

Report to the Future Melbourne (Planning) Committee

Agenda item 6.3

Ministerial Amendment C371 Fishermans Bend Campus

7 July 2020

Presenter: Emma Appleton, Director City Strategy

Purpose and background

1. The purpose of this report is to present Planning Scheme Amendment C371 prepared by the Minister for Planning for The University of Melbourne's new Fishermans Bend Campus (refer Attachment 2) and to seek endorsement of the City of Melbourne's submission (refer Attachments 3 and 4).
2. Amendment C371 affects 221-245 Salmon Street, Port Melbourne, which forms part of the former General Motors Holden (GMH) site, and seeks to introduce an incorporated document and master plan to facilitate the development of the University of Melbourne campus in the Fishermans Bend Employment Precinct.
3. The new campus will accommodate spaces for the School of Engineering and Faculty of Architecture, Building and Planning and would be supported by associated functions including shared workspaces, networking hubs, meeting and collaboration spaces, retail and other uses in keeping with the precinct's role as a National Employment and Innovation Cluster (NEIC).

Key issues

4. The University's investment and commitment to establish a new campus in the City of Melbourne is fully supported, and Council officers will continue to work in partnership with the University and the Victorian Government to deliver the vision for the precinct. The University's initiative is significant and will be a catalyst for the development of the Precinct. It forms an important part of the wider planning of Fishermans Bend and the employment precinct being led by the Victorian Government in partnership with the Council. To support the development of the NEIC and ensure its success, management will continue to advocate strongly for a tram and train route to be delivered to the Precinct.
5. A site based amendment to provide investment certainty for the University is supported however the current documents require further clarity in order to effectively direct development outcomes on the site. The incorporated document establishes site specific controls for the site and over-rides all other aspects of the planning scheme. It is therefore imperative that all the guidelines needed to assess the final master plan and to assess the development plans prepared and submitted at each stage are clearly articulated in the incorporated document, in order to achieve the outcomes sought for the site.
6. Management seeks further resolution of a number of matters and requests that these are more clearly articulated in the drafting of the proposed planning controls. There is currently ambiguity between the incorporated document and the masterplan.
7. The matters requiring resolution include the proposed extent of heritage retention; the massing and built form proposed, including the relationship of new development to the existing heritage fabric and the dominance of development over the public realm; as well as, some of the assumptions made about broader GMH site and precinct planning. There is also the opportunity to position the new campus at the forefront of environmentally sustainable development and integrated water management. From the information provided it does not appear that this will be achieved.
8. While recognising the need for flexibility, there is currently too much ambiguity in the way the controls are written and lack of consistency in the masterplan to support the site based Amendment in its current form. Management's concerns with and recommended changes to the incorporated document and draft masterplan are outlined in the submission at Attachment 3 and marked up incorporated document at Attachment 4.
9. Management is keen to work collaboratively with the, University the Department of Jobs, Precincts and Regions and Department of Environment, Land, Water and Development to effectively resolve matters.

Recommendation from management

10. That the Future Melbourne Committee:
 - 10.1. Endorses the attached submission to Planning Scheme Amendment C371 (refer Attachments 3 and 4 of the report from management).
 - 10.2. Directs management to engage directly with The University of Melbourne, the Department of Jobs, Precincts and Regions and the Department of Environment, Land, Water and Development, to seek effective resolution of matters.
 - 10.3. Authorises the General Manager Strategy Planning and Climate Change to make any further minor editorial changes to the submission prior to lodgement.

Attachments:

1. Supporting Attachment (Page 3 of 143)
2. Draft Incorporated Document and Masterplan (Page 4 of 143)
3. Management's recommended submission (Page 115 of 143)
4. Management's recommended changes to the Incorporated Document (Page 132 of 143)

Supporting Attachment

Legal

1. Part 3 of the *Planning and Environment Act (Act)* sets out the procedure for a planning scheme amendment. Section 8(1) (b) of the Act provides that the Minister may prepare an amendment to any provision of a planning scheme. Under section 20(4), the Minister for Planning can exempt an amendment from any of the requirements of sections 17, 18 and 19 of the Act (i.e. no exhibition or Panel).
2. Under Section 20(5) of the Act, the Minister may consult with the responsible authority before exempting himself or herself from any of the requirements of section 17 (Copies of amendment to be given to certain persons), section 18 (availability of amendment) and section 19 (notice requirements) of the Act and the regulations under the Act, in respect of an amendment which the Minister prepares.

Finance

3. There are no financial implications arising from the recommendation in this report.

Conflict of interest

4. No member of Council staff, or other person engaged under a contract, involved in advising on or preparing this report has declared a direct or indirect interest in relation to the matter of the report.

Health and Safety

5. In developing this proposal, no Occupational Health and Safety issues or opportunities have been identified.

Stakeholder consultation

6. Under section 20(5) of the Act, the Minister for Planning sought the views of particular parties, including the City of Melbourne, Development Victoria and owners and occupiers of surrounding properties. City of Melbourne received documentation on 8 June 2020.

Relation to Council policy

7. The proposed Fishermans Bend Campus is consistent with the overarching objectives of the Planning Policy Framework namely supporting the redevelopment within this Urban Renewal Area, and more specifically, the Employment Precinct of Fishermans Bend.

Environmental sustainability

8. Environmental sustainability has been considered in the development of the master plan and incorporated document prepared by the University and comments in management's recommended submission will ensure the Amendment facilitates an exemplary sustainable development, demonstrating best-practice environmentally sustainable design.
9. Physical environmental risks will be managed through the preparation of an environmental assessment that will identify any contaminated land and provide mitigation and management measures if required.

Ministerial Planning Scheme Amendment C371

University of Melbourne Fishermans Bend Campus

City of Melbourne submission

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Executive summary

Amendment C371 seeks to facilitate the use and development of the land for a new campus for the University of Melbourne. The campus will accommodate spaces for the Melbourne School and Engineering and Faculty of Architecture, Building and Planning and would be supported by a range of associated functions including shared workspaces, networking hubs, meeting and collaboration spaces, retail and other uses.

The amendment would allow the land to be developed in accordance with the incorporated document, *The University of Melbourne Fishermans Bend Campus, The University of Melbourne*.

The incorporated document allows development of the land for a university campus. It includes a requirement for a masterplan to be prepared for the site (in accordance with one prepared by Grimshaw Architects dated 27 April 2020). The masterplan provides a general outline of what is proposed. There is also a requirement for detailed development plans to be provided for approval prior to commencement of development (except for demolition, bulk excavation, piling, site preparation and any retention works) at each stage.

The University's investment and commitment to establish a new campus in the City of Melbourne is fully supported, and we will continue to work in partnership to deliver the vision for the precinct and will continue to advocate strongly for a train and tram route to be delivered. The University's initiative is significant, will be a catalyst for the development of the Precinct and forms an important part of the wider planning of Fishermans Bend and the Employment Precinct being led by the Victorian Government in partnership with the City of Melbourne.

The City of Melbourne supports a site-based planning scheme amendment for the site to provide investment certainty for the University of Melbourne but has some concerns with heritage retention, assumptions made about broader General Motors Headquarters (GMH) site and precinct planning, and the lack of clarity and certainty the documentation provides on potential development outcomes.

It is recommended that the strategic outcomes sought for the site are enabled and secured through clearer guidance in the Incorporated Document and draft Master Plan.

Comments

1/ Process

The University of Melbourne has requested the Minister for Planning prepare, adopt and approve a Planning Scheme Amendment under Section 20(4) of the *Planning and Environment Act*.

Whilst the City of Melbourne supports the Minister considering concurrently the planning scheme amendment and the Victorian Heritage Register nomination, a Section 20(4) process without any form of consultation is not supported. Therefore, we are pleased that the Minister for Planning is consulting with the City of Melbourne and adjoining owners and occupiers under Section 20(5).

It is also noted that the usual statutory amendment documents, i.e. explanatory Report, Instruction Sheet, 73.03 Incorporated Document List etc., which provide the strategic justification for an amendment as well as explaining how the draft documents are proposed to be inserted into the Melbourne Planning Scheme, have not been provided.

It is understood that the amendment includes:

- Insertion of a new Specific Control Overlay (SCO3) at the Schedule to Clause 45.12 and revision of mapping to reflect this change

- Replacement of the Schedule to Clause 51.01 to include the Incorporated Document titled 'The University of Melbourne Fishermans Bend Campus, October 2019'
- Replacement of the Schedule to Clause 72.03 to include 3SCO
- Replacement of the Schedule to Clause 72.04 to include the Incorporated Document titled 'The University of Melbourne Fishermans Bend Campus, October 2019'

2/ Strategic context and justification for Planning Scheme Amendment

As the site sits within the former GMH site which is part of the Fishermans Bend Employment Precinct, it is noted that it would have been preferable if planning at a broader scale, i.e. for the overall GMH site and Employment Precinct, had been further advanced to properly understand how the present proposal relates to what will be proposed for the rest of the area, especially in terms of open space and pedestrian connections. This work is underway as outlined below.

