

MELBOURNE PLANNING SCHEME

Incorporated Document

**150 Lonsdale Street, Melbourne (Australian Federal Police – Melbourne State Office) – May
2020**

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

1.0 INTRODUCTION

This document is an Incorporated Document in the schedule to Clause 45.12 and the schedule to Clause 72.04 of the Melbourne Planning Scheme (the Scheme).

2.0 PURPOSE

The purpose of this incorporated document is to permit and facilitate the use and development of the land described in clause 3.0 for the purpose of the offices of the Australian Federal Police in accordance with Clauses 5.0 and 6.0.

3.0 ADDRESS OF THE LAND

This document applies to part of the land at 150 Lonsdale Street, Melbourne (Lot 1 on Title Plan 160425H) that is affected by the SCO23 and as identified in Figure 1 below.

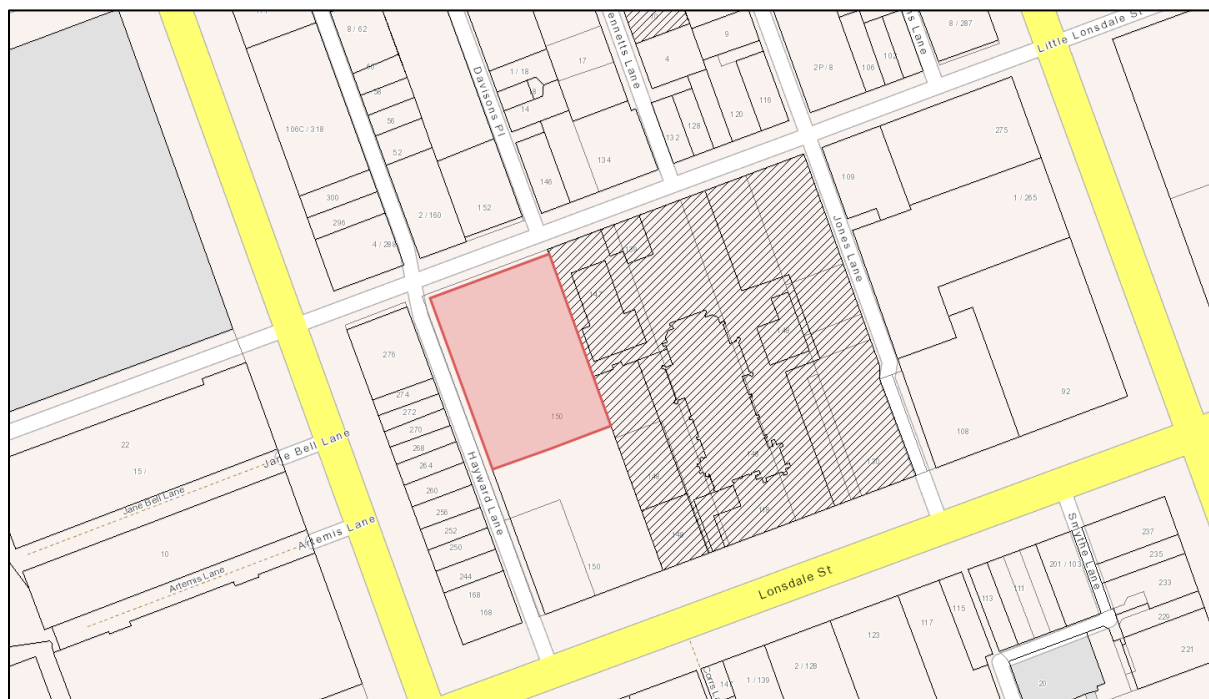


Figure 1 – Land subject to this incorporated document highlighted in red.

4.0 APPLICATION OF PLANNING SCHEME PROVISIONS

Despite any provision to the contrary in the Scheme, pursuant to Clause 45.12 of the Scheme the land identified in this incorporated document may be used and developed in accordance with the specific controls contained in this document. In the event of any inconsistency between the specific controls contained in this document and any provision of the Scheme, the specific controls contained in this document will prevail.

