

PORT PHILLIP PLANNING SCHEME

INCORPORATED DOCUMENT

450-460 City Road and 7 Wolseley Street, South Melbourne

June 2021

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* (the Act).
- 1.2. The Port Phillip City Council is the responsible authority for administering Clause 45.12 of the Planning Scheme with respect of this Incorporated Document except that:
 - a) The Victorian Planning Authority 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.
 - b) The Port Phillip City Council is the Responsible Authority for the enforcement of the Incorporated Document.

2. PURPOSE

- 2.1. To facilitate the part demolition of the existing buildings and use and development of the land identified in Clause 3 for offices in accordance with Clause 4 of this document.

3. LAND DESCRIPTION

- 3.1. The control in Clause 4 applies to the land at 450-460 City Road and 7 Wolseley Street, South Melbourne being the land contained in:
 - Certificate of Title Volume 08444 Folio 699, Lot 1 TP448070R
 - Certificate of Title Volume 11093 Folio 036, Lot 1 TP703066M
 - Certificate of Title Volume 11093 Folio 037, Lot 1 TP612859F
 - Certificate of Title Volume 11093 Folio 038, Lot 1 TP412713B
 - Certificate of Title Volume 05505 Folio 811, Lot 1 TP241604H
 - Certificate of Title Volume 09366 Folio 083, Lot 1 TP179981U
 - Certificate of Title Volume 01850 Folio 928, Lot 12 PS001178
 - Certificate of Title Volume 01871 Folio 161, R2 (in-whole) and R3 (in-part) PS001178

The land is identified in Figure 1 below.



Figure 1: 450-460 City Road and 7 Wolseley Street, South Melbourne

4. CONTROL

Exemption from the Planning Scheme requirements

- 4.1. The Land may be used and developed in accordance with the specific control contained in Clause 4 of this document.
- 4.2. The control in this Clause 4 prevails over any contrary or inconsistent provision in the Planning Scheme
- 4.3. 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.
- 4.4. A permit is required to subdivide the Land except where the subdivision creates a road and no additional lot is created.
- 4.5. 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.
- 4.6. Notwithstanding Clauses 4.4 and 4.5, any permit allowing subdivision of the Land must include a condition requiring payment to Port Phillip City 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

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

Amended plans

- 4.8. Before the development starts, excluding demolition, excavation, piling and site preparation works, 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) and three copies plus an electronic copy must be provided. The plans must be generally in accordance with the architectural plans entitled Drawing TP-01 to TP-11, TP11A, TP12 to TP18, all dated 13.12.2019, prepared by Wood Marsh Architecture but modified to show:
 - a) The plan and elevation drawings amended to show details of flood levels and/or flood protection measures for all essential services such as power connections, switchboards and other critical services located to address flooding impacts.
 - b) Realignment of the proposed laneway link at the rear to eliminate any blind spot / hidden space along its length generally in accordance with the Concept Plan titled Drawing TP04 (Rev. TP03 Amended rear laneway) dated 05/02/2020, prepared by Wood Marsh Architecture.
 - c) The exposure of the building services within the fire booster cabinet to the street and an extension of the adjacent planter box below.
 - d) Integration of the building services fronting the rear lane into the compositional design of the façade strategy.
 - e) Any plan notations or changes requiring the development to meet:
 - i. the requirements of the Façade Strategy in the corresponding condition(s) below.
 - ii. the requirements for external reflectivity in the corresponding condition(s) below.
 - iii. the requirements for Landscaping and the Public Realm in the corresponding condition(s) below.
 - iv. the requirements for Traffic, Parking and Loading and Unloading in the corresponding condition(s) below.
 - v. the requirements of the Waste Management Plan in the corresponding condition(s) below.

- vi. the Environmentally Sustainable Design, Green Star and Third Pipe requirements in the corresponding condition(s) below.
- vii. the requirements of Melbourne Water in the corresponding condition(s) below.
- viii. the requirements of Department of Transport in the corresponding condition(s) below.

Layout and use of the development not to be altered

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

Aboriginal Cultural Heritage

- 4.10. Before the development starts, including demolition, excavation 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.
- 4.11. 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

- 4.12. 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 Responsible Authority. Unless specified otherwise by the Responsible Authority, the Façade Strategy must be generally in accordance with the Design response dated December 2019 prepared by Wood Marsh Architecture and also include:
- a) A concise description by the architect of the building design concept and how the façade works to achieve this.
 - b) Details of those parts of the existing buildings to be retained.
 - c) Details of the proposed concrete texturing to exposed walls to ensure sufficient depth and articulation is achieved.
 - d) 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.
 - e) 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.
 - f) 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.
 - g) Information about how the façade will be accessed, maintained and cleaned.
 - h) 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.

