

**LEVEL 10  
477 COLLINS STREET  
MELBOURNE VIC 3000**

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24 October 2023

Julia Smith  
Development Approvals and Design  
Department of Transport and Planning  
[julia.smith@delwp.vic.gov.au](mailto:julia.smith@delwp.vic.gov.au)

Dear Julia,

## **PLANNING PERMIT APPLICATION PA2302239 607-623 COLLINS STREET, MELBOURNE RESPONSE TO REQUEST FOR FURTHER INFORMATION & REFERRALS**

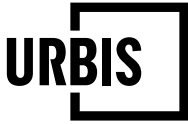
### **1. INTRODUCTION**

Urbis Pty Ltd act on behalf of the permit applicant in support of a planning permit application for the development of the land at 607-623 Collins Street, Melbourne.

This letter responds to the Department's Request for Further Information (RFI) letter dated 19 June 2023, as well as the referral comments provided on the application by the City of Melbourne. In support of this letter please see enclosed the following:

In support of this letter please find enclosed the following:

- Architectural RFI and Referral Response Package prepared by Carr, dated October 2023
- Architectural Plans prepared by Carr, dated 13 October 2023
- Appendix B of the Urban Context Report prepared by Carr, dated 30 June 2023
- Town Planning Report prepared by Urbis, dated October 2023
- Heritage Impact Statement prepared by Lovell Chen, dated October 2023
- Acoustic Assessment prepared by Acoustic Logic, dated 17 October 2023
- Waste Management Plan prepared by WSP, dated October 2023
- Sustainable Management Plan prepared by Ark Consultants, dated 19 October 2023
- Traffic Engineering Assessment prepared by Traffix Group, dated October 2023
- FAR Calculation Letter prepared by WT Partnership, dated 24 October 2023
- Heritage Memorandum of Advice prepared by Lovell Chen, dated 18 October 2023
- Traffic Memorandum of Advice prepared by Traffix Group, dated 19 October 2023
- Civil Memorandum of Advice prepared by 4D Workshop, dated 17 October 2023



## 2. RESPONSE TO RFI

A direct response to the Department of Transport and Planning's (DTP) Request for Further Information letter 19 June 2023 has been provided in **Appendix A**, as follows:

- Response to DTP Request for Further Information (**Table 1**)
- Response to DTP Preliminary Assessment (**Table 2**)

## 3. RESPONSE TO REFERRAL COMMENTS

A direct response to the City of Melbourne (CoM) internal referral comments have been provided on the application at **Appendix B**, as follows:

- Response to CoM General Planning Comments (**Table 3**)
- Response to CoM City Design (**Table 4**)
- Response to CoM Civil Design (**Table 5**)
- Response to CoM ESD and Green Infrastructure (**Table 6**)
- Response to CoM Traffic Engineering (**Table 7**)
- Response to CoM Waste Management (**Table 8**)
- Response to CoM Heritage (**Table 9**)
- Response to Transport for Victoria (**Table 10**)

## 4. CONCLUSION

The proposal has been designed with the relevant authority feedback in mind and it is considered that the design appropriately responds to the applicable controls and the site's context.

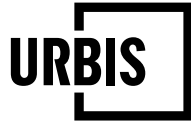
We trust the above response and enclosed documentation satisfactorily addresses the matters raised by DTP and Council's internal departments. We request that any further amendments to the plans form the basis of conditions of the permit.

We look forward to the further progression of the application to public notice. Should you have any queries with regard to the above or enclosed, please do not hesitate to contact Billy Rebakis or I on 8663 4888 or via email at [brebakis@urbis.com.au](mailto:brebakis@urbis.com.au) or [mgleeson@urbis.com.au](mailto:mgleeson@urbis.com.au).

Yours sincerely,

A handwritten signature in cursive script that reads "M Gleeson".

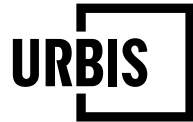
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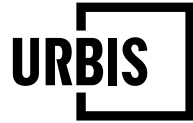
# APPENDIX A – RFI RESPONSE TABLES

**Table 1 – Response to DTP Request for Further Information**

	Information Required	Response
1.	<p>Section 8.3.1 of the Planning Report and Section 4.1 of the Urban Context Report indicate the proposal complies with the modified requirements and built form outcomes of the DDO10 because the modified outcome results in a reduced tower floorplate from 934sqm to 933sqm. However, it is noted the submitted development schedule shows levels 12 to 17 would have a floor plate area of 939sqm. Please clarify.</p>	<p>Please refer to the Architectural Plans prepared by Carr, dated 13 October 2023.</p> <p>These floor plates have been updated to ensure they do not exceed an area of 934 sqm, in accordance with the modified requirements. It is noted that Level 12 to 16 have been updated, with Level 17 already compliant.</p>
2.	<p>Please amend the typical apartment layout drawings, contained at Appendix B of the Urban Context Report, to include the following:</p> <ul style="list-style-type: none"> <li>a) Dimensioned door opening widths in accordance with Standard D18.</li> <li>b) Labels of the accessible bathrooms to correspond with the relevant accessible bathroom design (Design Option A or Design Option B) in accordance with Standard D18. The accessible bathroom design must comply with all of the requirements of either design option for the apartment to comply with the accessibility standard.</li> <li>c) A schedule with a breakdown of the minimum internal and external storage provision for each apartment type Standard D21.</li> <li>d) Clearly display the location and minimum area dimensions of the additional space proposed to be provided in lieu of private open space</li> </ul>	<p>Please refer to Appendix B of the Urban Context Report prepared by Carr, dated 30 June 2023.</p> <p>All additional requested information has been added to the respective plans.</p>



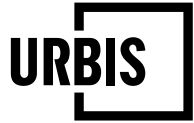
Information Required		Response
	<p>in a living room or bedroom for each apartment in accordance with Standard D20.</p> <p>e) Nomination of the apartments proposed to be cross ventilated with the location and length of the breeze paths shown on the plans, in accordance with Standard D29.</p>	
3.	<p>Please provide further details, in elevations and/or sections, relating to the design of the western elevation of the break between the two heritage buildings on Spencer Street. Specifically, please provide details of the proposed clearance heights above the basement entry and details of any differing material finishes, which would be visible from Spencer Street (see Figure 1 in the RFI letter).</p>	<p>Please refer to TP-3005 and TP-2006 of the Architectural Plans prepared by Carr, dated 13 October 2023.</p>
4.	<p>Please provide further detail on how the commercial office is intended to be provided with a sense of address and how the shared core with the hotel accommodation is proposed to be managed.</p>	<p>Please refer '1.0 Address and Shared Core' on Pages 3-5 of the RFI and Referral Responses Package prepared by Carr, dated October 2023.</p> <p>The workplace occupancy will be 180 – 270 people (based on rates of 1:15 – 1:10 pax/sqm). As such, the intention is that signage will be utilised for passive wayfinding, and the hotel concierge could double as a backup active wayfinding device.</p> <p>The linear space, which brings all users very close to the lift bank, is intentionally shared, not belonging specifically to the hotel, the office or the retail offerings.</p>



Information Required	Response
	<p>The lift lobby is intended to feel like an extension of this linear space, ensuring it does not feel owned or prioritised by any of the uses. We see this as an asset to the mixed use nature of the building, not a detriment.</p>

**Table 2 – Response to DTP Preliminary Assessment**

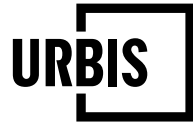
Preliminary Concern	Response
<p>a) The extent of proposed overshadowing to Batman Park may be considered minor in nature when viewed in isolation. However, DTP considers that the cumulative effect of the proposed additional overshadowing will impact on the future amenity of the park over time and may not be acceptable. Consideration should be given to ensuring overshadowing from the proposed development is eliminated.</p>	<p>Please refer to ‘2.0 Overshadowing of Batman Park’ on Pages 6-7 of RFI and Referral Response Package prepared by Carr, dated October 2023.</p> <p>It is considered that the level of additional overshadowing cast by the proposal is insignificant and has no impact to the amenity of Batman Park.</p> <p>Shadow diagrams prepared by Carr Design provided with the application outline that the proposal results in a very small amount of additional overshadowing to Batman Park between 11am and 2pm from 22 April to 22 September.</p> <p>The additional shadow is located within a very small portion of park area between two existing tower shadows. The furthest extent of this shadowing occurs on June 21, resulting in new shadow being cast for 16 minutes, up to a maximum of 45sqm shadow (0.33% of the total area of the park).</p> <p>Of importance, this overshadowing is not proposed to any ‘primary’ area of parkland, but rather only results in shadowing to the furthest extremity of the space, immediately adjacent to Spencer Street.</p>



