

**Department of Planning and Community Development**  
**Statutory Approvals – Central City Planning**  
**Delegation Report**

<b>Application No:</b>	2010/026169
<b>Land Address</b>	700 Bourke Street, Docklands
<b>Application:</b>	Permit application under s.47 of the Planning and Environment Act 1987 (P&E Act).
<b>Proposal:</b>	Development of 15 storey office building, use of the land for the purposes of retail (excluding gambling premises) and a childcare centre and alteration of access to road in a Road Zone, Category 1.
<b>Received:</b>	5 November 2010
<b>Planning Scheme</b>	Melbourne Planning Scheme
<b>More Information Requested:</b>	3 December 2010
<b>More Information Received:</b>	3 March 2011 and 8 April 2011

**The Applicant**

<b>Name:</b>	CBus Property
<b>Address:</b>	[REDACTED] JH Town Planning [REDACTED]

**Purpose**

1. To brief you on planning permit application 2010/026169 at 700 Bourke Street, Docklands for development of the land for an office building and associated works and use and development of land for place of assembly, retail and childcare facility.

**Background**

2. The Minister for Planning (the Minister) is the Responsible Authority for assessing the planning permit application under Clause 61.01 of the Melbourne Planning Scheme (the Scheme) as the site is in the Docklands area.
3. The applicant lodged planning permit application no.: 2010/026169 on 5 November 2010.
4. Pursuant to Section 54(1) of the Act a letter was sent to the applicant on 3 December 2010 requesting further information, with until 3 March 2011 to provide a response to the further information request.
5. In accordance with Section 54A of the Act, on 2 March 2011 the applicant lodged a request for an extension of time to provide further information. An extension of time was granted until 7 April 2011.
6. On 3 March 2011 the Department received a revised planning permit application clarifying the description of the proposal and responding to the further information request made on 3 December 2010. The revised application included significant alterations to the external treatment of the building and ground level activation. Further information (Wind Report) was received on 5 April 2011.
7. There are several historic/extant planning permits for the site, including:

- Planning Permit No.: 2008/0795 ("Bourke Junction", 716-738 Bourke Street), approved on 7 November 2008, allowed for retail use and development of North Tower, South Tower, Hotel, Central Retail Building and a Tavern and associated buildings and works. The tallest approved building, the North Tower, was 24 storeys (117 metres) in height for office uses. The permit was never acted upon. There have been no extensions of time and this permit has now expired.
- Early works Planning Permit No.: 2008/000724 - issued on 30 September 2008 (amended on 23 March 2010) to allow site preparation and piling works. This permit was never acted upon; and
- Early works Planning Permit No.: 2010/022944 - approved on 12 November 2010 to allow ground and below-ground works relating to the current proposal to commence. Given the high degree of support for the overall design of the building between referral agencies, this permit was amended on 27 April 2011 to allow construction of slab structures for Levels 00, 01, and 02, and cores (between Levels 00 and top of Level 5), associated structural elements, and amended piling plan.

### **Subject Site**

8. The 0.89 hectare site is triangular in shape and located within the South East Stadium Precinct in Docklands.
9. The site is bounded by Wurundjeri Way to the east, the existing Southern Cross Station pedestrian bridge and Bourke Street to the south and Etihad Stadium along the north-west boundary.
10. The subject site is owned by VicUrban and has no restrictive development covenants. Confirmation has been provided by the applicant that the owner has been notified of the current planning application.
11. At present pedestrian walkway/bridge runs through the site from Southern Cross Station to the Etihad Stadium concourse that runs along the southern edge of the Stadium.
12. The site at ground level falls approximately 4.1 metres from a northeast to southwest direction.
13. Surrounding developments and proposals include:
  - Victoria Point (37 storeys), Bendigo Bank (9 storeys), and Tavern (2 storeys) to the west;
  - Watergate (6 storeys), National Foods (11 storeys), Goods Shed North (1 storey), and 717 Bourke Street (new Channel 9 building - 18 storeys) to the south of Bourke Street;
  - Two future development stages (South Tower at 19 storeys and Hotel at 15 storeys) immediately to the south of the current proposal and north of Bourke Street; and
  - Wurundjeri Way, rail yards and Southern Cross Station to the east.

