

Assessment Officer Report PA2503614 – 1-29 Queens Bridge Street, Southbank



Planning Assessment Officer Report Development Assessment

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Executive Summary

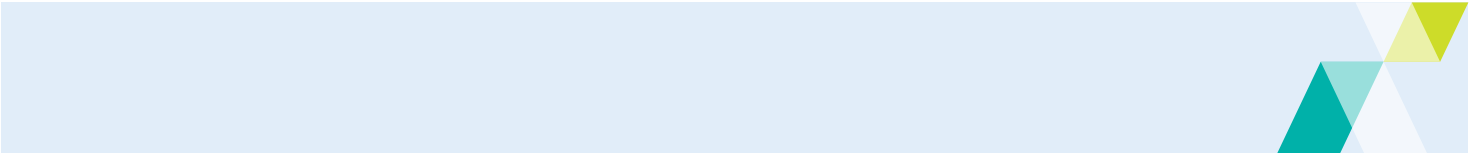


Key Information	Details		
Application No:	PA2503614		
Received:	31 March 2025		
Statutory Days:	154 days		
Applicant:	PDG Corporation Pty Ltd c/- Urbis Pty Ltd		
Planning Scheme:	Melbourne		
Land Address:	1-7, 9-15, 17-23 and 25-29 Queens Bridge Street, Southbank		
Proposal:	Partial demolition of 1-7 Queens Bridge Street and construction of a building		
Development Value:	\$450,000,000		
Metropolitan Planning Levy:	Paid – \$585,000		
Why is the Minister responsible?	In accordance with the schedule to Clause 72.01 of the Melbourne Planning Scheme, the Minister for Planning is the responsible authority for this application because it is in relation to: - development of and as part of a single project or multiple related projects, if it involves: - construction of a new building or buildings containing a total gross floor area of more than 25,000 square metres;		
Why is a permit required?	Clause	Control	Trigger
Zone:	Clause 37.04	Capital City Zone – Schedule 3 (Southbank)	<i>A permit is required to construct a building or construct or carry out works unless the schedule to this zone specifies otherwise.</i> <i>A permit is required to demolish or remove a building or works if specified in the schedule to this zone.</i>
Overlays:	Clause 43.01	Heritage Overlay – Schedule 1228 (Queens Bridge Hotel, 1-7 Queens Bridge Street, Southbank)	<i>Demolish or remove a building.</i> <i>Construct a building or construct or carry out works.</i>
	Clause 43.02	Design and Development Overlay – Schedules 1 (Urban Design in Central Melbourne) and 10 (General Development Area – Built Form)	<i>Construct a building or construct or carry out works.</i>
	Clause 44.04	Land Subject to Inundation Overlay – Schedule 4 (Southbank Precinct)	<i>Construct a building or construct or carry out works.</i>
	Clause 45.09	Parking Overlay – Schedule 1 (Capital City Zone – Outside the Retail Core)	<i>N/A – A permit is required to provide car parking spaces in excess of the car parking rates in Clause 3.0 of this schedule.</i>
Particular Provisions:	Clause 52.06	Car Parking	<i>N/A – A permit is only required to provide more than the maximum parking provision specified in a schedule to the Parking Overlay</i>
	Clause 52.34	Bicycle Parking	<i>N/A – A permit is only required to provide less than the required bicycle facilities.</i>
	Clause 53.03	Residential Reticulated Gas Service Connection	<i>A permit must not be granted for construction of a new dwelling or a new apartment development</i>

that is to be connected to a reticulated gas service.

Clause 53.18	Stormwater Management in Urban Development	<i>An application to construct a building or construct or carry out works:</i> <i>Must meet all of the objectives of Clauses 53.18-5 and 53.18-6.</i> <i>Should meet all of the standards of Clauses 53.18-5 and 53.18-6.</i>
Clause 58	Apartment Developments	<i>A development:</i> <i>Must meet all of the objectives of this clause.</i> <i>Should meet all of the standards of this clause.</i>

Cultural Heritage:	Satisfactory evidence has been provided to demonstrate that a Cultural Heritage Management Plan is not required			
Total Site Area:	5,059 m²			
Gross Floor Area:	127,512 m²			
Floor Area Ratio:	25.2:1			
Height:	71 storeys, excluding plant			
	239.3 metres, including roof plant screen (centre of Queens Bridge Street frontage is 1.153 m AHD)			
	240.5 m AHD to the top of the roof plant screen			
Land Uses:	Dwellings (BTS)	Hotel rooms	Office	Retail
	192 x 1 bed	181	2,762 m²	1,741 m²
	302 x 2 bed			
	124 x 3 bed			
	19 x 4 bed			
	Total: 637 dwellings			
Communal areas:	Internal		External	
	Level 10 – 1,648 m²		Level 10 – 2,592 m²	
	Level 41 – 1,431 m²			
	Total: 3,079 m²			
Parking:	Cars	Motorcycles	Bicycles	
	518	7	271	
Referral Authorities:	Melbourne Water (s55 – determining referral) Head, Transport for Victoria (s55 – determining referral) Melbourne City Council (s55 – recommending referral)			
Advice sought:	Office of the Victorian Government Architect (OVGA)			
Public Notice:	Notice of the application was undertaken by the applicant at the direction of the Department of Transport and Planning (DTP) under delegation from the Minister for Planning in February / March 2026, in the following manner: - Two (2) public notices on each of the Queens Bridge Street frontage; and - Mail to owners / occupiers of adjoining and nearby land.			



18 objections have been received.

Delegates List:

Approval to determine under delegation received on 24 July 2026.



Application Process

- The key milestones in the application process were as follows:

Milestone	Date
Pre-application meeting (DTP, Melbourne City Council & applicant)	12 February 2025
OVGA Design Review Workshop	26 February 2025
Application lodgement	31 March 2025
Further information requested	14 April 2025
Further information received	17 November 2025
S50 amendment	3 February 2025
Further information requested	11 February 2026
Further information received	18 February 2026
Advertising instructions sent to the applicant	25 February 2026
Statutory Declaration for advertising received	16 March 2026
Decision Plans	Plans prepared by Cox Architecture, titled 'Queensbridge St – 1-29 Queens Bridge St, Southbank', Drawings TP-00-000 to TP-91-020, listed on Cover Page and Sheet List TP-00-000, Revision 5, dated 17 February 2026.
Other Assessment Documents	Planning Report prepared by Urbis and dated 18 February 2026; Urban Context Report prepared by Cox Architecture and dated January 2026; Contemporary Public Benefit Assessment prepared by Urbis and dated 29 January 2026; Heritage Impact Statement prepared by Lovell Chen and dated 28 January 2026; Heritage Memo prepared by Lovell Chen and dated 30 January 2026; Traffic Engineering Assessment prepared by Traffix Group and dated 17 February 2026; Waste Management Plan prepared by WSP and dated 4 March 2026; Sustainable Management Plan prepared by ADP Consulting and dated 1 December 2025; Landscape Architectural Report prepared by T.C.L. and dated 4 February 2026; Environmental Wind Conditions Study prepared by MEL Consultants and dated 21 November 2024; Survey Advice prepared by Reeds Consulting and



dated 18 February 2026;
Quantity Surveyor Report prepared by Rider Levett Bucknall and dated 19 February 2026;
Flood Risk Management Plan prepared by HARC Services and dated 16 February 2026;
Acoustic Report prepared by ADP Consulting and dated 27 November 2025;
Aboriginal Cultural Heritage Letter of Advice prepared by Urbis and dated 17 November 2025; and
3D Model received 18 February 2026.

Informally amended documents prior to a decision

Pedestrian Wind Comfort Study prepared by RWDI and dated 28 April 2026; and
Flood Risk and Design Statement prepared by HARC Services and dated 6 May 2026.

2. The subject of this report is the decision plans (as described above).
3. The informally amended documents submitted prior to a decision have addressed the following matters:
 - The amended Pedestrian Wind Comfort Study prepared by RWDI and dated 28 April 2026 provides details of updated wind tunnel testing of the development as currently proposed (dated 17 February 2026), compared to the report prepared by RWDI based on an earlier iteration of the plans (dated 29 September 2025).
 - The amended Flood Risk Management Plan prepared by HARC Services and dated 6 May 2026 has been submitted to respond to the changes to the flood mapping that apply to the site as a result of amendment C490melb, gazetted on 11 June 2026. C490melb implemented the Southbank Local Floodplain Development Plan and applied a new Land Subject to Inundation Overlay – Schedule 4 to the site (previously LSIO3 applied to the site).

Proposal Summary

4. The application proposes partial demolition of 1-7 Queens Bridge Street and construction of a 71-storey mixed-use building.
5. The council issued Planning Permit TP-2025-661 on 23 January 2026 for demolition of the existing buildings at 9-29 Queens Bridge Street and works for the purpose of temporary activation (park). Demolition works have commenced.
6. On 18 June 2026, the council received a section 72 amendment application to the above permit to include the non-retained parts of the building at 1-7 Queens Bridge Street. A decision has yet to be made on this amendment.
7. Key features of the proposal are:
 - Partial demolition of 1-7 Queens Bridge Street and restoration works to the retained part of the building. Specifically, it is proposed to retain the façade, return walls, canopy and internal structure to a depth of approximately 10.6 metres behind the principal façade. The remaining parts of the building will be demolished.
 - Construction of a 239.3 metre (measured from the centre of the Queens Bridge Street frontage of 1.153 metres AHD to the top of the roof plant screen of 240.5 metres AHD) building, including roof plant screen. The building is proposed to contain retail premises, office, hotel and dwellings. Car parking, storage, bicycle parking and motorcycle parking are to be provided within the podium levels.

