

# 915 Collins Street, Docklands (1 Collins Wharf)

Planning Permit Application No. PA1500038

Officer Assessment Report



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## Summary

The purpose of this report is to provide a detailed planning assessment of Planning Permit Application No. PA1500038 for 915 Collins Street, Docklands. This report is provided to the Minister for Planning to assist in considering and determining the planning permit application.

Under the Schedule to Clause 61.01 of the Melbourne Planning Scheme [the Scheme], the Minister for Planning is the responsible authority for applications with a gross floor area [GFA] exceeding 25,000m<sup>2</sup>. The proposed development has a GFA of 44,119m<sup>2</sup> and accordingly the Minister for Planning is the responsible authority for the permit application.

Planning Permit Application No. PA1500038 seeks approval for development of the land for the construction of a multi-storey building and associated public realm works. The subject site is also known as 1 Collins Wharf, Victoria Harbour. The building is proposed to have a height of 29 storeys (90.22m), consisting of a five level podium with a 24 level tower above.

The proposal incorporates a food and drink premises (café) and residential uses at the ground level, including SOHO (single occupancy home office) townhouses oriented towards Collins Street and south-facing dwellings oriented towards the Yarra River. The building includes car parking, dwellings and communal residential facilities within the podium, and dwellings within the tower levels.

A planning permit is required to construct a building and construct and carry out works, and to waive the loading and unloading requirements.

The subject site is located within the Victoria Harbour precinct of Docklands and is affected by *Victoria Harbour Development Plan 2010* [the Development Plan].

It is considered that the proposed development appropriately responds to the opportunities and constraints of the site and should be supported. The proposal generally complies with relevant planning policy framework, including the Development Plan, and is considered to respond to the evolving built form context of the area.

## Recommendation

The Future Melbourne Committee has **resolved to support the application subject to conditions** relating to standard minor matters.

It is recommended that the Minister for Planning **approve the planning permit application** and grant a planning permit, subject to conditions resolving issues relating to detailed design matters and supporting approval documentation.

## Application details summary

Key elements	Details
Land	915 Collins Street, Docklands (Lot S34 on Plan of Subdivision 545345Y)
Proposal	Development of the land for the construction of a multi-storey building and associated public realm works. The proposal will provide 321 dwellings within a 29-storey building.
Date lodged	30 November 2015
Planning controls	Clause 37.05 – Docklands Zone (Schedule 2 – Victoria Harbour Precinct)

Clause 37.05 – Docklands Zone (Schedule 7 – Waterways)

Clause 43.02 – Design and Development Overlay (Schedule 12 – Noise Attenuation Area)

Clause 43.02 – Design and Development Overlay (Schedule 50 – Victoria Harbour Precinct, Areas 6 & 7)

Clause 43.04 – Development Plan Overlay (Schedule 3 – Victoria Harbour Precinct)

Clause 45.09 – Parking Overlay (Schedule 6 – Docklands – Victoria Harbour)

<b>Why is a permit required?</b>	<ul style="list-style-type: none"><li>– A permit is required to construct a building or construct or carry out works pursuant to the Docklands Zone (Schedules 2 and 7) and the Design and Development Overlay (Schedule 50).</li><li>– A permit is required to waive the loading and unloading requirements of Clause 52.07 of the Melbourne Planning Scheme.</li></ul>
<b>Height</b>	29 storeys or RL 92.57 (90.22m above ground level)
<b>Gross Floor Area</b>	44,119m <sup>2</sup>
<b>Tower setbacks (from proposed site boundaries)</b>	North (Collins Street): 13.5m South (Yarra River): 21.5m West (Dock Lane East): 13.3m East: varies, increases as the building height increases
<b>Car parking and bicycle facilities</b>	290 car parking spaces (ratio of car parking spaces to dwellings 0.9:1) 286 bicycle parking spaces
<b>Development value</b>	\$106 million
<b>Applicant / Developer</b>	Lendlease Pty Ltd
<b>Public Notification</b>	The buildings and works component of the application is exempt from the notice and review provisions of the <i>Planning and Environment Act 1987</i> .

# Background

The application was submitted to the Minister for Planning on 30 November 2015. Further information was requested on 24 December 2015 and received on 3 February 2016. The application was amended under Section 50A of the *Planning and Environment Act 1987* [the Act] on 4 April 2016 to include the public realm works associated with Yarra Walk as part of the application (these works were previously part of a separate application to Melbourne City Council).

The application was submitted following a series of pre-application meetings held with the relevant statutory agencies (the Department, Places Victoria and Melbourne City Council) in 2015. During these meetings, the agencies expressed a level of comfort with the proposed development, subject to a detailed review of identified issues.

Development of the Victoria Harbour precinct of Docklands commenced in 2001 when Lendlease was awarded the development rights to develop Victoria Harbour over a 20 year period. The current Development Plan (the *Victoria Harbour Development Plan 2010*) was approved on 24 February 2011.

Under the provisions of the Development Plan, the Victoria Harbour precinct is divided into two areas: the City Quarter to the east and the Wharf Quarter to the west. The City Quarter is primarily located over terra firma while the Wharf Quarter is predominantly located over the 450m long wharf bound by Victoria Harbour to the north, City Quarter to the east, and the Yarra River to the south. The Wharf Quarter is referred to as “Collins Wharf”.

The planning permit application was accompanied by a number of supporting assessment reports and documents, as follows:

- Wind Assessment Report – Windtech, 21 October 2015
- Traffic and Transport Assessment – Cardno Victoria, 27 October 2015
- Waste Management Plan – Wastech Services, 29 September 2015
- Public Realm and Landscaping Plan – Aspect Oculus, March 2016
- Sustainability Report – Lendlease, 14 October 2015
- External Noise Intrusion Report – Acoustic Logic, 22 October 2015
- Stormwater Management Plan – Wood & Grieve Engineers, 27 October 2015

Following additional discussions with the permit applicant after the application was amended on 4 April 2016, informal sketch plans were provided to the Department on 7 June 2016. These sketch plans made a number of positive improvements to the proposed development in response to the issues raised by the Department’s Urban Design Unit. These sketch plans will be referenced as a condition 1 requirement on any planning permit granted, requiring amended formally submitted plans reflecting these changes.

# Site and Surrounds

## Subject Site

The subject site (1 Collins Wharf) is located within the Collins Wharf area, between Collins Street to the north and the Yarra River to the south. The subject site is currently vacant.

Figure 1- Aerial image of subject site and surrounding area



## Surrounding Area

The site occupies sites T1, T2 and N1 of the Development Plan, and is located immediately west of Buluk Park and has a direct interface with Bourke Dock. Buluk Park is framed by community uses at the library and Boating Hub, and the retail and mixed use activities along the edges of the ‘Concavo’ development and the future development site referred to as Y7.

Figure 2 – Development context plan



The creation of Bourke Dock was approved under Planning Permit No. 2011/013728, issued by the former Minister for Planning on 18 September 2012. The permit also approved the library, wharf works, public realm works, and public transport infrastructure.

The Development Plan identifies Bourke Dock as *“an urban dockside plaza that terminates Bourke Street at the water’s edge. The space is edged and activated by cafes and lobbies at the ground level of the adjacent buildings”*.

The wharf structure itself and the adjacent peninsula of land that is bordered by Victoria Harbour and the Yarra River is in the ownership of Places Victoria.

The land surrounding the subject site can be described as follows:

- **To the immediate east** of the subject site is the future Bourke Dock and further east is Buluk Park, the library, the Y7 future development site, and the City Quarter precinct of Victoria Harbour.
- **To the immediate north** of the subject site is Collins Street, and the boating hub adjacent to Victoria Harbour.
- **To the south** of the subject site is the Yarra River.
- **To the west** of the subject site is the balance of the Wharf Quarter of Collins Wharf, designated for future residential and mixed-use development.

# Proposal

The planning permit application is for development of the land for the construction of a multi-storey residential building. The proposal will provide 321 dwellings within a 29-storey building.

