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

URBIS.COM.AU  
Urbis Pty Ltd  
ABN 50 105 256 228

7 July 2021

Susie Saraiva  
Development Approvals & Design  
Department of Environment, Land, Water & Planning  
Submitted via Permits Online

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Dear Susie,

**RESPONSE TO REQUEST FOR INFORMATION  
PLANNING PERMIT NO. PA1900656  
NO. 52-60 COLLINS STREET, NO. 36 COLLINS STREET AND NO. 57-67 LITTLE  
COLLINS STREET, MELBOURNE**

**1. INTRODUCTION**

Urbis Pty Ltd continue to act on behalf of Dexu in support of an application to amend Planning Permit No. PA1900656, associated with the development of the land at the above address.

This letter responds to DELWP's Request for Further Information (RFI) letter dated 11 May 2021. In support of this letter please see enclosed the following:

- Architectural Plans prepared by Bates Smart, dated 17 June 2021
- Town Planning Report prepared by Urbis, dated June 2021
- Pedestrian Wind Study Memo prepared by RWDI, dated 5 July 2021
- Tracked Changes Word Document of Amended Planning Permit
- Sustainability Management Plan prepared by Arup, dated 7 June 2021
- Stormwater Management Advice prepared by Enstruct, dated 24 June 2021
- Survey Plan prepared by Landair, dated 14 November 2018
- Survey Plan prepared by Veris, dated 27 February 2019
- Certificate of Title (No. 57-67 Little Collins Street)

## 2. RESPONSE TO REQUEST FOR FURTHER INFORMATION

The following response is provided to DELWP's request for further information:

	RFI Item	Response
1.	<p><i>Architectural plans and reports amended to identify 36 Collins Street (Melbourne Club) and 57-67 Little Collins Street as part of the planning unit.</i></p> <div style="border: 2px solid red; padding: 5px; margin: 10px 0;"> <p style="text-align: center; color: red; font-weight: bold;">This copied document to be made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright</p> </div>	<p>The architectural plans and Town Planning Report have been updated to identify the full subject site (52-60 Collins Street, 36 Collins Street and 57-67 Little Collins Street, Melbourne) as the planning unit. We confirm all three parcels form the subject site/planning unit for the purposes of this amended application.</p> <p><i>Please refer to Architectural Plans prepared by Bates Smart, dated 17 June 2021 and Town Planning Report prepared by Urbis, dated June 2021.</i></p>
2.	<p><i>Architectural plans amended as follows:</i></p> <ul style="list-style-type: none"> <li><i>a. Existing site survey plan to include details of 36 Collins Street and 57-67 Little Collins Street.</i></li> <li><i>b. Red line on plans to include 36 Collins Street and 57-67 Little Collins Street.</i></li> <li><i>c. Setback of proposed works to any street trees.</i></li> <li><i>d. Dimensions of any building projections beyond the title boundaries (including the depth of the canopies).</i></li> <li><i>e. Finished floor levels for each level.</i></li> <li><i>f. Dimensions of glass canopies proposed at level 9 and level 18.</i></li> <li><i>g. Location of and setback from trees on the Melbourne Club site.</i></li> </ul>	<p>The architectural plans have been updated to include the relevant requested information.</p> <p><i>Please refer to Architectural Plans prepared by Bates Smart, dated 17 June 2021.</i></p> <p>It is noted that a separate survey plan of No. 36 Collins Street has been prepared by Landair &amp; the Title Plan of No. 57-67 Little Collins Street have been provided.</p> <p>With regard to wind mitigation, it is noted that the screen around the perimeter of the Level 18 terrace has been increased to 2.7m height. This is considered to resolve any wind issue on this level. As per the RWDI Memorandum dated 5<sup>th</sup> July 2021 all other levels satisfy the sitting or standing criteria.</p>



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	<p><i>h. Proposed light and air easement to be shown on the plans.</i></p> <p><i>i. Wind mitigation measures outlined in the pedestrian wind study.</i></p>	
3.	<p><i>Planning report amended to address:</i></p> <p><i>a. Details regarding the light and air easement shown on page 50 of the urban context report and the associated purchase of air rights.</i></p> <p><i>b. Confirmation that Schedule 2 to the Environmental Significance Overlay affects the subject site and that the proposal will not have any impact on the trees identified in ESO2 36 Collins Street (Melbourne Club).</i></p>	<p>The town planning report have been updated to include all requested information.</p> <p>As detailed at Item a) below, the development does not propose a ‘purchase’ of air rights. The development simply seeks to utilise the land area and FAR of the adjoining sites and place a light and air easement on their title restricting the development in perpetuity.</p> <p><i>Please refer to Town Planning Report prepared by Urbis, dated June 2021.</i></p>
4.	<p><i>Amended pedestrian wind study to include consideration of the wind conditions at level 37.</i></p>	<p>The pedestrian wind study has been updated to include assessment of the wind conditions at Level 37. It is noted this level (sensors 49 and 50) satisfies sitting and standing criteria.</p> <p><i>Please refer to Pedestrian Wind Study Memo prepared by RWDI, dated 5 July 2021.</i></p>
5.	<p><i>A tracked changes Word document of the proposed amended planning permit.</i></p>	<p>A tracked changes version of the proposed amended planning permit has been prepared.</p> <p>This includes alteration of the street address, alterations to the wording of conditions and the addition of new conditions associated with the proposed easement.</p> <p><i>Please refer to Tracked Changes Word Document of Amended Planning Permit.</i></p>
6.	<p><i>Amended sustainability strategy to include reference to Clause 22.19 Energy, Water and Waste Efficiency of the Melbourne Planning Scheme.</i></p>	<p>The sustainability management plan has been updated to include reference to Clause 22.19.</p>



