

**FISHERMANS BEND PLANNING REVIEW PANEL: DRAFT AMENDMENT  
GC81**

**SUPPLEMENTARY INFORMATION NOTE**

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<b>SIN NUMBER:</b>	<b>12</b>
<b>DATE:</b>	28 March 2018
<b>PRECINCT:</b>	N/A
<b>FRAMEWORK REFERENCE:</b>	N/A
<b>SUBJECT:</b>	Planning Provisions which incorporate a design review panel process or the like
<b>NOTE:</b>	
<b>REQUEST:</b>	Please provide examples where a Planning Scheme incorporates a design review panel process or the like

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**RESPONSE:**

1. The Panel is referred to the following examples in Victoria.
  - a. Amendment C316 to the *Melbourne Planning Scheme Metro Tunnel: Over Site Development – CBD South Incorporated Document* which provides (at Clause 6.3.3):

6.3.3 Prior to the submission of the development plans to the Minister for Planning for approval, the development plans must be referred to the Urban Design and Architectural Advice Panel (**UDAAP**) or as nominated by the Minister for Planning. The UDAAP or the nominated body must have regard to the urban context report specified by Condition 6.7.1. The development plans submitted to the Minister for Planning for approval must be accompanied by all written comments received from the UDAAP or the nominated body.
  - b. Amendment C314 to the Melbourne Planning Scheme Project Core Building, Federation Square Incorporated Document which requires particular drawings to be provide to the Office of the Victorian Government Architect for consultation:

#### **4.9. Façade Strategy and Materials and Finishes**

4.9.1. Before Project Part A starts, excluding Site Preparation Works, a Façade Strategy must be submitted to and be approved by the Minister in consultation with the Office of the Victorian Government Architect, the Melbourne City Council and Federation Square Pty Ltd. All materials, finishes and colours must be in conformity with the approved Façade Strategy to the satisfaction of the Minister. Unless otherwise approved by the Minister, the Facade Strategy must detail:

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#### **ATTACHMENTS:**

- A. Amendment C316 to the *Melbourne Planning Scheme Metro Tunnel: Over Site Development – CBD South Incorporated Document*
- B. Amendment C314 to the Melbourne Planning Scheme *Project Core Building, Federation Square Incorporated Document*

# **Metro Tunnel: Over Site Development – CBD South**

**Incorporated Document**

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October 2017

Incorporated Document in the Melbourne Planning Scheme pursuant to section 6(2)(j) of the *Planning and Environment Act 1987* (Vic).

## 1. INTRODUCTION

- 1.1 This document is an Incorporated Document in the schedule to clause 52.03 and the schedule to clause 81.01 of the Melbourne Planning Scheme (**Planning Scheme**), and is made pursuant to section 6(2)(j) of the *Planning and Environment Act 1987*.
- 1.2 This Incorporated Document is to be read in conjunction with ‘Melbourne Metro Rail Project – Incorporated Document, May 2017’ as amended from time to time (**MMRP Incorporated Document**).

## 2. PURPOSE

- 2.1 The purpose of this Incorporated Document is to permit and facilitate the use and development of the land described in clause 3 for the purposes of an over site development above the Railway station approved under the MMRP Incorporated Document (**OSD**), in accordance with the controls in clauses 4, 5 and 6.

## 3. LAND DESCRIPTION

- 3.1 This Incorporated Document applies to the land as defined by the black lines as shown on the map in Appendix 1 (**OSD Land**).

## 4. THIS DOCUMENT ALLOWS

- 4.1 This document allows for demolition, including bulk excavation, and the development and use of the OSD Land for Shop, Food and drink premises (excluding Hotel and Tavern unless with the consent of the Minister for Planning), Office, Place of assembly, Education centre, Residential hotel, and advertising signage generally in accordance with the following plans and subject to the requirements of this document:
- a) Building envelope plan drawing no. TAS-CYP-OS-00-DRG-ARC-CBS-01 prepared by HSL and dated 16 October 2017;
  - b) Ground plane access plan drawing no. TAS-CYP-OS-00-DRG-ARC-CBS-02 prepared by HSL and dated 16 October 2017.

In this document OSD Incorporated Plans means the above drawings at 4.1(a) and 4.1(b).

## 5. CONTROL

- 5.1 Despite any provision to the contrary or any inconsistent provision in the Planning Scheme, no planning permit is required for, and no provision in the Planning Scheme operates to prohibit, control or restrict any works required for integration with the Railway station on the OSD Land, site preparation, demolition, bulk excavation works and site retention works, provision of bicycle parking, advertising signs and the development and use of the OSD Land in accordance with this Incorporated Document for the purposes of, or related to, developing and using the OSD except as provided for in clause 5.2.
- 5.2 The control in clause 5.1 of this Incorporated Document does not apply to:
- c) the use and development of land for the purposes of the Metro Tunnel Project which is subject to the controls in the MMRP Incorporated Document.
  - d) advertising signs unless they are in accordance with the advertising signage strategy approved under condition 6.13.
- 5.3 For the avoidance of doubt, the ‘Melbourne Metro Rail Project – Infrastructure Protection Areas – Incorporated Document (December 2016)’ and schedule 70 to clause 43.02 (Design and Development

Overlay) of the Planning Scheme do not apply to use and development carried out under this Incorporated Document.

## 6. CONDITIONS

6.1 The development and use permitted by this Incorporated Document must be undertaken in accordance with the following conditions:

### 6.2 MASTERPLAN

6.2.1 Prior to the submission of development plans under condition 6.3, a masterplan in accordance with the OSD Incorporated Plans must be submitted and approved by the Minister for Planning. The masterplan must include design objectives and the following design principles as appropriate:

- a) building envelope;
- b) shadow analysis – (Federation Square and Flinders Street Station steps);
- c) site access including universal access;
- d) building maintenance, servicing and waste;
- e) bicycle storage and access;
- f) diversity of use;
- g) interface with adjacent building;
- h) environmentally sustainable design initiatives;
- i) building façade;
- j) public art strategy; and
- k) urban design.

6.2.2 The masterplan approved under condition 6.2.1 may be amended from time to time with the approval of the Minister for Planning in consultation with the Melbourne City Council.

### 6.3 DEVELOPMENT PLANS

6.3.1 Prior to commencement of building or works associated with the OSD (excluding any works required for integration with the Railway station on the OSD Land, demolition, bulk excavation and site preparation works), development plans generally in accordance with the masterplan approved under condition 6.2 and in accordance with the OSD Incorporated Plans, must be submitted to and be approved by the Minister for Planning in consultation with Melbourne City Council.

