

MELBOURNE PLANNING SCHEME

MELBOURNE PLANNING SCHEME

INCORPORATED DOCUMENT

**80 Collins Street Melbourne Development,
May 2013**

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

**Melbourne Planning Scheme
Incorporated Document**

80 Collins Street Melbourne Development May 2013

INTRODUCTION

This document is an Incorporated Document in the Schedule to Clause 52.03 and the schedule to Clause 81.01 of the Melbourne Planning Scheme.

Pursuant to Clause 52.03 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.

LAND DESCRIPTION

The Incorporated Document applies to land at “80 Collins Street Melbourne” specifically described as 72-74, 76-80, 82, 84 Collins Street (inclusive of 81-107 Little Collins Street) and the former Council owned Corporation Lane No. 1405 (Benson Lane), Melbourne, the air space above the former Commercial Bank of Australia at 68-72 Collins Street Melbourne (identified as Lot 2 on PS 714647R prepared by Bosco Jonson Pty Ltd) and the bluestone Lane to the rear of 68-72 Collins Street Melbourne, identified as “PL5125 Melbourne” contained within Old Law title in Bk16 no. 201.

The land is generally located in the eastern part of the City block bounded by Collins Street, Exhibition Street, Little Collins Street and Russell Street. It includes the existing office tower (formerly known as “Nauru House”) at 80 Collins, Le Louvre at 74 Collins Street, the airspace above the former Commercial Bank of Australia at 68-72 Collins Street and the bluestone lane to the rear, former Benson Lane, Palmer House at 82 Collins Street and the vacant land at 84 Collins Street and 76-80 Collins Street, Melbourne. It does not include the former Commercial Bank of Australia building at 68-72 Collins Street, currently owned and occupied by Rolex Australia (only the air rights above are part of the development).

APPLICATION OF PLANNING SCHEME PROVISIONS

The following Clauses of the Melbourne Planning Scheme do not apply to the land identified in this Incorporated Document:

- Clause 37.04 Capital City Zone
- Clause 43.01 Heritage Overlay
- Clause 43.02 Design and Development Overlay

- Clause 45.09 Parking Overlay
- Clause 52.06 Car Parking
- Clause 52.07 Loading and unloading of vehicles
- Clause 52.34 Bicycle facilities
- Clause 52.36 Integrated Public Transport

USE AND DEVELOPMENT OF LAND

This Incorporated Document allows:

Development of the land including demolition of buildings, and the use of the land for the purpose of, but not limited to, Retail premises, Office, Residential Hotel, generally in accordance with the following “Incorporated Plans” prepared by Woods Bagot (February 2011) titled “80 Collins Street Melbourne ” and the conditions of this Incorporated Document.

Incorporated Plans List:

Locality Plan	SK-1002 rev F
Design Response Plan	SK-1003 rev F
Urban Site Plan	SK-1004 rev F
Shadow Diagrams	SK-1005a rev F
Shadow Diagrams	SK-1005b rev F
Basement Level 05	SK-22B5 rev F
Basement Level 04	SK-22B4 rev F
Basement Level 03	SK-22B3 rev F
Basement Level 02	SK-22B2 rev F
Basement Level 01	SK-22B1 rev F
Level 04 - Podium Ground Level	SK-2201 rev F
Level 05 - Podium Upper Level	SK-2202 rev F
Level 06 - Upper Retail Level	SK-2203rev F
Level 08 - 10 Lower Office Floors	SK-2204 rev F
Office Typical_ Low Rise Plan	SK-2205 rev F
Office Typical_ High Rise Plan	SK-2206 rev F

MELBOURNE PLANNING SCHEME

Floor Plan_ Sky Level Plan	SK-2207 rev F
Floor Plan_ Sky Level Plant	SK-2208 rev F
Level - Roof Plan	SK-2209 rev F

Elevation - South	SK-3000 rev F
Elevation - East	SK-3001 rev F
Elevation - North	SK-3002 rev F
Elevation - West	SK-3003 rev F
Elevation - North Tower	SK-3004 rev F

