

PORT PHILLIP PLANNING SCHEME

INCORPORATED DOCUMENT

91-95 Montague Street, South Melbourne

November 2022

Incorporated document pursuant to Section 6(2)(j) of the *Planning and Environment Act 1987*

Incorporated document in the Schedules to Clauses 45.12 and 72.04 of the Port Phillip Planning Scheme

1. INTRODUCTION

- 1.1. This document is an Incorporated Document in the schedules to Clauses 45.12 and 72.04 of the Port Phillip Planning Scheme (the Planning Scheme) pursuant to section 6(2)(j) of the *Planning and Environment Act 1987*.
- 1.2. The land identified in Clause 3 of this document may be used and developed in accordance with the specific control contained in Clause 4 of this document.
- 1.3. The control in Clause 4 prevails over any contrary or inconsistent provision in the Planning Scheme.
- 1.4. The Minister for Planning is the Responsible Authority for administering Clause 45.12 of the Planning Scheme with respect of this Incorporated Document except that:
 - a) Port Phillip City Council is the Responsible Authority for matters expressly required by the Incorporated Document to be endorsed, approved or done to the satisfaction of the Port Phillip City Council.
 - b) The Victorian Planning Authority (or its successor) is the Responsible Authority for matters under Division 2 of Part 9 of the Act relating to any agreement that makes provision for development contributions.
 - c) Port Phillip City Council is the Responsible Authority for the enforcement of the Incorporated Document.

2. PURPOSE

- 2.1. To facilitate the demolition of the existing buildings and the use and development of the land identified in Clause 3 for a multi storey building comprising office and retail premises in accordance with Clause 4 of this document.

3. LAND DESCRIPTION

- 3.1. The control in Clause 4 applies to all that land contained within:
 - a) Certificate of Title Volume 09756 Folio 098, commonly known as land in Plan of Subdivision TP301903Q, being Crown Allotment 10B Section 57A City of South Melbourne Parish of Melbourne South and more particularly 91-95 Montague Street, South Melbourne; and
 - b) Certificate of Title Volume 12355 Folio 730, commonly known as Lot 1 on TP970455F and more particularly former Road R3257-01 on the Port Phillip City Council Register of Public Roads.



Figure 1: Map of Land subject to this Incorporated Document

4. CONTROL

Exemption from the Planning Scheme requirements

- 4.1. Subject to Clause 4.4, no planning permit is required for, and no provision in the Planning Scheme operates to prohibit, control or restrict the use or development of the Land in accordance with the provisions contained in Clause 4.
- 4.2. A permit is required to subdivide the Land except where the subdivision creates a road and no additional lot is created.
- 4.3. An application for subdivision is exempt from the requirements in Clause 45.11 (Infrastructure Contributions Overlay) of the Planning Scheme but not from the requirements in Clause 53.01 (Public Open Space Contributions) if applicable.
- 4.4. Notwithstanding Clauses 4.4 and 4.5, any permit allowing subdivision of the Land must include a condition requiring payment to Council, before a statement of compliance is issued, of a public open space contribution equal to 8% of the site value of the Land.

Compliance with the endorsed plan

- 4.5. The use and development of the land must be undertaken generally in accordance with all documents approved under Clause 4.

Layout and use of the development not to be altered

- 4.6. The development on the land as shown on the approved plans must not be altered or modified without the prior written consent of the Responsible Authority.