Fishermans Bend Employment Precinct

The City of Melbourne is working closely with the Fishermans Bend Taskforce within DJPR to prepare a draft Precinct Structure Plan for the Employment Precinct scheduled for community engagement towards the end of 2020 / early 2021.

GMH site Design Strategy

A Design Strategy for the former GMH Site, is being developed by the Department of Jobs Precincts and Regions (DJPR) and Development Victoria (DV). City of Melbourne officers are involved in the development of the Design Strategy and the City of Melbourne strongly supports the Victorian Government's commitment to the development and curation of the site over time to deliver a high quality place that achieves great outcomes for the Victorian economy and the community.

3/ Draft Incorporated Document

The Planning Scheme Amendment includes an Incorporated Document for the site, which would establish site specific controls for future development of the site, and would override all other aspects of the Melbourne Planning Scheme.

We therefore wish to ensure the Incorporated Document has all the guidelines needed to assess the final Master Plan and to assess the development plans created and submitted at each stage.

Specific comments on the draft Incorporated Plan are provided separately.

4/ Draft Master Plan

City of Melbourne's primary concerns with the University of Melbourne Fishermans Bend Campus draft Masterplan, prepared by Grimshaw Architects dated 27 April 2020 relate to public realm, the retention of heritage fabric, built form massing, heights and amenity impacts, sustainable transport offer, staging and site coverage. These matters are discussed in further detail below.

As referenced in the draft Incorporated Document, all future development plans are to be in accordance with the endorsed Masterplan, so further consideration of the issues that have been identified will be critical to a successful iterative process. f

Whilst City of Melbourne is supportive of the ambition and overall intent of the master plan in principle, the following Key Issues have been identified:

- a. The document provides high level statements for intended outcomes (such as transport, sustainability, etc.), without specifying sufficient detail on how this can be achieved.

- b. There is a degree of contradiction of detail in the document and plans throughout, which makes the overall outcome difficult to comprehend (e.g. conflicting details of building heights and density).
- c. Too many assumptions made about the future layout and use of land external to the site to the south (under the ownership of Development Victoria).
- d. Significant heights and densities proposed, benchmarked against international proposals which are not relevant to the site context.
- e. Poorly articulated public realm provision, with what appears to be limited open spaces within the site, and limited opportunity for tree plantings;
- f. Limited aspiration for high quality sustainability outcomes, as sought through the Fishermans Bend Framework.

The Masterplan is difficult to navigate. Different pieces of information related to, for example density and building heights, are scattered throughout the document, requiring the reader to search out information to get the full picture.

The progress of the broader GMH Site Development Framework has led to refined thinking on the proposed structure of land immediately to the south of the campus. The Masterplan and Incorporated Document should be updated to reflect this.

The level of detail is consistent across the proposed three stages of development. Can more specific detail be provided on Stage 1 so that less flexibility is needed?

5/ General site planning

The masterplan must clearly set out the key intentions for this large site, indicating how built form, streets and open spaces will offer a quality public realm, ease of movement, character, legibility, diversity and adaptability. The proposed site layout diagram indicates four building parcels adjoined by a connective green open space spine that runs through a central social area.

The indicated open space network is a positive inclusion to the scheme however, its suggested narrow width and allowance for structures and overhead equipment up to 12m in height, may result in this public offer being compromised by development.

More broadly, we recommend that the balance between built form and public realm is revisited. At the moment the built form appears to overwhelm the public realm. As the public realm will be essential to the success of the precinct, a more generous public realm is required.

An integrated relationship between building footprints and publicly accessible areas that offer continuity and enclosure will be key to the success of this masterplan, yet the current perimeter location of green spaces relies on this being achieved in later phases rather than through a strong delivery commitment from the outset.

Assurance of a hierarchy of connections is important. The masterplan's key moves are depicted differently throughout the proposal and in some cases contradict the intent of the previous key move. In regards to movement and access routes, the site layout plan indicates a sizeable building footprint for parcel 1a, however, as accords with the other parcel footprints, this should include a mid-block, north-south link to maintain consistent levels of pedestrian permeability.

The masterplan provides limited explanation of how this site will relate to the surrounding context. It is acknowledged this is an area set to undergo significant change, however open space and pedestrian

connections are critical to the future vitality and viability of the precinct and should be included throughout.

Proposed building envelope heights are a concern and further commentary on this element is provided below.

There is a strong possibility that this development could set the benchmark for future development. Therefore, quality of design and approach is critical.

6/ Building footprint, built form and massing

Several issues have been previously identified in discussions with the University of Melbourne, and are discussed below, in regard to the following:

- unclear building footprints and density diagrams;
- ambiguous nature of the discretionary FARs;
- limitations of the interface activation strategy; and
- the significant discrepancies between the maximum buildable envelopes and indicative massing.

Site Layout - Building footprints

Issue: The proposed building footprints are unclear. City of Melbourne understands the need for flexibility in the development of the campus over time, however greater clarity is needed on likely building footprints in order to understand and assess other campus design elements.

Proposed Resolution: Proposed building footprints should be clarified and the Site Layout Plan should be included in the Incorporated Document.

- *Criteria for the proposed extent of building footprints on the site should also be set, to provide a metric for the assessment of potential changes in the future. For example, maximum site coverage (percentage or area of the 'primary developable footprint') should be set as actual building footprint.*
- *Clearer definition of 'primary developable footprint' is needed beyond that given on p. 36. (Please confirm that these are not proposed building footprints.)*

Site Layout - Through site links

Issue: The access hierarchy, location and intent of proposed fixed and flexible through site links is currently unclear.

Proposed Resolution: Indicative and fixed connections should be made explicit on the Site Layout Plan.

- *Clarity is needed on the proposed design specification for fixed and indicative connections: Which will be publically accessible? What does 50% open to the sky look like in practice? Which routes will include partial access internal to buildings? How will these connections influence built form and public realm outcomes?*

Campus Density - Built form outcomes

Issue: Proposed development density diagrams do not give a clear picture of the likely built form outcome.

- *Is the conceptual diagram to be taken as a likely development outcome?*
- *Indicative massing models show varied responses to 'indicative through site links', leading to very different built form, site access and activation outcomes.*

Proposed Resolution: A preferred built form outcome should be shown with detail provided in the Incorporated Document.

Campus Density – Floor Area Ratios

Issue: Discretionary FARs are not supported and the Ministerial considerations for an exceedance of 3.2:1 in the Incorporated Document are ambiguous.

Proposed Resolution: The FAR should be mandatory. More detail is needed on what an FAR of 3.2:1 will deliver on the site and what level of infrastructure it will be required to support it.

- *Is there a rationale for an FAR of 3.2:1 beyond international benchmarking?*
- *What does 3.2:1 or (max. above ground GFA of 230,000sqm) deliver in terms of jobs and students?*
- *What level of transport infrastructure is needed to service this level of development, while meeting transport and sustainability targets?*
- *Dispensation for individual development plans to exceed 3.2:1 suggests that density may vary significantly across the site. More clarity is needed to better understand the likely development outcome (see above).*

Design Criteria and Façade Strategy

Issue: The interface activation strategy is underdeveloped.

- *Activation seems overly reliant on 'tech-dock' backs of buildings and 'showcase' fronts of buildings. Neither of these façade treatments appears to create the edge conditions between the public and private realms that will foster a vibrant and active precinct.*
 - *The Masterplan states that the 'tech-dock' will be as open as possible, but operational requirements (loading etc.) will take precedence. This is too great a level of uncertainty for City of Melbourne to support.*
 - *Some design questions include:*
 - *What max percentage of the tech dock will be operable doors?*
 - *How will human scale façade treatments be incorporated within potentially 24 metre high voids?*
 - *How will the retained structures of Plants 3 and 5 be incorporated in the tech dock design?*
 - *'Showcase' fronts appear to be mostly glass facades that allow people to look in at the activities taking place within buildings.*

- *Will there be a minimum percentage of the façade dedicated to openable doors and windows?*
- *What types of materials and façade articulation will be employed to create human spaces? (See the City of Melbourne Central Melbourne Design Guide for design criteria that could be included in dedicated locations.*

Volumetric Controls – Building Heights

Issue: Maximum building envelope heights and discrepancies with indicative massing diagrams make likely built form outcomes difficult to ascertain.

- *The maximum buildable envelope on Parcel 3 is up to 141.23m, yet indicative massing shows potential built form up to 80m. CoM is not comfortable with such a discrepancy between maximum buildable envelopes and indicative massing.*
- *Building heights above 80m seem excessive in this location and are not consistent with the reference typologies provided.*
- *Indicative building heights are not responsive to the heritage context of the Social Centre and retained bays of Plants 3 and 5.*
- *No reference is made to building heights in the Incorporated Document.*

Proposed Resolution: Preferred discretionary maximum building heights of up to 80m should be included in the Masterplan and the Incorporated Document to provide greater certainty of potential built form outcomes.

Additional issues are identified below.