Details of the application are as follows:

- Construction of a residential tower of 24 storeys above a podium of five storeys. The building would have a total height of 29 storeys (90.22m).
- The building podium would generally be constructed to all site boundaries, with the exception of an approximate 4m setback to the north (Collins Street), increasing to approximately 5.7m at level 3 and 11.3m at level 4. A 1.5m setback from the south-eastern (Bourke Dock) boundary is also provided throughout the podium.
- The ground level consists of a central residential lobby accessed from the north-eastern corner of the building, with secondary entrances via the north (Collins Street) and the south (Bourke Dock/Yarra Walk), communal residential amenities, north-facing SOHO format dwellings, south-facing dwellings adjacent to the Yarra River, and concealed car parking and services accessed from Dock Lane East.
- The upper levels of the podium incorporate north, east and south-facing apartments which sleeve the car parking areas from the public realm on three sides.
- The tower has varied setbacks from all boundaries: approximately 13.5m from the northern boundary to Collins Street, 21.5m from the southern boundary to the Yarra River, 13.3m from Dock Lane East and varying (staggered) setbacks from the eastern side boundary (increasing as the building height increases).
- The proposed building would accommodate 321 dwellings of various types, including four-level SOHO dwellings (on the Collins Street frontage); south-facing apartments with water adjacency; 'skyhome apartments'; and a mix of one, two and three-bedroom dwellings throughout. The dwellings range in size from 42m<sup>2</sup> to 200m<sup>2</sup>.
- Communal residential facilities include a swimming pool; residents' lounge and dining rooms; and the 'living lobby' which incorporates a winter garden.
- The proposed development incorporates 280 car parking spaces, sleeved on the northern, eastern and southern boundaries but generally unsleeved to the western boundary. A total of 286 bicycle parking spaces (201 resident and 85 visitor) are provided.
- The car park is proposed to be accessed via a new 6.1m wide crossover to Dock Lane East, located on the eastern site frontage. Loading and waste collection would be accessed via this crossover. A loading bay is located adjacent to the ramp and all waste collection will be undertaken within the building (required by way of a condition on permit).
- The proposed development incorporates a number of environmentally sustainable design [ESD] features, including measures to achieve a 4 star Green Star rating, rainwater capture and reuse, and good solar access and ventilation to dwellings.

Figure 3 - Proposed development as viewed from Bourke Dock/Yarra River to the east



Figure 4 - Podium as viewed from Bourke Dock

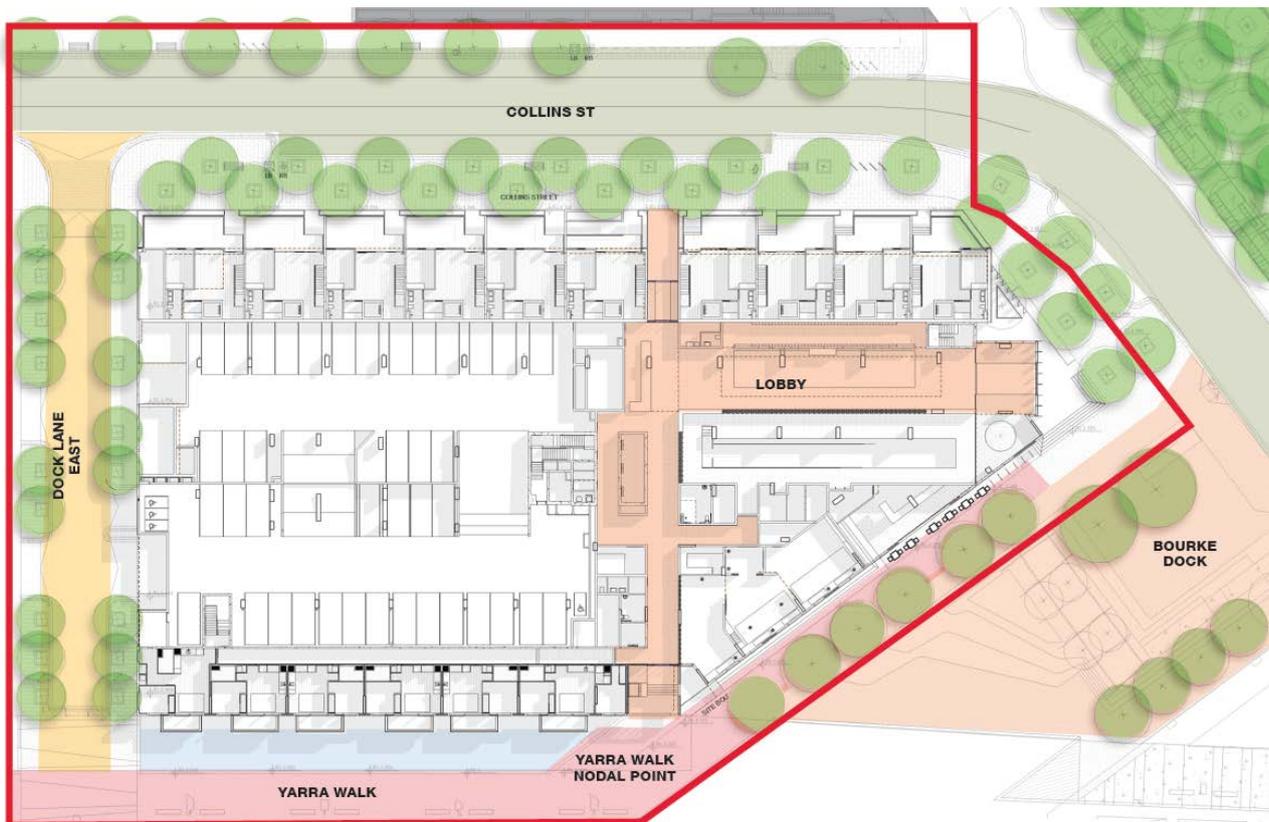


In addition to the building described above, the planning permit application also proposes a number of public realm works, as follows:

- **Yarra Walk** – a 5.5m wide public promenade separated from the southern edge of the building by a 5.7m wide passage of water. The promenade would be a shared zone for cyclists and pedestrians and would also provide access for small service vehicles limited to a proposed 10km/h speed limit. An enlarged landing at the junction of Yarra Walk and Bourke Dock provides a nodal point at the southern entry to the building. An additional landing connects into Dock Lane East for pedestrian and cyclist access.
- **Dock Lane East** – an 11.95m wide road reserve (6m wide carriageway) running along the western boundary of the site, serving primarily as a vehicle and service accessway to the rear of 1 Collins Wharf and the future development of land to the immediate east of the site (identified as CW2). Dock Lane East would be the first of the proposed through-linkages between Collins Street and Yarra Walk.
- **Collins Street** – the application proposes the realignment of Collins Street past Buluk Park (which is partially constructed) and the continuation along the Wharf Structure. Collins Street would incorporate a 19m road reserve (10.4m wide carriageway), trees lining both sides, with double parallel parking. The proposed SOHO dwellings will have a direct interface with Collins Street via individual entries to each apartment.

The development of 1 Collins Wharf would represent the first residential development within the Wharf Quarter of Victoria Harbour and would establish key principles to be continued throughout the rest of the precinct, namely Yarra Walk and Collins Street.

Figure 5 - Planning permit application extent (red line area)



# Planning Policies and Controls

## State Planning Policy Framework

The Stage Planning Policy Framework [SPPF] provides the broad policy direction within the Victoria Planning Provisions. The planning principles established by the SPPF guide decision making for planning applications across Victoria. The following policies of the SPPF are considered relevant to this planning permit application:

- Clause 9 – Plan Melbourne
- Clause 11 – Settlement
- Clause 15 – Built Environment and Heritage
- Clause 16 – Housing
- Clause 17 – Economic Development
- Clause 18 – Transport
- Clause 19 – Infrastructure

Broadly, the above policies encourage appropriate land use and development which enhances the built environment; encourages urban development in identified growth areas; supports economic growth; delivers well-located, affordable and diverse housing opportunities to meet identified future needs; and integrates land use, transport and infrastructure planning in the delivery of new development.

## Local Planning Policy Framework

The Municipal Strategic Statement [MSS] and Local Planning Policies [LPP] form the Local Planning Policy Framework [LPPF] of the Melbourne Planning Scheme [the Scheme]. The LPPF outlines the specific vision, goals, objectives, strategies and implementation plans for the municipality, including seven themes relating to settlement; environment and landscape values; building environment and heritage; housing; economic development; transport; and infrastructure. The subject site is located within the Docklands Urban Renewal Area as identified at Clause 21.13-2 of the Scheme.

The following local planning policies are relevant to the proposed development:

- Clause 21.13 – Urban Renewal Areas
- Clause 22.18 – Urban Design within the Docklands Zone
- Clause 22.19 – Energy, Water and Waste Efficiency
- Clause 22.23 – Stormwater Management (Water Sensitive Urban Design)

The above policies encourage high quality urban design and public realm outcomes, and seek to ensure that development achieves environmental sustainability objectives.

