

Report to the Future Melbourne Committee

Agenda item 6.3

**Ministerial Planning Referral: TPM-2022-15
1-7 Elizabeth Street and 2-12 Barrett Street, Kensington (Younghusband Stage 3)**

19 September 2023

Presenter: Marjorie Kennedy, Acting Director Planning and Building**Purpose and background**

1. The purpose of this report is to advise the Future Melbourne Committee of Ministerial Application PA2201839 for a planning permit seeking approval for the development of land located at 1-7 Elizabeth Street and 2-12 Barrett Street, Kensington (refer Attachment 2 – Locality Plan).
2. The application proposes the demolition of the existing warehouse on the land (not heritage buildings), and development of a six-storey building (30.1 m), for use generally as offices with retail at the ground and lower ground levels, and includes a two-level basement with parking and unloading areas (refer Attachment 3 – Selected Plans).
3. The Department of Transport and Planning on behalf of the Minister for Planning, has given formal notice of the application to the Melbourne City Council.
4. The applicant is Ivanhoe Cambridge, Irongate and Built c-/ Metropol Planning Solutions; the owner of the land is Irongate FM No.1 Pty Ltd; and the architect is Woods Bagot.
5. The land is located within the Commercial 2 Zone (C2Z) and is affected by the Design and Development Overlay Schedule 63 (Arden Macaulay) (DDO63), Land Subject to Inundation Overlay Schedule 1 (LSIO1) and the Development Contributions Plan Overlay Schedule 2 (Arden Macaulay) (DCPO2).

Key issues

6. The proposed development under Application PA2201839 will deliver the final stage of the Younghusband Redevelopment Project (with Stage 1 currently under construction). The development of the broader Younghusband Redevelopment Project includes conservation works to the existing 'Significant' heritage Wool Stores, and new contemporary buildings and additions, including the authorised development to the rear of the 'Tallow Store (Store No.3)' forming part of Stage 2 of the project, authorised by Ministerial Permit PA2001041.
7. The new building's layout and design will continue to build on the broader Younghusband Redevelopment Project, balancing flood requirements with public realm activation, and achieving a high degree of compliance with the preferred built form requirements (in terms of both street wall heights, upper level setbacks and maximum building height) of DDO63 (area 4), and presenting as a contemporary interpretation of the existing heritage Younghusband Wool Store.
8. The development will also provide a new publicly accessible private plaza that will create a valued space in the surrounding urban network and invite pedestrians into the new Younghusband development.
9. Conditions are recommended for inclusion on the permit to ensure sufficient detail is provided for a high quality façade system, *Disability Discrimination Act 1992 (Cth)* compliant circulation and pathways, and landscape outcomes for the proposed publicly accessible private plaza that include provision for deep soil planting, and to address Council's traffic engineering requirements.

Recommendation from management

10. That the Future Melbourne Committee resolves to advise the Department of Transport and Planning that the Melbourne City Council does not object to the application, subject to conditions outlined in the delegate report (refer to Attachment 4 of the report from management).

Attachments:

1. Supporting Attachment (Page 2 of 124)
2. Locality Plan (Page 3 of 124)
3. Selected Plans (Page 4 of 124)
4. Delegate Report (Page 46 of 124)

Supporting Attachment

Legal

1. The Minister for Planning is the Responsible Authority for determining this application.
2. The application is not exempt from the notice of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3), and the review rights of section 82(1) of the *Planning and Environment Act 1987*. Melbourne City Council therefore has formal status under the *Planning and Environment Act 1987* in relation to the application.

Finance

3. A Developer Contribution agreement will be required by a recommended permit condition, ensuring the applicable financial contribution under the DCPO2 is paid to Council prior to the completion of the development.
4. Otherwise, there are no direct financial issues arising from the recommendations contained within this report.

Conflict of interest

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

Health and Safety

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

Stakeholder consultation

7. Council officers have not undertaken public notice of the application or referred this to any other referral authorities. This is the responsibility of the Department of Transport and Planning acting on behalf of the Minister for Planning.

Relation to Council policy

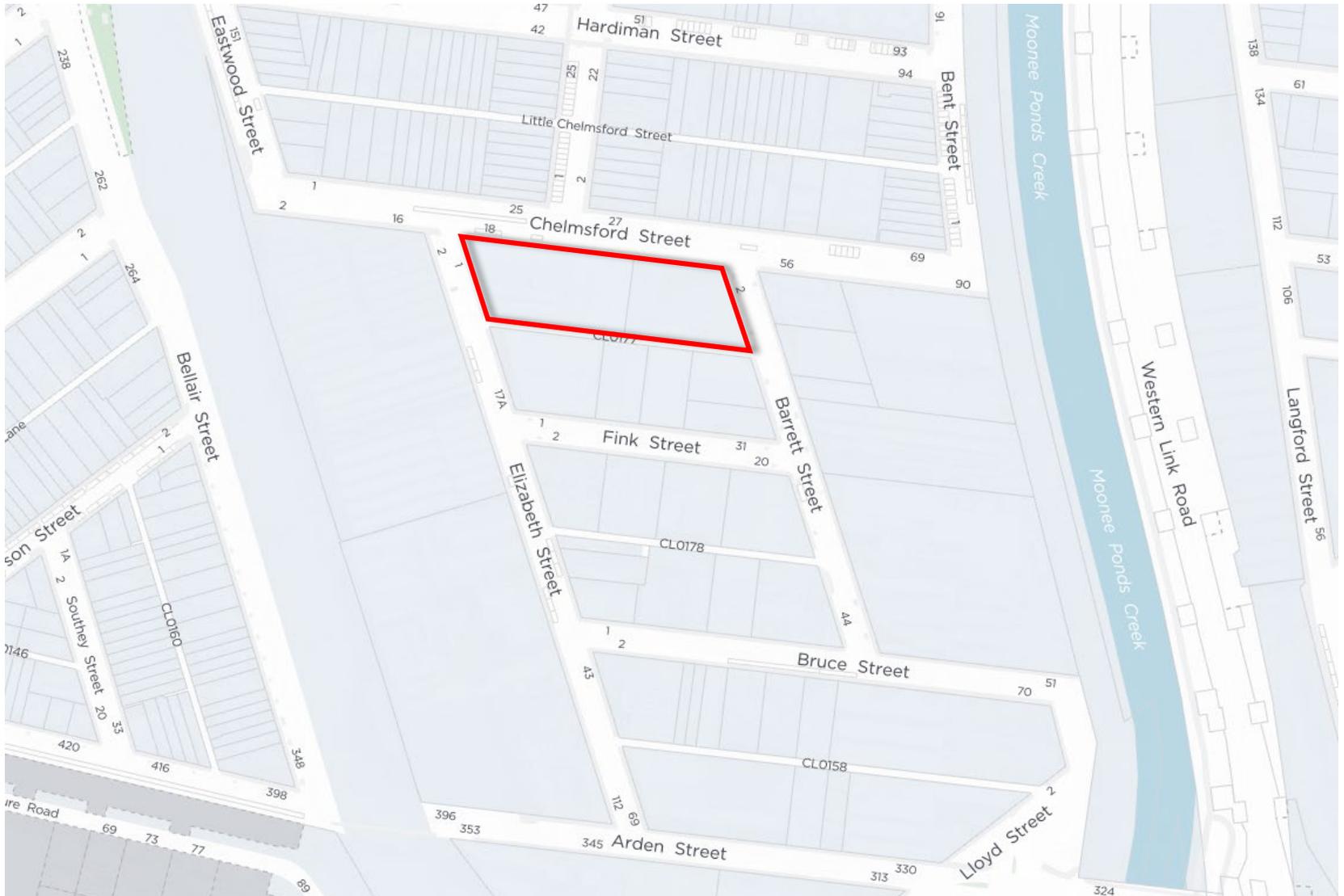
8. Relevant Council policies are discussed in the attached delegate report (refer to Attachment 4).

Environmental sustainability

9. The Environmentally Sustainable Design (ESD) report submitted with the application demonstrates that the development will achieve the ESD performance requirements of Clause 15.01-2L-01 (Energy and resource efficiency) and Clause 19.03-3L (Stormwater management (water sensitive urban design)).
10. Permit conditions requiring implementation of the ESD initiatives are recommended.

Locality Plan

1-7 Elizabeth and 2-12 Barrett Street, Kensington



YOUNGHUSBAND - STAGE 3

1-7 Elizabeth Street, 2-12 Barrett Street
Kensington, 3031, Melbourne



2.07 INTERMEDIATE CONTEXT

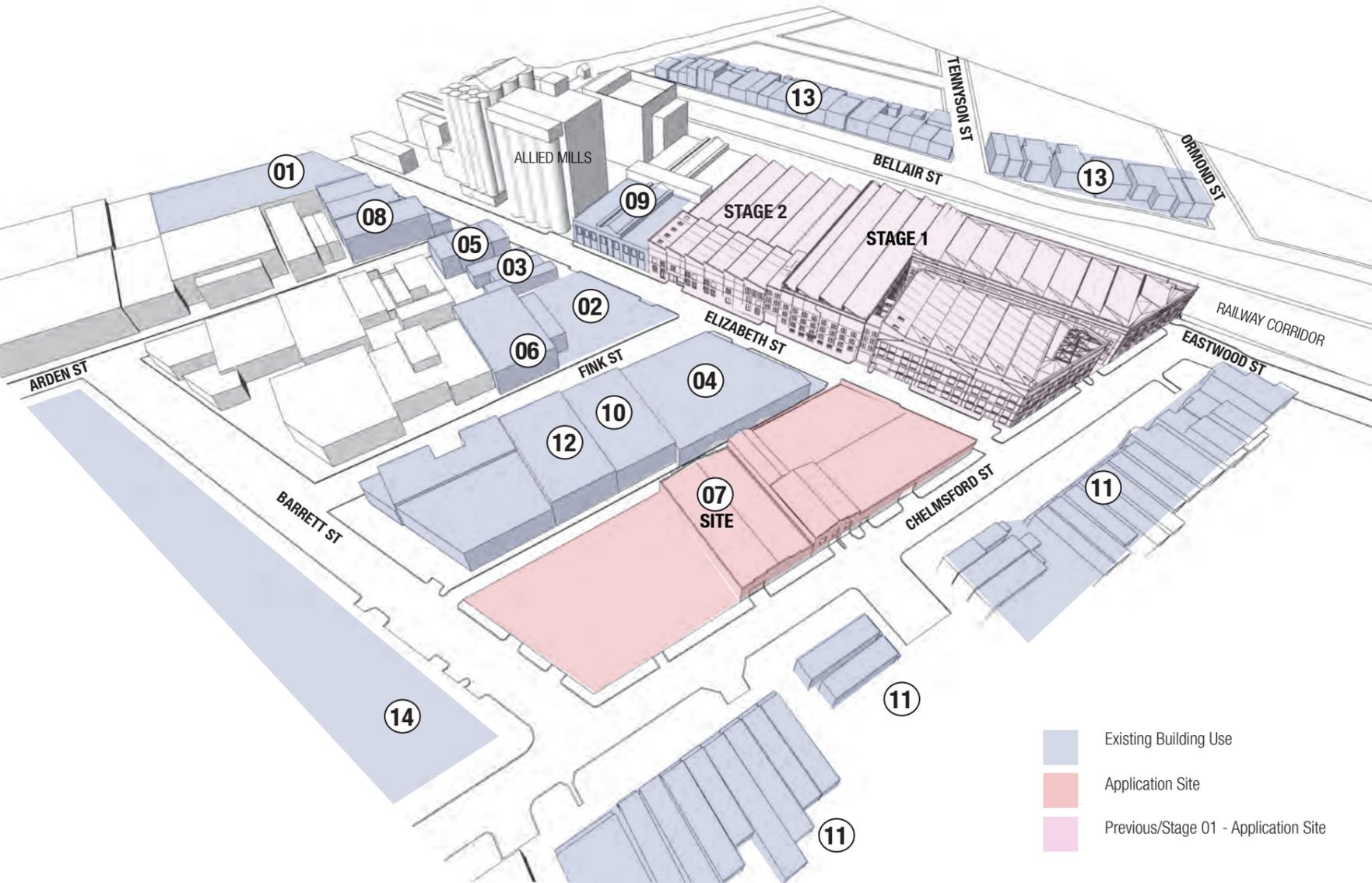


Figure 12 - Existing Land Use Axonometric

04 WAH LIEN TRADING
9-17 ELIZABETH ST - ONE STOREY



05 OFFICE BUILDINGS
37 & 39 ELIZABETH ST & 1, 1A & 3 BRUCE ST - TWO STOREY



06 KANSOM AUSTRALIA
6 FINK ST - ONE STOREY



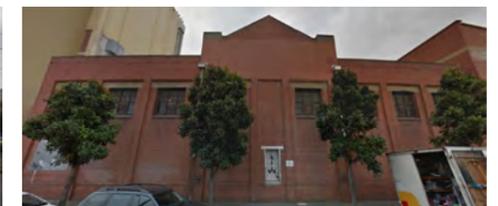
07 SUBJECTED SITE CHELMSFORD ST - TWO STORES



08 WAREHOUSE
43-51 ELIZABETH ST- ONE STOREY



09
31 ELIZABETH ST - TWO STOREY



10 WAREHOUSE
5 FINK STREET - ONE STOREY



11 RESIDENTIAL AREA
CHELMSFORD ST - ONE STOREY



01 UNIFOUR - CORPORATE FOODSERVICE
358 ARDEN ST - ONE STOREY



02 CARPARK
2 FINK ST - ONE STOREY



03 RESIDENTIAL
31-35 ELIZABETH ST- ONE STOREY



12 WAREHOUSE
9 FINK STREET - ONE STOREY



13 RESIDENTIAL AREA
BELLAIR ST - ONE STOREY



14 WAREHOUSES
BARRETT STREET - ONE STOREY



Existing Building Use
Application Site
Previous/Stage 01 - Application Site

2.08 SITE LOCATION - STAGE 3

The Younghusband regeneration Stage 3 site is located at the corner of Chelmsford Street and Elizabeth street. The development features the construction of a new mixed-use building in place of a collection of existing red brick warehouses.

Stage 3 rejuvenation will introduce a public plaza at the corner of Chelmsford and Elizabeth street to create a vital urban linkage with the Stage 1 and Stage 2 buildings. In addition, this connection also provides state-of-the-art public amenities such as greenery, a water feature, wellness and retail which will benefit the whole local community around the Younghusband precinct.

3 STAGE 3 Office Spaces, Public Space, Retail, Wellness, EOT.

-  Application Boundary
-  Previous/Stage 01 Application Boundary
-  Subject Building
-  Existing Buildings on Title
-  Open space

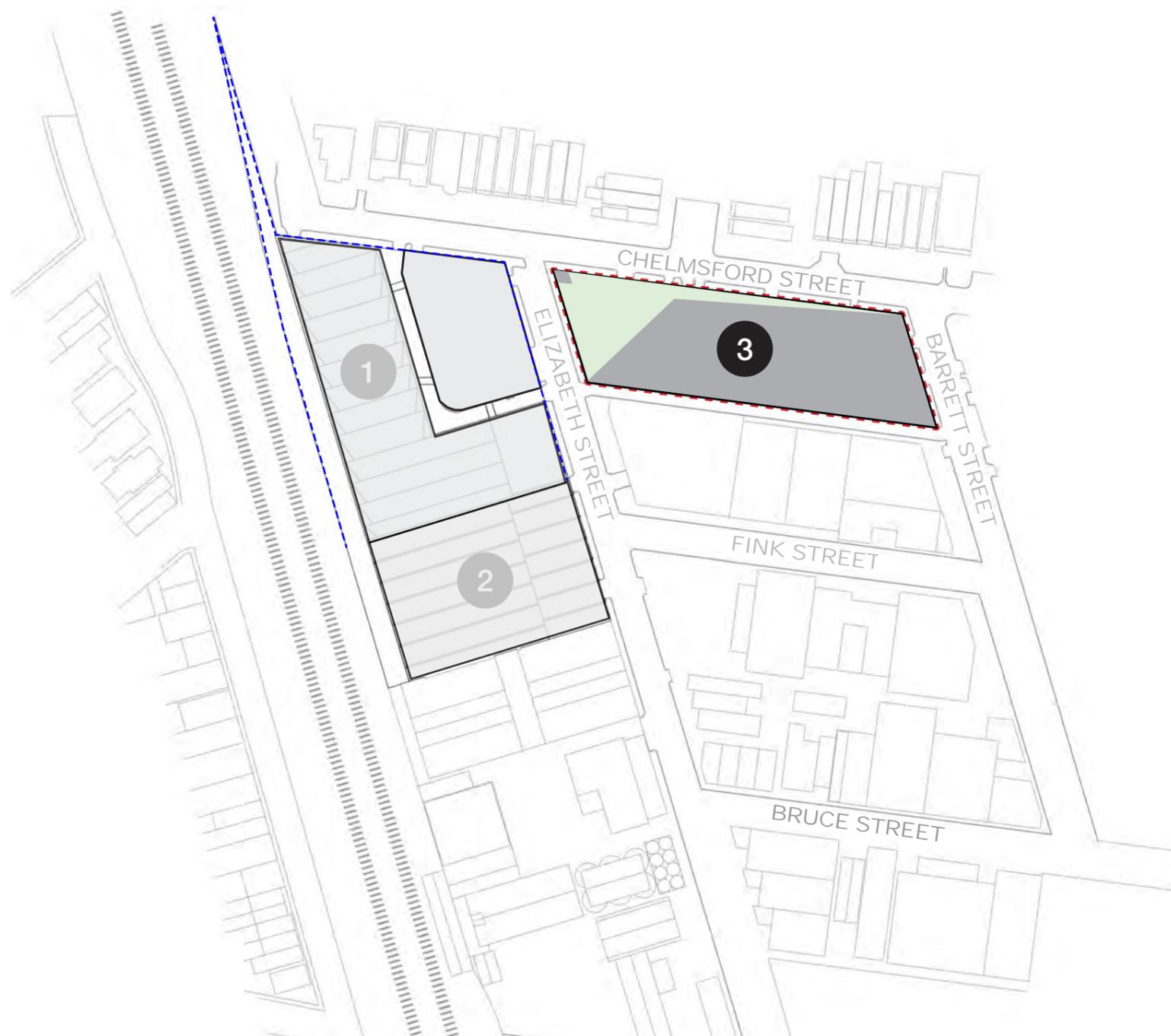


Figure 13 - Site Location Diagram



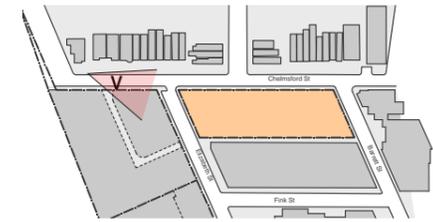
Figure 37 - PROPOSED STAGE 3 AERIAL VIEW

3.08 PROPOSED STREETScape



Figure 50- AERIAL VIEW LOOKING TOWARDS SOUTH EAST

3.08 PROPOSED STREETScape

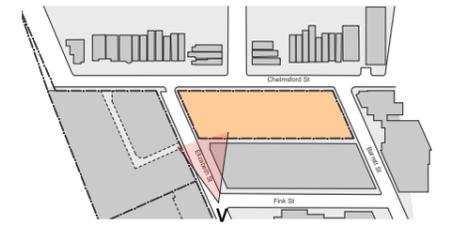


3.08 PROPOSED STREETScape

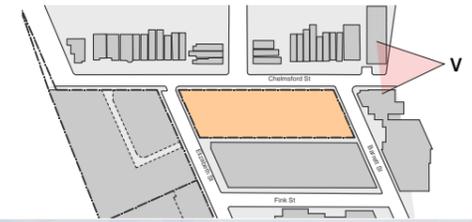


Figure 52- STREET VIEW FROM FUTURE COUNCIL PARK

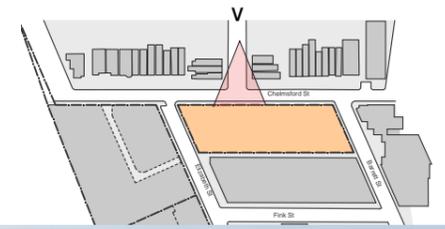
3.08 PROPOSED STREETScape



3.08 PROPOSED STREETScape



3.08 PROPOSED STREETScape



3.08 PROPOSED STREETScape

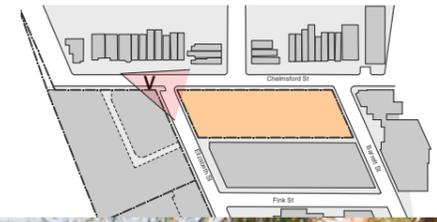
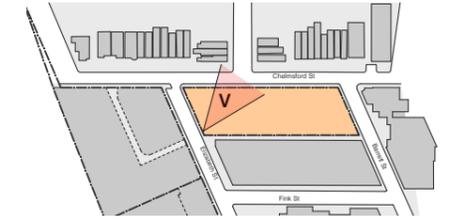


Figure 56 - VIEW FROM CHELMSFORD STREET

3.08 PROPOSED STREETScape



3.09 PUBLIC REALM

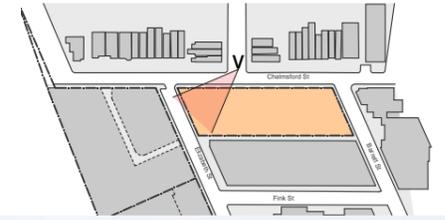


Figure 58 - STREET VIEW ON CHELMSFORD STREET LOOKING TOWARDS PUBLIC PLAZA

3.09 PUBLIC REALM

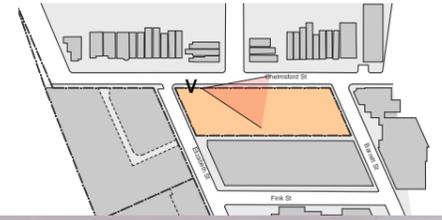


Figure 59 - VIEW TOWARDS RETAILS AT GROUND LEVEL

3.09 PUBLIC REALM

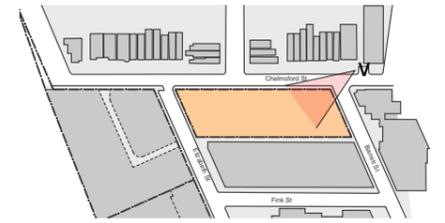


Figure 60 - ACTIVATED GROUND PLANE CORNER OF CHELMSFORD & BARRETT STREET

3.09 PUBLIC REALM

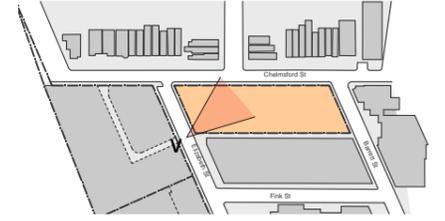


Figure 61 - VIEW INTO ACTIVATED LANEWAY

3.10 PROPOSED OVERSHADOWING

Overshadowing study on the Spring Equinox September the 22nd, 2022 has been conducted to illustrate possible overshadowing impacts on the adjoining properties. Given the site's main northern aspect on Chelmsford street, there is no overshadowing impacts on the single storey residential dwellings to the north.

The diagrams indicate that northern facades of industrial warehouses to the south are affected by overshadowing. However, these facades are oriented to the laneway with limited openings, hence the overshadowing impact is considered minimal.

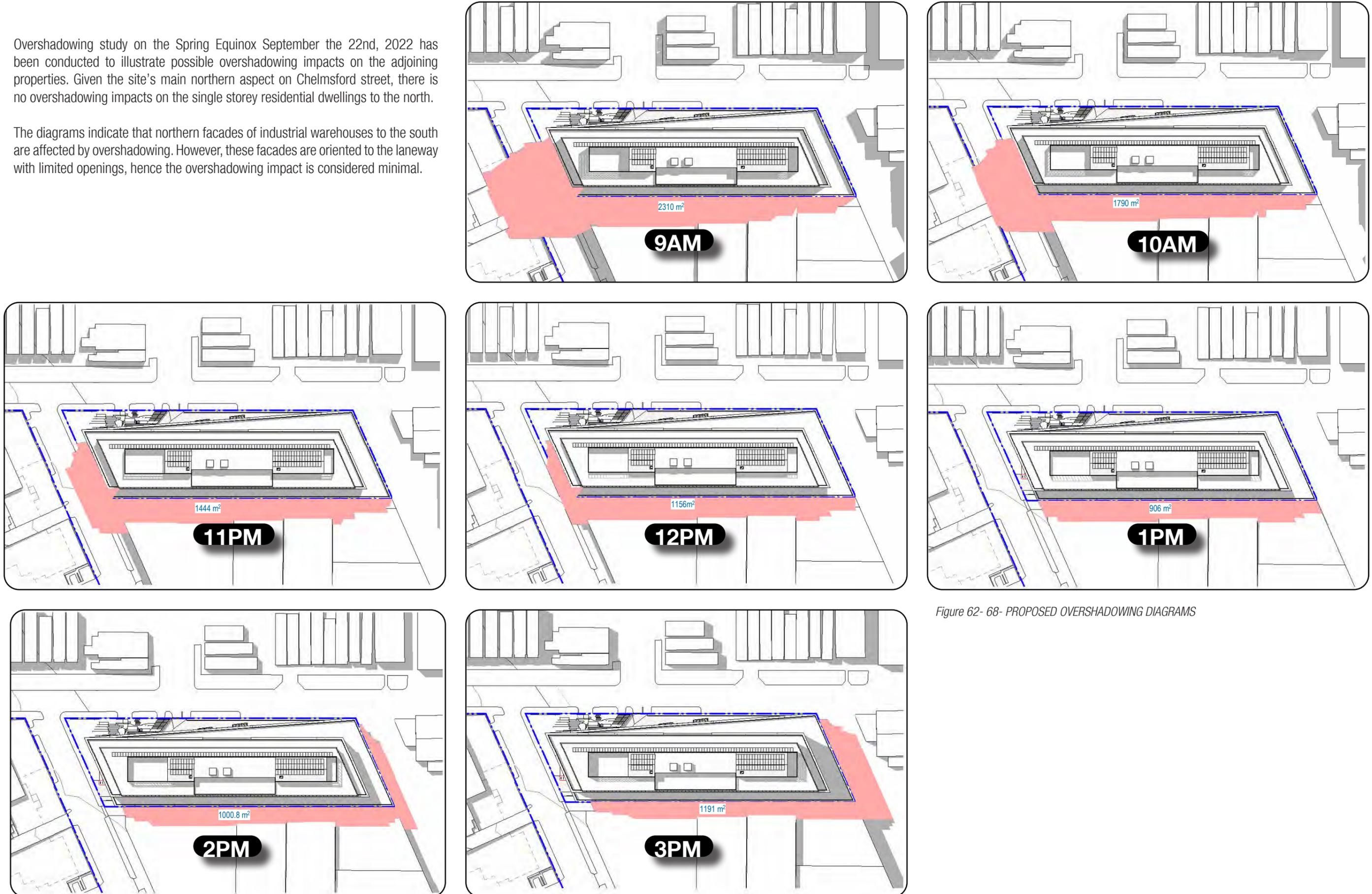
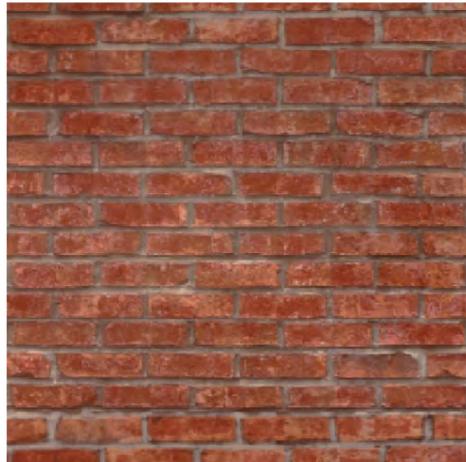


Figure 62- 68- PROPOSED OVERSHADOWING DIAGRAMS

3.11 MATERIALS & FINISHES

MATERIALITY

A restrained palette of materials references the material heritage of the existing Younghusband buildings and will give the proposed development a timeless quality. The materials, as a collection, are durable, varied and will patina over time adding another dimension to the quality of the buildings.



MA-01



CE-01



WD-01, 02, 03



PV-01



MW-02



MA-02



CE-02



MW-03



TM-01



MW-01

LEGEND



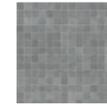
MA-01 BRICK WALLS
Natural finish brick
PV-02 BRICK PAVER
Natural finish brick



CE-01 VERTICAL SOLAR SCREEN
Precast concrete panels with oxide pigmented finish. Colour to match MA:01



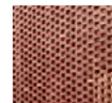
WD-01 FACADE GLAZING
WD-02 WINDOW GLAZING
WD-03 EXTERNAL LIFT SHAFT'S GLAZING
Clear Low-E Glass



PV-01 BLUESTONE PAVER
Natural Finish



MW-01 PLANTROOM LOUVRE SCREEN
Aluminium louvres screening to plant rooms with selected powdercoated finish



MA-02 HIT & MISS BRICK WALLS
Natural finish brick to match MA-01



CE-02 EXPRESSED CONCRETE SLAB EDGE, STRUCTURAL COLUMNS
Off-form concrete



MW-03 PUBLIC PLAZA'S SOFFIT LINING
Metal cladding with water ripple effect.



TM-01 TIMBER SOFFIT
Natural timber battens to external soffit lining of landscape terraces



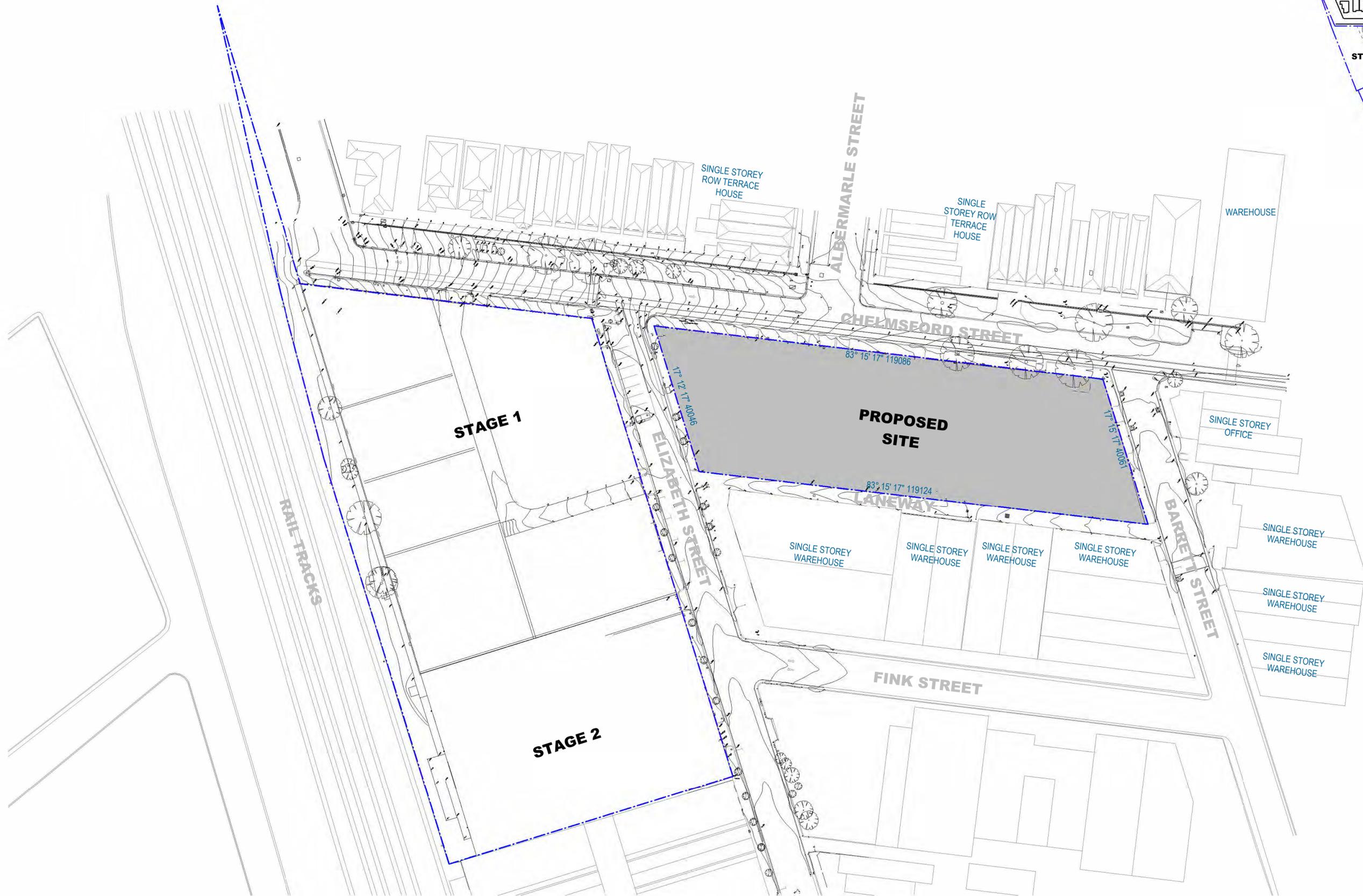
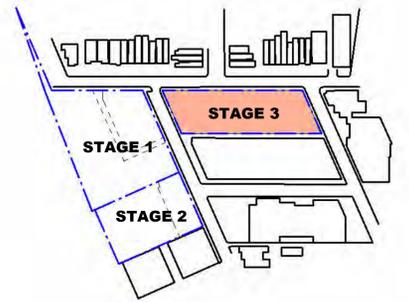
WD-01 FACADE FIN
WD-02 WINDOW FRAME
MW-02 BALUSTRADE RAILING
Blackened Aluminium Finish