Reflectivity

- 4.13. Except with the consent of the Responsible Authority, all external glazing 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 and Public Realm

- 4.14. Before the development starts, excluding demolition, excavation, piling, site preparation works and works to remediate contaminated land, a detailed landscaping and public realm plan(s) must be submitted to and approved by the Responsible Authority, and include:
- 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.
 - d) Details of surface materials and finishes and construction of retaining walls, pathways, kerbs and access ways.
 - e) Elevations, sections, levels and details including materials and finishes of public realm works including reconstruction of public assets.
- 4.15. All landscaping shown in the approved landscape and public realm plans must be carried out and completed prior to occupation of buildings and thereafter maintained to the satisfaction of the Responsible Authority.

Tree Protection

- 4.16. Before the development starts, a tree protection fence must be erected around the existing street tree in front of 450 City Road to comply with AS 4970 - 2009 Tree protection on development sites to the satisfaction of the Responsible Authority.

No Damage to Existing Street Tree

- 4.17. The proposed works must not cause any damage to the retained existing street tree. Root pruning of the tree must be carried out to the satisfaction of the Responsible Authority prior to the construction of the crossover/works.

Public Lighting Plan

- 4.18. 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 Responsible Authority. 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.
 - b) 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).
- 4.19. The approved lighting plan must be implemented as part of the development to the satisfaction of the Responsible Authority.

Demolition Management Plan

4.20. Before demolition starts, a detailed Demolition Management Plan (DMP) must be submitted to and approved by the Responsible Authority. 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:

- a) Staging of dismantling/demolition.
- b) Protection of those parts of the existing buildings to be retained.
- c) Site preparation.
- d) Public safety, amenity and site security.
- e) Management of the construction site and land disturbance.
- f) Operating hours, noise and vibration controls.
- g) Air and dust management.
- h) Waste and materials reuse.
- i) Stormwater and sediment control.
- j) Management of public access and vehicle, bicycle and pedestrian linkages around the site during demolition.
- k) Protection of existing artworks in the public realm.
- l) Site access and traffic management (including any temporary disruptions to adjoining vehicular, bicycle and pedestrian access ways).
- m) 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.

4.21. Demolition must be carried out in accordance with the approved DMP to the satisfaction of the Responsible Authority.

Construction management – piling

4.22. Piling works must not include driven piling. Piling must be by bored, screw, or sheet piling or similar only unless otherwise agreed by Responsible Authority through an approved Construction Management Plan.

Traffic, Parking and Loading/Unloading

4.23. 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 Responsible Authority. The traffic engineering assessment must be generally in accordance with the Traffic Impact Assessment Report prepared by Traffix Group, dated July 2019, but amended to show:

- a) Minimum height clearance is provided above ramps to align with the directions of the Strategic Framework Plan.
- b) Deletion of the proposed alterations and widening of Wolseley Street and the Wolseley Street and City Road crossing.
- c) All loading activities must occur outside of commuter peak periods.
- d) A warning light system must be installed adjacent to the waste collection area.
- e) All bicycle spaces must be installed in accordance with the Australian standards, ensuring each space has a clear 1.5m access aisle, Ned Kelly spaces are spaced at 0.5m intervals (min.), ground level spaces (i.e. hoops) are spaced at 1m intervals (min.)

- 4.24. Traffic access and parking and loading/unloading arrangements must not be altered without the prior written consent of the Responsible Authority.
- 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 Responsible Authority. 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 Responsible Authority.
- 4.26. The area set aside for car parking and access of vehicles and accessways must be constructed, delineated and clearly lined marked to indicate each car space, the access ways and the direction in which vehicles must proceed along the accessways in conformity with the endorsed plans. Parking areas and accessways must always be kept available for these purposes and maintained to the satisfaction of the Responsible Authority.
- 4.27. Mechanical exhaust systems to the car park must be sound attenuated to prevent noise nuisance to the occupants of the building and surrounding properties to the satisfaction of the Responsible Authority.
- 4.28. Bicycle parking must be provided, located and appropriately signed in accordance with the endorsed plans.