Building Heights - A strong contextual rationale for the substantial envelope heights proposed is not currently evident in the submitted documents. There are towering heights close to retained heritage forms and also significant height differences across contained distances. For instance ~12m height limit to the northern edge that is en-framed by ~141m towers, tapering down to ~32m to the south. Suitably transitioning such height disparities will be challenging.

It is noted the international density precedents (page 44) are typically half the scale of the proposed heights.

We note the indication of a 12m high envelope featured in the curtilage of the heritage social centre and recommend careful consideration for any new built form in this zone.

Built form associated with open space typologies - The ratio of building height to open space width shown on some of the diagrams (page 72) is inappropriate, and requires amendment so that it is suitable for solar access and tree canopy development.

Overshadowing impacts - This amendment must include overshadowing controls. The Masterplan diagram (pages 38, 39) offers insufficient analysis of potential impacts associated with the proposed building envelope heights. The proposition of overshadowing almost half the open space area is not supported and consequently the distribution of heights should be rethought.

7/ Heritage

The former GMH complex pioneered the industrialization of Fishermans Bend and made an important contribution to Victoria becoming Australia's first major manufacturing state. The complex is highly significant to the State of Victoria and portions of the site remain largely intact. The City of Melbourne

has commissioned two independent heritage reviews of the site and the broader Fishermans Bend employment precinct; the first undertaken by Biosis in 2017 entitled *the Southbank and Fishermans Bend Heritage Review*, and the second undertaken by Helen Lardner Conservation and Design (HLCD) entitled the *Fishermans Bend in-depth Heritage Review (draft, 2020)*. HLCD was commissioned to undertake a further detailed review of the large industrial sites that are large and complex in nature, and in many cases still operational. It is important to note that both the Biosis and HLCD reviews recommend that the former GMH site be nominated to the Victorian Heritage Register (VHR). Drafts of these reports have been shared with Fishermans Bend stakeholders including the University of Melbourne at early stages.

The entire former GMH site (including plants 3 and 5, the social centre, tech centre and the administration and headquarters buildings) was nominated to the Victorian Heritage Register in 2019 by a member of the community. Prior to this nomination, the City of Melbourne and the University of Melbourne were working together to develop Heritage and Design Guidelines (guidelines) for the site, in order to support a submission to Heritage Victoria along with a proposed permit policy and a set of permit exemptions as defined by the guidelines. The nomination by an anonymous party in August 2019, and subsequent directive by Heritage Victoria's Executive Director to include the site on the Victorian Heritage Register, has pre-empted this proposed nomination. However, it is intended these draft guidelines are an important input into the heritage considerations on the site.

The guidelines and citation prepared by HLCD were attached to the City of Melbourne's submission to the Heritage Council in response to the nomination of the GMH to the Victorian Heritage Register.

Supporting heritage comments on Masterplan

We acknowledge that the masterplan proposes to retain selected elements of the site's heritage and it is included as a key guiding principle; however, we have a number of concerns which are outlined in detail below.

The following approaches are supported:

- Continued use of the site for research, innovation, manufacturing
- Heritage design criteria 5.1 & 5.2 - interpretation of Cultural Heritage & Industrial Heritage
- Retention of the Social Centre as the social heart of the campus; activation of public spaces around the Social Centre and along Bayside Avenue
- Retention of two facing bays of Plants 3 & 5 on the east & west sides of the Social Centre which will maintain the symmetrical layout of the Plants around the Social Centre as viewed from Bayside Avenue (see further detail below regarding retention of northern bays and interiors)
- Indigenous planting throughout site as reference to pre-contact landscape.
- Incorporation of remnant industrial fabric to interpret past use and manufacturing processes to create key 'moments' throughout the site.

Heritage issue 1

There is inconsistent information about the proposed extent of demolition in the Incorporated Document and the Masterplan. The Incorporated Document incorrectly refers to the Social Centre as being nominated for demolition (paragraph 17). There is an inconsistent approach to retention of Plant 3 northern bays shown on various diagrams throughout the Masterplan document, specifically Volumetric controls (3.4 pp. 42-43), isometric drawing (p. 19 & 59), site layout diagram (p. 37), overshadowing diagrams (pp. 38, 39) and the diagram of proposed retention/demolition (p. 67).

CoM heritage consultant (HLCD) and Heritage Victoria have determined that the Social Centre in its entirety is significant and should be retained, plus a greater extent of Plants 3 & 5 than what is shown in the Masterplan. Preferably, the theatre and foyer of the Technical Centre would also be retained.

With respect to Plants 3 and 5, the Masterplan has indicated that approximately two bays of sawtooth roofs on Plants 3 (west side) and 5 (east side) surrounding the social centre will be retained, albeit in a skeleton form. The detailed heritage research undertaken by HLCD suggests that the two bays along the northern and western sides of Plant 3 and along the eastern and northern sides of Plant 5 should be retained to the extent of their external form and internal structural system. Within the northern bays of plant 3, a representative part of the interior which shows its vast scale, sawtooth windows, original flooring and some fixtures should be maintained (see HLCD Guidelines). Greater retention of Plant 3 is required as it is most intact example that shows the manufacturing processes that took place on site, and no other building at GMH has the capacity to demonstrate this at the same level. Detailed assessment and selection of representative interior spaces is required to ensure that its heritage value is not diminished.

Recommendation: The Masterplan should be amended to show a greater degree of retention of heritage fabric, as recommended by the HLCD guidelines and citation. Specifically, this would include the northern bays of Plant 3, including representative samples of interior fabric, and Plant 5 in addition to the buildings already shown for retention. Reference to demolition of the Social Centre in the Incorporated Document should be removed.

Heritage issue 2

The requirement at paragraph 17 of the Incorporated Document that a Heritage Strategy be prepared to specify salvage of historic fabric and future interpretation of the site's history is supported. However, we cannot support the Strategy itself without having seen it. Mechanisms to ensure that this strategy will be implemented satisfactorily are not stated.

The Incorporated Document does not refer to the Cultural Heritage Management Plan (CHMP). It is also not clear how the Incorporated Document relates to a VHR listing.

Recommendation: Details for preparation, implementation and review of the Heritage Strategy should be clearly stated in the Incorporated Document. City of Melbourne should be able to provide input into the development of the Heritage Strategy and selection of the heritage consultant, who will be commissioned to prepare it. The Incorporated Document should refer to the CHMP. Mechanisms for relating the Incorporated Document to a potential VHR listing should be included.

Heritage issue 3

Many of these diagrams show the heritage elements overwhelmed in scale. Massing diagram of Figure 5 is (p. 19) shows a more acceptable approach to the scale of new development in this heritage context.

We note that the massing diagram (Figure 5) shows a building at the southern end of the Social Centre. While this is not the principal façade of the social centre, an additional structure adjoining the Social Centre building would need to be carefully designed to complement the existing heritage fabric.

Montage on p. 63 (Figure 30) shows retention of structural grid and conversion of the outer bays of Plant 5 spaces to an outdoor area. This is an engaging design and imaginative use of the space. However, it is not clear how will activation of the edges of Plants 3 & 5 affect the heritage fabric of these buildings. It is recommended that some heritage fabric is retained.

Recommendation: The scale and siting of new development will need to consider the heritage context of the buildings recommended to be retained.

In retaining the northern/eastern/western bays of Plants 3 & 5, allowance should also be made to retain some of the original building fabric (ie cladding, roofing) to enable an understanding of the building's heritage.

Heritage issue 4

Masterplan Appendix A – nomination to VHR. The City of Melbourne disagrees that heritage controls are integrated into the Incorporated Document; it just refers to a 'Heritage Strategy' that is yet to be prepared and therefore we are unable to comment upon. We disagree that the Masterplan has been designed to respond to and preserve the heritage values of the site as it only achieves this in part, as per comments above. Should the site be listed on the VHR, the Masterplan will need to be updated to reflect the VHR listing and permit requirements. The Incorporated Document would also need to be updated to refer to the VHR listing. The Incorporated Document does not refer to the CHMP.

Recommendation: The Incorporated Document needs to have more detail about the heritage requirements. It should reference the heritage requirements of the Masterplan (which we recommend are updated to reflect the comments above and the HLCD citation and guidelines), as well as the CHMP. It should be noted that the Masterplan and Incorporated Document will need to be updated to reflect the outcomes of the VHR nomination process. Council requests that it is party to the preparation of the heritage strategy, including selection of the consultant to undertake this strategy.

Heritage issue 5

The City of Melbourne does not support the memorandum of heritage advice provided by Bryce Raworth, which has been used to inform the approach to heritage in the Masterplan. The Bryce Raworth memorandum of heritage advice (the memorandum) was made prior to the completion of the later HLCD citation and guidelines commissioned by the City of Melbourne, which are significantly more detailed and based upon comprehensive internal site inspection.

The memorandum claims that Plant 3 is significantly altered but does not provide justification of this. This finding is not supported by HLCD's internal inspection. The heritage assessment does not make a strong or definitive conclusion that Plants 3 & 5 should not be included in the Heritage Overlay and only states that there is a 'reasonable basis' on which to argue that the Heritage Overlay should only be applied to the Administration Buildings and Social Centre.