YOUNGHUSBAND WOOLSTORE STAGE 3

1-7 ELIZABETH STREET, 2-12 BARRETT STREET,
KENSINGTON, 3031

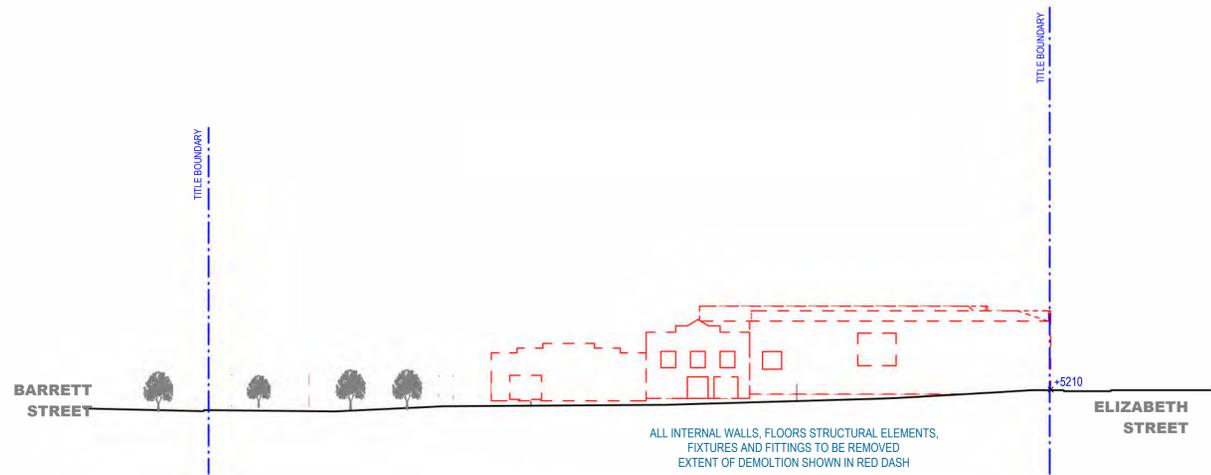
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TP 3 10000	Site Plan - Existing	SITE PLAN - EXISTING CONDITIONS	A
TP 3 10001	Site Plan - Existing	EXISTING PLAN - EXISTING CONDITIONS	B
TP 3 20500	Demolition	DEMOLITION PLAN	A
TP 3 20510	Demolition	DEMOLITION ELEVATIONS	A
TP 3 22501	Proposed Floor Plans	FLOOR PLAN - LEVEL B2	C
TP 3 22502	Proposed Floor Plans	FLOOR PLAN - LEVEL B1	C
TP 3 22503	Proposed Floor Plans	FLOOR PLAN - LEVEL LG (Lower Ground)	C
TP 3 22510	Proposed Floor Plans	FLOOR PLAN - LEVEL 00 (Ground)	C
TP 3 22511	Proposed Floor Plans	FLOOR PLAN - LEVEL 01	C
TP 3 22512	Proposed Floor Plans	FLOOR PLAN - LEVEL 02	C
TP 3 22513	Proposed Floor Plans	FLOOR PLAN - LEVEL 03	C
TP 3 22514	Proposed Floor Plans	FLOOR PLAN - LEVEL 04	C
TP 3 22515	Proposed Floor Plans	FLOOR PLAN - TOP LEVEL	C
TP 3 22516	Proposed Floor Plans	FLOOR PLAN - ROOF LEVEL	C
TP 3 32501	Elevations	ELEVATION - NORTH	C
TP 3 32502	Elevations	ELEVATION - SOUTH	C
TP 3 32503	Elevations	ELEVATION - EAST	C
TP 3 32504	Elevations	ELEVATION - WEST	C
TP 3 32505	Elevations	STREET FRONTAGE - ELEVATIONS SHEET 01	B
TP 3 32506	Elevations	STREET FRONTAGE - ELEVATION SHEET 02	B
TP 3 32507	Elevations	LANEWAY FRONTAGE - ELEVATION SHEET 03	B
TP 3 32511	Sections	SECTIONS 01, 02, 03	C
TP 3 32512	Sections	SECTIONS 04, 05, 06	B



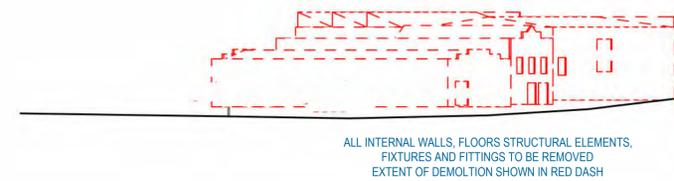


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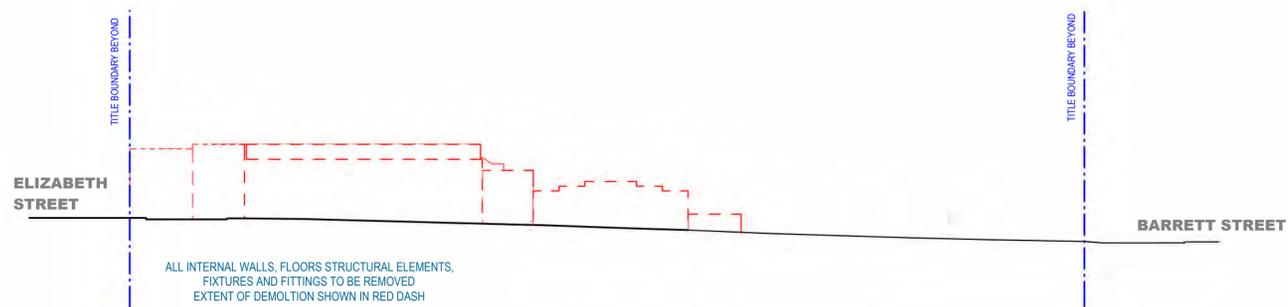




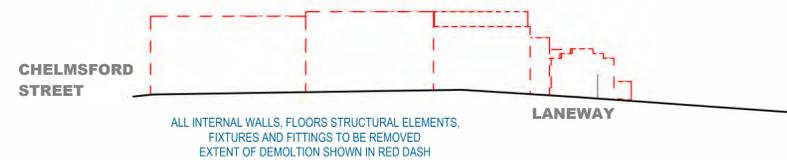
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SCALE 1 : 500



3 TP_EAST ELEVATION_DEMOLITION
SCALE 1 : 500

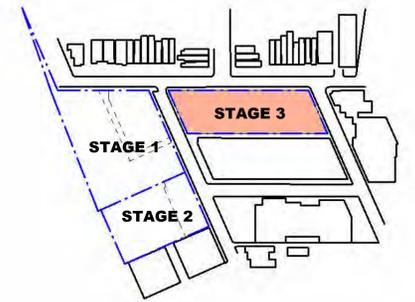


2 TP_SOUTH ELVATION_DEMOLITION
SCALE 1 : 500



4 TP-WEST ELEVATION_DEMOLITION
SCALE 1 : 500





GFA Schedule

Level	Area
BASEMENT 02	4359 m ²
BASEMENT 01	4359 m ²
LOWER GROUND	4359 m ²
GROUND	3642 m ²
LEVEL 01	3564 m ²
LEVEL 02	2467 m ²
LEVEL 03	2400 m ²
LEVEL 04	1816 m ²
TOP	1041 m ²
	28007 m ²

NLA Schedule

Level	Name	Area
LOWER GROUND	RESTRICTED RECREATIONAL FACILITY (GYM)	1056 m ²
LOWER GROUND	SHOP	1144 m ²
GROUND	FOOD AND DRINK PREMISES	495 m ²
GROUND	OFFICE	1726 m ²
LEVEL 01	OFFICE	2983 m ²
LEVEL 02	OFFICE	2046 m ²
LEVEL 03	OFFICE	2019 m ²
LEVEL 04	OFFICE	1661 m ²
		13130 m ²

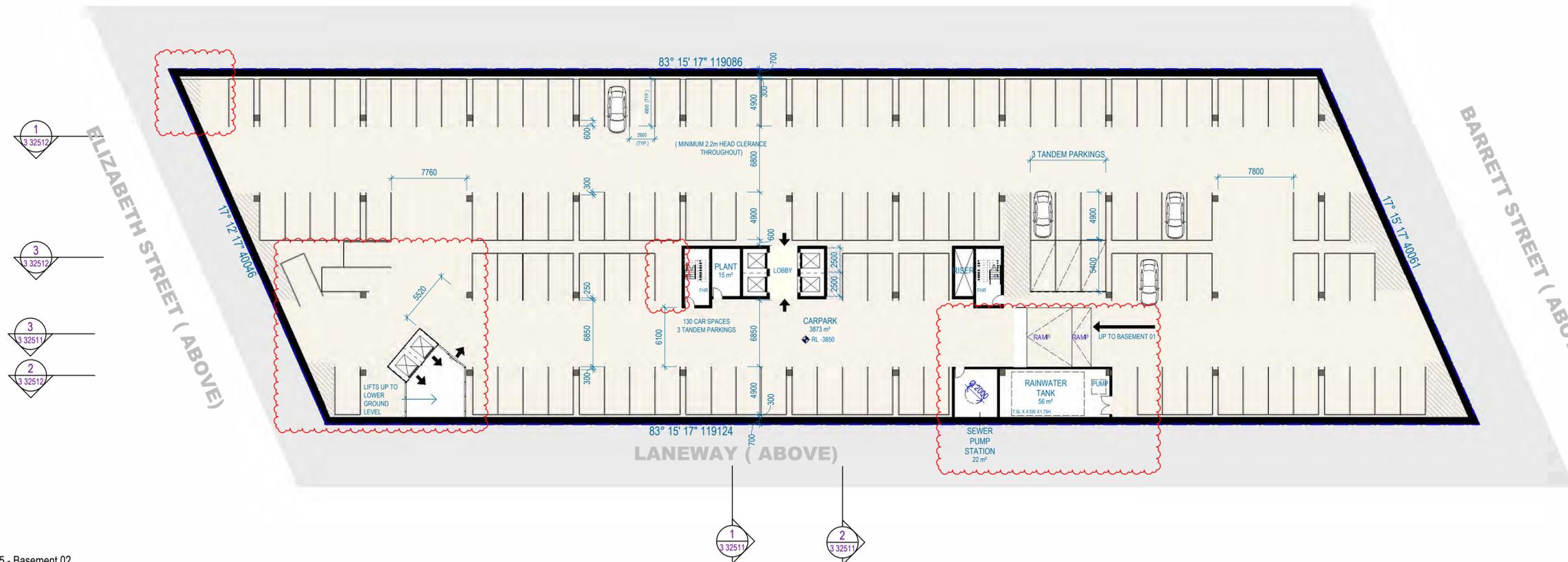
Vehicle Parking Schedule

Level	Count
BASEMENT 02	127 (3 TANDEM PARKINGS)
BASEMENT 01	112 (3 TANDEM PARKINGS)
BASEMENT 01	4 (DDA)
Grand total:	243

CHELMSFORD STREET (ABOVE)

BARRETT STREET (ABOVE)

LANEWAY (ABOVE)



1 S5 - Basement 02
SCALE 1 : 250



Client
Ivanhoe Cambridge
Built
Irongate

Project
Younghusband
Woolstore
Stage 3

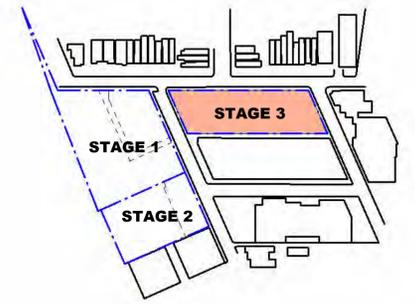
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FLOOR PLAN - LEVEL B2

Project number
130907
Sheet number
TP 3 22501

Scale
As indicated
Revision
C

Sheet size
A1
Date
22/06/2023

© Woods Bagot



GFA Schedule

Level	Area
BASEMENT 02	4359 m ²
BASEMENT 01	4359 m ²
LOWER GROUND	4359 m ²
GROUND	3642 m ²
LEVEL 01	3564 m ²
LEVEL 02	2467 m ²
LEVEL 03	2400 m ²
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TOP	1041 m ²
	28007 m ²

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Level	Name	Area
LOWER GROUND	RESTRICTED RECREATIONAL FACILITY (GYM)	1056 m ²
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GROUND	OFFICE	1726 m ²
LEVEL 01	OFFICE	2983 m ²
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LEVEL 03	OFFICE	2019 m ²
LEVEL 04	OFFICE	1661 m ²
		13130 m ²

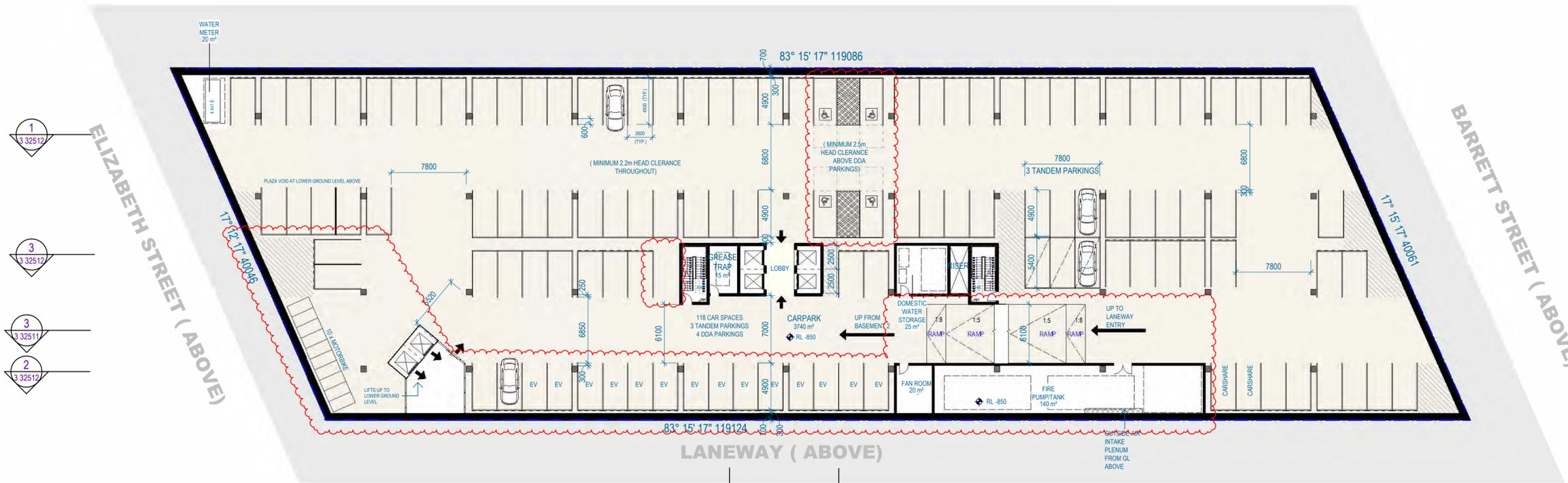
Vehicle Parking Schedule

Level	Count
BASEMENT 02	127 (3 TANDEM PARKINGS)
BASEMENT 01	112 (3 TANDEM PARKINGS)
BASEMENT 01	4 (4 DDA)
Grand total:	243

1
3 32511

2
3 32511

CHELMSFORD STREET (ABOVE)



1
3 32512

3
3 32512

3
3 32511

2
3 32512

1
3 32512

3
3 32512

3
3 32511

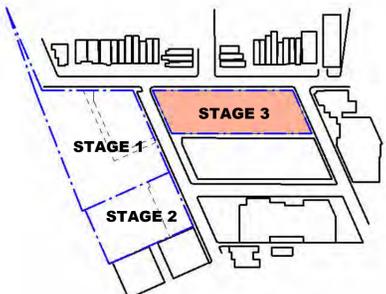
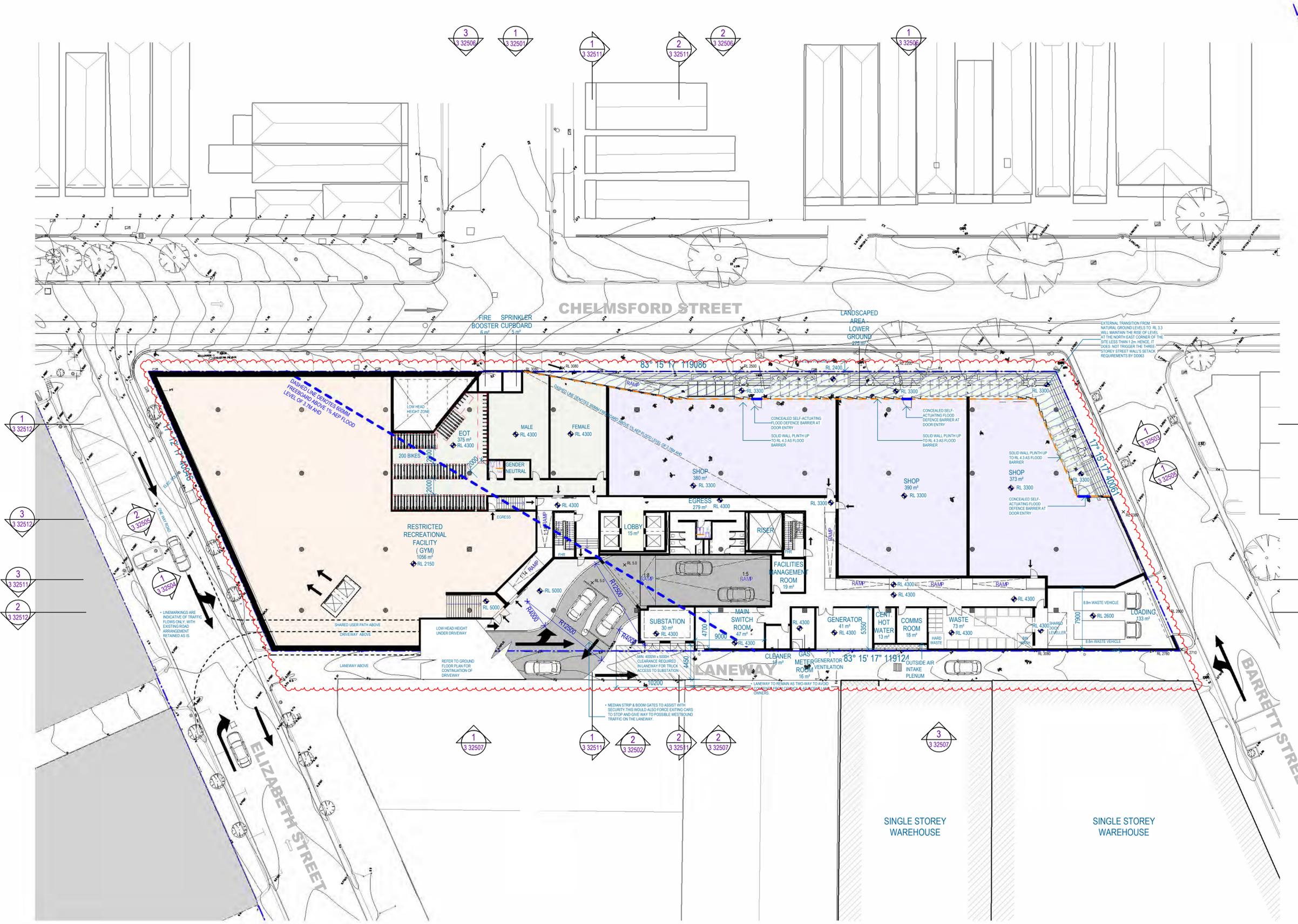
2
3 32512

1
S5 - Basement 01
SCALE 1:250

1
3 32511

2
3 32511





GFA Schedule	
Level	Area
BASEMENT 02	4359 m ²
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LEVEL 03	OFFICE	2019 m ²
LEVEL 04	OFFICE	1661 m ²
		13130 m ²

Bike Parking		
Level	Type	Number
LOWER GROUND	OCCUPANTS (EOT)	200
GROUND	VISITORS	20
		Total : 220

Landscaped Area	
Name	Area
LANDSCAPED AREA - GROUND LEVEL PUBLIC PLAZA	1106 m ²
LANDSCAPED AREA - LEVEL 2	179 m ²
LANDSCAPED AREA - LOWER GROUND	275 m ²
	1559 m ²

1 S5 - Lower Ground
SCALE 1:250



Client
Ivanhoe Cambridge
Built
Irongate

Project
Younghusband
Woolstore
Stage 3

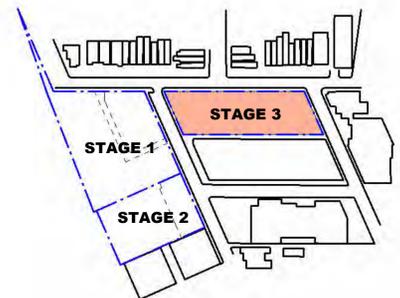
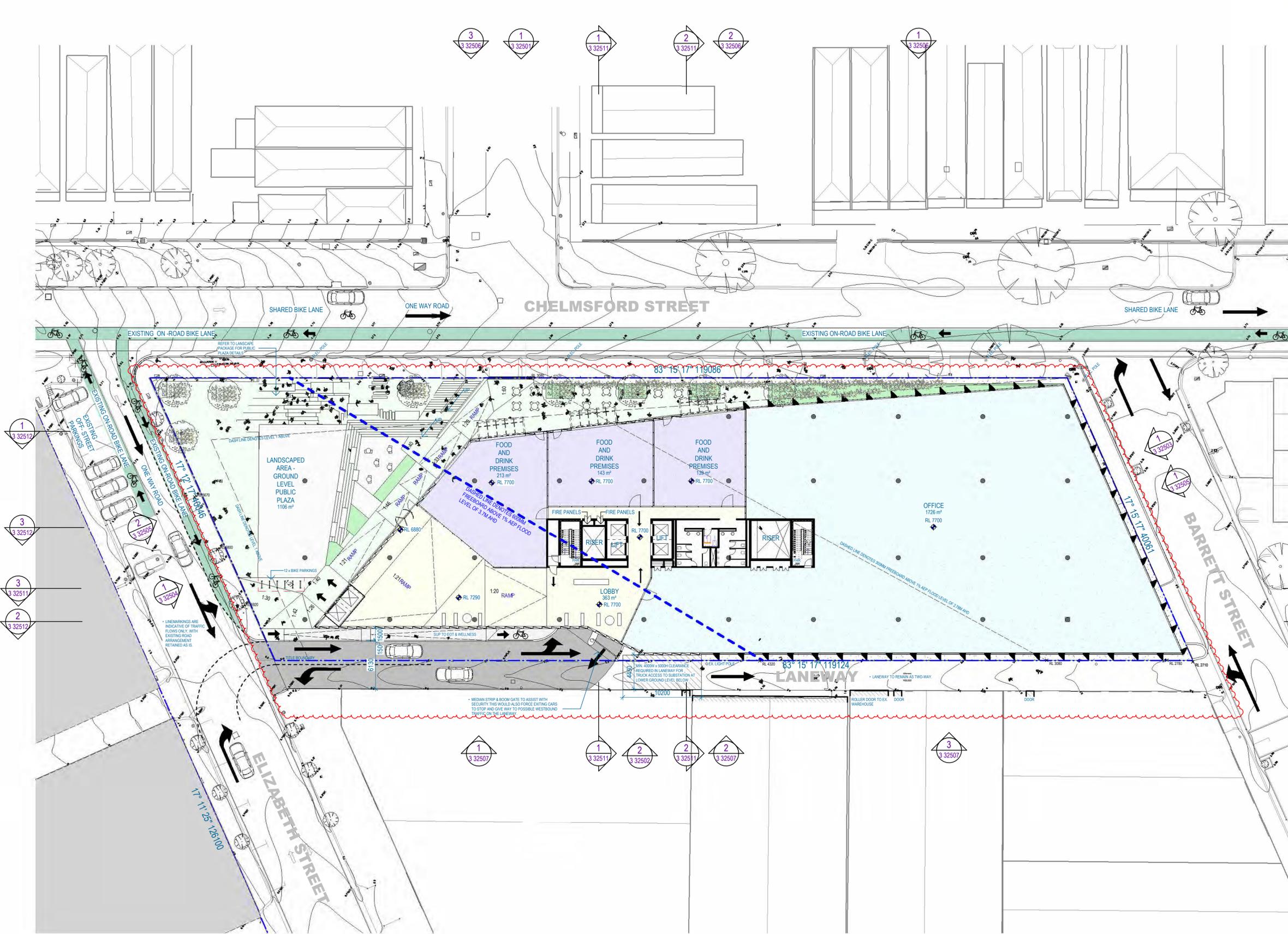
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Project number
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Sheet number
TP 3 22503

Scale
As indicated
Revision
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Sheet size
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Date
22/06/2023





GFA Schedule	
Level	Area
BASEMENT 02	4359 m ²
BASEMENT 01	4359 m ²
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GROUND	3642 m ²
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LANDSCAPED AREA - LOWER GROUND	275 m ²
	1559 m ²

1 S5 - Ground
SCALE 1 : 250



Client
Ivanhoe Cambridge
Built
Irongate

Project
Younghusband
Woolstore
Stage 3

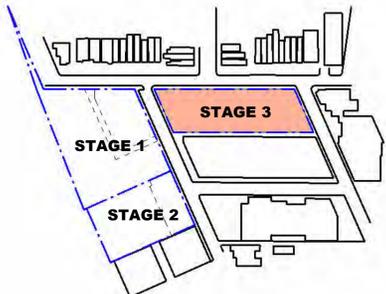
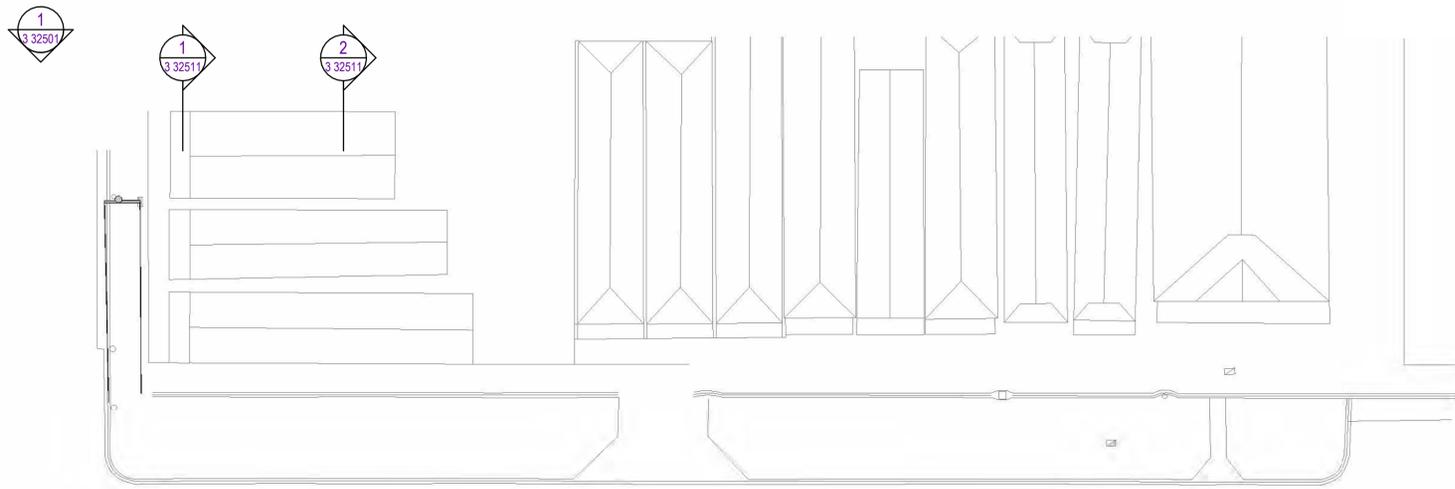
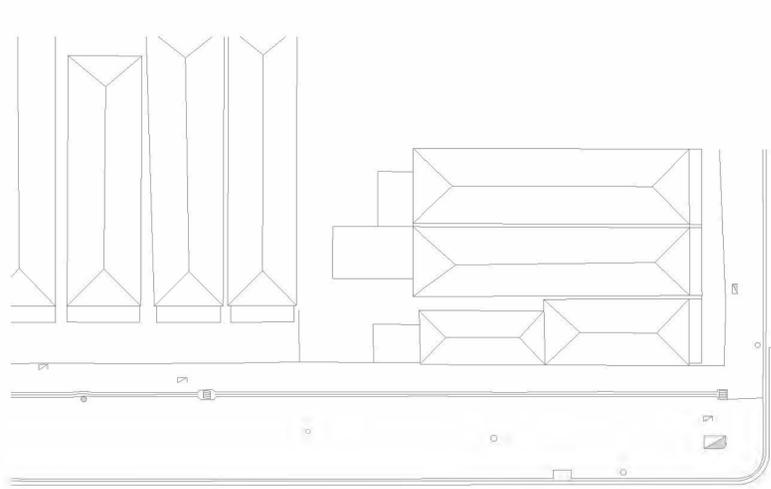
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Project number
130907
Sheet number
TP 3 22510

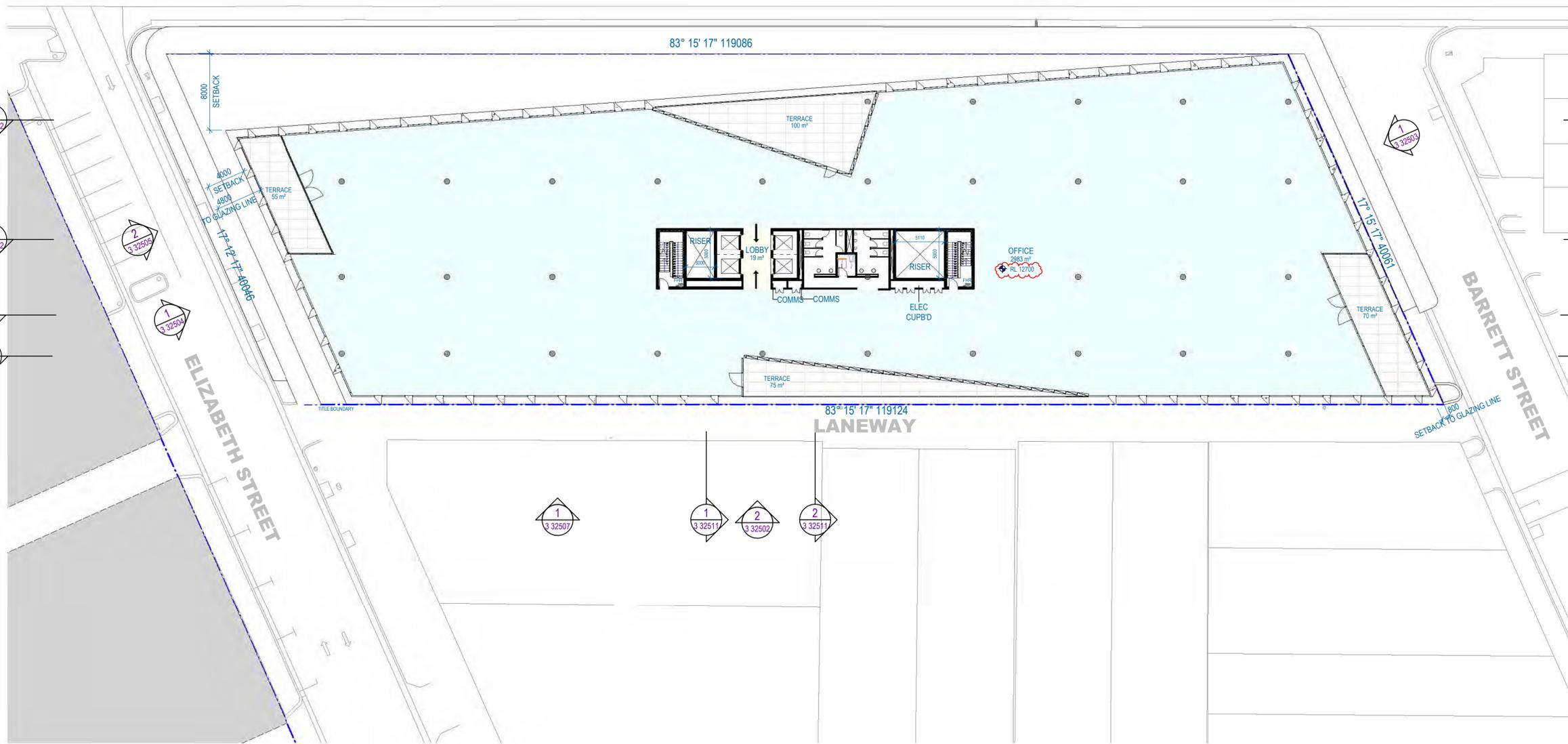
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Revision
C

Sheet size
A1
Date
22/06/2023





CHELMSFORD STREET



1
3 32512

3
3 32511

3
3 32511

2
3 32512

1
3 32512

3
3 32512

3
3 32511

2
3 32512

1
3 32507

1
3 32511

2
3 32502

2
3 32511

1
S5 - Level 01
SCALE 1 : 250



Client
Ivanhoe Cambridge
Built
Irongate

Project
Younghusband
Woolstore
Stage 3

Sheet title
FLOOR PLAN - LEVEL 01

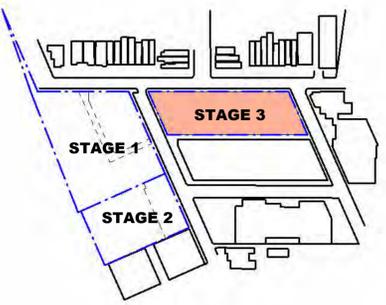
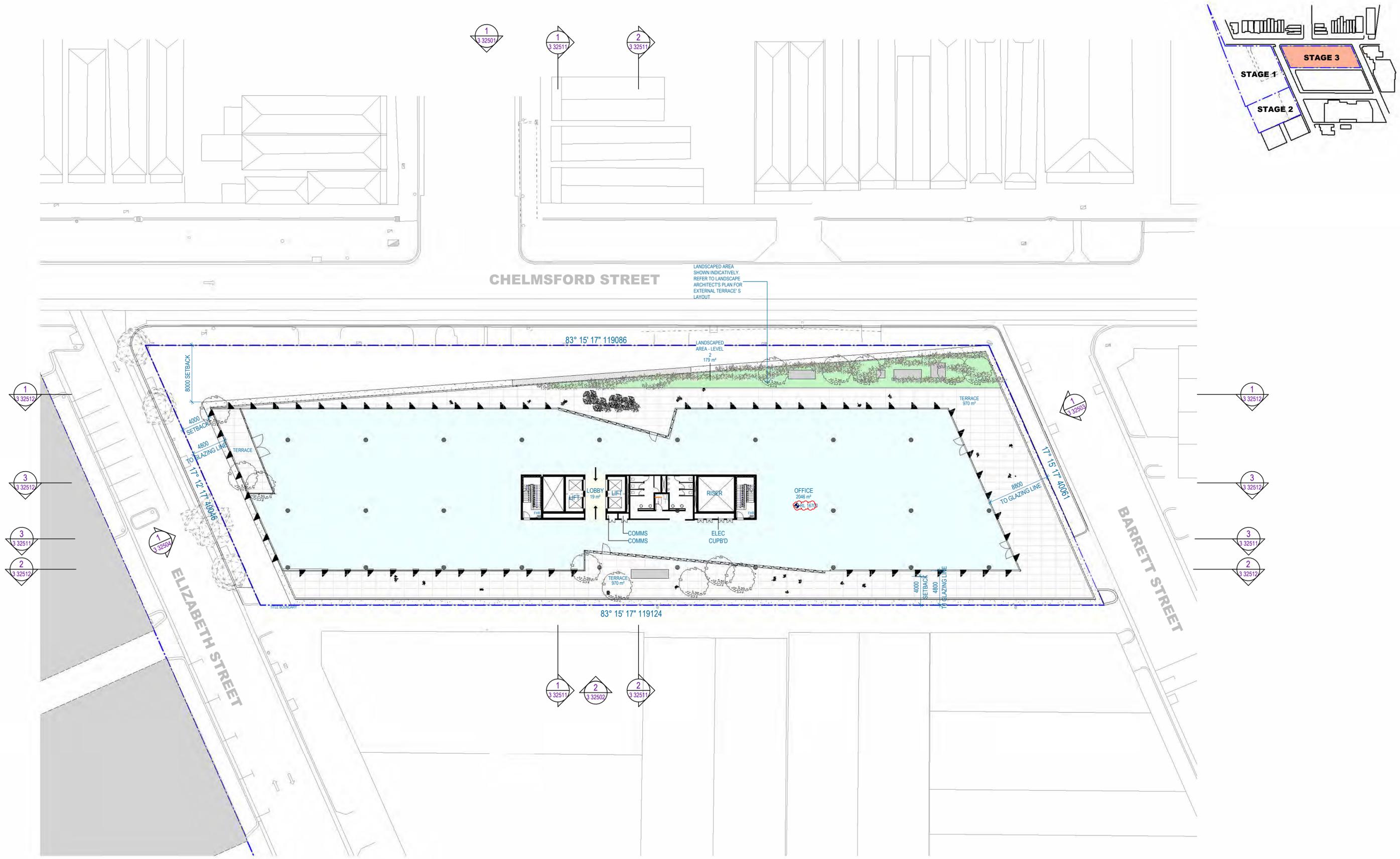
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TP 3 22511

Scale
As indicated
Revision
C

Sheet size
A1
Date
22/06/2023

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1 S5 - Level 02
SCALE 1 : 250