	Preliminary Concern	Response
		<p>This space, as shown in the shadow diagrams, is where passers-by are highly unlikely to dwell for any extent of time to enjoy sunlight, the area close to the noise and disturbance of Spencer Street and the Rail overpass, as well as a public toilet block.</p> <p>It is noted that avoiding this shadow would result in the reduction of the taller tower by 5 levels and the reduction of the lower tower by 2 levels, an approximate loss of 25 apartments.</p> <p>Further to this, the height of the building has been reduced by 8 metres since the pre-application meeting, which meant a reduction of 18 apartments. This has resulted in reduced overshadowing by the proposal, to match the length of the existing shadows cast by Premier tower, and to ensure these shadows do not impact the entry pathway to the park from Spencer Street.</p>
b)	<p>It is important the commercial office use is provided with a functional entry and an appropriate sense of address. This will help to ensure it can be delivered as a commensurate public benefit for the floor area uplift sought. The shared core arrangement proposed for hotel-guests and the commercial office use is therefore queried.</p> <p>Similarly, it is important all proposed building entries on the Collins Street interface are well defined and legible from the streetscape.</p>	<p>Please refer '1.0 Address and Shared Core' on Pages 3-5 of the RFI and Referral Responses Package prepared by Carr, dated October 2023.</p> <p>The workplace occupancy will be 180 – 270 people (based on rates of 1:15 – 1:10 pax/sqm). As such, the intention is that signage will be utilised for passive wayfinding, and the hotel concierge could double as a backup active wayfinding device.</p> <p>The linear space, which brings all users very close to the lift bank, is intentionally shared, not belonging specifically to the hotel, the office or the retail offerings.</p>



Preliminary Concern		Response
		The lift lobby is intended to feel like an extension of this linear space ensuring it does not feel owned or prioritised by any of the uses. We see this as an asset to the mixed use nature of the building, not a detriment.
c)	<p>Further information is required to carry out a complete review the proposed residential apartments against Clause 58. The following preliminary observations are made with respect to internal amenity:</p> <ul style="list-style-type: none"> <li>▪ Many of the apartments labelled as accessible do not contain a bathroom which complies with either Design Option A or Design Option B of Standard D18. It appears only Apartment Types 1, 8, 14 and 23 have a bathroom which complies fully with the requirements of Design Option B.</li> <li>▪ Some of the apartments do not clearly contain an additional area in a living room or bedroom in lieu of private open space which complies with the minimum area specified at table D9 of Standard D20. It is noted the additional space should be functional and useable for future residents.</li> </ul>	<p>Please refer to updated Appendix B of the Urban Context Report prepared by Carr, dated 30 June 2023.</p> <p>The apartments have been updated to ensure compliance with Standard D18 and D20.</p>

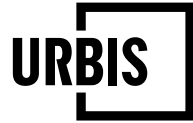


## APPENDIX B – REFERRAL RESPONSE TABLES

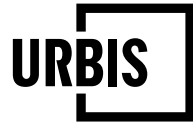
**Table 3 – Response to CoM General Planning Comments**

	Referral Comment	Response
1.	<p><b>App Form</b></p> <p>The cost of development is listed as \$16 Billion.</p>	<p>It is confirmed that the development cost listed on application form was \$160 million.</p>
2.	<p><b>Planning Report</b></p> <p>It is not clear in the report whether the electronic gaming machines will be removed or retained.</p>	<p>It is confirmed that the gaming machines have been removed.</p>
3.	<p><b>Plans</b></p> <p>Given the use of Mona Lisa bicycle racks (which are generally not supported), the development schedule should be updated to include breakdown of bicycle parking spaces by type to get a clear understanding of proportions of each type.</p>	<p>Please refer to TP-0010 of the Architectural Plans prepared by Carr, dated 13 October 2023.</p> <p>A breakdown of bicycle parking spaces by type has been provided. This includes 132 Mona Lisa spaces.</p> <p>It is unclear why Council does not support Mona Lisa rails. Mona Lisa rails are a product supplied by and created by Bicycle Network, Australia’s major bicycle advocacy body.</p> <p>These rails offer a convenient and semi-secure way to provide residents who have a car space with an allocated bike space. The racks are lockable and an efficient way to provide bike parking above a car.</p>

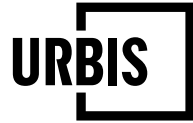




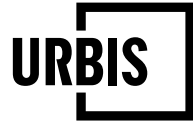
	Referral Comment	Response
		Accordingly, these bays remain proposed and appropriate to count towards the minimum requirements. Plans have been updated to detail the number of spaces in each area.
4.	The fins / sun shading devices on the façade are greater than 300mm in depth, and therefore cannot be considered as architectural features for the purpose of calculating setbacks pursuant to DDO10. Setback distances must therefore be measured to the outer edge of the fins.	<p>Refer '3.0 Setbacks and Fins' on Pages 8-9 of RFI and Referral Responses Package prepared by Carr, dated October 2023 and the Architectural Plans prepared by Carr, dated 13 October 2023.</p> <p>It is confirmed that the depth of the fins to the east and the south have been reduced to a maximum of 300mm. To accommodate this change, the whole tower footprint has been shifted 300mm to the east, resulting in a minimum setback to the eastern boundary of 5 metres.</p> <p>It is confirmed all other tower boundary setbacks are compliant with the requirements of DDO10.</p>
5.	<p><b>Acoustic report</b></p> <p>Measurement locations aren't very close to site, and were done in 2011, then again in 2018 and 2020. Probably for the Mirvac development at 7-23 Spencer Street. While that may be appropriate, it has not been justified in the report.</p>	<p>Please refer to Acoustic Assessment prepared by Acoustic Logic, dated 17 October 2023.</p> <p>A 3D Soundplan™ model of the subject site was prepared using this data to determine predicted noise levels at the façade.</p>
6.	<p><b>Other</b></p> <p>The proposal relies on a Floor Area Uplift (FAU) pursuant to the CCZ1. Pursuant to the applicable 'How to calculate Floor Area Uplifts and Public</p>	DTP planning officers have confirmed that it is acceptable to rely on the GRV figures in the Floor Area Uplift and Public Benefit Guidelines, 2016 as has been done.



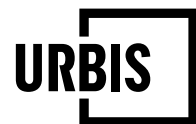
	Referral Comment	Response
	<p>Benefits' document, to determine the benefit provided by a 'strategic land use' such as office, the following is required:</p> <p>Independent market valuation of the difference in gross realisation value between commercial office use or other agreed use and residential use for the precinct where the development is located.</p> <p>That has not been provided.</p>	
7.	<p><b>Initial Concerns</b></p> <p>The extent of heritage demolition along Spencer Street to facilitate the double width crossover is a significant concern. This will likely be expanded upon in the heritage advice.</p>	<p>Please refer to Section 5.5 of the Heritage Impact Statement prepared by Lovell Chen, dated October 2023.</p> <p>The HIS concludes that the vehicle access is responsive to the conflicts and challenges of car parking within heritage buildings in CBD areas and presents a solution that will minimise impacts on the broader site. Accordingly, it is considered that the proposed vehicle access and accommodation is acceptable from a heritage perspective.</p>
8.	<p>The proposal would substantially increase the extent of car parking on the site. This, together with the creation of a double width crossover to Spencer Street would lead to increased traffic impacts / conflicts on a site with very high pedestrian movements.</p>	<p>The proposal provides fewer car parking spaces than the requirements of Schedule 1 to the Parking Overlay (PO1).</p> <p>It is acknowledged that the proposal will increase the number of cars parked on site. However, residential parking generates only minimal traffic during peak hours.</p> <p>Overall, it is expected that the development could generate not more than 1 vehicle movement each 3 minutes in a peak hour. This is very low and will not result in adverse outcomes to pedestrians of the existing road network.</p>