6.3.2 The development plans must include, as appropriate:

- a) Detailed site layout plans including the proposed uses;
- b) Architectural, public realm plans and elevations including lighting, signage, pedestrian access, bicycle access, waste collection and storage, loading and other ancillary facilities;
- c) Demarcation between the OSD and the development and use approved under the MMRP Incorporated Document;
- d) Elevations to demonstrate high quality architectural screening treatment of services to Flinders Street;
- e) Detailed plans demonstrating that the canopy(ies) to Swanston Street and any other projections accommodate street trees;
- f) A detailed development schedule;
- g) Demonstrated integration of the OSD with the Metro Tunnel Project and associated works;
- h) The incorporation of the existing public art on the Port Phillip Arcade façade;
- i) Any changes as required to comply with the objectives and design outcomes set out in the *Metro Tunnel Project Urban Context Report, CBD South Oversight Development* (Jones and Whitehead) (16 October 2017); and
- j) Any changes as required by the façade strategy approved under condition 6.8.

6.3.3 Prior to the submission of the development plans to the Minister for Planning for approval, the development plans must be referred to the Urban Design and Architectural Advice Panel (UDAAP) or as nominated by the Minister for Planning. The UDAAP or the nominated body must have regard to the urban context report specified by Condition 6.7.1. The development plans submitted to the Minister for Planning for approval must be accompanied by all written comments received from the UDAAP or the nominated body.

#### **6.4 LOADING, BICYCLE AND VEHICLE ACCESS**

6.4.1 The development plans submitted under condition 6.3 must meet the following requirements:

- a) If any alterations to the street and footpath adjacent to the site are carried out by the developer of the OSD, the alterations must be in accordance with the Melbourne City Council's Engineering Services design standards;
- b) If the motor vehicle crossing at Royston Place is constructed by the developer of the OSD, the crossing must be at a minimum constructed to match the existing condition at no cost to the Minister for Planning or the Melbourne City Council and to the satisfaction of the Melbourne City Council;
- c) The number and type of bicycle facilities to be provided must comply with the requirements set out in the tables at Appendix 2, unless the Melbourne City Council is satisfied that a lesser number is sufficient;
- d) On site loading and unloading must occur within the shared facility provided under the MMRP Incorporated Document; and
- e) Motor vehicles entering and exiting the OSD Land must do so in a forward direction only, except where reversing out of the OSD Land in order to exit onto Flinders Lane in a forward direction.

6.4.2 Prior to commencement of development, swept path diagrams must be provided which demonstrate that the range of vehicles can access the shared loading facility provided under the MMRP Incorporated Document to the satisfaction of the Melbourne City Council.

#### **6.5 LAYOUT NOT ALTERED**

6.5.1 The development and use must be carried out in accordance with the approved development plans except for any alterations or modifications with the prior written consent of the Minister for Planning.

#### **6.6 STAGING**

6.6.1 The development authorised by this Incorporated Document may be completed in stages if a staging plan is submitted and approved to the satisfaction of the Minister for Planning in consultation with Melbourne Metro Rail Authority.

6.6.2 A staging plan must set out when development plans and other plans as required by this Incorporated Document will be submitted for each stage.

6.6.3 Any corresponding obligations under this Incorporated Document may be completed in stages.

#### **6.7 URBAN CONTEXT REPORT**

6.7.1 In conjunction with the submission of development plans under Condition 6.3, an urban context report which demonstrates how the OSD is in accordance with the objectives and design outcomes set out in the *Metro Tunnel Project Urban Context Report, CBD South Over Site Development* (Jones and Whitehead) (16 October 2017) must be submitted to and be approved by the Minister for Planning.

#### **6.8 FAÇADE STRATEGY**

6.8.1 In conjunction with the submission of development plans under Condition 6.3, a façade strategy must be submitted to and be approved by the Minister for Planning, in consultation with Melbourne City Council and the UDAAP (or as nominated by the Minister for Planning). The

façade strategy must be generally in accordance with the masterplan. All materials, finishes and colours must be in conformity with the approved façade strategy to the satisfaction of the Minister for Planning. The façade strategy for the development must 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 illustrating typical podium details, entries and doors, typical privacy screening and utilities, typical tower detail, 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 and maintained and cleaned, including planting where proposed; and
- f) Example prototypes and/or precedents that demonstrate the intended design outcome indicated in plans and perspective images, to produce a high quality built outcome in accordance with the design concept.

6.8.2 The approved façade strategy must not be altered without the prior consent of the Minister for Planning in consultation with UDAAP (or as nominated by the Minister for Planning) and the Melbourne City Council.

## 6.9 CONSTRUCTION MANAGEMENT PLAN

6.9.1 Prior to the commencement of development (or any stage of development), a construction management plan (CMP) must be submitted and approved by the Melbourne City Council. The CMP must be prepared in accordance with the *Melbourne City Council – Construction Management Plan Guidelines (Guidelines)* and must be consistent with the construction environmental management plan (CEMP) required under the MMRP Incorporated Document Environmental Management Framework. To the extent of any inconsistency between the Guidelines and the CEMP, the requirements of the CEMP shall prevail. The CMP is to consider, but not be limited to, the following:

- a) Public safety, amenity and site security;
- b) Operating hours, noise and vibration controls;
- c) Air and dust management;
- d) Stormwater and sediment control;
- e) Waste and materials reuse;
- f) Traffic management consistent with the construction traffic management plan approved under condition 6.10;
- g) Demolition;
- h) Bulk excavation;
- i) Accessibility to emergency services;
- j) Management of the construction site and land disturbance;
- k) Discharge of polluted waters;
- l) Disposal of contaminated soil (if any);
- m) Asbestos (if any); and
- n) Pollution of ground water.

- 6.9.2 The approved CMP must be implemented to the satisfaction of the Melbourne City Council and must not be altered without the prior consent of the Melbourne City Council.

#### **6.10 CONSTRUCTION TRAFFIC MANAGEMENT PLAN**

- 6.10.1 Prior to commencement of development (or any stage of development), a construction traffic management plan (**CTMP**) must be submitted to and approved by Transport for Victoria, in consultation with the Melbourne City Council.
- 6.10.2 The CTMP must outline how public transport operations and traffic will be managed throughout the construction of the OSD and how impacts to public transport are mitigated. The endorsed CTMP must be implemented to the satisfaction of Transport for Victoria and must not be altered without the prior consent of the Transport for Victoria in consultation with the Melbourne City Council. All traffic management and mitigation costs will be at the full cost of the developer.
- 6.10.3 The CTMP must provide information on truck routes, number of trucks per hour accessing the OSD Land and truck waiting areas.
- 6.10.4 The CTMP must detail how traffic including pedestrians and cyclists will be managed around the OSD Land and other road closures associated with the development.