- Retail premises are proposed at Ground Level, Level 1 and Level 3; office is proposed on Level 2; hotel rooms are proposed on Levels 3 to 9; residential communal areas are proposed on Levels 10 and 41; and dwellings are proposed on Levels 11 to 40 and Levels 43 to 70.
- The ground level features an 8 metre-wide through block pedestrian link to the Freshwater Place development to the east of the site and a public plaza (286 m²) in the south-east corner of the site (accessible only via Freshwater Place development).
- The building is proposed in a podium and tower typology with an activated ground level, an articulated podium to Queens Bridge Street and a tower form with curves.
- External materials and finishes of the building include textured aluminium, textured finish, GRC precast cladding and glazing.

8. Specific details of the proposal are contained in the following table:

Key Information	Details
Total Site Area:	5,059 m ²
Gross Floor Area:	127,512 m ²
Gross Floor Area above Ground Level:	127,512 m ²
Floor Area Ratio:	25.2:1
Podium Height:	13 metres (approximately) to the top of the parapet of the existing building at 1-7 Queens Bridge Street (3 storeys) 37.5 metres (measured from the centre of the Queens Bridge Street frontage of 1.153 metres AHD) (10 storeys) 39.4 metres (measured from the centre of the Queens Bridge Street frontage of 1.153 metres AHD) (10 storeys -southern side)
Total Building Height:	239.3 metres (measured from the centre of the Queens Bridge Street frontage of 1.153 metres AHD to the top of the roof plant screen of 240.5 metres AHD)
Tower Setbacks:	Queens Bridge Street: 11.54 metres Northern boundary: 8.3 to 11.88 metres Eastern boundary: 17.51 to 18.4 metres (27.56 metres to the eastern most boundary in the south-east corner) Southern boundary: 11.09 to 13.55 metres
Dwellings:	637 dwellings, including: • 192 x 1 bedroom • 302 x 2 bedroom • 124 x 3 bedroom • 19 x 4 bedroom
Hotel Rooms:	181 rooms
Office:	2,762 m ² (Net Lettable Area)
Retail:	1,741 m ² (Gross Leasable Area Retail)
Car Parking:	518 spaces
Bicycle Parking:	271 spaces
Motorcycle Parking:	7 spaces



Figure 1: Concept image of the proposed building viewed from the northern side of the Yarra River (Source: Application)



Figure 2: Concept image of the proposed building viewed from the west along the Yarra River (Source: Application)



Figure 3: Concept image of the proposed tower viewed from the north (Source: Application)



Figure 4: Concept image of the proposed podium along Queens Bridge Street (Source: Application)



Figure 5: Concept image of the proposed podium along Queens Bridge Street (Source: Application)



Figure 6: Concept image of the proposed podium along Queens Bridge Street (Source: Application)



Figure 7: Concept image of the proposed building viewed from the south-east from the intersection of Power Street and City Road (Source: Application)



Figure 8: Concept image of the proposed building viewed from the along Southbank Boulevard (Source: Application)



Figure 9: Concept image of pedestrian link from Queens Bridge Street (Source: Application)



Figure 10: Concept image of pedestrian link from Freshwater Place (Source: Application)



Site Description

9. The subject site is irregular in shape, located on the eastern side of Queens Bridge Street, with the southern boundary approximately 60 metres north of the intersection of Queens Bridge Street and Power Street and 100 metres south of Queens Bridge, which provides a direct link to the Hoddle Grid.
10. The site has a frontage to Queens Bridge Street of 94.2 metres, a splayed frontage to 1-7 Queens Bridge Street of 17.75 metres, a splayed northern interface of 45.45 metres (plus 3.4 metres in the north-east corner) Street of 30 metres, a southern interface of 49.59 metres (plus 3.92 metres in the south-east corner) and an eastern interface of a total 81 metres. Overall, the site has an area of 5,059 square metres.
11. The site is formally known as:
 - **Title 1** – Lot 1 on Title Plan 369606P in Volume 03012 Folio 244 (1-7 Queens Bridge Street);
 - **Title 2** – Lot 2 on Plan of Subdivision 332539X in Volume 10187 Folio 789 (1-7 Queens Bridge Street);
 - **Title 3** – Lot 1 on Title Plan 873768Y in Volume 11247 Folio 104 (9-15 Queens Bridge Street);
 - **Title 4** – Lot B on Plan of Subdivision 504017Y in Volume 11034 Folio 074 (17-23 Queens Bridge Street); and
 - **Title 5** – Lot 1 on Plan of Subdivision 505293S in Volume 10804 Folio 524 (25029 Queens Bridge Street).
12. Title 4 includes a Section 173 Agreement (AD599513C), which relates to the Freshwater Place development adjacent to the site and establishing a Land Management Agreement between owners of various lots for the management and maintenance of shared and exclusive facilities within the Freshwater Place as well as ensuring compliance with easements created by Plan of Subdivision PS504017Y. It does not appear that 17-23 Queen Bridge Street (Lot B) has any shared services with Freshwater Place. Additionally, despite its inclusion with PS504017Y, Title 4 is not part of any of the Owners Corporations which exist for this plan of subdivision, nor does it have any access to Common Property areas within that development.
13. The following easements apply to the site:
 - Easements L-1, L-2 and L-3, together with a Lease and Easement Caveat (S174984D) apply to the Title 5 lot in favour of the State Electricity Commission of Victoria (seceded by CitiPower) as a lessee by virtue of an unregistered lease. This was registered on 16 October 1992 and relates to an indoor type substation for powerline and carriageway access with a lower limit of 1.16 metres and upper limit of 6.5 metres.
 - Implied easements under s12(2) of the Subdivision Act 1988 applies to Titles 2 and 4 by virtue of their inclusion in the plans of subdivision PS332539X and PS204017Y, respectively.
 - Titles 3, 4 and 5 all benefit and are encumbered by various party wall and support easements between the three lots.
 - Title 5 contains an easement for 'sewerage and other purposes' (easements E-1 and E-2) which contains a significant authority sewer asset in favour of South East Water which extends to Freshwater Place.
 - Title 4 benefits from appurtenant easements rights over the adjoining Freshwater Place land included a 3m wide Light and Air easement abutting the eastern boundary, multiple footway easements (including Sandridge Arcade) and carriageway rights over the Private Road known as Freshwater Place, north-east of the site. This easements rights apply to land within Title 4 and not the balance of the site.
14. There is a slight fall in the land from the north to the south and the site was previously developed with four buildings:
 - 1-7 Queens Bridge Street: Queens Bridge Hotel, a three storey building of a stripped classical design, typical of those constructed during the Interwar period in Victoria. This building is graded 'significant' in accordance with the Melbourne Planning Scheme Incorporated Document: *Heritage Places Inventory March 2022 (City of Melbourne, August 2025)*.

- 9-15 Queens Bridge Street: a two storey, vacant commercial building.
- 17-23 Queens Bridge Street: a four storey, vacant commercial building.
- 25-29 Queens Bridge Street a six storey, vacant commercial building.

- As stated above, demolition of the buildings at 9-29 Queens Bridge Street has commenced pursuant to the permit issued by the council.
- A total of four vehicle crossover currently service the overall site, all of which are located along the Queens Bridge Street frontage.

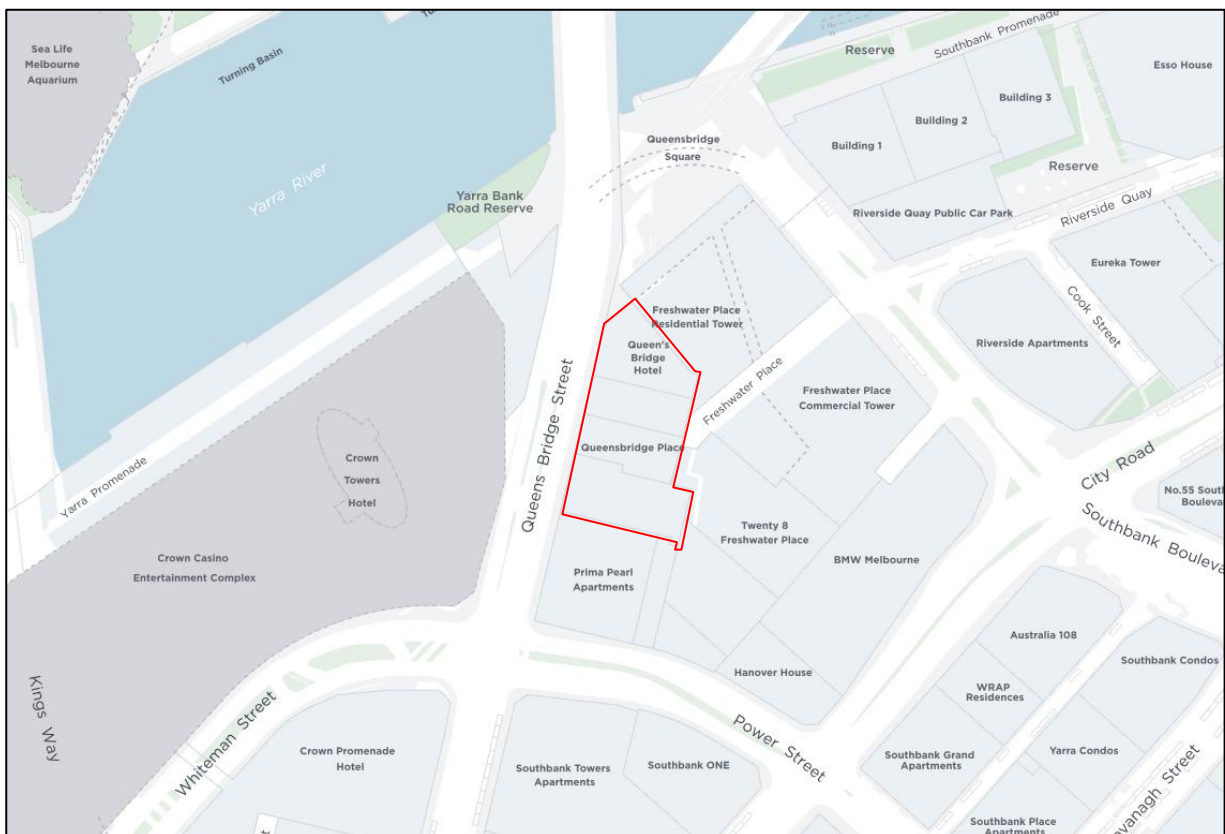


Figure 11: Subject site (Source: maps.melbourne.vic.gov.au)

