

08 STAGING AND SITE PRESENTATION

INDICATIVE STAGING

The indicative staging plan provides a guide to the sequence of development proposed for the site. Given the current use and development of the land, no interim landscaping or activity measures are necessary. Staging of the development should be generally as follows and on the Staging Diagram:

- **Stage 1:**
 - Building 1.
- **Stage 2:**
 - Building 2.
- **Stage 3:**
 - Elevated Communal Open Space.
 - Building 7.
- **Stage 4:**
 - Building 3.
- **Stage 5:**
 - Building 4 and 5.
- **Stage 6:**
 - Building 6.

Note that this staging can be varied with the further written consent of the Responsible Authority.

Indicative Staging Design Principles

- Retain through-block links at all stages of the development. Where possible, avoid obstructing existing links with hoarding areas.
- Screen hoarding and construction waste areas from surrounding streets and pedestrian links to avoid visual eyesores to the surrounding areas. Screens should be of high design quality and integrate art or signage.
- Where large blank walls to surrounding publicly accessible areas are created in interim stages, ensure treatments that provide an attractive facade through colour, material or texture (such as art, signage or vertical greening).
- Apply measures to mitigate high winds to outdoor publicly accessible areas in the interim stages.
- The landscaping of the staged area and adjoining streetscape works will occur in line with the development of each stage.

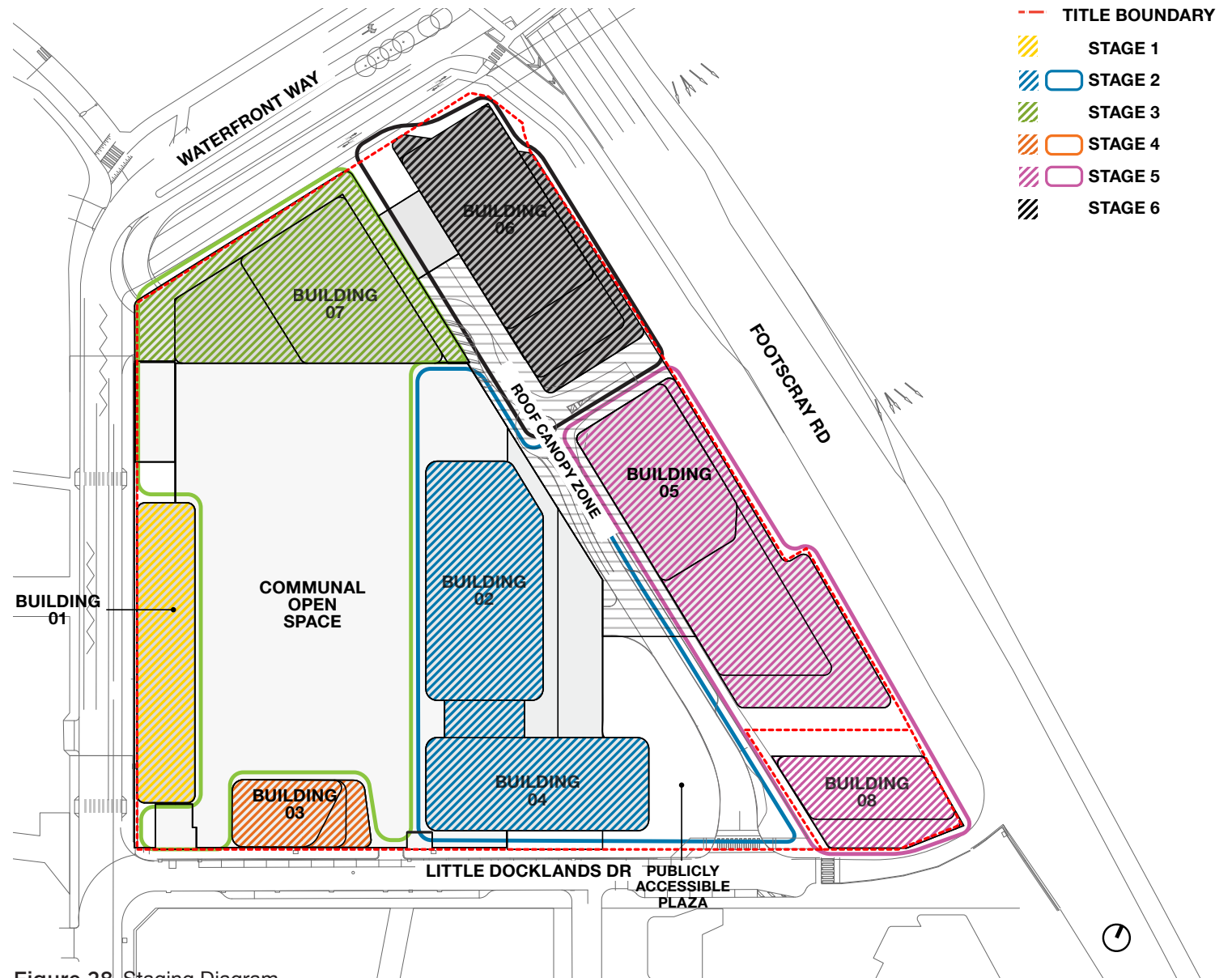


Figure 28 Staging Diagram

09 CONSULTATION

The Development Plan was prepared following extensive consultation with the general public, other landowners and the relevant authorities.

Key landowners consulted included:

- MAB Development
- Costco
- The Melbourne Star Observation Wheel
- Capital Alliance

Significant pre-application and post-application discussions were undertaken with:

- DELWP
- Melbourne City Council;
- Development Victoria; and
- The Victorian Design Review Panel of the OVGA.

The extensive consultation process with the aforementioned authorities resulted in significant changes to the scale, intensity and layout of development in the Development Plan.

The key issues identified by these authorities have been addressed through resolution of the design by way of the below:

- Adjusted overall building heights;
- The removal of the elevated ground plane and the creation of a linked network at ground level;

- Easily identifiable and accessible areas of privately owned publicly accessible open space with sufficient access to sunlight;
- The creation of year-round sunlight access to the open spaces of the new Docklands Primary School;
- The maintenance of views from the uppermost levels of the Melbourne Star to the CBD;

Detailed design principles have been developed for each aspect of the development and incorporated into this Development Plan as outlined in preceding sections of this Development Plan.

Significant consultation was also undertaken by ASR Research to review the additional community infrastructure demands generated by the subject site and it has been determined that the community contribution will be a payment to Development Victoria for the provision of required facilities throughout the Docklands area.

It is noted that the ownership of the Melbourne Star Observation Wheel changed in early 2021. The new owners were briefed about the proposed development of the precinct in May 2021.

APPENDIX A

PLANNING POLICY IN FEBRUARY 2021



PLANNING CONTEXT FOR DOCKLANDS

The strategic vision for the Docklands area is primarily set out in the Municipal Strategic Statement of the Melbourne Planning Scheme.

The key policy directions as they relate to this site include:

- Continued and intensive growth of the population of the City (Clause 21.02-2)
- Recognition of the importance of the CBD in terms of employment and the economic prosperity of the state (Clause 21.02-5).
- A vision for the city as one for people, a prosperous and connected city (21.03).
- The identification of the Docklands as an area for Urban Renewal and an extension of the Central city. The focus of development being to create 'an attractive place for people to work, live and visit' with a 'diversity of businesses, activities, residents, public spaces and community infrastructure' (21.041.2).
- The identification of City North, Arden-Macaulay as future renewal areas with structure plans prepared to facilitate the future development of these parcels (21.041.2).
- The direction of growth to Docklands and the development of this area as an 'optimal' living and working environment and which connects to E-Gate (Clause 21.04-2, Strategy 1.2, 1.3, 2.2 and 2.3).
- Housing is encouraged in Docklands, as an urban renewal area (Clause 21.07-1, Strategy 1.2) and to ensure this occurs in a manner which protects future occupants from off site amenity impacts (Strategy 2.1).

- There is an acknowledgement that the CBD is under increased pressure for housing and there is a need to ensure the ongoing functioning and viability of these areas for business (Clause 21.08). The Docklands is an area where business and retail is supported (Clause 21.08-2).
- Encourage and maintain a comprehensive, safe, comfortable and convenient pedestrian network through the city (Clause 21.09-1).
- Within the Docklands there is support for mixed use development. Waterfront City is identified as a primarily retail precinct which complements retailing in the Hoddle Grid. There is a desire to physically and visually link the area to the Hoddle Grid and provide attractive built form while strengthening pedestrian connections (Clause 21.13).

In addition to this context, there are also a number of strategic documents which have been prepared, which include:

- Access Docklands, 2013
- Docklands Public Realm Plan, 2012
- Dockland Community and Place Plan, 2013
- Docklands Report by Gehl Architects, 2013

PLANNING CONTEXT FOR WATERFRONT CITY

The site is located within the Docklands Zone under Clause 37.05 of the Melbourne Planning Scheme. The purpose of the zone is:

To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

To ensure that use and development take account of the unique nature of the water environment.

To encourage a variety of dwelling types within the Melbourne Docklands area to suit a diversity of needs.

To ensure that development takes account of the relationship of the Melbourne Docklands area to the Central Activities District and the policies relating to the future development of the Central Activities District and other parts of the capital city.

To encourage visual and physical linkages between the Melbourne Docklands and adjacent areas, in particular the Central Business District.

To provide for the conservation and enhancement of buildings, areas and places of scientific, aesthetic, architectural or historical significance.

The site is affected by Schedule 6 'Business Park Precinct' of the Docklands Zone. The purpose of this schedule to the zone is:

To provide for a range of commercial, residential, recreational, educational, technology and business and leisure uses within a mixed use environment.

To provide for a range of active and people oriented uses at the lower levels of buildings that are complementary of residential uses.

To acknowledge the retention of port related activities west of Bolte Bridge.

The site is also affected by the following overlays:

- Design and Development Overlay – Schedule 12
- Design and Development Overlay – Schedule 54
- Development Plan Overlay – Schedule 7
- Parking Overlay – Precinct 10

It is considered that the proposed mix of land uses (retail, residential, office, education and health) and the provision of generous open spaces and greatly improved access and integration through the site will demonstrate general compliance with the objectives of the precinct.

LAND USE CONTROLS FOR THE SITE

The site is located within the "Business Park Precinct" and preferred uses are outlined in Schedule 6 to the Docklands Zone. The WCEDP proposes to allow for a mix of residential, office, retail, educational and health uses.

Of these:

- Dwelling is a Section 1 use;
- Residential Hotel is a Section 1 Use;
- Office is a Section 1 use;
- Many Retail use types, such as shop, restaurant, takeaway food premises and restricted retail premises are Section 1 uses;
- Education Centre is a Section 1 use; and
- Medical Centre (nested under office) is a Section 1 use.

Given the above, there is strong support for the range of residential and employment uses allowed by the WCEDP.

DEVELOPMENT CONTROLS FOR THE SITE

The development controls for the Waterfront City East site are set out under Schedules 54-A1 (northern part) and 54A-4 (southern part) of the Design and Development Overlay.

Under the DDO54-A1, a building of up to 45 metres does not require planning permission, except for:

- Buildings or structures forming part of a theme park which may extend to 60 metres.
- Buildings or structures located within the Waterfront City Precinct that are used for or associated with entertainment purposes that will be a significant attraction for visitors and/or tourists, where no height limit will apply.

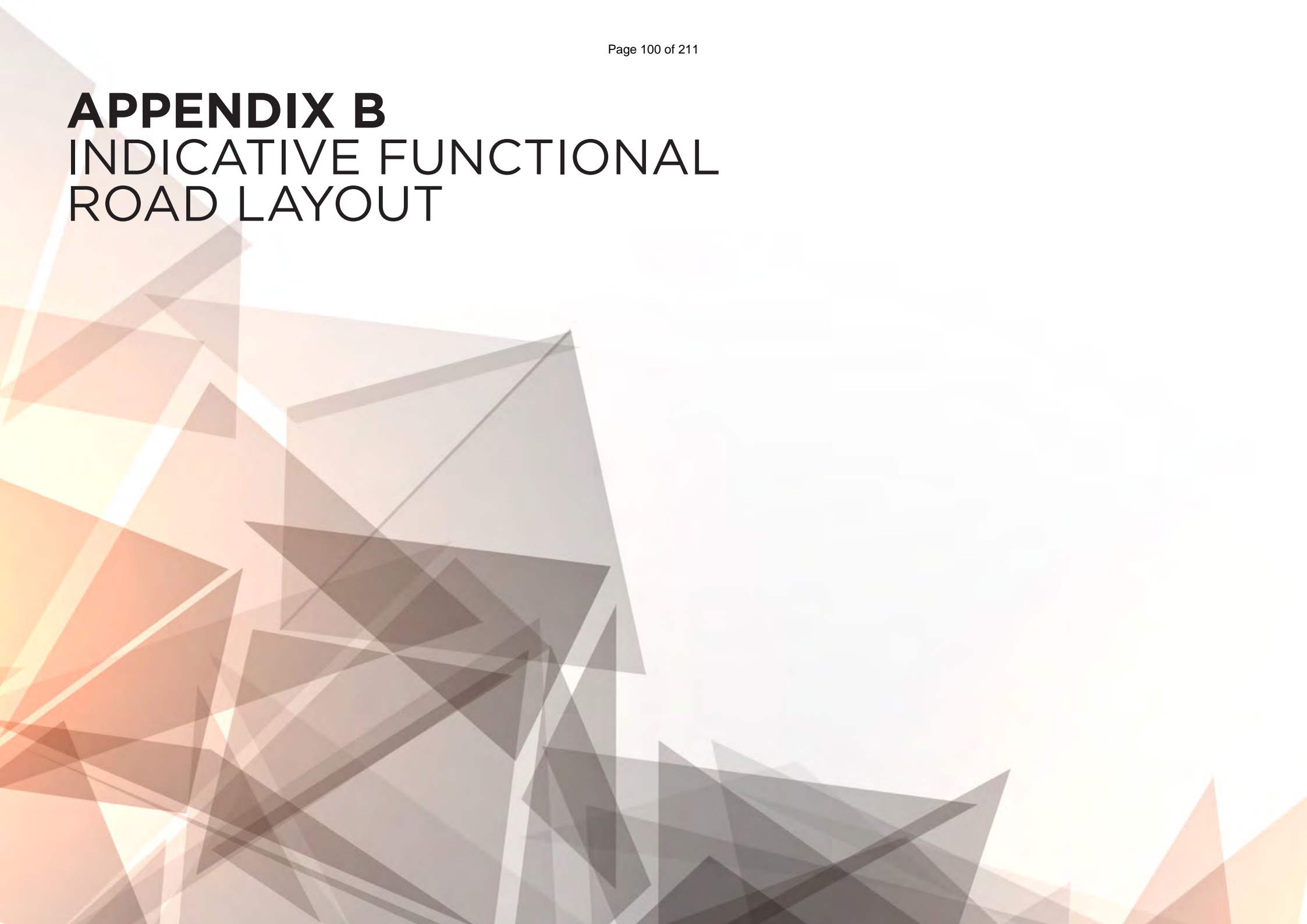
Under DDO54-A4, a building of up to 50 metres does not require planning permission, except for:

- No height limit for buildings/ structures in the Waterfront City Precinct associated with entertainment purposes.

Construction above the heights outlined above requires planning permission.

APPENDIX B

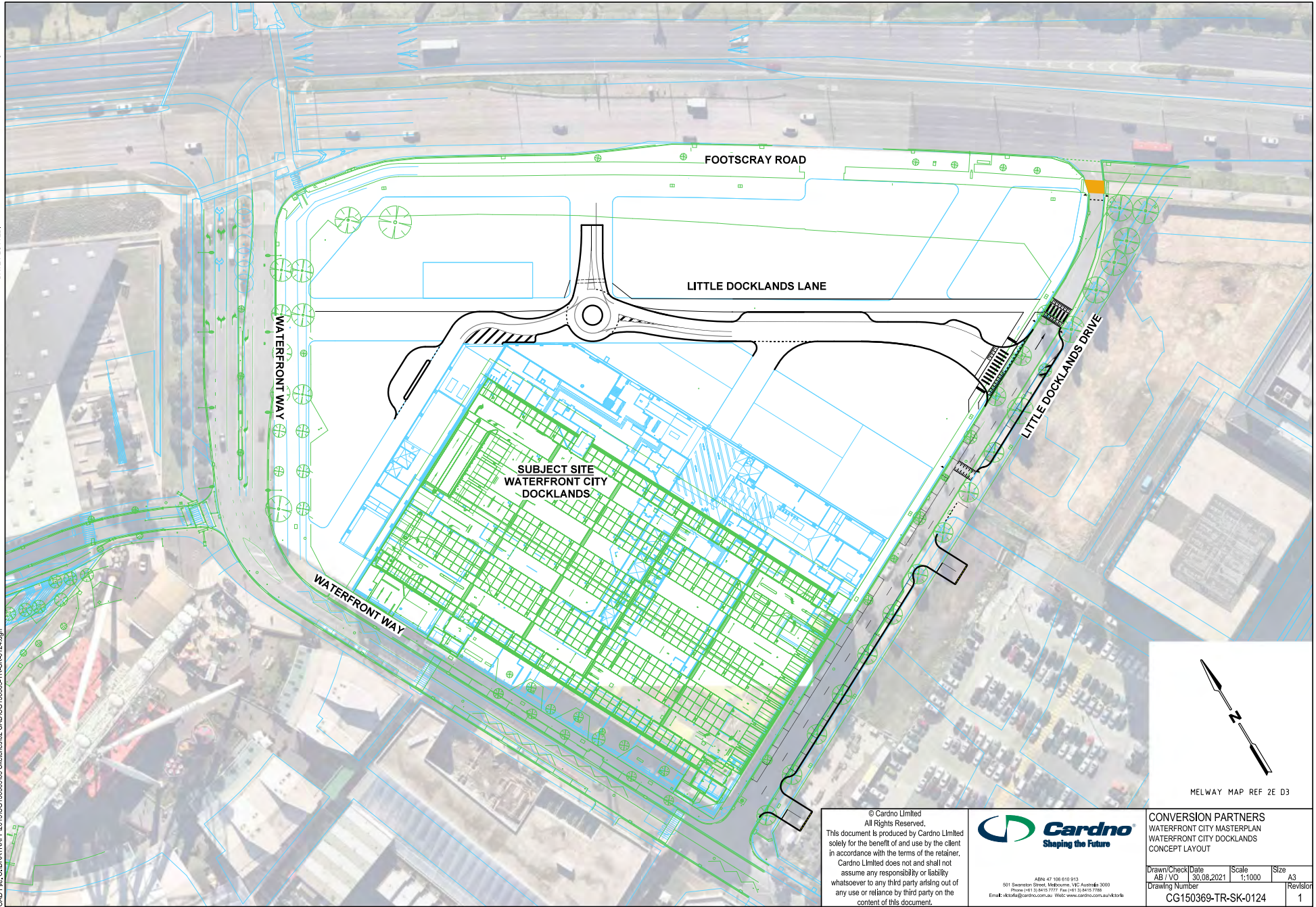
INDICATIVE FUNCTIONAL ROAD LAYOUT



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MELWAY MAP REF 2E D3

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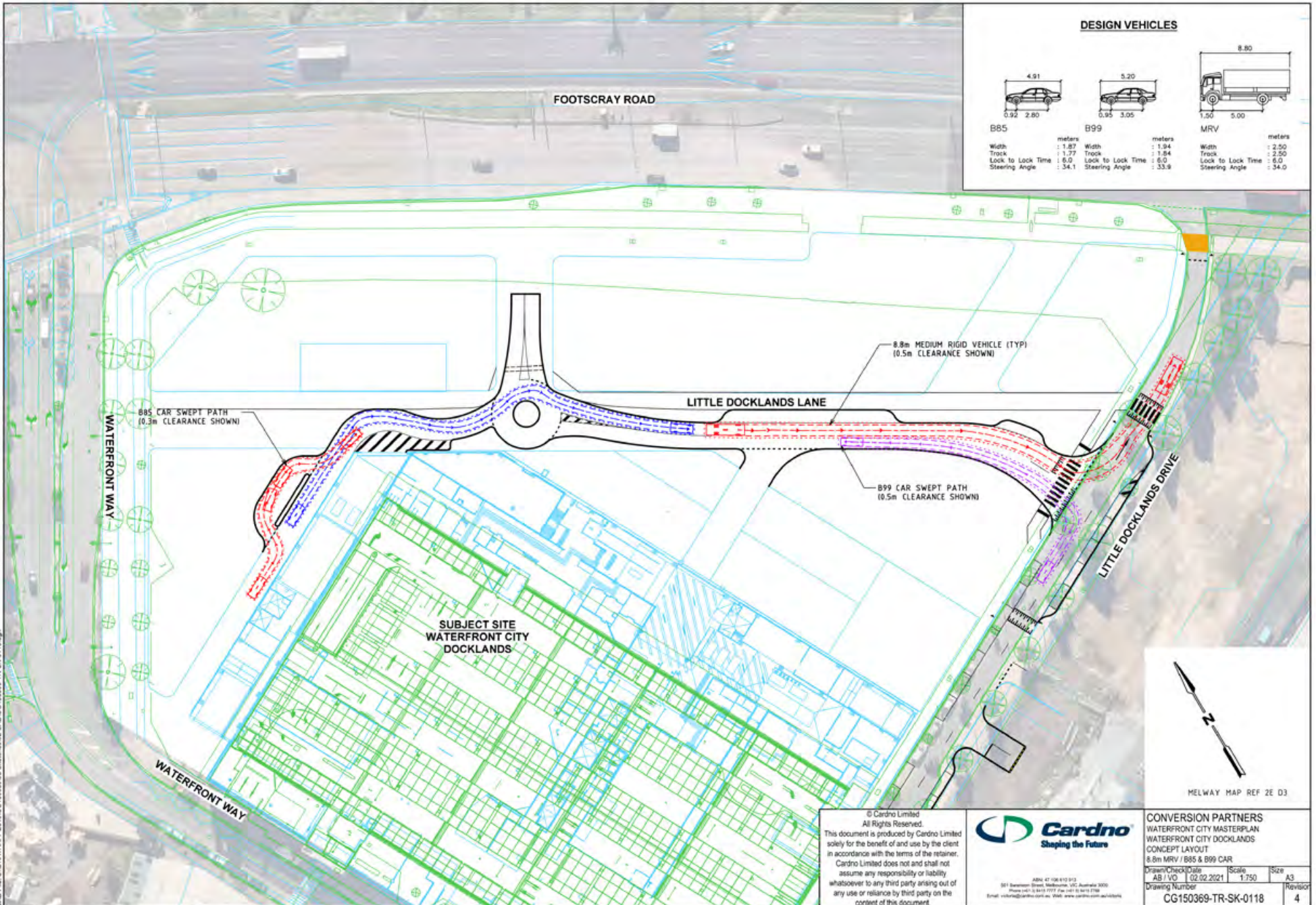
CONVERSION PARTNERS
 WATERFRONT CITY MASTERPLAN
 WATERFRONT CITY DOCKLANDS
 CONCEPT LAYOUT

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Drawing Number		Revision
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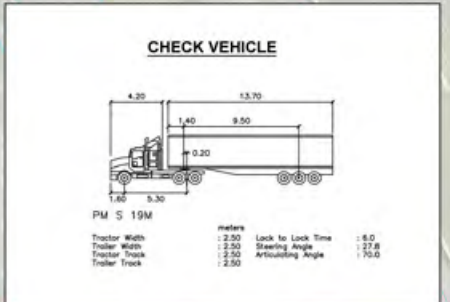
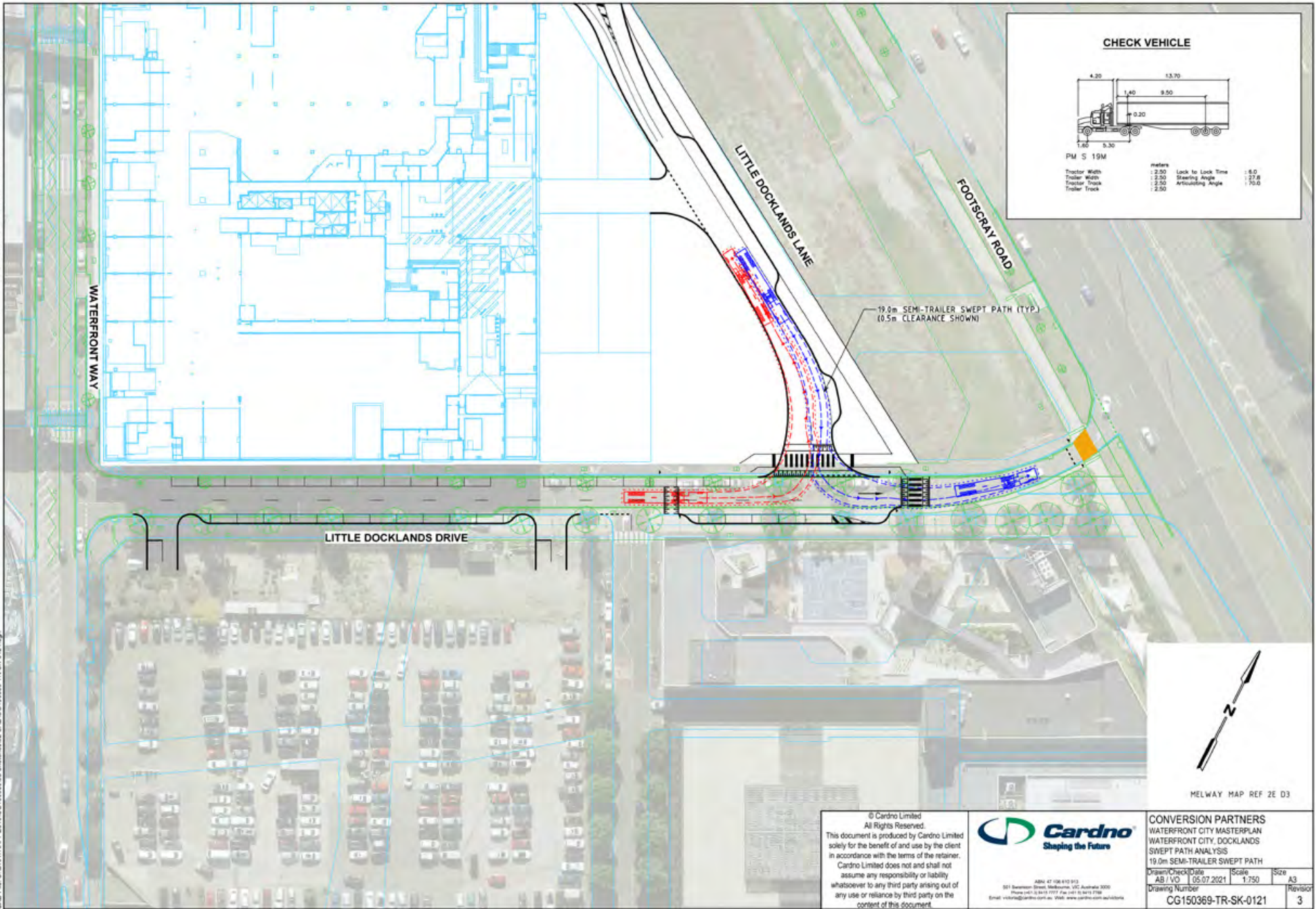
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CONVERSION PARTNERS			
WATERFRONT CITY MASTERPLAN			
WATERFRONT CITY DOCKLANDS			
CONCEPT LAYOUT			
8.8m MRV / B85 & B99 CAR			
Drawn/Check/Date	Scale	Size	
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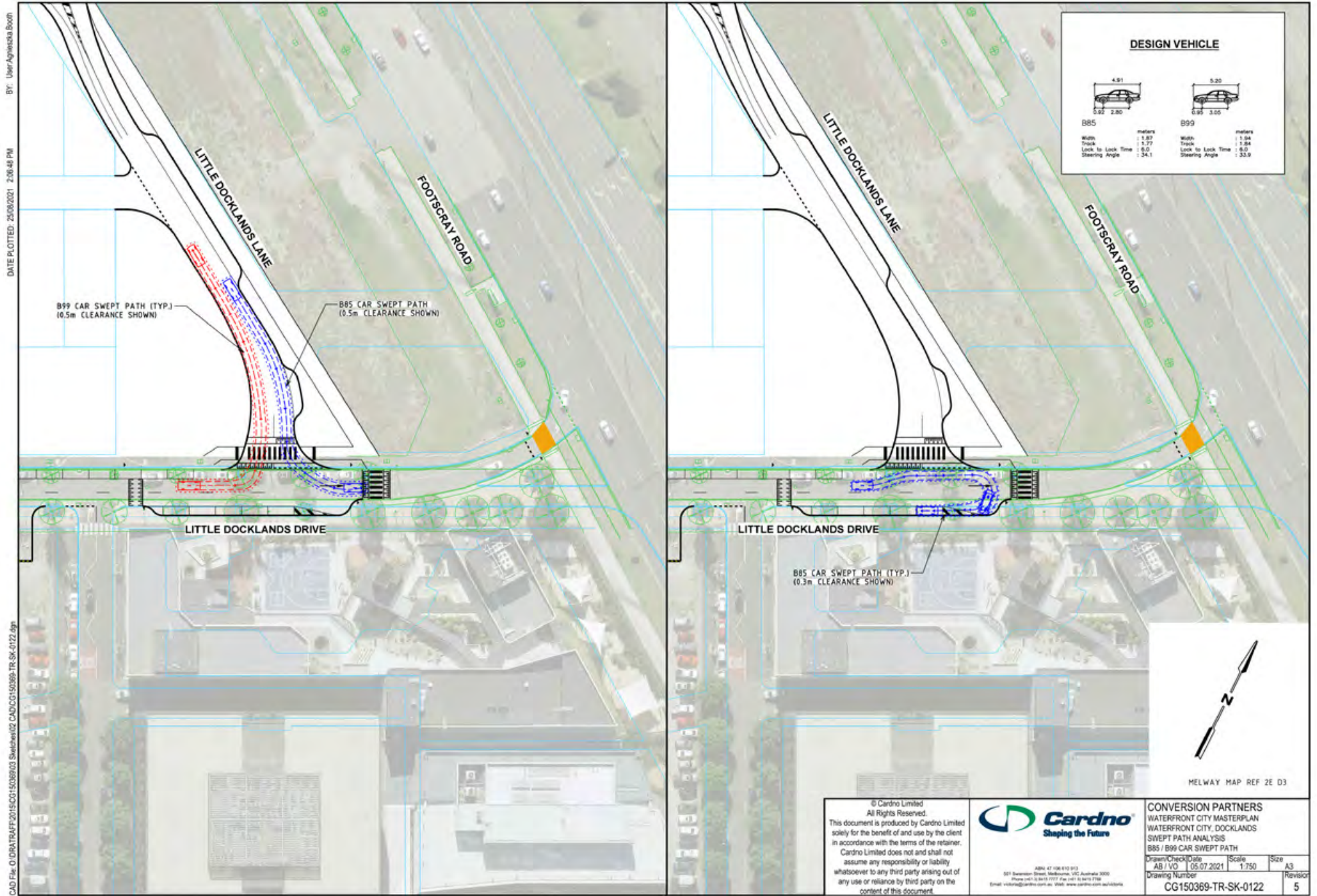
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CONVERSION PARTNERS			
WATERFRONT CITY MASTERPLAN			
WATERFRONT CITY, DOCKLANDS			
SWEEP PATH ANALYSIS			
19.0m SEMI-TRAILER SWEEP PATH			
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CONVERSION PARTNERS			
WATERFRONT CITY MASTERPLAN			
WATERFRONT CITY, DOCKLANDS			
SWEEP PATH ANALYSIS			
B85 / B99 CAR SWEEP PATH			
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Drawing Number	Revision		
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NHArchitecture