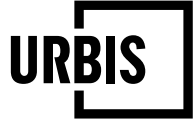
	Referral Comment	Response
		<p>Importantly, the proposal completely removes access to Collins Street, which is a much higher order street for pedestrians. The benefits of this cannot be ignored.</p> <p>Whilst the access to Spencer Street will be widened, there are other streetscape improvements to this frontage that will significantly improve or counter the impacts of traffic to pedestrians.</p>
9.	The commercial and residential entries lack clear legibility from the streetscape.	Please refer '1.0 Address and Shared Core' on Pages 3-5 of the RFI and Referral Responses Package prepared by Carr, dated October 2023.
10.	The setback of the tower form from the retained heritage buildings is insufficient. This will likely be expanded upon in the heritage advice.	Defer to comments and response to heritage referral.
11.	The extent of the roof terrace on level 7, and proximity to the retained heritage parapet, highlights loss of heritage fabric and contributes to an appearance of façadism.	Defer to comments and response to heritage referral.
12.	Any additional overshadowing of Batman Park is not supported, given the large extent of existing overshadowing.	<p>Please refer to '2.0 Overshadowing of Batman Park' on Pages 6-7 of RFI and Referral Response Package prepared by Carr, dated October 2023.</p> <p>It is considered that the level of additional overshadowing cast by the proposal is insignificant and has no impact to the amenity of Batman Park.</p> <p>Shadow diagrams prepared by Carr Design provided with the application outline that the proposal results in a very small amount of additional overshadowing to Batman Park between 11am and 2pm from 22 April to 22 September.</p>



	Referral Comment	Response
		<p>The additional shadow is located within a very small portion of park area between two existing tower shadows. The furthest extent of this shadowing occurs on June 21, resulting in new shadow being cast for 16 minutes, up to a maximum of 45sqm shadow (0.33% of the total area of the park).</p> <p>Of importance, this overshadowing is not proposed to any 'primary' area of parkland, but rather only results in shadowing to the furthest extremity of the space, immediately adjacent to Spencer Street.</p> <p>This space, as shown in the shadow diagrams, is where passers-by are highly unlikely to dwell for any extent of time to enjoy sunlight, the area close to the noise and disturbance of Spencer Street and the Rail overpass, as well as a public toilet block.</p> <p>It is noted that avoiding this shadow would result in the reduction of the taller tower by 5 levels and the reduction of the lower tower by 2 levels, an approximate loss of 25 apartments.</p> <p>Further to this, the height of the building has been reduced by 8 metres since the pre-application meeting, which meant a reduction of 18 apartments. This has resulted in reduced overshadowing by the proposal, to match the length of the existing shadows cast by Premier tower, and to ensure these shadows do not impact the entry pathway to the park from Spencer Street.</p>
13.	Apartment Types 11 & 17 have a substandard outlook on levels 17-20.	Please refer to '4.0 Apartment Outlook' on Page 10 of RFI and Referral Response Package prepared by Carr, dated October 2023.

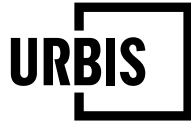


	Referral Comment	Response
		<p>Apartment Type 11 and 17 are only located above the height of the main part of the neighbouring building to the east, and therefore have a reasonable outlook.</p> <p>Apartment Type 04 and 05 on levels 17-19 are located below the height of the main part of the neighbouring building to the east. These make up a very small proportion of the total apartments in the building. Living rooms for both apartment types have deliberately been located on the corners to afford secondary outlooks to the north and south.</p>
14.	The location of some visitor bicycle spaces in the basement is not ideal, and would be better placed at ground level where they can be more readily accessed.	There is no alternative location available. The spaces have been located to provide for the most convenient location that is feasible for this design.
15.	Direct access to the restaurant along Spencer Street should be investigated.	<p>Please refer to '5.0 Restaurant Access' on Page 11 of RFI and Referral Response Package prepared by Carr, dated October 2023.</p> <p>The significant level change of 1.4m between the Spencer Street footpath and the internal floor level results in a low-quality outcome that is not universally accessible. The stairs take up valuable usable space. The intention of the design is to remove this entryway and reinstate the original heritage fabric.</p> <p>Universal access will be provided from the main entry located on the east of the restaurant.</p>

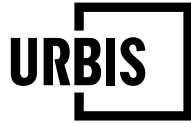


**Table 4 – Response to CoM City Design Comments**

	Referral Comment	Response
1.	We require further development of design recommendations detailed in this report, including:	
	<ul style="list-style-type: none"> <li>▪ The proposal should be reduced in scale to fit within the preferred maximum FAR control of 18:1,</li> </ul>	<p>It is considered that the proposed FAR of 20.92:1 is justified in this location. As detailed in Section 11 of the Town Planning Report prepared by Urbis, dated October 2023, the development includes a public benefit contribution, which is in excess of the provision required to achieve the proposed FAR uplift.</p> <p>The mechanism for FAU forms part of the planning controls that apply to the site, and in this case have been used appropriately to achieve the additional building height required to ensure a feasible development proposal.</p> <p>Under Clause 15.01-2L-02 (Floor Area Uplift and Delivery of Public Benefits) local policy seeks to ensure that development delivers a commensurate public benefit when Floor Area Uplift is sought.</p> <p>The development provides a public benefit of \$353,500 more than the Floor Area Uplift required. As such, this is considered to comply with the policy at Clause 15.01-2L-02, with the public benefit offering provided being greater than required.</p>

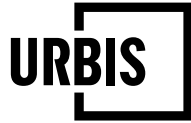


Referral Comment	Response
<ul style="list-style-type: none"> <li>A varied setback must be reintroduced to the tower floor plate, this will improve the massing response and may be able to improve the solar access for Spencer St Plaza at certain times of the year.</li> </ul>	<p>Please refer to ‘6.0 Tower Setbacks’ on Pages 12-13, and ‘7.0 Model Photos’ and Pages 14-15 of the RFI and Referral Response Package prepared by Carr, dated October 2023.</p> <p>Varying the setbacks of the two tower forms would introduce additional complexity into the overall reading of the building.</p> <p>The expression of the horizontal fins emphasises this complexity. Aligning the two tower forms, and therefore aligning the horizontal fins, creates a rationalised and simplified reading of the tower, reducing visual ‘noise’ above the heritage buildings.</p>
<ul style="list-style-type: none"> <li>Reconsideration of the extent of demolition – ‘facadism’ should be avoided at 66-70 Spencer Street, and exploration of a sensitive adaptive reuse or retrofit response at 607-613 Collins Street is encouraged.</li> </ul>	<p>Please refer to Section 2.2 (Extent of demolition) and 2.3 (Three-dimensional form of the heritage buildings) in the attached Heritage Memo of Advice prepared by Lovell Chen.</p> <p>In relation to 607-613 Collins Street, the issue of the heritage status of this building is addressed in section 1.0 of the Lovell Chen memo.</p>
<ul style="list-style-type: none"> <li>Further, we recommend revision to the site plan to provide a pedestrian link from Collins Street to Spencer Street, contributing to an enhanced urban structure;</li> </ul>	<p>Please refer to ‘8.0 Pedestrian Connection on Pages 16-17 of the RFI and Referral Responses Package prepared by Carr, dated October 2023.</p> <p>This suggested link would not provide a viable or intuitive alternative route, and pedestrians would likely preference staying on Collins and Spencer Street. Further to this, the ability for the site to provide such a link is restricted by:</p>

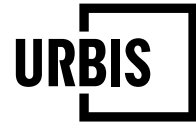


	Referral Comment	Response
		<ul style="list-style-type: none"> <li>- The heritage buildings and the available locations for the link connections.</li> <li>- The slope of the site.</li> <li>- The central location of the core, which has been positioned to ensure the greatest amenity for the tower levels.</li> <li>- The location of vehicle entry on Spencer Street, which can only be positioned between the two heritage buildings.</li> </ul>
2.	<p><b>Urban Structure</b></p> <p>The subject site is in close proximity to Southern Cross Station. DDO1 requires that frequent pedestrian connections are provided ‘within 200 metres of a rail station’ to manage high pedestrian volumes.</p>	<p>Please refer to ‘8.0 Pedestrian Connection on Pages 16-17 of the RFI and Referral Responses Package prepared by Carr, dated October 2023.</p> <p>The dominant flow of pedestrian traffic around the site is from the Collins Street tram stop to Southern Cross Station, and vice versa. Introducing a pedestrian connection through the subject site would not assist in relieving the dominant volume of pedestrians, as it would not be providing an alternative to this route.</p>
3.	<p>The Collins/Spencer intersection sees high pedestrian volumes which will continue to increase. Proposed site layout does not cater for anticipated pedestrian volumes at this intersection and cannot be supported by City Design.</p>	<p>Please refer to ‘8.0 Pedestrian Connection on Pages 16-17 of the RFI and Referral Responses Package prepared by Carr, dated October 2023.</p> <p>It is not possible to alter the heritage built form at the corner of this intersection, however the proposal includes additional footpath width to assist in relieving some of the pressure on pedestrian volumes.</p> <p>This includes in front of the new in-fill building on Collins Street, created by setting the building and ground floor facades back. As well as at the</p>

