
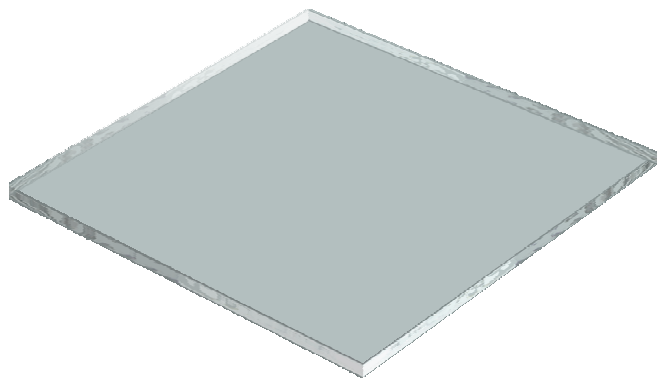

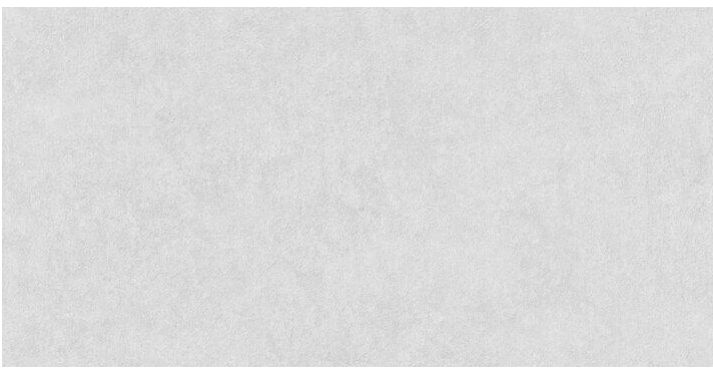
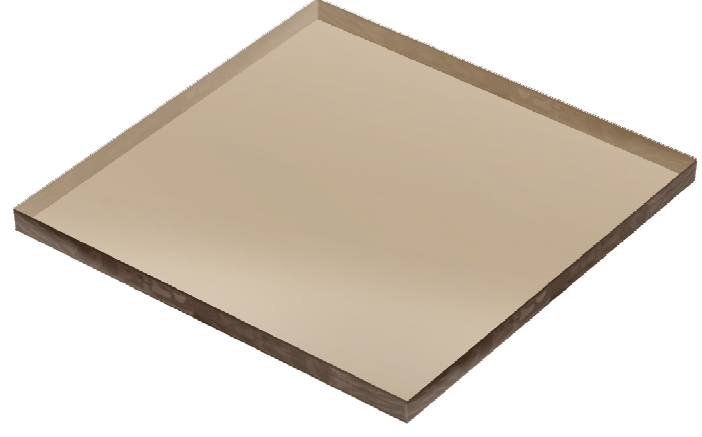
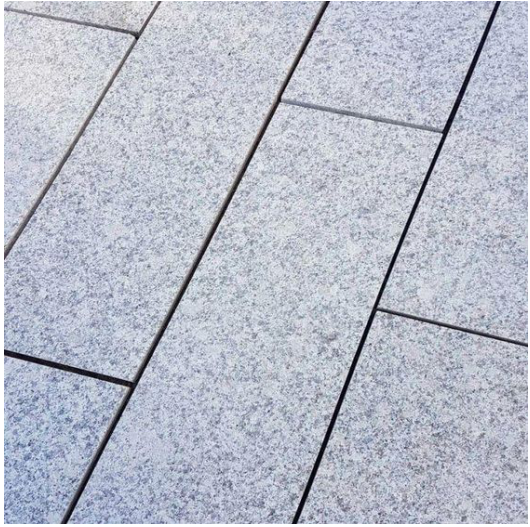

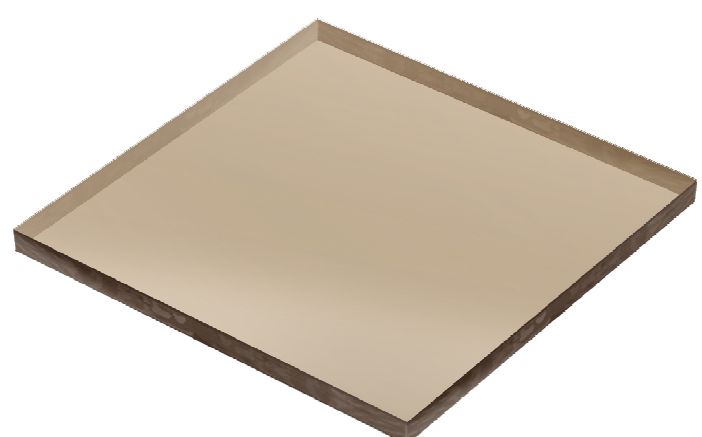


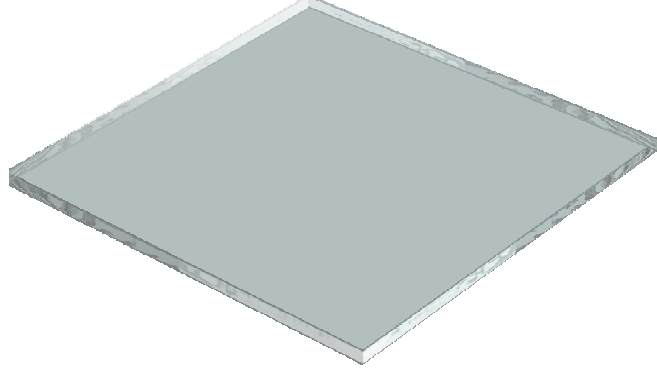


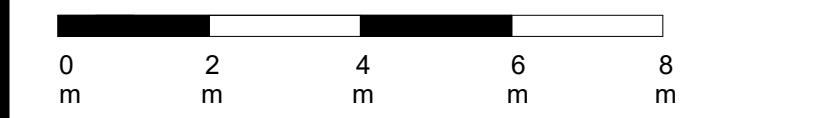
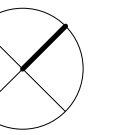


EXTERNAL MATERIAL FINISHES

AL-01	ALUMINIUM - ANODISED SILVER Flush-faced curtain wall facade system c/w internal powder-coated mullions		GLT-01 GLT-01A	DOUBLE GLAZING CLEAR		ST-01	GRANITE (OR SIMILAR) LIGHT GREY Stone cladding c/w concealed fixings	
CON-01	CONCRETE Oxides/ pigments added for colour and texture		GLT-02 GLT-02A	DOUBLE GLAZING TINTED BRONZE Flush-faced curtain wall facade system c/w internal powder-coated mullions		ST-02	GRANITE PAVING (OR SIMILAR) LIGHT GREY Stone paving c/w concealed fixing	
CON-02	GRC LUSTROUS WHITE SMOOTH Glass reinforced concrete wall cladding panels and facade system c/w concealed framing		GLT-03 GLT-03A	DOUBLE GLAZING TINTED BRONZE HIGH PERFORMANCE Flush-faced curtain wall facade system c/w internal powder-coated mullions (for upper western facade)		ST-03	STEPPING STONE Raw cuts of stone as pathway	
CON-03	GRC WHITE TEXTURED Glass reinforced concrete wall cladding panels and facade system c/w concealed framing		GLT-04 GLT-04A	DOUBLE GLAZING CLEAR W/ INTERNAL FRAMING Fixed glazing with 550(H) x1500(L) internal framing. Option to replace with operable louvers where tenants elect wintergarden				
LVR-01	ROOF PLANT LOUVER CHARCOAL MATTE Aluminium open louver screen system in repeated modules, powder-coated		ME-01	METAL BALUSTRADE CHARCOAL				

REFERENCE MAP

NORTH



- NOTES**
- Do not scale drawing. Written dimensions govern
 - All dimensions are in millimeters unless noted otherwise
 - All dimensions shall be verified on site before proceeding with the work. Hassell shall be notified in writing of any discrepancies.
 - This drawing must be read in conjunction with all relevant contracts, specifications and drawings
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REV	DESCRIPTION	DATE
A	ISSUE FOR TOWN PLANNING	28/06/2023
B	ISSUE FOR TOWN PLANNING	21/02/2024

CONSULTANT

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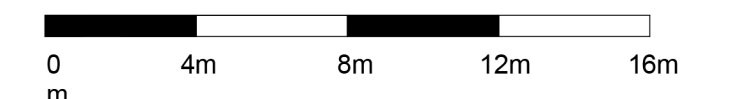
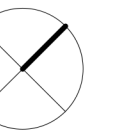
CLIENT
Investa

PROJECT
522 Flinders Lane
522 Flinders Ln
Melbourne VIC 3000

STATUS
TOWN PLANNING

DRAWING TITLE
EXTERNAL FINISHES

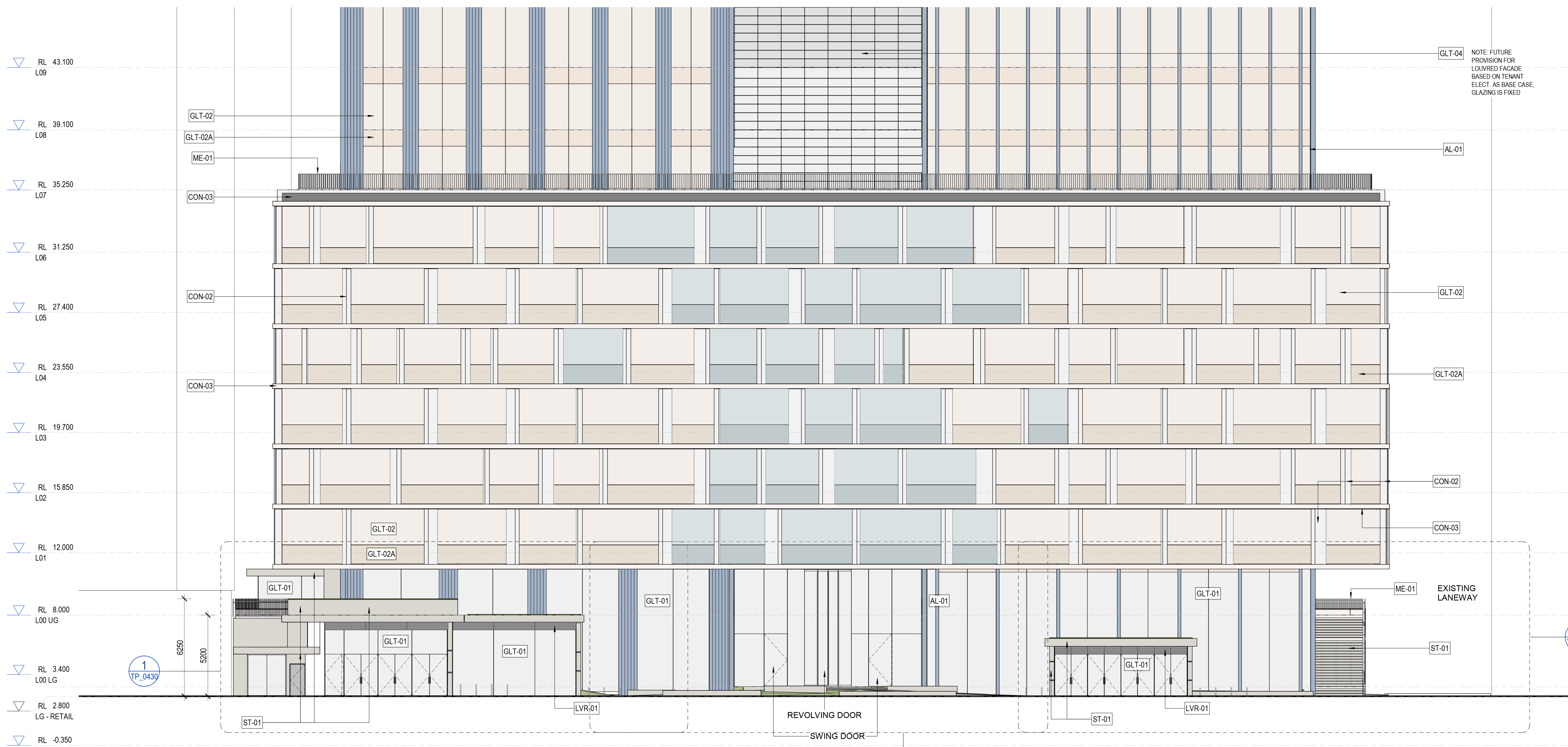
REVIEWED AL	SCALE @ A1
APPROVED RJ	PROJECT NO. 014557
DRAWING NO. TP_0002	REV NO. B



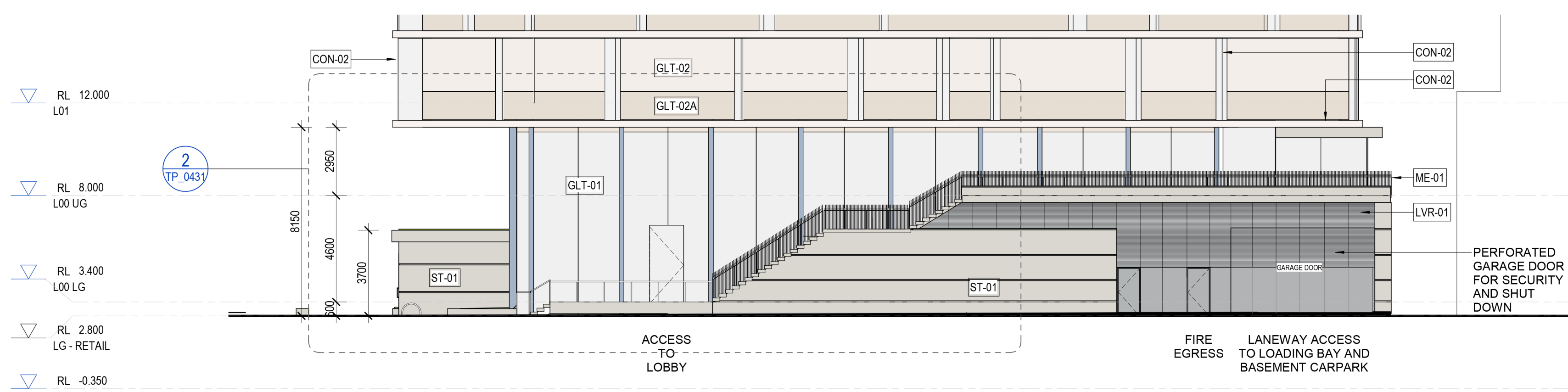
NOTES

1. Do not scale drawing. Written dimensions govern
2. All dimensions are in millimeters unless noted otherwise
3. All dimensions shall be verified on site before proceeding with the work. Hassell shall be notified in writing of any discrepancies.
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REV	DESCRIPTION	DATE
A	ISSUE FOR TOWN PLANNING	28/06/2023
B	ISSUE FOR TOWN PLANNING	21/02/2024
C	ISSUE FOR TP CENTRE GLAZING TONE ADJUSTED	18/03/2024