### **Proposal**

14. The proposal ( [REDACTED] ) is for a three-sided 15 storey mixed-use building for the purposes of office, retail, childcare facility, place of assembly, and creation of access to a road in a Road Zone, Category 1.
15. Proposed tenant for the office space is National Australia Bank (NAB).

16. The building is 13 storeys above the Etihad Stadium concourse level, with two (2) levels of podium car parking (below Stadium concourse level down to Bourke Street level)
17. The overall building height is RL 69.5 metres above Wurundjeri Way (62.1 metres above the Stadium concourse), with an overall gross floor area of 64,038 m<sup>2</sup> (GFA), made up of the following uses:

Level	Use	GFA (sqm)	Details
Levels 00-01	Car park, loading dock and bicycle storage/change facilities		145 car spaces + 22 motorcycle spaces (accessed via a new signalised crossing from Bourke Street)  608 bicycle spaces + 59 shower and associated facilities (with a dedicated access point from Bourke Street (Level 00))
Level 02 (concourse level)	Retail, food and drink	1,276 m <sup>2</sup>	The active retail frontages at concourse level wrap around the southwest and northwest corners of the building with a frontage to Etihad Stadium.
Level 02	Place of assembly (atrium/public auditorium)	2,245 m <sup>2</sup>	
Level 03	Child care facility	1,093 m <sup>2</sup>	75 place capacity in the northern corner of Level 03 - accessible only from the internal lobby area located at Level 02
Level 03-14	Office	59, 424 m <sup>2</sup>	
Levels 15 & 16	Roof garden, plant equipment, and 'kite' roof structure		

18. The proposed building is of a modern, contemporary design with the following striking features:
- Characteristic triangular shaped fritted glass fenestration on all three building façades
  - A prominent 'kite roof' structure with 'saw tooth' appurtenances for vertical illumination of the building, enclosed plant services (Level 15), and a private rooftop terrace (Level 14);
  - The southern and eastern façades are broken up by coloured vertical 'fissures' cut into the building that extend down from the roof and upper levels to concourse level; and
  - A defined entry point at the south eastern corner of the building that gives the effect of the building 'peeling open'.
19. The main entry to the building is at Level 2 (Stadium concourse level) and leads to the internal atrium space that both functions as a publicly accessible auditorium space and provides access to escalators/lifts to the office spaces located on Levels 03-14.

20. There are three (3) pedestrian access points to the internal auditorium interspersing the retail tenancies along the southern façade of the building.
21. The eastern façade of the building includes a 140 metre long and 14.64 metre wide enclosed colonnade that leads north along the site's entire eastern boundary, linking the Stadium concourse with the Southern Cross Station pedestrian footbridge.
22. There is a pedestrian link from Bourke Street level via escalators into the internal lobby space of the building at Stadium concourse level.
23. It is proposed to create a new access to a loading bay from Wurundjeri Way (Road Zone, Category 1).
24. **Revised plans (in response to further information request) were received on 3 March 2011. The main changes are as follows:**
  - Introduction of quite pronounced and coloured cuts or fissures within the building mass, to break up its large volume in a meaningful manner. The previous proposal was a more-or-less continuous glass skin with only minor architectural variation and a relatively uniform colouration.
  - Cutting back of the roof terrace along the most visible eastern facade and extension of the fissure elements through this space, to vary the roof profile.
  - More prominent heralding of the Bourke Street corner entry with a prominent projecting canopy.
  - Extension of the visible eastern facade elements down to the Wurundjeri Way level, to enhance visual integration.
  - There were corresponding internal changes of lesser significance, including varied access points.
  - The landscape treatment, particularly along the eastern edge, was simplified as a more robust response.
25. The revised plans have been driven by VicUrban requirements to provide a different and more visually interesting design. This position was generally supported by the Department and the Office of the Victorian Government Architect. The original plans were not agreed by VicUrban, however they have indicated their conditional support for the revised plans.

#### **Statutory Controls – Zoning and Overlay Controls**

26. The site is affected by the following zones, overlays and particular provisions under the Melbourne Planning Scheme:
  - Docklands Zone, Schedule 4 – Stadium Precinct (DZ4);
  - Design and Development Overlay, Schedule 12 (DDO12) – Noise Attenuation;
  - Design and Development Overlay, Schedule 52 (DDO52) – Area 4 (Stadium Precinct);
  - Development Plan Overlay, Schedule 5 (DPO5) – Stadium Precinct;
  - Clause 52.06 (Car parking);
  - Clause 52.07 (Loading and unloading of vehicles);
  - Clause 52.34 (Bicycle facilities); and
  - Clause 52.36 (Integrated public transport planning).



