

## **YARRA PLANNING SCHEME**

### **AMENDMENT C283yara**

### **EXPLANATORY REPORT**

#### **Who is the planning authority?**

Amendment C283yara has been prepared by the Minister of Planning, who is the planning authority for this amendment.

#### **Land affected by the Amendment**

Amendment C283yara applies to land at 81-89 Rupert Street, Collingwood, which is shown on the figure below. The land is described as Lot 1 on Title Plan 885083R, Volume 06598 and Folio 506. The land is affected by the schedule to Clause 45.12 (Specific Controls Overlay) of the Yarra Planning Scheme (the scheme) and identified at SCO14.



#### **What the amendment does**

Amendment C283yara applies a Specific Controls Overlay to the land and introduces an incorporated document into the scheme titled 'Walk Up Village, 81-89 Rupert Street, Collingwood – August 2020'. The amendment facilitates the use and development of a thirteen-storey (inclusive of mezzanine levels and with basement level), mixed-use building containing a residential hotel, retail, offices, cinema, restaurant, art and craft centre, art gallery, restricted recreation facilities, and community meeting facilities, along with basement car parking and other services, which is generally as proposed by Yarra City Council planning permit application no. PLN19/0570 (Victorian Civil and Administrative Tribunal reference no. P520/2020).

Specifically, the amendment:

- Amends Planning Scheme Map 6SCO and applies it to the land at 81-89 Rupert Street, Collingwood.
- Amends the Schedule to Clause 45.12 (Specific Controls Overlay), applies SCO14 to the land at 81-89 Rupert Street, Collingwood and inserts the incorporated document titled 'Walk Up Village, 81-89 Rupert Street, Collingwood – August 2020'.
- Amends the Schedule to Clause 72.04 (Documents Incorporated in this Planning Scheme) of the scheme by inserting the incorporated document titled 'Walk Up Village, 81-89 Rupert Street, Collingwood – August 2020'.

## **Strategic assessment of the Amendment**

### **Why is the Amendment required?**

The amendment is required to facilitate the approval of Walk Up Village, which is a thirteen-storey, mixed-use development containing a residential hotel, retail, offices, cinema, restaurant, art and craft centre, art gallery, restricted recreation facilities, and community meeting facilities, along with basement car parking and other services. The amendment will facilitate the project by applying a Specific Controls Overlay (SCO14) to the land and inserting an incorporated document 'Walk Up Village, 81-89 Rupert Street, Collingwood – August 2020', which stipulates conditions for the use and development. The incorporated document will expire if development does not commence within one year.

The amendment will fast-track the development on the basis that it will assist in stimulating the economy and creating jobs. The project involves an estimated capital expenditure of \$95 million with the creation of approximately 200 construction jobs and 350 ongoing jobs. These outcomes are a priority in the current economic circumstances caused by the coronavirus (COVID-19) pandemic.

### **How does the Amendment implement the objectives of planning in Victoria?**

Key objectives of planning in Victoria outlined in section 4(1) of the *Planning and Environment Act 1987* (the Act) are: (a) 'to provide for the fair, orderly, economic and sustainable use, and development of land', (c) 'to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria', (d) 'to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value', (f) 'to facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e)' and (g) 'to balance the present and future interests of all Victorians'.

The amendment will facilitate the delivery of Walk Up Village, which contains a residential hotel, retail, offices, cinema, restaurant, art and craft centre, art gallery, restricted recreation facilities, and community meeting facilities across a thirteen-storey building. The project seeks to maximise the potential of the land with a range of commercial and community uses, balanced with maintaining reasonable amenity values for adjoining and surrounding sites. The project contributes to Victoria's working environment with a range of new employment activities, including affordable floorspace, and contributes to Victoria's living and recreational environment with new and accessible public spaces, including a laneway and rooftop garden. The project intends to positively respond to the character of the area and to enhance the public realm and aims to achieve a net community benefit for current and future generations.

### **How does the Amendment address any environmental, social and economic effects?**

The amendment will facilitate the delivery of a development that will stimulate the Victorian economy during the COVID-19 pandemic. The project includes a residential hotel, retail, offices, cinema, restaurant, art and craft centre, art gallery, restricted recreation facilities, and community meeting facilities. This involves an estimated capital expenditure of \$95 million with the creation of approximately 200 construction jobs and 350 ongoing jobs.

Given the dire economic circumstances created by the COVID-19 pandemic, stimulus of the Victorian economy is urgently required. Delays in facilitating the development would stand in the way of realising

its economic and social benefits, which include investment and job creation. The use of the exemption would bring forward the investment and job creation in a circumstance where it is urgently required.

The amendment will help facilitate an increase in employment activities, including affordable commercial floorspace, in a place where people live and where there is good access to transport and services. This will foster economic growth and contribute towards strengthening and diversifying the economy. The project includes a variety of affordable retail and workspaces, such as subsidised artist studios. Further, the project will contribute towards community infrastructure and wellbeing, with meeting spaces available for community groups at low rates or for free.