Recommendation: The University of Melbourne's Masterplan and Incorporated Document should be based upon the findings of the HLCD citation and guidelines.

8/ Open Space, Public Realm and Recreation Planning

It is important that future campus and precinct population has access to functional open spaces. We appreciate the design thinking to date, anchoring open space as the impetus between permeability across campus buildings, biodiversity and connectivity. We also value open spaces enabling social exchange and enhancing the 'campus life' experience. We understand it plays an important role in achieving objective 1.0 of an 'innovation precinct'. In general we are supportive of an exposed industrial structure within the social centre and see merit in the open typologies presented on page 72. Greater clarity and consistency is required in the plans throughout the document (including figures 33, 35, 37, 40, 41 & 46) to demonstrate how this mix of spaces will be provided within the campus.

Ambitions of a 'green' campus grounds is shown in Green Infrastructure targets page 76 and precedent page 35. Based on the current allowance of open space within the site boundary the City of

Melbourne questions whether these ambitions are able to be met within the proposed campus boundary. Much of the ground level open space is linear in form and functions as circulation or servicing corridors. While the creation of public links is supported, greater consideration and detail are required to demonstrate how these will safely and effectively provide a diversity of spaces that support key environmental, amenity and operational needs. In particular, the indicated co-location of open space functions adjacent the tech dock north of Parcel 1B (as identified in separately by Figures 36 and 47) raises concerns that the loading and servicing requirements potentially limit safety and therefore useability of this key open space.

It is noted that the representation of the open space provision in the masterplan document is heavily reliant on the implementation of the adjacent Precinct Park, which sits outside the site boundary. Page 35 of the report shows university campus precedents where a high allocation of green open space provides a counter balance to the overall density of surrounding built form. The applicant is encouraged to meet these targets within the campus envelope by providing more generous offerings of open space uninterrupted by built form.

The themes of 'human centred landscapes' are repeated across the document. Table 3.1.4 on page 52 states 'that open space identified as 'publically accessible' will provide 24/7 access to the public'. Figure 35 proposes 'medium and small open spaces adjacent to internal laneways, creating potential confusion between public and privately accessible open space. Figure 5 shows an indicative range of recreation opportunities across building rooftops with limited offer provided at the ground level of the campus to contribute to the public life of the precinct.

The applicant is encouraged to test a breadth of programmed recreation opportunities on rooftop facilities and at ground level. RMIT University's A'Beckett pop up park is a successful example of a shared active recreation offering in an urban setting. We request further explanation on proposed program and how it will align with the projected demographic, student profile and future Fisherman's Bend population in this precinct.

Further detail and resolution is also requested on the following items:

Planting palette

The overall theme of the planting palette fitting with ecological vegetation classifications of the region is supported. Reinforcing the Fishermans Bend biodiversity and habitat corridor is an important gesture considering its proximity to West Gate Park. It is noted that most native species identified within the Planting Schedule on page 80 require full sunlight to thrive and reach full maturity. The positioning of 'internal courtyards' and southerly orientated open spaces have limited direct sunlight to proposed garden beds. It is suggested that the applicant reviews the suitability of proposed plant species against the sunlight and shade conditions of the site.

Building on Structure and Deep Planting

Green Infrastructure targets on page 76 states a 30 percent target to 'unsealed soils' and increased canopy cover. The City of Melbourne requests further detailed drawings which outline the softscape area and 'deep soil' allowances if any softscape or WSUD areas are proposed to be built on structure.

Contamination

The historic industrial use of the site implies potential ground contamination and disturbance. Further information is required on soil management and remediation to ensure safe public access and horticultural performance.

Site levels and terracing

It is understood that the overall change in land use may mean adjustment of finished floor levels to counteract flooding events. Further information is required on proposed typography site levels and cross sections to understand how accessibility and quality of the pedestrian experience will be achieved across the site, and not encumber the capacity and amenity of proposed public spaces.

Maintenance and site access

It is noted that a large proportion of the campus public realm involves linear spaces. Further explanation is required around how emergency vehicle, maintenance and other heavy vehicle access requirements will impact the proportion of functional green space, and the impact of their capacity to provide for open space amenity and pedestrian safety.

Functional layout

More detailed drawings are required on the proposed streetscape layout and connectivity back to broader street network.

9/ Creative placemaking

The applicant is encouraged to develop a creative place making strategy, encompassing a public art strategy (temporary and permanent), to enable a strong connection to place. Using a program of activation alongside site specific and integrated works will express the legacy of the site, its diverse users and enable a place for 'making, doing and testing'. With specific reference to *Cultural Heritage 5.3 Living History and Memory, and Art and Artefact*, early and ongoing dialogue with Traditional Owners is strongly encouraged to be factored into these strategies, ensuring that network of belonging and community is established and that 'significant forms of cultural expression' are able to be realised.

10/ Transport and access

The [City of Melbourne Transport Strategy 2030](#) provides the basis for comments in relation to transport and access for this site and it is our intention that the design of the campus be consistent with and deliver aspects of the Strategy.

Access for people walking and cycling

Access for people walking and cycling is of critical importance, given the expected density of activity on the campus, the remainder of the GMH site and surrounding land. Of particular importance is the provision of a permeable walking environment across the site and safe cycling infrastructure. The central location of the site and proximity to public transport requires consideration of the space, not just as a destination in its own right, but also as a walking thoroughfare within the broader Employment Precinct.

A permeable walking network

Controls in the Melbourne Planning Scheme have been introduced that require through-block links where the average block length is greater than 100 m. This is based on research that shows that the optimum spacing for walking connections in busy central city areas is 50-70 m. This was outlined in the City of Melbourne Walking Plan 2014-17, which remains current and will be delivered.

Though distances between walking connections have not been indicated in the Masterplan it appears that they are generally less than 100 m. There may be some instances, such as Parcel 1A, where the distance is greater than 100 m. We would like the Masterplan to show, and the Incorporated Document to require, a maximum spacing of 100 m between links and an ideal spacing of 50-70 m.

Access via through-block links should be available for as much of the day and week as possible – such as during early mornings, late at night and weekends.

Walking connections to and through the broader Employment Precinct

“Easy access ... to and from ... surrounding” areas is identified as part of the vision. The Masterplan should also acknowledge that people will travel through the campus, particularly to access public transport. These users need to be considered and planned for.

Bicycle parking and end-of-trip facilities

Given the location of the campus it is expected and desirable that cycling will have a relatively high mode share. The provision of end-of-trip facilities and bicycle parking (both secured and unsecured) is crucial to facilitate cycling as a mode of choice to and from the site. While the provision of some end-of-trip facilities and bicycle parking “in excess of the requirements at Clause 52.34 of the Melbourne Planning Scheme” are mentioned in the documents, City of Melbourne would like the requirement of a clear requirement on the capacity of these facilities, based on evidence and best practice.

Vehicle access and parking

Parking

Holding a preference to encourage more sustainable modes of transport, City of Melbourne would prefer a more rationalised car parking provision that specifies any on-site car parking facilities must be adaptable to other uses, integrated to the built form and concealed from public view.

The parking text (p. 51) is not consistent with Council’s Transport Strategy.

The following needs to be better considered and addressed in the Masterplan:

- Precinct parking – Does the campus need to provide its own parking? Can they use the precinct parking supply? Or can the campus provide parking for the entire precinct?
- Parking supply and controls need to be managed and planned for in an integrated manner with the work for the remainder of the GMH site.
- Parking needs to be managed in an integrated way with on-street and other off-street supply
- Any casual parking provided on-site should be available to the general public.
- The Masterplan needs to make the case for why parking is to be supplied on-site.
- Parking structures must be able to be converted.

Car parking policies should be reconsidered, in particular clauses 39a and 39b of the Incorporated Document. Parking supply on the site needs to be considered in the context of the broader Employment Precinct and should adopt a precinct parking approach. We recommend development of a precinct parking strategy for the Employment Precinct, in line with precinct parking best practice and recent strategies adopted and under development in West Melbourne, Arden, Macaulay and Fishermans Bend.

Parking controls as they apply to the site should not be contained in the incorporated document but should be considered in relation to the whole employment precinct.

Vehicle access

Tech-Dock – City of Melbourne would like confirmation that vehicles will infrequently use this that controlled motor vehicle access will be restricted to approved vehicles only. The space should not function as a public road for motor vehicles.

11/ Environmentally Sustainable Design

Policy alignment

We note that any future development will need to have regard to the Environmentally Sustainable Design (ESD) planning controls in the Melbourne Planning Scheme at that time. It is recognised that

the current requirements in the scheme fall short of what the industry leaders are achieving. A site of this significance requires best practice standards to be achieved and provisions should incorporate the highest standards of ESD.

