

# The Waterside Hotel

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508 - 514 flinders street, melbourne

green landscape for town planning

planting concept  
v. 29 July 2022

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AYUS BOTANICAL

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The need for green spaces and functional gardens is critical in our contemporary lives. As human beings, we resonate with the natural environment and crave (often unconsciously) living spaces– filled with green life - to sustain and rejuvenate our modern lifestyles.

Inspired by the scene of a bygone era when tree-clad mountain ranges of ancient, cool temperate rainforests (within an hours drive of Melbourne CBD) could be easily viewed from the banks of the city's Yarra River, a tapestry of rich and diverse vegetation has been envisioned to revitalise the iconic 'watering hole' of The Waterside Hotel.

Riverside, plant-life rises sharply to form densely planted mountain ranges with contours of valleys, gullies and occasional flowering varieties.

The Waterside Hotel Green landscaping installation transports the key qualities of Melbourne's greater landscape to the urban setting of a modern, vibrant hospitality venue. Plant life and the energy it represents is viewed and experienced from every public vantage point.

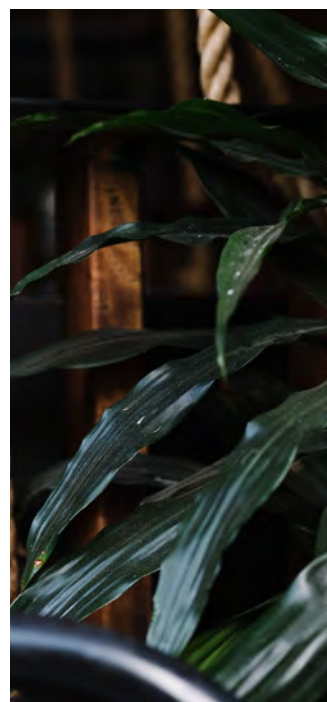


Plant-covered balconies and terraces work together with leafy foliage to complement the sculptured levels, forming occasional green veils.

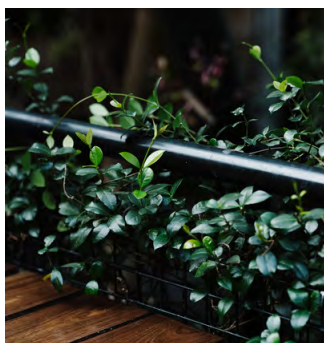
With diverse micro-climates throughout the one city venue, a deeply considered, fit-for-place and purpose selection of plant species will create a lush verdant setting that is attractive not only to people but also to insects and birds encouraging bio-diversity in the city.

As with any living entity, this city-garden will evolve over time and adjust to its unique environment in order to thrive. Ease of management and maintenance of this important venue asset has importantly influenced the Waterside Hotel Green Landscape design. Nurturing an urban oasis through the stages of establishment and cyclical seasons is critical to the wellbeing and longevity of a thriving city garden.

The intention is to create an iconic garden of enjoyment and interest which complements the architecture within what will become a popular hospitality venue. The plant-life will achieve this aspiration, providing year round interest with subtle changes as they move through and respond to the seasons.



*for illustration purposes*





## LANDSCAPE VISION

- + modelled on the topography of natural landscapes
- + greenery from riverside is drawn up to form densely planted mountain ranges with contours of valleys, gullies and occasional flowering varieties
- + plant-covered balconies and terraces work together with leafy foliage to complement the facade to form occasional green veils

multi-tier oasis  
LANDSCAPE VISION

THE WATERSIDE HOTEL  
green landscaping | july 2022

L6  
ROOFTOP

Mother nature is in charge at the apex of any forest canopy where the force of the elements has influenced the plant selection with small foliage characteristics.

L5  
CANOPY

Greater light and air movement typically finds plant life with smaller foliage and bright, fragrant floral themes known to attract local birds and insects.

L4  
SUB-CANOPY

Increased light invites diverse foliage shapes and colour. Strong floral displays of Gardenia and Trachelospermum flourish through the Melbourne warmer seasons.

L3  
TRANSITIONS

Diverse foliage shapes, sizes and colours with drifts of flowering plants thrive on this Terrace Garden where seasonal changes are fully experienced.

L2  
UNDERSTORY

Broad foliage continues through the Understory with splashes of vibrant colour and various shades of green in the Winter Garden oversized botanical hanging baskets.

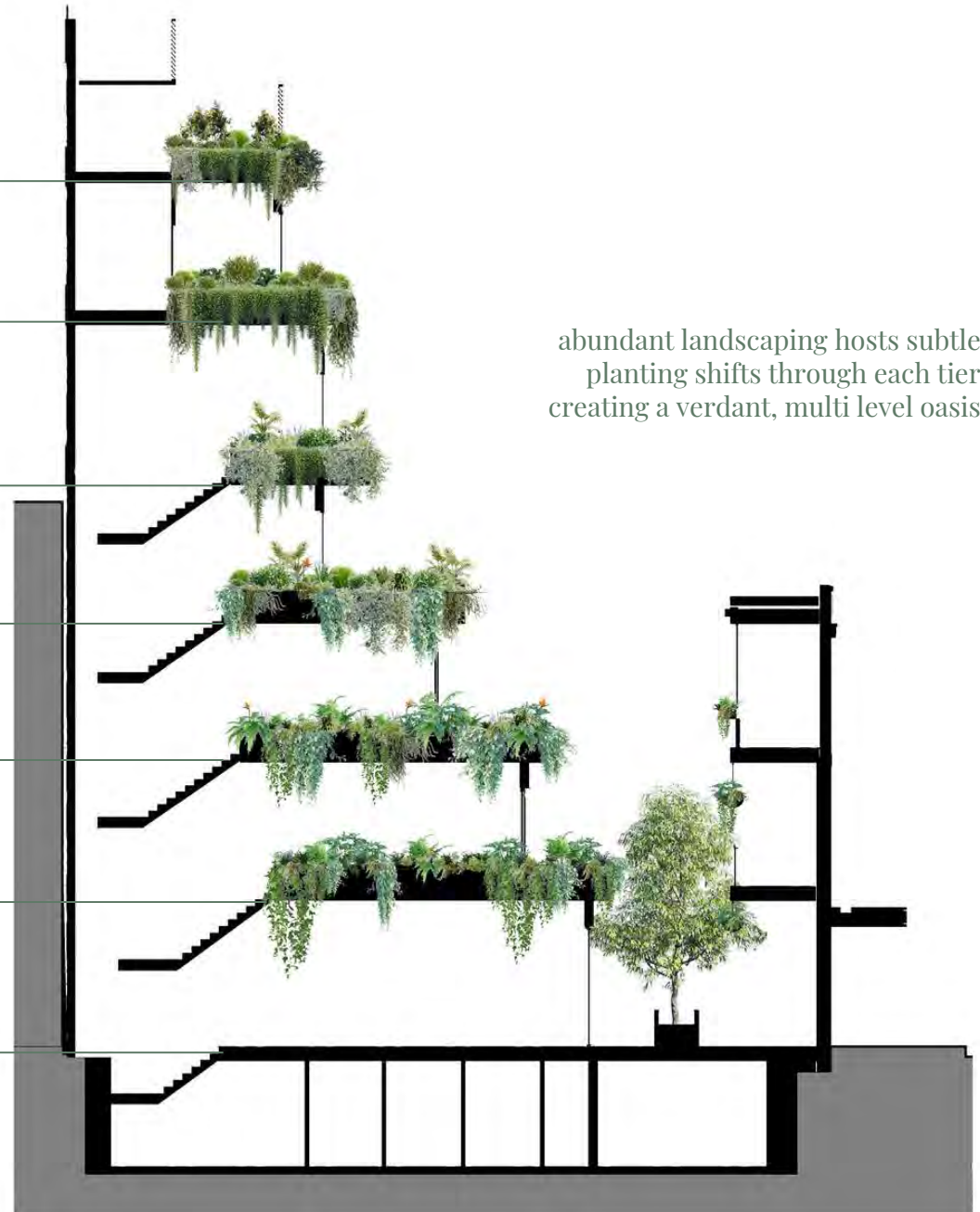
L1  
FOREST FLOOR

The generative forest floor thrives with low light lovers: large leaf, deep green Acanthus, Philodendron, Hedera and glimpses of seasonal colour.

Ground  
WATERSIDE

Riverside, from the cool and fertile forest floor understory a lone specimen, Waterhousea floribunda, rises towards the canopy light.

abundant landscaping hosts subtle planting shifts through each tier creating a verdant, multi level oasis



cross-section 508-514 flinders street - for illustration purposes



## PLANTING SCHEMES

Deeply considered and balanced planting schemes with deliberately selected species that:

- + perform well in diverse environments from low light, cooler 'forest floor' conditions to full sun, open roof levels
- + invite soft planting transitions with a natural flow through each level
- + ensure proven, hardy varieties for a vibrant hospitality venue
- + achieve the desired aesthetic of a lush, green ecosystem that supports healthy bio-diversity within a city garden
- + have demonstrated longevity with reduced maintenance requirements
- + represent the diversity of Melbourne's greater indigenous, native and exotic planting landscape.



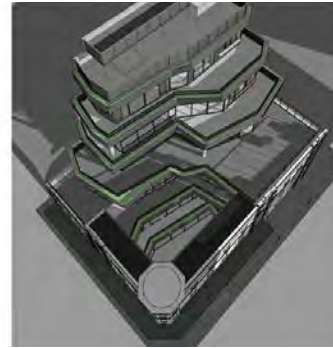
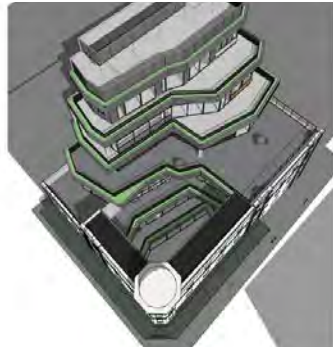
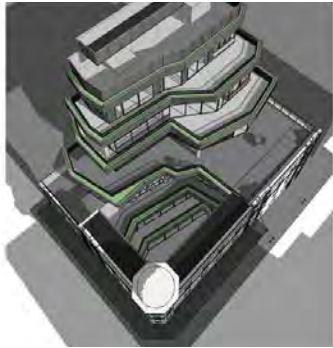
SAMPLE  
HOSPITALITY COLABORATIONS:

- A. Terminus Hotel (garden @ yr5)
- B. Village Belle Hotel (garden @ yr2)
- C. Robbie Burns Hotel (garden @ yr2)
- D. Esplanade Hotel (planters @ yr1)
- E. Village Belle Hotel (planters @ yr2)

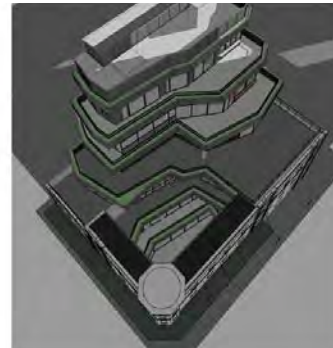
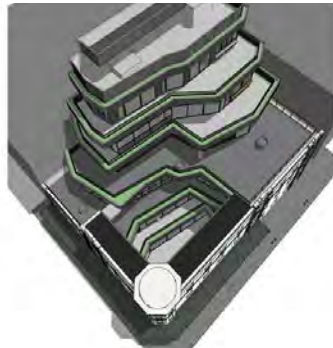
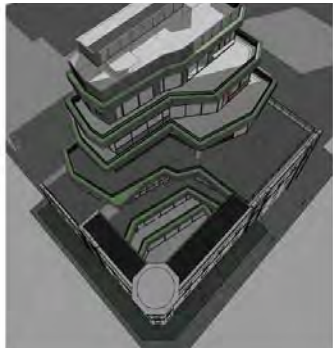


solar studies  
508-514 FLINDERS ST

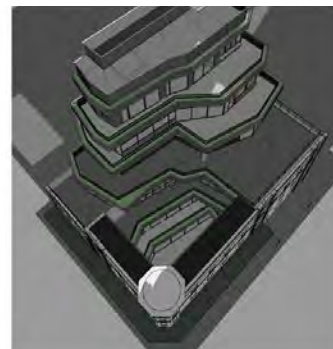
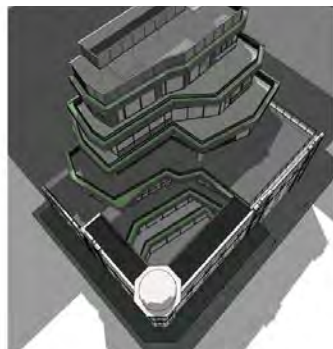
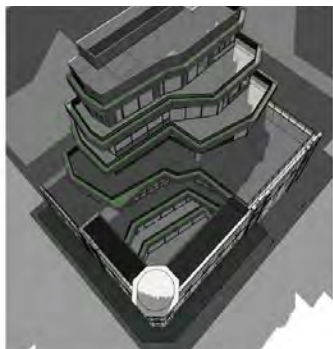
THE WATERSIDE HOTEL  
green landscaping | july 2022



9am



11am



3pm

Equinox

Summer Solstice

Winter Solstice

### View A - YEAR ROUND

Environmental and light conditions play a key role throughout the landscape design and planting schemes. The eastern aspect Rooftop and Canopy terrace gardens enjoy generous sunlight year round.

solar studies  
508-514 FLINDERS ST

THE WATERSIDE HOTEL  
green landscaping | july 2022



11am



2pm



12pm



3pm



1pm

### View B - Summer Solstice

The internal courtyard offers both visitors and garden alike refuge and respite from elemental extremes.

Planting selections thrive on summer light while equally relishing the protection from the winter breezes within this protected space.

## plant schedule

THE WATERSIDE HOTEL  
green landscaping | july 2022

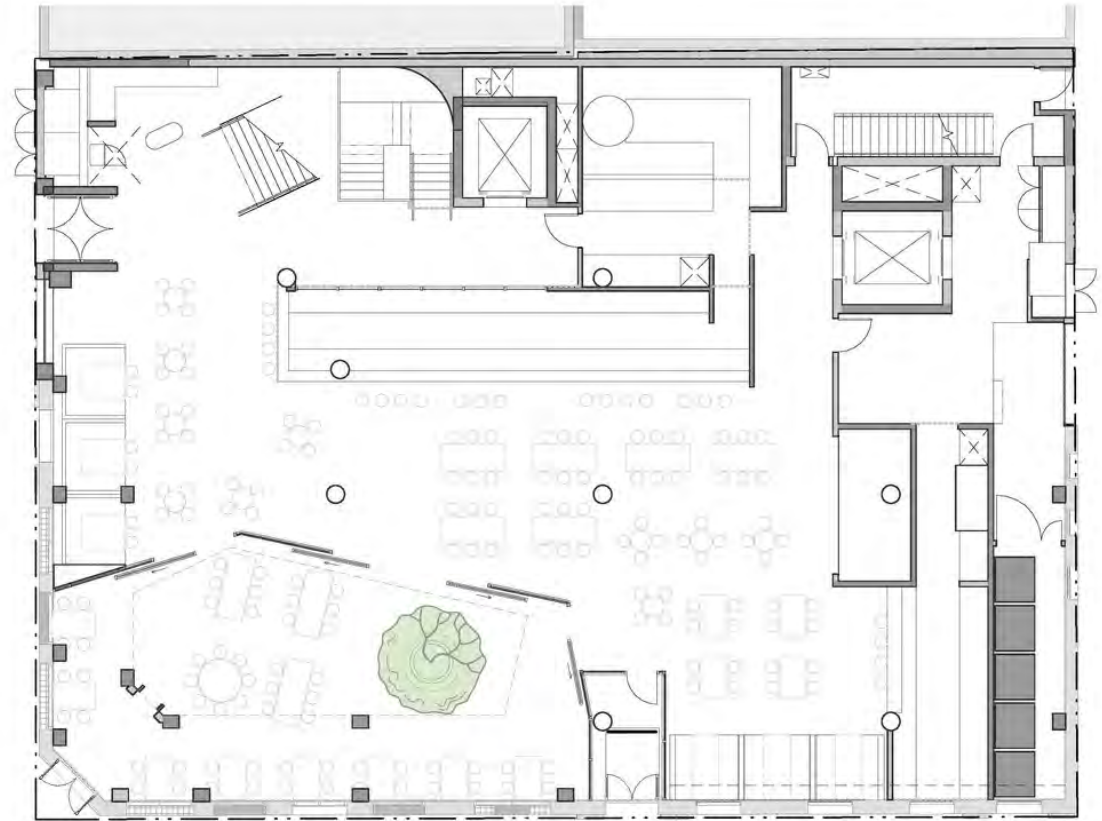
CODE	BOTANICAL NAME	COMMON NAME	POT SIZE	LEVELS	CODE	BOTANICAL NAME	COMMON NAME	POT SIZE	LEVELS
<b>Small Shrub</b>					<b>Spilling</b>				
AcMo	Acanthus mollis	Bear's Breeches	20cm	1	ViMA	Vinca minor Alba	Lesser Periwinkle	15cm	1, 2, 3, 6 + H
AsEl	Aspidistra elatior	Cast Iron Plant	20cm	1	TrAs	Trachelospermum asiaticum	Asian star jasmine	15cm	2, 3, 4, 5
PhAu	Phlebodium aureum	Blue Star Fern	25cm	1, 2 + H	RoOf	Rosemarinus officinalisProstratus	Creeping Rosemary	15cm	3, 4, 5
GaFl	Gardenia augusta Florida	Fragrant Gardenia	25cm	3, 4, 5	CaGl	Casuarina glauca Cousin It	She-Oak	15cm	3, 4, 5, 6
AcCo	Acacia cognata Mini Cog	River Wattle	20cm	3, 4, 5, 6	PICi	Plectranthus ciliatus	Plectranthus	15cm	1, 2, 3 + H
PhXa	Philodendron japonica Xanadu	Philodendron	20cm	1, 2, 3, 4 + H	PINi	Plectranthus nico	Swedish Ivy	15cm	1, 2, 3
SaCo	Sarcococca confusa	Sweet Box	20cm	1, 2	HaVi	Hardenbergia violacea	False Sarsaparilla	15cm	4, 5, 6
NeEx	Nephrolepis exaltata	Boston Fern	20cm	1, 2 + H	KeRu	Kennedia rubicunda	Dusky Coral Pea	15cm	6
AsBu	Asplenium bulbiferum	Hen and Chicken Fern	20cm	1, 2 + H	MyPa	Myoporum parvifolium	Creeping boobialla	15cm	3, 4, 5
LiPe	Limonium perezii	Perez's Sea Lavender	15cm	3, 4, 5	HeCa	Hedera Canariensis	Canary Island Ivy	15cm	1, 2
FaJa	Fatsia japonica	Japanese Aralia	20cm	1, 2	<b>Strappy &amp; Grass</b>				
PIBi	Platycerium bifurcatum	Elkhorn fern	30cm	2, 3	LiMu	Liriope muscari	Lilyturf	15cm	1, 2, 3, 4, 5 + H
<b>Medium Shrub</b>					NeGr	Neomarica gracilis	Brazilian Walking Iris	15cm	2, 3, 4 + H
StRe	Strelitzia reginae	Bird of Paradise	33cm	2, 3, 4	CIMi	Clivea miniata	Kaffir Lily	20cm	1, 2, 3
CoGl	Correa glabra	White Correa	20cm	5	ArCi	Arthropodium cirratum	New Zealand Rock Lily	20cm	1, 2, 3 + H
CoRe	Correa reflexa	Native Fuchsia	20cm	3, 4, 5	LoLo	Lomandra longifolia	Mat Rush	15cm	3, 4, 5, 6
RhUm	Rhaphiolepis umbellata	Yeddo Hawthorne	20cm	3, 4, 5, 6	AgPr	Agapanthus praecox	African lily	15cm	3, 4, 5
AuRo	Aucuba japonica Rozannie	Japanese Laurel	20cm	3	<b>Specimen Tree</b>				
LaNo	Laurus nobilis Baby Bay	Dwarf Bay Tree	25cm	3, 4, 5	WaFl	Waterhousea floribunda	Weeping Lilly Pilly	300ltr	Gr
PIAu	Plumbago auriculata "Royal Cape"	Cape Leadwort	20cm	4	FiLo	Ficus longifolia	Narrow Leaf Fig	100ltr	2, 3
GaMa	Gardenia augusta Magnifica	Large Flowered Gardenia	25cm	5	FiMa	Ficus microcarpa Hillii	Fig	100ltr	3
DrJC	Dracaena Janet Craig	Cornstalk Dracaena	33cm	2					
<b>Tall Shrub</b>									
MuPa	Murraya paniculata	Mock Orange	25cm	3, 4, 5, 6					
ChSe	Chamaedorea seifrizii	Bamboo Palm	33cm	3, 4					
MiYu	Michelia yunnanensis Scented Pearl	Michelia 'Scented Pearl'	33cm	3, 4, 5					
AcSi	Acmena smithii Green Screen	Lilly Pilly	33cm	5, 6					

THE WATERSIDE HOTEL  
planting schematic drawings + schedules per level

ground level  
WATERSIDE

Riverside, rising from the cool and fertile understory of the forest floor a lone specimen tree rises towards the canopy light.

*Waterhousea floribunda*, durable in low light and the artificial climatic conditions of city based hospitality venues.



PLANTING PLAN



3/7 BRUCE STREET  
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PROJECT: THE WATERSIDE HOTEL  
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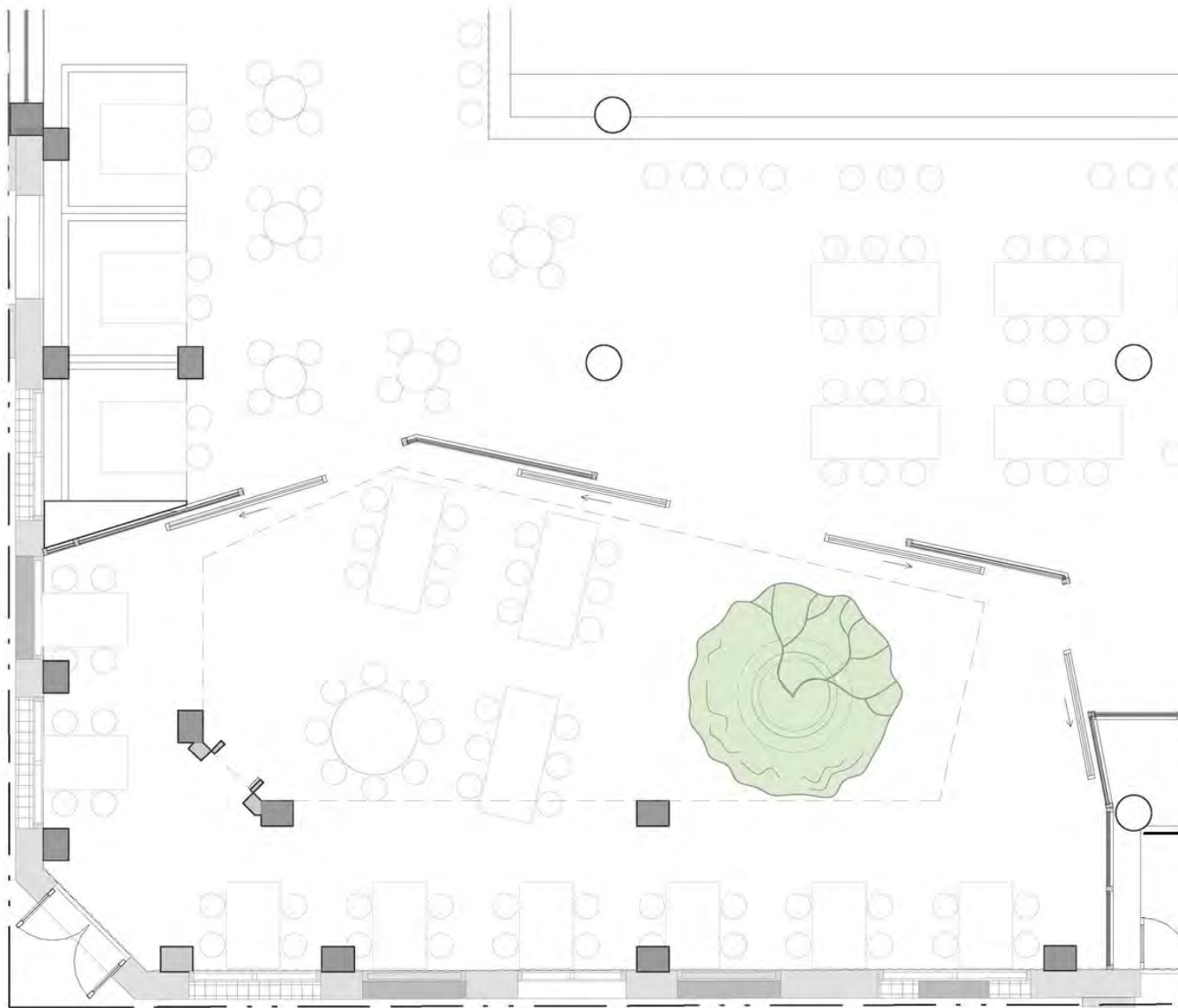


TOWN PLANNING

GR.01.00

**PLANTING SCHEDULE**

CODE	BOTANICAL NAME	COMMON NAME	SIZE
SPECIMEN TREE			
WaFl	Waterhousea floribunda	Weeping Lilly Pilly	300 liter



QTY		QTY	
n/a	Small shrub	n/a	Spilling plant
n/a	Medium shrub	n/a	Strappy & grass
n/a	Tall shrub	1	Specimen tree

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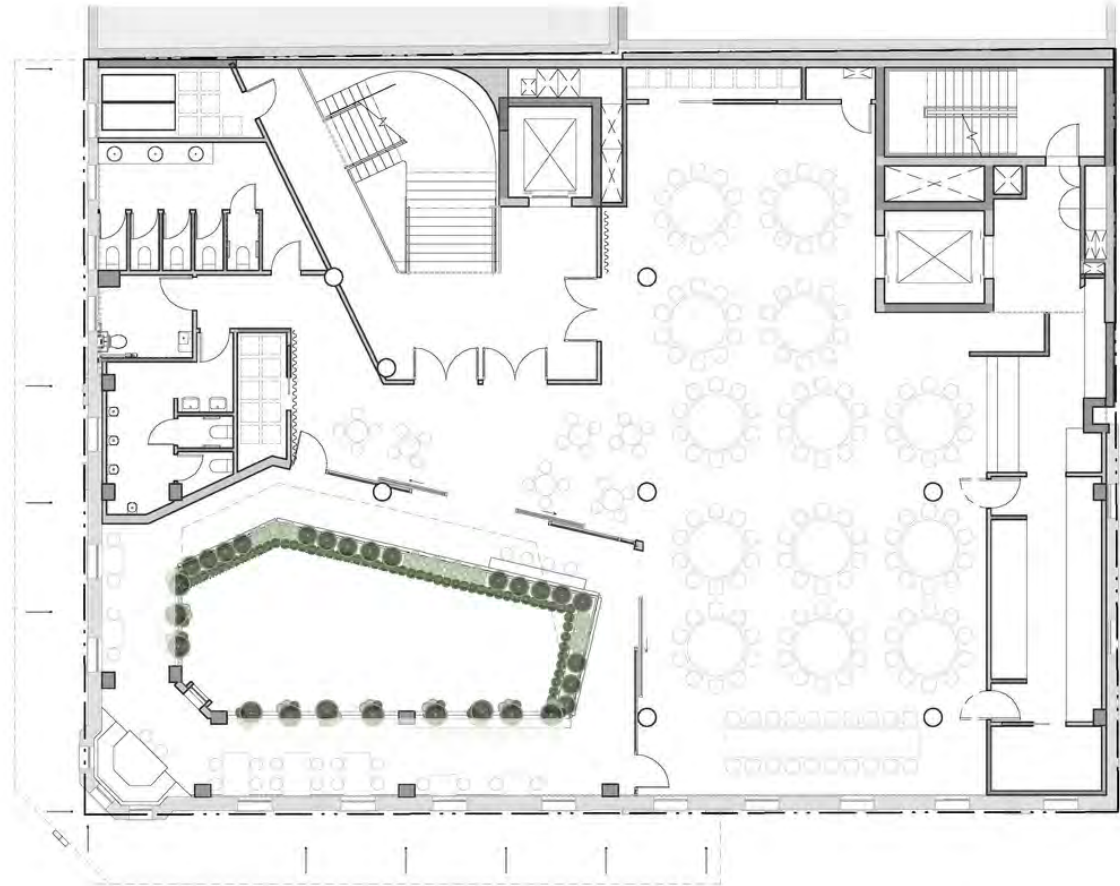
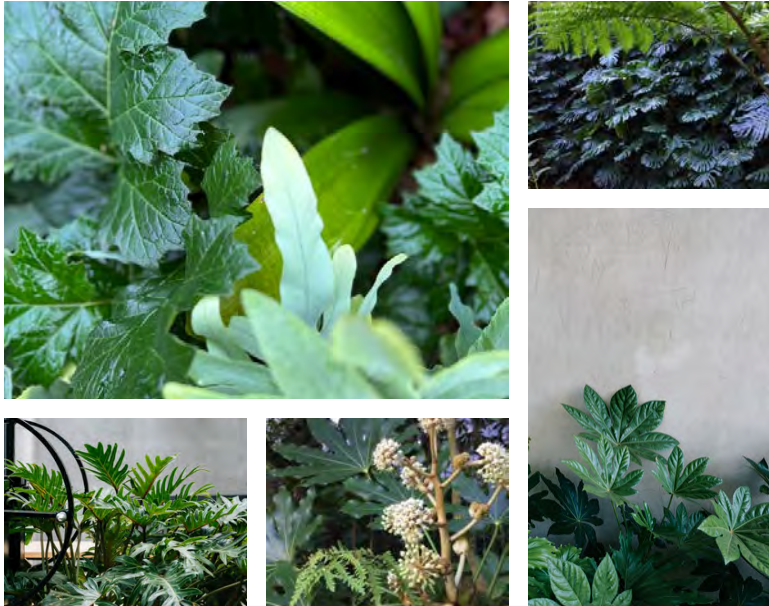
TOWN PLANNING

GR.01.01

level one  
FOREST FLOOR

THE WATERSIDE HOTEL  
green landscaping | july 2022

Large leaf, deep greens of Acanthus, Philodendron, Hedera, and other low light loving species thrive within the fertile forest floor. Glimpses of earthy and autumnal toned florals display through warmer seasons.