#### **6.11 WASTE MANAGEMENT PLAN**

- 6.11.1 Prior to commencement of the development a waste management plan (**WMP**) prepared by a suitably qualified and experienced waste engineer must be submitted to and be approved by Melbourne City Council. The WMP must generally be in accordance with the masterplan approved under condition 6.2 and detail waste storage and collection arrangements that respond to the following requirements:
- a) Waste management systems must demonstrate that both OSD and underground station waste services can operate in a compatible and efficient way;
  - b) Storage facilities for all garbage and other waste material must occur within the OSD Land; and
  - c) All waste collection operations must occur within the OSD Land.
- 6.11.2 The approved WMP must be implemented to the satisfaction of the Melbourne City Council. The approved WMP must not be altered without the prior consent of the Melbourne City Council.

#### **6.12 ENVIRONMENTALLY SUSTAINABLE DESIGN STATEMENT & INTERNAL AMENITY**

- 6.12.1 Prior to commencement of development, an environmentally sustainable design statement (**ESD Statement**) from a suitably qualified environmental engineer must be submitted to and be approved by the Minister for Planning, in consultation with Melbourne City Council. The ESD Statement must be generally in accordance with the Masterplan and must:
- a) align with the commitments and objectives outlined in the Melbourne Metro Rail Authority Sustainability Strategy and Sustainability Policy to achieve positive environmental, social and economic outcomes through the implementation of sustainable design initiatives; and
  - b) demonstrate that the building is capable of achieving a minimum:
    - I. 6 Star Green Star Design & As Built rating tool (Version 1.2 of the Green Building Council of Australia);
    - II. 5 Star NABERS Energy Rating for base building; and
    - III. The WELL Building standard version 1 (Gold Core & Shell Rating).
- 6.12.2 The approved ESD Statement must be implemented to the satisfaction of the Minister for Planning, and must not be altered without the prior written consent of the Minister for Planning.

### **6.13 ADVERTISING AND BUSINESS IDENTIFICATION SIGNAGE**

6.13.1 Prior to commencement of development (excluding any works required for integration with the Railway station on the OSD Land, demolition, bulk excavation and site retention works), an advertising signage strategy must be submitted to and be approved by the Minister for Planning in consultation with Melbourne City Council.

6.13.2 The advertising signage strategy must include indicative locations or elevations for advertising and business identification signs including clear demarcation of appropriate locations for Railway station signs, an assessment of the cumulative impact of all advertising and business identification signs and wayfinding within the OSD precinct to demonstrate how proposed signs do not result in visual clutter, as well as measures to prevent interference with station access and wayfinding.

6.13.3 The approved advertising signage strategy must not be altered without the prior written consent of the Minister for Planning.

### **6.14 LEGAL AGREEMENTS**

6.14.1 Prior to commencement of development, the owner of the OSD Land must enter into an agreement(s) under section 173 of the *Planning and Environment Act 1987* with the responsible authority and the Minister for Planning (if the Minister for Planning is not the responsible authority).

6.14.2 The owner of the OSD land to be developed must pay all of the Minister for Planning's and/or Council's reasonable legal costs and expenses of this agreement(s), including preparation execution, registration.

6.14.3 The agreement(s) must provide for a Land Management Agreement to be entered into between the owner of the OSD Land and the tenant under the lease of the OSD Land from the State which provides for the following matters:

- a) Services and structures shared across the Railway station and OSD including structures, plant, services, infrastructure, egress and circulation, integrated waste management and access arrangements.
- b) The proposed pedestrian pathways, waste disposal and vehicle access facilities must remain accessible to all occupants of the development in perpetuity;
- c) All vehicles entering and exiting Flinders Lane must do so in a forward direction. Vehicles must not reverse across footpaths; and
- d) Compliance with the approved advertising signage strategy.

### **6.15 ACOUSTIC AMENITY**

6.15.1 If the development plans include a Residential hotel, prior to the commencement of development (excluding any works required for integration with the Railway station on the OSD Land, demolition, bulk excavation and site retention works), a report from a qualified acoustic consultant must be submitted to and be approved by the Minister for Planning certifying that the development has been designed to limit internal noise levels in habitable rooms of residential uses adjacent to high levels of external noise (with windows closed) to a maximum of 45dB in accordance with the relevant Australian Standards for acoustic control.

6.15.2 Any building that will accommodate a Residential hotel use must:

- a) be designed and constructed to include noise attenuation measures; and
- b) have external glazing, doors, air conditioning systems and ventilation systems which have been designed by a recognized acoustic consultant.

### **6.16 STORMWATER**

6.16.1 A storm water drainage system for the development must be constructed at no cost to Melbourne City Council and provision must be made to connect to Melbourne City Council's

underground stormwater drainage system and where necessary, upgrade the system to accept the discharge from OSD Land in accordance with plans and specifications first approved by Melbourne City Council.

#### **6.17 DECISION GUIDELINES**

- 6.17.1 In considering approval of the development plans under condition 6.3 the Minister for Planning must consider the extent to which the development plans are generally in accordance with the masterplan approved under condition 6.2.
- 6.17.2 In considering any amendments to the masterplan under condition 6.2.2, the Minister for Planning must consider whether approval of the plan will:
- a) facilitate an integrated, transit oriented development that includes publicly available spaces at the lower levels adjacent to the Railway station on the OSD Land, and does not adversely impact the operation of the Railway station (including but not limited to passenger movement and station access);
  - b) facilitate a development that provides a high quality architectural response; and
  - c) in association with adjoining existing and potential development, support high quality pedestrian amenity in the public realm, in relation to human scale.

#### **7. EXPIRY**

- 7.1 The control in this Incorporated Document expires if any of the following circumstances applies:
- a) The development allowed by the control is not started by 31 December 2024.
  - b) The development allowed by this control is not completed by 31 December 2028.
  - c) The use allowed by the control is not started by 31 December 2028.
  - d) The Railway station on the OSD Land is relocated or deleted from the Metro Tunnel Project.
- 7.2 The Minister for Planning may extend these periods if a request is made in writing before the expiry date or within six months afterwards.

**END OF DOCUMENT**

## APPENDIX 1 - OSD LAND



## APPENDIX 2 - REQUIRED BICYCLE FACILITIES

Tables 1, 2 and 3 to this Appendix set out the number and type of bicycle facilities required. Bicycle facilities are required if the use is listed in column 1 of the table. The number of bicycle facilities required for a use is the sum of columns 2 and 3 of the tables.

If in calculating the number of bicycle facilities the result is not a whole number, the required number of bicycle facilities is the nearest whole number. If the fraction is one-half, the requirement is the next whole number.

A bicycle space for an employee or resident must be provided either in a bicycle locker or at a bicycle rail in a lockable compound.