Client
**Ivanhoe Cambridge
Built
Irongate**

Project
**Younghusband
Woolstore
Stage 3**

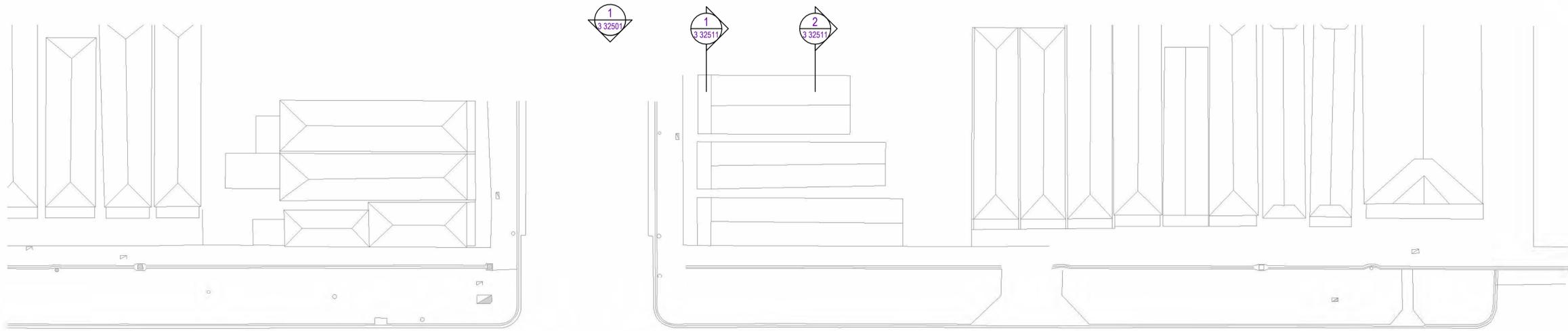
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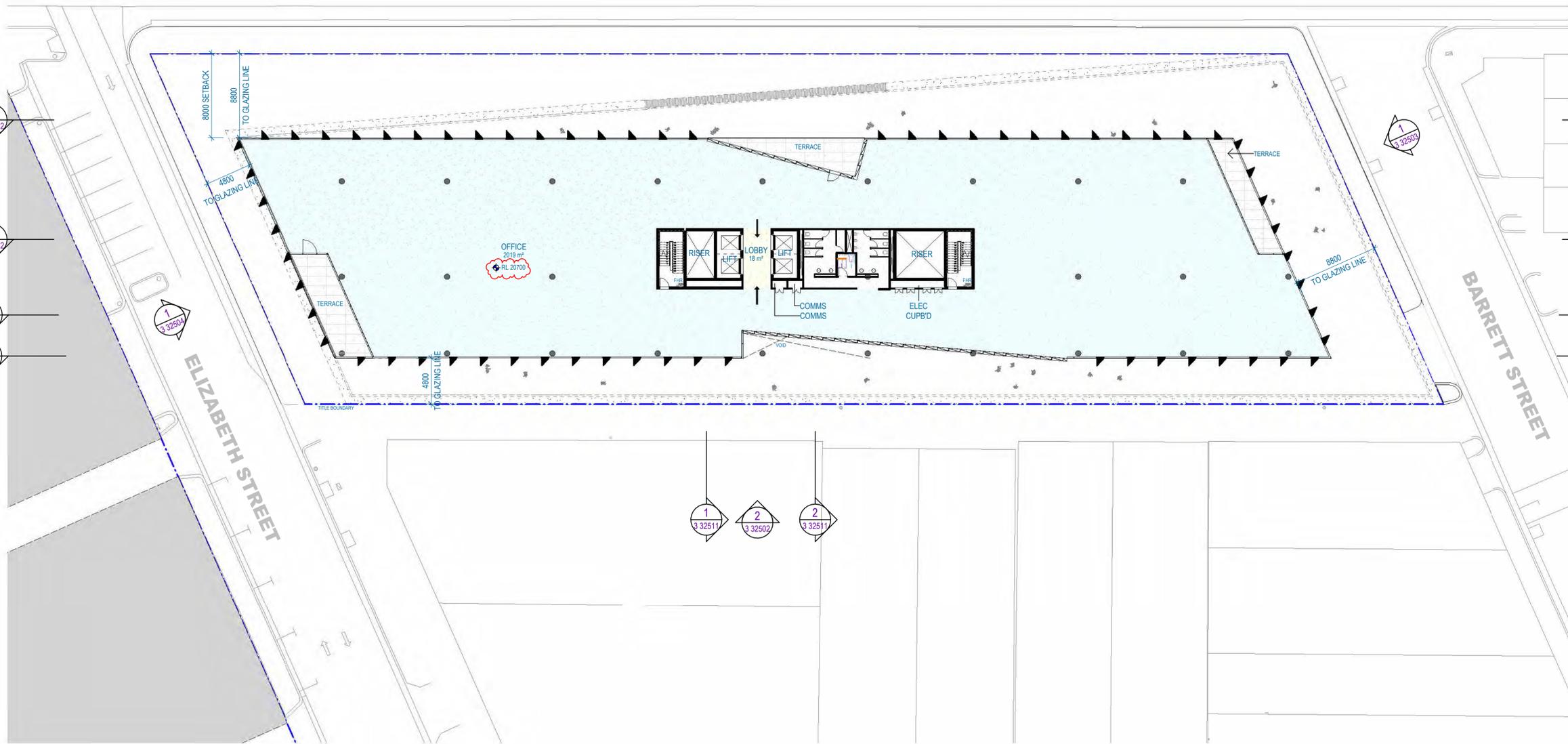
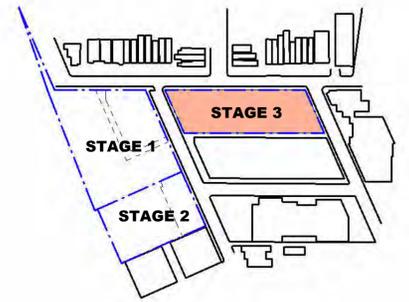
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Revision
C

Sheet size
A1
Date
22/06/2023

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CHELMSFORD STREET



1 S5 - Level 03
SCALE 1 : 250



Client
Ivanhoe Cambridge
Built
Irongate

Project
Younghusband
Woolstore
Stage 3

Sheet title
FLOOR PLAN - LEVEL 03

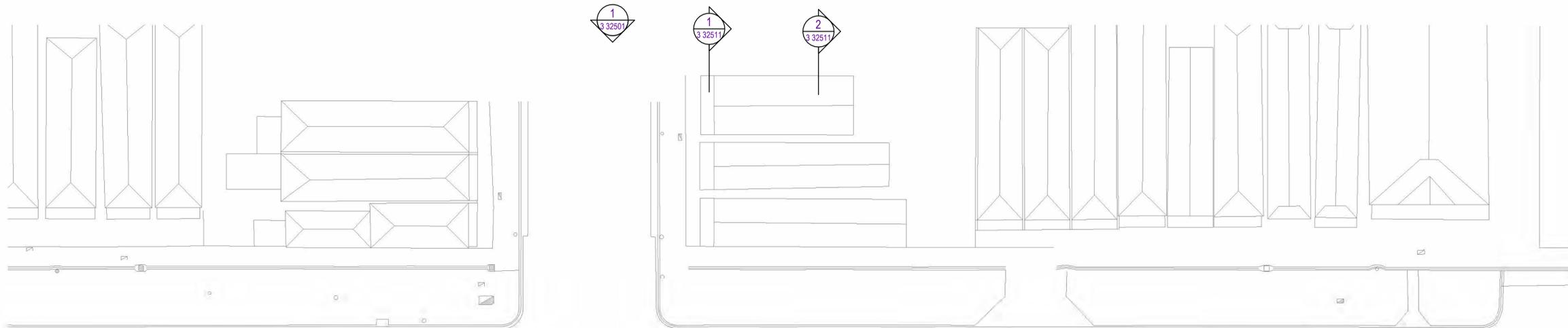
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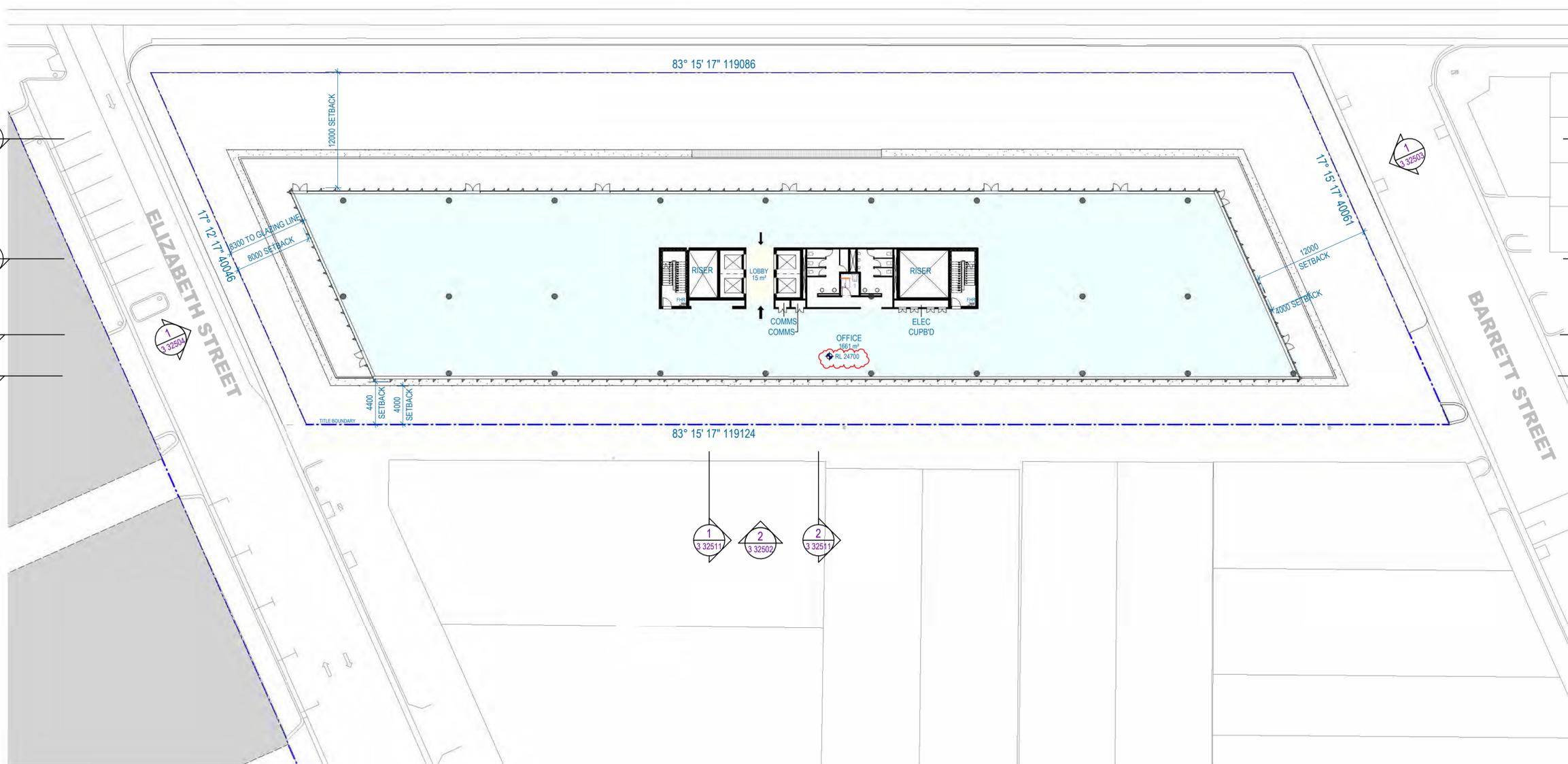
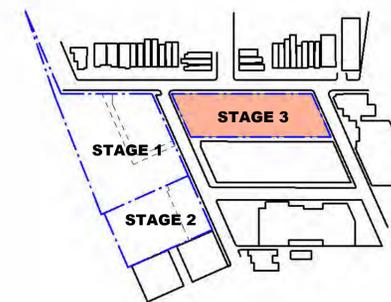
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 Date
22/06/2023

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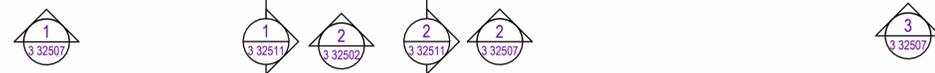
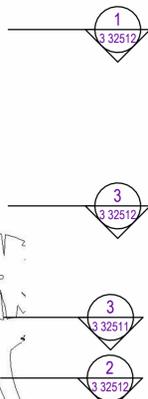
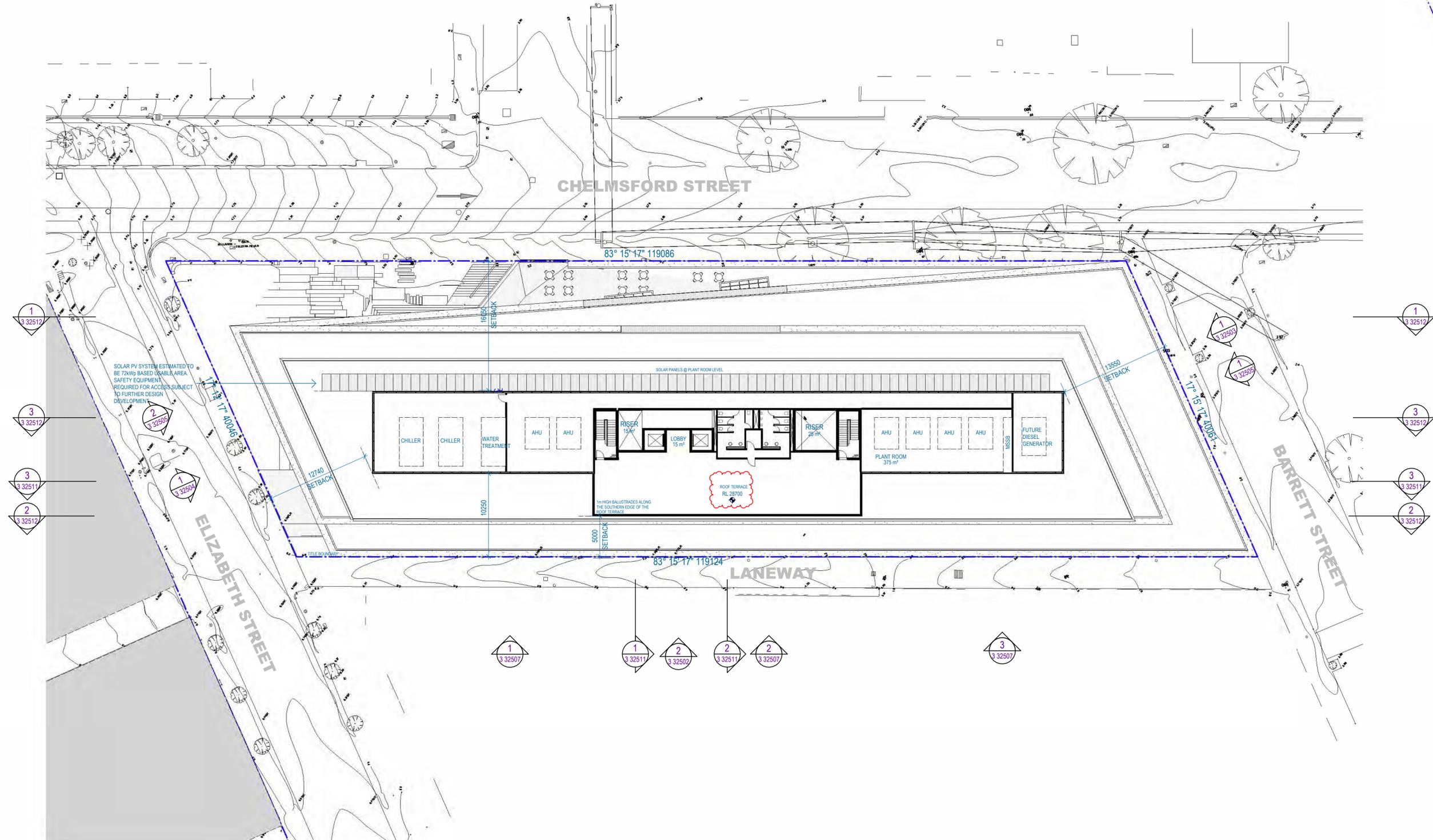
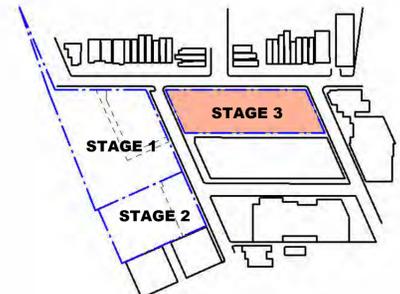


CHELMSFORD STREET



1 S5 - Level 04
SCALE 1:250





1 TOP LEVEL
SCALE 1: 250



Client
**Ivanhoe Cambridge
Built
Irongate**

Project
**Younghusband
Woolstore
Stage 3**

Sheet title
FLOOR PLAN - TOP LEVEL

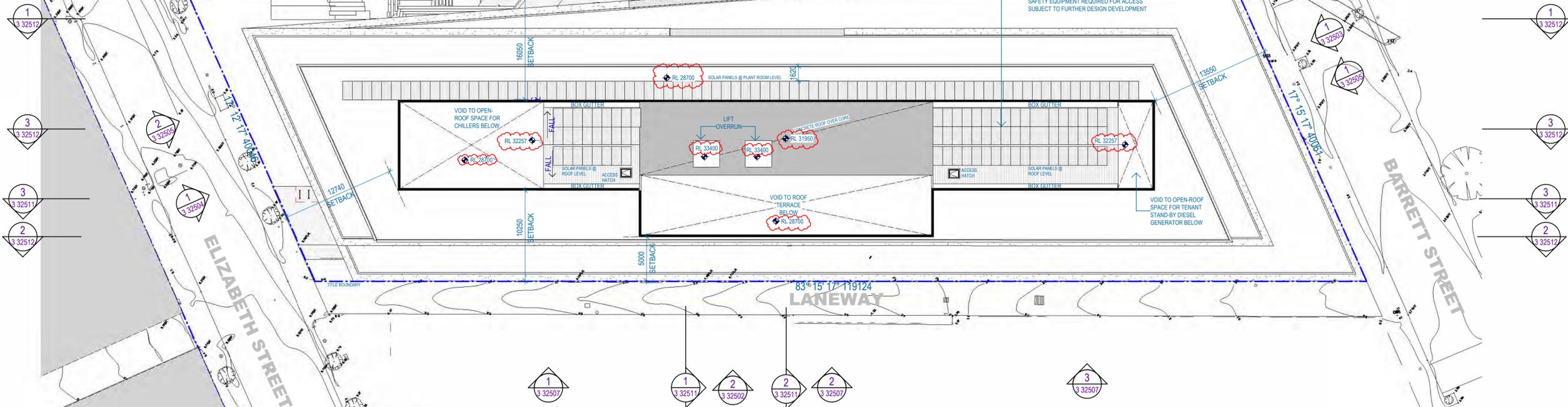
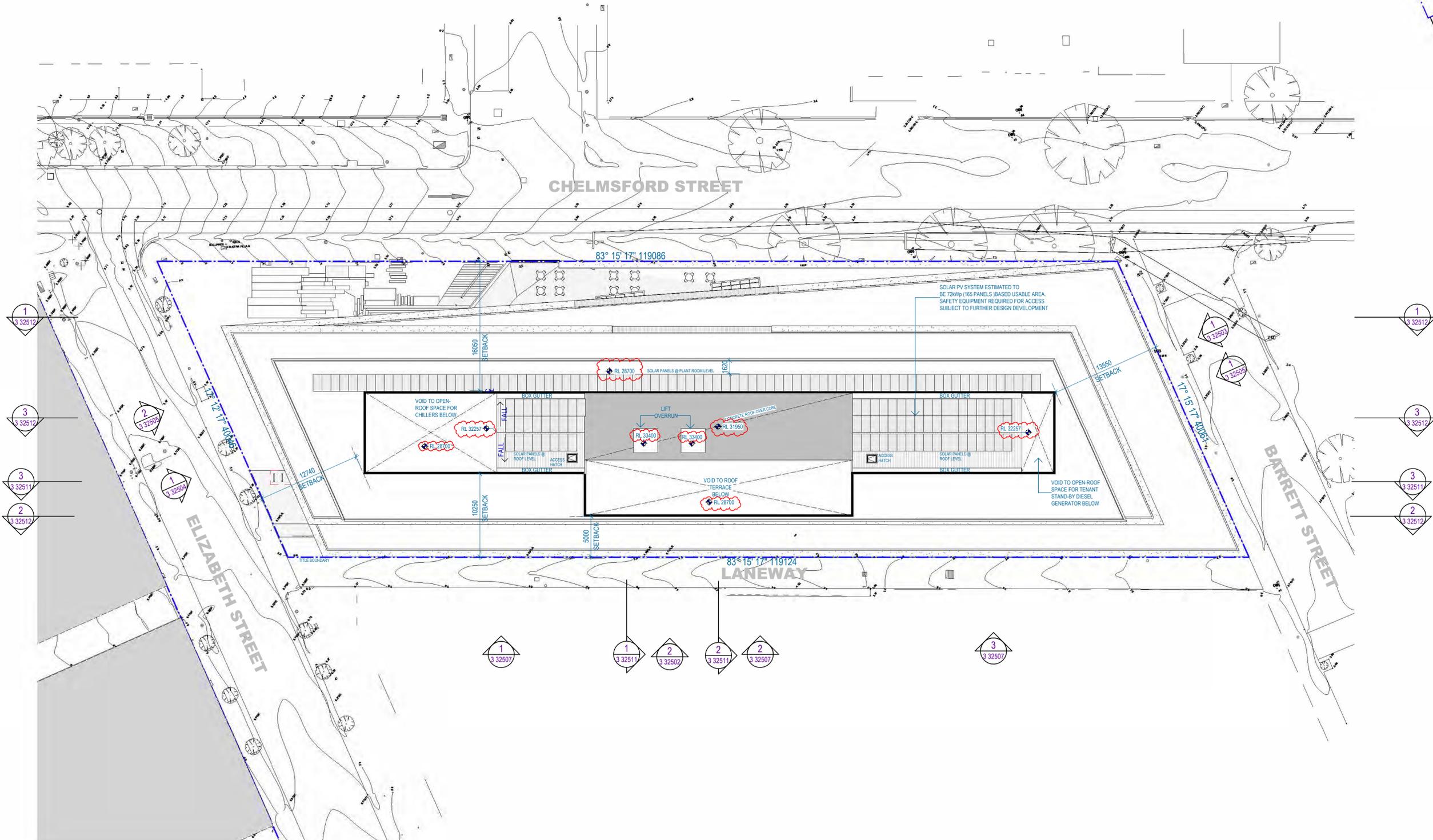
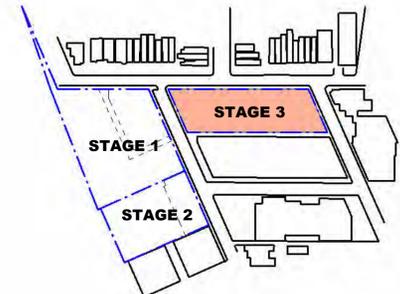
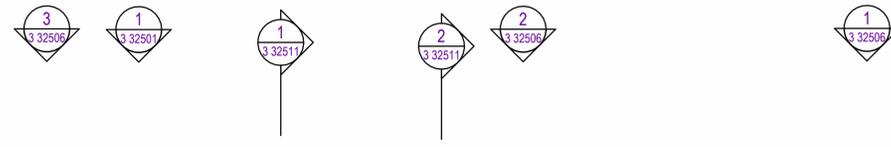
Project number
130907
Sheet number
TP 3 22515

Scale
As indicated
Revision
C

Sheet size
A1
Date
22/06/2023

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1 S5 - Roof level
SCALE 1 : 250



Client
**Ivanhoe Cambridge
Built
Irongate**

Project
**Younghusband
Woolstore
Stage 3**

Sheet title
FLOOR PLAN - ROOF LEVEL

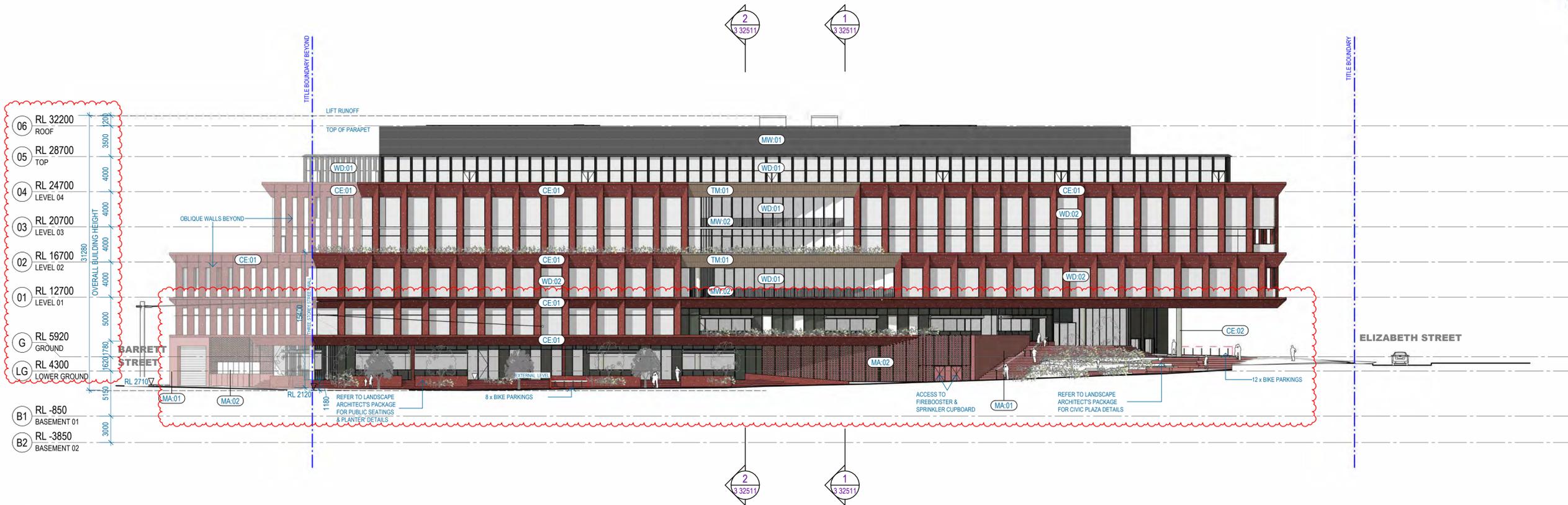
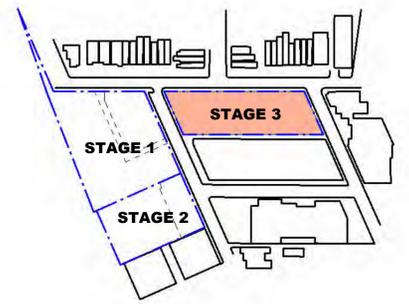
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Sheet number
TP 3 22516

Scale
As indicated
Revision
C

Sheet size
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Date
22/06/2023

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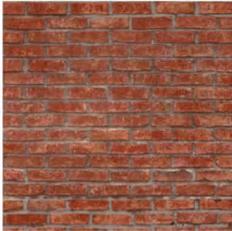
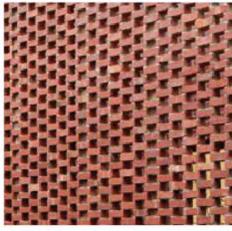
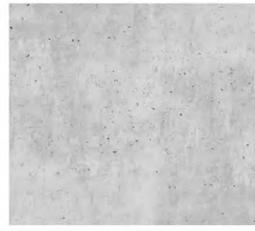




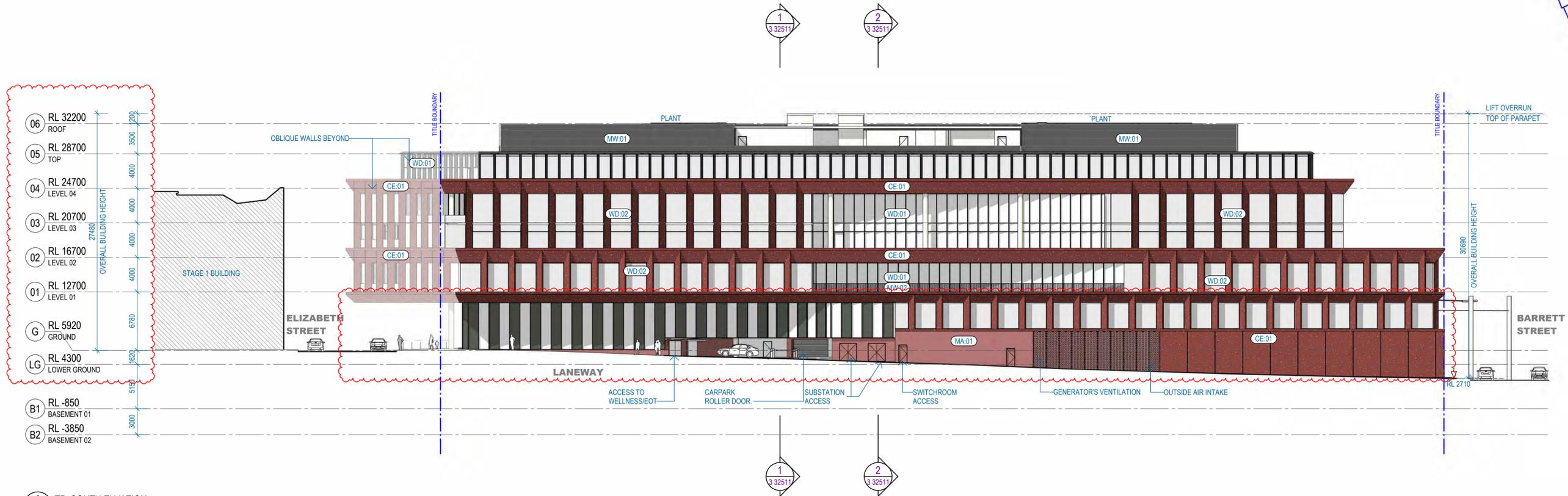
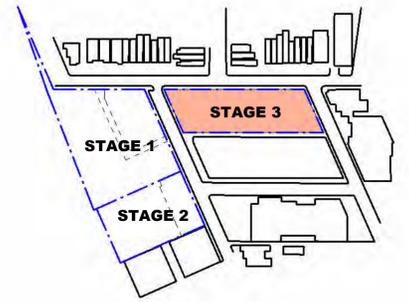
1 TP_NORTH ELEVATION
SCALE 1 : 250

MATERIALS & FINISHES SCHEDULE

BUILDING - STAGE 3

					
MA.01 MASONRY Natural finish brick	PV.02 BRICK PAVERS Natural finish brick to match MA.01	CE.01 PRECAST CONCRETE PANEL Precast concrete panels with oxide pigmented finish. Colour to match MA.01	PV.01 BLUESTONE PAVERS	WD.01 FACADE WINDOW FRAME Aluminium extrusion with selected powdercoated finish CUSTOM VERTICAL SHADING DEVICE Aluminium extrusion with selected powdercoated finish	WD.02 FACADE WINDOW FRAME Aluminium extrusion with selected powdercoated finish
					
MA.02 MASONRY Natural finish brick to match MA.01 - Hit and miss	CE.02 CONCRETE Off-form concrete finish	TM.01 TIMBER Natural timber battens to external soffit lining of landscape terraces	MW.01 FACADE CLADDING Aluminium louvers screening to plant rooms with selected powdercoated finish	MW.03 PUBLIC PLAZA SOFFIT Selected metal cladding with water ripple effect	WD.01 FACADE GLAZING Clear Low-E Glass WD.02 FACADE GLAZING Clear Low-E Glass WD.03 EXTERNAL LIFT GLAZING Clear Low-E Glass

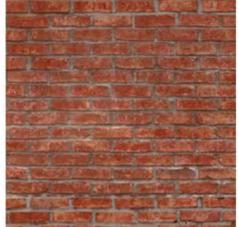




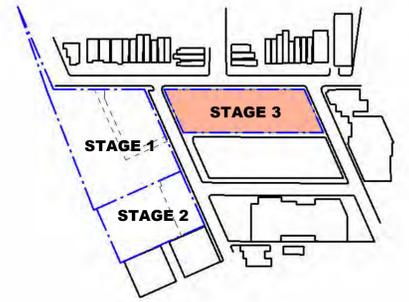
2 TP_SOUTH ELEVATION
SCALE 1 : 250

MATERIALS & FINISHES SCHEDULE

BUILDING - STAGE 3

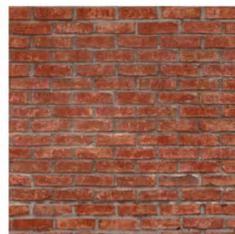
 MA.01 MASONRY Natural finish brick	 PV.02 BRICK PAVERS Natural finish brick to match MA.01	 CE.01 PRECAST CONCRETE PANEL Precast concrete panels with oxide pigmented finish. Colour to match MA.01	 PV.01 BLUESTONE PAVERS	 WD.01 FACADE WINDOW FRAME Aluminium extrusion with selected powdercoated finish	 WD.02 FACADE WINDOW FRAME Aluminium extrusion with selected powdercoated finish	 MW.02 BALUSTRADE RAILING Expressed vertical metal fins with selected powdercoated finish	 WD.01 FACADE GLAZING Clear Low-E Glass
 MA.02 MASONRY Natural finish brick to match MA.01 - Hit and miss	 CE.02 CONCRETE Off-form concrete finish	 TM.01 TIMBER Natural timber battens to external soffit lining of landscape terraces	 MW.01 FACADE CLADDING Aluminium louvres screening to plant rooms with selected powdercoated finish	 MW.03 PUBLIC PLAZA SOFFIT Selected metal cladding with water ripple effect.	 WD.02 FACADE GLAZING Clear Low-E Glass	 WD.03 EXTERNAL LIFT GLAZING Clear Low-E Glass	





MATERIALS & FINISHES SCHEDULE

BUILDING - STAGE 3



MA:01
MASONRY
Natural finish brick



PV:02
BRICK PAVERS
Natural finish brick to match MA:01



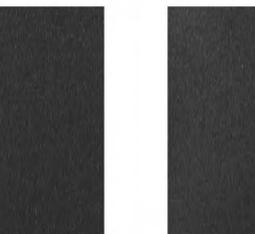
CE:01
PRECAST CONCRETE PANEL
Precast concrete panels with oxide pigmented finish. Colour to match MA:01



PV:01
BLUESTONE PAVERS



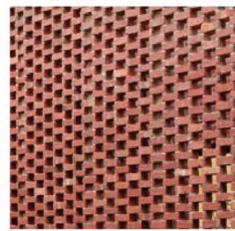
WD:01
FACADE WINDOW FRAME
Aluminium extrusion with selected powdercoated finish
CUSTOM VERTICAL SHADING DEVICE
Aluminium extrusion with selected powdercoated finish



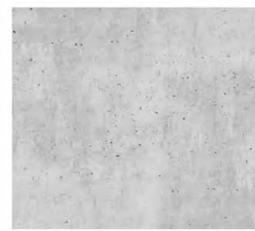
WD:02
FACADE WINDOW FRAME
Aluminium extrusion with selected powdercoated finish



MW:02
BALUSTRADE RAILING
Expressed vertical metal fins with selected powdercoated finish



MA:02
MASONRY
Natural finish brick to match MA:01 - Hit and miss



CE:02
CONCRETE
Off-form concrete finish



TM:01
TIMBER
Natural timber battens to external soffit lining of landscape terraces