1 ELEVATION - SOUTH - STREET DETAIL
1:150



2 ELEVATION - EAST - STREET DETAIL
1:150

MATERIAL KEY			
AL-01	ALUMINIUM - ANODISED - SILVER	GLT-02	TINTED DOUBLE GLAZING - SOFT BRONZE
CON-01	CONCRETE	GLT-02A	GLAZED SPANDREL MATCHING GLT-02
CON-02	GRC - SMOOTH - LUSTROUS WHITE	GLT-03	HIGH PERFORMANCE TINTED DOUBLE GLAZING - MATCHING GLT-02
CON-03	GRC - TEXTURED - WHITE	GLT-03A	HIGH PERFORMANCE GLAZED SPANDREL MATCHING GLT-03
CR-01	CEMENT RENDER - CHARCOAL, MATCHING ROOF PLANT LOUVER	GLT-04	FIXED GLAZING TO 1M, OPERABLE GLAZED LOUVER ABOVE (FOR OPTIONAL TENANT WINTERGARDENS)
LVR-01	LOUVER - CHARCOAL	ME-01	METAL BALUSTRADE - WHITE
GLT-01	CLEAR DOUBLE GLAZING	ME-02	METAL BALUSTRADE - CHARCOAL, MATCHING PLANT LOUVER
GLT-01A	GLAZED SPANDREL MATCHING GLT-01	ST-01	GRANITE (OR SIMILAR) - LIGHT GREY

CONSULTANT

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CLIENT

Investa
PROJECT
522 Flinders Lane
522 Flinders Ln
Melbourne VIC 3000

STATUS
FOR INFORMATION

DRAWING TITLE
ELEVATIONS - DETAIL

REVIEWED LG	SCALE @ A1 As indicated
APPROVED AL	PROJECT NO. 014557
DRAWING NO. TP_0403	REV NO. C

DELEGATE REPORT

MINISTERIAL PLANNING REFERRAL

Melbourne City Council application number:	TPMR-2023-19
Department of Transport and Planning application number:	PA2302533
Applicant:	ICPF Nominees Pty Ltd
Owner:	ICPF Nominees Pty Ltd
Architect:	Hassell Architects
Address:	522-552 Flinders Lane, Melbourne
Proposal:	Demolition of the existing building and the construction of a multi-storey office building
Cost of works:	\$332 million
Date application received by the Melbourne City Council:	16 October 2023
Date amended application received by the City of Melbourne	1 March 2024
Responsible officer:	Matthew Mukhtar, Principal Urban Planner

1 SITE AND SURROUNDS

1.1 Site

Planning permit application TPMR-2023-18 / PA2302533 (**Application**) relates to 522-552 Flinders Lane, Melbourne (**Site**) which is formally identified as Lot 1 on Plan of Subdivision 509757D.

The Site is approximately 3,196 square metres in area and is rectangular in shape. It is located on the northern side of Flinders Lane (a 20 metre road reserve), between Spencer Street and King Street, a frontage of approximately 74 metres to Flinders Lane and depth of approximately 43 metres. It contains a multi-storey concrete carpark with over 1,000 car parking spaces accessed via two double-width crossovers. The Site slopes upward from Flinders Lane to the rear (north) laneway and the surrounding land continues sloping upwards to Collins Street.

The abutting and surrounding properties include:

- East: private laneway 5261 (**PL5261**), a 7.8 metre wide private laneway that provides pedestrian access from Flinders Lane to Collins Street through 559-587 Collins Street via a stair. Further east is 43-61 King Street, an eight-storey office building with a permit for the staged construction of a part 31 and part 36 storey building, which provides for pedestrian access from PL5261 to King Street through the lobby.

- South: Flinders Lane, a public street with a 20 metre wide road reserve with dual carriage way and parallel on-street restricted car parking to both the northern and southern sides. Four public street trees are located within the pedestrian footpath in front of the Site. Further south is 539-545 Flinders Lane, a five storey building with a permit for a mixed use 32 storey building.
- West: 595 Collins Street, a multi-storey office building in a podium and tower form.
- North: 559-587 Collins Street, a multi-storey office building with a retail forecourt.



Figure 1 – aerial image of the Site (Source: Nearmap, dated 3 February 2024)



Figures 2 and 3 – view to the Site from Flinders Lane (left) and the view between the Site and 559-587 Collins Street (Source: City of Melbourne, dated 12 February 2024)

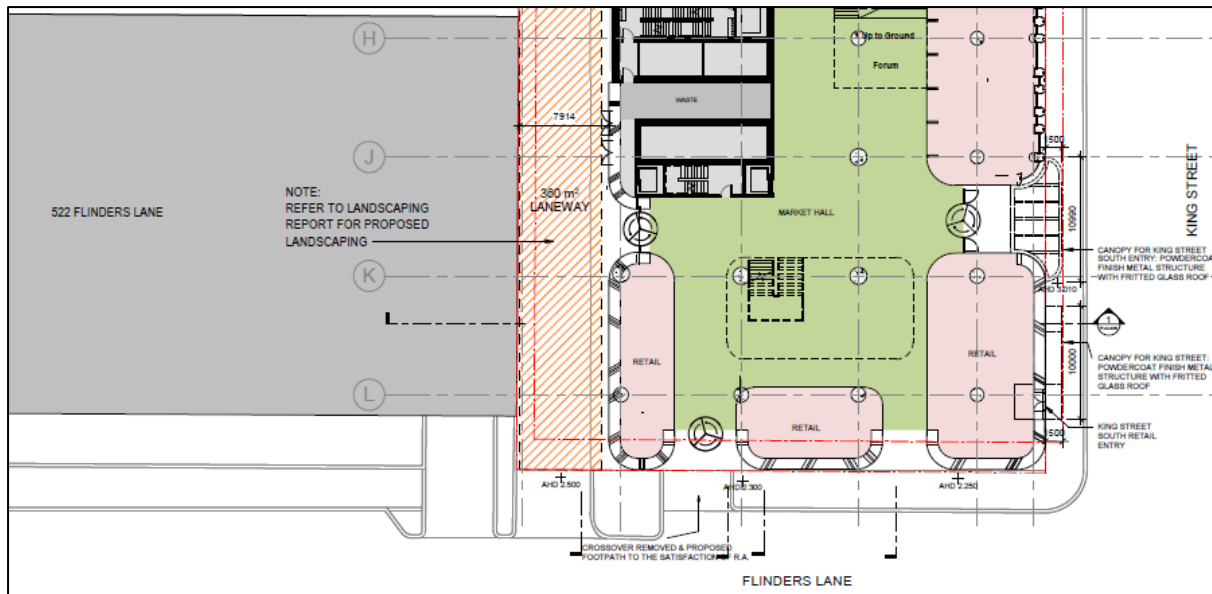


Figure 4 – extract of the endorsed lower ground floor of planning permit PA1900572-1 at 43-61 King Street

1.2 Surrounds

The Site is located within Melbourne's Central Business District (**CBD**) where high density employment, retail, leisure, residential, and commercial uses are within close proximity and supported with multiple transport options. Surrounding parks include Batman Park (south) and the Spencer Street Plaza (north-west). Nearby recent developments proximate to the Site include:

- 555 Collins and 43-61 King streets: staged development of a part 31 and part 36 storey building.
- 582-606 Collins Street: approved 47-storey office development.
- 607-623 Collins Street: proposed 43-storey mixed use building.
- 539-545 Flinders Lane: approved 32-storey residential hotel.
- 509 Flinders Lane: a complete 31-storey residential hotel.
- 566-580 Flinders Street: a proposed 21-storey residential hotel.



Figure 5 – Extract of the City of Melbourne Development Activity Model with the Site and proposed building illustrated (the model shows massing models rather than detailed models)

1.3 Certificate of title

The registered search statement does not identify that the Site is burdened by any restrictive covenants or agreements under section 173 of the *Planning and Environment Act 1987 (Act)*.

Plan of Subdivision 509757D indicates the Site is affected by the following easements:

- E-1: a part three and part two metre drainage easement running east-west at the rear (north) and north-south through the Site in favour of 559-587 Collins Street.
- A-1: the Site benefits from a carriageway easement over PL5261.

These are discussed further throughout this report.

1.4 Aboriginal Cultural Heritage

The Site is not included in an area of legislated cultural heritage sensitivity under the *Aboriginal Heritage Regulations 2018*.

1.5 Victorian Heritage Inventory

The Site is included in the Victorian Heritage Inventory for its potential to contain historical archaeological remains. Under the terms of the *Heritage Act 2017* there is protection for all historical archaeology sites and objects which the applicant must ensure compliance with. A note will be recommended on the permit (should one issue) to remind the permit holder of its obligations.

2 BACKGROUND AND HISTORY

2.1 Planning permit application history

2.1.1 Victorian Design Review Panel

The proposal was subject to two Victorian Design Review Panel (**VDRP**) sessions held by the Office of the Victorian Government Architect. There was overall support for the proposal, with the following areas of further refinement:

- Further articulation of the street wall to mark the primary pedestrian entrance from Flinders Lane.
- Accentuate the difference between the two tower forms.
- Improved integration of the roof plant to the two tower forms.
- Support for the through-block pedestrian link to 559-587 Collins Street.
- Tower wintergardens to be detailed in the application documents.
- Ensure the eastern laneway interface delivers an active pedestrian experience.
- Further details of the ground floor landscaping, materials, lighting and floor surfaces.

2.1.2 Amendments to the Application

On 1 March 2024, the applicant amended the Application pursuant to section 50 of the Act to (amongst other things):

- Amend the façade design of the two tower forms to distinguish them.
- Amend the design and setbacks of the roof plant to integrate it with the tower forms.
- Reduce the height of the tower parapet by 0.9 metres.

2.1.3 Discussion plans

Following the above amendment, the applicant has also provided the following:

- Increasing the depth of the central tower indent by 500 mm (from 2500 mm to 3000 mm).
- Include a variation in podium glazing as shown in drawing TP_0403 (Elevations – Detail) prepared by Hassell Architects dated 18 March 2024.

2.2 Relevant planning scheme amendments

2.2.1 Amendment C384melb

Amendment C384melb to the Planning Scheme seeks to apply the Land Subject to Inundation Overlay, Schedule 3 over part of the Site and to establish Melbourne Water as a determining referral authority for permit applications. The amendment has been publicly exhibited and a Planning Panel released its report on 10 January 2023. It is anticipated that the amendment will be presented to the Future Melbourne Committee in due course. A referral of the Application to Melbourne Water is for the Responsible Authority to consider.

3 PROPOSAL

The Application seeks approval for demolition of the existing building and the construction of a multi-storey office building. The proposal is summarised as follows:

- 2 storeys of basement which includes: 68 car parking, 374 bicycle and 12 motorcycle spaces.
- 8 storey podium which includes: a double storey undercroft pedestrian entrance, 28 visitor bicycle spaces, end of trip facilities for bicycle users, two retail tenancies, shared office spaces, terraces, and buildings services.
- 21 storey tower which includes: open plan office floor space.
- The proposed materials include: glass fibre reinforced concrete for the podium and anodised aluminium and tinted glazing for the tower form.

- Alterations to Flinders Lane including: removal and replacement of street trees, removal of crossovers, adjustments to the on-street car parking, and landscaping.