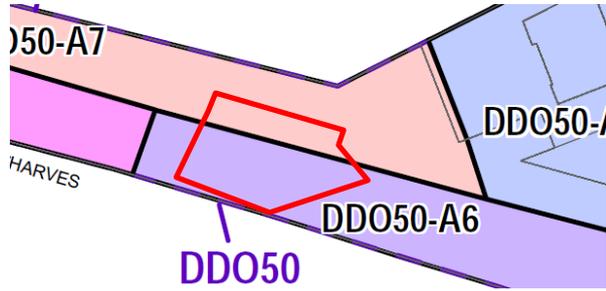
Clause 21.13-2 (Docklands) seeks to provide more specific policy guidance for the Docklands local area. Relevant policy references include:

- Encourage medium to high residential density.
- Support mixed use development including office and commercial development in the Digital Harbour, Stadium, New Quay, Victoria Harbour, Yarra's Edge and Batman's Hill Precincts.

- Ensure that buildings provide weather protection and an attractive built form to promote an attractive, vibrant, safe and comfortable street environment.

## Statutory Controls

The following planning controls apply to the subject site. Planning permit triggers and relevant requirements are described in detail below:

Planning Control	Permit / Application Requirement(s) / Decision Guidelines
Clause 37.05 – Docklands Zone (Schedule 2 – Victoria Harbour Precinct)	<p><b>A permit is required</b> to construct a building or construct or carry out works.</p> <p><b>A permit is not required</b> for use of land as dwellings or food and drink premises.</p>
Clause 43.02 – Design and Development Overlay (Schedule 12 – Noise Attenuation Area)	<p>Pursuant to Clause 43.02-2, <b>a permit is required</b> to construct a building or to construct or carry out works unless the schedule specifies otherwise. Schedule 12 specifies that a permit is required for buildings and works associated with a sensitive land use.</p> <p>For the purpose of Schedule 12 to Clause 43.02, accommodation is considered a noise-sensitive land use.</p>
Clause 43.02 – Design and Development Overlay (Schedule 50 – Victoria Harbour Precinct)	<p>Schedule 50 specifies that a permit is required if the requirements of Table 1 and Table 2 to the Schedule are not met. The subject site is located within Areas 6 and 7 of DDO50 (the proposed building is located entirely within Area 6, while the northern public realm works to construct Collins Street are located within Area 7).</p>  <p>For Area 6, Table 1 specifies a maximum building height of 90m, with the exception of two towers not exceeding 115 metres, comprising one tower at each of the eastern and western portions of this area.</p> <p>Table 2 applies to waterfront promenade widths, and requires a 6.5 metre wide southern waterfront promenade.</p> <p>The DDO50 defines building height as <i>“the vertical distance between the footpath or natural surface level at the centre of the site frontage and the highest point of the building, with the exception of architectural features and building services”</i>.</p> <p>Accordingly, as the proposed building has a height of 90.22m, and a 5.5m wide southern promenade is proposed, <b>a permit is required</b>.</p>
Clause 43.04 – Development Plan Overlay (Schedule 3 – Victoria Harbour Precinct)	<p>The preparation of a Development Plan is required, which in this instance is the <i>Victoria Harbour Development Plan 2010</i>.</p> <p>Clause 43.04-3 states that the Development Plan may be amended to the satisfaction of the Responsible Authority. Clause 43.04 does not trigger a permit in its own right. Any permit granted must be generally in accordance with the Development Plan.</p>

Planning Control	Permit / Application Requirement(s) / Decision Guidelines
Clause 45.09 – Parking Overlay (Schedule 6 – Docklands – Victoria Harbour)	A permit is required to provide parking in excess of the maximum parking rate for dwellings, being 2 spaces to each dwelling (or an allowance of 642 spaces). As a maximum 280 car parking spaces are proposed, <b>no permit is required.</b>
Particular Provisions	Permit / Application Requirement(s) / Decision Guidelines
Clause 52.06 – Car Parking	<p>A permit is not required under Clause 52.06-3 if:</p> <ul style="list-style-type: none"> <li>- The number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay for a new use of land is less than or equal to number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay for the existing use of the land; and</li> <li>- The number of car parking spaces currently provided in connection with the existing use is not reduced after the new use commences.</li> </ul> <p>The proposed number of car parking spaces does not exceed the maximum number allowed under the Parking Overlay, and accordingly <b>no permit is required.</b></p>
Clause 52.07 – Loading and Unloading of Vehicles	A loading bay is proposed to be provided which meets the requirements of the Clause. <b>No permit is required.</b>
Clause 52.29 – Land Adjacent to a Road Zone, Category 1	As no alterations to the road alignment or access arrangements to roads in a Road Zone are proposed, <b>no permit is required.</b>
Clause 52.34 – Bicycle Facilities	<p>Bicycle facilities are required at a rate of:</p> <ul style="list-style-type: none"> <li>- One resident space to each five dwellings (64 spaces)</li> <li>- One visitor space to each 10 dwellings (32 spaces)</li> <li>- One employee space to each 100m<sup>2</sup> of floor area for a food and drink premises (7 spaces)</li> </ul> <p>The proposal will provide 286 bicycle parking spaces, and accordingly exceeds the statutory requirement. <b>No permit is required.</b></p>
Clause 52.35 – Urban Context Report and Design Response for Residential Development of Five or more Storeys	An application for a residential development of five or more storeys should be accompanied by an urban context report and a design response.
Clause 52.36 – Integrated Public Transport Planning	An application to construct a building including a residential development of 60 or more dwellings must be referred to Public Transport Victoria.

General Provisions	Permit / Application Requirement(s) / Decision Guidelines
Clause 61 – Administration and Enforcement of this Scheme	The schedule to Clause 61.01 indicates that the Minister for Planning is the responsible authority for applications with a gross floor area [GFA] exceeding 25,000m <sup>2</sup> .
Clause 65 – Decision Guidelines	Clause 65 specifies that before deciding on an application the responsible authority must consider as appropriate a number of matters, including Section 60 of the <i>Planning and Environment Act 1987</i> .
Clause 66 – Referral and Notice Provisions	Under Clause 66.03, an application must be referred to the person or body specified as the referral authority. Under Clause 66.04, an application must be referred to Places Victoria.

## Other Strategic Matters

### Plan Melbourne

Plan Melbourne is referenced at Clause 9 and Clause 11.04 of the SPPF, and establishes a long-term plan to accommodate Melbourne’s future growth in population and employment. Two relevant key directions are:

- Key Direction 1.4 – Outlines the plan for the expanded central city to become Australia’s largest commercial and residential centre by 2040.
- Key Direction 2.2 – Outlines the requirement to reduce the cost of living by increasing housing supply close to services and public transport.

Plan Melbourne identifies Docklands as an existing area within the expanded central region. This central sub region has a target to accommodate one million jobs and one million people. The Central subregion has the potential to grow from 700,000 jobs today to close to one million by 2031 and well beyond this by 2050 (Initiatives 1.4.1 to 1.4.2).

A refresh of Plan Melbourne is currently underway, which focuses on climate change, housing affordability and reflects the current government’s transport commitments and priorities.

### **Victoria Harbour Development Plan 2010**

The Development Plan is referenced at Schedule 3 to the Development Plan Overlay. Key elements of the Development Plan of relevance to the planning permit application are as follows:

- The subject site comprises sites T1, T2 and N1, with heights of <110m and 85m, and identified as a key building site that will accommodate a landmark building, as illustrated in Figure 6 below.
- The site is identified for a predominantly residential land use, however retail land uses edges are envisaged along Collins Street and part of the Bourke Dock interface. Commercial edges are also identified along the southern elevation.
- The location is adjacent to public open space to the east (Dock Square/Bourke Dock) and Australia Walk Promenade West to the south, with substantial water views.