## Zoning

27. The subject site is included within the Docklands Zone, Schedule 4 – Stadium Precinct (DZ4) under the Scheme.
28. The purpose of the DZ4 is to provide for a range of commercial, residential, recreational, educational, technology, business and leisure uses within a mixed use environment; and to encourage integrated and compatible land use and development within the area surrounding the stadium facility.
29. Under the DZ4, a planning permit is required to construct or carry out works and for child care facility and retail uses. On 17 May 2011 the applicant applied to have the permit amended to include retail as a use.
30. Under the DZ4 a planning permit is not required for use of the land as an office and a place of assembly.
31. The proposal is exempt from the notice and appeal requirements of the *Planning and Environment Act 1987* (the Act) under Clause 2 (for applications for the use) and Clause 4 (for applications for buildings and works) of the DZ4.

## Overlay – Design and Development Overlay Schedule 12 (DDO12)

32. Although the subject site is affected by DDO12 – Noise Attenuation Area, it is not applicable as office, child care facility and retail uses are not classed as a 'noise sensitive uses'.

## Overlay – Design and Development Overlay Schedule 52 (DDO52)

33. The entire site is affected by DDO52 – Stadium Precinct (Area 4).
34. Under the DDO52 a permit is not required to construct a building or construct or carry out works if the requirements of Table 1 to Schedule 52 of the DDO are met, which are as follows:

**Table 1**

AREA	MAXIMUM BUILDING HEIGHT
DDO 52 Area 4	25 metres except for: <ul style="list-style-type: none"><li>• A tower in the north east not exceeding 90 metres</li><li>• A tower in the south east not exceeding 120 metres</li><li>• A tower in the south west not exceeding 150 metres</li><li>• A tower in the north west not exceeding 35 metres.</li></ul>

35. The proposal is for a 15 storey building located in the north east section of Area 4, measuring 75 metres height to the top of the 'saw tooth' roof (65 metres to the top of the parapet) from the natural surface level of the site's Wurundjeri Way frontage.
36. The proposal is under the 90 metre height threshold, and therefore meets the requirements listed in Table 1. Therefore, the proposal does not require a planning permit for buildings and works under DDO52.

37. As a planning permit for buildings and works is not required under DDO52, the design objectives of DDO52 do not apply to the proposal.

**Overlay – Development Plan Overlay Schedule 5 - Stadium Precinct (DPO5)**

38. The purpose of the DPO5 is as follows:

- To identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land.
- To exempt an application from notice and review if it is generally in accordance with a development plan.

39. Although the subject site is affected by DPO5, there is no existing approved development plan over the site.

40. Under Clause 1.0 of DPO5, a planning permit may be granted to construct a building or construct or carry out works before a development plan has been prepared to the satisfaction of the Responsible Authority. In addition there is no requirement under the DPO to prepare a Development Plan. The Development Plans referred to in the Planning Scheme are a reference to the old planning permit style approval process.

41. The applicant is exempt from notice requirements as no Development Plan has been prepared (under the Old Format provisions) and therefore the proposal is not a departure from any existing Development Plan for the site. Therefore any notice requirements are as prescribed under the zone, other overlays or the particular provisions of the Scheme, where relevant.

**Particular Provisions**

Clause 52.06 (Car parking)

42. The purpose of Clause 52.06 is, among other things, to:

- To ensure the provision of an appropriate number of car spaces having regard to the activities on the land and the nature of the locality.
- To ensure that the design and location of car parking areas:
  - Does not adversely affect the amenity of the locality, in particular the amenity of pedestrians and other road users.
  - Achieves a high standard of urban design.
  - Creates a safe environment for users, particularly at night.
  - Enables easy and efficient use.
  - Protects the role and function of nearby roads.
  - Facilitates the use of public transport and the movement and delivery of goods.

