This document demonstrates that both Stage 1 and Stage 2 of Parcel B are able to accommodate additional height beyond the discretionary height limit of 40 metres whilst continuing to achieve the key design guidelines and requirements for Parcel B set out at Table 1 of DPO11, specifically:

- Parcel B: Ensure that development provides a moderating transition to the future proposed public open space and the future visitor centre.

- New development should not cast a shadow across Flagstaff Gardens or the proposed public open space in Figure 1 between 11:00am and 2:00pm on June 22, unless the Responsible Authority considers the overshadowing will not significantly prejudice the amenity of the open space.

Refer to Sections 4.3 - Massing Studies and 5.1 - Shadow Studies for supporting 3D modelling and shadow analysis in support of the proposed heights.

Refer also to the supporting Planning Report prepared by Tract Consultants (April 2021)



13. Built Form and Setbacks - QVM Precinct Parcel B Development Plan April 2021 by BatesSmart Pty Ltd

The Future Melbourne Committee will be considering the proposed Development Plan for the Queen Victoria Market Precinct Parcel B on 15 June 2021. Council’s administration has recommended support of the Development Plan for the Queen Victoria Market Precinct Parcel B subject to the following recommendations:

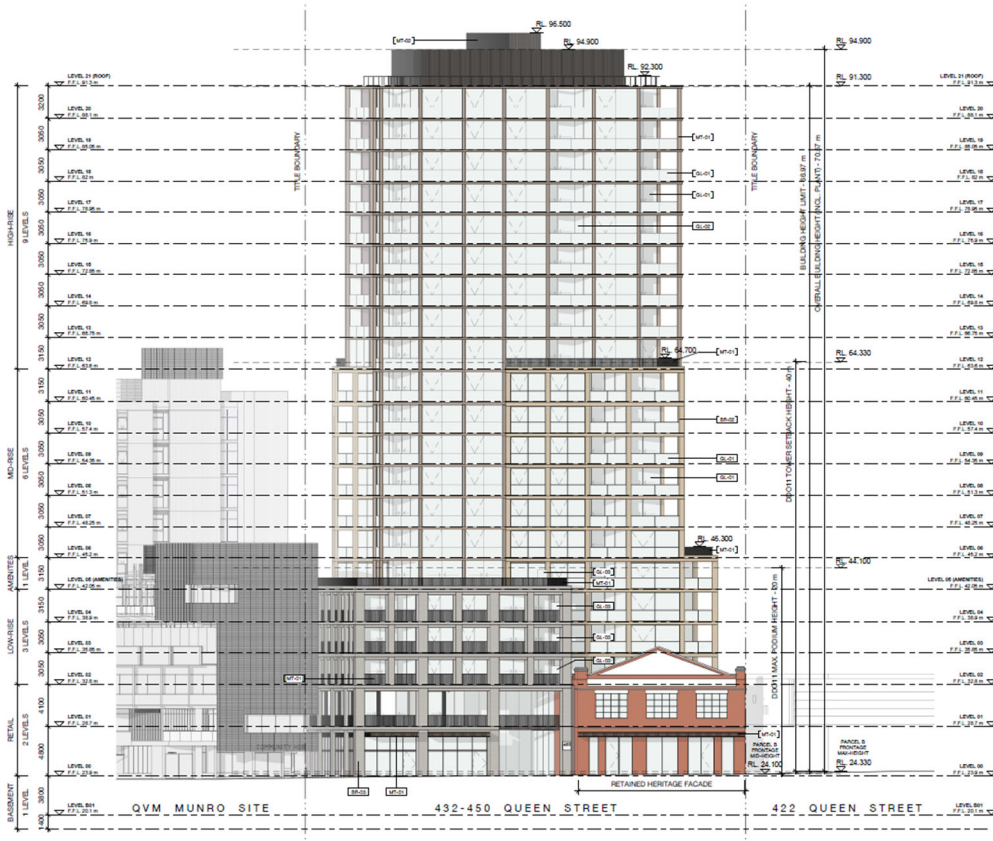
1. Amend the Heritage Impact Statement (HIS) prepared by Bryce Rayworth dated May 2020 to provide only a contextual response which Demonstrates how the significance of the Queen Victoria Market will be preserved.

3 PROPOSAL

The application proposes buildings and works for the purpose of a multi-storey building retail, affordable housing and residential apartments.

Broadly, the application comprises:

- Apartments and retail are proposed to extend across all frontages.
- Built form retains the heritage façade and half the side wall of 432-438 Queen Street and adopts a lower, mid and high rise tower form. The proposed materials include brick, metal framing, coloured concrete, renders and glazing.
- No on site car parking.



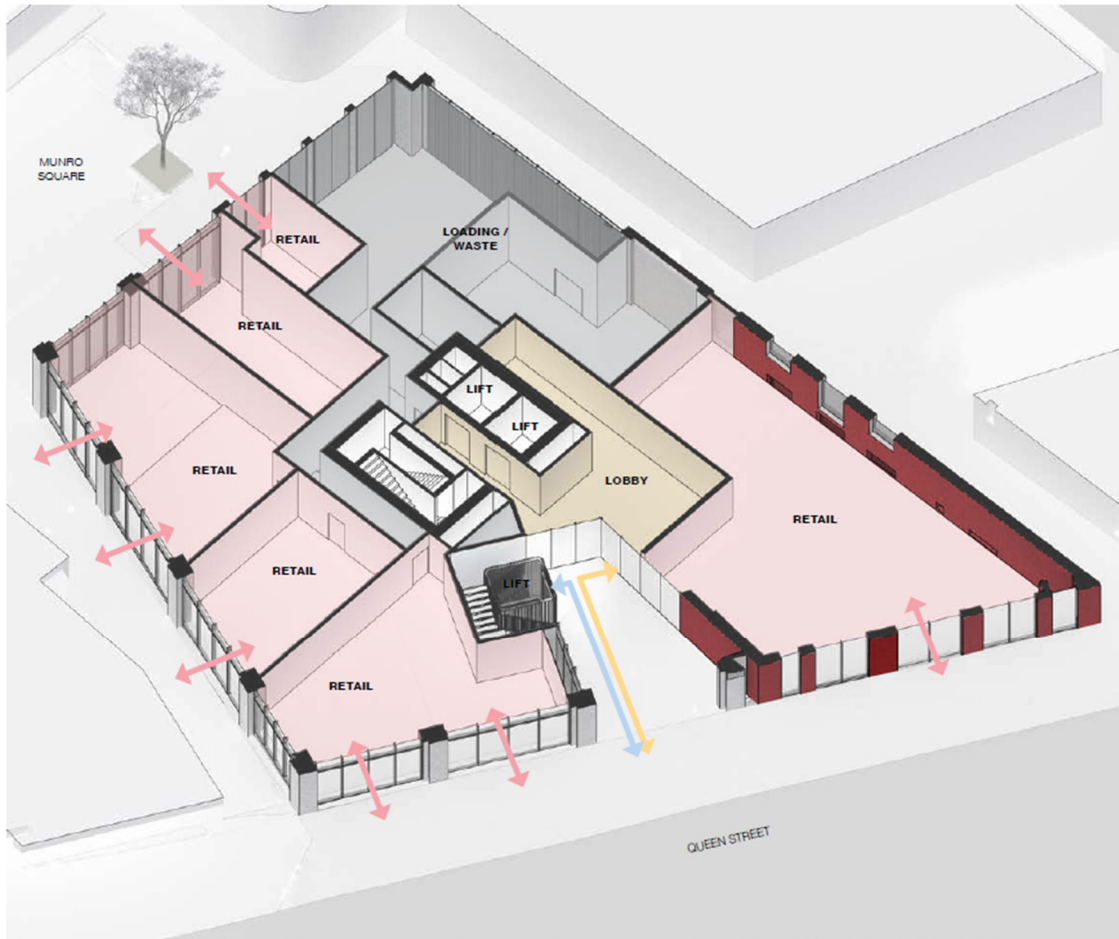
14. Queen Street (west) elevation – April 2021. BatesSmart Pty Ltd.



15. Perspective of proposal and surrounds from Queen Street: Urban Context Report - March 2021. BatesSmart Pty Ltd. *Note the scheme has since changed by reducing the height of the southern podium wall from 40 metres (shown in this image) to 22 metres.