Figure 6 - Development Plan sites

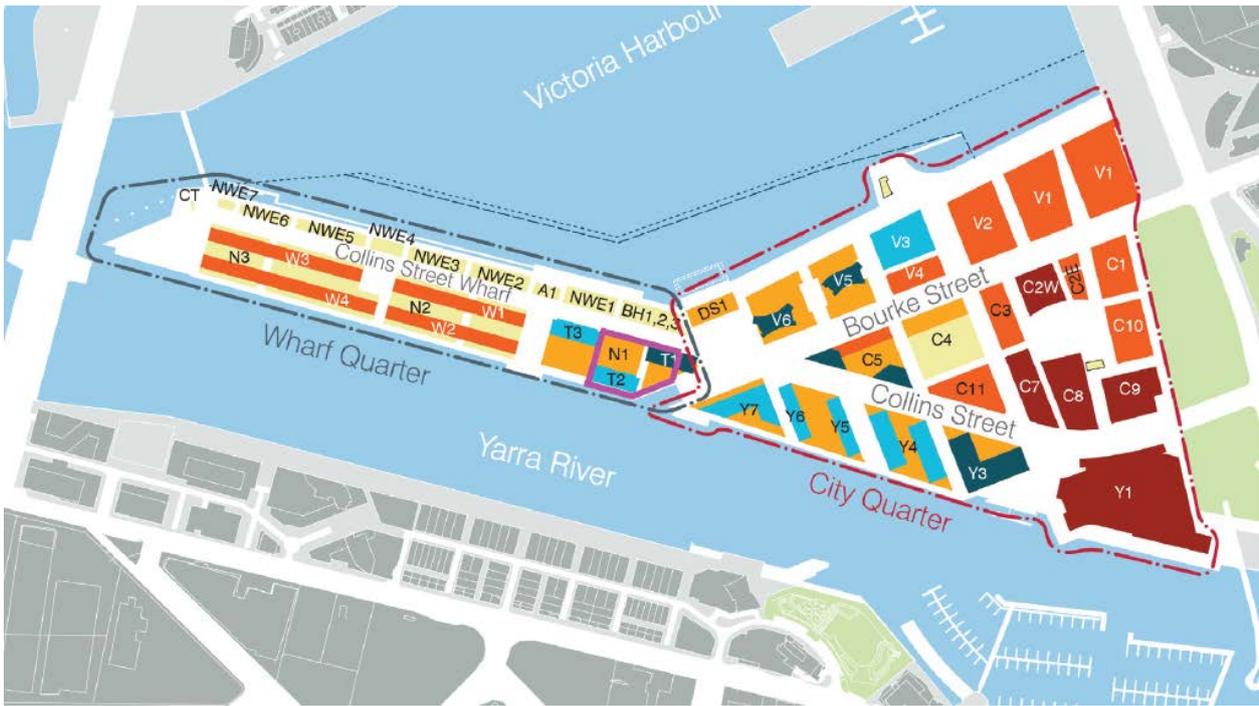
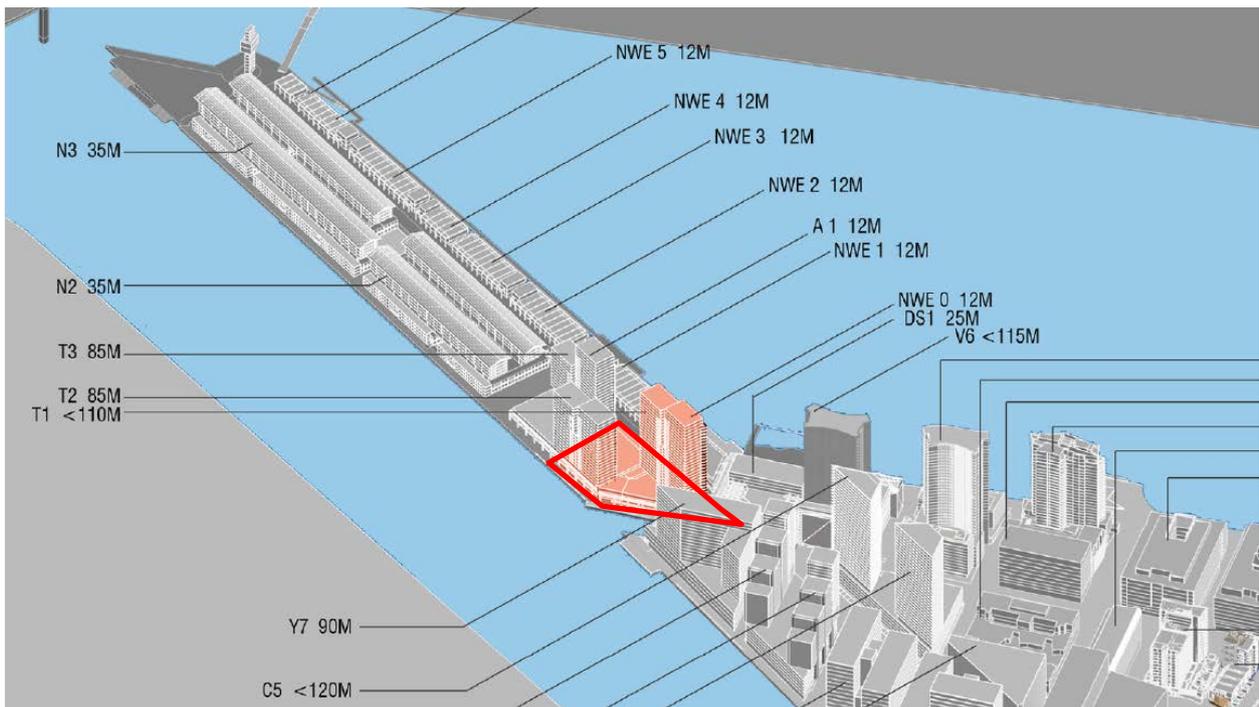


Figure 7 - Development Plan heights



It is noted that the Department is currently considering a proposed amendment to the Development Plan to include an addendum for the Collins Wharf precinct (west of the subject site). This addendum proposes to replace sections of the approved Development Plan as they relate to land within the Wharf Quarter (Collins Wharf). The application is currently under consideration.

### Design Guidelines for Higher Density Residential Development

The *Design Guidelines for Higher Density Residential Development* (Department of Sustainability and Environment, 2004) is referenced at Clause 15.01-2 of the Scheme.

# Processing

## Notification

The application is exempt from the notice and review requirements of the Act, and accordingly notice to surrounding land owners and occupiers was not required to be given.

## Referrals

The application was referred to the following relevant agencies and departments:

### **Melbourne City Council**

The application was informally referred to Melbourne City Council on 24 December 2015, and the amended plans submitted on 4 April 2016 were considered at Council's Future Melbourne Committee on 17 May 2016.

The Future Melbourne Committee resolved that the Council supports the proposed development subject to the conditions outlined in the Delegate Report. The conditions generally relate to standard permit matters and address issues including engineering, landscaping, stormwater, and public realm matters. The only significant issue raised is in relation to waste collection, which can be addressed by way of a permit condition requiring the submission of a revised Waste Management Plan to the satisfaction of Council.

Further to the recommendations of the Delegate Report, Future Melbourne Committee also requested that the applicant investigate *"ground floor street front activation at Collins Street fronting Buluk Park"*.

The majority of these conditions will be included on any permit issued, with some recommended conditions reworded to align with standard Departmental condition wording.

### **Public Transport Victoria**

The application was formally referred to Public Transport Victoria under Section 55 of the Act on 24 December 2015. PTV does not object to the application subject to standard conditions relating to the preparation of a Green Travel Plan, and minimisation of impact to tram infrastructure and services.

### **Places Victoria**

The application was formally referred to Places Victoria under Section 55 of the Act on 24 December 2015. Places Victoria does not object to the application subject to a condition requiring the preparation of an Urban Art Strategy.

### **Melbourne Water**

The application was informally referred to Melbourne Water on 24 December 2015. While Melbourne Water is not a formal referral agency, the proposed buildings and works along the southern portion of the site – including Yarra Walk – fall within the Yarra River and accordingly Melbourne Water were informally notified.

In its non-supportive response (referred to as an objection), Melbourne Water identified itself as a formal referral agency and requested that the Department refuse the planning permit application on a number of grounds relating to the impact on river health, overshadowing impacts, flooding issues, visual impacts, and inconsistency with the Development Plan.

It is noted that Lendlease consulted with Melbourne Water (and the other referral agencies) throughout the pre-application stage, and have resolved all relevant hydraulic and other issues associated with the proposed development. Melbourne Water is not a Section 55 referral agency and the application is exempt from public notice. Accordingly, the substantive issues raised by Melbourne Water were noted but were not used as a basis for assessment.

### **DELWP Urban Design**

The planning permit application was informally referred to the Department's Urban Design team. The advice noted several concerns, most specifically in relation to public realm elements including canopies, wind mitigation, internal amenity, and external materials. The majority of these concerns have been addressed by the applicant, with revised sketch plans submitted. All outstanding concerns can be addressed by way of conditions on permit. Refer to the public realm assessment section below.

# Assessment

## Consistency with Planning Policy

The proposed development is considered to be generally consistent with the strategic planning vision for Docklands and the Development Plan, and achieves state and local planning policy objectives as follows:

### State Planning Policy Framework

- Achieving a high level of architectural quality and residential amenity.
- Providing a diversity of housing typologies in close proximity to services and transport.
- Responding to the evolving built form context in terms of overall design response, including the future Bourke Dock public open space.

