

DPCD Planning Report

368 Little Collins Street, 393-403 & 405 Bourke Street, Melbourne

APPLICATION FOR PLANNING PERMIT: 368 LITTLE COLLINS STREET, 393-403 & 405 BOURKE STREET, MELBOURNE	
Application Number:	2012/005554
Proposal:	Partial demolition of the existing building and construction of a multi-storey building comprising office and retail premises (other than adult sex bookshop, department store, hotel, supermarket and tavern)
Applicant:	Brookfield Multiplex Constructions
Zoning:	Capital City Zone- Schedule 1 (Outside the Retail Core)
Overlays:	Design and Development Overlay- Schedule 1 (Active Street Frontage Capital City Zone (DDO1 – Area 2) Design and Development Overlay- Schedule 4 (Weather Protection) (DDO4)
Application Received:	28 June 2012
Amended Application:	21 December 2012
Further Information Requested and Received:	Requested: 26 July 2012 Received: 6 September 2012
[REDACTED]	[REDACTED]
Number of Objections:	Not applicable
Recommendation:	Permit



PLANNER'S NAME: [REDACTED] **SIGNATURE:** [REDACTED] **DATE:** 19.03.13

PROPOSAL

1. Permit application 2012/005554 was lodged on 28 June 2012. The application was amended under section 50 of the *Planning and Environment Act 1987* on 21 December 2012 and seeks approval to partially demolish the existing building and construct a 38-storey tower comprising of office and lower level retail premises (other than adult sex bookshop, department store, hotel, supermarket and tavern). The proposed gross floor area is 106,458m².
2. Details of the application, plans dated 21 December 2012, are as follows:
 - Partial demolition of the existing building on site and retention of the existing car parking structure (both below and above ground level) and existing residential apartments fronting Bourke and Little Collins Streets;
 - Construction of a tower measuring at 38-storeys (155.8 metres including plant). The building includes a 8-storey podium (26 metres to Bourke Street), and tower setbacks of 5.53 - 12.32 metres to the east, 6.6-7.6 metres to the south (Little Collins Street), 1.175 metres to the west and 4.02 metres to the north (Bourke Street);
 - The tower comprises of low, mid and high rise office totalling 61,502m² net leasable area;
 - Retention of the basement and reconfiguration to include servicing, main gas connection, water meter, storage, bicycle facilities (showers and change rooms), services and storage;
 - Lower ground and Ground floor (due to the fall across the site) includes retail totalling 3,672m² gross floor area (equating to 1,334m² net leasable area) and provision of 436 bicycle spaces;
 - Vehicle access and loading facilities are provided from the existing entry/exit point on Little Collins Street which provides 250 car parking spaces located above ground and skinned with the 'Sapphire' apartments to Little Collins Street and provision of 6 motorcycle spaces;
 - The building aims for 5 star Green Star rating; and
 - The submission is supported by comprehensive reports including a planning report, urban context report, wind tunnel assessment, traffic report, waste management report, and ESD report.

SITE AND SURROUNDS

3. The site is located on the southern side of Bourke Street, between Elizabeth and Queen Streets, Melbourne. The site comprises of a number of lots which are subject to several easements. The site, known as The Foundry, is occupied by a 6-storey building at 393-403 Bourke Street which retains the heritage listed 1918 John Danks Building to Bourke Street and extends to Little Collins Street at a height of 8-storeys. Basement parking is provided from Little Collins Street for 373 cars (with 192 spaces for the retail centre and 181 spaces for the owners of the residential apartments). The building contains a residential section known as Sapphire on Little Collins comprising of 92 apartments. There is a 3-level retail arcade from Bourke Street to Little Collins Street. At 405 Bourke Street is a 5-storey brick and concrete office building with a basement and ground floor showroom.
4. There are light and air easements which affect the existing residential apartments at 393-403 Bourke Street (John Danks Building) with a fixed datum of which no building structure is allowed to build below or through Reduced Level to Australian Height Datum RL49.14 AHD.
5. The site is irregular in shape with a frontage to Bourke Street of approximately 40 metres, a depth of 95 metres, a frontage of 47 metres to Little Collins Street and a total site area of 4,725m². There is a fall of 4.7 metres from the Bourke to Little Collins Street and a fall from west to east across the site to Bourke Street.
6. Development surrounding the site is described as follows:
 - North: On the opposite side of Bourke Street is Hardware Lane. Generally the building form east and west of Hardware Lane includes lower building heights ranging from 2 to 8 storeys for commercial purposes.