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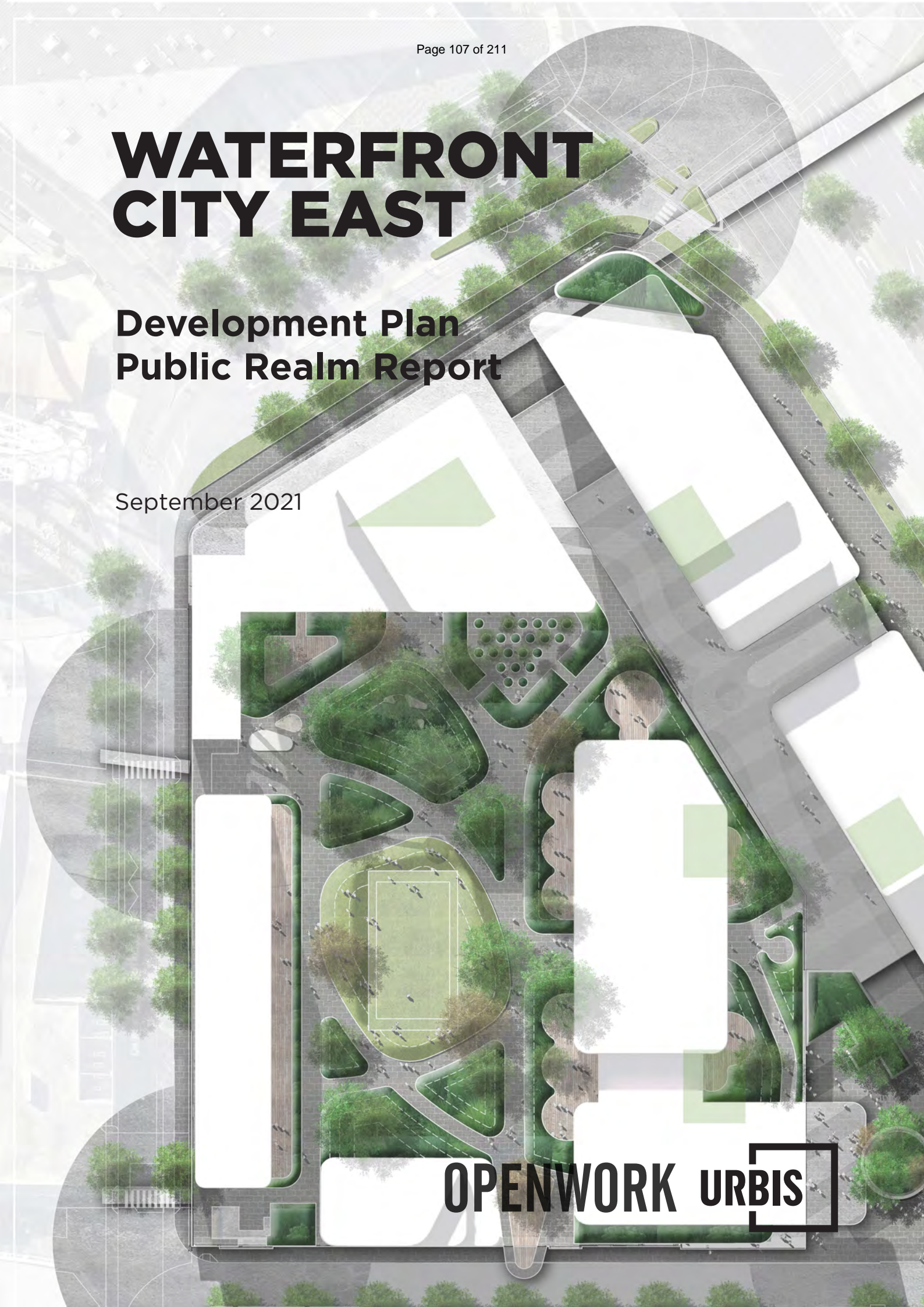
AsheMorgan
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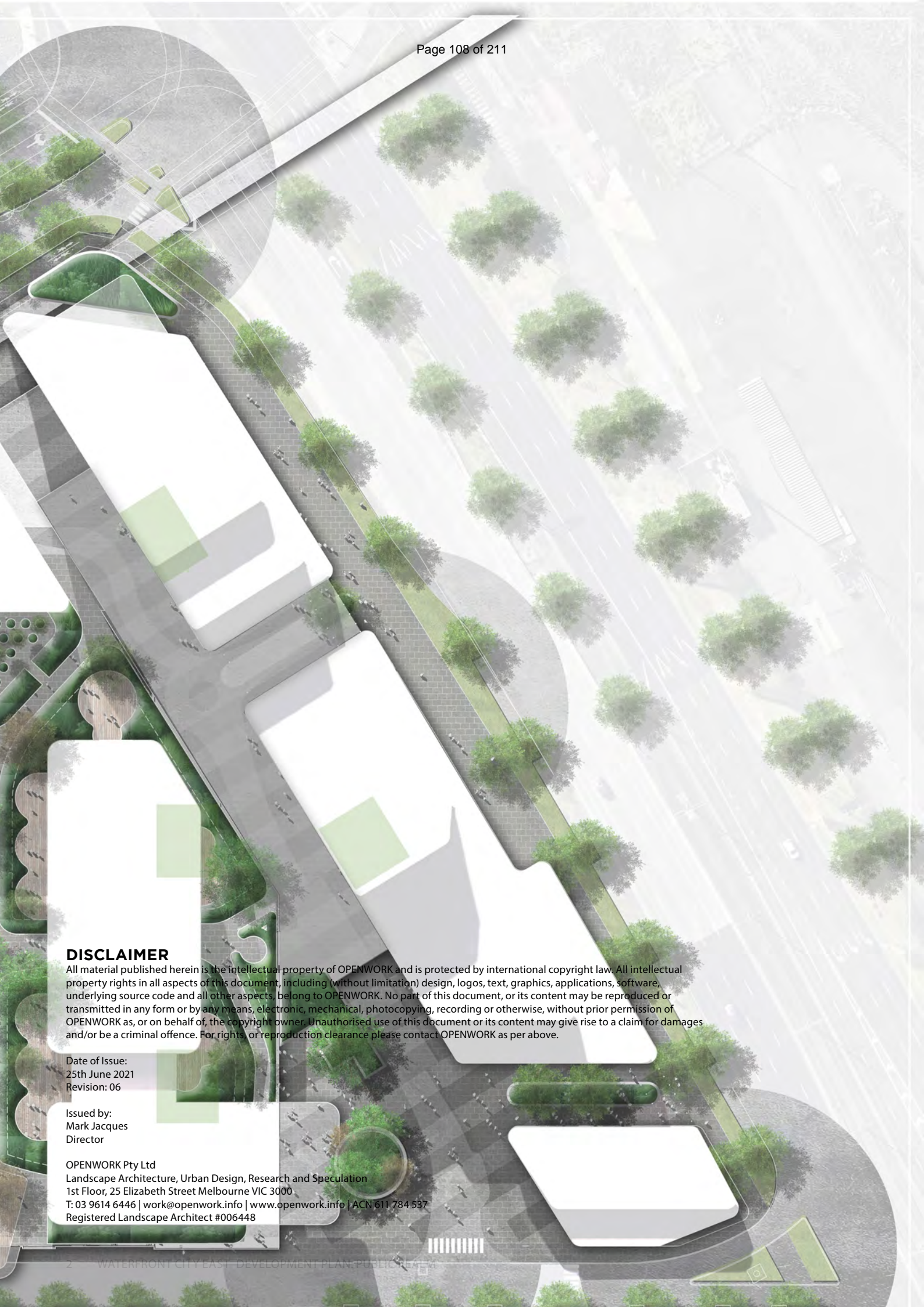
WATERFRONT CITY EAST

Development Plan Public Realm Report

September 2021

OPENWORK URBIS





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01 **OVERVIEW**

01.1 PUBLIC REALM OVERVIEW

This document forms part of an Amendment to the approved Development Plan for area known as Waterfront City East in Docklands. The site is bounded by Footscray Road to the East, Waterfront Way to the North and West and Little Docklands Drive to the South.

This Public Realm Report is a distillation of work that has been undertaken in collaboration and concurrently with the Urban Context and Architectural Massing responses to the site and this document is to be read together with those reports.

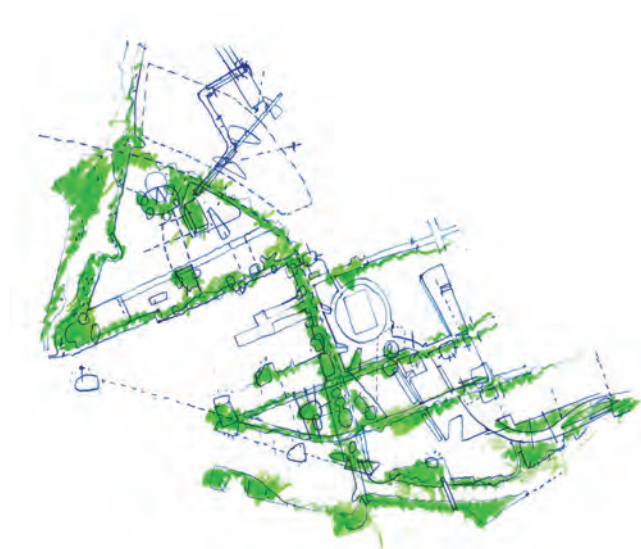
01.2 AN OPPORTUNISTIC ARMATURE

In a very real sense, Waterfront City East is the last piece of significantly undeveloped land in Docklands. The nature of the 'last piece' is significant in terms of the Development Plan as it means that the site needs to deal with a number of absolute constraints and contingencies. These inherited conditions include the irregular development lots and the lack of site porosity to the north of the site both caused by Footscray Road, the unwieldy scale of the existing carpark structure and givens such as adjacent street hierarchies.

Thus, the shape of Waterfront City's public realm can not be superimposed onto the site, but will need instead to opportunistically annex inherited site conditions and work with them to give public space a scale, connectivity and character that can hold its own within the city.

We characterise the Public Realm of the project as an Opportunistic Armature: a network of spaces and places that establish themselves between, in and on built form and that read together as an engaging and complex whole. The project objectives that inform this vision are:

- Create a new public realm framework that is responsive, complementary and well connected to Waterfront City and the wider Docklands precinct;
- Build upon the character and structure of the existing street network as a robust and legible armature within which to collect other spatial types such as pocket parks and parks on structure;
- Develop an urban place of distinctive character that provides safe and equitable access to a diverse range of residents, workers and visitors;
- Extend the public realm and urban waterfront experience of New Quay into Waterfront City with clear accessible and activated connections to the wheel, waterfront, Ron Barassi Snr Park etc; and
- To invest in the infrastructure of connection - including a possible bridge connection to North Melbourne - with a city making scale and singularity.



Above: An Opportunistic Armature / The Green Archipelago

02

THE GROUND PLANE

2.1 STREETS, LANES, ARCADES AND BOULEVARDS

Waterfront City East will be a well connected, legible, safe and sustainable place. Its public places are designed to reflect a generosity of spirit, encourage pride of place, facilitate community well-being and support healthy lifestyles.

The Development Plan understands that it is the public spaces of the project's ground plane rather than the built form above that will define the overall character of Waterfront City. These spaces will allow for a mix of active and passive recreation and will feature both civic public spaces as well as spaces specifically designed to provide high levels of amenity for local residents and workers. They will attract high levels of visitation and require appropriate services and facilities.

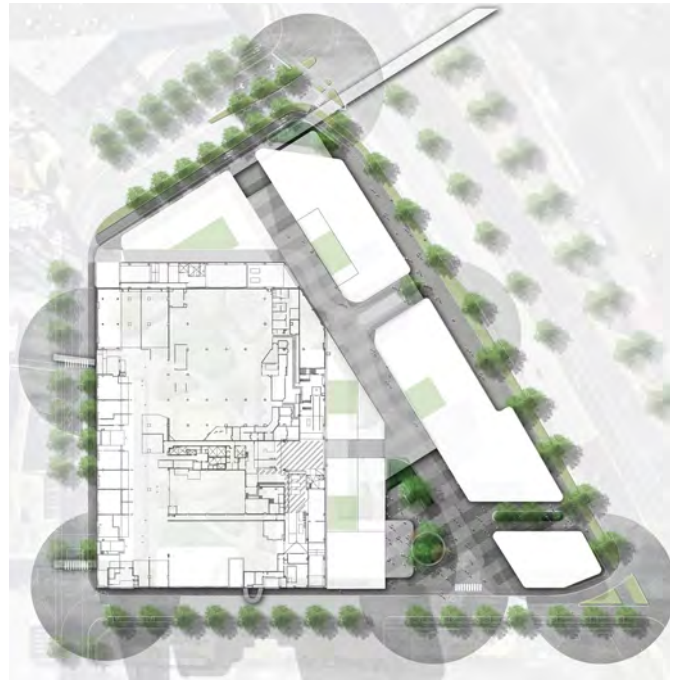
The public realm incorporates a range of public spaces including streets, parks, squares, plazas, promenades and elements that mark special points of interest and surprise. The activity within each of these places will be specifically programmed to respond to the diverse needs of users.

The relationship with the street is intrinsic to the developed character of the site and this relationship is reflected in the Development Plan, built form and vocabulary of the public realm.

The many places comprising the public domain will be designed to respond to the local micro-climate, optimising solar access and mitigating wind impacts.

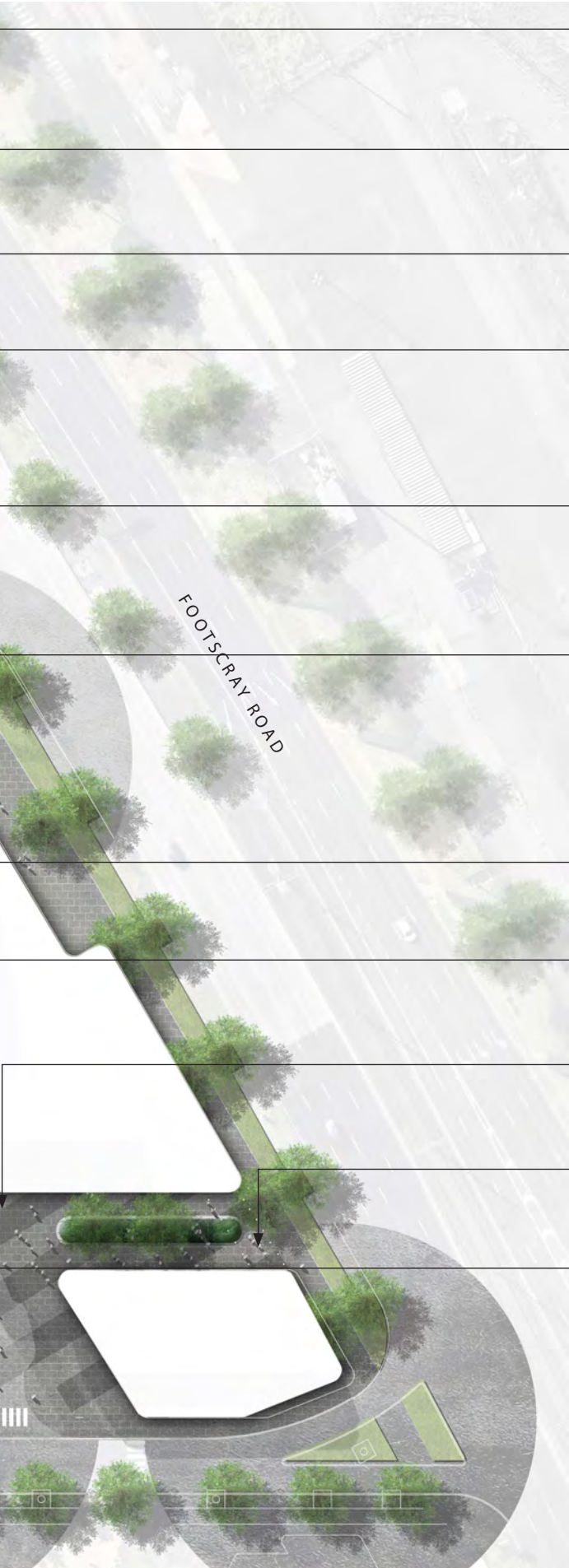
Overarching Principles

- Ensure that Waterfront City is a place for people by creating a 'human scaled' public realm;
- Ensure that the network of public spaces is legible and permeable by connecting spaces through streets, promenades and pedestrian links;
- Respond to climatic conditions by offering exposure and protection where appropriate;
- Create a diverse sequence of landscape experiences that respond to: their setting within the site; the needs of the community; and their adjacent uses.
- Create a great place for people by creating a series of authentic, high quality places that foster a sense of ownership; and
- Develop a hospitable relationship between built form and public spaces by encouraging complimentary active ground floor uses in buildings adjacent to public spaces.



2.2 THE GROUNDPLANE





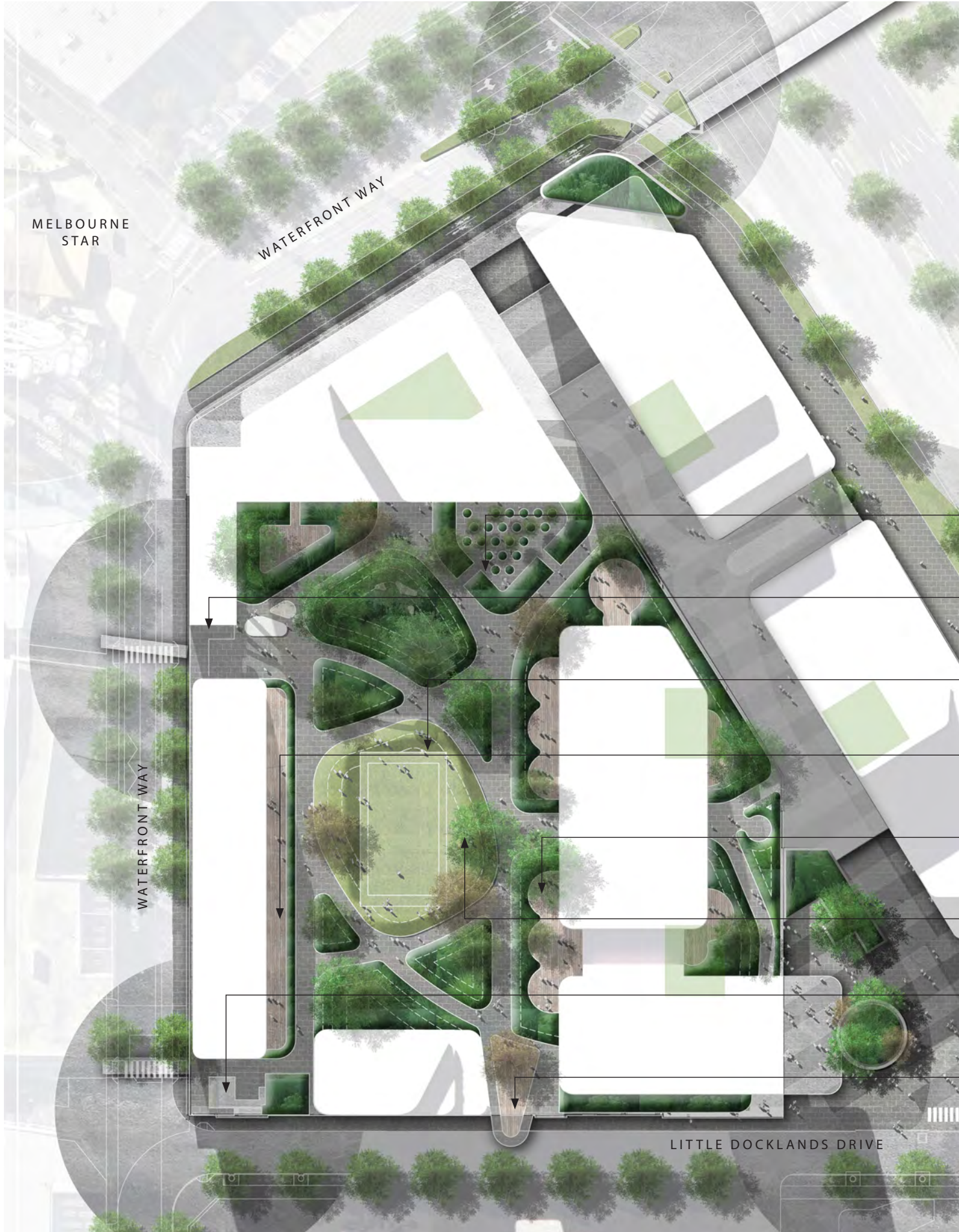
- Pedestrian and shared-path crossing at the ground level intersection of Footscray Road and Waterfront Way.
- Possible future elevated North Melbourne Station pedestrian connection shown with on-grade pedestrian connection to Footscray Road beneath.
- Generous footpath connection and street tree planting to Waterfront Way.
- Foyer connection and entry from Waterfront Way.
- Setback for future veloway.
- One way lane with activation from adjacent employment uses provides a pedestrian connection and sight-lines.
- Potential basement access zone with pedestrian access from Footscray Road. Planting on structure toward the interface with Footscray Road.
- Ground level loading dock.
- Plaza with copses of high canopy trees
- Retail activation to both sides of the plaza space
- The Way creates a public room with sight-lines into the project from Footscray Road.
- Docklands School and open space.

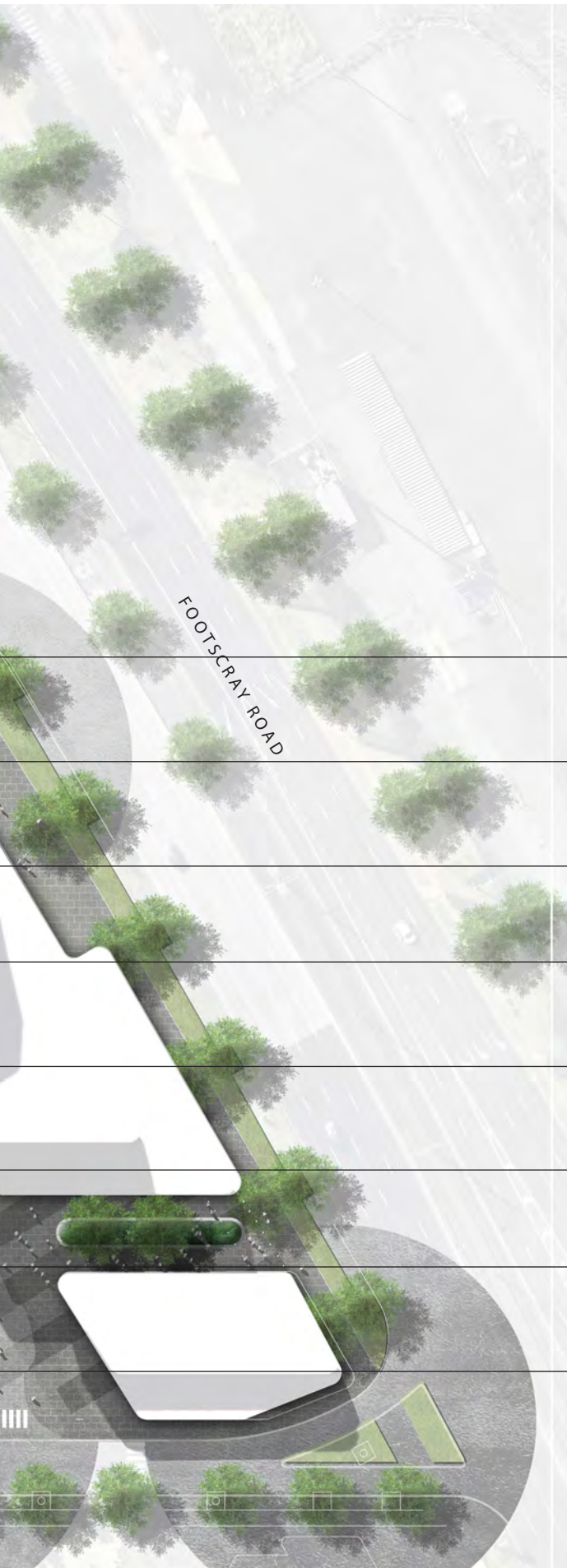
Notes to Public Realm Plans

Landscaping concepts beyond the site boundaries are illustrative only and require future agreement with the City of Melbourne. See page

The retention or removal of trees in the public realm will be subject to the agreement of the City of Melbourne.

2.3 THE HIGH PARK





Notes to Public Realm Plans

Landscaping concepts beyond the site boundaries are illustrative only and require future agreement with the City of Melbourne. See page

The retention or removal of trees in the public realm will be subject to the agreement of the City of Melbourne.

Small rooms and furniture embedded in planting.

Lift core connection and stair up to the skypark / down to ground and market.

Multi-use courts with planted edge.

Private open space and planting at the interface of proposed building and the high park.

Vegetated edge to common area below.

Mounded central area of turf with deciduous trees on structure.

Lift core connection and stair up to the high park / down to ground and market.

High park belvedere.

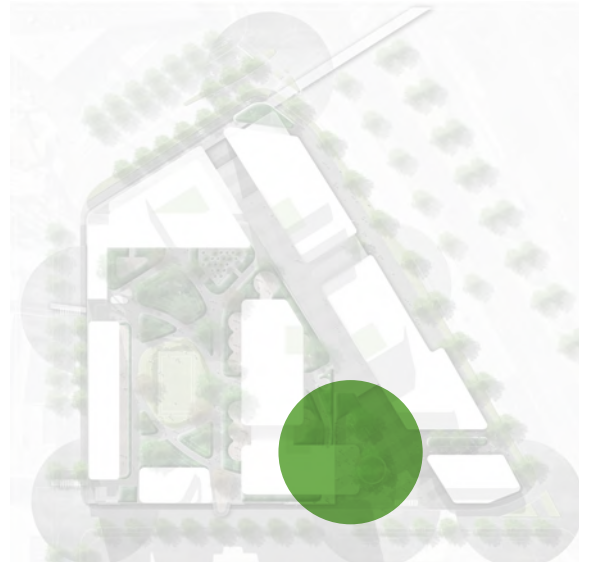
2.4 THE PLAZA

Located at the eastern end of Little Docklands Drive and opposite the Docklands Primary School, The Plaza is a space that makes a transition between the street and block. The Plaza is an extension of the urban character of the street, but at a generous scale with areas for free movement and circulation.

The space will feature high canopy trees in terra firma that offer an intermediate scale between pedestrians and the adjacent built form.