MW:01
FACADE CLADDING
Aluminium louvres screening to plant rooms with selected powdercoated finish



MW:03
PUBLIC PLAZA SOFFIT
Selected metal cladding with water ripple effect

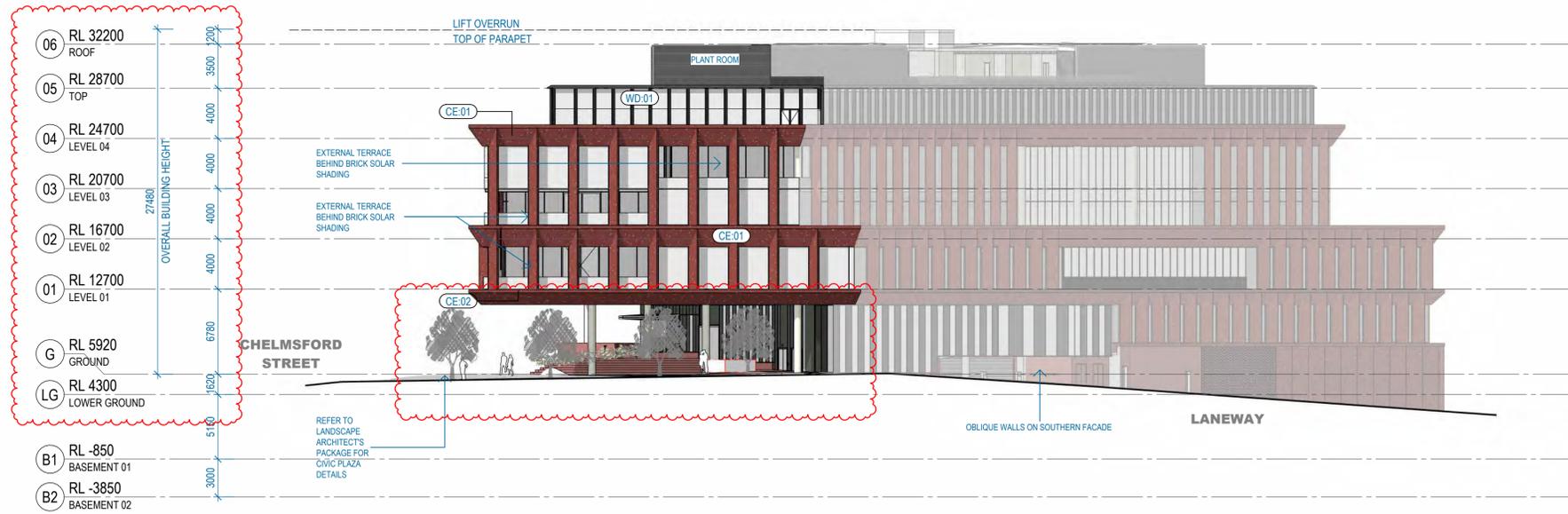
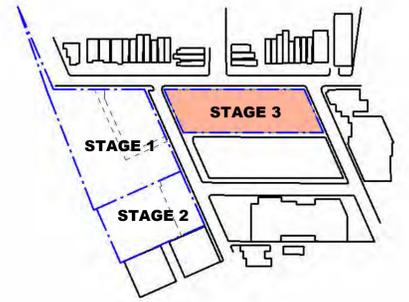


WD:01
FACADE GLAZING
Clear Low-E Glass

WD:02
FACADE GLAZING
Clear Low-E Glass

WD:03
EXTERNAL LIFT GLAZING
Clear Low-E Glass

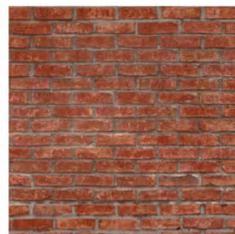




1 TP-WEST ELEVATION
SCALE 1 : 250

MATERIALS & FINISHES SCHEDULE

BUILDING - STAGE 3



MA-01
MASONRY
Natural finish brick



CE-01
PRECAST CONCRETE PANEL
Precast concrete panels with oxide pigmented finish.
Colour to match MA-01



PV-01
BLUESTONE PAVERS



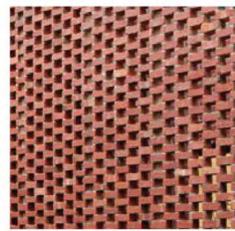
WD-01
FACADE WINDOW FRAME
Aluminium extrusion with selected powdercoated finish
CUSTOM VERTICAL SHADING DEVICE
Aluminium extrusion with selected powdercoated finish



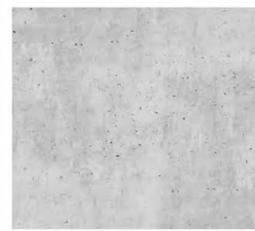
WD-02
FACADE WINDOW FRAME
Aluminium extrusion with selected powdercoated finish



MW-02
BALUSTRADE RAILING
Expressed vertical metal fins with selected powdercoated finish



MA-02
MASONRY
Natural finish brick to match MA-01 - Hit and miss



CE-02
CONCRETE
Off-form concrete finish



TM-01
TIMBER
Natural timber battens to external soffit lining of landscape terraces



MW-01
FACADE CLADDING
Aluminium louvres screening to plant rooms with selected powdercoated finish



MW-03
PUBLIC PLAZA SOFFIT
Selected metal cladding with water ripple effect

WD-01
FACADE GLAZING
Clear Low-E Glass

WD-02
FACADE GLAZING
Clear Low-E Glass

WD-03
EXTERNAL LIFT GLAZING
Clear Low-E Glass





1 STREET FRONTAGE - EAST ELEVATION

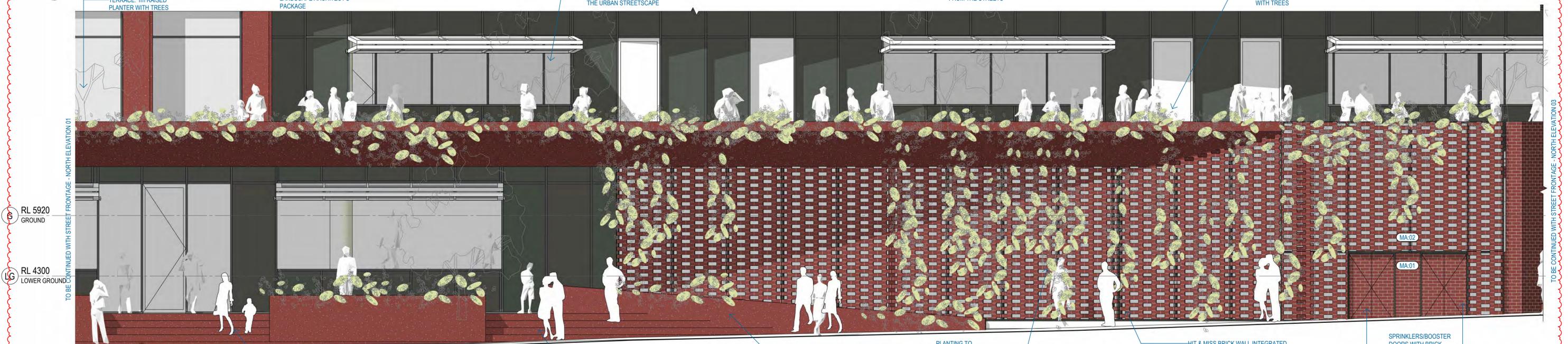


2 STREET FRONTAGE - WEST ELEVATION

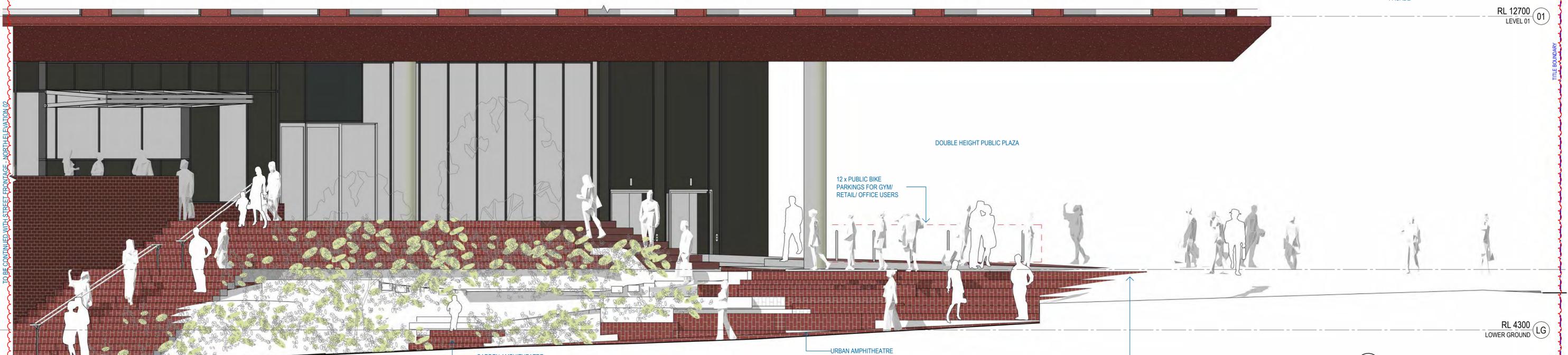




1 STREET FRONTAGE - NORTH ELEVATION 01



2 STREET FRONTAGE - NORTH ELEVATION 02



3 STREET FRONTAGE - NORTH ELEVATION 03



Client
Ivanhoe Cambridge
Built
Irongate

Project
Younghusband
Woolstore
Stage 3

Sheet title
STREET FRONTAGE - ELEVATION SHEET 02

Project number
130907
 Sheet number
TP 3 32506

Scale
1 : 50
 Revision
B

Sheet size
A1
 Date
22/06/2023

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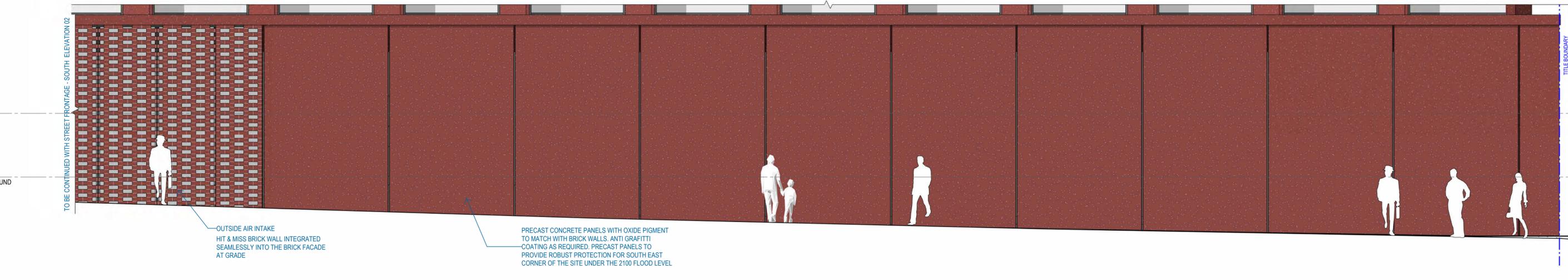
1 LANEWAY FRONTAGE - SOUTH ELVATION 01

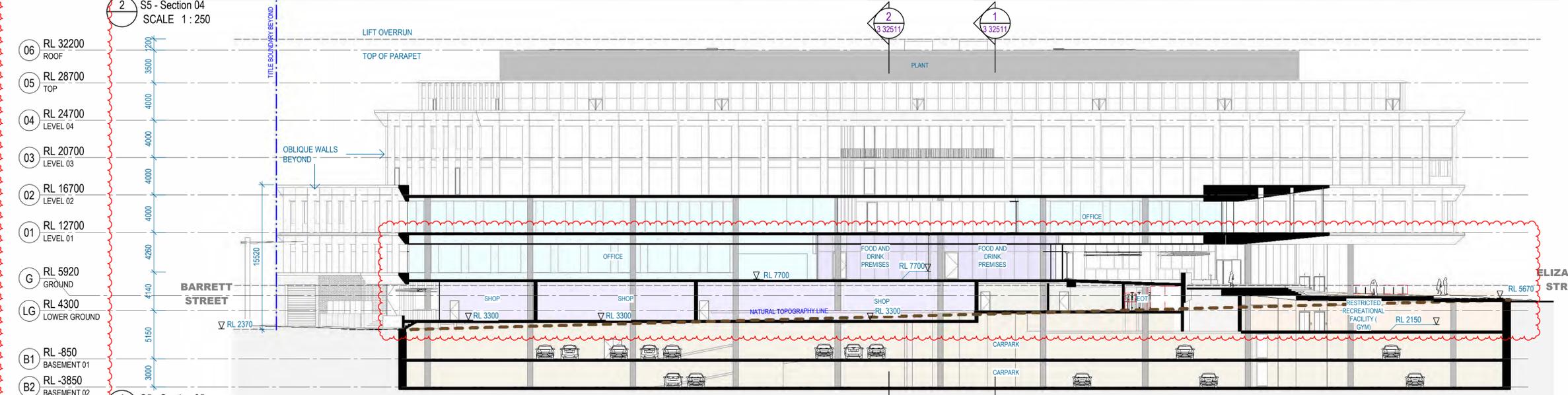
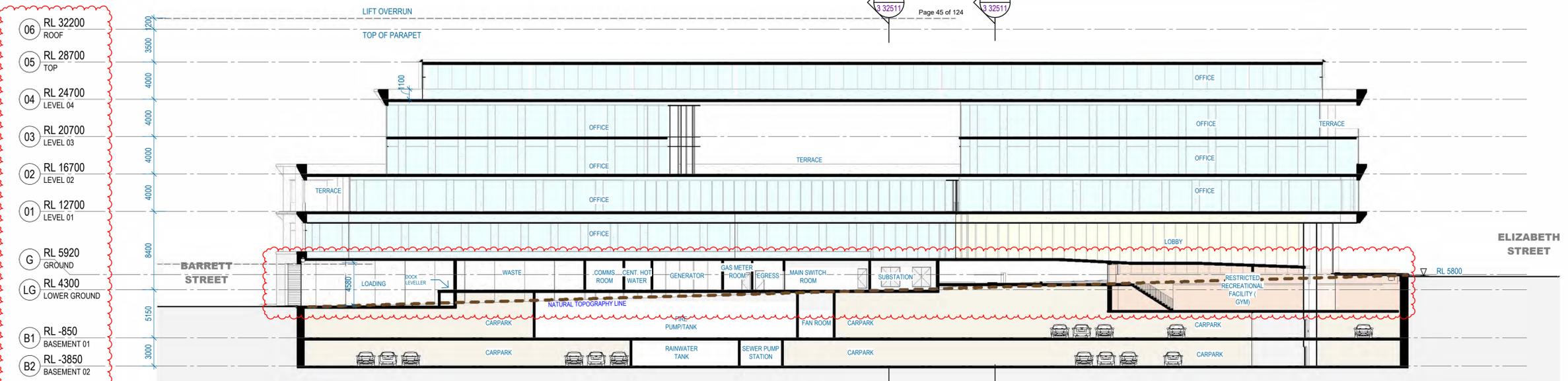


2 LANEWAY FRONTAGE - SOUTH ELVATION 02



3 LANEWAY FRONTAGE - SOUTH ELVATION 03





DELEGATE REPORT MINISTERIAL PLANNING REFERRAL

Application no:	TPM-2022-15
DTP application no:	PA2201839
Applicant:	Ivanhoe Cambridge, Irongate and Built c-/ Metropol Planning Solutions
Owner:	Irongate FM No.1 Pty Ltd
Architect:	Woods Bagot
Address:	1-7 Elizabeth Street and 2-12 Barrett Street, Kensington
Proposal:	Buildings and works, use of land for shop, restricted recreation facility (gym), and food and drink premises and a reduction in the standard car parking requirements and car parking consent.
Estimated cost of development:	\$70,000,000
Date received:	13 September 2022
Date amended:	27 June 2023
Responsible officer:	Colin Charman, Principal Urban Planner

1 SUBJECT SITE AND SURROUNDS

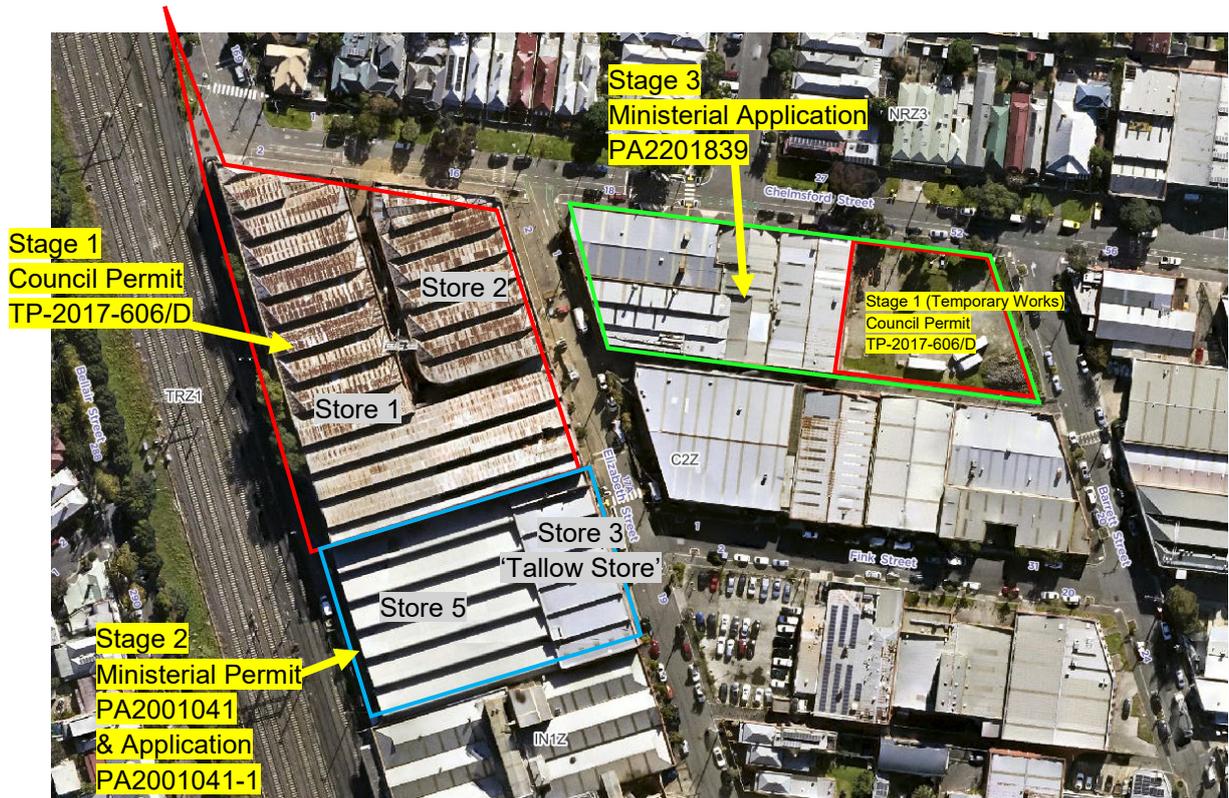
1.1 Subject Site

Planning Permit PA2201839 relates to the following land¹:

- 1-7 Elizabeth Street, Kensington (Lot 1 on TP595449Q (Vol.8977, Fol.525))
- 2-12 Barrett Street, Kensington, comprising the following parcels of land:
 - Lot 1 on TP701984G (Vol.3893, Fol.496)
 - Lot 1 on TP695587U (Vol.4013, Fol.514)
 - Lot 1 on TP517326Y (Vol.3907, Fol.344)
 - Lot 1 on TP595120E (Vol.3294, Fol.665)
 - Lot 1 on TP687785L (Vol.5770, Fol.859)
 - Lot 1 on TP739337E (Vol.3952, Fol.340)
 - Lot 1 on TP531207C (Vol.8766, Fol.455).

The below diagram indicates the boundaries of the planning unit for Application PA2201839 (Stage 3) and the approvals for Stage 1 and Stage 2 of the Younghusband redevelopment project.

¹ A condition has been recommended for inclusion on any permit being granted to require all lots comprising the planning unit for Application PA2201839 to be consolidated prior to the commencement of the development.



Aerial Photograph (captured May 2023) with annotations identifying planning unit under application, the location and layout of Younghusband ‘Stores’ and nearby relevant permits and applications

A summary of the relevant site details and dimensions is given below.

Table: Planning Unit Details / Dimensions

<p>Street Frontage:</p>	<p>West: Elizabeth Street</p> <p>40.05 metres to Elizabeth Street (West), a 15 metre wide dual carriageway. Vehicles are only permitted to enter Elizabeth Street from Chelmsford Street.</p> <p>Four (4) Weeping Bottlebrush street trees are located on the road reserve adjacent to the Elizabeth Street title boundary of the subject site, with the following Asset IDs (north to south):</p> <ul style="list-style-type: none"> • Asset ID: 1069394 • Asset ID: 1069395 • Asset ID: 1286700 • Asset ID: 1069397 <p>The assessed Landscape Plan shows these trees as being retained as part of the proposed redevelopment of the site.</p> <p>There are no existing vehicle crossings present to this street frontage.</p> <p>East: Barrett Street</p> <p>40.02 metres to Barrett Street (East), a 15 metre wide dual carriageway.</p> <p>Three (3) European Nettle Tree street trees are located on the reserve adjacent to the Barrett Street title boundary of the subject site, with the following Asset IDs (north to south):</p> <ul style="list-style-type: none"> • Asset ID: 1549966 • Asset ID: 1754622 • Asset ID: 1754621 <p>The assessed Landscape Plan shows Assets 1549966 and 1754622 being retained, however Asset 1754621 (the southernmost European Nettle Tree) will need to be removed to facilitate loading / unloading access from Barrett Street to service the new development.</p> <p>There are two existing vehicle crossings to this street frontage.</p>
--------------------------------	---

North: Chelmsford Street

119.12 meters to Chelmsford Street (North), a 20 metre wide single carriageway with a wide verge to the north perimeter (approximately 9 metres), and a narrow verge on its south perimeter (approximately 3 metres). Chelmsford Street is restricted to one-way vehicle movement (east to west).

Three (3) Broad-leaf Tea-tree street trees are located on the reserve adjacent to the Chelmsford Street title boundary of the subject site, with the following Asset IDs (west to east):

- Asset ID: 1016859
- Asset ID: 1016858
- Asset ID: 1016857

The assessed Landscape Plan shows these trees as being retained as part of the proposed redevelopment of the site.

There are five existing vehicle crossings present to this street frontage.

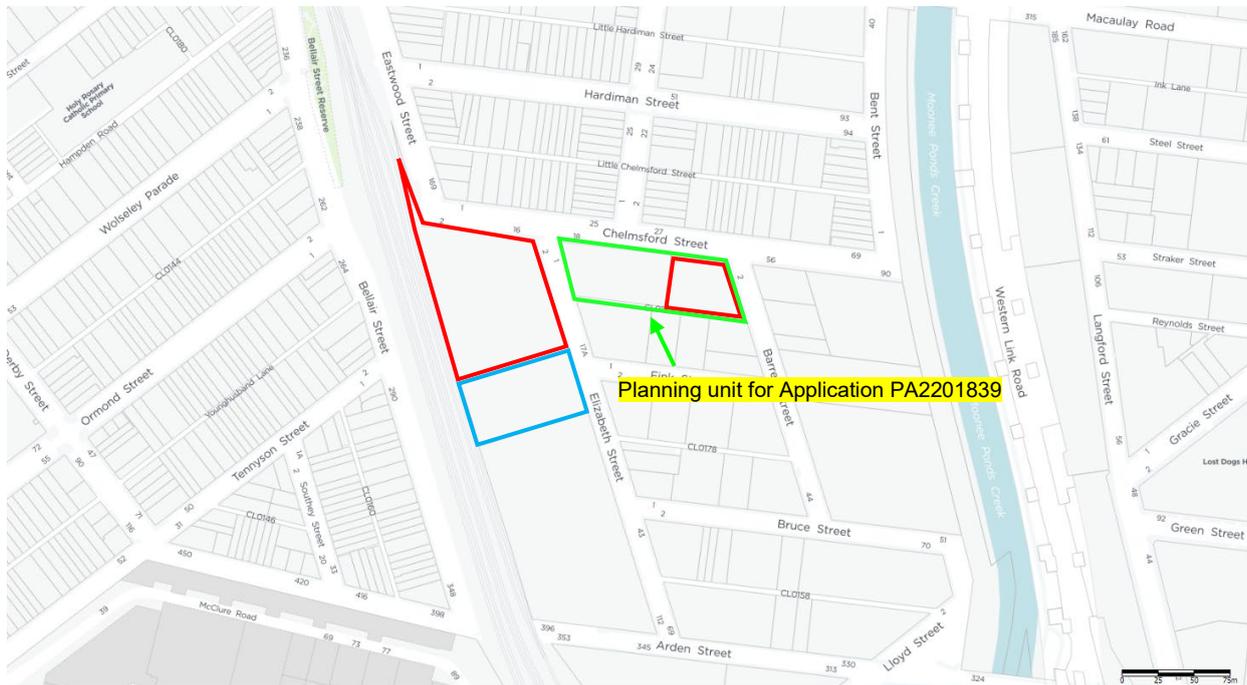
South: Corporation Lane 0177 (Council Owned)

119.05 metres to Corporation Lane 0177 (South), a ~3.5 metre wide service laneway.

Site Depth:	36.5 metres (approx. north-south) and 119 metres (approx. east to west)
Site Area:	3,931 m ²
Topography:	The slope of the land falls by approximately 3 metres from west to east. ²
Heritage Status:	The subject site is not affected by a Heritage Overlay.

1.2 Site Photographs

1.2.1 CoMPASS Map



CoMPASS map with planning unit (Stage 3 of the Younghusband redevelopment) outlined green and Stages 1 & 2 of the Younghusband redevelopment outlined red and blue, respectively

² The Feature & Levels Survey Plan submitted with the application provides an RL of 5.72 to the kerb at the centre of the site's Elizabeth Street frontage, and an RL of 2.44 to the kerb at the centre of the site's Barrett Street frontage.

1.2.2 Barrett Street frontage, facing south (captured 31 August 2023)



1.2.3 Barrett Street frontage, facing north toward Chelmsford Street (captured 31 August 2023)



**1.2.4 Corporation Lane 0177, view from Barrett Street facing west toward Elizabeth Street
(captured 31 August 2023)**



**1.2.5 Chelmsford Street frontage, view facing west toward Younghusband Wool Stores
(captured 31 August 2023)**



1.2.6 Chelmsford Street frontage, facing existing warehouses (not heritage protected) at 1-7 Elizabeth Street with Younghusband Wool Stores visible (captured 31 August 2023)



1.2.7 Corner of Albermarle Street and Chelmsford Street, facing Chelmsford Street and Elizabeth Street intersection (where proposed Plaza is) (captured 31 August 2023)



1.2.8 Corner of Elizabeth Street and Chelmsford Street facing north-west corner of subject site (proposed plaza location) (captured 31 August 2023)



1.2.9 Elizabeth Street frontage, facing south along Elizabeth Street with Younghusband Stage 1 works underway and Allied Mills in background (captured 31 August 2023)



1.2.10 Elizabeth Street frontage, facing Corporation Lane 0177 (captured 31 August 2023)



1.2.11 Views of Younghusband Wool Stores directly opposite subject site (captured 31 August 2023)



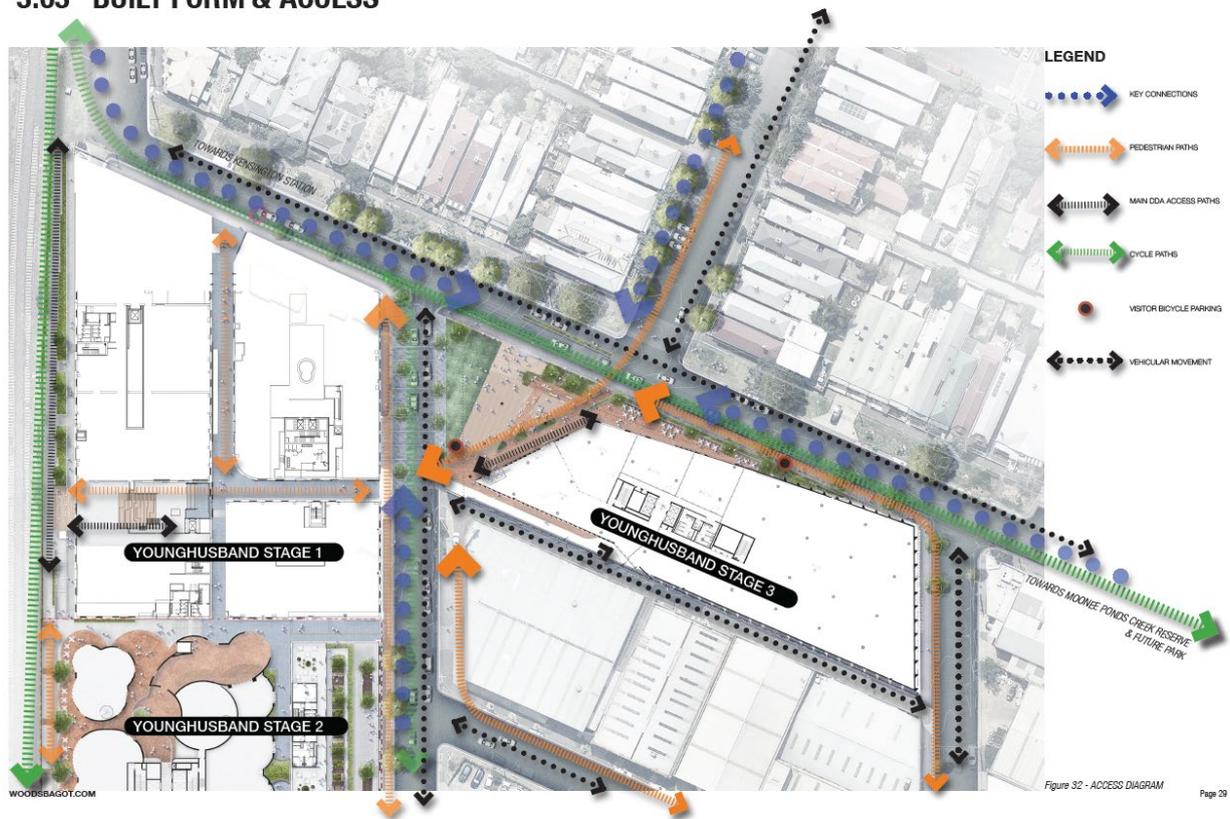
1.3 Younghusband Staged Development

The Younghusband Wool and Grain Warehouses are a series of saw-tooth red brick warehouses that are significant historically and aesthetically to Kensington, the City of Melbourne and Victoria. The warehouses identified as being of historical significance to the Younghusband Wool and Grain Warehouses heritage place are Wool Store no.1, 2 and the Tallow Store (Store No.3), and were constructed in the early 1900s.

Wool Store No.5, authorised to be demolished by Ministerial Permit PA2001041, was constructed in 1957 and is not identified as being of heritage significance in the Statement of Significance for the Younghusband Wool and Grain Warehouses provided in the Incorporated Document, *Arden Macaulay Heritage Review 2012 Statements of Significance June 2016*.

The planned redevelopment of Younghusband comprises three stages, identified in the below excerpts from the assessed Urban Context Report.

3.03 BUILT FORM & ACCESS



Excerpt from Urban Context Report, prepared by Woods Bagot, dated 22 June 2023 (p.29), showing built form & intended access paths circulating the Younghusband Staged Redevelopment

3.07 DESIGN CONCEPT



Excerpt from Urban Context Report, prepared by Woods Bagot, dated 22 June 2023 (p.36), showing artist rendering of the completed Younghusband Staged Redevelopment

1.3.1 Council Permit TP-2017-606/D

Stage 1 – Redevelopment of Store 1 and Store 2 of the Younghusband Wool and Grain Warehouses complex at 2-50 Elizabeth Street, Kensington

Council Permit TP-2017-606/D authorises Stage 1 of the Younghusband Staged Redevelopment.

On 12 December 2017, at Council Meeting No.18³, Council resolved to issue a Notice of Decision to Grant a Permit for Application TP-2017-606, seeking permission for Stage 1 of the Younghusband Staged Redevelopment, as below:

1 That Council:

- 1.1 Resolves to issue a Notice of Decision to Grant a Permit subject to conditions outlined in the Delegate Report (Attachment 4 of the report from management) but with Condition 1(b) amended to read "Further details of all the ground plane treatments and openings, including within the laneway, clearly depicted on the elevation drawings and additional detailed drawings of any new ground level openings at a scale of 1:20"
- 1.2 Separately, notes the commitment of City of Melbourne traffic engineers to undertake an independent review of the local road network with regard to current and future traffic management needs and the diversity of industrial, residential and commercial road users in the area.

Planning Permit TP-2017-606 was issued on 17 January 2018. The permit was most recently amended on 6 January 2023, authorising:

³ [Link to agenda papers, minutes, audio and resolutions from Council Meeting No.18, 12 December 2017](#)

Buildings and works including partial demolition within the Heritage Overlay, carrying out of works within the Land Subject to Inundation Overlay, use of land for restaurant, food and drink premises, and car park, and a reduction in the statutory car parking requirements in accordance with the endorsed plans.

Plans were endorsed under Condition 1 of Permit TP-2017-606/D on 14 June 2023.

Construction has commenced under the permit.

It is noted that Permit TP-2017-606/D also authorises the temporary use of the land at 2-12 Barnett Street, Kensington for car parking and storage associated with the redevelopment of the broader Younghusband project.

1.3.2 Ministerial Permit PA2001041

Stage 2 – Redevelopment of the Tallow Store (Store No.3) and Store No.5 of the Younghusband Wool and Grain Warehouses complex at 2-50 Elizabeth Street, Kensington

Ministerial Permit PA2001041 authorises Stage 2 of the Younghusband Staged Redevelopment.

On 7 September 2021, at Melbourne City Council's Future Melbourne Committee (**FMC**) Meeting No.19⁴, the FMC resolved to advise DTP (then DELWP) that Melbourne City Council supported Application PA2001041, seeking permission for Stage 2 of the Younghusband Staged Redevelopment, as below:

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

On 25 January 2022, the Minister for Planning issued Permit PA2001041, authorising the following:

Demolition and partial demolition of buildings, to construct a building and construct or carry out works, use of the land for a shop, food and drink premises and manufacturing sales and a reduction in the statutory car parking requirements, in accordance with the endorsed plans.

Conditions included in Permit PA2001041 broadly reflected the conditions recommended by the FMC.

Application PA2001041-1, seeking permission to amend Permit PA2001041 under s.72 of the *Planning and Environment Act 1987* and the concurrent endorsement of plans / reports under the permit, was submitted to the Department of Transport and Planning on 25 November 2022.

Application PA2001041-1 was amended under S.50 of the *Planning and Environment Act 1987* on 14 July 2023.

Council advised DTP that it supported Application PA2001041-1, subject to recommended revised / new conditions, on 1 September 2023.

1.3.3 Ministerial Application PA2201839

Stage 3 – Redevelopment 1-7 Elizabeth Street & 2-12 Barnett Street, Kensington

2-12 Barnett Street has been temporarily redeveloped by demolishing the existing buildings at this property and converting it into a car park / storage area associated with the construction of Stages 1 and 2 of the Younghusband redevelopment project.

Ministerial Application PA2201839 (the application considered in this report), Stage 3 of the Younghusband Staged Redevelopment, proposes a development across 1-7 Elizabeth Street and 2-12 Barnett Street, Kensington.