A bicycle space for a visitor, shopper or student must be provided at a bicycle rail.

**Table 1 – Bicycle spaces**

Use	Employee/resident	Visitor/shopper/student
<b>Amusement parlour</b>	None	2 plus 1 to each 50 sq m of net floor area
<b>Convenience restaurant</b>	1 to each 25 sq m of floor area available to the public	2
<b>Education centre other than specified in this table</b>	1 to each 20 employees	1 to each 20 full-time students
<b>Hotel</b>	1 to each 25 sq m of bar floor area available to the public, plus 1 to each 100 sq m of lounge floor area available to the public	1 to each 25 sq m of bar floor area available to the public, plus 1 to each 100 sq m of lounge floor area available to the public
<b>Library</b>	1 to each 500 sq m of net floor Area	4 plus 2 to each 200 sq m of net floor area
<b>Market</b>	1 to each 50 stalls	1 to each 10 stalls
<b>Medical centre</b>	1 to each 8 practitioners	1 to each 4 practitioners
<b>Office other than specified in this table</b>	1 to each 300 sq m of net floor area if the net floor area exceeds 1000 sq m	1 to each 1000 sq m of net floor area if the net floor area exceeds 1000 sq m
<b>Place of assembly other than specified in this table</b>	1 to each 1500 sq m of net floor Area	2 plus 1 to each 1500 sq m of net floor area
<b>Residential building other than specified in this table</b>	In developments of four or more storeys, 1 to each 10 lodging rooms	In developments of four or more storeys, 1 to each 10 lodging rooms
<b>Restaurant</b>	1 to each 100 sq m of floor area available to the public	2 plus 1 to each 200 sq m of floor area available to the public if the floor area available to the public exceeds 400 sq m.
<b>Retail premises other than specified in this table</b>	1 to each 300 sq m of leasable floor area	1 to each 500 sq m of leasable floor area
<b>Shop</b>	1 to each 600 sq m of leasable floor area if the leasable floor area exceeds 1000 sq metres	1 to each 500 sq m of leasable floor area if the leasable floor area exceeds 1000 sq metres
<b>Take-away food premises</b>	1 to each 100 sq m of net floor Area	1 to each 50 sq m of net floor Area

**TABLE 2 – SHOWERS**

<b>Use</b>	<b>Employee/resident</b>	<b>Visitor/shopper/student</b>
<b>Any use listed in Table 1</b>	If 5 or more employee bicycle spaces are required, 1 shower for the first 5 employee bicycle spaces, plus 1 to each 10 employee bicycle spaces thereafter.	None

**TABLE 3 – CHANGE ROOMS**

<b>Use</b>	<b>Employee/resident</b>	<b>Visitor/shopper/student</b>
<b>Any use listed in Table 1</b>	1 change room or direct access to a communal change room to each shower. The change room may be a combined shower and change room.	None

# **Project Core Building, Federation Square**

## **Incorporated Document**

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December 2017

Incorporated Document in the Melbourne Planning Scheme pursuant to section 6(2)(j) of the *Planning and Environment Act 1987* (Vic).

## 1. INTRODUCTION

- 1.1. This document is an Incorporated Document in the Melbourne Planning Scheme (**Planning Scheme**) pursuant to section 6(2)(j) of the *Planning and Environment Act 1987* (Vic).
- 1.2. This incorporated document facilitates the delivery of the **Project Core Building**, Federation Square, being:
  - Project Core (**Project Part A**)
  - Enabling Works (**Project Part B**).
- 1.3. The control in clause 4 prevails over any contrary or inconsistent provisions in the Planning Scheme.

## 2. PURPOSE

- 2.1. The purpose of the control in clause 4 is to permit and facilitate the use and development of land described in clause 3 for the purposes of Project Part A and Project Part B, in accordance with clauses 4 and 5.

## 3. LAND DESCRIPTION

- 3.1. The control in clause 4 applies to two portions of land within Federation Square with a site address of Tenancy 24-28/2 Swanston Street, Melbourne, and identified as lot 2 on title plan 18290B; together with surrounding land required for public realm works; as outlined in Figure 1 below (**Land**).

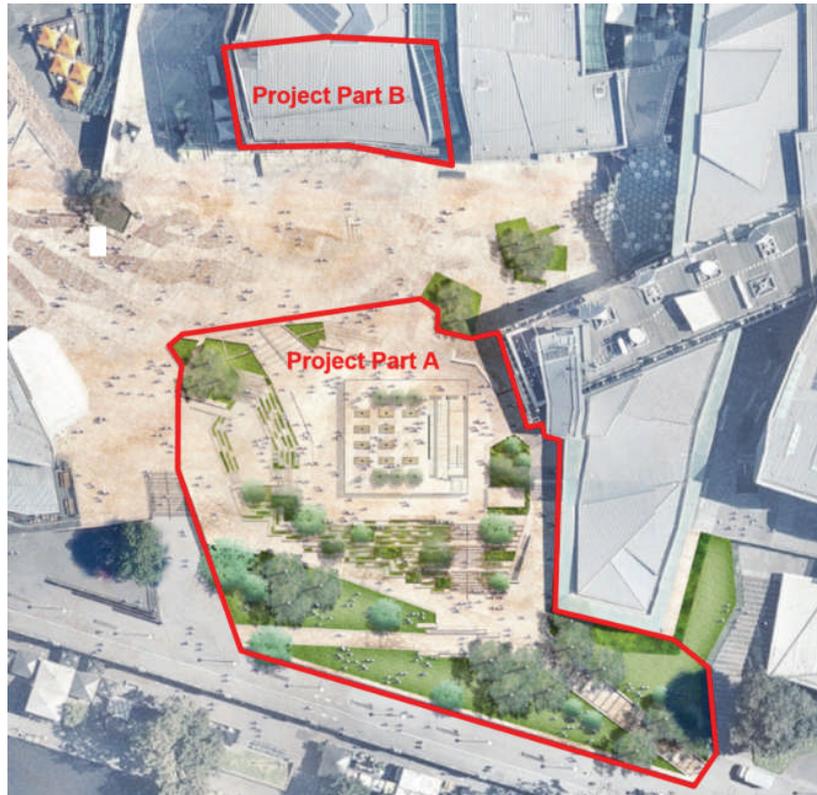


Figure 1

#### 4. CONTROL

##### Exemption from Planning Scheme Requirements

- 4.1. Despite any provision to the contrary or any inconsistent provision in the Planning Scheme, no planning permit is required for, and no provisions in the Planning Scheme operate to prohibit, control or restrict the use or development of the Land in accordance with the control in this clause for the purposes of, or related to, constructing, maintaining or using Project Part A or Project Part B.
- 4.2. The Project Part A development to which this control applies includes, but is not limited to:
- Dismantling and demolition of the existing 'Yarra' building.
  - Re-development of the 'Yarra' building land for the purposes of a retail premises building.
  - Redevelopment of land adjacent to the retail premises building for public realm works including landscaping and paving.
  - Site preparation works including (but not limited to):
    - Relocation of all services, equipment and obstacles from within the 'Yarra' building
    - Dismantling, relocating and remodelling mechanical and electrical services.