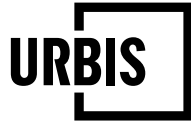




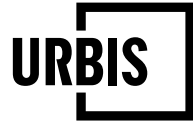
	Referral Comment	Response
		<p>intersection, by widening the footpath into the road reserve, mirroring the condition on the northern side of Collins Street.</p>
4.	<p>We suggest that meaningful public benefit could be achieved through reconfiguration of the ground floor and site layout to enable a legible and active through-site connection/cut-through from Collins Street to Spencer Street to alleviate pressure on the intersection at the corner. (see referral letter).</p>	<p>Please refer to ‘8.0 Pedestrian Connection on Pages 16-17 of the RFI and Referral Responses Package prepared by Carr, dated October 2023.</p> <p>This suggested link would not provide a viable or intuitive alternative route, and pedestrians would likely preference staying on Collins and Spencer Street. Further to this, the ability for the site to provide such a link is restricted by:</p> <ul style="list-style-type: none"> <li>- The heritage buildings and the available locations for the link connections.</li> <li>- The slope of the site.</li> <li>- The central location of the core, which has been positioned to ensure the greatest amenity for the tower levels.</li> </ul> <p>The location of vehicle entry on Spencer Street, which can only be positioned between the two heritage buildings.</p>
5.	<p>We do not support the double cross-over on Spencer Street. The pedestrian experience in this part of Spencer Street is already compromised, the provision of a double crossover for 148 car spaces will grossly exacerbate this poor condition and undermine the attractiveness or safety of the pedestrian experience. Furthermore, we find the provision of 148 car spaces to be excessive in this central city location.</p>	<p>The proposal provides fewer car parking spaces than the requirements of Schedule 1 to the Parking Overlay (PO1).</p> <p>Overall, it is expected that the development could generate not more than 1 vehicle movement each 3 minutes in a peak hour. This is very low and will not result in adverse outcomes to pedestrians of the existing road network.</p>



	Referral Comment	Response
		<p>Importantly, the proposal completely removes access to Collins Street, which is a much higher order street for pedestrians. The benefits of this cannot be ignored.</p> <p>Whilst the access to Spencer Street will be widened, there are other streetscape improvements to this frontage that will significantly improve or counter the impacts of traffic to pedestrians, this includes a pedestrian refuge that has been added between the inbound and outbound lanes of the crossover.</p>
6.	<p><b>Building Mass – Contextual Considerations</b></p> <p>We find the tower arrangement to be problematic. We are supportive of 2 expressed forms and of the approach to stagger their height but we find the uniform setback from Spencer Street would create a unified and inelegant mass in many views.</p>	<p>Please refer to ‘6.0 Tower Setbacks’ on Pages 12-13, and ‘7.0 Model Photos’ on Pages 14-15 of the <i>RFI and Referral Responses</i> package prepared by Carr, dated October 2023.</p> <p>The tower arrangement takes direct cues from the presence of the two heritage buildings on Spencer Street - The State Savings Bank and the Batman Hill Hotel.</p> <p>These buildings in combination, contribute to the Spencer Street elevation with two key qualities: the space between them, and their differing heights.</p> <p>These two qualities are replicated in two key gestures in the tower design - the staggered heights and the recess between two distinct vertical forms.</p> <p>The two heritage buildings are in alignment, holding the street edge at a public realm scale. The tower form aims to stay true to this quality, replicating it on an urban scale, and signifying the edge of the Hoddle Grid.</p>

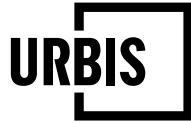


	Referral Comment	Response
7.	In addition to the uniform setback, the separation of only 2m combined with the sun shading protruding into the separation is too narrow to provide effective variation in the massing.	<p>Please refer to ‘6.0 Tower Setbacks’ on Pages 12-13, and ‘7.0 Model Photos’ on Pages 14-15 of the <i>RFI and Referral Responses</i> package prepared by Carr, dated October 2023.</p> <p>Varying the setbacks of the two tower forms would introduce additional complexity into the overall reading of the building.</p> <p>The expression of the horizontal fins emphasises this complexity. Aligning the two tower forms, and therefore aligning the horizontal fins, creates a rationalised and simplified reading of the tower, reducing visual ‘noise’ above the heritage buildings.</p>
8.	Furthermore the massing arrangement and the proposed height, the tower dominates the streetscape – perspectives provided demonstrate a poor relationship between the tower form and the lower scale buildings at 615-623 Collins and 66-70 Spencer Street.	<p>Please refer to ‘6.0 Tower Setbacks’ on Pages 12-13, and ‘7.0 Model Photos’ on Pages 14-15 of the <i>RFI and Referral Responses</i> package prepared by Carr, dated October 2023.</p> <p>Images of the 3D model (available to be viewed at Carr), have been provided. The images demonstrate a clear and appropriate relationship between the tower form and buildings below.</p>
9.	The lower level rebate (increased setback from solar shading) causes the tower to loom over Collins Street, exacerbating the problem identified above.	<p>Please refer to ‘6.0 Tower Setbacks’ on Pages 12-13, and ‘7.0 Model Photos’ on Pages 14-15 of the <i>RFI and Referral Responses</i> package prepared by Carr, dated October 2023.</p> <p>Images of the 3D model (available to be viewed at Carr), have been provided. The images demonstrate a clear and appropriate relationship between the tower form and buildings below.</p>

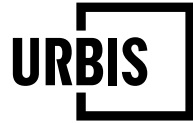


	Referral Comment	Response
10.	<p><b>Overshadowing and sunlight to public spaces</b></p> <p>With regard to the Sunlight to Public Spaces policy, we do not support development which will increase the amount of shadow, totally shadowing, the path on Spencer Street near Batman Park. Further shadow testing shows that spring shadows show afternoon impact on Enterprise Park and it worsens overshadowing of Spencer St Plaza in the morning.</p>	<p>Please refer to '2.0 Overshadowing of Batman Park' on Pages 6-7 of RFI and Referral Response Package prepared by Carr, dated October 2023.</p> <p>It is considered that the level of additional overshadowing cast by the proposal is insignificant and has no impact to the amenity of Batman Park.</p> <p>Shadow diagrams prepared by Carr Design provided with the application outline that the proposal results in a very small amount of additional overshadowing to Batman Park between 11am and 2pm from 22 April to 22 September.</p> <p>The additional shadow is located within a very small portion of park area between two existing tower shadows. The furthest extent of this shadowing occurs on June 21, resulting in new shadow being cast for 16 minutes, up to a maximum of 45sqm shadow (0.33% of the total area of the park).</p> <p>Of importance, this overshadowing is not proposed to any 'primary' area of parkland, but rather only results in shadowing to the furthest extremity of the space, immediately adjacent to Spencer Street.</p> <p>This space, as shown in the shadow diagrams, is where passers-by are highly unlikely to dwell for any extent of time to enjoy sunlight, the area close to the noise and disturbance of Spencer Street and the Rail overpass, as well as a public toilet block.</p> <p>It is noted that avoiding this shadow would result in the reduction of the taller tower by 5 levels and the reduction of the lower tower by 2 levels, an approximate loss of 25 apartments.</p>