16. Perspective of proposal from the east (Munro Site): Urban Context Report - March 2021.
BatesSmart Pty Ltd.



17. Ground floor: Urban Context Report - March 2021. BatesSmart Pty Ltd.

3.1 Affordable Rental Dwellings

The application proposes ten percent of the apartments to be dedicated as affordable rental dwellings. With 129 apartments being proposed, 13 of these will be affordable rental dwellings.

The affordable rental dwellings are not nominated on the plans. The applicant has advised they will be seeking input from the registered affordable housing provider as to which apartments will be most suitable and that they will be engaging a registered affordable housing provider when a permit is issued. The affordable rental dwellings will only be available to persons who meet the Department of Health and Human Services Victorian Office of Housing eligibility criteria for such housing.

3.2 Detailed Information

Gross Floor Area (Development Summary dated 27 May 2021)

Total Site Area:	1,016 m ²	FAR	13.98:1
-------------------------	----------------------	------------	---------

Total Gross Floor Area including basement	15,224 m ²	Total Gross Floor Area excluding basement and ground floor	14,208 m ²
Total NSA	8,432 m ²		
Retail	1,455 m ²	Residential amenities	389 m ²

Dwellings types

Dwellings	<p>One bedroom apartments: 29 / 22%</p> <p>One bedroom apartments with study: 14 / 11%</p> <p>Two bedroom apartments: 67 / 52%</p> <p>Two bedroom apartments with study: 19 / 15%</p> <p>Total: 129</p> <p>Affordable apartments: 13 / 10% (allocation type pending)</p>
------------------	---

Built Form

Number of levels	20 (plus plant)	Number of basement levels:	1	
Total building height (as measured from the centre point of Queen Street)	66.97 metres 72.20 metres (including plant and lift overrun)	Street Wall Height: Mid rise height: High rise height:	Queen Street: 18.80 m 40 metres 66.97 metres	
Upper level setbacks (above street wall):	West (Queen Street)	5 m	East	2.67 metres (and 5 m from the centre of the laneway)

	North	3.28 metres (and 5 m from the centre of the laneway)	South	3.07 metres (and 5 m from the centre of the laneway)
--	--------------	---	--------------	---

Access, car parking, bicycle facilities and loading / unloading

Car parking, bicycle facilities and loading and unloading			
Car parking spaces:	0	Bicycle spaces:	160 Residential 20 retail / visitor
Motorcycle spaces:	0	Bicycle facilities:	3 shower / change rooms
Loading / unloading:	Loading access will be via CL1184. The loading area is located in the south east section of the site on the ground level.		

Building Programme

Level	Use
Basement level 01	Bicycle parking, storage cages, and building services
Ground level	Six retail tenancies, residential lobby, waste and loading area, building services
Levels 1	Two retail tenancies 353.6 m ² and 485.2 m ² and terrace
Levels 2 to 4	Apartments
Levels 5	Residential amenities (terrace area 218.4 m ² , gym, lounge)
Levels 6-20	Apartments
Levels 21	Plant, building services including photovoltaic

4 STATUTORY CONTROLS

4.1 Zone and Overlays

The below table sets out the planning controls that affect the Site.

Section	Policy
Planning Policy Framework	Clause 9 – Plan Melbourne Clause 10 – Operation of the State Planning Policy Framework

	<p>Clause 11 - Settlement</p> <p>Clause 15 – Built Environment and Heritage</p> <p>Clause 16 – Housing</p> <p>Clause 17 – Economic Development</p> <p>Clause 18 – Transport</p>
Local Planning Policy Framework	<p>Clause 21.01 – Municipal Profile</p> <p>Clause 21.02 – Vision</p> <p>Clause 21.04 - Settlement</p> <p>Clause 21.06 – Built Environment</p> <p>Clause 21.07 – Housing</p> <p>Clause 21.16 – Other Local Areas</p> <p>Clause 22.01 – Urban Design within the Capital City Zone</p> <p>Clause 22.02 – Sunlight to Public Spaces</p> <p>Clause 22.19 – Energy, Water and Waste Efficiency</p> <p>Clause 22.23 – Stormwater Management (WSUD)</p>

Statutory Controls	
<p>Clause 37.04</p> <p>Capital City Zone, Schedule 1 (Outside the retail core) (CCZ1)</p>	<p>Permit required</p> <p>The Site is located in a Capital City Zone – Schedule 1.</p> <p>Pursuant to Clause 37.04-4 a permit would be required to (<i>inter alia</i>):</p> <ul style="list-style-type: none"> • Construct a building or construct or carry out works unless the schedule to this zone specifies otherwise. • Demolish or remove a building or works if specified in the schedule to this zone. <p>Pursuant to Clause 3 of 37.04-1, a permit is required to (<i>inter alia</i>):</p> <ul style="list-style-type: none"> • Construct a building or carry out works. • To construct a building which does not extend to the road boundary of the site.
<p>Clause 43.01</p> <p>Heritage Overlay, Schedule 7 – Queen Victoria Market Precinct (HO7)</p>	<p>Permit required</p> <p>Pursuant to Clause 43.01-1 a permit is required to (<i>inter alia</i>):</p> <ul style="list-style-type: none"> • Demolish or remove a building. • Construct a building or carry out works. • Externally alter a building.
<p>Clause 43.02</p> <p>Design and Development Overlay 1 – Active Street frontage – Area 2</p>	<p>Permit required</p> <p>A permit is required to carry out buildings and works.</p> <p>The provisions of the overlay relate to ground floor frontages and require the provision of ground floor shops and activation along Major Pedestrian Areas and Key Pedestrian Routes within the CCZ1.</p>

<p>Clause 43.04</p> <p>Development Plan Overlay 11 (DPO11 – Queen Victoria Market Precinct)</p>	<p>Permit required</p> <p>A planning permit may be granted to use, subdivide land or for minor buildings and works to an existing development before a development plan has been prepared to the satisfaction of the responsible authority.</p> <p>The responsible authority must be satisfied that the grant of a permit will not prejudice the future use or development of the land in an integrated manner.</p> <p>Any permit issued for the use, subdivision or development of the land must be generally in accordance with:</p> <ul style="list-style-type: none"> • The approved Development Plan. • The <i>Queen Victoria Market Precinct Framework Plan 2017</i> at Figure 1. • The Vision in Clause 3.0. <p>Any permit issued for the use, subdivision or development of the land must be compliant with the provisions of Table 1.</p> <p>A permit must not be granted for a development that does not meet the mandatory requirements in Table 1.</p> <p>Schedule 11 to the Development Plan Overlay (DPO13) sets out the requirements against which the responsible authority must assess the Development Plan for Parcel B, before determining whether it has been prepared to its satisfaction.</p> <p>Compliance with the requirements of DPO11 represents the key test for this Ministerial referral TPM-2020-57.</p>
<p>Clause 45.09</p> <p>Parking Overlay Schedule 1 Capital City Zone – Outside the Retail Core)</p>	<p>Permit not required</p> <p>This applies maximum car parking rates for various uses unless a permit is issued allowing additional parking.</p> <p>As no car parking is proposed, the proposal does not exceed the upper limit specified in Schedule 1 of the Parking Overlay, therefore no permit is required under Clause 52.06 of the Planning Scheme.</p>

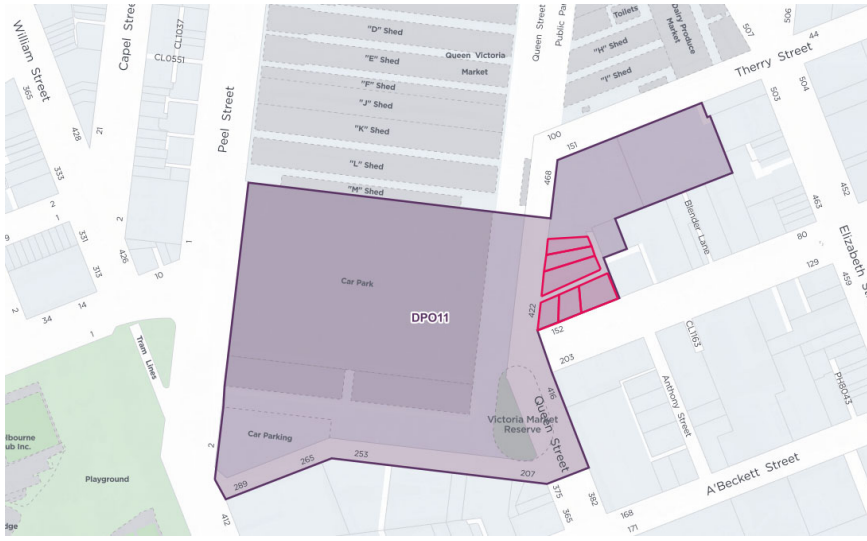
Particular Provisions	
<p>Clause 52.06</p> <p>Car Parking</p>	<p>Permit not required</p> <p>As no car parking is proposed, the proposal does not exceed the upper limit specified in Schedule 1 of the Parking Overlay, therefore no permit is required under Clause 52.06 of the Planning Scheme.</p>
<p>Clause 52.34</p> <p>Bicycle Facilities</p>	<p>Permit not required</p> <p>Pursuant to Clause 52.34-1, a new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land.</p> <p>Pursuant to Clause 52.34-2, a permit may be granted to vary,</p>