Site area:	3,196 m ²	Floor Area Ratio (excluding basement areas):	19.75:1
Proposed gross floor area (excluding basement areas):	63,110 m ²		
Street wall	32.55 metres ¹	Maximum building height	115.35 metres ²
Office:	40,695 m ²	Retail premises:	210 m ²

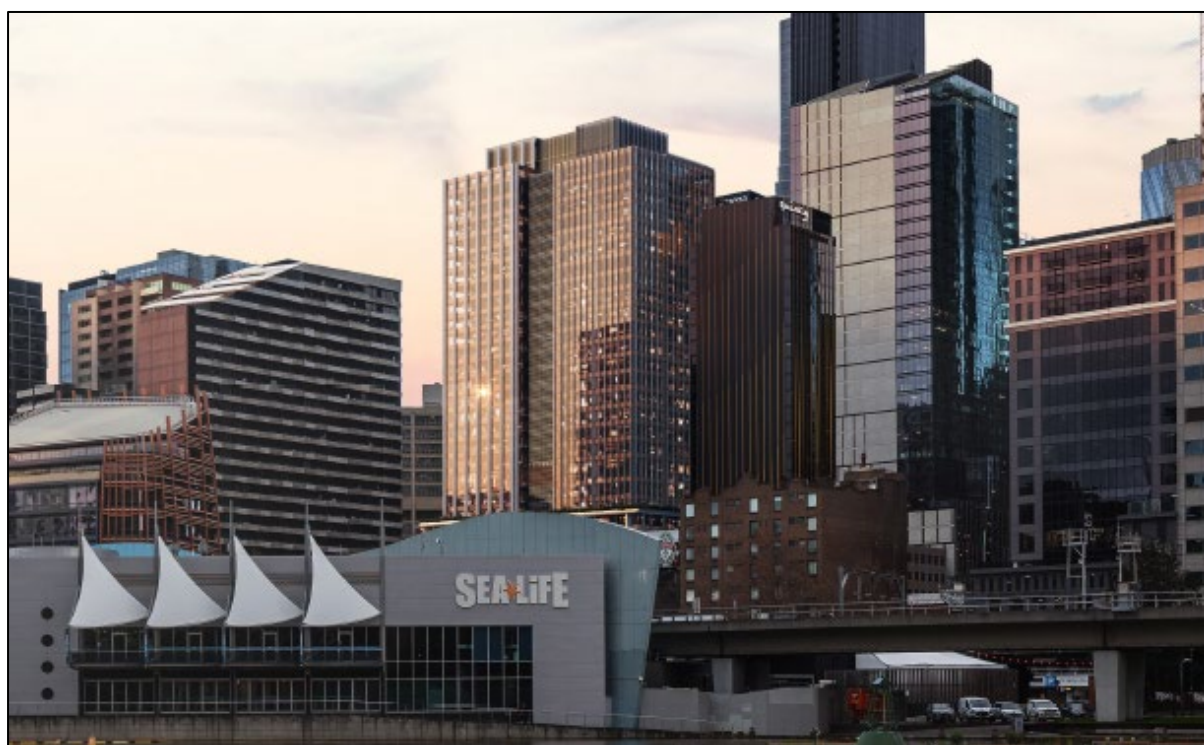


Figure 6 – render of the proposal as viewed from the south side of the Yarra River (Source: Town Planning Report prepared by Hassell Architects dated March 2024)

¹ Adopting RL 2.7 as the centre of the Site’s frontage to Flinders Lane subtracted from RL 35.250 (the spot height to the ridge-line of the parapet of the street wall with the exception of the architectural feature in accordance with the Design and Development Overlay, Schedule 10).

² Adopting RL 2.7 as the centre of the Site’s frontage to Flinders Lane subtracted from RL 118.050 (the spot height to the ridge-line of the parapet with the exception of the 3.0 metre architectural feature in accordance with the Design and Development Overlay, Schedule 10).

4 PLANNING CONTROLS AND POLICIES

4.1 Zone, overlays, and particular, general, and operational provisions

The table below summarises the key planning controls and requirements of the Planning Scheme.

Zone	
Clause 37.04	Capital City Zone
Schedule 1 – Outside the Retail Core (CCZ1)	<p><i>Land use – no permit required</i></p> <p>The proposal comprises an ‘Office’ and ‘Retail premises’ (other than Adult sex product shop, Department store, Hotel, Supermarket, and Bar) that do not require a permit.</p> <p><i>Demolition and buildings and works – permit required</i></p> <p>A permit is required to demolish a building, and to construct a building.</p> <p><i>Floor area ratio</i></p> <p>A permit must not be granted to construct a building with a floor area ratio in excess of 18:1 on land within the Design and Development Overlay, Schedule 10 applies unless a public benefit is provided and a condition on permit secures the benefit via an agreement under section 173 of the Act.</p>
Overlays	
Clause 43.02	Design and Development Overlay
Schedule 1 – Urban Design in Central Melbourne (DDO1)	<p><i>Buildings and works – permit required</i></p> <p>A permit is required to construct a building.</p>
Schedule 10 – General Development Area – Built Form (DDO10)	<p><i>Buildings and works – permit required</i></p> <p>A permit is required to construct a building.</p>
Clause 44.09	Parking Overlay
Schedule 1 – Central City Zone – Outside the Retail Core (PO1)	<p><i>Car parking – no permit required</i></p> <p>The PO1 establishes maximum car parking rates and encourages one motor cycle space for every one hundred car parking spaces.</p> <p>The net floor area of the proposed uses is 40,905 m² which results in a maximum car parking number of 205 spaces. The proposal provides for 68 car parking spaces and therefore no permit is required.</p> <p>The proposal provides for twelve motorcycle space which exceeds the minimum.</p>
Particular Provisions	
Clause 52.06	Car Parking
<p><i>Design standards</i></p> <p>The design standards and decision guidelines of clauses 52.06-9 and 52.06-10 apply to the design of the proposed car parking at the Site.</p>	
Clause 52.34	Bicycle Facilities

No permit required

As the below table shows, the proposed development provides in excess of the required number of bicycle facilities and showers and therefore does not require a permit under clause 52.34-2.

A condition on permit will require the design of the bicycle spaces to be in accordance with the requirements of clause 52.34 (Bicycle facilities) of the Melbourne Planning Scheme and/or comply with the relevant Australian Standards.

Use	No.	Statutory requirement	No. of bicycle spaces required
Office	40,695 square metres of net leasable floor area	Staff: One space to each 300 square metres of net floor area	136
		Visitor: One space to each 1,000 square metres of net floor area	41
Retail	210 square metres of net leasable floor area	Staff: One space to each 300 square metres of net floor area	1
		Visitor: One space to each 500 square metres of net floor area	0
Showers		Statutory Requirement 5 or more employee bicycle spaces are required, that 1 shower should be provided for the first 5 employee bicycle spaces, plus 1 to each 10 employee bicycle spaces thereafter.	No. of showers required 14
Total		Bicycle spaces required: Bicycle spaces provided: Showers required: Showers provided:	178 374 14 23

Clause 53.18	Stormwater Management in Urban Development
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Under Clause 53.18-3, an application to construct a building or construct or carry out works:

- Must meet all of the objectives of Clause 53.18-5 and 53.18-6.
- Should meet all of the standards of Clause 53.18-5 and 53.18-6.

Conditions recommended by the City of Melbourne's City Infrastructure, and Environmentally Sustainable Design officers (including the requirement for a Construction Management Plan) will appropriately manage stormwater runoff from the development in a manner that meets the requirements of this clause.

General Provisions

Clause 65	Decision guidelines
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Before deciding on an application or approval of a plan, the responsible authority must consider the matters set out in clause 65 of the Planning Scheme (including section 60 of the Act), as appropriate.

Operational Provisions

Clause 72.01	Responsible Authority
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The Minister for Planning is the Responsible Authority for this application as the gross floor area of the development exceeds 25,000 m².

5 STRATEGIC FRAMEWORK

The relevant policies of the Municipal Planning Strategy (**MPS**) and Planning Policy Framework (**PPF**) of the Planning Scheme are listed below. Regard has been given to key policies relevant to the proposed development at section eight of this report.

5.1 Municipal Planning Strategy (MPS)

The most relevant policies of the MPS are listed below.

- Clause 02.01 – Context
- Clause 02.02 – Vision
- Clause 02.03 – Strategic Directions
- Clause 2.04 Strategic Framework Plans

5.2 Planning Policy Framework (PPF)

The most relevant policies of the PPF are listed below.

- *Clause 11 – Settlement*
 - Clause 11.02 Managing growth
 - Clause 11.03 Planning for places
 - Clause 11.03-6L-09 Hoddle Grid
- *Clause 12 – Environmental and landscape values*
- *Clause 13 – Environmental risks and amenity*
- *Clause 15 – Built environment and heritage*
 - Clause 15.01 Built environment
 - Clause 15.01-1L-04 Urban design
 - Clause 15.01-1L-03 Sunlight to public spaces
 - Clause 15.01-2L-01 Energy and resource efficiency
 - Clause 15.01-2L-02 Floor area uplift and delivery of public benefits
- *Clause 17 – Economic Development*
 - Clause 17.01 Employment
 - Clause 17.02 Commercial
- *Clause 18 – Transport*
 - Clause 18.01 Land use and transport
 - Clause 18.02 Movement networks
- *Clause 19 – Infrastructure*
 - Clause 19.02 Community infrastructure
 - Clause 19.03 Development infrastructure
 - Clause 19.03-3L Stormwater management (water sensitive urban design)

6 PUBLIC NOTICE, OBJECTIONS, AND EXTERNAL REFERRALS

Public notice and external referrals are the responsibility of the Minister for Planning (through the Department of Transport and Planning) as the Responsible Authority.

It is noted that all of the planning controls applicable to the Application exempt the proposal from the notice requirements and review rights of the Act.

7 INTERNAL REFERRAL COMMENTS

The table below summarises the internal advice received from the relevant City of Melbourne internal departments, and officer response to them.

Comment	Officer response
City Design	
<p>The City Design department supports the proposal and makes the following recommendations:</p> <ul style="list-style-type: none"> • That a public through-block link be provided that it is legible from the public realm. • The difference in the expression of the two tower forms needs to be further expressed. • The height of the undercroft entrance increased by another storey (i.e. to three storeys). 	<p>As discussed in further detail at section eight of this report:</p> <ul style="list-style-type: none"> • The height of the undercroft entrance is double height which in addition to the setback provides a generous entrance. Refinements to the podium design will further enhance this as recommended by conditions. • The applicant has committed to further work on the through-block link, including discussions with the owner to the north. By way of condition, it is recommended that details of the link can be removed or future proofed. • In addition to the amendments to the façade introduced by section 50 of the Act, the increase of the depth of the central recess between the towers by 500 mm successfully differentiates the tower forms. • By way of condition, it is recommended that the variation in podium glazing, as depicted in the discussion plans, be introduced to the design.
Transport Engineering	
<p>The Transport Engineering department does not object to the proposal and makes the following comments:</p> <ul style="list-style-type: none"> • Encourages more motorcycle spaces. 	<ul style="list-style-type: none"> • The proposal exceeds the motorcycle requirements of the PO1 (1 required and 12 proposed). • The proposal provides the required amount of visitor bicycle spaces, 13 of

- | | |
|--|---|
| <ul style="list-style-type: none"> • The visitor bicycle spaces within the development must be easily accessible to visitors. • A Loading Management Plan (LMP) is required. • Objects to any changes to on-street car parking as part of a planning permit application. | <p>which are easily accessible via bicycle hoops in the setback to Flinders Lane.</p> <ul style="list-style-type: none"> • A LMP can be required via permit condition. • As discussed at section eight below, a condition is recommended to delete all works outside the title boundary, except closure of the existing crossovers and reinstatement of the kerb and channel. |
|--|---|

City Infrastructure

<p>Recommended that a number of standard permit conditions be included on any permit being granted to protect City of Melbourne's road-based assets and integrate the development with the stormwater drainage system.</p>	<p>These conditions will be recommended to be included on any permit to issue.</p>
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- | | |
|--|--|
| <p>The City Infrastructure department does not object to the proposal and makes the following comments:</p> <ul style="list-style-type: none"> • The proposed works outside of the title boundary do not appear to comply with City of Melbourne standards. • City of Melbourne does not allow changes to the existing street levels in roads adjoining the site for the purpose of constructing new pedestrian entrances. • The proposed development will necessitate the installation of a sewerage connection from the building to the sewer main located within the road reserve. | <ul style="list-style-type: none"> • As above, a condition is recommended to delete all works outside the title boundary, except closure of the existing crossovers and reinstatement of the kerb and channel. • The retail tenancies are the same level as the existing footpath and no adjustments to the footpath level are proposed. • A sewerage main has been included on the ground floor. |
|--|--|

Waste and Recycling

<p>The Waste and Recycling department reviewed the Waste Management Plan prepared by Leigh Design dated 14 December 2023 and provided the following comment to be addressed:</p> <ul style="list-style-type: none"> • Swept path diagrams need to be resubmitted using the updated architectural drawings. 	<p>This item can be addressed by a condition on the permit.</p>
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Land Survey

<p>The Land Survey department provided the following comments to be addressed (summarised):</p> <ul style="list-style-type: none"> • The lower ground floor plan includes pedestrian access over the abutting title boundary to the north. The Site does not benefit from 	<p>In response:</p> <ul style="list-style-type: none"> • Access from the abutting title boundary to 'temporary access to secondary doors to future substation replacement' will be required to be deleted via condition.
--	---

<p>carriageway rights over the abutting title boundary to the north.</p> <ul style="list-style-type: none"> • Recommended permit conditions with respect to the following: <ul style="list-style-type: none"> ○ Evidence be provided of the removal / variation of the drainage easement. ○ Easement of light and air created where windows are on the north title boundary. ○ Where service areas / storage cages are not independently accessed and relies on access over an adjoining car space, the adjoining car parking space must be deleted. 	<ul style="list-style-type: none"> • The removal and varying of an easement is a permit trigger. The applicant has not applied, and the Department of Transport and Planning has not required, to remove or vary the easements. It is therefore recommended that a permit condition will require evidence be provided that the drainage easement has been varied or deleted, or does not require varying or deletion, to facilitate the proposed development. It is noted that additional information may be submitted by the applicant to demonstrate this isn't required, but at the time of writing of this report, no information was submitted. • A light and air easement condition is included in the recommendation due to the proximity of windows to the boundary. It is noted that additional information may be submitted by the applicant to demonstrate this isn't required, but at the time of writing of this report, no information was submitted. • A permit condition will require clearway zones to be clearly marked in the basement where service areas are located near to car parking spaces.
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Environmental Sustainable Design (ESD) and Landscape

The ESD officer advised that the development commits to a level of sustainability that meets the objectives of clauses 15.01-2L-01 and 19.03-3L of the Planning Scheme subject to providing further information via planning permit conditions.

These conditions will be recommended to be included on any permit to issue.

Urban Forestry and Ecology

The Urban Forestry and Ecology department provided the following comments to be addressed:

- Public tree removal and replacement is subject to its own processes.
- The inclusion of standard permit conditions relating to the identification of impacts on existing street trees during the construction phase.

As above, the works outside of the title boundary are discussed in the assessment section of this report.

These conditions will be recommended to be included on any permit to issue.

8 ASSESSMENT

It is considered that the proposal is acceptable when reviewed against the relevant planning policies and controls. The key issues for consideration in the assessment of the Application are:

- Demolition
- Built form
- Floor area uplift and public benefit
- Sustainability and landscaping
- Engineering.