Ingredients / elements

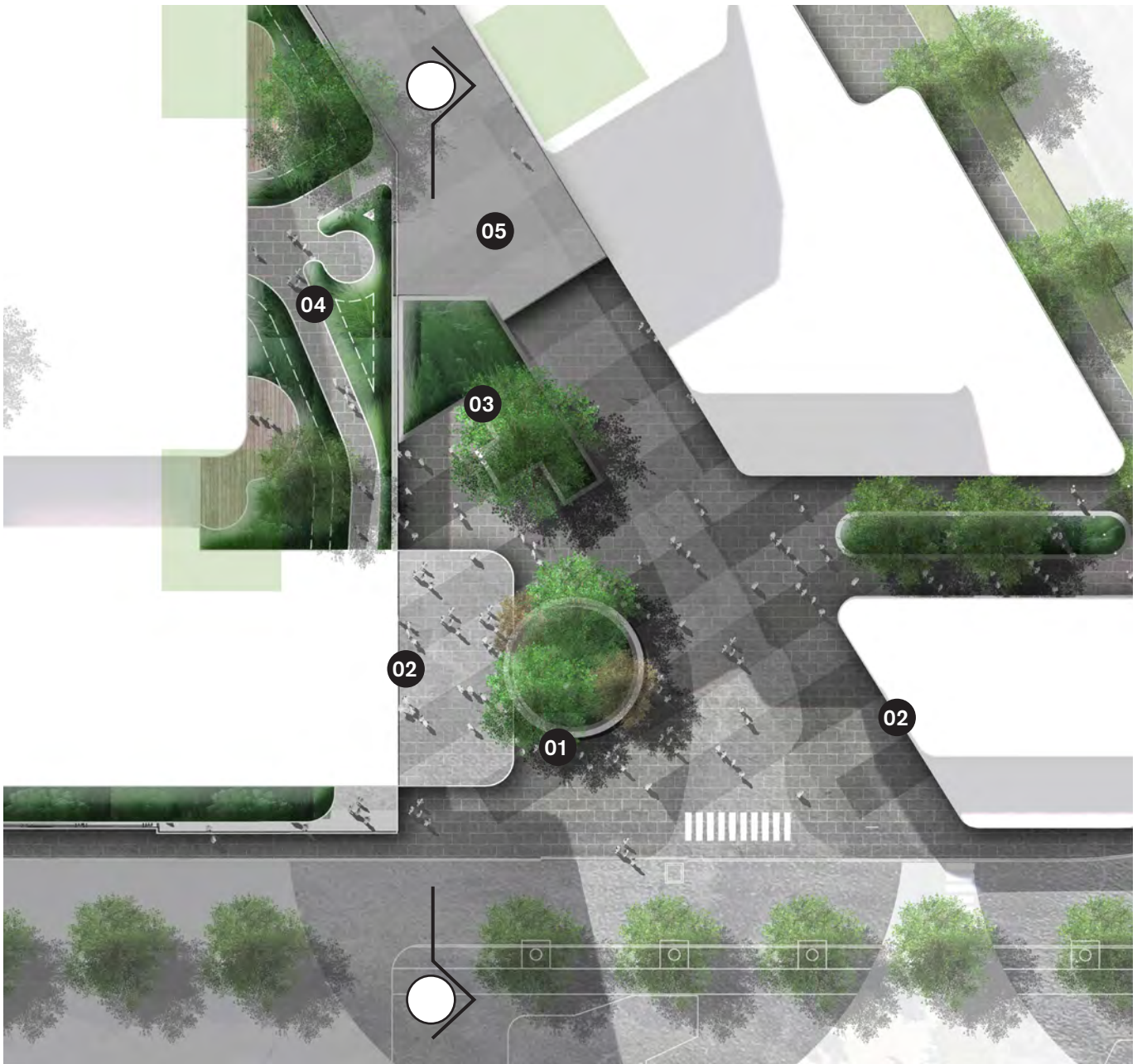
- Seating
- Trees
- Drinking fountain
- Bins
- Bicycle parking racks
- Standard lighting
- Bluestone paving



Location



Exemplar



Illustrative Plan



Exemplar

- 01** Copse of trees with seating
- 02** Adjacent ground level retail activation
- 03** Copse of trees at carpark entry
- 04** Setback to high park above
- 05** Covered canopy

2.5 THE WAY

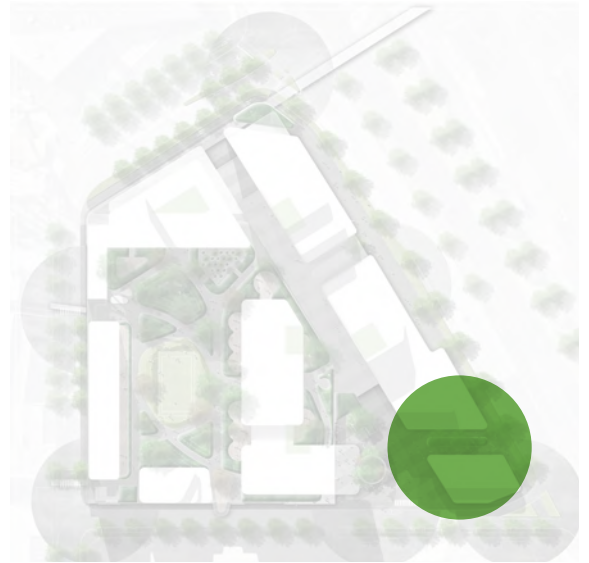
The Way is a publicly accessible space that provides a green break in the massing facing Footscray Road and which holds the definition of the street wall via a visually porous structure.

The room is seen as an entry and anteroom from Footscray Road as well as a sheltered space for passive use, food and beverage activation, gathering and the hosting of events. The space will also serve as a link to the Plaza.

Occasional access for loading and deliveries to the civic use building will be permitted.

Ingredients / elements

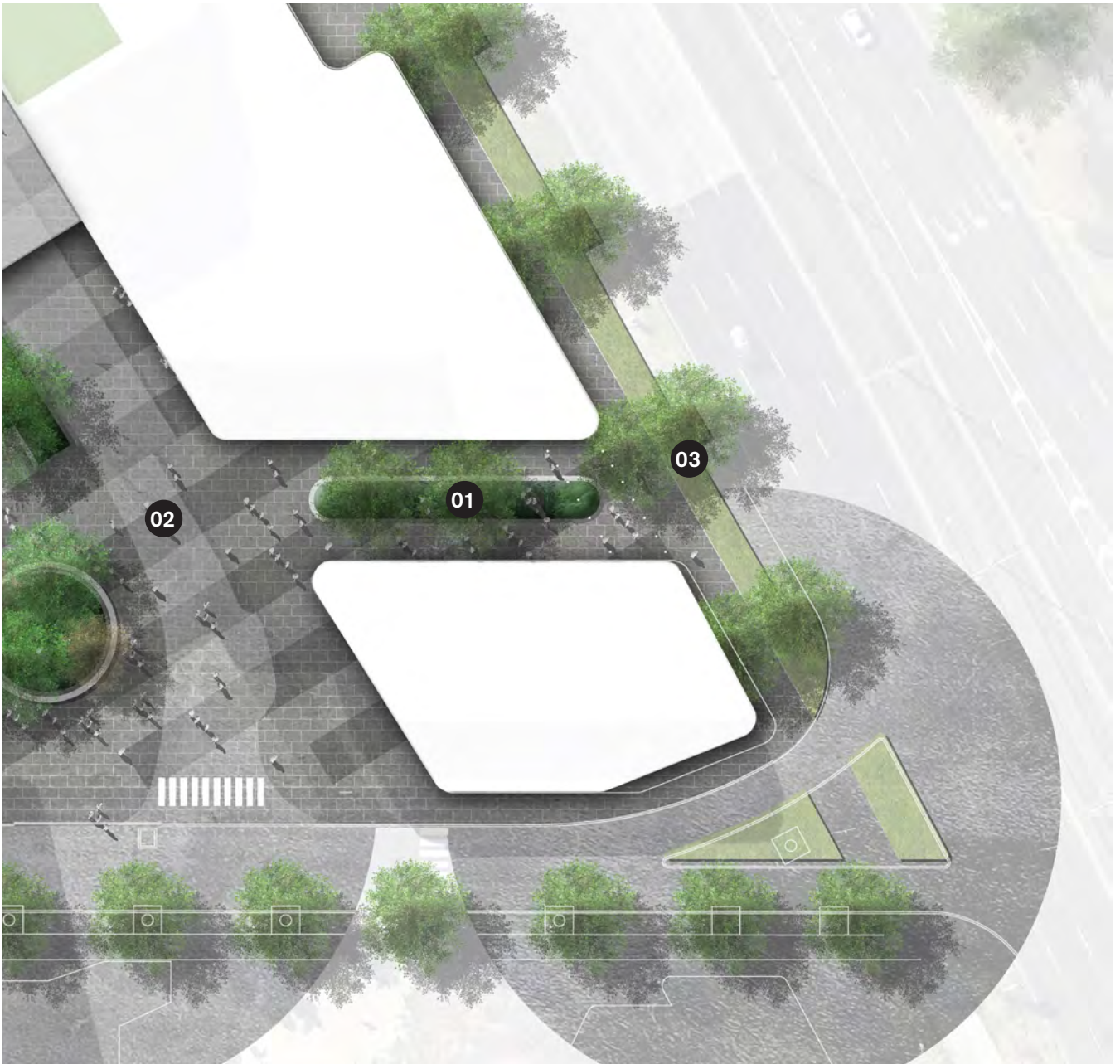
- Seating walls, steps, standard benches
- Drinking fountain
- Bins
- Bicycle parking racks
- Standard lighting
- Trees
- Garden planting
- Self supporting climbing plants on structure
- Edges activated by retail / employment / civic activity
- Bluestone paving
- Multi-purpose lawn area



Location



Exemplar



Illustrative Plan



Exemplar

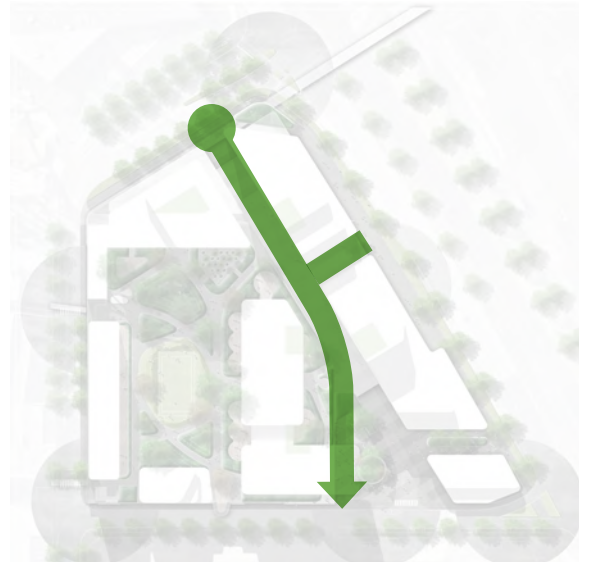
- 01** Planted terrace with tree planting
- 02** The lane
- 03** The Boulevard

2.6 THE LANE

The Lane is ground level street connecting pedestrians arriving from Waterfront Way to the north and cars arriving from Waterfront Way to the west. The Lane is an important connector space in the design of the super-block, facilitating clear and visual links between the North Melbourne connection bridge, Waterfront Way, Little Docklands Drive and the Plaza and enabling the servicing of the precinct. The Lane creates a common ground for the users of the adjacent podium and towers and becomes a kind of external anteroom to a series of foyers, lobbies and tenancies on either side of it, enabling an active and porous edge between landscape and built form.

Ingredients / elements

- Seating walls, steps, standard benches
- Drinking fountain
- Bins
- Bicycle parking racks
- Standard lighting
- Edges activated by retail / employment activity
- Bluestone paving



Location



Exemplar



Illustrative Plan



Exemplar

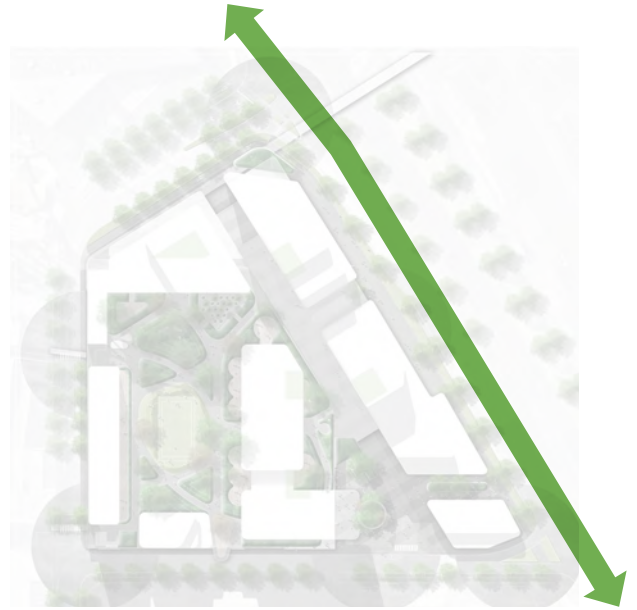
- 01 2 lanes of 1-way traffic w/ parking bays
- 02 Access to lobbies and core
- 03 Paved Pedestrian plaza
- 04 Potential basement access zone

2.7 THE BOULEVARD

The Boulevard is a vision for the extension of the civic scale planting, paths and streetscape of Harbour Esplanade north to Waterfront Way to engage with Waterfront City. Others will need to determine whether this treatment literally extends the language of the existing Esplanade or chooses instead to shift the language as an acknowledgement of not having an adjacent water's edge. Nevertheless, the development plan anticipates the importance of this civic scale by providing an appropriate scale and setback of built form, by breaking that form at regular intervals along the street to provide porosity and activation and by connecting it into the proposed North Melbourne elevated link.

Ingredients / elements

- Seating walls, steps, standard benches
- Drinking fountain
- Bins
- Bicycle parking racks
- Standard lighting
- Planted median
- Trees
- Edges activated by retail / employment activity
- Concrete paving



Location



Exemplar



Illustrative Plan



Exemplar

- 01** Footpath and setback for future veloway
- 02** Planted nature-strip and trees

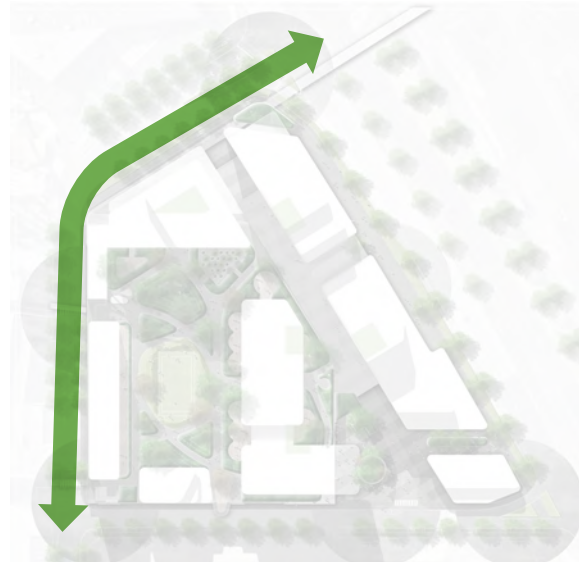
2.8

WATERFRONT WAY

In the hierarchy of the proposed street network, Waterfront Way will become something akin to a Main Street or High Street for the precinct: a two-way road with on street parking, activated by retail and employment uses on both sides with direct connection to daily services and destinations such as the market. The language of the street will be an extension of the City of Melbourne Standards for Docklands and feature bluestone kerbs and paving with CoM standard furnishings. A number of raised pedestrian crossings will slow traffic and provide on-grade access between District Docklands / Costco and the market / carpark. The opportunity exists to bring the activation and life of the market onto the street through the design of parklets occupying on street car parking bays.

Ingredients / elements

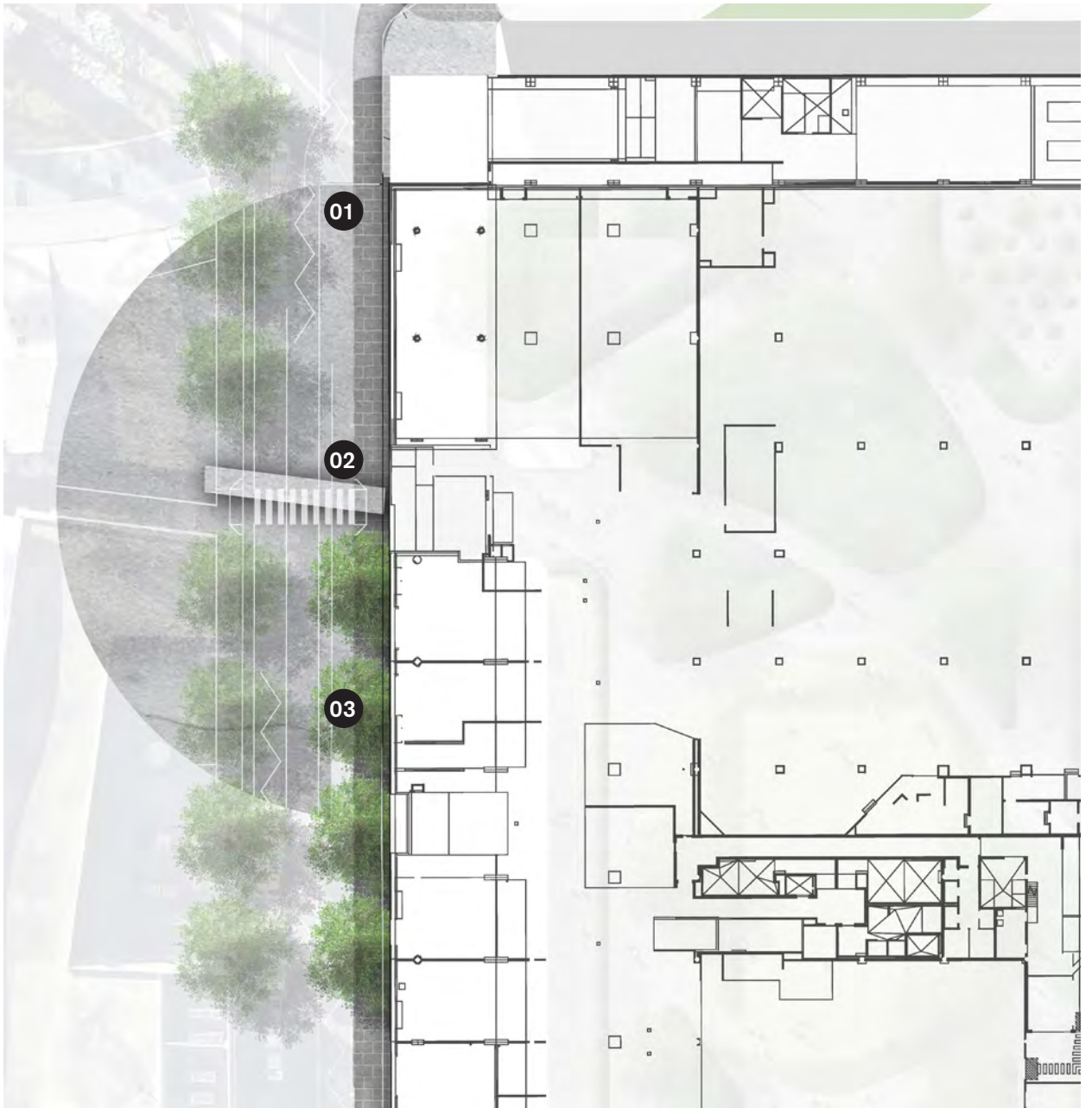
- Seating, standard benches
- Drinking fountain
- Bins
- Bicycle parking racks
- Standard lighting
- Edges activated by retail / commercial activity
- Bluestone paving
- Street tree planting
- On-street parklets for dining and occupation
- Raised pedestrian crossings



Location



Exemplar



Illustrative Plan



- 01** Footpath with active edge to market
- 02** Bridge over with connection to lift
- 03** New street tree planting

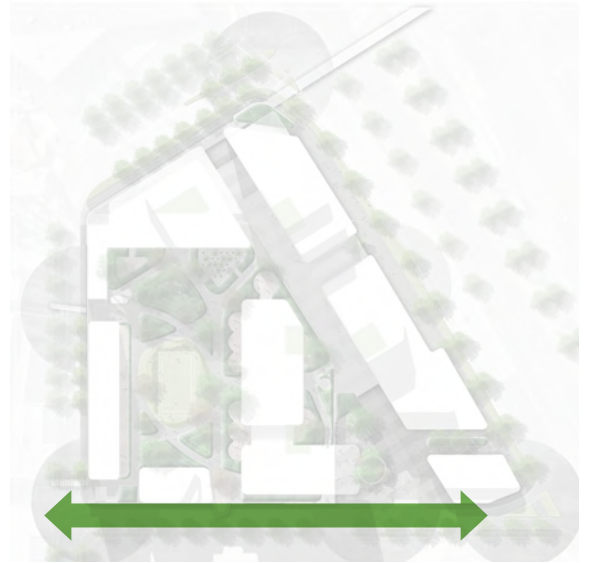
Exemplar

2.9 LITTLE DOCKLANDS DRIVE

Within the Development Plan, Little Docklands Drive is seen as an extension of the City of Melbourne Standards for Docklands and features bluestone kerbs and paving with CoM standard furnishings. The opportunity exists to include additional streetscape planting as a way of connecting and amplifying the green gestures of Footscray Road, the School and the Park.

Ingredients / elements

- Seating, standard benches
- Bins
- Bicycle parking racks
- Standard lighting
- Edges activated by retail / commercial activity
- Bluestone paving
- Street tree planting
- Median planting
- Raised pedestrian crossings



Location



Exemplar



Illustrative Plan



Exemplar

- 01 Footpath with active edge to market
- 02 The Park
- 03 New street tree planting

2.10 THE HIGH PARK

The High Park is the occupiable roof space of the existing car park structure, which is proposed to be amended, allowing space within new levels for tree planting, smaller parks and path networks. Soil depths will be provided on the structure as required to provide for large tree canopies. The High Park will become a common internal address and asset to the newly proposed built form and its associated uses.

Ingredients / elements

- Seating
- Integrated and custom lighting
- Edges activated by retail / commercial activity
- Edges animated by residential activity
- Bins
- Standard lighting
- Trees
- Garden planting
- Self supporting climbing plants on structure
- Multi-purpose lawn area
- Exercise station or temporary half court basketball
- Communal Gardens



Location



Exemplar



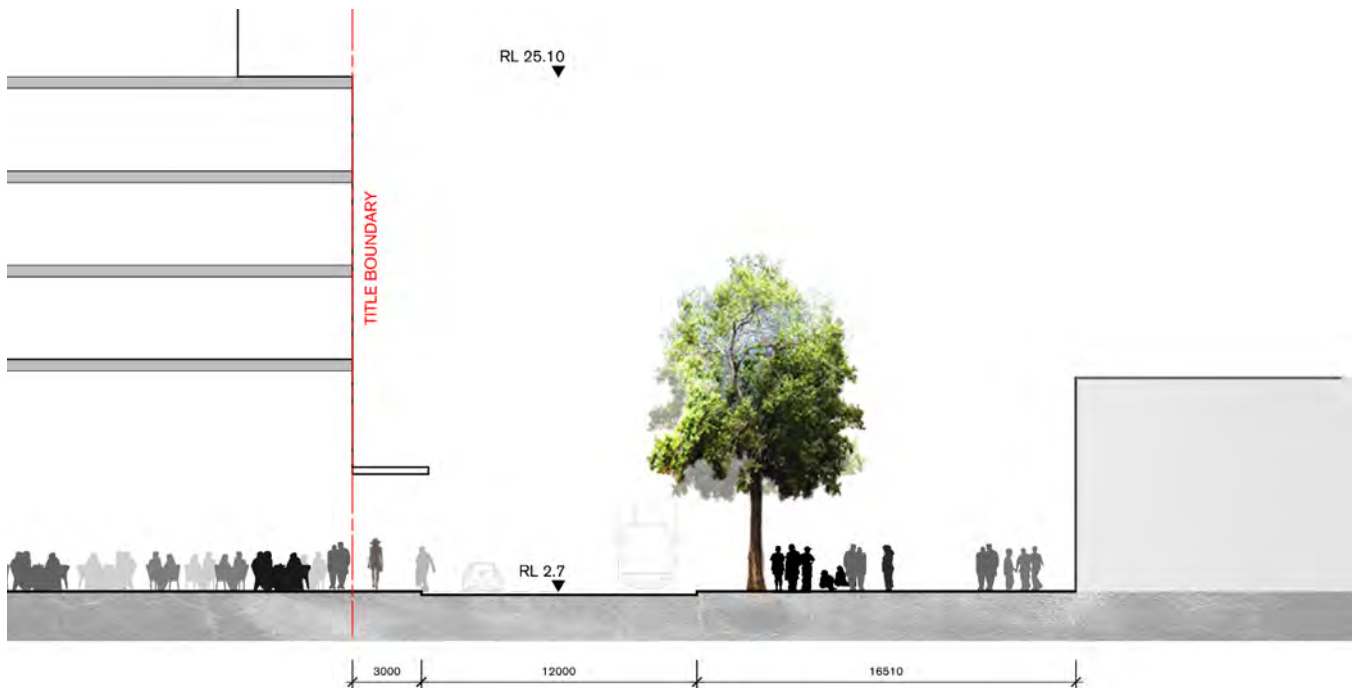
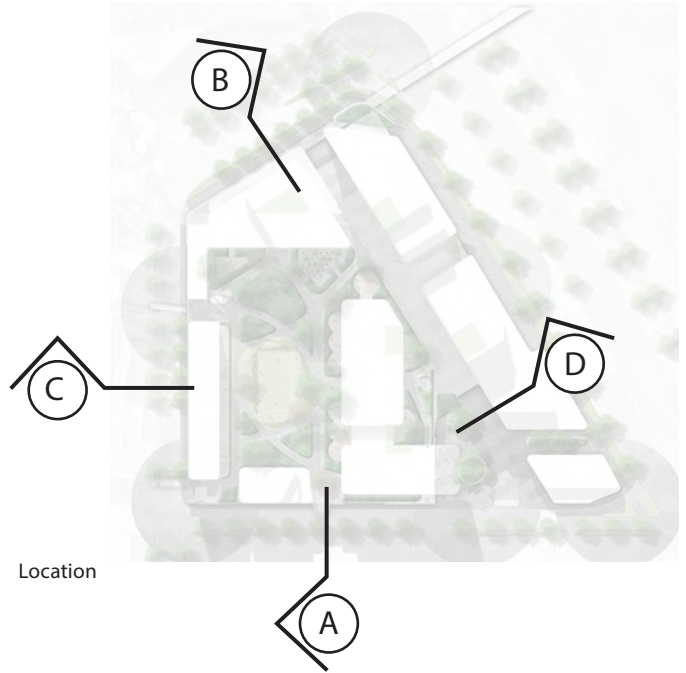
Illustrative Plan

- 01** Vertical connection
- 02** Sky Park / communal open space

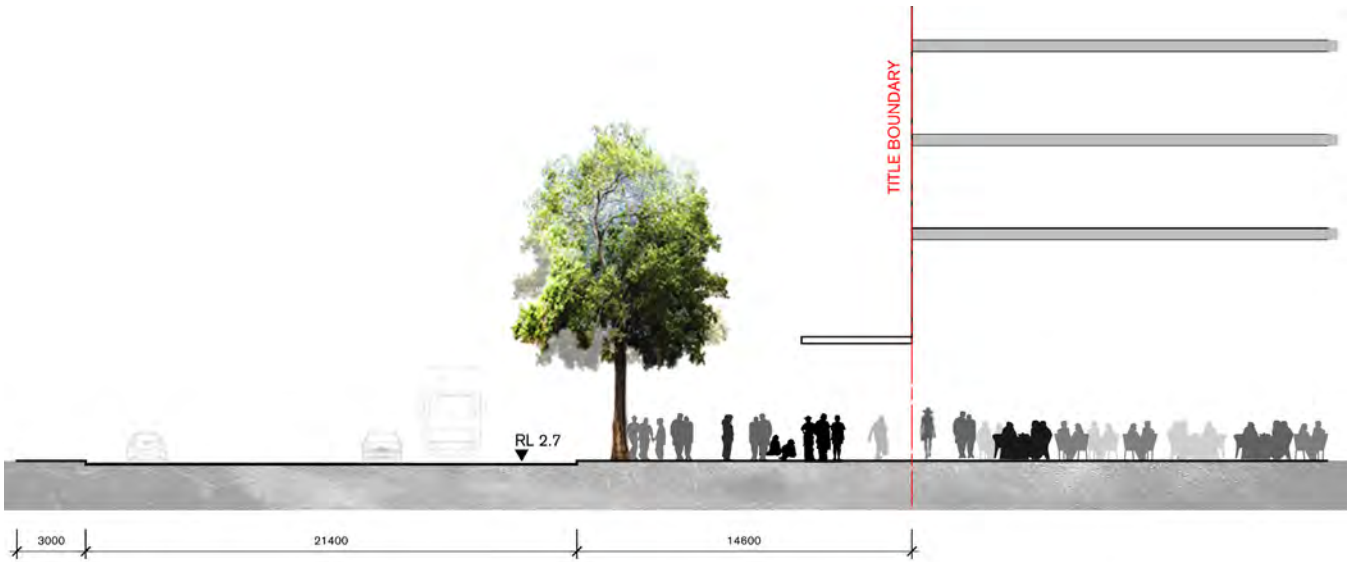


Exemplar

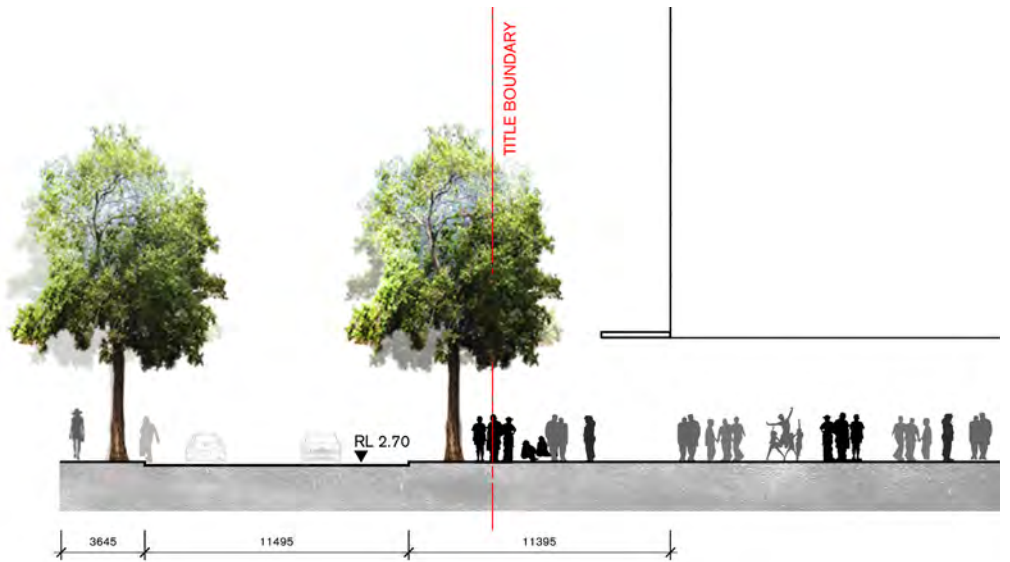
2.11 STREET SECTIONS



STREET SECTION A



STREET SECTION B



STREET SECTION C



STREET SECTION D

03 **CONNECTIONS**

3.1

VERTICALLY INTEGRATED PUBLIC AND PRIVATE OPEN SPACES

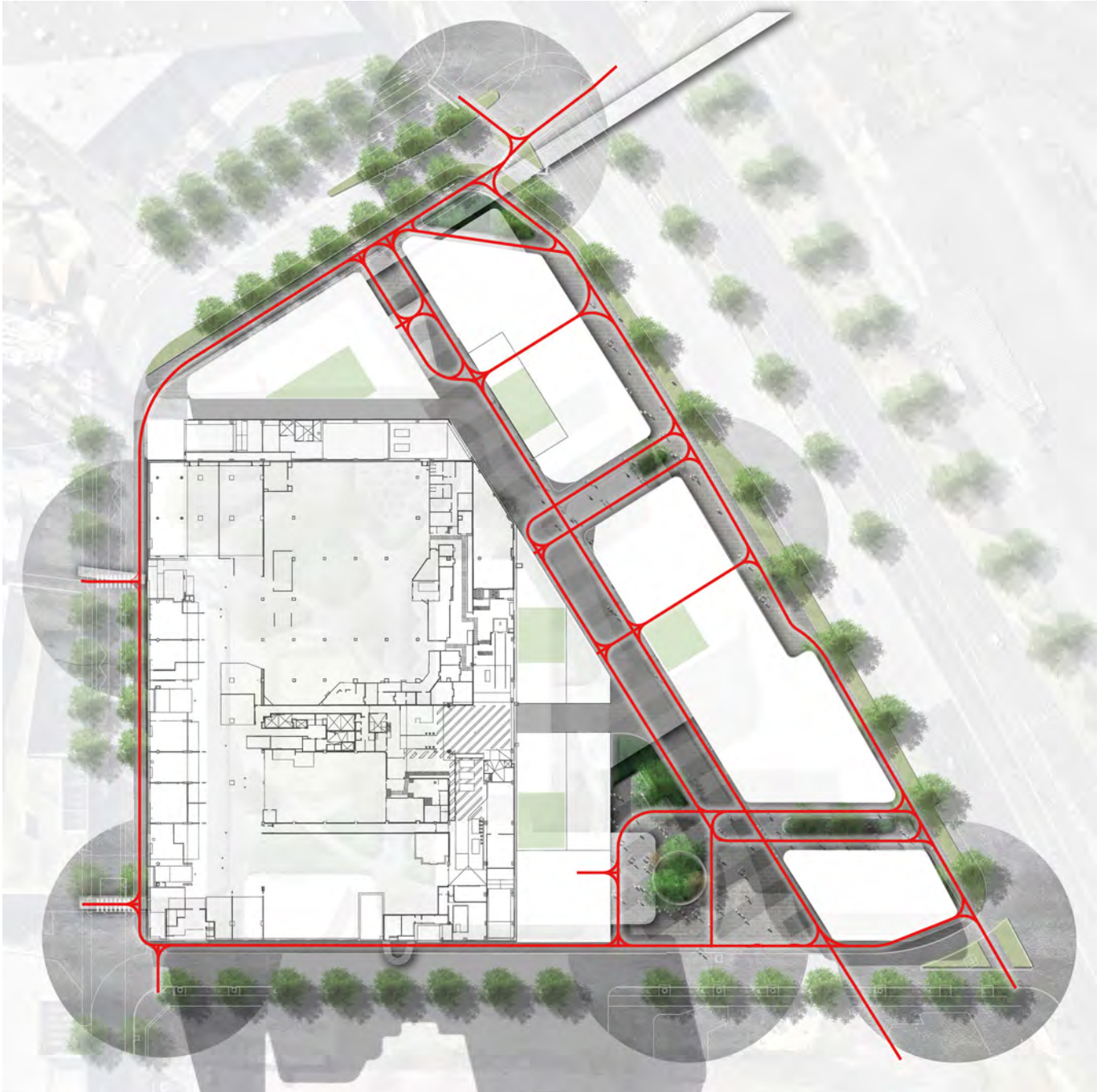
As part of the Development Plan's open space strategy, a series of private and communal spaces are proposed atop the existing car park structure. These are intended for use by workers, residents and visitors to the precinct. These spaces will be vertically integrated and connected through the proposed podium form to connect to the ground plane public spaces in a way that invites connection between the two and in a way that extends the open and vegetated character of the ground plane upwards.