### Local Planning Policy Framework

- Contributing to a diversity of housing options (including three-bedroom dwellings) within the Docklands Urban Renewal Area.
- Appropriately responding to the strategic vision of housing growth within a designated urban renewal area.
- Providing a high level of resident amenity, supported by existing and future transport connections.
- Creating a safe and activated public realm.

## Victoria Harbour Development Plan 2010

The Development Plan Overlay requires a planning permit to be 'generally in accordance with' the approved Development Plan.

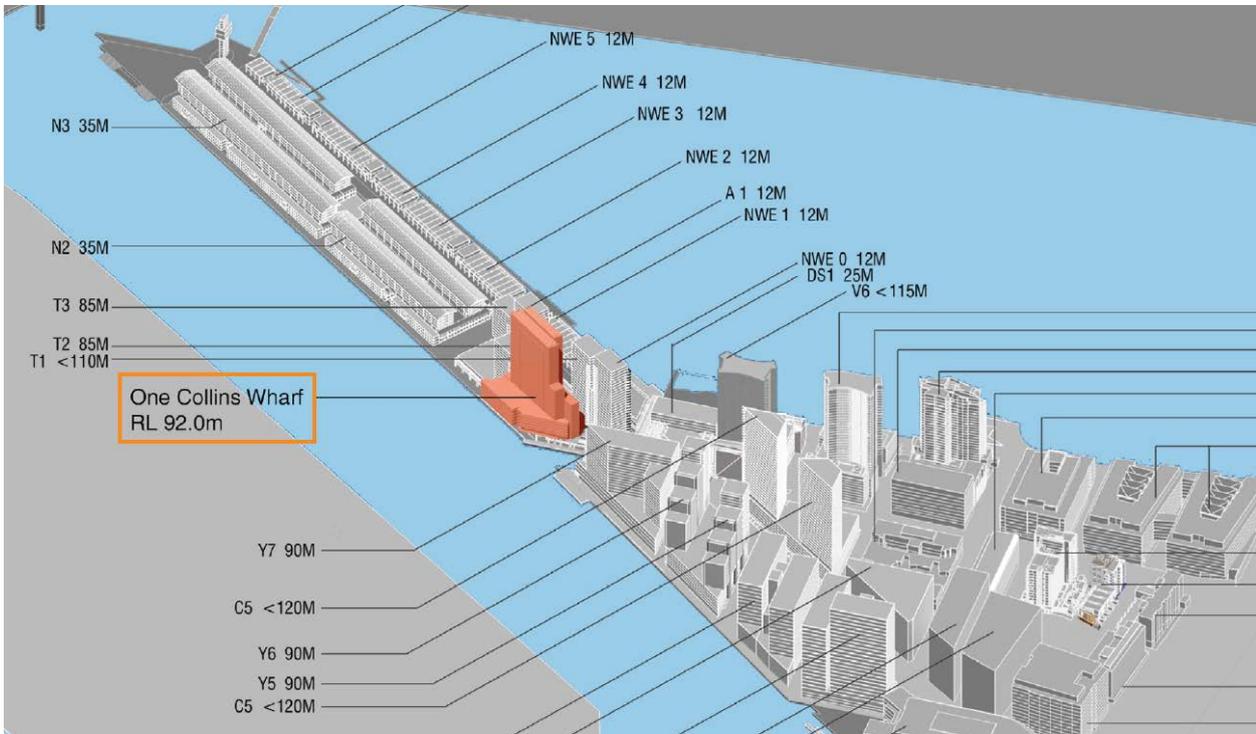
The detailed assessment in the below sections will address the objectives and guidelines of the Development Plan, but broadly, the proposal is considered to be generally consistent with the vision for the site identified in the Development Plan.

A comparison of the proposed development against the preferred outcomes is provided in the below table, and the following discussion will address all identified areas of non-conformity with the Development Plan.

Development Plan (Site N1, T1, T2)	Proposed Development
A building height of up to 110m	A maximum building height of 90.22m
Approximately 486 dwellings	321 dwellings
Approximately 563 car parking spaces	280 car parking spaces
GFA of approximately 49,813m <sup>2</sup>	GFA of approximately 44,119m <sup>2</sup>
Residential land use	Residential land use
Retail frontage to Collins Street and commercial frontage to Yarra River	Residential frontages to Collins Street and Yarra River (SOHO apartments along Collins Street)
Traditional 6.5m wide promenade along Yarra River frontage, connected to building	5.5m wide boardwalk separated from southern boundary of building

The Development Plan identifies the subject site as being developed primarily for a residential building, with various building heights ranging from 20-35m in some parts of the site, 85-95m in other parts, and the provision of a tower element to be constructed to a height of 100-120m. It is noted that the Development Plan specifies that “tower locations are indicative only”.

Figure 8 - Proposed height & location of 1 Collins Wharf



The proposal for the subject site includes a single tower with a height of just over 90m. The height of the building is therefore generally in accordance with the built form provisions of the Development Plan as they relate to the subject site.

The Development Plan identifies Australian Wharf Promenade West to the immediate south of the subject site. This promenade is described throughout the Development Plan as having a width of 6.5m, and as primarily a pedestrian and cyclist zone with vehicle access limited to services only. The promenade is to be activated by waterfront businesses “that offer a range of services and products”.

Figure 9 – Existing indicative section, Australian Wharf Promenade West

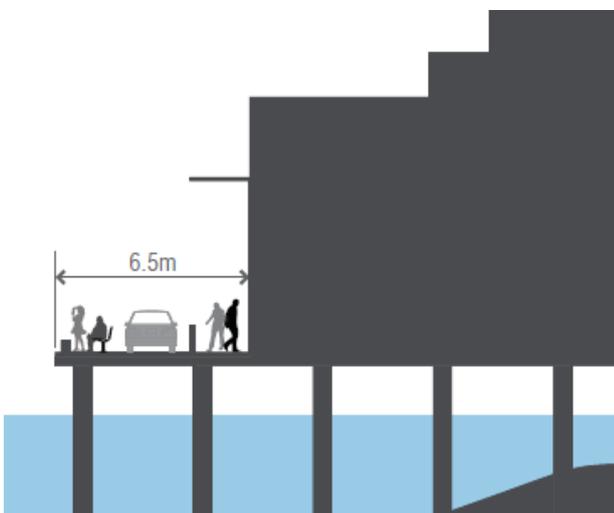
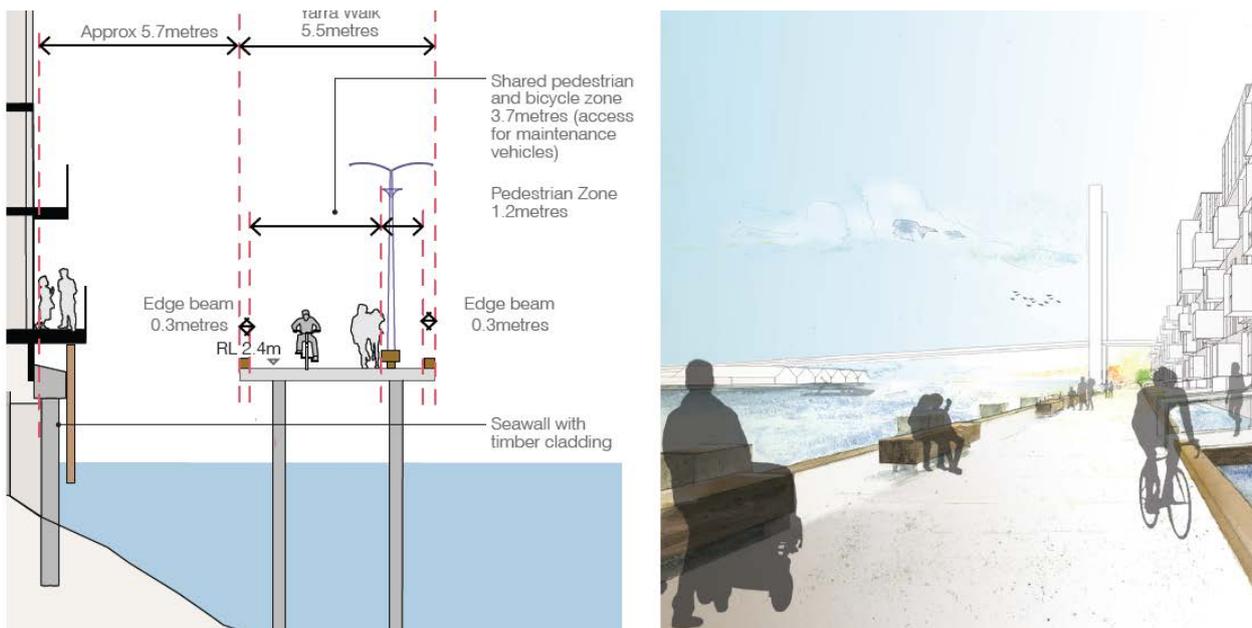


Figure 10 - Indicative section & artist's impression, proposed Yarra Walk



The proposed configuration represents a departure from the provisions of the Development Plan. The on-wharf 6.5m public promenade (formerly Australian Wharf Promenade West) is now proposed to be a 5.5m wide over-water boardwalk (Yarra Walk), separated from the southern edge of the building by a 5.7m wide passage of water. The boardwalk would continue along the full length of Collins Wharf (and is included as part of the separate application to amend the Development Plan).