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- South: On the opposite side of Little Collins Street includes varied built form ranging from 4 storeys to 34 storeys (ANZ Headquarters on the corner of Queen Street). There is also the plaza area adjacent to the ANZ Headquarters at 360 Collins Street (Collins Wales House).
- East: 385 Bourke Street is a 42-storey tower currently used by the Commonwealth Bank; the site runs from Bourke to Little Collins Street. The remainder of the site is the Galleria Shopping Plaza, a two-level structure. To the south of this site on Little Collins Street are 360 and 362 Little Collins Street developed by 4 & 5 storey building. Further east along Elizabeth Street are a number of retail tenancies with varied built form which is generally lower scale.
- West: Fronting Bourke Street at 415 Bourke Street is Rochelle House a 7-storey building. Further west of this is a 3-storey building on the corner of McKillop Street. South of these properties on McKillop Street are 2 to 7 storey buildings used for various purposes, but typically include ground floor retail tenancies (mostly restaurants and cafes) with apartments/ commercial uses above. A similar low scale of development appears on the western side of McKillop Street, with the exception of the Excelsior apartments on the corner of Little Collins Street which is 11 storeys in height. Further west on the corner of Queen Street is the recently approved multi-storey residential building at 150 Queen Street (Permit 2012/002933).

PERMIT HISTORY

7. The site has been subject to a number of previous applications:
- Permit 2000/507 was issued on 23 May 2003 allowing partial demolition of the existing buildings and construction of alterations and additions to the existing buildings to be used for the purpose of dwellings, offices and retail uses with associated car parking, and for short stay commercial car park. This permit was not acted upon;
 - Permit 2004/0108 was issued on 13 August 2004 allowing the partial demolition of the existing building and construction of a 200 metre high tower for use as residential, office and retail. This permit was partially acted upon, the construction of the 200 metre high tower never occurred;
 - Permit 2007/0508 was issued on 3 August 2007 allowing buildings and works for the construction of an additional 12 levels to the podium (Level 6-18) and an office tower (Level 20-37) for the purpose of an office and car parking above that approved as Stage 1 of permit 2004/0108. The proposed development builds over Stage 1 of the Foundry site (approved under 2004/0108). This permit has not been acted upon; and
 - Permit 2008/0984 issued on 19 March 2009 for the development of the land including partial demolition for the purpose of an office building and retail generally in accordance with the endorsed plans and removal of restrictive covenants. An extension of time has been granted and the permit expired on 19 March 2013. There is a three month grace period to apply for further extension. This permit has not been acted upon to date.

STATUTORY CONTROLS

8. The following controls apply to the site, with planning permit triggers, requirements and decision guidelines are described below:

Planning Control	Permit/ Application Requirement(s)/ Decision Guidelines
Capital City Zone-Schedule 1 (Outside the Retail Core)	<p>Under Clause 37.04-2 a permit is required to use the land unless specifically exempted by the schedule.</p> <p>Under Clause 37.04-4 a permit is required to construct a building or construct or carry out works unless the schedule specifies otherwise.</p> <p>Schedule 1:</p> <ul style="list-style-type: none">• The table of uses specifies 'office' and 'retail premises' (other than adult sex bookshop, department store, hotel, supermarket and tavern) is permitted as of right (Section 1 use) at Clause 1.0 of the Schedule;