43. Under Clause 52.06 a permit is required to provide car parking spaces in excess of the car parking rates specified in Table A of the Schedule to Clause 52.06 (Car Parking). An assessment against these rates is provided below:

Use	GFA (sqm)	Maximum Rate	Maximum car parking provision
Office	59,424	1 per 100 sqm GFA	594
Place of Assembly	2,245	1 per 100 sqm GFA	22
Retail	1,276	1 per 100 sqm GFA	13

Childcare Facility	1,093	1 per 100 sqm GFA	11
<b>Total</b>			<b>640</b>

44. The amount of car parking proposed (145 spaces) is well below the statutory maximum rate (640 spaces) therefore a permit is not required.

Clause 52.07 (Loading and unloading of vehicles)

45. The purpose of Clause 52.07 is to set aside land for loading and unloading commercial vehicles to prevent loss of amenity and adverse effect on traffic flow and road safety.
46. Under Clause 52.07 no building or works may be constructed for the manufacture, servicing, storage or sale of goods or materials unless:
- Space is provided on the land for loading and unloading vehicles as specified in the table contained in Clause 52.07;
  - The driveway to the loading bay is at least 3.6 metres wide. If a driveway changes direction or intersects another driveway, the internal radius at the change of direction or intersection must be at least 6 metres.
  - The road that provides access to the loading bay is at least 3.6 metres wide.
47. Cardno Grogan Richards Traffic Impact Assessment Report (dated 25 February 2011) confirms that the above requirements have been met in the current design proposal.

Clause 52.29 (Land adjacent to a Road Zone, Category 1)

48. The purpose of Clause 52.29 is to ensure appropriate access to identified roads.
49. A permit is required to create or alter access to a road in a Road Zone, Category 1. The subject site is located adjacent to Wurundjeri Way, which is zoned Road Zone, Category 1. As the proposal involves creating a new loading access to a loading bay from Wurundjeri Way a permit is required. The car park will be accessed via Bourke Street, not Wurundjeri Way. The existing car park access onto Wurundjeri Way will not be altered.
50. Pursuant to Clause 52.29 an application to create or alter access to a road declared as a freeway or arterial road under the Road Management Act 2004 must be referred to the Roads Corporation under Section 55 of the Act. The referral comments from VicRoads are described below.

Clause 52.34 (Bicycle facilities)

51. The purpose of Clause 52.34 is to encourage cycling as a mode of transport and to provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.
52. The minimum provision of bicycle spaces, showers, and change rooms is listed at Tables 1-3 to Clause 52.34-3. An assessment of these requirements is as follows:

Use	Area (sqm)	Required rate	Total bicycle spaces required
Office	59,424	1 space per 300 sqm for employees	198
		1 space per 1000 sqm for visitors	59
Retail, food and drink	1,276	1 space per 300 sqm for employees	4
		1 space per 500 sqm for visitors	3
Place of Assembly	2,245	1 space per 1500 sqm for employees	1
		2 + 1 space per 1500 sqm for visitors	4
Childcare Facility	1,093	Not listed as a use requiring spaces	0
		Not listed as a use requiring spaces	0
Total bicycle spaces required	Employees		203
	Visitors		66

53. The proposal will provide a 600 bicycle parking spaces for employees and 271 bicycle spaces for visitors/shoppers which exceeds the minimum requirement of 203 bicycle parking spaces for employees and 66 bicycle spaces for visitors/shoppers. Therefore a permit is not required to reduce or waive the requirements, under Clause 52.34-2.
54. The shower facilities and change rooms requirements are listed at Tables 2 and 3 to Clause 52.34-3. They are as follow:

Employee bike parking spaces	Required rate	Total showers required
205	One (1) shower for the first 5 employee spaces; plus one (1) shower for each additional 10 employee spaces	21



55. The proposal will provide 59 showers and associated lockers, which exceeds the requirements set out in Tables 2 and 3 to Clause 52.34-4, and therefore a permit is not required to reduce or waive the requirements of the Clause.

Clause 52.36 (Integrated public transport planning)

56. The purpose of Clause 52.36 is:

- To ensure development supports public transport usage.
- To ensure that easily accessible public transport networks, which are appropriate to the scale of the development, and high quality public transport infrastructure are provided as part of new development.
- To ensure that development incorporates safe, attractive and convenient pedestrian access to public transport stops.
- To ensure that development does not adversely affect the efficient, equitable and accessible operation of public transport.

57. Pursuant to Clause 52.36-1 an application for an office development of 10,000 or more square metres of leasable floor area and a place of assembly comprising 400 or more seats or 600 or more square metres of gross floor area must be referred in accordance with Section 55 of the Act to the Director of Public Transport. The referral comments are described below.