⁴ [Link to agenda papers, minutes, audio and resolutions from Future Melbourne Committee Meeting No.19, 7 September 2021](#)

1.4 Restrictions and Easements

1.4.1 Restrictive Covenants / S.173 Agreements

The register search statements provided for the certificates of title for the parcels comprising the planning unit under Application PA2201839 do not identify that these properties are burdened by any restrictive covenant or s.173 Agreement.

1.5 Archaeology and Heritage Inventory

The subject site is not included in the [Victorian Heritage Inventory](#).

1.6 Aboriginal Cultural Heritage

The subject site is included in an area of legislated cultural heritage sensitivity under the *Aboriginal Heritage Regulations 2018*, by virtue of the land being located within 200 metres of Moonee Ponds Creek.

Section 52(1) of the *Aboriginal Heritage Act 2006* provides that the decision maker must not grant a statutory authorisation for an activity (the development or use of land), where the *Aboriginal Heritage Regulations 2018* specify a cultural heritage management plan is required for that activity, unless a cultural heritage management plan is approved.

The Minister for Planning is responsible for ensuring the requirements of the *Aboriginal Heritage Act 2006* have been satisfied prior to granting a permit for Application PA2201839.

2 APPLICATION BACKGROUND AND HISTORY

2.1 Pre-Application Meeting

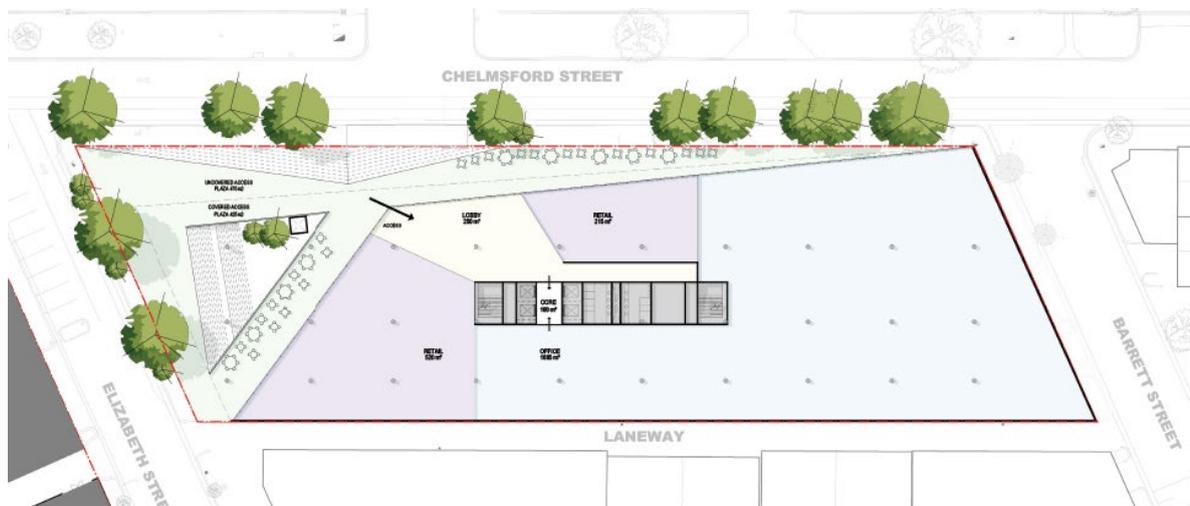
On 13 July 2022, a pre-application meeting was held to discuss preliminary drawings / concepts for the proposed development.

In attendance at this meeting were representatives from Council, the Department of Transport and Planning, and the permit applicant.

Excerpts from early concepts detailing the development's programming are provided below.



Excerpt from pre-application meeting package showing lower ground (at grade with Barrett Street) development programme



Excerpt from pre-application meeting package showing ground (at grade with Elizabeth Street) development programme

The following key themes / issues were ventilated at the pre-application meeting:

- The development concept generally responding positively to the built form requirements of DDO63 (Area 4) was acknowledged.
- The existing Land Subject to Inundation Overlay (LSIO1) (and Planning Scheme Amendment C384, proposing to further extend the LSIO over the site) was flagged as a key planning constraint on the site, and the permit applicant was encouraged to consult with Melbourne Water early in the application process.

- The applicant was encouraged to provide detailed plans of all exterior-facing street level treatments, including for sleeving retail tenancies, to demonstrate how flood requirements and required level transitions would be managed within the development footprint.
- A preference was expressed for access to the site to be achieved via Corporation Lane 0177, to minimise the extent of accessways / vehicle crossings to Barrett Street and maximise activation of this street frontage.
- Further refinement of the proposed publicly accessible private open space to the north-west corner of the site at the Elizabeth Street and Chelmsford Street intersection was encouraged, including by removing the sunken courtyard and level changes, balustrading and barriers to this space, and increasing the vertical separation and setback of the cantilevered building soffit, to improve pedestrian mobility and 'usability' of this space.
- Programming of the development to recognise the role of Corporation Lane 0177 (a 'Service Lane' in the Macaulay Structure Plan 2021) was emphasised (i.e. by consolidating services along this laneway).
- The Macaulay Structure Plan 2021 and Planning Scheme Amendment C417melb were also discussed (including the proposed FAR applicable to the site of 3:1, which the proposed development exceeded), however the following was acknowledged:
 - PSA C417melb is not seriously entertained.
 - The Macaulay Structure Plan 2021 represents Council's strategic vision for Macaulay.
 - The building heights, street wall & materiality of the proposed development generally appear to be contextually appropriate & responsive to the current planning scheme requirements.

2.2 Application PA2201839

2.2.1 Originally Submitted Application

On 29 September 2023, Council received notice of Application PA2201839, submitted to the Minister for Planning on 13 September 2022, under section 52(1) of the *Planning and Environment Act 1987*.

Council sought advice on Application PA2201839 from its internal experts, and provided a full suite of referral advice to DTP and the permit applicant between September and December 2022 for the project team's consideration.

In February 2023, Council was advised by DTP and the permit applicant that Melbourne Water, a Determining Referral Authority for Application PA2201839 had formally objected to the application.

Following receipt of Melbourne Water's objection, several meetings were held between DTP, Council and the permit applicant to discuss Council's expert advice on the application and concept plans intended to alleviate Melbourne Water's concerns with the development. Key meetings were held in March and May 2023.

On the basis of discussions at these meetings considering different development pathways, the permit applicant elected to make further substantive changes to the programming of the development, in response to both Council's expert advice and the concerns raised by Melbourne Water.

2.2.2 S.57A Amended Application

On 16 August 2023, Council received notice that Application PA2201839 had been formally amended pursuant to section 57A of the *Planning and Environment Act 1987*, under section 52(1) (57B) of the Act.

The application documents accompanying the section 57A Amended Application submitted to DTP on 27 June 2023 are the application documents informing Planning's assessment in this report.

Key changes made to the development in the S.57A Amended Application include:

- Redesign of all street elevations within the part of the site affected by LSIO1, to achieve finished floor levels responding to Melbourne Water's requirements, and provide appropriate treatments to support positive urban design outcomes.
- Increasing finished floor levels across the development, to meet Melbourne Water's requirements.
- Reduction of the extent of vehicle access from Barrett Street, responding to Melbourne Water's requirements, while increasing the proportion of this frontage given to active uses, and utilisation of Corporation Lane 0177 for car parking access and building servicing.
- Refinement and rationalisation of the proposed publicly accessible private open space to the north-west corner of the site at the Elizabeth Street and Chelmsford Street intersection, including by deleting a sunken court / stair providing lower level access, providing a more generous, usable and active civic plaza.
- Altering the programming of the development and its interface with the proposed publicly accessible private open space, providing a more generous lobby entry and enhancing the development's activation with this space.
- Increasing the height of Level 1 of the building cantilevered over the proposed publicly accessible private open space by raising the building soffit, to ensure that internal level changes required by Melbourne Water to meet flood requirements did not contribute to any further reduction in the openness of this space.

Broadly, it is considered that the amended architectural drawings accompanying the S.57A Amended Application have deftly negotiated Melbourne Water's requirements to reduce flood risk, while avoiding depreciating the quality of the design outcome.

Many changes made to the development in the S.57A Amended Application have directly addressed urban design advice provided by Council's City Design Team to make improvements to the development's activation with the surrounding road network and the quality of the development's public open space offerings.

3 PROPOSAL

3.1 Plans / Reports Considered in Assessment

The plans / reports considered in Council's assessment are the plans / reports provided with the S.57A Amendment Application to the Minister for Planning on 27 June 2023, listed in the below table.

Table: Assessed Application Documents				
#	Plan / Report Title	Plan / Report Author	Plan / Report Date & Revision	Date submitted
1A	Planning Application Form	-	Submitted to DTP: 13 September 2022	13-Sep-22 Application
1B	Covering Letter accompanying Application	Metropol Planning	13 September 2022	13-Sep-22 Application
1C	Covering letter accompanying RFI response	Metropol Planning	3 November 2022	3-Nov-22 RFI Response
1D	Covering letter accompanying S.57A application	Metropol Planning	27 June 2023	27-Jun-23 S.57A Application
2	Title Documents	-	1 September 2022 & 24 August 2023	13-Sep-22 Application 24-Aug-23 Further Info
3	Plan of Title Re-Establishment & Feature Survey	Realserve	10 October 2016	13-Sep-22 Application
4	Planning Report	Metropol Planning	26 June 2023, Revision D	27-Jun-23 S.57A Application
5	Urban Context Report	Woods Bagot	22 June 2023, Revision C	27-Jun-23 S.57A Application
6	Architectural Drawings	Woods Bagot	22 June 2023, Revision C	27-Jun-23 S.57A Application
7	Urban Design Review	Global South Pty Ltd	7 September 2022	13-Sep-22 Application
8	Landscape Report	Oculus	24 May 2023	27-Jun-23 S.57A Application
9	Transport Impact Assessment	Stantec	21 June 2023, Revision D	27-Jun-23 S.57A Application
10	Waste Management Plan	Rawtec	13 June 2023, V2.0	27-Jun-23 S.57A Application
11	Heritage Memo	Michael Taylor Architecture & Heritage	13 September 2022	13-Sep-22 Application
12	Flood Certificate	Melbourne Water	20 June 2022	13-Sep-22 Application
13	ESD Statement	E-LAB Consulting	23 June 2023, Revision 06	27-Jun-23 S.57A Application
14	Arboricultural Assessment	Glenn Waters	31 August 2022	13-Sep-22 Application
15	Green Travel Plan	Stantec	21 June 2023, Revision B	27-Jun-23 S.57A Application
16	Model of Development	Woods Bagot	-	27-Jun-23 S.57A Application

3.2 Summary of Proposed Development

Application PA2201839 proposes the following development and land uses:

- Demolition of the existing group of warehouse buildings occupying 1-7 Elizabeth Street, Kensington (the western parcel comprising the overall planning unit)⁵.
- Development of a six-storey building featuring a maximum height of approximately 30.1 metres⁶, and an angular tiered floorplate design with varied setbacks, with the upper levels of the building becoming progressively more recessive. The overall exterior composition and materials of the building are comprised of masonry (brick) and aluminium façade cladding at lower levels, with use of precast concrete panels with oxide pigmented finish at upper levels.
- Lower ground and ground levels, and part of level 1, of the building generally being built to the street title boundaries⁷.
- A publicly accessible private plaza (**the Plaza**) to the north-west corner of the site adjacent to the intersection of Elizabeth Street and Chelmsford Street. The Plaza has an area of approximately 740 m² (excluding circulation areas for uses within the building) and approximately 360 m² (less than 50%) of this area is covered by Level 1's cantilevered floorplate. The Plaza's location at the north-west corner of the site will ensure it is provided with excellent solar access year-round.
- A two-level basement providing 10 motorcycle parking spaces and 242 car parking spaces (the statutory car parking requirement is 370 spaces).
- Bicycle facilities on the lower ground level, which include 220 bicycle parking spaces and end of trip facilities (the statutory bicycle parking requirement is 59 spaces).
- The predominant use of the new building is for Office (occupying upper levels), with a submerged Gym (Restricted Recreation Facility), and Shops and Food and Drink Premises sleeving active frontages of the site at street-level on the lower ground and ground floors.

The application accordingly requires planning permission for the following:

- Use of land for Shop, Food and Drink Premises, and Restricted Recreation Facility, in the Commercial 2 Zone.
- Construct a building or construct or carry out works in the Commercial 2 Zone.
- Construct a building or construct or carry out works under the Design and Development Overlay Schedule 63 (Macaulay Urban Renewal Area).
- A reduction of the car parking requirements under Clause 52.06 Car Parking.

A development contribution requirement also applies under Schedule 2: Macaulay Urban Renewal Area to *Clause 45.06 Development Contributions Plan Overlay*.

⁵ As the subject site is not affected by a Heritage Overlay, a planning permit is not required to demolish or remove these buildings.

⁶ Adopting RL2.1, the lowest pavement spot height provided on the Feature and Levels Survey Plan, at the corner of Barrett Street and Chelmsford Street, subtracted from RL32.2, the spot height to the ridge-line of the roof of the proposed plant level.

⁷ Due to level transitions across the site, the need to provide elevated flood levels within the site (and street integration), accessway widening and the creation of a new publicly accessible private plaza, there is a high degree of variation in the building's interface with the street edge.

3.3 Key Plan Excerpts

3.3.1 3D Render – Aerial View of Stage 1 and Stage 3 of Younghusband Redevelopment

3.08 PROPOSED STREETScape



Figure 50 from assessed Urban Context Report

3.3.2 3D Render – View facing south-east from Chelmsford Street, toward Stage 3 Plaza at the corner of Chelmsford Street and Elizabeth Street

3.08 PROPOSED STREETScape



Figure 56 from assessed Urban Context Report

3.3.3 3D Render – View facing south-west through Stage 3 Plaza from Chelmsford Street to Elizabeth Street

3.09 PUBLIC REALM

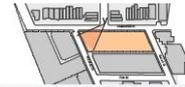


Figure 58 from assessed Urban Context Report

3.3.4 3D Render – View facing east on Elizabeth Street toward Stage 3 (presentation to Younghusband Wool Stores)

3.08 PROPOSED STREETScape



Figure 57 from assessed Urban Context Report

3.3.5 3D Render – View facing north on Elizabeth Street toward Chelmsford Street intersection

3.08 PROPOSED STREETScape

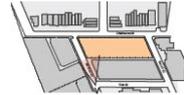


Figure 53 from assessed Urban Context Report

3.3.6 3D Render – View facing east on Chelmsford Street toward Barrett Street

3.08 PROPOSED STREETScape



Figure 51 from assessed Urban Context Report

3.3.7 3D Render – View facing south from Albermarle Street toward North Elevation of Stage 3

3.08 PROPOSED STREETScape

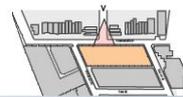


Figure 55 from assessed Urban Context Report

3.3.8 3D Render – View facing west from Chelmsford Street toward retail uses and flood mitigation measures (raised FFL) at the corner of Barrett Street and Chelmsford Street

3.08 PROPOSED STREETScape



Figure 54 from assessed Urban Context Report

3.3.9 3D Render – Closer view facing west toward retail uses and flood mitigation measures (raised FFL) at the corner of Barrett Street and Chelmsford Street

3.09 PUBLIC REALM

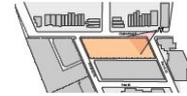
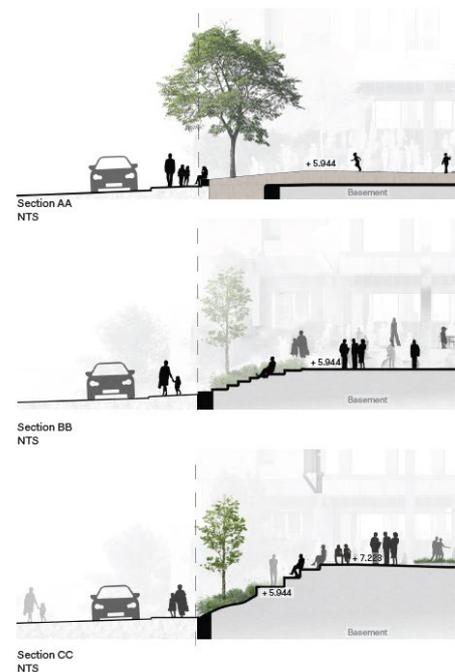
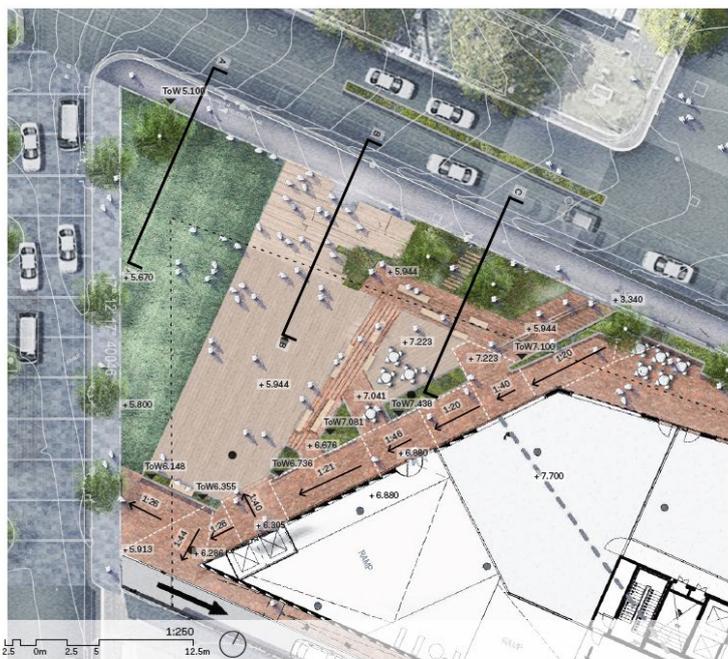


Figure 59 of assessed Urban Context Report

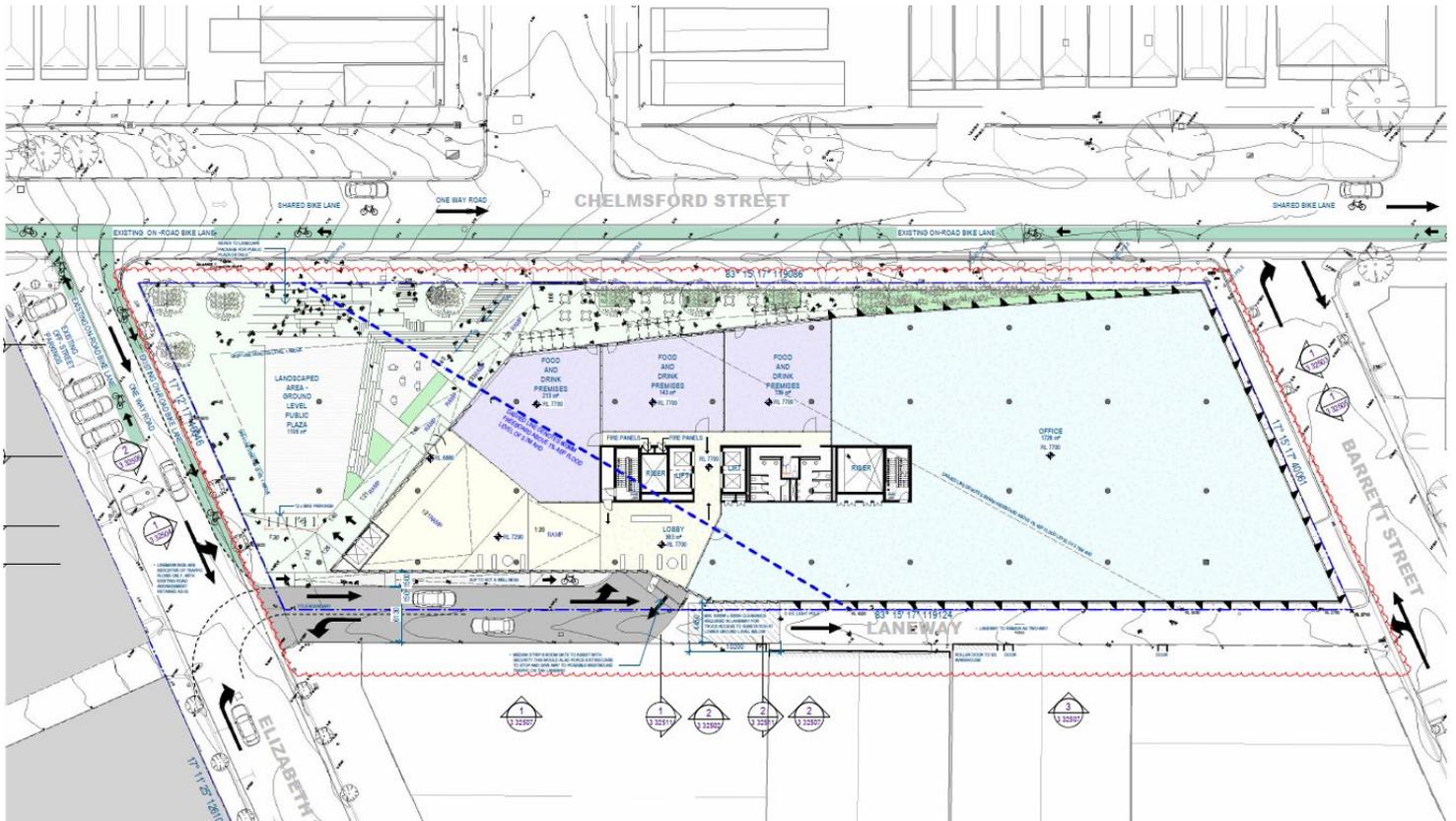
3.3.10 Landscape Report - Proposed Plaza landscape treatments and sections

Landscape Plans Ground Level - Grading Plan



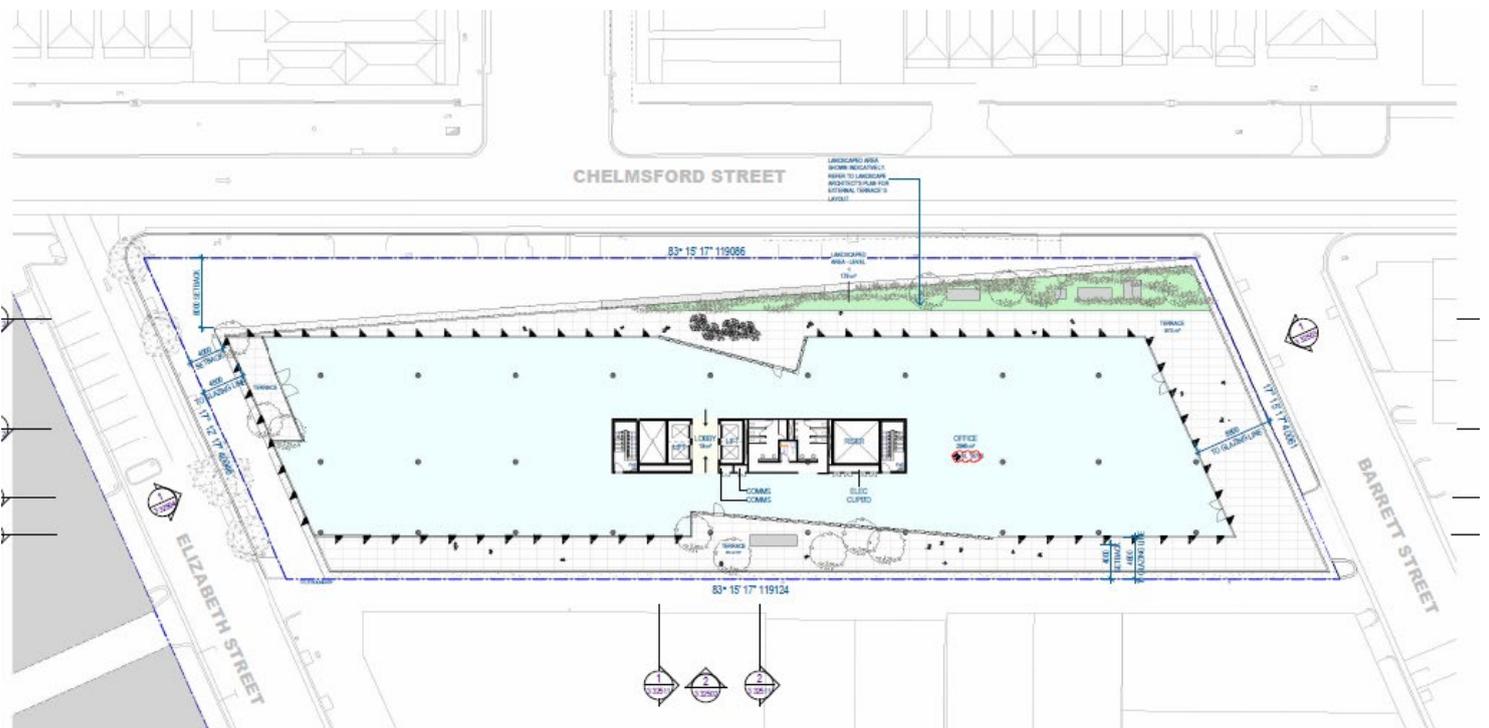
Excerpt from assessed Landscape Report (p.14) showing soft/hard surfaces to Plaza and sections

3.3.13 Architectural Drawings - Ground Floor



Excerpt from Drawing No. TP 3 22510, 'Floor Plan – Level 00 (Ground)' of assessed Architectural Drawings

3.3.14 Architectural Drawings – Typical Office Floorplate (Level 02 & 03)



Excerpt from Drawing No. TP 3 22512, 'Floor Plan – Level 02' of assessed Architectural Drawings

3.4 Detailed Information: Built Form

3.4.1 Site layout and GFA

Site Area:	4,286 m ²	Site Coverage:	100%
Deep Soil Planting:	Nil	Permeable Area:	Nil
Floor Area Ratio (excluding basement areas):	4.5:1	Floor area/height uplift sought:	N/A – complies with preferred height requirement
Restricted Recreation Facility (Gym) NLA:	1,056 m ²	Food and drink premises NLA:	495 m ²
Shop NLA:	1,144 m ²	Office NLA:	10,435 m ²
		Total GFA:	28,007 m ²

3.4.2 Building Height and Setbacks

Maximum number of storeys above ground level	6 storeys	Maximum number of basement levels:	2
Maximum Building Height: (All heights measured from the top of the parapet, including plant levels)	30.1 metres ⁸	Floor to Ceiling Heights	6.87 metres (Ground fronting Elizabeth Street) 4 metres (upper office levels)

3.4.3 Street Wall Heights (Maximum)

North Chelmsford Street	Three storeys	South Corporation Lane 0177	Three storeys
East Barrett street	Three storeys	West Elizabeth Street	N/A – building setback 4 metres from title boundary

3.4.4 Setbacks above Street Wall

North Chelmsford Street	Level 2-3: 8 metres Level 4: 12 metres	South Corporation Lane 0177	4 metres
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⁸ Adopting RL2.1, the lowest pavement spot height provided on the Feature and Levels Survey Plan, at the corner of Barrett Street and Chelmsford Street, subtracted from RL32.2, the spot height to the ridge-line of the roof of the proposed plant level.

East Barrett street	Levels 2-3: 8 metres Level 4: 12 metres	West Elizabeth Street	N/A Levels 1-3 setback 4 metres from title boundary. Level 4 setback 8 metres from title boundary.
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3.4.5 Access, car parking, bicycle facilities and loading / unloading

Car parking, bicycle facilities and loading and unloading			
Car parking spaces:	242	Bicycle spaces:	220
DDA car spaces	4	Secure	200
Motorcycle spaces	10	Publicly accessible	20
Bicycle changing room (EOT) facilities:	20 showers / change rooms & locker storage.		
Vehicle access:	Vehicle access to the site is proposed via a widened section of Corporation Lane 0177, accessed via Elizabeth Street.		
Loading / unloading:	A loading bay will be provided on the Barrett Street frontage of the site, capable of accommodating two (2) vehicles up to an 8.8 m Medium Rigid Vehicle (MRV).		
Pedestrian / cycling access:	<p>Pedestrians will have multiple entry points to the site, with the main Office lobby being accessible via Elizabeth Street.</p> <p>Cyclist access to EOT facilities will be via a widened section of Corporation Lane 0177, accessed via Elizabeth Street.</p>		

3.5 Detailed Information: Land Uses

It is noted that no detail regarding the expected hours of operation, maximum number of employees or internal layout of the land uses requiring planning permission has been provided as part of Application PA2201839.

3.5.1 Office

The predominant land use proposed to be carried out on the land is for 'Office', which is an as-of-right land use in the Commercial 2 Zone. Combined net lettable area of 10,435 m² is committed to 'Office' use.

3.5.2 Restricted Recreation Facility (Gym)

There is one proposed 'Restricted Recreation Facility (Gym)' tenancy on the lower ground floor with a net lettable area of 1,056 m². This use does not have any exposed frontages to a street, and is nearly entirely submerged below street level.

3.5.3 Shop

There are three proposed 'Shop' tenancies on the lower ground floor with a combined net lettable area of 1,144 m², located at the north-east corner of the site facing Chelmsford Street and Barrett Street.

Details of the proposed operation of this land use have not been provided, and the use has therefore been assessed on the basis that any land use nested under 'Shop' in *Clause 73.04 Nesting Diagrams* of the Melbourne Planning Scheme, for which a permit is required in the Commercial 2 Zone⁹, would be permissible in the event that a permit is granted authorising use of this land for 'Shop'.

The following uses would be excluded from this authorisation:

- Use of the proposed retail premises for an Adult Sex Product Shop, which is a prohibited land use at the subject site, by virtue of the tenancy being located less than 200 metres from a residential zone (measured by the shortest route reasonable accessible on foot); and
- Use of the proposed retail premises for a Bottle Shop, which would require a further permit under *Clause 52.27 Licensed Premises*, as the sale of liquor for consumption off the premises is a primary component of this land use.

3.5.4 Food and Drink Premises

There are three proposed 'Food and Drink Premises' tenancies on the ground floor with a combined net lettable area of 495 m², accessible via an elevated terrace connecting to the proposed Plaza (with connecting stairs and pedestrian paths to Chelmsford Street and Elizabeth Street).

Details of the proposed operation of these land uses have not been provided, and the use has therefore been assessed on the basis that any land use nested under 'Food and Drink Premises' in *Clause 73.04 Nesting Diagrams* of the Melbourne Planning Scheme, for which a permit is required in the Commercial 2 Zone, would be permissible in the event that a permit is granted authorising use of this land for 'Food and Drink Premises'.

The following uses would be excluded from this authorisation:

- Use of the land for a Bar or Hotel, which would require a further permit under *Clause 52.27 Licensed Premises*, as the sale of liquor for consumption on or off the premises is a primary component of these land uses.
- Live Music Entertainment Venue, which would require a further permit under *Clause 53.06 Live Music Entertainment*.¹⁰

⁹ It is noted that Restricted Retail Premises (nested under 'Shop' in *Clause 73.04 Nesting Diagrams*) is a 'Section 1 – permit not required' land use in the Commercial 2 Zone.

¹⁰ Application PA2201839 was not accompanied by any request/planning submission seeking permission for a Live Music Entertainment Venue or demonstrating that the requirements of this provision can be met, particularly noting the sensitive noise receptors (residential properties) located immediately to the north of the site across Chelmsford Street.

4 PLANNING SCHEME PROVISIONS

4.1 Planning Scheme Amendment C384: Updates to Inundation Overlays

On 3 August 2021, the Future Melbourne Committee resolved to request authorisation from the Minister for Planning to prepare and exhibit Melbourne Planning Scheme Amendment C384: Inundation Overlays and the Good Design Guide (PSA C384melb). Authorisation was granted and the Amendment was publicly exhibited from 13 October 2021 to 29 November 2021

On 2 August 2022, the Future Melbourne Committee resolved to request the Minister for Planning appoint an independent Panel to consider all submissions received during the public exhibition of the Amendment.

An independent Panel appointed by the Minister for Planning considered all submissions received in relation to PSA C384melb at a hearing in October 2022, and issued its report 20 December 2022, which was released to the public on 10 January 2023.

It is anticipated that PSA C384 will be presented to Melbourne City Council for adoption in the next few months from the date of this report. PSA C384 is therefore approaching the status of a 'seriously entertained Planning Scheme Amendment'.

Large parts of the site are currently affected by the LSIO Overlay. PSA C384melb seeks to extend application of the LSIO further over the site.

Melbourne Water are a Determining Referral Authority for Application PA2201839 under s.55 of the *Planning and Environment Act 1987* and have formally objected to the application.

It is understood that many of the changes made to the layout of the proposed development in the S.57A Amendment Application are intended to respond to the feedback and requirements of Melbourne Water.

Undertaking referrals in accordance with the requirements of the Melbourne Planning Scheme is the responsibility of the Minister for Planning.



COMPASS Map excerpt showing extent of existing LSIO1 (green) and proposed LSIO3 (orange) under PSA C384melb over subject site

4.2 Macaulay Structure Plan 2021 & Planning Scheme Amendment C417

4.2.1 Macaulay Structure Plan 2021

On 9 November 2021 Melbourne City Council's Future Melbourne Committee endorsed the Macaulay Structure Plan 2021 (**The Structure Plan**), subject to changes identified in the Committee's resolution.

The Structure Plan supersedes the Arden-Macaulay Structure Plan 2012 and sets the vision for the renewal of Macaulay as a mixed-use, mid-rise neighbourhood with a distinct inner urban character. It provides a framework for future growth and development, including built form and density, open space, street networks, affordable housing, community spaces and development contributions over the next 30 years.

The subject site is included in the 'Chelmsford Precinct'. Excerpts from the Macaulay Structure Plan 2021 highlighting the vision for the Chelmsford Precinct are provided below.

The vision for Chelmsford Precinct¹¹

Density and built form

Lower building heights will respond to the narrower streets and laneways in the area to ensure a high level of amenity in the public realm. This is particularly relevant given the increased floor-to-floor heights of commercial buildings.

The size of land parcels and commercial building typologies will likely result in higher levels of site coverage. This provides an opportunity to significantly increase the extent of green roofs and walls.

Former warehouses and other heritage and character buildings will be reused or sensitively redeveloped to retain the integrity of the building and celebrate the historic character of this precinct.

Activities and uses

Chelmsford Precinct will comprise of a mix of uses with the majority of new development supporting commercial uses. The area will contribute to the wider vision for Macaulay to become a truly mixed use precinct, supporting local jobs and enhancing economic activity.

Located a short distance from Arden, the Chelmsford Precinct is ideally situated to accommodate demand for lower-cost space for small and medium sized enterprises and startups that are seeking to link with businesses and institutions in Arden and surrounding neighbourhoods.

Commercial buildings will provide flexible and adaptable workspaces to meet this demand. There are opportunities to provide co-working spaces, maker spaces and studios. Developments will enhance and activate streets and laneways and retail space and cafes will support the needs of people working and living in the area.

Employment uses in the area will be supported by the retention of land use zoning such as the Commercial 2 Zone that provides for offices, appropriate manufacturing and industries, bulky goods, retail and other business and commercial uses. There will be no change to the Neighbourhood Residential Zone. The area covered by the Mixed Use Zone will be rezoned to a tailored land use zone (such as the Special Use Zone or equivalent) to support a greater mix of employment uses in line with the vision for Chelmsford Precinct.

Movement and access

The amenity of the Chelmsford Precinct's local streets will be enhanced to prioritise people walking and riding bikes ahead of vehicle movements, particularly in the area between Arden

¹¹ This text has been copied verbatim from p.93 of the Macaulay Structure Plan 2021 (as endorsed by Melbourne City Council's Future Melbourne Committee on 9 November 2021).

and Chelmsford streets. Access throughout and beyond the precinct will be maintained and support established and future businesses.