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	<ul style="list-style-type: none"> • Does not exempt the demolition or removal of a building, to construct any part of a building exceeding a height of 40 metres within 10 metres of a road frontage, construct or carry out works that would cast a shadow between 11.00am and 2.00pm on 22 March and 22 September, or buildings and works from requiring a permit; • Exempts demolition and buildings and works from notice and appeal requirements; • Decision guidelines are contained in Schedule 1 and at Clause 65.
<p>Design and Development Overlay-</p> <p>Schedule 1 (Active Street Frontages)</p> <p>Schedule 3 (Traffic Conflict Frontage) Bourke and Little Collins Streets</p>	<p>Under Clause 43.02-2 a permit is required to construct a building or construct or carry out works unless the schedule specifies otherwise.</p> <p>Schedule 1:</p> <ul style="list-style-type: none"> • Does not exempt ground floor buildings and works from requiring a permit; • Exempts buildings and works from notice and appeal requirements; <p>Schedule 3:</p> <ul style="list-style-type: none"> • Required vehicle ingress or egress points, excluding loading and unloading bays, should not be constructed on a traffic conflict frontage, or in a lane leading off a traffic conflict frontage; • Exempts buildings and works from notice and appeal requirements; <p>Decision guidelines are contained at 43.02-5 and at Clause 65.</p>
<p>Public Acquisition Overlay</p> <p>Schedule 5 (Footpath Widening) Little Collins Street</p>	<p>Under Clause 45.01-1 a permit is required to use land for any Section 1 or 2 uses to the zone and to construct a building or construct or carry out works.</p> <p>Under Clause 45.01-2 an application under this overlay 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.</p> <p>Under Clause 45.01-3 an application must be referred under section 55 of the Act to the authority (City of Melbourne) for acquiring the land.</p> <p>It is noted that the footpath widening to Little Collins Street was undertaken with the works approved under Permit 2004/0108.</p> <p>Decision guidelines are contained at Clause 45.01-4 and at Clause 65.</p>
<p>Car Parking (Clause 52.06)</p>	<p>Under Clause 52.06-3 a parking precinct plan affects the Capital City Zone including the site.</p> <p>The Schedule to this Clause specifies a maximum number of car parking spaces (calculated by using one of the following calculations; 5 x net floor area of buildings on the site divided by 1000m² or 12 x site area in m² divided by 1000m²) and the provision of 1 motorbike</p>

	<p>space per 100 car parking spaces.</p> <p>The limitation policy allows for a maximum of 325 spaces or 57 spaces. The provision of 250 car spaces (244 currently on site) on site is below the maximum allowed under the maximum allowed; therefore no permit is required.</p> <p>The Schedule also specifies the provision of minimum rate of 1 motorbike space per 100 car spaces to be provided unless the responsible authority is satisfied that a lesser number is sufficient. The proposal includes 6 motorcycle spaces, therefore no permit is required.</p>
<p>Loading and Unloading of Vehicles (Clause 52.07)</p>	<p>Under Clause 52.07 no buildings or works may be constructed for the manufacture, servicing, storage or sale of goods or materials unless space is provided on the land for loading and unloading vehicles as specified within the table.</p> <p>A loading facility is provided on site in accordance with that specified in the table; therefore no permit is required.</p>
<p>Bicycle Facilities (Clause 52.34)</p>	<p>Under Clause 52.34-1 a new use must not commence until the required bicycle facilities and associated signage has been provided on the land.</p> <p>The standard requires the provision of 286 spaces (217 for employees and 69 for visitors) (Office: calculated at 1/300m² of net leasable area if in excess of 1000m² for employees + 1/1000m² of net floor area if the net floor area exceeds 1000m² for visitors; and Retail Premises: calculated at 1/300m² leasable floor area for employees and 1/500m² leasable floor area for visitors). The application provides for 436 spaces which is in excess of that required, therefore no permit is required under this provision.</p> <p>There is also a requirement for bicycle shower and change room facilities. If 5 or more employee bicycle spaces are required, 1 shower for the first 5 employee bicycle spaces, plus 1 to each 10 employee bicycle spaces thereafter. The provision of 22 showers is required plus 22 change rooms. Facilities are provided in the basement.</p> <p>Therefore no permit is required under this provision.</p>
<p>Integrated Public Transport Planning (Clause 52.36)</p>	<p>Under Clause 52.36-1 an application must be referred in accordance with Section 55 of the Act to the Director of Public Transport for an office development of 10,000m² or more leasable floor area. On 5 July 2012 the application was referred to the Director of Public Transport.</p>

General Provisions

- Responsible authority for administering and enforcing the Scheme:** The schedule to Clause 61.01 indicates that the Minister for Planning is the responsible authority for considering and determining applications in accordance with Divisions 1, 1A, 2 and 3 of Part 4 of the *Planning and Environment Act 1987* for approving matters required by the scheme in relation to developments with a gross floor area exceeding 25,000 square metres.