Roads and laneways

- 4.29. Before the development starts, Roads R3187 and R4053 must be discontinued, sold and consolidated with the site pursuant to the *Local Government Act 1989*.
- 4.30. Before the development starts excluding demolition, excavation, piling, site preparation works, and works to remediate contaminated land, Engineering Drawings and Computations (as applicable) must be submitted to and approved by the Responsible Authority for the following matters:
 - a) All laneway works and associated drainage to the satisfaction of the Responsible Authority.
 - b) A cross section of the new laneway must be submitted showing above and below ground placement of services, streetlights and trees (as applicable).
 - c) The plans and cross section of the new Road must demonstrate how services, driveways and street lights will be placed so as to achieve the street reserve width and accommodate street tree planting (as applicable).
 - d) Independent drainage, the direction of stormwater runoff and a point of discharge for the land to the satisfaction of the Responsible Authority.
 - e) Underground reticulated water (including dual reticulation and a connection point to connect to a potential future precinct scale alternative water supply via a third pipe network), sewerage, gas, electricity and telecommunications located and bundled (utilising common trenching) to the satisfaction of the Responsible Authority and the relevant servicing authority(s).
 - f) All works for stormwater, Water Sensitive Urban Design, drainage, street trees, and landscaping.
 - g) All bearings, distances, levels, street names, lot numbers, lot sizes, reserves and easements.
 - h) A plan certified by an engineer showing the extent and depth and compaction of fill in excess of 300mm placed on the land.
 - i) Payment to the Responsible Authority of an engineering design checking fee equivalent to 0.75% of the values of documented works.
- 4.31. Before the development is occupied, any land identified or set aside as a new road or laneway on the approved plans must be:
 - a) Fully constructed to the satisfaction of and at no cost to the Responsible Authority.
 - b) transferred to, or vested in the relevant road authority as a public road at no cost to the relevant road authority.

Waste Management Plan

- 4.32. Before the development starts, excluding demolition, excavation, piling, site preparation works, and works to remediate contaminated land, an amended Waste Management Plan must be submitted to and be approved by the Responsible Authority. The Plan must be generally in accordance with the Waste Management Plan dated 29 May 2019 prepared by Leigh Design but modified to show:
- a) Provision of an area for E-waste
 - b) Provision of an area designated to organic waste bin for future Council services.
- 4.33. The approved Waste Management Plan must be implemented to the satisfaction of the Responsible Authority. 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

- 4.34. All air conditioning and refrigeration plant must be screened and baffled and/or insulated to minimise noise and vibration Responsible Authority and must not exceed the permissible noise levels stipulated in Part 5.3 - Noise, of the *Environment Protection Regulations 2021* for Residential Premises, Commercial, Industrial and Trade Premises and Entertainment Venues and Outdoor Entertainment Events.

Disability Access

- 4.35. Before the development is occupied, a Disability Discrimination Act Assessment / Audit, prepared by a suitably qualified consultant, must be submitted to, and approved by the Responsible Authority. 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.

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 agreement(s) 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(s) registered on the title to the land under section 181 of the Act to the satisfaction of the Responsible Authority. The agreement(s) must:
- a) Require the developer to pay a development contribution of:
 - \$191.51 per sqm of gross office/commercial floor area; and
 - b) Confirm the procedure for refunding monies associated with the works-in-kind development infrastructure contribution including the new road/laneway (marked “indicative” under the CCZ1 and the Fishermans Bend Framework Plan) on the approved plans to be transferred to, or vested in the relevant road authority as a public road.
 - c) 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.
 - d) Require registration of the Agreement on the titles to the affected lands as applicable.
 - e) Include a schedule of the types of infrastructure to be delivered by the Victorian Planning Authority or their successor.
 - f) Confirm that contributions will be payable to the Victorian Planning Authority or their successor.
 - g) Confirm that the contributions will be used by Victorian Planning Authority or their successor, to deliver the schedule of types of infrastructure.

- h) Require payment of the development contribution/s before the earliest of the following:
 - The issue of an occupancy permit for the development; or
 - 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.
- i) 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 section 173 agreement.
- j) The agreement must make provision for its ending and removal from the land following completion of the obligations contained in the agreement.

The landowner must pay all reasonable legal costs and expenses of this agreement including preparation, execution and registration on Title.