3.2 THE PUBLIC REALM

The arrangement of the groundplane public realm is proposed as per section 2.0 of this document and will create a connected, legible and activated green armature that brings the broader precinct into the study site.



- circulation**
- daily life**
- invitation**
- publicness**
- spectacle**
- transitional form**
- urban stitching**



3.3 THE HIGH PARK

The top of the existing carpark structure is transformed into an elevated open space or "High Park". Soil volume for tree planting and ground covers is accommodated via the existing structural grid. It is envisaged that the roof space will be emphatically green and be comprised of a mix of passive and active spaces for the use of its immediate residential and worker community.



- circulation**
- daily life**
- invitation**
- publicness**
- spectacle**
- transitional form**
- urban stitching**



CASE STUDIES

This Appendix includes a series of case studies that were examined during the formulation of the Public Realm component of the Development Plan. Each looks at examples of where public amenity, invitation and activation has been extended from the ground plane up and through built form and podium massing. Each exemplar attempts to distil a lesson that is applicable to the future development of this plan.

GARDEN BUILDING

MELBOURNE, VICTORIA
NMBW, 2017



CIRCULATION Program : Education

DAILY LIFE Approx Grade Change : 3 storeys

INVITATION Lesson : The small scale and porous building recasts the monumental

PUBLICNESS and hermetic building through a clever engagement with the street plinth

SPECTACLE and the scale of the body.

TRANSITIONAL FORM

URBAN STITCHING

PROMENADE PLANTÉE

PARIS, FRANCE

JACQUES VERGELY AND PHILIPPE MATHIEUX, 1993



CIRCULATION Program : Adaptive Re-use / Public Realm

DAILY LIFE Approx Grade Change : 4 storeys

INVITATION Lesson : An episodic series of public landscapes creates invitation and permission to use the space for both perambulation and dwelling.

PUBLICNESS

SPECTACLE

TRANSITIONAL FORM

URBAN STITCHING

RAMBLA DE SANTS

BARCELONA SPAIN
ESTEYCO INGENIERIA, 2016



CIRCULATION Program : Public Realm
DAILY LIFE Approx Grade Change : 4 storeys
INVITATION Lessons : That at the right scale, an infrastructure of separation can be
PUBLICNESS recast as a connector and as common ground.
SPECTACLE
TRANSITIONAL FORM
URBAN STITCHING

1111 LINCOLN ROAD

MIAMI USA
HERZOG & DE MEURON, 2010



CIRCULATION Program : Residential / Cultural / Carpark

DAILY LIFE Approx Grade Change : 10 storeys

INVITATION

PUBLICNESS

SPECTACLE

TRANSITIONAL FORM

URBAN STITCHING

Lessons : A kind of Trojan Horse, the project for luxury housing and cultural venues that masquerades as a carpark holds lessons for how the orthodox garage structure might be adapted for future non-car uses.

URBAN LINK

GIPUZKOA, SPAIN
VUAMM, 2014



CIRCULATION Program : Carpark / Public Realm

DAILY LIFE Approx Grade Change : 8 storeys

INVITATION

PUBLICNESS

SPECTACLE

TRANSITIONAL FORM

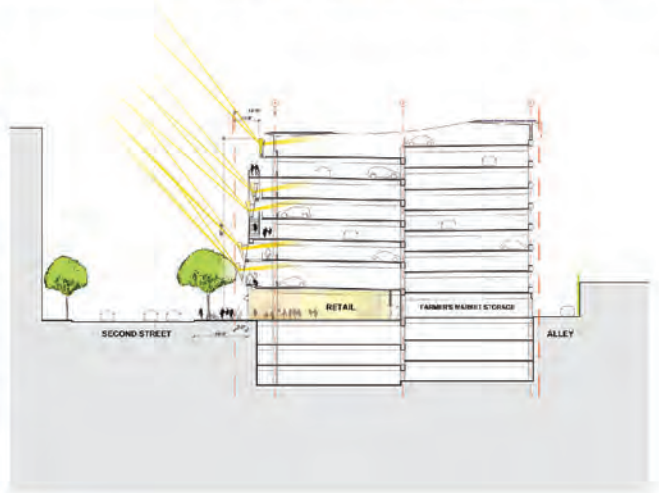
URBAN STITCHING

Lessons : That the void between existing urban fabric can be super charged through a connected 'double ground'.

PARKING STRUCTURE #6

SANTA MONICA USA

BEHNISCH ARCHITEKTEN + STUDIO JANTZEN, 2013



CIRCULATION Program : Carpark

DAILY LIFE Approx Grade Change : 7 storeys

INVITATION Lessons : That circulation and invitation should be an urban and architectural idea before they need to be a signage idea.

PUBLICNESS

SPECTACLE

TRANSITIONAL FORM

URBAN STITCHING

PARK AND PLAY

COPENHAGEN, DENMARK

JAJA ARCHITECTS, 2016



CIRCULATION Program : Carpark / Public Realm

DAILY LIFE Approx Grade Change : 8 storeys

INVITATION

PUBLICNESS

SPECTACLE

Lessons : That the roof space is too seldom seen as a spectacle, as delirious and as an escape from the familiar behaviours of the ground (see also Parking Structure #6).

TRANSITIONAL FORM

URBAN STITCHING

MEDINA COMPLEX

EINDHOVEN, THE NETHERLANDS
NEAVE BROWN, 2002



CIRCULATION Program : Carpark / Residential / Commercial
DAILY LIFE Approx Grade Change : 8 storeys
INVITATION Lessons : That the provision of housing above car parks can generate
PUBLICNESS unique and specific housing types that are richer than the orthodox
SPECTACLE tower / podium tropes.
TRANSITIONAL FORM
URBAN STITCHING

R7 COMMERCIAL BUILDING

BARANGAROO, SYDNEY
DURBACH BLOCK JAGGERS, 2016



CIRCULATION Program : Commercial

DAILY LIFE Approx Grade Change : 4 storeys

INVITATION Lessons : Project identity created not through architectural language per se, but through invitation (the green public stair) and the reward (the roof top bar).

PUBLICNESS

SPECTACLE

TRANSITIONAL FORM

URBAN STITCHING

8 HOUSE

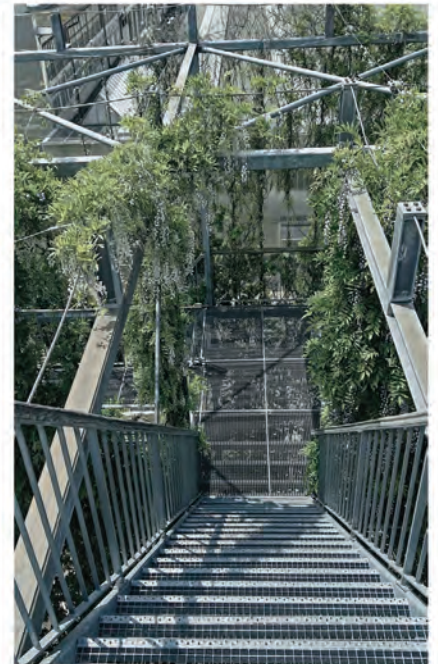
COPENHAGEN, DENMARK
BIG, 2008



CIRCULATION Program : Residential
DAILY LIFE Approx Grade Change : 15 storeys
INVITATION Lessons : That a hyper public promenade can be a street, an invitation,
PUBLICNESS an address and an event.
SPECTACLE
TRANSITIONAL FORM
URBAN STITCHING

MFO PARK

ZURICH, SWITZERLAND
RADERSCHALL, 2002



CIRCULATION Program : Public Domain
DAILY LIFE Approx Grade Change : 4 storeys
INVITATION Lessons : That rather than being always about surface, landscape can
PUBLICNESS adopt the scale of the civic / the urban room.
SPECTACLE

TRANSITIONAL FORM
URBAN STITCHING

LUCHTSINGEL PEDESTRIAN BRIDGE

ROTTERDAM NL
ZUS, 2015



CIRCULATION Program : Public Domain / Infrastructure

DAILY LIFE Approx Grade Change : 2 storeys

INVITATION Lessons : That the idea of urban repair / the 'permanent temporary' can be its own generator of activation, agency and ownership.

PUBLICNESS

SPECTACLE

TRANSITIONAL FORM

URBAN STITCHING

PIRRAMA STAIRS

PYRMONT, SYDNEY
HILL THALIS, 2010



CIRCULATION Program : Public Domain / Infrastructure

DAILY LIFE Approx Grade Change : 3 storeys

INVITATION Lessons : That urban connections gain character from having independent language - neither of the street nor of the wall.

PUBLICNESS

SPECTACLE

TRANSITIONAL FORM

URBAN STITCHING

EMBARKATION PARK / MCELHONE

SYDNEY, AUSTRALIA
1985



CIRCULATION Program : Public Domain
DAILY LIFE Approx Grade Change : 5 storeys
INVITATION Lessons : That places at the end of the city and on top of a carpark
PUBLICNESS might still be a 'best kept secret' / that the drama of a landscape stair
SPECTACLE rewards the effort in climbing it.
TRANSITIONAL FORM
URBAN STITCHING

PLANTING

The following section outlines the location and a typical planting schedule for all public landscaped areas described within the Development Plan. Locations are coded as follows:

F: Facade / Wall

P: Parks

R: Rooftops

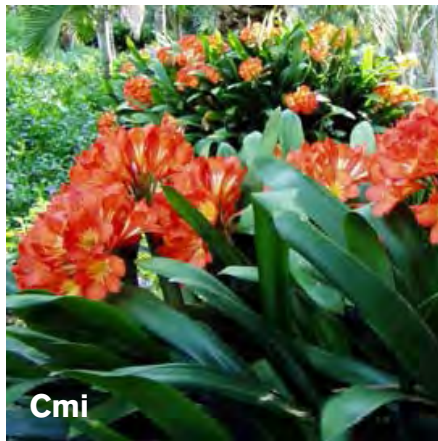
S: Streets

Ground-covers and Cascaders

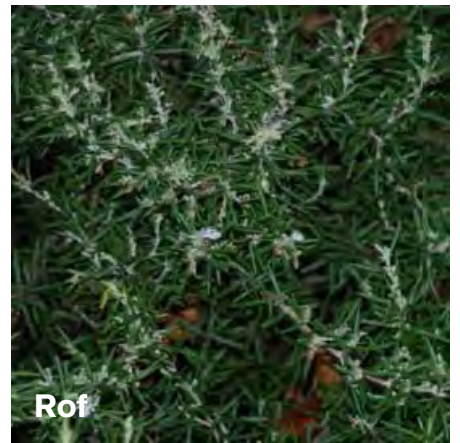
Sym.	Botanical Name	Common Name	Density	Location
Aco	Acacia cognata	Acacia Green Mist / Limelight	0.25	F / P / R / S
Ano	Aceana novae-zealandiae	Bidgee-Widgee	0.25	F / P / R / S
ApS	Aeonium purpurea 'Schwarzkoepf'	Black Tree Aeonium	4	F / P / R / S
Aat	Agave attenuata	Lions Tail Agave	1	F / P / R / S
Aca	Aloe castanea	Cat's Tail Aloe	0.5	F / P / R / S
AcM	Arthropodium cirratum 'Matapouri Bay'	New Zealand Rock Lily	1	F / P / R / S
Ase	Atriplex semibaccata	Creeping Salt Bush	1	F / P / R / S
Byu	Beschorneria yuccoides	False Red Agave	1	F / P / R / S
BmS	Buxus microphylla 'Sinica'	Chinese Boxwood	1	F / P / R / S
Cro	Carpobrotus rossii	Karkalla (Pig Face)	1	F / P / R / S
Cmi	Clivia miniata	Kaffir Lily	4	F / P / R / S
Cal	Correa alba	White Correa	0.5	F / P / R / S
Cre	Correa reflexa	Common Correa	1	F / P / R / S
Cor	Cotyledon orbiculata	Pigs Ear	4	F / P / R / S
Cat	Crassula atropurpurea	Purple Crassula	4	F / P / R / S
Dex	Doryanthes excelsa	Gynea Lily	1	F / P / R / S
Eca	Echium candicans	Pride of Madeira	0.5	F / P / R / S
Eto	Enchylaena tomentosa	Ruby Saltbush	1	F / P / R / S
Ecw	Euphorbia characias ssp wulfenii	Wood Spurge	1	F / P / R / S
Emy	Euphorbia myrsinites	Myrtle Spurge	6	F / P / R / S
Ffo	Furcraea foetida	Mauritius Hemp	0.75	F / P / R / S
Gsi	Gahnia sieberiana	Red fruited Saw Sedge	0.25	F / P / R / S
Hvi	Hardenbergia violacea	native Wisteria	1	F / P / R / S
Hhe	Hedera helix	English Ivy	1	F / P / R / S
Jco	Juniperus conferta	Shore Juniper	1	F / P / R / S
LmJ	Liriope muscari 'Just Right'	Lily Turf 'Just Right'	4	F / P / R / S
Mpa	Myoporum parvifolium	Creeping Boobialla	1	F / P / R / S
Oec	Osteospermum ecklonis	Cape Daisy	1	F / P / R / S
Pcl	Pennisetum clandestinum	Male sterile Kikuyu	-	F / P / R / S
Ptr	Parthenocissus tricuspidata	Boston Ivy	1	F / P / R / S
Rin	Raphiolepis indica	Indian Princess Hawthorn	1	F / P / R / S
Rsp	Rhagodia spinescens	Saltbush	1	F / P / R / S
Rof	Rosmarinus officinalis" Blue Lagoon"	Prostrate Rosemary	1	F / P / R / S
Sci	Senecio cineraria	Dusty Miller	4	F / P / R / S
Sse	Senecio serpens	Blue Chalk Sticks	4	F / P / R / S
Yde	Yucca desmetiana	Yucca	4	F / P / R / S
Yel	Yucca elephantipes	Soft Tipped Yucca	1	F / P / R / S

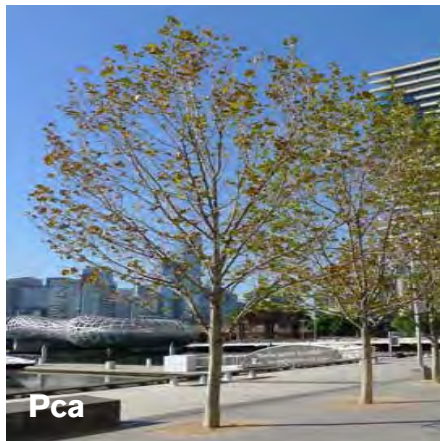
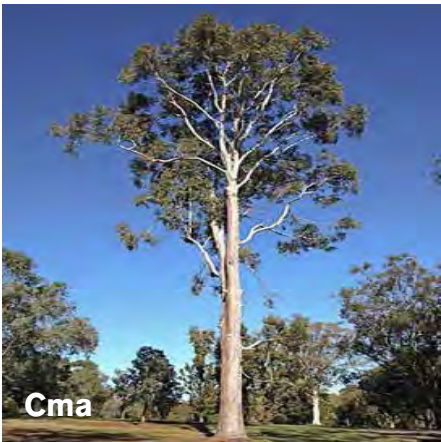
Trees

Sym.	Botanical Name	Common Name	Leaf	Location
Aro	Agathis robusta	Queensland Kauri Pine	Evergreen	P / R / S
Abi	Araucaria bidwillii	Bunya Pine	Evergreen	P / R / S
Cma	Corymbia maculata	Spotted Gum	Evergreen	P / R / S
Fma	Ficus macrophylla	Moreton Bay Fig	Evergreen	P / R / S
FmH	Ficus microcarpa var.Hillii	Hills Weeping Fig	Evergreen	P / R / S
Maz	Melia azedarach	White cedar	Deciduous	P / R / S
Pca	Phoenix canariensis	Canary Island Date palm	Evergreen	P / R / S
Phi	Platanus X acerifolia	London Plane Tree	Deciduous	P / R / S
Wfi	Washingtonia filifera	Desert Fan Palm	Evergreen	P / R / S









DELEGATE REPORT

MINISTERIAL PLANNING REFERRAL

Application number:	TPM-2019-26
DELWP Application number:	SP070004
Applicant / Owner / Architect:	Ashe Morgan Pty Ltd / Development Victoria / NH Architecture
Address:	50-94 Waterfront Way and 2-16 Little Docklands Drive, Docklands VIC 3008
Proposal:	Addendum to the Waterfront City Outline Development Plan 2003
Cost of works:	N/A
Date received by City of Melbourne:	Original Proposal: 26 September 2019 Current Proposal: 24 March 2021
Responsible officer:	Markus Tschech, Principal Urban Planner

1. SUBJECT SITE AND SURROUNDS

1.1. The Site

The application relates to part of the Waterfront City Outline Development Plan 2003 (WFCDP). The extent of the Development Plan area is depicted in Figure 1 below.



Figure 1 - Nearmap Aerial depicting Waterfront City Outline Development Plan 2003

More specifically, the application seeks approval for an Addendum to the WFCDP relating to the land bound by Footscray Road to the north-east, Waterfront Way to the west and north-west, and Little Docklands Drive to the south.

The site has an area of 30,211 m² and is improved by a six storey building with a mix of retail premises at ground level, including a Woolworths supermarket, and five levels of car parking above. The remainder of the site is vacant, with a recently constructed extension to the carpark building and a road on the eastern side of the existing building.

Planning Permit TP-2020-577 was issued by Council on 6 April 2021 and allows for the construction of a 14 storey residential hotel along Waterfront Way. Plans were endorsed in accordance with this permit on 25 May 2021 and it is understood that construction will commence in early 2022.

A site context map and photos of the subject site are provided below.



Figure 2 – Site context map



Figure 3 - Aerial view of site from south. Taken on 23 March 2021



Figure 4 – View NE across the site from the Melbourne Star, taken on 17 August 2020



Figure 5 – West elevation of the existing building on the site, taken on 23 March 2021

1.2. Surrounds

The site is located towards the northern edge of Docklands, and as the last substantial part of Docklands to be redeveloped, presents as an area in transition. It is characterised by a mix of recent developments, interim uses such as at-grade car parks and vacant land.

In terms of direct abuttals:

- Across Waterfront Way to the **north** is the Costco wholesale supermarket, which is a large warehouse building constructed above a car park. The pedestrian entry is located directly opposite the site, with vehicular access via Observation Drive.
- Across Little Docklands Drive to the **south**, at 400 Docklands Drive, is an at-grade commercial car park. The site benefits from Planning Permit TP-2012-828/A for an 11 storey commercial building. This permit expires in November 2022. Current discussions for this site propose an amended development plan with a series of mostly residential towers.

Also to the south, at 259-269 Footscray Road, is the site of the new Docklands Primary School that includes a library, music and arts rooms, administration areas and outdoor learning terraces.



Figure 6 – Docklands Primary School (Source: www.schoolbuildings.vic.gov.au)

- Footscray Road adjoins the site to the **east** and is a key east-west connection between the City of Melbourne and the City of Maribyrnong. This section of Footscray Road comprises four vehicle lanes in each direction and a tram line along the centre median. Footscray Road forms part of the Westgate Tunnel project and a 2.5km long elevated veloway is planned along this site frontage. Across Footscray Road to the east is the ‘E-Gate’ future redevelopment precinct.
- Across Waterfront Way to the **west** is ‘The District Docklands’, which can be described as a town centre style mixed use precinct comprising retail premises, food and drink premises (including a brewery), offices, residential apartments, entertainment facilities (including a recently completed cinema), and the visually prominent ‘Melbourne Star’ observation wheel, that has a maximum height of 120 metres. The Melbourne Star is identified as the only ‘landmark’ structure within the Docklands Urban Renewal Area, in Figure 8 of Clause 21.13 (Urban Renewal Areas). The Melbourne Star is currently closed, and its future is unknown.

Planning Permit TP-2017-907/A applies to this site, and allows the construction of a seven storey commercial building along Waterfront Way.

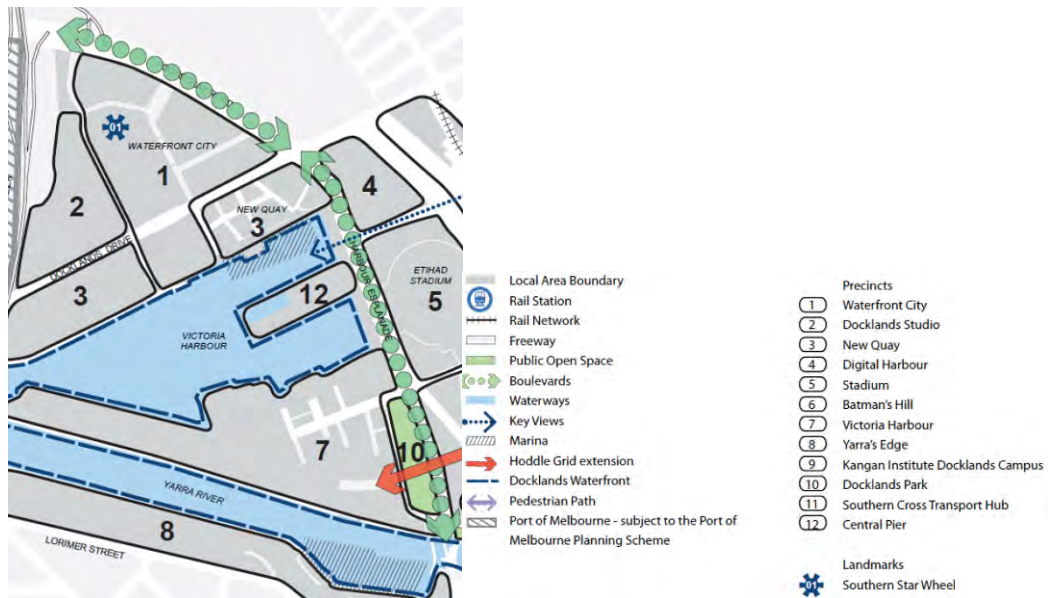


Figure 7 – Extract from 'Figure 8: Docklands' Clause 21.13 (Urban Renewal Areas)

2. THE WATERFRONT CITY OUTLINE DEVELOPMENT PLAN

The Waterfront City Outline Development Plan (WFCDP) was approved by the Minister for Planning on 28 November 2003. It remains the relevant Development Plan for this part of Docklands pursuant to Schedule 7 to the Development Plan Overlay (DPO7).

The extent of the WFCDP is depicted in Figure 1 in Section 1 of this report and sets out general development principles and specific guidelines on circulation and access, staging, land uses, open space areas and built form. Schematic feasibility studies that are appended to the WFCDP provide guidance on preferred built form outcomes across the entire area. An indicative massing of the WFCDP area that depicts how this part of Docklands could be developed is reproduced below:



Figure 8 – Indicative Massing Diagram from page 35 of the 2003 WFCDP

The feasibility study also includes a set of detailed layout, land use and built form plans for the area. This study recommends that the sites be developed with a mix of uses including commercial, retail, hotel / serviced apartments, home office, a car park and 'human services' at the south-eastern corner. As illustrated in Figure 10 below, the building height shown for the site is 13 metres, noting that 'nominated heights are indicative only' and taller built form is shown in the indicative massing diagram at Figure 9.

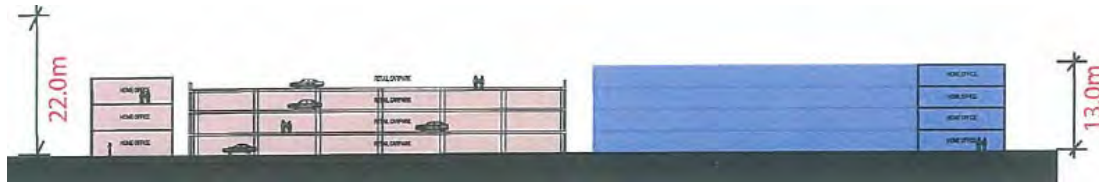


Figure 9 – Extract from 'Schematic Feasibility Sections' Drawing GE SK07, showing recommended building heights

Since the WFCDP was approved in 2003, the land has been improved by the Melbourne Star, Costco Docklands and a number of apartment and mixed use towers on the southern side of Docklands Drive.

It is worth noting that the buildings on the southern side of Docklands Drive are substantially larger than that envisaged by the original WFCDP and 'MAB Docklands Outline Development Plan', which applies to much of the land on the southern side of Docklands Drive. This has been mostly driven by amendments to the Development Plans applying to NewQuay West and NewQuay Central, and the introduction of a new Design and Development Overlay (Schedule 54) in 2008. A recently approved 20 storey building at 3-43 Waterfront Way is recently completed (Marriott Hotel).

3. BACKGROUND AND HISTORY

3.1. Pre-application discussions (PA-2018-30)

Pre-application discussions between the applicant, Development Victoria (DV), the Department of Environment Land Water and Planning (DELWP) and City of Melbourne urban planners took place on numerous occasions between December 2017 and June 2019. Key issues that arose during pre-application discussions included:

- Building height and bulk, in particular the two buildings fronting Waterfront Way.
- Whether it was appropriate for buildings to be built with a 'sheer' street wall.
- Overshadowing of Docklands Primary School.
- Retention of the existing car park and its impact on the development.
- Legibility and safety of pedestrian connections through the site.
- Access, 'publicness' and amenity of the public open space above the existing car park.
- Design and functionality of the proposed public open space along Little Docklands Drive.
- Wind impacts.
- Architectural diversity.
- Community benefits, including the location and need for a community facility.
- Views from the Melbourne Star.

3.2. Application history

The application was first referred to the City of Melbourne on 30 September 2019 with a final version of the Development Plan Addendum was forwarded to Council in July 2020.

This application was presented at the Future Melbourne Committee (FMC) meeting on 15 September where the following motion was carried:

1. *That the Future Melbourne Committee resolves to:*
 - 1.1. *Advise the Department of Environment, Land, Water and Planning (DELWP) that Melbourne City Council does not support the application on the grounds listed in the delegate report (refer to Attachment 4 of the report from management).*
 - 1.2. *Acknowledge and support the revitalising an area in need of activation which has long been an vacant open lot in a strategic renewal area;*
 - 1.3. *Acknowledge and support a greater development intensity for this site than that envisaged by the Waterfront City Outline Development Plan 2003 and a high proportion of office uses; and*
 - 1.4. *Invite the applicant to revise the proposal via continued engagement with Council's Urban Planners and DELWP to resolve the issues raised within the delegate report.*

The Minister for Planning acknowledged Council's concerns and directed the applicant to work with Council and DELWP to amend the proposal in a manner satisfactory to all parties.

The applicant subsequently discussed the proposal with Council and DELWP on multiple occasions in late 2020 and early 2021, prior to submitting a revised application on 10 March 2021. This application was forwarded to Council for comment on 18 March 2021.

Following several rounds of feedback from DELWP and Council Officers (including internal departments), a final Development Plan Addendum was forwarded to Council on 21 September 2021.

4. THE PROPOSAL

Ashe Morgan Pty Ltd c/o Urbis has submitted a revised application to DELWP for an addendum to the Waterfront City Outline Development Plan (WFCDP) dated September 2021.

The addendum applies specifically to the subject site as described in Section 2 of this report, and its primary purpose is to vary the permitted site layout, building envelopes, land use mix, vehicular access, public open space and community facilities.

The relevant documents are those that were received by Council on 21 September 2021. Key changes from the previously considered proposal include the replacement of the elevated pedestrian connection with an at-grade road, relocation of building mass away from the south-east corner of the site, a decrease in some building heights and an increase in others.

Key aspects are outlined below and on the following pages.

4.1. Land use

The 'Proposed Functional Relationships' plan at Section 2.2.2 of the current 2003 WFCDP indicates that the subject site should be developed with a mix of commercial, hotel / serviced apartments and retail.