The City of Melbourne is in the final stages of an Annual Plan Initiative which proposes clear and best practice ESD and greening standards for all development types through an amendment to the Melbourne Planning Scheme. In its response to its declaration of a Climate and Biodiversity Emergency, City of Melbourne reinforced the need for improved and ambitious ESD standards for new developments, due to the high impact of buildings on carbon emissions in the municipality.

A requirement that all new buildings meet a standard of 40 per cent total site area as green cover comprising of canopy and understorey planting, native and indigenous planting or maximises adjacent public realm cooling benefits, or an equivalent Green Factor tool score of 0.55 is aimed at all sites.

At a minimum, the ESD provisions in Clause 22.27 should be adopted.

Incorporated Plan

The Incorporated Document should be updated to require 6 Star Green Star certified ratings for each development stage.

Masterplan

Sustainability requirements are too generic and do not provide any indication of how the Fishermans Bend campus will assist in achieving them.

Making reference to a sustainability plan designed for 2017-2020 is not acceptable.

There is no clarity on how the building form and design will achieve the sustainable targets.

A clear pathway on how the building form and design will achieve the sustainable target should be provided.

Similarly a pathway on how the master plan will deliver the targets summarised in the table in section 3.11 Sustainability must be provided. The site is a highly a contested space for uses and services, and a holistic approach will be required to deliver multiple benefits. This is required at this early stage to avoid losing the various components required to achieve sustainability goals later in the design and implementation stages.

Urban heat mitigation - Consider prioritising greening and cool materials on the north facade of the buildings.

The Masterplan should include more specific goals, including the following in section 3.6 Schedule of Design Criteria, part 7.0:

- 7.1.1 should be more specific, the campus should achieve net zero carbon by a set date of 2030 or earlier.
- Fossil fuel free (not just 100% renewable electricity) - ideally this would be for the whole site, however if the university specifically require natural gas supply for research activities this could be qualified to fossil fuel free for all heating and cooling requirements.
- 7.1.2 and 7.1.3 - While the current planning requirement is Planning Scheme Clause 22.19, this is in the process of being updated. The criteria should be a certified 6 Star Green Star rating, rather than a benchmark 5 Star standard.
- 7.1.4 should make a more specific commitment to energy efficiency- e.g. a percentage improvement over building code.

- 7.1.4 - Passive waste management doesn't make sense as a concept. This would be better expressed as a commitment to reduce on site waste generation in operation and to design and implement a best practice campus wide waste management plan which includes recycling and organics collection.

The status of the statements and targets on page 89 (section 3.11) is not clear. There is a reference to Green Star Communities here which is not mentioned anywhere else in the Masterplan. If the campus intends to seek its own Green Star Communities rating, or 'nest' within/contribute towards a wider rating for the GMH site, this should be made very clear across the whole masterplan.

There is no reference to the role of the campus in accelerating the local circular economy, e.g. a commitment to using recycled material in construction, rather than more general 'sustainability principles'.

The waste report references waste to energy opportunities associated with the SEW water treatment plant, but these are not mentioned in the masterplan.

12/ Integrated Water Management

This site is an excellent opportunity to demonstrate best industry practice in Integrated Water Management (IWM). Among the implementation of innovative stormwater management initiatives, a holistic approach of drainage design, within the public realm (including parks and streets) and private, is essential.

Strategic alignment

There are strategic documents that outline principles, actions and targets for water management in Fishermans Bend:

- The [Municipal Integrated Water Management \(IWM\) Plan \(2017\)](#) provides the basis for water management in the municipality and Fishermans Bend.
- Fishermans Bend Water Sensitive Cities Strategy (in progress - draft is available upon request).
- [City of Melbourne Stormwater Drainage Design Guidelines \(2019\)](#)
- Central Melbourne Design Guide – further detail can be provided from the Urban Design Guidelines in Flood Prone Areas – in development.

City of Melbourne recommends that the above are used to develop the water management strategy, including the *Surface Water Network* section in the master plan that is currently based in older documents.

Masterplan

The inclusion of the south-west park is misleading as it gives the impression that all that space is part of the development boundary. There are too many assumptions made about the future layout and use of land external to the site. If proceeding independently of this broader master plan, this University of Melbourne master plan must be self-sufficient in its IWM approach. Stormwater treatment should be provided within the site.

There is not enough information on how the integration of connected channels and wetlands will be delivered within the site's boundaries. There is not enough information on how nutrient discharge targets (Clause 22.23) will be achieved. Stormwater treatment features should be provided within the site boundaries. We understand the intention of not locking specific interventions at this stage, but

the risk of not developing a holistic approach to deliver multiple benefits at this early stage is actually missing on the delivery of sustainability and IWM goals later in the design and implementation stages. This is aggravated in this site where spaces for uses and services are highly contested.

Surface water infiltration in Fishermans Bend might be difficult due to contaminated soils. Unsealed surfaces, including raingardens will likely need to be lined and able to detain stormwater for slow release in the drainage system. This should be addressed earlier than later.

There is no information on how the site will incorporate alternative water sources, including rainwater, to irrigate increasing urban forest and achieve potable water use targets?

Policy alignment

Comply at minimum with [Clause 22.23 Stormwater Management \(WSUD\)](#). In addition the site should at least align with its IWM requirements:

- Provision of third pipe to all non-potable outlets
- Rainwater capture from 100% suitable roof areas including podiums
- Fit for purpose treatment of stormwater for end uses
- Integration of alternative greening and raingardens (this is aligned green factor planning scheme amendment mentioned in the Environmentally Sustainable Design section).

Incorporated Document

The Incorporated Document is missing a condition about on-site detention as per the Fishermans Bend Water Sensitive Strategy and the City of Melbourne Stormwater Drainage Design Guidelines (2019). The current flood management approach for the whole of Fishermans Bend counts on detention tanks in every building to deliver the expected service level, a minimum effective volume of 0.5 cubic metres for every 10 square metres of catchment area to capture rainwater from 100% of suitable roof rainwater harvesting areas (including podiums). It should be noted that this ought to be a permit requirement to ensure the site delivers the expected service level for flood mitigation. Any variation from it will require technical evidence to support the proposed changes and approval from Council.

We suggest having Integrated Water Management as a separate condition covering the third pipe connection, roof and podium rainwater collection and use as well as fit-for purpose treatment stormwater. Also, an item should be added in this regard in the development plans list.

13/ Infrastructure requirements and delivery

We note that there is not currently a requirement in the Melbourne Planning Scheme for contributions towards local or State infrastructure. The Fishermans Bend Framework notes the lack of public transport, pedestrian and cycling access and connections to neighbouring precincts, and limited provision of community infrastructure and services, as constraints to delivering the Employment Precinct.

The amendment documentation lacks any details as to how these needs will be addressed, or a proposal for how the site will contribute more broadly to the funding or delivery of infrastructure to support the precinct more broadly, or service the site development.

We note that no information has been provided regarding engineering and drainage matters but that the following condition (48) is contained in the Incorporated Document:

Engineering and Drainage

48. To be confirmed in consultation with Council and other relevant authorities and agencies.

In relation to the water section (page 89) in the Masterplan, the following text should be added:

Reduced impact of storm and flood events, including sea level rise, with storage in buildings and distributed storage elsewhere- public areas and street scape to achieve 5%AEP drainage capacity underground and 1%AEP flooding to remain between kerb to kerb only.

And the following text to be added to this section:

Rainwater collected from roof areas stored in tanks for flood mitigation and to provide water for toilet flushing, cooling tower use and irrigation.

The Incorporated Document needs to include details of the infrastructure that will be required for the proposed development, and details of the UoM plans for the provision and funding of such infrastructure, before any plans, including the master plan, are approved. A condition requiring an agreement to be entered into to address the funding and provision of infrastructure should be included.

14/ Digital Infrastructure

City of Melbourne is supportive of the innovation principles that guide the development and provide measures of success for the campus.

Although not impacting on Amendment C371, the City of Melbourne provides the following comments relating to potential future digital infrastructure at the site.

Consideration should be given to how digital urban infrastructure might be leveraged to connect the physical with the digital to drive innovation and the knowledge economy, especially as it relates to enabling change and enriching liveability.

City of Melbourne note that digital urban infrastructure leveraged at the site should be:

- Interoperable – integrated and connected across all layers
- Scalable – built to grow as the site grows
- Open – designed with transparency in mind
- Agile – capable of adapting to changing conditions

Digital urban infrastructure architecture comprises five layers. Seamless integration across the layers is necessary to support effective end-to-end operation and innovation and consideration of these should be core to the design of the site from the start:

1. The physical structures and assets underpinning a city, including street furniture, roads, poles, towers and buildings and spaces for innovation.
2. An array of components, including sensors, trackers or wearable devices, instrumented across the city's physical infrastructure that collect real-time data on diverse domains such as temperature, air quality, transport flows and incidents, noise, pedestrian activity, health, carbon emissions and energy.
3. Communications networks enable the connectivity of the devices and sensors, necessary for the transfer of data. Examples include Cellular (3G/4G/5G), WiFi, LPWAN and Fibre.
4. Data integration and platform serves to pool, manage, analyse and transform data collected across a range of domains and can serve as a central operating system.
5. The interaction layer, including managing and delivering services to end-users as well as empowering them to engage. Examples include interfaces such as applications, service provision through chatbots and social media and the transformation of data through visualisation tools.