The amendment involves the private provision of public spaces, with a significant extent of new and accessible public spaces, including a laneway, rooftop garden and other planted areas.

The economic and social benefits to Victorians that flow from the development, both presently and in the future, is in the interest of Victorians and achieves a net community benefit.

**Does the Amendment address relevant bushfire risk?**

The land is not within a bushfire risk area.

**Does the Amendment comply with the requirements of any Minister's Direction applicable to the amendment?**

The amendment has been prepared in accordance with the *Ministerial Direction – The Form and Content of Planning Schemes* under section 7(5) of the Act.

The amendment complies with *Ministerial Direction No. 9 Metropolitan Planning Strategy* as it facilitates the development of the site in accordance with the directions contained within *Plan Melbourne: 2017-2050*. Specifically, the amendment supports:

- Outcome 1 by attracting investment, supporting innovation and creating jobs.
- Outcome 3 by maximising development alongside Melbourne's integrated transport system and connecting people to jobs and services.
- Outcome 4 by facilitating a development with quality design and amenity outcomes and contributing towards Melbourne's distinctiveness and liveability.
- Outcome 5 by delivering a project that will contribute towards an inclusive, vibrant and healthy neighbourhood.
- Outcome 6 by promoting Melbourne as a sustainable and resilient city.

Further, with the preparation of an explanatory report, the amendment addresses the required strategic assessment guidelines, as discussed in this report and in accordance with *Ministerial Direction No.11 Strategic Assessment of Amendments*.

**How does the Amendment support or implement the Planning Policy Framework and any adopted State policy?**

Clause 11 – Settlement

The development responds to the needs of existing and future communities through the provision of employment, open space, as well as other commercial and community facilities. The development follows existing settlement patterns where good infrastructure is available, capitalising on opportunities for urban renewal. In this manner, sustainable development is promoted, and full advantage is taken of investment in infrastructure and services. Further, the development is well connected by transport and

contributes towards a vibrant mixed-use neighbourhood with a variety of functions. The development will create jobs and opportunities for local businesses and delivers access to services and facilities.

#### Clause 13 – Environmental Risks and Amenity

The development will minimise amenity conflicts and protect community wellbeing while facilitating appropriate uses with acceptable off-site impacts. This includes controlling noise effects on sensitive land uses.

#### Clause 15 – Built environment and heritage

The development will provide a high-quality urban design outcome that positively responds to the surrounding character and context and ensures the conservation of places of heritage significance. The development is functional and accessible and will positively contribute to a liveable and sustainable neighbourhood as well as to community and cultural life. Further, the development improves the quality of working environments and enhances the amenity and function of the public realm, including via the provision of new public spaces. In allowing safe access to walking and cycling environments, the development promotes environmentally sustainable outcomes.

#### Clause 17 – Economic development

The development will contribute to the economic wellbeing of the state and foster economic growth with a variety of commercial activities, including affordable floorspace. The development will strengthen and diversify the economy by providing additional employment and improving access to jobs closer to where people live. The development has an attractive level of amenity for businesses and workers and is supported by good public transport services and walking and cycling opportunities. Further, the development meets the community's needs for retail, entertainment, office and other commercial services. Finally, the development will facilitate tourism opportunities by supporting artistic and cultural life and providing leisure services.

#### Clause 18 – Transport

The development is supported by the existing transport system, such that it provides access to social and economic opportunities and contributes to environmental sustainability. The employment and community outcomes are well supported by public transport as well as by walking and cycling opportunities that are safe and attractive.

#### Clause 19 – Infrastructure

The development will contribute to a strong cultural environment. The development includes a range of arts, cultural and entertainment facilities, including a cinema and restaurants, in a location that is well served by public transport. Further, the development provides access to social and cultural infrastructure that is highly accessible and provided in an innovative manner. Finally, the development supports the establishment of a diverse and integrated network of public open space that meets the needs of the community.

### **How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?**

Consistent with the policy objectives of the Municipal Strategic Statement and Local Planning Policy Framework, this amendment will align with relevant clauses through:

- Increasing the number and diversity of local employment opportunities (Clause 21.04-3).
- Providing accessible community services that meet the needs of a diverse and changing community (Clause 21.04-4).

- Establishing a linked open space network that meets existing and future community needs (Clause 21.04-5).
- Protecting and enhancing Yarra's heritage places (Clause 21.05-1)
- Reinforcing the existing urban framework of Yarra; retaining Yarra's identity as a low-rise urban form with pockets of higher development; retaining and enhancing Yarra's fine grain street pattern; creating an inner city environment with landscaped beauty; ensuring that new development contributes positively to Yarra's urban fabric; and encouraging the provision of universal access in new development (Clause 21.05-2).
- Providing a public environment that encourages community interaction and activity (Clause 21.05-4).
- Providing safe and convenient pedestrian and bicycle environments (Clause 21.06-1).
- Facilitating public transport usage (Clause 21.06-2).
- Reducing the reliance on the private motor car and the impact of traffic (Clause 21.06-3).
- Promoting environmentally sustainable development (Clause 21.07-1).