PLANTING PLAN



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TOWN PLANNING

L1.01.00

PLANTING SCHEDULE

CODE	BOTANICAL NAME	COMMON NAME	SIZE
<b>SMALL SHRUB</b>			
AcMo	Acanthus mollis	Bear's Breeches	20cm
AsEi	Aspidistra elatior	Cast Iron Plant	20cm
PhAu	Phlebodium aureum	Blue Star Fern	20cm
PhXa	Philodendron japonica Xanadu	Philodendron	20cm
SaCo	Sarcococa confusa	Sweet Box	20cm
NeEx	Nephrolepis exaltata	Boston Fern	20cm
AsBu	Asplenium bulbiferum	Hen and Chicken Fern	20cm
FaJa	Fatsia Japonica	Japanese Aralia	20cm
<b>SPILLING</b>			
ViMa	Vinca minor Alba	Lesser Periwinkle	15cm
PIci	Plectranthus ciliatus	Plectranthus	15cm
PINi	Plectranthus nico	Swedish Ivy	15cm
HeCa	Hedera Canariensis	Canary Island Ivy	15cm
<b>STRAPPY/GRASSES</b>			
LiMu	Liriope muscari	Lilyturf	15cm
CI Mi	Clivea miniata	Kaffir Lily	20cm
ArCi	Arthropodium cirratum	New Zealand Rock Lily	20cm
<b>HANGING BASKETS</b>			
PhAu	Phlebodium aureum	Blue Star Fern	20cm
PhXa	Philodendron japonica Xanadu	Philodendron	20cm
NeEx	Nephrolepis exaltata	Boston Fern	20cm
AsBu	Asplenium bulbiferum	Hen and Chicken Fern	20cm
ViMa	Vinca minor Alba	Lesser Periwinkle	15cm
PIci	Plectranthus ciliatus	Plectranthus	15cm
LiMu	Liriope muscari	Lilyturf	15cm
NeGr	Neomarica gracilis	Brazilian Walking Iris	15cm
ArCi	Arthropodium cirratum	New Zealand Rock Lily	20cm
PIBi	Platynerium bifurcatum	Eikhorn Fern	VAR



QTY		QTY
39	Small shrub	89 Spilling plant
n/a	Medium shrub	85 Strappy & grass
n/a	Tall shrub	n/a Specimen tree

PLANTING PLAN

**ayus**  
AYUS BOTANICAL

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TOWN PLANNING  
L1.01.01



level two  
UNDERSTORY

Deep green, broad foliage continues through the understory of level two where glimpses of regular light afford the occasional brilliant floral. Elk ferns and oversized botanical hanging baskets and window boxes simulate epiphytes reaching for the rainforest canopy in the *Winter Garden*.



PLANTING PLAN



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TOWN PLANNING

L2.01.00

**PLANTING SCHEDULE**

CODE	BOTANICAL NAME	COMMON NAME	SIZE
<b>SMALL SHRUB</b>			
PhAu	Phlebodium aureum	Blue Star Fern	20cm
PhXa	Philodendron japonica Xanadu	Philodendron	20cm
SaCo	Sarcococa confusa	Sweet Box	20cm
NeEx	Nephrolepis exaltata	Boston Fern	20cm
AsBu	Asplenium bulbiferum	Hen and Chicken Fern	20cm
FaJa	Fatsia Japonica	Japanese Aralia	20cm
<b>MED SHRUB</b>			
StRe	Strelitzia reginae	Bird of Paradise	33cm
DrJc	Dracaena Janet Craig	Cornstalk Dracaena	33cm
<b>SPILLING</b>			
ViMa	Vinca minor Alba	Lesser Periwinkle	15cm
TrAs	Trachelospermum asiaticum	Asian star jasmine	15cm
PICi	Plectranthus ciliatus	Plectranthus	15cm
PINi	Plectranthus nico	Swedish Ivy	15cm
HeCa	Hedera Canariensis	Canary Island Ivy	15cm
<b>STRAPPY/GRASSES</b>			
LiMu	Liriope muscari	Lilyturf	15cm
NeGr	Neomarica gracilis	Brazilian Walking Iris	15cm
CIMi	Clivea miniata	Kaffir Lily	20cm
ArCi	Arthropodium cirratum	New Zealand Rock Lily	20cm
<b>SPECIMEN TREE</b>			
FiLo	Ficus longifolia	Narrow Leaf Fig	100 liter
<b>HANGING BASKETS</b>			
PhAu	Phlebodium aureum	Blue Star Fern	20cm
PhXa	Philodendron japonica Xanadu	Philodendron	20cm
NeEx	Nephrolepis exaltata	Boston Fern	20cm
AsBu	Asplenium bulbiferum	Hen and Chicken Fern	20cm
ViMa	Vinca minor Alba	Lesser Periwinkle	15cm
PICi	Plectranthus ciliatus	Plectranthus	15cm
LiMu	Liriope muscari	Lilyturf	15cm
NeGr	Neomarica gracilis	Brazilian Walking Iris	15cm
ArCi	Arthropodium cirratum	New Zealand Rock Lily	20cm
PIBi	Platyterium bifurcarum	Elkhorn Fern	VAR

QTY		QTY	
35	Small shrub	77	Spilling plant
6	Medium shrub	138	Strappy & grass
n/a	Tall shrub	1	Specimen tree



**PLANTING PLAN**



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TOWN PLANNING

L2.01.01

level three  
TRANSITIONS

This garden hosts the most diverse plant selection as seasonal changes are fully experienced. Varying foliage shapes, sizes and colours accompany splashes of flowering plants of this Terrace Garden.



PLANTING PLAN



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TOWN PLANNING

L3.01.00

PLANTING SCHEDULE

CODE	BOTANICAL NAME	COMMON NAME	SIZE
<b>SMALL SHRUB</b>			
GaFl	Gardenia augusta Florida	Fragrant Gardenia	25cm
AcCo	Acacia cognata Mini Cog	River Wattle	20cm
PHXa	Philodendron japonica Xanadu	Philodendron	20cm
LIPe	Limonium perezii	Perez's Sea Lavender	15cm
<b>MED SHRUB</b>			
StRe	Strelitzia reginae	Bird of Paradise	33cm
CoRe	Correa reflexa	Native Fuchsia	20cm
RHUm	Rhaphiolepis umbellata	Yeddo Hawthorne	20cm
AuRo	Aucuba japonica Rozannie	Japanese laurel	20cm
LaNo	Laurus nobilis Baby Bay	Dwarf Bay Tree	25cm
<b>TALL SHRUB</b>			
MuPa	Murraya paniculata	Mock Orange	25cm
ChSe	Chamaedorea seifrizii	Bamboo Palm	33cm
MYu	Michelia yunnanensis Scented Pearl	Michelia 'Scented Pearl'	33cm
<b>SPILLING</b>			
TrAs	Tracheloperum asiaticum	Asian star jasmine	15cm
RoOf	Rosemarinus officinalis Prostratus	Creeping Rosemary	15cm
CaGI	Casuarina glauca Cousin It	She-Oak	15cm
PICl	Plectranthus ciliatus	Plectranthus	15cm
PINi	Plectranthus nico	Swedish Ivy	15cm
MyPa	Mycoporum parvifolium	Creeping boobialla	15cm
<b>STRAPPY/ GRASSES</b>			
LIMu	Liriope muscari	Lilyturf	15cm
NeGr	Neomarica gracilis	Brazilian Walking Iris	15cm
ClMi	Clivea miniata	Kaffir Lily	20cm
ArCi	Arthropodium cirratum	New Zealand Rock Lily	20cm
LoLo	Lomandra longifolia	Mat Rush	15cm
AgPr	Agapanthus praecox	African lily	15cm
<b>SPECIMEN TREE</b>			
FiMa	Ficus microcarpa Hillii	Fig	100 liter
<b>HANGING BASKETS</b>			
PhAu	Phlebodium aureum	Blue Star Fern	20cm
PhXa	Philodendron japonica Xanadu	Philodendron	20cm
NeEx	Nephrolepis exaltata	Boston Fern	20cm
AsBu	Asplenium bulbiferum	Hen and Chicken Fern	20cm
ViMa	Vinca minor Alba	Lesser Periwinkle	15cm
PICl	Plectranthus ciliatus	Plectranthus	15cm
LIMu	Liriope muscari	Lilyturf	15cm
NeGr	Neomarica gracilis	Brazilian Walking Iris	15cm
ArCi	Arthropodium cirratum	New Zealand Rock Lily	20cm
PIBI	Platyceium bifurcatum	Elkhorn Fern	VAR

QTY		QTY	
84	Small shrub	160	Spilling plant
14	Medium shrub	148	Strappy & grass
11	Tall shrub	2	Specimen tree



PLANTING PLAN



3/7 BRUCE STREET  
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PROJECT: THE WATERSIDE HOTEL  
 CLIENT: SAND HILL ROAD  
 SCALE: NTS  
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TOWN PLANNING

L3.01.01

level four  
SUB-CANOPY

THE WATERSIDE HOTEL  
green landscaping | july 2022

Increased light allows for more diverse foliage shapes and colour and stronger floral displays with Gardenia and Trachelospermum through the Melbourne warmer seasons.



PLANTING PLAN



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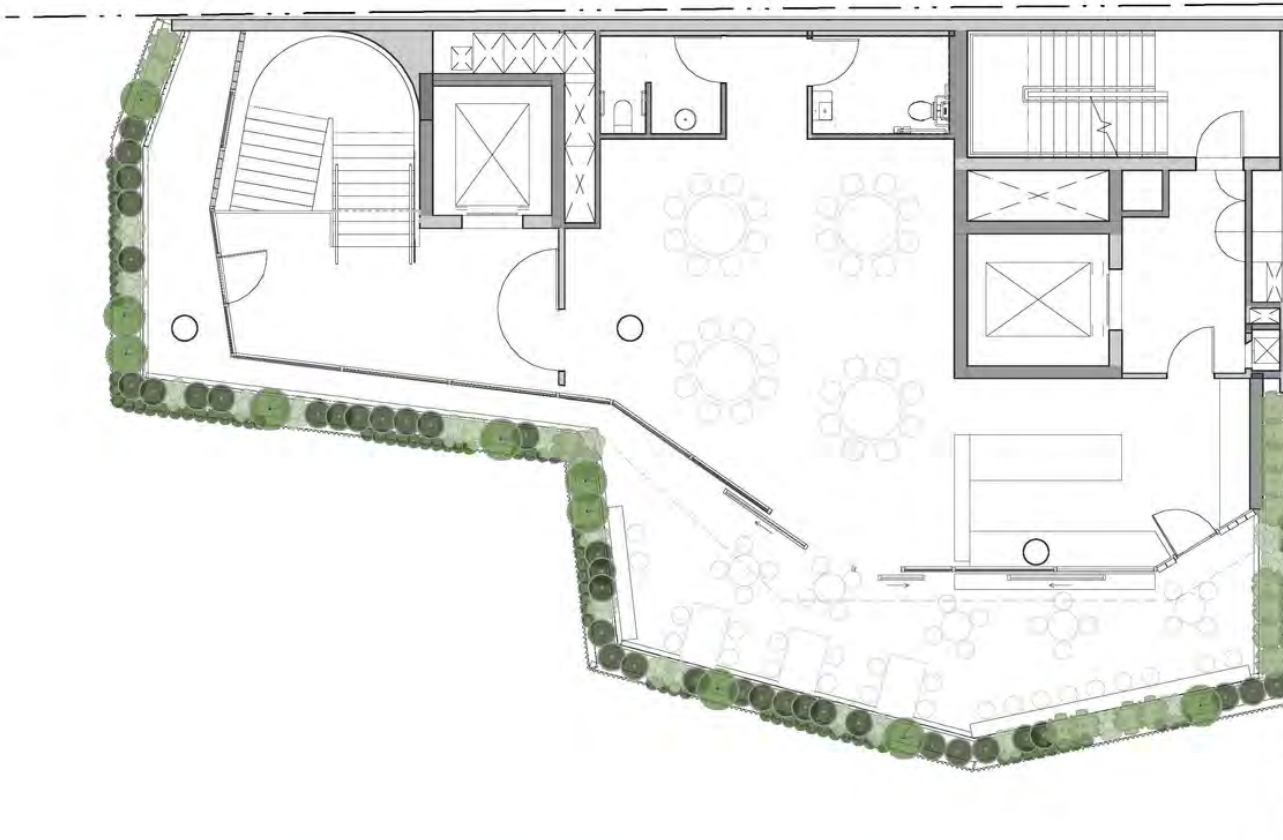


TOWN PLANNING

L4.01.00

### PLANTING SCHEDULE

CODE	BOTANICAL NAME	COMMON NAME	SIZE
<b>SMALL SHRUB</b>			
GaFl	Gardenia augusta Florida	Fragrant Gardenia	25cm
AcCo	Acacia cognata Mini Cog	River Wattle	20cm
PhXa	Philodendron japonica Xanadu	Philodendron	20cm
LiPe	Limonium perezii	Perez's Sea Lavender	15cm
<b>MED SHRUB</b>			
StRe	Strelitzia reginae	Bird of Paradise	33cm
CoRe	Correa reflexa	Native Fuchsia	20cm
RhUm	Rhaphiolepis umbellata	Yeddo Hawthorne	20cm
LaNo	Laurus nobilis Baby Bay	Dwarf Bay Tree	25cm
PlAu	Plumbago auriculata 'Royal Cape'	Cape leadwort	20cm
<b>TALL SHRUB</b>			
MuPa	Murraya paniculata	Mock Orange	25cm
ChSe	Chamaedorea seifrizii	Bamboo Palm	33cm
MiYu	Michelia yunnanensis Scented Pearl	Michelia 'Scented Pearl'	33cm
<b>SPILLING</b>			
TrAs	Trachelospermum asiaticum	Asian star jasmine	15cm
RoOf	Rosemarinus officinalis Prostratus	Creeping Rosemary	15cm
CaGl	Casuarina glauca Cousin It	She-Oak	15cm
HaVi	Hardenbergia violacea	False sarsaparilla	15cm
MyPa	Myoporum parvifolium	Creeping boobialla	15cm
<b>STRAPPY/GRASSES</b>			
LiMu	Liriope muscari	Lilyturf	15cm
NeGr	Neomarica gracilis	Brazilian Walking Iris	15cm
LoLo	Lomandra longifolia	Mat Rush	15cm
AgPr	Agapanthus praecox	African lily	15cm



QTY		QTY	
37	Small shrub	89	Spilling plant
17	Medium shrub	140	Strappy & grass
10	Tall shrub	n/a	Specimen tree

### PLANTING PLAN



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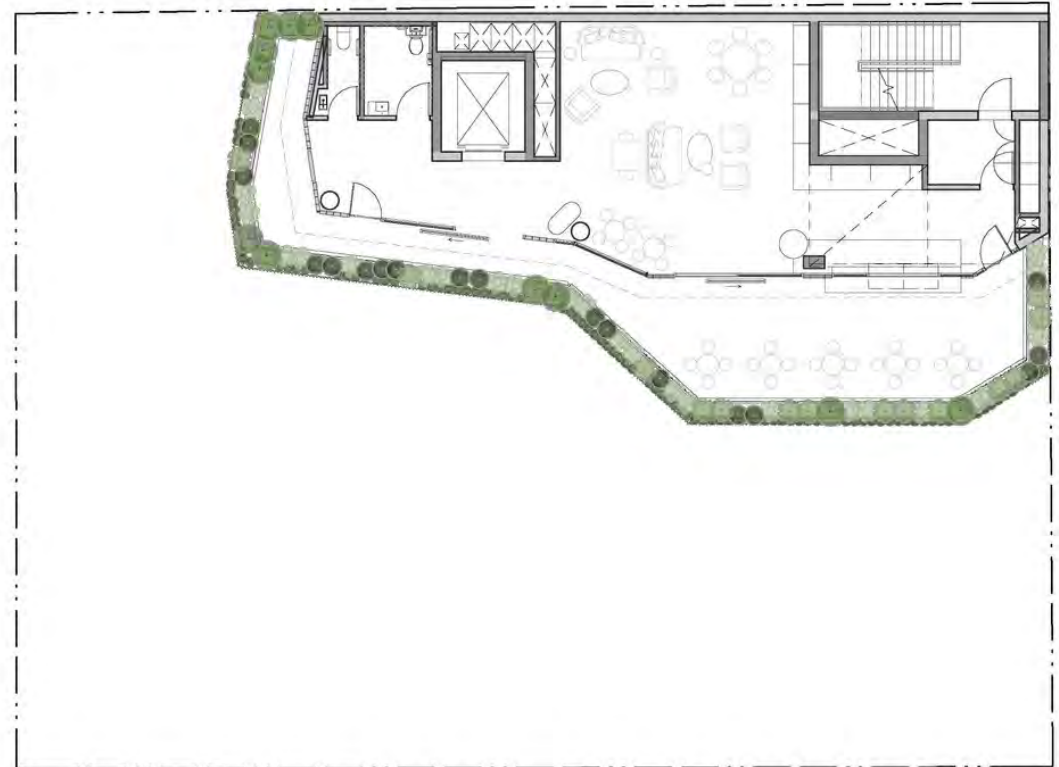
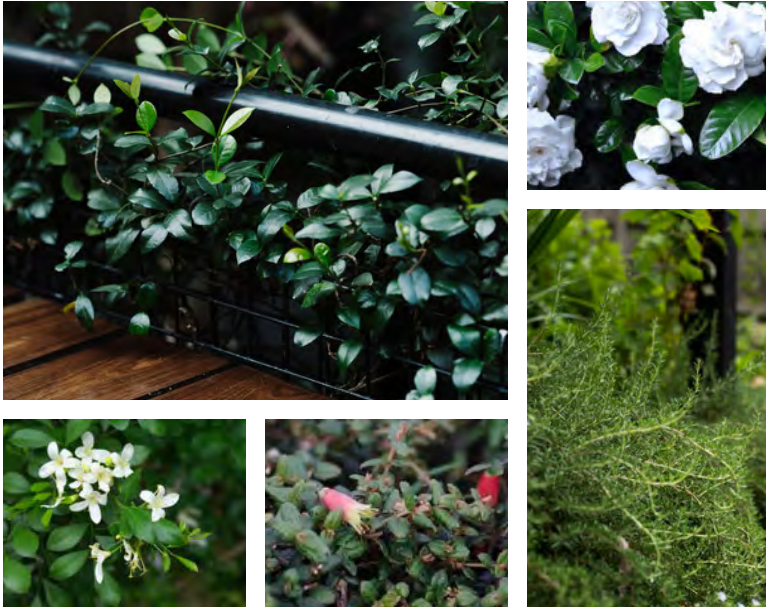
TOWN PLANNING

L4.01.01

level five  
CANOPY

THE WATERSIDE HOTEL  
green landscaping | july 2022

Greater light and air movement introduces smaller foliage selection with bright and fragrant floral life. The canopy level varieties provide great attraction to birds and insects.



PLANTING PLAN



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PAGE SIZE: A2



TOWN PLANNING

L5.01.00

### PLANTING SCHEDULE

CODE	BOTANICAL NAME	COMMON NAME	SIZE
<b>SMALL SHRUB</b>			
GaFl	Gardenia augusta Florida	Fragrant Gardenia	25cm
AcCo	Acacia cognata Mini Cog	River Wattle	20cm
LiPe	Limonium perezii	Perez's Sea Lavender	15cm
<b>MED SHRUB</b>			
CoGl	Correa glabra	White Correa	20cm
CoRe	Correa reflexa	Native Fuchsia	20cm
RhUm	Rhaphiolepis umbellata	Yeddo Hawthorne	20cm
LaNo	Laurus nobilis Baby Bay	Dwarf Bay Tree	25cm
GaMa	Gardenia augusta Magnifica	Large Flowered Gardenia	25cm
<b>TALL SHRUB</b>			
MuPa	Murraya paniculata	Mock Orange	25cm
MiYu	Michelia yunnanensis Scented Pearl	Michelia 'Scented Pearl'	33cm
AcSi	Acmena smithii Green Screen	Lilly Pilly	33cm
<b>SPILLING</b>			
TrAs	Trachelospermum asiaticum	Asian star jasmine	15cm
RoOf	Rosemarinus officinalis Prostratus	Creeping Rosemary	15cm
CaGl	Casuarina glauca Cousin It	She-Oak	15cm
HaVi	Hardenbergia violacea	False sarsaparilla	15cm
MyPa	Myoporum parvifolium	Creeping boobialla	15cm
<b>STRAPPY/GRASSES</b>			
LiMu	Liriope muscari	Lilyturf	15cm
LoLo	Lomandra longifolia	Mat Rush	15cm
AgPr	Agapanthus praecox	African lily	15cm



QTY	Plant Type	QTY	Plant Type
18	Small shrub	92	Spilling plant
14	Medium shrub	182	Strappy & grass
11	Tall shrub	n/a	Specimen tree

### PLANTING PLAN



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TOWN PLANNING

L5.01.01



level six  
ROOFTOP

THE WATERSIDE HOTEL  
green landscaping | july 2022

Mother nature is in charge here where the force of natural elements has influenced the plant selection. Stronger sunlight and wind require the foliage to be smaller in size as is the case in any forest canopy.



