

Appendix 4: Internal Referral Responses

Internal Department / Referral Officer	Internal Referral Comments (summarised)
Heritage	No heritage issues on this site, although it does abut an original bluestone lane to the rear, which will need to be protected during construction and repaired/reinstated as required when the building is completed
City Strategy / Urban Design	<p>I have reviewed the amended proposal plans and supporting reports and provide the following strategic planning advice (based largely on my previous advice dated 5 March 2020).</p> <p>Firstly, it needs to be recognised that the proponent has not accurately responded to the scope of the Fishermans Bend Standing Advisory Committee (SAC) to consider a site-specific planning control to facilitate the proposal that responds to the permanent planning controls introduced under GC81. In accordance with the Terms of Reference (ToR), the SAC's consideration of the proposed control is <u>subject to it</u>:</p> <ul style="list-style-type: none"> a) <i>Responding to local policy;</i> b) <i>Meeting the requirements of the DDO, the PO and the CCZ other than:</i> <ul style="list-style-type: none"> ▪ <i>The dwelling density requirement;</i> ▪ <i>The requirement to be generally in accordance with the Fishermans Bend Framework (September, 2018); and</i> ▪ <i>The permit condition requirement to enter a section 173 agreement to provide a new road or laneway; and</i> c) <i>Making appropriate development contributions."</i> <p>This matter relates to the proposed variation to mandatory requirements relating to setbacks above the street wall and wind effects on the public realm, as discussed below.</p> <p>Key Issues</p> <ol style="list-style-type: none"> 1. The proposal has a maximum building height of 106.4m and 27 storeys. The roof plant and lift overrun (Level 25 – Plant and Roof on the elevation plans) are to be included in height calculations, as they are not set back at least 3m behind the building façade (refer Clause 2.5 of DDO30). There may be strategic planning justification for a 'high-rise' building with a <u>building height</u> greater than the 68m / 20 storey maximum height sought in DDO30, due to the heights of existing and approved buildings in the immediate area (particularly the abutting 'Gravity Tower' at 89-103 Gladstone Street). <p>I do not agree, however, with the proponent's assertion that; "<i>the Gravity Tower establishes a relevant built form expectation for the subject site</i>" (p. 3 of Planning & Property Partners letter dated 15 April 2020). Under the SAC Terms of Reference, the proposal is subject to it [amongst other things]:</p> <ul style="list-style-type: none"> a) <i>Responding to local policy;</i> b) <i>Meeting the requirements of the DDO, the PO and the CCZ [other than some specific matters not related to building height].</i> <p>It is considered that the proposed building height does not achieve the built form outcomes in Clause 2.5 of DDO30:</p> <ul style="list-style-type: none"> ▪ A consolidated built form with the Gravity Tower, which is built on the common boundary, is a logical approach. This building was approved in 2013 (prior to the current planning controls) and exceeds the building height sought in DDO30. There has been no justification provided for an overall height of the subject proposal almost 10m above Gravity Tower; ▪ The proposal does not adequately respond to the preferred precinct character of Area M5, which is; "<i>Predominantly mid-rise developments with some high-rise forms on larger sites where well-spaced, slender towers can be demonstrated to provide sunlight access to streets</i>": <ul style="list-style-type: none"> ○ It is not considered that the site (even if combined with the Gravity Tower site) is a 'larger site' to justify a high-rise form, particularly a building taller than its neighbour;

- The combined tower form (with Gravity Tower) and proposed building separation from future development to the south will not result in 'well-spaced slender towers' or provide sunlight access to Montague Street (as evidenced by the overshadowing analysis in Design Response (p. 2.19).
- There is concern that the proposal will not contribute to a "*varied and architecturally interesting skyline*". As illustrated in the Design Response provided by the project architect (pp. 2.13-2.14), the proposed building height appears to be more a continuation of the heights achieved by existing and approved buildings in the block bounded by Montague, Gladstone, Kerr and Buckhurst Streets; and

Furthermore, I do not agree that the acoustic performance of the building (namely noise impacts from the rooftop plant) justify the proposed building height. It is the proponent's responsibility to manage noise within the development site – even if this requires the provision of acoustic screening (that would need to be integrated with the building design).

It is recommended that the building height be reduced to act as a transition between the height of 'Gravity Tower' (97.15m overall) and the 68m / 20 storey maximum height sought in DDO30. City Design may have other urban design advice in relation to this matter. It is preferred that this change be addressed through amended plans prior to a decision being made, however it could potentially be conditioned (with the amended building design to be assessed).