Amended plans

- 4.7. Before the development starts, excluding demolition, excavation, piling and site preparation works and works to remediate contaminated land, amended plans must be submitted to and approved by the Responsible Authority. The plans must be drawn to scale and fully dimensioned including to show natural ground level, floor levels, wall and building heights and lengths, with heights to be expressed to Australian Height Datum (AHD). The plans must be generally in accordance with the architectural Floor Plans - Ground and Lower Mezzanine, Levels 01-05, Typical Tower Voids and Terraces Levels 06-13 and Levels 15-22, Level 14 (Plant), Lift Plant, Lift Motor Room, West, South, East elevations and Sections A-A and B-B (all Rev 4, dated 23 August 2022), prepared by Plus Architects, but modified to show:
 - a) A full set of corresponding building elevations and section drawings.
 - b) The overall maximum building height (including all services) at no greater than the height of the adjoining building at 89-103 Gladstone Street.
 - c) Design details of the northern elevation of the tower, showing treatment of and design response to areas that protrude beyond the adjoining building line at 89-103 Gladstone Street.
 - d) Disability Discrimination Act (DDA) compliant access from Montague Street including to both retail tenancies.
 - e) Modifications to the design detailing through the following methods:
 - i. The reduction of the width of the canopy form to sit in between the brick piers.
 - ii. The exposure of building services fronting Montague Street to form a design feature within the composition of the building façade or integrated into a landscape feature.
 - f) Provision of gentle, graduated and seamless transitions between the public and private realm.

- g) Notations showing details of flood resilient design including waterproof doors and windows, elevated power outlets and building materials.
- h) Suitable signalisation or warning mechanisms (such as warning lights, convex mirror, or similar) at the entrance to the loading bay for pedestrian safety.
- i) The loading bay crossover width dimensioned.
- j) The width, length and height including minimum 4.0m headroom and clearance from walls/ columns / obstructions or other protruding elements of the loading area.
- k) Any changes, technical information and plan notations (or otherwise) required as a consequence of any provision in Clause 4 of this Incorporated Document.

Aboriginal Cultural Heritage

- 4.8. Before the development starts, including demolition, excavation, piling and site preparation works and works to remediate contaminated land, one of the following must be provided to the Responsible Authority:
- a) A report prepared by a suitably qualified professional confirming to the satisfaction of the Responsible Authority that a Cultural Heritage Management Plan (CHMP) pursuant to the *Aboriginal Heritage Act 2006* is not required; or
 - b) A certified Preliminary Aboriginal Heritage Test (PAHT) under sections 49B and 49C of the *Aboriginal Heritage Act 2006* in respect of the development of the land; or
 - c) A letter from Aboriginal Victoria confirming a CHMP has been approved for the land.
- 4.9. All works on the land must be carried out or constructed in accordance with the requirements of any approved CHMP or otherwise in accordance with the requirements of the *Aboriginal Heritage Act 2006* and *Aboriginal Heritage Regulations 2018*.

Façade Strategy & Materials and Finishes

- 4.10. Before the development starts, excluding demolition, excavation, piling, site preparation works and works to remediate contaminated land, a Façade Strategy must be submitted to and approved by the by the Responsible Authority. Unless specified otherwise by the Responsible Authority, the Façade Strategy must be generally in accordance with the Design response dated 22 August 2022 and the corresponding indicative renders and elevations dated 22 August 2022 prepared by Plus Architects and also include:
- a) A concise description by the architect of the building design concept and how the façade works to achieve this.
 - b) A schedule of colours, materials and finishes, including the colour, type and quality of materials showing their application and appearance. This can be demonstrated in coloured elevations or renders from key viewpoints, to show the materials and finishes linking them to a physical sample board with clear coding.
 - c) Elevation details generally at a scale of 1:50, or other suitable scale agreed to by the Responsible Authority, illustrating typical building details, entries and doors, utilities, and any special features which are important to the building's presentation.
 - d) Cross sections or other method of demonstrating the façade systems, including fixing details indicating junctions between materials and significant changes in form and/or material.
 - e) Information about how the façade will be accessed, maintained and cleaned.
 - f) Example prototypes and/or precedents that demonstrate the intended design outcome as indicated on plans and perspective images, to produce a high-quality built form outcome in accordance with the design concept.

- g) Building plant, equipment and utility installations facing a street or lane minimised, and architecturally integrated into the design of the building.
- h) Details of all hard-landscaping materials, finishes and treatments and urban design elements including retaining wall, paving, kerbs, accessway, lighting, seating and balustrading.
- i) Elevations, sections, levels and details including materials and finishes of public realm works (if any are proposed), including reconstruction of public assets.
- j) Any level changes required to meet flood level requirements incorporated holistically into the design.
- k) Details of the materials and finishes and architectural resolution of screening to rooftop plant and equipment.