#### **Does the Amendment make proper use of the Victoria Planning Provisions?**

The amendment makes proper use of the Victoria Planning Provisions to facilitate the project, specifically Clause 45.12 and Clause 72.04. The purpose of Clause 45.12 is to apply specific controls to achieve a particular use and development. The specific controls in this amendment are set out in the incorporated document and allow the use and development of the relevant land for the project, in accordance with the conditions in the incorporated document.

The use of this provision in this case is appropriate because the project will have significant economic and social benefits that are urgently required, and the incorporated document will allow the project to be delivered in a coordinated, consistent and timely manner under a single planning control.

#### **How does the Amendment address the views of any relevant agency?**

The views of the Yarra City Council have been considered in the preparation of this amendment following consultation under section 20(5) of the Act.

#### **Does the Amendment address relevant requirements of the Transport Integration Act 2010?**

The amendment is consistent with the vision for an integrated and sustainable transport system that contributes to an inclusive, prosperous and environmentally responsible state.

#### **Resource and administrative costs**

It is not anticipated the amendment will have a significant administrative impact on the responsible authority.

#### **Where you may inspect this Amendment**

The amendment can be inspected free of charge at the Yarra City Council's website at [www.yarracity.vic.gov.au](http://www.yarracity.vic.gov.au); or

The amendment is available for public inspection, free of charge, during office hours at the following places:

Yarra City Council  
Collingwood Town Hall  
140 Hoddle Street  
Abbotsford VIC 3067

Yarra City Council  
Richmond Town Hall  
333 Bridge Road  
Richmond VIC 3121

The amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at [www.planning.vic.gov.au/public-inspection](http://www.planning.vic.gov.au/public-inspection).

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**ATTACHMENT 1 - Mapping reference table**

<b>Location</b>	<b>Land /Area Affected</b>	<b>Mapping Reference</b>
81-89 Rupert Street, Collingwood	Lot 1 on Title Plan 885083R, Volume 06598 and Folio 506	SCO14 on Map 6SCO

DRAFT

**YARRA PLANNING SCHEME**

**AMENDMENT C283yara**

**INSTRUCTION SHEET**

The planning authority for this amendment is the Minister for Planning.

The Yarra Planning Scheme is amended as follows:

**Planning Scheme Maps**

The Planning Scheme Maps are amended by a total of 1 attached map sheet.

**Overlay Maps**

1. Amend Planning Scheme Map No. 6SCO in the manner shown on the 1 attached map marked 'Yarra Planning Scheme – Local Provision: Amendment C283yara'.

**Planning Scheme Ordinance**

The Planning Scheme Ordinance is amended as follows:

2. In **Overlays** – Clause 45.12, replace the Schedule with a new Schedule in the form of the attached document.
3. In **Operational Provisions** – Clause 72.04, replace the Schedule with a new Schedule in the form of the attached document.

End of document

# YARRA PLANNING SCHEME - LOCAL PROVISION AMENDMENT C283yara



**LEGEND**

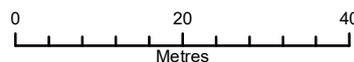
- SCO14 - Specific Controls Overlay - Schedule 14
- Local Government Area



Part of Planning Scheme Map 6SCO

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Environment,  
 Land, Water  
 and Planning

## SCHEDULE TO CLAUSE 45.12 SPECIFIC CONTROLS OVERLAY

## 1.0

## Specific controls

20/04/2020 --/--/---  
G265yaraProposed C283yara

PS Map Ref	Name of incorporated document
SCO1	351-353 Church Street, Richmond – Incorporated Document, February 2019
SCO2	520 Victoria Street, 2A Burnley Street and 2-30 Burnley Street, Richmond, Burnley Street West Precinct, Incorporated Plan, 2012
SCO3	10 Bromham Place, Richmond Incorporated Document, February 2013
SCO4	Fitzroy Former Gasworks Site Incorporated Document, February 2018
SCO5	Caulfield Dandenong Rail Upgrade Project, Incorporated Document, April 2016
SCO6	Flying Fox Campsite, Yarra Bend Park, December 2004
SCO7	Tramway Infrastructure Upgrades Incorporated Document, May 2017
SCO9	Specific Site and Exclusion – Lot 2 on PS433628L (452 Johnston Street, Abbotsford)
SCO12	North East Link Project Incorporated Document, December 2019
SCO13	Walk Up Village, 81-89 Rupert Street, Collingwood – August 2020

**SCHEDULE TO CLAUSE 72.04 DOCUMENTS INCORPORATED IN THIS PLANNING SCHEME****1.0 Incorporated documents**48/06/2020 --/--/---  
G220yaraProposed C283yara