While existing residents will retain on-street parking priority, street space occupied by excess car parking will be reclaimed to provide more space for walking, riding bikes, street trees and new public spaces. Improved active and public transport will support reduced car parking in private developments and decrease the presence of private vehicles on local roads. A precinct-based car parking solution is implemented to take advantage of the compact and highly walkable commercial area.

Streets and spaces

Street improvements will provide a safe environment for people walking and riding bikes. Street tree planting and water sensitive urban design will reduce pressure on existing infrastructure along the Moonee Ponds Creek, which is responsible for the mitigation of flooding.

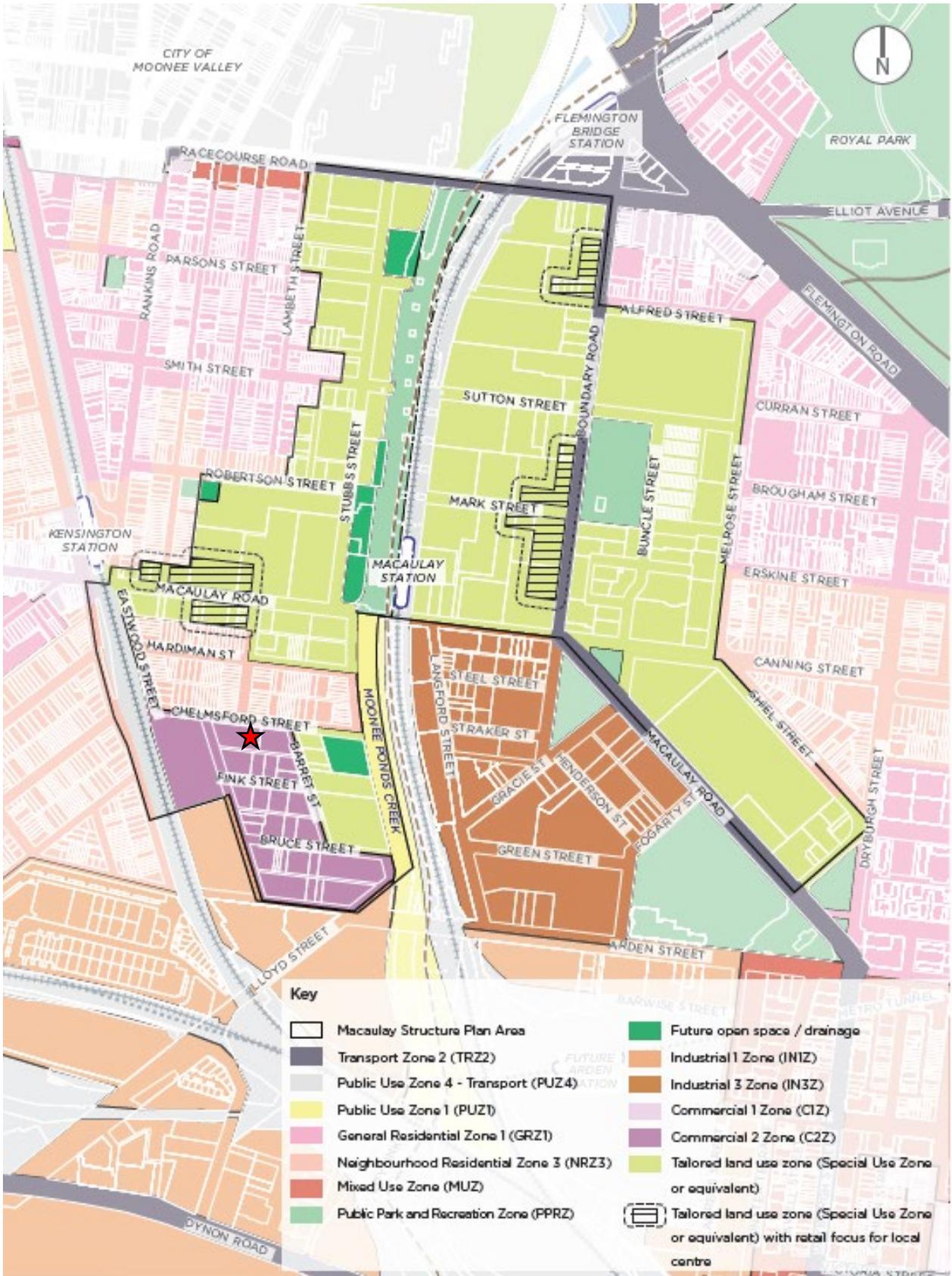
A new open space will be provided on Chelmsford Street, enhancing access to open space within the area and providing opportunities for passive recreation.

Existing bluestone laneways will be enhanced or reinstated to reflect the character and history of the area.

Access to the western bank of the Moonee Ponds Creek will be improved between Macaulay Road and Arden Street. Potential new bridges will be investigated to provide improved access to the Capital City Trail for people walking and riding bikes. There is an opportunity to expand the creek environs to the south of Chelmsford Street through building setbacks

The Structure Plan's Vision for the Chelmsford Precinct is proposed to be implemented by application of a Design and Development Overlay, including a floor area ratio (FAR) requirement of 3:1 (to the subject site), building height requirements generally reflecting the existing requirements under DDO63, and new building setback requirements.

In addition to new land use and built form controls, the Structure Plan supports the introduction of a Parking Overlay over the Chelmsford Precinct that would impose a maximum (rather than minimum) car parking requirement for new uses, encouraging the transition away from private motor vehicle use and toward alternative forms of transport.



Map 7: Proposed land use zoning in Macaulay



Excerpt from Council endorsed Macaulay Structure Plan 2021 showing artist impression of Chelmsford Precinct adjacent to 'Tallow Store' (Store No.3) (p.94)

4.2.2 Planning Scheme Amendment C417

On 13 June 2022, Melbourne City Council's Future Melbourne Committee resolved as follows:

- 7.1 Requests authorisation from the Minister for Planning under the Planning and Environment Act 1987, to prepare and exhibit Planning Scheme Amendment C417 (refer Attachment 2 of the report from management).*
- 7.2 Requests the Minister for Planning apply the controls contained within Amendment C417 on an interim basis, under Section 20(4) of the Planning and Environment Act 1987.*
- 7.3 Requests the Lord Mayor write to the Minister for Planning requesting the introduction of state-wide controls that manage vulnerable land uses in flood prone areas.*
- 7.4 Authorises the General Manager Strategy, Planning and Climate Change to:*
 - 7.4.1 Add Clause 11.03-6L Macaulay (refer Attachment 4 of the report from management) to Planning Scheme Amendment C417 once the Planning Policy Framework Translation has been gazetted.*
 - 7.4.2 Make changes to Amendment C417, consistent with the endorsed Macaulay Structure Plan 2021, to obtain authorisation.*
 - 7.4.3 Make any required policy neutral changes to the amendment documentation prior to exhibition, should other amendments that affect the same provisions in the Melbourne Planning Scheme be gazetted prior to the public exhibition of this amendment.*

7.4.4. Make any further minor editorial and referencing changes to Planning Scheme Amendment C417 as required.

Planning Scheme Amendment C417 (**PSA C417melb**) seeks to translate the recommendations of the Macaulay Structure Plan 2021 into a new planning framework for Macaulay (including the 'Chelmsford Precinct', which the subject site is located in).

Of relevance to the subject site and proposed development under Application PA2201839, the Macaulay Structure Plan 2021 and proposed controls under PSA C417melb:

- Do not propose to rezone the land at the subject site (i.e. the land would remain in the Commercial 2 Zone).
- Propose to delete DDO63 over the site and replace this control with new DDO77. If introduced, DDO77 would have the effect of suppressing the scale of potential development on the site. Key changes sought to be introduced by DDO77 include:
 - Reducing the preferred building height for the site from 6 storeys to 5 storeys.
 - Imposing a new mandatory Floor Area Ratio (FAR) requirement of 3:1, which the proposed development (noting the development exhibits a high degree of compliance with all preferred requirements under DDO63) exceeds, being 4.5:1.
- Seek to apply a Parking Overlay over the land at the subject site, which would have the effect of replacing the minimum car parking requirement provisions under *Clause 52.06* with a maximum car parking requirement.

In the event Schedule 16 to the Parking Overlay was implemented (as drafted) with the approval of PSA C417melb, the permit requirement to reduce the car parking requirement for the development would be extinguished over the land, and the description of what the permit allows could be amended accordingly to exclude reference to this.

As of the date of this report the Minister for Planning has not authorised PSA C417melb for preparation or public exhibition.

PSA C417melb, having not been publicly exhibited, reviewed by an independent Panel or adopted by the Council, is not a seriously entertained Planning Scheme Amendment.

The proposed planning controls under PSA C417melb therefore have no weight in the assessment of Application PA2201839.

The following table summarises the key built form requirements (excluding detailed design matters) sought to be introduced by PSA C417melb relevant to the subject site and proposed development, and details how the proposed development sits with these requirements.

Table: Key requirements proposed to be introduced by PSA C417melb

Proposed Control	Requirement	Response
Design and Development Overlay		
Schedule 77: Stubbs Precinct		
DDO77	Floor Area Ratio: 3:1 (Expressed as mandatory)	Proposed Floor Area Ratio: 4.5:1
DDO77	Building Height (Expressed as discretionary) The subject site falls within Area 2 of 'Map 2: Building Height' of proposed DDO77, which has a preferred maximum building height requirement of 5 storeys.	Proposed Maximum Building Height: 6 storeys
DDO77	Street Wall Height (Expressed as discretionary) The surrounding street network would be subject to the following preferred street wall height requirements:	Proposed Street Wall Heights The proposed development has the following street wall heights:
	Elizabeth Street Area F: 5 storeys (20 metres)	Elizabeth Street N/A (Building setback 4 metres) Proposed
	Barrett Street Area F: 5 storeys (20 metres)	Barrett Street 3 storeys (15.4 metres) Proposed
	Chelmsford Street Area C 4 storeys (16.5 metres)	Chelmsford Street 3 storeys (max) Proposed (15.4 metres)
	Corporation Lane 0177 Area E 3 to 5 storeys (12 metres to 20 metres)	Corporation Lane 0177 3 storeys (max) Proposed (15.4 metres)
DDO77	Building Setbacks (Expressed as discretionary)	Proposed Building Setbacks
Above the street wall: 5 metres	Above the street wall: 4-8 metres	

	<p>Side and rear boundary setbacks: 7.5 metres to the common boundary</p>	<p>Side and rear boundary setbacks: N/A</p>
	<p>Between buildings on the same site: 12 metres</p>	<p>Between buildings on the same site: N/A</p>
DDO77	<p>Solar Protection</p> <p>Buildings and works above the street wall must not cast additional shadow to the southern footpath of Fink Street, Bruce Street, Arden Street on 22 September between 11am and 2pm. (Expressed as mandatory)</p>	<p>Proposal</p> <p>Shadow Diagrams provided in the assessed Urban Context Report demonstrate that shadows cast by the proposed development will not contribute to additional shadow over Fink Street, Bruce Street or Arden Street on 22 September between 11am and 2pm.</p>
	<p>Buildings and works must not cast additional shadow¹² onto the proposed Chelmsford Street Reserve between 10am and 3pm on 21 June, beyond the existing shadow¹³, or allowable shadow¹⁴, or the combination of the existing shadow or allowable shadow (whichever is the greater).</p>	<p>The proposed development will not cast additional shadow over the proposed Chelmsford Street Reserve between 10am and 3pm on 21 June, by virtue of the subject site's separation and location relative to the proposed Chelmsford Street Reserve and the ecliptic plane on 21 June.</p>
DDO77	<p>Wind Effects</p> <p>Buildings greater than 20 metres in height must not cause unsafe wind conditions in publicly accessible areas, and should achieve comfortable wind conditions, per Table 11 to DDO77 (summary below):</p> <p>Comfortable wind conditions:</p> <p>The hourly mean wind speed from all wind directions combined with a probability of exceedance of 20 per cent, is less than or equal to:</p> <ul style="list-style-type: none"> • 3 metres/second for sitting areas. • 4 metres/second for standing areas. • 5 metres/second for walking areas. 	<p>A wind assessment was not submitted to accompany Application PA2201839.</p> <p>Comfortable wind conditions:</p> <p>The Pedestrian Wind Assessment prepared by RWDI, dated 3 June 2022, adopts the following comfortable wind conditions relevant to proposed DDO78:</p> <ul style="list-style-type: none"> • ≤10km/h (2.7m/s) for sitting areas • ≤14km/h (3.8m/s) for standing areas • ≤20km/h (5.55m/s) for walking areas

¹² Where "Additional Shadow" means any shadow cast outside of any existing shadow from buildings and works.

¹³ Where "Existing Shadow" means any shadow cast by existing buildings and works and the shadow that would be cast by a building of 9 metres in height.

¹⁴ Where "Allowable Shadow" means the shadow that would be cast on the park between 10am and 3pm, 21 June:

- By street walls built to the street wall height on land near a park;
- If no street wall height requirement applies, buildings built to the maximum height requirement on land near the park.

	<p>Hourly mean wind speed is the maximum of:</p> <ul style="list-style-type: none"> The hourly mean wind speed the gust equivalent mean speed (3 second gust wind speed divided by 1.85). <p>Unsafe wind conditions:</p> <p>The hourly maximum 3 second gust from any wind direction (considering at least 16 wind directions) with a corresponding probability of exceedance percentage greater than 20 metres per second.</p>	<p>Unsafe wind conditions:</p> <p>The Pedestrian Wind Assessment prepared by RWDI, dated 3 June 2022, does not adopt a measurement for unsafe wind conditions.</p>				
<p>DDO77</p>	<p>Site Layout, Building Mass and Building Program</p> <p>In addition to the prescriptive requirements listed above proposed in DDO77 by PSA C417melb, a number of performance based built form design requirements and outcomes are listed, including for Site Layout, Building Mass and Building Program.</p> <p>Other performance based requirements listed in DDO77 relating to detailed matters such as public interfaces (activation) and detailed design have not been addressed in this report.</p> <p>Amongst the performance based built form design requirements and outcomes proposed by DDO77 are the following design requirements in 'Table 7: Building Mass':</p> <table border="1" data-bbox="331 1030 1415 1742"> <thead> <tr> <th data-bbox="331 1030 890 1102">Design Requirements</th> <th data-bbox="890 1030 1415 1102">Design Outcome</th> </tr> </thead> <tbody> <tr> <td data-bbox="331 1102 890 1742"> <p>Development should adopt a diversity of forms, typologies and architectural language, within a cohesive design framework, on large sites where a development comprises multiple buildings.</p> <p>Development on large sites should provide variation in volume and height to break up building mass, including the opportunity for multiple rather than single towers.</p> </td> <td data-bbox="890 1102 1415 1742"> <p>Building mass that:</p> <ul style="list-style-type: none"> Distinguishes between different buildings where a development comprises multiple buildings. Respects the height, scale and proportions of adjoining heritage places. Reinforces the fine grain and visual interest of streetscapes. Maintains a diverse and interesting skyline through the design of roof profiles. Reduces the visual impact and perception of building bulk from both near and afar. </td> </tr> </tbody> </table> <p>The proposed development adopts a unified building mass, one architect has been employed for the project, and multiple buildings have not been explored for the subject site.</p> <p>However, it is noted that this development represents one stage (Stage 3) of a broader precinct project for the redevelopment of the Younghusband Wool Stores, which is comprised of multiple buildings. The development of the broader Younghusband Redevelopment Project includes conservation works to the existing 'Significant' Wool</p>		Design Requirements	Design Outcome	<p>Development should adopt a diversity of forms, typologies and architectural language, within a cohesive design framework, on large sites where a development comprises multiple buildings.</p> <p>Development on large sites should provide variation in volume and height to break up building mass, including the opportunity for multiple rather than single towers.</p>	<p>Building mass that:</p> <ul style="list-style-type: none"> Distinguishes between different buildings where a development comprises multiple buildings. Respects the height, scale and proportions of adjoining heritage places. Reinforces the fine grain and visual interest of streetscapes. Maintains a diverse and interesting skyline through the design of roof profiles. Reduces the visual impact and perception of building bulk from both near and afar.
Design Requirements	Design Outcome					
<p>Development should adopt a diversity of forms, typologies and architectural language, within a cohesive design framework, on large sites where a development comprises multiple buildings.</p> <p>Development on large sites should provide variation in volume and height to break up building mass, including the opportunity for multiple rather than single towers.</p>	<p>Building mass that:</p> <ul style="list-style-type: none"> Distinguishes between different buildings where a development comprises multiple buildings. Respects the height, scale and proportions of adjoining heritage places. Reinforces the fine grain and visual interest of streetscapes. Maintains a diverse and interesting skyline through the design of roof profiles. Reduces the visual impact and perception of building bulk from both near and afar. 					

Stores, and new contemporary buildings with varied architectural language (this includes the proposed new building to the rear of the 'Tallow Store (Store No.3)' forming part of Stage 2 of the project, authorised by Ministerial Permit PA2001041, which is interpretive of the industrial context and Flour Mills).

In this broader context it is considered that the proposed development will contribute to a high degree of diversity of design and built form.

The development achieves a high degree of compliance with the preferred built form requirements (in terms of both street wall heights and maximum building heights), demonstrating respect for the scale of surrounding buildings, including the larger heritage place (Younghusband Wool Stores).

1:50 scale detailed drawings have been submitted with the assessed Architectural Drawings for all active frontages to demonstrate how the proposal will deliver a fine grain and visual interest to streetscapes.

The roof profile of the development is angular and varied, alleviating the impression of a singular plane or "wall of buildings" when viewed from surrounding streets.

The exterior architectural treatment of the building is varied, and makes use of masonry (brick) (including hit and miss brickwork at key locations), precast concrete with a robust ceramic finish, and aluminium façade cladding, contributing to a high quality and coherent design response to the neighbouring Younghusband Wool Stores.

The proposed development exhibits a high degree of variation in design, including through use of meaningful building setbacks, and angular planes within the floorplate layout to create recessive upper-levels, reducing the visual impact of taller form and percept of building bulk, from vantage points near and far.

4.3 Relevant policies in Municipal Planning Strategy & Planning Policy Framework

Municipal Planning Strategy	
Clause 2.03	Strategic Directions
Clause 2.04	Strategic Framework Plans
Planning Policy Framework	
Clause 11	Settlement
• Clause 11.02	Managing Growth
• Clause 11.03	Planning for Places
Clause 13	Environmental Risks and Amenity
• Clause 13.03	Floodplains
• Clause 13.04	Soil Degradation
• Clause 13.05	Noise
• Clause 13.06	Air Quality
• Clause 13.07	Amenity, Human Health and Safety
Clause 15	Built Environment and Heritage
• Clause 15.01	Built Environment
• Clause 15.01-1L-05	Urban Design Outside the Capital City Zone
• Clause 15.01-2L-01	Energy and Resource Efficiency
Clause 17	Economic Development
• Clause 17.01	Employment
• Clause 17.02	Commercial
• Clause 17.03	Industry
Clause 18	Transport
• Clause 18.01	Land Use and Transport
• Clause 18.02	Movement Networks
Clause 19	Infrastructure
• 19.02	Community Infrastructure
• Clause 19.03	Development Infrastructure
• Clause 19.03-3L	Stormwater Management (Water Sensitive Urban Design) ¹⁵

¹⁵ This policy is further supported by *Clause 53.18 Stormwater Management In Urban Development* of the Melbourne Planning Scheme, which does not specify a permit requirement, but does specify requirements bearing on the proposed development whether to ensure that stormwater management objectives are met. Conditions recommended by Council's Civil Engineer and ESD Advisor will appropriately manage stormwater runoff from the development in a manner that meets the requirements of this clause.

4.4 Zone, Overlays and Particular Provisions

Zone	
Clause 32.04	Commercial 2 Zone
	<p><u>Land Use</u></p> <p>The revised development is composed of the following land uses:</p> <ul style="list-style-type: none"> • Food and Drink Premises & Restaurant – permit required <p>Use of land for ‘Food and Drink Premises’ (including ‘Restaurant’, which is a nested land use under ‘Food and Drink Premises’) is a ‘Section 1 – permit not required’ land use in the Commercial 2 Zone provided the leasable floor area does not exceed 100 square metres.</p> <p>The proposed leasable floor area committed to ‘Food and Drink Premises’ use exceeds 100 square metres, and is therefore a ‘Section 2 – permit required’ land use in the Commercial 2 Zone.</p> <ul style="list-style-type: none"> • Shop (other than Adult sex product shop, Restricted retail premises and Supermarket) – permit required <p>Use of land for ‘Shop’ (other than Adult sex product shop, Restricted retail premises and Supermarket) is a ‘Section 1 – permit not required’ land use in the Commercial 2 Zone provided the following criteria are met:</p> <ul style="list-style-type: none"> • Must adjoin, or be on the same land as, a supermarket when the use commences. • The combined leasable floor area for all shops adjoining or on the same land as the supermarket must not exceed 500 square metres. • The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3. <p>The subject site and proposed development does not meet one or more of the above criteria, use of the land for ‘Shop’ is therefore a ‘Section 2 – permit required’ land use in the Commercial 2 Zone.</p> <ul style="list-style-type: none"> • Restricted Recreation Facility (Gym) – permit required <p>Use of land for ‘Leisure and Recreation’ (other than Informal outdoor recreation, Major sports and recreation facility and Motor racing track) is a ‘Section 2 – permit required’ land use in the Commercial 2 Zone.</p> <ul style="list-style-type: none"> • Office – permit not required <p>Use of land for ‘Office’ is a ‘Section 1 – permit not required’ land use in the Commercial 2 Zone.</p> <p><u>Buildings and Works – permit required</u></p> <p>A permit is required to construct a building or construct or carry out works in the Commercial 2 Zone.</p>
Overlays	
Clause 43.02	Design and Development Overlay
Schedule 63 (Area 4): Macaulay Urban Renewal Area, Kensington	<p><u>Buildings and Works – permit required</u></p> <p>DDO63 sets out a number of built form requirements for new buildings, including in relation to building and street wall heights, and built form outcomes for the Macaulay Urban Renewal Area.</p>

and North Melbourne	<p>DDO63 does not specify any exemption relevant to the proposed development from the requirement to obtain a permit to construct a building or construct or carry out works under the DDO head provision.</p> <p>A planning permit is therefore required for the development under DDO63.</p> <p>The proposed development has been assessed against the built form requirements of DDO63 in 'Section 6 – Assessment' of this report.</p>
Clause 44.04	Land Subject to Inundation Overlay
LSIO1	<p><i>Buildings and Works – permit required</i></p> <p>LSIO1 provides that a permit is required to construct a building or construct or carry out works.</p> <p>An application under LSIO1 must be referred to the relevant floodplain management authority under S.55 of the <i>Planning and Environment Act 1987</i>.</p> <p>Melbourne Water are a Determining Referral Authority for the Application.</p> <p>Undertaking referral of Application PA2201839 to relevant authorities is the responsibility of the Minister for Planning.</p>
Clause 45.06	Development Contributions Plan Overlay
Schedule 2: Macaulay Urban Renewal Area Development Contributions Plan	<p>DCPO2 provides that a permit must not be granted to subdivide land, construct a building or construct or carry out works until a development contributions plan has been incorporated into this scheme.</p> <p>A development contributions plan for the Macaulay Urban Renewal Area has not been incorporated into the Melbourne Planning Scheme.</p> <p>The Schedule to DCPO2 provides that a permit may be granted to subdivide, construct a building or construct or carry out works before a development contributions plan has been prepared to the satisfaction of the responsible authority where (amongst other matters); an agreement under Section 173 of the <i>Planning and Environment Act 1987</i> has been entered into with the responsible authority that makes provision for development contributions.</p> <p>Conditions can be included on any permit being granted to facilitate such an agreement, allowing the planning permit to proceed ahead of the development contributions plan being incorporated into the Melbourne Planning Scheme.</p>

Particular Provisions			
Clause 52.06	Car Parking		
<p>A permit is required to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5.</p> <p>The proposed development seeks a reduction of the car parking requirement, noting the below calculation, and that the subject site is located within the 'Principal Public Transport Network Area.'¹⁶</p> <p>A planning permit is therefore required for the development under Clause 52.06.</p>			
Use	No. / m²	Statutory Requirement	No. of Spaces Required
Office	10,435 m ²	3.0 spaces per 100 m ² net floor area	313
Shop	1,144 m ²	3.5 spaces per 100 m ² lettable floor area	40
Food and Drinks Premises	495 m ²	3.5 spaces per 100 m ² net floor area	17
Restricted Recreation Facility (Gym)	1,056 m ²	To the satisfaction of the Responsible Authority	N/A
Total		Required:	370 spaces
		Provided:	242 spaces ¹⁷
		Reduction required:	128 spaces
Clause 52.34	Bicycle Facilities		
<p>A permit may be granted to vary, reduce or waive the number and type of bicycle facilities required under Clause 52.34.</p> <p>The proposed development provides in excess of the required number of bicycle facilities, noting the below calculation, and therefore does not require a permit under Clause 52.34.</p> <p>End of trip facilities and change rooms are not required for the development as less than 5 employee bicycle spaces are required under Clause 52.34.</p>			
Use	No. / m²	Statutory Requirement	No. of Spaces Required
Office	10,435 m ²	Employee / Resident: 1 space per 300 m ² net floor area	35 spaces
		Visitor: 1 space per 1,000 m ² lettable floor area	10 spaces
Shop	1,144 m ²	Employee / Resident: 1 space per 600 m ² lettable floor area if greater than 1,000 m ²	2 spaces
		Visitor: 1 space per 500 m ² lettable floor area if greater than 1,000 m ² .	2 spaces

¹⁶ Traffic Engineering Assessment, prepared by Traffix Group Pty Ltd, July 2022

¹⁷ In addition to the statutory car parking requirement under *Clause 52.06 Car Parking*, the National Construction Code (NCC) requires provision of car parking for people with disabilities. The assessed Traffic Impact Assessment has calculated this requirement as being 3 to 5 disabled access spaces. 4 disabled access spaces have been provided by the development.

Food and Drinks Premises	495 m ²	Employee / Resident: 1 space per 300 m ² lettable floor area.	2 spaces
		Visitor: 1 space per 500 m ² lettable floor area	1 space
Restricted Recreation Facility (Gym)	1,056 m ²	Employee / Resident: 1 space per 4 employees ¹⁸	2 spaces
		Visitor: 1 space per 200 m ² lettable floor area	5 spaces
Total		Required	Employee/Resident: 41 spaces Visitor: 18 spaces
		Provided	220 (20 public)
		Reduction required:	N/A
Clause 53.18	Stormwater Management in Urban Development		
<p>Under Clause 53.18-3, an application to construct a building or construct or carry out works that does not meet the exemption criteria provided by this particular provision:</p> <ul style="list-style-type: none"> • Must meet all of the objectives of Clause 53.18-5 and 53.18-6. • Should meet all of the standards of Clause 53.18-5 and 53.18-6. <p>Conditions recommended by Council's Civil Engineer and ESD Advisor will appropriately manage stormwater runoff from the development in a manner that meets the requirements of this clause.</p>			

4.5 General Provisions

4.5.1 Clause 65 Decision Guidelines

Before deciding on an application or approval of a plan, the responsible authority must consider the matters set out in *Clause 65 Decision Guidelines*, as appropriate.

¹⁸ The assessed Traffic Impact Assessment assumes 8 employees will be present for the proposed Restricted Recreation Facility (Gym) land use, however details of the intended operation of this land use are not provided by the assessed Planning Report.

5 CoM Internal Advisor Comments

5.1 Environmentally Sustainable Design

5.1.1 Referral Comments

Council's ESD Advisor provided detailed advice on the assessed ESD Statement prepared by E-LAB Consulting, dated 23 June 2023 (Revision 6) on 31 August 2023.

In summary Council's ESD advised the following:

The development commits to a level of sustainability that meets the objectives of Clause 15.01-2L-01 Energy and resource efficiency and Clause 19.03-3L Stormwater management (water sensitive urban design) of the Melbourne Planning Scheme.

There are however issues that still need to be resolved and most relate to providing further information at the planning stage to provide confidence that the development can achieve the aspirations outlined in the Sustainability Strategy.

5.1.2 Planner Response

The following comments are made in relation to Council's ESD Advisor's comments on the application:

- The assessed ESD Statement has committed to a level of sustainability in the development that meets the objectives of *Clause 15.01-2L-01 Energy and resource efficiency* and *Clause 19.03L Stormwater management (water sensitive urban design)*, but has been identified as missing a few key details (including, relevantly, the appendices that would provide detailed justification of how the commitments will be achieved).
- Conditions have therefore been recommended for inclusion on any permit being granted to acknowledge the commitments and strategies advanced by the submitted ESD Statement, but require an amended and updated report to be submitted post-permit, providing the additional detail required to support these commitments and strategies.

5.2 City Design

5.2.1 Referral Comments

Council's City Design Team provided the following advice (summary only) on the original application submission on 5 December 2022:

"We commend the client and design team for developing a high quality architectural design response with high quality materials that reflects the precinct contexts and heritage attributes, and generally support the proposition.

With that noted, we have concerns with the quality of the proposed 'civic plaza', which has confusing pedestrian movement paths, obstructed passive surveillance to areas, and a lack of sufficient useable 'plaza' space. As the plaza is directly accessible from the public footpath, safety and amenity of this space for public realm users must be addressed as a matter of priority. We note that a high quality 'open space' offering is expected to the site, particularly considering that the floor area ratio (FAR) of the seriously entertained Macaulay Structure Plan have not been demonstrated to be achieved.

Critical matters to address:

- *The sunken courtyard within the 'civic plaza', described as a 'fold' within the application drawings, cannot be supported in its current design due to significant safety concerns. The 'fold' should be removed to provide a more generous, useable and attractive at-grade 'civic plaza'.*

- *The overhanging mass over the 'civic plaza' must be raised, or reduced in extent to maximise visibility and daylight into the publicly accessible area.*
- *The food and drink premises to the corner of Elizabeth Street and the rear laneway requires a visible entry the street and direct movement zones from the street to be considered an active frontage.*
- *Consolidate car park and loading access to minimise the extent of crossover to Barrett Street and increase active tenancy frontage to the street.*
- *Provide façade details to ensure the construction quality of the brickwork proposed will be achieved as per the design intent.*
- *Provide detailed material specification of all public realm interfacing elements, including the soffits and columns, to ensure high quality and human-scaled design."*

Council's City Design Team provided the following updated advice on 25 August 2023, after reviewing the s.57A Amended Application lodged by the applicant on 27 June 2023:

Thank you for referring the amendment drawings for 1-7 Elizabeth Street, Kensington. We provide the following urban design and landscape architecture comments from City Design.

Urban design comments

- *Council attended a meeting with the applicant on 17.5.2023 to discuss present design options to address outstanding urban design concerns, as well as emerging Melbourne Water (MW) flooding requirements. It was noted that vehicle entry via Elizabeth Street could not be avoided for this application due to MW requirements.*
- *While the Barrett Street vehicle entry is preferred, the change in location (to avoid the flooding zone) allows Barrett Street to be activated, and re-directs carpark access to the rear laneway.*
- *Maintaining the loading area to the non-flood prone area on Barrett Street is supported.*
- *We are concerned with the potential of significantly impacting street activation and urban design quality though addressing flooding requirements, both to this site and within the precinct as a whole. We commend the design team for exploring options to ensure safety during a flooding event alongside design innovation through an alternative solution (custom flood gates at building entries). We strongly commend and support this design strategy which could create a benchmark for good design in flood prone areas.*

Landscape architecture comments

Ground Level

- *The civic plaza is an improvement from the previous design and we commend the inclusion of open lawn area on corner with Elizabeth St and encourage maximising deep soil area where possible.*
- *The landscape plans appear to show the addition of a large timber deck in the centre of plaza area and in the public amphitheatre. We encourage that use of timber decking be reduced and instead continue to use red brick as the main ground plane material to create a consistent character. The use of red brick in this area also aligns with what is shown in the renders in the Urban Context Report by Woods Bagot (pages 52 & 55).*
- *There is a minor error on the ground floor landscape plan, page 12 of Oculus report where some of the legend items are misleading (eg. Large fold in plaza has been removed but is shown as point E)*
- *Further clarity is requested over the proposed works to Elizabeth St. We in-principle support the design intent for raise threshold with bluestone pitchers and integrated*

street furniture but will require further detail into the design for Elizabeth St as it is a council road. We recommend referring to the City of Melbourne Design and Construction Standards for guidance.

Lower Ground Level

- *The North-eastern corner / lower ground level is largely unchanged from the previous design and our concerns on the following remain unchanged:*
 - *Width of raised pedestrian circulation space is very narrow and recommend a minimum width of 1.8-2m*
 - *Lack of any ramp of DDA entry to the site from the corner of Barrett & Chelmsford St*
 - *Limited greening or WSUD intervention in the area despite being in flood zone*

5.2.2 Planner Response

The following comments are made in relation to Council's City Design Advisor's comments on the application:

- Council's City Design Team notes that the sunken civic plaza has been removed in the s.57A Amendment drawings and the revised Plaza design detailed in the amended application was an improvement over the original design, however the following further detailed commentary was provided in relation to the resolution of the Plaza design:
 - Further exploration of deep soil planting opportunities within this Plaza area have been requested. The permit applicant has indicated that deep planting is possible in the north-west corner of the Plaza via use of submerged planter boxes. This could be facilitated by permit condition.
 - Encouragement of reduced use of timber decking to the Plaza, and substitution with red brick for use as the main ground plane material to create a consistent character. The permit applicant has indicated that the design team for the project believe the timber decking is well considered and strikes the right balance between timber, brick and landscaping, however have noted that if Council seeks to change this material, it could be conditioned.
- No changes to the extent of the development's cantilever over the Plaza have been made with the s.57A Amendment drawings, although it is understood that the height of Level 1 of the building has been raised to ensure that increases to internal level changes required by Melbourne Water to meet flood requirements did not contribute to any further reduction in the openness of this space.
- No further concerns were raised in relation to the layout changes to ground level of the building (fronting Elizabeth Street) noting that tenancy Council's City Design Team raised concerns in relation to has now been removed and altered into lobby / foyer area, associated with the creation of new vehicle access from Elizabeth Street. Council's City Design Team acknowledged that this change was made to meet Melbourne Water requirements.
- Submission of a Façade Strategy for the development, to ensure sufficient detail is provided of façade systems and construction quality, can be required by way of permit condition.
- The amended Architectural Drawings submitted with the s.57A Amendment drawings included 1:50 drawings of all public realm facing elements. Council's City Design Team has commended the project team for exploring options for balancing safety during a flooding event alongside design innovation. Notably, Council's City Design Team have strongly commended the design strategy adopted by the proposed development, and indicate it could be used to create a benchmark for good design in flood prone areas.

- The following further detailed commentary was provided in relation to the lower ground level of the building (fronting the corner of Chelmsford Street and Barrett Street):
 - Recommended a minimum width of 1.8 metres – 2 metres for the pedestrian circulation space around the ‘Shop’ tenancies. The permit applicant has advised that the current width of the pedestrian circulation space / walkway is compliant and will meet DDA requirements for movement and turning. A permit condition should be included on any permit being granted requiring these dimensions to be shown on the plans and for a DDA Audit to be submitted for endorsement that demonstrates how the pedestrian circulation space / walkway (and other areas of the development) will comply with relevant Australian Standards and DDA legislation.
 - Recommended that an additional DDA ramp be provided on the Barrett Street frontage of the site (all tenancies within the development will have DDA access via ramping, however the south-eastern most ‘Shop’ tenancy at the lower ground level is some distance away from the DDA ramp provided on Chelmsford Street). The permit applicant has advised that this would not be possible due to flood constraints and Melbourne Water’s requirements.