PLANTING PLAN



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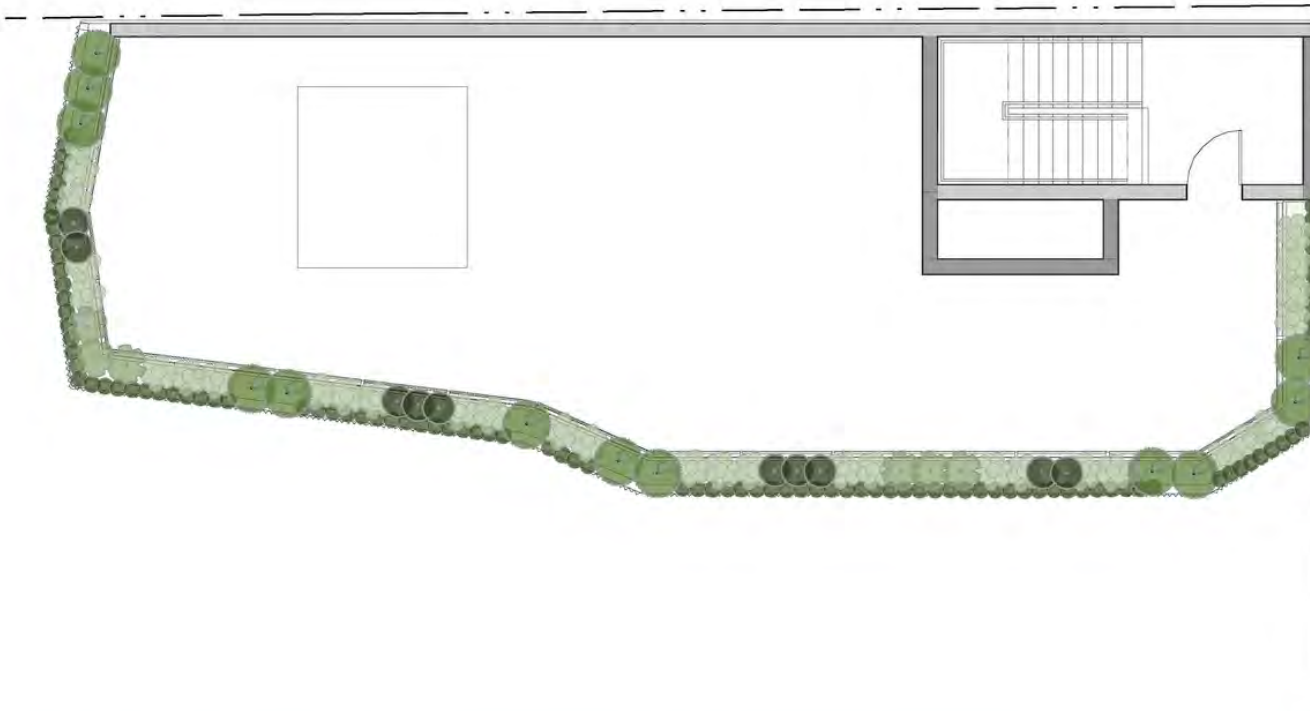


TOWN PLANNING

L6.01.00

**PLANTING SCHEDULE**

CODE	BOTANICAL NAME	COMMON NAME	SIZE
<b>SMALL SHRUB</b>			
AcCo	Acacia cognata Mini Cog	River Wattle	20cm
<b>MED SHRUB</b>			
RhUm	Rhaphiolepis umbellata	Yeddo Hawthorn	20cm
<b>TALL SHRUB</b>			
MuPa	Murraya paniculata	Mock Orange	25cm
AcSi	Acmena smithii Green Screen	Lilly Pilly	33cm
<b>SPILLING</b>			
ViMa	Vinca minor Alba	Lesser Periwinkle	15cm
CaGl	Casuarina glauca Cousin It	She-Oak	15cm
HaVi	Hardenbergia violacea	False sarsaparilla	15cm
KeRu	Kennedia rubicunda	Dusky Coral Pea	15cm
<b>STRAPPY/GRASSES</b>			
LoLo	Lomandra longifolia	Mat Rush	15cm



QTY		QTY	
10	Small shrub	100	Spilling plant
6	Medium shrub	150	Strappy & grass
12	Tall shrub	n/a	Specimen tree

**PLANTING PLAN**



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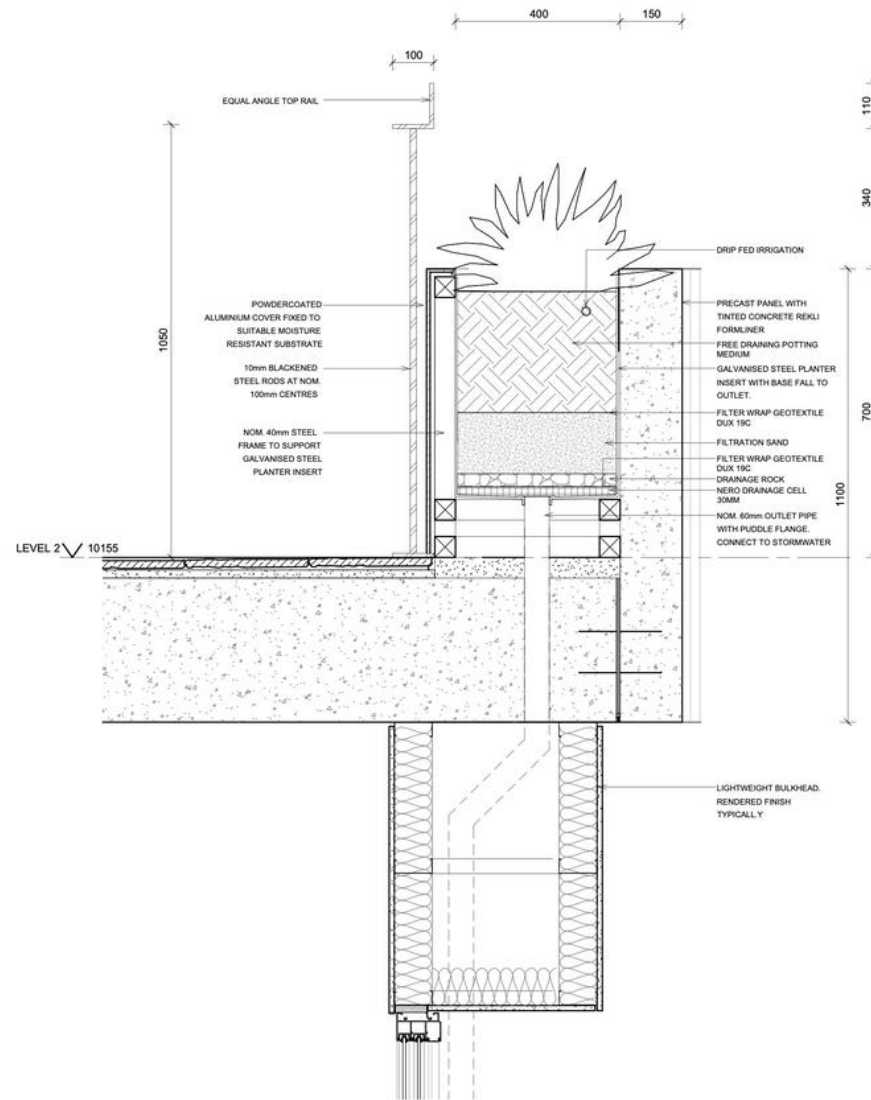


TOWN PLANNING

L6.01.01

typical planter & basket sections

THE WATERSIDE HOTEL  
green landscaping | july 2022

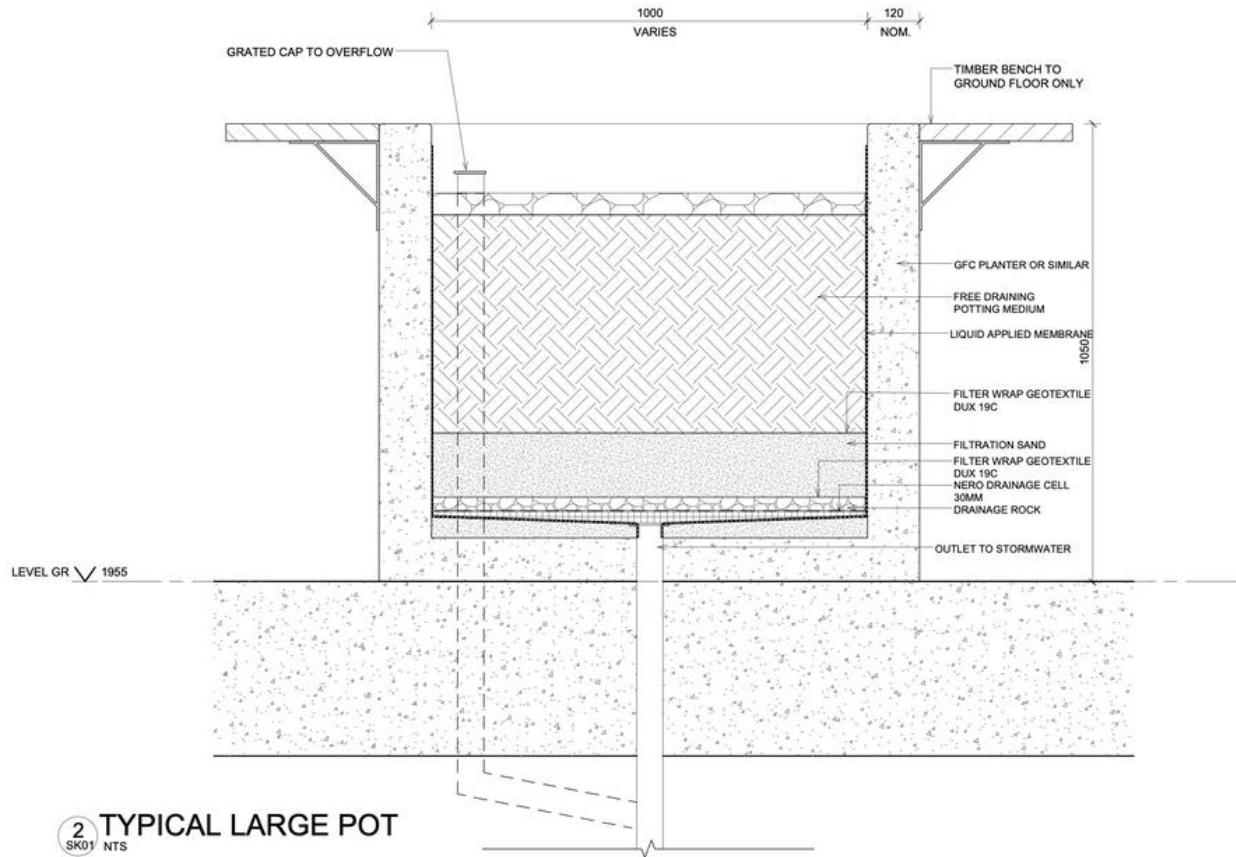


1 TYPICAL BALCONY PLANTER  
SK01 NTS

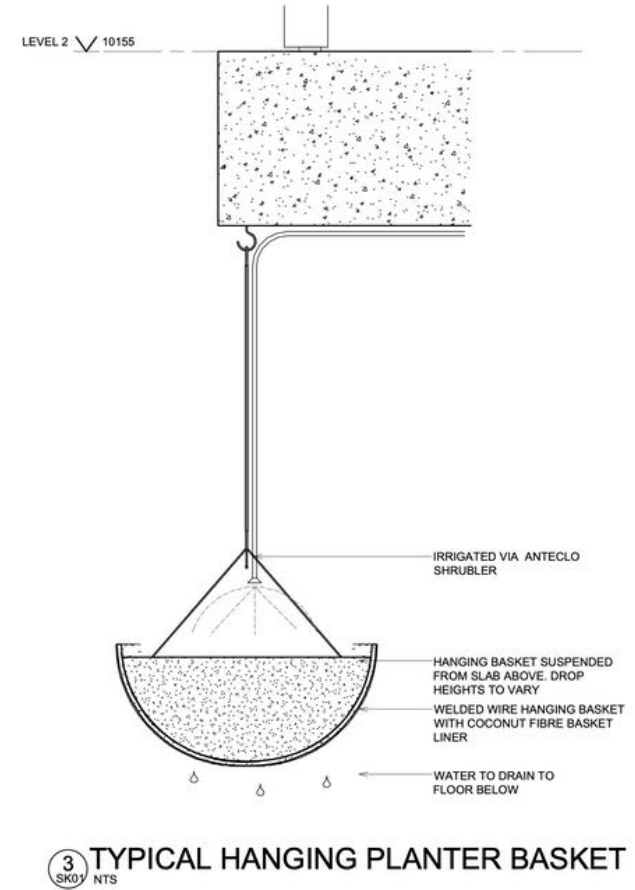
Architects Drawings updated with landscape details

typical planter & basket sections

THE WATERSIDE HOTEL  
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Architects Drawings updated with landscape details



Architects Drawings updated with landscape details

MAINTENANCE FOR  
WELLBEING AND LONGEVITY



maintenance  
WELLBEING & LONGEVITY

Page 114 of 188

THE WATERSIDE HOTEL  
green landscaping | july 2022



From planting selection through architectural considerations and operational requirements, maintenance and management of a unique and dynamic city garden installation has been front-of-mind throughout the design of this contemporary hospitality venue.

A deeply considered planting selection features throughout the garden design, with care to ensure all species have the capacity to not only survive within the diverse microclimates of the venue, but also prosper in a way that provokes wonder in the achievement of lush urban planting.

Ease of planter and garden maintenance to ensure the longevity and success of a thriving green landscape has been of primary importance for the architectural, landscape and operational teams developing this venue design.

Architecturally, safety has been at the forefront of priorities when designing the planting containers. Safe access to planters via walkways and the use of mobile work platforms has been implemented to ensure optimal plant specimen care whilst ensuring the safety of the professionals involved.

The venue operations team will include appropriate horticultural trained maintenance resources to ensure the day-to-day wellbeing of the garden, while specialist landscape consultants are scheduled for cyclical and preventative care.

A thoughtful planting schedule has been designed to allow for simple replacement of individual plant specimens, should this be required, without compromising the full garden aesthetic.

## Establishment Period

(6mth + 12mth programs)  
SHR with Consulting  
Horticultural team

## Nurture

Routine maintenance activities  
Monitor plant health and performance

## Ongoing/Routine Maintenance

SHR weekly + monthly  
(resource with Horticultural knowledge)

### Plant Health

- Monitor and record Plant performance
- Identify and address issues

### Cultural practice

- Weed control
- Removal of plant waste material

### Planter condition

- Monitor drainage
- Refresh Substrates

## Preventive Maintenance

Annual review by SHR  
maintenance and consulting  
specialists

### Review / Update / Implement

- Pest & Disease plan
- Nutrition plan
- Irrigation plan

### Full inspection

- Irrigation
- Drainage / plumbing
- Planter waterproofing

## Cyclic Maintenance

Contracted Horticultural team

### Performance Review

- planting performance review and individual  
shaping to design vision

### Plant Nutrition

- slow release fertiliser
- liquid fertiliser specific areas

*Additional Seasonal examples:*

### Autumn

- Specimen Tree Pruning to design vision
- Review brace support requirement
- Pruning/train hanging plants

### Spring

- Hanging basket nutrition
- Pruning/train hanging plants

IRRIGATION PLANS  
PER LEVEL





irrigation  
GROUND LEVEL

THE WATERSIDE HOTEL  
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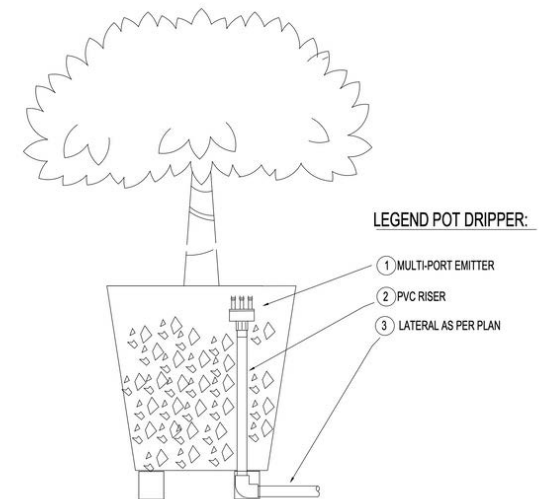
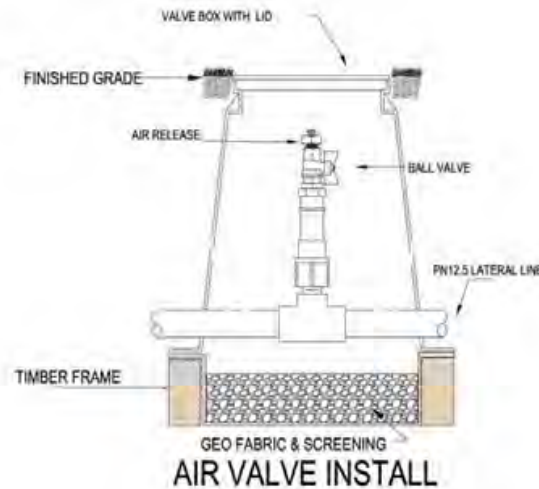
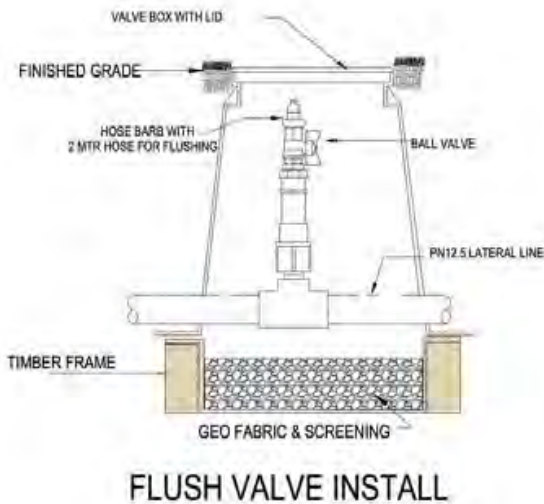
An automatic dripline irrigation system is proposed for planter boxes, shrubblers in the Winter Garden hanging baskets and Legend pot drippers for the freestanding tree planters.

Zones set irrigation requirements for planting and environmental conditions (for each venue level). The irrigation proposal includes a weather monitoring station to ensure irrigation frequency and volume is appropriately adjusted to fluctuating weather conditions.

The establishment period will confirm and adjust irrigation settings for each garden requirement.

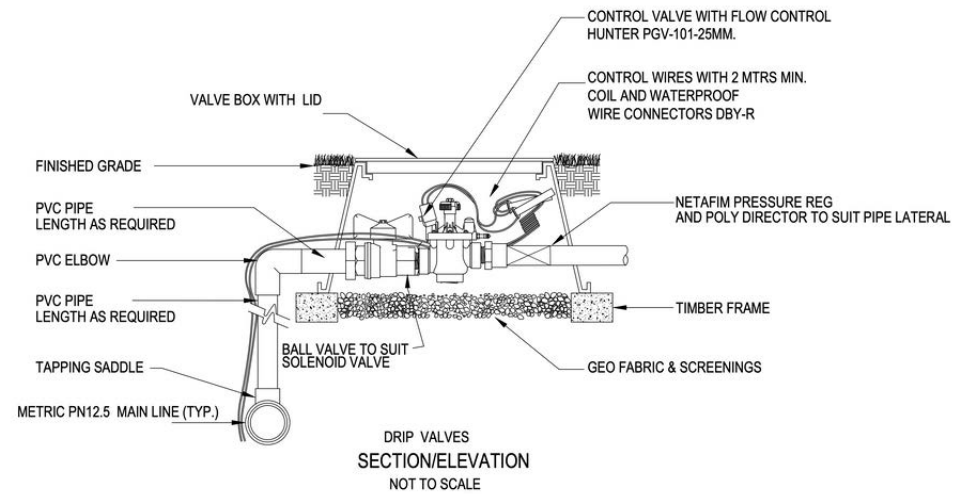
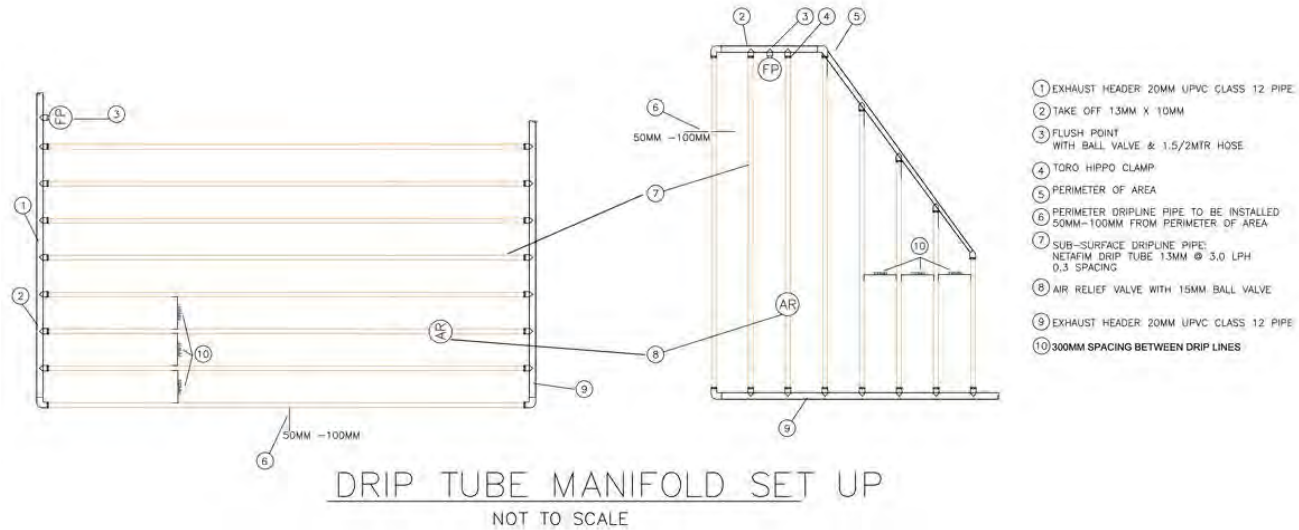
**Irrigation**

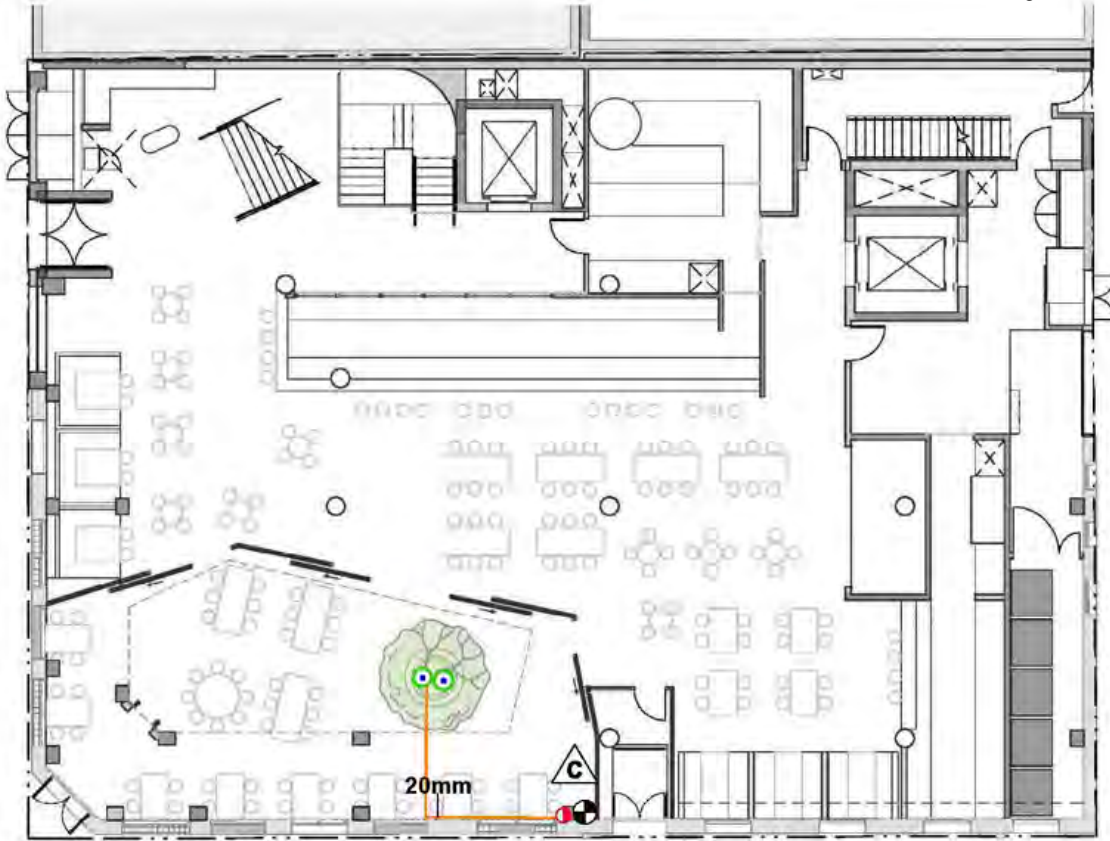
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<b>Sprinklers</b>					
	Hunter Multi Port Emitters MPE-20		2.07 bars	0.13 l/m	0 m
<b>Control Valves</b>					
↻	Hunter PGV-101G	PGV-101G			
<b>Irrigation Accessories</b>					
c	Hunter HPC Hydrawise Controller				
⬇	Irritrol Systems Air Valve				
↔	Irritrol Systems Flush Valve				
<b>Lateral Line Pipe</b>					
—	Copper Type A 20mm				
—	PN12 20mm	Metric or Upvc			
<b>Drip Tubing</b>					
—	Netafim TLCV4-18	TLCV4-18			
<b>Wire</b>					
—	WMW97043 - 9 Wire (1mm)	WMW97043			



irrigation  
GROUND LEVEL (CONTINUED)

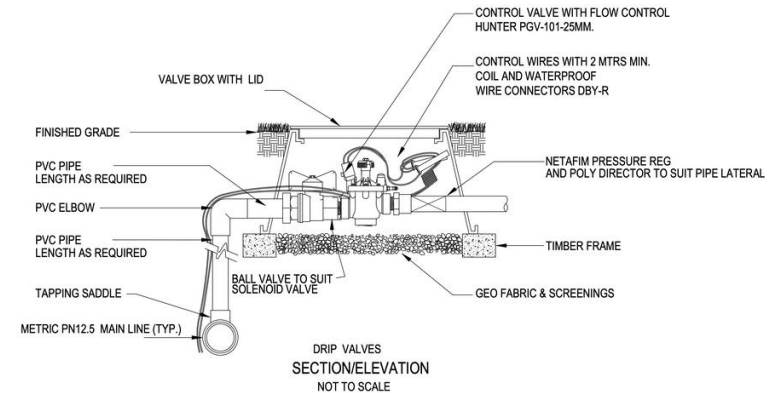
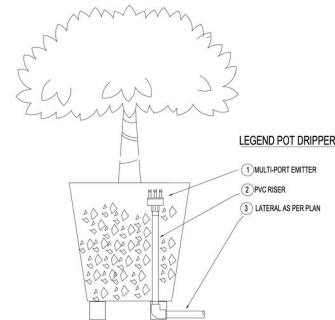
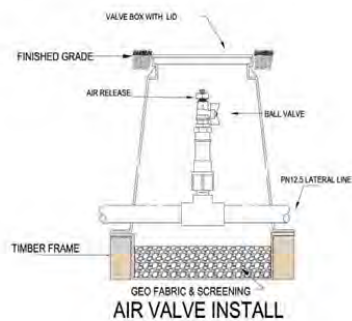
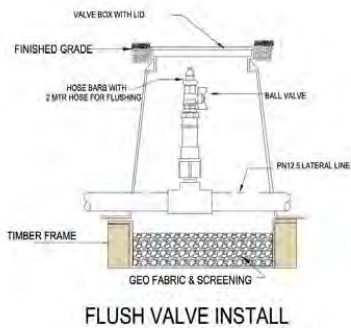
THE WATERSIDE HOTEL  
green landscaping | july 2022





### Irrigation

Symbol	Description	Pressure	Flow	Radius
<b>Sprinklers</b>				
○	Hunter Multi-Port Red 8 Lph	2.07 bars	0.13 l/m	0 m
<b>Control Valves</b>				
⊕	Hunter PGV-100G			
<b>Irrigation Accessories</b>				
⚠	Hunter HPC-401 Wi-Fi Controller Position To Be Advised			
⚡	Irritrol Systems Flush Valve			
⚠	Irritrol Systems PLD-AVR Air Vacuum Relief Valve			
<b>Lateral Line Pipe</b>				
—	Copper Type A 15mm			
—	PN12 20mm			
<b>Drip Tubing</b>				
—	Netafim Techline 3.0Lph @ 0.3 Spacing			