Name of document	Introduced by:
5-15 Mayfield Street, Abbotsford, Incorporated Document, October, 2018	C188
10 Bromham Place, Richmond Incorporated Document, February 2013	C171
18-62 Trenerry Crescent, Abbotsford (Incorporated Plan, May 2018)	C218
32-68 Mollison Street and 61-69 William Street, Abbotsford July 2013	C170
351-353 Church Street, Richmond – Incorporated Document, February 2019	C225
520 Victoria Street, 2A Burnley Street, and 2 – 30 Burnley Street, Richmond, Burnley Street West Precinct - Incorporated Plan, 2012	C150
Atherton Gardens – Fitzroy, September 2010	C136
Caulfield Dandenong Rail Upgrade Project, Incorporated Document, April 2016	GC37
Chandler Highway Upgrade Incorporated Document, March 2016 (Amended December 2017)	GC80
City of Yarra Review of Heritage Overlay Areas 2007 Appendix 8, revised May 2019	C220yara
Cremorne Balmain Dover Street Project	NPS1
Crown Land Car Park Works, Burnley, August 2005	C92
Fitzroy Former Gasworks Site, Incorporated Document, February 2018	C242
Flying Fox Campsite, Yarra Bend Park, December 2004	C90
Hurstbridge Rail Line Upgrade 2017 Incorporated Document, January 2017	GC60
Incorporated Plan under the provisions of clause 43.01 Heritage Overlay, Planning permit exemptions, July 2014	C178
Local Policy “Protection of Biodiversity” Sites of Remnant Vegetation (Biosis 2001)	C49
Melbourne City Link Project – Advertising Sign Locations, November 2003	VC20
Melbourne Metro Rail Project: Upgrades to the Rail Network Incorporated Document, May 2018	GC96
North East Link Project Incorporated Document, December 2019	GC98
Planning and Design Principles for the Richmond Maltings Site, Cremorne – November 2007	C101
Richmond Walk Up Estate Redevelopment, September 2010	C136
Social housing redevelopment; Atherton Gardens Estate, Fitzroy, and Richmond Public Housing Estate, Richmond, for which the Minister for Planning is the Responsible Authority, May 2010	C135
Specific Site and Exclusion – Lot 2 on PS433628L (452 Johnston Street, Abbotsford)	C56
Swan Street Works, Burnley, June 2005	C91
Tramway Infrastructure Upgrades Incorporated Document, May 2017	GC68
Victoria Gardens Building Envelope and Precinct Plan and Precinct 3 Plan – Warehouse Area	C7
Victoria Gardens Urban Design Guidelines	NPS1

## YARRA PLANNING SCHEME

Name of document	Introduced by:
Victorian Institute of Forensic Psychiatry Concept Plan (January 1997)	NPS1
Walk Up Village, 81-89 Rupert Street, Collingwood – August 2020	C283yara
Yarra Gardens Precinct Plan, December 2009	C128

**YARRA PLANNING SCHEME  
Incorporated Document**

**Walk Up Village, 81-89 Rupert Street, Collingwood – August 2020**

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**This document is an Incorporated Document in the Yarra Planning Scheme pursuant to Section 6(2)(j) of the *Planning and Environment Act 1987***

## 1.0 INTRODUCTION

This document is an Incorporated Document in the schedule to Clause 45.12 and the schedule to Clause 72.04 of the Yarra Planning Scheme (the scheme) and pursuant to section 6(2)(j) of the *Planning and Environment Act 1987* (the Act).

## 2.0 PURPOSE

The purpose of this Incorporated Document is to permit the use and development of the land described in clause 3.0 of this document for the purpose of 'Walk Up Village' at 81-89 Rupert Street, Collingwood in accordance with clauses 5.0 and 6.0 of this document.

## 3.0 LAND

This Incorporated Document applies to the land at **81-89 Rupert Street, Collingwood** (Lot 1 on Title Plan 885083R, Volume 06598 and Folio 506) that is affected by the schedule to Clause 45.12 (Specific Controls Overlay) of the scheme and identified at SCO14.

## 4.0 EXEMPTION FROM PLANNING SCHEME PROVISIONS

Despite any provision to the contrary or any inconsistent provision in the scheme, no planning permit is required for, and no planning provision in the scheme operates to prohibit, restrict or regulate the use and development of the land as described at clauses 5.0 and 6.0 of this document.

## 5.0 WHAT THIS DOCUMENT ALLOWS

This Incorporated Document allows the use and development of a thirteen-storey (inclusive of mezzanine levels and with basement level), mixed-use building containing a residential hotel, retail, offices, cinema, restaurant, art and craft centre, art gallery, restricted recreation facilities, and community meeting facilities, along with basement car parking and other services, generally in accordance with the following 'Incorporated Plans' but modified to include changes, or be authored, as required by the conditions under clause 6.0 of this document:

- Plans by 6a Architects, all dated 22.05.20 and generally titled 'Walk Up Village':
  - Context Plan, TP0001
  - Existing Site Plan, TP0002
  - Survey Plan, TP0300
  - GA Existing & Demolition Ground Floor Plan & Elevation, TP0301
  - Proposed Site Plan, TP1001
  - GA Proposed Basement, TP1101
  - GA Proposed Ground, TP1102
  - GA Proposed First (Mezzanine), TP1103
  - GA Proposed Second, TP1104
  - GA Proposed Third (Mezzanine), TP1105
  - GA Proposed Fourth, TP1106
  - GA Proposed Fifth, TP1107
  - GA Proposed Sixth, TP1108
  - GA Proposed Seventh, TP1109
  - GA Proposed Eighth, TP1110
  - GA Proposed Ninth, TP1111
  - GA Proposed Tenth, TP1112
  - GA Proposed Eleventh, TP1113
  - GA Proposed Twelfth, TP1114
  - GA Proposed Roof Plan, TP1115