5.0 THIS DOCUMENT ALLOWS

The development of the land, including demolition of the existing building, for a multi-storey tower and associated car parking, generally in accordance with the following 'Incorporated Plans' prepared by Cox Architecture, dated 27/02/2020 (Revision I) and the conditions of this Incorporated Document:

TP 10-000	EXISTING CONDITIONS PLAN H
TP 11-050	SITE PLAN
TP 15-100	CARPARK DEMOLITION PLAN - LEVEL 01
TP 15-110	CARPARK DEMOLITION PLAN - LEVEL 02
TP 15-120	CARPARK DEMOLITION PLAN - LEVEL 03
TP 15-130	CARPARK DEMOLITION PLAN - LEVEL 04
TP 15-140	CARPARK DEMOLITION PLAN - LEVEL 05
TP 15-150	CARPARK DEMOLITION PLAN - LEVEL 06
TP 15-160	CARPARK DEMOLITION PLAN - LEVEL 07
TP 15-170	CARPARK DEMOLITION PLAN - LEVEL 08
TP 15-180	CARPARK DEMOLITION PLAN - LEVEL 09
TP 15-190	CARPARK DEMOLITION PLAN - LEVEL 10
TP 21-048	BASEMENT 4
TP 21-049	BASEMENT 3
TP 21-050	BASEMENT 2
TP 21-055	BASEMENT 1
TP 21-100	GROUND LEVEL
TP 21-105	MEZZANINE
TP 21-110	LEVEL 01 PODIUM
TP 21-120	LEVEL 02 PODIUM
TP 21-130	LEVEL 03 PODIUM
TP 21-140	LEVEL 04 PODIUM
TP 21-150	LEVEL 05 PODIUM
TP 21-160	LEVEL 06 PODIUM
TP 21-170	LEVEL 07 TOWER
TP 21-180	LEVEL 08-11 TOWER
TP 21-220	LEVEL 12 TOWER
TP 21-250	LEVEL 13 - 20 TYPICAL TOWER
TP 21-300	LEVEL 21 PLANT
TP 21-400	LEVEL 22 ROOF
TP 30-010	NORTH ELEVATION
TP 30-020	WEST ELEVATION
TP 30-030	EAST ELEVATION
TP 30-040	SOUTH ELEVATION
TP 40-100	NORTH / SOUTH SECTION
TP 40-200	EAST / WEST SECTION
TP 40-300	PROPOSED COLONNADE / HAYWARD LANE
TP 40-500	LOADING BAY SECTION
TP 45-000	PODIUM FAÇADE - EAST
TP 45-005	PODIUM FACADE - NORTH
TP 45-010	TYPICAL FAÇADES - EAST
TP 45-020	TYPICAL FAÇADES - WEST
TP 45-030	TYPICAL FAÇADES - NORTH
TP 45-040	TYPICAL FAÇADES - SOUTH

and including any amendment of the plans that may be approved from time to time under the conditions of this document. Once approved, these plans will be the endorsed plans.

6.0 THE FOLLOWING CONDITIONS APPLY TO THIS DOCUMENT:

Endorsed Plans

1. The use and development as shown on the endorsed plans must not be altered or modified without the prior consent of the Minister for Planning.

2. Once the development has started it must be continued and completed to the satisfaction of the Minister for Planning.

Demolition and Construction Management Plan

3. Unless with the prior written consent of the Melbourne City Council, all demolition and construction works must be undertaken in accordance with the demolition and construction management plan prepared by Lendlease, Rev E, dated 10 December 2018 to the satisfaction of the Melbourne City Council.

Façade Strategy, Materials and Finishes

4. Before the development starts, excluding demolition and site preparation works, and basement works up to the ground level slab, a Façade Strategy must be submitted to and approved by the Minister for Planning. When approved this will form part of the endorsed plans. All materials, finishes and colours must be in conformity with the approved Façade Strategy to the satisfaction of the Minister for Planning. The Façade Strategy for the development must be generally in accordance with plans prepared by submitted by Cox Architecture dated 27/02/2020 (Rev I) and detail:
 - a) A concise description by the architect of the building design concept and how the facade works to achieve this.
 - b) A schedule of colours, materials and finishes, including the colour, type and quality of materials showing their application and appearance. This can be demonstrated in coloured elevations or renders from key viewpoints, to show the materials and finishes linking them to a physical sample board with clear coding.
 - c) Elevation details generally at a scale of 1:50 illustrating typical podium details, entries and doors, typical privacy screening and utilities, typical tower detail, and any special features which are important to the building's presentation.
 - d) Cross sections or other method of demonstrating the façade systems, including fixing details indicating junctions between materials and significant changes in form and/or material.
 - e) Information about how the façade will be accessed and maintained and cleaned, including planting where proposed.
5. Light reflectivity from external materials and finishes must not reflect more than 20% of specular visible light, to the satisfaction of the Minister for Planning.
6. External building materials and finishes must not result in hazardous or uncomfortable glare to pedestrians, public transport operators and commuters, motorists, aircraft, or occupants of surrounding buildings and public spaces, to the satisfaction of the Minister for Planning.