### **State Planning Policy Framework**

58. Clause 10.04 (Integrated Decision Making) indicates that planning authorities and responsible authorities should endeavour to integrate the range of policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.

59. Clause 15 (Built Environment and Heritage) seeks to ensure all new land use and development appropriate responds to its landscape, valued built form and cultural context. It is also about creating quality built environments which support the social, cultural, economic and environmental wellbeing of our communities. Clause 15.01-1 (Urban Design) seeks to create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity. Clause 15.01-2 (Urban Design Principles), encourages development that provides architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties. Clause 15.02 (Sustainable Development) seeks to encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions.

60. Clause 17.01-1 (Business) seeks to encourage development which meet the communities' needs for retail, entertainment, office and other commercial services and provides net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities.

61. Clause 18.01 (Integrated Transport) seeks to create a safe and sustainable transport system by integrating land-use and transport. Strategies include concentrating key trip generators such as higher density residential development in and around Central Activities Districts, Principal, Major and Specialised Activity Centres on the Principal Public Transport Network. Clause 18.02-2 (Cycling) seeks to integrate planning for cycling with land use and development planning and to encourage cycling as an alternative mode of travel.

### **Local Planning Policy Framework**

62. Clause 21.02 (Municipal Profile) recognises that the City of Melbourne is the premier location for many of the State's economic, infrastructure and cultural facilities, and attracts a substantial daily population with people travelling to the city for work, leisure and shopping. In addition, the most significant gains in resident population are expected in Docklands, the Central City and Southbank.
63. Clause 21.03-1 (Vision) recognises the diverse roles of the city and local areas, with the vision being 'a thriving and sustainable City that simultaneously pursues economic prosperity, social equity and environmental quality.'
64. Clause 21.04 (Land Use) sets out objectives and strategies to 'attract more office development to the municipality and to maximise employment opportunities.' Clause 21.04-3 (Office and commercial use) sets out strategies and objectives to 'reinforce the City's role as Victoria's principal centre for commerce and professional and innovative business and financial services' and to 'encourage employment opportunities for local residents'.
65. Clause 21.05-2 (Structure and Character) identifies the need to reinforce valued characteristics of some areas and establish a new built form character for others in areas that have the capacity to absorb future development.
66. Clause 21.05-3 (Public Environment) notes the challenge in ensuring that new developments add positively to the overall character of Melbourne and 'create an accessible, safe, inclusive and engaging public environment'. Associated strategies seek to encourage excellence in urban design, public realm and improve pedestrian permeability and amenity.
67. Clause 21.05-5 (Sustainable Built Form) seeks to create a built environment that adopts environmentally sustainable design practices.
68. Clause 21.06-1 (Public transport) seeks to increase the patronage of public transport by (amongst other things) encouraging development in locations which can maximise the potential use of public transport.
69. Clause 21.07-1 (Environmentally Sustainable Development) encourages a reduction in the generation of greenhouse gas emissions and promotes energy efficiency in regards to resource use and waste reduction.
70. Clause 21.08-2 (Docklands) sets out the local area policies for Docklands and includes a vision for the area to provide for 'a mixed use environment with all the services and facilities that provide for the local residential community, the local work force and visitors to the area.' The Local Area Map for Docklands at Figure 13 seeks to 'support the ongoing operation of Docklands Stadium as a significant sports and entertainment facility'. Important principles for Docklands relevant to the application include:
- Support for mixed use development including office and commercial development in the Stadium Precinct;
  - Active street frontages;
  - Encouragement of a built form profile within the Docklands that forms an extension of the central city building profile; and
  - Requiring the development of Docklands to incorporate a high level and quality of pedestrian and bicycle access.
71. Clause 22.18 (Urban Design within the Docklands Zone) includes objectives which seek to provide a waterfront place of character and quality that will create a tourism asset and boost Victoria's prosperity, encourage exciting and viable developments that incorporate the

highest design and environmental standards, and to respond to the changing urban context of Docklands.

72. Clause 22.19 (Environmental Sustainable Office Buildings) - this policy seeks to improve the energy efficiency of new buildings and sets out certain policy based outcomes including a minimum 4.5 star rating under the Australian Buildings Greenhouse Rating Scheme of the Sustainable Energy Authority of Victoria.