- GA Proposed Typical Hotel Room, TP1120
  - Bike Store Stair Arrangement, TP1125
  - GA Proposed Section AA, TP1201
  - GA Proposed Section BB, TP1202
  - GA Proposed Section CC, TP1203
  - GA Proposed Section DD, TP1204
  - GA Proposed Section EE, TP1205
  - GA Proposed East Elevation, TP1301
  - GA Proposed West Elevation, TP1302
  - GA Proposed North Elevation, TP1303
  - GA Proposed South Elevation, TP1304
  - GA Proposed Heritage Façade Restoration and Alterations, TP2000
  - Material Palette, TP7001
  - Development Summary, TP8001
- Façade Strategy and Materials and Finishes Plan, as per clause 6.3.
  - Landscape Plan, generally in accordance with the plan by Dan Pearson Studio, dated 16 October 2019, but modified as per clause 6.7.
  - Sustainable Management Plan, generally in accordance with the plan by Atelier Ten, dated June 2019, but modified as per clause 6.9.
  - Car Park Management Plan, as per clause 6.12.
  - Green Travel Plan, generally in accordance with the plan by One Mile Grid, dated 3 July 2019, but modified as per clause 6.14.
  - Waste Management Plan, generally in accordance with the plan by One Mile Grid, dated 2 July 2019, but modified as per clause 6.16.
  - Acoustic Report, generally in accordance with the report by Wood and Grieve Engineers, dated 20 November 2019, but modified as per clause 6.19.
  - Wind Assessment Report, generally in accordance with the report by MEL Consultants, dated 22 November 2019, but modified as per clause 6.25.
  - Community Benefit Assessment Report, generally in accordance with the report by SGS Economics and Planning, dated 19 November 2019, but modified as per clause 6.27.
  - Residential Hotel Management Plan, as per clause 6.28.
  - Construction Management Plan, as per clause 6.54.

and including any amendment of the plans that may be approved from time to time under the clauses of this document. Once approved, these plans will be the endorsed plans.

## **6.0 THE FOLLOWING CONDITIONS APPLY TO THIS DOCUMENT:**

### **Amended Plans**

- 6.1 Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will form part of this Incorporated

Document. The plans must be drawn to scale with dimensions, and three copies must be provided. The amended plans must be generally in accordance with plans prepared by 6a Architects, dated 22 May 2020, but modified as follows:

#### General

- a) Correction of north point on floor plans;
- b) Plans correctly to label each floor level;
- c) All retail premises to be shown as 'shop' on the floor plans;

#### Design

- d) Retention of existing facade windows (with the exception of that to the immediate north of the central door) of former *Davis' Pickle and Sauce Factory* building;

#### Car parking

- e) The 'stair' between the ground floor and mezzanine level bike parking facility deleted and replaced with a ramp or lift compliant with AS2890.3 requirements. It is acceptable if the total number of bike parking spaces is reduced to achieve this.
- f) A minimum of 28 visitor spaces in a location easily accessible to visitors of the site with at least half the visitor spaces horizontal at grade space (e.g. bike hoop).
- g) A minimum of 61 employee bike parking spaces in a secure location only accessible to employees of the site or residential hotel guests.
- h) The headroom clearance of the ramped access-way dimensioned;
- i) Plan notation from an accredited access consultant confirming that the accessible parking spaces are satisfactory from an accessibility perspective and satisfy the intent of the DDA;
- j) All column depths, setbacks and locations clearly annotated and dimensioned and positioned to ensure that they do not encroach into the parking space clearance envelopes;
- k) All ramp grade and transition grade lengths dimensioned;
- l) The deletion of any directional arrows and hold lines;
- m) The surface material of the setback area adjacent to the laneway different to that of the laneway to clearly demarcate the difference in surface treatment;

#### Reports

- n) Any requirement of the endorsed Façade Strategy and Materials and Finishes Plan (clause 6.3) (where relevant to show on plans).
- o) Any requirement of the endorsed Landscape Plan (clause 6.7) (where relevant to show on plans).
- p) Any requirement of the endorsed Sustainable Management Plan (clause 9) (where relevant to show on plans).
- q) Any requirement of the endorsed Green Travel Plan (clause 6.14) (where relevant to show on plans).
- r) Any requirement of the endorsed Waste Management Plan (clause 6.16) (where relevant to show on plans).
- s) Any requirement of the endorsed Acoustic Report (clause 6.19) (where relevant to show on plans including notations of key commitments).
- t) Any requirement of the endorsed Wind Assessment Report (clause 6.25) (where relevant to show on plans).