Retention of Architectural Firm

7. Except with the written consent of the Minister for Planning, Cox Architecture must be retained to complete and provide architectural oversight during construction of the detailed design as shown in the endorsed plans, façade strategy and the endorsed schedule of materials and finishes to the satisfaction of Minister for Planning.

3D Model

8. Prior to the commencement of the development, excluding demolition, bulk excavation, and site preparation works and basement works up to the ground level slab, an updated 3D digital model of the development and its immediate surrounds which reflects the plans endorsed under this document, must be submitted to the Minister for Planning and be to the satisfaction of the Minister for Planning in conformity with the Department of Environment, Land, Water and Planning Advisory Note 3D Digital Modelling. In the event that further substantial modifications are made to the building envelope a revised 3D digital model must be submitted to and be to the satisfaction of the Minister for Planning.

Landscape Plan

9. Prior to the commencement of the development, excluding demolition, bulk excavation, and site preparation works and basement works up to the ground level slab, a detailed landscape plan prepared by a suitably qualified landscape architect must be submitted and approved by the Minister for Planning in consultation with Melbourne City Council. This plan must include:
 - a) A schedule of all soft and hard landscaping and treatments including all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes and maturity, and quantities of each plant.
 - b) Details of all landscaping works associated with 'on building' landscaping (green walls, facade greening, green roofs vertical gardens etc.)
 - c) Response to water sensitive urban design principles and type of irrigation systems to be used.The landscape plan must be to the satisfaction of the Minister for Planning in consultation with Melbourne City Council and when approved shall form a part of the endorsed plans of this permit.
10. Prior to the commencement of all landscaping works as detailed in the condition above, a landscape management plan detailing the maintenance regime and management responsibilities must be prepared and submitted to the satisfaction of the Minister for Planning in consultation with Melbourne City Council.
11. Landscape works as shown on the endorsed plans must be completed within 3 months from the completion of the development to the satisfaction of the Minister for Planning and subsequently maintained to the satisfaction of the Minister for Planning.

Pedestrian Link Management Plan

12. Prior to occupation of the building, a pedestrian link management plan for the pedestrian link on the east side of the site, must be submitted to the satisfaction of and be approved by the Minister for Planning. The management plan must address operational, maintenance and management conditions for the pedestrian link on the east side of the site. The conditions are to include, but not be limited to:
 - a) Safety measures which must ensure that there are no entrapment locations;
 - b) Security and design measures to ensure public safety at all times.
 - c) Hours of public access.
 - d) Maintenance procedures.
 - e) Management structure.

13. The pedestrian link must be completed and delivered in accordance with the endorsed plans and the approved pedestrian link management plan to the satisfaction of the Minister for Planning.

Public Tree Protection

14. All works (including demolition), within the Tree Protection Zone of public tree asset 1066540 must be undertaken in accordance with the Tree Protection Plan by Greenwood Consulting, titled 150 Lonsdale Street, Melbourne and dated 19 February 2019 and supervised by a suitably qualified Arborist where identified in the report, except with the further written consent of the Minister for Planning.
15. Prior to the commencement of any works (including demolition) a bond in the form of a bank guarantee, equivalent to the combined environmental and amenity values of public tree asset 1066540, must be provided to the Melbourne City Council. The bond amount will be calculated by council and provided to the applicant/developer/owner of the site. Should the tree be adversely impacted on, the Melbourne City Council will be compensated for any loss of amenity, ecological services or amelioration works incurred.

Public Tree Removal

16. Approval for any tree removal is subject to the Tree Retention and Removal Policy, Council's Delegations Policy and requirements for public notification, and a briefing paper to councilors. It should be noted that certain tree removals including but not limited significant or controversial tree removals, may be subject to decision by Melbourne City Council or a Committee of Council.
17. All costs in connection with the removal and replacement of public trees, including any payment for the amenity and ecological services value of a trees to be removed, must be met by the applicant/developer/owner of the site. The costs of these works will be provided and must be agreed to before council remove the subject trees.