	<p>reduce or waive any requirement of Clause 52.34-5 and Clause 52.34-6.</p> <p>MPS Rate: <u>Dwelling</u> 1 to each 5 dwellings for residents = 27 1 to each 10 dwellings for visitors = 14</p> <p><u>Retail</u> 1 to each 300 m² for staff, if the floor area exceeds 1000 m² = 5 1 to each 500 m² for customers, if the floor area exceeds 1000 m² = 3</p> <p>Based on this assessment the minimum number of bicycle spaces that could be provided is 49. As the proposed development provides 180 bicycle spaces, no permit is required.</p>
<p>Clause 58 Apartment Developments</p>	<p>Pursuant to Clause 58, the provisions of this clause apply to an application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development.</p>

General Provisions

<p>Clause 65 - Decision Guidelines</p>	<p>DELWP is the Responsible Authority and must determine if the development generates acceptable outcomes with reference to the decision guidelines of this clause. This includes the matters set out in Section 60 of the Planning and Environment Act 1987.</p>
--	---

Operational Provisions

<p>Clause 72.01 Responsible Authority for this Planning Scheme</p>	<p>Pursuant to the Schedule to Clause 72.01- 2, The Minister for Planning is the responsible authority for administering and enforcing the scheme for Land included in the Development Plan Overlay, Schedule 11 – Queen Victoria Market Precinct Framework Plan Area (Figure 4 of this Schedule).</p>  <p>The map shows a street grid with several buildings labeled 'D' through 'M' Shed. A large purple-shaded area is labeled 'DPO11' and contains a 'Car Park' and 'Car Parking' area. To the south of this area is a green 'Playground' and a 'Victoria Market Reserve'. Streets shown include William Street, Capel Street, Peel Street, Therry Street, Elizabeth Street, A Beckett Street, and Queen Street. Other labels include 'Public Pan', 'Toilets', 'Daily Produce Market', 'Blender Lane', 'C.I.R.S.', 'Autonomy Street', and 'P-480-21'.</p>
--	---

5 RELEVANT PLANNING SCHEME AMENDMENTS

In addition to the preceding policies Amendment C308 to the Melbourne Planning Scheme is also of relevance.

5.1 Amendment C258

Amendment C258 was approved by the Minister for Planning and was gazetted on 10 July 2020. The amendment revised the local heritage policies as well as introducing two new incorporated documents into the Melbourne Planning Scheme; the Heritage Precinct Statements of Significance incorporated document and the Heritage Places Inventory incorporated document.

The Heritage Places Inventory incorporated document would introduce a new grading system in accordance with which buildings are attributed a level of significance. To this end, the existing letter grading system (A, B, C and D) would be replaced by 'Significant', 'Contributory' and 'Non-contributory'. Two of the three buildings on the Site have been included in the new grading system, while one remains in the old grading system. These buildings have been identified in the Section 1.1 of this report.

It is acknowledged that the application was originally lodged with DELWP on 17 July 2020, seven days after the gazettal of Amendment C258.

5.2 Amendment C308

Amendment C308 and the Central Melbourne Design Guide were adopted by Council on Tuesday 26 November 2019.

Amendment C308 seeks to introduce a revised urban design policy in the form of a Design and Development Overlay 1 (DDO1) into the Melbourne Planning Scheme with a complementary illustrative guide, the Central Melbourne Design Guide. The amendment seeks to improve the urban design quality of development in the central city and Southbank.

Amendment C308 was sent to the Minister for Planning on 12 December 2019 for final approval to be included in the Melbourne Planning Scheme. Amendment C308 is therefore considered to be a seriously entertained planning control.

5.3 Amendment C396

Amendment C396 seeks to convert the gradings of the remaining heritage properties across Carlton, Carlton North, East Melbourne, Kensington, Melbourne, North Melbourne, Parkville, and South Yarra. The properties comprise:

- C-graded buildings in Heritage Overlay precincts in City North.
- D-graded buildings in individual Heritage Overlays.
- Properties requiring conversion that were not identified or were listed incorrectly in the Amendment C258 Heritage Places Inventory.

The Amendment is currently on public exhibition.

The Amendment proposes to convert 422-428 Queen Street from a C grading in a level 2 streetscape to having a 'Significant' building category (streetscape category Non-contributory).

6 PUBLIC NOTIFICATION

Provided the Development Plan (MCC ref: TPM-2020-57) has been prepared to the satisfaction of the responsible authority, an application under any provision of this planning scheme 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.

The application is not exempt from the referral notice of Clause 66.04. The Department of Environment, Land, Water and Planning (DELWP), on behalf of the Minister for Planning, has formally referred the proposed application to the City of Melbourne.

7 REFERRALS

Both the original and re-referred comments received from Council departments are provided below, as well as a Council's Urban Planner's response.

7.1 Heritage

Heritage Advisor – not supportive of the proposal

Council's Heritage Advisor provided heritage advice on 10 August 2020. The following are summarised points from the advice received.

- There is in my view no ambiguity that the proposed design expression of a tower rising out of the shell of the heritage building at 432 Queen Street is facadism in its full expression.
- The proposed conservation works to the façades of the Queen Street and retained front half of the lane frontage, with removal of the paint and construction of an appropriate cantilevered awning, will enhance the contribution of the building itself to the heritage precinct.
- The Heritage Impact Statement (HIS) prepared by Bryce Raworth Pty Ltd in May 2020, does not address the problem of facadism.
- The proposal is not supported by heritage policy as there is also no credible and understandable attempt to demonstrate why compliance with the relevant heritage policy should not be required.
- It is my recommendation that the proposal requires further amendment if it is to be approved on heritage grounds.

Planner response:

See discussion in assessment below.

7.2 Urban Design Advice

Urban Design – supportive of the proposal

- The proposal at ~70 m does sit lower than surrounding towers, providing a layering of forms when appreciating the skyline from the proposed public open space.
- The height, is nearly double the preferred 40 metres. Methods to articulate and modulate this volume is an improved transitional relationship.
- The increased height will impose additional overshadowing, however, this mostly pertains to private rooftops and road space so is deemed an acceptable outcome.
- The previously raised issue concerning the amenity of apartments along the southern edge has now been addressed by a consistent setback of levels 6-11 from this edge (setback measures setback ~7.2 m from the future development parcel opposite).

Planner response:

Agree with the advice and will also include a requirement for a façade strategy. See discussion in assessment below.

7.3 Land Survey

Land Survey – supportive of the proposal and recommends conditions

- The drawings (at ground level) show proposed retail tenancies off the North and East Laneway. These Laneways are currently not named and Council is unable to provide for appropriate addressing to these tenancies.
- The proposed plans show windows along the northern boundary. The subject land only benefits from a 2.5 m wide footway easement over the abutting property.

Planner response:

Agree with the advice and will include suggested conditions.

7.4 Waste and Recycling and Traffic Engineering Advice

Waste and Recycling and Traffic – supportive of the proposal, subject to a revised waste management plan and transport impact assessment

- The proposal will generate only a low number of trips by vehicles given no car parking is provided on the site.
- The proposed provision exceeds the bicycle parking requirements, which is appropriate given the lack of any car parking and therefore the need for residents to rely on other travel modes.
- No visitor bicycle parking is proposed, with visitors instead proposed to use public bicycle parking facilities within the Queen Victoria Market precinct. Ideally visitor bicycle parking would be provided within the site, or very close to it, for the convenience of visitors.