- Installation of all utility and service terminations and separate metering (together, the **Site Preparation Works**).
- 4.3. The Project Part B development to which this control applies includes, but is not limited to:
- Buildings and works to the 'Alfred Deakin' building.
  - Public realm works, including paving.
  - Site preparation works including (but not limited to) relocation of services.

### **Conditions**

- 4.4. The use and development permitted by this Incorporated Document must be undertaken in accordance with the following conditions applying to Project Part A and Project Part B respectively.

#### *Project Part A conditions*

#### 4.5. Plans

- 4.5.1. The development of the Land for the purposes of Project Part A must be undertaken generally in accordance with the following plans titled: "Project Core Architectural Drawings" dated November 2017:
- Demolition Plans ('Yarra' building)  
Prepared by Foster + Partners  
AD-101, AD-111, AD-112, AD-113, AD-142, AD-141
  - Proposal Plans  
Prepared by Foster + Partners and Oculus  
A-101, A-111, A-112, A-141, A142, A-171, A-201, A-202, A-203, A204, A-221, A-222
  - "Concept Planning Report" prepared by Oculus and dated 14 November 2017
- but as modified and approved by the Minister for Planning (**Minister**) under clause 4.6.

#### 4.6. Modifications to plans

- 4.6.1. Prior to the commencement of any development, excluding any Site Preparation Works, modified plans must be submitted to the Minister for approval. The plans must be drawn to scale with dimensions and levels and three copies and one digital copy must be provided. The plans must be generally in accordance with the plans referred to in condition 4.5.1, but modified to show:
- a. All setback dimensions to neighbouring existing buildings on plans.
  - b. Dimensions and areas of the outdoor performance spaces.
  - c. A schedule of existing and proposed development areas (in square metres of gross floor area) and public realm areas (in square metres).

- d. Detailed roof plan.
  - e. Any design requirements as a result of the Disability Assessment/Audit approved under condition 4.21.
- 4.6.2. The development of the Land for the purposes of Project Part A as shown on the modified plans as approved by the Minister under clause 4.6.1 must not be altered or modified without the prior consent of the Minister.
- 4.7. Retention of Design Team
- 4.7.1. Except with the written consent of the Minister, the primary design team of Foster + Partners and Oculus must be retained throughout the design development and documentation phases of Project Part A, and up until the completion of Project Part A.
- 4.8. Continuity of Construction
- 4.8.1. Unless otherwise approved by the Minister, Project Part A shall be constructed in a continuous manner. Temporary works must be constructed on the Land if there is any anticipated delay in the demolition or construction schedule for a time period of more than two months. Temporary works may include landscaping of the land for the purpose of public recreation and open space.
- 4.8.2. Plans for the temporary works must be submitted to and be approved by the Minister, in consultation with Federation Square Pty Ltd, and the works must be completed within three months of the temporary works plans being approved, unless otherwise approved by the Minister.
- 4.9. Façade Strategy and Materials and Finishes
- 4.9.1. Before Project Part A starts, excluding Site Preparation Works, a Façade Strategy must be submitted to and be approved by the Minister in consultation with the Office of the Victorian Government Architect, the Melbourne City Council and Federation Square Pty Ltd. All materials, finishes and colours must be in conformity with the approved Façade Strategy to the satisfaction of the Minister. Unless otherwise approved by the Minister, the Façade Strategy must detail:
- 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 Minister, illustrating typical building details, entries

and doors, utilities and any special features, including solar screens, 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 façades 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.

#### 4.10. Glazing

4.10.1. Glazing materials used on all external facades (excluding the eastern façade) must comprise transparent, clear glass to the satisfaction of the Minister in consultation with the Office of the Victorian Government Architect, the Melbourne City Council and Federation Square Pty Ltd.

#### 4.11. Solar Screening

4.11.1. Drawings including plans, elevations, general details and technical information regarding the transparency or density of the material of any solar screen must be submitted to and be approved by the Minister in consultation with the Office of the Victorian Government Architect. The solar screening must be in accordance with the approved drawings.

#### 4.12. Balustrades

4.12.1. Drawings including plans, elevations and general details including materials and finishes of all balustrades to both the building and the public realm (if required) must be submitted to and be approved by the Minister in consultation with the Office of the Victorian Government Architect, the Melbourne City Council and Federation Square Pty Ltd. Subject to compliance with the *Disability Discrimination Act 1992* (Cth), balustrades should be frameless and comprise transparent glass and be in accordance with the drawings.

#### 4.13. Gradient

4.13.1. New publicly accessible linear pathways (excluding stairways) in the public realm area of the Land must be a maximum gradient of 1:20 to eliminate the requirement for handrails and/or balustrades.

#### 4.14. Stairways

4.14.1. Drawings including plans, elevations, sections, levels and details including materials and finishes of all stairways in the public realm area of the Land must be submitted to and be approved by the Minister in consultation with the Office of the Victorian Government Architect, the Melbourne City Council

and Federation Square Pty Ltd. Stairways must match the materiality of and be complimentary to the existing stairways within Federation Square and be in accordance with the drawings.

4.15. Access to Deakin Edge/Crossbar Building

4.15.1. The existing level of access, including emergency access, to the western elevation of the Deakin Edge/Crossbar building must be retained to the satisfaction of the Minister in consultation with Federation Square Pty Ltd.

4.16. Public Realm Works – Federation Square

4.16.1. Before Project Part A starts, excluding Site Preparation Works, a detailed landscaping and public realm plan/s must be submitted to and be approved by the Minister in consultation with the Office of the Victorian Government Architect, the Melbourne City Council and Federation Square Pty Ltd. The plan/s must include:

- a. Details of existing trees and soft and hard landscaping to be dismantled, removed or demolished, with existing paving stones to be carefully dismantled and stored for potential reuse where possible.
- b. 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.
- c. A net gain in the number of trees.
- d. How the landscaping responds to water sensitive urban design principles, including how rainwater will be captured, cleaned and stored.
- e. Details of all hard landscaping materials, finishes and treatments and urban design elements including paving, lighting, seating and balustrading.
- f. Details of surface materials and finishes and construction of retaining walls, pathways, kerbs and accessways.
- g. Details regarding the urban design and landscape treatment of the existing lift overrun plinth to the east of the building, including materials and finishes.
- h. Details regarding the soft and hard landscaping treatments, levels and new ground plane of the landscaped area to the west of the Deakin Edge/Crossbar building, including the area that will be visible from within the Deakin Edge auditorium.
- i. Details of any extract/intake vents and their associated dbA noise levels, siting and materiality.
- j. Compliance of proposed public realm works with universal access principles.