Subject to conditions it is considered that the key recommendations and advice of Council’s City Design Team can be resolved, noting that, overall, Council’s City Design Team has expressed support for the development, which was stated as exhibiting a, “high quality architectural design response with high quality materials that reflects the precinct contexts and heritage attributes, and generally support the proposition.”

5.3 Traffic Engineering

5.3.1 Referral Comments

Council’s Traffic Engineer provided advice on the original application submission on 26 September 2022.

The s.57A Amended submission made significant changes to the internal layout and vehicle access arrangements to the development, and was accompanied by an updated Traffic Impact Assessment.

Council’s Traffic Engineer provided the following further advice on the s.57A Amended submission on 14 July 2023:

I refer to a Transport Impact Assessment (TIA) by Stantec of 21/6/23 regarding the above application, which includes:

- 10,435m² office
- 1,056m² gym
- 1,144m² shop
- 495m² café
- 243 car parking spaces (200 office, 25 gym, 11 shop, 5 café & 2 car share)
- 220 bicycle spaces
- 10 motorcycle spaces.

Car parking and access

The Melbourne Planning Scheme (MPS) requires the provision of 395 parking spaces (including 25 spaces for gym), resulting in a shortfall of 152 spaces. Such a large shortfall would reduce availability of unrestricted parking in the area. If necessary, the City of Melbourne will tighten parking restrictions (e.g. from 2P to 1P, residents excepted) and new restrictions could be introduced near residential properties.

The greatest impact will be on local workers, who currently drive to work and will be unable to find parking in the surrounding area. As it wouldn't be possible to accommodate the shortfall in the surrounding area, drivers who can't find parking nearby would have to park further away, in the neighbouring areas. As parking occupancies in these areas are already high, parking restrictions would need to be further tightened and new restrictions introduced in order to preserve the amenity of residents/businesses. It is therefore unlikely that on-street parking in the surrounding areas would be able to accommodate the future demand by the local workers. This would leave them with no other option but to utilise sustainable transport modes including walking/cycling/motorcycling or public transport, as currently occurs in/around CBD.

Nonetheless, if the Arden-Macaulay structure plan is to succeed with its vision of reducing car dependency, developments with reduced car parking provision should be encouraged. This will inevitably lead to complete saturation of all available unrestricted on-street parking, with local workers having to rely on sustainable transport modes. As more developments are built, we'll need to convert the unrestricted parking to short/medium term parking to accommodate visitors/shoppers/deliveries. This will ultimately lead to the conversion of all unrestricted parking within structure plan area to short/medium term parking, resulting in workers using sustainable transport modes, as currently occurs around CBD.

*Given the above considerations, we have no in principle objection to the proposed parking provision, subject to the following conditions designed to ensure the impact on the surrounding area is minimised**:*

- A dynamic parking allocation arrangement must be implemented, allowing the gym, shop and cafe users to utilise the car parking allocated to the office tenancies, after 5pm Monday-Friday and all day on Saturday-Sunday. This would allow these users to park on-site outside business hours, when offices are typically vacant.*
- A detailed Car Parking Management Plan must be prepared, specifying how the above arrangement would operate.*
- At least 10 car share and electric charging spaces must be provided on site.*
- At least 10 motorcycle spaces must be provided on site.*

A note must be placed on the planning permit, stating: "The City of Melbourne (CoM) will not change the on-street parking restrictions to accommodate the servicing, delivery and parking needs of this development, as the restrictions are designed to cater for other competing demands and access requirements. However, new parking restrictions may be introduced in the surrounding streets at the discretion of the CoM."

*The internal layout of the car park including all ramp grades/widths/transitions, dimensions of car spaces, aisle widths, height clearances, etc should generally comply with the MPS or the relevant Australian Standards**.*

*While the proposed widening of the laneway between the car park access and Elizabeth St is supported in principle, a detailed Functional Layout Plan showing the line marking, signage and other measures must be provided**. A signalling system may be required to ensure vehicles can safely access/egress the car park**. Swept path diagrams must also be provided, showing vehicles undertaking all possible access/egress manoeuvres between the adjacent streets and the car park access. Our Civil team will provide further comments regarding the proposed laneway widening.*

While the TIA assumes that 45 vehicles will turn right from Macaulay Rd into Eastwood St during the AM peak hour to access the site, there's a right turn ban at this location between 7-9am Mon-Fri. The analysis in the TIA must be recalculated to take this into account.

Loading

*The proposed loading arrangements would result in vehicles having to reverse into the site, creating safety concerns for pedestrians. A Loading Management Plan (LMP) must be prepared, which must specify the appointment of a Loading Dock Manager with the following responsibilities**:*

- *Present on site when deliveries are undertaken*
- *Act as a spotter for any reversing movements into the loading bay*
- *Act as informal traffic controller to discourage pedestrian movements when vehicles reverse*
- *Ensure conflicts do not occur between loading/other vehicles*
- *Ensure that space used for vehicle manoeuvring is kept clear of other vehicles/obstructions at all times.*

Bicycle parking

A proposed bicycle parking provisions are supported, as they exceed the MPS requirement of 59 spaces. The design/dimensions of the bicycle parking must comply with the relevant Australian Standards / Bicycle Network guidelines.

Road Safety Audit

Formal Road Safety Audit must be undertaken, including the proposed access arrangements, internal layout, vehicular circulation within the site and the operation of the loading bays. The findings of the Audit must be incorporated into the design at the developer's expense.

5.3.2 Planner Response

Broadly, Council's Traffic Engineer has requested that conditions be included on any permit being granted to respond to the following concerns / advice:

- Submission of a detailed **Car Parking Management Plan**, providing the framework for a dynamic parking allocation arrangement, allowing the gym, shop and café users to utilise the car parking allocated to the office tenancies after 5pm Monday to Friday and all day on Saturday to Sunday.
- At least 10 car share and electric charging spaces being provided on-site.
- At least 10 motorcycle spaces being provided on site¹⁹.
- All ramp grades / widths / transitions, dimensions of car spaces, aisle widths, height clearances etc. complying with the Melbourne Planning Scheme requirements or relevant Australian Standards.
- Submission of a detailed **Functional Layout Plan** for the proposed laneway widening between the car park access and Elizabeth Street, which must include swept path diagrams showing vehicles undertaking all possible access / egress manoeuvres between the adjacent streets and car park access, and show line marking, signage and other measures, including a signalling system to ensure vehicles can safely access / egress the car park.
- An updated **Traffic Impact Assessment**, which acknowledges the right turn ban from Macaulay Road into Eastwood Street between 7am and 9am Monday to Friday, and recalculates its analysis accordingly. The permit applicant has advised that vehicles typically take this right turn in spite of the ban, however Council's Traffic Engineer's position that the Traffic Impact Assessment must be prepared on the basis of lawful vehicle manoeuvres only.

¹⁹ While the assessed Architectural Drawings show 10 motorcycle spaces within the basement, it is appropriate that this be conditioned to ensure that the number of motorcycle spaces provided within the development is not further reduced.

- Submission of a detailed **Loading Management Plan**, which must include the appointment of a Loading Dock Manager with the following responsibilities:
 - Present on site when deliveries are undertaken.
 - Act as a spotter for any reversing movements into the loading bay.
 - Act as informal traffic controller to discourage pedestrian movements when vehicles reverse.
 - Ensure conflicts do not occur between loading / other vehicles.
 - Ensure that space used for vehicle manoeuvring is kept clear of other vehicles / obstructions at all times.

The permit applicant has requested that this requirement not be applied by way of permit condition. Council's Traffic Engineer has advised that excluding this requirement will be entertained if the permit applicant can satisfactorily quantify the risks and demonstrate that a Loading Dock Manager is not needed. This can be facilitated by a permit condition by allowing this measure to be implemented (or not implemented) to the satisfaction of Melbourne City Council (Traffic Engineering).

- Submission of a **Road Safety Audit** for the development, including the proposed access arrangements, internal layout, vehicular circulation within the site and the operation of the loading bays, with the findings of the Audit incorporated into the development's design.

Subject to conditions being included on any permit being granted giving force and effect to Council's Traffic Engineer's advice and requirements, it is considered that the traffic impacts of the development will be acceptable, and comply with relevant requirements of the Melbourne Planning Scheme.

5.4 Civil Engineering

5.4.1 Referral Comments

Council's Civil Engineer provided updated advice on the s.57A Amendment drawings on 13 July 2023, including a number of standard conditions recommended for inclusion on any permit being granted.

In addition to the recommended conditions, Council's Civil Engineer provided the following comments relating to the revised access and vehicle crossing to Elizabeth Street:

The maximum permissible width of a vehicle crossover without a pedestrian refuge is 7.6 metres. The crossings wider than 7.6 metres should include the provision of a minimum of 2.0 metres long pedestrian refuge islands at 7.6 metre spacings. The width of an abutting laneway entrance is included in the crossing width unless a 2.0 metre long pedestrian refuge island is provided between the laneway entrance and the crossing.

The proposed crossing in Barrett Street is located next an existing street tree in the road reserve. This matter should be referred to the Urban Forest and Ecology Team for comment.

5.4.2 Planner Response

Conditions have been recommended for inclusion on any permit being granted to give force and effect to the recommendations and advice of Council's Civil Engineer, in addition to the following condition to ensure the vehicle crossing to Elizabeth Street complies with Infrastructure requirements:

Vehicle Crossing:

The proposed vehicle crossing in Barrett Street shall not exceed 7.6m in width and shall be constructed in accordance with plans and specifications first approved by City of Melbourne – City Infrastructure.

Council's Urban Forestry Team have provided separate commentary on the application, including in relation to the removal of the Street Tree on Barrett Street to facilitate the proposed loading bay for the development, and recommended permit conditions.

5.5 Waste and Recycling

5.5.1 Referral Comments

Council's Waste and Recycling Team provided the following referral comments on 11 July 2023:

We have reviewed the WMP for this development and found it to be acceptable.

Waste Condition:

The waste storage and collection arrangements must be in accordance with the Waste Management Plan (WMP) prepared by rawtec dated 13th June 2023. The submitted WMP must not be altered without prior consent of the City of Melbourne

– Waste and Recycling.

The WMP is at DM#16674401.

5.5.2 Planner Response

The above condition has been recommended for inclusion on any permit being granted.

5.6 Land Survey

5.6.1 Referral Comments

Council's Land Survey provided referral comments on 26 September 2022, and recommended that the following condition be included on any permit being granted:

1. Consolidation

Prior to the occupation of the development, all the land for the proposed development must be owned by the one entity and consolidated onto the one certificate of title to the satisfaction of the Responsible Authority.

5.6.2 Planner Response

The above condition has been recommended for inclusion on any permit being granted.

5.7 Urban Forestry

5.7.1 Referral Comments

Council's Urban Forestry Team provided referral comments on 18 October 2022 and recommended the inclusion of a number of standard permit conditions relating to the identification of impacts on street trees, and requiring updates to the submitted Landscape Report to respond to / acknowledge opportunities and constraints imposed by Council's street tree assets.

5.7.2 Planner Response

Subject to the conditions recommended by Council's Urban Forestry Team being included in any permit being granted, it is considered that the proposed development will satisfactorily acknowledge potential impacts on Council's street tree assets, and identify opportunities to increase the number of existing planter locations.

6 ASSESSMENT

6.1 Key Issues

The key issues for consideration in the assessment of Application PA2201839 having regard to the relevant planning controls affecting the site, include:

- Whether the proposed development and land uses are acceptable, having regard to the purpose and relevant decision guidelines of the Commercial 2 Zone.
- Whether the proposed development is acceptable, having regard to the built form requirements, built form outcomes and design objectives of the Design and Development Overlay (DDO63 (Area 4)).

Other relevant matters that have been considered below include the requirements of Council's policy for Energy and Resource Efficiency Clause 15.01-2L-01, traffic considerations, and acknowledgement of the views of Melbourne Water and future process.

6.2 Land Uses

Application PA2201839 proposes the following land uses requiring planning permission in the Commercial 2 Zone:

- Shop
- Food and Drink Premises
- Restricted Recreation Facility (Gym).

Clause 34.02-2 of the Commercial 2 Zone sets out the following requirement applying to the use of land:

Use of land

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- *Transport of materials, goods or commodities to or from the land.*
- *Appearance of any building, works or materials.*
- *Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.*

Clause 34.02-7 of the Commercial 2 Zone provides that before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider (as appropriate to the proposed land uses under Application PA2201839):

Use

- *The effect that existing uses may have on the proposed use.*
- *The drainage of the land.*
- *The availability of and connection to services.*
- *The effect of traffic to be generated on roads.*

Land Use Assessment

The land uses proposed under Application PA2201839 are consistent with the purpose of the Commercial 2 Zone, are readily capable of complying with the land use requirements for the Commercial 2 Zone, and are appropriate having regard to the decision guidelines of the Commercial 2 Zone, noting the following:

- The land uses proposed under Application PA2201839 are associated with a predominantly office development, which will directly serve the purpose of the Commercial 2 Zone, the Municipal Planning Strategy and Planning Policy Framework.

The provision of business and commercial services (via Shops, Food and Drink Premises and Restricted Recreation Facility (Gym)) associated with the proposed office development will support the future occupants of the development, nearby commercial uses and neighbouring residential areas, and broader transition of Macaulay from industrial uses to the urban renewal of the precinct envisioned in the Macaulay Structure Plan 2021.

- The site is well positioned to take advantage of the agglomeration of neighbouring developments at 'Stage 1' and 'Stage 2' of the Youngusband Redevelopment Project, is located less than 5 minutes from Kensington Station, and will serve the future needs of the local area as the strategic landscape changes over time under the Macaulay Structure Plan 2021, which emphasises the role of the Chelmsford Precinct in supporting local jobs and enhancing economic activity within the broader Macaulay Structure Plan area.
- It is not considered likely that the operation of Allied Mills or other factory uses on nearby land will have a significant effect on the proposal (by virtue of noise, odour, dust or other emissions), noting that the proposed uses are commercial in nature, and that emissions from Allied Mills have previously been investigated in an Air Quality Assessment report prepared by CETEC dated July 2017²⁰, which concluded that no odour and minor amounts of flour dust were observable.
- As noted in Section 4.4 of this report, authorisation of the proposed Food and Drink Premises and Shop land uses under Application PA2201839 would exclude the following nested land uses, which are either prohibited, or would require an additional planning approval under the Melbourne Planning Scheme:
 - Adult Sex Product Shop (prohibited by virtue of the proximity of the site to nearby residential zoned land).
 - Bar, Hotel, Bottleshop (a further permit to operate these land uses would be required under *Clause 52.27 Licensed Premises* of the Melbourne Planning Scheme).
 - Live Music Entertainment Venue (a further permit would need to be obtained by any future tenant of the Food and drink premises to play live music entertainment under *Clause 53.06 Live Music Entertainment of the Melbourne Planning Scheme*).

The ambit of land uses that could therefore lawfully operate in the event that Shop and Food and Drink Premises land uses are authorised for the site are appropriate within the Commercial 2 Zone and unlikely to result in unreasonable amenity impacts for surrounding land. This is further supported by the physical separation of the site from neighbouring sensitive land uses by Chelmsford Street.

- The proposed Restricted Recreation Facility (Gym) under Application PA2201839 is submerged below ground level, limiting the potential for noise transmission within the development and to nearby residential properties.
- Conditions regulating hours of operation have therefore not been recommended for inclusion on the permit.
- Conditions have been recommended for inclusion on any permit being granted to require a Loading Management Plan and to give force and effect to the assessed WMP, which will ensure that traffic generation and emissions (i.e. waste) from these land uses will be appropriately managed on-site. This is also supported by vehicle access, both for parking and loading, being provided on Corporation Lane 0177 and the southern edge of the site on Barrett Street, interfacing with existing commercial uses.
- The following standard condition has been recommended for inclusion on any permit being granted to regulate potential impacts for nearby uses, and clarify that further planning permission will be required in the event that a tenant of the Food and Drink Premises wishes to provide amplified music:

²⁰ This report was referenced in the assessment of Application PA2001041 (CoM Ref: TPM-2020-63)

1. *Except with a further permit, the development / uses hereby permitted must not include:*

- *A live music entertainment venue.*
 - *Amplified music or entertainment, which exceeds background music levels.*
 - *Any loudspeaker, amplified, relay or other audio equipment installed outside the building.*
- As of 1 July 2021, the Environment Protection Authority has increased powers to address unreasonable or aggravated noise from commercial, industrial and trade premises, and from entertainment venues or outdoor entertainment events. The changes to the Environment Protection Act 2017 and introduction of the Environment Protection Regulations, with the General Environmental Duty (GED) as a centrepiece of the new laws, largely supersedes the role of the State Environment Protection Policy in assisting the regulation of this noise.

While the EPA have an enhanced role in enforcing the new GED, Council is still responsible for ensuring that land uses requiring planning permission operate in a manner that is consistent with the Planning Scheme and any planning permit issued.

The following conditions have been recommended for inclusion on any permit being granted to reflect the update in legislation and Council's role (or the Minister for Planning's role, as the case may be) in regulating the land uses authorised by any permit being granted and to ensure appropriate acoustic treatment is implemented in the development.

1. *Noise levels emanating from the premises must not exceed noise levels as determined by the EPA Victoria Publication Noise Limit and Assessment Protocol 1826.4, or result in unreasonable and aggravated noise as defined by Part 5.3 of the Environment Protection Regulation 2021, or other equivalent policy to the satisfaction of the Responsible Authority.*
2. *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 Victoria Publication Noise Limit and Assessment Protocol 1826.4 or other equivalent policy. The recommendations of the report must be implemented by the applicant to the satisfaction of the Responsible Authority.*

6.3 DDO63

The Design and Development Overlay Schedule 63: Macaulay Urban Renewal Area, Kensington (DDO63) and North Melbourne sets expectations for future built form in the Macaulay urban renewal area.

Broadly, if development satisfies the built form requirements, built form outcomes and design objectives of DDO63, it is considered that the development will also address relevant policy settings for urban design and built form in the Planning Policy Framework and Mixed Use Zone.

A comprehensive assessment of the proposed development against the built form requirements and built form outcomes of DDO63 (with reference to the design objectives) has been undertaken below.

6.3.1 Building Height

DDO63 provides the following assessment criteria for building height, relevant to the subject site and Application PA2201709:

Development should not exceed the Preferred maximum height in Table 1.

All developments that exceed the Preferred maximum height in Table 1 must demonstrate each of the following:

- *A demonstrable benefit to the broader community that includes among others:*
 - *Exceptional quality of design.*
 - *A positive contribution to the quality of the public realm.*
 - *High quality pedestrian links where needed.*
 - *Good solar access to the public realm.*

A permit cannot be granted to exceed the Absolute maximum height in Table 1 except in Area 5...

Excerpt from Table 1: Building Heights of DDO63

Area	Preferred maximum height	Absolute maximum height
A3, A4	6 storeys	8 storeys

Excerpt from Table 2: Built Form Outcomes of DDO63

Area	Built Form Outcomes
A4, A5	<p>Deliver a scale of development that provides street definition and a pedestrian friendly scale.</p> <p>Deliver a scale of development that provides appropriate access to sunlight and daylight.</p> <p>Deliver a scale of development at the interface with established low-scale residential development that provides an appropriate transition in height and minimises the visual impact of upper levels.</p> <p>Solar access is maintained to ground floors on western side of Thompson Street and southern side of Scarborough Place.</p> <p>Deliver the reintegration of Office of Housing estates into the surrounding urban fabric.</p>
All areas	<p>Ensure laneways have appropriate levels of access to daylight and sunlight.</p> <p>Deliver developments that maximise surveillance of public and communal areas and nearby creek environs.</p> <p>Deliver a scale of development setbacks from the Moonee Ponds Creek environs which respond appropriately to creek / public space conditions and provision of public thoroughfares in the public and private domain adjacent to the creek, as appropriate.</p> <p>Where development responds to flood risk by providing ramp structures or other measures, flood mitigation measures, high quality urban design outcomes must be provided at the building and public interfaces.</p>

Building Height (DDO63, Area 4)

Assessment: Complies

Building Height Requirement (Table 1)

The building height requirement for Area 4 in DDO63 is for a preferred height of 6 storeys, and absolute maximum height of 8 storeys.

The proposed building is 6 storeys in height, meeting the preferred height requirement.

Building Height Outcomes (Table 2)

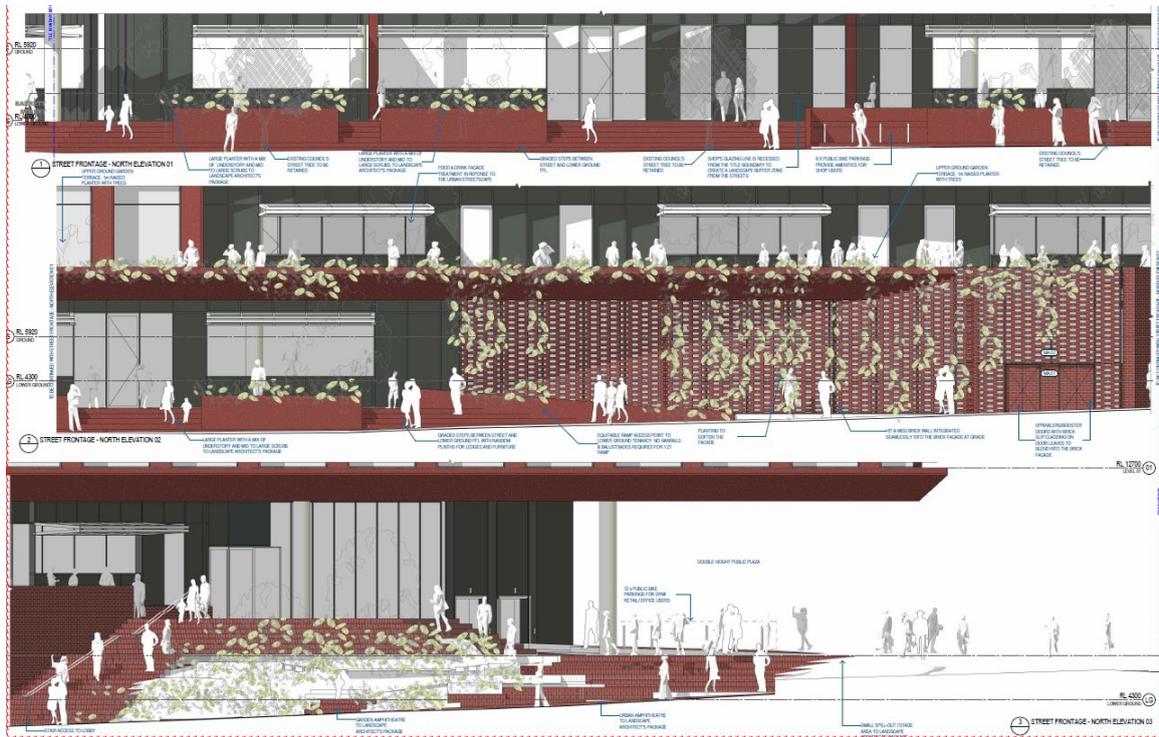
The height of the proposed development has been managed through the building’s massing to appropriately respond to the built form outcomes for Area 4 of DDO63.

The 6-storey height of the proposed development has been heavily modulated through use of a variety of architectural gestures, including meaningful building setbacks, angular recess planes within the development floorplate and use of varied materials.

Cumulatively, the development is considered to:

- Provide street definition at a pedestrian friendly scale (noting that 1:50 detailed plans of the active public realm frontages have been provided to accompany the Application and suitably demonstrate this).

- Provide an appropriate transition in height to surrounding lower-scale built form, including the robust built form at the Youngusband Wool Stores to the north, and lower scale residential properties to the north of the site.
- Minimise the visual impact of upper levels.



W-B Woods Bagot
 Client: Ivanhoe Cambridge Built
 Project: Youngusband Woolstore
 Sheet title: STREET FRONTAGE - ELEVATION SHEET 02
 Project number: 130007
 Scale: 1:50
 Sheet size: A1
 © Woods Bagot
 Excerpt from Drawing No. TP 3 32506 'Streetscape Frontage' of the assessed Architectural Drawings

The proposed built form is also considered to be acceptable, having regard to the policies and strategies of the PPF, including *Clause 15.01-1L-05 Urban Design outside the Capital City Zone*, which encourages the following strategies to be employed when shaping a building's exterior form:

Design a building's form and surface treatment to moderate the apparent bulk through:

- *Creating contrast between recessive and projecting elements of a building's various frontages.*
- *The apparent subdivision of its street frontages to reflect neighbouring frontage subdivision patterns.*
- *The break-up of a building's overall volume into a number of sub-volumes to modify its perceived size.*
- *Setbacks and reshaping of the building form.*

The proposed development:

- Is successful in creating contrast between recessive and projecting elements of the building's façade, through use of high quality materials and articulation. Conditions will be recommended for inclusion on any permit being granted to require further detail of this façade system, as requested by Council's City Design Team.
- Employs meaningful setbacks at upper-levels which go beyond the requirements of DDO63 (Area 4).
- Uses an angular and recessive floorplate design and level transitions to reshape the building form and alleviate the impression of the building's overall bulk, while also responding to the robust character of the neighbouring Youngusband Wool Stores development.

3.09 PUBLIC REALM

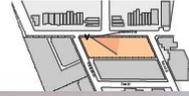


Figure 59 - VIEW TOWARDS RETAILS AT GROUND LEVEL

Figure 59 from assessed Urban Context Report

6.3.2 Street Wall and Setbacks

DDO63-A4 provides the following assessment criteria for street wall heights and setbacks, relevant to Application PA2201709 and the subject site:

A permit cannot be granted to increase the Street Wall Height in Table 3.

Development should be setback from all streets identified in Map 1 in accordance with Table 3. This applies even if the site does not have frontage to the identified street.

Buildings should be built to street edge at ground level to provide a clearly delineated and fronted public realm.

Buildings should be setback from existing low scale residential development in accordance with Table 3.

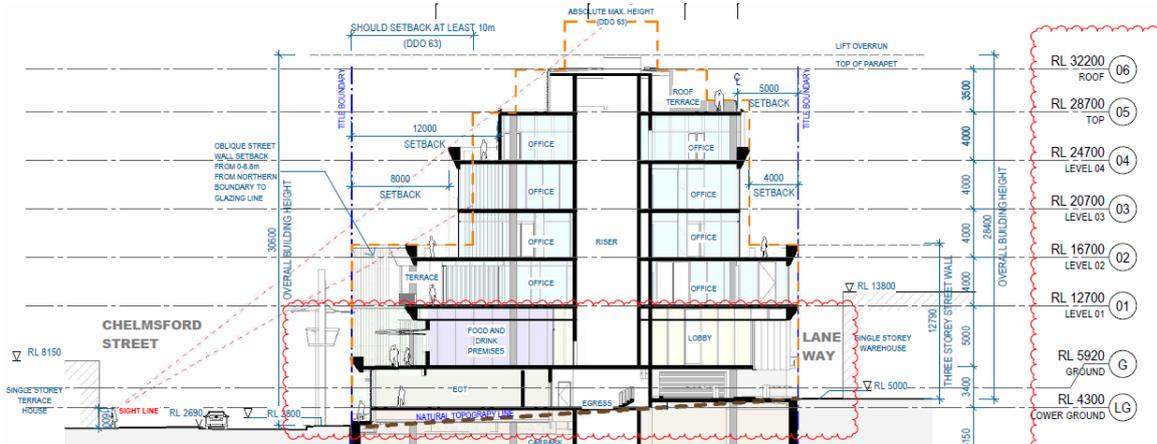
Excerpt from Table 3: Street wall height and setbacks of DDO63	
Interface type shown on Map 1	Street wall height Setback of buildings above street wall
15 metre wide renewal street (Elizabeth Street and Barrett Street)	Development at the frontage must not exceed a height of 4 storeys. Development should be set back 1 metre for every metre of height above 15 metres.
Residential interface street (Chelmsford Street)	Development at the frontage must not exceed a height of 3 storeys. Development above the street wall should be setback at least 10 metres and be visually recessive.
Laneway (Corporation Lane 0177)	Development along the laneway must not exceed a height of 3 storeys. Development above the street wall should be setback 4 metres. In addition, development on the northern side of an east-west laneway should be set back 1 metre for every metre of height above the preferred maximum height.

Street Wall and Setbacks (DDO63 Area 4)
Assessment: Complies
<p>The proposed development complies with the street wall height requirement of DDO63 (Area 4), providing:</p> <ul style="list-style-type: none"> • A 3 storey street wall to Chelmsford Street. • A 3 storey street wall to Barrett Street. • A 3 storey street wall to Corporation Lane 0177. • No street wall to Elizabeth Street, as the building is setback from this boundary by 4 metres and provides a plaza and cantilevered floorplate at the west street edge of the site. <p>Above the street wall, the development provides the following setbacks:</p>

- Above the Chelmsford Street street wall, the development is setback 8 metres from the title boundary at Levels 2 and 3, varying the preferred 10 metre setback requirement by 2 metres, and is setback 12 metres from the title boundary at Level 4.

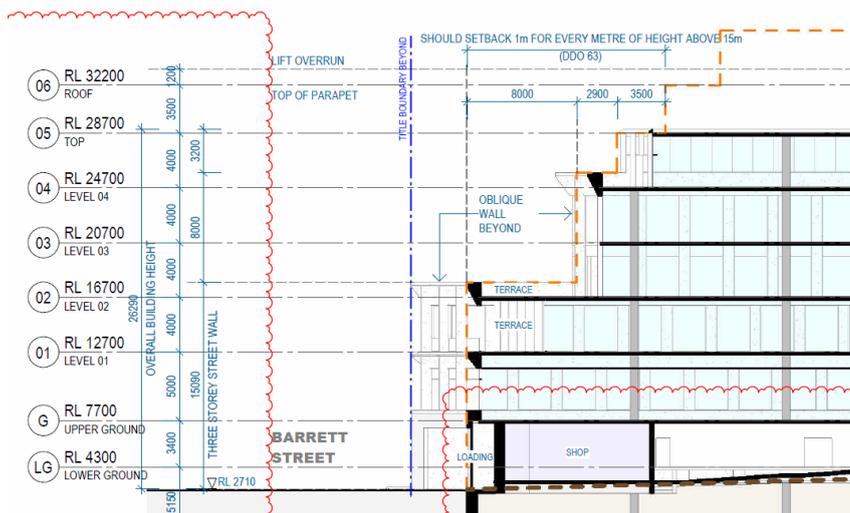
A 2 metre variation from the preferred setback requirement above the Chelmsford Street street wall is considered appropriate, noting the following:

- The development is achieving compliance with the preferred overall height requirement of 6-storeys. Together with level transitions across the site, which contribute to the development presenting as a 5-storey building to Elizabeth Street to the north of the site, achieving the preferred height requirement will reduce the impression of bulk and scale presented by the development to Chelmsford Street.
- The building includes progressive setbacks, with taller form above Levels 2 and 3 being setback 12 metres from the title boundary.



Excerpt from Drawing No. TP 3 32511 'Sections 01, 02, 03' of the assessed Architectural Drawings

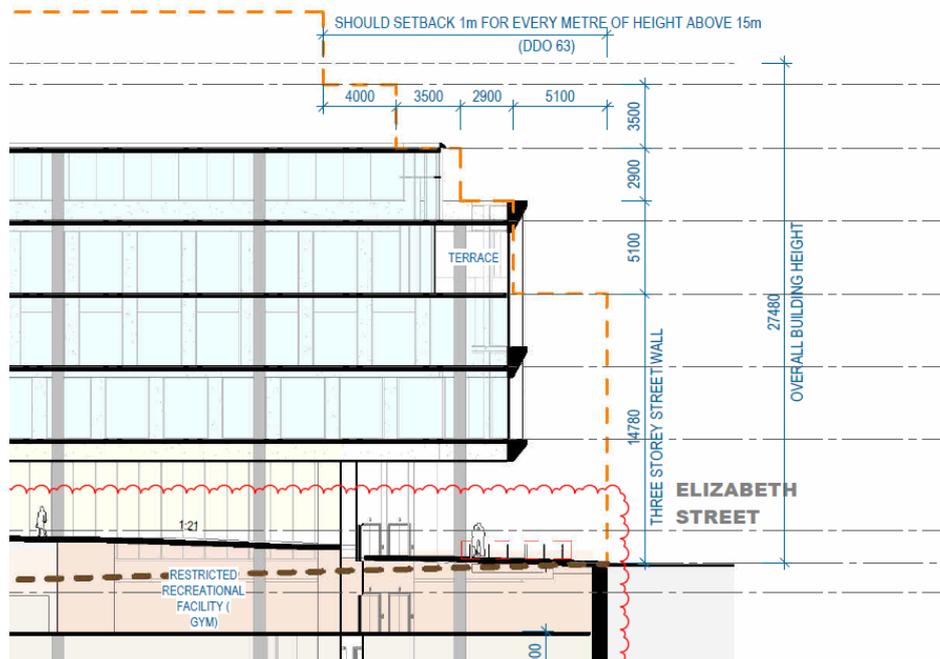
- Above the Barrett Street street wall, the development is setback 8 metres, with progressive setbacks demonstrating compliance with the requirement of DDO63 (Area 4) that buildings be set back 1 metre for every metre of height above 15 metres.



Excerpt from Drawing No. TP 3 32511 'Sections 01, 02, 03' of the assessed Architectural Drawings

- Above the Corporation Lane 0177 street wall, the development is setback 4 metres, complying with the requirement of DDO63 (Area 4) (see above Figure).

- While not providing a street wall to Elizabeth Street, the proposed development demonstrates compliance with a recession plane created by the upper level setback requirements of DDO63 (Area 4) applying to this street.



Excerpt from Drawing No. TP 3 32511 'Sections 01, 02, 03' of the assessed Architectural Drawings

6.3.3 Active Street Frontages

DDO63-A4 provides the following assessment criteria for active street frontages, relevant to Application PA2201709 and the subject site:

A building in a Commercial Zone, with ground-level frontage should provide:

- *At least 5 metres or 80 per cent of the street frontage (whichever is the greater) as an entry or display window to a shop and/or a food and drink premises, or as other uses, customer service areas and activities, which provide pedestrian interest and interaction.*
- *Clear glazing (security grilles must be transparent).*

Active Street Frontages (DDO63 Area 4)

Assessment: **Complies**

The proposed development manages level transitions across the site, in addition to flood requirements, and generally provides a high degree of activation to Elizabeth Street, Chelmsford Street and Barrett Street, with the bulk of services (including vehicle access and loading) being restricted to Corporation Lane 0177 and a small part of the Barrett Street frontage at its southern perimeter.

Application PA2201839 was accompanied by 1:50 scale drawings which demonstrate how all frontages of the development, including to Corporation Lane 0177 (i.e. both active and service oriented) respond to the requirements of DDO63 (Area 4) by providing retail shopfronts, plazas and other human-scale design initiatives (e.g. hit and miss brickwork) to provide pedestrian interest and activation.

In addition to 1:50 scale drawings, the assessed Urban Context Report provided with the Application includes sketch diagrams, which demonstrate how the multitude of materials, architectural gestures and uses will be read at a pedestrian level, with indicative uses and façade operation / glazing.

3.07 DESIGN CONCEPT

RETAIL FACADE PRECEDENTS



Retail Facade Shopfronts
Fine folded metal plates incorporating the doors and operable window system.



VIEW FROM GROUND PLAZA LEVEL



Plaza Soffit Treatment
A textural warm reflective metal soffit that provides a sense of lightness and height.