4.11. Except with the prior consent with the Responsible Authority, Plus Architecture must be retained to complete and provide architectural oversight during the construction detail design as shown in the endorsed plans and endorsed schedule of materials and finishes to the satisfaction of the Responsible Authority.

Reflectivity

4.12. Except with the consent of the Responsible Authority, all external façade, material and finishes must be of a type that does not reflect more than 20% of visible light when measured at an angle of incidence normal to the glass surface.

Landscaping

4.13. Before the development starts, excluding demolition, excavation, piling, site preparation works and works to remediate contaminated land, a detailed landscaping plan(s) must be submitted to and approved by Port Phillip City Council. The plan(s) must include as relevant:

- a) A planting schedule of all proposed trees and other vegetation including botanical name, common names, pot sizes, sizes at maturity, and quantity of each plant and their protection and maintenance.
- b) How the landscaping responds to water sensitive urban design principles, including how rainwater will be captured, cleaned and stored.
- c) Details of all hard-landscaping materials, finishes and treatments and urban design elements including paving, lighting, seating and balustrading.

4.14. All landscaping shown in the approved landscape must be carried out and completed prior to occupation of buildings and thereafter maintained to the satisfaction of the Port Phillip City Council.

Public Lighting Plan

4.15. Before the development starts, excluding demolition, excavation, piling, site preparation works and works to remediate contaminated land, a detailed lighting plan must be prepared and approved by the Port Phillip City Council. This plan must:

- a) Identify all proposed lighting sources, lux levels and spillage details and address how the lighting will integrate with the existing lighting in the interfacing public spaces.

4.16. Require all public lighting to conform with AS1158.3.1-2000 *Lighting for roads and public spaces Pedestrian area (Category P) lighting – Performance and design requirements*, AS/NZS 428:2019.2 *Control of the obtrusive effects of outdoor lighting* and the Public Lighting Code December 2015 (v2) or suitable alternative to the satisfaction of the Port Phillip City Council.

4.17. The approved lighting plan must be implemented as part of the development to the satisfaction of the Port Phillip City Council.

Demolition Management Plan

- 4.18. Before demolition starts, a detailed Demolition Management Plan (DMP) must be submitted to and approved by the Port Phillip City Council. The DMP's objectives must be to minimise the impact of works associated with the demolition on neighbouring buildings and structures and activities conducted in the area generally. The DMP must address the following matters as relevant:
- a) Staging of dismantling/demolition.
 - b) Site preparation.
 - c) Public safety, amenity and site security.
 - d) Management of the construction site and land disturbance.
 - e) Operating hours, noise and vibration controls.
 - f) Air and dust management.
 - g) Waste and materials reuse.
 - h) Stormwater and sediment control.
 - i) Management of public access and vehicle, bicycle and pedestrian linkages around the site during demolition.
 - j) Protection of existing artworks in the public realm.
 - k) Site access and traffic management (including any temporary disruptions to adjoining vehicular, bicycle and pedestrian access ways).
 - l) Details of temporary buildings or works (such as landscaping works to activate and improve the site and street frontage) to be constructed should works cease and the site remain vacant for 6 months after completion of demolition.
- 4.19. Demolition must be carried out in accordance with the approved DMP to the satisfaction of the Port Phillip City Council.

Construction Management - Piling

- 4.20. Piling works must not include driven piling. Piling must be by bored, screw, or sheet piling or similar to the satisfaction of the Port Phillip City Council.

Traffic, Parking and Loading/Unloading

- 4.21. Before the development starts, excluding demolition, piling, excavation, site preparation works, and works to remediate contaminated land, an updated traffic engineering assessment including functional layout plans and other supporting information as appropriate must be submitted to and approved by the Port Phillip City Council.
- 4.22. The internal design of the loading dock, the positioning of card readers, control equipment, and ramp grades must be generally in accordance with the Australian and New Zealand Standard 2890.1-2004 and to the satisfaction of the Port Phillip City Council.
- 4.23. The loading and unloading of vehicles and delivery of goods to and from the premises must at all times take place within the boundaries to the satisfaction of the Port Phillip City Council.
- 4.24. Traffic access and loading/unloading arrangements must not be altered without the prior written consent of the Port Phillip City Council.
- 4.25. Before the development is occupied, vehicle crossings must be constructed in accordance with the City of Port Philip's Vehicle Crossing Guidelines and standard drawings to the satisfaction of the Port Phillip City Council. All redundant crossings must be removed and the footpath, nature strip, kerb and road reinstated as necessary at the cost of the applicant/owner and to the satisfaction of the Port Phillip City Council.