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Attachment 4
Agenda item 6.4
Future Melbourne Committee
7 July 2020

**INCORPORATED
DOCUMENT**

**THE UNIVERSITY OF MELBOURNE
FISHERMANS BEND CAMPUS**

THE UNIVERSITY OF MELBOURNE

WITH CITY OF MELBOURNE COMMENTS

XXXXX 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*.

MELBOURNE PLANNING SCHEME

Incorporated Document:

The University of Melbourne Fishermans Bend Campus, Port Melbourne

1. 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 Planning Scheme~~) pursuant to section 6(2)(j)



Figure 1: Map of Land subject to the Incorporated Document

4. ~~CONTROL~~ APPLICATION OF INCORPORATED DOCUMENTS

Despite any provision to the contrary or any inconsistent provision in the Melbourne Planning Scheme, no planning permit is required for, and no provisions in the Melbourne Planning Scheme operate to prohibit, control or restrict the use or development of the land in accordance with this Incorporated Document for the purposes of, or related to, demolition of buildings, constructing, maintaining or using the development in accordance with the Incorporated Document.

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This Incorporated Document allows for demolition, bulk excavation, piling, site preparation and any retention works, and the use and development of the land for an education centre, place of assembly, leisure and recreation, industry, office, retail (excluding hotel and tavern unless with the written consent of the Minister for Planning) and other complementary uses including use of land to sell and consume liquor (on-premises licence) in association with another approved use and for temporary outdoor events, and advertising signage.

The use and development of the Land must be undertaken generally in accordance with the following plans/documents and subject to the conditions at Clause 5.

- The University of Melbourne Fishermans Bend Campus Masterplan prepared by Grimshaw Architects, dated 27 April 2020.

Despite anything to the contrary in Clause 5, no planning permit is required for the following:

- Temporary structures and prototypes constructed in association with education centre and industry uses;
- Plant and equipment used in association with education centre and industry uses. If located on the rooftop, plant, equipment, services and antennae should be integrated into the overall building form. If located on the ground floor, these must not dominate the pedestrian experience and must be designed as an integrated design element;
- Small scale buildings and structures and additions less than 2,000 square metres gross floor area that comply with Clause 5 and, in particular, the building envelope plan and floor area ratio control at condition 9 and are not located in areas designated as linkages or open spaces; and
- Internal rearrangement of the layout of a building.

For this purpose, Floor Area Ratio is the gross floor area above ground of all buildings on the land, including all enclosed areas, services, lifts, car stackers and covered balconies, divided by the area of the site. Voids and associated service elements should be considered as multiple floors of the same height as adjacent floors or 5.0 metres if there is no adjacent floor, except for the ground level, which is measured at floor to ceiling of 24m.

5. CONDITIONS

The use and development permitted by this Incorporated Document must be undertaken in accordance with the following conditions:

Masterplan

1. Prior to the submission of Stage 1 development plans under condition 2, a Masterplan must be submitted to and be approved by the Minister for Planning, in consultation with the Office of the Victorian Government Architect and Melbourne City Council. The Masterplan must be generally in accordance with the University of Melbourne Fishermans Bend Campus Masterplan, prepared by Grimshaw Architects, dated 27 April 2020 and include:
 - a) An existing conditions plan;
 - b) A demolition plan and heritage building retention and reuse plan;
 - c) A detailed site layout plan, generally in accordance with the below Site Layout Plan;
 - d) Building envelope plan;
 - e) Floor Area Ratio control (consistent with condition 9);
 - f) Design criteria to guide the preparation of development plans that includes:
 - i. criteria for the design, location and function of through building links such as arcades, plazas, atria or similar
 - ii. criteria for the consideration of overshadowing of key open spaces on and off the site, including new streets, lanes, plazas and the like. The criteria must establish

Comment [GP1]: For Melbourne City Council to consider determining to support the exemption of advertising signs, it would assisted by detail in terms of the types/sizes/volumes/nature of signage either in this Incorporated Document or the Masterplan

Comment [GP2]: Use of "the Land" capitalized here and at clause 3 but "the land" elsewhere in the document such as clause 2.

Comment [GP3]: The wording here doesn't seem quite right. The head Clause of this Incorp doc states that no permit is required. It seems that the University wants the ability to build the following before a masterplan is approved.

Comment [GP4]: There is no building envelope plan at condition 9

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performance standards to measure whether overshadowing impacts on these spaces is appropriate.

Comment [GP5]: Specific criteria should be provided here, rather than this vague statement

- g) Staging plan

The Masterplan approved under this Clause may be amended ~~from time to time~~ with the approval of the Minister for Planning.

[\[Insert Site Layout Plan here\]](#)

Development Plans

- 2. Prior to the commencement of development for each stage, excluding demolition, bulk excavation, piling, site preparation and any retention works, development plans must be submitted to and be approved by the Minister for Planning. The plans must be drawn to scale with dimensions and an electronic copy must be provided. The plans must be ~~generally~~ in accordance with the Masterplan approved under condition 1.

The development plans must include, as appropriate:

- a) Existing conditions, including any earlier stages if relevant;
- b) Detailed site layout plans including the location of publicly accessible open space and onsite connections;
- c) Design detail of through-block links, including height and width and general surface materials;
- d) ~~Indicative~~Proposed land uses;
- e) Architectural plans and elevations including pedestrian access, vehicle and bicycle access, loading and other services;
- f) The location of through building links such as arcades, atria, plazas or similar.
- g) Details of overshadowing of open space within the site and off the site, including new roads, streets, lanes, plazas and the like.
- i) Details of retained and/or adapted heritage buildings and structures and of how new buildings and structures adjoining these heritage buildings have been designed to compliment this existing heritage fabric;
- j) A detailed development schedule, including cumulative floor areas for all stages approved, demonstrating compliance with the Floor Area Ratio control at condition 9;
- k) Details of how undeveloped land will be treated in the interim for future stages;
- l) Materials and finishes in accordance with the façade strategy required in the corresponding conditions below;
- m) Any changes required as a result of recommendations of further wind testing if required by the corresponding conditions below;
- n) Any changes as a result of further Environmentally Sensitive Design (ESD) assessments required by the corresponding conditions below;
- o) Any changes as a result of the Traffic Management Plan required by the corresponding conditions below; and
- p) Any changes as a result of the Waste Management Plan required by the corresponding conditions below.

Land Use and Development

- 3. The use and development of the Land as shown on the ~~endorsed~~approved development plans must not be altered or modified without the prior written consent of the Minister for Planning.

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Staging

4. In conjunction with the submission of development plans for each stage under condition 2, a staging plan must be submitted to and approved by the Minister for Planning. The staging plan may be amended with the approval of the Minister for Planning.
5. The uses and development authorised by this Incorporated Document ~~may~~ **must** be completed ~~in stages~~ in accordance with the approved staging plan under Condition 1g.
6. Within 6 months of the commencement of each stage of development or otherwise agreed by the Minister for Planning, a Whole of Site Management Plan must be submitted to and approved by the Minister. The plan must show the whole site and how land in subsequent stages is to be managed and maintained.

Comment [GP6]: allowed or approved?

Continuity of Construction

7. Unless otherwise approved by the Minister for Planning, the development of each stage shall be constructed in a continuous manner in accordance with the approved staging plan. Temporary works must be constructed on the Land if there is any anticipated delay in the construction schedule for a time period of more than six months for any given stage. Temporary works may include landscaping of the land for the purpose of public recreation and open space.
8. Plans for the temporary works must be submitted to and be approved by the Minister for Planning, in consultation with the Melbourne City Council and the works must be completed within three months of the temporary works being approved, unless otherwise approved by the Minister for Planning.

Campus Density

9. ~~Consistent with the approved Masterplan,~~ The overall development ~~should~~ **must** not exceed the preferred Floor Area Ratio of ~~3.2:1~~, which equates to 230,000 sqm.
10. Consent from the Minister for Planning is required to exceed the preferred Floor Area Ratio approved in the Masterplan, should the cumulative assessment in the development plans for any stage demonstrate that it will be exceeded. In considering a request to exceed the preferred Floor Area Ratio, the Minister for Planning must consider as appropriate:
 - a) The contribution of the use(s) and development to the education, employment and innovation objectives of the Fishermans Bend National Employment and Innovation Cluster or any other applicable planning policy or strategy that may be approved by the Minister for Planning from time to time;
 - b) Consistency with the building envelope plan in the approved Masterplan;
 - c) Consistency with the design principles in the approved Masterplan;
 - d) The potential for both on-site and off-site amenity impacts and how any impact is to be mitigated; and
 - e) Availability of sustainable transport infrastructure.

Comment [GP7]: It should be noted that Council is yet to be convinced that this FAR is appropriate in this location, especially in the absence of a preferred discretionary maximum building height.