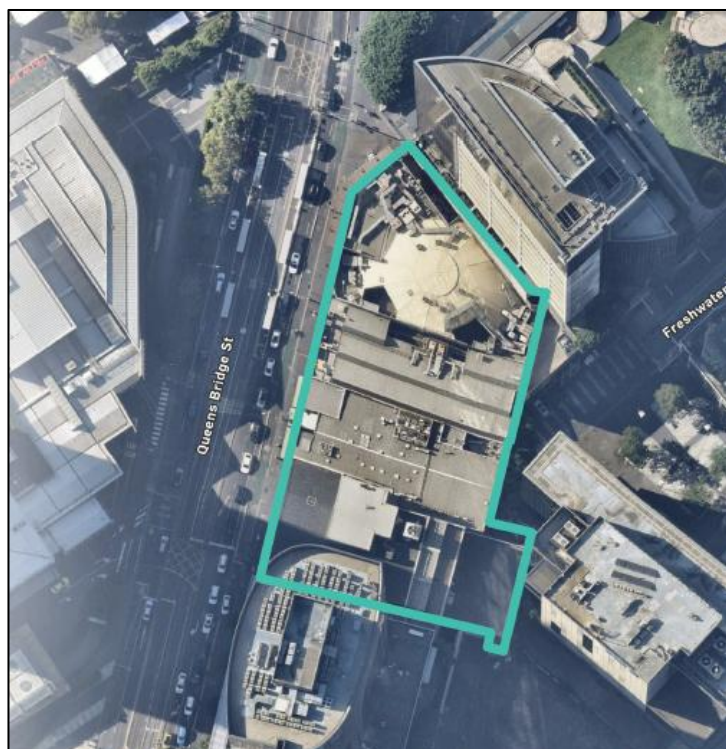


Figure 12: Aerial of subject site (Source: Application)

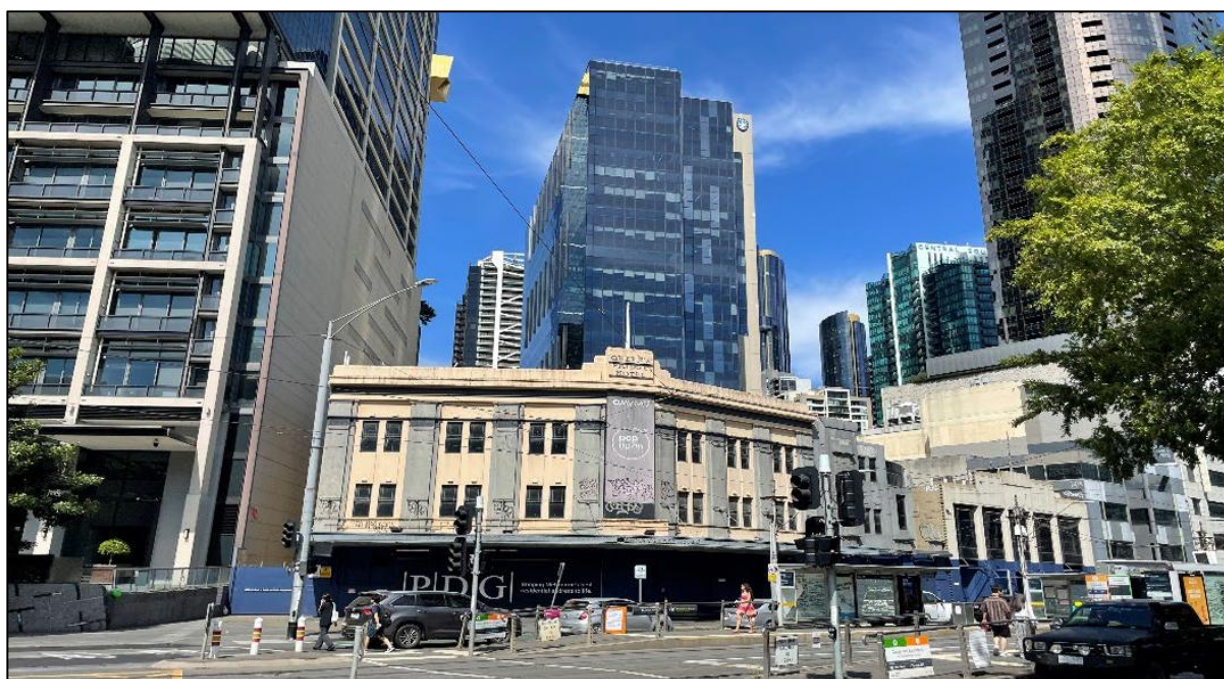


Figure 13: 1-7 Queens Bridge Street (Source: Application)

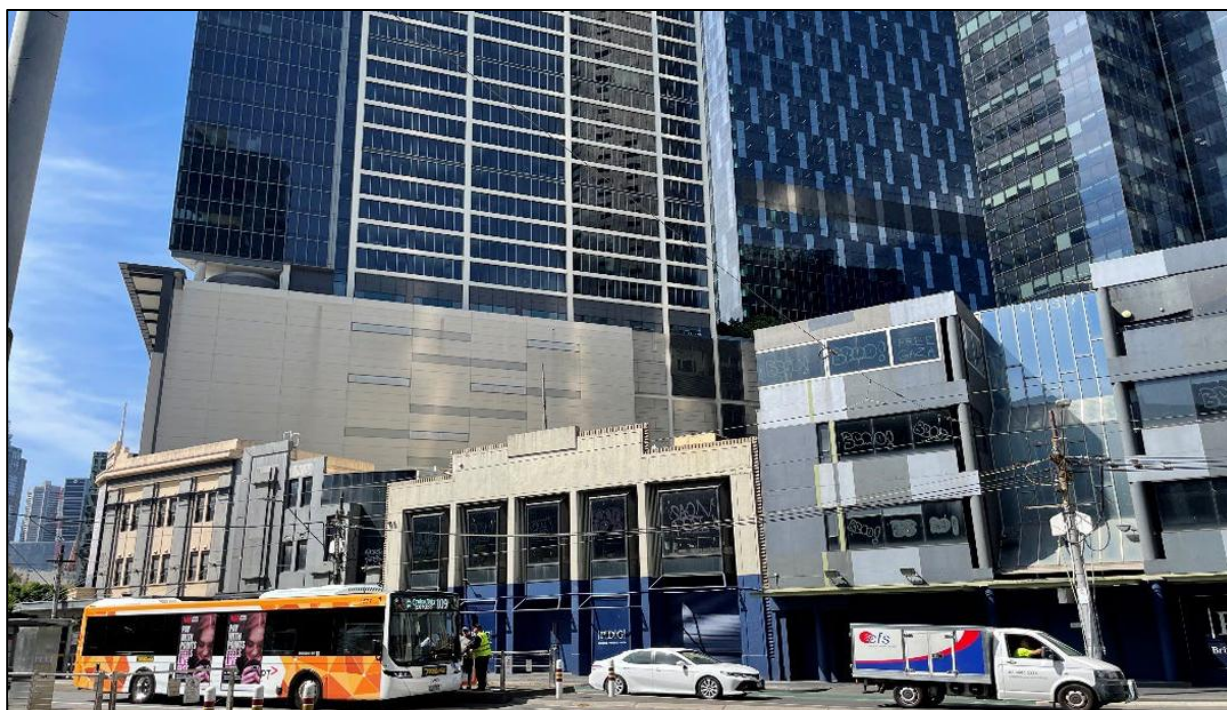


Figure 14: 9-15 Queens Bridge Street (Source: Application)



Figure 15: 17-23 and 25-29 Queens Bridge Street (Source: Application)

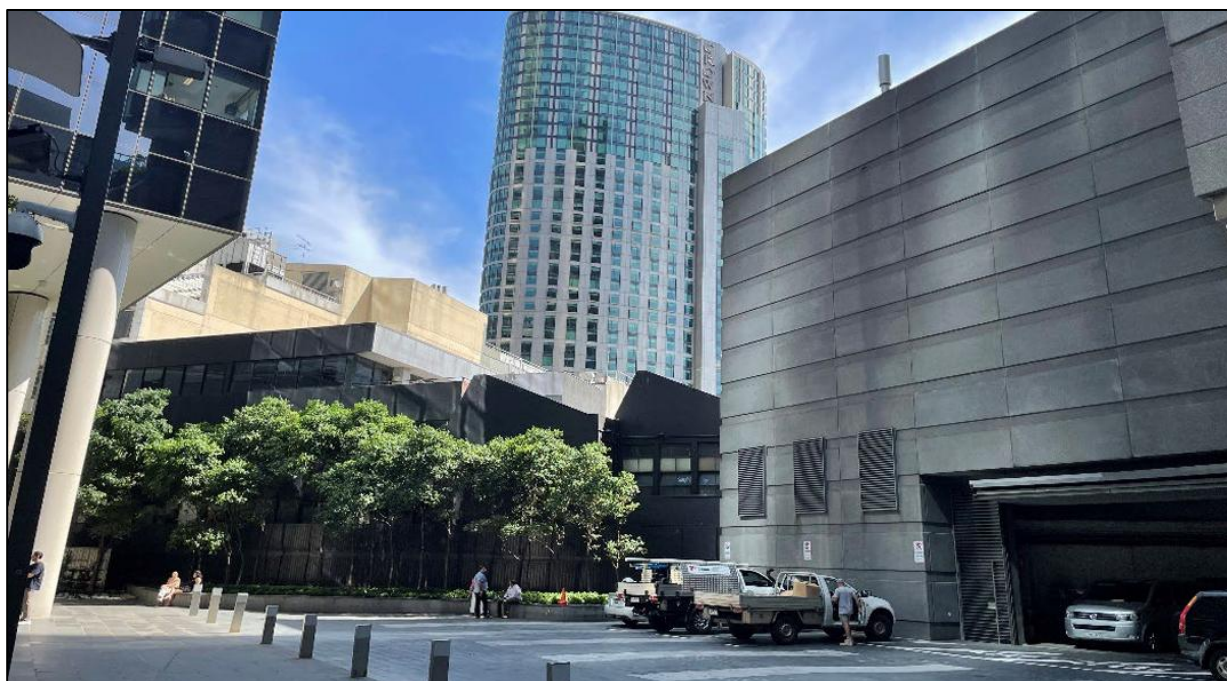


Figure 16: Subject site as viewed from Freshwater Place (Source: Application)



