



TERMS OF REFERENCE

Advisory Committee

appointed pursuant to Part 7, Section 151 of the
Planning and Environment Act 1987

To report on issues concerning:
Planning Permit Application no. 2009/1687
for land at 137 Spring Street and 1-17 Bourke Street, Melbourne
for the redevelopment of the

Windsor Hotel Site

Purpose

1. These are the Terms of Reference for the Advisory Committee pursuant to Section 151 of the *Planning and Environment Act 1987* appointed by the Minister for Planning to report on all relevant issues relating to Planning Permit Application no. 2009/1687 for the part demolition and construction of new buildings and works for the purpose of a residential hotel as part of an extension to the existing Hotel Windsor site.

Background to Planning Permit Application 2009/1687

2. A planning application was lodged with the Minister for Planning on 28 July 2009 for the Hotel Windsor at 137 Spring Street, Melbourne, opposite Parliament buildings. The owners propose a refurbishment and extension to the existing hotel.
3. The redevelopment includes part demolition of the rear and side sections of the hotel (fronting Windsor Place and Bourke Street) and construction of a new seven storey "Corner Building" on Bourke/ Spring Streets and 26-storey "Backdrop Building" on Windsor Place.
4. The main Victorian hotel building fronting Spring Street will be retained with internal refurbishment and some external alterations. The use of the site will remain exclusively for hotel purposes with provision for 332 guest rooms (currently 180 rooms), leisure and conference facilities.
5. Planning Permit Application 2009/1687 is triggered by the buildings and works associated with the hotel as per the zoning and various overlay provisions within the Melbourne Planning Scheme. No permit is required for the use (residential hotel). Statutory notice requirements and giving of notice requirements (triggered by the heritage precinct) for the application will be carried out by the Department of Planning and Community Development and passed to the Advisory Committee for consideration.

6. It is noted that the Windsor Hotel site is listed on the Victorian Heritage Register and a heritage permit application under the *Heritage Act 1995* has been lodged concurrently with Heritage Victoria on 28th July 2009 (App No. P14689). Any documentation or submissions in relation to the heritage application (under the *Heritage Act 1995*) may be used for information purposes however the role of the Advisory Committee is not to provide recommendations in relation to this application.

Task

7. The Advisory Committee is to report on all relevant matters concerning the Application for Planning Permit No. 2009/1687 for the redevelopment of the Windsor Hotel, 137 Spring Street, Melbourne.

Method

8. The Advisory Committee shall inform itself in anyway it sees fit, but shall consider:
 - Relevant documentation submitted with the Application for Planning Permit no. 2009/1687 or otherwise provided directly to the Advisory Committee.
 - Any written submissions and referral responses made in regard to Application for Planning Permit no. 2009/1687 and any other submission in relation to the development of the Hotel Windsor that the Advisory Committee considers directly relevant to the project.
 - The *Planning and Environment Act 1987* and the relevant Melbourne Planning Scheme provisions including policies and controls.
 - The architectural design, economic and tourism impacts of the development.
9. The Advisory Committee may meet and invite others to meet with them when there is a quorum of at least two of the Committee members.
10. The Advisory Committee is not expected to carry out any additional public notification or referral of the application but may do so if considered appropriate.
11. The Advisory Committee is not expected to carry out a public hearing or forum and should primarily assess any submissions 'on the papers' only. The City of Melbourne (as local authority) and the applicant should be asked to present to the Advisory Committee.

Responsibility

12. The Advisory Committee may apply to vary these Terms of Reference in any way it sees fit prior to submission of their report.
13. The Advisory Committee shall retain a library of any written submissions or other supporting documentation provided to it directly, which must be available for public inspection until the submission of its report.

Outcomes

14. The Advisory Committee must produce a written report for the Minister for Planning providing:
 - An assessment of all issues relating to the Application for Planning Permit no. 2009/1687 for the Hotel Windsor redevelopment.
 - An assessment of any submissions and referral responses made during the course of the Application for Planning Permit no. 2009/1687 or made directly to the Advisory Committee.
 - A recommendation and reasons in relation to the determination of the Application for Planning Permit no. 2009/1687 for the Hotel Windsor redevelopment, including recommendations as to whether a notice of decision/ permit should issue and if so, under what conditions.
 - The effect of the proposal on the Parliament precinct with consideration to any relevant legislation in relation to the Parliament.
 - Comment on the Statement of Significance for the Bourke Hill Precinct
 - Comment on whether the current discretionary height control that applies to the site (Design and Development Overlay, [DDO2] in the Melbourne Planning Scheme) should be mandatory.
 - Comment on whether the current discretionary height controls over the area bounded by Spring Street, Little Collins Street, Exhibition Street and Little Bourke Street should be mandatory.
 - An economic assessment of the applicant's justification for exceeding the suggested height controls in DDO2. This should include comment on the applicant's requirement for the proposed number of rooms and other hotel facilities to allow the project to be economically viable and operate at a 5-star standard.
 - An assessment of the potential for economic benefit to the State. This should include review of job creating potential and other economic benefits suggested by the applicant. It should include analysis of the ability of the proponent to complete the project in terms of skills, experience, financial resources and future planning/ construction strategy.
 - Any other relevant matters raised in the course of the Advisory Committee hearing.
 - A list of persons the Advisory Committee meets with or consults with directly.

Timing

15. The Advisory Committee is required to submit its report in writing as soon as practicable but no later than two months from the date of their appointment.

Fee

16. The fee for the Advisory Committee will be set at the current rate for a Panel appointed under Part 8 of the *Planning and Environment Act 1987*.

Project support

17. An officer from the Department of Planning and Community Development will provide administrative support.
18. Day to day liaison for this matter will be through Stephen Leitch of the Department of Planning and Community Development on ph. 9637 9116 or by email at stephen.leitch@dpcd.vic.gov.au.



JUSTIN MADDEN MLC
Minister for Planning

Date:

13 NOV 2009