- 4.26. Bicycle parking must be provided, located and appropriately signed in accordance with the endorsed plans.

Waste Management Plan

- 4.27. Before the development starts, excluding demolition, excavation, piling, site preparation works, and works to remediate contaminated land an amended Waste Management Plan must be prepared and submitted to and be approved by the Port Phillip City Council. The Waste Management Plan must be generally in accordance with the Waste Management Plan dated 30 July 2019, prepared by Low Impact Development Consulting but modified to include:
- a) Provision for organic/green waste storage;
 - b) Provision for Hard waste, charity bin and E-waste.
 - c) Details of back-of-house access to the Refuse Zone(s) for the retail tenancies.
 - d) Details of ventilation, washing and vermin prevention for the waste room.
 - e) Details of security to the waste rooms such as doors / roller doors.
 - f) Swept path plan for waste collection truck access to and from the waste room.
 - g) Confirmation all waste collection will be outside of peak car traffic times.
 - h) Confirmation of the maximum operating height of the waste collection vehicle and minimum roof clearance within the car park.
- 4.28. The approved Waste Management Plan must be implemented to the satisfaction of the Port Phillip City Council. Waste storage and collection must be undertaken in accordance with the approved Waste Management Plan and must be conducted in such a manner as not to affect the amenity of the surrounding area and which does not cause any interference with the circulation and parking of vehicles on abutting streets.

Noise Attenuation

- 4.29. Before the development starts, excluding demolition, excavation, piling, site preparation works, and works to remediate contaminated land an Acoustic Assessment Report must be prepared and submitted to and approved by the Port Phillip City Council. The Acoustic Assessment Report must detail noise attenuation measures as relevant in accordance with *Environment Protection Regulations 2021*.

Incorporation of Noise Attenuation Measures

- 4.30. Prior to the occupation of the building, a report by a suitably qualified acoustic consultant must be submitted to, approved by and be to the satisfaction of the Port Phillip City Council:
- a) Certifying that the building incorporates the noise attenuation measures (as relevant) as specified in the endorsed Acoustic Assessment Report.
 - b) Verifying the building achieves the internal noise levels specified in the corresponding condition(s) in this approval.

The report must detail the set-up on site and methodology of the testing process.

Where post construction measurement and testing shows internal noise levels exceeding those specified in the corresponding condition above, the applicant must make rectifications and retest as necessary to demonstrate compliance with the noise levels to the satisfaction of the Port Phillip City Council.

The cost of certification acoustic works is to be met by the developer.

- 4.31. All air conditioning and refrigeration plant must be screened and baffled and/or insulated to minimise noise and vibration to ensure compliance with noise limits determined in accordance with Division 1 and 3 of Part 5.3 - Noise, of the *Environment Protection Regulations 2021* to the satisfaction of the Port Phillip City Council.

Disability Access

- 4.32. Prior to the occupation of the building, a Disability Discrimination Act Assessment/Audit, prepared by a suitably qualified consultant, must be submitted to the Port Phillip City Council. This document must provide an assessment of the development (including public realm works or publicly accessible areas) against the applicable accessibility provisions of the Building Code of Australia and the applicable provisions of the *Disability (Access to Premises – Buildings) Standards 2010*.

