

## ATTACHMENT ONE

### OFFICER REPORT – 568-580 COLLINS STREET MELBOURNE - MIXED USE RESIDENTIAL TOWER - PERMIT 2010/012518

#### Subject Site

1. The site is located on the north side of Collins Street, between King Street and Spencer Street, with a rear boundary to Francis Street. The site has a frontage to Collins Street and Francis Street of approximately 31 metres and a depth of approximately 40 metres. The total site area is approximately 1200m<sup>2</sup>, and a four storey building is currently located on site. This building has no heritage value.
2. The subject site is affected by the following zoning I overlay controls:
  - Capital City Zone 1 (CCZ1)
  - Design and Development Overlay, Schedule 1 (0001 [Area 2], Active Street Frontage)
  - Design and Development Overlay, Schedule 4 (DD04, Weather protection)
  - Design and Development Overlay, Schedule 12 (DD012, Noise attenuation)
3. The adjoining properties include the A-graded four-storey former McPherson's Building at 546 Collins Street and a four-storey building with retail, office and childcare at 600 Collins Street.

#### Proposal

4. The proposal redevelop the site with a 67 level building comprised predominantly of dwellings, however including some retail and office space with an overall height of approximately 220m.
5. The proposed building has a 'podium with tower atop' configuration with a podium height of approximately 40m consisting predominantly of car parking, with a skin of active uses (restaurant, terrace and office) to Collins Street. The tower has a minimum 4m setback from Collins Street; zero setback (with some projections on upper levels) from Francis Street; 1m to 3m setback from east boundary (former McPherson's Building); and 4.5m setback from west boundary (600 Collins Street).
6. The details of the proposal are as follows:
  - 588 dwellings (370 single bedroom and 218 two bedroom);
  - recreation deck at level 33 including pool, gym and library;
  - 288m<sup>2</sup> of retail space at ground and first floor;
  - small retail space at ground floor fronting Francis Street;
  - 1091m<sup>2</sup> of office space in podium; and
  - 266 car spaces, 10 motorcycle spaces, and 190 bicycle spaces.
7. The car parking and loading bay is proposed to be accessed via a new double crossover to Francis Street.

#### Zones/Overlays/Particular Provisions

##### Capital City Zone Clause 37.04

8. Pursuant to Clause 37.04-2, a permit is required to use the land unless specifically exempted by the schedule. The table of uses at 1.0 of CCZ1 specifies 'accommodation' and 'retail premises' as Section 1 - Permit not required uses.
9. Pursuant to Clause 37.04-4 a permit is required for buildings and works unless specifically exempted by the schedule. Clause 3.0 of CCZ1 states that a permit is required to construct a building or construct or carry out works including any part of a building within 10m of a street frontage. Decision guidelines are at 3.0 of CCZ1.
10. Pursuant to Clause 37.04-4 a permit is required to demolish or remove a building or works if specified in the schedule. Clause 4.0 of CCZ1 states that a permit and prior

approval for the redevelopment of the site are required to demolish or remove a building or works.

### **Design and Development Overlay Clause 43.02**

11. Pursuant to Clause 43.02-2, a permit is required to construct a building or construct or carry out works unless otherwise specified in the schedule to the overlay.
12. DD01 does not exempt buildings and works (at ground level) from requiring a permit. Clause 2.0 of DD01 provides requirements for buildings in Area 2 including at 'least 5 metres or 80% of the street frontage (whichever is the greater) as an entry or display window to a shop and/or a food and drink premises'.
13. DD04 does not exempt buildings and works from requiring a permit. Clause 2.0 of DD04 states that a 'building with a road frontage marked Weather Protection must provide a verandah for weather protection over the 'footpath unless it is demonstrated to the satisfaction of the responsible authority that the particular circumstances do not require it'.
14. DD012 does not include a permit trigger for buildings and works. Clause 2.0 of DD0 12 includes requirements for noise attenuation measures for new residential or noise-sensitive uses.

### **Car Parking Clause 52.06**

15. Pursuant to the Schedule to Clause 52.06-6, a permit is required to provide car parking spaces in excess of the car parking rates in Clause 2.0 of the Schedule. This does not include the provision of additional car parking, to the satisfaction of the responsible authority, which is required to serve on site use for dwellings or a residential hotel.
16. The car parking requirements where a site is used partly for dwellings and partly for other uses is:
  - For that part of the site devoted to dwellings (including common areas serving the dwellings) must not exceed one (1) space per dwelling.
  - For that part of the site devoted to other uses, (excluding common areas serving the dwellings) must not exceed the number calculated using one of the following formulas,
17. Maximum spaces =  $(5 \times \text{net floor area of buildings on that part of the site in m}^2) / 1000\text{m}^2$
18. or  $12 \times \text{that part of the site area in m}^2 / 1000\text{m}^2$
19. The TiaffixGroup traffic report states that the number of spaces allowed is 605 with 588 for residents and 17 for office and retail. The proposal includes a total of 227 spaces and is therefore lower than the threshold described in para. 16.