### **Referrals**

73. The application was referred (on 15 November 2010) and re-referred (on 9 March 2011) under section 55 of the Act to VicUrban, VicRoads and the Director of Public Transport and informally to the City of Melbourne, DPCD Urban Design.
74. On the 18 March 2011 the application was informally referred to the Office of the Victorian Government Architect (OVGA). The OVGA had already received the revised plans directly from the applicant prior to the referral and have confirmed that they are generally supportive of the revised plans.
75. On 22 March 2011 Etihad Stadium (Melbourne Stadiums Limited) were forwarded the revised plans for their information purposes only. To date, no response has been received.
76. Comments received are as follows:

### **VicUrban**

77. VicUrban has been extensively consulted throughout the process. In response to revised plans VicUrban offered no objection to the application, subject to conditions [REDACTED]
78. In their original referral response in November 2010 VicUrban indicated some fundamental design concerns which were addressed in the applicant's response to the request for further information. This redesign of the building has contributed to the length of time in processing the application.
79. On 12 May 2011 VicUrban confirmed that they support the draft conditions..

### **Office of the Victorian Government Architect (OVGA)**

80. The OVGA commented as follows [REDACTED]

*Generally we are pleased to support the design proposal for the proposed NAB office building on this site. We appreciate efforts by the applicant, NAB and the design team to engage and participate in a process of peer design review which we believe has generated an improved and more robust design concept that addressed a number of the concerns expressed by the stakeholder group.*

### **Director of Public Transport**

81. Offered no objection to the application and did not specify any conditions (letter dated 7 April 2011).

## VicRoads

82. VicRoads offered no objection to the application subject to conditions (letter dated 12 April 2011).

## DPCD Urban Design Unit

83. An informal referral to the DPCD Urban Design Unit was sent on 9 March 2011. The Unit generally supports the application and commend the redesign process that has preceded the present application. DPCD UD offered conditions to improve the design detailing of the development, including transparency to tenancies, linkages, and canopies.

## City of Melbourne

84. The application was referred to the City of Melbourne on 15 November 2010 and re-referred on 9 March 2011. Responses were received in December 2010 and on 15 April 2011. The April 2011 response concluded that:

*The application is generally supported, subject to a wind report being submitted...The proposed building is considered to be a high quality design, suitable for the landmark location proposed.*

85. The City of Melbourne recommend the following issues to be addressed through conditions:

- A revised wind report is to be submitted by the applicant as the original wind report by MEL Consultants (dated September 2010) indicated the need for a canopy to be erected over the pedestrian footbridge and a 3 metre wide canopy and associated localised screening to provide adequate pedestrian comfort.
- Plans that provide further detail on the floor level of the public auditorium space relative to the level of the stadium concourse to allow for the possibility of future access between the two spaces.

86. These comments have been added to the conditions or notes on the permit where applicable, as have the standard engineering, traffic, and waste conditions.

## ISSUES

87. The main issues relate to consistency with relevant statutory provisions and policy framework of the Melbourne Planning Scheme, the pedestrian link around the Stadium concourse, traffic/parking, pedestrian access, and wind. Each of these matters will be addressed in turn.

## Statutory provisions and policy framework

88. The proposal to redevelop the subject site with a 15-storey tower for office, place of assembly, childcare facility, and retail uses is consistent with the purpose of **Schedule 4 of the Docklands Zone** which encourages the development of a mixed use environment.
89. The **Schedule 52 to the Design and Development Overlay (DDO52)** is a discretionary control relating to heights, design and maximum number of towers permissible in each precinct. Under the DDO52 a permit is not required for the current proposal. The provisions, decision guidelines and objectives of the DDO52 therefore do not apply to this application.