8.1 Demolition

The Application proposes to fully demolish the building on the Site.

Under the CCZ1, a permit and approved redevelopment are required to demolish a building.

Noting that the Site is not affected by the Heritage Overlay, complete demolition of the building is acceptable subject to the acceptability of the proposed redevelopment.

The CCZ1 requires a section 173 agreement for the construction of a temporary use (such as a park or a commercial use) should the Site remain vacant for six months after the completion of demolition, or if construction activity ceases for six months. It is recommended such a condition apply.

8.2 Built form

The proposal responds to the specific built form guidance for the development of the land contained within the following policies and built form controls of the Planning Scheme:

- The Planning Policy Framework
- Capital City Zone, Schedule 1
- Design and Development Overlay, Schedule 1
- Design and Development Overlay, Schedule 10.

The built form outcomes provided by the proposal are discussed in relation to these provisions below.

8.2.1 Capital City Zone and the Planning Policy Framework

The proposal has strong strategic support for the following reasons:

- The strategic directions at clause 2.03 envisage the substantial development and supply of office uses within the Melbourne CBD to contribute to its economic development and growth. As discussed throughout this report, the building is an appropriate scale having regard to its strategic and urban context.
- The proposal will incorporate high-quality architecture, design, and materials that will respond to and enhance the character of the area and positively contribute to the public realm, in accordance with clauses 11 and 15.
- The proposal advances the thrust of clause 18 by contributing to the reduction of private car dependency. The proposed building is well serviced by shops, public open space and cycling and public transport infrastructure. The proposal will also result in the removal of over 900 car parking spaces through the demolition of the existing building.

8.2.2 Design and Development Overlay, Schedule 1

The DDO1 sets out requirements relating to urban design within the Central City. A suite of design outcomes and design requirements determine whether an application achieves the design objectives of the DDO1. The proposal complies with the design objectives as set out in the following table:

Urban Structure	
Urban Structure relates to the network of main streets, streets, laneways and open spaces which define the size and shape of urban blocks.	
Design Outcome	Design Requirements
<p>An urban block structure that:</p> <ul style="list-style-type: none"> Is sufficiently fine grained to support walking as the primary mode of transport. 	<p>Where the average urban block length is greater than 100 metres, development should provide a new through-block pedestrian connection. In Southbank these pedestrian connections should be open to the sky.</p> <p>Note: Urban blocks with an average length of more than 100 metres are identified on Map 1 to the Appendix of the Central Melbourne Design Guide.</p> <p>Within 200 metres of a rail station, more frequent pedestrian connections should be provided to manage high pedestrian volumes.</p> <p>Where possible, pedestrian connections should be located less than 70 metres from the next intersection or pedestrian connection.</p> <p>Development with an abuttal to two or more streets or laneways should provide a pedestrian connection between those abuttals where this improves the walkability of the urban block.</p>
Assessment	
<p>The proposal includes a note with respect to a potential through-block pedestrian connection from Flinders Lane, through both the Site and 559-587 Collins Street, to Collins Street.</p> <p>Given the slope of the Site to Collins Street, if realised, the connection would require cantilevering the northern abutting laneway and partial demolition to the south elevation of 559-587 Collins Street.</p> <p>As discussed above, there is an existing pedestrian link from Flinders Lane to Collins Street via PL5261 through 559-587 Collins Street, and an approved pedestrian link from PL5261 to King Street through 43-61 King Street.</p> <p>The opportunity to provide for a pedestrian link through the Site is limited given the considerable level difference between Flinders Lane and Collins Street and the negotiations required with another landowner.</p> <p>Due to the existing and approved links, it is considered that the urban block is sufficiently fine grained to support walking as the primary mode of transport.</p> <p>In this context, the inclusion of the potential through-block pedestrian connection is commendable, but there remains concern over a lack of detail about how it will be realised. The applicant has committed to further discussions to realise this link in line with the advice from the VDRP and City Design. It is therefore appropriate that the through-block pedestrian connection is optional and that the applicant is encouraged to future proof the ability to provide for the potential link by way of condition.</p>	

<p>A pedestrian network that:</p> <ul style="list-style-type: none"> • Reduces walking distances. • Completes existing connections and laneways. • Retains and improves existing connections. • Provides partial connections which can be completed when adjacent site development occurs. 	<p>Where a development could deliver part of a pedestrian connection that is able to reduce the average urban block length to less than 100 metres, but does not extend the full depth of the block, the development should include a connection that can be completed when a connection is provided through an adjoining site.</p> <p>Where a development has the potential to achieve a through-block connection by extending an existing or proposed connection on an adjoining site, the development should provide for the completion of the through-block connection.</p> <p>Development should retain and improve the quality of existing pedestrian connections.</p>
<p>Assessment</p> <p>As above, the proposal does not have the opportunity at this time to establish new pedestrian networks, but will contribute to improved outcomes for the existing pedestrian network through improved activation of the public realm as discussed below.</p>	
<p>Pedestrian connections that are:</p> <ul style="list-style-type: none"> • High quality. • Safe and attractive. • Accessible by people of all abilities. • Easily identified and legible. • Designed to enable stationary activities. 	<p>Pedestrian connections that reduce (or when completed will reduce) an average urban block length to less than 100 metres should be:</p> <ul style="list-style-type: none"> • Open 24 hours a day. • Open to the sky, an arcade or a through-building connection. • Pedestrian connections should be: <ul style="list-style-type: none"> • Direct, attractive, well-lit and provide a line of sight from one end to the other. • Safe and free of entrapment spaces and areas with limited passive surveillance. • Publicly accessible at ground level and appropriately secured by legal agreement. • Lined by active frontages. <p>Laneways should be:</p> <ul style="list-style-type: none"> • At least six metres wide. • Laneways may be less than six metres wide where, either: <ul style="list-style-type: none"> • The laneway is the same width or wider than an existing laneway that it continues. • The laneway does not provide for vehicle access. <p>Arcades should:</p> <ul style="list-style-type: none"> • Adopt vertical proportions with a height greater than the width. • Be a minimum of two storeys in height. • Incorporate high quality exterior grade materials and finishes to all surfaces including paving, walls, ceilings and lighting.

	<ul style="list-style-type: none"> • Have highly legible entries including any doors or gates.
<p>Assessment</p> <p>As above.</p>	
<p>Site Layout</p> <p>Site layout refers to the arrangement of buildings and spaces, including the position of entries, building services and circulation cores and how these elements respond to and reinforce the character of streets and laneways.</p>	
Design Outcome	Design Requirements
<p>Site layout that:</p> <ul style="list-style-type: none"> • Reinforces the valued characteristics of streets and laneways. • Delivers a well-defined public realm. 	<p>Building should be aligned to the street at ground level unless they provide for a plaza.</p> <p>Development should avoid narrow publicly accessible alcoves and recesses that lack a clear public purpose.</p> <p>Development should avoid entrapment areas and areas with limited passive surveillance.</p> <p>Development should cater for anticipated pedestrian volumes.</p>
<p>Assessment</p> <p>The proposed pedestrian 'stepping stone' entrance, supported by the VDRP and City Design, is appropriately aligned to Flinders Lane and provides a legible and safe interface that enhances the pedestrian experience with excellent passive surveillance.</p> <p>As recommended by the VDRP and City Design, an amended Landscape Plan will require further design consideration of the entrance and the eastern stair interface to ensure landscaping, materials, and lighting amplify the publicness of the experience.</p>	
<p>Plazas that:</p> <ul style="list-style-type: none"> • Are accessible to people of all abilities. • Are safe and attractive. • Deliver opportunities for stationary activity. • Alleviate pedestrian congestion. 	<p>Plazas should:</p> <ul style="list-style-type: none"> • Be open to the sky. • Be accessible to people of all abilities. • Provide opportunities for stationary activity. • Be lined with active frontages. • Incorporate soft and hard landscaping elements. • Have access to sunlight. <p>Development should retain at least 50 per cent of any existing publicly accessible private plaza where:</p> <ul style="list-style-type: none"> • It is oriented to a main street or street. • It helps reduce pedestrian congestion. • A high quality space with opportunities for stationary activity can be achieved. <p>Where a plaza contributes to the significance of a heritage place, retention of more than 50 per cent of the plaza may be required to conserve the heritage value of the place.</p>

<p>Assessment</p> <p>There is no requirement for the proposal to provide a plaza.</p>	
<p>Vehicle entries that:</p> <ul style="list-style-type: none"> Do not create traffic conflict. Do not undermine the attractiveness or safety of the pedestrian experience. 	<p>Vehicle access and loading bays:</p> <ul style="list-style-type: none"> Should not be located on main streets. Should not be constructed on a traffic conflict frontage or in a lane leading off a traffic conflict frontage shown on Map 2. In the Retail Core Area – Schedule 2 to the Capital City Zone must not be constructed on a traffic conflict frontage shown on Map 2, or in a lane leading off a traffic conflict frontage. <p>The location and width of car park entries should minimise the impacts on the pedestrian network.</p>
<p>Assessment</p> <p>The proposal removes both vehicle crossovers to Flinders Lane and provides all vehicle access via PL5216. This outcome, encouraged by the DDO1 and supported by the Transport Engineering department, improves the pedestrian network and experience at the frontage of the Site.</p>	
<p>Colonnades that:</p> <ul style="list-style-type: none"> Are safe and attractive. Are accessible to people of all abilities. 	<p>Colonnades should:</p> <ul style="list-style-type: none"> Adopt vertical proportions with a height greater than the width. Incorporate high quality design detail to all publicly visible planes and surfaces. Provide ground level spaces that are accessible to people of all abilities. Have a clear public purpose. Be well-lit and provide clear lines of sight from one end to another. Be safe and free of entrapment spaces and areas with limited passive surveillance.
<p>Assessment</p> <p>The proposal is built to the street edge with a recessed double height entrance, which is an appropriate response.</p>	
<p>Building Mass</p> <p>Building mass relates to the three dimensional form of a building, including its scale, height, proportions and composition.</p>	
Design Outcome	Design Requirements
<p>Building mass that:</p> <ul style="list-style-type: none"> Distinguishes between different buildings where a development comprises multiple buildings. 	<p>Development should adopt a diversity of forms, typologies and architectural language, within a cohesive design framework, on large site where a development comprises multiple buildings.</p>

<ul style="list-style-type: none"> • Respects the height, scale and proportions of adjoining heritage places or buildings within a Special Character Area. • Reinforces the fine grain and visual interest of streetscapes. • Maintains a diverse and interesting skyline through the design of roof profiles. 	
<p>Assessment</p> <p>The design, height, scale and proportions of the proposed building achieve an appropriate built form response to the Site characteristics and surrounding existing and proposed buildings.</p> <p>The proposed building comprises of legible and distinct forms, including: a double height entrance, a podium with horizontal elements, and a tower with vertical elements which appropriately distinguishes the different forms of the building.</p> <p>With regard to tower forms, as described above, the VDRP and City Design recommended that the difference between the tower forms be further accentuated. In response to this, as described above, the applicant altered the façade design through a Section 50 amendment. While a positive response, it was considered that the towers needed to be further distinguished. In response, the applicant proposed to increase the depth of the central recess by 500 mm (from 2500 mm to 3000 mm). The width and proposed depth of the central recess, combined with the façade changes, is considered to sufficiently responded to the concerns of the VDRP and City Design.</p> <p>This report recommends that a condition give effect to this change in depth of the recess.</p> <p>As recommended by City Design, the detailed design language of the podium and tower will be further refined through a condition requiring a façade strategy which will finely detail the façade's design.</p> <p>As the architectural plans and town planning report prepared by Hassell Architects depict, the proposal seeks to establish wintergardens (semi open terraces) on each level of the tower adjacent to the central recess to Flinders Lane. As advised by the VDRP and concurred with by the City of Melbourne officers, while the proposition of wintergardens are not objected to in principle, there is a concern of a lack of detail on the plans and reference to a 'potential' outcome.</p> <p>In response, the applicant has confirmed that it cannot commit to the outcome at this point in time, as ultimately it will be market driven. The applicant has requested the removal of references to the wintergardens by way of condition. It is considered appropriate to do so given the acceptability of the proposed tower is not reliant on the delivery of wintergardens. Should an amendment to the plans be lodged in the future, they will be assessed on their merits at the time.</p>	
<p>Street walls that:</p> <ul style="list-style-type: none"> • Adopt a variety of street wall heights to reinforce the traditional fine grain, 	<p>Street wall heights should be lower along laneways and streets less than 10 metres wide.</p> <p>Buildings with a street frontage greater than 25 metres in length should be broken into smaller vertical sections, with a range of</p>

<p>vertical rhythm and visual interest of streetscapes.</p> <ul style="list-style-type: none"> • Provide aesthetic interest to the public realm. • Frame comfortable and attractive streets. 	<p>parapet heights and rebates of sufficient depth to provide modulation in the street façade.</p> <p>Development should reinforce the ground floor and street wall as the dominant component within the Special Character Area through visually recessive upper level built form.</p> <p>Street wall heights, upper level setbacks and building separation should respond to the scale of adjacent heritage buildings.</p> <p>Transitions in height, scale or prominence to a heritage place should avoid relying solely on surface treatments or decorative effects.</p>
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Assessment

The proposed street wall is 32.55 metres in height.

The proposed street wall is modulated by including a height below the mandatory provisions of the DDO10 (discussed below), the double height entrance, the recessions created by the horizontal banding, the terraces, and the active ground floor interface.

As described above, the VDRP recommended further subtle modulation to mark the primary pedestrian entrance from Flinders Lane. To achieve this the City Design department encouraged increasing the height of the pedestrian entrance by a storey. In response, the applicant provided revised plan TP_0403 (Elevations – Detail) prepared by Hassell Architects dated 18 March 2024 (see figure 7 below) which varies the glazing treatment above the pedestrian entrance to emphasise and reference the pedestrian entrance. The variation in the glazing, combined with the other modulations discussed above, provides for a fine grain and visually interesting street wall that responds to its context. The amended glazing proposition will be recommended to be included by way of condition.