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 Responsible Authority, a stormwater drainage system design incorporating integrated water management design principles, must be submitted to and approved by the Responsible Authority. The stormwater drainage system design must:
- a) Include a detailed response to Clause 22.12 (Stormwater Management (Water Sensitive Urban Design)) of the Port Phillip Planning Scheme.
 - b) Incorporate a legal point of discharge (LPD) to the satisfaction of Responsible Authority.
- 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 Responsible Authority.

Environmental Audit

- 4.39. Before a sensitive use (residential use, child care centre, pre-school centre or primary school) commences or before the construction or carrying out of buildings and works in association with a sensitive use commences, excluding demolition, excavation, piling and site preparation works, and works forming part an environmental assessment or to remediate contaminated land, the Responsible Authority must be provided with either:
- a) A certificate of environmental audit issued for the land in accordance with Part IXD of the *Environment Protection Act 1970*; or
 - b) A statement issued by an environmental auditor appointed under the *Environment Protection Act 1970* in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.

Environmentally Sustainable Design

Sustainability Management Plan & Water Sensitive Urban Design

- 4.40. Before the development starts, excluding demolition, piling, excavation and site preparation works, and works to remediate contaminated land, a Sustainable Management Plan (SMP) and Water Sensitive Urban Design Response (WSUDR) must be submitted to and approved by the Responsible Authority. The SMP and WSUDR must be generally in accordance with the Sustainable Management Plan and Water Sensitive Urban Design Response prepared by Grun Consulting, dated 9 January 2020 but modified to show:
- (a) Any changes required to reflect the design approved under Clause 4.6 if any aspects of the SMP, NatHERS and Green Star Design and As-Built rating and individual Green Star credits may be affected.
 - (b) An updated Green Star spreadsheet to reflect the current version of Green Star Design and As-Built and that reflects the actual proposed design and specification.

- (c) A current Confirmation of Registration Certificate for a Green Star Design and As-Built Rating of the proposed project by the Green Building Council of Australia.
- (d) A current Green Star Design Review Rating Certificate showing that the project has achieved a 5 Star Design Review Rating and is therefore on track to achieving the 5 Star Green Star Design and As Built Rating. This should include the respective Green Star scorecard with the independent assessor's comments and points achieved for each credit and category. This scorecard needs to match Simpson Kotzman's submitted Green Star spreadsheet above.
- (e) Rainwater tank capacity to meet the FBURA tank sizing requirement of 0.5m³ per 10m² of roof catchment.
- (f) The rainwater tank to connected to all toilets throughout the development.
- (g) Green roof components on the roof terrace clearly specified.
- (h) Renewable energy generation maximised on the roof top.

Where alternative Environmentally Sustainable Design (ESD) measures are proposed to those specified in this condition, the Responsible Authority may vary the requirements of this condition at its discretion, subject to the development achieving equivalent (or greater) ESD outcomes.

- 4.41. Before the development is occupied, 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 Responsible Authority and must confirm all measures specified in the approved SMP and WSUD report have been implemented in accordance with the approved plans.

Green Star rating

- 4.42. Before the development starts, excluding demolition, excavation, piling, site preparation works and works to remediate contaminated land, evidence must be submitted to the satisfaction of the Responsible Authority, 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.
- 4.43. Within 12 months of occupation of the building, certification must be submitted to the satisfaction of the Responsible Authority, that demonstrates that the building has achieved a minimum 5 Star Green Star Design and As-Built rating (or equivalent).

Third pipe and rain tank water

- 4.44. A third pipe must be installed for recycled water to supply non-potable uses within the development for toilet flushing, fire services, irrigation, laundry and cooling, unless otherwise agreed by the relevant water authority.
- 4.45. 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.
- 4.46. 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.
- 4.47. Rainwater captured from roof harvesting areas must be re-used for toilet flushing and irrigation, or controlled release.

3D Model

- 4.48. Before the development starts, excluding demolition, excavation, piling, site preparation works and works to remediate contaminated land, a 3D digital model of the overall development and its immediate surrounds, as appropriate, must be submitted to the Responsible Authority and be to the satisfaction of the Responsible Authority in conformity with the Department of Environment, Land, Water and Planning Advisory note 3D Digital Modelling. In the event that substantial modifications are made to the overall development a revised 3D digital model must be submitted to and be to the satisfaction of the Responsible Authority.