- 6.2 Before demolition commences, a detailed and annotated photographic record of the former *Davis' Pickle and Sauce Factory* building context must be submitted to and

approved by the Responsible Authority as a record of the building. The photographs must:

- a) Include the interior and each external elevation of the building;
- b) Be submitted in black and white format; and
- c) Be taken by a suitably qualified heritage photographer.

### **Façade Strategy and Materials and Finishes Plan**

6.3 In conjunction with the submission of development plans under clause 6.1, a Façade Strategy and Materials and Finishes Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this document. This must detail:

- a) Elevations at a scale of 1:20 or 1:50 illustrating typical podium and tower details, entries and doors;
- b) Elevations at a scale of 1:20 or 1:50 detailing all reconstruction works of the northern and southern boundary returns of the former *Davis' Pickle and Sauce Factory* including notations to say use of recycled bricks and details of all façade works including all restoration works and 'make good works' associated with works to the entries to be prepared by suitably qualified heritage architect;
- c) Section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;
- d) Information about how the heritage façade will be maintained, including any vegetation and informal seating; and
- e) A materials schedule and coloured drawings and renders outlining colours, materials and finishes and graffiti proofing of walls to the street.

6.4 The use and development as shown on the incorporated plans must not be altered without the prior written consent of the Responsible Authority.

6.5 Before the endorsement of plans, written confirmation must be provided from the relevant water authority that the sewer vent in the laneway can either be retained in the existing location or is no longer required and can be removed. If neither of these options can occur, the sewer vent is to be relocated to the satisfaction of the relevant water authority.

6.6 As part of the ongoing progress and development of the site, 6a Architects or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:

- a) Oversee design and construction of the development; and
- b) Ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.

### **Landscape Plan**

6.7 Concurrent with the amended plans required by clause 6.1, an amended Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of the incorporated plans for this document. The plan must show:

- a) Reference to design changes as required by clause 6.1 and include additional landscaping as required by the amended Wind Assessment Report at clause 6.25;
- b) The landscaping on any of the upper levels and how this is going to be maintained, including information on waterproofing, growing media, irrigation and mulch;

- c) Details of how any mulch specified on the higher levels will not be at risk of blowing away during high wind events must be provided;
- d) Details of custom furniture proposed, ensuring safety and compliance standards are met; and
- e) All plants proposed confirmed to not be listed within DELWP *Advisory List of Environmental Weeds in Victoria*.

6.8 Before the buildings is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:

- a) Implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
- b) Not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
- c) Replacing any dead, diseased, dying or damaged plants,

to the satisfaction of the Responsible Authority.

### **Sustainable Management Plan**

6.9 Concurrent with the plans required by clause 6.1, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of the incorporated plans for this document.

The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Atelier Ten dated June 2019 but modified to make reference to design changes as required by clause 6.1 and include the following details:

- a) Clarify provision of operable windows throughout office areas to reduce reliance on mechanical systems;
- b) The report and the proposed energy modelling to be consistent in its detailing (i.e. there are inconsistencies between the model input of VLT (0.55) for Glazing and the stated minimum (0.4);
- c) The type of glazing with regard to energy modelling and clarification of daylight modelling;
- d) Preliminary modelling or glazing calculations to support evidence for energy savings (i.e. note that a target over the 2016 reference case is required);
- e) Clarification regarding the consistency with zero carbon goal (i.e. this may not be feasible);
- f) Specify proportions as % of total, or GHG reduced and remove vague language from materials section;
- g) Provision of an EMP; and
- h) Update architectural drawings to match details provided in any updated Waste Management Plan.

6.10 The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

6.11 Before the development is occupied, a report from the author of the Sustainable Management Plan, endorsed under this document, or similarly qualified person or

company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm all measures specified in the endorsed Sustainable Management Plan have been implemented.

### **Car Park Management Plan**

6.12 Before the development commences, a Car Park Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of the incorporated plans for this document. The plan must address, but not be limited to, the following:

- a) The number and location of car parking spaces allocated to each tenancy;
- b) Any tandem parking spaces allocated to a single tenancy;
- c) The number and location of car spaces for shared use, including time of shared use;
- d) The management of visitor car parking spaces and security arrangements for occupants of the development, including details on how residential visitors are to access car parking;
- e) Details of wayfinding, cleaning and security of end of trip bicycle facilities;
- f) Policing arrangements and formal agreements;
- g) A schedule of all proposed signage including directional arrows and signage, informative signs indicating location of disabled bays and bicycle parking, exits, restrictions, pay parking system etc.; and
- h) Details regarding the management of loading and unloading of goods and materials.

6.13 The requirements of the endorsed Car Park Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Green Travel Plan**

6.14 Concurrent with the plans required by clause 6.1, an amended Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of the incorporated plans for this document.

The amended Green Travel Plan must be generally in accordance with the Green Travel Plan prepared by One Mile Grid Traffic Engineering dated 3 July 2019 but modified to make reference to the plans as endorsed under clause 6.1.