The detailed design language of the podium will be further refined through a condition requiring a façade strategy which will strengthen the use of solid materiality to better reference the materials that characterise the immediate context.

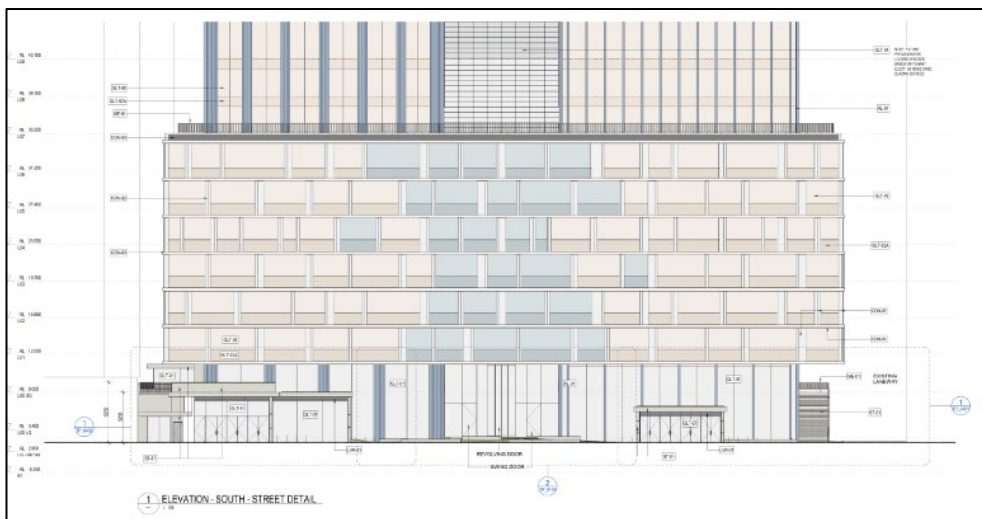


Figure 7 – Extract of TP_0403 (Elevations – Detail) prepared by Hassell Architects dated 18 March 2024

Building program

Building program relates to the position and configuration of internal spaces to a building. This is a key urban design consideration due to the direct relationship of internal areas to the public realm.	
Design Outcome	Design Requirements
<p>A building program that:</p> <ul style="list-style-type: none"> • Delivers safe and high quality interfaces between the public and private realm. • Maximises activation of the public realm. • Can accommodate a range of tenancy sizes, including smaller tenancies in the lower levels of the building. • Allows for adaptation to other uses over time. • Delivers internal common areas or podium-rooftop spaces that maximise passive surveillance and interaction with the public realm. • Promotes a strong physical and visual relationship between any uses provided as part of a public benefit under the provisions of Schedule 1 to the Capital City Zone within the building, and the street. 	<p>Development should position active uses to address the public realm.</p> <p>Development should:</p> <ul style="list-style-type: none"> • Maximise the number of pedestrian building entries. • Avoid long expanses of frontage without a building entry. <p>Large floorplate tenancies should be sleeved with smaller tenancies at ground level at a boundary to a street, laneway or pedestrian connection.</p> <p>Floor to ceiling heights should be a minimum of:</p> <ul style="list-style-type: none"> • 4.0 metres at ground level. • 3.8 metres for levels two and three. • 3.5 metres above level three and up to 20 metres. <p>Development should be designed so that any areas containing uses provided as part of a public benefit under the provisions of Schedule 1 to the Capital City Zone, are located in the lower levels of a building so that they have a direct visual and physical connection to the public realm.</p> <p>Development should be designed so that any areas containing new uses provided as part of a public benefit under the provisions of Schedule 1 to the Capital City Zone internal to a building co-located with adjacent public space or pedestrian connections.</p> <p>Ground floor tenancies should be configured so that they do not rely upon queuing within the public realm, except where this occurs on a pedestrian only laneway where this is the established character.</p>
<p>Assessment</p> <p>The development appropriately addresses Flinders Lane via the central pedestrian entrance, active retail uses, open lobby, expansive glazing, passive surveillance from the podium terraces, and a direct street entrance to the basement bicycle parking spaces.</p> <p>Office uses are located within the podium with a direct connection to the street which contribute to the public benefit and uplift calculation as discussed below.</p> <p>The floor to ceiling heights of the development exceed the design requirements by providing ceiling heights of: 4 metres at ground level, 3.85 metres for levels two and three, and 3.85 metres above level three.</p>	

<p>The proposal includes car parking contained fully at basement levels, accessed away from Flinders Lane, which accords with this design requirement.</p>	
<p>Building services that:</p> <ul style="list-style-type: none"> • Minimise impacts on the public realm. • Maximise the quality and activation of the public realm. • Do not dominate the pedestrian experience and are designed as an integrated design element. • Provide waste collection facilities as an integrated part of the building design. 	<p>Ground floor building services, including waste, loading and parking access:</p> <ul style="list-style-type: none"> • Should be minimised. • Must occupy less than 40 per cent of the ground floor area of the site area. <p>Internal waste collection areas should be sleeved.</p> <p>Services, loading and waste areas should be located away from streets and public spaces, or within basements or upper levels.</p> <p>Service cabinets should be located internally with loading, waste or parking areas where possible.</p> <p>Undercroft spaces for waste or loading should not adversely impact safety and continuity of the public realm.</p> <p>Access doors to any waste, parking or loading area should:</p> <ul style="list-style-type: none"> • Be positioned no more than 500 millimetres from the street edge. • Be designed as an integrated element of the building. <p>Rooftop plant, services and antennae should be integrated into the overall building form.</p>
<p>Assessment</p> <p>The proposal results in approximately 1065.9 square metres, or 33 per cent, of the ground floor area being dedicated to building services, which is less than the mandatory maximum of 40 per cent.</p> <p>The location and layout of building services are designed to minimise their impact on the public realm, through their positioning to the rear of the Site away from Flinders Lane.</p> <p>The proposal utilises a sloped series of 'stepping stones' from Flinders Lane to the lobby which is supported by the VDRP and City Design, subject to the further details discussed above. The proposal also includes two retail tenancies that provide active frontages.</p>	
<p>Car parking that:</p> <ul style="list-style-type: none"> • Minimises the impact of car parking on the public realm 	<p>In the Central City area shown in Map 1 to Schedule 1 to the Design and Development Overlay, all car parking must be located in a basement unless it is part of a development that removes existing open to sky at grade car parking.</p> <p>Car park ramps should be capable of removal for future adaptation.</p> <p>Avoid car parking entries on small sites, where they impact on the activation and safety of the public realm.</p> <p>Above ground car parking:</p> <ul style="list-style-type: none"> • Must be located on the first floor or above. • Must be sleeved to streets. <p>Should have a floor to ceiling height of at least 3.2 metres.</p>
<p>Assessment</p>	

The proposal includes car parking contained fully at basement levels, accessed away from the public realm of Flinders Lane, which accords with this design requirement.

Public interfaces

Public interfaces relates to the boundary between a building and the public realm in main streets, streets, laneways and open spaces.

Design Outcome	Design Requirements
<p>Public interfaces that:</p> <ul style="list-style-type: none"> • Contribute to the use, activity, safety and interest of the public realm. • Provide continuity of ground floor activity along streets and laneways. • Allow unobstructed views through openings into the ground floor of buildings. 	<p>The following ground level frontage requirements should be met for development in General Development Areas and laneways in Special Character Areas, and must be met for development in streets in Special Character Areas:</p> <ul style="list-style-type: none"> • At least 80 per cent of the combined length of the ground level interfaces of a building to streets and laneways are an entry or window. This measurement excludes: <ul style="list-style-type: none"> ▪ Stall-risers to a height of 700 mm. ▪ Pilasters. ▪ Window and door frames. • Windows that have clear glazing without stickers or paint that obscures views. <p>The ground level frontage requirements do not apply to the development of a building in a heritage overlay or heritage graded building. Development of a building in a heritage overlay or a heritage graded building should not reduce compliance with the public interface design outcomes.</p> <p>Security grills or mesh should:</p> <ul style="list-style-type: none"> • Be transparent. • Not block views into tenancies at night. • Be mounted internally to the shop windows. <p>Avoid tinted, opaque or high reflectivity glass which obscures views between the public realm and building interior.</p> <p>In flood prone areas or on sloping sites, a direct connection should be established at grade to usable space within ground level tenancies, with level transitions contained within the building envelope.</p> <p>In flood prone areas, transitions in floor levels should not rely on external stairs, ramps or platform lifts which disconnect interior spaces from the public realm.</p>

Assessment

The mandatory requirement for at least 80 per cent of the street level interfaces at the ground floor to be entries or windows does not apply to the Site because it is not in a Special Character Area.

The proposal achieves over 70 per cent activation of the length of the frontage to Flinders Lane. As discussed in this report, the proposal represents a significant improvement to the existing public realm and will provide a public interface that will contribute to the use, activity, safety and

interest of the public realm. The ground plane has extensive clear double glazing along pedestrian frontages that provide clear sightlines into the building lobby.

To further improve activation, as suggested by City Design, a recommended condition will require the sides of the retail tenancies to have an improved engagement with the street.

Facade projections and balconies that:

- Do not adversely impact the levels of daylight or views to the sky from a street or laneway.
- Do not obstruct the service functions of a street or laneway through adequate clearance heights.
- Add activity the public realm.
- Form part of a cohesive architectural response to the public realm.

Upper level projections and canopies should allow for the growth of existing and planned street trees.

Upper level projections such as juliet balconies, adjustable screens or windows, cornices or other architectural features may project into streets or laneways:

- On main streets up to 600 mm.
- On streets and laneways up to 300 mm.

On main streets, balconies associated with an active commercial use may project up to 1.6 metres from the facade or 800 mm from the back of kerb.

Balcony projections should be at least 5 metres above any public space measured from ground level.

Development should not include enclosed balconies or habitable floor space projecting over the public realm.

Ensure that public realm projections (excluding canopies) at the upper levels do not extend the full width of a building frontage.

Assessment

The proposal does not include any projections outside of the title boundary with the exception of a ground floor which is being removed by way of condition as discussed above. The variation and articulation of the building mass is all contained within the title boundary.

Weather protection that:

- Delivers pedestrian comfort in the public realm and protection from rain, wind and summer sun.
- Uses canopies that are functional, of high quality design, and contribute to the human scale of the street.

Development should include continuous weather protection along main streets except where a heritage place warrants an alternative approach.

Weather protection canopies should:

- Be between 3.5 metres and 5 metres above ground measured to the underside of the soffit.
- Provide for exposure to winter sun and shelter from summer sun.
- Not enclose more than one third of the width of a laneway.

Display a high design standard including material selection in the appearance of the soffit and fascia.

Assessment

Flinders Lane is not a 'main street' as it is not more than 20 metres wide.

The semi-enclosed double height entrance delivers pedestrian comfort in the public realm and protection from rain and wind. Given the context of the Site as well as the varied context of Flinders Lane, the lack of weather protection proposed over the adjoining footpath is considered an appropriate design outcome.

Design Detail	
Design detail refers to the resolution of a contextually responsive building exterior that contributes to the quality of the public realm through its architectural expression, materials and finishes.	
Design Outcome	Design Requirements
<p>Exterior design that:</p> <ul style="list-style-type: none"> Establishes a positive relationship between the appearance of new development and the valued characteristics of its context. Is visually interesting when viewed up close and from a distance. Responds to the distance at which the building is viewed and experienced from the public realm in the selection, scale and quality of design elements. Incorporates sufficient design detail in the lower levels of a building to deliver a visually rich and engaging pedestrian experience. Delivers high quality design on all visible sides of a building including rooftops, where visible from the public realm. At the ground level interface, provides visual connection between the public realm and interior spaces. 	<p>Facades should provide for depth and a balance of light and shadow on the street wall and upper levels through the use of balconies, integrated shading, rebates or expression of structural elements.</p> <p>Street wall facades should avoid a predominately glazed appearance.</p> <p>Street wall facades should establish a balance of transparency and solidity.</p> <p>Facades should avoid the use of surfaces which cause unacceptable glare to the public realm.</p> <p>Materials should be durable, robust and low maintenance in the higher parts of a building.</p> <p>Blank walls that are visible from the public realm should be designed as an integrated component of the building composition.</p> <p>Materials should be natural, tactile and visually interesting at the lower levels near the public interface to reinforce a human scale.</p> <p>Ground level interfaces including shopfronts should provide thickness, depth and articulation and avoid long expanses of floor to ceiling glazing.</p> <p>Materials and finishes such as painted concrete or ventilation louvres should be avoided at the lower levels where they undermine the visually rich, tactile quality of streets and laneways.</p> <p>Service cabinets should not visually dominate street frontages and should use high quality materials.</p>
Assessment	
The design detail of the proposal is supported by the VDRP and City Design as it provides for a high quality and engaging street wall response, providing texture, depth, shadow, relief and modulation.	

City Design team have confirmed support for the proposal, subject to additional recommendations which will be addressed through a condition requiring the approval of a façade strategy prepared by the project architect.

Further refinement is considered necessary to ensure the exposed partially blank eastern wall of the building is appropriately treated to deliver an attractive building form as viewed from Flinders Lane, noting that a painted mural may not be an appropriate response. A condition will be recommended to ensure a visually interesting interface.

8.2.3 Design and Development Overlay, Schedule 10

The built form outcome is also guided by the requirements of the DDO10.

The DDO10 sets out built form requirements to ensure new development is of a high quality and respects the built form outcomes sought for the Central City. Public realm impacts such as wind and shadowing are also considered.

The proposal has been considered against the relevant provisions of the DDO10 below and is an acceptable outcome.