Site Surrounds

17. The subject site is located within the Southbank part of the Melbourne Central Business District and is an area experiencing development change from predominantly older industrial, warehousing and office activities to mixed use developments.
18. The site is positioned in close proximity to multiple tram routes including along Queens Bridge Street (route no. 58), Flinders Street (route no.s 35, 70 and 75), Collins Street (route no.s 11, 12, 48 and 109) and Clarendon Street (route no. 96). Flinders Street Station is located approximately 500 metres to the north-east of the site, providing access to all metropolitan train lines. Bus routes also pass the site on Queens Bridge Street, including route no.s 234, 236 and 605.
19. Development surrounding the site can be described as follows:
 - To the **north** of the site is 1-9 Freshwater Place, a 63-storey residential building with a nine storey podium and ground level retail. This building primarily interfaces with Queensbridge Square, which forms part of the Southbank Promenade alongside the Yarra River. This building presents a cubic podium form to Queensbridge Square, with the tower above adopting a contemporary and slender curved glazed façade. This building includes vehicle access from the rear via Freshwater Place, which provides access to on-site parking as well as a porte cochere for pick-up and drop-off.
 - To the **east** of the site is 2-50 Southbank Boulevard, a 38 storey office building with ground level retail. This building also includes vehicle access via Freshwater Place. The western end of Freshwater Place (adjacent to the subject site) is currently used as a free-for-all carpark for service vehicles with a planter bed blocking any pedestrian access.

To the south-east, the site interfaces with the north-west corner of 21-35 Power Street, a current vacant site with approval for a 62-storey office building.
 - To the **south** of the site is 35 Queens Bridge Street, a 72-storey residential building known as the Prima Pearl Tower. It also has a frontage to Power Street and includes commercial and showroom uses on the ground level. The building is of contemporary architecture with a slender, curvilinear glazed tower design, whilst the podium form presents a contemporary, yet slightly heavier and more geometric form to the streetscape. Vehicle access is provided via both street frontages.
 - To the **west** of the site is Queens Bridge Street, a local road that includes a central super tram stop. Opposite the site is the Crown Entertainment Complex and Crown Towers Hotel, comprising multi-level contemporary built form with a porte cochere entrance for the hotel and Crown Resort complex accessed from Queens Bridge Street.
20. The proposed building within its surrounding context is illustrated below:

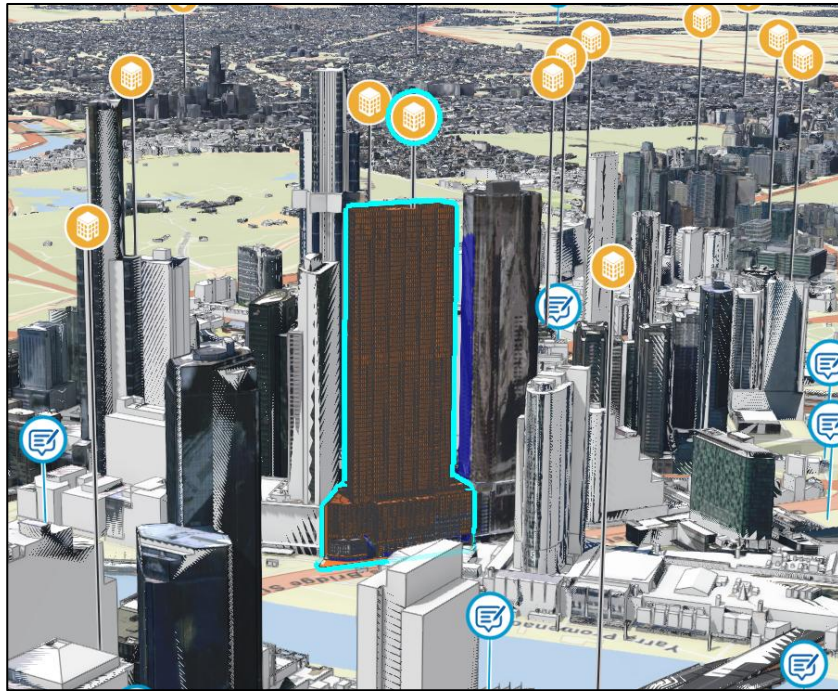


Figure 17: Proposed development within its surrounding context (Source: DTP 3D model)

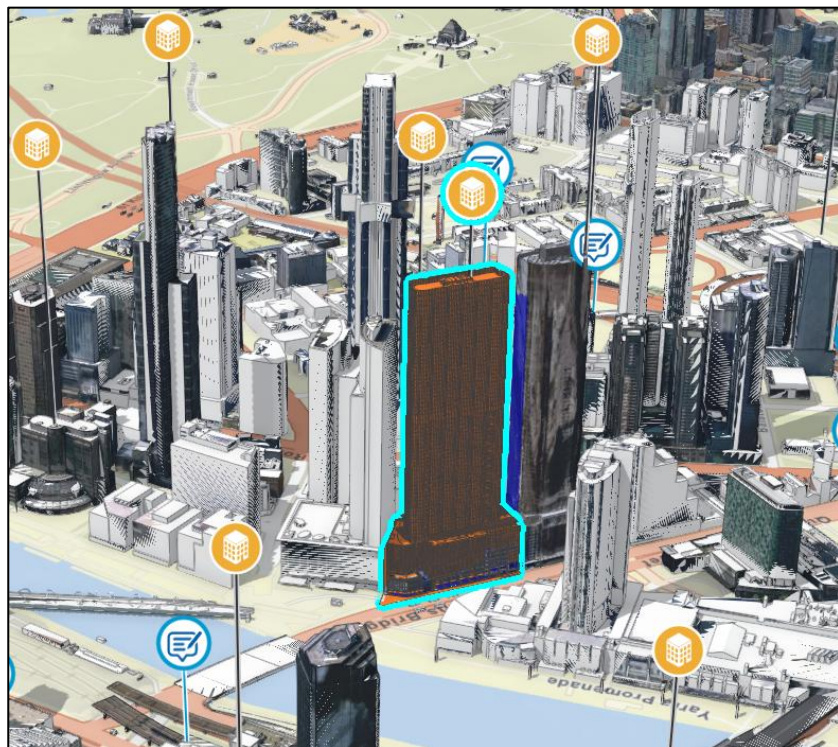


Figure 18: Proposed development within its surrounding context (Source: DTP 3D model)



Plan for Victoria

21. Plan for Victoria (DTP 2025) sets a long-term vision for a well-connected, liveable, and inclusive state. It identifies the need for approximately 2.24 million new homes over the next 30 years across Melbourne and regional centres, highlighting that location is critical to ensure these homes support community wellbeing and sustainability.
22. A core principle of the plan is the 20-Minute Neighbourhood, an urban model where residents can easily access daily services, employment, and amenities within 20 minutes of their home. This is seen as vital to reducing travel times, improving liveability, and strengthening local communities.
23. Plan for Victoria includes strong policy directions notably regarding:
 - Housing for all Victorians;
 - Great places, suburbs and towns; and
 - Sustainable environments.
24. It places emphasis on the need to provide all Victorians with a choice of a well-designed home at an affordable price and close to daily needs and to ensure that housing is affordable, diverse and accessible is central to creating inclusive, prosperous, liveable communities.
25. Key strategies include:
 - More homes;
 - Greater diversity;
 - Affordable and fair housing;
 - More housing and choice across regional Victoria; and
 - Innovative building solutions.
26. The proposal supports the objectives of Pillar 1: Housing for all Victorians, including:
 - Enabling more homes; and
 - Providing a diverse dwelling mix in a location close to jobs, shops and public transport.
27. The Plan sets a housing target of 119,500 additional homes for the City of Melbourne up until 2051.

Municipal Planning Strategy

28. The following objectives and strategies of the Municipal Strategic Statement of the scheme are relevant to the proposal:

Clause	Description
02.01	Context
02.02	Vision
02.03-4	Built environment and heritage
02.03-5	Housing
02.03-6	Economic development
02.03-7	Transport
02.03-08	Infrastructure



Planning Policy Framework

29. The following objectives and strategies of the Planning Policy Framework of the scheme are relevant to the proposal:

Clause 11	Settlement
11.01-1S	Settlement
11.01-1R	Settlement – Metropolitan Melbourne
11.03-1S	Activity centres
11.03-1R	Activity centres – Metropolitan Melbourne
11.03-6L-12	Southbank
Clause 15	Built Environment and Heritage
15.01-1S	Urban design
15.01-1R	Urban design – Metropolitan Melbourne
15.01-1L-03	Sunlight to Public Spaces
15.01-1L-04	Urban design
15.01-2S	Building design
15.01-2L-01	Energy and resource efficiency
15.01-2L-02	Floor area uplift and delivery of public benefits
15.01-5S	Neighbourhood character
15.03-1S	Heritage conservation
15.03-1L-02	Heritage
15.03-2S	Aboriginal cultural heritage
Clause 16	Housing
16.01-1S	Housing supply
16.01-1R	Housing supply – Metropolitan Melbourne
16.01-2S	Housing affordability
Clause 17	Economic Development
17.01-1S	Diversified economy
17.01-1R	Diversified economy – Metropolitan Melbourne
17.02-1S	Business
17.04-1S	Facilitating tourism
Clause 18	Transport
18.01-1S	Land use and transport integration
18.01-1L	Land use and transport planning
18.02-3S	Public transport
Clause 19	Infrastructure
19.03-3L	Stormwater management (Water sensitive urban design)
19.03-5S	Waste and resource recovery

30. The assessment section of this report provides a detailed assessment of the relevant planning policies.

Zoning and Overlays

Applicable Zone

Capital City Zone – Schedule 3 (Southbank)

31. Pursuant to Clause 1.0 of Schedule 3, a permit is not required for accommodation, office and retail premises.

32. Pursuant to Clause 37.04-4, a permit is required to:

- Construct a building or construct or carry out works unless the schedule to this zone specifies otherwise.
- Demolish or remove a building or works if specified in the schedule to this zone.