2. The proposal seeks to vary the mandatory setback requirements above the street wall set out in DDO30 (Clauses 2.8 and 2.9). Although some variation may be supportable in the site context from a planning perspective (particularly the existing development abutting to the north), the proposal (and associated planning scheme amendment) needs to meet the requirements of DDO30 (refer to the SAC ToR). I expect the SAC will establish a standard approach to varying mandatory requirements.

Nevertheless, the following matters need to be resolved:

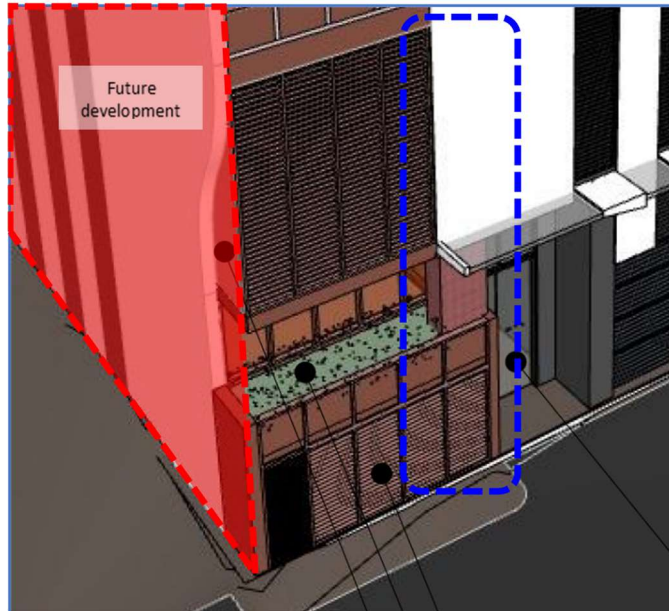
- a) There is concern that the proposed setbacks to Gladstone Place could visually overwhelm this part of the public realm and affect daylight access to the laneway, as outlined in Clause 2.8 of DDO30. It is recommended that the minimum setback above the podium be increased to match that of the adjoining Gravity Tower building (2m);
 - b) The proponent has not sufficiently demonstrated that the proposed setbacks to the southern boundary above the podium (approximately 3m) will provide equitable development opportunities for properties immediately to the south. Although the Design Response considers a number of potential site consolidation scenarios (pp. 2.06-2.12), it does not justify the assumed building envelopes of potential development (particularly building heights) and does not demonstrate how future development will be afforded equitable access to "*sunlight and daylight to, and outlook from habitable rooms in existing and potential developments on adjoining sites*", as required in Clause 2.9 of DDO30; and
 - c) The proponent has not demonstrated that the proposed zero setback to the northern boundary will not unreasonably impact on natural ventilation of the podium car parking and natural daylight access to the south-facing windows (core / stairs areas) in the abutting 'Gravity Tower'.
 - d) There is strategic planning justification for the proposed setbacks to Montague Street above the street wall, due to the setbacks of the abutting 'Gravity Tower', relatively narrow frontage and 'stepping back' to achieve the 10m mandatory setback at the southwest corner. I defer to City Design for urban design advice on the proposed façade treatment and 'curved' transition between the podium and tower elements.
3. The approach to manage the flood risk to the site, whilst seeking to provide an active frontage to Montague Street is supported in principle. The proponent, however, has not demonstrated that portions of the development that will be flood prone comply with the requirements of Clause 22.15-4.5. Melbourne Water should be consulted at this stage of the process for minimum floor level requirements rather than at the Standing Advisory Committee process. I defer to City Design for urban design advice on this matter.

4. The wind assessment by RWDI, and the resultant built form outcome, does not comply with the policy requirements in Clause 2.11 of DDO30. A safe and pleasant pedestrian environment needs to be maintained on footpaths and other public spaces for walking, sitting or standing. The following issues need to be addressed in an amended wind assessment:
- a) The wind assessment needs to address the requirements of DDO30, not those included in Amendment C270 to the Melbourne Planning Scheme;
 - b) Several developments either approved or under construction have not been included in the proximity model, particularly 6-70 Buckhurst Street (30 storeys) and 15-87 Gladstone Street (30 storeys);
 - c) The mandatory wind safety criteria in DDO30 must be achieved. Where the safety criterium is already exceeded, the development must not increase the extent of non-compliance. The current proposal results in exceedance or worsening of safety criteria in 13 test locations (# 3, 5, 10, 24, 25, 29, 30, 32, 39, 44, 46, 47 and 56);
 - d) Standing comfort criterium should be achieved, or existing comfort not worsened, for the footpaths / verges to Montague Street and Buckhurst Street. These areas are on key streets within the Montague Core Area where pedestrians will be encouraged to linger. The current proposal results in exceedance or worsening of this criterium in 7 test locations (# 8, 9, 10, 20, 25, 28 and 29);
 - e) Any proposed wind treatments need to be located within the development (not on public land). Reliance on the street trees along Montague Street is not acceptable; and
 - f) Any proposed changes to the built form and/or wind treatments need to be qualified to demonstrate how an amended proposal will achieve the policy requirements in Clause 2.11 of DDO30.