Building Appurtenances

- 4.49. All building plant and equipment on the roofs and public thoroughfares must be concealed to the satisfaction of the Responsible Authority.

Advertising Signs

- 4.50. 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.

Melbourne Water (Flooding, Drainage and Sea Level Rise)

- 4.51. The Finished Floor Levels (FFLs) of all ground floor areas (including all lift and stair lobbies) must be set no lower than 3.1 metres (m) to Australian Height Datum (AHD), with the exception of transitional areas containing landings, steps or ramps to the satisfaction of Melbourne Water.
- 4.52. All areas with electrical installations (e.g. electrical substations, switch rooms etc) must be set no lower 3.1 m to the AHD.
- 4.53. Any/all basement entry and exits points, including lift entries, stairwells, windows, openings and vents, that could allow entry of floodwaters to the basement levels, must be set no lower than 3 metres to Australian Height Datum.
- 4.54. Any/all basement ramps must incorporate a flood proof apex set no lower than 3 metres to Australian Height Datum to prevent floodwaters entering the basement levels during a flood event.
- 4.55. Rainwater tanks must be shown with 10m³ of storage per 200m² of roof area for the buildings.
- 4.56. Rainwater tanks must be shown to be designed to discharge in response to predicted rainfall events that could cause flooding.

The Head, Transport for Victoria (TfV)

- 4.57. Before the development starts, or such other time agreed to in writing by the Head, Transport for Victoria amended plans to the satisfaction of the Head, Transport for Victoria must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the Incorporated Document. The plans must be drawn to scale with dimensions and digital copies must be provided. The plans must be generally in accordance with the plans submitted with the application (dated 12 August 2019, Revision TP.01, prepared by Wood Marsh Architecture) but modified to show:
- a) Deletion of the proposed alterations and widening of Wolseley Street and the Wolseley Street and City Road crossing.
 - b) Vehicular access to Wolseley Street from City Road shown as left in-left out restricted access
 - c) Full 2.5m x 2.0m pedestrian sight triangles at both the exit from the basement car park ramp onto Wolseley Street and Wolseley Street onto City Road.
 - d) A new/updated bus stop and all associated infrastructure in an agreed location on City Road outside the development site;
 - e) A new shelter and barrier kerb as required;

- f) The inclusion of Passenger Information Displays (PIDS) in the vicinity of the bus stop;
- g) The bus stop clear of any street furniture and obstacles; and
- h) A design compliant with the *Disability Discrimination Act 1992* (Cth);

all to the satisfaction of the Head, Transport for Victoria

- 4.58. If the existing bus stop on City Road (development side) cannot be used during the demolition and construction of the development a temporary bus stop must be provided in an alternative location at no cost and to the satisfaction of the Head, Transport for Victoria.
- 4.59. Any request for written consent to disrupt bus operations or a temporary bus stop on City Road during the demolition and construction of the development must be submitted to and approved by the Head, Transport for Victoria not later than 8 weeks prior to the planned disruption / temporary bus stop relocation and must detail measures that will occur to mitigate the impact of the planned disruption or temporary bus stop.
- 4.60. Prior to the occupation of the development, all works outlined on the endorsed plans for the updated bus stop must be completed at no cost to and to the satisfaction of the Head, Transport for Victoria. Any temporary bus stop (if required) must be removed and the site reinstated to the satisfaction of the Head, Transport for Victoria.
- 4.61. All disused or redundant vehicle crossings must be removed and the area reinstated to kerb, channel and footpath to the satisfaction of and at no cost to Head, Transport for Victoria prior to the occupation of the building hereby approved.

Expiry

- 4.62. 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 three (3) years after the approval date of Amendment C193port; or
 - b) use of that land has not commenced five (5) years after the approval date of Amendment C193port; or
 - c) development of that land is not completed five (5) years after the approval date of Amendment C193port.

Notes:

Melbourne Water

Melbourne Water may issue a notice under the Water Act 1989 requiring the owner of the subject land to contribute to the cost of flood mitigation and drainage works in the Fishermans Bend urban renewal area. Any such contribution will be in addition to any contribution required under this Incorporated Document

The Head, Transport for Victoria (TfV)

Separate consent may be required from the Head, Transport for Victoria under the Road Management Act 2004 for buildings and works undertaken outside the title boundary within a Road Zone Category 1. Please contact the Head, Transport for Victoria prior to commencing any works.

END OF DOCUMENT