10. **Decision Guidelines:** Under Clause 65.01 before deciding on an application the responsible authority must consider as appropriate a number of matters, including Section 60 of the Act.

11. **Referral and Notice Provisions:** Under Clause 66.03 an application must be referred to the person or body specified as the referral authority; Clause 52.34 (Director of Public Transport).

POLICY FRAMEWORK

State Planning Policy Framework (SPPF)

12. The following policies within the SPPF are relevant:

- Clause 10.04 (Integrated Decision Making)
- Clause 11.01-2 (Activity Centre Planning)
- Clause 11.04-4 (Central Melbourne)
- Clause 13.04-1 (Noise Abatement)
- Clause 15.01-1 (Urban Design)
- Clause 15.02 (Sustainable Development)
- Clause 16.01 (Residential Development)
- Clause 17.01 (Commercial)
- Clause 18.01 (Integrated Transport)
- Clause 10.0202 (Cycling)

Municipal Strategic Statement (MSS)

13. Clause 21.02 (Municipal Profile) recognises that the City of Melbourne is the premiere location for many of the State's economic, infrastructure and cultural facilities, and attracts a substantial daily population with people travelling to the city for work, leisure and shopping. In addition, the most significant gains in resident population are expected in the Central City, Docklands and Southbank.

14. Clause 21.03-1 (Vision) recognises the diverse roles of the city and local areas, with a vision being *'a thriving and sustainable City that simultaneously pursues economic prosperity, social equity and environmental quality'*.

15. Clause 21.04 (Land Use) sets out objectives and strategies to *'reinforce the City's role as Victoria's principal centre for commerce and professional and innovative and financial services'*.

16. Clause 21.05-2 (Structure and Character) identifies the need to reinforce valued characteristics of some areas and establish a new built form character for others in areas that have the capacity to absorb future development.

17. Clause 21.05-3 (Public Environment) notes the challenge in ensuring that new developments add positively to the overall character of Melbourne and *'create an accessible, safe, inclusive and engaging public environment'*. Associated strategies seek to encourage excellence in urban design, public realm and improve pedestrian permeability and amenity.

18. Clause 21.05-5 (Sustainable Built Form) seeks to create a built environment that adopts environmentally sustainable design practices.

19. Clause 21.06-1 (Public transport) seeks to increase the patronage of public transport by (amongst other things) encouraging development in locations which can maximise the potential use of public transport.

20. Clause 21.07-1 (Environmentally Sustainable Development) encourages a reduction in the generation of greenhouse gas emissions and promotes energy efficiency in regards to resource use and waste reduction.

21. Clause 21.08-1 (Central City) sets out the local area policies for Central City and includes a vision for the area is to continue its primary place of employment, business, finance, entertainment, cultural activity and retail in Victoria as a 24-hour City, co-locates these uses with residential uses, and provides appropriate high quality built form that continues to make the city attractive for workers, residents and visitors. The Local Area Map for Central City at Figure 12 seeks to 'encourage the development and establishment of new and innovative professional and retail businesses'. Important principles for Central City relevant to the application include:
- Supports the Central City's role as the principal centre in the State for government, commercial, professional business and financial services;
 - Active street frontages, interesting building tops and building design that promotes human scale, integrates with existing fabric, including respect for heritage buildings and provides visual interest; and
 - Requires development to incorporate a high level and quality of pedestrian and bicycle access.

Amendment C162

22. Amendment to the Melbourne Planning Scheme C162 (Municipal Strategic Statement) has been adopted by Council and is 'seriously entertained' planning document. The matter is currently being considered for approval by the Minister. The amendment includes themes which are applied to the local areas. The site is identified in the Hoddle Grid area which supports the development and establishment of new and innovative professional and retail businesses and that the design of tall buildings in the Hoddle Grid promote a human scale at street level, add to the city's skyline, and provides equitable access to outlook and sunlight.