Public Realm Civil Works (Tree Plots)

18. Prior to the occupation of the development, Engineering Plans, in general accordance with the submitted plan titled 'External Works 130-150 Lonsdale Street' sheet CSK100 or as otherwise agreed with the Melbourne City Council, must be provided to the satisfaction of the Melbourne City Council.
19. Prior the occupation of the development (or as otherwise agreed with the Melbourne City Council), the works, as shown on the plans endorsed under condition 18 must be completed to the satisfaction of the Melbourne City Council.

Legal Agreements

20. Prior to the occupation of the building, the owner must enter into an agreement with the Minister for Planning, under Section 173 of the Planning and Environment Act 1987. The agreement(s) must require:
 - a) The office use must be secured for a minimum of 10 years from the date of issue of a certificate of occupancy for the building;
 - b) The office use is defined as 'land used for administration or clerical, technical, professional or other like business activity. No goods or materials intended for manufacture, sale or hire may

be stored on the land' which must be physically separated and administratively independent of any other use within the building; and

- c) The agreement must make provision for its removal from the land following completion of the obligations contained in the agreement.

The owner of the land must pay all the Minister for Planning's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.

- 21. Prior to the occupation of the building, the owner of the land must enter into an agreement with the Minister for Planning pursuant to Section 173 of the Planning and Environment Act 1987. The agreement must provide the following:

- a) The windows/openings on the eastern boundary must be removed when the adjoining property is further developed in a manner that the Minister for Planning considers would affect these windows/openings.

The owner of the land must pay all of the Minister for Planning's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.

- 22. Prior to the occupation of the building, the owner of the land must enter into an agreement with the Minister for Planning pursuant to Section 173 of the *Planning and Environment Act 1987*. The agreement must provide the following:

- a) In the event that the Australian Federal Police vacate the building approved by this Incorporated Document, the owner(s) of the land must convert the ground floor frontage to retail, or other active use, generally in accordance with the Ground Level Retrofit Plan prepared by Cox Architecture, drawing no TP-R-21-100 Rev A, dated 13 December 2019, unless otherwise agreed by the Minister for Planning.
- b) The retrofit of the vacated building must be commenced within 12 months of the end of the lease and completed within 24 months of the end of the lease.

The owner of the land must pay all of the Minister for Planning's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.

- 23. Unless the pedestrian link extension referred to in this condition is completed prior to occupation of the building, then prior to the occupation of the building the owner of the land must enter into an agreement with the Minister for Planning pursuant to Section 173 of the *Planning and Environment Act 1987*. The agreement must provide the following:

- a) That within 12 months of the completion of the development (unless with the written agreement of the Minister for Planning), the pedestrian link on the eastern side of the site will be extended so that it connects with Lonsdale Street.
- b) That the extension of the pedestrian link from the site to Lonsdale Street will be constructed and finished in a manner that is to the satisfaction of the Minister for Planning, or in accordance with a planning permit or other approval granted by the Minister for Planning or the Melbourne City Council.

The owner of the land must pay all of the Minister for Planning's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.

Environmentally Sustainable Design

- 24. The performance outcomes specified in the Environmentally Sustainable Design (ESD) Statement prepared by Floth and dated 6 December 2019 including the rating of 5 Star Green

Star (or rating as otherwise agreed with the Minister for Planning) must be implemented prior to occupancy at no cost to the Minister for Planning or the Melbourne City Council and be to the satisfaction of the Minister for Planning.

25. Any change during detailed design, which affects the approach of the endorsed ESD Statement, must be assessed by an accredited professional. The revised statement must be endorsed by the Minister for Planning prior to the commencement of construction.

Water Sensitive Urban Design (WSUD)

26. The performance outcomes specified in the Water Sensitive Urban Design (WSUD) Statement prepared for the development by Aecom and dated 26 November 2019 must be implemented prior to occupancy at no cost to the Minister for Planning or the Melbourne City Council and be to the satisfaction of the Minister for Planning.
27. Any change during detailed design, which affects the approach of the endorsed WSUD Statement, must be assessed by an accredited professional. The revised statement must be endorsed by the Minister for Planning prior to the commencement of construction.