While this is a departure from the Development Plan, the proposed arrangements are nevertheless considered to be acceptable, based on the following considerations:

- The reduced width of the boardwalk is still considered to be sufficient in terms of pedestrian amenity. Furthermore, Melbourne City Council's Engineering Services Group have confirmed that the boardwalk can function successfully and will provide adequate service vehicle access.
- Pedestrians and cyclists will continue to have priority on the promenade/boardwalk, given its commencement at a key public space (Bourke Dock) to the east of the wharf, and termination at another key public space (John Coode Park) at the western end of the wharf. The boardwalk is proposed to be fitted with seats where appropriate which will encourage visitors to utilise and engage with the space. Furthermore, the boardwalk incorporates landings at the junctions with the north-south laneways to further enhance pedestrian circulation and amenity.

Overall, the proposed southern promenade arrangements are considered to be generally in accordance with the Development Plan. Yarra Walk will continue to provide a pedestrian waterfront experience, and represents a variation to the typical promenade arrangements provided elsewhere throughout Docklands which recognises the uniqueness of Collins Wharf.

Section 6.4 of the Development Plan outlines the following relevant land use and edge activation provisions for the subject site:

- *The subject site is primarily residential.*
- *Retail uses are located at ground level along the Collins Street frontage.*
- *Human services/mixed uses are located at the ground level along the Bourke Dock interface.*
- *Commercial uses are located at ground and upper levels along the Yarra River frontage, with direct access from Australian Wharf Promenade West.*

These provisions encourage active land uses and edge activation, while recognising that the Wharf Quarter is unlikely to attract larger commercial tenants due to its distances from the CBD. Therefore, the Development Plan encourages buildings to provide for low-intensity small/medium sized enterprises at ground and first level, including SOHO dwellings further along Collins Street that have entries directly from the street. The Development Plan also shows that the lower levels of the south-facing Yarra River elevations of 1 Collins Wharf are two-level strata commercial suites.

As part of the request to amend the Development Plan, the applicant has provided justification regarding the deletion of commercial and retail uses within Collins Wharf. Since the Development Plan was approved in 2011, the Melbourne commercial market has not experienced the growth forecast, and the distance from Southern Cross Station and the CBD makes large volumes of commercial floor area challenging. The proposed amended Development Plan reduces the commercial component of the Development Plan to approximately 5,000m<sup>2</sup>, and focuses on low quantities of high-quality unity spaces.

It is noted that the provisions of the Development Plan as they relate to land use are flexible, with the overriding objective being to ensure active land uses along all elevations.

It is considered that the proposed development will provide an appropriate level of activation to all three identified active edges of the building, as follows:

- SOHO dwellings are proposed along the full length of the northern elevation, which will appropriately activate and enliven Collins Street. Individual pedestrian entries to all dwellings will be incorporated. It is considered that the use of SOHO dwellings is an appropriate replacement for retail edges in this location, as the dwellings will result in active streets and public spaces, consistent with the intent of the Development Plan.
- The adjacent Bourke Dock public space will be appropriately activated by the ground level retail tenancy proposed along this elevation, the residential lobby, and communal residential facilities, including a winter garden. The Development Plan outlines that “public spaces are generally activated with uses that either create or attract activity”, and it is considered that this objective continues to be met.
- Residential apartments are proposed along the southern Yarra River elevation, in lieu of the two-level strata commercial suites accessed directly from the southern promenade. It is considered that the revised promenade configuration merits an alternative approach to land uses along this elevation. While the boardwalk/promenade will not be activated by waterfront businesses as contemplated in the Development Plan, Yarra Walk will be overlooked by residential uses which will provide visual surveillance of the public realm. Furthermore, the ‘detached’ configuration from the adjacent residential apartments will reduce any potential conflicts between the public and private realms.

As demonstrated in the above assessment, it is considered that the proposed development can be considered generally in accordance with the Development Plan. The built form envelope and overall height remain generally consistent, and this is considered to be acceptable. The proposed land uses represent an appropriate response given the change in market conditions experienced in this area of Docklands and the reduced viability for commercial floor space.

The Development Plan has sufficient flexibility built-in to the indicative outcomes to enable the proposed development.

## Design and Built Form

### Height

As outlined in the above Development Plan assessment, the proposed building has a height of 29 storeys or 90.22m above ground level. This complies with the applicable provisions of the Development Plan, which contemplate a tower with a height of up to 110m. Furthermore, the height is consistent with the discretionary height controls specified in Schedule 50 to the Design and Development Overlay.

### Setbacks

The podium is proposed to be fully constructed to the street edge around the perimeter of the site, with the exception of a 4m setback from the north (Collins Street) which increases at the upper levels of the podium, and a 1.5m setback from the south-eastern (Bourke Dock) boundary. This is generally supported.

As indicated in the below diagram, the tower is proposed to be setback 13.5m from Collins Street, 21.5m from the Yarra River, 13.3m from Dock Lane East, and reduced setbacks from the east (which increase with the height of the building).

Figure 11 - Key setbacks and dimensions



Setbacks are not prescribed in either the Development Plan or the applicable Design and Development Overlay. The Development Plan provides the following general guidance:

- *“The facades of all buildings align with the lot boundaries on the south side of Collins Street and Collins Street Wharf.”*
- *“The larger buildings on Collins and Bourke Streets are typically configured as a tower form over a podium structure.”*
- *“Tower and podium forms to be used in conjunction with canopies throughout the City and Wharf quarters to prevent downdraft impacts on the public realm.”*
- *“Final design and massing of buildings is subject to wind modelling where a tower set back from a podium may be more appropriate.”*
- The subject site is identified as a landmark building.

Given this guidance, it is considered that the proposed tower setbacks of the building are appropriate. The 13.5m setback from the north will ensure that the building maintains the predominantly low-rise scale of the podium as viewed from Collins Street, and the generous setbacks to the Yarra River and the future Dock Lane East will reinforce the podium height and provide an appropriately scaled interface to the public realm.

Importantly, the 13.3m setback from the western side boundary will enable a generous tower separation between 1 Collins Wharf and the future CW2 development site to the west. The width of the service lane (Dock Lane East) will create a minimum tower setback of 25.25m from the eastern boundary of CW2. This is considered to be a positive outcome and is supported.

The proposed lesser setbacks to Bourke Dock are also supported, subject to appropriate resolution of any wind or overshadowing impacts arising from the siting of the tower. It is considered that the offset/angled alignment of the tower component of the building appropriately responds to the 'landmark building' designation and the triangular shape of the north-eastern corner of the site. The subject site is located immediately west of the junction of the City Quarter and the Wharf Quarter (and also the junction of Collins Street and Bourke Dock).

The slender and sculptural tower form, which steps back from the eastern side boundary from level 16 upwards, is considered to be an appropriate response to the specific site opportunities, and would create a distinct and prominent 'book-end' to the Collins Wharf precinct. Overall, the proposed setbacks and overall form and massing response is supported.

Figure 12 - Perspectives of proposal as viewed from Bourke Dock and Victoria Harbour



## Detailed design

As discussed above, the Development Plan identifies the site for a ‘landmark building’, being at a “significant site, junction, gateway and key destination”. The Development Plan suggests that the building should be a high quality architectural response to reflect the site’s prominent position at Bourke Dock, the termination of Bourke Street at the water’s edge.

Clause 22.18 of the Melbourne Planning Scheme further supports landmark buildings which “maximise opportunities within the site to reinforce view corridors or terminate axes via buildings, structures or landscape treatments”.

The proposed architectural character has adopted a contemporary style and palette of materials, providing visual interest from vistas on both land and water. All elevations are well designed and highly articulated, including the Dock Lane East elevation which clusters all the building services and inactive uses. It is considered that the proposed tower will be a high quality addition to the Docklands skyline.