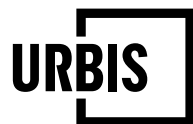
	Referral Comment	Response
		<p>Further to this, the height of the building has been reduced by 8 metres since the pre-application meeting, which meant a reduction of 18 apartments. This has resulted in reduced overshadowing by the proposal, to match the length of the existing shadows cast by Premier tower, and to ensure these shadows do not impact the entry pathway to the park from Spencer Street.</p> <p>The proposed development does not cast any shadow to Enterprize Park or Spencer Street Plaza between 11.00 am and 2.00 pm on 22 September, in accordance with Clause 15.01-1L-03 and the requirements of the Melbourne Planning Scheme.</p>
11.	<p>Of most concern is the introduction of morning shadows in the summer to Spencer St Plaza from just before 8am until it leaves the south eastern corner at 11.15am. While morning shadows in summer are not a typical test, in this instance given the nature of the space and the extent of shadow otherwise, we feel that this building will create a very poor outcome for this space and every effort should be taken to minimise the impact.</p>	<p>The proposed development does not cast any shadow to Spencer Street Plaza between 11.00 am and 2.00 pm on 22 September, in accordance with Clause 15.01-1L-03 and the requirements of the Melbourne Planning Scheme.</p> <p>A development of approximately three levels above current building form on this site would cast shadow to Spencer Plaza during summer.</p>
12.	<p><b>Design detail</b></p> <p>With regard to the tower expression, the details provided make assessment very difficult, while a façade strategy may assist, we find this element to be unresolved.</p>	<p>Please refer to new drawings TP-3004 and TP-3004A of the Architectural Plans prepared by Carr, dated 13 October 2023.</p>



	Referral Comment	Response
13.	In addition to the provision of a detailed façade strategy we would expect a proposal such as this to include a reflectivity assessment.	Our client would be accepting of a permit condition for a Reflectivity Assessment.
14.	The breezeblock proposed in the reconstructed Collins Street form presents as a single mass in contrast to, and is recessive of, the retained heritage façade which are both attributes. However, the arrangement tends to obscure the scale, structure and activation within in an undesirable manner for a streetscape / streetwall form.	<p>Please refer to '9.0 Podium Facade' on Pages 21-26 of the RFI and Referral Responses package t prepared by Carr, dated October 2023.</p> <p>The proposed breezeblock screen facade is designed to neither completely obscure, nor completely reveal, the scale, structure and activation within.</p> <p>The proposed breezeblock is a custom rectangular format with a large-scale opening of 190x190mm. This format allows ample light and views through and avoids excessive obscuring between the internal and external areas.</p> <p>The screen varies in its expression, from completely uniform to revealing of the layers beyond, depending on time of day, time of year, amount of direct sun, angle of view and level of lighting internally.</p> <p>The varying expression of the breezeblock screen mirrors the existing condition, which is varyingly obscured by the large, established, plane trees. These trees change over the seasons to obscure and reveal the built form.</p>
15.	We find the narrow wall on Collins Street, at the eastern edge of the site, serves little purpose. While it does define the edge of the podium, and the value of this is questioned and it is felt to create a potential entrapment space at the residential entrance on the ground floor and limits the aspect for hotel rooms above.	<p>Please refer to '9.0 Podium Facade' on Pages 21-26 of the RFI and Referral Responses package t prepared by Carr, dated October 2023.</p> <p>The narrow wall on the far east of the podium design is an important device in 'bookending' the Collins Street elevation. It deliberately matches the scale of the prominent vertical columns expressed on the facade of the</p>

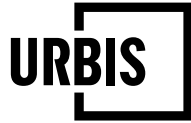


	Referral Comment	Response
		<p>Former State Savings Bank, the westernmost of which forms the other 'bookend' for the Collins Street elevation.</p> <p>This wall also helps to form a recessed break in the reading of the new podium facade. This break signifies an entry point, as does the break between the new and old buildings. These recessive breaks are a passive wayfinding device and distinguish the residential entry from the mixed commercial entry.</p> <p>The remaining larger part of the new podium facade is a more elegant and vertical proportion as a result of the eastern wall and break. The limited aspect of the hotel rooms within the break is countered by there being no screening in this area.</p>
16.	<p><b>Extent of Demolition / building reuse</b></p> <p>The Heritage Impact Statement considers the inclusion of the infill building at 607 - 613 Collins Street on the heritage overlay to be a mapping error, noting that this building does not contribute to the identified heritage and that's its demolition would not detract from the identified heritage but, and importantly, has not made any assessments of the heritage values of the infill building itself.</p>	<p>Please refer to section 1.0 of the Heritage Memo of Advice prepared by Lovell Chen, dated 17 October 2023.</p> <p>The building has not been identified in previous heritage assessments including the most recent Hoddle Grid heritage review project which considered all buildings 1945-1975.</p>
17.	<p>We defer to heritage advice, noting the building is included on the heritage overlay and appreciating some detail and architectural qualities, and recommend an assessment of the infill building is undertaken and</p>	<p>Please refer to section 1.0 of the Heritage Memo of Advice prepared by Lovell Chen, dated 17 October 2023.</p>



	Referral Comment	Response
	recommend a more sensitive adaptive reuse or sustainable retrofit response at 607-613 Collins Street.	The building has not been identified in previous heritage assessments including the most recent Hoddle Grid heritage review project which considered all buildings 1945-1975.
18.	While we support the demolition of the infill building at Spencer Street, we strongly recommend this opening is used as a pedestrian linkage, as outlined above.	<p>Please refer to '8.0 Pedestrian Connection on Pages 16-17 of the RFI and Referral Responses document prepared by Carr, dated October 2023.</p> <p>This suggested link would not provide a viable or intuitive alternative route, and pedestrians would likely preference staying on Collins and Spencer Street. Further to this, the ability for the site to provide such a link is restricted, as discussed above.</p>
19.	The extent of demolition at 66-70 Spencer Street is not supported. Three-dimensionality should be reinforced by the retention of the northern wall.	<p>Please refer to section 2.2 of the Heritage Memo of Advice prepared by Lovell Chen, dated 17 October 2023.</p> <p>This wall is currently largely concealed and has been altered. The partial rebuild to reinforce an appreciation of the three-dimensional form and mitigate against the perception of facadism.</p>
20.	We reiterate that a pedestrian connection should be provided, as specified above. Given that the northern wall of 66-70 Spencer Street will directly interface this linkage, facadism here is strongly discouraged. We defer to Council's Heritage Advisor for further comment.	<p>Please refer to '8.0 Pedestrian Connection on Pages 16-17 of the RFI and Referral Responses document prepared by Carr, dated October 2023.</p> <p>This suggested link would not provide a viable or intuitive alternative route, and pedestrians would likely preference staying on Collins and Spencer Street. Further to this, the ability for the site to provide such a link is restricted, as discussed above.</p>

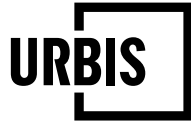




	Referral Comment	Response
		There was previously a Right of Way in this location, but with no connection to Collins Street. Please refer to section 2.2 of the Lovell Chen memorandum.

**Table 5 – Response to CoM Civil Design Comments**

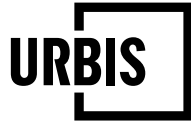
	Referral Comment	Response
1.	Pursuant to the Road Management Act 2004 (the Act) any works within the road reserve of Spencer Street, an arterial road, requires the written consent of VicRoads, the Coordinating Road Authority. Footpaths, nature strips and medians of such roads fall under the City of Melbourne’s control. The ‘road’ is the reserve from building line to building line. Subsequently our conditions for works on footpaths, nature strips and medians of arterial and municipal roads are listed below.	Noted.
2.	City Infrastructure does not support the reconstruction of light wells located within the road reserve. City Infrastructure requires the reinstatement of basement walls to the property boundary where existing light wells are known to exist. The property owner must provide Council details on the decommissioning of all light wells and the reconstruction of basement walls to the property boundary.	Please refer to the Civil Memo of Advice prepared by 4D Workshop, dated 17 October 2023.
3.	All projections over the street alignment must conform to Building Regulations 2018, Part 6, Sections 98 to 110 as appropriate. Reference can be made to the City of Melbourne’s Road Encroachment Operational	Accept as standard condition.