An apartment development must meet the requirements of Clause 58.

33. Pursuant to Clause 3.0 of Schedule 3:

- A permit must not be granted to construct a building or construct or carry out works with a floor area ratio in excess of 18:1 on land to which schedule 10 to the Design and Development Overlay applies unless:
 - a public benefit as calculated and specified in a manner agreed to by the responsible authority is provided; and
 - the permit includes a condition (or conditions) which requires the provision of a public benefit to be secured via an agreement made under section 173 of the *Planning and Environment Act 1987*.
- An application for development with a gross floor area exceeding 25,000 square metres must be referred in accordance with section 55 of the Act to the referral authority specified in the schedule to Clause 66.04.

Applicable Overlays

Heritage Overlay – Schedule 1228 (Queens Bridge Hotel, 1-7 Queens Bridge Street, Southbank)

34. Pursuant to Clause 43.01-1, a permit is required to:

- Demolish or remove a building;
- Construct a building or construct or carry out works; and
- Externally alter a building by structural work, rendering, sandblasting or in any other way.

Design and Development Overlay – Schedules 1 (Urban Design in Central Melbourne) and 10 (General Development Area – Built Form)

35. Pursuant to Clause 43.02-2, a permit is required to construct a building or construct or carry out works. This does not apply if a schedule to this overlay specifically states that a permit is not required.

36. Pursuant to Clause 2.3 of Schedule 1, buildings and works:

- Must meet the Design objectives specified in this schedule.
- Must satisfy the Design outcomes specified for each relevant Design element.

A permit may be granted to vary a discretionary Design requirement expressed with the term 'should'.



A permit cannot be granted to vary a Design requirement expressed with the term 'must'.

A permit cannot be amended (unless the amendment does not increase the extent of non-compliance) for buildings and works that do not meet a Design requirement expressed with the term 'must'.

An application that does not meet a Design requirement must demonstrate how the development will achieve the relevant Design outcomes.

37. Pursuant to Clause 2.3 of Schedule 10, buildings and works:

- must meet the Design Objectives specified in this schedule;
- must satisfy the Built Form Outcomes specified for each relevant Design Element in Table 3 to this schedule; and
- should meet the Preferred Requirement specified for each relevant Design Element in Table 3 to this Schedule.

An application to vary the Preferred Requirement for any Design Element specified in Table 3 to this schedule must document how the development will achieve the relevant Design Objectives and Built Form Outcomes.

An application which does not meet the Preferred Requirement, must be considered under the Modified Requirement for each relevant Design Element.

A permit must not be granted or amended (unless the amendment does not increase the extent of non-compliance) for buildings and works that do not meet the Modified Requirement for any relevant Design Element specified in Table 3 to this schedule.

Land Subject to Inundation Overlay – Schedule 4 (Southbank Precinct)

38. Pursuant to Clause 44.04-2, a permit is required to construct a building or construct or carry out works.

39. Pursuant to Clause 44.04-7, an application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the floodplain management authority.

Parking Overlay – Schedule 1 (Capital City Zone – Outside the Retail Core)

40. Pursuant to Clause 2.0 of Schedule 1, a permit is required to provide car parking spaces in excess of the car parking rates in Clause 3.0 of this schedule.

41. Pursuant to Clause 3.0 of Schedule 1, where a site is used partly for dwellings and partly for other uses, the maximum number of spaces allowed:

- for that part of the site devoted to dwellings (including common areas serving the dwellings) must not exceed one (1) space per dwelling.
- for that part of the site devoted to other uses, (excluding common areas serving the dwellings) must not exceed the number calculated using one of the following formulas:
 - 5 x net floor area of building on that part of the site in sq m / 1,000 sq m; or
 - 12 x that part of the site area in sq m / 1,000 sq m.

42. All buildings that provide on-site car parking must provide motorcycle parking for the use of occupants and visitors, at a minimum rate of one motor cycle parking space for every 100 car parking spaces, unless the responsible authority is satisfied that a lesser number is sufficient.

Particular Provisions

43. The following particular provisions apply:

- Clause 51.06 – Birrarung (Yarra River) Protection
 - Pursuant to Clause 51.06, a responsible authority must have regard to the principles in Part 2 of the Birrarung Act (now *Yarra River Protection (Wilip-gin Birrarung murrn) Act 2017*) when deciding on an application or approval of a plan.
- Clause 52.06 – Car Parking
 - Pursuant to Clause 52.06-2, before a new use commences, the minimum number of car parking spaces required under clause 52.06 or in a schedule to the Parking Overlay for a use must be provided to the satisfaction of the responsible authority in one or more of the following ways:
 - on the land; or
 - in accordance with a permit issued under clause 52.06-3; or
 - in accordance with a financial contribution requirement specified in a schedule to the Parking Overlay.
 - If Table 1 to clause 52.06-5, or a schedule to the Parking Overlay, specifies a maximum car parking requirement, the maximum requirement must not be exceeded except in accordance with a permit issued under clause 52.06-3.
- Clause 52.34 – Bicycle Facilities
 - Pursuant to Clause 52.34-1, a new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land.
 - Pursuant to Clause 52.34-2, a permit may be granted to vary, reduce or waive any requirement of Clause 52.34-5 and Clause 52.34-6.
- Clause 53.03 – Residential Reticulated Gas Service Connection
 - Pursuant to Clause 52.03-2:
 - A permit must not be granted for construction of a new dwelling or a new apartment development that is to be connected to a reticulated gas service.
 - A permit granted for buildings and works in relation to an application to which this clause applies must include the following mandatory condition(s) as relevant:

For an apartment development:

"Any new apartment development allowed by this permit must not be connected to a reticulated gas service (within the meaning of clause 53.03 of the relevant planning scheme). This condition continues to have force and effect after the development authorised by this permit has been completed."
- Clause 53.18 – Stormwater Management in Urban Development
 - Pursuant to Clause 53.18-3 an application to construct a building or construct or carry out works:
 - Must meet all of the objectives of Clauses 53.18-5 and 53.18-6.
 - Should meet all of the standards of Clauses 53.18-5 and 53.18-6.
- Clause 58 – Apartment Developments
 - Pursuant to Clause 58, a development:
 - Must meet all of the objectives of this clause.
 - Should meet all of the standards of this clause.



Referrals

44. The application was referred to the following groups:

Provision / Clause	Organisation	Date and response received
Clause 44.04-7 (Section 55 Referral – Determining)	Melbourne Water	26 June 2026 Updated response received following gazettal of C490melb - No objection, subject to conditions
Clause 66.02-11 (Section 55 Referral – Determining)	Head, Transport for Victoria	20 February 2026 No objection, subject to conditions
Capital City Zone – Schedule 3 (Section 55 Referral – Recommending)	Melbourne City Council	23 April 2026 No objection, subject to conditions
Internal	DTP Urban Design Team	23 February 2026 No objection, subject to comments
Section 52 - notice	Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation	21 April 2026
Section 52 - notice	Birrarung Council	No response received
Pre-application	Office of the Victorian Government Architect	14 March 2025

Melbourne Water

45. Melbourne Water advised on 26 June 2026 that it does not object to the application, subject to the following conditions:

- Before the development permitted by this permit commences, amended plans to the satisfaction of the Responsible Authority and Melbourne Water must be submitted to and approved in writing by the Responsible Authority and Melbourne Water. The plans must be prepared by a suitably qualified person, be drawn to scale with dimensions and be submitted to Melbourne Water in electronic format. When approved, the plans will be endorsed and will then form part of the permit. The plans must be generally in accordance with the plans submitted with the application (i.e. Revision 5 dated 17/02/2026) but modified to include:*
 - natural surface levels and floor levels to Australian Height Datum (AHD);*
 - details of pedestrian access connection to Freshwater Place which shows the access as unobstructed and DDA compliant;*
 - a notation on plans that flood resistant materials must be used for the construction of floor levels and walls below the Nominal Flood Protection Level 3.39m AHD.**all of the above must be to the satisfaction of Melbourne Water.*
- The Finished Floor Levels (FFLs) of all ground floor areas, including all lift and stair lobbies, must be set no lower than 3.39 metres to Australian Height Datum (AHD) (with the exception of existing heritage hotel to be retained, services and transitional areas containing landings, steps or ramps which may be lower than 3.39 meters AHD with the consent of Melbourne Water)*
- The layout of buildings and works inclusive of finished floor levels at ground level and the pedestrian access connection to Freshwater Place, or any further flood management measures as shown on the endorsed plans must not be altered without the prior written consent of Melbourne Water.*

- 
4. *The flood management measures forming part of this permit as per the approved Flood Risk Management Plan, including those relating to relevant flood hazards, responsibilities for site management, procedures for flood monitoring, occupant warning, evacuation, and post-flood recovery must be undertaken to the satisfaction of the responsible authority and Melbourne Water on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.*

Section 173 Agreement – Flood Risk Management Plan (FRMP)