## IRRIGATION PLAN



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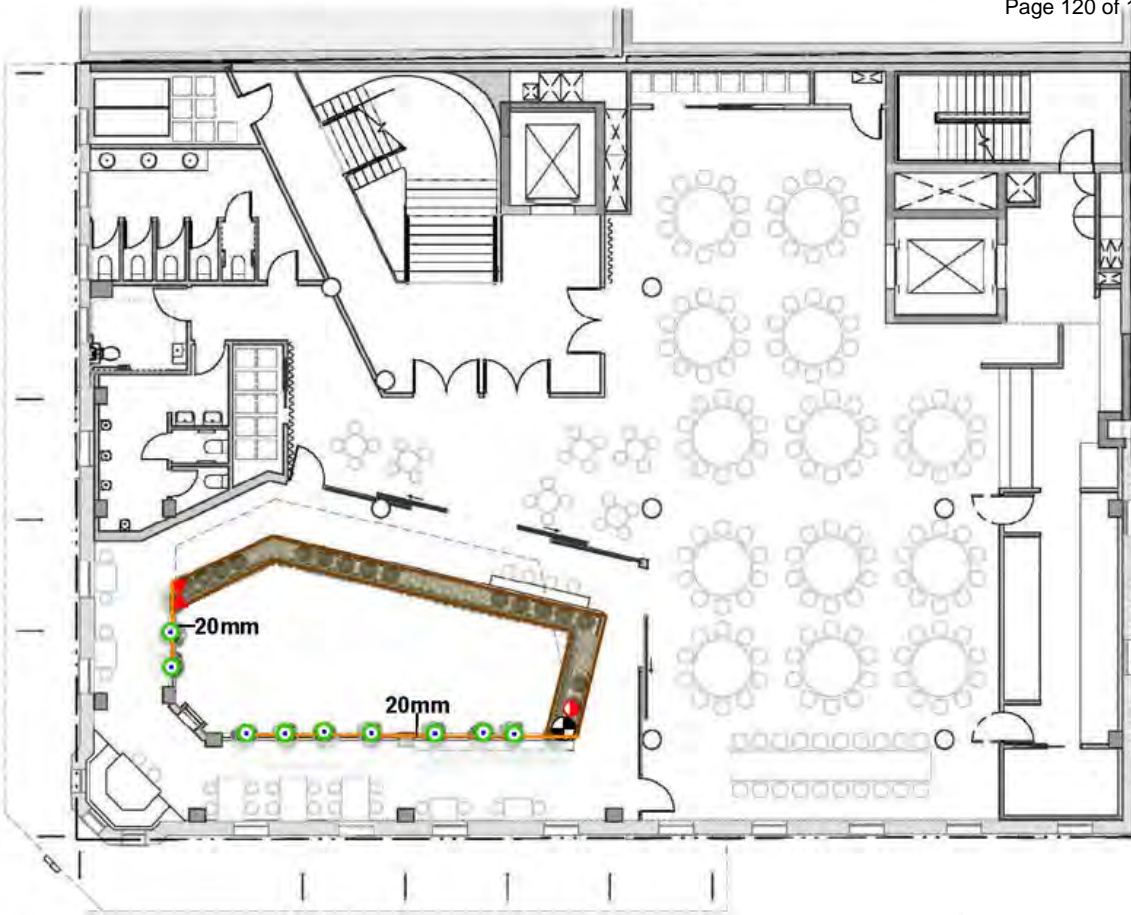
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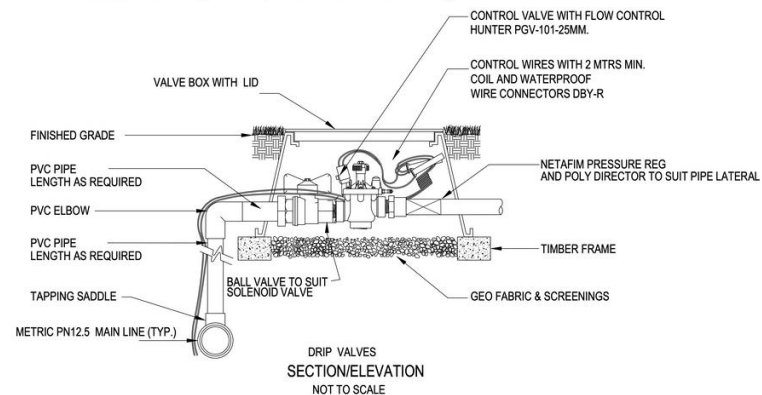
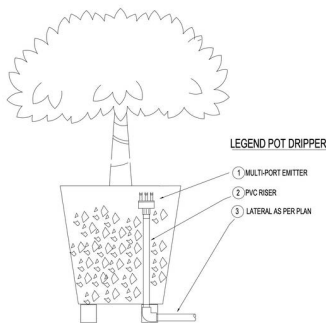
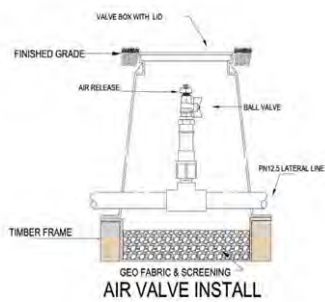
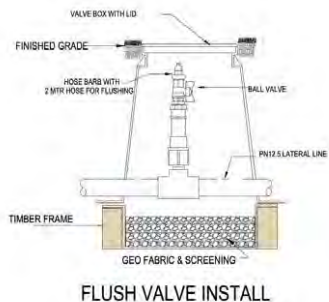
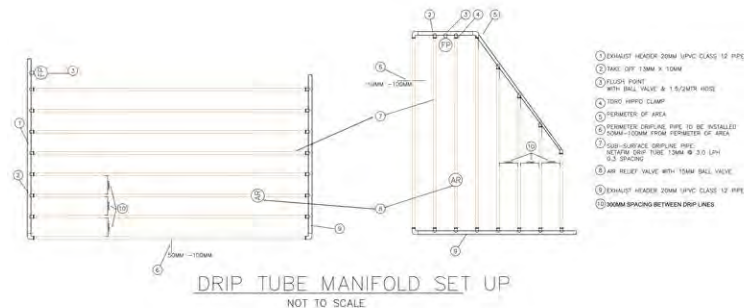


TOWN PLANNING  
 GR.01.00



### Irrigation

Symbol	Description	Pressure	Flow	Radius
<b>Sprinklers</b>				
	Hunter Multi-Port Red 8 Lph	2.07 bars	0.13 l/m	0 m
<b>Control Valves</b>				
	Hunter PGV-100G			
<b>Irrigation Accessories</b>				
	Hunter HPC-401 Wi-Fi Controller Position To Be Advised			
	Irritrol Systems Flush Valve			
	Irritrol Systems PLD-AVR Air Vacuum Relief Valve			
<b>Lateral Line Pipe</b>				
	Copper Type A 15mm			
	PN12 20mm			
<b>Drip Tubing</b>				
	Netafim Techline 3.0Lph @ 0.3 Spacing			



## IRRIGATION PLAN



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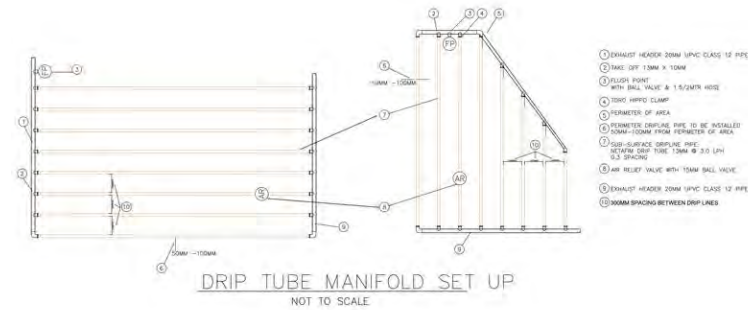


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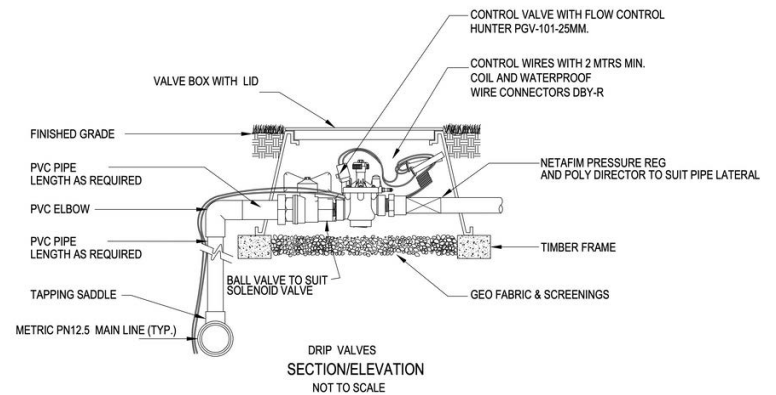
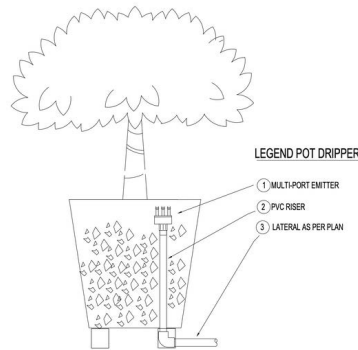
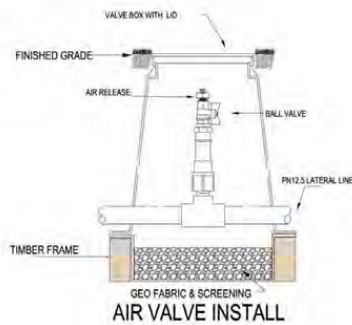
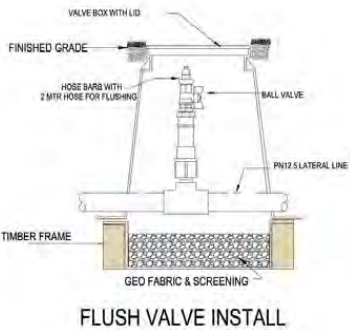


### Irrigation

Symbol	Description	Pressure	Flow	Radius
<b>Sprinklers</b>				
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<b>Control Valves</b>				
	Hunter PGV-100G			
<b>Irrigation Accessories</b>				
	Hunter HPC-401 WI-FI Controller Position To Be Advised			
	Irritrol Systems Flush Valve			
	Irritrol Systems PLD-AVR Air Vacuum Relief Valve			
<b>Lateral Line Pipe</b>				
	Copper Type A 15mm			
	PN12 20mm			
<b>Drip Tubing</b>				
	Netafim Techline 3.0Lph @ 0.3 Spacing			



- 1 EXHAUST HEADER 20MM UPVC CLASS 12 PIPE
- 2 DRAIN OFF 10MM X 10MM
- 3 FLUSH POINT WITH BALL VALVE & 1.5/2MTR HOSE
- 4 DRAIN WIPED CLEAN
- 5 PERIMETER OF AREA
- 6 PERIMETER OVERLINE PIPE TO BE INSTALLED 10MM-15MM FROM PERIMETER OF AREA
- 7 SUB-SURFACE OVERLINE PIPE BETWEEN DRIP TUBE 10MM @ 3.0 LPH @ 0.3 SPACING
- 8 AIR RELIEF VALVE WITH 10MM BALL VALVE
- 9 EXHAUST HEADER 20MM UPVC CLASS 12 PIPE
- 10 30MM SPACING BETWEEN DRIP LINES



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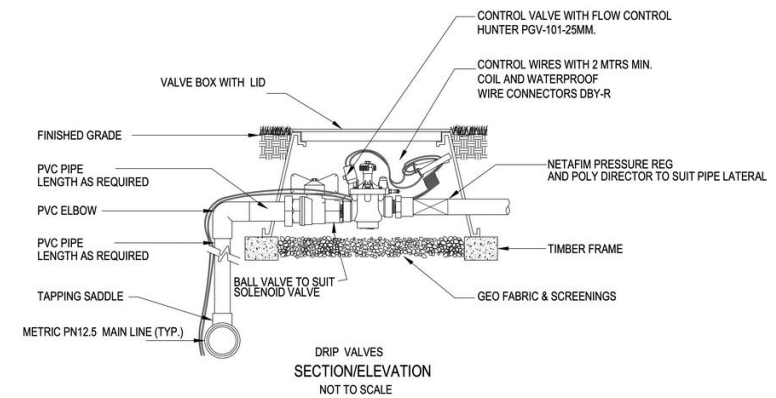
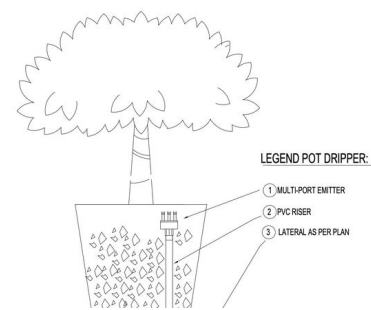
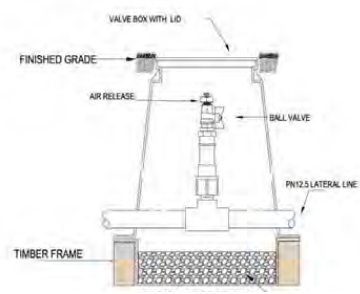
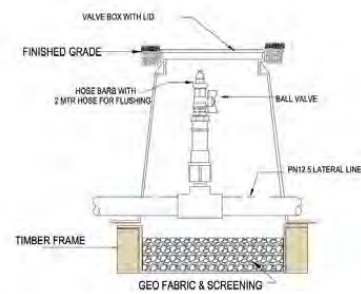
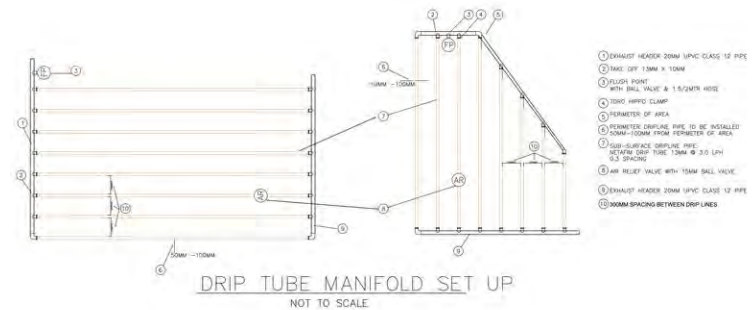
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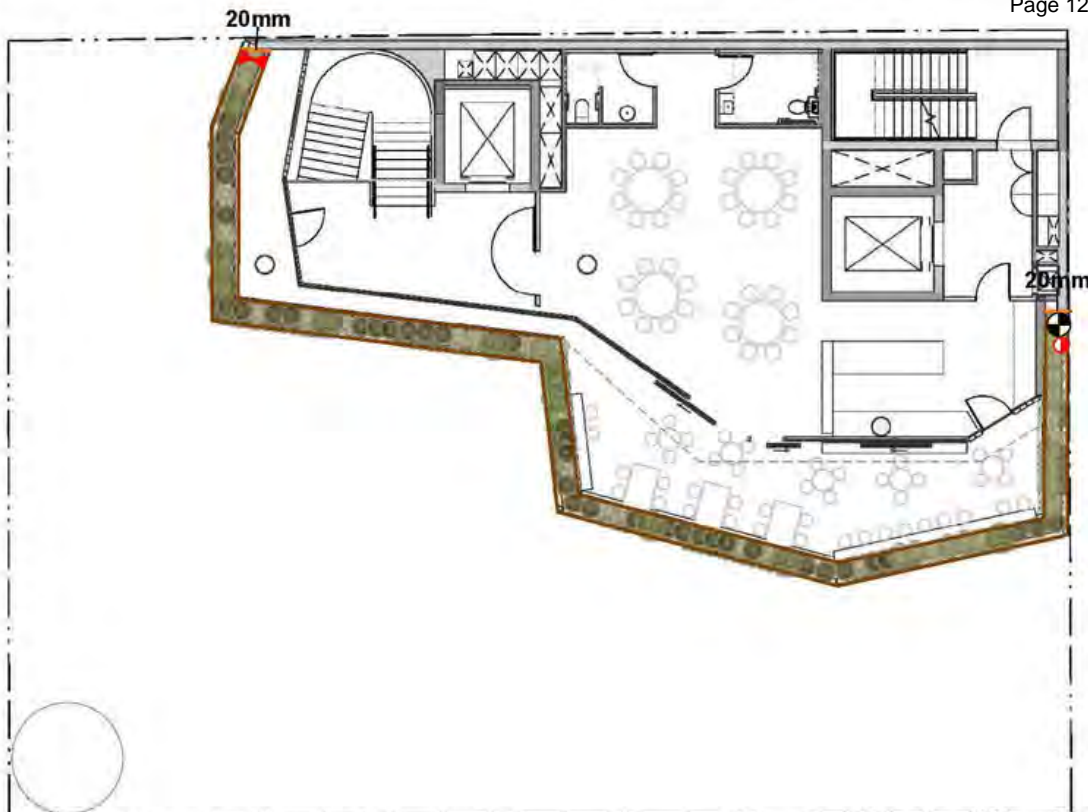
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<b>Control Valves</b>				
⊕	Hunter PGV-100G			
<b>Irrigation Accessories</b>				
⚠	Hunter HPC-401 WI-FI Controller Position To Be Advised			
⚡	Irritrol Systems Flush Valve			
⚡	Irritrol Systems PLD-AVR Air Vacuum Relief Valve			
<b>Lateral Line Pipe</b>				
—	Copper Type A 15mm			
—	PN12 20mm			
<b>Drip Tubing</b>				
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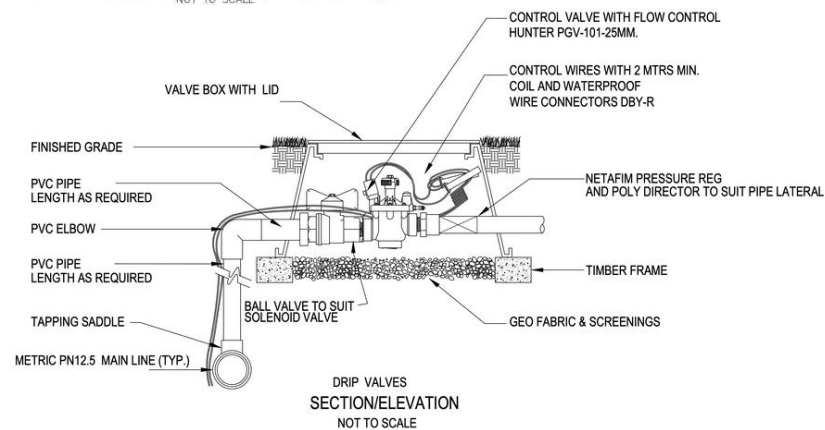
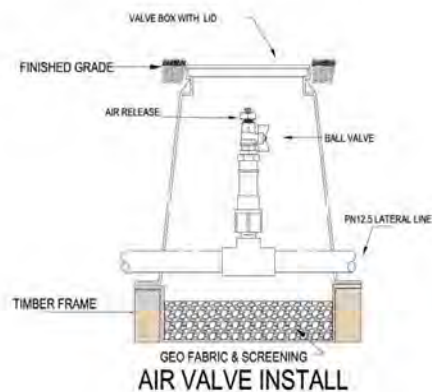
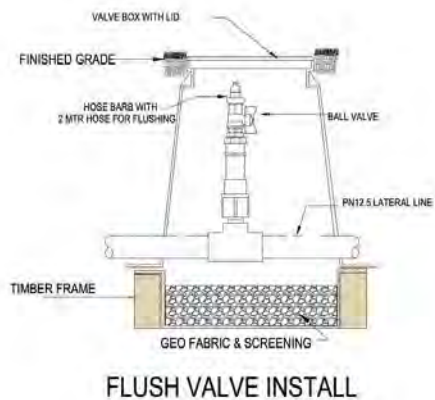
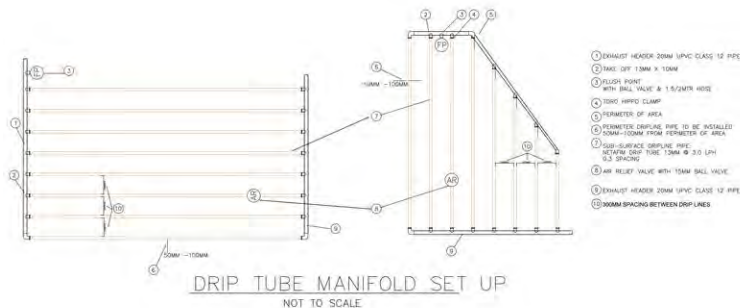
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### Irrigation

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	Irritrol Systems PLD-AVR Air Vacuum Relief Valve			
<b>Lateral Line Pipe</b>				
	Copper Type A 15mm			
	PN12 20mm			
<b>Drip Tubing</b>				
	Netafim Techline 3.0Lph @ 0.3 Spacing			



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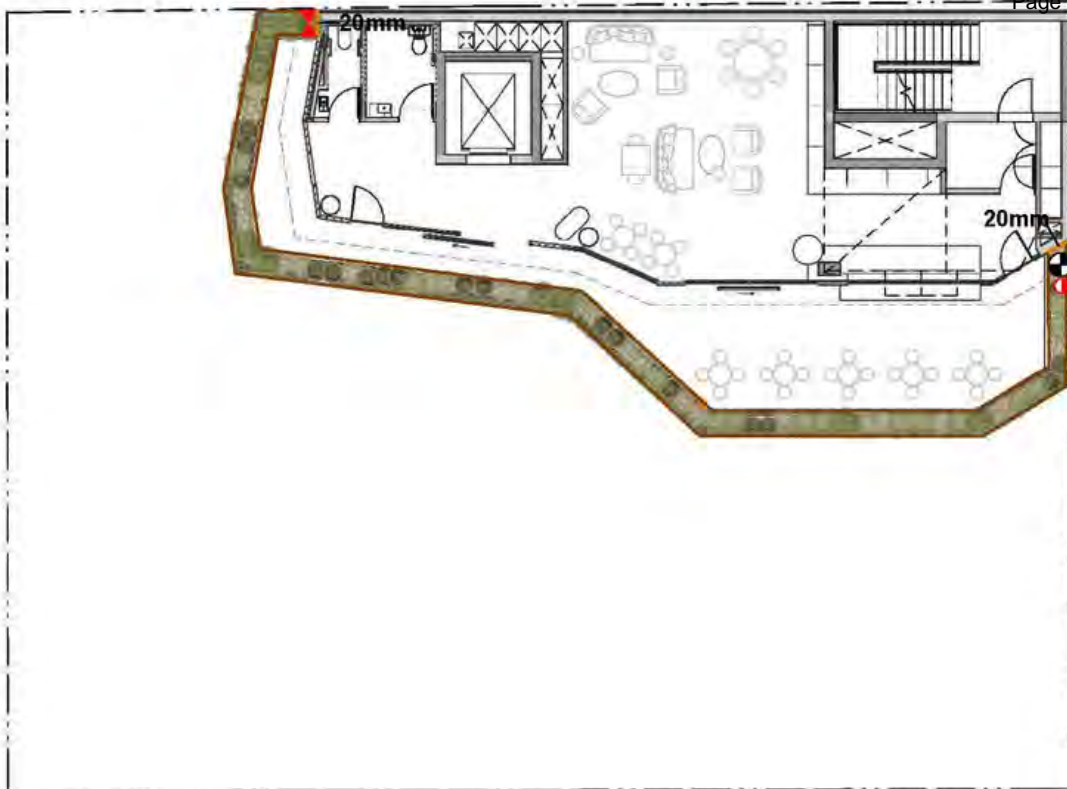
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 CLIENT: SAND HILL ROAD  
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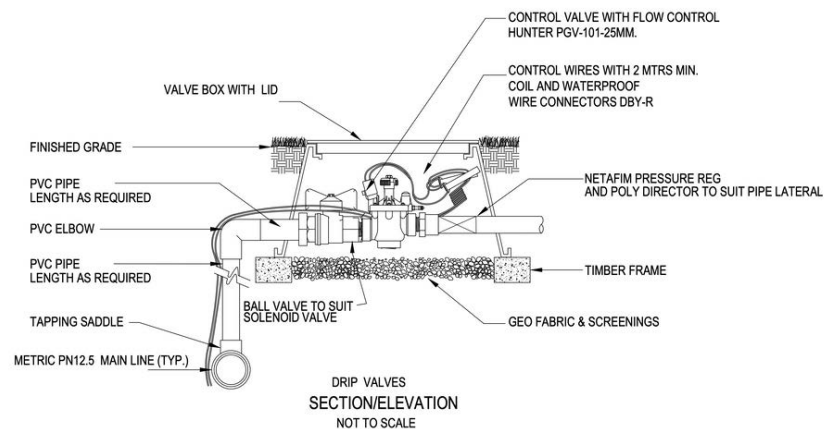
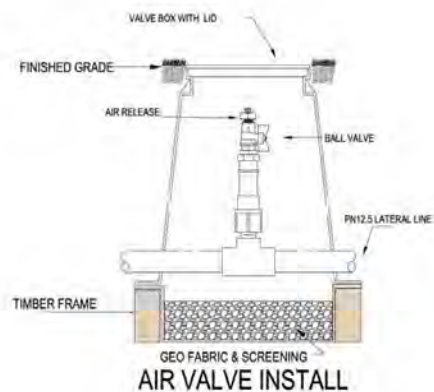
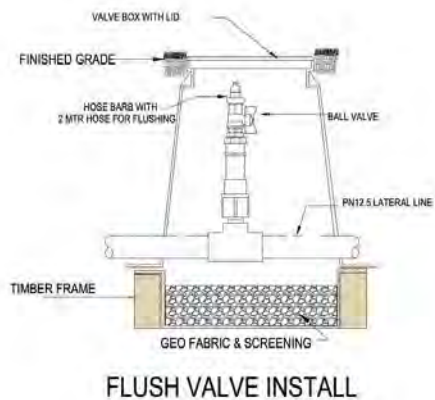
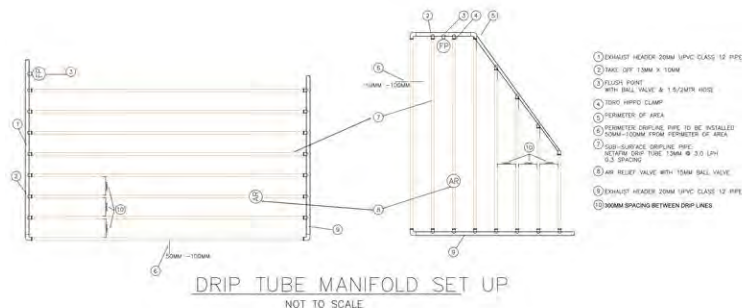