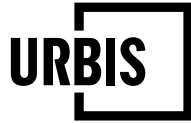
	Referral Comment	Response
	Guidelines with respect to projections impacting on street trees and clearances from face/back of kerb.	
4.	The maximum permissible width of a vehicle crossover without a pedestrian refuge is 7.6 metres. The crossings wider than 7.6 metres should include the provision of a minimum of 2.0 metres long pedestrian refuge islands at 7.6 metre spacings.	Please refer to new drawings TP-0300 of the Architectural Plans prepared by Carr, dated 13 October 2023 and the  A pedestrian refuge island has been added to the crossover. This has been included in the plans and detailed in the Traffic Report and swept paths.
5.	Proposed streetscape works involving realignment of kerb along Spencer Street shall be approved by VicRoads and Council's Transport Engineering.	Noted.
6.	There is a significant fall from north to south along Spencer Street. This shall be taken into account when fixing building finished floor levels as no localised ramps on footpath are allowed to match finished floor levels of the building.	Carr have confirmed that this can be achieved. Accepting of this matter as a condition of the permit, if required.
7.	Refer to referral letter for recommended permit conditions.	Accepting of permit conditions.

**Table 6 – Response to CoM ESD and Green Infrastructure Comments**

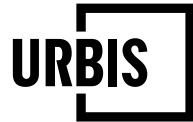
	Referral Comment	Response
1.	<b>General</b>  Whilst the planning scheme does not require a registered Green Star project the industry has shifted considerably since the local policy was introduced.	The project will not seek formal GBCA certification for this project.



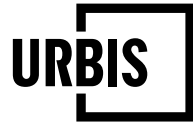
	Referral Comment	Response
	<p>Green Star Buildings now has a significant amount of online calculators to demonstrate compliance with the tool and the preference is for a development of this scale to commit to going through a formal registration and certification process.</p> <p>A buffer of 10% is advised for Green Star points to adequately achieve a 5 star – 35 point Green Star Building outcome.</p>	<p>The Green Star Buildings pathway has been updated to provide buffer points, with a 40 point target.</p>
2.	<p>Responsible 5/17 points</p> <p>01 Green Star Accredited Professional – Provide details of the Green Star Accredited Professional (individual) who has been engaged and has registered the project with the GBCA. Credit needs to be removed if benchmarking is only being pursued as it involves a level of marketing and financial disclosure that wont be realised.</p>	<p>This credit has been removed in the updated Green Star Buildings pathway and SMP.</p> <p>Please refer to Sustainable Management Plan prepared by Ark Consultants, dated 19 October 2023.</p>
3.	<p>03 Verification and Handover – Schematic design stage should provide a review of the proposed design including an air barrier schematic, and to detail a proposed air tightness target.</p>	<p>This information is not available at schematic design phase. This can be provided by the architects at DD stage.</p>
4.	<p>04 Operational Waste Management – Credit is dependent upon review and approval from the waste team. The submitted Waste Management Plan should be updated to demonstrate compliance with this credit in addition to CoM Waste Management Guidelines.</p>	<p>To be conditioned. The Waste Management Plan will need to be updated to align with this credit.</p>
5.	<p>05 Responsible Procurement – Provide evidence of a risk and opportunities assessment and a responsible procurement plan. At a minimum, the design team with input from the building owner must demonstrate that 10 key items in</p>	<p>A Risk &amp; Opportunities assessment can be provided at TP stage. Partial compliance with the GSB credit can be conditioned.</p>



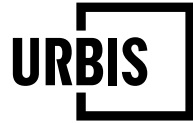
	Referral Comment	Response
	the project's supply chain have been identified for the risk and opportunities assessment and responsible procurement plan.	
6.	<p><b>Healthy 6/14 points</b></p> <p>11 Light Quality (Daylight) – Provide calculations that demonstrate the amount of space that has adequate daylight as a proportion of the total regularly occupied areas of the building. Calculations must use Daylight Autonomy to assess daylight levels.</p>	The GSB pathway has not targeted daylight. 2 points have been included for Artificial Lighting.
7.	<p><b>Resilient 4/8 points</b></p> <p>16 Climate Change Resilience – Provide a copy of the pre-screening climate change checklist and provide a project-specific climate change risk and adaptation assessment for the development. The assessment should detail and demonstrate how the design response addresses high and extreme risks.</p>	A preliminary Climate Change Resilience report can be provided as a condition of the permit.
8.	<p>17 Operations Resilience – evidence should be provided that shows the project team have undertaken a comprehensive risk assessment of the acute shocks and chronic stresses likely to influence the future building operations. This should be address early in the design, as the design should respond to the identified risks.</p>	A preliminary Operations Resilience report can be provided as a condition of the permit.
9.	<p>19 Heat Resilience – Provide evidence via a site plan which itemises and calculates at least 75% of the whole site area comprises of one or a combination of strategies that reduce the heat island effect. The solar PV</p>	<p>Ark Resources/Architects to provide calculations.</p> <p>This can be provided as a condition of the permit.</p>



	Referral Comment	Response
	system area should be taken away from the total site area and then a calculation of 75% of the remaining site area needs to be calculated.	
10.	<p><b>Positive 14/30 points</b></p> <p>21 Upfront Carbon Emissions – Further detail and evidence that the development can achieve the minimum requirements (buildings up front carbon emissions are 20% less than those of a reference building). Modelling or calculations via the Upfront Emissions Calculator need to be provided.</p>	This information is not available at schematic design phase. Structural drawings and cost plan required can be provided by the architects at DD stage.
11.	22 Energy Use – The office space should provide details per the NABERS pathway indicating a Commitment Agreement will be entered into. Additional modelling for other spaces can be used using the reference pathway.	<p>Due to centralised systems and isolation of services in the model, reference pathway for the whole building to be used.</p> <p>GBCA manual unclear on how to assess multiple building classifications.</p>
12.	24 Other Carbon Sources – Provide a draft Zero Carbon Action Plan that details how the development will address energy consumption, procurement, generation and detail how the development will achieve 100% of building’s electricity comes from renewable electricity and how 100% of the buildings energy comes from renewables.	Zero Carbon Action Plan not required when targeting exceptional performance (FAQ F-00291).
13.	25 Water Use – The preference is for the development to follow the Reducing Water Use pathway and demonstrate the building uses at least 15% less potable water compared to a reference building. This can be demonstrated using the GBCA’s Potable Water Calculator which is also referenced in planning policy.	Green Star Buildings guidelines allows for water efficiency of fixtures to be nominated to meet this credit. Potable Water Calculations will not be undertaken.



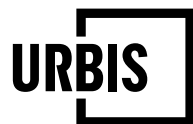
	Referral Comment	Response
14.	<p><b>Places 3/8 points</b></p> <p>27 Movement and Place – Provide a Sustainable Transport Plan and additional evidence via the Movement and Place calculator that the project is meeting the minimum requirements in regards to bicycle parking spaces and associated change facilities, electric vehicle parking spaces and related infrastructure, a reduction in car parking and how the development prioritises walking (written description and walkscore evidence of 99).</p>	<p>The Movement and Place calculator will be included in the SMP and sustainable transport requirements confirmed by the Traffic consultant. A Sustainable Transport Plan can be conditioned.</p> <p>Note that a reduction in parking is not a GSB criteria – reduction in emissions is the measurement for this credit.</p>
15.	<p>The development commits to 4 showers and 25 lockers as part of end of trip facilities that are shown on the planning drawings. 5% of car spaces are to be fitted with Electric Vehicle charges and 20% of spaces will be accommodated for future charging infrastructure.</p>	<p>Sustainable transport inclusions to be shown on plans as a condition of the permit.</p>
16.	<p><b>People 1/9 points</b></p> <p>34 Design for Inclusion – Provide a needs analysis that confirms the development can achieve the requirements of the credit.</p>	<p>This credit has not been targeted in the GSB pathway.</p>
17.	<p><b>Nature 4/14 points</b></p> <p>35 Impacts to Nature – Provide a report that indicates how the minimum expectations for the credit will be met by the design response including the building was not built on, or significantly impacted, a site with a high ecological value. The buildings light pollution has been minimised. It does not appear that a wetland system is existing onsite so it is advised to remove the</p>	<p>The SMP has been updated to clarify compliance with this credit.</p> <p>Please refer to Sustainable Management Plan prepared by Ark Consultants, dated 19 October 2023.</p>



	Referral Comment	Response
	following statement 'There is ongoing monitoring, reporting, and management of the site's wetland ecosystem'.	
18.	36 Biodiversity Enhancement – If the project uses the Green Factor tool to demonstrate the development meets a good level of green infrastructure on site it can be used to meet credit requirements under this credit. A technical question can be raised through the GBCA to enable this outcome.	This credit has not been targeted in the GSB pathway. This can be conditioned for the Landscape Conditions.
19.	39 Waterway Protection – The WSUD report that has been submitted meets the minimum requirements for stormwater quality and the targeted points under this credit. The planning drawings show a rainwater tank and note size (40KL), however, it should be noted on the drawings the intended reuse to toilets (to specified levels) and irrigation, as well as filtration requirements (proprietary device locations).	WSUD inclusions to be shown on plans as a condition of the permit.