Section - Office Tower - North - South	SK-3100 rev F
--	---------------

THE FOLLOWING CONDITIONS APPLY TO THIS DOCUMENT:**Incorporated and Amended Plans**

1. Prior to the commencement of the development, amended plans must be submitted to 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 drawn to scale, fully dimensioned and three copies must be provided. The plans must be generally in accordance with Incorporated Plans listed above (*Woods Bagot Architects Pty Ltd project 3-30-1190 Rev F*.) but consolidated and modified to show:
 - (a) Further details on the ground and first floor level elevations of all frontages (including external and internal arcade areas) of the building at a scale of 1:50, which demonstrate appropriate façade treatment and finishes.
 - (b) Removal of any canopies/architectural features projecting over the title boundaries into land held under different titles. Alternatively these can remain if there is demonstration of relevant owners/ City of Melbourne consent in accordance with the corresponding condition of this Incorporated Document.
 - (c) Further details of the façade treatment of the residential hotel building at a scale of 1:50, which demonstrate appropriate façade treatment and finishes.
 - (d) Any alterations required by the wind report as per the corresponding condition of this Incorporated Document.
 - (e) Any modifications to the loading arrangements required in accordance with the Loading Management Plan required by the corresponding condition of this Incorporated Document.
 - (f) Any modifications to the waste storage and collection arrangements required in accordance with the Waste Management Plan required by the corresponding condition of this Incorporated Document.
 - (g) Any modifications to the car parking layout or access arrangements required in accordance with the Car Parking and Traffic Management Report required by the corresponding condition of this Incorporated Document.

Layout not altered/ completion

2. The development as shown on the endorsed Incorporated Plans must not be altered without the written consent of the responsible authority.
3. Once the development has started it must be continued and completed to the satisfaction of the responsible authority.

Section 173

4. Prior to the commencement of the development, the owner of the land must enter into an agreement with the Responsible Authority and/or the City of Melbourne (if applicable) pursuant to Section 173 of the Planning and Environment Act, 1987. The Agreement must:
 - (a) Require that the retail podium and arcade between Collins Street, Little Collins Street and Exhibition Street be developed prior to or at the same time as the construction of the new office tower.
 - (b) Require that the use of the office tower must not commence until the retail podium and arcade is complete and in operation.

- (c) Require registration of the Agreement on the titles to the affected lands as applicable. The owner of the land to be developed must pay all reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.

Demolition/ Staging

5. Prior to the commencement of the development, a staging plan for the development must be submitted to and be approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. Once approved the staging plan should be generally adhered to unless otherwise agreed in writing with the responsible authority. The staging plan must include broad timelines of commencement and completion of each section of development including (but not limited to):

- Demolition;
- Excavation and site preparation;
- Construction;

The staging plan must outline that commencement of construction of any stage must be within 12 months of completion of demolition of Palmer House or as otherwise agreed in writing by the responsible authority.

Materials, finishes and design integrity

6. Prior to the commencement of the development, a facade and materials strategy must be submitted to and be to the satisfaction of the Responsible Authority and the Victorian Government Architect in consultation with the City of Melbourne. The facade strategy for the development must be generally in accordance with plans prepared by 'Woods Bagot Architects Pty. Ltd.' as the incorporated plans (outlined above) and include a detailed schedule of materials, finishes including but not limited to the colour, type of materials (and quality), construction and appearance. The strategy must illustrate the legibility of the proposal from short and distant views, including the extent of facade pattern, level of colours and the ability to provide richness, saturation and depth as contained within the architect's studies. This can be provided through montages from various vantage points and/or a built model. When approved the facade strategy will form part of the incorporated plans.
7. The residential hotel building on Little Collins Street must include a 'perforated metal outer facade and lightweight diagrid framing structure' (as outlined in the Incorporated Plans) or similar architectural design that provides partial screening from direct views in to and out of the hotel rooms/ dwellings to the satisfaction of the responsible authority.