Update the Transport Impact Assessment with the following:

- The number of waste collections is inconsistent with the current WMP and should be updated. The current WMP states the following:
 - 4 commercial collections per week (instead of 3)
 - 2 residential collections per week (unchanged)
- Swept path diagrams to reflect the current floorplans (These have already been completed and provided to Council, just not within the TIA).

Update the Waste Management Plan with the following:

- Make note that collections require supervision of traffic to mitigate risk.
- Make note that commercial waste collections are required to occur outside of peak periods.
- Hard waste to be presented to the CoM waste vehicle by Building management in coordination with the vehicle's arrival.

Planner response:

Agree with the advice. The applicant has advised the technical reports will be updated to address the above.

7.5 Civil Design Advice

Civil Design – supportive of the proposal and recommends standard conditions

Planner response:

Will include standard civil conditions.

7.6 Environmentally Sustainable Design and Green Infrastructure Advice

Environmentally Sustainable Design and Green Infrastructure Advice – supportive of the proposal and recommends standard conditions

- The ESD response is generally of a good standard to satisfy Clause 22.19 requirements.
- External hard surfaces have been treated using a combination of permeable pavement and maximising landscaped areas. Rainwater harvesting is also proposed, with a rainwater tank volume of 25,000 L included to demonstrate compliance with Clause 22.23.

Planner response:

Agree with the advice which has been included in the assessment section of this report. Standard ESD and GI conditions will be included.

8 ASSESSMENT

8.1 Council facility and affordable housing

The provision of affordable housing within the proposal is commended and supported.

Melbourne has a high need for affordable dwellings and the proposal contributes to improving this situation. The provision of thirteen affordable dwellings in a location such as this is an ideal planning outcome and is strongly encouraged by a number of planning policies. The Site is well serviced by public transport, retail, community services and business.

8.2 Heritage



18. 432-438 Queen Street, Melbourne. Two storey brick warehouse with a basement. Built in 1925. C graded and is a part of the City North Heritage Review. Subject to the heritage policy prior to c258. Proposal: Front portion proposed to be retain



19. 450 Queen Street (left) and 440-444 (right) Queen Street Melbourne. Both have a heritage significance: Contributory (formally D graded). Subject to current heritage policy (post to c258). Proposal: Full demolition



20. Proposal with retained heritage fabric: Urban Context Report. March 2021. BatesSmart Pty Ltd.



21. Perspective of proposal from Queen Street: Urban Context Report - March 2021. BatesSmart Pty Ltd. *Note the scheme has since changed by reducing the height of the southern podium wall from 40 metres (shown in this image) to 22 metres.

Demolition

The application proposes to retain the front section of the C graded building at 432-438 Queen Street, Melbourne and demolish the two 'Contributory' buildings at 440-444 Queen Street and 446-450 Queen Street.

432-438 Queen Street, Melbourne

Part B of Clause 22.04 – Heritage Places in the Capital City Zone is the applicable heritage policy for this building. Support is given to the extent of demolition. The heritage policy expectation at Clause 22.04 (Part B) for demolition is:

The demolition or alteration of any part of a heritage place should not be supported unless it can be demonstrated that that action will contribute to the long-term conservation of the significant fabric of the heritage place.

The street façade and laneway wall is proposed to be retained to a depth of 22.54 metres. The northern party wall is proposed to be reconstructed to a depth of 9.34 metres and will be visible from the public realm because it is adjacent to the building forecourt. The remainder of the building is proposed to be demolished.

The proposal will contribute to the long-term conservation of the building's significant heritage fabric. The retained front façade and corner return along the Council Lane is retained to the extent that it is visible from Queen Street. The removal of the roof is allowable on balance in this case because it is not highly visible from Queen Street and does not significantly contribute to the character or appearance of the building.

Some additional window openings are proposed to be inserted into the retained portion of the south elevation to the Council Laneway. This is supported because it will provide better laneway activation to the lane.

440-444 Queen Street and 446-450 Queen Street.

Part A of Clause 22.04 – Heritage Places in the Capital City Zone is the applicable heritage policy for the buildings at 440-444 and 446-450 Queen Street. Both these buildings are classified as Contributory and were D graded in a level 2 streetscape prior to Amendment C258. While partial retention of these buildings is encouraged by heritage policy, their demolition is acceptable in this unique circumstance given the former low grading, the limited architectural interest of both buildings and the infill development scheme being appropriate.

Works and new building (additions)

Support is given for the new building (additions). The heritage policy expectation at Clause 22.04 (Part B) for demolition is:

- *All development affecting a heritage precinct should enhance the character of the precinct as described by the following statements of significance.*
- *Regard shall be given to buildings listed A, B, C and D or significant and/or contributory in the individual conservation studies, and their significance as described by their individual Building Identification Sheet.*

The proposed conservation works to the façade of 432-438 Queen Street with removal of the paint and construction of an appropriate cantilevered awning, will enhance the contribution of the building itself to the heritage precinct. The retention of original upper level metal framed windows is a positive aspect to the scheme.

The 67 metre section of the new building is setback 5 metres from the Queen Street frontage and a minimum of 5 metres from the centre of the Council Lane and the soon to be created laneway to the north. A 20 metre street wall is proposed north of the heritage building along Queen Street. These built form measures will adequately maintain the heritage building's prominence.

The forecourt on the northern side of the retained heritage building which reveals the retained return wall will emphasise the three dimensional form of the heritage building.

The architectural expression of the new building will be of high quality and responds to its heritage host and the Munroe Site to the north.

The proposed building therefore addresses heritage policy contained at Clause 22.04.

Context

As described in the Site and Surrounds section of this report, the built form and subdivision pattern in the immediate area varies from single storey to multi-storey towers. There are ungraded buildings to buildings and sites of State Significance.

There are heritage buildings located to the south of the Site. These sites are low in height and are identified as ‘contributory’ and C graded and are within QVM Parcel B of the Development Plan.

To the north of the Site is the QVM Munro development which varies in height from 40 metres to 130 metres.

The proposal does respond to its built form context. The proposal will not adversely impact the character and appearance of the above heritage buildings.

Recommended heritage conditions

- A full schedule of conservation and restoration works (conservation management plan).
- A bond for retention of 432-438 Queen Street, Melbourne and the completion of conservation works.

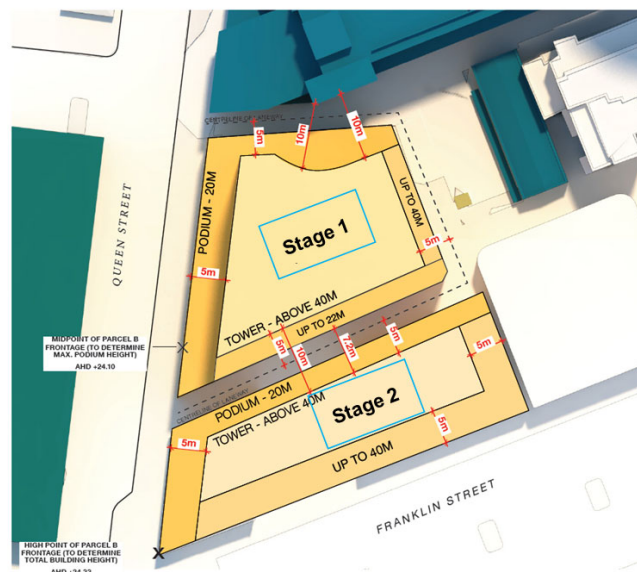
8.3 Development Plan Overlay - Schedule 11

8.3.1 Development to be generally in accordance with the Development Plan

The Development Application is generally in accordance with proposed Development Plan for QVM Parcel B and therefore is supported. The proposed building form generally aligns with the heights and setbacks in the proposed Development Plan.

