‘Melbourne Central redevelopment March 2002 (Amended October 2019)’

349-373 Swanston Street, 183-265 & 214-252 Latrobe Street, 316-364 Elizabeth Street, 198-262 & 285-307 Little Lonsdale Street, 284-310 Lonsdale Street, and 22 Drewery Place, Melbourne.

This document is an incorporated document in the Melbourne Planning Scheme pursuant to Section 6(2)(j) of the Planning and Environment Act 1987
INTRODUCTION:

This document is an incorporated document in the schedule to Clause 72.04 of the Melbourne Planning Scheme.

The land identified in the document may be developed and used in accordance with the specific controls contained in the document. The specific controls may exclude other controls in the Scheme.

If there is any inconsistency between the specific controls and the general provisions of the Scheme, the specific controls will prevail.

ADDRESS OF THE LAND:

349-373 Swanston Street, 183-265 and 214-252 Latrobe Street, 316-364 Elizabeth Street, 198-262 and 285-307 Little Lonsdale Street, 284-310 Lonsdale Street, and 22 Drewery Place, Melbourne.

THIS DOCUMENT ALLOWS:

Development including demolition and redevelopment of existing buildings, including exceeding the core 40 metre height control, and use of the land for the purposes of but not limited to, Office, Retail premises (other than adult sex bookshop), Hotel, Tavern, gymnasium, Cinema, ancillary car parking and public car park, generally in accordance with the plans prepared by Ashton Raggatt McDougall Architects, and titled:

- ‘Melbourne Central Lonsdale Street Commercial Building’ dated 21/05/19, Drawing Nos TP-A0700 (Ground Floor Demolition Plan), TP-A1103 (Level 3 Leisure Precinct) and TP-A3002 (Section BB) showing the demolition and development of the land at 22 Drewery Place, Melbourne.

THE FOLLOWING CONDITIONS APPLY TO THIS DOCUMENT:

1. Prior to the commencement of development hereby permitted, the owner(s) must submit amended scaled plans to the satisfaction of the Responsible Authority in consultation with the City of Melbourne (the Council) and be approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the incorporated document. The plans must be generally in accordance with the plans prepared by Ashton Raggatt McDougall, Architects but modified to show:

   a. Detailed architectural plans, elevations and sections, indicating location, height, dimensions, design, use and floor area of all buildings and works including, all canopies, projections, wind mitigation devices and architectural features.
b) Design detail and revisions, including use of floor area, for all street bridges to ensure an appropriate level of transparency looking out from and into the bridge structures.

c) The schematic design and location of external advertising signs;

d) Design detail and revisions of all the ground floor and podium level elevations (indicating uses) and all street facades at a scale of 1:200 in order to ensure:

   i) the provision, suitability and extent of active street frontages, public activities and access to Lonsdale Street, Swanston Street, Latrobe Street, Elizabeth Street and Little Lonsdale Street frontage;

   ii. the conservation and enhancement of the heritage registered historic shot tower within the internal retail elevations of the great space;

   iii. a continuous pedestrian route from Lonsdale Street to LaTrobe Street with linking pedestrian lanes to Drewery Place and Swanston Street open to full public access during the operational opening hours of Melbourne Central train station.

   iv. that the public realm, streets and laneways, are not adversely subjected to wind and weather impacts associated with the development;

   v. that high quality pedestrian amenity and safety at all interfaces with the development is established and maintained.

e) The extent of demolition of the existing building at 22 Drewery Place and the extent of dismantling / reconstruction works in order to reconstruct the northern (frontage) façade at 22 Drewery Place, Melbourne.

f) The eastern elevation amended to show details of the articulation, materials and finishes of the new eastern wall, including an annotation of “indicative artwork location subject to future resolution”.

g) The projecting office rooms on the Lonsdale Street elevation to be relocated to the location shown on Ashton Raggatt McDougall, Architects plans received on 14 February 2019, or an acceptable alternative location, so that the built form is successfully grounded.

h) A façade strategy for all new and modified elevations.

2 The use and development must be carried out generally in accordance with the plans prepared by Ashton Raggatt McDougall Architects and endorsed by the Responsible Authority, or such modified plans which may be substituted with the consent of the Responsible Authority.

3 The use and development of any land or building or part thereof as shown on the endorsed plans must not be altered or modified in any way without the prior consent of the Responsible Authority.