5. *Before the commencement of development, excluding demolition, excavation, piling and site preparation works and works to remediate contaminated land, the legal owners and any other relevant legal and/or equitable interest holder of 1-29 Queens Bridge Street, Southbank must enter into an agreement pursuant to section 173 of the Planning and Environment Act 1987 (Vic) with the Responsible Authority and Melbourne Water Corporation. All costs associated with the preparation and completion up of the agreement must be borne by the land owner. The agreement must be registered on the titles of the 1-29 Queens Bridge Street, Southbank to the satisfaction of the Responsible Authority and Melbourne Water Corporation. The agreement must provide that the owners of 1-29 Queens Bridge Street, Southbank:*
 - a. *implement the Flood Risk Management Plan (or any subsequent revision) endorsed under this permit, which has been approved by the Responsible Authority and Melbourne Water Corporation.*
 - b. *maintain all flood related measures identified in the FRMP and this permit in good working condition.*
 - c. *comply with ongoing maintenance and reporting requirements in the approved FRMP;*
 - d. *disclose to any person with an ownership or occupancy of the Subject Land, or proposing to acquire an interest in or commence occupation of the Subject Land, that it is subject to inundation and flood risk;*
 - e. *the occupation of the development to at all times be in accordance with the FRMP (as amended from time to time) approved by the Responsible Authority and Melbourne Water Corporation.*

Flood warning system

6. *Before any use commences on the site, the flood warning system outlined in the endorsed FRMP must be installed and operating to the satisfaction of the Responsible Authority.*

Maintenance of flood warning system

7. *The flood warning system must be maintained and if any are damaged or removed, they must be replaced immediately to the satisfaction of the Responsible Authority.*
8. *Before any use commences, a property manager must be appointed to implement the FRMP as required by the endorsed FRMP or any updated endorsed FRMP to the satisfaction of the Responsible Authority.*

Permit notes

Melbourne Water requests that the following permit notes are added to the planning permit:

Any electrical installations within areas subject to flooding must meet the applicable standards of the relevant authority.

Head, Transport for Victoria

46. The original application included a right in/right out vehicle access arrangement. On 24 April, 17 July and 4 December 2025, Head, Transport for Victoria consistently advised that they consider that the proposed signalised access and associated right-turn movements would adversely affect the operation of the transport system, including tram and bus priority, intersection performance, traffic queueing, pedestrian and cyclist safety, and signal network functionality. They also identified technical constraints associated with signal phasing and intersection operations and maintained that only an unsignalised left-in/left-out access arrangement would be supported. Additional concerns were raised regarding tram stop accessibility and the adequacy of swept-path analysis for service vehicles.
47. As a result of the concerns raised, the applicant amended the application and included an unsignalised left in/left out arrangement.



48. On 20 February 2026, Head, Transport for Victoria advised that it does not object to the application, subject to the following conditions:

1. *Unless with the prior written consent of the Head, Transport for Victoria, the demolition and construction of the development must not disrupt tram and bus operations along Queens Bridge Street. Any request for a planned disruption to operations during construction must be submitted to and approved by the Head, Transport for Victoria in consultation with Yarra Trams no later than thirty-five days (35) before the planned disruption and must detail measures that will occur to mitigate the impact of the planned disruption.*
2. *Any damage to public transport infrastructure must be rectified to the satisfaction of and at no cost to the Head, Transport for Victoria.*

Melbourne City Council

49. The Melbourne City Council considered the application at their Future Melbourne Committee (FMC) meeting on 21 April 2026. At the meeting, and as advised on 23 April 2026, the council resolved:

1. *That the Future Melbourne Committee resolves to:*
 - 1.1 *Advise the Department of Transport and Planning that the Melbourne City Council does not object to the application, subject to:*
 - 1.1.1 *Appropriate modification to the proposed floor area uplift including redirection of public benefits toward the upgrade and revitalisation of Queensbridge Square; and*
 - 1.1.2 *The inclusion of the recommended conditions outlined in the Planning Report (refer Attachment 3 of the report from management – Planning Report).*

50. In addition to standard permit conditions, the council recommended a number of conditions requiring amendments to the endorsed plans. These include conditions to ensure compliance with BADS, further refinement of the arcade design, redesign of the rear plaza, improvements to the car parking layout and further refinement of the proposed tower form.

51. An assessment of the council's recommended permit conditions is included in Appendix 2. Subject to minor modifications where appropriate, the majority of the council's recommended conditions are supported and will be included on any permit to issue.

DTP Urban Design Team

52. On 23 February 2026, DTP Urban Design provided the following comments:

Confirming I've reviewed the current s50 Plans (Revisions 4, dated 28.01.2026) along with all superseded plans and commentary from the OVGA, CoM and DTP UD.

Positives

Many issues identified from the outset have been resolved, these include:

- *The heritage retention of the Queens Bridge Hotel which now retains return façades and internal floor levels.*
- *The podium car parking which is now fully sleeved with hotel rooms to Queens Bridge Street. The lack of sleeving to Freshwater Place is acceptable given the activation occurring at lower levels.*
- *The monotonous podium height which now features a usable lift towards the southern end and variations in façade design.*
- *The crossover width to Queens Bridge Street which has been reduced to a maximum of three with a central pedestrian refuge.*

- *The bike storage which has been provided with a separate lift with convenient access to the laneway and then options either Queens Bridge Street or Freshwater Place.*
- *The laneway which is clear and direct, utilises ramps as opposed to stairs, avoids obstructive structural columns, positions landscape planters to the sides and is sleeved with a suite of active uses.*
- *The flood level management to Queens Bridge Street which improves activation with ‘sacrificial’ floor area at the frontage and set back stairs and lifts.*
- *The tower floorplate which has increased northern/southern setbacks to adjoining towers. It more or less complies with the 6% building separation requirement of DDO10, and where falls short, this occurs for a small portion of the tower which then quickly curves away. The significant eastern and western setbacks also assist in this regard. That said, the tower remains broad and highly visible from Queens Bridge Street which elevates the importance of a fully resolved façade strategy (more on this below).*

And whilst the public plaza to Freshwater Place appears commendable, it is a poorly located piece of public realm that features no active interfaces and likely undesirable microclimate conditions. This space would be best treated as an extension of the existing planter bed located directly north.

Façade Strategy

The façade strategy has stepped backwards since the RFI package. It now presents as a highly glazed tower that blurs with other nearby towers and exacerbates scale. Specially, it has lost the previously successful solidity and depth provided by aluminium detailing, modulation along the western façade provided by the step in setbacks, the articulation of tower height provided by the legible ‘negative’ communal level – and the distinctive crown which is an important yet often overlooked aspect of tower design. Whilst the lift core is no longer sleeved with east facing apartments, it is integrated with glazing. The applicant should be invited to explore whether any of the previously successful design measures can be reintroduced into the proposal.

Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation

53. On 21 April 2025, Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation provided the following comments:

I have reviewed and discussed the Aboriginal Cultural Heritage Letter of Advice with the Cultural Heritage Unit (CHU) Elders, who had the following comments:

- *Only one report was reviewed in the letter of Advice. This does not provide enough evidence to suggest that Aboriginal cultural Heritage will not be identified in the study area.*
- *The CHU Elders note that there are many reports/CHMPs undertaken on the same landform, within the CBD, that have identified ACH in disturbed contexts.*
- *The Elders reiterate their previous comment that Aboriginal cultural heritage can be identified in disturbed contexts.*
- *The Elders reiterate their earlier comment that a voluntary CHMP be prepared to mitigate any harm to ACH that may be identified during the activity.*

Office of the Victorian Government Architect (OVGA)

54. Prior to lodgement of the planning permit application, DTP requested an independent design review of the proposal by OVGA. A Design Review Workshop was held on 26 February 2025, with comments provided on 14 March 2025. A summary of the advice, on an earlier design, is provided as follows:

- *The OVGA supported the overall concept of a tall, slender mixed-use tower on this prominent gateway site, recognising its potential and supporting key elements including the adaptive reuse of the Queens Bridge Hotel and the provision of a publicly accessible through-site link. However, the panel considered the proposal to be significantly unresolved and not yet suitable for planning submission, noting that the design lacked sufficient architectural resolution, contextual analysis and technical information to justify the proposed floor area uplift.*

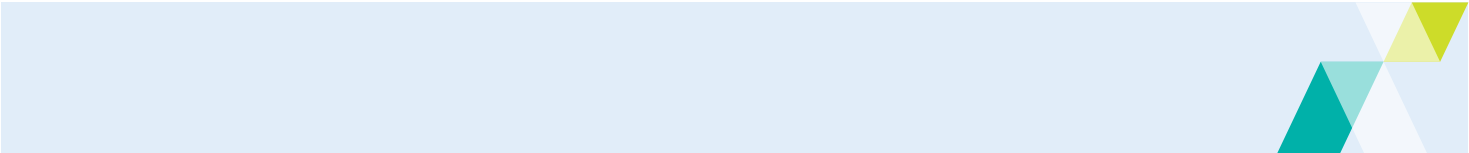


- The OVGA recommended further work to strengthen the podium and ground plane, better integrate and respond to the heritage building, improve the design of the through-site link and east façade, and provide supporting information relating to flooding, wind, sustainability, solar access and building performance. While acknowledging the capability of the design team, the panel concluded that the proposal required additional time and refinement, recommending that it undergo one or two further OVGA design reviews before being lodged for planning approval.

55. On 7 April 2025, the applicant presented a response to the OVGA's comments. Since lodgement, however, the proposal has undergone a redesign, with the decision plans representing a materially different design response to that reviewed by the OVGA. While elements of the OVGA's feedback have been addressed through the design development process, the proposal has ultimately evolved in a different design direction.