The built form response and proposed wind treatments need to be incorporated into the proposal architectural and landscape plans as they will form part of the design outcome for the development.

Issues that could be conditioned

- 1. A full canopy should be provided along the entire Montague Street frontage to contribute to continuous weather protection along this street within the Montague Core Area. This change could be conditioned.
- 2. The proponent has not explained the purpose and function of the 'potential mixed mode spaces' proposed on Levels 06-13 and 15-23. If not relevant to the assessment of the proposal, these notations should be removed. This change can be conditioned.
- 3. The Mezzanine level activation at the Gladstone Place frontage is supported. The effectiveness of the southern façade treatment (cutaway), however, will be limited by future development on the abutting site that will likely be built to the northern and laneway boundaries (refer to diagram below – red shading). It is recommended that the cutaway façade treatment be relocated to the interface between the Mezzanine Retail / Communal area and the Rear Entry & Bike Access (blue dashed outline in diagram below). This change could be conditioned.



Please let me know if you need to discuss in any way, or otherwise of I can provide further assistance.

<p>Development Engineer</p>	<p>In comparison to the 18-85 Gladstone St development (which has an area of 5970 m² and have proposed to have two tanks with combined volume of 32.13 kl) we are satisfied with the 32kl rainwater tank as proposed in the SMP for the 91-95 Montague Street, South Melbourne development.</p> <p>In addition to the above, we note that there are no details on the WSUD maintenance schedule.</p>
<p>Asset Management and Property</p>	<p>It appears that the site frontage to Montague Street according to the title survey on p15 is 15.94m and the road is 1.37m. This is marked as a non-government road, but it is a municipal road which I would mark as government. It is on our road register. This correlates with our Intramaps.</p> <p>On pages 23-27 the drawings for context all show a frontage of 17.9m. This means they are incorporating our road into the plans.</p> <p>We have no application for discontinuation of the laneway. They do not have right of title to build over the municipal road, and it cannot be adverse possessed.</p> <p>At this point this renders the entire application speculative on the basis of acquiring the title.</p>
<p>Sustainable Design</p>	<p>Please see my comments in relation to WSUD and integrated water management highlighted in yellow below. Are you satisfied with the proposal and the level of detail provided? Note proposed in-ground rainwater tank is the only mechanism.</p> <p>I've reviewed plans by Plus Architecture, SMP by WSP and Green Star Design & As Built v1.2 Score Card by WSP.</p> <ul style="list-style-type: none"> - Proposed 6,673m² office development. - No car parking. - 84 bike parking spaces proposed internally and 8 visitor bike spaces. - End of trip facilities provided on Level 01 – 6 male showers and 6 female showers. 134 lockers. <ul style="list-style-type: none"> • The SMP commits to a 5 star certified Green Star Design and As Built rating, which is appropriate for a development of this scale and is consistent with mandatory condition requirements in the Capital City Zone (CCZ1). • Overall, the SMP demonstrates that the development has the potential to achieve a 5 star certified Green Star Design and As Built Rating, with potential for achieving a 6 star rating. While it's acknowledged that further design development is required to specify the specific details of how each credit will be achieved, it's preferable that some firmer commitments be made in the SMP at the planning assessment stage. This is mentioned in relation to some specific examples in the comments below.