90. The proposal demonstrates a high level of consistency with the objectives of the **State Planning Policy Framework**. In particular it reinforces the capital city role of the City of Melbourne and contributes to the diversity and vitality of the local economy by providing additional employment generating opportunities (Clauses 11.03, 17.01 and 17.02).
91. The proposal is generally consistent with the provisions of the **Local Planning Policy Framework**. Of particular note is Clause 22.18 'Urban Design within the Docklands Zone'. The scale of the proposed building is considered appropriate having regard to the zoning of the subject land and the evolving character of the area. In particular:
- The development responds positively to the public realm (including the Stadium concourse) adopting active frontages along all three facades of the building.
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- The 'fissures' in combination with the main entrance canopy that appears to 'peel off' the building provides both striking visual interest and a sense of arrival from the CBD to the Stadium Precinct.
  - The proposed building will add to the interest of built form in Docklands and does not unreasonably affect key views or vistas within the precinct.
92. The overall design of the building has evolved markedly and the end result is a significant improvement on the original design. The applicant has shown a willingness to incorporate changes informed by recommendations from the DPCD Urban Design Unit, OVGA, City of Melbourne, VicUrban, and has resulted in a commendable design outcome.
93. The proposal demonstrates a high level of consistency with the **Municipal Strategic Statement**. In particular the development supports the role of the Central City and Docklands as 'Victoria's premier centre for commerce, professional, business and financial services.' The proposal achieves the objectives of Clause 21.04 'Land Use' which seeks to 'attract more office development to the municipality and to maximise employment opportunities' and 'reinforce the City's role as Victoria's principal centre for commerce'.

#### **Traffic, Parking and Loading**

94. The number and layout of car spaces and bicycle facilities is supported subject to final design detail.
95. A condition requiring a loading management plan was suggested by City of Melbourne and has been added as a permit condition.
96. VicRoads has indicated its support for the creation of an access to Wurundjeri Way for the loading dock.

#### **Wind**

97. The evidence supplied by the applicant in the revised wind report (dated March 2011, MEL Consultants) is generally supported. Much of the potential issues are dependant on whether proposed buildings to the south are built. A condition has been included to require the recommendations of the wind assessment to be implemented. Additionally, a condition has been included to provide a canopy for wind amelioration over the southern concourse.



## **Uses/ Childcare Facility**

98. The childcare facility is considered a minor part of the development (particularly as it embedded within the building and could be considered an ancillary use) and the City of Melbourne has indicated their support for this use as part of the overall development. Pursuant to Clause 37.05-8, before a sensitive use such as a child care facility commences or before the construction or carrying out of associated buildings and works, a certificate of environmental audit must be issued for the land, or an environmental auditor appointed under the Environment Protection Act 1970 must make a statement that the environmental conditions of the land are suitable for the sensitive use.
99. The applicant submitted an Environmental Site Assessment (dated 13 August 2008, Golder Associates) which concluded that the following:

### **Soil**

- The identified aesthetic, human health, and ecological impacts of the proposal are not considered to present an adverse or unacceptable risk to the aesthetics, human health, or ecological in a commercial land use setting;

### **Groundwater**

- Groundwater at the site is not considered to present an unacceptable risk to human health for the beneficial use of primary contact recreation.

100. Neither a certificate of environmental audit nor a statement from an environmental auditor was supplied with the application and this will be a condition of permit.
101. The permit pre-amble was altered to include 'retail' at the request of the applicant to provide flexibility to future tenants. The uses for retail are considered minor in terms of land area (and largely are section 1 uses) however a condition has been added to restrict opening hours to between 7am and 11.30pm to ensure protection of any amenity concerns. Gambling was excluded as it was not referred to the City of Melbourne with this potentially adverse amenity use.

## **Pedestrian Access and Flow**

102. The proposal will provide 24 hour access around the development improving connectivity between Southern Cross Station, Etihad Stadium and Harbour Esplanade.
103. The provision of 24 hour access via the eastern colonnade on the eastern side of the development will provide relief from existing pedestrian pinch points/bottlenecks where the pedestrian bridge meets the Stadium concourse during peak-hour and event-related pedestrian movements.
104. The Crowd Performance Report (dated 8 February 2011, Arup) concluded that the current proposal indicates significant improvements for post-event pedestrian movements in the precinct around the subject site and improved connectivity to Southern Cross Station. Recommendations of the Report affect the planning of the wider precinct and are not related to the specific design or layout of the current proposal. VicUrban requested a condition to implement recommendations of the report and this has been added to the permit.

## **Recommendation**

105. That you approve planning permit application 2010/026169 at 700 Bourke Street, for the development of a 15-storey office, use of the land for the purposes of a childcare centre and alteration of access to a road in a Road Zone, Category 1 subject to conditions.

Prepared by: [Redacted]

Name: [Redacted]  
Title: [Redacted]  
Phone: [Redacted]  
Date: 17/5/11

[Redacted]

Reviewed by:

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