Education and Innovation Uses

11. Prior to occupation of the development for each stage, a Partnership Charter must be submitted to the Minister for Planning for information purposes. The Charter should guide key external partnerships and inform leasing arrangements to deliver innovative uses and activities.

Comment [GP8]: This is vague. What is the aim of the Partnership Charter?

Sale and consumption of liquor

12. Before the commencement of the sale and consumption of liquor within a stage or part of a stage, a red-line plan showing the area for the sale and consumption of liquor must be submitted to and approved by Minister for Planning in consultation with the Melbourne City

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Council.

13. The area for the sale and consumption of liquor as shown on the endorsed red-line plan must not be altered without the prior written consent of the of the Melbourne City Council.
14. Before the sale and consumption of liquor starts within a stage or part of a stage, a Management Plan detailing the nature of the use must be submitted to and approved by the Melbourne City Council. The Plan must detail the following as appropriate:
 - a) Hours of operation for all parts of the premises.
 - b) The number of patrons permitted on the premises at any time liquor is being sold or consumed.
 - c) Details of the provision of music.
 - d) Security arrangements including hours of operation and management to minimise queues outside the venue.
 - e) Entry and exit locations.
 - f) Pass-out arrangements.
 - g) Training of staff in the management of patron behaviour.
 - h) A complaint management process.
 - i) Management of any outdoor areas to minimise impacts on the amenity of nearby properties.
 - j) Management of patrons who are smoking.
 - k) Lighting within the boundaries of the site.
 - l) Security lighting outside the premises.
 - m) General rubbish storage and removal arrangements, including hours of pick up.
 - n) Bottle storage and removal arrangements, including hours of pick up.
 - o) Noise attenuation measures including the use of noise limiters.
15. A premises must be managed in accordance with an associated Management Plan under condition 14 to the satisfaction of the of the Melbourne City Council. A Management Plan must not be altered without the written consent of the Melbourne City Council.

Heritage

16. Demolition must be undertaken generally in accordance with the Demolition Plan in the approved Masterplan and should, at a minimum, not include the demolition of the Social Centre, two bays along the northern and western side of Plants 3 & two bays on eastern and northern side of Plant 5.
17. Prior to the demolition of any part of the existing buildings and structures known as Plant 3, Plant 5, the Social Centre and the Technical Centre, or as otherwise agreed with the Minister for Planning, a Heritage Strategy must be prepared in consultation with the Melbourne City Council and submitted to and approved by the Minister for Planning. The Strategy must be prepared by a qualified heritage consultant and be generally in accordance with the heritage design criteria of the Masterplan. The Strategy should address the proposed salvage of heritage fabric and future installation and interpretation of the industrial history of the land.

Façade Strategy

18. In conjunction with the submission of development plans for each stage under condition 2, a Façade Strategy must be submitted to and approved by the Minister for Planning, in consultation with the Office of the Victorian Government Architect and Melbourne City Council. The Façade Strategy must be generally in accordance with the development plans and detail:
 - a) A concise description by the architect of the building design concept and how the façade works to achieve this;
 - b) Elevation details generally at a scale of 1:50 or 1:100 illustrating typical podium details (including entries, doors and utilities), typical tower detail, and any special features which are important to the building's presentation;
 - c) 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;

Comment [GP9]: The way this is worded provides little guidance. The conditions in the existing policy in the Melbourne Planning Scheme should be stated here.

Comment [GP10]: The Social Centre is to be fully retained.

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- d) Design of plant, services and equipment;
 - e) Details on any proposed façade/rooftop greening strategy;
 - f) Information about how the façade will be accessed, maintained and cleaned;
 - g) Example prototypes and/or precedents that demonstrate the intended design outcome as indicated on plans and perspective images, to produce a high quality built, durable outcome in accordance with the design concept; and
 - h) 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 and/or renders from key viewpoints, to show the materials and finishes linking them to a physical sample board with coding.
19. Except with the consent of the Minister, 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.
20. 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.

Through building links and connections

21. In conjunction with the submission of development plans for each stage under condition 2, a through buildings links and connections strategy must be submitted to and approved by the Minister for Planning, in consultation with Melbourne City Council. The through buildings links and connections strategy must be generally in accordance with the development plans and detail:
- a) how the links and connections are to operate, including how these spaces will be accessed and function
 - b) how the location and design of the links and connections meet relevant design criteria in the approved Masterplan
 - c) An access strategy, including general hours the links will be open to the public and a strategy to manage access when the links are closed.
22. The design, detailing and the quality, durability and type of materials and finishes to all elevations of the links and connections, including the ceiling/roof elevations must be to the satisfaction of the Minister for Planning.

Comment [GP11]: A maximum spacing of 100 metres between links and an ideal spacing of 50-70 metres should be required.

Open Space and Landscaping

23. Prior to commencement of development for each stage, excluding demolition, bulk excavation, piling, site preparation and any retention works, or as otherwise agreed to by the Minister for Planning, a Landscape Plan for each stage must be submitted to and approved by the Minister for Planning in consultation with Melbourne City Council. The Landscape Plan for that stage must be generally in accordance with the Masterplan approved under condition 1, and include:
- a) A schedule of all open space areas and their public access arrangements;
 - b) A schedule of all soft and hard landscaping and treatments;
 - c) Water sensitive urban design outcomes, as appropriate;
 - d) Planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;
 - e) Soil depths and volumes if planting is proposed over a basement or sub-structure;
 - f) Irrigation systems;
 - g) The detailed design and viability of any vertical façade, podium rooftop and/or rooftop planting systems;

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- h) Any heritage fabric to be installed and interpreted within open spaces;
 - i) Details of surface finishes of any retaining walls, pathways, laneways and kerbs; and
 - j) Details of an integrated palette of public open space furniture including seating, rubbish bins and bicycle hoops.
24. Prior to the commencement of all landscaping works for each stage, an Open Space and Landscape Management Plan detailing the ownership, public access arrangements, maintenance regime and management responsibilities of the open spaces associated with the development must be submitted to and be approved by the Minister for Planning.
25. The approved landscaping must be completed within six (6) months of the completion of each stage of development, or as otherwise agreed to by the Minister [for Planning](#).

Legal Agreement

26. Prior to occupation of the development, 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* regarding publicly accessible open space and external through site connections. The agreement must:
- a) provide that the owner of the Land will remain the owner of, and will be responsible for, the open space and connections in perpetuity;
 - b) require the owner of the Land to maintain public access to the open space and connections in accordance with the Access Strategy (approved under Condition 21c)
 - c) provide that the owner of the Land is solely responsible for the care and maintenance of the open space and connections at the owner of the Land's cost and to the satisfaction of the Responsible Authority.

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.

Lighting Plan

27. Prior to the commencement of development of each stage, excluding demolition, bulk excavation, piling, site preparation and any retention works, or as otherwise agreed to by the Minister for Planning, a Lighting Plan must be submitted to and be approved by the Minister for Planning, in consultation with the Melbourne City Council. The Plan must address the permanent lighting of the public realm associated with that stage of the development.

Wayfinding and Advertising Signage

28. Prior to commencement of development for each stage, excluding demolition, bulk excavation, piling, site preparation and any retention works, or as otherwise agreed to by the Minister for Planning, a Way Finding and Advertising Signage Strategy must be submitted to and be approved by the Minister for Planning in consultation with Melbourne City Council. The Strategy must include indicative locations for integrated wayfinding and advertising and business identification signs.

Environmentally Sustainable Design

29. Prior to commencement of development for each stage, excluding demolition, bulk excavation, piling, site preparation and any retention works, an Environmentally Sustainable Design (ESD) Statement must be prepared by an accredited professional and submitted to and approved by the Minister for Planning. The ESD Statement must generally be in accordance with the Masterplan approved under condition 1 and demonstrate that the development can achieve a minimum:
- a) ~~5-6~~ Star Green Star Design and As-Built rating (or equivalent) with the Green Building Council of Australia.

The performance outcomes specified in the approved ESD Statement must be implemented prior to occupancy at no cost to the Minister for Planning or the Melbourne City Council and be

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to the satisfaction of the Minister for Planning.

30. Any significant change during detailed design, which affects the approach of the approved ESD Statement, must be assessed by an accredited professional and a revised statement must be endorsed by the Minister for Planning prior to the commencement of construction of that stage.

Third Pipe and Rain Tank

31. A third pipe must be installed for recycled water to supply non-potable uses within the development for toilet flushing, fire services, irrigation, laundry and cooling, unless otherwise agreed by the relevant water supply authority.
32. A building connection point must be provided from the third pipe, designed in conjunction with and to the satisfaction of the relevant water supply authority, to ensure readiness to connect to a future precinct-scale recycled water supply.

Waste Management

33. Prior to commencement of the development for each stage, excluding demolition, bulk excavation, piling, site preparation and any retention works, a Waste Management Plan (WMP) prepared by a qualified waste engineer must be submitted to and be approved by Melbourne City Council – Engineering Services. The WMP must generally be in accordance with the Masterplan approved under condition 1 and detail waste storage and collection arrangements.
34. The approved WMP must be implemented to the satisfaction of the Melbourne City Council. The approved WMP must not be altered without the prior consent of the Melbourne City Council – Engineering Services.