6.15 The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Waste Management Plan**

6.16 Concurrent with the plans required by clause 6.1, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of the incorporated plans for this document.

6.17 The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

6.18 The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

## Acoustic Report

- 6.19 Concurrent with plans required by clause 6.1, an amended Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the report will be endorsed and will form part of the incorporated plans for this document. The amended Acoustic Report must be generally in accordance with the Acoustic Report prepared by Wood and Grieve Engineers and dated 20 November 2019, but modified to include / make reference to:
- a) The plans required by clause 6.1; and
  - b) Confirmation and evidence to show consideration and all amelioration measures required to address the location of any music venues including 'Rupert on Rupert'.
- 6.20 Within 6 months of the commencement of the residential hotel use, a supplementary Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer that confirms that all measures endorsed as part of the Acoustic Report required at clause 6.19 have been implemented. The supplementary report must be submitted to and approved by the Responsible Authority. When approved, the supplementary report will be endorsed and will form part of the incorporated plans for this document.
- 6.21 All uses must comply at all times with the State Environment Protection Policy — Control of Noise from Commerce, Industry and Trade (SEPP N-1).
- 6.22 All uses must comply at all times with the State Environment Protection Policy — Control of Music Noise from Public Premises (SEPP N-2).
- 6.23 The provision of music on the land must be at a background noise level at all times.
- 6.24 The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

## Wind Assessment Report

- 6.25 Concurrent with the plans required by clause 6.1, an amended Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended report will be endorsed and will form part of the incorporated plans for this document. The amended Wind Assessment Report must be generally in accordance with the findings of the report titled '*Environmental Wind Speed Measurements on a Wind Tunnel Model of the 81-89 Rupert Street Development, Collingwood*' prepared and authored by MEL Consultants and dated 22 November 2019 (Revision No. 2) but modified to include (or show):
- a) Assessment of the development as amended pursuant to clause 6.1 with:
    - i) Further assessment of the open-air terraces on Levels 01 and 03;
    - ii) Planting of established trees on Level 03 with a maintenance regime that ensures their survival; and
    - iii) Application of stricter wind comfort criteria of '*stationary short exposure*' to the lift lobbies and tenancy entrance areas.
- 6.26 The provisions, recommendations and requirements of the endorsed Wind Assessment Report must be implemented and complied with to the satisfaction of the Responsible Authority.

## **Community Benefit Assessment Report**

6.27 The Community Benefit Assessment Report prepared by SGS Economics and Planning dated 19 November 2019, must be updated to the satisfaction of the Responsible Authority to reflect the plans as required by clause 6.1 and their requirements. The updated report must also provide details in relation to the methods applied to ensure ongoing public access to all uses within the hours of operation detailed within this document (including the roof top garden). The updated report must be submitted to and approved by the Responsible Authority. When approved, the updated report will be endorsed and will form part of the incorporated plans for this document.

Within 12 months of the uses commencing, confirmation from the developer must be submitted to the Responsible Authority that all community benefit measures outlined in the endorsed Community Benefit Assessment Report are operational.

## **Residential Hotel Use / Management Plan**

6.28 Concurrent with the plans required by clause 6.1, a Residential Hotel Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of the incorporated plans for this document. The plan must detail the following:

- a) Procedures, and standards for guests to minimise amenity and parking problems in the neighbourhood;
- b) Ongoing measures to be taken to ensure residential hotel guests and visitors do not cause any unreasonable amenity impact to persons beyond the land;
- c) Establishment of a line of communication with adjoining owners and occupiers aimed at identifying and addressing amenity concerns;
- d) An outline of all house rules intended to be used to manage residents and guests including:
  - i) Guest behaviour;
  - ii) Noise; and
  - iii) Methods of eviction if house rules are broken;
- e) Details of eviction process in the event house rules are broken;
- f) Standards for property maintenance, health and cleanliness;
- g) Security against thefts and break-ins, including security of guests' belongings.

6.29 The residential hotel use must be managed in accordance with the endorsed Residential Hotel Management Plan.

## **Retail (Shops)**

6.30 Except with the prior written consent of the Responsible Authority, the retail (shops) use authorised by this document may only operate between the following hours:

- a) Monday to Sunday: 7.00am – 10pm.

## **Cinema**

6.31 Except with the prior written consent of the Responsible Authority, the cinema authorised by this document may only operate between the following hours with up to 46 patrons:

- a) Monday to Sunday: 10.00am – 12 midnight.

### **Restaurant / food and drink premises**

6.32 Except with the prior written consent of the Responsible Authority, the restaurant(s) / food and drink premises authorised by this document may only operate between the following hours:

- a) Monday to Sunday: 7.00am – 12 midnight.

6.33 Except with the prior written consent of the Responsible Authority, the restaurant use authorised by this document may only operate with the following patron numbers:

- a) Unit B (Second floor): 350 patrons; and
- b) Unit B (Mezzanine): 110 patrons.

### **Restricted Recreation**

6.34 Except with the prior written consent of the Responsible Authority, the restricted recreation areas authorised by this document may only operate between the following hours:

- a) Monday to Sunday: 5.00am – 10pm.