Table 3 to the DDO10

Street wall height		
Preferred Requirement (Figure 3)	Modified Requirement (Figure 3)	Built Form Outcomes
Up to 20 metres	<p>The street wall height must be no greater than:</p> <ul style="list-style-type: none"> ▪ 40 metres; or ▪ 80 metres where it: <ul style="list-style-type: none"> ▪ Defines a street corner where at least one street is a main street and the 80 metre high street wall should not extend more than 25 metres along each street frontage, and / or ▪ Fronts a public space including any road reserve wider than 80 metres. 	<p>Street wall height is scaled to ensure:</p> <ul style="list-style-type: none"> ▪ A human scale. ▪ An appropriate level of street enclosure having regard to the width of the street with lower street wall heights to narrower streets. ▪ Consistency with the prevalent parapet height of adjoining buildings. ▪ Height that respects the scale of adjoining heritage places. ▪ Adequate opportunity for daylight, sunlight and sky views in the street. ▪ Definition of main street corners and/or public space where there are no significant impacts on the amenity of public spaces. ▪ Maintenance of the prevailing street wall height and vertical rhythm on the street.
Complies with modified requirement		

The proposed street wall height is 32.55 metres which is compliant with the modified requirement, which allows up to 40 metres.

The proposed street wall height, with the addition of the central change in materials as discussed above, achieves the built form requirements as it is at a height that responds to the rhythm of Flinders Lane including the prevailing existing and approved parapet heights – which increase in height from Spencer Street to King Street – as outlined in the Town Planning Report prepared by Hassell Architects, is visually textured, and does not unreasonably impact on sunlight to the streets.

The proposal does not result in any unreasonable amenity impact from overshadowing in the public realm as discussed below, and would not significantly restrict views to the sky given the larger buildings sitting alongside and behind the Site.

Building setback(s) above the street wall

Preferred Requirement (Figure 3)	Modified Requirement (Figure 3)	Built Form Outcomes
Above the street wall, towers and additions should be setback 10 metres from the title boundary.	Above the street wall, towers must be setback a minimum of 5 metres from the title boundary.	<p>Tower and additions are setback to ensure:</p> <ul style="list-style-type: none"> ▪ Large buildings do not visually dominate the street or public space. ▪ The prevalent street wall scale is maintained. ▪ Overshadowing and wind impacts are mitigated. ▪ The tower or addition includes a distinctly different form or architectural expression.

Complies with modified requirement

Above the street wall, the proposed tower is setback between 5.05 and 7.9 metres to the Flinders Lane title boundary (with the exception of allowable encroachments up to 300 mm) which is compliant with the modified requirement.

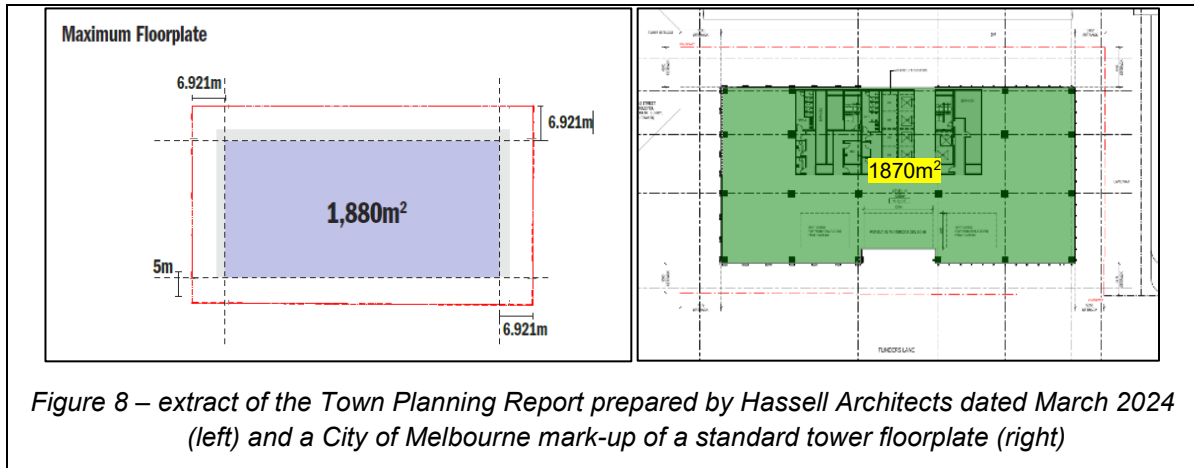
The tower is visually distinct from the podium form, presenting strong vertical elements, a central recession (being made deeper by way of condition as discussed above), and materials which differ in form and architectural expression to the podium. The setbacks provide adequate physical and visual relief to the public realm. The height and setback of the tower is consistent with the heights of buildings along Flinders Lane.

The tower includes 300 mm 'fin' structures (as depicted on the Town Planning Report prepared by Hassell Architects) to the facades which are an allowable encroachment into the setbacks under the DDO10. A condition on permit will require these to be dimensioned on the plans and be no more than 300 mm in depth from the facades.

As discussed below, the tower does not result in unreasonable amenity impacts (such as overshadowing and wind).

Building setbacks from side and rear boundaries (or from the centre line of an adjoining laneway) and tower separation within a site		
Preferred Requirement (Figure 3)	Modified Requirement (Figure 3)	Built Form Outcomes
Above the street wall or 40 metres (where there is no street wall) towers and additions should be setback a minimum of 5 metres or 6% of the total building height, whichever is greater.	<p>Towers exceeding 80 metres in total height:</p> <p>Above the street wall or 40 metres (where there is no street wall), towers and additions must be setback a minimum of 5 metres and must meet the design element requirements for tower floorplate.</p> <p>Tower separation within a site:</p> <p>Towers must be separated by a minimum of 10 metres.</p>	<p>Tower and additions are designed and spaced to ensure:</p> <ul style="list-style-type: none"> ▪ Sun penetration and mitigation of wind impacts at street level. ▪ Provision of reasonable sunlight, daylight, privacy and outlook from habitable rooms, for both existing and potential development on adjoining sites. ▪ Buildings do not appear as a continuous wall at street level or from nearby vantage points and maintain open sky views between them.
<p>Complies with modified requirement</p> <p>As discussed below, the tower is setback at least five metres and meets the design element requirements for tower floorplate. The tower separation of ten metres is not applicable as one tower is proposed. As discussed above and below, the tower is visually distinct and setback from the street wall and does not result in unreasonable amenity impacts (such as overshadowing and wind).</p>		
Tower floorplate requirement		
Preferred Requirement (Figure 3)	Modified Requirement (Figure 3)	Built Form Outcomes
The tower floorplate is determined by the preferred requirement for building setbacks from side and rear boundaries and tower separation within a site, and the modified requirement for building setback(s) above the street wall.	<p>The tower floorplates above the street wall for a tower above 80 metres in height may be adjusted in terms of location and/or shape but must not:</p> <ul style="list-style-type: none"> ▪ Result in an increase in the floorplate area. ▪ be situated less than 5 metres from a side or 	<p>The adjusted floorplate is designed and spaced to:</p> <ul style="list-style-type: none"> ▪ Reduce impact on existing and potential neighbours in terms of privacy, outlook, and daylight and sunlight access. ▪ Minimise visual bulk. ▪ Reduce impact on public spaces, including

	<p>rear boundary (or from the centre line of an adjoining laneway).</p> <ul style="list-style-type: none"> ▪ be less than 5 metres to a street boundary. ▪ be less than 10 metres to an adjoining tower on the site. 	<p>overshadowing and wind effects and reduced visual dominance.</p> <ul style="list-style-type: none"> ▪ Buildings do not visually dominate heritage places and streetscapes, nor significant view lines. ▪ Buildings do not appear as a continuous wall at street level or from nearby vantage points and maintain open sky views between them.
<p>Complies with modified requirement</p> <p>As figure 8 below depicts, the tower floorplate calculation is compliant with the preferred requirement of the 'building setbacks from side and rear boundaries (or from the centre line of an adjoining laneway)' design element and the modified requirement of the tower floorplate design element as it:</p> <ul style="list-style-type: none"> • Provides a 5 metre setback to the street wall to Flinders Lane. • Provides for a 6.91 metre setback to the side and rear boundaries (6 per cent of the total building height of 115.35 m). • Using the above area, shifts the tower floorplate toward Flinders Lane and PL5261 to a minimum 5 metre setback (with the exception of the 300 mm 'fin' structures which are compliant as discussed above), which does not result in a larger floor plate. <p>The increase in the depth of the central tower recess by 500 mm as discussed above does not alter the compliance with tower floorplate calculation as there is no additional floor area and it does not alter the side and rear setbacks.</p> <p>The siting and massing of the tower adequately reduces impacts on surrounding buildings (by shifting the tower as close to streets and laneways as possible) and does not unreasonably impact on their outlook and solar access. The siting of the tower toward the east boundary will adequately provide for the equitable development of the adjoining land and does not unreasonably reduce daylight to the surrounding uses. There are no windows or balconies proposed which might unreasonably burden a neighbouring site. As discussed below, the proposal does not result in any unreasonable overshadowing of the public realm.</p> <p>Subject to a condition requiring the rooftop solar panels to be setback at least 3 metres from the four façades of the building, the rooftop building services and plant structures are setback at least 3 metres from the four tower façades which accords with the exception for building height at clause 2.1 of DDO10 which states that the total building height calculation does not include '...building services setback at least 3.0 metres behind the façade'. As discussed above, the 300 mm architectural features on the plant are exempt from the setback calculations.</p>		



Wind

Clause 2.3 and 2.5 of the DDO10 requires the consideration of wind impacts to publicly accessible areas surrounding the proposed building.

The proposal is supported by a wind study and a supplementary letter (discussing nearby approved developments) prepared by Mel Consulting which, utilising the criteria of the DDO10, assesses a scale model of the proposed building in a wind tunnel.

The report concludes that the wind conditions surrounding the proposed building achieve all of the relevant safety criterion and pass a number of the comfort criteria. It also confirms that there are no wind mitigation design methods required on the building to achieve this.

Notwithstanding this, it is recommended that an amended wind study, or an addendum to the wind study, be prepared that assesses the approved built form with any changes required by conditions on the permit (should it issue).

Shadows

Clause 2.3 of the DDO10 considers shadow impacts to public parks and key areas within the City of Melbourne. The following protected areas are relevant to consider for the proposed development:

- A permit must not be granted for buildings and works which would cast any additional shadow on the Yarra River corridor, including 15 metres from the edge of the north bank of the river to the south bank of the river during the following times: 11:00am to 2:00pm on 22 June.
- A permit must not be granted for buildings and works which would cast any additional shadow on Batman Park, unless the overshadowing will not unreasonably prejudice the amenity of the space during the following times: 11:00am to 2:00pm on 22 April to 22 September.

Shadow diagrams prepared by Hassell Architects, and the Department of Transport and Planning assess the above areas. The changes to the building through the discussion plans are not anticipated to alter the shadow outcomes of the proposed building.

In regard to the Yarra River corridor, all additional proposed shadow between 11:00am to 2:00pm on 22 June fall within the shadows of existing buildings or buildings under construction.

In regard to Batman Park, as figure 9 below shows, there is a period up to thirty minutes which occurs on June 22 (the winter solstice, being the greatest amount of shadows between 22 April and 22 September) which results in a maximum of approximately 98 m² being cast (or 0.69 per cent of the total park area). Batman Park is otherwise free from shadow between the applicable dates of 22 April to 22 September. The impact of this additional shadow on 22 June does not unreasonably prejudice the amenity of the space.