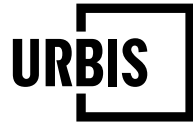
**Table 7 – Response to CoM Traffic Comments**

	Referral Comment	Response
1.	<p><b>Car / Motorcycle Parking</b></p> <p>The statutory car parking requirement for this development are: 175 spaces for the residential apartments and 58 spaces for the hotel and office. This development will only provide 148 car parking spaces for the residential apartments and none for the hotel / office.</p>	Noted.

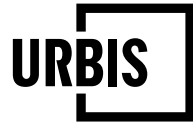


	Referral Comment	Response
2.	<p>This development will have nine motorcycle parking spaces which is more than the three motorcycle parking spaces required per statutory requirement. However it is strongly recommended that more off street motorcycle parking be provided given the increase popularity of motorcycles in the CBD. There is not much footpath width in both Collins and Spencer streets to cater for increased motorcycle parking as the result of this development.</p>	<p>The architectural plans have been updated to include an additional motorcycle space at each basement level, increasing the overall provision to 13 motorcycle spaces.</p> <p>Please refer to TP-03B5 to TP-03B1 of the Architectural Plans prepared by Carr, dated 13 October 2023.</p>
3.	<p><b>Bicycle Parking</b></p> <p>The new development will comprise of 175 residential dwellings, 229 room hotel and office space floor area of 2736m<sup>2</sup>. Calculations from the applicant's traffic consultant Traffix Group showed that the development should provide 35 resident spaces, 32 staff spaces and 44 visitor spaces (Total 111 spaces). This development will provide 269 bicycle storage spaces within the development.</p>	<p>Noted.</p>
4.	<p>There are 18 visitor bike parking spaces in Basement 1 which is accessible via PL 5012. PL 5012 is a private laneway, the developer must obtain permission from the laneway owner to direct cyclists down the laneway.</p> <p>The remaining bike parking spaces (for residents, office, hotel and visitors) are located on the ground floor via the residential lobby.</p>	<p>There is an existing easement in favour of the proposal, which sits over the land in the private laneway. The private laneway is approximately 50 metres in length, 3.45 metres in width (provides vehicle access) and forms a 'dead end'. The easement is 2.4 metres wide and hence prevents vehicle access, however, is sufficient to facilitate bike access.</p>
5.	<p><b>Car Park Access and Layout</b></p> <p>The proposal includes the removal of the vehicle crossing in Collins St and the widening of the existing vehicle crossing in Spencer St. Spencer St is an arterial road managed by DTP, therefore any concerns about trip generation</p>	<p>DTP has provided a referral response stating no objection, subject to conditions. Accordingly, this item is considered to have been addressed.</p>





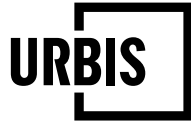
	Referral Comment	Response
	and how that could impact on the arterial road network is for DTP to comment on.	
6.	The internal ramps can only accommodate one vehicle at a time in each direction. The traffic report states that there will be a traffic light system to manage cars on the ramps, however it is not clearly shown where cars will queue. The traffic light management of the access ramp and the internal layout of the car park must ensure that there will not be a queue forming outside the building to access the car park or loading area.	Please refer to Traffic Advice Memo prepared by Traffix Group, dated 17 October 2023 – Pages 3 to 6.
7.	Swept paths provided in the traffic report shows that the parking bays are accessible, although for some spaces a little more manoeuvring is required to successfully get in / out of those spaces.	The swept path assessment prepared within the original traffic report is compliant with AS2890.1-2004 (Off-Street Car Parking) which allows for a corrective manoeuvre for both entry and exit. They are therefore acceptable.
8.	It is noted that there is a space in Basement 1 where the width is slightly reduced, this is acceptable for small vehicle. It is unknown if this space will be allocated to a residential apartment, if that is the case, this information about the reduced width must be declared in the sale documents to enable the owner(s) to plan the use of the parking space.	It is unclear which space Council is referring to here. The space dimensions comply with Clause 52.06 and AS 2890.1 and are considered acceptable. These arrangements are acceptable. The traffic report clearly states that all car parking spaces are to be allocated to residents.
9.	<p><b>Loading</b></p> <p>There is an area set aside in Basement 1 to accommodate a service vehicle for deliveries. Unfortunately because of the provision of a single space, the use of the space must be managed by building management to ensure there</p>	It is considered that the provision of a single loading space acceptable given the uses within the site (being residential/commercial) which are not expected to generate a significant amount of loading throughout a typical day. As stated in our traffic report all loading activities will be managed by the Building Manager.



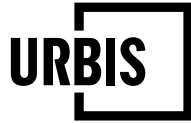
	Referral Comment	Response
	<p>are no waiting delivery vehicles obstructing internal circulation or queuing outside the building.</p> <p>There is very limited parking available on Spencer St and there are no parking spaces available in Collins St fronting this building because of the tram platform stop, therefore there should not be any reliance on kerbside parking to service this building.</p>	
10.	<p><b>Conclusion</b></p> <p>More information is needed on internal movements within the car park especially queuing while waiting for their turn on the access ramps to ensure it does not lead to vehicles queuing outside the building blocking pedestrian and vehicle access on the footpath or street.</p>	<p>The swept paths contained within the traffic report allow for simultaneous movements of two B99 design vehicles at the proposed site access with sufficient opportunities for passing internal to the site. Given the low levels of traffic expected to be generated by the proposal and the priority afforded to entering vehicles, there will be limited chances of a vehicle entering the site having to wait on Spencer Street. Refer to signalling arrangements for more information.</p>

**Table 8 – Response to CoM Waste Management Comments**

	Referral Comment	Response
1.	<p>It is a requirement for residential waste to be collected by Council. Please investigate all options for Council to enter the site with a MRV. Whilst Council is not supportive of the double width crossover to Spencer Street, if existing driveways can be utilised by increasing the entry height to enable MRV access, this option should be explored. If access to the building for a MRV is deemed not possible, please show supporting evidence (e.g. swept</p>	<p>Please refer to Section 1 of the Waste Management Plan prepared by WSP, dated October 2023.</p> <p>Suitable loading is not available for an MRV within close proximity to the building. WSP recommends WMP retains private collection for residential waste.</p>



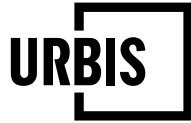
	Referral Comment	Response
	paths). The next best option for a Council collection would be for the MRV to park on Spencer Street and retrieve residential bins from within the development that are within close proximity to the parked MRV.	
2.	Please include a contingency plan should the digester become unavailable for use.	<p>Please refer to the Waste Management Plan prepared by WSP, dated October 2023.</p> <p>The report has been updated to include contingency food organics waste bins that will provide capacity when the digester is out of order.</p>
3.	Please show storage of the bin tipper on the floor plan.	<p>Please refer to TP-0300M of the Architectural Plans prepared by Carr, dated 13 October 2023.</p> <p>The plans have been updated to include a bin lifter within the residential waste room.</p>
4.	Please show a safe path of travel for the waste that will be deposited in the commercial waste room from the 71.67m <sup>2</sup> retail space at Ground Level.	BOH access to the retail space is provided via basement 1.
5.	Please show where the charity bin will be stored.	<p>Please refer to TP-0300M of the Architectural Plans prepared by Carr, dated 13 October 2023.</p> <p>The plans have been updated to include a 660L charity bin within the residential waste room.</p>
6.	Table 13 shows that there will be 6m <sup>2</sup> of residential hard waste storage area, whereas the plans show only 4m <sup>2</sup> .	Please refer to the Waste Management Plan prepared by WSP, dated October 2023.



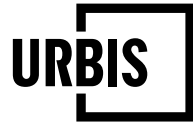
	Referral Comment	Response
		The report has been updated to 4m2 for residential Hard Waste.