Amendment C187 – [REDACTED]

Amendment to the Melbourne Planning Scheme C187 (Energy, Water and Waste Efficiency Policy) has been adopted by Council and is a 'seriously entertained' planning document. The matter is currently being considered for approval by the Minister. The amendment seeks to introduce a new local policy to encourage the consideration of energy, water and waste efficiency of new buildings for the purposes of office, retail, education centre and accommodation, including modifications and additions to existing buildings, affecting all land within the City of Melbourne. The proposed local policy lists objectives relating to energy, water and waste efficiency and includes a range of associated benchmark performance measures that should be met for a range of building types and scales. The performance measures require that proposals be assessed against one of a number of industry standard sustainability rating tools.

Amendment C188

23. Amendment to the Melbourne Planning Scheme C188 (Built Form Review) is awaiting authorisation. Amongst other things, the built form review proposed to amend the existing controls to contain most of the built form principles under Design and Development Overlay-Schedule 2 where the site would be affected by a mandatory 40 metre height control.

Local Planning Policy Framework (LPPF)

24. The following policies within the LPPF are relevant:
- 22.01 (Urban Design within the Capital City Zone)
 - 22.02 (Sunlight to Public Spaces)
 - 22.19 (Environmentally Sustainable Office Buildings)
 - 22.20 (CBD Lanes)

NOTIFICATION

25. Under Schedule 1 of the Capital City Zone an application to demolish a building and construct or carry out works, under Schedule 1 and 4 of the Design and Development Overlay, and under

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Clause 45.01-2 of the Public Acquisition Overlay an application to construct or carry out works 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.

REFERRALS

26. The application was given to the Department's Urban Design Unit, the City of Melbourne and the Office of the Victorian Government Architects Office, and referred under Section 55 of the Act (referral authority) to the Director of Public Transport. The following comments were provided:
27. **Urban Design (DPCD):** Offered general support for the application subject to the increase in tower setback to Bourke Street to the first column line (approximately 5 metres), detailed assessment and amelioration of any wind effects on McKillop Street, confirmation or conditioning of materials quality and detailing especially to Bourke Street, confirmation of continuous Bourke Street weather protection and development of the in-and-out tower façade treatment to ensure stronger legibility and less of an overall-pattern effect, in order to articulate the long side facades. These matters can be resolved though appropriate conditions.
28. **City of Melbourne:** Council supports the application subject to conditions including the increase in tower setback to Bourke Street to 6 metres, and the introduction of a setback to the western boundary of 3.5 metres for the first 25 metres from the southern (Little Collins Street) frontage. Other matters included are typical conditions which can be resolved through appropriate conditions.
29. **Office of the Victorian Government Architect:** Supports the application subject to the increase in tower setback to Bourke Street and the detailed resolution of the continuous laminations of the tower are too subtle and need to be reinforced with more significant moves that deal with form and massing and that support a stronger reading of the tower and its expression at a variety of scales and vantage points. These matters can be resolved through appropriate conditions.
30. **Director of Public Transport:** offered no objection to the proposal subject to two conditions being included on any permit issued. Letter dated 23 August 2012.

ASSESSMENT

Land Use

31. The proposed uses replace a mostly underutilised and inactive site which makes a limited contribution to the area. The proposal is consistent with many policy directions, will increase the residential population and contribute to the on-going revitalisation of a 24-hour Central Activities District.
32. The development provides higher density housing and responds appropriately with the broad strategic intent for office as outlined in the State Planning Policy Framework, Local Planning Policy Framework, including the Municipal Strategic Statement (MSS) (both current and proposed) and the zoning control.

Design and Built Form

Demolition

33. The application includes the partial demolition of the existing ungraded structures on site. The proposal also includes a replacement building which is consistent with the decision guidelines of the Capital City Zone which seeks to avoid vacant sites.