Figure 10 – 2003 WFCDP extracts of ground, first and ‘typical residential’ levels, depicting the recommended land use mix



Figure 11 – Proposed DP Addendum extracts of ground and tower levels, depicting the proposed land use mix

Although the proportionality of the uses would be varied as part of the proposed DP Addendum, the overall mix of uses is not proposed to change.

The key change to the previously considered DP Addendum is the inclusion of a ‘Civic Building’ at the south-eastern corner of the site. The 1,525 m² (approx.) building would provide an opportunity for the development of community facilities or the provision of other civic activities. The land would be gifted freehold to Development Victoria (DV), free of encumbrances, who would then be responsible for constructing a building and establishing a use on the land. DV, as the current landowner, have indicated support for this arrangement.

It is also worth noting that the use of the subject site for dwellings, residential hotel, office and most types of retail premises are ‘Section 1 – Permit Not Required’ uses within the applicable Docklands Zone Schedule 6.

4.2. Site Layout

The proposed DP Addendum seeks to alter the site layout envisaged by the WFCDP. As depicted in the diagrams below, the WFCDP shows a central public road with separate vehicle entry points to buildings and tree planting on both sides.

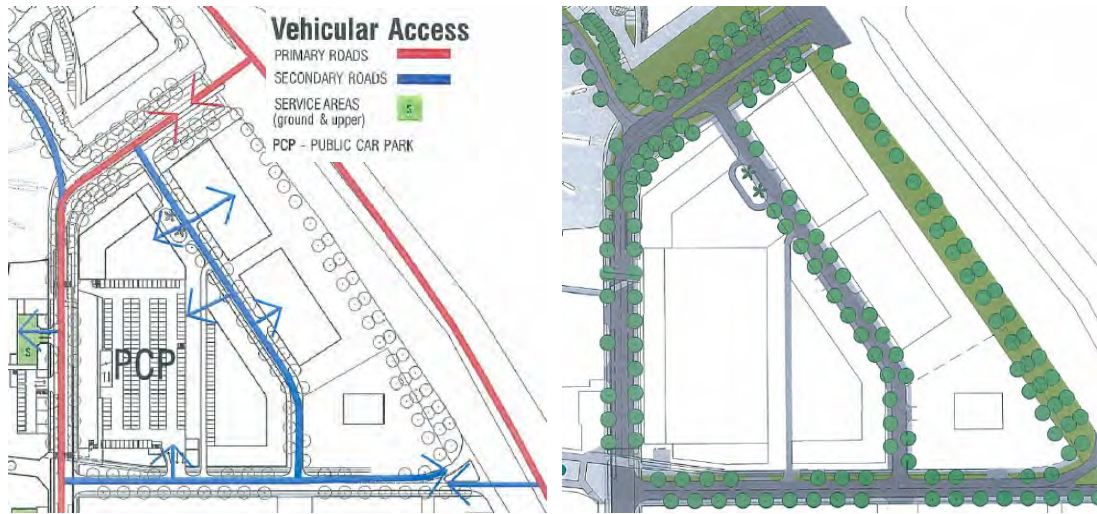


Figure 12 – WFCDP 2003 extracts Vehicular Access (left) and Master Planning Site Plan (right)

As illustrated in Figure 14 below, the proposed DP Addendum now includes an at-grade road and would be located beneath buildings where it connects to Waterfront Way at the site's north-western end.

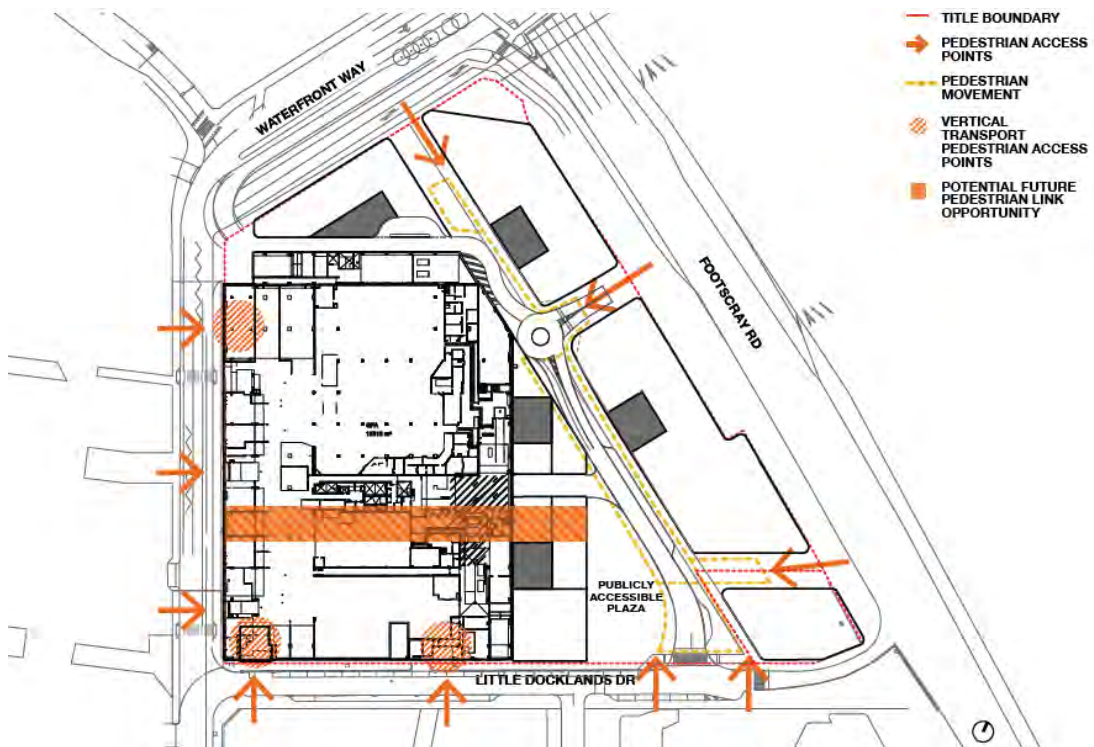


Figure 13 – DP Addendum Movement and Parking Plan extract

In contrast to the originally considered proposal, all pedestrian movements and landscaping (other than the communal open space above the carpark) would be located at ground level.

4.3. Gross Floor Area

The proposal would allow for an estimated 171,743 m² of Gross Floor Area (GFA), which is approximately 5,000 m² less than the previously considered proposal.

Although the building envelopes would significantly increase as part of this Addendum, the WFCDP does not cap the GFA for any of the land that it applies to.

4.4. Building height

The WFCDP does not include any specific controls regarding maximum building heights across the subject site. A review of the extracts included at Figure 9 and 10 suggest that mid-rise buildings up to 13 metres, with some taller forms towards the centre of the site are contemplated by the WFCDP.

Relevantly, Schedule 54 of the Design and Development Overlay (DDO54), which applies to the site, sets a discretionary maximum height of 45 metres to the northern half of the site and 50 metres to the southern half.

As illustrated in Figure 16, the proposed DP Addendum seeks discretionary maximum heights for each of the six building envelopes of between 12 and 90 metres. This represents an increase above the DDO54 controls of up to 45 metres.

Relevantly, the height of Building 6 has increased in height by 10 metres when compared to the previous proposal. This is, however, offset by the reduction in the height of other buildings across the site.

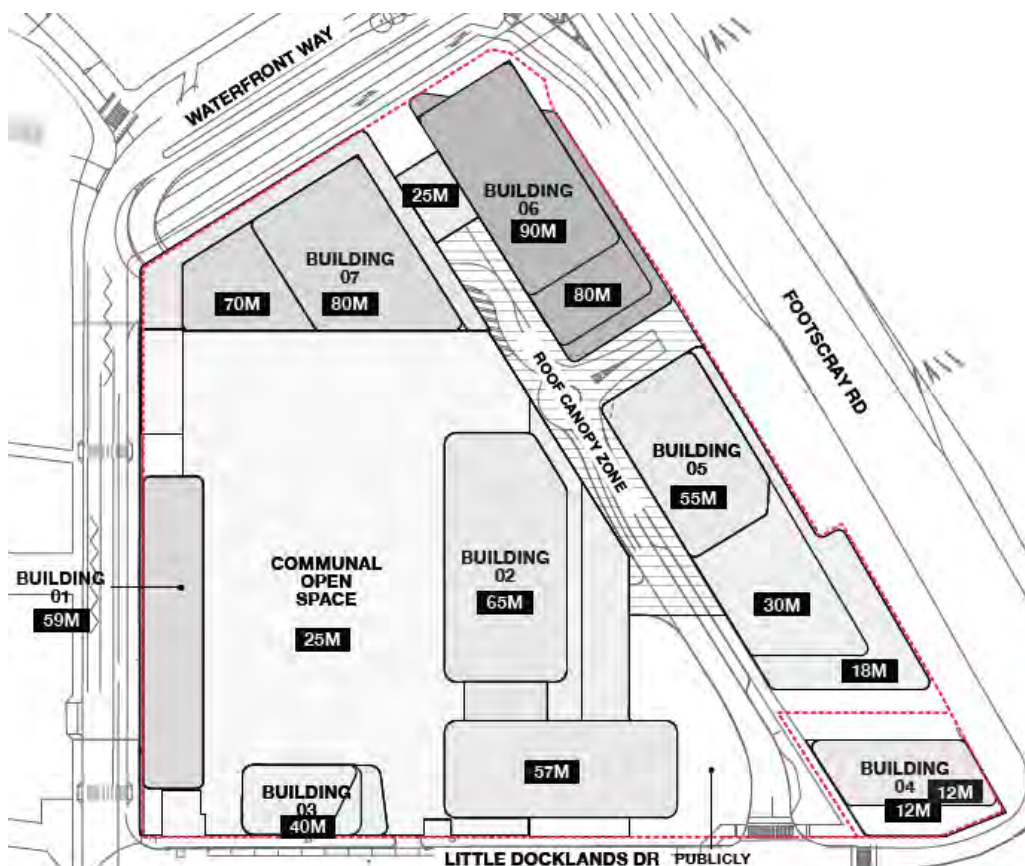


Figure 14 – DP Addendum maximum heights, roof plan

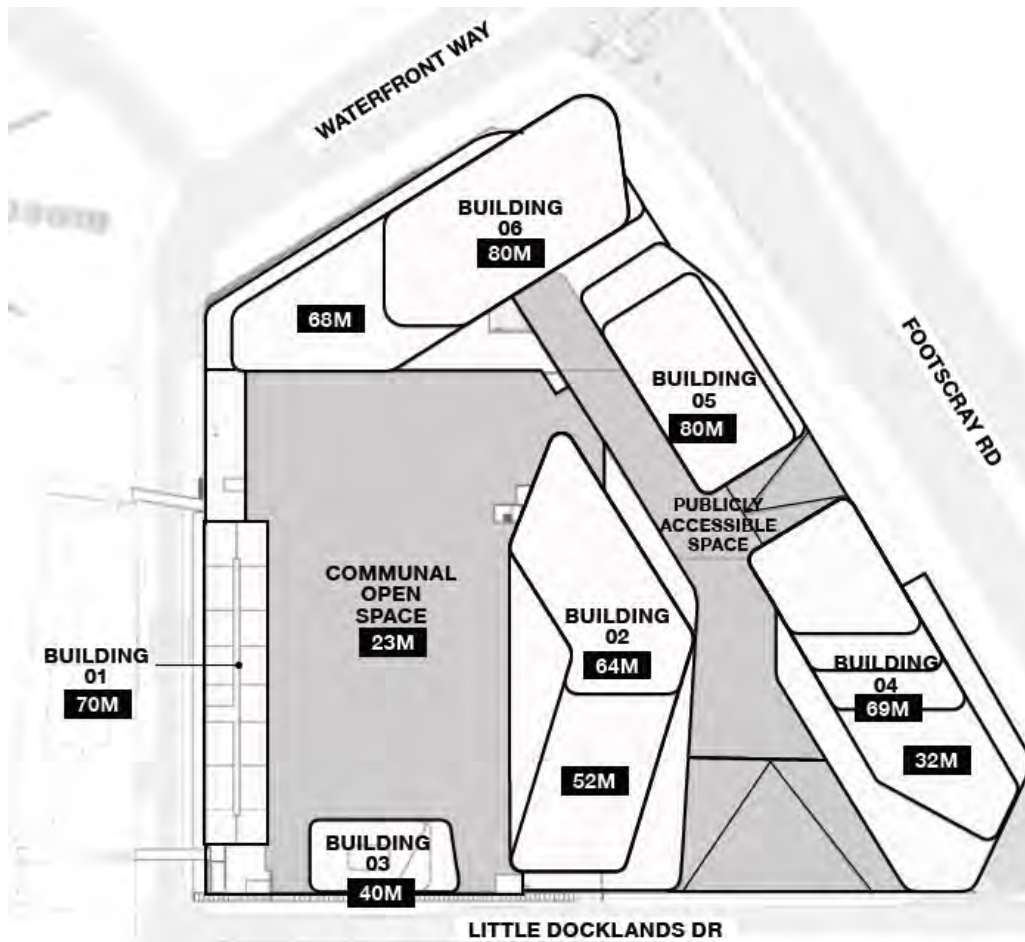


Figure 15 - Building Heights of the previously considered proposal

4.5. Building setbacks and separation distances

Similar to the building height controls, the WFCDP does not include specific setback requirements. The diagrams at Figures 9 and 10 do, however, suggest that limited setbacks and building separation distances would be required for the mid-rise buildings shown.

DDO54 which also applies to the site does not provide any guidance with respect to building setbacks or separation.

As illustrated in Figure 16, the proposed DP Addendum includes discretionary setback and building separation controls for each of the six building envelopes. In the main, the buildings would have a 4-5 storey podium with upper level setbacks of 3-5 metres. Exceptions to this include a 59 metre street wall height for Building 1 and a 90 metre street wall for a portion of Building 6. The 59 metre street wall height for Building 1 is generally consistent with the approved residential hotel on that portion of the site.

It is also noted that the diagram at Figure 16 does not include podium heights for Building 04 and the green line denoting a three storey podium is now superfluous.

This appears to be an oversight which can be resolved via a condition.

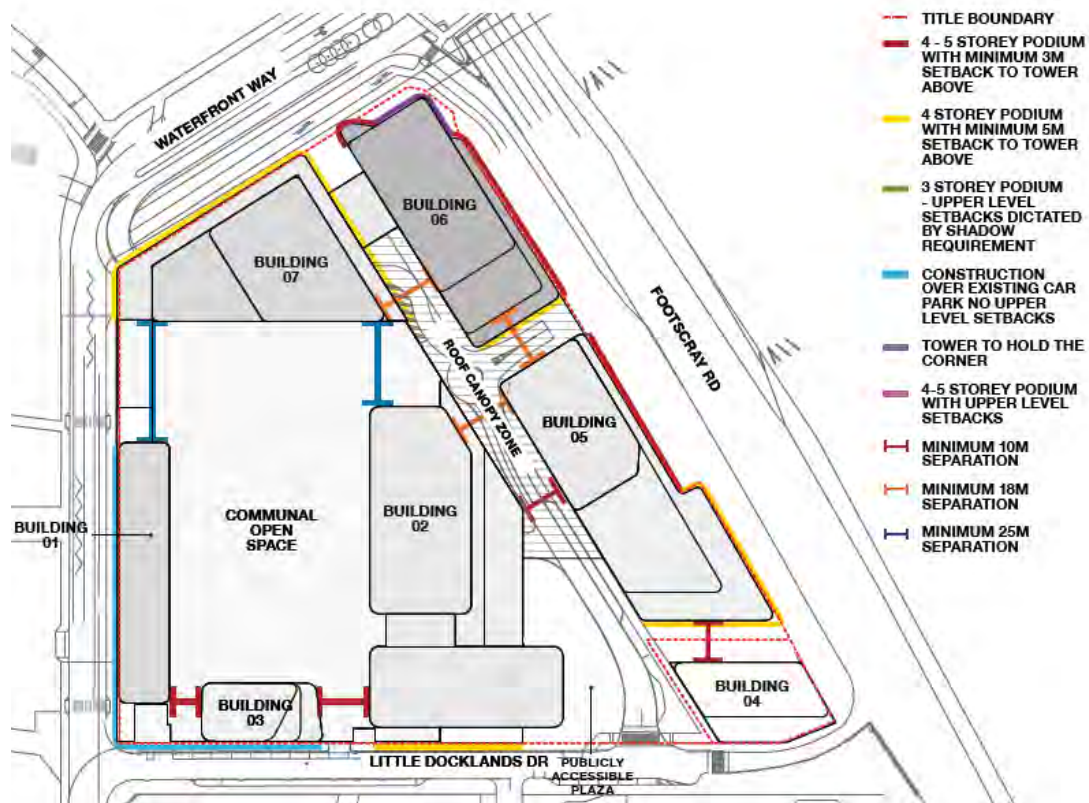


Figure 16 – DP Addendum podium heights, tower setbacks and separation

4.6. Staging

The 'Staging & Site Presentation' section of the WFCDP indicates that the subject site would be developed in successive stages with a portion towards the south-western corner developing first (Stage 1) with the remaining land being used for landscaping and car parking in the interim. The extract at Figure 17 also indicates that the south-eastern corner of the site is to be used for 'Human Services'.

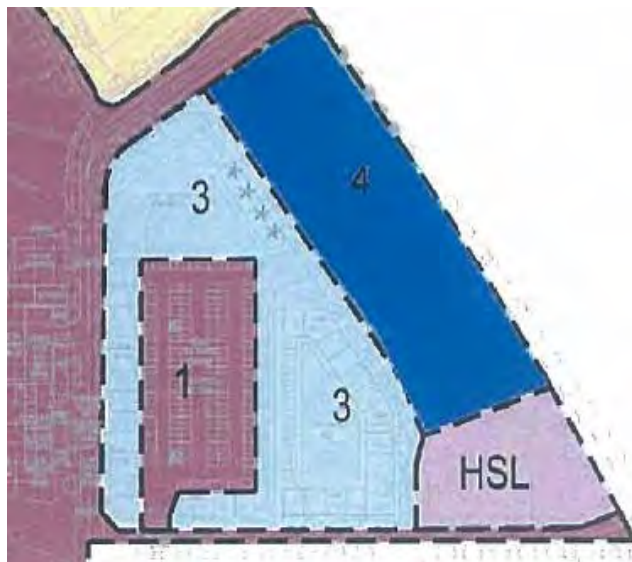


Figure 17 – Map at Section 1.6 (Staging and Site Presentation) of the 2003 WFCDP

As illustrated in Figure 18 below, the proposed DP Addendum splits the site into six separate stages. A set of Staging Design Principles would provide guidance in relation to hoarding design, the treatment of blank walls and wind mitigation.

A review of this staging plan indicates that sites on the western side of the internal road would be developed first, with the road not completed (through to Waterfront Way) until Building 6 is constructed.

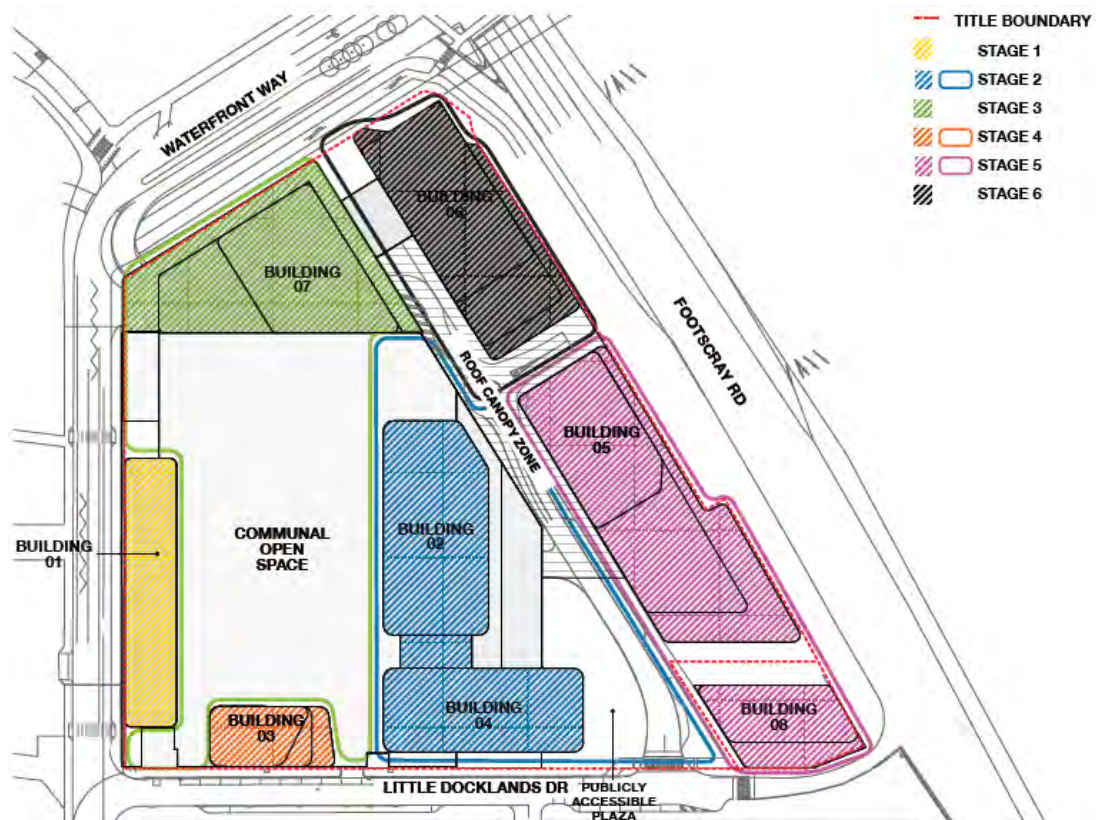


Figure 18 – DP Addendum staging diagram

With respect to the land identified as 'Human Services Land', Development Victoria have previously advised that this is no longer required. A new 'Civic Building' as described at Section 4.1 of this report would be located there instead.

4.7. Landscape and Public Realm Design

The current WFCDP includes design objectives and guidelines for the treatment of the public and semi-public spaces throughout the precinct. This includes street furniture, paving, lighting, tree planting and urban art strategies for specific sub-precincts, though not the subject site. The WFCDP does, however, recommend the use of native evergreen trees along the northern boundary and exotic deciduous species along the remaining street frontages (including the internal road).

The proposed DP Addendum seeks to supersede the above elements of the WFCDP with the inclusion of detailed landscape design objectives governing the function of different open spaces, integration between landscape design and land use, appropriate plant species, furniture, urban art and lighting.

The proposal would also introduce the requirement for two areas of landscaped open space on the site. They comprise:

- A plaza along Little Docklands Drive which would comprise a large paved area with canopy tree planting, seating and other street furniture; and
- A large area of communal open space above the existing car park, between Buildings 1, 2, 3 and 6.

Furthermore, with respect to public art, the WFCDP states that: '*Unless otherwise agreed, 1% of Total Development Cost should be attributed to urban art.*'

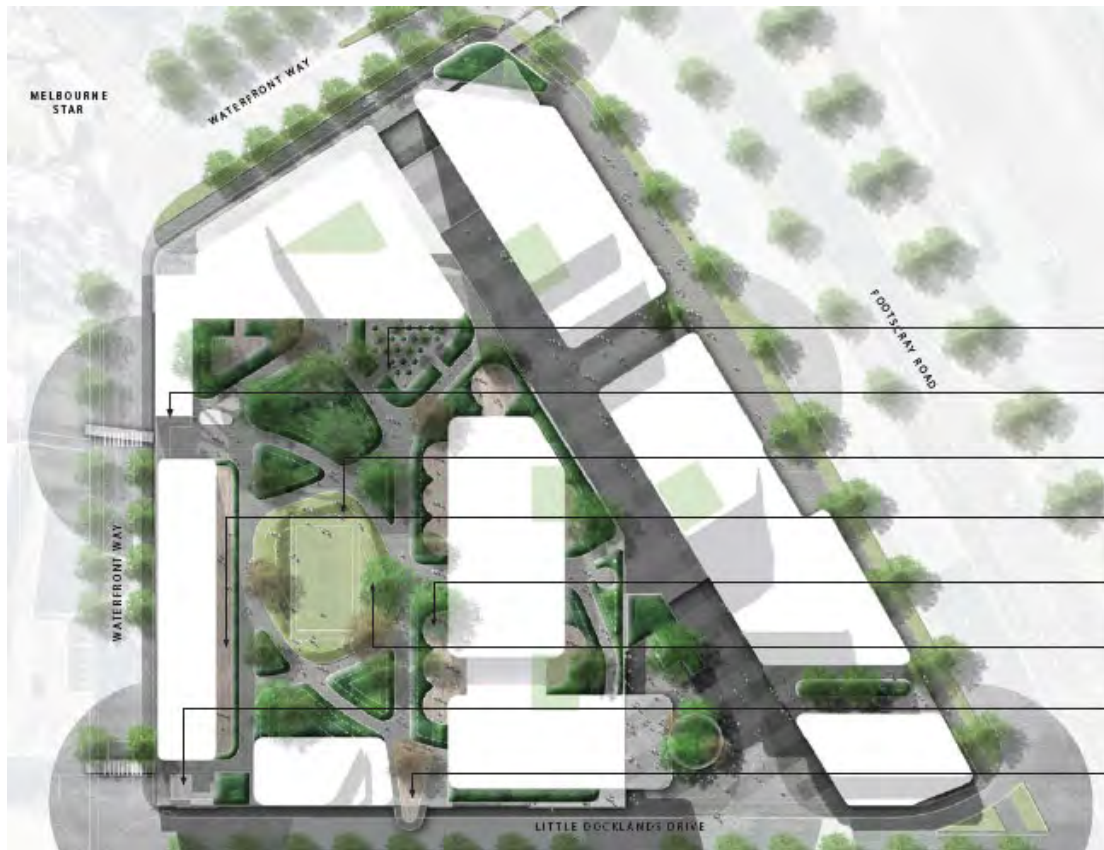


Figure 19 – DP Addendum public realm and landscape plan

4.8. Bicycle Facilities

Section 6.2.3 of the WFCDP provides the following minimum requirements for bicycle facilities:

- *1 space per dwelling. The use of apartment storage lockers to provide the resident bicycle parking requirement should be permitted provided that the size of the storage locker is sufficient to meet the bicycle storage envelope outlined in the Australian Standard.*
- *Provision consistent with the requirements of Clause 52.34 for employment uses.*
- *Bicycle parking will be provided in communal areas in convenient locations for users.*

The Public Realm Plans at Section 7 indicate that public bicycle parking racks would be provided throughout the ground plane, including the plaza, harbour room, internal road and along all street frontages.

The proposed bicycle parking provision remains unchanged from the previously considered DP Addendum.

4.9. Car Parking

The proposed DP Addendum encourages car parking to be provided within 'sleeved' podiums and 'potential basements'. In terms of car spaces, the DP Addendum includes a discretionary maximum of 1,333 spaces for residents and employees and 2,846 public spaces. It also encourages the provision of at least one motorcycle space per 100 car spaces, and that car share spaces be considered in future developments. The proposed car parking provision remains unchanged from the previously considered DP Addendum.

4.10. Other

The proposed DP Addendum also includes objectives, guidelines and controls that provide direction on a range of matters that are not included in the current WFCDP including:

- Design detail
- Overshadowing
- Signage.

These aspects of the proposal are discussed in Section 7 of this report.

5. PLANNING SCHEME PROVISIONS

5.1. Current provisions

The following provisions of the Melbourne Planning Scheme apply:

State Planning Policies	Clause 10: Planning Policy Framework Clause 11: Settlement Clause 12: Environment and Landscape Values Clause 15: Built Environment and Heritage Clause 16: Housing Clause 17: Economic Development Clause 18: Transport Clause 19: Infrastructure
Municipal Strategic Statement	Clause 21.04: Settlement Clause 21.05: Environment and Landscape Values Clause 21.06: Built Environment and Heritage Clause 21.07: Housing Clause 21.08: Economic Development Clause 21.09: Transport Clause 21.10: Infrastructure Clause 21.13-2: Docklands
Local Planning Policies	Clause 22.18: Urban Design within the Docklands Zone Clause 22.19: Energy, Water and Waste Efficiency Clause 22.23: Stormwater Management (Water Sensitive Urban Design)

Statutory Controls	
Development Plan Overlay - Schedule 7 (DPO7) Business Park Precinct	The purpose of a DPO is to identify areas which require the form and conditions of future use and development to be shown before a permit can be granted to use or develop the land. The DPO specifies requirements for the content of a development plan and contemplates that development plans may be amended. It specifies decision guidelines for assessing an amendment to a development plan. Once a development plan (or amended development plan) has been endorsed as being to the satisfaction of the responsible authority, separate planning applications will need to be lodged for the individual stages of development. The following statutory controls will apply to the future development of the land. A permit granted must be generally in

	accordance with the development plan.
Docklands Zone - Schedule 6 (DZ6) Business Park Precinct	<p>The purpose of DZ6 is:</p> <ul style="list-style-type: none"> ▪ <i>To provide for a range of commercial, residential, recreational, educational, technology, business and leisure uses within a mixed use environment.</i> ▪ <i>To provide for a range of active and people orientated uses at the lower levels of buildings that are complementary of residential uses.</i> ▪ <i>To acknowledge the retention of port related activities west of Bolte Bridge.</i> <p>A permit is required for buildings and works on the subject site.</p>
Design and Development Overlay - Schedule 12 (DDO12) Noise Attenuation Area	<p>Seeks:</p> <ul style="list-style-type: none"> ▪ <i>To ensure that new or refurbished developments for new residential and other noise sensitive uses constructed in the vicinity of the Docklands Major Sports and Recreation Facility include appropriate acoustic measures to attenuate noise levels, in particular music noise, audible within the building.</i> ▪ <i>To ensure that land use and development in the vicinity of the Docklands Major Sports and Recreation Facility is compatible with the operation of a Major Sports and Recreation Facility.</i> <p>A permit is required for buildings and works associated with new, refurbished or converted developments for noise sensitive uses.</p>
Design and Development Overlay - Schedule 54 (DDO54) Business Park Precinct, Area 1	<p>Schedule 54 to the DDO applies specifically to the Business Park Precinct and seeks:</p> <ul style="list-style-type: none"> ▪ <i>To provide for a complementary mix of medium and high rise development within the Precinct.</i> ▪ <i>To provide continuous public access along the waterfront area adjoining Moonee Ponds Creek and Victoria Harbour.</i> ▪ <i>To facilitate innovative buildings and structures relating to the Waterfront City precinct for entertainment purposes.</i> ▪ <i>To ensure the conservation of the general form of Victoria Harbour.</i> <p>DDO54 sets a discretionary maximum building height of 45 metres for land within Area 1 and 50 metres for land within Area 4, other than buildings and structures that form part of a theme park or are used for entertainment purposes.</p> <p>A permit is required to exceed the maximum building height.</p>
Parking Overlay - Schedule 10 Docklands Business Park	<p>Sets out maximum car parking rates for various land uses including:</p> <ul style="list-style-type: none"> ▪ 1.5 spaces to each dwelling. ▪ 3 spaces to each 100 m² of office gross floor area. ▪ 0.4 spaces to each room for a residential hotel. ▪ 4 spaces to each 100 m² of retail gross floor area. <p>A permit is required to provide car parking spaces in excess of the maximum number specified.</p>

Particular Provisions	
Clause 52.06 Car Parking	A permit is required to provide more than the maximum parking provision specified in a schedule to the Parking Overlay.
Clause 52.34 Bicycle Facilities	A new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land. A permit may be granted to reduce or waive the bicycle parking requirement.