## Public realm

The proposed development provides active residential uses at all levels of the podium fronting Collins Street, Bourke Dock, and Yarra Walk. The western elevation incorporates car parking and services with a frontage to Dock Lane East. As discussed above, this is considered to be generally in accordance with the requirements of the Development Plan, which outline that active edges are preferred around the full perimeter of the site, while residential uses are preferred in the upper levels.

It is considered that the concealment of car parking along the northern, eastern and southern elevations of the podium is positive, and that the concentration of building services and inactive uses along Dock Lane East is appropriate given its status as a service lane.

As discussed above, this application includes public realm works associated with the construction of Yarra Walk, Dock Lane East and Collins Street. The merits of Yarra Walk and Dock Lane East have been largely assessed in the Development Plan section above, and deemed to be acceptable.

The realignment of Collins Street past Buluk Park, and its continuation along the Wharf Structure, is also considered to be generally in accordance with the Development Plan and is supported. The 19m road reserve would incorporate footpaths, parallel parking on both sides of the street, and a 10.4m carriageway.

Figure 13 - Collins Street proposed arrangements



Melbourne City Council has reviewed the public realm works proposed as part of the application and does not object, subject to conditions relating to future ownership and management, construction requirements, and landscaping. These conditions will be included on the permit.

The Department's Urban Design Unit noted a number of public realm issues and concerns (summarised in italics below). An analysis and response is provided as follows:

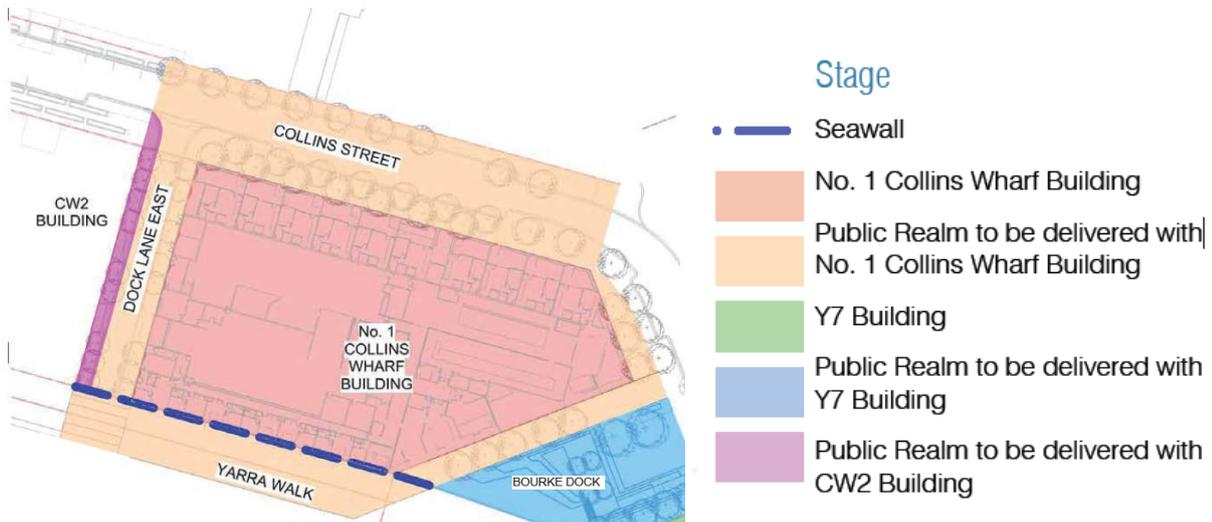
- *A canopy should be provided above the secondary Collins Street entry for both weather protection (not only from wind, which achieves long-term pedestrian level wind conditions) and increased legibility of the building entry.* This has been addressed by the applicant (in the sketch plans submitted 7 June 2016).
- *While the principal Collins Street entry will achieve satisfactory pedestrian level wind criteria, an appropriately integrated canopy should be provided with a minimum coverage of 2.0m perpendicular to the facade.* An airlock is proposed in this location with automatic doors, accessible before the security entrance, which would provide an appropriate place to seek relief from inclement weather. The addition of a canopy is therefore not required.
- *Further to the improvements to the north-eastern corner of the building recommended by Melbourne City Council, opportunities to activate the area behind the fixed vertical fins (wind cage) should be explored, including a lighting strategy which could contribute to a subtle nocturnal activation that recognises the important geographical and visual position of this space.* This will be addressed by way of a condition on permit.
- *Details of the proposed fixed mitigation devices are required, outlining dimensions, materials and design, including the full height porous screen, and the canopy to the southern elevation.* This will be addressed by way of a condition on permit.
- *The canopy on the southern building elevation (facing Bourke Dock) should be extended to provided a minimum 2.5m coverage from the line of the facade or ground level fixtures.* This has been addressed by the applicant (in the sketch plans submitted 7 June 2016).
- *Along the western elevation, the water meter room should be relocated and substituted with increased terrace space and additional glazing to the western end of the abutting SOHO to achieve a better public realm outcome. This elevation is entirely occupied by service frontage (with the exception of two windows at the southern end of the lane) and does not provide appropriate passive surveillance.* This has been addressed by the applicant (in the sketch plans submitted 7 June 2016) and the water meter relocated within the front fence and a new raised planter of the SOHO apartment. The length of western frontage occupied by the water meter room has been effectively deleted, and a window incorporated along the laneway elevation to promote passive surveillance.
- *Revised documentation should be submitted including revised, annotated elevations specifying the locations of all relevant external materials. All materials should be identified with samples on a materials and finishes board.* This will be addressed by way of a condition on permit.
- *The internal corridor to the south-facing podium level apartments is over 100m in length with only one externally oriented opening. Further consideration should be given to increasing the number of openings to a minimum of three and located to increase orientation.* The location of the entrance to the corridor effectively splits the corridor into two lengths of 47.5m and around 40m, and the daylight penetration to this space is therefore considered to be acceptable.

Overall, subject to the conditions discussed in the assessment, the proposed interface between the building and the public realm and the public realm works are considered to achieve an appropriately resolved and activated outcome and are supported.

### Staging and ownership

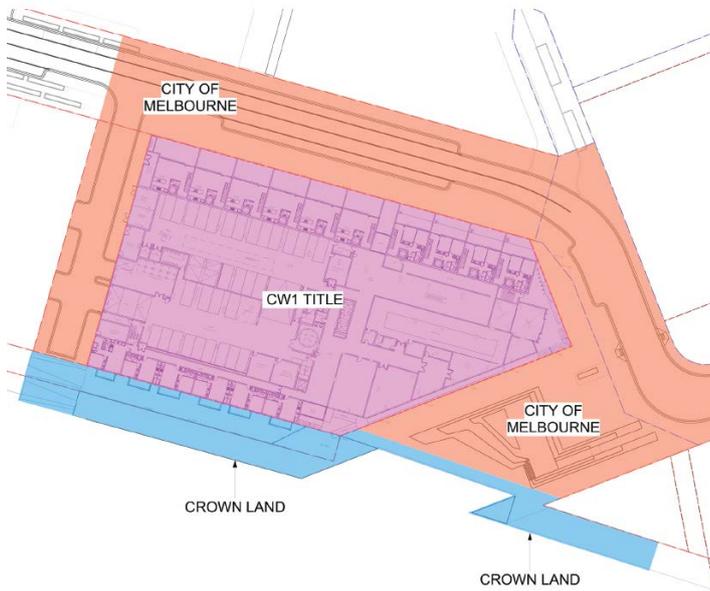
In relation to the proposed staging and ownership arrangements, the documentation submitted indicates that the proposed building will be delivered in conjunction with the associated public realm works of Collins Street (immediately opposite 1 Collins Wharf), Yarra Walk, and the south-eastern and north-eastern footpaths adjacent to the building.

Figure 14 - Staging plan



The proposed ownership arrangements are consistent with development throughout Docklands and are supported by Places Victoria and Melbourne City Council.

Figure 15 - Land ownership



### Wind

The Development Plan identifies the subject site as acting to protect Bourke Dock from southerly winds. The plans submitted to the Department were accompanied by a wind impact assessment report prepared by Windtech (21 October 2015). The tower has been designed in order to most effectively balance the various wind conditions within the ground level, as the stepped form of the tower mitigates the effects of the prevailing winds.