Figure 45-49- RETAIL FACADE PRECEDENTS

Figure 45-49 from assessed Urban Context Report

Noting that the development has achieved this while seeking to comply with Melbourne Water's flood requirements, Council's City Design Team highlighted the following in their advice on this project:

"We are concerned with the potential of significantly impacting street activation and urban design quality though addressing flooding requirements, both to this site and within the precinct as a whole. We commend the design team for exploring options to ensure safety during a flooding event alongside design innovation through an alternative solution (custom flood gates at building entries). We strongly commend and support this design strategy which could create a benchmark for good design in flood prone areas."

6.3.4 Facade treatment

DDO63-A4 provides the following assessment criteria for façade treatment, relevant to Application PA2201709 and the subject site:

The articulation of a building façade should express a fine grain variety and modulation that assists in reducing the visual dominance of buildings, particularly a wide street frontage. Expressing the vertical elements is encouraged to further minimise the dominance of wide building frontages.

Façade Treatment (DDO63 Area 4)

Assessment: Complies subject to conditions

Sufficient detail has been provided with the assessed Architectural Drawings and Urban Context Report to enable a good understanding and appreciation of the building façade depth, fine grain variety and modulation (this includes 1:50 scale drawings at the pedestrian scale).

Council's City Design Team has requested further details of the façade system to ensure sufficient detail is provided of its construction quality, which can be required by way of permit condition.

6.3.5 Connectivity and laneways

DDO63-A4 provides the following assessment criteria for connectivity and laneways, relevant to Application PA2201709 and the subject site:

Development should provide for a fine-grained system of laneways and pedestrian connections that are:

- *Safe, direct and attractive.*
- *Publicly accessible.*
- *Aligned with other lanes or pedestrian connections to provide direct through routes.*

Development along new and existing laneways and pedestrian connections must comply with the laneway controls in Table 3.

Connectivity and laneways (DDO63 Area 4)

Assessment: **Complies**

The proposed development will effectively reduce the urban block width of the site by providing a publicly accessible private plaza adjacent to the corner of Elizabeth Street and Chelmsford Street.

The proposed plaza's location and width will facilitate pedestrian movements paths which "cut the corner", and has been aligned with the termination of Albermarle Street north of the site, as demonstrated in the below movement diagram.

3.03 BUILT FORM & ACCESS



Figure 32 from assessed Urban Context Report

6.3.6 Heritage

DDO63-A4 includes the following building requirement that specifically acknowledges the relationship between new development and existing heritage buildings:

When new developments adjoin heritage buildings located in a Heritage Overlay, the design of new buildings should have regard to the height, scale, rhythm of and proportions of the heritage buildings.

Heritage (DDO63 Area 4)

Assessment: **Complies**

Noting that the site is not affected by a Heritage Overlay, and heritage considerations under the Heritage Overlay and Council's Heritage Policy are not applicable to Council's assessment of the proposed development, from a design perspective it is considered that the proposed development is successful in interpreting the existing Younghusband Wool Store, a 'Significant' Heritage Place in the Melbourne Planning Scheme.

Council's City Design Team noted the following in advice provided on the original application submission:

"From an urban design perspective, the proposed form appears as a contemporary interpretation of the existing heritage Younghusband Wool Store..."

Sketch diagrams and 3D renders submitted with the Urban Context Report support this assessment.

3.07 DESIGN CONCEPT



Figure 37 from assessed Urban Context Report

Figure 37 - PROPOSED STAGE 3 AERIAL VIEW

6.3.7 Demonstrable Benefit

DDO63-A4 sets out the following expectation for a demonstrable benefit, where a proposed development exceeds the preferred maximum height requirement:

All developments that exceed the Preferred maximum height in Table 1 must demonstrate each of the following:

- *A demonstrable benefit to the broader community that includes among others:*
 - *Exceptional quality of design.*
 - *A positive contribution to the quality of the public realm.*
 - *High quality pedestrian links where needed.*
 - *Good solar access to the public realm.*

Demonstrable Benefit (DDO63 Area 4)

Assessment: **N/A**

The proposed development does not exceed the preferred maximum height requirement for Area 4 in DDO63.

6.4 Environmentally Sustainable Design

Council's ESD Advisor has confirmed that the assessed ESD Statement prepared by E-Lab consulting commits to a level of sustainability that meets the objectives of *Clause 15.01-2L-01 Energy and resource efficiency* and *Clause 19.03-3L Stormwater management (water sensitive urban design)* of the Melbourne Planning Scheme.

However, a number of issues have been identified in the submitted documentation that will need to be resolved to ensure that the commitments and strategies outlined in the submitted ESD Statement will translate to outcomes in the completed development.

Conditions have therefore been recommended for inclusion on any permit being granted requiring an updated ESD Statement to be provided, with the additional detail requested by Council's ESD Advisor.

6.5 Potentially Contaminated Land

Clause 13.04-1S Contaminated and potentially contaminated land of the Melbourne Planning Scheme seeks to ensure that contaminated and potentially contaminated land is used and developed safely, this includes ensuring contaminated or potentially contaminated land is or will be suitable for the proposed use, prior to the commencement of **any use or development**.

As the subject site has an extensive industrial history, it is appropriate that conditions be included on the permit to ensure that any potential contamination of the land is identified, and remediated as necessary to ensure the land is suitable for the uses and development proposed under the application.

6.6 Traffic

As discussed in Section 4.4 and Section 5.3 of this report, the proposed development seeks a reduction of the car parking requirement under *Clause 52.06 Car Parking* of the Melbourne Planning Scheme.

The proposed reduction of the car parking requirement is considered acceptable, having regard to the decision guidelines of *Clause 52.06-7*, noting the following:

- The proposal includes well in excess of the required number of bicycle spaces, providing 220 spaces (59 required) under *Clause 52.38 Bicycle Facilities*.
- The subject site is located approximately 5 minutes walking distance from Kensington Station, and is well served by public transport.
- The development will provide 242 car parking spaces and 10 motorcycle spaces (required 370), and subject to conditions requiring implementation of a Car Parking Management Plan, it is considered that these car parking spaces can be efficiently managed to accommodate for vehicle users.
- Council's Traffic Engineer has supported the car parking arrangements for the development, subject to conditions.
- The Macaulay Structure Plan 2021 (endorsed by Council in November 2021) envisions that in future, the precinct would be included in a Parking Overlay that would extinguish the minimum statutory car parking requirement and replace this with a maximum car parking requirement.

Subject to recommended conditions, it is considered that traffic impacts posed by the development are acceptable, and the proposed reduction of the car parking requirement is supported.

6.7 Flooding

Council defers to the assessment and recommendations of Melbourne Water relating to flood mitigation and requirements for the proposed development, noting that Melbourne Water are the Determining Referral Authority for Application PA2201839 under LSI01.

6.8 Conclusion

The proposed development under Application PA2201839 will deliver the final stage of the Younghusband Redevelopment Project (with Stage 1 currently under construction). The development of the broader Younghusband Redevelopment Project includes conservation works to the existing 'Significant' Wool Stores, and new contemporary buildings and additions, including the authorised development to the rear of the 'Tallow Store (Store No.3)' forming part of Stage 2 of the project, authorised by Ministerial Permit PA2001041.

The new building's layout and design will continue to build on the broader Younghusband Redevelopment Project, achieving a high degree of compliance with the preferred built form requirements (in terms of both street wall heights, upper level setbacks and maximum building height) of DDO63 (area 4), and presenting as a contemporary interpretation of the existing heritage Younghusband Wool Store.

The development will also provide a new publicly accessible private plaza that will create a valued space in the surrounding urban network and invite pedestrians into the new Younghusband development.

Conditions are recommended for inclusion on the permit to ensure sufficient detail is provided for a high quality façade system, DDA compliant circulation and pathways, and landscape outcomes for the proposed publicly accessible private plaza that include provision for deep soil planting, and to address Council's Traffic Engineering requirements.

Overall the proposed development has balanced flood requirements and public realm outcomes, and exhibits a varied and high quality architectural treatment (with use of masonry brick, precast concrete with a robust ceramic finish and meaningful building setbacks to recess taller built form), and is considered to achieve a high quality and coherent design response for the precinct and neighbouring Younghusband Wool Stores.

7 RECOMMENDATION

Having considered all relevant provisions of the Melbourne Planning Scheme, in addition to the matters required under Section 60 of the *Planning and Environment Act 1987*, it is recommended that the Future Melbourne Committee resolves to advise the Minister for Planning the Council does not object to Application PA2201839, subject to the conditions set out in management's report.

7.1 Draft Permit Preamble

The recommended form of the description of what the permit allows is:

Buildings and works, use of land for shop, restricted recreation facility (gym), and food and drink premises and a reduction in the car parking requirements and car parking consent, in accordance with the endorsed plans.

7.2 Draft Conditions & Notes

Amended Plans

1. Prior to the commencement of the development, including bulk excavation, an electronic set of plans drawn to scale, must be submitted to the Responsible Authority generally in accordance with the plans prepared by Woods Bagot accompanying the s.57A Amendment Application submitted to the Minister for Planning on 27 June 2023, but amended to show:

DDA

- a) The width of all exterior circulation areas, ramps and pedestrian paths providing access to commercial tenancies within the development from Elizabeth Street, Chelmsford Street and Barrett Street dimensioned, and demonstrating compliance with relevant DDA requirements for movement and turning.

Traffic & Car Parking

- b) The proposed vehicle crossing in Barrett Street redesigned so that it does not exceed 7.6 m in width.
- c) At least 10 motorcycle spaces provided within the basement.
- d) Electric vehicle charging infrastructure for each space within the car park.
- e) Any changes as required by the endorsed Loading Management Plan.
- f) Any changes as required by the endorsed Traffic Impact Assessment Report.
- g) Any changes as required by the endorsed Functional Layout Plans.
- h) Any changes as required by the endorsed Road Safety Audit.

General

- i) Any changes as required by the endorsed DDA Audit.
- j) Any changes as required by the endorsed Sustainability Management Plan.
- k) Any changes as required by the endorsed Façade Strategy.
- l) Any changes as required by the endorsed Landscape Plan.
- m) Any changes as required by the endorsed Waste Management Plan.

The amended plans must be prepared to the satisfaction of the Responsible Authority in consultation with Melbourne City Council and when approved shall be the endorsed plans that form part of this permit.

Secondary Consent Mechanism

2. The development and land uses as shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.

3. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
4. Prior to the occupation of the development hereby approved, all buildings and works required by this permit must be completed to the satisfaction of the Responsible Authority.

Land Use - General

5. Noise levels emanating from the premises must not exceed noise levels as determined by the EPA Victoria Publication Noise Limit and Assessment Protocol 1826.4, or result in unreasonable and aggravated noise as defined by Part 5.3 of the Environment Protection Regulation 2021, or other equivalent policy to the satisfaction of the Responsible Authority.
6. 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 Victoria Publication Noise Limit and Assessment Protocol 1826.4* or other equivalent policy. The recommendations of the report must be implemented by the applicant to the satisfaction of the Responsible Authority.
7. Uses permitted by this permit must not detrimentally affect the amenity of the neighbourhood, including through the:
 - a) Transport of materials, goods or commodities to or from the land;
 - b) Appearance of any building, works or materials.
 - c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

Staging

8. Prior to the commencement of the development, including bulk excavation, site preparation, soil removal, site remediation, retention works, footings, ground beams and ground slab and temporary structures, a Staging Plan must be submitted to and be approved to the satisfaction of the Responsible Authority in consultation with Melbourne City Council. This Staging Plan must include, but is not limited to, plans and information detailing any public realm works, proposed temporary treatment and use of vacant land. The development must proceed in the order of the stages as shown on the endorsed plan(s), unless otherwise agreed to in writing by the Responsible Authority.

Facade Strategy / Schedule of External Materials, Colours, Finishes

9. Prior to the commencement of the development, including bulk excavation, a facade strategy must be submitted to and approved by the Responsible Authority in consultation with Melbourne City Council. All materials, finishes and colours must be in conformity with the approved Façade Strategy to the satisfaction of the Responsible Authority. Unless otherwise approved by the Responsible Authority, the Façade Strategy must be generally in accordance with the plans prepared by Woods Bagot accompanying the s.57A Amendment Application submitted to the Minister for Planning on 27 June 2023, and amended in accordance with condition 1 of this Permit and must detail:
 - a) A schedule of all external materials, colours and finishes, including a colour rendered and notated set of elevations.
 - b) Details of the façade systems and construction quality.
 - c) Elevations generally at a scale of 1:50 illustrating typical podium details, entries and doors, and utilities, typical tower detail, and any special features which are important to the building's presentation. The drawings must demonstrate the:
 - i. Finished floor levels and ceiling levels.
 - ii. Detailed design information regarding external materials, colours and finishes, glazing, services, security doors and lighting at the ground level.

Retention of Architect

10. Except with the written consent of the Responsible Authority, Woods Bagot must be retained to provide architectural oversight during construction and completion of the detailed design as shown in the endorsed plans and schedule of materials and finishes to the satisfaction of the Responsible Authority.

Glare

11. Specular light reflectance from external materials and finishes must be less than 15% to the satisfaction of, or unless otherwise approved by, the Responsible Authority.
12. External building materials and finishes must not result in hazardous or uncomfortable flare to pedestrians, public transport operators and commuters, motorists, aircraft, or occupants of surrounding buildings and public spaces, to the satisfaction of the Responsible Authority.

Construction Management Plan

13. Prior to the commencement of the development, including bulk excavation, a detailed construction management plan (CMP) must be submitted to and be approved by Melbourne City Council – Construction Management Group.

The CMP must be prepared in accordance with the Melbourne City Council - Construction Management Plan Guidelines and is to consider the following:

- a) Management of public access and linkages around the site during construction.
 - b) Site access and traffic management (including any disruptions to adjoining vehicular and pedestrian accessways).
 - c) Any works within the adjoining street network road reserves.
 - d) Sediment control and site drainage.
 - e) Discharge of polluted waters.
 - f) Public safety and site security.
 - g) Hours of construction.
 - h) Control of noise, dust and soiling of roadways.
 - i) Collection and disposal of building and construction waste.
 - j) Reasonable measures to ensure that disruption to adjacent public transport services are kept to a minimum.
14. If the CMP changes any of the tree protection methodologies or impacts on public trees in ways not identified in the endorsed Tree Protection Plan (TPP) approved under this permit, a revised TPP must be submitted to and approved by Melbourne City Council - Urban Forestry and Ecology.

Land Survey

15. Prior to the commencement of the development, the land titles must be consolidated, to the satisfaction of the Responsible Authority.

DDA Audit

16. Prior to the commencement of the development, a DDA Accessibility Audit must be prepared by a suitably qualified professional to the satisfaction of the Responsible Authority in consultation with Melbourne City Council. The DDA Accessibility Audit must confirm, with reference to the dimensioned plans submitted for endorsement under this permit that the development complies with relevant DDA legislation and Australian Standards. When provided to the satisfaction of the Responsible Authority, the DDA Audit will be endorsed to form part of this permit.

Traffic Impact Assessment

17. Prior to the commencement of the development, including bulk excavation, an updated Traffic Impact Assessment, generally in accordance with the Traffic Impact Assessment prepared by Stantec, dated 21 June 2023 (Revision D), must be prepared to the satisfaction of Melbourne City Council City Infrastructure. The updated Traffic Impact Assessment is to include updated analysis

that acknowledges the right turn ban from Macaulay Road into Eastwood Street between 7am and 9am Monday to Friday.

When provided to the satisfaction of Melbourne City Council – City Infrastructure, the updated Traffic Impact Assessment will be endorsed to form part of this permit.

Functional Layout Plans

18. Prior to the commencement of the development, including bulk excavation, detailed Functional Layout Plans of the proposed Corporation Lane 0177 laneway widening between the car park access and Elizabeth Street must be prepared to the satisfaction of Melbourne City Council – City Infrastructure. The Functional Layout Plans must include:

- a) Swept path diagrams showing vehicles undertaking all possible access / egress manoeuvres between the adjacent streets and car park access.
- b) Line marking for the all adjacent streets and the widened laneway.
- c) Signage and other measures, including a signalling system, to ensure vehicles can safely access / egress the car park and manoeuvre within Corporation Lane 0177.

When provided to the satisfaction of Melbourne City Council – City Infrastructure, the Functional Layout Plans will be endorsed to form part of this permit.

Road Safety Audit

19. Prior to the commencement of the development, including bulk excavation, a desktop Road Safety Audit prepared by a suitably qualified professional must be prepared to the satisfaction of the Responsible Authority in consultation with Melbourne City Council – City Infrastructure. The Road Safety Audit must address the following matters:

- a) Vehicular / bicycle / pedestrian access arrangements.
- b) Loading and waste arrangements.
- c) Internal circulation / layout.
- d) The need to ensure vehicles entering the site do not queue in Elizabeth Street or Barrett Street, or obstruct pedestrians / bicycles / traffic.
- e) Sightlines.
- f) Investigation of whether signalling systems are required to alert road users (including pedestrians and cyclists) when vehicles are entering parking and loading areas of the development.

When provided to the satisfaction of Melbourne City Council – City Infrastructure, the Road Safety Audit will be endorsed to form part of this permit.

Loading Management Plan

20. Prior to the commencement of the development, excluding bulk excavation, a comprehensive Loading Management Plan (LMP) must be prepared to the satisfaction of Melbourne City Council – City Infrastructure, specifying how the traffic associated with the permitted uses and development including access / egress of loading vehicles is to be managed during operation, so that any potential conflicts are satisfactorily addressed.

The LMP is to investigate the risks associated with the development to the satisfaction of Melbourne City Council – City Infrastructure, and is to recommend on the basis of this assessment whether a Loading Dock Manager be appointed, with the following responsibilities:

- a) Present on site when deliveries are undertaken.
- b) Act as a spotter for any reversing movements into the loading bay.
- c) Act as informal traffic controller to discourage pedestrian movements when vehicles reverse.
- d) Ensure conflicts do not occur between loading / other vehicles.
- e) Ensure that space used for vehicle manoeuvring is kept clear of other vehicles / obstructions at all times.

If the LMP recommends that a Loading Dock Manager be appointed, a Loading Dock Manager must be employed and carry out the functions identified in the endorsed LMP.

When provided to the satisfaction of Melbourne City Council – City Infrastructure, the Loading Management Plan will be endorsed to form part of this permit.

Bicycle facilities

21. The design and dimensions of the bicycle parking spaces must comply with the relevant Australian Standards or Bicycle Network Guidelines to the satisfaction of Melbourne City Council – City Infrastructure.

Car parking layout and access

22. All spaces, ramps, grades, transitions, accessways, height clearances must be designed in accordance with the Melbourne Planning Scheme and / or relevant Australian Standards, to the satisfaction of Melbourne City Council – City Infrastructure.
23. The areas set aside for car parking, the access of vehicles and access ways must be constructed, delineated and clearly line marked to indicate each car space, the access ways and the direction in which vehicles must proceed along the access ways, in conformity with the endorsed plans. Parking areas and access ways must be kept available for these purposes at all times and maintained to the satisfaction of the Responsible Authority.

Car Parking Management Plan

24. Prior to the commencement of the development, excluding bulk excavation, a detailed Car Parking Management Plan must be prepared to the satisfaction of Melbourne City Council – City Infrastructure. The Car Parking Management Plan must provide details of a dynamic parking allocation arrangement that efficiently utilises car parking spaces within the development, allowing the Retail and Restricted Recreation Facility users to utilise car parking allocated to the office tenancies after 5pm Monday to Friday and all day on Saturday or Sunday, or as otherwise agreed to in writing by Melbourne City Council – City Infrastructure.

When provided to the satisfaction of Melbourne City Council – City Infrastructure, the Car Parking Management Plan will be endorsed to form part of this permit.

Waste and Recycling

25. The waste storage and collection arrangements must be in accordance with the endorsed Waste Management Plan (WMP) prepared by Rawtec dated 13 June 2023. Waste storage and collection arrangements must not be altered without the prior consent of the Melbourne City Council - City Infrastructure.
26. No garbage bin or waste materials generated by the development may be deposited or stored outside the site and bins must be returned to the garbage storage area as soon as practical after garbage collection, to the satisfaction of the Council.

Environmentally Sustainable Design

27. Prior to the commencement of the development, including bulk excavation, an amended Sustainable Management Plan (SMP) report must be prepared by a suitably qualified professional to the satisfaction of the Responsible Authority in consultation with Melbourne City Council. The amended SMP report must be generally in accordance with the SMP report prepared by E-LAB Consulting, dated 23 June 2023, but amended to include:
 - a) All appendices referred to in the report, including supporting justification to demonstrate how the following sustainability commitments and strategies referred to in the report will be achieved:
 - a. 5 Star Green Star Buildings
 - b. NABERS Energy 5.5 Stars
 - c. NABERS Water 4.5 Stars
 - d. WELL V2 Core Certification – Gold Rated
 - e. Climate Active – Carbon Neutral in operation

f. Climate Active – Carbon Neutral construction service

The commitments and strategies, and supporting justification, referred to in any report submitted to comply with this condition may be altered, provided it can be demonstrated to the satisfaction of the Responsible Authority in consultation with Melbourne City Council that the environmentally sustainable design (ESD) and water sensitive urban design (WSUD) outcomes will continue to meet the objectives and requirements of *Clause 15.01-2L-01 Energy and resource efficiency* and *Clause 19.03-3L Stormwater management (water sensitive urban design)* of the Melbourne Planning Scheme.

When provided to the satisfaction of the Responsible Authority, the amended SMP report will be endorsed and form part of this permit.

28. Prior to the occupation of the development, a report from the author of the endorsed SMP report, or similarly qualified persons or companies, outlining how the performance outcomes specified in the endorsed SMP report have been implemented must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm and provide sufficient evidence that all measures specified in the approved ESD report have been implemented in accordance with the relevant approved plans.

Landscape Plan and Maintenance

29. Prior to the commencement of the development, including bulk excavation, a detailed Landscape Plan and Landscape Maintenance Report must be prepared, generally in accordance with the Landscape Plan prepared by Oculus, dated 24 May 2023, to the satisfaction of the Responsible Authority in consultation with Melbourne City Council but updated to include:
- a) Provision of deep soil planting (including via use of submerged planter boxes) in the publicly accessible private plaza (the Plaza) for tree planting.
 - b) Reduced use of timber decking to the Plaza, and substitution with red brick, to achieve a consistent ground plain material.
 - c) Identification of potential growing locations for new public realm shade trees (i.e. within the road reserves adjacent to the site on Elizabeth Street, Chelmsford Street and Barrett Street), with larger tree plots with structural soils to improve soil volume and future tree health.
 - d) Evidence of vertical greening areas at all levels of the development (with the exception of plant levels), which could be demonstrated with elevations and sections.
 - e) A supporting plant schedule with relevant details of the quantity of plants and mature plant sizes.
 - f) Areas and quantity of specified green infrastructure elements that are provided as inputs into the Green Factor tool (if applicable).

Except with the prior written consent of the Responsible Authority, the approved landscaping must be implemented prior to the occupation of the development. The landscaped area(s) must be maintained to the satisfaction of the Responsible Authority.

Tree Protection Plan (TPP)

30. Prior to the commencement of the development, including bulk excavation, a Tree Protection Plan (TPP) must be provided to the satisfaction of Melbourne City Council - Urban Forestry and Ecology. When provided to the satisfaction of Melbourne City Council – Urban Forestry and Ecology, the TPP will be endorsed to form part of this permit. The TPP must be in accordance with 'AS 4970-2009 – Protection of trees on development sites' and include:
- a) Melbourne City Council 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.
 - c) Site specific details of the temporary tree protection fencing to be used to isolate publicly owned trees from the 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 tree. These must be provided for any utility connections or civil engineering works.
 - e) Full specifications of any pruning required to publicly owned trees.
 - 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). Interim reports of monitoring must be provided to Council's email via trees@melbourne.vic.gov.au.
31. All works within the Tree Protection Zone of public trees must be undertaken in accordance with the endorsed TPP and supervised by a suitably qualified arborist where identified in the report, except with the further written consent of the Council.
32. Following the approval of a TPP, a bank guarantee equivalent to the combined environmental and amenity values of public trees that may be affected by the development will be held against the TPP for the duration of construction activities. The bond amount will be calculated by the Council and provided to the applicant / developer / owner of the site. Should any tree be adversely impacted on, the Council will be compensated for any loss of amenity, ecological services or amelioration works incurred.
33. No public tree adjacent to the site can be removed or pruned in any way without the written approval of Melbourne City Council – Urban Forestry & Ecology.

Potentially Contaminated Land and Remediation

34. Prior to the commencement of the development, including bulk excavation, a Preliminary Risk Screen Assessment (PRSA) of the site must be conducted by a suitably qualified environmental auditor. The PRSA statement and report must be submitted to the Responsible Authority in accordance with section 205 of the Environment Protection Act 2017 and respond to the matters contained in Part 8.3, Division 2 of the Environment Protection Act 2017 to the satisfaction of the Responsible Authority.

If the PRSA requires an Environmental Audit be undertaken, then prior to the commencement of the development, an Environmental Audit of the site must be carried out by a suitably qualified environmental auditor. On completion of the Environmental Audit, an Environmental Audit Statement (EAS) and report must be submitted to the Responsible Authority in accordance with section 210 of the Environment Protection Act 2017 responding to the matters contained in Part 8.3, Division 3 of the Environment Protection Act 2017 to the satisfaction of the Responsible Authority. The EAS must either:

- a) State the site is suitable for the use and development allowed by this permit.
- b) State the site is suitable for the use and development allowed by this permit if the recommendations contained within the EAS are complied with.

All the recommendations of the Environmental Audit Statement (EAS) must be complied with to the satisfaction of the Responsible Authority for the full duration of any buildings and works on the land in accordance with the development hereby approved, and must be fully satisfied prior to the occupation of the development. Written confirmation of compliance must be provided by a suitably qualified environmental auditor in accordance with any requirements in the EAS.

If any of the conditions of the EAS require ongoing maintenance or monitoring, prior to the commencement of the use and prior to the issue of a statement of compliance under the Subdivision Act 1988 the owner of the land must enter into an agreement with the Melbourne City Council under section 173 of the Planning and Environment Act 1987 to the satisfaction of the Responsible Authority to the effect that all conditions of the EAS issued in respect of the land will be complied with.

3D Digital Model

35. Prior to the occupation of the development, a 3D digital model of the development must be submitted to and approved by the Responsible Authority in consultation with Melbourne City Council.

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

Building Appurtenances, Services and External Lighting

36. All building plant and equipment on the roofs, balcony areas and common areas are to be concealed to the satisfaction of the Responsible Authority. The construction of any additional plant machinery equipment, including but not limited to air-conditioning equipment, ducts, flues, all exhausts including car parking and communications equipment, shall be to the satisfaction of the Responsible Authority.
37. Any satellite dishes, antennae or similar structures associated with the development must be designed and located at a single point in the development to the satisfaction of the Responsible Authority, unless otherwise approved to the satisfaction of the Responsible Authority.
38. Mailboxes and newspaper receptacles must be provided prior to the occupation of the development, including an additional mailbox for the body corporate if and when the development is subdivided, to the satisfaction of the Responsible Authority.
39. All service pipes, apart from roof down pipes, must be concealed from the view of a person at ground level within common areas, public thoroughfares and adjoining properties.

Stairs (Chelmsford Street and Barrett Street Frontage)

40. Stairs shall be set back sufficiently to enable all necessary tactile ground surface indicators and handrails to be installed fully within the property curtilage.

Drainage

41. All projections over the street alignment must be drained to a legal point of discharge in accordance with plans and specifications first approved by Melbourne City Council – City Infrastructure.
42. Prior to the commencement of the development, including bulk excavation, a stormwater drainage system, incorporating integrated water management design principles, must be submitted to and approved by Melbourne City Council – City Infrastructure. This system must be constructed prior to the occupation of the development and provision made to connect this system to Melbourne City Council's underground stormwater drainage system.

Works abutting CoM laneways

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

Groundwater management

44. 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.

Demolish and construct access

45. Prior to the occupation of the development, all necessary vehicle crossings must be constructed and all unnecessary vehicle crossings must be demolished and the footpath, kerb and channel reconstructed, in accordance with plans and specifications first approved by Melbourne City Council – City Infrastructure.

Street works required

46. Prior to the occupation of the development the rear laneway, known to Council as Corporation Lane 0177, must be reconstructed (including the provision of public lighting, pavement marking,

signage) in accordance with plans and specifications first approved by Melbourne City Council – City Infrastructure. Any part of the laneway that is private must be clearly visually delineated from the public road by use of different material or borders.

47. All portions of roads and laneways affected by the building related activities of the subject land must be reconstructed together with associated works including the reconstruction or relocation of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by Melbourne City Council – City Infrastructure.
48. The footpaths adjoining the site along Elizabeth Street, Chelmsford Street and Barrett Street must be reconstructed together with associated works including the renewal of kerb with new sawn 300 mm wide bluestone kerb and reconstruction of pitcher channel and modification of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by Melbourne City Council – City Infrastructure.

Street levels not to be altered without approval

49. Existing street levels in roads adjoining the site must not be altered for the purpose of constructing new vehicle crossings or pedestrian entrances without first obtaining approval from Melbourne City Council – City Infrastructure.

Existing street lightning not altered without approval

50. All street lighting assets temporarily removed or altered to facilitate construction works shall be reinstated once the need for removal or alteration has been ceased. Existing public street lighting must not be altered without first obtaining the written approval of Melbourne City Council – City Infrastructure.

Street Furniture

51. All street furniture such as street litter bins, recycling bins, seats and bicycle rails must be supplied and installed on Elizabeth Street, Chelmsford Street and Barrett Street footpaths outside the proposed building to plans and specifications first approved by Melbourne City Council – City Infrastructure.

Public Lighting

52. Prior to the commencement of the development, 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 CL0117 and streets adjoining the development. The lighting works must be undertaken prior to the commencement of the use / occupation of the development, in accordance with plans and specifications first approved by Melbourne City Council – City Infrastructure.

Section 173 Agreement – Publicly Accessible Private Plaza

53. Prior to the commencement of the development, including bulk excavation, the owner of the land must enter into a Public Access (Plaza) agreement under Section 173 of the *Planning and Environment Act 1987* with Melbourne City Council, register the agreement on the title(s) of the land in accordance with Section 181 of the *Planning and Environment Act 1987*; and provide Melbourne City Council with the dealing number confirming the registration on title.

The agreement must be in a form to the satisfaction of Melbourne City Council, and the applicant must be responsible for the expense of the preparation and registration of the agreement, including Melbourne City Council's reasonable costs and expense (including legal expenses) incidental to the preparation, registration, enforcement and ending of the agreement.

The Public Access (Plaza) agreement must contain covenants to be registered on the Title of the property, so as to run with the land, and must provide for the following:

- a) Give rights of public access to the publicly accessible private plaza at the corner of Chelmsford Street and Elizabeth Street, and the pedestrian connection between Chelmsford Street and Elizabeth Street, 24 hours per day, 7 days per week.

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

Section 173 Agreement – Developer Contribution (DCPO2)

54. Prior to the commencement of the development, including bulk excavation, the owner of the land must enter into a Developer Contribution agreement under Section 173 of the *Planning and Environment Act 1987* with Melbourne City Council; register the agreement on the title(s) of the land in accordance with Section 181 of the *Planning and Environment Act 1987*; and provide the Responsible Authority with the dealing number confirming the registration on title.

The agreement must be in a form to the satisfaction of Melbourne City Council, and the applicant must be responsible for the expense of the preparation and registration of the agreement, including Melbourne City Council's reasonable costs and expense (including legal expenses) incidental to the preparation, registration, enforcement and ending of the agreement.

The Developer Contribution agreement must contain covenants to be registered on the Title of the property, so as to run with the land, and must provide for the following:

- a) The owner / developer to pay a development contribution of:
 - i. \$20,209 per dwelling.
 - ii. \$229 per m² of gross commercial floor area.
 - iii. \$191 per m² of gross retail floor area.
 - iv. Or other amount outlined within an approved development contribution plan to the satisfaction of Melbourne City Council.
- b) Require that the development contributions are to be indexed quarterly from 1 July 2023 to the Price Index of the Output of the Construction Industries (Vic.) published by the Australian Bureau of Statistics (ABS).
- c) Confirm that contributions will be payable to Melbourne City Council.
- d) Require that where the planning permit authorises buildings and works and a subdivision of the subject land, full payment of the development contribution must be paid before the issue of a Statement of Compliance in respect of that subdivision or where the planning permit authorises buildings and works but not subdivision, the development contribution must be paid before the issue of either the certificate of occupancy (in the case of a building) or a certificate of completion (in the case of works).
- e) Confirm the procedure for reducing the contribution paid if the permanent development contributions plan for the area is less than the amount stipulated in the Section 173 Agreement.
- f) The agreement must make provision for its removal from the land following completion of the obligations contained in the agreement.

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

Permit Expiry

55. This permit will expire if one of the following circumstances applies:

- a) The development is not started within three years of the date of this permit.
- b) The development is not completed within five years of the date of this permit.
- c) The use has not commenced within five years of the date of this permit.

The Responsible Authority may extend the permit if a request is made in writing before the permit expires, or within six months afterwards.

The Responsible Authority may extend the time for completion of the development if a request is made in writing within 12 months after the permit expires and the development started lawfully before the permit expired.

Notes

Licensed Premises require further permit

- A. This permit does not include authorisation for the sale and consumption of alcohol on or off the premises under *Clause 52.27 Licensed Premises* of the Melbourne Planning Scheme.

Tenancies requiring further permit

- B. Except with a further permit, the Shop and Food and Drink Premises tenancies may not be used for a Hotel, Bar or Bottleshop.

Building

- C. 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.

Other approvals may be required

- D. 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.

Traffic Engineering

- E. Council will not change the on-street parking restrictions to accommodate the access, servicing, and delivery or parking needs of this development. Council reserves the right to change / introduce restrictions to on-street parking in the future.

Civil Engineering

- F. All projections over the street alignment must conform to the requirements of the *Building Regulations 2018*, as appropriate, unless with the report and consent of the Municipal Building Surveyor.

Reference may 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.

Melbourne City Council Open Space Planning

- G. The areas described as 'open space' in the development are proposed to remain in private ownership. These spaces do not meet the criteria for public open space reserves for vesting in Council.

Urban Forestry & Ecology

- H. Approval for any tree removal is subject to the Tree Retention and Removal Policy, Council's Delegations Policy and requirements for public notification, and a briefing paper to councillors. It should be noted that certain tree removals including but not limited to significant or controversial tree removals, may be subject to a decision by Council or a Committee of Council.

- I. All costs in connection with the removal and replacement of public trees, including any payment for the amenity and ecological services value of trees to be removed, must be met by the applicant / developer / owner of the site. The costs of these works will be provided and must be agreed to before Council removes the subject trees.

J. Urban Forestry – Bank Guarantee Execution

In accordance with the Tree Retention and Removal Policy a bank guarantee must be:

- Issued to City of Melbourne, ABN: 55 370 219 287
- From a recognised Australian bank
- Unconditional (i.e. no end date)

- Executed (i.e. signed and dated with the bank stamp).

Please note that insurance bonds are not accepted by the City Of Melbourne. An acceptable bank guarantee is to be supplied to Council House 2, to a representative from Council's Urban Forest and Ecology Team. Please email trees@melbourne.vic.gov.au to arrange a suitable time for the bank guarantee to be received. A receipt will be provided at this time.

At the time of lodgement of the bank guarantee written confirmation that identifies the name of the Project Arborist who will supervise the implementation of the Tree Protection Plan will be required in writing. On completion of the works the bank guarantee will only be released when evidence is provided of Project Arborist supervision throughout the project and a final completion report confirms that the health of the subject public trees has not been compromised.