3.1 BUILT FORM & SETBACKS

PARCEL B	
Podium Height:	20m
Mandatory Max.	
Tower Setback:	
Discretionary Min. from Queen St. Frontage:	10m
Mandatory Min. from Franklin St. Frontage:	5m
Discretionary Min. from Sides / Riser / Cl. of Laneway below 40m:	0m
Mandatory Min. from Sides / Riser / Cl. of Laneway above 40m:	5m
Tower Separation:	
Discretionary Min.	24m
Mandatory Min.	10m
Building Heights:	40m
Discretionary Height	

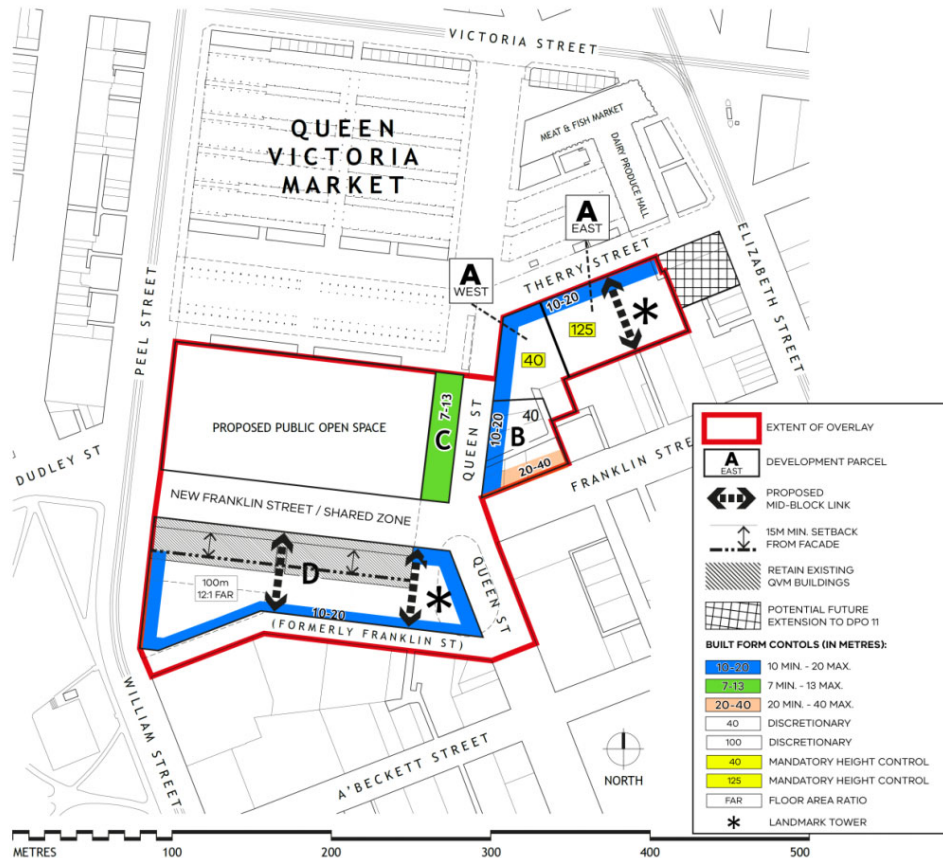


22. Built Form and Setbacks and Development Plan Staging - QVM Precinct Parcel B Development Plan April 2021 by BatesSmart Pty Ltd

8.3.2 DPO11 – The Queen Victoria Market Precinct Framework Plan 2017

The planning application is generally in accordance with the *Queen Victoria Market Precinct Framework Plan 2017* at Figure 1 at Clause 3.0 of Schedule 11 to the Development Plan Overlay with the exception of the proposed height of the building. The height at 67 metres is well above the discretionary 40 metre sought in the Framework.

The proposed height however is supported because there is a transition in the built form to the south and the building has been sufficiently articulated and modulated which reduces the perception of bulk. There is also no adverse overshadowing of public spaces.



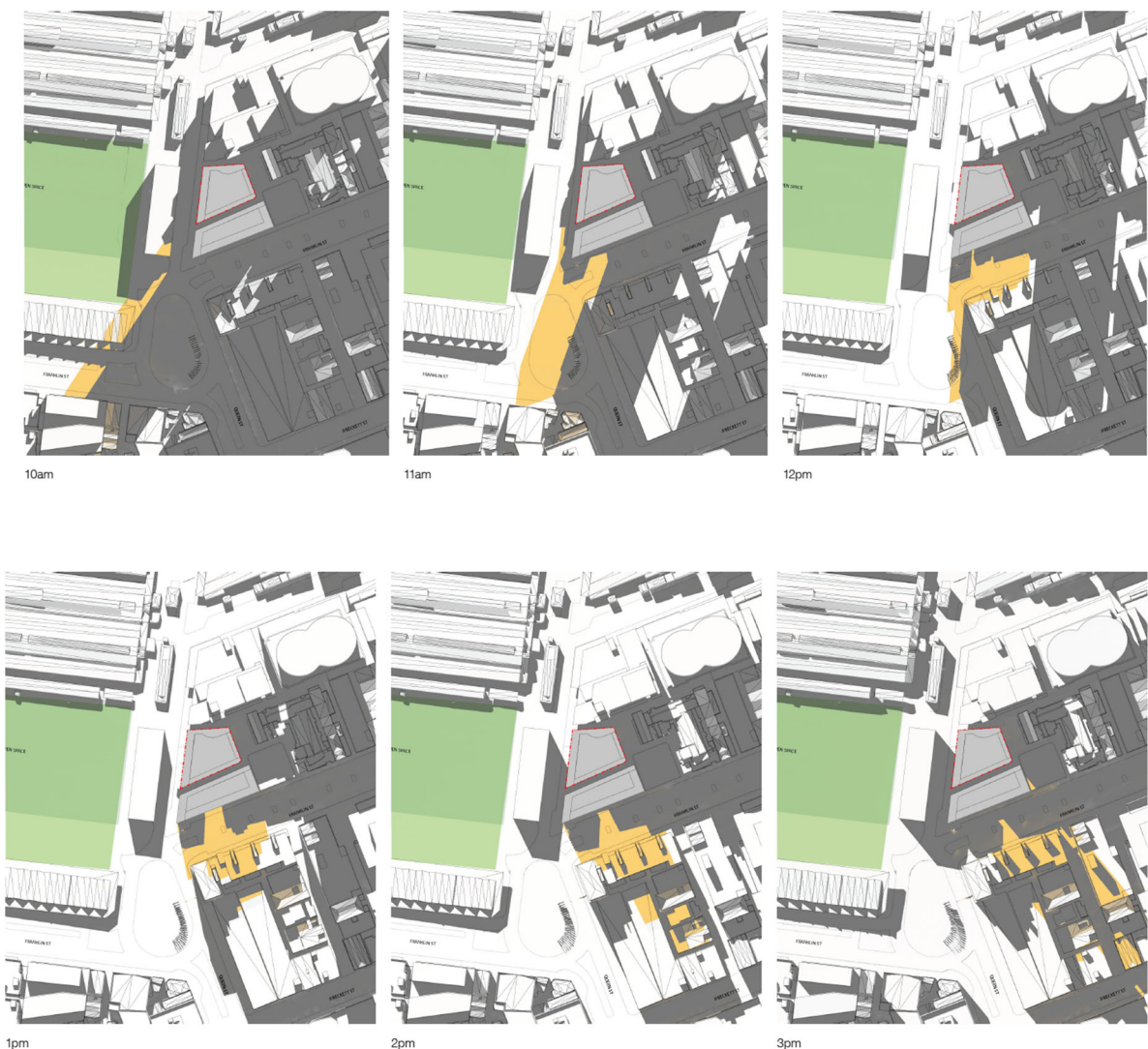
23. Queen Victoria Market Precinct Framework Plan 2017 at Figure 1 at Clause 3.0 of Schedule 11 to the Development Plan Overlay

8.3.3 DPO11 – Vision Statements

The application is consistent with the Visions Statements contained in DPO11. The application achieves the following high level visions:

- The application with a height up to 67 metres will contribute to the area’s distinctive character by maintaining a distinction between the Hoddle Grid and Queen Victoria Market.
- The uses and development will contribute to safe and activated streets and public spaces. The podium has been appropriately scaled and incorporates ground floor and first floor uses which foster interaction with the street and achieve passive surveillance of public spaces.

- The application defines and activates the Queen Victoria Market's edge and does not overwhelm the public domain or adversely affect the Queen Victoria Market's heritage significance.
- The profile of the building transitions downwards in scale towards the proposed public open spaces and Franklin Street.
- The building has been configured and designed to ensure appropriate solar access to the proposed public open space (to be created on the car park) and the Flagstaff Gardens (see the shadow studies from the Development Plan below).
- The laneway has been configured to provide through block pedestrian links. No car parking is provided on the Site which is commended. Loading access is proposed to be isolated to the existing east-west laneway.
- Edges of the building have been activated including the north and east laneway.