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### Irrigation

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<b>Control Valves</b>				
⊕	Hunter PGV-100G			
<b>Irrigation Accessories</b>				
⚠	Hunter HPC-401 WI-FI Controller Position To Be Advised			
⚡	Irritrol Systems Flush Valve			
⊖	Irritrol Systems PLD-AVR Air Vacuum Relief Valve			
<b>Lateral Line Pipe</b>				
—	Copper Type A 15mm			
—	PN12 20mm			
<b>Drip Tubing</b>				
—	Netafim Techline 3.0Lph @ 0.3 Spacing			



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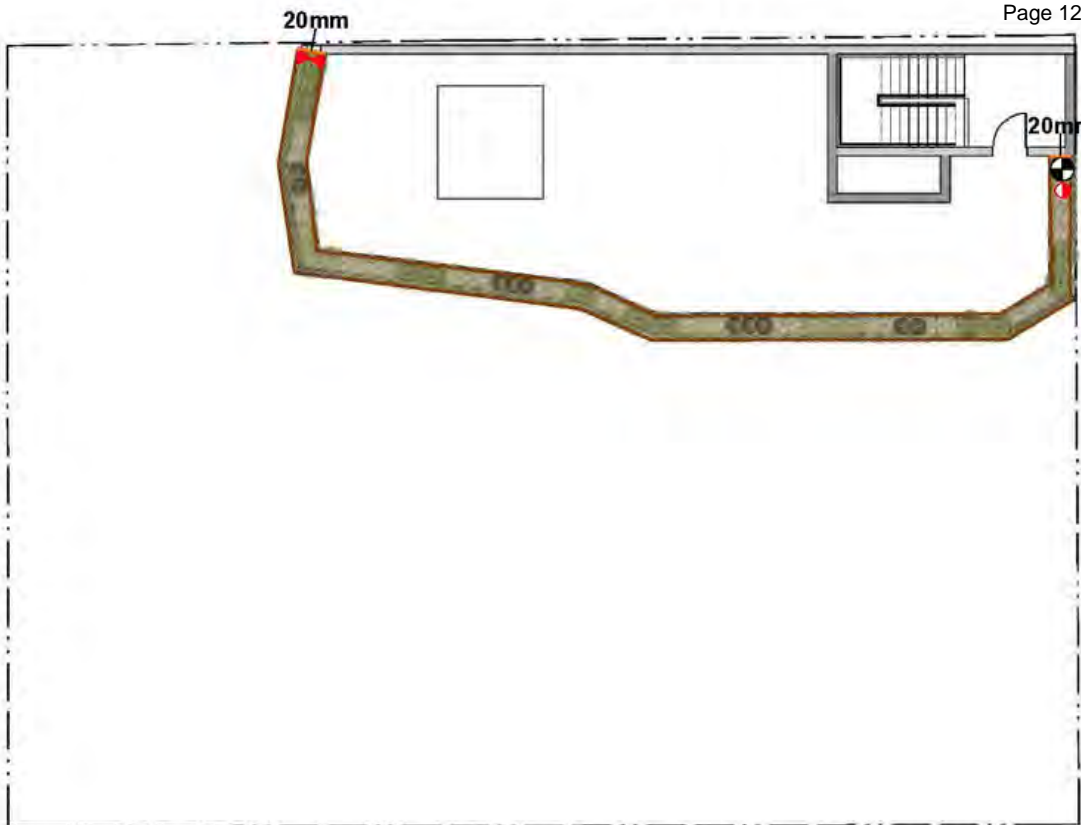
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 CLIENT: SAND HILL ROAD  
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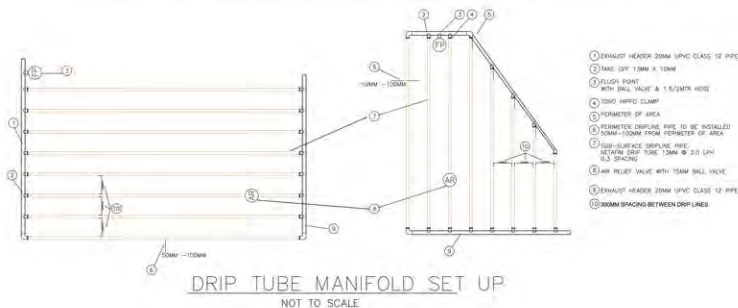
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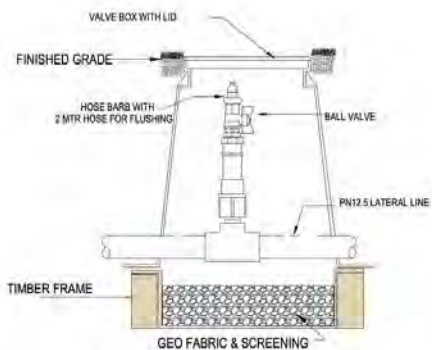


### Irrigation

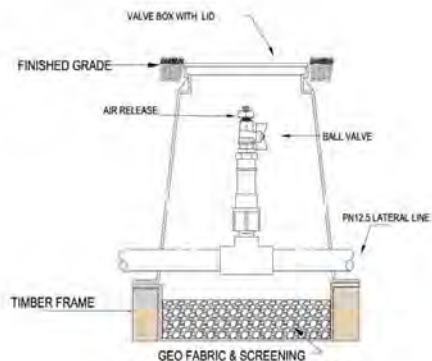
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<b>Irrigation Accessories</b>				
	Hunter HPC-401 Wi-Fi Controller Position To Be Advised			
	Irritrol Systems Flush Valve			
	Irritrol Systems PLD-AVR Air Vacuum Relief Valve			
<b>Lateral Line Pipe</b>				
	Copper Type A 15mm			
	PN12 20mm			
<b>Drip Tubing</b>				
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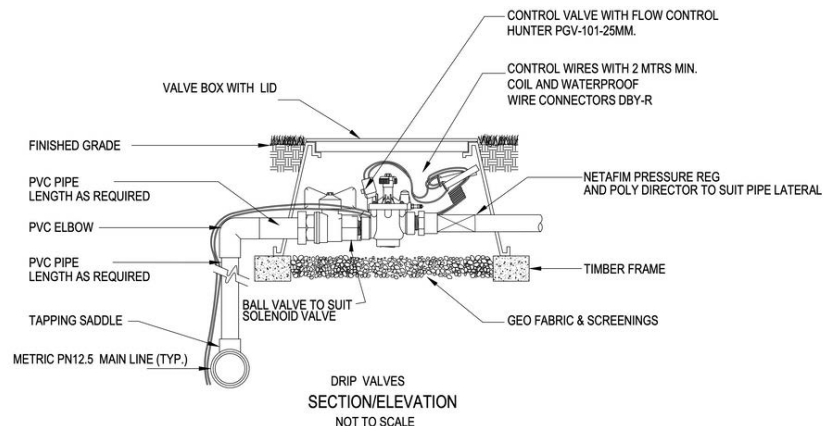
- ① EXHAUST HEADER 20MM UPVC CLASS 12 PIPE
- ② TAKE OFF 15MM X 15MM
- ③ FLUSH POINT WITH BALL VALVE & 1.5/2MTR HOSE
- ④ TIGHT WIPED CLAMP
- ⑤ PERIMETER OF AREA
- ⑥ PERIMETER OF AREA
- ⑦ 15MM-100MM FROM PERIMETER OF AREA
- ⑧ 15MM-100MM FROM PERIMETER OF AREA
- ⑨ 15MM-100MM FROM PERIMETER OF AREA
- ⑩ 15MM-100MM FROM PERIMETER OF AREA
- ⑪ AIR RELEASE VALVE WITH 15MM BALL VALVE
- ⑫ EXHAUST HEADER 20MM UPVC CLASS 12 PIPE
- ⑬ 30MM SPACING BETWEEN DRIP LINES



FLUSH VALVE INSTALL



AIR VALVE INSTALL



## IRRIGATION PLAN



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DRAWN BY: BS | GP

PROJECT: THE WATERSIDE HOTEL  
CLIENT: SAND HILL ROAD  
SCALE: 1:100  
PAGE SIZE: A2



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**DELEGATE REPORT**  
**APPLICATION TO AMEND A PLANNING PERMIT**

<b>APPLICATION NO:</b>	TP-2018-1174/A
<b>APPLICANT:</b>	Midtown Hustle Pty Ltd c/- Planning & Property Partners Pty Ltd
<b>OWNER:</b>	King Flinders Pty Ltd
<b>ARCHITECT:</b>	Technē Architecture + Interior Design
<b>ADDRESS:</b>	Waterside Hotel, 508-514 Flinders Street, MELBOURNE VIC 3000
<b>PROPOSAL:</b>	Section 72 amendment to allow further demolition, buildings and works to the existing hotel, including partial demolition, construction of additional levels and signage
<b>DATE OF APPLICATION:</b>	11 August 2022
<b>COST OF WORKS:</b>	\$27.2 million
<b>RESPONSIBLE OFFICER:</b>	Adam Birch, Senior Urban Planner


**1. SUBJECT SITE AND SURROUNDS**

**1.1 Subject Site**

The application for a planning permit TP-2018-1174/A concerns the land known as the Waterside Hotel at 508-514 Flinders Street, Melbourne. The site is formally described as Land in Plan of Consolidation 173579W. The site is not affected by any easements or restrictive covenants.

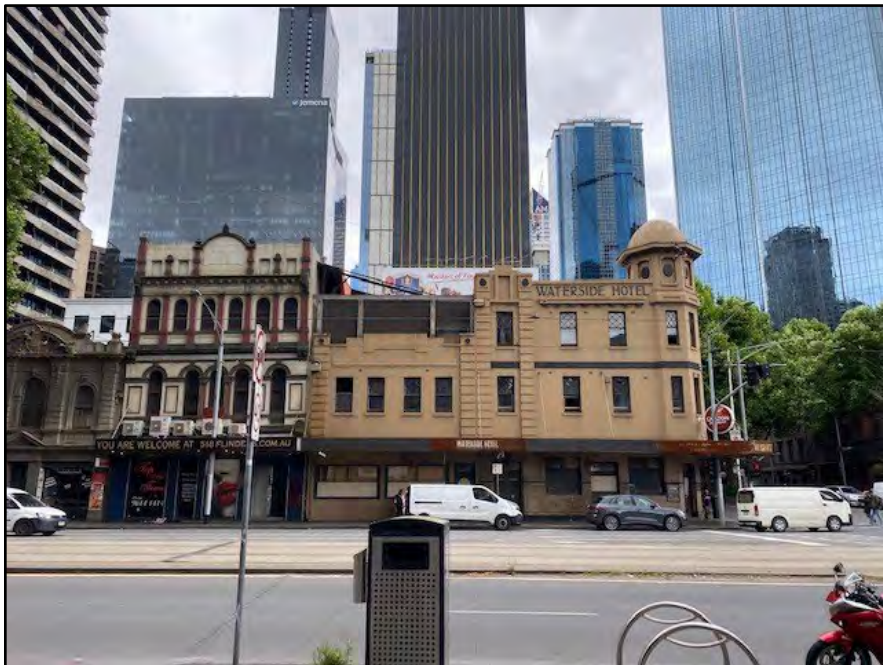


**Figure 1: Locality Plan**

<b>Table 1: Subject Site Details</b>	
<b>Site Inspection:</b>	23 November 2023, including the interior.
<b>Existing Conditions:</b>	<p>Located on the northwest corner of Flinders Street and King Street. Mercantile Place (a Council lane) is located at the rear (north of the site).</p> <p>Occupied by three consolidated buildings (see extract from Bryce Raworth Heritage Impact Assessment below).</p>  <p>The existing building is two to three storeys high with a basement (cellar). It features a turret, splayed corner façade with a parapet, wraparound canopy, tiling, original doors and windows, and painted brick façades to Flinders Street and King Street, and face brick to Mercantile Place with painted signs. New additions, including a pergola structure, are located on the second level.</p> <p>The site is currently unoccupied and undergoing refurbishment works in accordance with Planning Permit TP-2018-508. The site has a long history of being used as a hotel. A hotel was originally constructed in the 1850s, and reconstructed and altered in the 1920s. There is no evidence that the 1920s reconstruction retained any original fabric.</p> <p>A site inspection confirmed that the exterior of the building is largely intact, but the interiors have mostly been removed.</p>
<b>Street Frontage:</b>	<p>Flinders Street (south): 21.31 m</p> <p>King Street (east): 28.82 m</p> <p>Mercantile Place: 21.31 m</p>
<b>Site Area:</b>	612 m <sup>2</sup>
<b>Topography:</b>	Predominately flat
<b>Heritage Grading:</b>	Significant Heritage Places Inventory March 2022 (Amended January 2023)
<b>Land Use:</b>	A hotel has occupied the site since 1856.



**Figure 2: Flinders Street and King Street Frontages**



**Figure 3: Flinders Street Frontage**



Figure 4: King Street Frontage



Figure 5: Mercantile Place Frontage



**Figure 6: Ground Floor Interior – Main Bar**

## **1.2 Aboriginal Heritage**

The site is located within 200 metres of the Yarra River (Birrarung). The Aboriginal Cultural Heritage Advice by Landskape (M.L. Cupper Pty Ltd) dated 1 July 2022 concludes that the land has been subject to significant ground disturbance and a cultural heritage management plan is not required.

## **1.3 Surrounds**

The surrounding area is characterised by low scale heritage buildings exhibiting a mix of architectural styles, generally constructed in the mid to late 1800s and high rise development typical of the Central City environment. A mix of retail, office and residential uses coexist with taverns, nightclubs and places of adult entertainment.

### **West**

To the west of the site are the following buildings:

- 516-518 Flinders Street contains a three-storey 'significant' heritage building that is used for the purpose of a brothel.
- 520-522 Flinders Street contains a two-storey 'significant' heritage building used for an office, place of assembly, and a takeaway food premises.
- 524 Flinders Street contains a two-storey office building with a café located at the rear ground floor.
- 534 Flinders Street contains the Aura on Flinders Apartments that contains 275 apartment dwellings.



## **North**

To the north of the site are the following buildings:

- 517 and 535 Flinders Lane, two co-joined brick buildings of five-stories with ground level retail and a mix of commercial and residential on the upper floors. The buildings are joined by an arch over Katherine Place.
- 19-23 King Street is a three-storey building occupied by the Melbourne City Mission.
- 27-31 King Street is a five-storey office building. A bar, 'State of Grace', is located on the rooftop operating under Planning Permit TP-2008-409/B. Conditions of this permit have a maximum capacity of 200 patrons and limit trading to 1am.
- 509 Flinders Lane contains a multi-storey residential hotel approved under Planning Permit TP-2013-666/C.

## **South**

- Opposite the site on the south side of Flinders Street is Northbank Place East Tower, an 11 storey commercial building constructed in 2009.
- On the south-east corner of Flinders Street and King Street is Sea Life Melbourne Aquarium.

## **East**

A two-storey tavern is located on the north-east corner of the Flinders Street and King at 502-504 Flinders Street.

A mix of retail tenancies, food and drink premises, taverns and places of adult entertainment form the remaining pattern of land use on the eastern side of King Street.

## **2 BACKGROUND AND HISTORY**

### **2.1 Planning Application History**

#### **TP-2005-1022**

Planning Permit TP-2005-1022 issued 29 March 2006 allows 'alterations and additions to the existing hotel in accordance with the endorsed plans'. This permit includes conditions limiting the hours of the second floor deck to 1am and the overall maximum capacity of 1,200 patrons. This permit also has conditions requiring an Operational Management Plan and Acoustic Report.

#### **TP-2013-332**

Planning Permit TP-2013-332 issued 29 July 2013 and amended 25 September 2013 allows for development including minor demolition and buildings and works associated with the installation of retractable canopies and pergola elements to the existing hotel in accordance with the endorsed plans.

#### **TP-2018-1174**

Planning Permit TP-2018-1174 issued 23 May 2019 allows 'partial demolition, alterations, additions, external painting, and display of business identification signage to the existing building in accordance with the endorsed plans'.

## 2.2 Pre-application discussions

The applicant sought pre-application advice in November 2021 (PA-2021-553) and presented the proposal to the Melbourne Design Review Panel (MDRP) in April 2022.

The MDRP Advisory Report provided the following advice (summarised).

- The project ambition is supported. This is a unique proposal that will be distinctive to the city and support the activation and enhancement of King Street.
- The retention and contemporary interpretation of the hotel function is commended.
- The proponent's commitment to a creative and high quality heritage interpretation strategy is strongly supported.
- To maintain the three dimensional form of the heritage building, it is recommended that the walkway between the Flinders Street and King Street facades and the new form is increased and a return to Mercantile Place from King Street is maintained.
- It is recommended that the addition is further setback from Flinders Street to provide further prominence to the heritage façade.
- The underlying architectural form must be elegant and enduring to ensure a satisfactory outcome. Consider less complex forms to achieve greater efficiency and impact without loss of dynamism. Provide drawings without landscaping to demonstrate the achievement of a well resolved, high quality architectural proposition.
- The amenities on the fourth and fifth floors could be relocated further into the floorplate to provide more active functions to Flinders Street.
- The panel recommended close collaboration with a landscape architect and horticulturist to enhance the role of the landscaping, with considerations for terrace edge design, plant species and support systems.
- There is an opportunity for the development to strive for best practice sustainability; strengthening the concept of a green destination through environmentally and socially sustainable outcomes.

### 3 PROPOSAL

The application seeks approval to amend Planning Permit TP-2018-1174 under Section 72 of the *Planning and Environment Act 1987* by amending the endorsed plans to allow further demolition, buildings and works to the existing hotel, including partial demolition, alterations and reinstatement works, construction of additional levels and signage.

In summary, the hotel use will be maintained, the Flinders Street, King Street and part of the Mercantile Place facades will be retained and restored, and a tiered addition with a sculptured form and landscaped terraces will be constructed.



**Figure 7: Render of proposal**

<b>Table 2: Application Documents</b>		
<b>Title</b>	<b>Author</b>	<b>Date</b>
Town Planning Report	Planning & Property Partners Pty Ltd	October 2022
Urban Context Report and Architectural Plans	Technē Architecture + Interior Design	4 August & 19 October 2022
Heritage Impact Statement	Bryce Raworth Pty Ltd	August 2022
Aboriginal Cultural Heritage Advice	Landskape (M.L. Cupper Pty Ltd)	1 July 2022
Acoustic Assessment and Memo	Clarity Acoustics Pty Ltd	3 August & 25 September 2022
Landscape Planting Concept	Ayus Botanical Pty Ltd	29 July 2022
Green Factor Scorecard	Ayus Botanical Pty Ltd	19 October 2022

Sustainable Management Plan	ADP Consulting Pty Ltd	5 August 2022
Traffic Impact Assessment	One Mile Grid Pty Ltd	10 August 2022
Waste Management Plan	One Mile Grid Pty Ltd	10 August 2022
Legal Opinion	Mr Tyrone Rath, Solicitor of Planning & Property Partners Pty Ltd	19 October 2022
Venue Management Plan	Midtown Hustle Pty Ltd	19 September 2022

Additional information was provided in response to the objection from Melbourne Water, including:

- A letter from Planning and Property Partners Pty Ltd dated 21 December 2022
- Floodplank Barrier Product Specification sheet by Flooding Solutions Advisory Group dated August 2013
- Floodplank Operation and Maintenance Manual by Flooding Solutions Advisory Group dated 12 August 2020
- Flooding Solutions Floodplank testing by Manly Hydraulics Laboratory dated October 2013
- Draft Preliminary Risk Assessment and Associated Mitigation Measures (author and date unknown)
- Flood barrier drawings and description by Technē Architecture + Interior Design dated 28 November 2022
- Civil consultant advice for the proposed flood mitigation strategy by Wallbridge Gilbert Aztec dated 19 December 2022.

## Development Summary

Table 3: Summary of proposed development		
Proposed GFA	3,358 m <sup>2</sup>	
Proposed Floor Area Ratio	5.5:1	
Proposed Floor Area Available to the Public	1,623 m <sup>2</sup> (1,561 m <sup>2</sup> existing = 62 m <sup>2</sup> net increase)	
Building Height	28 m above ground level	
Storeys	6 storeys plus basement and plant	
Upper Level Setbacks	Flinders Street	King Street
	3 m - 7.4 m	6.2 m - 13.1 m
	Mercantile Place	West boundary
	0 m	0 m

Traffic	
Car Parking Spaces	Zero
Bicycle Parking Spaces	2 staff spaces and 2 showers
Waste Management	
Bins	5 x 1100 L bins (garbage, recycling, glass and organics)
Collection Frequency	4 times a week
Collection Location	Mercantile Place (private collection)

Details of the proposal can be summarised as follows.

### Excavation

- Excavation to expand the existing cellar and construct a basement.

### Demolition

- Demolition of the awning and signage.
- Partial demolition of the Mercantile Place façade.
- Partial demolition of the Flinders Street ground floor façade.

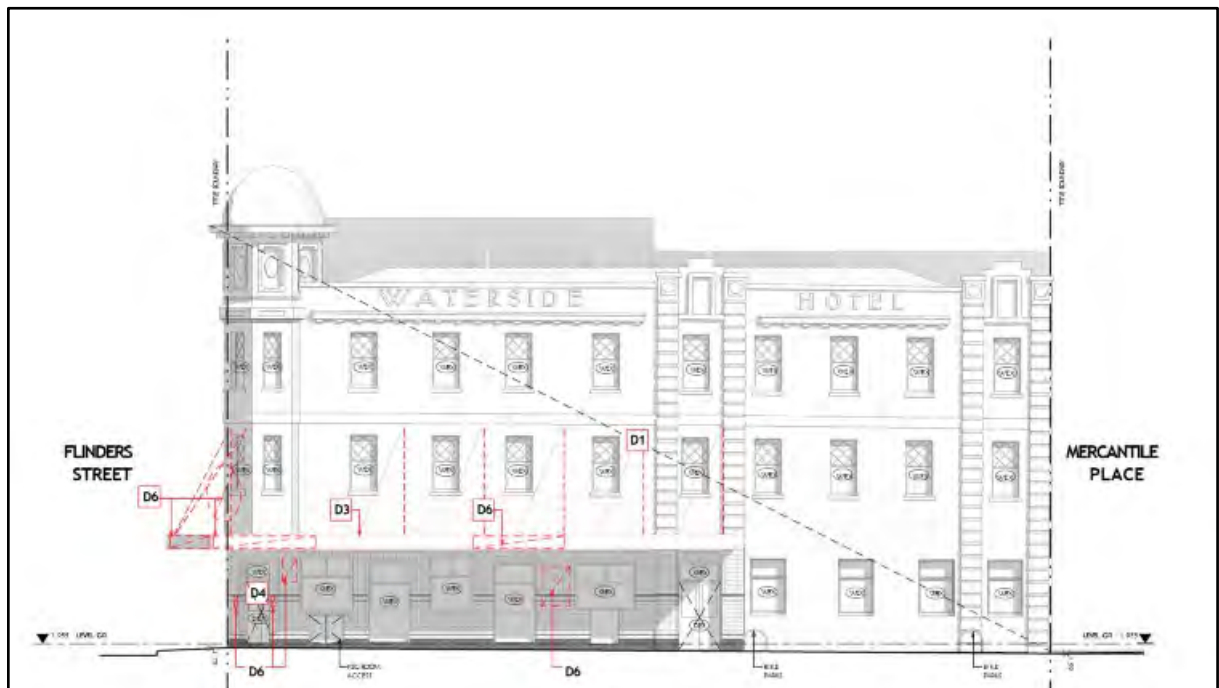


Figure 8: Demolition Elevation (Technē Architecture + Interior Design)



Figure 9: Demolition Elevation (Technē Architecture + Interior Design)

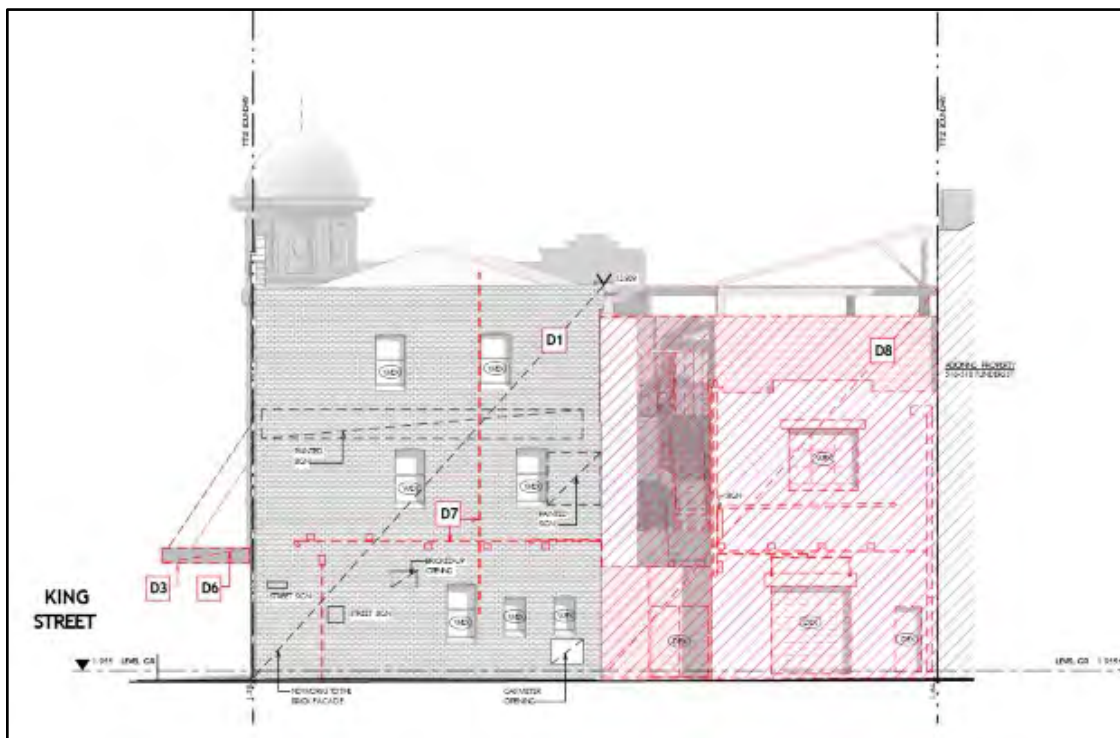


Figure 10: Demolition Elevation (Technē Architecture + Interior Design)

## Addition

- Construction of a basement and a multi-storey addition with the following layout:

<b>Table 4: Proposed Layout</b>	
Basement	Kitchen, office, staff room, toilets, showers, storage, other back-of-house and building services
Ground Floor	Public bar, beer garden (92 m <sup>2</sup> ), pizza kitchen, bin storage, goods receiving area
Level 1	Function room, kitchen, bar, toilets, terrace around a void to the beer garden below (76 m <sup>2</sup> )
Level 2	Restaurant, kitchen, bar, toilets, terrace (89 m <sup>2</sup> ), winter garden (33 m <sup>2</sup> )
Level 3	Bar, toilets, terrace (157 m <sup>2</sup> )
Level 4	Bar, toilets, terrace (57 m <sup>2</sup> )
Level 5	Function room, toilets, terrace (57 m <sup>2</sup> )
Level 6	Plant Deck
Level 7 (Roof)	Upper Plant Deck

## External Alterations

- New awning to Flinders Street and King Street with lighting on the soffit.
- Repaint the Flinders Street and King Street facades in an off-white colour; charcoal and mid-grey to trims, door and window framing; and mid grey-green to canopy and façade detail.
- New ground floor façade to the south-west corner of Flinders Street frontage for an accessible entry, service cupboard, new windows and façade treatment.
- Restoration of original doors.
- Removal of redundant services to Mercantile Place frontage.