Wind Assessment

- 4.33. Before the development starts, excluding demolition, excavation, piling, site preparation works, and works to remediate contaminated land, an amended comprehensive wind tunnel test and environmental climate assessment report must be submitted to and approved by Port Phillip City Council. The amended report must be generally in accordance with the report prepared by RWDI dated 13 September 2019 and Memo dated 17 March 2020 but modified to consider and address the plans prepared by Plus Architects dated 23 August 2022 Rev 4 and all changes required under Clause 4 and must (unless otherwise agreed in writing by the Port Phillip City Council):
- a) Include wind tests taken at various points within the surrounding road network, including, carried out on a model of the approved building inclusive of the modifications required to determine the wind impacts of the development and provide recommendations for any modifications which must be made to the design of the building to improve any adverse wind conditions within the public realm and podium rooftop and open space areas.
 - b) Carry out the wind tests on a model of the approved building inclusive of the modifications required to determine the wind impacts of the development.
 - c) Provide recommendations for any modifications which must be made to the design of the building to improve any unsafe wind conditions within the public realm as relevant.
 - d) Demonstrate (or provide built form recommendations) that the development will ensure all publicly accessible areas, including footpaths will not be unreasonably affected by 'unsafe wind conditions' as specified in Table 7 of Schedule 30 to Clause 43.02 Design and Development Overlay of the Port Phillip Planning Scheme.
 - e) Demonstrate (or provide built form recommendations) that the development (inclusive of the balconies) will be able to achieve 'comfortable wind conditions' as specified in Table 7 of Schedule 30 to Clause 43.02 Design and Development Overlay of the Port Phillip Planning Scheme.
- 4.34. Any further modifications required to the development in order to ensure acceptable wind conditions to the surrounding streets and public areas must be carefully developed as an integrated high-quality solution with the architectural design and must not rely on street trees or wind amelioration screens within the public realm to the satisfaction of the Port Phillip City Council.
- 4.35. The recommendations and requirements of the approved Wind Impact Assessment Report must be implemented to the satisfaction of the Port Phillip City Council before the development is occupied.

Development Contribution

- 4.36. Before the development starts, excluding demolition, excavation, piling, site preparation works, and works to remediate contaminated land, the owner of the land must enter into an Agreement pursuant to section 173 of the *Planning and Environment Act 1987* with the Responsible Authority and make application to the Registrar of Titles to have the Agreement registered on the titles to the land under section 181 of the *Planning and Environment Act 1987* to the satisfaction of the Responsible Authority. The Agreement must:
- a) Require the developer to pay a development contribution of:

- i. \$191.51 per sqm of gross office/commercial floor area; and
 - ii. \$159.59 per sqm of gross retail floor area.
- b) Require that development contributions are to be indexed annually from 1 July 2020 using the Price Index of Output of the Construction Industries (Victoria) issued by the Australian Bureau of Statistics.
 - c) Require registration of the Agreement on the titles to the affected lands as applicable.
 - d) Include a schedule of the types of infrastructure to be delivered by the Victorian Planning Authority or their successor.
 - e) Confirm that contributions will be payable to the Victorian Planning Authority or their successor.
 - f) Confirm that the Victorian Authority Planning or its successor, will use the contributions to deliver the schedule of types of infrastructure.
 - g) Require payment of the development contribution/s before the earliest of the following:
 - i. The issue of an occupancy permit for the development; or
 - ii. The issue of a statement of compliance in relation to the subdivision of the land in accordance with the development allowed under this specific control.
 - h) Confirm the procedure for refunding monies paid if an approved Development Contribution Plan or Infrastructure Contributions Plan for the area is less than the amount stipulated in the Agreement.
 - i) Make provision for its removal from the land following completion of the obligations contained in the agreement.
 - j) Require the owner of the Land to pay all reasonable legal cost and expense of the Agreement including preparation, execution and registration on the titles.

Drainage/Engineering

- 4.37. Before the development starts excluding demolition, excavation, piling, site preparation works, and works to remediate contaminated land, or as otherwise agreed by the Port Phillip City Council, a stormwater drainage system design incorporating integrated water management design principles, must be submitted to and approved by the Port Phillip City Council. The stormwater drainage system design must:
- a) Include a detailed response to Clause 22.12 (Stormwater Management (Water Sensitive Urban Design) of Port Phillip Planning Scheme.
 - b) Incorporate a legal point of discharge (LPD) to the satisfaction of Port Phillip City Council.
- 4.38. The stormwater drainage system must be constructed in accordance with the design approved under this incorporated document, connected to the existing stormwater drainage system and completed prior to the occupation of the building to the satisfaction of the Port Phillip City Council.