ESD

8. Prior to the commencement of the development, excluding demolition and any site preparation works (soil removal, site remediation, retention works, piling, footings, ground beams and ground slab), an ESD report must be submitted to and be approved by the Responsible Authority in consultation with the City of Melbourne. The report must be generally in accordance with the ESD report titled *Lincon Scott Advanced Environmental* submitted with planning application 2008/0923, which specifies a 6 star Green Star rating under the Green Building Council of Australia's Green Star Rating Tool. When approved, the report will be endorsed and will then form part of the incorporated plans. The findings/ESD measures included in the report must be implemented prior to occupation of the building.

Wind

9. Prior to the commencement of the development, a full Wind Tunnel Test must be carried out by a suitably qualified consultant on a model of the approved building. The report must include test locations in public realm positions surrounding the development. A report detailing the outcome of the testing must be submitted to the satisfaction of the Responsible Authority and the City of Melbourne and must also recommend any modifications which must be made to the design of the building to reduce any adverse wind conditions in areas used by pedestrians, to the satisfaction of the Responsible Authority. The use of street trees as a wind amelioration measure should be limited where ever possible, but where recommended must be fully outlined with location and species provided. The recommendations of the report must be implemented and maintained at no cost to the Responsible Authority and/or the City of Melbourne.

Land Tenure

10. Prior to the commencement of the development, excluding demolition and any site preparation works (soil removal, site remediation, retention works, piling, footings, ground beams and ground slab) the applicant must obtain all necessary approvals from the owner and/or the City of Melbourne of the adjoining land for the projection of canopies/ architectural features over the title boundaries into land held under different titles. Alternatively, the relevant features must be removed to the satisfaction of the Responsible Authority and the City of Melbourne.

Construction Management Plan

11. Prior to the commencement of the development, a detailed construction and demolition management plan must be submitted to and be approved by the Responsible Authority in consultation with the City of Melbourne. The construction management plan is to be prepared in accordance with the City of Melbourne - Construction Management Plan Guidelines and include the following:

- a) public safety, amenity and site security;
- b) operating hours, noise and vibration controls;
- c) air and dust management;
- d) stormwater and sediment control;
- e) waste and materials reuse;
- f) traffic management; and
- g) Site services and amenities during construction.

The construction management plan must include a strategy to ensure that no structural damage takes place to the former Commercial Bank of Australia building at 68-72 Collins Street as a consequence of the excavation and other works. The strategy must be prepared in consultation with Heritage Victoria. The building must be adequately protected during the course of the works to ensure that it does not suffer any damage. Prior to the commencement of the works a structural Engineering report shall be submitted to and approved by the responsible authority in relation to the proposed excavation for basement car parking detailing the work methods, including monitoring, to be employed for the excavation and post excavation.

The recommendations of the structural Engineering report must be implemented at no cost to the Responsible Authority or the City of Melbourne.

Waste and Loading Management

12. Prior to the commencement of the development, a Waste Management Plan detailing waste storage and collection arrangements must be submitted and approved to the satisfaction of the Responsible Authority in consultation with the City of Melbourne. The waste storage and collection arrangements must not be altered or modified without the prior written consent of the Responsible Authority in consultation with the City of Melbourne.
13. All garbage/waste/recycling storage and collection must be generally in accordance with the Waste Management Plan to the satisfaction of the City of Melbourne.
14. Prior to the commencement of the development, excluding demolition and any site preparation works (soil removal, site remediation, retention works, piling, footings, ground beams and ground slab) a Loading Management Plan must be submitted to and be approved by the Responsible Authority in consultation with the City of Melbourne. When approved, the plan will be endorsed and will then form part of the Incorporated Document. This plan can be incorporated in the Waste Management Plan required as part of this Incorporated Document. The loading arrangements must not be altered or modified without the prior written consent of the Responsible Authority in consultation with the City of Melbourne.