## Signs

- Three back-lit business identification signs to the awning fascia.
- Three internally-illuminated under-awnings business identification signs.

## Landscaping, Energy and Water Efficiency Features

- BESS Score of 52 per cent.
- 0.58 Green Factor Score.
- 7,000 litre rainwater tank.
- Water efficient fittings and landscaping.
- 18.4 per cent of site covered with planters as calculated from the Development Summary.

- Landscaping on all levels including canopy trees, shrubs, plants and grasses in planters, pots and hanging baskets.

## 4 MELBOURNE PLANNING SCHEME

### 4.1 Statutory controls

Table 5: Permit Triggers	
Clause	Permit Trigger
Clause 37.04 Capital City Zone Schedule 1	<p>Pursuant to Clause 37.04-4 and Schedule 1 to the Capital City Zone, a permit is required to construct a building or construct or carry out works. A permit and prior approval for the redevelopment of the site is required to demolish or remove a building or works. External painting of any building must be to the satisfaction of the Responsible Authority.</p> <p>Pursuant to Clause 37.04-5 and Schedule 1 to the Capital City Zone, a permit is required for the back-lit signs on the canopy fascia.</p>
Clause 43.01 Heritage Overlay HO1038	Pursuant to Clause 43.01-1, a permit is required to demolish or remove a building, construct a building or construct or carry out works, externally alter a building, externally paint a building and construct or display a sign.
Clause 43.02 Design and Development Overlay Schedule 1	Pursuant to Clause 43.02-2 and Schedule 1 to the Design and Development Overlay, a permit is required to construct a building or construct or carry out works. The provisions of this schedule relate to urban structure, site layout, building mass, building program, public interfaces and design detail.
Clause 43.02 Design and Development Overlay Schedule 10	<p>Pursuant to Clause 43.02-2 and Schedule 10 to the Design and Development Overlay, a permit is required to construct a building or construct or carry out works.</p> <p>A permit is not required for:</p> <ul style="list-style-type: none"> <li>• Buildings and works at ground level, including external works to provide access for persons with disabilities that comply with all legislative requirements.</li> </ul>
Clause 45.09 Parking Overlay Schedule 1	Pursuant to Clause 45.09-3 and Schedule 1 to the Parking Overlay, maximum car parking rates apply. No permit is required to provide zero spaces.
Clause 52.34 Bicycle Facilities	<p>Pursuant to Clause 52.34-1, the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land. Where the floor area occupied by an existing use is increased, the requirement for bicycle facilities only applies to the increased floor area of the use.</p> <p>The proposal generates the need for 4 bicycle parking spaces. 2 spaces are proposed for staff. A permit is required for a reduction of 2 spaces.</p>
Clause 63.05	Pursuant to Clause 63.05, a use in Section 2 or 3 of a zone for which an existing use right is established may continue provided:



<p>Existing Uses Sections 2 and 3 Uses</p>	<ul style="list-style-type: none"> <li>• No building or works are constructed or carried out without a permit. A permit must not be granted unless the building or works complies with any other building or works requirement in this scheme.</li> <li>• Any condition or restriction to which the use was subject continues to be met. This includes any implied restriction on the extent of the land subject to the existing use right or the extent of activities within the use.</li> <li>• The amenity of the area is not damaged or further damaged by a change in the activities beyond the limited purpose of the use preserved by the existing use right.</li> </ul>
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## 4.2 Planning Policy Framework

- Clause 02.03-1: Settlement
- Clause 02.03-3: Environmental risks and amenity
- Clause 02.03-4: Built Environment and heritage
- Clause 02.03-6: Economic development
- Clause 02.03-7: Transport
- Clause 11.01-1R: Settlement – Metropolitan Melbourne
- Clause 11.03-1R: Activity centres – Metropolitan Melbourne
- Clause 11.03-6L-09: Hoddle Grid
- Clause 13.01-1S: Natural hazards and climate change
- Clause 13.03-1S: Floodplain management
- Clause 13.05-1S: Noise management
- Clause 13.07-1L-03: Land use compatibility
- Clause 13.07-1L-04: Licensed premises
- Clause 13.07-3S: Live music
- Clause 15.01-1R: Urban design – Metropolitan Melbourne
- Clause 15.01-1L-01: CBD Lanes
- Clause 15.01-1L-02: Signs
- Clause 15.01-1L-03: Sunlight to public spaces
- Clause 15.01-1L-04: Urban design
- Clause 15.01-2S: Building design
- Clause 15.01-2L-01: Energy and resource efficiency
- Clause 15.03-1S: Heritage conservation
- Clause 15.03-1L-02: Heritage
- Clause 15.03-2S: Aboriginal cultural heritage
- Clause 17.01-1R: Diversified economy – Metropolitan Melbourne
- Clause 17.02-1S: Business
- Clause 18.01-1L: Land use and transport planning
- Clause 19.03-3L: Stormwater management (Water sensitive urban design)

- Clause 19.03-5S: Waste and resource recovery

#### **4.3 Particular and General Provisions**

- Clause 52.05: Signs
- Clause 52.34: Bicycle Facilities
- Clause 53.06: Live Music and Entertainment Venues
- Clause 53.18: Stormwater Management in Urban Development
- Clause 63: Existing Uses
- Clause 65: Decision Guidelines

### **5 AMENDMENT C384: UPDATES TO INUNDATION OVERLAYS**

Planning Scheme Amendment C384 seeks to update the flood overlay maps and schedules. The site is proposed to be affected by Land Subject to Inundation Overlay Schedule 3.

The Planning Panel's report was issued to Melbourne City Council in December 2022 and will be presented to Council at a Future Melbourne Committee in the first half of 2023.

At the time of the writing of this report, C384 is considered seriously entertained.

### **6 PUBLIC NOTIFICATION**

Pursuant to Clauses 37.04 (Capital City Zone Schedule 1), 43.02 (Design and Development Overlay Schedules 1 and 10) and Clause 52.34 (Bicycle Facilities), an application is exempt from the notice requirements of Section 52 (1) (a), (b) and (d), the decision requirements of Section 64 (1), (2) and (3) and the review rights of Section 82 (1) of the Act.

Notice of the application was given under the Clause 43.01 (Heritage Overlay) and Clause 63 (Existing Uses).

### **7 OBJECTIONS**

Two objections and one letter of support were received.

One of the objections was from Melbourne Water who objected on the following grounds:

1. The proposed development is inconsistent with Planning Policy Framework relating to floodplain management (Clause 13.03), as it will intensify the impacts of flooding and specifically, the hazard to life, property and community infrastructure.
2. The proposed development is inconsistent with State Planning Policy Framework relating to natural hazards and climate change (Clause 13.01) which provides that population growth should be directed to low risk areas, and that development should be sited and designed to minimise risk to life, property, the natural environment and community infrastructure.
3. The proposed development does not comply with the Guidelines for Development in Flood Affected Areas (DELWP, 2019), specifically the objectives relating to flood safety, flood damage and offsite impacts.

4. The development is contrary to the decision Guidelines of Clause 65.01 because it will increase flood hazard associated with the location of the land and its proposed use and development.
5. The proposed development is contrary to the purpose of the proposed Land Subject to Inundation Overlay (Clause 44.04, Amendment C384), specifically:
  - The development is likely to cause an unacceptable increase in flood risk which is likely to result in danger to the life, health and safety of the occupants due to flooding of the site, and because it relies on access through floodwaters to and from the site, and is likely to increase the burden on emergency services and the risk to emergency personnel.

The other objection raised concern regarding loss of daylight and views, and the impact on rental yield and resale value.

## **8 EXTERNAL REFERRALS**

No external referrals were required. However, notice of the application was given to Melbourne Water as set out in Section 6 of this report.

## **9 INTERNAL REFERRALS**

### **9.2 Heritage**

The Heritage Advisor accepted the demolition and the height and setbacks of the addition. The conservation and restoration works were also supported.

The Heritage Advisor noted that while the demolition of the interiors and roof results in facadism, on balance, the demolition and siting and massing of the addition is acceptable in this instance because:

- The roof is largely hidden from public vantage points.
- The retained facades will maintain the three dimensional form of the heritage building.
- The addition is setback from the retained facades to maintain the prominence of the hotel.
- The addition is setback from the front or principal parts of the hotel that one would expect to be retained in the views of the building from the public domain.
- The addition (with or without landscaping) has a distinctive form that is visually juxtaposed behind the heritage building.
- The conservation and reconstruction works address the canopies and decorative elements, which are positive and supported.

A condition requiring a Conservation Works Plan is recommended, including investigation of the 1926 presentation of the building with the expectation that this presentation and appearance be restored. This would include removal of accumulated paint to expose the render and re-surfacing of the facades to restore or reconstruct the original finish and appearance. The Conservation Works Plan should itemise original and existing elements, their condition and the conservation works required to conserve or remediate any deterioration that has occurred. It is noted that the tiles are of a particular design widely used in the period and are important. Many are stained in the body of the tile and adequate matching in reconstruction of the tiles, while achievable, will take commitment if this path is to be followed.

A condition requiring a bond is also recommended to ensure the successful conservation and restoration of the retained parts of the building.

### ***Planner's Response***

It is considered appropriate to require a Heritage Report as a condition of permit to be submitted and endorsed to form part of the permit generally in accordance with the Heritage Impact Statement submitted with the application.

Additional conservation works for paint removal are not considered necessary given the extensive restoration works proposed and sympathetic heritage colours have been selected. The building that has had a long history of different paint finishes and the proposed paint finish would not have an adverse impact on the heritage place.

A bond is not considered necessary, however, a structural engineering report is recommended as a condition to ensure the successful retention of the remaining portions of the heritage place.

## **9.3 City Design**

We provide the following comments that refer to matters raised during the pre-application discussions and MDRP review of the project.

We continue to provide strong support for the development and support the majority of revisions that address the items raised by City Design and MDRP about massing, design detail and building program.

Relocation of the amenities and storage adjacent the heritage frontage to Flinders Street to deeper within the floorplate is encouraged.

### ***Planner's Response***

The relocation of toilets on the first floor is not considered necessary as the existing heritage windows on the Flinders Street façade are retained with only one obscured window proposed.

## **9.4 ESD and Green Infrastructure**

- The development achieves a 52 per cent overall BESS Report which aligns with the requirements for energy, water and waste efficiency.
- Further information regarding Wat 3.1 Water Efficient Landscaping is required.
- The development achieves 100 per cent in Stormwater.
- Urban Heat Island credit for 1 point will be accepted if evidence is provided via a site plan that indicates at least 70 per cent of the site is specified as vegetation or roof materials with high solar reflectivity index.
- Further information requiring green infrastructure and landscaping, including:
  - Amended planting schedule to include plant quantities.
  - Details of support structures and growing media.
  - Annotation of indicative plant species locations.
  - Water efficiency measures, including reuse of stormwater.
  - Drainage including, runoff from hanging baskets. Will water be treated before entering the stormwater system which is identified on the LA drawings?

- Establishment maintenance plan.
- This is a great design, though using more native and indigenous plant species in the design will reduce water use on the roof top as well as increasing biodiversity on the site overall.
- Increasing interconnected soil volumes will increase the success of the green roof plantings, reduce water use and ensure more root volume and stability.

### ***Planner's Response***

The recommendations are addressed through conditions of permit requiring an amended Landscape Plan. The proposal complies with Clauses 15.01-2L-01: Energy and resource efficiency and Clause 19.03-3L: Stormwater management (Water sensitive urban design).

## **9.5 Infrastructure Design**

- It is requested that the splayed corner to Flinders Street and King Street be vested in Council and the double doors that swing outwards be redesigned so not to project over the street alignment.
- It is recommended that the keg door is redesigned so not to project into the public realm.
- The canopy along Flinders Street must be setback a minimum of 750 millimetres from the kerb.
- Standard conditions and notes are also recommended.

### ***Planner's Response***

In response to these recommendations:

- The request for a public highway declaration has been put to the permit applicant, however it would not be appropriate to be included as a condition of this permit.
- The keg door is an existing condition and part of the heritage significance of the place therefore, the recommendation to redesign is not supported.
- The proposed canopy to Flinders Street is setback 750 millimetres from the kerb and therefore complies with the recommendation.
- Recommended conditions for on-street works are beyond the scope of the planning application and are therefore not included.

## **9.6 Urban Forrest and Ecology**

There is one public tree (London Plane – asset 1024195) located in the King Street footpath adjacent to the site. The plans show all public trees will be retained. Standard conditions are recommended.

### ***Planner's Response***

A condition is included in the recommend permit conditions which requires a Tree Protection Management Plan. The canopy to Flinders Street does not require a redesign to accommodate potential new street trees.

## **9.7 Transport Engineering**

No objection. The plans and documentation are acceptable.

## **9.8 Waste Services**

The Waste and Recycling Team advised that the Waste Management Plan needs to address the use of 120 or 240 litre bins for organic waste. Written confirmation must be provided by a private waste collector that they will collect organic bins of the preferred size (either 660 or 1100 Litre bins).

### ***Planner's Response***

An amended Waste Management Plan is included in the recommendation as a condition of permit to address this advice.

## **10 ASSESSMENT**

### **10.1 Key Considerations**

The application seeks approval for amendments to the endorsed plans of the permit to allow further buildings and works to the existing hotel building including partial demolition, alterations and reinstatement works, construction of additional levels above and signs. The key consideration for the application are:

- Extending the existing use of the hotel
  - Patron Numbers
  - Operating Hours
  - Noise
  - Patron Management
- Heritage
- Urban Design (DDO1)
- Built Form (DDO10)
- Overshadowing
- Potential Flood Risks
- Glare and Reflectivity
- Green Infrastructure
- Energy and Resource Efficiency
- Stormwater Management (Water Sensitive Urban Design)
- Signs
- Other matters raised in objections
- Bicycle Facilities
- Permit Expiry

### **10.2 Extending the existing use of the hotel**

#### **10.2.1 Existing Use Rights**

There is no dispute that the site has a long history of being used for the purpose of a hotel. A hotel is a Section 2 Use (Permit required) in the Capital City Zone Schedule 1.

Under Clause 63.05 (Existing Use Rights), the following is stated:

*A use in Section 2 or 3 of a zone for which an existing use right is established may continue provided:*

- *No building or works are constructed or carried out without a permit. A permit must not be granted unless the building or works complies with any other building or works requirement in this scheme.*
- *Any condition or restriction to which the use was subject continues to be met. This includes any implied restriction on the extent of the land subject to the existing use right or the extent of activities within the use.*
- *The amenity of the area is not damaged or further damaged by a change in the activities beyond the limited purpose of the use preserved by the existing use right.*

The application seeks to rely on several VCAT and Supreme Court Decisions. This includes the most recent decision *Kevak Hotels Pty Ltd v Darebin CC (Corrected)* [2022] VCAT 318 that determined that:

*The establishment of existing use rights not only protects the use of the subject land for the purpose of a hotel but also allows the uses and activities that comprise that use to intensify over time.*

The decisions set the precedent that intensification of any particular use is not relevant in any expansion or continuation of an existing use right. What is relevant is whether the amendment, expansion or intensification of a use continues to be for the same purpose and involves the same activities.

The use is proposed to continue as a hotel, albeit an expanded hotel in an enlarged building.

In addition, the application also relies on *Mondib Group Pty Ltd v Moonee Valley City Council* [2021] VSC 722 that set the precedents that the planning ‘principle’ formerly known as the ‘transformation’ of a planning permit no longer exists. This means there is no restraint in transforming a permit by way of an amendment made under Section 72 of the *Planning and Environment Act 1987*.

Officers have generally accepted the implication of these decisions for the current application. However, a nexus exists between the proposed buildings and works and the existing use. It is considered prudent to regulate the patron management of the redeveloped hotel, including maximum patron numbers and trading hours. This is consistent with previous planning permits for buildings and works issued for the land.

### 10.2.2 Patron Numbers

The maximum patron numbers proposed on the Venue Management Plan are as follows:

<b>Table 6: Proposed Patron Number</b>		
	Planning Permit TP-2005-1022	Proposed Amendment TP-2018-1174/A
Ground	550	441
First	300	320

Second	350	200
Third	N/A	200
Fourth	N/A	179
Fifth	N/A	50
<b>TOTAL</b>	<b>1200</b>	<b>1390</b>

Clause 13.07-1L-04 (Licensed Premises) has the policy that:

*Limiting the number of patrons permitted in a licensed premise to manage any unreasonable impact on the amenity of the surrounding uses and the maximum occupancy capacity of the premises, as determined by the Building Act 1993.*

It is considered appropriate that any permit include a condition limiting the overall maximum number of patrons to 1,390 given the size of the premises and potential amenity impacts.

### 10.2.3 Operating Hours

The existing hours and proposed operating hours set out in the Venue Management Plan by Midtown Hustle Pty Ltd dated 19 September 2022 are summarised as follows:

<b>Table 7: Existing and Proposed Operating Hours</b>		
<b>Existing Off the Premises (Take-away)</b>		
Sunday	10am - 11pm	
Good Friday and Anzac Day	12noon - 11pm	
On any other day	7am - 11pm	
<b>On the Premises</b>		
<b>External Areas</b>		
	<b>Existing Liquor Licence</b>	<b>Proposed</b>
Sunday	10am – 1am	10am – 3am
Good Friday and Anzac Day	12noon – 1am	12noon – 3am
On any other day	10am – 1am	7am – 3am
<b>Remainder of the Premises</b>		
	<b>Existing Liquor Licence</b>	<b>Proposed</b>
Sunday	10am – 5am	10am – 5am
Good Friday and Anzac Day	12noon – 5am	12noon – 5am



On any other day	7am – 5am	7am – 5am
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The key consideration is whether the external areas of the proposed addition can operate until 3am as sought by the planning application.

Clause 13.07-1L-04 (Licensed premises) includes policy to consider limiting trading hours of outdoor areas to 1am (or 11pm if in a noise sensitive area).

It is also policy that:

*Applications to extend operating hours beyond the hours otherwise specified for indoor and outdoor areas within this policy will only be supported where the further extension of hours will not unreasonably impact on the amenity of the surrounding area.*

It must also be acknowledged that the hotel has been established on the site for an extended period of time, such that it benefits from existing use rights. The site is located within the central city in proximity to numerous uses of a similar nature, albeit of varying scale, and residents in the surrounding area cannot expect the same level of amenity that may be expected in suburbs outside the central city.

In the context of an existing premises with existing use rights to operate until 5am and has a condition which requires background music only in external areas, the consideration of amenity impact of the hours of the external areas is limited to the noise impacts of the patrons (talking).

To understand the specific context of this site, a short description of the surrounding land is provided.

To the east of the site, the closest residential use is 492-500 Flinders Street which:

- Is located 40 m to the east and is separated by King Street and the building located at 502 Flinders Street.
- The residential apartments do not have any balconies and do not have any western windows facing the subject site (blank brick wall).



**Figure 11: View from the west towards 502 and 492-500 Flinders Street**

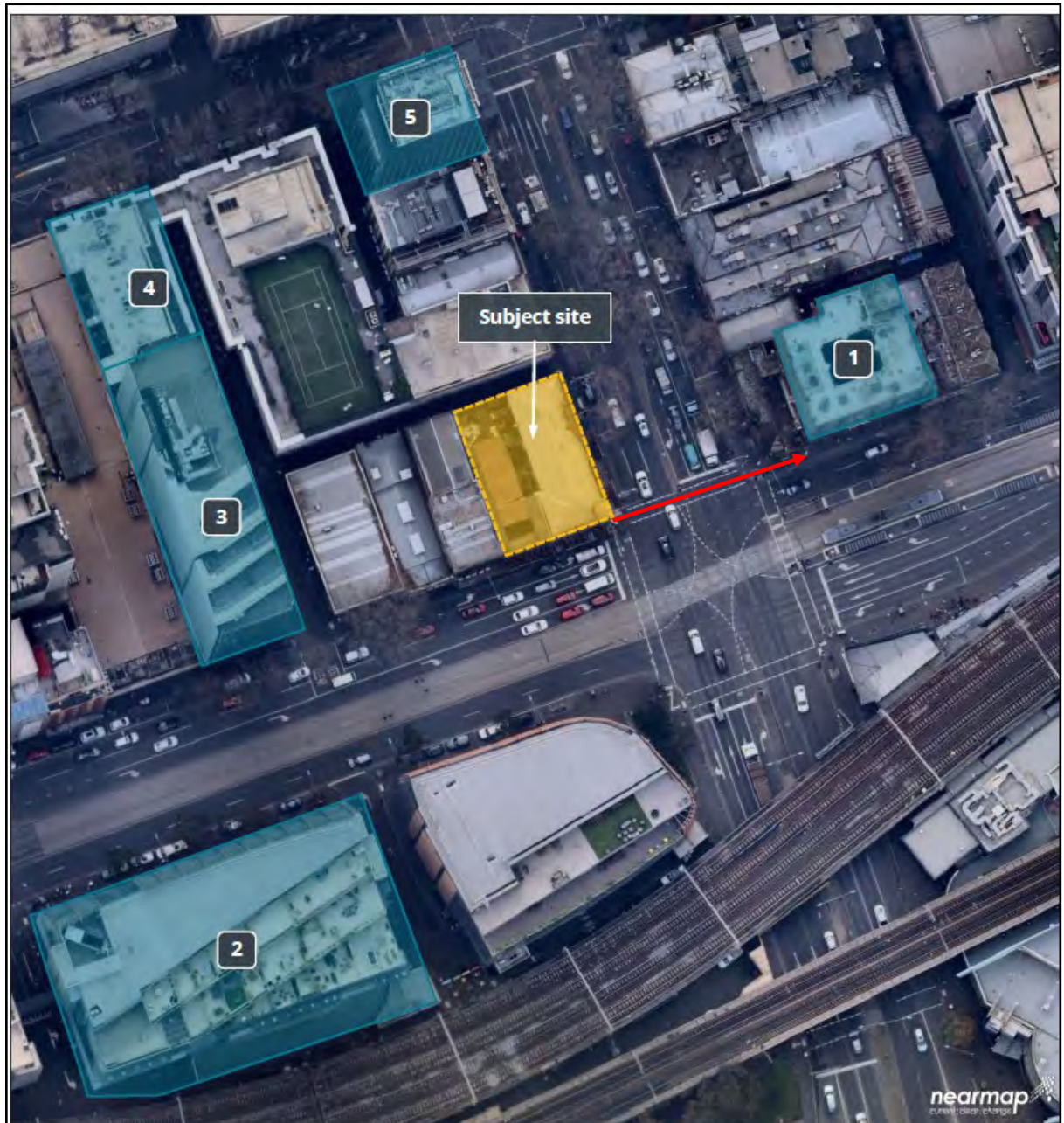
To the south the closest residential interface is 555 Flinders Street, which is located 50 m south west of the site and 534 Flinders Street (Aurora Apartments) which is located 44 m from the site.



**Figure 12: View of Waterside Hotel towards the west**

On balance it is considered appropriate to limit the trading hours of external areas to 3am as:

- The external areas will be limited to background music only.
- The site benefits from existing use rights as a tavern until 5am.
- The site is a gateway location to the night-time precinct on King Street where many late night premises operate.
- The site is in a robust location that is predominately commercial and bounded by heavily trafficked roads.
- There are no abutting residential uses.
- The proposed building is designed to turn its back on noise sensitive uses to the north and west.
- The external areas on ground, Level 1 and 2 are largely sheltered by the existing building and proposed addition.
- An acoustic screen is proposed to the Level 3 terrace to attenuate potential noise impacts from patrons.
- The terraces on Levels 4 and 5 are small being only 57 square metres.
- The external areas support the natural ventilation of the premises to achieve the energy efficiency requirements.



No. Ref.	Property
1	492-500 Flinders Street
2	545-557 Flinders Street
3	534 Flinders Street
4	535 Flinders Lane
5	509 Flinders Lane

**Figure 13: Aerial Image showing the location of nearby residential uses (Source: Clarity Acoustics)**

#### 10.2.4 Noise

An Acoustic Assessment report by Clarity Acoustic dated August 3, 2022 was included with the application. Background noise levels were measured on 11 August 2018. The Acoustic Consultant letter advises that there has been no significant change in background noise levels in the area since 2018, with a small

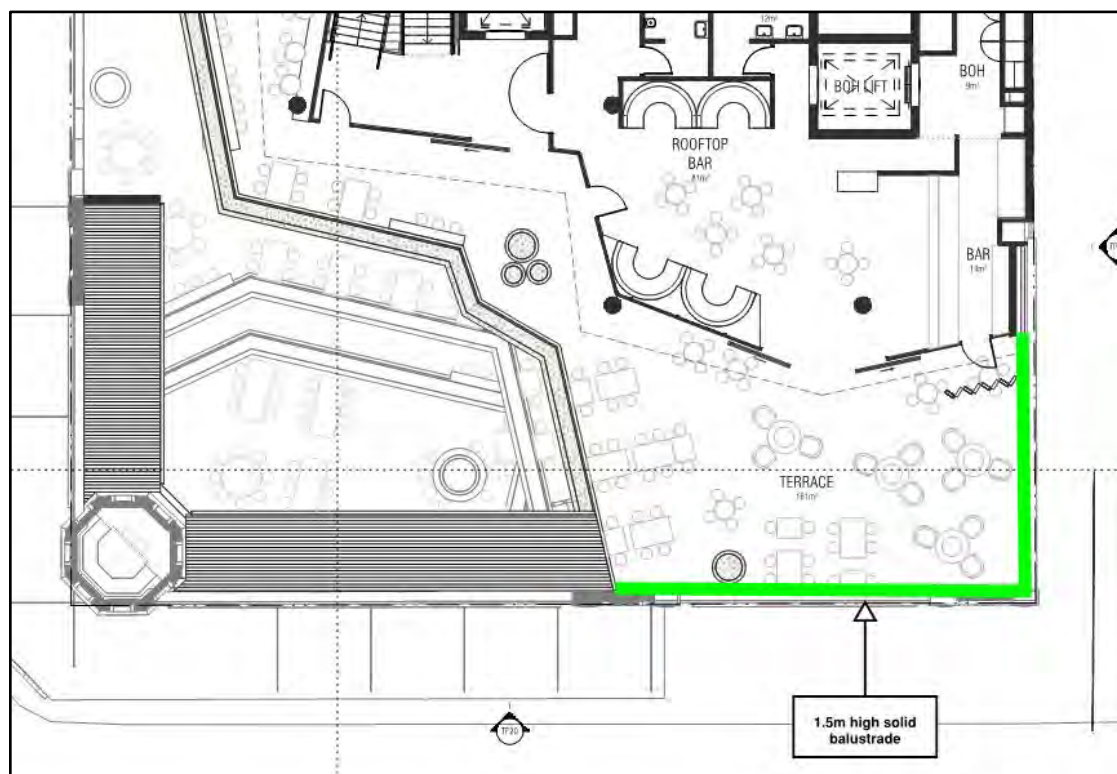
increase in some areas due to an increase in development and mechanical plant noise. Based on the music levels specified in the report, it is predicted that compliance with 1826.4: Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues will be met.