4 Prior to the commencement of the development (including demolition) on the land at 22 Drewery Place, Melbourne, the owner must appoint an appropriately experienced Heritage Consultant to the satisfaction of the Responsible Authority in consultation with the Council. A Dismantling and Reconstruction Methodology must be prepared by the approved Heritage Consultant and must be submitted to and approved by the Responsible Authority in
consultation with the Council. The Dismantling and Reconstruction Methodology must include:

a. The methodology for dismantling and reconstruction of the northern (frontage) façade at 22 Drewery Place, Melbourne.

b. The removal of paint from the northern façade bricks.

c. A detailed photographic record of the building including interiors.

d. Plans detailing precise measurements and details of the reconstruction of the northern (frontage) façade at 22 Drewery Place, Melbourne.

When approved, the Dismantling and Reconstruction Methodology will form part of the Incorporated Document. The buildings and works to 22 Drewery Place, Melbourne approved under this Incorporated Document must be undertaken in accordance with the endorsed Dismantling and Reconstruction Methodology, to the satisfaction of the Responsible Authority. The Dismantling and Reconstruction Management Plan must not be amended without first obtaining the written consent of the Responsible Authority.

5 At the completion of the works to 22 Drewery Place, Melbourne, the owner must provide a written submission from the approved Heritage Consultant confirming that the project has been completed in accordance with the endorsed Dismantling and Reconstruction Methodology.

6 Prior to the commencement of the development a schedule of all external materials and finishes for new facades including but not limited to the colour, type of materials, construction and appearance together with details of all external fixtures including lighting, must be submitted to and be to the satisfaction of the Responsible Authority and when approved will form part of the endorsed plans.

7 Within six months of commencement of the Lonsdale Street office tower, plans and elevations at a scale of 1:20 for new building entrances and tenancies at the ground floor Lonsdale Street and Drewery Place (including details of façade lighting) must be submitted to and be to the satisfaction of the Responsible Authority. When approved, the plans will form part of the endorsed plans.

8 Within six months of commencement of the Lonsdale Street office tower, a detailed landscape plan must be submitted to and be to the satisfaction of the Responsible Authority in consultation with the Council and when approved will form part of the endorsed plans and should include:

i. Details of the location, species selection, planter boxes, changes to existing street trees, paving materials, lighting of public areas with dimensioned relative levels and a landscape management and maintenance plan;

ii. Clear demarcation of public realm and private spaces;

iii. A public areas works plan for each stage of the development including landscaping details for all adjoining footpaths, building setback areas and publicly assessable areas including arrangements for pedestrian/bicycle/vehicular circulation in the laneways of the development;

iv. Irrigation and drainage extent and quantity;
v. Storage and/or recycling of water;
vii. Substrate detail;
viii. Consideration of shade and wind on proposed planting (the use of grow lights as recommended should be minimised where possible through the use of appropriate species selection);
ix. Management of productive spaces and tenant responsible planting.

9 Within six months of commencement of the Lonsdale Street office tower, details of the public art (including the artist and artwork) on the eastern elevation of the Lonsdale Street retail levels, visible from Swanston Street and the State Library Forecourt (as identified in the 5 August 2019 perspective), must be submitted to and approved by the Responsible Authority in consultation with the Council.

10 Details of the management of the internal public spaces and laneways, designed to ensure that they remain open to full public access during the operational opening hours of Melbourne Central train station, must be submitted to and be to the satisfaction of the Responsible Authority.

11 The construction of the Lonsdale Street office tower above the existing retail building must not commence unless and until the Responsible Authority is satisfied that the owner has made substantial progress towards obtaining the necessary building permits for the redevelopment of sections of the retail land use generally in accordance with the development of the land approved in this document and the permit holder has entered into a bona fide contract for the construction of sections of the retail land use.

12 Following demolition works but prior to the commencement of the new buildings and works a report from a suitably qualified environmental engineer must be submitted to and approved by the Responsible Authority. The report shall detail the environmentally sustainable design measures incorporated into the designs of the buildings and the overall energy performance of the development, to the satisfaction of the Responsible Authority.

13 The performance outcomes specified in the Sustainable Management Plan prepared by ADP Consulting dated 9 October 2018 must be achieved in the completed Lonsdale Street office tower. Any change during detailed design, which prevents or alters the attainment of the performance outcomes specified in the endorsed Sustainable Management Plan, must be documented by the author of the endorsed Sustainable Management Plan in an addendum to this report, which must be provided to the satisfaction of the Responsible Authority prior to the commencement of construction.