24. Shadow Diagram for the Development Plan (not the Planning Application) for 22 June 10am-3pm - QVM Precinct Parcel B Development Plan April 2021 by BatesSmart Pty Ltd

8.3.4 DPO11 Built Form (Table 1)

Clause 3.0 of DPO11 requires a Development Concept Plan which provides:

Building heights and setbacks which achieve the mandatory and discretionary built form and amenity provisions, and the floor area ratios (where applicable), set out in this schedule (including Table 1)

Table 1 to Schedule 11 to Development Plan			
Built form element	Mandatory requirement	Discretionary requirement	Built Form Outcomes
Podium Height	<p>20 metres</p> <p>Podiums fronting Therry Street and Queen Street north of laneway CL1184</p> <p>Podiums fronting Queen Street south of laneway CL1184</p> <p>40 metres</p> <p>Podiums fronting Franklin Street south of the laneway CL1184</p>	<p>10 metres</p> <p>Podiums fronting Therry Street and Queen Street north of laneway CL1184</p> <p>Podiums fronting Queen Street south of laneway CL1184</p> <p>20 metres</p> <p>Podiums fronting Franklin Street south of the laneway CL1184</p>	<p>All building podiums should:</p> <ul style="list-style-type: none"> • Be oriented to complement the street system and constructed to the street edge. • Be of a scale that provides an appropriate level of street enclosure having regard to the width of the street. • Complement adjoining building podiums. • Include high quality treatments to side walls where visible above adjoining buildings. • Be of a height, siting and detailing that does not adversely affect the heritage significance of the Queen Victoria Market or any adjoining heritage building(s). • Be designed to internalise above ground car parking behind active uses such as dwellings or offices to ensure a visual relationship between occupants of upper floors and pedestrians to improve surveillance of the public realm. • Be able to mitigate wind impacts at street level in accordance with the wind amelioration design standards of this schedule.
Assessment	<p><i>The discretionary requirements are sought to be varied and are supported.</i></p> <p>The proposed permit application exceeds some discretionary podium heights, but does not exceed the mandatory maximum podium heights set out in the requirements of this table. The application meets the following applicable built form outcomes:</p> <ul style="list-style-type: none"> • The building has been oriented appropriately towards Queen Street and is 		

	<p>constructed to the street edge with the exception of the forecourt.</p> <ul style="list-style-type: none"> • The podium height responds to the width of the street and the laneway which will ensure an appropriate level of street enclosure. • The podium height responds appropriately to the scale of the surrounding existing and emerging built form. • The retail tenancies and dwellings have been oriented to the public realm. This design response provides a visual relationship between occupants and pedestrians which improves surveillance of the public realm. 		
<p>Tower setbacks</p>	<p>5 metres</p> <p>Parcel B (fronting Franklin Street)</p> <p>Mandatory minimum tower setback from side boundaries and rear boundaries (or from the centre line of an adjoining lane*).</p> <p>0 metres</p> <p>On Parcel B only mandatory minimum tower setback from side boundaries and rear boundaries (or from the centre line of an adjoining lane*) on buildings up to 40 metres in height, where the applicant can demonstrate to the satisfaction of the responsible authority that the reduction will not cause an unreasonable impact on the future development potential or amenity of adjoining sites.</p> <p>The Development Plan nominates the heights of the towers at 64 metres and 50 metres therefore a 0 setback cannot be sought.</p> <p>* lane means a road reserve of a public highway 9 metres or less wide</p>	<p>10 metres</p> <p>Discretionary minimum tower setbacks from front of podium</p>	<p>Towers should be designed and spaced to:</p> <ul style="list-style-type: none"> • Equitably distribute access to an outlook, sunlight between towers and to ensure adequate sun penetration at street level. • Ensure habitable room windows do not directly face one another and that consideration has been given to the development potential of adjoining lots. Ensure sunlight, good daylight and privacy and an outlook from habitable rooms for both existing and proposed development can be provided. • Encourage the reasonable sharing of access to daylight and an outlook, and the mitigation of wind effects. • Ensure towers do not appear as a continuous wall at street level.
<p>Assessment</p>	<p><i>The discretionary requirements are sought to be varied and are supported.</i></p> <p>The application nominates the mandatory minimum tower setback of 5 metres fronting Queen Street and 5 metres from the centre of the CL1184. Setbacks vary from 3.28 metres from the title boundary to 10 metres from the northern title</p>		

	<p>boundary adjoining Munro Site.</p> <p>The tower setbacks comply with the minimum tower setbacks set in DPO11.</p> <p>The tower setbacks coupled with the modulated built form by varying heights allows for equitably distributed access to outlook, sunlight between towers and ensures acceptable daylight penetration at street level.</p> <p>The apartments have been orientated to optimise daylight, privacy and outlook from habitable rooms.</p> <p>The tower setbacks also ensure the towers do not appear as a continuous wall.</p>		
Tower separation	<p>10 metres</p> <p>Mandatory minimum tower separation within a site and from existing or approved towers on adjoining sites</p>	<p>24 metres</p> <p>Discretionary minimum tower separation within a site and from existing or approved towers on adjoining sites</p>	<p>Towers should be designed and spaced to:</p> <ul style="list-style-type: none"> • Equitably distribute access to an outlook, sunlight between towers and to ensure adequate sun penetration at street level. • Ensure habitable room windows do not directly face one another and that consideration has been given to the development potential of adjoining lots. • Ensure sunlight, good daylight and privacy and an outlook from habitable rooms for both existing and proposed development can be provided. • Encourage the reasonable sharing of access to daylight and an outlook, and the mitigation of wind effects. • Ensure towers do not appear as a continuous wall at street level.
Assessment	<p><i>The discretionary requirements are sought to be varied and are supported.</i></p> <p>The application provides a minimum 5 metre setback from side and rear boundaries (or to the centreline of a lane) where building height is above 40 metres (22 metres along the southern boundary) as required under DPO11. This arrangement results in compliance with the mandatory minimum tower separation of 10 metres.</p> <p>As discussed in the above provision, the tower separation will achieve the built form outcomes. The tower setbacks coupled with the modulated built form by varying heights allows for equitably distributed access to outlook, sunlight between towers and ensures acceptable daylight penetration at street level.</p> <p>The apartments have been orientated to optimise daylight, privacy and outlook from habitable rooms.</p> <p>The tower setbacks also ensure the towers do not appear as a continuous wall.</p>		
Building heights and Floor Area	<p>No mandatory building heights</p>	<p>40 metres - Discretionary building heights</p> <p>New development should not cast a</p>	<p>Ensure that development provides a moderating</p>

<p>Ratios</p>		<p>shadow across the Flagstaff Gardens or the proposed public open space between 11am and 2pm on 22 June, unless the Responsible Authority considers the overshadowing will not significantly prejudice the amenity of the open space.</p> <p>**Any application to exceed the discretionary heights must be supported by 3D modelling and an assessment of the visual impact on the proposed public open space shown on Figure 1 to this schedule, Flagstaff Gardens and on the public realm</p>	<p>transition to the proposed public open space and the future visitor centre.</p>
<p>Assessment</p>	<p><i>The discretionary requirement is sought to be varied and is supported</i></p> <p>The application proposes a maximum height of 67 metres and provides a moderating transition to the proposed public open space and the future visitor centre.</p> <p>The proposal does not cast a shadow across the Flagstaff Gardens or the proposed public open space between 11am and 2pm on 22 June. Overshadowing will be limited to mostly private rooftops and road space which is an acceptable outcome.</p>		

8.5 Clause 22.01 Urban Design within the Capital City Zone

The proposal responds positively to the objectives and policy requirements of Clause 22.01 – Urban Design within the Capital City. The proposal achieves this for the following reasons:

- The proposal through sensitive and innovative design will enhance the physical quality and character of the area including the laneway.
- There is sufficient separation between heritage building and the residential building to ensure a high level of amenity is retained.
- The building envelope responds to the Site's context (heritage retention and neighbours).
- The modulation of the building breaks up the building envelope and perception of height.
- The building has been designed in the round, is of a high architectural standard, and provides visual interest in the facades.