Waste Management

28. The waste storage and collection arrangements must be in accordance with the Waste Management Plan (WMP) prepared by Irwin Consult, dated 20 November 2019. The submitted WMP must not be modified or altered without the prior consent of Melbourne City Council.
29. Prior to the occupation of the building, a formal independent desktop road safety audit of the development must be undertaken, at the developer's expense, which includes but is not limited to the vehicular, bicycle and pedestrian access arrangements, loading and waste arrangements, and internal circulation and layout. The findings of the audit must be incorporated into the detailed design, at the developer's expense.

Civil works

30. Prior to the commencement of the development, excluding demolition, bulk excavation, and site preparation works and basement works up to the ground level slab, a stormwater drainage system, incorporating integrated water management design principles, must be submitted to and approved by the Melbourne City Council. This system must be constructed prior to the occupation of the development and provision made to connect this system to the Melbourne City Council's underground stormwater drainage system.
31. Prior to the commencement of the use/occupation of the development (unless otherwise agreed with the Melbourne City Council), all necessary vehicle crossings must be constructed, and all unnecessary vehicle crossings must be demolished and the footpath, kerb and channel reconstructed, in accordance with plans and specifications first approved by the Melbourne City Council.
32. The footpath adjoining the site along Hayward Lane must be reconstructed in sawn bluestone kerb and asphalt footpath together with associated works including the renewal of kerb and channel and modification of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by the Melbourne City Council – Engineering Services.

33. The footpath adjoining the site along Little Lonsdale Street must be reconstructed in sawn bluestone together with associated works including the renewal of kerb and channel in bluestone and relocation or reconstruction of services as necessary, at the cost of the permit holder, in accordance with plans and specifications first approved by the Melbourne City Council.
34. Existing street levels in the streets adjacent to the subject land must not be altered for the purpose of constructing new vehicle crossings or pedestrian entrances without first obtaining approval from the Melbourne City Council.
35. Existing public street lighting must not be altered without first obtaining the written approval of the Melbourne City Council.
36. Existing street furniture must not be removed or relocated without first obtaining the written approval of the Melbourne City Council.
37. All projections over the street alignment must be drained to a legal point of discharge in accordance with plans and specifications first approved by the Melbourne City Council.
38. The road adjoining the site along Hayward Lane must be reconstructed together with associated works including the reconstruction or relocation of services as necessary at the cost of the permit holder, in accordance with plans and specifications first approved by the Melbourne City Council.
39. Prior to the commencement of the development, excluding demolition, bulk excavation, site preparation works and basement works up to ground slab, a lighting plan showing provision of public lighting in Little Lonsdale Street and Hayward Lane, prepared in accordance with the Melbourne City Council's lighting guidelines, must be approved by the Melbourne City Council. All street lighting works shall be completed at the cost of the permit holder, in accordance with plans and specifications approved by Melbourne City Council.
40. Prior to the commencement of the development, excluding demolition, bulk excavation, and site preparation works and basement works up to the ground level slab, a lighting plan must be submitted to and be approved by the Melbourne City Council. The lighting plan must address the provision of permanent lighting in the pedestrian link to be created between Lonsdale Street and Little Lonsdale Street and prepared in accordance with the Melbourne City Council's lighting guidelines.
41. Unless otherwise agreed in writing by the Minister for Planning, the building shall be designed to allow installation of power conduits and street lights on the external walls of the building. Power conduits for the wall mounted lights shall be designed perpendicular to the surface pavement. The lights shall be located at a minimum height of 5.0 metres above the surface of the road.

Building appurtenances

42. All building plant and equipment on the roofs, balcony areas, common areas, public thoroughfares must be concealed to the satisfaction of the Minister for Planning. The construction of any additional plant machinery and equipment, including but not limited to all air-conditioning equipment, ducts, flues, all exhausts including car parking and communications equipment shall be to the satisfaction of the Minister for Planning.
43. Any satellite dishes, antennas or similar structures associated with the development must be

designed and located to the satisfaction of the Minister for Planning

Development time limit

44. Notwithstanding other provisions of these conditions, the 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 the gazettal of amendment C375melb.
- The development is not completed within four years of the date of the gazettal of amendment C375melb.

The Minister for Planning may extend the periods referred to if a request is made in writing before these controls expire or within 6 months afterwards.

End of Document