Parking, Traffic and Access Management Plan

15. Prior to the commencement of the development, including demolition and any site preparation works (soil removal, site remediation, retention works, piling, footings, ground beams and ground slab), a Car Parking and Traffic Management Report by a recognised traffic consultant based on the adopted design, must be submitted to and be approved to the satisfaction of the Responsible Authority in consultation with the City of Melbourne. The dimensions and layout of car-spaces and access lanes must be in accordance with the requirements of Australian Standard AS 2890.1 and/or the Melbourne Planning Scheme to the satisfaction of the responsible authority. The areas for the parking of vehicles must be clearly indicated on the floor and the boundaries of all car parking spaces and access lanes and the direction in which vehicles should proceed along the access lanes must be in conformity with the endorsed plans. A safe and convenient strategy for bicycles and pedestrians accessing the bicycle areas and facilities must be indicated. The car parking spaces must not be used for any other purpose and all access aisles must be kept clear, to the satisfaction of the Responsible Authority.
16. All traffic mitigation works and management measures as recommended in the Car Parking and Traffic Management Report must be implemented at no cost to the Responsible Authority and be to the satisfaction of the Responsible Authority.

Heritage

17. Prior to the commencement of the development, including demolition, a detailed heritage conservation plan must be submitted to and be approved by the Responsible Authority in consultation with the City of Melbourne. The plan must be prepared by a suitably qualified heritage professional and a suitably qualified structural engineer, or equivalent, and include detailed recommendations for protection and integration of the building at 74 Collins Street, Melbourne to ensure the heritage integrity of the building is protected and demonstrate the means by which the heritage building will be supported during demolition and construction works to ensure its retention. The recommendations contained within this report must be implemented at no cost to and be to the satisfaction of the Responsible Authority.

18. Prior to the commencement of demolition of 82 Collins Street, Melbourne, the preparation of full archival record must be undertaken by an appropriately qualified person. The report should consist of, but not limited to, a full photographic survey of the complete interior and exterior, and of significant features and views and vistas. It should also include the preparation of measured drawings, plans and elevations. These matters must be undertaken and submitted to the satisfaction of the Responsible Authority. Once approved, this document must be made publicly available at the State Library of Victoria or equivalent.

Engineering/ Traffic

19. The owner of the subject land must construct a drainage system, incorporating water sensitive urban design, within the development and make provision to connect this system to Council's underground stormwater drainage system in accordance with plans and specifications first approved by the City of Melbourne.
20. The areas set aside for parking on the endorsed plans are to be used in connection with the lawful uses carried out on the site and must not be operated as a public car-parking facility.
21. The owner of the subject land shall construct all necessary vehicle crossings and demolish all unnecessary vehicle crossings adjacent to the subject land in accordance with plans and specifications first approved by the City of Melbourne (Group Manager - Engineering Services).
22. The owner of the subject land shall not alter the existing footpath/road levels adjacent to the development without first obtaining the written approval of the City of Melbourne (Group Manager - Engineering Services).
23. The owner of the subject land shall reconstruct the footways adjacent the subject land in accordance with plans and specifications first approved by the City of Melbourne (Group Manager - Engineering Services).
24. The owner of the subject land must reconstruct the footway and/or kerb and channel in accordance with plans and specifications first approved by the City of Melbourne (Group Manager - Engineering Services).
25. All canopies and projections should be drained to legal points of discharge in accordance with plans and specifications first approved by the City of Melbourne (Group Manager - Engineering Services).

Building appurtenances / appearance etc.

26. All building plant and equipment are to be concealed to the satisfaction of the responsible authority. The construction of any additional plant machinery and equipment, including but not limited to all air-conditioning equipment, ducts, exhausts and communications equipment shall be screened to the satisfaction of the responsible authority.
27. Except with the consent of the responsible authority, all external glazing 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.
28. No advertising signs shall be erected, painted or displayed on the land unless in accordance with the provisions of the Melbourne Planning Scheme or approved separately by the City of Melbourne.

This Incorporated Document will expire if one of the following circumstances applies:

- The development is not commenced within four years of the date of this Incorporated Document.
- The development is not completed within six years of the date of this Incorporated Document.

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.

- END OF DOCUMENT -