Wind Assessment

35. Prior to commencement of development for each stage, excluding demolition, bulk excavation, piling, site preparation and any retention works, a Wind Assessment, including wind tunnel testing, must be submitted to and be approved by the Minister for Planning. The Assessment must demonstrate that suitable wind conditions can be achieved to the satisfaction of the Minister for Planning. The wind report should not rely on trees for suitable wind conditions within the adjoining public realm. Any further modifications required to the development to ensure acceptable wind conditions to the adjoining public realm and public open space must be carefully developed as an integrated high quality architectural and urban design solution.
36. The recommendations of the approved Wind Assessment must be implemented at no cost to the Minister for Planning or the Melbourne City Council and be to the satisfaction of the Minister for Planning.

Comment [GP12]: The wind requirements of DDO10 should be included here.

Construction Management Plan

37. Prior to the commencement of development for each stage, a Construction Management Plan (CMP) must be submitted to and approved by Melbourne City Council. The CMP must outline how environmental and construction issues associated with the development will be managed and is to consider the following:
 - a) Staging of construction;
 - b) Excavation works, site preparation, soil removal, site remediation, retention works, ground works and temporary structures;
 - c) Public safety, amenity and site security;
 - d) Hours of construction;
 - e) Air and dust management;
 - f) Stormwater and sediment control;

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- g) Waste and material reuse;
- h) Site access and traffic management (including any temporary disruptions to adjoining vehicular, pedestrian and cyclist access ways);
- i) Any works within the adjoining street network, road reserves or public spaces;
- j) Discharge of polluted waters;
- k) Control of noise, vibrations, dust and soiling of roadways and/or pathways;
- l) Collection and disposal of building and construction waste.

The approved CMP must be implemented to the satisfaction of the Melbourne City Council and must not be altered without the prior consent of the Melbourne City Council.

Noise

- 38. The approved use (including education) and development must comply with the requirements of the Environment Protection Authority's (EPA) State Environment Protection Policy (Control of Noise from Industry, Commerce and Trade) No.N-1 (SEPP N-1), unless otherwise agreed to in writing by the EPA.

Transport Impact Assessment

- 39. Prior to commencement of each stage of development, excluding demolition, bulk excavation, piling, site preparation and any retention works, a Transport Impact Assessment (TIA), generally in accordance with the TIA prepared by GTA, dated September 2019, must be submitted to and approved by the Minister for Planning in consultation with Melbourne City Council. The Assessment must include:

- a) ~~Car parking at a rate that encourages alternative modes of transport to the private motor vehicle; A maximum car parking rate designed to accommodate only the vehicles necessary to allow the efficient operation of the campus and which encourages the bulk of staff, students, and visitors to travel to the site by a means other than private motor vehicle;~~
- a) ~~The consideration of off-site parking deferred until the creation of a precinct parking plan for the entire Fishermans Bend renewal area;~~
- b) ~~Consideration of any off-site parking;~~
- c) Bicycle parking in excess of the requirements at Clause 52.34 of the Melbourne Planning Scheme and determined by local and international best practice;
- d) Swept paths demonstrating appropriate access arrangements to the site including all internal parking areas and loading and servicing requirements.

Comment [GP13]: It is noted that this report was not included in the package for consultation.

Green Travel Plan

- 40. Prior to occupation of each stage of the development, a Green Travel Plan must be submitted to and approved by the Minister for Planning in consultation with the Melbourne City Council. The Green Travel Plan must encourage the use of sustainable modes of transport by occupiers of the land.

Contaminated Land

- 41. Prior to commencement of development, except Stage 1 as identified in the approved Masterplan, or prior to commencement of each stage of the development, excluding demolition, the owner of the land or the developer must carry out a Preliminary Environmental Assessment (PEA) of the Land to determine if it is suitable for the intended use. This PEA must be submitted to and be approved by the Minister, in consultation with the Environment Protection Authority's (EPA), prior to the commencement of the development, excluding demolition. The PEA should include:
 - a) Details of the nature of the land uses previously occupying the land and the activities associated with these land uses. This should include details of how long the uses

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occupied the land.

- b) A review of any previous assessments of the land and surrounding sites including details of the anticipated sources of any contaminated materials.
42. Should the PEA recommend that further investigative or remedial work is required to accommodate the intended use(s), then prior to commencement of development, excluding demolition, the owner of the land or the developer must carry out a Comprehensive Environmental Assessment (CEA) of the land to determine if it is suitable for the intended use(s). The CEA must be carried out by a suitably qualified environmental professional who is a member of the Australian Contaminated Land Consultants Association. The CEA must be submitted to and be approved by the Minister for Planning prior to the commencement of the development, excluding demolition. The CEA should include:
- a) Details of the nature of the land uses previously occupying the land and the activities associated with these land uses. This includes details of how long the uses occupied the land.
 - b) A review of any previous assessments of the land and surrounding sites (including the PEA), including details of any on-site or off-site sources of contaminated materials. This includes a review of any previous Environmental Audits of the land and surrounding sites.
 - c) Intrusive soil sampling in accordance with the requirements of Australian Standard (AS) 44582.1. This includes minimum sampling densities to ensure the condition of the land is accurately characterised.
 - d) An appraisal of the data obtained following soil sampling in accordance with ecological, health-based and waste disposal guidelines.
 - e) Recommendations regarding what further investigation and remediation work, if any, may be necessary to ensure the land is suitable for the intended use(s).

Prior to occupation of the development, the owner of the land or the developer must submit to the Minister for Planning a letter confirming compliance with any findings, requirements, recommendations and conditions of the CEA.

43. Should the CEA recommend that an Environmental Audit of the Land is necessary, then prior to occupation of the development, the owner of the land or the developer must provide either:
- a) A Certificate of Environmental Audit in accordance with section 53Y of the Environment Protection Act 1970; or
 - b) A Statement of Environmental Audit in accordance with section 53Z of the Environment Protection Act 1970. This Statement must confirm that the land is suitable for the intended use(s).
44. Where a Statement of Environmental Audit is provided, all the conditions of the Statement must be complied with to the satisfaction of the Minister for Planning and prior to occupation of the development. Written confirmation of compliance with the Statement of Environmental Audit must be provided by a suitably qualified environmental professional who is a member of the Australian Contaminated Land Consultants Association or other person to the satisfaction of the Minister for Planning. In addition, the written confirmation of compliance must be in accordance with any requirements in the Statement of Environmental Audit regarding the verification of works.
45. If there are conditions on the Statement of Environmental Audit that require significant ongoing maintenance and/or monitoring, the owner of the land must enter into a legal agreement in accordance with section 173 of the Planning and Environment Act 1987 with the Minister for Planning to require the owner of the Land to carry out any ongoing maintenance and/or monitoring as recommended in the Statement of Environmental Audit. The Agreement must be executed and registered on title prior to occupation of the development. The owner of the land must meet all costs associated with the drafting and execution of this agreement including those incurred by the Minister for Planning.

Melbourne Water

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46. To be confirmed in consultation with Melbourne Water

Environment Protection Authority

47. To be confirmed in consultation with the EPA

Engineering and Drainage

48. To be confirmed in consultation with Council and other relevant authorities and agencies.

Infrastructure Funding and Provision

49. |

Comment [GP14]: Include a condition requiring an agreement to be entered into to address the funding and provision of infrastructure.

3D Model

50. Prior to commencement of development for each stage, or as otherwise agreed with the Minister for Planning, a 3D digital model of the development and its immediate surrounds must be submitted to and be to the satisfaction of the Minister for Planning. The 3D Model is to be prepared in accordance with the Department of Environment, Land, Water and Planning's Advisory Note 3D Digital Modelling.

51. If 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.

Integrated Water Management

52. Prior to the commencement of development of each stage, excluding demolition, bulk excavation, piling, site preparation and any retention works, or as otherwise agreed to by the Minister for Planning, an Integrated Water Management Plan must be submitted to and be approved by the Minister for Planning, in consultation with the Melbourne City Council.

Public Art Strategy

54-53. Prior to occupation of the development, or as otherwise agreed in writing by the Responsible Authority, a site specific public art strategy must be submitted to and approved by the Responsible Authority in consultation with Melbourne City Council's Creative Urban Places Team. Once approved by the Responsible Authority, the public art must be installed to the satisfaction of the Responsible Authority within twelve (12) months of the approval date of the public art strategy, or as otherwise agreed in writing by the Responsible Authority. The cost of the public art must be borne by the owner or occupier of the land.

Expiry

52-54. The controls in this Incorporated Document expire if any of following circumstances apply:
a) The development is not started within three years from the date of this approval.
b) The development is not completed within twenty five years from the date of this approval.

The Minister for Planning may extend these periods if a request is made in writing before the expiry date or within three months afterwards.

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