4.16.2. Landscaping and public realm works must be carried out in accordance with the plan/s approved under clause 4.16.1 and:

- a. All trees must be of advanced maturity at the time of planting or as otherwise agreed by the Minister
- b. All new landscaping must be consistent with any current Melbourne City Council planting guidelines.
- c. The paved ground surface, stairs, ramps and retaining walls within the public realm must use the same sandstone as the existing Kimberley sandstone cobblestones and pavers in Federation Square.
- d. Free-standing structures such as poles and bollards must be minimised in order to maintain an open and unencumbered public realm.
- e. Prior to the commencement of the use of the building, the landscaping and public realm works of Project Part A (including works to Federation Square and the interface with Princes Walk) permitted under clause 4.16 must be completed to the satisfaction of the Minister in consultation with the Office of the Victorian Government Architect, the Melbourne City Council and Federation Square Pty Ltd.

#### 4.17. Demolition Management Plan (DMP)

- 4.17.1. Prior to the commencement of demolition, excluding Site Preparation Works, a detailed Demolition Management Plan (**DMP**) must be submitted to and be approved by the Minister in consultation with the Melbourne City Council and Federation Square Pty Ltd. 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, and to carefully dismantle external cladding panels ('Yarra' building) and sandstone pavers (public realm) for storage and potential reuse. The DMP must address the following matters, as appropriate:
- a. Dismantling of the external cladding panels of the 'Yarra' building for storage and potential reuse
  - b. Demolition of the main 'Yarra' building.
  - c. Dismantling of sandstone cobblestones / pavers for storage and potential reuse and removal and demolition of any soft and hard landscaping
  - d. Staging of dismantling/demolition
  - e. Site preparation
  - f. Public safety, amenity and site security
  - g. Management of the construction site and land disturbance
  - h. Operating hours, noise and vibration controls
  - i. Air and dust management
  - j. Waste and materials reuse
  - k. Stormwater and sediment control

- l. Management of public access and vehicle, bicycle and pedestrian linkages around the site during demolition
- m. Protection of existing artworks in the public realm
- n. Site access and traffic management (including any temporary disruptions to adjoining vehicular, bicycle and pedestrian access ways)
- o. Reasonable measures to ensure that disruption to nearby public transport operations and services is kept to a minimum.
- p. Measures to minimise any disruption or unsightliness to public events in Federation Square or along Princes Walk.

4.17.2. Demolition must be carried out in accordance with the DMP to the satisfaction of the Minister.

#### 4.18. Construction Management Plan

4.18.1. Prior to the commencement of Project Part A (excluding structures for construction purposes, demolition, site excavation and Site Preparation Works), a detailed Construction Management Plan (**CMP**) must be submitted to and be approved by the Minister in consultation with the Melbourne City Council and Federation Square Pty Ltd. The CMP must describe how the occupier of the Land will manage the environmental, construction and amenity impacts associated with the construction of Project Part A. The CMP must address the following matters, as appropriate:

- a. Staging of construction
- b. Excavation works, site preparation, soil removal, site remediation, retention works, ground works and temporary structures
- c. Management of public access including vehicle, bicycle and pedestrian linkages around the site during construction
- d. Site access and traffic management (including any temporary disruptions to adjoining vehicular, bicycle and pedestrian access ways)
- e. Any works within the adjoining street network, road reserves or public spaces including Princes Walk
- f. Protection of existing artworks in the public realm
- g. Re-routing / temporary underground public utilities and services
- h. Sediment control and site drainage
- i. Hours of construction
- j. Control of noise, vibrations, dust and soiling of roadways or pathways
- k. Discharge of polluted waters
- l. Collection and disposal of building and construction waste
- m. Reasonable measures to ensure that disruption to nearby public transport operations and services is kept to a minimum.
- n. Measures to minimise any disruption or unsightliness to public events in Federation Square or along Princes Walk.

- 4.18.2. Development must be carried out in accordance with the approved CMP to the satisfaction of the Minister.
- 4.19. Traffic, Parking and Loading/Unloading
- 4.19.1. Prior to the commencement of demolition or site excavation works, excluding Site Preparation Works, a Traffic Management Statement by a traffic engineer confirming that the Federation Square loading/unloading facilities, vehicle and bicycle access arrangements for Project Part A are adequate must be submitted to and be to the satisfaction of the Minister in consultation with Federation Square Pty Ltd.
- 4.19.2. Traffic access and parking and loading / unloading arrangements must not be altered without the prior written consent of the Minister.
- 4.20. Waste Management
- 4.20.1. Prior to the commencement of demolition or site excavation works, excluding Site Preparation Works, or as otherwise agreed by the Minister, a Waste Management Plan (**WMP**) shall be prepared by a suitably qualified consultant confirming that the waste storage and removal arrangements for Project Part A are adequate. The WMP must be submitted to and be approved by the Minister in consultation with Federation Square Pty Ltd.
- 4.20.2. Waste storage and removal arrangements must be carried out in accordance with the WMP and must not be altered without the prior written consent of the Minister.
- 4.21. Disability Discrimination Act Assessment
- 4.21.1. Prior to the occupation of Project Part A, a Disability Discrimination Act Assessment / Audit, prepared by a suitably qualified consultant, must be submitted to and be approved by the Minister. This document must provide an assessment of Project Part A (including public realm works) against the applicable accessibility provisions of the Building Code of Australia and the applicable provisions of the Disability (Access to Premises – Buildings) Standards 2010.
- 4.22. Wind Assessment
- 4.22.1. Prior to the commencement of demolition or site excavation, excluding Site Preparation Works, a wind tunnel test and Environmental Wind Climate Assessment of Project Part A by a suitably qualified engineering consultant must be undertaken to demonstrate suitable wind conditions can be achieved to the satisfaction of the Minister. Landscaping or other elements within the public realm must not be relied upon for wind mitigation.
- 4.23. Overshadowing
- 4.23.1. The building must not result in any additional overshadowing of Federation Square between 11.00 am and 3.00 pm from 22 April to 22 September and to the north bank of the Yarra River (fifteen metres from its edge) between

11.00 am and 2.00 pm on 22 June when compared to the existing 'Yarra' building.