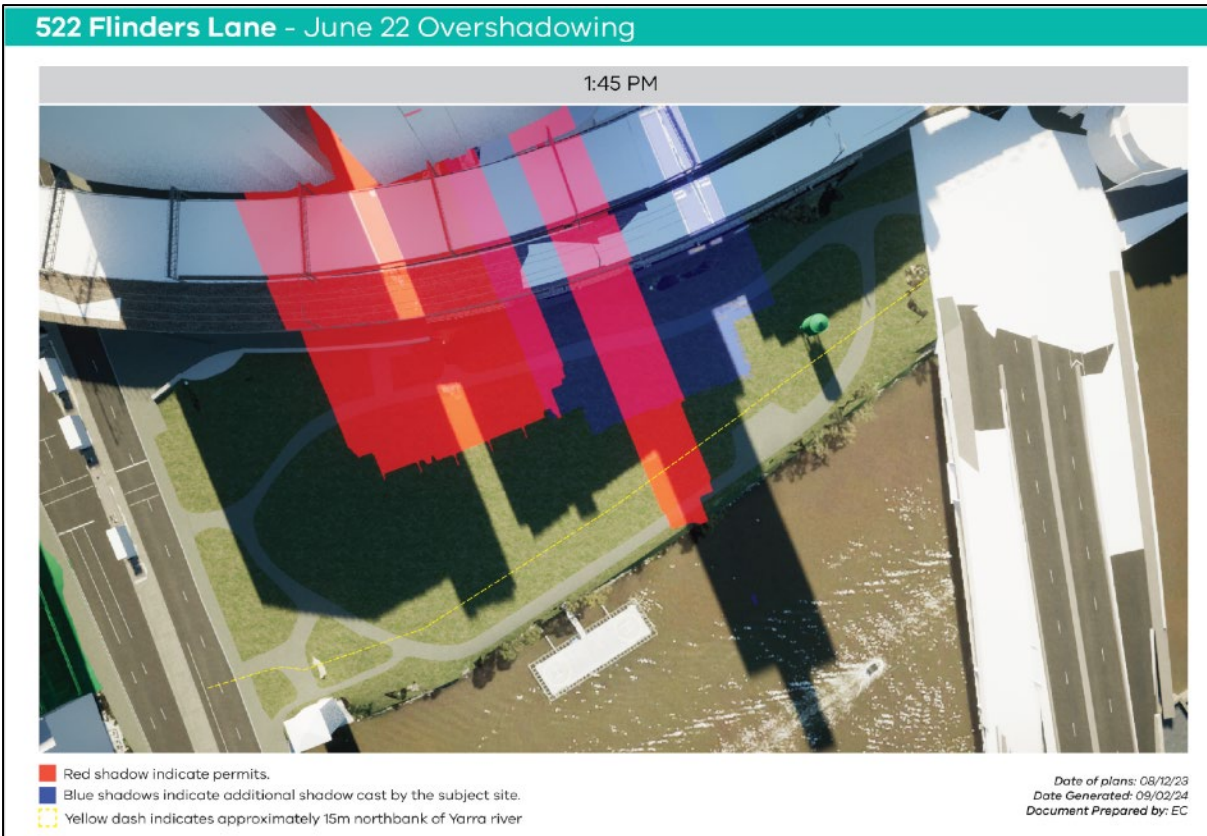


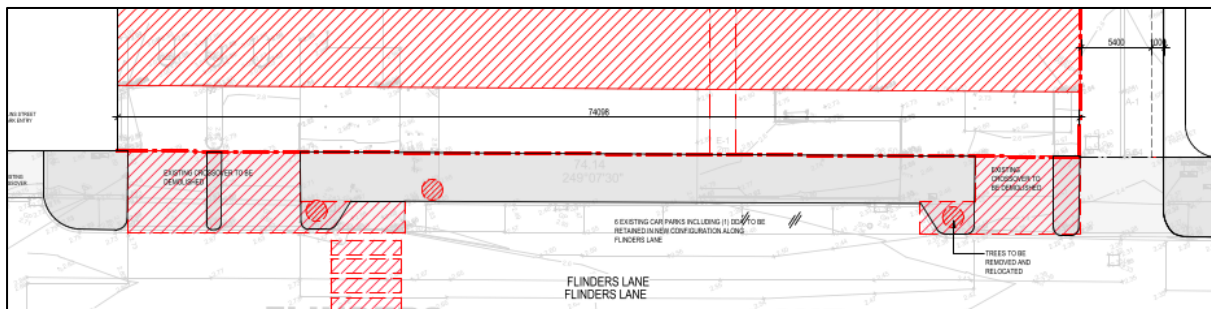
Figure 9 – shadow assessment on 22 June 1:45pm prepared by the Department of Transport and Planning

8.2.4 Works outside of the title boundary

As discussed above, the proposal includes alterations to the Flinders Lane streetscape, including: removal and replacement of street trees, removal of crossovers, adjustments to the on-street car parking, and landscaping. This is depicted in figure 10 below.

With the exception of the removal of the crossovers (as they are not required by the proposed building), the details of works outside of the title boundary are recommended to be removed by condition. As identified by the City Infrastructure, Transport Engineering, and Urban Forestry and Ecology departments, there are a number of statutory processes that public street works must go through prior to approval (should they be approved). These processes may include public consultation. As such, the details must be removed for the purpose of this planning permit application.

The effect of a permit issuing (should it issue) with such a condition will not affect the future consideration of these work by the relevant Melbourne City Council department at a later time.



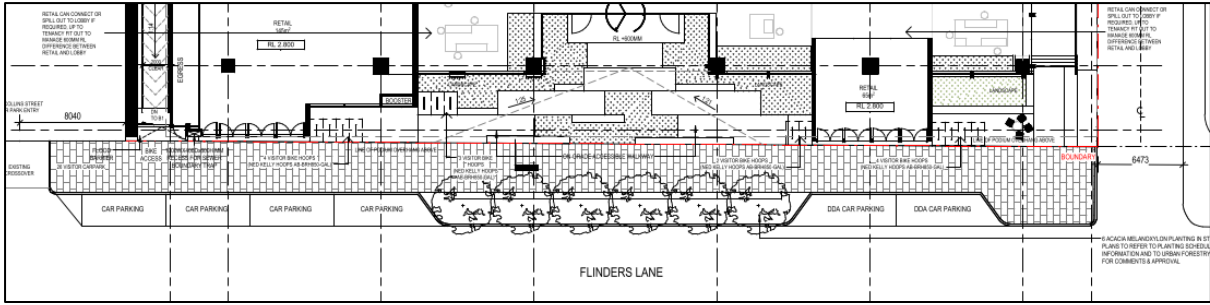


Figure 10 – proposed demolition plan (above) and proposed ground floor plan (below)

8.2.5 Glare

The proposal is not accompanied by a report which provides an assessment against the *Planning Practice Note 96: Planning Considerations for Reflected Sunlight Glare*.

The applicant has provided a letter authored by Arup which does not object to the provision of an assessment against the above practice note.

As such, it is recommended that the assessment be required by way of condition.

8.3 Floor area uplift and public benefit

A public benefit is required as the proposed FAR is 19.75:1 and the Floor Area Uplift (FAU) is 5,582 m².

Clause 15.01-2L-02 of the Planning Scheme seeks to ensure that development delivers a public benefit when a floor area ratio over 18:1 is sought. One of the key policy documents to consider is the *How to Calculate Floor Area Uplifts and Public Benefits (Department of Environment, Land, Water and Planning, 2016) (Uplift Document)*.

The proposal is for a multi-storey office building, which is a public benefit identified in the Uplift Document. The Uplift Document provides the calculation to determine the value of the public benefit. The calculation requires an assessment of the difference in gross realisation value between the proposed office use and a residential use for the precinct where the proposed development is located.

The table below shows the calculation and confirms that the proposed public benefit is significantly greater than the FAU sought.

Description	Valuation
Base GFA (18:1 FAR)	18 x 3,196m ² = 57,528 m ²
Proposed GFA (above ground)	63,110 m ²
FAU sought	63,110 m ² – 57,528 m ² = 5,582 m ²
Base data for valuing FAU (GRV / m ²)	\$5,000 / m ² commercial in the Spencer precinct
Value of each m ² of FAU (10% of GRV)	\$5,000 / m ² x 10% = \$500 / m ²
Total value of FAU	5,582 m ² x \$500 / m ² = \$2,791,000
Value of public benefit to be provided	\$2,791,000

Public benefit provided

Difference between residential and commercial uses GRV per square metre in Spencer precinct:
\$6,500 (residential) – \$5,000 (office) = \$1,500.

Net Leasable Floor area of the proposed office:
40,695 m².

Value of the proposed office space in Spencer:
40,695 m² x \$1,500 = \$61,042,500

As the assessment above shows, the applicant is seeking an uplift of 5,582sqm which equates to \$2,791,000 in public benefit. As 'office' is valued at \$1,500 per square metre, this equates to 1,861m² of leasable floor area. On the basis of these calculations, in accordance with clause 15.01-2L-02 and the guidance within the Uplift Document, a condition will be recommended which requires an agreement under section 173 of the Act to be registered on title requiring the provision of office to meet or exceed the uplift required to be secured for a minimum of ten years. The applicant has put forward that the entirety of level three of the building be subject to this section 173 condition. This is appropriate and acceptable as the square metreage of level three exceeds 1,861m² and is a level of the podium that achieves engagement with Flinders Lane.

8.4 Sustainability and landscaping

Clause 15.01-2L-01 of the Planning Scheme aims to (amongst other things) minimise greenhouse gas emissions and maximise energy efficiency. The applicant has committed to register the building with the Green Building Council of Australia under 5 star Green Star Buildings, a voluntary sustainability rating system for buildings. As discussed at section 7 of this report, the City of Melbourne's ESD officer has reviewed the proposal, including the SMP and found it to be generally in accordance with clause 15.01-2L-01, subject to conditions.

8.5 Engineering

As discussed at section seven above, the relevant internal departments have not objected to the proposal subject to the recommended conditions. As such, it is considered that the proposal responds to the relevant engineering provisions of the Planning Scheme.

9 OFFICER RECOMMENDATION

Having considered all relevant provisions of the Planning Scheme, in addition to the matters required under section 60 of the Act, it is recommended that the Future Melbourne Committee resolves to advise the Department of Transport and Planning that the Melbourne City Council does not object to the planning permit application subject to the following conditions:

9.1 Conditions

Amended plans

1. Prior to the commencement of the development, including demolition and bulk excavation, an electronic copy of plans, drawn to scale and fully dimensioned, must be approved and endorsed by the Responsible Authority. The plans must be generally in accordance with the section 50 amended plans prepared by Hassell Architects dated 21 February 2024 received on 1 March 2024 but amended to:
 - a. Increase the depth of the tower's central rebate by 500mm.

- b. Include a variation in glazing within the podium generally in accordance with the discussion plan TP_0403 (Elevations – Detail) prepared by Hassell Architects dated 18 March 2024.
- c. Removal of any references to the potential wintergarden zones, potential balconies, and potential and soft zones for future penetrations.
- d. Removal of reference to 'POTENTIAL FUTURE CONNECTION TO 567' or the provision of details of how to future proof the ability to provide a future connection.
- e. Setback the 'PHOTOVOLTAIC CELL ARRAY' at least 3.0 metres from the facades of the tower.
- f. Amend the blank wall abutting the eastern laneway to ensure a visually interesting design.
- g. Amend the east and west elevations of the ground floor 'RETAIL' tenancies to improve their engagement and passive surveillance to the public realm.
- h. Dimension the architectural fin structures encroaching beyond the facades of the building to be no more than 300 mm.
- i. Include a development summary generally in accordance with the development summary in the Town Planning Report prepared by Hassell Architects dated March 2024, but amended to include any relevant changes required by the conditions of this permit.
- j. Delete any development within the Flinders Lane road reserve, with the exception of the removal of redundant vehicle crossovers.
- k. Where service areas within the basement are not independently accessed and/or rely on access over an adjoining car space, access required to the service area must be marked as a clearway zone.
- l. Delete the pedestrian doorway to the ground floor 'SUBSTATION' requiring access from 559-587 Collins Street over the property to the north.
- m. A notation that bicycle facilities are to be designed and dimensioned in accordance with the requirements of clause 52.34 (bicycle facilities) of the Melbourne Planning Scheme and/or comply with the relevant Australian Standards.
- n. Any changes, technical information or plan notations (or otherwise) required as a consequence of any other condition in this permit.

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

Compliance with documents approved under this permit

- 2. The development as shown on the endorsed plans and reports must not be altered or modified unless with the prior written consent of the Responsible Authority.
- 3. At all times what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the Responsible Authority, in consultation with the Melbourne City Council.
- 4. No architectural features, plant and equipment or services other than those shown on the endorsed plans are permitted above roof level, unless with the prior written consent of the Responsible Authority.

Retention of architect

5. Hassell Architects must be retained to provide architectural oversight during detailed design, construction, and completion of the development as shown in the endorsed plans, except with the written consent of the Responsible Authority.

Glare

6. Glazing materials used on all external walls must be of a type that does not reflect more than 15 per cent of visible light when measured at an angle of 90 degrees to the glass surface, to the satisfaction of the Responsible Authority.
7. Concurrent with the endorsement of plans under condition one of this permit, a glare assessment prepared by a suitably qualified person, must be submitted and approved by the Responsible Authority. This report must demonstrate that the external materials and finishes of the building will not result in hazardous glare for, public transport operators and motorists, and must not result in a disabling glare for pedestrians, occupants of surrounding buildings or public spaces.

Façade strategy

8. Concurrent with the endorsement of plans under condition one of this permit, a façade strategy prepared by a suitably qualified person must be approved and endorsed by the Responsible Authority in consultation with the Melbourne City Council. The façade strategy must detail:
 - a. A concise description by the architect of the building design concept and how the façade works to achieve this.
 - b. Elevation details (generally at a scale of 1:50) illustrating street level elevations including key public realm interfaces, entries, lobbies and doors, utilities and structural columns, as well as typical tower details, key junctures and any special features which are important to the building's presentation, including, but not limited to:
 - i. The street wall.
 - ii. The variation of the podium glazing as required by condition one of this permit to emphasise the 'stepping stone' entrance.
 - iii. The eastern elevation of the podium, including the stair and blank walls to ensure a visually interesting and attractive interface that encourages use of the stair.
 - iv. The double height Flinders Lane interface of the podium to provide a high-quality, fine grain, and visually engaging interface.
 - v. The architectural fins structures on the tower forms to ensure the tower forms are visually distinct.
 - c. Cross sections or another method of demonstrating the façade systems, including fixing details indicating junctions between materials and significant changes in form and materials.
 - d. Information about how the façade will be accessed and maintained and cleaned, including any planting.
 - e. Precedents that demonstrate the intended design outcome as indicated on plans and perspective images, to produce a high quality built outcome in accordance with the design concept.
 - f. A schedule of colours, materials and finishes, including the colour, type and quality of materials showing their application and appearance. Materials and finishes must be of a high quality, contextually appropriate, durable and fit for purpose. This can be demonstrated in coloured elevations or renders from key viewpoints, to show the

materials and finishes linking them to a photograph of a physical sample board with coding.

Once approved, the façade strategy will be endorsed and will form part of this permit. The façade strategy must not be altered or amended without the written consent of the Responsible Authority in consultation with the Melbourne City Council.

Waste management plan (WMP)

9. Concurrent with the endorsement of plans under condition one of this permit, an amended WMP prepared by a suitably qualified person must be approved and endorsed by the Melbourne City Council – Waste and Recycling department. The amended WMP must be generally in accordance with the WMP prepared by Leigh Design dated 14 December 2023, but amended to:

- a. Include any changes required in condition one of this permit, including amended swept path diagrams using the most up-to-date floor plan.

Once approved, the WMP will be endorsed and will form part of this permit. The WMP must not be altered or amended without the written consent of the Melbourne City Council – Waste and Recycling department.