8.6 Proposed Amendment C308

The proposal is consistent with key aspects of this proposed amendment as follows:

- The ground floor and first floor layouts provide a mixture of activation including retail spaces, a lobby area and numerous entry points which engage the pedestrian.
- The use of high quality and tactile materials and fine grain design.
- There is no on site car parking.
- The vehicle loading entrance is accessed via a laneway therefore does not undermine the attractiveness or safety of the pedestrian experience along Queen Street.
- The entrance designs are safe, attractive and accessible.

8.7 Wind

Mel Consultants Pty Ltd conducted wind tunnel tests on the original plans. The wind assessment prepared by Mel Consultants Pty Ltd dated April 2020 concludes that:

- Little significant wind impacts of the development on the surrounding streetscapes.
- The wind conditions in the proposed public open space and the frontages of Therry St, Queen St, and the southern side of the New Franklin St and Peel St would generally achieve the short term stationary criterion.
- All other adjoining public spaces would generally achieve the walking criterion.

These findings would satisfy the intention of DPO11.

The wind conditions for the Proposed Configuration in the streetscapes that surround the Queen Street development satisfy the safety criterion.

A wind tunnel assessment for the s50 plans is not required because of the minor change to the built form which reduces podium height, and the results of the wind tunnel tests on the original plans showing compliance.

8.8 Parking Overlay Schedule 1 (Capital City Zone – Outside the Retail Core) (PO1)

Zero car onsite parking spaces is proposed and therefore a permit is not required under this overlay. Council's traffic engineers are supportive of no on site car and motorcycle parking.

8.9 Bicycle Facilities

Clause 52.34 Bicycle Facilities provides the statutory requirements for onsite bicycle parking and facilities. The proposal generates a statutory bicycle parking requirement of 49 bicycle spaces and provides 180 bicycle spaces which exceeds the requirements of this provision.

The proposed end of trip facilities of 3 showers and change rooms meet the requirements of Clause 52.34.

Bicycle access to the end of trip facilities is convenient and safe.

8.10 Sustainability

Overall the proposal is generally of a good standard to satisfy Clause 22.19 requirements.

The proposal achieves Green Star pathway targets of 68 points for a 5 Star rating (equivalent). The targets, pathway approach and documentation are well communicated and supported.

The energy targets for the development are good, with 7 Star minimum average NatHERS performance with 8 Star stretch targets incorporated for dwellings, which is in line with industry best practice.

The non-residential portions are compliant with NCC 2019 requirements, which is a significant increase from NCC 2016. Additional improvements over NCC compliance are incorporated in the Green Star strategy.

External hard surfaces have been treated using a combination of permeable pavement and maximising landscaped areas. Rainwater harvesting is also proposed, with a rainwater tank volume of 25,000 L included to demonstrate compliance with Clause 22.23.

Subject to conditions, the proposed development will meet the relevant requirements of Clause 22.19 and Clause 22.23.

8.11 Green façades and landscaping

The proposal includes roof terrace gardens and balcony planters.

To ensure the green facades and landscaping are successful and maintained, it is recommended that a detailed Landscape Plan, Landscape Maintenance Plan and Irrigation Performance Specification be required, submitted and approved prior to commencement of development.

8.12 Apartment Developments (Clause 58)

A Clause 58 assessment has been undertaken by the applicant and submitted with the application. This includes accompanying drawings prepared by the project architects and a schedule. An assessment of the development's compliance with Clause 58 Standards and Objectives is as follows:

Standard	Response
D1 – Urban context	<p>Complies</p> <p>The site is affected by Development Plan Overlay, Schedule 11, which envisages a preferred future development of the area for a podium tower form.</p> <p>The proposed building measures at 67 metres in height, which responds to its future context. Refer to Built Form section above for further details.</p>
D2 – Residential policy	<p>Complies</p> <p>Higher density residential development is proposed and supported as the site is ideally located amongst services,</p>

	infrastructure and amenities.
D3 – Dwelling diversity	Complies A diverse mix of units including one and two dwellings with some including study areas are proposed.
D4 – Infrastructure	Complies The development can be connected to services and infrastructure.
D5 – Integration with the street	Complies Separate pedestrian and vehicle loading entries are proposed. The vehicle entry point to the building is via a Council Lane and pedestrian access via Queen Street, the future laneway to the north and Munro Square.
D6 – Energy efficiency	Complies The proposal satisfies the objective and standard. Refer to the Sustainability section of this report for more details.
D7 – Communal open space	Complies The Standard requires 250 m ² of communal outdoor open space and the proposal has 218 m ² which is shortfall of 32 m ² on level 4. Internal communal areas of 170 m ² is also provided on this level, adjacent to and looking on to the outdoor space. Given the unison of both spaces, the northern orientation and view across to the Queen Victoria Markets, the short fall of 32 m ² outdoor space is supported.
D8 – Solar access to communal open space	Complies The communal open space is located on top of the podium and has been orientated to the north and west (towards Queen Street). Due to the emerging built form context, the communal open space does not achieve sunlight to 50% of the outdoor area on 22 June. The proposal does however take advantage of the low built form to the west and has orientated the communal open space towards the west as well as north. This approach is supported.
D9 – Safety	Complies The residential access point is located off Queen Street and is easily identified, well-lit and safe.
D10 – Landscaping	Complies There is meaningful landscaping proposed on the podium.
D11 – Access	Complies Loading and waste collection is proposed via Council Lane and is supported.
D12 – Parking location	N/A – no on site car parking is proposed.
D13 – Integrated water and stormwater management	Complies Water Sensitive Urban Design has been integrated into the development.
D14 – Building setback	Complies The tower building has been adequately setback from sides for all dwellings to have adequate daylight to habitable room windows and avoiding direct views into habitable room windows.
D15 – Internal views	Complies

	N/A - the proposal does not provide opportunity for internal views.
D16 – Noise impacts	Complies An acoustic report has been submitted with the application and assessed, amongst other things, internal noise level criteria for external noise intrusion based on the Victorian planning acoustic provisions in the Better Apartments Design Standards (BADs).
D17 – Accessibility	Complies 53% of the apartments are accessible. The accessible apartments are dispersed through the building (i.e. located on various levels) which is supported. The proposal exceeds the standard of 50%.
D18 – Building entry and circulation	Complies The residential entry is clearly visible from Queen Street. The splay from Queen Street has been designed to maximum views into this space and the residential entry from the public realm.
D19 – Private open space	Complies The majority of the apartments meet this requirement. The minimum dimension (ie width or depth) is not accommodated for the full extent of some balconies however is typically exceeded in other areas and therefore is supported.
D20 – Storage	Complies All apartments meet or exceed the storage requirement.
D21 – Common property	Complies Common property has been integrated into the development and is functional and capable of efficient management.
D22 – Site services	Complies Installation and maintenance have been considered. Mailboxes are to be located in the residential foyer, managed by a concierge service.
D23 – Waste and recycling	Complies Separate waste rooms are proposed for each use.
D24 – Functional layout	Complies All bedrooms and living areas meet or exceed the requirements of this standard.
D25 – Room depth	Complies All habitable rooms have good access to daylight. The apartments comply with this standard.
D26 – Windows	Complies All habitable rooms have good access to daylight. The apartments comply with this standard.
D27 – Natural ventilation	Complies 52% of the apartments comply with the requirements of this standard which exceeds the Standard of 40%.

9 RECOMMENDATION

DELWP be advised the Melbourne City Council supports the planning application subject to the following conditions and notes:

Façade Strategy

1. Prior to the commencement of the development, excluding preliminary site works, demolition, any clean-up works and archaeological investigations, or as may otherwise be agreed with the Responsible Authority, a facade strategy and material and finishes must be submitted to the Responsible Authority and approved by the Responsible Authority in consultation with the Melbourne City Council. All materials, finishes and colours must be in conformity with the approved Façade Strategy to the satisfaction of the Responsible Authority in consultation with the Melbourne City Council. Unless otherwise approved by the Responsible Authority, the Façade Strategy must be generally in accordance with the development plans and must address the following matters:
 - a. A description by the architect of the building design concept and how the façade works to achieve this.
 - b. Further details of each façade type to ensure the delivery of a high quality and textured building.
 - c. Plans, elevations and sections generally at a scale of 1:50 illustrating typical podium details, entries and doors, utilities, typical tower detail, key junctures, and any special features which are important to the building's presentation.
 - d. A schedule of materials, finishes and details, including but not limited to the type and quality of materials, colour and appearance, confirming reflectivity not greater than 15% and providing an assessment of potential impacts relating to glare.
 - e. Preliminary profile detail demonstrating how the brick tiles will transition between intersecting interfaces to maintain the impression of authentic facade depth and quality.
 - f. Resolution of the ground plane to ensure a high-quality pedestrian environment. Further detailed sections and plans at a scale of 1:50 to understand how the ground floor retail tenancies will interact with each street interface to create a positive relationship with the public realm.