General Provisions	
Clause 72.01 Responsible authority for administering and enforcing a provision of this planning scheme	The Minister for Planning is the Responsible Authority for this matter as the total floor area of the proposal exceeds 25,000 square metres.
Clause 65 Approval of an application or plan	Sets out matters that the responsible authority must consider before deciding on an application.
Clause 66.02-11 Integrated Public Transport Planning	An application for in excess of 60 dwellings, 4,000 square metres of retail floor area or an office development of 10,000 square metres must be referred to the Department of Transport as a Determining Referral Authority.
Clause 66.04 Referral of permit applications under Local provisions	Any application for use or development within the Docklands Zone must be referred to Development Victoria as a Determining Referral Authority.

6. PUBLIC NOTIFICATION

Section 3.0 of Schedule 7 to the Development Plan Overlay specifies that, in assessing an amendment to a Development Plan, the Responsible Authority (i.e. the Minister for Planning) should, among other things, consider the views of the City of Melbourne.

The application was therefore referred to the City of Melbourne for consideration and advice.

7. CONSULTATION

Prior to submitting the original DP Addendum to DELWP for approval, the applicant discussed the proposal with the following authorities:

- Development Victoria
- DELWP
- Melbourne City Council
- The Victorian Design Review Panel of the OVGA.

Further to the above, the applicant engaged Max Hardy Consulting to facilitate a community engagement process in relation to the original proposal. This process is outlined in the submitted report dated 13 August 2019 and consisted of a series of community drop-in sessions and small meetings with local stakeholders (including Docklands Primary School, Melbourne Star Observation Wheel, MAB and Docklands Studios).

Key concerns raised during consultation include excessive building height, overshadowing, loss of views, parking provision and ground level activation.

The applicant discussed the proposal with Council, DELWP and Development Victoria on numerous occasions leading up to the submission of the final version of the DP Addendum.

Further community engagement relating to the amended design has not occurred to Council's knowledge.

8. REFERRALS

The application was referred to the following areas of the City of Melbourne for comment with responses summarised below.

8.1. Urban Design

Council's Urban Design Team attended several rounds of online meetings; and provided advice on numerous occasions throughout the application assessment process.

Final Urban Design advice was prepared on 21 October 2021 and includes the following summary:

'From an urban design perspective most critical matters (to the extent of our ability to influence them) appear to have now been considered.

While further pedestrian connections across the site haven't been facilitated, the potential for a future link to the west has been noted.

Activation to the north-south link will be accommodated through building lobbies – some further analysis of streetscape design could occur in the application phase to ensure a high level of amenity and safety for pedestrians.

A statement requiring Design Excellence has been included, and the design principles for the larger massing forms requires visual break-down of bulk and human scale, as well as some positive precedent.'

Noting that each stage will be subject to separate planning permit applications, Council's Urban Designer is satisfied with the amended DP Addendum, and did not recommend any conditions.

8.2. Open Space Planning

Council's Open Space Planner provided the following comments on 5 May 2021:

'As there is no public open space proposed as part of this development, the following comments are general in nature and relate only to the publicly accessible open spaces, primarily the 'plaza' and the 'High Park' / 'communal open space'.

It is not clear from the Development Plan what the intended functions of the various publicly accessible open spaces are. The design objectives set out in sections 6.1.1–3 of the DP might be clearer and more meaningful if the primary function of each space was first defined. For example, section 6.1.2 states that the 'two areas of open space should provide open spaces suitable for their intended purpose' but it is not stated what that intended purpose is. Without that definition, the statement doesn't hold much meaning.

The size of the elevated communal open space and its interface with residential or mixed residential/commercial towers presents a real opportunity to provide meaningful play, informal recreation and gathering spaces for residents (and workers and visitors). Public Realm Plan 9 includes reference to temporary half-court basketball and does not reference play elements. It is suggested that the word temporary is removed and that play elements and picnic facilities are included in the list of ingredients for the high park, to ensure they are considered at a future design stage. Such features in a space like this would provide a point of difference to much of the open space offering in the immediate area.

As a point of clarification, the statement of there being no public open space is in response to the fact that the plaza along Little Docklands Drive would remain in private ownership, and therefore not formally constitute public open space.

It is considered that the above matters could be suitably resolved via conditions requiring amended objectives for open space areas.

8.3. City Design

Council's Principal Landscape Architect provided comments on 7 May 2021, acknowledging the substantial improvements compared to the original application. The advice did, however, note some concerns relating to the design of the plaza, clarity of plans and the proposed tree planting schedule.

Following a review of the final version of the DP Addendum, Council's City Design Studio advised on 16 November 2021 that:

We believe the comments provided by the consultant and Urbis are appropriate particularly relating to works outside of the title boundary. City Design (landscape) has no further comments.

8.4. City Strategy

Council's City Strategy Team was closely involved in discussions relating to community infrastructure as part of the original application, and ultimately supported a cash-in-lieu payment for community facilities in Docklands be made to Development Victoria in accordance with their sale agreement.

Following a review of the final version of the DP Addendum which includes a Civic Building, and a meeting with DV on 19 November 2021, Council's City Strategy team provided the below comments:

City Strategy are generally supportive of the proposed 1,250 m² land contribution to be provided for future civic use, as identified in the proposal for 50-94 Waterfront Way and 2-16 Little Docklands Drive, Docklands. It is understood that the land contribution would be gifted freehold to Development Victoria (DV), free of encumbrances and remediated to the standard required for its intended purpose. DV have indicated that the land is valued at \$2.5 million.

The location of the site on the corner of Little Docklands Drive and Footscray Road has a number of advantages that would support development as a civic use, being:

- *Located on a prominent intersections with high visibility from passive traffic on Footscray Road;*
- *Directly opposite Docklands Primary School which has potential benefits of provided reciprocal use between facilities;*
- *Little Docklands Drive is one-way with left only access to Footscray Road provides lower order road access which would support pedestrian accessibility and crossing;*
- *Walking distance to active transport with tram stops along Docklands Drive;*
- *Walking distance to District Docklands shopping centre providing convenience to community users; and*
- *Potential for future pedestrian access over Footscray Road via North Link pedestrian bridge.*

The previous proposal presented to FMC in September 2020 (item 6.3) included 220 m² community facility which would be provided for a peppercorn rent up to 18 years. While City Strategy did not oppose the proposal it was recommended

to be provided as a cash-in-lieu payment as it did not present a genuine public benefit. The revised proposal presents a more substantive and flexible offering that could enable development of a building which provides an integrated offering of community services.

However, the development of any new facility on this site would be subject to identifying capital and operational funding sources to design, construct, resource and operate the facility. This sits outside of and separate to this community benefit proposal.

A draft Community Infrastructure Needs Assessment report commissioned by Development Victoria, in consultation with CoM, identified that the northern sub-precincts of New Quay and Waterfront City will have the greatest residential and worker population increases in Docklands. The report recommends that any new civic spaces should be concentrated within these sub-precincts to cater for future demand for services. The location of the proposed civic space in Waterfront City will therefore contribute to address this future demand for community services.

CoM will need to work with Development Victoria to confirm the use, activities, floorspace requirements, building standards and funding sources for construction and fit out of a new community facility on the proposed site. The site would remain in Development Victoria ownership until the building is constructed.

As part of this future detailed design phase, consideration should be given to the following:

- *A portion of the site is identified as a public pedestrian plaza. CoM will need to confirm who is responsible for the construction and maintenance of this space.*
- *CoM would need to confirm if there are limitations for construction on the site, for example if the site is affected by noise attenuation measures given proximity to Footscray Road.*
- *The permitted building envelope in the Development Plan and development parameters.*
- *The proposed publicly accessible plaza to the west and co-located pedestrian link presents opportunities for outdoor programmable event spaces. CoM will need to agree with the developer use of these spaces.*
- *The terms on which the building would be transferred into CoM ownership.*

City Strategy did not recommend any conditions.

8.5. Sustainability

Council's Green Infrastructure and ESD Officer reviewed the originally submitted application advised that they were supportive of the 5 Star Green Star / NABERS requirement, though recommended the following update to Section 4.4.3 of the DP Addendum:

To ensure Australian best practice sustainability performance, the development will:

- *Be required to achieve minimum 5 Star Green Star certification, and 5 Star NABERS ratings where applicable.*
- *The Green Infrastructure for developments will be benchmarked using the City of Melbourne's Green Factor Tool.*

Section 4.4.3 of the updated DP Addendum remains unchanged, and was therefore not re-referred to Council's Green Infrastructure and ESD Officer for review.

The same condition will be recommended for inclusion in and a final DP Addendum.

8.6. Engineering

8.6.1. Traffic

Council's Traffic Engineer provided advice in relation to the application on multiple occasions, with further discussions held directly between them and Cardno (the project Traffic Engineer).

Final traffic comments were received on 30 September 2021 and are as follows:

- *Traffic generation and SIDRA analysis should be reassessed, based on a realistic/conservative assumption of the office car parking turnover of 60% during peak hours, rather than around 20% assumed in the TTA, to ensure a conservative/robust assessment.*
- *Commitment should be made to provide several car share and electric charging spaces on site.*
- *Formal independent desktop Road Safety Audits of the proposed developments should be undertaken, at the developer's expense, which should include the vehicular/bicycle/pedestrian access arrangements, loading arrangements and internal circulation/layout. The findings of the Audits should be incorporated into the detailed design, at the developer's expense.*
- *Proposed parking provision are approximately 3x that contemplated by the 2003 DP. This is considered to be excessive, would encourage private vehicle use and significantly increase traffic in the local area. The additional office/residential car parking is unnecessary, given the availability of excellent sustainable transport modes in this area. Accordingly, any increase in the car parking above the provision contemplated in the previous DP is not supported.*
- *Proposed bicycle facilities are considered to be inadequate and should be in accordance with relevant Green Star requirements. The use of apartment storage spaces for bicycle parking is inappropriate. Commitment should be made at this stage to provide improved bicycle facilities, in accordance with relevant Green Star requirements.*
- *Proposed number/allocation of additional car parking spaces should be fully detailed, and proposed bicycle/motorcycle parking provisions/requirements should be clarified.*
- *All spaces, ramps, grades, transitions, accessways and height clearances must be generally designed in accordance with the MPS or AS/NZS 2890.1:2004.*
- *Proposed parking provision for the office component should be at least halved to 0.5 spaces/100m², given the ample sustainable transport modes available in the vicinity of this prime central city location.*
- *As the proposed increase in traffic generation will have an impact on the operation of Footscray Rd, which is an Arterial Road under DoT management, this application should be referred to DoT for comments/approval.*
- *Consultation with the management of neighbouring properties including Costco, MAB and the school should be undertaken regarding this*

application, and any issues raised through the consultation should be resolved prior to commencement of works.

- *Design of the loading areas, including all space dimensions, grades and height clearances, should comply with relevant Australian standards. Loading Management Plans must be prepared for the proposed developments, specifying how the access/egress of loading vehicles is to be managed. Dock Managers should be employed, responsible for controlling the operation of the loading areas and unloading of goods.*

Please note the following comments in relation to the proposed road (Waterfront Ln):

- *Ultimately, our Civil team will provide feedback on the detailed design of the road. These comments by no means constitute agreement to the design/relocation of the road.*
- *Report on the road would be required from the developer's traffic consultant.*
- *Pedestrians must have full priority over the vehicles entering/exiting the road. Given the new school nearby, it is imperative the safety of pedestrians/children walking along the footpath is given the highest priority.*
- *Formal Road Safety Audit should be undertaken.*
- *Any loss of on-street parking should be minimised.*
- *Vehicles should be able to U-turn to the east of the parking bays.*
- *Raised Zebra crossing, bike priority crossing and narrow road hump should be provided.*
- *DoT approval would be required for the Zebra and bike priority crossings.*
- *Consultation must be undertaken with the school and all issues must be resolved to its satisfaction. As noted by Cardno, the school does not currently support the proposed two-way arrangement in Lt Docklands Dr as this would increase the risk to children. Unless this concern is addressed to the school's and our satisfaction, the developer should have no expectation that the proposed arrangement would ultimately be approved.*
- *Approval for the removal/relocation of trees would be required from our Urban Forest and Ecology unit.*

In regard to the first point regarding the SIDRA Analysis, a further response was prepared by Cardno on behalf of the applicant. Based on a review of this correspondence, Council's Traffic Engineer advised that they accepted the applicant's position.

It is considered that the above matters could be resolved via conditions, noting that some are detailed matters more relevant to subsequent planning permit applications.

8.6.2. Waste

The originally submitted DP Addendum did not provide any guidance in relation to waste management. In the absence of any such guidelines, Council's Waste Engineer recommended the following points be included in a new section of the DP Addendum:

- *An emphasis on resource recovery in order to reduce the overall amount of waste going to landfill.*
- *Separation of organic waste for commercial developments generating over 1500/L per week (soon to be mandated).*

- *Separation of organic waste in residential developments is not mandated but encouraged.*
- *Provision of a communal waste management facility to reduce overall truck movements to the precinct.*
- *A Waste Management Plan for each stage of the development.*
- *Residential waste to be collected by Council. Residential glass and organic waste to be managed privately until Council provides a collection service for these resources.*
- *Collections of each waste stream to be limited to a maximum of 3 per week.*
- *Provision for the storage and disposal of hard waste and e-waste.*

The updated DP Addendum did not include a Waste Management Plan or incorporate any of the recommended points. Council's support for the updated DP Addendum is therefore conditional on the above points being incorporated into a final version.

8.6.3. Civil Design

Council's Civil Design Team advised that it did not have any comments to make on the proposal.

8.7. Land Survey

Council's Land Survey Team advised that it did not have any comments to make on the proposal.

9. ASSESSMENT

The key issues in the consideration of this DP Addendum are:

- Land use.
- Built form, including height and setbacks.
- Public realm considerations, including landscaping, overshadowing and wind.
- Public benefits, including public art, community facilities and affordable housing.
- Traffic impacts, bicycle facilities and car parking.
- Other matters, including staging, waste management and signage.

Each is addressed in turn below.

9.1. Land use

The proposal includes a mix of retail, office and residential uses, which align with Schedule 6 to the Docklands Zone, within which the site is located. Office, residential hotel, dwelling and most retail uses (including hotel, tavern / bar and shop) are Section 1 uses with a permit not required for the land use.

The Municipal Strategic Statement (MSS) likewise identifies Docklands as being an Urban Renewal Area (Clause 21.13-2) where mixed use development is supported, including medium to high density residential development, as well as office and commercial development.

Recent changes to the lower levels of the existing multi-storey car park within the western side of the precinct have positively introduced a supermarket and fresh food hall, retaining the parking at upper levels. A residential hotel has also been approved in this location and is likely to commence construction in early 2022.

The new proposal (refer to Figure 21) favours a flexible approach to future land uses, with three of the six buildings being for 'residential / employment uses' and only two dedicated 'employment uses' (down from three in the original proposal). This will nevertheless seek to re-address the preponderance of residential development in this area of Docklands.

Of the five main buildings only one, Building 1 along the western frontage, is designated residential, and that will accommodate the approved residential hotel.

Strategically, the focus on office uses, without precluding the opportunity for some residential buildings, depending on market demand, is supported.



Figure 20 – DP Addendum Concept Plan 3 - upper land uses

9.2. Built form

9.2.1. Site Layout

The site layout is structured around the constraint of the retained multi-storey car park, which occupies more than a third of the site. This limits layout options, but the applicant considers the retention of the car park is non-negotiable due to existing leasing commitments. The car park roof, some 22.4 metres above ground level, is positively converted to a communal open space for use by new buildings surrounding its perimeter. Public access lifts are proposed to provide access from adjoining streets but it is considered doubtful that this will generate much public uptake and management limitations are likely to be imposed.

The other structuring element is the vehicle access connecting Little Docklands Drive and Waterfront Way through the remainder of the site to the east and north of the car park. The WFCDP nominates a similar vehicle connection as an open-to-sky street with trees. However, its alignment is now kinked and its connections displaced to the west on Waterfront Way, to avoid a straight through wind tunnel, and moved to the east on Little Docklands Drive, to avoid a direct 4-way cross intersection. This rationale is accepted.

The through link is now partially covered by Building 7 and a glass roof canopy which has been added to maintain comfortable wind conditions along the laneway, owing to the tall buildings proposed on either side.

The ground level layout is perhaps the most significant change from the original proposal, which sought to cover the entire through link (described as Waterfront Lane) with a raised deck. This layout was considered to be highly problematic, due to the disconnect between the raised pedestrian links and the surrounding streetscape, and its removal is welcomed and addresses Council's key objection to the initial proposal. It is positive that the internal street is now largely uncovered and has pedestrian access, although its main function is to service adjoining development.

9.2.2. Building Heights

As noted at Section 4.4 of this report, the WFCDP does not include definitive building height limits for the subject site, though a desire for mid-rise buildings is evident in the corresponding massing diagrams. In lieu of this, the discretionary height limits of DDO54 are the most relevant planning control governing building height on the subject site.

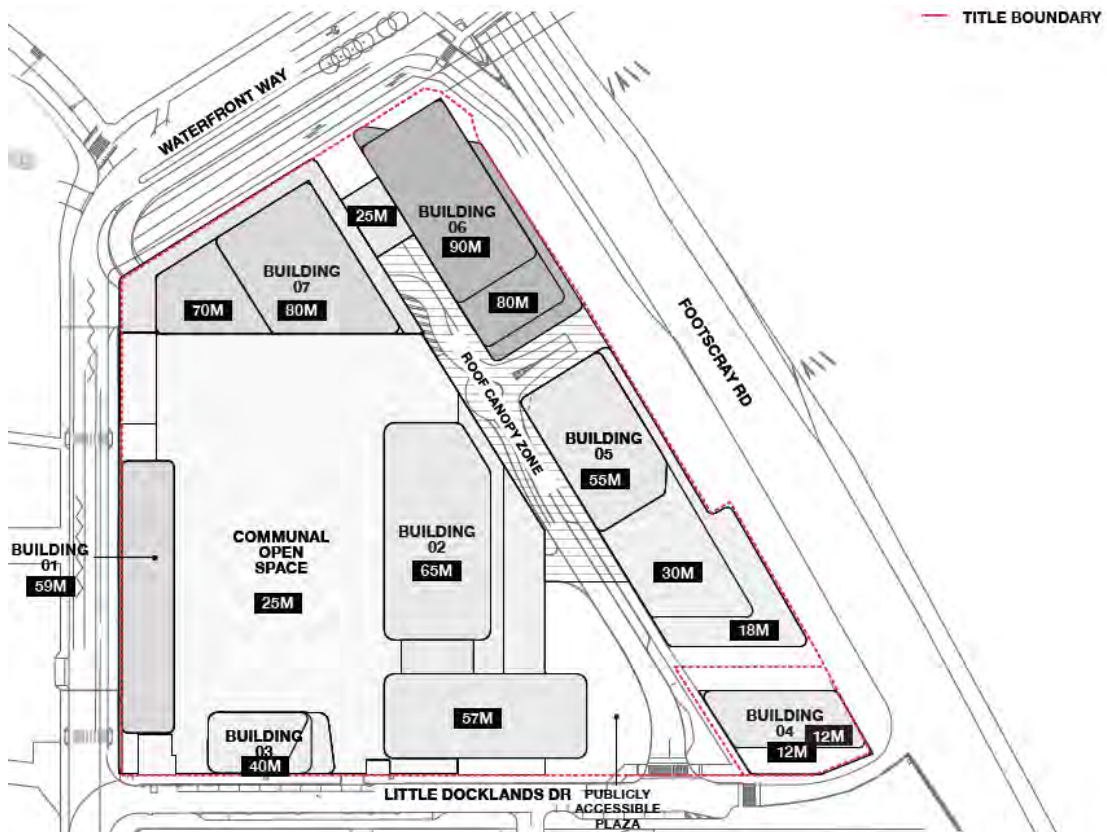


Figure 21 - DP Addendum Concept Plan 5 - Maximum heights, roof plan

The proposed DP Addendum includes six separate buildings with maximum heights ranging from 12 metres (Building 4) to 90 metres (Building 6) as shown in Figure 22. The extent of increased building heights above the current DDO controls is therefore up to 40 metres (Building 6), with Buildings 3, 4 and the southern half of Building 5 being at or below the preferred height.

As depicted in Figure 23, the proposed heights (and envelopes) have changed somewhat since the original proposal was considered by Council, despite the overall GFA decreasing by approximately 5,000 m².

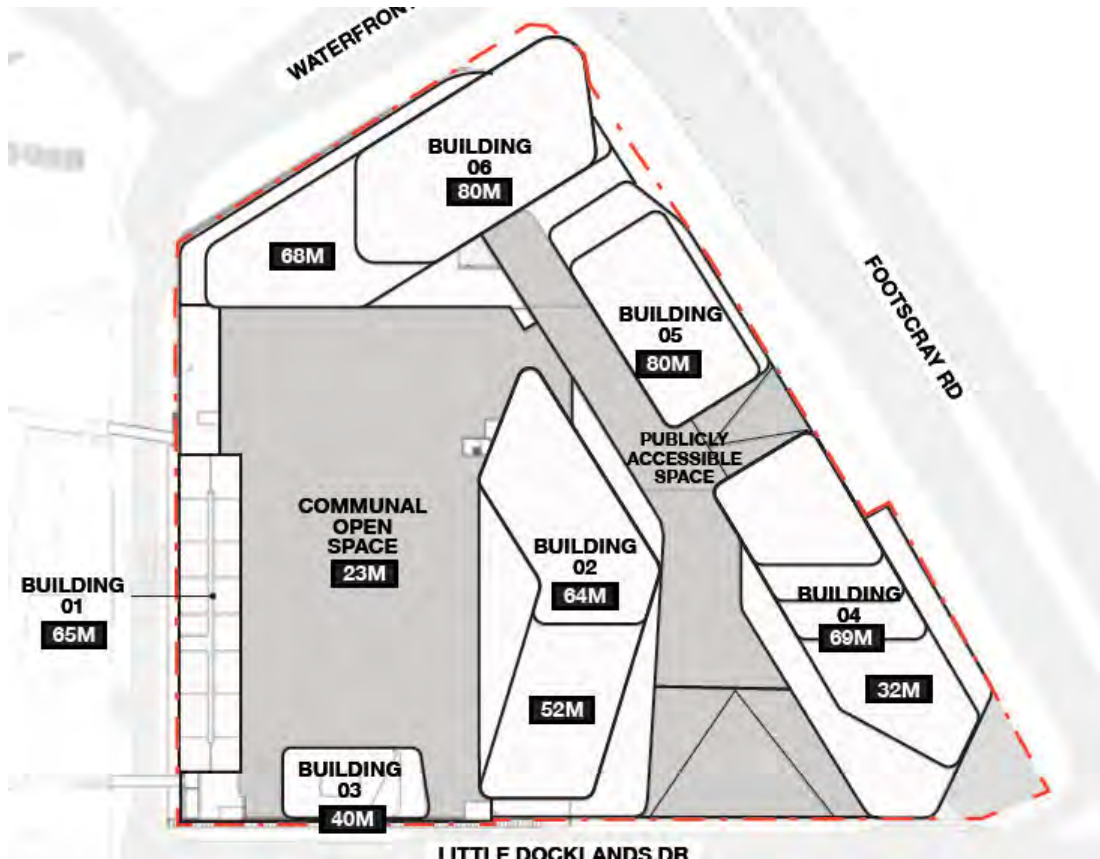


Figure 22 - Original DP Addendum Concept Plan 8 - Maximum heights

This is largely a result of the re-distribution of built form across the site, away from the eastern corner (where it is located opposite Docklands Primary School) towards the northern end of the site. The reduced heights towards the eastern corner will reduce the shadowing impacts on the school, which is discussed further at Section 9.3.3 of this report. This re-distribution is evident in the extracts at Figure 23 below and addresses another key concern of Council regarding the initial proposal.

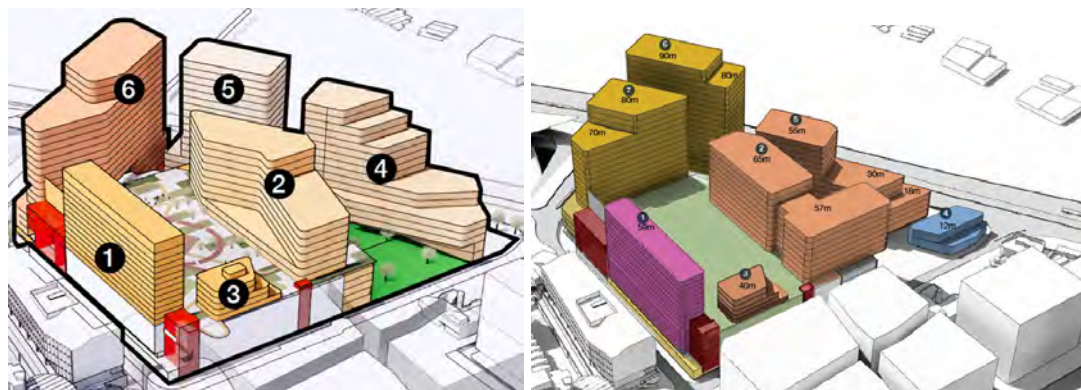


Figure 23 – Building envelopes of the original DP Addendum (left) and Proposed DP Addendum (right)

A key reason for the proposed maximum 80 metre height in the original proposal was to protect views of the Central City from the Melbourne Star Observation Wheel (refer Figure 24).



Figure 24 - Wheel Sightline 1 from the original DP Addendum

The revised height has the effect of reducing the number of 'pods' with a clear view of the city at any one time from approximately five to four, as illustrated in Figure 25. As the Melbourne Star Observation Wheel is now proposed to be removed, the site's relationship to the structure is no longer a critical factor, so long as its removal can be confirmed.

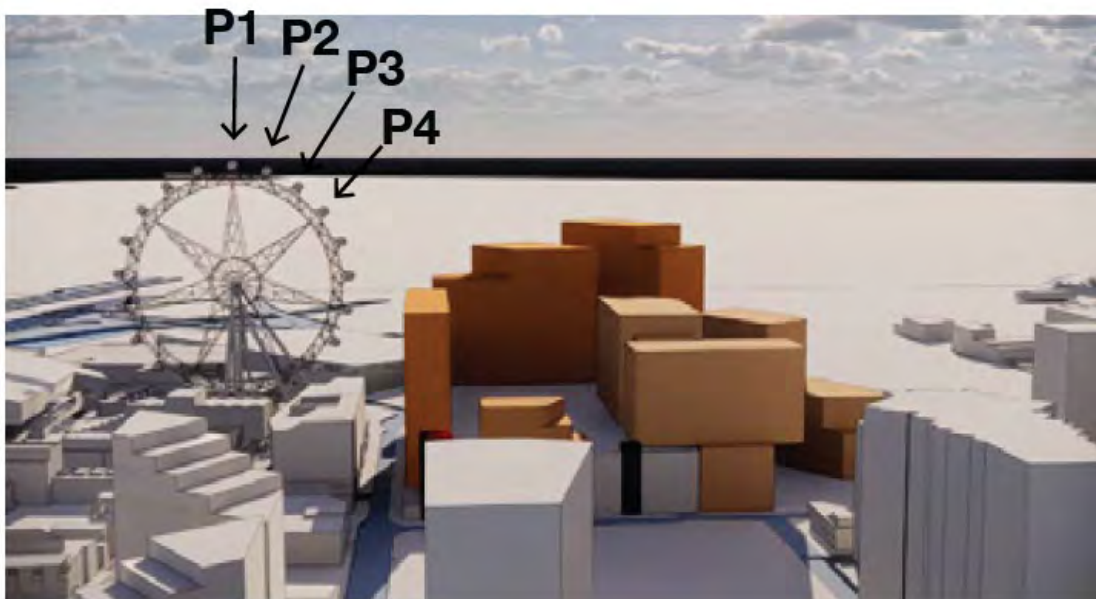


Figure 25 - Views from Melbourne Star Observation Wheel

On balance, and considering the general increase in height of buildings approved nearby in Docklands, responding to expanded growth projections, an increase in height from the WFCDP is not unreasonable. Despite the 10 metre increase in maximum building height of Building 6, when compared to the original proposal, it is considered that this is suitably offset by the reduced building heights towards the eastern corner.

The heights are not arbitrary, being determined by amenity impacts including visual domination, overshadowing and wind. Given the significant overshadowing impacts to the public realm and the school, these heights should be limited as mandatory maximums. Amenity impacts also depend on the size of building footprints, their upper setbacks and the separation between them, which should also be controlled.

9.2.3. Setbacks and Building Separation

As noted at Section 4.5 of this report, the WFCDP does not include specific setback requirements. DDO54 also does not provide any guidance with respect to building setbacks or separation.

In general, the proposed upper level setbacks from the street walls are limited, varying from zero (Building 6 'holding the corner' of Footscray Road with Waterfront

Way and Buildings 1 & 3 over the car park) to three metres (along frontages to Waterfront Way and Footscray Road), to five metres (Building 2 and a portion of Building 5 on Footscray Road). As Building 4 has a maximum height of 12 metres, Building 4 does not include any setback provisions. Given the relatively small scale of the building, it is considered acceptable to retain a high level of flexibility in the planning application stage, noting that overshadowing requirements may dictate the final form.