Sustainability management plan (SMP) and stormwater management and water sensitive urban design (SMWSUD) reports

10. Concurrent with the endorsement of plans under condition one of this permit, amended SMP and SMWSUD reports prepared by a suitable qualified person must be approved and endorsed by the Responsible Authority in consultation with the Melbourne City Council. The amended SMP must be generally in accordance with the SMP prepared by ARUP dated 14 December 2023 (Rev. R3) and the amended SMWSUD prepared by TWW dated 23 June 2023 (Rev. 1) but amended to:

- a. Include any changes required in condition one of this permit.
- b. Include the registration details of the project with the Green Building Council of Australia under Green Star Buildings (5 Star) and provide a registration number and reference to the Green Star Buildings directory.
- c. Provide a NABERS simulation report.
- d. Provide an air barrier schematic and air tightness target for the development.
- e. Indicate the glazing Visual Light Transmittance for GL-01 on elevations.
- f. Provide a pre-screening climate change checklist.
- g. Indicate the total system size of the onsite PV system is 72.8 kW and show 182 PV panels on the planning drawings.
- h. Provide a draft Zero Carbon Action Plan that details how the development will address energy consumption, procurement and generation.
- i. Provide a response to the Biodiversity Enhancement credit demonstrating the development can achieve greening to at least 15 per cent of the site area.
- j. Provide a MUSIC modelling that demonstrates waterway protection credit achievement standards can be achieved for stormwater volume and stormwater quality.
- k. Provide the location, size and reuse of the 30 kL rainwater tank.
- l. the Responsible Authority, in consultation with the Melbourne City Council, may alter the above requirements.

Once approved, the reports will be endorsed and will form part of this permit. The performance outcomes specified in the reports must be achieved in the completed development. Any change during detailed design which prevents or alters the attainment of the performance outcomes specified in the endorsed reports must be documented by the author of the endorsed reports (or another suitably qualified person) in an addendum which must be approved and endorsed by the Responsible Authority, in consultation with the Melbourne City Council. The reports must not be altered or amended without the written consent of the Responsible Authority in consultation with the Melbourne City Council.

11. Prior to the commencement of the development, including demolition and bulk excavation, evidence of registration with the Green Building Council of Australia under Green Star Buildings must be submitted to the Responsible Authority.
12. Prior to the occupation of the approved building, a report from the author of the endorsed SMP and SMWSUD reports, or another suitable sustainability consultant as agreed to by the Responsible Authority, must be submitted to and approved by the Responsible Authority, in consultation with Melbourne City Council. The report must outline how the design initiatives implemented within the completed development achieve the performance outcomes specified in the endorsed SMP and SMWSUD reports. The report must be to the satisfaction of the Responsible Authority and must confirm and provide sufficient evidence that all measures specified in the approved SMP and SMWSUD reports have been implemented in accordance with the relevant approved plans.

Landscape plan

13. Concurrent with the endorsement of plans under condition one of this permit, an amended Landscape Plan prepared by a suitably qualified person must be approved and endorsed by the Responsible Authority in consultation with the Melbourne City Council. The amended Landscape Plan must be generally in accordance with the Landscape Plan prepared by Arcadia Landscape Architecture VIC Pty Ltd dated 13 April 2023 (Rev. C), but amended to:
 - a. Any changes required in condition one of this permit.
 - b. Further design consideration of the main pedestrian entrance to Flinders Lane and the eastern laneway stair interface to ensure landscaping, materials, lighting and floor surfaces amplify the publicness of the experience of key public interfaces
 - c. Planting schedule of proposed vegetation, including common and scientific names, height / width specs, amounts, pot size and location of plants.
 - d. Irrigation systems demonstrating use of non-potable water sources (rainwater, storm water and recycled water).

Once approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must not be altered or amended without the written consent of the Responsible Authority.

14. Prior to the occupation of the building, Landscape Maintenance Plan prepared by a suitably qualified person must be approved and endorsed by the Responsible Authority in consultation with the Melbourne City Council. The Landscape Maintenance Plan must include the following:
 - a. A statement to describe how the vegetation will be maintained.
 - b. Maintenance tasks for establishment period.
 - c. Ongoing maintenance schedule for after the initial 52-week period detailing weed, pest management, succession planting, re-mulching, plant nutrition and hygiene.
 - d. Replacement timeframes for poorly performing vegetation.
 - e. Access requirements to the landscaping.

15. Prior to the occupation of the approved building, the building must be landscaped in accordance with the endorsed Landscape Plan and the landscaping must be maintained thereafter, to the satisfaction of the Melbourne City Council.

Wind report

16. Concurrent with the endorsement of plans under condition one of this permit, an addendum to or updated Environmental Wind Considerations report, prepared by a suitably qualified professional, of the development must be submitted and approved by the Responsible Authority. The addendum or updated report must generally be in accordance with the Environmental Wind Considerations report, prepared by MEL Consultants and dated 30 June 2023 and revised to reflect the changes referenced in condition one of this permit. The endorsed report must not be altered or amended without the written consent of the Responsible Authority.

Construction management plan (CMP) and tree protection plan (TPP)

17. Prior to the commencement of the development, including demolition, bulk excavation, and development preparation, a CMP must be approved by the Melbourne City Council – Site Services department. The CMP must be prepared in accordance with the Melbourne City Council – Construction Management Plan Guidelines and is to control the following (may not be an exhaustive list):
 - a. Management of public access and linkages around the site during construction.
 - b. Public safety, amenity and site security.
 - c. Operating hours, noise and vibration controls.
 - d. Air and dust management.
 - e. Stormwater and sediment control.
 - f. Waste and materials reuse.
 - g. Traffic management.
 - h. Include reference to the Tree Protection Plan required by this permit, as required.
18. Prior to the commencement of the development, including demolition, bulk excavation, and development preparation, a TPP must be approved by the Melbourne City Council – Urban Forest and Ecology department. The TPP must identify all impacts to public trees, be in accordance with AS 4970-2009 – Protection of trees on development sites and include:
 - a. Reference to the Melbourne City Council's asset numbers for the subject trees.
 - b. Reference to the finalised construction management plan, including any public protection gantries, loading zones and machinery locations.
 - c. Site specific details of the temporary tree protection fencing to be used to isolate public trees from the demolition and or construction activities or details of any other tree protection measures considered necessary and appropriate to the works.
 - d. Specific details of any special construction methodologies to be used within the Tree Protection Zone of any public trees. These must be provided for any utility connections or civil engineering works.
 - e. Full specifications of any pruning required to public trees with reference to marked images.
 - f. Any special arrangements required to allow ongoing maintenance of public trees for the duration of the development.

- g. Details of the frequency of the project arborist monitoring visits, interim reporting periods and final completion report (necessary for bond release).
19. If required by the TPP and prior to the commencement of the development, including demolition, bulk excavation, and development preparation, a bond equivalent to the combined environmental and amenity values of public trees that may be affected by the development will be held against the TPP for the duration of construction activities. The bond must be lodged by the Principal contractor. The bond value will be calculated by the Melbourne City Council – Urban Forest and Ecology. Should any tree be adversely impacted by the works, the Melbourne City Council will be compensated for any loss of amenity, ecological services or amelioration works incurred.
20. All works within the Tree Protection Zone of public trees must be undertaken in accordance with the endorsed Tree Protection Plan and supervised by a suitably qualified Arborist where identified in the report, except with the further written consent of the Melbourne City Council – Urban Forest and Ecology.

Traffic engineering

Loading management plan (LMP)

21. Concurrent with the endorsement of plans under condition one of this permit, a LMP, prepared by a suitably qualified professional, must be approved and endorsed by the Responsible Authority in consultation with the Melbourne City Council. The LMP must include the following:
 - a. Details that there are no obstructions in the path of the vehicles.
 - b. Details of appropriate height clearances for all required vehicles / manoeuvres.
 - c. Specify how the access / egress of loading vehicles is to be managed.
 - d. Details of a loading dock manager, responsible for controlling the operation of the loading bay and unloading of goods.
 - e. The design of the loading areas, including all space dimensions, grades and height clearances should comply with Australian Standard AS2890.1:2018.
 - f. The Responsible Authority, in consultation with the Melbourne City Council, may alter the above requirements.

Once approved, the LMP will be endorsed and will form part of this permit. The building must operate in accordance with the endorsed LMP at all times. The LMP must not be altered or amended without the written consent of the Responsible Authority in collaboration with the Melbourne City Council.

Car parking layout and access

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

Easements

Drainage

23. Prior to the commencement of the development, including demolition and bulk excavation, or as otherwise agreed with the Responsible Authority, the owner must provide evidence that Drainage Easement E-1 on PS509797D has been removed or varied, or is not required to be removed or varied, to the satisfaction of the Responsible Authority, in consultation with the Melbourne City Council.

Light and air

24. Prior to the commencement of the development, including demolition and bulk excavation, or as otherwise agreed with the Responsible Authority, the owner must provide evidence that the land subject to this permit benefits from a Light and Air Easement over the land at 567 Collins Street, Melbourne (Lot 2 on PS509797D), and/or the private laneway to the east (PL5261), or does not require any Light and Air Easements, to the satisfaction of the Responsible Authority, in consultation with the Melbourne City Council.

Section 173 agreements

Demolition

25. Prior to the commencement of the development, including demolition and bulk excavation, the owner of the land must enter into an agreement with the Melbourne City Council pursuant to section 173 of the *Planning and Environment Act 1987* and have it recorded on title. The agreement must provide the following:

- a. If the land remains vacant for 6 months after completion of the demolition; or
- b. If demolition or construction activity ceases for a period of 6 months;
- c. If construction activity ceases for an aggregate of 6 months after commencement of the construction

the owner must construct temporary works on the land to the satisfaction of the Melbourne City Council. Prior to the commencement of construction of the temporary works, details of the works must be submitted to and approved by the Melbourne City Council.

- d. The agreement must make provision for its removal from the title following completion of the obligations contained in the agreement.

Temporary works may include:

- a. The construction of temporary buildings for short-term retail or commercial use. Such structures shall include the provision of an active street frontage.
- b. Landscaping of the site for the purpose of public recreation and open space.

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

Office (public benefit)

26. Prior to the commencement of the development, including demolition and bulk excavation, the owner of the land must enter into an agreement with the Melbourne City Council pursuant to section 173 of the *Planning and Environment Act 1987* and have it recorded on title. The agreement must provide the following:

- a. The office use of level three of the building must be secured for a minimum of ten years from the date of issue of a certificate of occupancy for the building.
- b. In accordance with clause 73.03 of the Melbourne Planning Scheme, the office use is defined as 'land used for administration or clerical, technical, professional or other like business activity. No goods or materials intended for manufacture, sale or hire may be stored on the land' which must be physically separated and administratively independent of any other use within the building.
- c. The agreement must make provision for its removal from the title following completion of the obligations contained in the agreement.

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

Closure of windows and openings on boundary

27. Prior to the commencement of the development, including demolition and bulk excavation, the owner of the land must enter into an agreement with the Melbourne City Council pursuant to section 173 of the *Planning and Environment Act 1987* and have it recorded on title. The agreement must provide the following:

- a. Windows and openings on a boundary must be removed when the adjoining property is further developed in a manner that the Melbourne City Council considers would affect these windows and openings.

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

Three dimensional model

28. Prior to the occupation of the approved building, a three dimensional digital model of the development must be submitted to and approved by the Responsible Authority in consultation with Melbourne City Council. The model must be prepared having regard to the Advisory Note – 3D Digital Modelling Melbourne City Council. The Melbourne City Council may derive a representation of the model which is suitable for viewing and use within its own modelling environment. In the event that substantial modifications are made to the building envelope a revised three dimensional digital model must be submitted to and approved by the Responsible Authority in consultation with Melbourne City Council.

City infrastructure

29. Prior to the commencement of the development, including demolition and bulk excavation, a stormwater drainage system, incorporating integrated water management design principles, must be submitted to and approved by the Melbourne City Council – City Infrastructure. This system must be constructed prior to the occupation of the development and provision made to connect this system to the Melbourne City Council's underground stormwater drainage system.
30. All groundwater and water that seeps from the ground adjoining the building basement (seepage water) and any overflow from a reuse system which collects groundwater or seepage water must not be discharged to the Melbourne City Council's drainage network. All contaminated water must be treated via a suitable treatment system and fully reused on site or discharged into a sewerage network under a relevant trade waste agreement with the responsible service authority.
31. Prior to the occupation of the approved building, all necessary vehicle crossings must be constructed (if they are being constructed) and all unnecessary vehicle crossings must be demolished and the footpath, kerb and channel reconstructed, in accordance with plans and specifications first approved by the Melbourne City Council – City Infrastructure.
32. All portions of roads 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 the Melbourne City Council – City Infrastructure.
33. The footpaths adjoining the subject land along Flinders Lane must be upgraded in sawn bluestone together with associated works including the renewal of kerb and channel, 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 – City Infrastructure.

34. 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 the Melbourne City Council – City Infrastructure.
35. 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 the Melbourne City Council – City Infrastructure.
36. All street furniture such as seats and bicycle rails must be supplied and installed on Flinders Lane footpaths outside the proposed building to plans and specifications first approved by the Melbourne City Council – City Infrastructure.

Expiry

37. This permit will expire if one of the following circumstances applies:
 - a. The development is not commenced within three (3) years of the date of this permit.
 - b. The development is not completed within five (5) years of the date of this permit.

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

9.2 Notes

Building approval

This planning permit does not authorise the commencement of any demolition or construction on the land. Before any demolition or construction may commence, the applicant must apply for and obtain appropriate building approval from a Registered Building Surveyor. The planning permit holder must provide a copy of this permit and endorsed plans to the appointed Registered Building Surveyor. It is the responsibility of the planning permit holder and Registered Building Surveyor to ensure that all development approved by any building permit are consistent with this planning permit.

Other approvals may be required

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

Car parking and bicycle spaces

The Melbourne City Council is not obliged to change on-street parking restrictions to accommodate the servicing, delivery and parking needs of the development under this planning permit.

The Melbourne City Council is not obligated to provide any additional bicycle parking facilities to cater for this development.

Archaeology

The land affected by this planning permit appears to be identified in Heritage Victoria's Heritage Inventory as having archaeological potential. The permit holder is advised to contact Heritage Victoria prior to the commencement of the development.

City infrastructure

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