The strategy must illustrate the legibility of the proposal from short and distant views, including the extent of façade pattern, colours and ability to provide richness, texture and depth. This can be provided through montages from various vantage points and / or built model.

Conservation management plan

2. Prior to the commencement of the development, including demolition, a Conservation Management Plan for the retained sections of the heritage building must be submitted to and be approved by Melbourne City Council. When approved, the Conservation Management Plan will form part of the permit. Works to the heritage building approved under this permit must be undertaken in accordance with the Conservation Management Plan to the satisfaction of Melbourne City Council.

Structural report

3. Prior to the commencement of the development, including demolition, a report prepared by a suitably qualified Structural Engineer, or equivalent, must be submitted to Melbourne City Council, demonstrating the means by which the retained portions of building will be supported during demolition and construction works to ensure their retention, to the satisfaction of Melbourne City Council. The recommendations contained

within this report must be implemented at no cost to Melbourne City Council and be to the satisfaction of Melbourne City Council.

Bank guarantee for works

4. Prior to the commencement of any external demolition works, a bank guarantee or bond, to the value of \$200,000 must be deposited with Melbourne City Council to ensure that the heritage works are completed in accordance with the endorsed plans and specifications. The bank guarantee or bond will be returned when the works are completed to the satisfaction of Melbourne City Council.

Completion of heritage works

5. At the completion of the heritage works to 432-438 Queen Street, Melbourne the owner must provide a written submission from the approved Heritage Consultant to Melbourne City Council, confirming that the project has been completed in accordance with the endorsed conservation management plan. The written submission must be to the satisfaction of Melbourne City Council.

Legal Agreements

6. Prior to the occupation of the development excluding preliminary site works, demolition and any clean-up works, or as may otherwise be agreed with Melbourne City Council, the owner of the land must enter into an agreement with Melbourne City Council pursuant to Section 173 of the Planning and Environment Act 1987. This agreement must:
 - a. The provision of at least 10 percent of dwellings as affordable rental dwellings on the land in perpetuity.
 - b. The affordable rental dwellings provided on the land must be managed by a registered affordable housing provider and made available only to persons who meet the Department of Health and Human Services Victorian Office of Housing eligibility criteria for such housing.
 - c. The affordable rental dwellings provided on the land must be completed from the date of the issue of a certificate of occupancy to the satisfaction of Melbourne City Council.

The owner must pay all of the Responsible Authority's and the Council's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.

Waste Arrangements

7. Prior to the commencement of the development, a Waste Management Plan (WMP) shall be prepared, submitted and approved by the Melbourne City Council. The WMP should detail waste storage and collection arrangements and be prepared with reference to the Melbourne City Council Guidelines for Preparing a Waste Management Plan. Waste storage and collection arrangements must not be altered without prior consent of the Melbourne City Council.

Traffic Management Plan

8. Prior to the commencement of the use and / or development, a revised Traffic Management Plan (TMP) shall be prepared, submitted and approved by the Melbourne City Council. Traffic management arrangements must not be altered without prior consent of the Melbourne City Council.

Consolidation

9. Prior to the commencement of works, excluding preliminary site works, demolition, any clean-up works and archaeological investigations, all the land for the proposed development must be consolidated onto the one certificate of title to the satisfaction of the Melbourne City Council.

Implementation of Environmentally Sustainable Design (ESD)

10. Prior to the occupation of any building approved under this permit, a report from the author of the endorsed ESD report, or similarly qualified persons or companies, outlining how the performance outcomes specified in the amended ESD report have been implemented must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority in consultation with Melbourne City Council and must confirm and provide sufficient evidence that all measures specified in the approved ESD report have been implemented in accordance with the relevant approved plans.

Landscape Package

11. Prior to commencement of development, a complete Landscape package, Landscape Maintenance Plan and a Landscape Irrigation Performance Specification in connection with the proposed development must be submitted to, and be approved by the Responsible Authority in consultation with Melbourne City Council. The landscape package should include detailed planter sections including soil volumes and schedules of species with specific consideration given to soil volume requirements and growing medium proposed. The Landscape Maintenance Plan should provide details of proposed maintenance regimes with provision for maintenance beyond the fifty two week period following Practical Completion. Except with the prior written consent of the Responsible Authority the approved landscaping must be implemented prior to the occupation of the development. The landscaped area(s) must be maintained to the satisfaction of the Responsible Authority.

Civil Conditions

12. All projections over the street alignment must be drained to a legal point of discharge in accordance with plans and specifications first approved by Melbourne City Council.
13. Prior to the commencement of the development, a stormwater drainage system, incorporating integrated water management design principles, must be submitted to and approved by Melbourne City Council. This system must be constructed prior to the occupation of the development and provision made to connect this system to Melbourne City Council's underground stormwater drainage system. Where necessary, Melbourne City Council's drainage network must be upgraded to accept the discharge from the site in accordance with plans and specifications first approved by Melbourne City Council.
14. Prior to the commencement of the use / occupation of the development, all necessary vehicle crossings must be constructed and all unnecessary vehicle crossings must be demolished and the footpath, kerb and channel reconstructed, in accordance with plans and specifications first approved by Melbourne City Council.
15. All portions of roads and laneways affected by the building related activities of the subject land must be reconstructed together with associated works including the reconstruction or relocation of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by Melbourne City Council.

16. Corporation Lane 1184 adjoining the site 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 Melbourne City Council.
17. The footpath adjoining the site along Queen Street must be reconstructed in sawn bluestone together with associated works including the renewal of kerb and channel with 300 mm wide bluestone kerb and 250 mm wide bluestone gutterstone, provision of street furniture and modification of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by Melbourne City Council.
18. Existing street levels in Roads adjoining the site must not be altered for the purpose of constructing new vehicle crossings or pedestrian entrances without first obtaining approval from Melbourne City Council.
19. All street lighting assets temporarily removed or altered to facilitate construction works shall be reinstated once the need for removal or alteration has been ceased. Existing public street lighting must not be altered without first obtaining the written approval of Melbourne City Council.
20. Prior to the commencement of the development, excluding preliminary site works, demolition and any clean up works, or as may otherwise be agreed with Melbourne City Council, a lighting plan must be prepared to the satisfaction of Melbourne City Council. The lighting plan should be generally consistent with Council's Lighting Strategy, and include the provision of public lighting in Queen Street and Corporation Lane 1184. The lighting works must be undertaken prior to the commencement of the use / occupation of the development, in accordance with plans and specifications first approved by Melbourne City Council.
21. Existing street furniture must not be removed or relocated without first obtaining the written approval of Melbourne City Council.
22. All street furniture such as street litter bins, recycling bins, seats and bicycle rails must be supplied and installed on Queen Street footpaths outside the proposed building to plans and specifications first approved by Melbourne City Council.

Construction Management Plan conditions

23. Prior to the commencement of the development, or as otherwise be agreed with the Melbourne City Council, a detailed construction and demolition management plan (potentially staged) must be submitted to and be approved by the Melbourne City Council – Construction Management Group.

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

- a. public safety, amenity and site security.
- b. operating hours, noise and vibration controls.
- c. air and dust management.
- d. stormwater and sediment control.
- e. waste and materials reuse.
- f. traffic management.
- g. protection of street trees.

3D Model

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

NOTES

- All necessary approvals and permits are to be first obtained from the Melbourne City Council and the works performed to the satisfaction of Melbourne City Council.

Prior to the occupation CL1184 must be named in accordance with the Geographic Place Names Act 1998 to provide appropriate street addressing for the retail tenancies title to the satisfaction of the Melbourne City Council.