Setbacks to the internal publicly accessible spaces are also limited in the DP Addendum graphic (refer to Figure 26) with many at zero metres, and although some stepped forms are shown, these are indicative without any measurements to confirm them. In general terms, the DP Addendum graphics indicate quite specific forms which may be misleading as there are no measurable controls to support them.

Experience elsewhere, including the Hoddle Grid and Southbank, where setbacks were subject to close scrutiny in the formulation of Planning Scheme Amendment C270 and its associated DDO10 is that a mandatory minimum setback to provide both a visual break and to deflect wind down drafts is five metres (noting that the preferred setback remains at a more generous 10 metres). There is no good reason to differ from this practice at Waterfront City East, particularly given the exposed nature of the site.

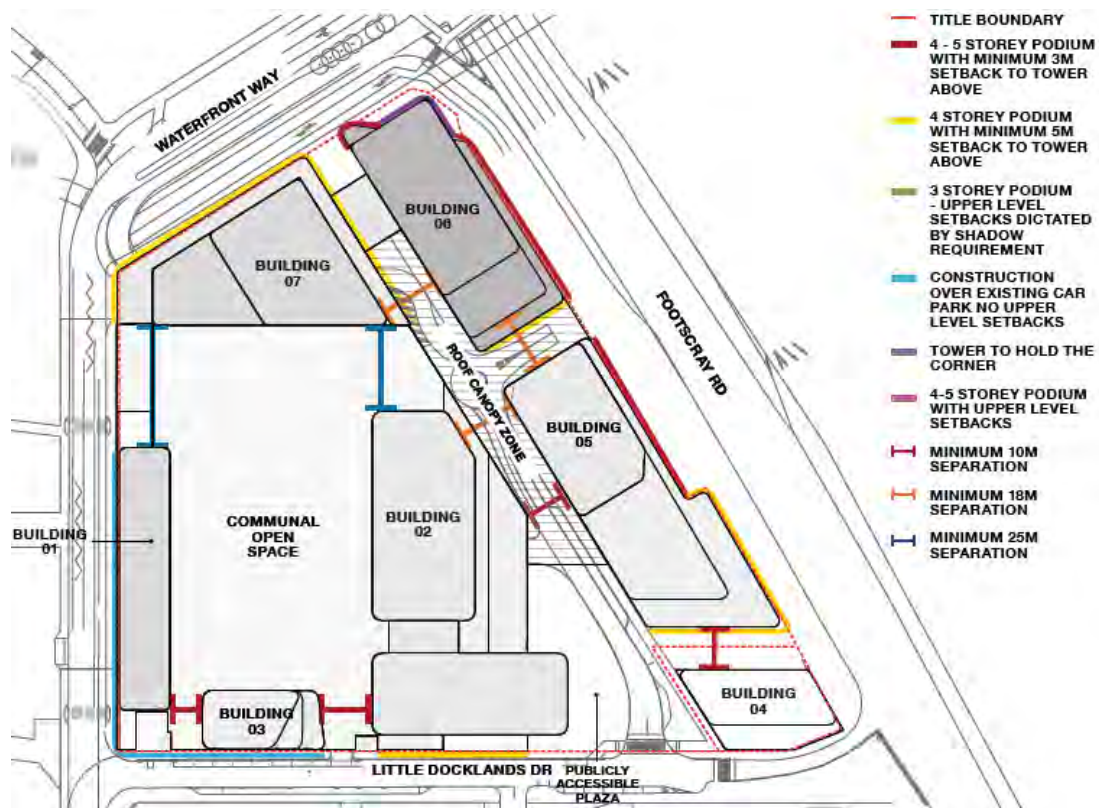


Figure 26 - Concept Plan 7 - podium heights, tower setbacks and separation

In contrast, the proposed street wall or podium heights are generally in the acceptable range of 3-5 storeys, which is a height relevant to pedestrian scale and less impacted by adverse wind effects. The exceptions are Building 1 where the 59 metre residential building directly abuts Waterfront Way and Building 6 where a sheer wall abuts the main street corner. This is accepted as Building 1 is a functional extrusion of the existing car park setback, and Building 6 is designed to “hold the corner” of the Footscray Road and Waterfront Way intersection.

In terms of building separations, all taller buildings are to be separated by a minimum of 18 metres. This is an acceptable distance to ensure views between buildings and achieve privacy, daylight and outlook amenity. However, and considering the substantial depth of most blocks (around 30 metres, which highlights any canyon effect), it must be made a mandatory minimum separation wherever shown.

In comparing the Proposed DP Addendum to the original proposal, another evident change is the splitting of Building 6 into two distinct forms, and the creation of Building 7. This addresses another previous concern in relation to excessive length of Building 6 along Waterfront Way.

Furthermore, the 'Design Excellence' guidelines at Section 5 of the proposed DP Addendum have also been revised to include more detailed, and building specific Design Principles. Council's Urban Designer has advised that the revised Design Principles address their previous concerns that the guidelines were too general in nature.

9.3. Public Realm

9.3.1. Activation

The Development Plan proposes surrounding street frontage activation of eighty per cent at the ground level of Building 7 and adjacent to the public plaza, fifty per cent to the refurbished car park and the eastern half of building 5, a combination of 'Building Lobby Entry' and service road frontage to the internal road and 'Veloway Frontage' along the remainder of Footscray Road.

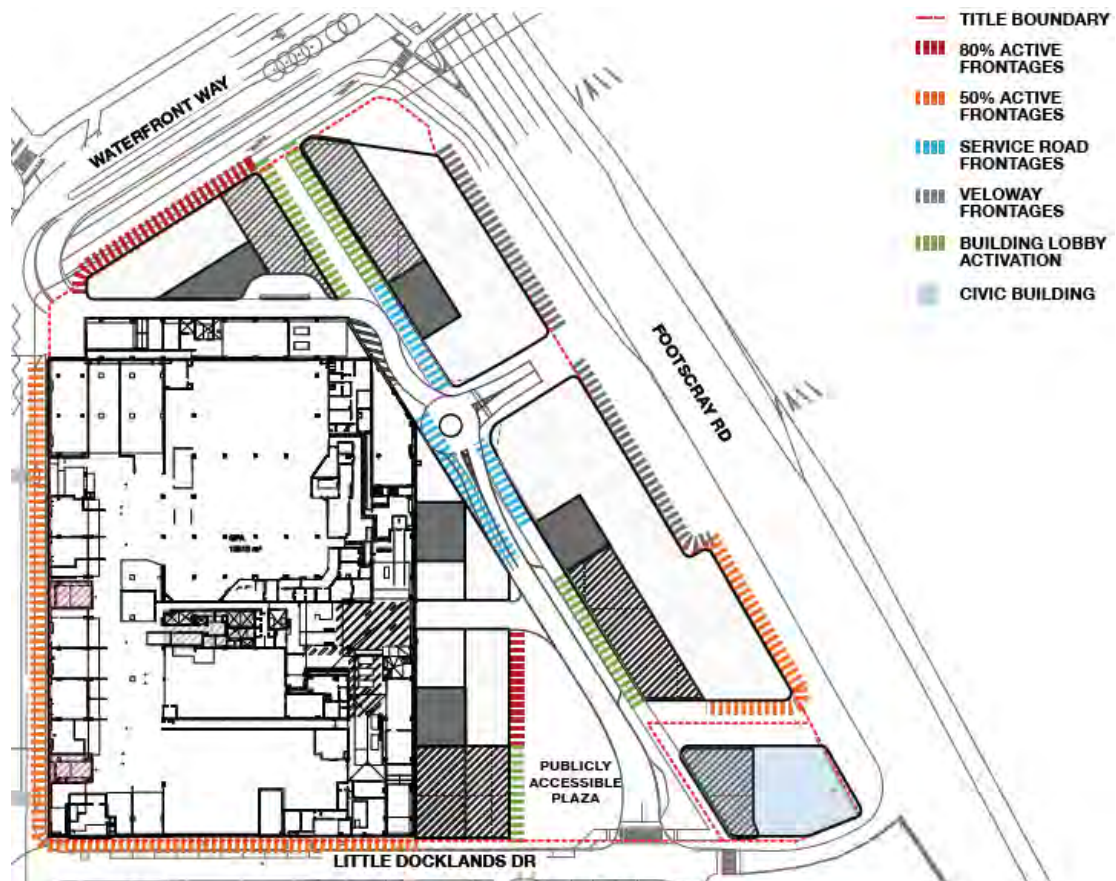


Figure 27 - Concept Plan 3 – Ground Flor Public Realm Activation

The 'Veloway Frontage' is described at Section 4.5 as follows:

'The proposed veloway will block access and visual connection to Footscray Road. The aim will be to provide active frontages, but will be dependent on the final design of the veloway.'

The extent of active frontage for areas designated 'building lobby activation' is not defined, and an extent of active frontage to the civic building has not been nominated.

Overall, this is a considerable reduction from the original proposal, which set an active frontage of fifty per cent to the refurbished carpark, and eighty per cent to the remaining frontages (refer to Figure 28).

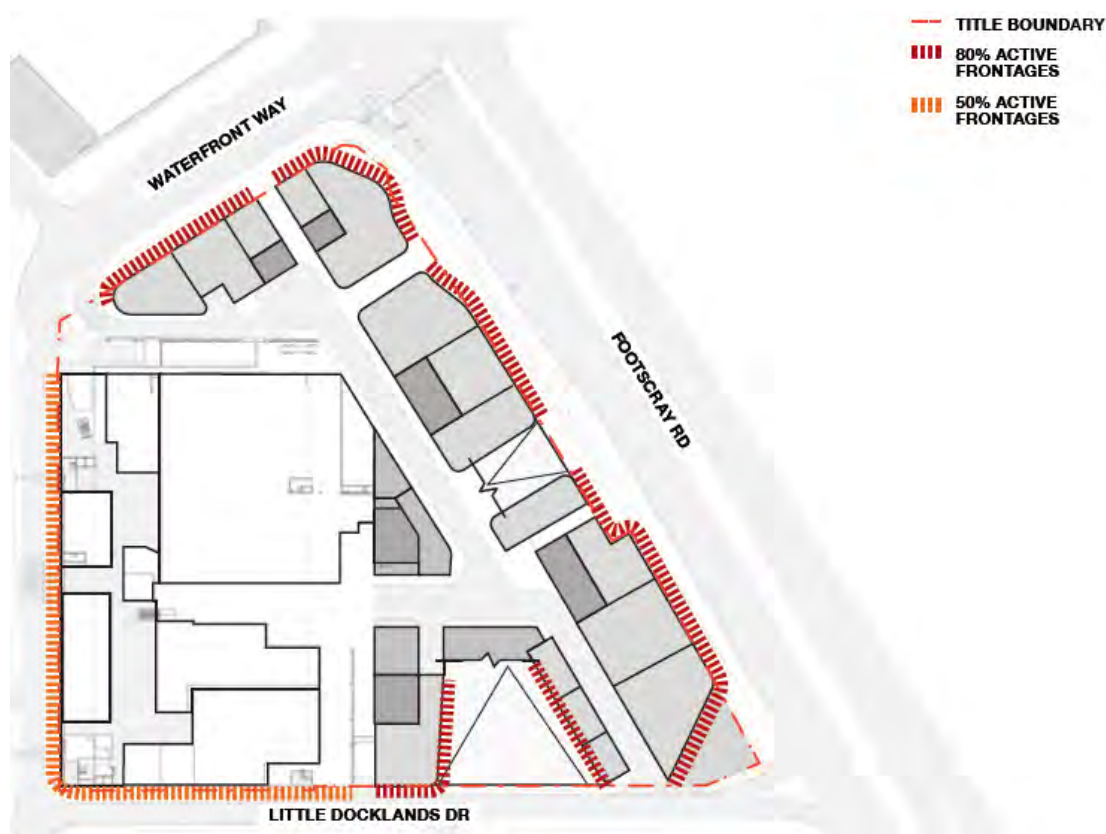


Figure 28 - Concept Plan 4 - Ground Floor Public Realm Activation from the original proposal

It is considered that the provision of only fifty per cent active frontages for the majority of street frontages would not result in a sufficiently high level of pedestrian amenity. The inclusion of 'Veloway' and 'Building Lobby' frontages, without being fully defined, provides limited guidance for future applications.

To address these matters, the concept plan should be updated as follows:

- Eighty per cent active frontages extended to buildings facing the publicly accessible plaza, and the street frontages of Building 4.
- All remaining frontages, other than 'Service Road' updated to be fifty per cent active.

Further to the above, it is noted that a section of Building 7 is shown as 80 per cent active frontage, despite being identified in the accompanying wind report from MEL Consultants as a location which would require vertical screens for wind mitigation. This should also be captured in a revised Concept Plan.

9.3.2. Landscape

The Landscape Public Realm Plans concentrate on the plaza, streetscape interface, northern corner of the site and communal open space above the existing carpark.

They propose general concepts, planting schedules and benchmark images for a series of spaces. In contrast to the original proposal, the planting in the plaza would have access to deep soil, as opposed to being located on a ramp above an at-grade carpark (refer to Figure 30).

Following a review of the Public Realm Plans, Council's City Design Studio has advised that the level of detail and landscape design objectives are acceptable, noting that a complete set of detailed landscape plans will need to accompany applications for each stage of the development.

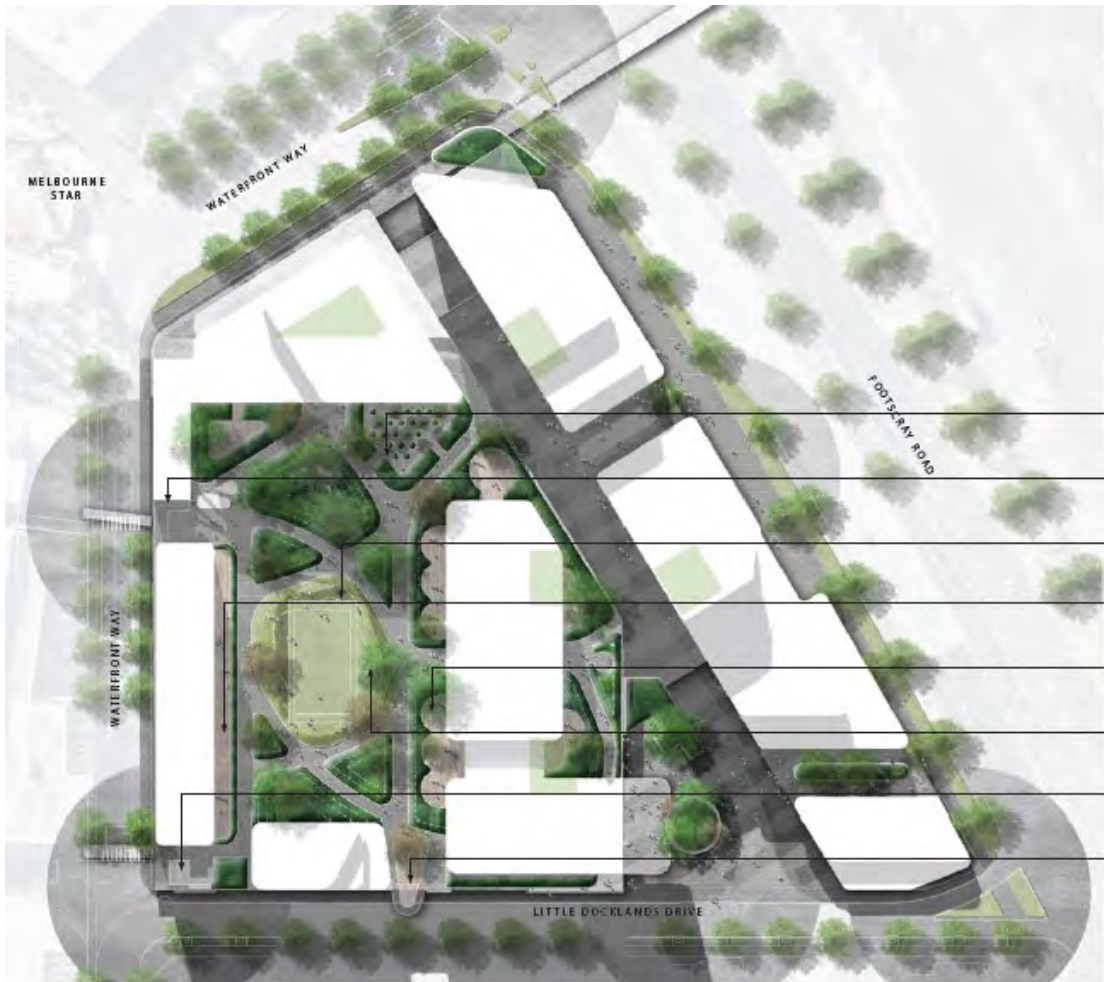


Figure 29 - Public Realm Plan 2

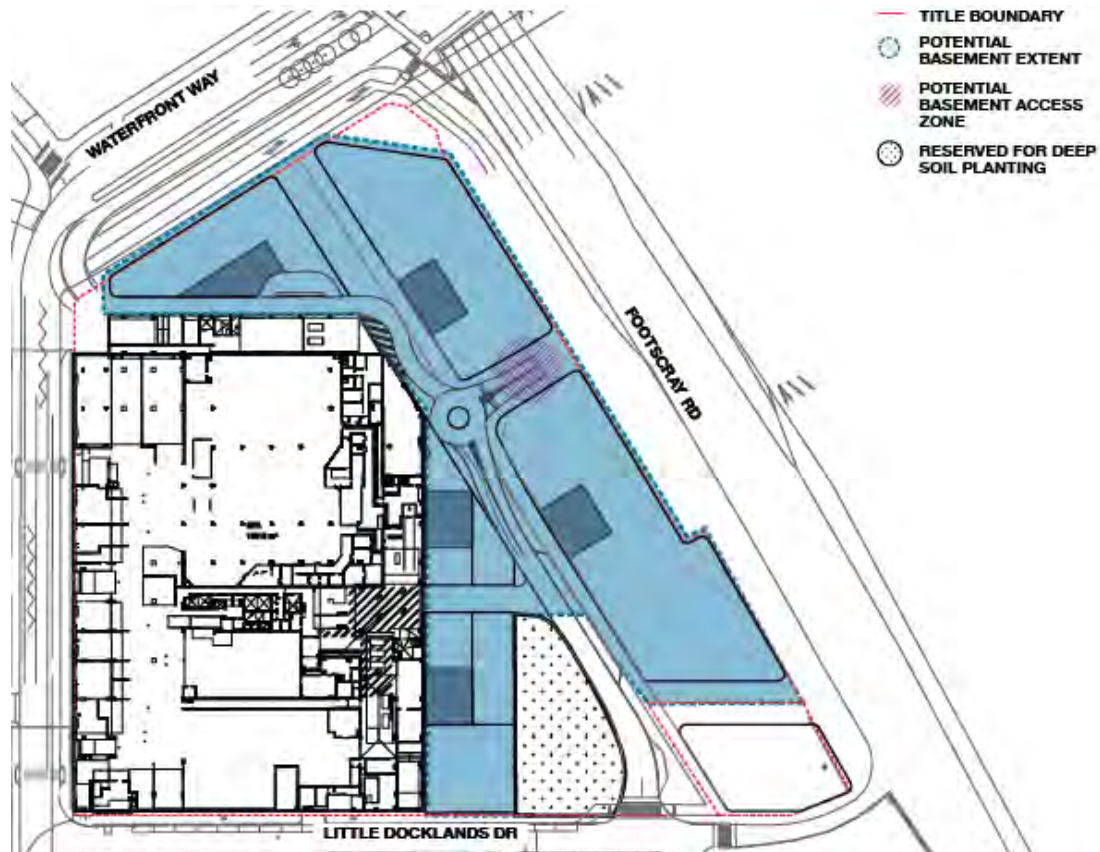


Figure 30 - Movement and Parking Plan 5 - Possible basement extent

9.3.3. Overshadowing

The increased heights proposed as part of the DP Addendum impact the extent of shadowing over public areas.

Owing to the fact that Clause 22.02 (Sunlight to Public Spaces) does not apply to land within the Docklands Zone, the original proposal adopted the 9am to 3pm period on the Equinox as a benchmark. Key requirements of that proposal were that any future development would result in:

- *No additional overshadowing between 9am and 3pm on the equinox over the school site south of Little Docklands Drive.*
- *The open space north of Little Docklands Drive (across from the school) with 'some direct sunlight that moves across the space between 11am and 3pm on the equinox'.*

The current proposal has been updated to reduce building heights to the eastern corner of the site, opposite the Docklands Primary School. This built form reduction would result in reduced overshadowing of surrounding land, and is reflected in the following updated requirements for the same spaces at Section 4.8 (Overshadowing):

- *The open space for the school on Little Docklands Drive*
 - *No additional shadowing between 9am and 2pm on the winter solstice.*
- *The publicly accessible plaza on Little Docklands Drive*
 - *At least 50% access to sunlight that moves across the space between 11am and 2pm on the equinox.*

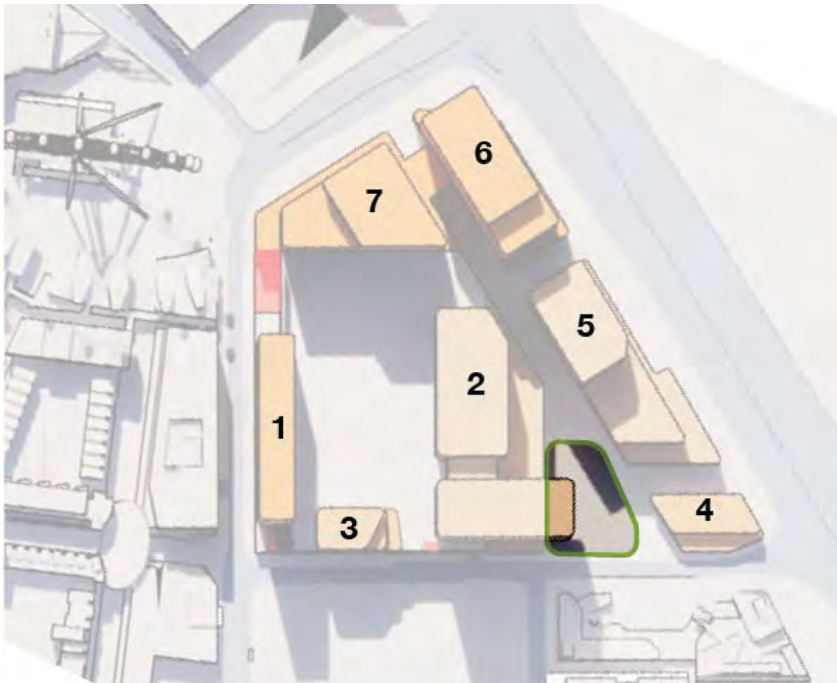
As depicted in Figure 31, the buildings on the site would not cast a shadow over the open space for Docklands Primary at 2pm on the Winter Solstice. It is, however, likely that at least part of that space would be overshadowed by 3pm.



22nd June 2:00PM

Figure 31 - DP Addendum indicative shadow at 2pm on the Winter Solstice

In terms of overshadowing of the plaza, as depicted in Figure 32 below, approximately 60 per cent would receive direct sunlight on the Equinox.



21st September 2:00PM

60% total sun amenity to Plaza

Figure 32 - DP Addendum indicative shadow at 2pm on the Equinox

The shadow impacts to Docklands Primary were a key concern in relation to the original proposal, and the revised design, which would keep the open space free of shadows until after 2pm on the Winter Solstice is a significant improvement.

Similarly, the quantitative overshadowing requirement for the plaza, which would keep a greater extent free of shadows at the Equinox is also very welcome.

Given the lack of overshadowing controls for this land in the Melbourne Planning Scheme, it is considered that those of the DP Addendum are appropriate, and strike a suitable balance between allowing for the redevelopment of the land without compromising the amenity of nearby open space.

9.3.4. Wind

Wind impacts on this exposed Docklands site present major issues and need to be considered early in the development process. That is, it is not sufficient to establish guidelines or standards to be managed through design development at a later date because the fundamental built form parameters of allowable height and setbacks substantially determine wind impacts.

Concept Plans 8 and 9 of the DP Addendum indicate that all publicly accessible areas at ground level should achieve a 'walking' criteria, while the elevated communal open space should achieve either 'walking' or 'stationary' criteria, depending on use.

The corresponding text at Section 4.7 (Wind) does, however, expand on these requirements, noting that the following areas *should* achieve the stationary criteria:

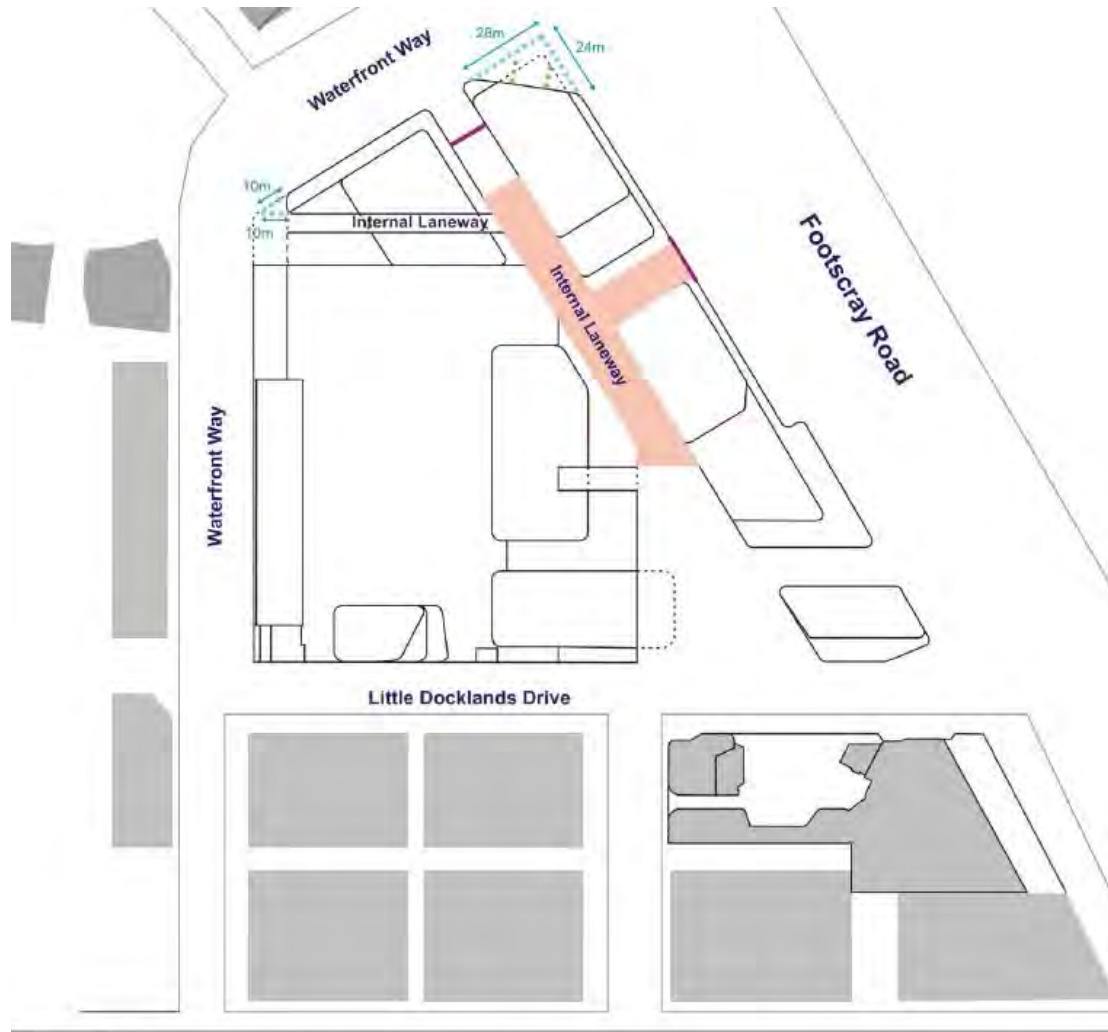
- *In sections of the communal space designed for long term stationary use;*
- *Around entrances and key pedestrian activity areas; and*
- *Within the open space courtyard of Docklands Primary School on the southern side of Little Docklands Drive.*

It also states that:

'The resolution of the specific location of entrances, key pedestrian activity areas and areas for long term stational [sic] uses, i.e. outdoor dining, will be resolved at the permit application stage for each building and will be done so with specific guidance by project wind consultants.'

'The ability to achieve stationary criteria within the courtyard of the Docklands Primary School can be achieved through various design measures and will be resolved at the permit applicant stage for the relevant buildings and will be done so with specific guidance by the project wind consultants.'

It is worth noting that, as outlined in the MEL Consultants wind report of 21 December 2020, these wind comfort levels are predicated on a glass canopy across the northern half of the internal road, plus ten metre high 'porous walls' and a range of wind break screens up to four metres high. The location of these wind mitigation measures are depicted in Figure 33.



Legend

- 10m high porous wall ~70% porous
- 8m long x 4m high wind break screen ~70% porous
- Tapered wind break screen ~70% porous (4m high at the facade & 0.5m high at the other end)
- Canopy (10m above Ground Level)

Figure 33 - MEL Consultants Summary of Ground Level wind conditions for the Proposed Configuration (Nov 2020) with mitigations

Although there are extensive mitigation measures shown at ground level, the report prepared for the original proposal required extensive ground level 'pedestrian exclusion zones' which were apparently sometimes unsafe for occupation (refer to Figure 34).