6.35 Except with the prior written consent of the Responsible Authority, the restricted recreation areas authorised by this document may only operate with the following patron numbers:

- a) Unit C - Wellness Suite: 150 Patrons; and
- b) Gymnasium: 150 patrons.

### **Developer contribution**

6.36 Prior to the commencement of the development, this developer of the site must pay the Responsible Authority a \$5,000 contribution for the installation of a contra-flow bicycle lane on Rupert Street between Gipps Street and Langridge Street – or similar bicycle access improvements to the subject site as agreed in writing.

6.37 The Responsible Authority must use the funds on the agreed project within 12 months of the practical completion of the development. After 12 months of the expiry of this document, the document holder may request a refund for the full amount if the agreed project has not been commenced.

### **Road Infrastructure**

6.38 Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing must be demolished and reinstated as standard footpath and kerb and channel:

- a) At the developer's cost; and
- b) To the satisfaction of the Responsible Authority.

6.39 Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all building works and connections for underground utility services outside the building's frontage must be constructed:

- a) At the developer's cost; and
- b) To the satisfaction of the Responsible Authority.

6.40 Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all public infrastructure, including re-sheeting of the footpath for the entire width of the property must be pursued:

- a) At the developer's cost; and
- b) To the satisfaction of the Responsible Authority.

6.41 Before the building is occupied, or by such later date as approved in writing by the Responsible Authority the relocation of any service poles, structures or pits necessary to facilitate the development must be undertaken:

- a) At the developer's cost; and
- b) To the satisfaction of the Responsible Authority.

### **Car parking**

6.42 Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the area set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:

- a) Constructed and available for use in accordance with the endorsed plans;
- b) Formed to such levels and drained so that they can be used in accordance with the endorsed plans;
- c) Treated with an all-weather seal or some other durable surface; and
- d) Line-marked or provided with some adequate means of showing the car parking spaces;

to the satisfaction of the Responsible Authority.

6.43 Except with the prior written consent of the Responsible Authority, no less than 40 car spaces must be provided on the site at all times.

### **Loading On Site**

6.44 The loading and unloading of vehicles and the delivery of goods to and from the land must be conducted entirely within the land to the satisfaction of the Responsible Authority.

### **Lighting**

6.45 Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the pedestrian and vehicular entrances and internal laneway must be provided on the subject site. Lighting must be:

- a) Located;
- b) Directed;
- c) Shielded; and
- d) Of limited intensity

to the satisfaction of the Responsible Authority.

## **General**

- 6.46 Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
- 6.47 Speakers external to the building (inclusive of the balcony / terraces and rooftop areas) must not be erected or used.
- 6.48 As part of the ongoing progress and development of the site, 6a Architects (being the architect who designed the building), or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:
- a) Oversee design and construction of the development; and
  - b) Ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.
- 6.49 Before the building is occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.
- 6.50 Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
- 6.51 All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
- 6.52 All pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
- 6.53 Delivery and collection of goods to and from the land may only occur between 7am and 10pm Monday to Saturday, or after 9am on a Sunday or public holiday except for those allowed under any relevant local law.

## **Construction Management Plan**

- 6.54 Before the use and development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of the incorporated plans for this document. The plan must provide for:
- a) A pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
  - b) Works necessary to protect road and other infrastructure;
  - c) Remediation of any damage to road and other infrastructure;
  - d) Containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land;
  - e) Facilities for vehicle washing, which must be located on the land;
  - f) The location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
  - g) Site security;
  - h) Management of any environmental hazards including, but not limited to,:

- i) Contaminated soil;
  - ii) Materials and waste;
  - iii) Dust;
  - iv) Stormwater contamination from run-off and wash-waters;
  - v) Sediment from the land on roads;
  - vi) Washing of concrete trucks and other vehicles and machinery; and
  - vii) Spillage from refuelling cranes and other vehicles and machinery;
- i) The construction program;
  - j) Preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
  - k) Parking facilities for construction workers;
  - l) Measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
  - m) An outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
  - n) An emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
  - o) The provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;
  - p) A Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority.
- In preparing the Noise and Vibration Management Plan, consideration must be given to:
- i) Using lower noise work practice and equipment;
  - ii) The suitability of the land for the use of an electric crane;
  - iii) Silencing all mechanical plant by the best practical means using current technology;
  - iv) Fitting pneumatic tools with an effective silencer;
  - v) other relevant considerations; and
  - q) Any site-specific requirements.

*During the construction:*

- r) Any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
- s) Stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;
- t) Vehicle borne material must not accumulate on the roads abutting the land;
- u) The cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
- v) All litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.

## **Construction Times**

6.55 Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:

- a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm;

- b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
- c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

## **7.0 EXPIRY OF INCORPORATED DOCUMENT**

7.1 Notwithstanding other provisions of this document, this Incorporated Document will expire if one of the following circumstances applies:

- a) The development is not started within one year of the date of the gazettal of Amendment C283yara.
- b) If a new development proposal is applied for.

**End of Document**

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