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		<i>Please refer to the Sustainability Management Plan prepared by Arup, dated 7 June 2021.</i>
7.	<i>A response to the application requirements of Clause 22.23-4 Stormwater Management (Water Sensitive Urban Design) of the Melbourne Planning Scheme.</i>	The sustainability management plan has been updated to include reference to Clause 22.34-4.  <i>Please refer to the Stormwater Management Advice prepared by Enstruct, dated 24 June 2021.</i>
8.	<i>A response to Clause 53.18 Stormwater Management in Urban Development of the Melbourne Planning Scheme.</i>	The sustainability management plan has been updated to include reference to Clause 53.18.  <i>Please refer to the Stormwater Management Advice prepared by Enstruct, dated 24 June 2021.</i>

### 3. RESPONSE TO PRELIMINARY ASSESSMENT

The following response is provided to DELWP’s preliminary assessment:

	RFI Item	Response
a.	<i><u>Heritage impacts:</u> Following the advice provided by the agencies in pre-application meetings and the Office of the Victorian Government Architect’s Victorian Design Review Panel, the Department remains concerned that the proposed amendment may not achieve the built form outcomes of Schedule 10 to the Design and Development Overlay or the objectives of the Heritage Overlay.</i>  <i>The Department is particularly concerned that the proposed increase in building height and the 150-metre-high wall adjacent to the Melbourne Club may not provide a respectful transition to the heritage place.</i>	We reiterate the following with regard to the development response to <b>DDO10</b> : <ul style="list-style-type: none"> <li>▪ The development site is one that comprises both 52-60 Collins Street and the Melbourne Club land and as such compliance or non-compliance with the objectives and requirements of DDO 10 must be assessed on that basis.</li> <li>▪ Whilst the ownership of the development site is shared between two owners the proposed overall development will in effect comprise a new office tower, a large Club building and associated buildings and open space and a mixed use building.</li> </ul> <p>It is this context that must be understood when reviewing the built form of the new office building. The existing buildings on the development site</p>



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RFI Item	Response
	<p>will form a 'base' or 'podium' to the northern and eastern facades of the office building.</p> <ul style="list-style-type: none"> <li>▪ It is this built form outcome that is expected to be part of the city for many decades to come, where the site will feature a single tower building surrounded by lower scale buildings providing excellent tower separation and appropriate and compliant setbacks from the street frontages.</li> <li>▪ The proposed creation of the airspace lots and light and air easements are merely to provide certainty with regard to the future compliance with DDO10 in the event of a catastrophic event that destroys the Melbourne Club buildings. The airspace lots ensure that any future redevelopment of the Melbourne Club site (assuming that the existing buildings are beyond repair and must be demolished) will provide appropriate setbacks of the new buildings from the approved new office tower in accordance with the objectives and requirements of DDO 10.</li> </ul> <p>In short, the inclusion of the air and light easement is offered as a failsafe mechanism. All documentation has been revised as part of the RFI response to remove any reference to the 'purchase' of air rights.</p> <p>With regard to the <b>Heritage Overlay</b>, we note the following:</p> <ul style="list-style-type: none"> <li>▪ The development should be assessed in the context of the 'whole' site, not just 52-60 Collins Street, as outlined above.</li> <li>▪ The built form relationship of the new tower with the heritage buildings on the site is quite similar to that already approved with the eastern wall built up to the Melbourne Club buildings.</li> </ul> <p>It is noted that a view analysis (providing views from the Melbourne Club courtyard) is currently</p>



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RFI Item	Response
	<p>being prepared. This review has been delayed by the recent lockdown period and will be provided to DELWP and CoM asap.</p> <p>The intent of the analysis is to demonstrate that the full extent of the eastern façade is not readily evident in most views from the public realm, particularly those close to the site. Similarly, it is intended that the analysis will confirm that the relationship of the proposed building to the precinct and the Club buildings in the closer views are not dissimilar to those for the approved building.</p>

#### 4. CONCLUSION

The proposal has been designed with the above requested information 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 in the Request for Further Information letter dated 11 May 2021.

We look forward to the further progression of the application to decision. Should you have any queries with regard to the above or enclosed, please do not hesitate to contact me.

Yours sincerely,

Billy Rebakis  
Associate Director



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