Environmental Audit

- 4.39. Prior to a sensitive use commencing (excluding any works necessary to undertake a required assessment or audit, or exempted by Clause 45.03-1 of the Port Phillip Planning Scheme) or as otherwise agreed by the Port Phillip City Council, one of the following must be provided to the Responsible Authority:
- a) A preliminary risk screen assessment statement in accordance with the *Environment Protection Act 2017* must be issued stating that an environmental audit is not required for the use or the proposed use and a copy of this Statement must be provided to the Port Phillip City Council; or
 - b) An environmental audit statement under Part 8.3 of the *Environment Protection Act 2017* must be issued stating that the land is suitable for the use or proposed use and a copy of this Statement must be provided to the Port Phillip City Council.

Environmentally Sustainable Design - Sustainability Management Plan & Water Sensitive Urban Design

- 4.40. Before the development starts, excluding demolition, excavation, piling, site preparation works and works to remediate contaminated land an amended Sustainability Management Plan (SMP) and Water Sensitive Urban Design Response (WSUDR) must be submitted to, be to the satisfaction of and approved by the Port Phillip City Council. The SMP and WSUDR must be generally in accordance with the Sustainability Management Plan & Water Sensitive Urban Design Response prepared by WSP dated 27 August 2019, but modified to consider and address the plans prepared by Plus Architects dated 23 August 2022 Rev 4 and all changes required under Clause 4 and must (unless otherwise agreed in writing by the Port Phillip City Council) to show:
- a) Details of how the development will respond to the relevant Green Star assessment tool.
 - b) The Implementation Schedule amended to reflect the Green Star credit requirements.
 - c) How the proposal addresses the third pipe and rain tank requirements set out at Clause 4.3 of Schedule 1 to the Capital City Zone.
 - d) The WSUD Report revised to use MUSIC modelling instead of STORM.
 - e) Details of external shading to habitable spaces in the west, south and east elevations (if proposed).
 - f) The number of bicycle spaces to be consistent with the architectural plans.
 - g) Rainwater tank capacity to meet the tank sizing requirement of 0.5m³ per 10m² of roof catchment.
 - h) The rainwater tank to connected to all toilets throughout the development.
- 4.41. Where alternative Environmentally Sustainable Design measures are proposed to those specified in this condition, the Port Phillip City Council may vary the requirements of this condition at its discretion, subject to the development achieving equivalent (or greater) ESD outcomes.
- 4.42. Prior to the occupation of the building, a report (or reports) from the author of the Sustainability Management Plan & Water Sensitive Urban Design Response approved under this Incorporated Document, or similarly qualified person or company, must be submitted to the satisfaction of the City of Port Phillip and must confirm all measures specified in the approved SMP and WSUD report have been implemented.

Water Sensitive Urban Design

- 4.43. Before the development starts, excluding demolition, excavation, piling, site preparation works and works to remediate contaminated land a Water Sensitive Urban Design (Stormwater Management) Report that outlines proposed stormwater treatment measures must be submitted to, be to the satisfaction of and approved by the Port Phillip City Council.

The report must demonstrate how the development meets the water quality performance objectives as set out in the *Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO)* or as amended. This can be demonstrated by providing;

- a) MUSIC modelling
- b) A plan showing the catchment area in square metres
- c) The stormwater device included on the relevant floor plans (devices are to include raingarden(s), rainwater tank(s), permeable paving etc. or a combination of one or more).

The report must demonstrate how the stormwater device will be maintained on an on-going basis. This can be demonstrated by providing a maintenance manual including the following information;

- i) A full list of maintenance tasks,
- ii) The required frequency of each maintenance task (monthly, annually etc.),
- iii) Person responsible for each maintenance task.

- 4.44. Prior to the occupation of the building, a report (or reports) from the author of the Sustainability Management Plan & Water Sensitive Urban Design Response approved under this Incorporated Document, or similarly qualified person or company, must be submitted to the satisfaction of the Port

Phillip City Council and must confirm all measures specified in the approved SMP and WSUD report have been implemented.