Despite this, the wind assessment report concludes that the following design solutions are required to mitigate wind effects to ensure public safety and comfort and achieve the walking comfort criteria (including within Bourke Dock which is not part of this application):

- *Full height porous screens on the northern and southern aspects of the harbour within Bourke Dock.*
- *Densely foliating trees in the north-south laneway along the western aspect of the site.*
- *Densely foliating trees around the corner and pedestrian footpaths of Collins Street.*
- *Densely foliating trees at the corner of Buluk Park.*
- *Densely foliating trees around the building edge parallel to Bourke public space.*
- *The inclusion of a full height porous screen perpendicular to façade for 1m on the southern corner of the development on ground level with the same height as the underside of the balcony on level 1.*

In addition, the proposed development incorporates a wind mitigation filigree east of the SOHO dwellings. Together, these measures will ensure that the development achieves acceptable wind comfort criteria within the public realm.

It is noted that the Department generally requires development to respond to wind conditions without strong reliance on vegetation or screens placed in public spaces in order to achieve satisfactory conditions. However, existing wind conditions within the Docklands are challenging, and it is acknowledged that effective wind mitigation may require such measures. Given the location of the site and the existing wind conditions, this is considered to be acceptable.

## **Overshadowing**

The Development Plan requires urban form to be designed to avoid overshadowing of the south bank of the Yarra River between 11am and 2pm in winter, and notes that Bourke Dock is to be designed for good solar access through winter and summer.

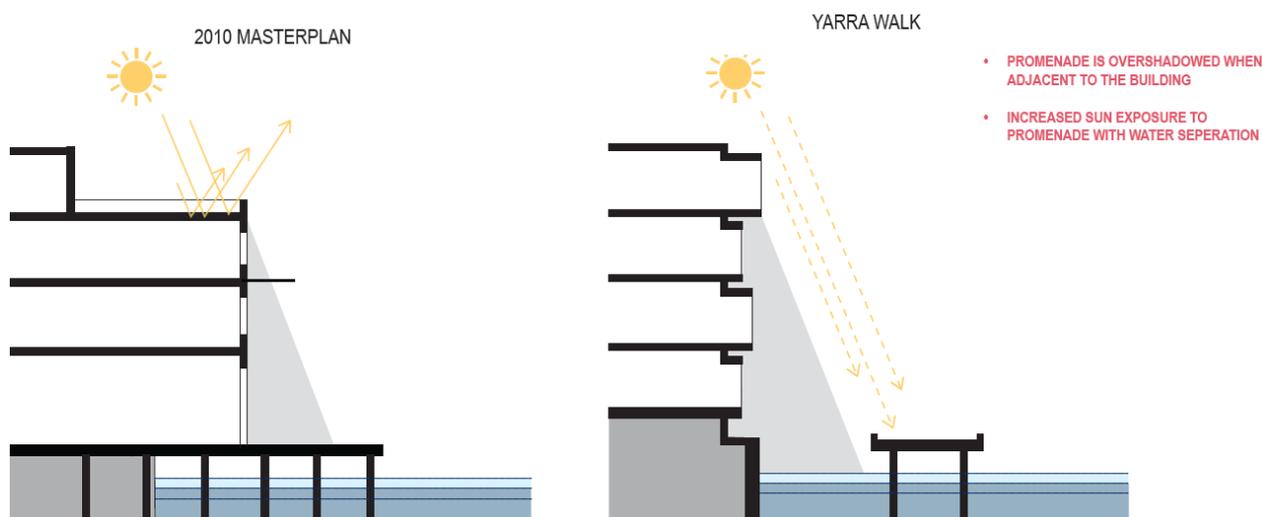
The proposed development will not result in any overshadowing of the south bank of the Yarra River between 11am and 2pm, as required by the Development Plan and policy at Schedule 2 to the Docklands Zone (which prohibits such overshadowing).

Given the location of the subject site immediately north-west of the future Bourke Dock public open space, the proposed development will result in some overshadowing of the space between 11am and 2pm in winter and spring. However, given that the site is identified for a height up to of 110m, some overshadowing impact to Bourke Dock is anticipated and reasonable.

The proposed Yarra Walk configuration will result in improved daylight conditions to the southern promenade, as a result of the increased setback from the wharf line.

The proposal will result in some overshadowing of the Yarra River corridor, which was an issue raised by Melbourne Water. As the height and built form enveloped of the proposed building is consistent with the approved Development Plan, it is acknowledged that some overshadowing of the river will inevitably result from development on the northern bank of the river. The Melbourne Planning Scheme does not contain any policies relating to overshadowing of the river, and the proposal is therefore considered to be acceptable.

Figure 16 - Solar access to typical promenade vs. Yarra Walk



Overall, it is considered that the overshadowing impacts are consistent with what was envisaged under the Development Plan and accordingly are acceptable.

## Acoustics

An acoustic report prepared by Acoustic Logic (dated 22 October 2015) considered the requirements of relevant Australian Standards and the Melbourne Planning Scheme. The report makes recommendations to achieve acceptable internal noise criteria, including specific requirements for glazing acoustic seals. The report concludes that acceptable internal noise criteria will be met if the recommendations are implemented. This will be addressed by way of a condition on permit.

## Internal amenity

The proposed development is considered to achieve a good level of internal amenity. All bedrooms incorporate water views to either the north or the south, and windows provide direct daylight access and natural ventilation, and no living areas or bedrooms rely on borrowed light.

Most dwellings are provided with a balcony or wintergarden with direct access from a living room, and all habitable rooms have access to natural ventilation. The overall configuration, allocation of internal space, and outlook of the dwellings is generally considered to achieve a high level of internal amenity and is supported.

The proposed development incorporates communal residential facilities within the ground level. The amount, type and location of the communal facilities are considered to be appropriate and will provide for the reasonable recreation needs of future residents.

## Car and bicycle parking

The proposed development will provide a total of 290 car parking spaces and 286 bicycle parking spaces, which satisfies the statutory requirements of the Scheme. The car parking rate is 0.9 spaces per dwelling, less than the maximum 2 spaces per dwelling identified in the Parking Overlay. Melbourne City Council noted that *“the proposed car parking and access arrangements are generally considered to be acceptable”*.

Detailed car parking layout matters will be addressed by way of a condition on permit requiring amended plans to be to the satisfaction of the Melbourne City Council.

Bicycle parking spaces for visitors are provided at ground level and are conveniently located, and the above-bonnet bicycle parking spaces for future residents are acceptable.

The traffic impact assessment prepared by Cardno (dated 27 October 2015) concludes that the traffic generated by the site is considered to be acceptable and consistent with the impacts assessed and mitigated as part of the Development Plan.

### **Loading and unloading of vehicles**

While the proposed development incorporates an internal loading bay at ground level, the dimensions of the loading bay do not comply with the requirements of Clause 52.07 of the Melbourne Planning Scheme. Accordingly, a permit is required to reduce the requirement to provide a loading bay.

Given that a loading bay is provided, and that Dock Lane East is not anticipated to generate significant traffic volumes, some reduction of the dimensions of the loading bay is considered to be acceptable. However, the size of the loading bay as proposed is not considered to be sufficient to accommodate vans and similar sized vehicles to assist residents when moving in and out, and for small scale deliveries to the ground floor café. A condition on permit will require a larger loading bay to be provided.

### **Waste management**

The waste management plan (WMP) prepared by Wastech Engineering (dated 19 September 2015) outlines the proposed waste management arrangements for the proposed development. Melbourne City Council noted that the submitted WMP does not comply with Council's 2015 guidelines as it proposes external waste pick-up. A condition on permit will require an amended WMP to be submitted in accordance with Council requirements, with all waste storage and collection to be undertaken from within the site boundaries (requiring the waste truck to enter the building), unless otherwise agreed to by Council.

### **Environmentally sustainable design**

A sustainability report was prepared by Lendlease (dated 14 October 2015) and outlines the environmentally sustainable design initiatives and commitments reflected in the proposed development.

The report indicates that the proposal has incorporated measures to achieve the ESD targets of Clause 22.19 (Energy, Water and Waste Efficiency) of the Scheme, which require that a development has the 'preliminary design potential' to achieve a 5 star Green Star Multi-Unit Residential Tool rating. This is acceptable.

## Conclusion and Recommendation

The proposed development has been assessed against all relevant state and local planning policies, the Development Plan, and the decision guidelines of the zone, overlays, and particular provisions of the Melbourne Planning Scheme. The proposal is considered to be generally consistent with all relevant policy objectives, and has adequately responded to the opportunities and constraints of the site.

The concerns raised by Melbourne City Council can be addressed by way of condition on permit as relevant.

Overall, it is recommended that Planning Permit PA1500038 be issued for development of the land for the construction of a multi-storey building, subject to the conditions described in the attached planning permit.

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DATE: 5 July 2016

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