14 Prior to the occupation of the Lonsdale Street office tower, a report from the author of the endorsed Sustainable Management Plan, or similarly qualified persons or companies, outlining how the performance outcomes specified in the amended Sustainable Management Plan have been implemented must be submitted to the Responsible Authority in consultation with the Council. The report must be to the satisfaction of the Responsible Authority and must confirm and provide sufficient evidence that all measures specified in the approved Sustainable Management Plan have been implemented in accordance with the relevant approved plans.
Prior to the commencement of the use and development (or any stage of the development) hereby permitted, a detailed Construction Management Plan (CMP) must be prepared to the satisfaction of the Council, outlining how the owner will manage the environmental and construction issues associated with the proposed use and redevelopment. The CMP must address demolition, management of the construction site(s) and land disturbance, hours of operation, noise, dust, traffic management, soiling of roadways, discharge of polluted waters, improper disposal of waste contaminated soil / asbestos and pollution of ground water.

The parking areas and loading and unloading areas must be kept available for that use at all times and the car-parking spaces and access-ways must not be obstructed or otherwise rendered inaccessible.

The loading or unloading of vehicles of goods, plant and materials or other items delivered to or dispatched from the land, (except as provided in the approved Construction Management Plan), must take place within the boundary of the land.

The owner must not alter the existing street levels adjacent to the site for the purpose of constructing a new vehicle crossing or pedestrian entrances without the prior written approval of the Council.

The owner of the subject land must construct all necessary vehicle crossings and demolish all unnecessary vehicle crossings and reconstruct in sawn bluestone the footpaths adjacent to all boundaries of the property at no cost to the Responsible Authority or the Council and in accordance with all specifications of the Council and to the satisfaction of the Council.

The waste storage and collection arrangements must be in accordance with the Waste Management Plan (WMP) prepared by Foresight Environmental, dated 2 November 2018. The endorsed WMP must not be altered without prior consent of the Council.

Prior to the commencement of the development, a comprehensive wind tunnel testing of the development must be undertaken by the owner(s) and a Wind Climate Assessment report provided for the written approval of the Responsible Authority. Any modifications required to the development in order to ensure acceptable wind conditions to the surrounding streets, public areas and podium rooftop spaces must be submitted to and approved by the Responsible Authority, in consultation with the Council. The design details of any wind mitigation works must receive the endorsement of the owner(s)’ wind climate experts and preference should be afforded to the use of architectural features or devices in lieu of above ground level planting.

No advertising signs shall be erected, painted or displayed without the permission of the Responsible Authority unless in accordance with the plans prepared by Ashton Raggatt McDougall Architects, and endorsed by the Minister for Planning or the provisions of the Melbourne Planning Scheme.

The glazing material used on all external walls must be of a type that does not reflect more than 20% of visible light when measured at an angle of incidence normal to the glass surface unless the responsible authority is satisfied otherwise.

Prior to the issue of a Building Permit the report and consent of Council must be obtained for any building projections and encroachments, temporary or permanent proposed over, on or under the road except for those projections expressly permitted by the Building Regulations 1994.
25 The owner(s) of the property if required, must enter into a legal agreement with the Department of Natural Resources and Environment (DNRE) and or the Council under Section 173 of the Planning and Environment Act 1987 prior to commencement of development concerning liability and maintenance of those parts of the development projecting into airspace or sub-soil of land under the care and maintenance of DNRE and or the Council. The owner(s) of the property to be developed must pay all of DNRE’s and or Council’s reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title. To the extent that the Section 173 Agreement applies to any temporary works, upon completion of the development the Agreement shall lapse and shall be removed from the title.

26 Prior to the commencement of any buildings or works within the area affected by the Special Building Overlay, detailed development plans must be submitted to and approved by Melbourne Water to the satisfaction of the Responsible Authority.

Time Limit

27 Notwithstanding other provisions of these conditions, the use and development permitted by this incorporated document will expire if one of the following circumstances applies:

- The development is not started within two years of the date of approval of the amendment.
- The development is not completed within ten years of the date of the approval of the amendment.

The Responsible Authority may extend the periods referred to if a request is made in writing before these controls expire or within three months afterwards.

28 The development must, after it is commenced, be continued to the satisfaction of the responsible authority.

29 This incorporated document will expire twelve months after the date of the issuing of the Certificate of Occupancy for the Lonsdale Street office tower, or as otherwise agreed in writing by the Responsible Authority. Upon expiry of the site specific control, the land may be used and developed only in accordance with the provisions of the planning scheme in operation at that time.

Note:
The development of the rearranged interfaces with the Melbourne Central train station require the separate consent of the Office of the Director of Public Transport.

END OF DOCUMENT