Notice

56. The application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Planning and Environment Act 1987 pursuant to the following provisions:
- Capital City Zone – Schedule 3 (Southbank): an application to construct a building or construct or carry out works for a use in Section 1 of Clause 37.04-1 (i.e. accommodation, office and retail premises) and to demolish or remove a building.
 - Design and Development Overlay – Schedule 1 (Urban Design in Central Melbourne): an application for construction of a building or to construct or carry out works.
 - Design and Development Overlay – Schedule 10 (General Development Area – Built Form): an application to construct a building or to construct or carry out works.
 - Land Subject to Inundation Overlay – Schedule 4 (Southbank Precinct): an application under this overlay.
57. The application is not exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Planning and Environment Act 1987 pursuant to the following provisions:
- Heritage Overlay: Demolition and construction of a building.
58. Given the application is not exempt for the notice requirements of the Heritage Overlay, the applicant was directed to give notice by way of erecting two (2) signs on the site and notifying adjacent and nearby property owners and occupiers.
59. 18 objections were received, raising the following issues:
- Extent of demolition and facadism;
 - Built form (height, setbacks, bulk, overdevelopment, non-active street frontages);
 - Built form inappropriate on heritage significant building;
 - Amenity impacts (loss of view, outlook, sunlight, natural light, privacy, overshadowing, wind, noise, enjoyment of apartments);
 - Traffic impacts;
 - Exceeds plot ratio and dwelling density requirements;
 - Overshadowing public spaces;
 - Lack of public benefits;

- 
- Breach of the Yarra River protection principles;
 - Impact of local infrastructure;
 - Flood risk;
 - Incorrect description of 1 Freshwater Place as a commercial building;
 - Introduction of an additional dedicated drop-off and pick-up zone along Freshwater Place;
 - Impacts on mental health of nearby apartment building occupants;
 - Reduction in property values; and
 - Construction impacts.



Key Considerations

61. The following are deemed the key considerations in assessing the acceptability of the proposal:

- Strategic Direction and Land Use
- Demolition and Built Form
- Floor Area Ratio and Public Benefits
- Internal Amenity
- Amenity Impacts
- Car and Bicycle Parking, Loading and Waste
- Sustainability
- Response to Objections

Strategic Direction and Land Use

Municipal Planning Strategy

62. The particular MPS policies that apply are assessed as follows:

- The proposal is consistent with the Vision of the Melbourne Planning Scheme, which seeks to facilitate a city for people; a creative city; a prosperous city; a city of knowledge; an eco-city; and a connected city. The proposal will provide housing to accommodate the expected significant population growth in a highly serviced locality.
- The proposal is consistent with the strategic direction for settlement in Southbank, which seeks to provide a new mix of uses and higher density of development complemented by excellent provision for walking, cycling and public transport services.
- The proposal is consistent with the strategic direction for built form, which seeks to ensure that design, height and scale of development responds to the identified preferred built form character of an area, improve public realm permeability, legibility and flexibility and ensure that development provide active street frontages and minimise pedestrian disruption from car access.
- The proposal is consistent with the strategic direction for heritage, which seeks to conserve and enhance places of cultural heritage significance.
- The proposal is consistent with the strategic direction for housing, which seeks to encourage significant housing and population growth in the Central City and urban renewal areas and ensure that new residential development achieves high standards of amenity.
- The proposal is consistent with the strategic direction for economic development, which seeks to support Southbank as a vibrant business and retail areas.

Planning Policy Framework

63. The Planning Policy Framework encourages appropriate land use and development which enhances the built environment, supports economic growth, meets the community expectations on retail and commercial provision, delivers diversity in housing supply to meet existing and future needs, and integrates transport and infrastructure planning.
64. The policy objectives framework applicable to Southbank support development as an extension of the Central City, providing a mix of commercial and residential land uses; support of a mix of uses, including residential development, with ground floor retail and small-scale business uses; encourage high rise development to the north of City Link and



west of Moore Street; improve the public realm by providing public spaces, improving pedestrian facilities and upgrading streetscapes; and encourage a network of through block links to increase permeability, amenity and safety and to improve access to the Yarra River and Arts Precinct.

65. The proposal will provide for a high density development with human scale at street level, will add architectural interest to the skyline and will integrate heritage and contemporary forms to deliver a well-designed outcome.
66. Key views to the heritage building will be maintained with the built form suitably setback from the principal heritage facade.
67. The proposal will provide increased housing choice and density in an area that is well positioned in relation to jobs, services and public transport.
68. The proposed retail and office uses will contribute to economic growth and employment opportunities.
69. The proposal will respond to the site's context and the public realm will be enhanced through the increased ground level activation and pedestrian through-block link to Freshwater Place.
70. The bicycle and end of trip facilities will facilitate walking and cycling as a part of daily life and will discourage use of private motor vehicles.

Land Use

71. The use of the land for accommodation, office and retail premises do not require a permit.
72. The purpose of the zone has been considered, and the uses are consistent with the mixed-use activity encouraged with the Capital City Zone. The development responds appropriately to the broad strategic intent for the Central City to provide for a range of financial, legal, administrative, cultural, recreational, tourist, entertainment and other uses that complement the capital city function of the locality.

Demolition and Built Form

Demolition

73. The proposal includes partial demolition of the existing building at 1-7 Queens Bridge Street. Pursuant to the zone and Heritage Overlay, a permit is required to demolish or remove a building. The building is located within Heritage Overlay 1288 and is graded 'significant' in the Incorporated Document *Heritage Places Inventory March 2022 (City of Melbourne, August 2025)*.
74. A 'significant heritage place' is defined as:

A significant heritage place is individually important at state or local level, and a heritage place in its own right. It is of historic, aesthetic, scientific, social or spiritual significance to the municipality. A significant heritage place may be highly valued by the community; is typically externally intact; and/or has notable features associated with the place type, use, period, method of construction, siting or setting. When located in a heritage precinct a significant heritage place can make an important contribution to the precinct.
75. Specifically, the proposal involves the demolition of the rear of the building with retention of the hotel façade, the full extent of the northern return wall and internal floors and structure to a depth of 10.6 metres behind the principal façade.
76. As the council issued Planning Permit TP-2025-661 on 23 January 2026 for demolition of the existing buildings at 9-29 Queens Bridge Street and works for the purpose of temporary activation (park), which included a section 173 Agreement to secure the implementation of the temporary works, it is not necessary to include the same section 173 Agreement on any permit to issue for this development.
77. Clause 15.03-1L-02 of the planning scheme provides for the following demolition strategies:
 - *Full demolition of significant or contributory buildings will not generally be permitted.*

- *Partial demolition in the case of significant buildings and of significant elements or the front or principal part of contributory buildings will not generally be permitted.*
- *Encourage the retention of the three dimensional form regardless of whether it is visible whilst discouraging facadism.*
- *Encourage adaptive reuse of a heritage place as an alternative to demolition.*
- *The poor structural or aesthetic condition of a significant or contributory building will not be considered justification for permitting demolition.*
- *A demolition permit will not be granted until the proposed replacement building or works have been approved.*

Consider as relevant:

- *The assessed significance of the heritage place or building.*
- *The character and appearance of the proposed building or works and their effect on the historic, social and architectural values of the heritage place and the street.*
- *The significance of the fabric or part of the building, and the degree to which it contributes to its three-dimensional form, regardless of whether it is visible.*
- *Whether the demolition or removal of any part of the building contributes to the long-term conservation of the significant fabric of the building.*
- *Whether the demolition will adversely affect the conservation of the heritage place.*
- *Whether there are any exceptional circumstances.*

78. While the partial demolition of significant buildings is generally not supported, the extent of demolition in this case is acceptable for the following reasons:

- The demolition is limited to non-original and altered fabric which was introduced in the 1990's during the conversion of the hotel to a nightclub.
- The retention or reconstruction of façade returns will ensure the three-dimensional form of the building and it's understanding of the historical function of the building as a hotel will be retained.
- The extent of demolition supports the adaptive reuse of the heritage building contributing to its activation and long-term conservation.

Heritage Overlay – Built Form

79. The proposed alterations and additions to 1-7 Queens Bridge Street includes removal of paint and hoarding at ground level, the reconstruction of the southern return wall, including parapet detail and the addition of a vertical glazed opening within the reconstructed elevation and construction of a tower setback behind the retained building.

80. Clause 15.03-1L-02 of the planning scheme provides for the following alterations strategies:

- *Preserve external fabric that contributes to the significance of the heritage place on any part of a significant building, and on any visible part of a contributory building.*
- *Encourage removal of paint from original unpainted masonry or other surfaces, provided it can be undertaken without damage to the heritage place.*

Consider as relevant:

- *The assessed significance of the building and heritage place.*

- *The degree to which the alterations would detract from the significance, character and appearance of the building and heritage place.*
- *The structural condition of the building.*
- *The character and appearance of the proposed replacement materials.*
- *Whether the alterations can be reversed without loss of fabric which contributes to the significance of the heritage place.*

81. Clause 15.03-1L-02 of the planning scheme provides for the following additions strategies:

- *Ensure additions to significant or contributory buildings:*
 - *Are respectful of the building's character and appearance, scale, materials, style and architectural expression.*
 - *Do not visually dominate or visually disrupt the appreciation of the building as it presents to the street.*
 - *Maintain the prominence of the building by setting back the addition behind the front or principal part of the building, and from other visible parts.*
 - *Do not build over or extend into the air space directly above the front or principal part of the building.*
 - *Retain significant roof form within the setback from the building façade together with roof elements of original fabric.*
 - *Do not obscure views of façades or elevations associated with the front or principal part of the building.*
 - *Are distinguishable from the original fabric of the building.*
- *Ensure additions:*
 - *Adopt high quality and respectful contextual design.*
 - *Avoid direct reproduction of the form of historic fabric.*
 - *Adopt an interpretive design approach to other details such as verandahs, fences, and shopfronts.*

82. Having regard to the above policies, the Heritage Overlay and the views of the council, the alterations and additions are acceptable for the following reasons:

- The proposed alterations assist in preserving the external fabric of the hotel that contributes to its significance, including removal of paint and hoarding to restore the existing façade.
- The tower is setback 10.6 metres from the building façade and is not located directly above the principal part of the building.
- The height of the tower is consistent with the prevailing scale of taller buildings within the surrounding context.
- The design and materiality of the tower addition is clearly distinguishable from the retained built form and is unlikely to detract from the heritage value of the site.