- The SMP also commits to a 5 star NABERS rating for Energy (without Green Power) and a 4 star NABERS rating for Water.
- The project targets the Green Star Design and As Built Daylight credit 12.1, with the SMP stating that the target outcome is for a minimum average of 40% of the NLA achieving internal daylight levels of >2%. The target is acceptable. Given that the SMP confirms that sufficient spread of natural daylight through the internal spaces will be dependent on both light coloured internal finishes and optimisation of façade glazing and shading systems, the daylight factor that would be achieved via the design as shown on the proposed architectural plans should be modelled now, at the planning application stage. Daylight modelling at this stage will demonstrate whether or not any significant design changes would be required to meet this daylight target, prior to planning approval. This would avoid the need for amendments further on in the planning process.
- The NABERS pathway is selected for the Greenhouse Gas Emissions credits of Green Star Design & As Built, which is acceptable.
- The SMP states that to assist with achieving 5 star NABERS a highly efficient hot water system is required, with the option of implementing a high efficiency electric heat pump hot water system. The potential to offset the system with solar is encouraged and it's noted that the SMP refers to the need for sufficient plant space onsite. This should be explored now at the planning stage, with further details provided to demonstrate how much plant space would be required and whether any architectural design modifications would be required to achieve it.
- The development has the potential to be gas free for the intended pathway to achieving the nominated Green Star and NABERS ratings. This is welcomed as an appropriate outcome to future proof the development in terms of eliminating greenhouse gas emissions and reducing future reliance on offsets as Victoria transitions to net zero carbon emissions over the next couple of decades.
- The proposed 32kL rainwater meets the required capacity of 0.5m³ per 10m² of catchment (catchment = 641m²), as per the conditional requirements of the CCZ1. However, note that the CCZ1 requirements are for an effective tank capacity, meaning that the overall capacity must be slightly larger to accommodate for dead space.
- The WSUD report in Appendix B of the SMP uses STORM to measure the stormwater quality outcome. MUSIC is the preferred modelling tool for development in FBURA, particularly of this scale. MUSIC modelling should be provided.
- The SMP does not refer to third pipe or provision of a connection point to the future precinct scale water recycling system. The SMP must include the third pipe commitments as per the mandatory requirements at Clause 4.3 of the CCZ1.
- The number of bike parking spaces proposed is acceptable and the proposed end of trip cycling facilities are sufficient in relation to the amount of bike parking proposed.
- A Green Travel Plan must be submitted with this application – This is an application requirement of Clause 22.13 of the Port Phillip Planning Scheme, refer to Table 1 at Clause 22.13-4.
- The SMP commits to achieving the Green Star Design and As Built credit 25 – Urban Heat Island Effect, which means that the development would meet the urban heat island objective at Clause 22.15 of the Port Phillip Planning Scheme (at Clause 22.15-4.5).
- The Building Materials and Waste Management potential commitments in the SMP are positive. It is preferable for the SMP to provide some solid commitments in this regard at the planning stage, so that the commitments on materials choices can be carried forward to detailed design development.
- A number of innovation challenges have been proposed. Although further work is required in order for the project team to ensure full commitment to these initiatives, it's preferable for some solid commitments to be made in the SMP at the planning stage. For example, the Reconciliation Action Plan is consistent with overarching objectives for development in FBURA – Refer to Objective 3.10

	of the Fishermans Bend Framework, plus relevant references on pages 4, 9, 10 of the Fishermans Bend Framework.
Traffic Engineers	<p>Parking</p> <p>The site does not propose to provide on-site carparking. A Traffic Impact Assessment is required.</p> <p>In addition, given no carparking is proposed the Applicant should consider providing a Green Travel Plan (GTP) to discourage future occupiers using private cars. If a GTP is provided I recommend you also seek advice/feedback from Strategic Transport team too.</p> <p>Loading area</p> <p>A swept path assessment is required to show loading and/or waste vehicles accessing the loading bay via Gladstone Place. Can they update plans to show dimensions of the loading area? We recommend the loading area is designed to AS2890.2 – Off Street commercial vehicle facilities.</p> <p>Bike Facilities</p> <p>It is noted, the Fishermans Bend Taskforces considered bike racks and facilities on Level 1 accessible via a Bike Lift is acceptable. Notwithstanding FB Taskforce comments, it is recommended the Applicant consider design guidelines outlined in Clause 52.34.</p> <p>Recommend to remove staircase and provide a ramp to access the 'Bike Lift'. The Bike Lift does not appear to be to conveniently accessible from Montague Street. Proposed Bike Lift must be able to safely fit the length of a bike.</p> <p>Remove/delete proposed bike racks along Montague Street. All proposed bike racks must be contained on-site. The Applicant should consider providing on-site bike parking near the building's frontage for visitors.</p> <p>Other</p> <p>We recommend the crossover on Gladstone Place is reduced.</p>
Waste Management	<ul style="list-style-type: none"> • How will the cleaners access the bin room with their trolley? The bin room needs to be accessible to people with trollies or are in wheelchair in general, to dispose of any items other than general rubbish. • Please add that a trained spotter will be appointed to assist with manoeuvring waste vehicle. • The remaining aspects are acceptable.