#### 4.24. Lighting Strategy (including Catenary Lighting)

4.24.1. Prior to the commencement of demolition, or as otherwise agreed by the Minister, a detailed lighting strategy must be submitted to and be approved by the Minister in consultation with the Office of the Victorian Government Architect, the Melbourne City Council and Federation Square Pty Ltd. This strategy 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 including Federation Square and Princes Walk.
- b. Include detailed designs to identify how Project Part A will integrate or interface with Federation Square's catenary lighting system in a temporary way (during demolition and construction stages) and in a permanent way (post- construction).

4.24.2. Development must be carried out in accordance with the lighting strategy.

#### 4.25. Drainage

4.25.1. Prior to the commencement of demolition, or as otherwise agreed by the Minister, a stormwater drainage system design, incorporating integrated water management design principles, must be submitted to and approved by the Minister, in consultation with Federation Square Pty Ltd and the Melbourne City Council, if overland flows go beyond the Federation Square boundary.

4.25.2. The stormwater drainage system must be constructed in accordance with the design approved under clause 4.25.1, connected to the existing stormwater drainage system and completed prior to the occupation of Project Part A.

4.25.3. A siphonic drainage system or an equivalent system must be provided in order to maintain an unobstructed roof profile. The roof profile and drainage system must not be altered without the prior written consent of the Minister.

#### 4.26. Plant and Equipment

4.26.1. All new plant and equipment must be concealed within the roof structure and the building, with no protruding services or equipment.

#### 4.27. Environmentally Sustainable Design

4.27.1. The performance outcomes / initiatives specified in the Sustainability Management Plan (**SMP**), prepared by Arcadis, dated December 2016 for Project Part A must be implemented prior to the occupancy of Project Part A, to the satisfaction of the Minister.

4.27.2. Any change during detailed design which affects the SMP must be assessed by an accredited professional and an amended SMP submitted to and approved by the Minister prior to the occupation of Project Part A.

4.28. 3D Model

4.28.1. Prior to the commencement of Project Part A (excluding structures for construction purposes, demolition, site excavation and Site Preparation Works), or as otherwise agreed with the Minister, a 3D digital model, the baseline of which is provided by the Minister, of Project Part A and its immediate surrounds which reflects the modified plans approved under clause 4.6.1 must be submitted to and be to the satisfaction of the Minister in conformity with the Department of Environment, Land, Water and Planning's Advisory Note 3D Digital Modelling. In the event that the development is altered or modified under clause 4.6.2, a revised 3D digital model reflecting such alteration or modification must be submitted to and be to the satisfaction of the Minister.

4.29. Video screen (internal to building)

4.29.1. Any video screen located within the building must only be activated and used during retail premises opening hours and any noise associated with the operation of the video screen must be contained within the building, unless with the prior written consent of Federation Square Pty Ltd.

4.30. Advertising Signs

4.30.1. No advertising signs either external or internal to the building shall be erected, painted or displayed without the written permission of the Minister unless in accordance with the advertising zone area and the advertising sign type (internally illuminated business identification sign) for the western elevation of the building only, as shown in the plans approved under clauses 4.5 and 4.6.

4.31. Transport

4.31.1. Unless otherwise approved in writing by Transport for Victoria (**TfV**), and without limiting any obligations under the *Transport (Compliance and Miscellaneous) Act 1983 (Vic)*, before Project Part A commences, excluding Site Preparation Works, detailed construction/engineering plans and computations must be submitted to and approved by TfV and VicTrack. The plans must:

- a. detail all excavation of the site and impacts on the Melbourne underground rail and all associated infrastructure, and any other transport infrastructure;
- b. demonstrate that emergency, fire, safety and smoke dispersion requirements have been addressed to the satisfaction of TfV and VicTrack.

- 4.31.2. Unless otherwise agreed to in writing by TfV, before Project Part A starts, including demolition and site excavation and Site Preparation Works, a pre-condition dilapidation survey must be carried out in the Melbourne underground rail network in the proximity of Project Part A, at no cost to TfV or VicTrack. The survey must be to the satisfaction of TfV and VicTrack in consultation with the accredited rail operator.
- 4.31.3. Unless otherwise agreed to in writing by TfV, prior to works commencing, including demolition, site excavation and Site Preparation Works, all necessary construction control and indemnity agreements must be in place with TfV and VicTrack, at no cost to TfV or VicTrack.
- 4.31.4. Before Project Part A commences, excluding Site Preparation Works, a Demolition and Construction Management Plan (**DCMP**) must be submitted to and be approved by TfV and VicTrack. The DCMP must include details of management proposals to minimise impacts to the rail network and the operation of the railway during construction and must set out objectives and performance and monitoring requirements for:
- a. Access to the rail environment, including designation of any areas to be used under license during the construction process;
  - b. Approvals and permits required from TfV, VicTrack and the accredited transport operators prior to works commencing and prior to accessing the rail corridor;
  - c. Rail safety requirements that must be adhered to;
  - d. Protection of all rail infrastructure to ensure rail infrastructure is not damaged during demolition or construction;
  - e. Minimising disruption to train services;
  - f. Management of drainage, effluent, material stockpiles, fencing and hoardings;
  - g. Public safety, amenity and site security;
  - h. Operating hours, noise and vibration controls; and
  - i. Air and dust management.
- 4.31.5. Development must be carried out in accordance with the approved DMPC. The DCMP must be implemented at no cost to VicTrack, TfV and/or the rail operator.
- 4.31.6. Before Project Part A commences, excluding Site Preparation Works, a Traffic Management Plan must be submitted to TfV which outlines how traffic will be managed throughout the construction of Project Part A and mitigate impacts to public transport including trains, trams and buses to the satisfaction of TfV in consultation with the relevant operators.
- 4.31.7. All necessary traffic management and mitigation measures must be at no cost to TfV and in accordance with the approved Traffic Management Plan.

- 4.31.8. Prior to the commencement of development in public transport areas, relevant public transport operator(s) must be contacted to obtain the operator's conditions and safety requirements for works on, over, under or adjacent to public transport land and/or easements and electrical infrastructure. Access to the public transport areas during construction must conform to all of the necessary public transport operator/s guidelines and instructions.
- 4.31.9. During demolition, site excavation and Site Preparation Works and construction of Project Part A, monitoring of the movement of the Melbourne underground rail network within the proximity of Project Part A must be carried out if required by and to the satisfaction of TfV and VicTrack in consultation with the accredited rail operator.
- 4.31.10. All reasonable steps must be taken to ensure that disruption to transport operations along Flinders Street, St Kilda Road and rail operation in the Melbourne underground rail network is minimised during the construction of Project Part A. Foreseen disruptions to train, tram and bus operations during construction and mitigation measures must be communicated to the Service Operator and TfV fourteen days prior to the commencement of relevant works.
- 4.31.11. Transport infrastructure must not be damaged as a result of Project Part A and must not be altered without the prior consent of TfV. Any damage to public transport infrastructure must be rectified to the satisfaction of TfV and VicTrack at no cost to TfV or VicTrack.
- 4.31.12. "As built" drawings for any foundations to Project Part A and a retention system must be provided to TfV prior to occupation of Project Part A or at another time agreed to in writing with TfV.
- 4.31.13. Permanent or temporary soil anchors must not be installed in rail land and/or easements without the prior written permission of VicTrack and TfV.
- 4.31.14. No drainage, effluent, waste, soil or other materials must enter or be directed from the Land to rail land/easement or stored or deposited on rail land/easements.