The Acoustic Assessment advises that live music may be performed in the ground floor public bar and first floor function space. Maximum music noise levels have been recommended in the Acoustic Assessment. Music levels in the beer garden and external terraces are proposed to be at background levels only.

Acoustic attenuation measures are proposed, including a 1.5 metre high, 6 millimetre thick glass balustrade to the north-eastern corner of the terrace on level 3 (see Figure 19). No attenuation measures are required for the other terraces due to the additional setbacks from King Street and the size of the terraces. 10.38 millimetre thick glass is recommended for internal areas.

The report recommends a detailed assessment of noise from mechanical plant once the plant selection is finalised. All plant associated with the development should be designed to achieve compliance with the relevant noise regulations.

It is recommended that the noise attenuation measures set out in the Acoustic Assessment be secured by permit conditions.



**Figure 14: Location of the proposed acoustic screen**

### 10.2.5 Patron Management

The Venue Management Plan by Midtown Hustle Pty Ltd dated 19 September 2022 was submitted with the application. The plan outlines important themes such as security, queue management, crowd control, staffing, complaint handling, amenities, transportation, and delivery management.

It is considered appropriate to require a Venue Management Plan as a condition of the amended permit to ensure the hotel is appropriately managed and minimise potential negative impacts on the surrounding area.

### **10.3 Heritage**

#### **10.3.1 Significance**

The site is listed as a locally significant building in the Heritage Places Inventory March 2022 (Amended January 2023). The Central City (Hoddle Grid) Heritage Review Statements of Significance June 2013 notes the building as being of historical and aesthetic significance. Elements that contribute to this significance include, but are not limited to, the external structure from the year of construction (1926) and new materials that were added in a manner consistent with the original structure.

#### **10.3.2 Demolition**

While the partial demolition of a significant heritage building is not supported by policy, on balance the proposal meets the broader objectives and policies of Clause 02.03-4s (Built Environment and heritage), 15.03-1S (Heritage conservation) and Clause 15.03-1L-02 (Heritage) for the following reasons:

- The removed original elements of the building are not visible from the primary street frontages of Flinders Street and King Street.
- An element of the three dimensional form of the building will be retained. Notable features include the Flinders Street and King Street façades, including the turret and part of the Mercantile Place façade.
- The removal of non-original elements of the building is supported by policy. This includes sections of the ground floor frontage to Flinders Street and the second floor deck.
- Removal of the existing awning and signage is considered appropriate to support the restoration of the façade and modernization of signage.
- The removal of certain elements on the Mercantile Place frontage, such as the visible brick section of the building (25 Mercantile Place) and external stairs, are considered to have limited aesthetic value to the lane and will be replaced with a new brick wall. The return brick wall of the eastern wing of the building, including the painted sign, will be retained as an appropriate design response to retain the three dimensional form of the building when partially visible from King Street.
- The demolition supports the redevelopment of the site for its continued use as a hotel, which respects the historic and aesthetic significance of the site.

The proposed demolition includes excavation of the site to extend the existing cellar for the purpose of constructing an enlarged basement. Given the extensive demolition and excavation, it is considered appropriate to require a structural engineering report to ensure the safe and successful retention of the remaining portions of the heritage place.

#### **10.3.3 Addition and Non-Concealment**

Clause 15.03-1L-02 (Heritage) sets out the policy considerations for additions to heritage buildings. While the proposal does not meet the concealment requirements outlined in the policy, it is considered that the proposed location, bulk, form and appearance of the addition are respectful and will not have an unreasonable impact on the heritage significance of the site. Specifically:

- The proposed addition is setback from the principal street frontages by approximately 3 to 13.1 metres.
- The higher levels of the addition progressively increase their distance from the principal façades, creating a terraced form that clearly presents as a new element of the building.
- The addition does not visually dominate or disrupt the appreciation of the heritage building as it presents to the street. The perspective drawings show the addition as a distinct backdrop element to the retained elements (see Figures 15 to 17).
- The addition does not build over, extend into the airspace, or obscure the front or principal part of the heritage building.
- The addition avoids direct reproduction with a contemporary form and materiality.
- The addition features high quality finishes and details with extensive landscaping.
- The addition is setback from the front part of the adjoining heritage building to the east at 516-518 Flinders Street. A higher boundary wall is proposed to abut the adjacent site, which will be visible from Flinders Street. It is recommended that the finish and texture of this boundary wall be improved to avoid blank walls and enhance the appearance of the development.



**Figure 15: Flinders Street Perspective**



**Figure 16: Flinders Street Perspective**



**Figure 17: King Street Perspective**

### 10.3.4 Alterations and Restoration Works

The proposed alterations and restoration works are generally acceptable in terms of respecting the heritage significance of the site and enhancing the function of the hotel, including providing essential building services and accessible entries.

## 10.4 Urban Design

### 10.4.1 Design and Development Overlay Schedule 1

Design and Development Overlay Schedule 1 (DDO1) sets out design objectives and outcomes for development in the Central City.

The design objectives of DDO1 are:

- *To ensure that all development achieves high quality urban design, architecture and landscape architecture.*
- *To ensure that development integrates with, and makes a positive contribution to, its context, including the hierarchy of main streets, streets and laneways.*
- *To ensure that development promotes a legible, walkable and attractive pedestrian environment.*
- *To ensure that the internal layout including the layout of uses within a building has a strong relationship to the public realm.*
- *To ensure that development provides a visually interesting, human scaled and safe edge to the public realm.*

Table 8: Design and Development Overlay Schedule 1 Assessment		
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	Assessment
<p>An urban block structure that:</p> <ul style="list-style-type: none"> <li>▪ Is sufficiently fine grained to support walking as the primary mode of transport.</li> </ul>	<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><i>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.</i></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</p>	<p>A through-block link is not necessary as Mercantile Place and Katherine Place provides through-block links.</p>



	between those abutments where this improves the walkability of the urban block.	
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<b>Site Layout</b>		
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.		
<b>Design Outcome</b>	<b>Design Requirements</b>	<b>Assessment</b>
<p>Site layout that:</p> <ul style="list-style-type: none"> <li>▪ Reinforces the valued characteristics of streets and laneways.</li> <li>▪ Delivers a well-defined public realm</li> </ul>	<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>The retained facades will continue to be aligned to the street.</p>
<p>Vehicle entries that:</p> <ul style="list-style-type: none"> <li>▪ Do not create traffic conflict.</li> <li>▪ Do not undermine the attractiveness or safety of the pedestrian experience.</li> </ul>	<p>Vehicle access and loading bays:</p> <ul style="list-style-type: none"> <li>▪ Should not be located on main streets.</li> <li>▪ Should not be constructed on a traffic conflict frontage or in a lane leading off a traffic conflict frontage shown on Map 2.</li> <li>▪ 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.</li> </ul> <p>The location and width of car park entries should minimise the impacts on the pedestrian network.</p>	<p>The goods receiving area off Mercantile Place is appropriately located and minimises impacts on the pedestrian network.</p>

<b>Building Mass</b>		
Building mass relates to the three dimensional form of a building, including its scale, height, proportions and composition.		
<b>Design Outcome</b>	<b>Design Requirements</b>	<b>Assessment</b>
<p>Building mass that:</p> <p>Distinguishes between different buildings where a development comprises multiple buildings.</p> <p>Respects the height, scale and proportions of adjoining heritage places or buildings within a Special Character Area.</p> <p>Reinforces the fine grain and visual interest of streetscapes.</p> <p>Maintains a diverse and interesting skyline through the design of roof profiles.</p>	<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>	<p>The addition has a contemporary form and appearance that respects the fine-grain rhythm of buildings in the immediate area.</p>
<p>Street walls that:</p> <p>Adopt a variety of streetwall heights to reinforce the traditional fine grain, vertical rhythm and visual interest of streetscapes.</p> <p>Provide aesthetic interest to the public realm.</p> <p>Frame comfortable and attractive streets.</p>	<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 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>The existing street wall to Flinders Street and King Street will be retained, with the upper levels of the addition setback from the primary frontages.</p>

	Transitions in height, scale or prominence to a heritage place should avoid relying solely on surface treatments or decorative effects.	
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### 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	Assessment
<p>A building program that:</p> <p>Delivers safe and high quality interfaces between the public and private realm.</p> <p>Maximises activation of the public realm.</p> <p>Can accommodate a range of tenancy sizes, including smaller tenancies in the lower levels of the building.</p> <p>Allows for adaptation to other uses over time.</p> <p>Delivers internal common areas or podium-rooftop spaces that maximise passive surveillance and interaction with the public realm.</p> <p>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>	<p>Development should position active uses to address the public realm.</p> <p>Development should:</p> <p>Maximise the number of pedestrian building entries.</p> <p>Avoid long expanses of frontage without a building entry.</p> <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> <p>4.0 metres at ground level.</p> <p>3.8 metres for levels two and three.</p> <p>3.5 metres above level three and up to 20 metres.</p> <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</p>	<p>The development continues to provide public entrances on Flinders Street and King Street.</p> <p>The development has floor-ceiling heights between 3.4 and 4 metres. This is suitable for the hotel use.</p> <p>The Venue Management Plan notes that queuing into the venue is unlikely. If required, this would occur on the footpath along the edge of the building as per the existing conditions.</p>

	<p>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>Building services that:</p> <p>Minimise impacts on the public realm.</p> <p>Maximise the quality and activation of the public realm.</p> <p>Do not dominate the pedestrian experience and are designed as an integrated design element.</p> <p>Provide waste collection facilities as an integrated part of the building design.</p>	<p>Ground floor building services, including waste, loading and parking access:</p> <p>Should be minimised.</p> <p>Must occupy less than 40 per cent of the ground floor area of the site area.</p> <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>	<p>Waste and loading will occur via Mercantile Place, as has historically been the case. The access door is located well away from King Street.</p> <p>A booster cabinet is located on the Flinders Street frontage in its south-west corner and occupies approximately 14% of the Flinders Street frontage. Windows are located above the structure.</p> <p>While a dedicated loading bay is not provided, the goods receiving area at the rear of the site, bin store and booster cabinets account for less than 10% of the site area.</p> <p>Plant is located on the roof and is appropriately integrated into the design of the building.</p> <p>A basement is proposed to provide for additional building services and back-of-house areas.</p>

	<p>Be positioned no more than 500 millimetres from the street edge.</p> <p>Be designed as an integrated element of the building.</p> <p>Rooftop plant, services and antennae should be integrated into the overall building form.</p>	
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### 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	Assessment
<p>Public interfaces that:</p> <p>Contribute to the use, activity, safety and interest of the public realm.</p> <p>Provide continuity of ground floor activity along streets and laneways.</p> <p>Allow unobstructed views through openings into the ground floor of buildings.</p>	<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> <p>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:</p> <p>Stall-risers to a height of 700 mm.</p> <p>Pilasters.</p> <p>Window and door frames.</p> <p>Windows that have clear glazing without stickers or paint that obscures views.</p> <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>	<p>The site contains a significant heritage building, therefore these standards do not apply.</p> <p>Where obscured glazing is proposed to a first floor window on the Flinders Street frontage, this is to one window on an area proposed to be used for toilets.</p> <p>On balance this is considered an acceptable outcome as the first floor activation to Flinders Street is limited and the proposal increases the upper level activation and interaction with the surrounding area with extensive terraced areas.</p>

	<p>Be transparent.</p> <p>Not block views into tenancies at night.</p> <p>Be mounted internally to the shop windows.</p> <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>	
<p>Facade projections and balconies that:</p> <p>Do not adversely impact the levels of daylight or views to the sky from a street or laneway.</p> <p>Do not obstruct the service functions of a street or laneway through adequate clearance heights.</p> <p>Add activity the public realm.</p> <p>Form part of a cohesive architectural response to the public realm.</p>	<p>Upper level projections and canopies should allow for the growth of existing and planned street trees.</p> <p>Upper level projections such as juliet balconies, adjustable screens or windows, cornices or other architectural features may project into streets or laneways:</p> <p>On main streets up to 600 mm.</p> <p>On streets and laneways up to 300 mm.</p> <p>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.</p> <p>Balcony projections should be at least 5 metres above any public space measured from ground level.</p> <p>Development should not include enclosed balconies or habitable floor space projecting over the public realm.</p>	<p>A replacement awning is proposed and is designed to respect the heritage building.</p> <p>The impact on the existing street tree on King Street has been assessed and is considered acceptable subject to conditions.</p>

	Ensure that public realm projections (excluding canopies) at the upper levels do not extend the full width of a building frontage.	
<p>Weather protection that: Delivers pedestrian comfort in the public realm and protection from rain, wind and summer sun.</p> <p>Uses canopies that are functional, of high quality design, and contribute to the human scale of the street.</p>	<p>Development should include continuous weather protection along main streets except where a heritage place warrants an alternative approach.</p> <p>Weather protection canopies should:</p> <p>Be between 3.5 metres and 5 metres above ground measured to the underside of the soffit.</p> <p>Provide for exposure to winter sun and shelter from summer sun.</p> <p>Not enclose more than one third of the width of a laneway.</p> <p>Display a high design standard including material selection in the appearance of the soffit and fascia.</p>	<p>A replacement awning is proposed with a minimum 750 mm setback from the kerb.</p> <p>The new awning has the same height as the existing with a minimum clearance of approximately 3.3 m.</p>

<b>Design Detail</b>		
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.		
<b>Design Outcome</b>	<b>Design Requirements</b>	<b>Assessment</b>
<p>Exterior design that: Establishes a positive relationship between the appearance of new development and the valued characteristics of its context.</p> <p>Is visually interesting when viewed up close and from a distance.</p> <p>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.</p>	<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</p>	<p>The form of the addition provides for light and shade and extensive landscaping that softens the appearance of the addition.</p> <p>The proposed walls on the north and west boundaries could be improved to provide a better response to the adjoining heritage buildings and wider streetscapes. This is recommended by way of a condition of the permit.</p>

<p>Incorporates sufficient design detail in the lower levels of a building to deliver a visually rich and engaging pedestrian experience.</p> <p>Delivers high quality design on all visible sides of a building including rooftops, where visible from the public realm.</p> <p>At the ground level interface, provides visual connection between the public realm and interior spaces.</p>	<p>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>	<p>The impact of the service cabinet to Flinders Street is improved with the inclusion of windows above the structure.</p>
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## 10.5 Design and Development Overlay Schedule 10

Design and Development Overlay Schedule 10 (DDO10) contains the following design objectives:

- *To ensure development achieves a high quality of pedestrian amenity in the public realm in relation to human scale and microclimate conditions such as acceptable levels of sunlight access and wind.*
- *To ensure that development respects and responds to the built form outcomes sought for the Central City.*
- *To encourage a level of development that maintains and contributes to the valued public realm attributes of the Central City.*
- *To ensure that new buildings provide equitable development rights for adjoining sites and allow reasonable access to privacy, sunlight, daylight and outlook for habitable rooms.*
- *To provide a high level of internal amenity for building occupants.*
- *To ensure the design of public spaces and buildings is of a high quality.*



- *To encourage intensive developments in the Central City to adopt a podium and tower format.*

A permit can only be granted to vary the preferred requirement for any design element where it can be demonstrated that the development will achieve the relevant design objectives and built form outcomes.

<b>Table 9: Design and Development Overlay Schedule 10 Assessment</b>			
<b>Design Element</b>	<b>Preferred Requirement</b>	<b>Modified Requirement</b>	<b>Built Form Outcomes</b>
Street wall height	Up to 20 metres	<p>The street wall height must be no greater than:</p> <ul style="list-style-type: none"> <li>• 40 metres; or</li> <li>• 80 metres where it: <ul style="list-style-type: none"> <li>• 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</li> <li>• fronts a public space including any road reserve wider than 80 metres.</li> </ul> </li> </ul>	<p>Street wall height is scaled to ensure:</p> <ul style="list-style-type: none"> <li>• a human scale.</li> <li>• an appropriate level of street enclosure having regard to the width of the street with lower street wall heights to narrower streets.</li> <li>• consistency with the prevalent parapet height of adjoining buildings.</li> <li>• height that respects the scale of adjoining heritage places.</li> <li>• adequate opportunity for daylight, sunlight and skyviews in the street.</li> <li>• definition of main street corners and/or public space where there are no significant impacts on the amenity of public spaces.</li> <li>• maintenance of the prevailing street wall height and vertical rhythm on the street.</li> </ul>
<b>Response</b>			
<p>Complies.</p> <p>The street walls of the heritage building have a maximum height of approximately 17 metres to the top of the parapet.</p>			

<b>Design Element</b>	<b>Preferred Requirement</b>	<b>Modified Requirement</b>	<b>Built Form Outcomes</b>
Building setback above	Above the street wall, towers and additions should be	Above the street wall, towers must be setback a minimum of 5	Towers and additions are setback to ensure:

street wall	setback 10 metres from the title boundary.	metres from the title boundary.	<ul style="list-style-type: none"> <li>• large buildings do not visually dominate the street or public space.</li> <li>• the prevalent street wall scale is maintained.</li> <li>• overshadowing and wind impacts are mitigated.</li> <li>• the tower or addition includes a distinctly different form or architectural expression.</li> </ul>
<b>Response</b>			
Complies			
An addition, not a tower, is proposed. This addition is setback a minimum of approximately 3 metres from Flinders Street and 6 metres from King Street.			

Design Element	Preferred Requirement	Modified Requirement	Built Form Outcomes
Building setbacks from side boundaries and rear boundaries (or from the centre line of an adjoining laneway) and tower separation within a site	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 and additions up to 80 metres in 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.</p> <p>Towers and additions of no more than 80 metres in height may be constructed up to one side or rear boundary, excluding a laneway, if an existing, approved, proposed or potential building on an adjoining site is built to that boundary and if a minimum setback of 5 metres is met to all other side and rear boundaries and the centre line of any adjoining laneway.</p>	<p>Towers and additions are designed and spaced to ensure:</p> <ul style="list-style-type: none"> <li>• sun penetration and mitigation of wind impacts at street level.</li> <li>• provision of reasonable sunlight, daylight, privacy and outlook from habitable rooms, for both existing and potential developments on adjoining sites.</li> <li>• floorplate layout or architectural treatment limits direct overlooking between habitable rooms.</li> <li>• buildings do not appear as a continuous wall at street level or from nearby vantage points and maintain open sky views between them.</li> <li>• buildings do not visually dominate heritage places and streetscapes, nor significant view lines.</li> </ul>

		<p>Buildings of no more than 80 metres in height, may be constructed to a second side or rear boundary if an adjoining site cannot, by legal restriction benefitting the application site, be developed above the street wall height.</p> <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>	
<b>Response</b>			
<p>Complies</p> <p>The addition is proposed to be constructed to the side and rear boundaries up to a height of 28 metres. Setbacks are not required for additions to buildings below 40 metres in height.</p> <p>The proposed addition abuts the adjoining property to the west. The solid boundary wall and orientation of the addition will not prejudice the development potential of the adjoining property.</p> <p>The impact of the boundary wall on Mercantile Place is considered acceptable as the length and height of the wall reduces with each level. The amenity of Mercantile Place is limited and the lane is identified as a Class 3 Lane under Clause 15.01-1L-01 (CBD Lanes) that generally provide vehicular access to the rear of buildings for loading and service requirements or access to car parking areas.</p> <p>Sky views and sunlight access to Mercantile Place would not be unreasonably impacted with the lane located on the north side of the site.</p>			

Design Element	Preferred Requirement	Modified Requirement	Built Form Outcomes
Tower floorplate	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.	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: <ul style="list-style-type: none"> <li>• result in an increase in the floorplate area</li> <li>• be situated less than 5 metres from a side or rear boundary (or from the centre line of an adjoining laneway)</li> <li>• be less than 5 metres to a street boundary</li> </ul> be less than 10 metres to an adjoining tower on the site.	The adjusted floorplate is designed and spaced to: <ul style="list-style-type: none"> <li>• reduce impact on existing and potential neighbours in terms of privacy, outlook, daylight and sunlight access.</li> <li>• minimise visual bulk.</li> <li>• reduce impact on public spaces, including overshadowing and wind effects and reduced visual dominance.</li> <li>• buildings do not visually dominate heritage places and streetscapes, nor significant view lines.</li> <li>• buildings do not appear as a continuous wall at street level or from nearby vantage points and maintain open sky views between them.</li> </ul>
<b>Response</b>			
Not applicable			

## 10.6 Overshadowing of Public Spaces

Under Design and Development Overlay Schedule 10, a permit cannot be granted for buildings and works that would cast additional shadow across the Yarra River corridor, including a 15-metre area from the north to south bank of the river between 11am and 2pm on 22 June, with the exception of minor works or changes to existing buildings within that defined space. A permit cannot be granted for buildings and works that would cast additional shadow on Batman Park unless the overshadowing does not negatively affect the amenity of the area.

Planning Scheme Amendment C415, which concerns sunlight in public parks, does not apply to the Site.

Shadow diagrams have been submitted with the application to show that there will be no additional overshadowing to the Yarra River corridor and Batman Park during key times.



Figure 18: 22 September Shadow



**Figure 19: 22 June Shadowing**

## 10.7 Potential Flood Risks

The site is located in an area designated as a Land Subject to Inundation Overlay (LSIO3) under Planning Scheme Amendment C384 (see Figure 20). A Panel Report was received on 22 December 2022. The Panel supported the proposed amendment, but did not support the inclusion of urban design outcomes. Recommendations were made, including removing references to the Guidelines for Development in Flood Affected Areas (“Flood Guidelines”) from the LSIO3 Decision Guidelines, but listing it as a background document.

Melbourne Water will be the relevant flood plain manager and has objected to the proposal on the grounds set out in this report.

The applicant met with Melbourne Water on 19 January 2023. Melbourne Water further clarified that (summarised):

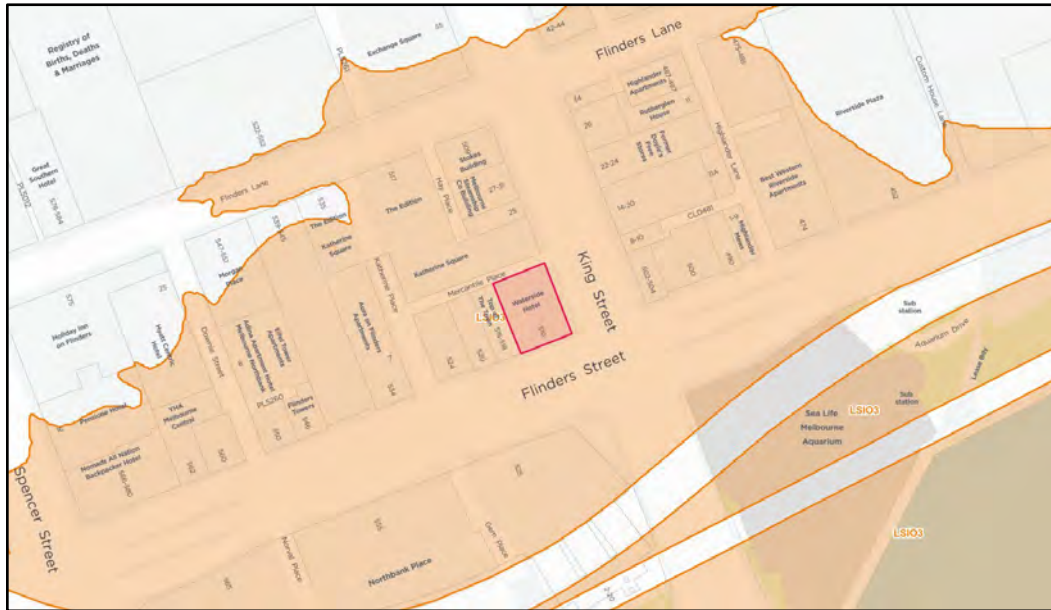
- Concerns about the flood risk to the overall increase in the size, use and intensity of the basement well below flood level.
- Concerns that the proposed access points to the basement remain at the existing finished ground floor level which is well below the freeboard requirements.
- Do not support the proposed use of flood barriers in lieu of meeting the freeboard requirements to protect the basement area as per the Guidelines for Development in Flood Affected Areas (Department of Environment, Land, Water and Planning, February 2019).
- Concern regarding the increased intensity of the development and use of the site with a large amount of people and how they would be managed during a flood event in a high flood risk area.
- To offer feedback on any modified design responses which seek to address these concerns.

It should be noted that Melbourne Water’s notice / referral was informal, they are not a formal referral authority as defined in Section 55 of the Planning and Environment Act 1987.

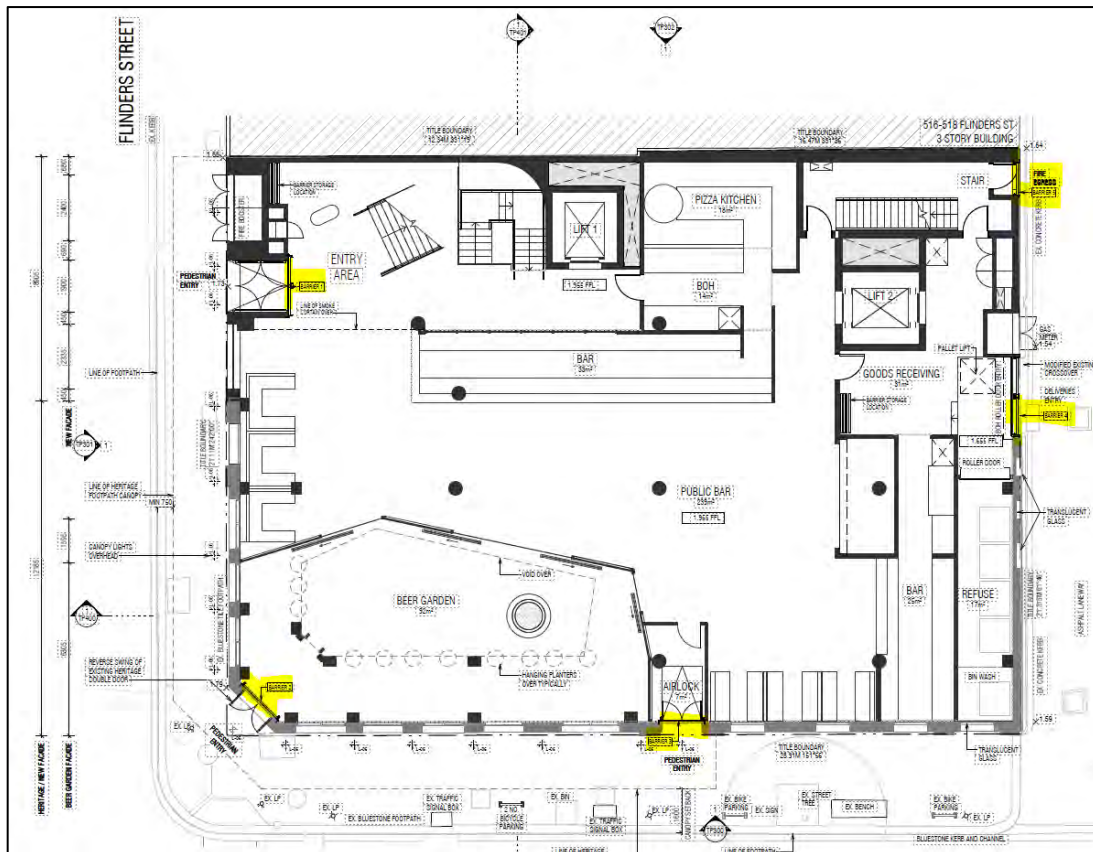
It should also be noted that any significant changes to the internal floor levels could have a detrimental impact on the appreciation of the heritage place. It is further noted that the proposed basement is mostly intended for back-of-house.