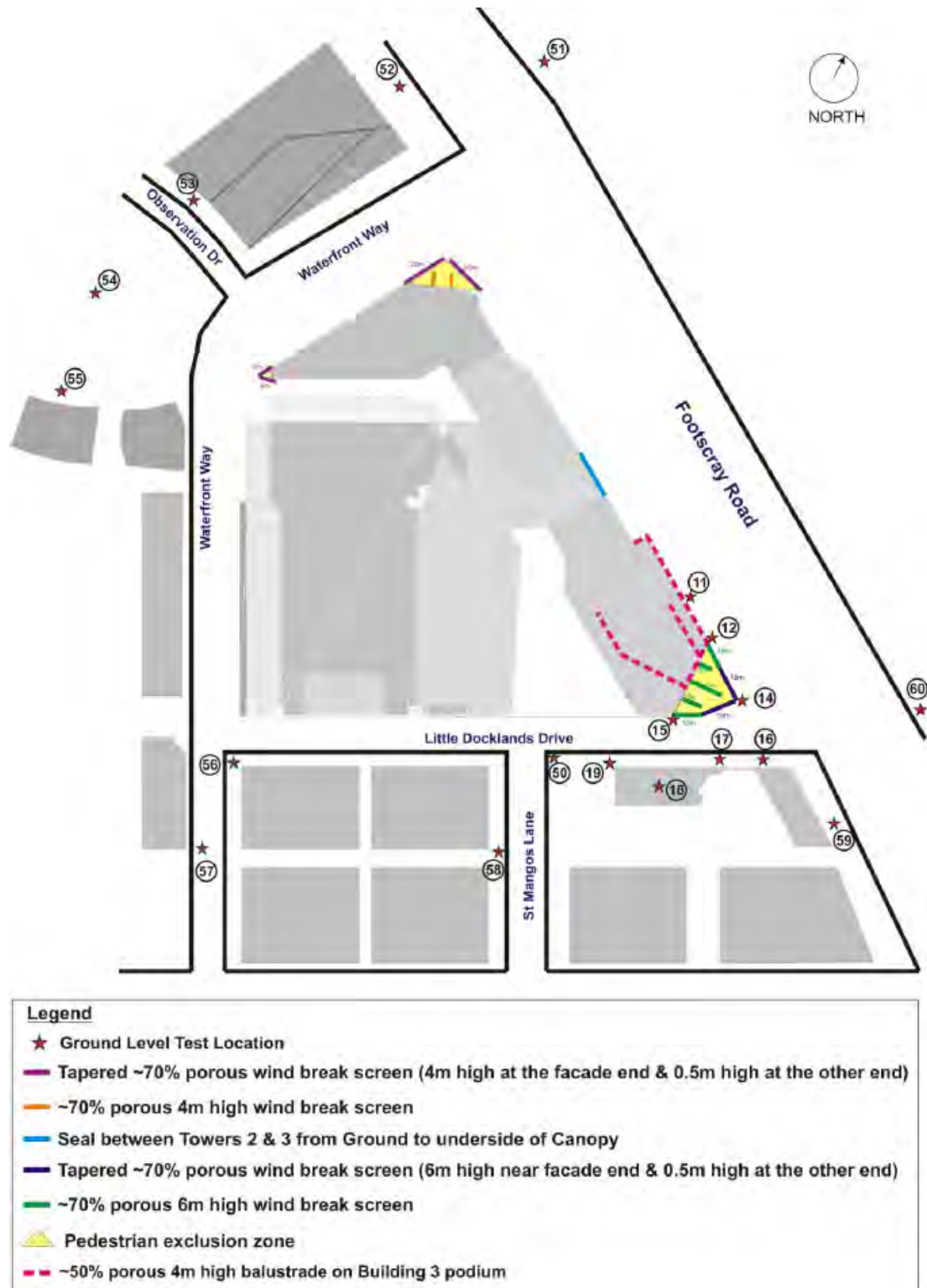


Figure 34 – Wind mitigation measures required as part of the original proposal

It is also noted that the massing diagrams referred to in the MEL Consultants report are dated November 2020. The applicant has informed Council that the massing diagrams of November 2020 are unchanged from those in the final set for consideration, save for a reduction of Building 6 from 100 to 90 metres and a reduction of the Building 2 overhang over the plaza from 10 to 8 metres.

The revised requirements of the DP Addendum, as they relate to wind comfort, are considered to be generally acceptable based on the following:

- All publicly accessible areas would at least meet the walking criterion.
- Key areas including communal spaces, key pedestrian activity areas, building entries and the courtyard of Docklands Primary would meet the stationary criterion.
- The proposed glass canopy, at 10 metres above ground level, would not be located within the key pedestrian movement areas and is not unprecedented within the local area (including at the District Docklands). The DP Addendum makes it clear that the 'first preference' is for wind comfort criteria to be met without the construction of the canopy.
- The vertical screens would be restricted to two locations, including beneath Building 6, which would be cantilevered over that space. Importantly, no screens would be required within proximity of the publicly accessible plaza or civic building.

Notwithstanding the above, it is considered that the following revisions should be made to Section 4.7 (Wind) of the DP Addendum:

- Replace the word 'should' in the first paragraph with 'must' so that the requirements are mandatory.
- Set maximum dimensions for screens, consistent with the wind mitigation measures referred to in the MEL Consultants Wind Report.
- Update Concept Plan 8 to show:
 - The locations which must meet the 'standing' criterion, including Docklands Primary School.
 - Where vertical screens may be used for wind mitigation.
- Include a definition for the wind comfort criteria, consistent with the requirements of Schedule 10 to the Design and Development Overlay, and adopted in the MEL Consultants wind report.

9.4. Movement Network

9.4.1. Pedestrian Connections

The fundamental difference between the current and previously considered proposal is the removal of the above-ground deck, which would have provided for pedestrian connections through the site above the internal road, accessible via a mix of ramps, stairs and lifts.

As illustrated in figure 35, the revised DP Addendum now allows for pedestrian movement through the site at ground level, with two access points along Footscray Road and one each along Waterfront Way and Little Docklands Drive.

A future pedestrian link is also noted through the existing carpark. This was discussed at length with the applicant, who noted that a connection would not currently be possible due to the location of the loading dock and services for the Woolworths supermarket which has a long lease. The notation on the Concept Plan should, however, allow for a connection in the future when the needs and / or design of the supermarket change.

The revised pedestrian connections are therefore considered to be acceptable.

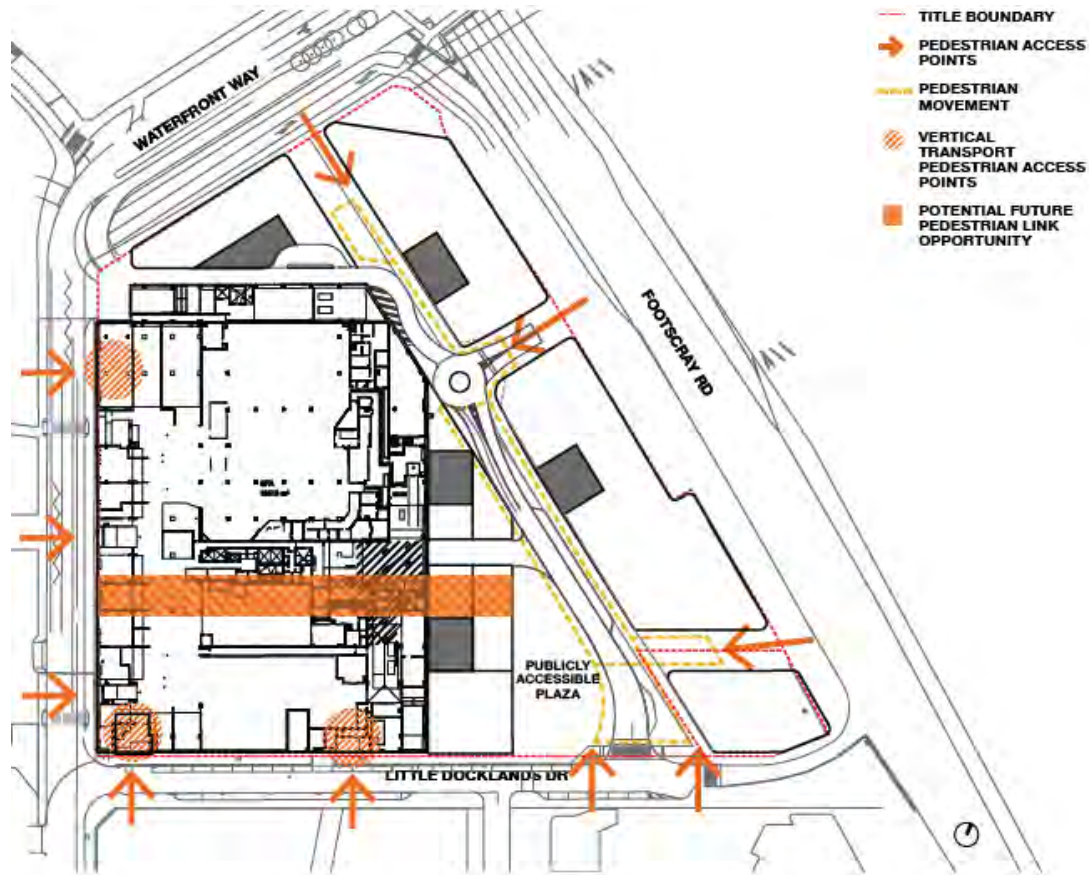


Figure 345 - Concept Plan 23 - Movement and Parking Plan 1 - Ground Floor pedestrian paths and access points

9.4.2. Bicycle Facilities

Section 6.2.3 (Car Parking, Motorcycle and Bicycle Provision) nominates a bicycle parking rate of one space per dwelling and the standard Clause 52.34 rates for employment uses. It would also allow the bicycle parking provision to be met via an apartment locker required to meet requirements elsewhere in the Planning Scheme.

This bicycle parking rate remains unchanged from the original proposal, which Council found to be insufficient for a development of this type in Docklands.

As reiterated by Council's Traffic Engineer in relation to this proposal:

'Proposed bicycle facilities are considered to be inadequate and should be in accordance with relevant Green Star requirements. The use of apartment storage spaces for bicycle parking is inappropriate. Commitment should be made at this stage to provide improved bicycle facilities, in accordance with relevant Green Star requirements.'

In response to the above comment, the applicant advised that:

In the DP we have detail of maximum overall number provided and rates for residential and employment and minimum rates for bikes. Development Victoria has a requirement to meet 5 star Green Star rating which will likely result in bicycle parking spaces being provided well above statutory rates (Section 7, pg41 of attached TIA). Detail of exact numbers and allocation will be resolved at the relevant planning permit stage.

Noting that it will likely be a requirement for future applications, a condition will be recommended that bicycle parking for non-residential uses be provided in accordance with the relevant Green Star requirements for a 5 Star Green Star Building.

Detailed locational requirements can be negotiated at individual permit stage.

9.4.3. Vehicle Access

As illustrated in Figure 36, vehicle access to and from the site is via crossovers to Little Docklands Drive and Waterfront Way. Vehicle access and circulation requirements remain largely unchanged from the original proposal.

Council's Traffic Engineer has advised that, subject to conditions, including a Road Safety Audit, they have no concerns in relation to the overall road layout and vehicle access. They also reiterated that the design of the crossover to Little Docklands Drive would need to be discussed with the Department of Transport, given the Road Zone status of Footscray Road to the east.

The conditions suggested by Council's Traffic Engineer will form part of the recommended conditions to DELWP.

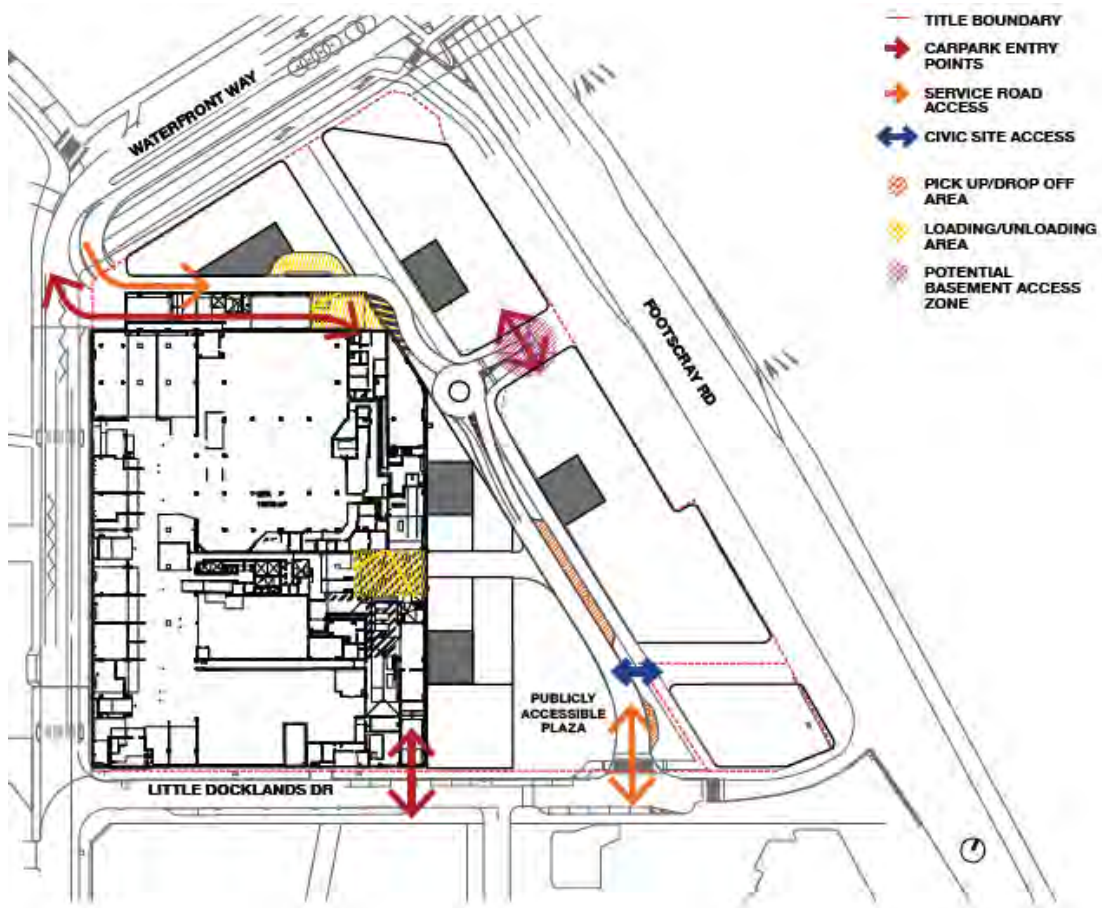


Figure 356 - Vehicle access according to DP Addendum Movement & Parking Plan 4

9.4.4. Car Parking

Proposed car parking numbers have increased significantly from the WFCDP, with a proposal for 1,333 resident and worker spaces on top of 2,846 public spaces (including a possible continuous basement level along the Footscray Road side of the site). These aspects of the proposal remain unchanged from the original version.

This parking increase may be expected due to the greater floor areas, but must be tempered by changing policy regarding car usage and shared facilities. As noted by Council's Traffic Engineer:

Proposed parking provision are approximately 3x that contemplated by the 2003 DP. This is considered to be excessive, would encourage private vehicle use and significantly increase traffic in the local area. The additional office/residential car parking is unnecessary, given the availability of excellent sustainable transport modes in this area. Accordingly, any increase in the car parking above the provision contemplated in the previous DP is not supported.

They recommended that employment parking should be limited to 0.5 spaces / 100 m² GFA, compared with the currently proposed 1 space / 100 m² GFA. A proportion of car share and electric charging spaces should be committed and the use of public car parking spaces by office workers outside of retail peaks (for the District) would seem viable and appropriate.

This matter can be resolved via recommended conditions.

9.4.5. Waste Management

The proposed DP Addendum does not provide any details, guidelines or design objectives in relation to waste management. Although details of waste collection are best resolved via future planning permit applications, the waste management guidelines suggested by Council's Waste Engineer should also form part of any DP Addendum.

9.5. Public benefits

9.5.1. Public Art

Section 7.1.4 of the DP Addendum states that one per cent of the total development cost should be attributed to public art. It is understood that this is consistent with the development agreement with Development Victoria.

This section of the DP Addendum goes on to include a small number of broad objectives for types of public art, and states that a strategy for obtaining approval and implementing the urban art strategy should be a requirement of any planning permit.

Given the nature of public art, and lifespan of the DP Addendum, this is considered appropriate.

9.5.2. Community Facilities

The previous proposal included 220 m² community facility which would be provided for a peppercorn rent up to 18 years. While Council did not oppose the proposal it was recommended to be provided as a cash-in-lieu payment as it did not present a genuine public benefit.

A key change to the previously considered DP Addendum is the inclusion of a 'Civic Building' at the south-eastern corner of the site. The 1,525 m² (approx.) building would provide an opportunity for the development of community facilities or the provision of other civic activities. The land would be gifted freehold to Development Victoria (DV), free of encumbrances, who would then be responsible for constructing a building and establishing a use on the land. DV, as the current landowner, have indicated support for this arrangement.

Council's City Strategy team advised that they supported this provision, given its strategic location and demonstrable need.

9.5.3. Affordable Housing

Despite a significant increase in gross floor area proposed as part of this DP Addendum, the proposal does not include any commitment to affordable housing provision or a firm decision on whether Building 2 will be residential or commercial.

As a minimum, there should be a commitment to at least five percent of any housing provided in accordance with the affordable housing definition at Section 3AA of the *Planning and Environment Act 1987*.

9.6. Other matters

9.6.1. Staging

The staging diagram shown in the DP Addendum (refer to Figure 37) starts by developing Building 1 (which is likely to commence in early 2022), followed by other buildings on the western side of the internal road. Buildings 5 and 8 would be the first built on the eastern side of the road, with the tallest building (Building 6) built last.

Importantly, the publicly accessible plaza and southern half of the internal road would be delivered as part of stage 2; though the road connection through to Waterfront Way would form part of the final stage.

This is considered to be a generally sensible approach, noting the integration of buildings 1-4 and 7 with the existing carpark, and the uncertainty with respect to design of the Veloway and potential future connection to E-Gate / North Melbourne on the opposite side of Footscray Road.

One aspect of some concern is that the full extent of the internal road would not be delivered until Stage 6. There is no guarantee that all stages will remain in the same ownership, nor be developed in a continuous manner. This interdependence of distinct development elements with sensitive interfaces poses serious issues of coordination and conflicting infrastructure provisions. Such problems were experienced in similar sites which were initially to be built as one, but fragmented over time. One such example is the CUB Redevelopment in South Carlton, where limited control over interfaces caused public realm and servicing mismatches as well as building envelopes renegotiated individually.

To avoid any such issues, this section of the road must be built as part of stage 3 to allow for the proper functioning of the site. This matter can easily be addressed via a recommended condition.

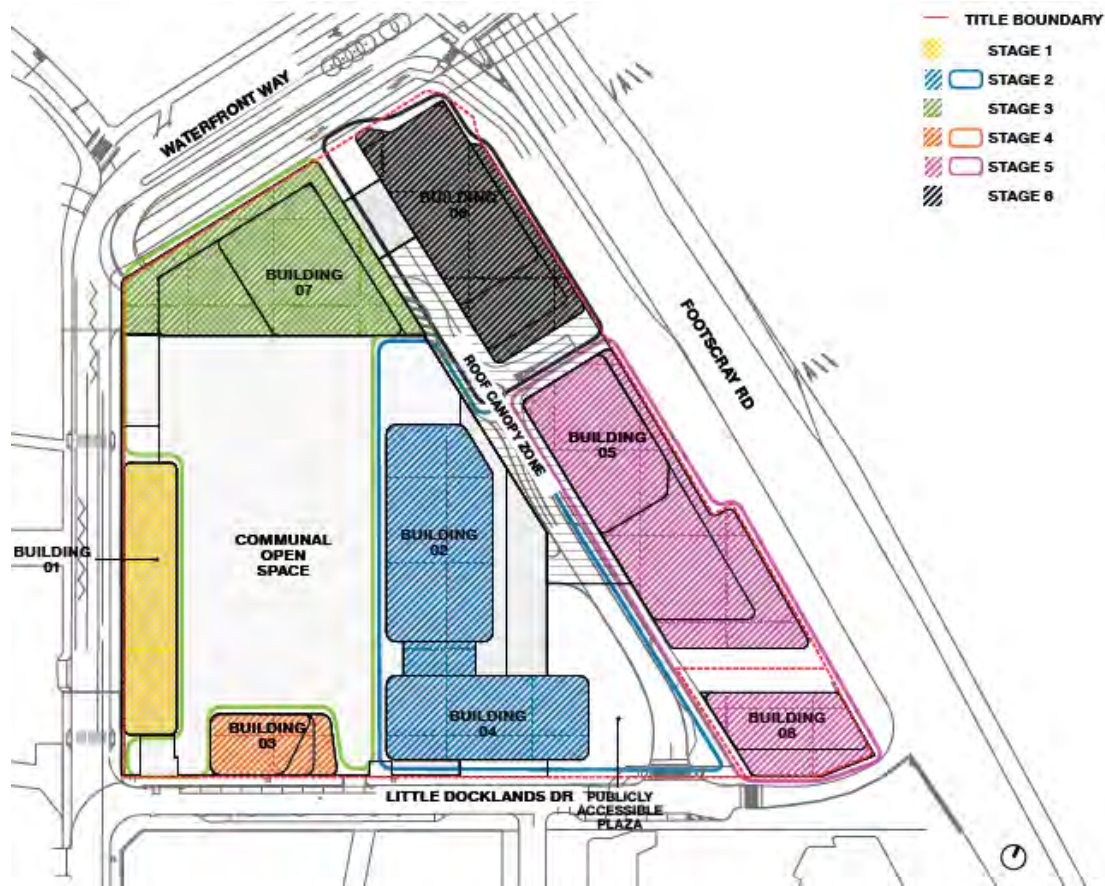


Figure 367 - Proposed staging from the DP Addendum

9.6.2. Signage

Signage is discussed at section 6.1.6 of the DP Addendum, and has been updated from the generic statements contained in the original proposal. It also states that an integrated signage strategy should be developed at each development stage.

This section also provides some guidance in relation to which signage types would be appropriate. Of concern is the reference to 'Major external signage', which is not defined at Clause 73.02 (Sign terms) and no list of signs that are discouraged or prohibited.

Although the Signage section of the DP Addendum is an improvement on the original proposal, and the creation of a signage strategy for each stage may be acceptable, a condition will be recommended that it be updated to:

- Only refer to signs that are defined at Clause 73.02 of the Melbourne Planning Scheme.
- Prohibit Sky Signs, Pylon Signs and Major Promotion signs.

9.6.3. Weather protection

Section 4.9 (Weather Protection) of the DP Addendum requires the provision of canopies of various forms along the street frontages of all buildings that are not directly above the carpark; and the eastern side of Building 4. The Concept Plan (refer to Figure 38) also acknowledges the uncertainties with respect to the final design of the Veloway along Footscray Road.

The proposed extent of canopies is generally consistent with the previous proposal, and is considered appropriate. Importantly, the exact extent and design of canopies / awnings can be resolved at the planning permit application stage.

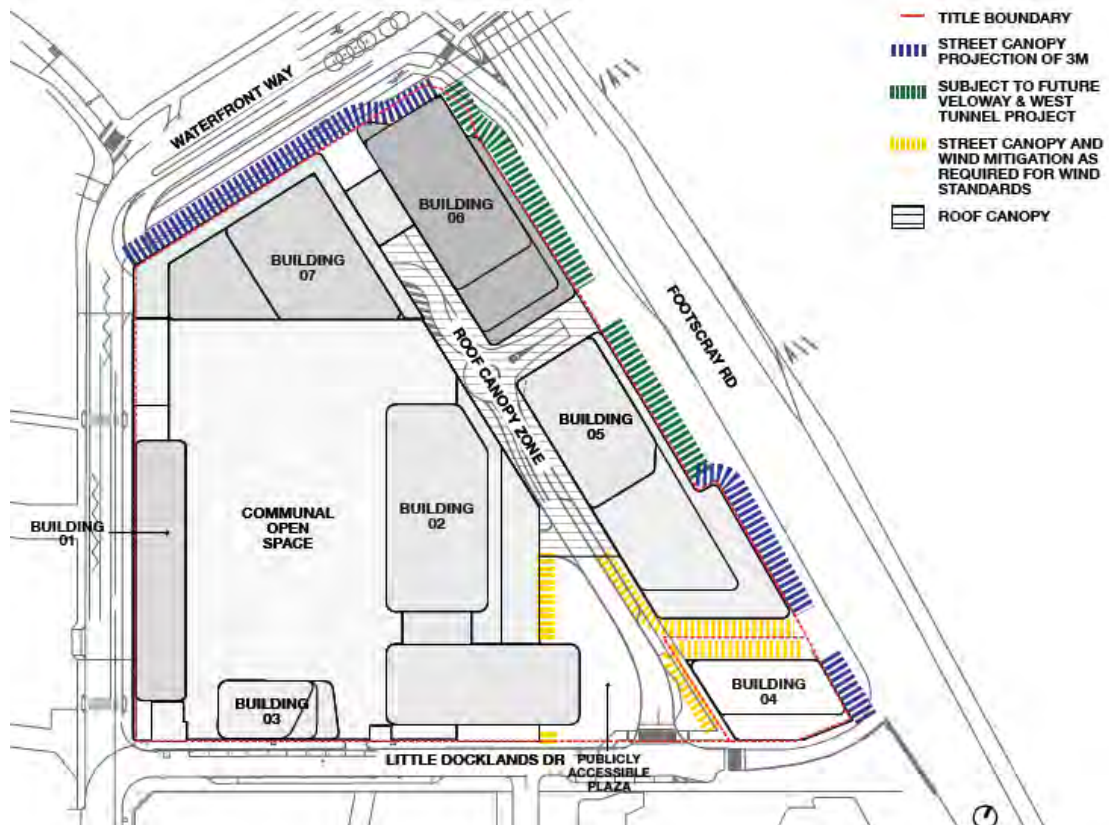


Figure 38 - Concept Plan 11 - Canopy Plan

9.7. Conclusion

The redevelopment of Waterfront City East under a new DP Addendum with a greater development intensity than the WFCDP is supported, as is the mix of uses proposed including a high proportion of office uses.

The revised design which removes the deck over the internal road is a significant improvement to the original proposal, as is the reduction of heights near the School and the provision of a sizable civic facility. It is considered that the amended proposal sufficiently satisfies the issues raised by Council previously and, subject to recommended conditions, the proposal is now supported.

10. RECOMMENDATION

Having considered all relevant provisions of the Melbourne Planning Scheme, in addition to the matters required under Section 60 of the Planning and Environment Act 1987, Planning recommends that the Department of Environment, Land, Water and Planning be advised that Melbourne City Council supports the proposal subject to the following conditions.

10.1. Conditions

1. Section 4.5 (Activation) updated to:
 - a. Extend the eighty percent active frontages to buildings facing the publicly accessible plaza, and the street frontages of Building 4.
 - b. Designate all remaining frontages to be fifty percent active.

- c. Review the extent of active frontage to Building 7, having regard to the wind mitigation measures recommended in the MEL Consultants Wind Report.
2. Section 4.6 (Built Form) updated to:
 - a. Refer to Maximum Building Heights as mandatory, rather than discretionary maximums.
 - b. Refer to Tower Setbacks and Building Separation as mandatory, rather than discretionary minimums.
3. Section 4.6.3 (Internal Amenity and ESD) updated to require:
 - a. A minimum 5 Star Green Star certification, and 5 Star NABERS ratings where applicable.
 - b. The Green Infrastructure for developments to be benchmarked using the City of Melbourne's Green Factor Tool.
4. Section 4.7 (Wind) updated to:
 - a. Replace the word 'should' in the first paragraph with 'must' so that the requirements are mandatory.
 - b. Set maximum dimensions for screens, consistent with the wind mitigation measures referred to in the MEL Consultants Wind Report.
 - c. Show the locations which must meet the 'standing' criterion, including Docklands Primary School.
 - d. Show where vertical screens may be used for wind mitigation.
 - e. Include a definition for the wind comfort criteria, consistent with the requirements of Schedule 10 to the Design and Development Overlay, and adopted in the MEL Consultants wind report.
5. Section 7.1.1 (The Public Realm) updated to:
 - a. Describe the primary function of each space.
 - b. Remove the word 'temporary' from Public Realm Plan 9.
 - c. Play elements and picnic facilities included in the list of ingredients for the high park.
6. Section 6.2.3 (Car Parking, Motorcycle and Bicycle Provision) updated to:
 - a. Reduce the maximum car parking provision to 0.5 spaces per 100 m² for non-residential uses.
 - b. Require bicycle facilities to be provided consistent with the relevant requirements for a 5 Star Green Star building.
 - c. Remove reference to the use of apartment storage lockers to meet minimum bicycle parking requirements.
 - d. Require the provision of electric vehicle charging infrastructure (capacity and cabling) to each car space.
7. Section 7.1.6 (Signage) updated to
 - a. Only refer to signs that are defined at Clause 73.02 of the Melbourne Planning Scheme.
 - b. Prohibit Sky Signs, Pylon Signs and Major Promotion signs.

8. Figure 28 (Staging Diagram) updated to:
 - a. Adopt the same building numbers as the remainder of the DP Addendum.
 - b. Incorporate the remainder of the internal road into stage 3.
9. Include a commitment to at least five percent of any housing provided in accordance with the affordable housing definition at Section 3AA of the Planning and Environment Act 1987.
10. Include the following Traffic Engineering requirements, relevant to any planning permit application:
 - a. A formal independent desktop Road Safety Audits of the proposed developments must be undertaken, at the developer's expense, which must include the vehicular / bicycle / pedestrian access arrangements, loading arrangements and internal circulation / layout. The findings of the Audits should be incorporated into the detailed design, at the developer's expense.
 - b. All spaces, ramps, grades, transitions, accessways and height clearances must be generally designed in accordance with the MPS or AS/NZS 2890.1:2004.
 - c. Design of the loading areas, including all space dimensions, grades and height clearances, should comply with relevant Australian standards. Loading Management Plans must be prepared for the proposed developments, specifying how the access / egress of loading vehicles is to be managed. Dock Managers should be employed, responsible for controlling the operation of the loading areas and unloading of goods.
 - d. Any loss of on-street parking should be minimised.
 - e. Vehicles should be able to U-turn to the east of the parking bays.
 - f. Raised zebra crossing, bike priority crossing and narrow road hump should be provided.
11. Inclusion of a section on Waste Management with the following guidelines:
 - a. An emphasis on resource recovery in order to reduce the overall amount of waste going to landfill.
 - b. Separation of organic waste for commercial developments generating over 1500/L per week.
 - c. Separation of organic waste in residential developments.
 - d. Provision of a communal waste management facility to reduce overall truck movements to the precinct.
 - e. A Waste Management Plan for each stage of the development.
 - f. Residential waste to be collected by Council. Residential glass and organic waste to be managed privately until Council provides a collection service for these resources.
 - g. Collections of each waste stream to be limited to a maximum of 3 per week.
 - h. Provision for the storage and disposal of hard waste and e-waste.