### **Bicycle Facilities Clause 52.34**

20. Pursuant to Clause 52.34-2 a permit is required to reduce or waive the standard bicycle parking requirement.
21. The standard bicycle parking requirement for:
  - Dwelling (in developments of four or more storeys) is 1 resident space per 5 dwellings and 1 visitor space per 10 dwellings.
  - Office is 1 to each 300m<sup>2</sup> of net floor area if the net floor area exceeds 1000m<sup>2</sup> for employees and 1 to each 1000m<sup>2</sup> of net floor area if the net floor area exceeds 1000m<sup>2</sup> for visitors.
  - Retail premises is 1 to each 300m<sup>2</sup> of leasable floor area for employees and 1 to each 500m<sup>2</sup> of leasable floor area for visitors.
22. Based on the above, the submitted traffic report prepared by Cardno Grogan Richards states that the number of spaces required is 184 including 60 spaces for visitors and seven spaces for employees.
23. The proposal includes a total of 190 spaces and is therefore greater than the requirement.

24. The seven spaces for employees triggers a requirement for one shower I change room according to Table 2 under Clause 52.34-3. No information is provided regarding this aspect of bicycle facilities. A condition should be added to any permit, requiring this to be met. **(Condition 1.f)**

### **SPPF and LPPF**

25. The Melbourne 2030 and Melbourne@5million strategy documents and the State Planning Policy generally support more intensive forms of housing particularly within the inner city areas of Melbourne. The latest proposal promotes the initiatives created by State Planning Policy by creating a development footprint capable of accommodating 588 one and two bedroom apartments.
26. Being in the heart of the Melbourne CAD, the level of amenity offered by the development is high, and transport and other facilities are in abundance.

### **Referrals**

27. The Clause relating to Integrated Public Transport Planning direct that the development be referred to the Director of Public Transport as a section 55 Referral Authority.
28. The application was referred to the Department of Transport (DoT), as a section 55 referral authority. DoT indicated in writing that it does not object to the proposal, subject to standard conditions. **(Conditions 26, 27)**
29. The application was also referred to Council prior to general notification. Council raised a number of issues and suggested permit conditions to address a majority of these.

### **Notification**

30. An application to construct a building or construct or carry out works for a use in Section 1 of Clause 37.04-1 is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

### **ISSUES/COMMENT**

#### **Assessment**

31. As described in paragraph 8 of this brief, the uses do not require a permit and thus the assessment is limited to the buildings and works.

#### **Urban Context Issues**

32. Strategic justification aside, both Council and DPCD's Urban Design unit voiced initial concerns with the original built form outcome. Concerns centred around the development 'turning its back' to Francis street and podium levels not matching the building bulk of surrounding buildings.
33. It is considered inevitable that this development, like most backing onto Francis Street, will be less activated to this frontage than to Collins Street. Francis Street is atypical amongst Melbourne's narrow back streets in that there is little by way of activation and it functions predominantly as a 'back of house area for larger developments.
34. Within this context activation to Francis Street is not as paramount as it would be in a heavily utilised narrow backstreet in another location.
35. Similarly, although the podium, does not precisely match the surrounding lower form buildings to the east and west of the site, it does reflect the more dominant built form of book end buildings found on Collins Street's intersection with Spencer and Kings Streets.

#### **Other Matters**

36. Permit conditions addressing the following matters should be added to the permit to address the general orderly planning of the development.

#### **Wind Testing**

37. Due to the scale of the buildings it is appropriate that wind tests be carried out by a suitably qualified consultant on a model of the approved building. A report detailing the outcome of the testing should be submitted to recommend any modifications which may be made to the design of the building to reduce any adverse wind conditions in areas used by pedestrians.
38. Such testing would also address the concerns of Council on the effect of wind on pedestrians. **(Condition 4)**

#### **Construction Management Plan**

39. It is customary for development of this scale to be accompanied by a Construction Management Plan to aid in the enforcement of Local Laws by Council, who will be responsible for enforcement of the Permit. **(Condition 5)**

#### **Waste Management Plan**

40. The recommendations contained within the Transport Impact Assessment and Environmental Management Plan reports submitted by the applicant are contingent on a Waste Management Plan being put into place to minimise the effect of waste production and collection on the development. Such a plan has not been included and should be conditioned. **(Conditions 29, 30)**

#### **Conclusion**

41. The proposal is considered to be of a good architectural standard, is well integrated with surrounding uses, provides adequate parking and loading facilities and addresses urban design and public realm principals. A Permit should be issued subject to conditions addressing the various issues dealt with in this assessment.