Urban Context Response/ Setbacks/ Tower Separation

34. The standard model for developing taller buildings in the City is based on a 35-40 metre high podium with the tower element setback from this podium level by at least 10 metres, as described in Local Policy 'Urban Design within the Capital City Zone' (Clause 22.01) and Schedule 1 of the Capital City Zone (Clause 37.04). The purpose of tower setbacks is to provide a number of measures related to the enjoyment of the public realm. Tower setbacks assist in providing a pedestrian scale, sunlight penetration, views to the sky and the deflection of wind downdrafts.
35. Amendment C188 to the Scheme is a review of the built form controls in the City, the first in over 25 years. The review reconsiders podium height, tower setback and tower separation, amongst other things. This review acknowledges the challenges that the City faces, particularly its develop-ability. The proposed controls seek to introduce a mandatory 40 metre podium height, mandatory tower setback of 6 metres from the street, and 5 metre tower setback from common boundaries (to achieve a minimum of 10 metres tower separation).
36. The proposed tower provides for a 38-storey (155.8 metres including plant). The building includes an 8-storey podium, and tower setbacks of 5.53 - 12.32 metres to the east, 6.6-7.6 metres to the south (Little Collins Street), 1.175 metres to the west and 4.02 metres to the north (Bourke Street).
37. The redevelopment is considered to provide an appropriate podium height to both Bourke and Little Collins Street. The tower is setback to these streets at 4.02 metres and 6.6-7.6 metres respectively. The further introduction of a street setback to Bourke Street of 5-6 metres (to the first column line) is considered to be appropriate and can be conditioned accordingly.
38. The adoption of a side core has freed up the ground floor lobby space and resulted in an adjustment to the siting, configuration and size of the tower footprint that has enabled it to provide more generous side setbacks to its east boundary and address a number of complex adjacency and easement issues.
39. The site is directly abutted to the east and west. Tower separation is less than 24 metres stipulated in Clause 22.01. Policy allows a reduction in tower separation where it can be demonstrated that the towers are offset and habitable room windows do not directly face one another and where the redevelopment of adjoining sites is not compromised.
40. The tower setbacks/ separation from the eastern boundary adjoin 385 Bourke Street which is a 42-storey tower currently used by the Commonwealth Bank; the site runs from Bourke to Little Collins Street. To the south of this site on Little Collins Street are 360 and 362 Little Collins Street developed by 4 & 5 storey building. The amended application illustrates an increased offset of 5.53 metres from the common boundary. The further offset of the building envelope achieves tower separation of 10 metres in the event that the sites fronting Little Collins Street are consolidated and developed.
41. The tower setbacks/ separation from the western boundary adjoins at 415 Bourke Street is Rochelle House a 7-storey building. Further west of this is a 3-storey building on the corner of McKillop Street. South of these properties on McKillop Street are 2 to 7 storey buildings used for various purposes, but typically include ground floor retail tenancies (mostly restaurants and cafes) with apartments/ commercial uses above. A similar low scale of development appears on the western side of McKillop Street, with the exception of the Excelsior apartments on the corner of Little Collins Street which is 11 storeys in height. Further west on the corner of Queen Street is the recently approved multi-storey residential building at 150 Queen (Permit 2012/002933). The likely redevelopment of these sites in an intensive way is less likely, particularly due to the design outcome sought for McKillop Street, with a pedestrian orientated street with low rise built form. Council sought the introduction of a setback to the western boundary of 3.5 metres for the first 25 metres from Little Collins Street. The applicant has advised of the structural complexity to achieve this outcome also with a 5 metre cantilever and major framing required to tie the floor

plate back to the core structure. The limited tower setback from this boundary is considered to be appropriate on this basis.

42. The application of 'continuous laminations' to the tower is less convincing and requires further development to provide dramatic moves with the massing and modulation of the tower. The purist approach and the development of a facade system that supports and replicates the idea of 'continuous laminations' at a grand scale (that is, mullion and flat surface details that demonstrate the application of a repetitive stepping of regular (1.2m) facade modules with subtle (150mm) shifts in plane) are considered to be too subtle and needs to be reinforced with more significant moves (perhaps more exaggerated shifts at larger intervals) that deal with form and massing and that support a stronger reading of the tower and its expression at a variety of scales and vantage points. This was a concern raised by Council, Urban Design and the Office of the Victorian Government Architects Office. The applicant has agreed to a condition to this effect. A condition will be imposed on the permit accordingly.