Green Star rating

- 4.45. Prior to the commencement of buildings and works, evidence must be submitted to the satisfaction of the Port Phillip City Council, that demonstrates the project has been registered to seek a minimum 5 Star Green Star Design and As-Built rating (or equivalent) with the Green Building Council of Australia unless otherwise agreed in writing by the Port Phillip City Council.
- 4.46. Within 12 months of occupation of the building, certification must be submitted to the satisfaction of the Port Phillip City Council, that demonstrates that the building has achieved a minimum 5 Star Green Star Design and As-Built rating (or equivalent) unless otherwise agreed in writing by the Port Phillip City Council.

Third pipe and rain tank water

- 4.47. A third pipe must be installed for recycled and rainwater to supply all non-potable uses within the development for toilet flushing and irrigation, unless otherwise agreed by the relevant water authority.
- 4.48. An agreed building connection point must be provided from the third pipe, designed in conjunction with the relevant water supply authority, to ensure readiness to connect to a future precinct-scale recycled water supply.
- 4.49. A rainwater tank must be provided that:
 - a) Has a minimum effective volume of 0.5 cubic metres for every 10 square metres of catchment area to capture rainwater from 100% of suitable roof rainwater harvesting areas (including podiums); and
 - b) Is fitted with a first flush device, meter, tank discharge control and water treatment with associated power and telecommunications equipment approved by the relevant water authority.
- 4.50. Rainwater captured from roof harvesting areas must be re-used for toilet flushing and irrigation, or controlled release, unless otherwise agreed in writing by the Port Phillip City Council.

Services Plan and Report

- 4.51. A Services Plan and Report prepared by a suitably qualified person detailing the type, location and service authority requirements for the building based the height of the building, number of units, visibility and ease of accessibility, operational requirements including distances from entries and connection points, and safety.

3D Model

- 4.52. Before the development starts, excluding demolition, excavation, piling, site preparation works, and works to remediate contaminated land (or as otherwise agreed with the Responsible Authority), a 3D digital model of the development and its immediate surrounds must be submitted to and approved by the Responsible Authority. The 3D model must be in accordance with the *Technical Advisory Note for 3D Digital Model Submissions* prepared by the Department of Environment, Land, Water and Planning. The development must be in accordance with the endorsed 3D model, to the satisfaction of the Minister for Planning.

Building Appurtenances

4.53. All building plant and equipment on the roofs and public thoroughfares must be concealed to the satisfaction of the Port Phillip City Council.

Advertising Signs

4.54. No advertising signs either external or internal to the building/s shall be erected, painted or displayed without the prior written approval of the Responsible Authority, unless otherwise in accordance with Clause 52.05 of the Planning Scheme.

Melbourne Water (Flooding, Drainage and Sea Level Rise)

4.55. Unless an alternative design response is agreed to by Melbourne Water, with the exception of retail areas and commercial lobbies the Finished Floor Levels (FFLs) of all ground floor areas (including all lift and stair lobbies,) must be set no lower than 3.0 metres (m) to Australian Height Datum (AHD).

4.56. Unless an alternative design response is agreed to by Melbourne Water, the FFLs of the commercial lobby must be set no lower than 2.4 m to AHD, with the exception of loading/service areas, minimal transitional areas containing landings, steps or ramps to the satisfaction of Melbourne Water. This does not include lift and stair lobbies, which must be constructed with minimum FFLs of 3.0 m to AHD.

4.57. Rainwater tanks must be shown with 10m³ of storage per 200m² of roof area for the buildings.

4.58. Rainwater tanks must be shown to be designed to discharge in response to predicted rainfall events that could cause flooding.

Expiry

4.59. The control in this document expires in respect of land identified in Clause 3 of this document if any of the following circumstances apply:

- a) development of that land has not commenced within three (3) years of the approval date of Amendment C184port; or
- b) development is not completed within five (5) years of the approval date of Amendment C184port, or;
- c) The uses permitted in this Incorporated Document do not commence within five (5) years of the approval date of Amendment C184port.

END OF DOCUMENT