**Table 10 – Response to CoM Heritage Referral**

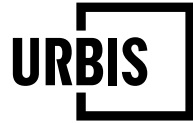
	Referral Comment	Response
7.	<p><b>Heritage Conservation 15.03-1S</b></p> <p>The proposal fundamentally will alter the setting and context of the pair of heritage buildings and cannot be said to either maintain or enhance the setting let alone “ensure an appropriate setting” is retained.</p> <p>To this end the HIS is not accepted as a balanced account of the likely heritage impacts, or clear statement of anticipated change to experience and appreciation of the heritage places.</p> <p>The project does appropriately offer conservation and enhancement of the heritage fabric as that fabric is viewed from the public domain, with only minor questions, particularly in relation to original finishes and their reapplication.</p> <p>(refer to referral letter for full comments)</p>	<p>Please refer to Section 2.1 (heritage Impact Statement) and Section 2.2 (Extent of Demolition) of the Heritage Memorandum prepared by Lovell Chen, dated 18 October 2023.</p>
8.	<p><b>Heritage 15.03-1L-02</b></p> <p>The design whilst having qualities independent of heritage, raises evident contention in being termed quality contextual design. The proposal does not demonstrably retain the three dimensional form of the whole significant</p>	<p>Please refer to Section 2.3 (Three-dimensional form of the heritage buildings) of the Heritage Memorandum prepared by Lovell Chen, dated 18 October 2023.</p>



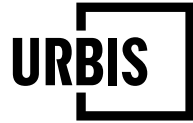
	Referral Comment	Response
	<p>building entity and rather is expressive of the destruction of the rear parts of both the individually significant buildings on the site.</p> <p>The Batman’s Hill Hotel will in fact be reduced to its façade and whilst the side wall will be reconstructed to present a building entity extending some depth to the property the tower, rising at a little over the two room depth, will make prominent expression of the retention of only the front part of the heritage host</p>	
9.	<p>As a two individually significant building, even if appreciation is taken to be only a public realm experience, the expectation is that -as generally applied- the rear parts of the building entity will not be demolished.</p> <p>Respect for the individual significance of the buildings, as distinct from value as contributory to a public realm appreciation of a wider heritage place, requires that the public realm perception is one in which the whole building entity is retained. This is the expectation even if the private realm has been altered or demolished.</p> <p>The HIS has not addressed this issue of presentation of integrity, or lack thereof, in the public realm perception and appreciation of the buildings.</p>	Please refer to Section 2.2 (Extent of Demolition) of the Heritage Memorandum prepared by Lovell Chen, dated 18 October 2023.
10.	<p>The character and appearance of the proposed tower development remains that of ‘architectural cordyceps’ consuming over two thirds of the Batman’s Hill Hotel site and appropriating the rear parts of the State Savings Bank corner building. In the Collins Street views the dominating tower presents as a unified form that intrudes from the Collins Street neighbour across into and over the corner building, compromising both the</p>	Please refer to Section 2.1 (heritage Impact Statement) and Section 2.2 (Extent of Demolition) of the Heritage Memorandum prepared by Lovell Chen, dated 18 October 2023.



	Referral Comment	Response
	<p>public realm perception of integrity, and the setting, of the host heritage entity.</p> <p>Exceptional circumstances have not been demonstrated. Most statements of significance of interwar buildings that have only their front façade (and limited rear lane) visible from the public realm do not address the fabric hidden from public view. Extrapolation of the ‘public realm approach’ proposed for this site provides for demolition of extensive interwar fabric across the CBD to make way for prominent new building presence that would expressly demonstrate that loss to integrity of significant heritage places.</p> <p>This question of integrity of the significant heritage place, as perceived, actual, or dismissed must be overtly addressed if this landmark corner sight is to have the proposed tower permitted.</p> <p>The retention of the principal internal space of the bank chamber is a positive heritage outcome, that goes beyond heritage requirement.</p>	
11.	<p><b>Alterations Strategies</b></p> <p>The HIS acknowledges that this strategy is not satisfied but does not address the exceptional circumstances that might be understood to apply to these two significant buildings, as distinct from the many other significant interwar (and other) buildings that have early fabric that is largely not visible from the public realm.</p>	<p>Please refer to Section 2.3 (Three-dimensional form of the heritage buildings) of the Heritage Memorandum prepared by Lovell Chen, dated 18 October 2023.</p>

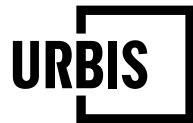


	Referral Comment	Response
	<p>The ‘public domain’ approach advanced by the HIS is that those parts of Significant buildings that are hidden from public view make no contribution to the significance of the building. Whilst ambiguity exists, the requirement for retention of private parts ensures integrity is retained to at least the current extent, and sets a suitably high bar for major change to integrity of fabric and to integrity of setting for these higher value heritage places, even if only as they present to the public realm.</p> <p>Given the extent of the imposition of the proposed tower it can be expected that best practice conservation works would be undertaken to restore or reconstruct the early presentation of the buildings.</p> <p>It is likely that the buildings where original unpainted render and it can be expected that the original and early finishes of both buildings should be properly investigated and reconstructed unless very significant impediment to that approach can be demonstrated. A permit condition requiring a Conservation Works Plan should be applied.</p>	
12.	<p>As a physically dominant tower form imposed in, and over, the significant heritage places, it will be inevitable that the new presence is distinct from the character and appearance of the heritage host.</p> <p>The current tower form design does not have “generous” setbacks as is asserted in the HIS. Few if any properties have a depth of only 8 metres from their frontage and so there can be no credible expectation that the tower form is other than imposed over, and therefore occupies the property and building itself.</p>	Please refer to Section 2.4 (Impact of the tower form) of the Heritage Memorandum prepared by Lovell Chen, dated 18 October 2023.



	Referral Comment	Response
	<p>The CoM definition for front or principal part of a non- residential building is generally 8-10 metres in depth.</p> <p>Given the exposed corner site and existing context, including the former Railway Admin Building to the west, the tower with 8 metres to the façade face and to the horizontal fins is at a minimum setback having gesture of compliance with the heritage strategies for fabric retention and for avoidance of cantilevering.</p> <p>The substitution of floor plate for the 3 metre wide frills so that the tower “necks” into the back of the heritage hosts at the distance of 11 metres, as a means of disguising the cantilever projection of the floor plates (from 11 to 8 m), may have some merit but cannot be claimed to ensure that the new presence will be generally experienced as ‘respectful’ of the heritage hosts.</p> <p>(refer to referral letter for full comments)</p>	
13.	It is my recommendation that the has been no sound heritage basis set out conveying any clear understandable reasoning to support the extent of loss of fabric from the two individually significant buildings.	Please refer to Section 2.2 (Extent of Demolition) of the Heritage Memorandum prepared by Lovell Chen, dated 18 October 2023.
14.	The tower form set back only 8 metres from the frontages and ‘necked’, nominally, into the rear of the heritage buildings cannot credibly be considered to ‘ensure’ the heritage hosts will be appreciated as having been respected when viewed from the surrounding, and quite extensive, public realm. Accordingly, it is my recommendation that the Heritage Impact Statement should not be endorsed, and the proposal should be	Please refer to Section 2.4 (Impact of the tower form) of the Heritage Memorandum prepared by Lovell Chen, dated 18 October 2023.





	Referral Comment	Response
	rejected on heritage grounds as it will have adverse impact upon the appreciation of the heritage significance of the host buildings.	
15.	The proposed tower design has not been shown to comply with the strategies of Clause 15.03 and the development and not demonstrated to be other than contrary to heritage provisions of the Melbourne Planning Scheme at Clauses 43.01 in having evident adverse impact on heritage significance of these two individually significant properties.	Please refer to Section 2.4 (Impact of the tower form) of the Heritage Memorandum prepared by Lovell Chen, dated 18 October 2023.
16.	Any further consideration of the heritage impacts should be required to address how the subject site is exceptional compared with the many interwar Significantly graded buildings that have limited exposure to the public realm other than a front wall and laneway frontage.	Please refer to Section 2.3 (Three-dimensional form of the heritage buildings) of the Heritage Memorandum prepared by Lovell Chen, dated 18 October 2023.

**Table 9 – Response to Transport for Victoria Referral**

	Referral Comment	Response
17.	Refer to referral letter for recommended permit conditions.	Accepting of permit conditions.