In response to the objection, the applicant provided additional information, including plans for 1.5 to 1.8 metre high manual removable flood barriers applied to the openings at ground floor level. Figure 21 shows the location of the proposed barriers.

Conditions are recommended requiring the applicant to submit a Flood Risk Management Plan to Melbourne Water and the Responsible Authority, that the Flood Risk Management Plan be audited and a Section 173 Agreement be placed on the land highlighting the flooding risk.



**Figure 20: Proposed Land Subject to Inundation Overlay**



**Figure 21: Proposed Flood Barrier Locations**

### 10.8 Glare and Reflectivity

The facades feature clear glazing and bronze coloured powder coated door and window framing, balustrades, and louvers.

The risk of reflected glare is greater for buildings over four stories tall, buildings facing cardinal directions, and buildings with concave or faceted facades. As such,



the proposal has the potential to cause glare to nearby properties and transport corridors, such as roads, rail, and rivers.

DDO1 includes policy that surfaces do not cause unacceptable glare to the public. Practice Note 96 *Planning Consideration for Reflected Sunlight Glare* defines 'reflected glare' as 'sunlight that is reflected from a building surface into the view of surrounding observers, causing annoyance and / or loss of vision, and potentially leading to safety risks and / or impacts on amenity'.

It is recommended that permit conditions require a maximum reflectivity of 15 per cent for external materials and that a glare assessment be submitted to the satisfaction of the Responsible Authority.

### **10.9 Green Infrastructure**

The proposal includes extensive landscaping on all levels of the building. Renders of the proposal have been provided with and without the landscaping to show the architecture of the building (and in the event the landscaping fails) (see Figures 22 to 26).

It is recommended that conditions requiring a satisfactory Landscape Plan and Landscape Maintenance Plan be provided.



**Figures 22: Render Image without landscaping**



**Figures 23: Render Image with landscaping**



**Figures 24: Render Image without landscaping**



**Figures 25: Render Image with landscaping**



**Figure 26: Internal view from the proposed beer garden**

### **10.10 Energy and Resource Efficiency**

Clause 15.01-2L-01 (Energy and resource efficiency) encourages buildings that:

- *Maximise the use of passive systems to achieve comfortable indoor conditions.*
- *Support new developments that minimise their embodied energy by their use of materials, construction and retention of reusable building fabric.*
- *Support on-site renewable and low emission energy generation, such as solar hot water, photovoltaic cells, wind powered turbines or combined heat and power generation systems in new developments.*
- *Encourage use and development to minimise waste.*

The Sustainability Management Plan submitted with the application is considered to satisfy the requirements of Clause 15.01-2L-01, with the proposal including:

- Inclusion of 5 to 6 WEL star rating water fixtures
- Water use reduction for air conditioning and fire systems

- 10 per cent modelled reduction in energy consumption
- Use of high-efficiency LED lighting
- 50 per cent of primary spaces achieve BESS daylight standard
- 60 per cent of areas have access to natural ventilation
- Shading from the afternoon sun
- Use of low VOC materials and sustainability sourced timber.

A recommendation for 70 per cent of the site area with vegetation to reduce the Urban Heat Island effect was recommended by the Sustainability Management Plan. The development summary lists a total of 113 square metres of planter area (approximately 18.4 per cent of the site area). Given the site constraints and extensive trafficable terraces, a higher level of vegetation is not considered practical in this circumstance.

#### **10.11 Stormwater Management (Water Sensitive Urban Design)**

Considerations of Stormwater Management are provided in the objectives and standards of Clause 19.03-3L (Stormwater management) of the Planning Scheme.

Stormwater is proposed to be collected from 565.5 square metres of non-trafficable roofing. A 7,000 litre rainwater tank is proposed to be reused for toilet flushing. The proposal achieves a STORM rating of over 100 per cent.

This achieves the requirements of Clause 19.03-3L (Stormwater management).

#### **10.12 Signs**

New and replacement business identification signage, including internally-illuminated signs is proposed. The proposed signs are considered an acceptable design and heritage response as:

- They are consistent with the relevant policies of Clause 15.01-1L-02 (Signs), Clause 15.03-1L-02 (Heritage), and Clause 52.05 (Signs).
- The signs are appropriately located and do not result in visual clutter.
- The proposed signs are similar to the existing signs and integrated into the ground floor frontages and awning.
- The signs have a minimum clearance of 2.7 metres from the footpath.
- The internally illuminated under-awning sign is consistent with other light boxes in the Central City.
- While illuminated signs on awning fascia are generally not supported, the three signs on the awning fascia (to Flinders Street, King Street and the splayed corner) with backlit lettering are considered acceptable in this instance having regard to the scale and nature of the development and the immediate context.
- The historic painted sign on the Mercantile Place elevation will be retained.

The content of the signs has not been finalised at this stage and is recommended to be provided on the condition 1 endorsed plans of the permit.

#### **10.14 Other Matters Raised Objections**

One objection raised concerns about loss of views and daylight, and reduced rental yield and property values. In response to these concerns:

- Views of the Yarra River and surrounding environs are not protected by the Melbourne Planning Scheme.

- There would be no unreasonable impact on daylight to the adjoining property to the north given the separation provided by Mercantile Place and the siting and massing of the addition.
- Potential loss of rental yield and property values are not relevant planning considerations.

### 10.15 Bicycle Facilities

Clause 52.34 (Bicycle Facilities) seeks:

- *To encourage cycling as a mode of transport.*
- *To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.*

A permit may be granted to reduce the requirements of Clause 52.34. Although the proposal includes two bicycle parking spaces for staff in the basement, a reduction of two visitor spaces is required.

The reduction is considered acceptable given the small number and that two existing bicycle hoops are located on the King Street footpath outside of the hotel. The existing and proposed building layout out makes it impractical to include easily accessible bicycle parking spaces for patrons.

The plans show a new bicycle hoop on the King Street footpath which is not supported as this is outside of the scope of the planning application. Condition 1 amended plans are recommended to delete the proposed bicycle parking spaces in the public realm.

### 10.16 Permit Expiry

Planning Permit TP-2018-1174 will expire if the development is not completed by 23 May 2023. The permit holder will need to successfully obtain an extension of time approval under Section 69 of the Act.

## 11. RECOMMENDATION

It is considered that the proposal is consistent with the relevant policies and clauses of the Melbourne Planning Scheme, as discussed above, and that a Notice of Decision to Grant an Amended Planning Permit be issued subject to the following amendments to the permit (highlighted in bold).

### Permit Preamble:

Partial demolition, alterations, additions, external painting, and signage to the existing **hotel building; and a reduction of the bicycle facilities requirements** in accordance with the endorsed plans.

### Amended Plans

1. **Prior to the commencement of the development, an electronic set of plans drawn to scale and an updated development summary, must be submitted to the Responsible Authority, generally in accordance with the plans prepared by Technē Architecture + Interior Design Pty Ltd dated 4 August 2022 and 19 October 2022 but amended to show:**
  - a. **The exposed sections of the north and west boundary walls further articulated and designed as an integrated component of the building.**
  - b. **Full details and content of all signs.**
  - c. **Deletion of the all bicycle parking outside of the title boundary.**

- d. **Any changes required by the amended Waste Management Plan in condition 4.**
- e. **Any changes required by the Façade Strategy in condition 10.**
- f. **Any changes required by the Structural Engineer's Report in condition 14.**
- g. **Any changes as required by the Heritage Demolition and Restoration Report in condition 15.**
- h. **Any changes required by the Reflected Glare Assessment in condition 16.**
- i. **Any changes required by the Flood Risk Management Plan in condition 21.**
- j. **Any changes required by the amended Landscape Plan and Landscape Maintenance Plan in condition 31.**

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

#### **Compliance with Endorsed Plans**

- 2. The development as shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority unless the Melbourne Planning Scheme exempts the need for a permit.

#### **Acoustic Report**

- 3. Prior to ~~commencement of the use~~ **occupation of the development** the recommendations contained within the Acoustic Report prepared by Clarity Acoustic, dated ~~16 December 2018~~ **3 August 2022**, must be implemented at no cost to the Melbourne City Council and be to the satisfaction of the Responsible Authority.

#### **Waste Management Plan**

- 4. Prior to the commencement of the development (**excluding demolition and bulk excavation**), **an amended Waste Management Plan (WMP) generally in accordance with the Waste Management Plan prepared by Onemilgrid dated 10 August 2022, but amended to address:**
  - a) **The size of bins for organic waste; and**
  - b) **Written confirmation from a private collector that they will collect organics bins of the preferred size.**

shall be submitted to and approved by the Melbourne City Council - Waste and Recycling Engineering Services. ~~The WMP should detail waste storage and collection arrangements and be prepared with reference to the Melbourne City Council Guidelines for Preparing a Waste Management Plan.~~ Waste storage and collection arrangements must not be altered without prior consent of the Melbourne City Council - ~~Engineering Services~~ **Waste and Recycling**.

#### **Architectural features and building services**

- 5. 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.

## **Signs**

6. The signs must not be animated or contain any flashing light.
7. No part of the advertising signs shall be internally or externally illuminated.
8. Advertising sign(s) must not be erected, painted or displayed on the land without the permission of the Responsible Authority, unless in accordance with the exemption provisions of the Melbourne Planning Scheme.
9. This permit, in relation to the signs expires 15 years from the date of issue, at which time the signs and all supporting structures must be removed and the site made good to the satisfaction of the Responsible Authority.

### **\*\*\* NEW CONDITIONS\*\*\***

#### **Façade Strategy**

10. **Concurrent with the endorsement of plans pursuant to Condition 1, a Façade Strategy must be submitted to and approved by the Responsible Authority. All materials, finishes and colours must be in conformity with the approved Façade Strategy to the satisfaction of the Responsible Authority. The Façade Strategy must be generally in accordance with the development plans and must detail:**
  - a. **Any changes required by the endorsed Reflected Glare Assessment.**
  - b. **A concise description by the architect(s) of the building design concept and how the façade works to achieve this.**
  - c. **Elevation details generally at a scale of 1:50 illustrating typical lower level details, entries and doors, and utilities, typical façade details, and any special features which are important to the building's presentation.**
  - d. **Cross sections or another method of demonstrating the façade systems, including fixing details indicating junctions between materials and significant changes in form and/or material.**
  - e. **Information about how the façade will be accessed and maintained and cleaned, including any planting if proposed.**
  - f. **Example prototypes and/or 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.**
  - g. **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 physical sample board with coding.**

#### **Architect to be retained**

11. **Except with the consent of the Responsible Authority, Technē Architecture + Interior Design Pty Ltd must be retained to complete and provide architectural oversight during construction of the detailed design as shown in the endorsed plans and endorsed schedule of materials to the satisfaction of Responsible Authority.**

### **Baffle external lighting**

- 12. Any external lighting must be designed and baffled so that no direct light is emitted outside the site, to the satisfaction of the Responsible Authority.**
- 13. Prior to the commencement of the development, including demolition, a report prepared by a suitably qualified Structural Engineer, or equivalent, must be submitted to the Responsible Authority, demonstrating the means by which the retained portions of building will be supported during demolition and construction works to ensure their retention, to the satisfaction of the Responsible Authority. The recommendations contained within this report must be implemented at no cost to Melbourne City Council, and be to the satisfaction of the Responsible Authority.**
- 14. Prior to the commencement of the development, including demolition, a Heritage Demolition and Restoration Report (“Heritage Report”) generally in accordance with the Heritage Impact Statement by Bryce Raworth Pty Ltd dated August 2022 must be submitted to and be approved by the Responsible Authority. The Heritage Report must provide details of all demolition and restoration works and include:
  - a. Itemisation of original and existing elements, their condition and the conservation works required to conserve or remediate any deterioration that has occurred.**
  - b. Matching of existing tiles.****

**When approved, the Heritage Report will form part of the permit. Works to the heritage building approved under this permit must be undertaken in accordance with the Heritage Report to the satisfaction of the Responsible Authority.**

### **Reflected Glare Assessment**

- 15. Prior to the commencement of buildings and works (excluding demolition and bulk excavation), or at another time as agreed to by the Responsible Authority, a reflected glare assessment of external building materials and finishes, utilising an appropriate methodology prepared by a suitably qualified person, must be prepared and submitted to the satisfaction of the responsible authority.**

### **Maximum Light Reflectance**

- 16. Specular light reflectance must be less than 15 per cent for all external building glazing and cladding materials and finishes when measured at an angle of 90 degrees to the surface of the material (normal incidence), except with the written consent of the Responsible Authority.**
- 17. External glazing and cladding materials and finishes must avoid disability glare to public transport operators, road users and aircraft, to the satisfaction of the Responsible Authority.**
- 18. Extended periods of discomfort glare for pedestrians and occupants of surrounding buildings caused by glazing (including tilted glazing) and external cladding materials and finishes with specular or glossy finishes (including polished metal cladding, finished stainless steel, glazed tiles, high gloss paint finishes) must be avoided or minimised, to the satisfaction of the Responsible Authority.**



### **Demolition and Construction Management Plan**

19. Prior to the commencement of the development, including demolition or bulk excavation, a detailed demolition and construction management plan must be submitted to and be approved by the Responsible Authority – Construction Management Group. This demolition and construction management plan must be prepared in accordance with the Melbourne City Council - Construction Management Plan Guidelines and is to consider the following:
- a. public safety, amenity and site security.
  - b. operating hours, noise and vibration controls.
  - c. air and dust management.
  - d. stormwater and sediment control.
  - e. waste and materials reuse.
  - f. traffic management.

### **Flood Risk Management Plan**

20. Concurrent with the endorsement of the plans, a Flood Risk Management Plan must be submitted to the Responsible Authority and Melbourne Water. The plan must be generally in accordance with the Draft Preliminary Risk Assessment and the Flood Risk Strategy received on 21 December 2022 but modified to include / address each of the following:
- a. Details of the potential flood risk from the Yarra River.
  - b. Mitigation measures to address the potential flood risk to the basement from the existing keg roll on King Street.
  - c. Details of how the Venue Manager will be alerted to likely impacts on the site during a flood event.
  - d. Information about how the timing of flooding to the site will be obtained.
  - e. The specific triggers that will inform actions by the Venue Manager to evacuate and warn occupants.
  - f. A list of signage and other flood mitigation equipment that needs to be maintained and levels of maintenance required for each item.
  - g. Detail relevant flood response activities from the City of Melbourne's Municipal Emergency Plan Flood Sub-Plan.
  - h. Detail the role the building manager plays in obtaining information and how they will engage with the City of Melbourne, Victoria Police and / or State Emergency Services to inform their actions.
  - i. Specification of the applicable flood level of 2.79 metres to AHD, depth, velocity and freeboard requirement of 600 mm (3.39 m to AHD) and how risks associated with flash flooding events (where little to no warning is available) are to be managed.

**Any requirements of the Flood Risk Management Plan must be implemented at all times.**

**Audit of the Flood Risk Management Plan**

21. The implementation of the Flood Risk Management Plan must be audited on the one year anniversary of its approval, or such other time as agreed in writing by Melbourne Water, by a suitably experienced and qualified professional with expertise in emergency and flood risk management. The Flood Risk Management Plan audit report must be provided to Melbourne Water and the Responsible Authority. The auditor’s report must:
- a. Confirm that the requirements of the Flood Risk Management Plan have been implemented over the audit period.
  - b. Provide any recommendations for improvements to the Flood Risk Management Plan.
  - c. If it is recommended to change any requirement in the Flood Risk Management Plan, a risk assessment that addresses the consequences of that change in requirement must be undertaken and provided to Melbourne Water.

Any recommendations made by the auditor of the Flood Risk Management Plan must be the subject of a revised Flood Risk Management Plan to be provided to the Responsible Authority and Melbourne Water.

**Flood Risk Management Plan Implementation Agreement**

22. Within six months of commencing the development, the owner of the Land must enter into an agreement pursuant to Section 173 of the *Planning and Environment Act 1987* with the Responsible Authority and Melbourne Water Corporation. All costs associated with the creation, review, execution and registration of the agreement by Melbourne Water and the Responsible Authority, including legal fees, must be borne by the owner of the Land. The agreement must be registered on title and run with the land, and must provide, to the satisfaction of the Responsible Authority and Melbourne Water, for the following:
- a. That the owner of the land acknowledges the high flood depths predicted on-site and on surrounding land has the potential to result in high levels of risk to human safety and property from floodwaters from the Yarra River.
  - b. That the use of the land must at all times be operated in accordance with Flood Risk Management Plan.

**Patron numbers**

23. The maximum number of patrons on the premises must be no more than 1400 at any one time unless with the prior written consent of the Responsible Authority.

**Hours of operation**

24. Except with the prior written consent of the Responsible Authority, the premises must only be open for trade between the following hours:

<b>Trading Hours (On the Premises)</b>	
<b>External Areas (Levels 1-5)</b>	<b>7am to 3am</b>

All other areas	7am to 5 am
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### Venue Management Plans

25. Prior to the commencement of the use, an amended Venue Management Plan must be submitted to and approved by the Responsible Authority. It must be generally in accordance with the Venue Management Plan dated 19 September 2022 but amended to be consistent with the patron numbers and hours of operation consistent with the conditions of this permit. The use must be carried out in accordance with the endorsed Venue Management Plan, unless with the prior written consent of the Responsible Authority.

### Compliance with noise protocol

26. The noise generated by the premises must at all times comply with the requirements of the EPA Publication 1826.4 (or subsequently updated publication): Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues, to the satisfaction of the Responsible Authority.

### Further Acoustic Testing

27. The Responsible Authority, with just cause, may at any time request lodgement of an acoustic report, prepared by a suitably qualified acoustic consultant. The report must be to the satisfaction of the Responsible Authority and identify all potential noise sources and sound attenuation work required to address any noise issues and to comply with EPA Publication 1826.4 (or subsequently updated publication): Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues. The recommendations of the report must be implemented by the applicant to the satisfaction of the Responsible Authority.

### Background Music Only in External Areas

28. Except for background music, no amplified music or entertainment is permitted in the external areas of the building without the prior written consent of the Responsible Authority.

### Sustainability Management Plan

29. The performance outcomes specified in the Sustainability Management Plan (SMP) by ADP dated 5 August 2022 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 ESD Statement, must be documented by the author of the endorsed ESD statement in an addendum to this report, which must be provided to the satisfaction of the Responsible Authority prior to the commencement of construction.

### Landscape Plan and Landscape Maintenance Plan

30. Prior to the commencement of the development, excluding demolition and bulk excavation, a Landscape Plan and Landscape Maintenance Plan generally in accordance with the Planting Concept by Ayus

**Botanical dated 29 July 2022 must be submitted to the Responsible Authority but amended to show:**

- a. Identification and inclusion of native and indigenous plant species.**
- b. The schedule to include plant quantities.**
- c. Identification of support structures, such as tree anchors.**
- d. Growing media specifications.**
- e. Water efficiency measures.**
- f. Drainage including, runoff from hanging baskets.**

**This Landscape Plan and Landscape Maintenance Plan must be to the satisfaction of the Responsible Authority and when approved shall form a part of the endorsed plans of this permit.**

#### **Landscaping Failure Plan**

- 31. If the landscaping fails, details of an alternative treatment must be submitted to and approved by the Responsible Authority. The alternative treatment must be implemented within three months of approval at no cost to Melbourne City Council and to the satisfaction of the Responsible Authority.**

#### **No interference with street trees**

- 32. No street tree adjacent to the site may be removed, lopped, pruned or root-pruned without the prior written consent of the Responsible Authority.**

#### **Tree Protection Plan**

- 33. Prior to the commencement of any works including demolition and any bulk excavation, a Tree Protection Plan (TPP) must be provided to the satisfaction of the Responsible Authority (Urban Forestry & Ecology). 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. City of Melbourne asset numbers for the subject trees (found at <http://melbourneurbanforestvisual.com.au>).**
  - b. Reference to the finalised Construction and Traffic Management Plan, including any public protection gantries, where applicable.**
  - c. Site specific details of the temporary tree protection to be used to isolate publicly owned trees from the demolition and construction activities or details of any other tree protection measures considered necessary and appropriate to the site.**
  - d. Specific details of any special construction methodologies to be used within the Tree Protection Zone of any publicly owned trees. These must be provided for any utility connections or civil engineering works.**
  - e. Full specifications of any pruning required to publicly owned trees with reference to marked images.**
  - f. Any special arrangements required to allow ongoing maintenance of publicly owned 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).**

#### **Public Tree Protection**

- 34. All works (including demolition), 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 Responsible Authority.**
- 35. Following the approval of a Tree Protection Plan (TPP) a bond equivalent to the combined environmental and amenity values of public trees that may be affected by the development must be lodged with council for the duration of the works. The bond amount will be calculated by council and provided to the applicant/developer/owner of the site. Should any tree be adversely impacted on, the City Of Melbourne will be compensated for any loss of amenity, ecological services or amelioration works incurred.**

#### **Drainage of projections**

- 36. All projections over the street alignment must be drained to a legal point of discharge in accordance with plans and specifications first approved by the Responsible Authority – City Infrastructure.**

#### **Works abutting a laneway**

- 37. The title boundaries for the property may not exactly agree with the road alignments of the abutting the City of Melbourne's laneway (Mercantile Place). The approved works must not result in structures that encroach onto the City of Melbourne's laneway.**

#### **Drainage connection underground**

- 38. Prior to the commencement of the development, excluding demolition and bulk excavation, a stormwater drainage system, incorporating integrated water management design principles, must be submitted to and approved by the Responsible Authority – City Infrastructure. This system must be constructed prior to the occupation of the development and provision made to connect this system to the City of Melbourne's underground stormwater drainage system.**

#### **Groundwater management**

- 39. 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 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.**

#### **Street levels not to be altered**

- 40. 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 Responsible Authority – City Infrastructure.**

#### **Existing street lighting not altered without approval**

41. 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. Interim lighting arrangements must be provided until the reinstatement/upgrade of public lighting is completed. Existing public street lighting must not be altered without first obtaining the written approval of the Responsible Authority – City Infrastructure.

#### Existing street furniture

42. Existing street furniture must not be removed or relocated without first obtaining the written approval of the Responsible Authority – City Infrastructure.

#### Public lighting

43. Prior to the commencement of the development, excluding preliminary site works, demolition and any clean up works, or as may otherwise be agreed with the City of Melbourne, a lighting plan must be prepared to the satisfaction of Council. The lighting plan should be generally consistent with Council's Lighting Strategy, and include the provision of public lighting in the adjacent streets. The lighting works must be undertaken prior to the commencement of the use/occupation of the development, in accordance with plans and specifications first approved by the Responsible Authority – City Infrastructure.

#### Time Limits

44. This permit will expire if one of the following circumstances applies:
- a. the development is not started within two years of the date of this permit.
  - b. the development is not completed within four years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing **before the permit expires**, or within ~~three~~ **six months after it expires to extend the commencement date or within twelve months after it expires to extend the completion date.**

#### NOTES:

##### Building Approval Required

This 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.

##### Building Works to Accord with Planning Permit

The applicant/owner will provide a copy of this planning permit and endorsed plans to any appointed Building Surveyor. It is the responsibility of the applicant/owner and the relevant Building Surveyor to ensure that all building (development) works 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.**

#### **Heritage Victoria Note**

**The proposal hereby permitted must comply with the provisions of the Heritage Act 2017 and with any lawful requirements made by Heritage Victoria.**

#### **SBO Flooding Note – C384**

**The City of Melbourne in partnership with Melbourne Water has completed new flood modelling for some areas in the municipality. To implement the modelling, Melbourne Planning Scheme Amendment C384 has been prepared which proposes to apply the Land Subject to Inundation Overlay (LSIO) and Special Building Overlay (SBO) to land affected by riverine flooding and drainage flooding respectively, and includes corresponding planning provisions. The overlays will trigger the requirement for a planning permit assessment for additional areas in the municipality once gazetted in the planning scheme. It is highly recommended you consult with Council's Drainage Team or Melbourne Water (depending on the type of overlay) to ensure Building Permit requirements (i.e. finished floor levels) are considered early in the application process which may require an amendment to the planning permit.**

#### **Health Permit**

**The premises must comply with the Food Act 1984 and the Food Standards Code and must be registered with Council's Health Services Unit prior to the commencement of the use.**

#### **Asset Protection**

**Before the development starts (including demolition) an Asset Protection Permit must be obtained from the Responsible Authority.**

#### **Code of Practice: Building and Construction**

**The development should be carried out in accordance with the City of Melbourne Code of Practice for Building and Construction.**

#### **Engineering and VicRoads Approvals**

**Pursuant to the *Road Management Act 2004* any works within the road reserve of King Street, an arterial road, requires the written consent of VicRoads, the Coordinating Road Authority. Footpaths, nature strips and medians of such roads fall under the City of Melbourne's control. The 'road' is the reserve from building line to building line. Subsequently our conditions for works on footpaths, nature strips and medians of arterial and municipal roads are listed below.**

**All necessary approvals and permits are to be first obtained from the City of Melbourne's City Infrastructure Branch and VicRoads and the works performed to the satisfaction of the responsible road authority.**

#### **Projections**

**All projections over the street alignment must conform to Building Regulations 2018, Part 6, Sections 98 to 110 as appropriate. Reference can be made to the City of Melbourne's Road Encroachment Operational Guidelines**

**with respect to projections impacting on street trees and clearances from face/back of kerb.**