Street Level Frontages & Pedestrian Safety

43. The proposed development incorporates retail tenancies within the through-block connection on site. Whilst there is limited retail tenancies to Bourke Street the implementation of a new architectural strategy in the form of 'continuous laminations' is rigorously applied to the street wall. Its application to the podium street wall has resulted in a richly articulated insertion and a much improved contribution to the streetscape. This approach coupled with the inclusion of a green wall on the west boundary wall and a liberated ground floor lobby with enhanced activation and permeability, goes a long way towards address concerns expressed to the previous plans considered with the application.

Microclimate (Wind, Weather Protection, Light and Shade/ Overshadowing)

44. Policy recommends that towers, at a height greater than a 40 metre podium, are setback 10 metres from all streets to deflect wind downdrafts from penetrating to street level. The proposal includes A lower podium heights of 26 metres to Bourke Street and tower setbacks which assist in wind deflection, therefore appropriate wind conditions are produced at street level as confirmed in the wind tunnel testing undertaken. Concerns have been expressed regarding the effect the building has on the wind in McKillop Street with a desire to retain a lower threshold than 'walking' criterion. A detailed assessment and amelioration of any wind effects on McKillop Street can be addressed through appropriate conditions.
45. Local Policy 'Sunlight to Public Spaces' requires that development not cast additional shadows between 11.00am and 2.00pm at the equinox that would prejudice the amenity of public spaces. An analysis at 10am, 11am, 12pm, 1pm and 2pm has been carried out for 22 March/ September. The analysis shows the additional shadowing will occur over properties to the west and south, predominantly contained within existing shadowing conditions. Given the overall height of the proposed building (significantly taller than currently occupying the site), increased overshadowing is inevitable. The most significant increase in shadowing is to Queen Street at 11am and Little Collins Street at 12pm to the plaza to the rear of 360 Collins Street (which is subject to redevelopment). It is noted however that the development does not overshadow any public parks or gardens, public square or major pedestrian route, it is therefore considered to be acceptable.

ESD

46. Clause 22.19 (Environmentally Sustainable Office Buildings) encourages office with a gross floor area of more than 5,000 square metres to achieve a 4 star rating under the Green Building Council of Australia's Green Star Rating Tool or equivalent, including criteria of a minimum 4.5 star base building and a maximum water consumption of 30 litres/day/person using the Green Star Water Calculator.

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47. The proposal seeks to achieve 5 Star Green Star Office Design rating, which is in excess of the requirements of the Policy, which seeks a 4.5 Star ABGR Base Building Rating. The will be secured through appropriate permit conditions.

Environmental Assessment

48. Due to the proposed retention of the basement structure on site and limited disturbance to the soil condition and the proposed non sensitive use, an environmental assessment is not considered to be warranted.

Car Parking / Loading and Unloading of Vehicles/ Waste Collection/ Bicycle Facilities

49. The level of car parking provided on site is supported, which is under the maximum limitation policy, and commensurate with the site's level of access to public transport, employment and facilities. Bicycle parking is also provided on site, which will encourage cycling both within and to the City for the journey to work.
50. The application provides for a loading facility in accordance with the requirements at Clause 52.07 of the Scheme. Detailed matters raised by Council have been captured in appropriate conditions.
51. The application provides for a total of 436 bicycle spaces which is in excess of the requirements at Clause 52.36 of the Scheme. Signage should also be provided, this can be conditioned accordingly. It is considered appropriate to impose a condition requiring compliance with the design of bicycle spaces, shower facilities and associated signage in accordance with the requirements of Clause 52.34 of the Scheme.

RECOMMENDATION

52. That you approve planning permit application 2012/005554 at 368 Little Collins Street, 393-403 & 405 Bourke Street, Melbourne for the development of a 38-storey mixed use office tower subject to conditions.

Prepared by:



Name:
Title:
Phone:
Date: 19 March 2013

Approved by:



Name:
Title:
Phone:
Date: 19 March 2013