## *Project Part B conditions*

### 4.32. Plans

The development of the Land for the purposes of Project Part B must be undertaken generally in accordance with the following plans titled “Works Plans (Alfred Deakin building)” dated August 2017:

Works Plans (Alfred Deakin building)

Prepared by JMA Architects

TP01, TP02, TP03, TP04, TP05, TP06, TP07, TP08, TP09, TP10, TP11, TP12,

but as modified and approved by the Minister under clauses 4.33 and 4.34.

### 4.33. Modifications to Plans

4.33.1. Prior to the commencement of any demolition, site excavation or Site Preparation Works, modified plans must be submitted to the Minister for approval. The plans must be drawn to scale with dimensions and levels and three copies and one digital copy must be provided. The plans must be generally in accordance with the plans prepared by JMA Architects titled Works Plans (Alfred Deakin building) dated August 2017, but modified to show:

- a. Deletion of the pergola and retractable awning.
- b. Any modifications required to achieve Disability Discrimination Act compliance and universal design principles.
- c. Any public realm works associated with the relocation of the southern façade and creation of the new entry.

4.34. The development of the Land for the purposes of Project Part B as shown on the modified plans approved by the Minister under clause 4.33.1 must not be altered or modified without the prior consent of the Minister.

### 4.35. Façade Strategy and Materials and Finishes

4.35.1. Before Project Part B starts, excluding Site Preparation Works, a Facade Strategy must be submitted to and be approved by the Minister in consultation with the Office of the Victorian Government Architect. The strategy must detail:

- a. 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.
- b. Elevation details generally at a scale of 1:50, or other suitable scale agreed to by the Minister, illustrating typical building details, entries and doors, utilities, and any special features which are important to the building’s presentation.

- c. 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.

4.35.2. All materials, finishes and colours must be in conformity with the approved Façade Strategy to the satisfaction of the Minister.

#### 4.36. Public Realm Works, Federation Square

4.36.1. Before Project Part B starts, excluding Site Preparation Works, a detailed landscaping and public realm plan must be submitted to and be approved by the Minister in consultation with the Office of the Victorian Government Architect and Federation Square Pty Ltd, if any works are proposed to the public realm. The plan must include details of any:

- a. Changes to the existing balustrades to the outdoor occupation zone.
- b. Existing cobblestones / paving that is to be altered or removed.
- c. New or replacement paving that is required.
- d. New urban design elements, including any new lighting.

4.36.2. Any public realm works must be carried out in accordance with the plan.

#### 4.37. Demolition Management Plan

4.37.1. Prior to the commencement of demolition, excluding Site Preparation Works, a detailed Demolition Management Plan (**DMP**) must be submitted to and be approved by the Minister in consultation with the Melbourne City Council and Federation Square Pty Ltd. The objective of the DMP 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 appropriate:

- a. Demolition
- b. Staging of demolition
- c. Dismantling of sandstone pavers for storage and potential reuse
- d. Site preparation
- e. Public safety, amenity and site security
- f. Management of the construction site and land disturbance
- g. Operating hours, noise and vibration controls
- h. Air and dust management
- i. Waste and materials reuse
- j. Stormwater and sediment control
- k. Management of public access and vehicle, bicycle and pedestrian linkages around the site during demolition
- l. Protection of existing artworks in the public realm
- m. Reasonable measures to ensure that disruption to nearby public transport operations and services are kept to a minimum.

- n. Measures to minimise any disruption or unsightliness to public events in Federation Square.

4.37.2. Demolition must be carried out in accordance with the DMP to the satisfaction of the Minister.

4.38. Construction Management Plan

4.38.1. Prior to the commencement of Project Part B, (excluding structures for construction purposes, demolition, site excavation and Site Preparation Works), a detailed Construction Management Plan (**CMP**) must be submitted to and be approved by the Minister in consultation with Federation Square Pty Ltd.

4.38.2. The CMP must describe how the occupier of the Land will manage the environmental, construction and amenity impacts associated with the construction of Project Part B, and address the following matters, as appropriate:

- a. Staging of construction
- b. Excavation works, site preparation, soil removal, site remediation, retention works, ground works and temporary structures
- c. Management of public access including vehicle, bicycle and pedestrian linkages around the site during construction
- d. Site access and traffic management (including any temporary disruptions to adjoining vehicular, bicycle and pedestrian access ways)
- e. Any works within the adjoining street network, road reserves or public spaces
- f. Protection of existing artworks in the public realm
- g. Re-routing / temporary underground public utilities and services
- h. Sediment control and site drainage
- i. Hours of construction
- j. Control of noise, vibrations, dust and soiling of roadways or pathways
- k. Discharge of polluted waters
- l. Collection and disposal of building and construction waste
- m. Reasonable measures to ensure that disruption to nearby public transport operations and services are kept to a minimum.
- n. Measures to minimise any disruption or unsightliness to public events in Federation Square.

4.38.3. Development must be carried out in accordance with the approved CMP to the satisfaction of the Minister.

4.39. Disability Discrimination Act Assessment

4.39.1. Prior to the occupation of Project Part B, a Disability Discrimination Act Assessment / Audit, prepared by a suitably qualified consultant, must be submitted to and be approved by the Minister. This document must provide

an assessment of Project Part B (including public realm works) against the applicable accessibility provisions of the Building Code of Australia and the applicable provisions of the Disability (Access to Premises – Buildings) Standards 2010 and demonstrate that the access (stairs and lift) to the building meets universal design principles.

4.40. Advertising Signs

4.40.1. No advertising signs shall be, erected, painted or displayed without the written permission of the Minister.

**5. EXPIRY**

5.1. The controls in this Incorporated Document expire if one of the following circumstances applies:

5.1.1. The development allowed by the control is not started within two years of the date of commencement of amendment C314 to this Planning Scheme.

5.1.2. The development allowed by the control is not completed within four years of the date of commencement of amendment C314 to this Planning Scheme.

5.2. The Minister may extend the time periods referred to if a request is made in writing before the control expires or within three months afterwards.

**END OF DOCUMENT**