Capital City Zone – Schedule 3 (Southbank)

83. Capital City Zone – Schedule 3 (CCZ3) at Clause 3.0 states:

A permit must not be granted or amended (unless the amendment does not increase the extent of non-compliance) to construct a building or construct or carry out works with a floor area ratio in excess of 18:1 on land to which schedule 10 to the Design and Development Overlay applies unless:

- a public benefit as calculated and specified in a manner agreed to by the responsible authority is provided; and
- the permit includes a condition (or conditions) which requires the provision of a public benefit to be secured via an agreement made under section 173 of the Planning and Environment Act 1987.

84. The proposed floor area ratio is 25.2:1. As such, there is a requirement for a public benefit to be delivered.

85. CCZ3 states that the responsible authority may require an agreement under Section 173 of the *Planning and Environment Act 1987* to require:

- Temporary works on the vacant site should it remain vacant for 6 months after completion of the demolition.
- Temporary works on the vacant site where demolition or construction activity has ceased for 6 months, or an aggregate of 6 months, after commencement of the construction.

86. The principal heritage façade of 1-7 Queens Bridge Street will be retained and as such the site will not become 'vacant' during the course of demolition or construction. As such, it is considered that a Section 173 agreement is not necessary in this instance. Further, an agreement has been entered into with the council for the demolition permit issued by them.

Design and Development Overlay – Schedule 10 (General Development Area – Built Form)

87. The built form outcomes are guided by the requirements of Design and Development Overlay – Schedule 10 (DDO10).

88. DDO10 requires that buildings and works:

- must meet the Design Objectives specified in this schedule;
- must satisfy the Built Form Outcomes specified for each relevant Design Element in Table 3 to this schedule; and
- should meet the Preferred Requirement specified for each relevant Design Element in Table 3 to this Schedule.

89. An assessment against Table 3 of DDO10 is provided below:

Design Element	Preferred Requirement	Modified Requirement	Built Form Outcomes
Street wall height	Up to 20 metres	The street wall height must be no greater than: • 40 metres; or • 80 metres where it: ○ defines a street corner where at least one street is a main street and the 80 metre high street wall should not extend more than 25 metres along each street frontage, and/or ○ fronts a public space including any road reserve wider than 80 metres	Street wall height is scaled to ensure: • a human scale. • an appropriate level of street enclosure having regard to the width of the street with lower street wall heights to narrower streets. • consistency with the prevalent parapet height of adjoining buildings. • height that respects the scale of adjoining heritage places. • adequate opportunity for daylight, sunlight and sky views in the street. • definition of main street corners and/or public space where there are no significant impacts on the DDO amenity of public spaces. • maintenance of the prevailing street wall height and vertical rhythm on the street.

Response

Proposal complies with the modified requirement.

The proposed street wall height along Queens Bridge Street is 13 metres (1-7 Queens bridge Street), 37.5 metres and

39.4 metres (measured from the centre of the Queens Bridge Street frontage of 1.153 metres AHD). While this exceeds the preferred requirement of 20 metres, it is within the modified requirement of 40 metres.

The street wall presents a carefully articulated and varied parapet profile, providing an appropriate transition from the retained heritage façade at 1-7 Queens Bridge Street. It reinforces the prevailing podium scale within the surrounding precinct and demonstrates a high level of consistency with the established built form character, including the podium heights of nearby developments such as 1 Freshwater Place to the north and 35 Queens Bridge Street to the south.

The scale of the street wall will not contribute to any unreasonable wind or shadowing impacts on the public realm.

The modulation of the street wall further assists in mediating transitions between neighbouring buildings and contributes positively to streetscape definition and pedestrian scale. Accordingly, the proposed street wall height is suitable and responsive to its urban context.

Design Element	Preferred Requirement	Modified Requirement	Built Form Outcomes
Building setback(s) above street wall	Above the street wall, towers and additions should be setback 10 metres from the title boundary.	Above the street wall, towers must be setback a minimum of 5 metres from the title boundary.	Towers and additions are setback to ensure: - large buildings do not visually dominate the street or public space. - the prevalent street wall scale is maintained. - overshadowing and wind impacts are mitigated. - The tower or addition includes a distinctly different form or architectural expression.

Response

Proposal complies with the preferred requirement.

The proposed building has a minimum setback above the street wall of 11.54 metres from Queens Bridge Street. This complies with the preferred requirement of 10 metres from the title boundary.

The tower is clearly distinguished from the podium through its setback, height, form and articulation, resulting in a legible podium-tower composition that is consistent with the prevailing built form character of the surrounding precinct.

The overshadowing of the public realm and wind impacts are discussed in more detail later in the report.

Design Element	Preferred Requirement	Modified Requirement	Built Form Outcomes
Building setbacks from side boundaries and rear boundaries (or from the centre line of an adjoining laneway) and tower separation within a site	Above the street wall or 40 metres (where there is no street wall), towers and additions should be setback a minimum of 5 metres or 6% of the total building height whichever is greater.	Towers and additions up to 80 metres in height: Towers and additions up to 80 metres in height: Above the street wall or 40 metres (where there is no street wall), towers and additions must be setback a minimum of 5 metres. Towers and additions of no more than 80 metres in height may be constructed up to one side or rear boundary, excluding a laneway, if an existing, approved, proposed or potential building on an adjoining site is built to that boundary and if a minimum setback of 5 metres is met to all other side and rear boundaries and the centre line of any adjoining laneway. Buildings of no more than 80 metres in height, may be constructed to a second side or rear boundary if an adjoining site cannot, by legal restriction benefitting the application site, be developed above the street wall height.	Towers and additions are designed and spaced to ensure: - sun penetration and mitigation of wind impacts at street level. - provision of reasonable sunlight, daylight, privacy and outlook from habitable rooms, for both existing and potential developments on adjoining sites. - floorplate layout or architectural treatment limits direct overlooking between habitable rooms. - buildings do not appear as a continuous wall at street level or from nearby vantage points and maintain open sky views between them. - buildings do not visually dominate heritage places and streetscapes, nor significant view lines.

Towers exceeding 80 metres in total height:

Above the street wall or 40 metres (where there is no street wall), towers and additions must be setback a minimum of 5 metres and must meet the design element requirements for tower floorplate

Tower separation within a site:

Towers must be separated by a minimum of 10 metres.

Response

Proposal complies with the modified requirement.

Towers should be setback a minimum of 5 metres or 6% of the total height of the building height, whichever is greater. 6% of 239.3 metres results in a required setback of 14.35 metres from side boundaries or the centre line of an adjoining laneway. It is noted that the applicant's calculations below have referred to a 14.4 metre setback.

These setback requirements contemplate a maximum tower floorplate of 2,105 square metres.

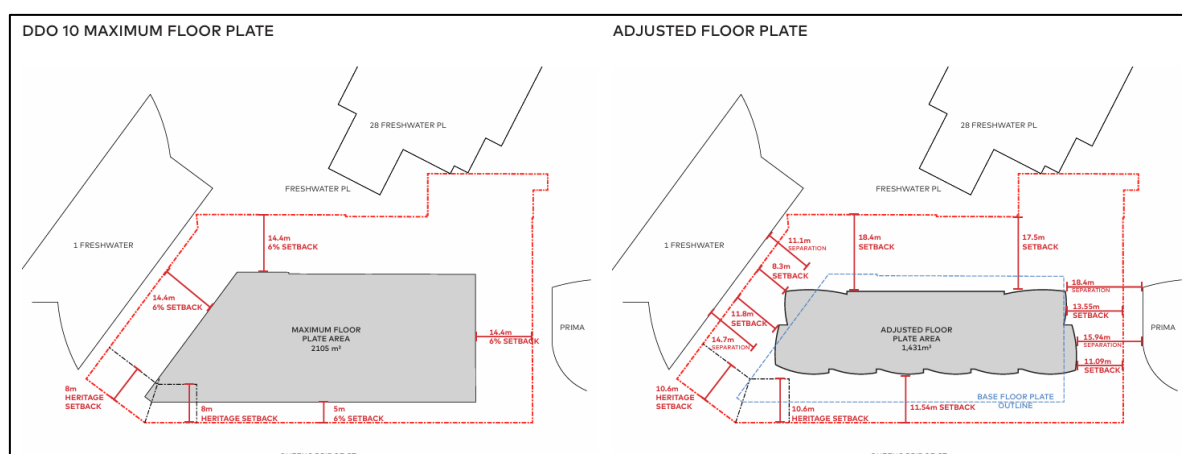


Figure 19: Preferred DDO10 setback requirements (Left) and proposed setbacks (Right) (Source: Application)

The proposed building has a setback to the side boundaries above the street wall of between 8.3 metres and 11.88 metres to the northern boundary, between 11.09 and 13.55 metres to the southern boundary and between 17.51 and 18.4 metres to the eastern boundary. These setbacks comply with the mandatory modified minimum 5 metre setback requirements.

Similar to the street wall setback requirement discussed above, the built form outcomes for side setbacks are considered to be met due to the varied setbacks provided around the tower. The irregular setbacks ensure that sun penetration to the street is adequately maintained throughout the day and provides for reasonable and equitable access to daylight, privacy and outlook having regard to adjoining properties. The setbacks will provide clear open sky views and articulation ensuring that the building does not present as a continuous wall at street level.

The overshadowing of the public realm and wind impacts are discussed in more detail below in the report.

Importantly, the setbacks of the tower from the significant heritage building at 1-7 Queens Bridge Street provides a respectful separation and transition and ensures that it will not adversely affect the heritage place.

Tower Floorplate/s	The tower floorplate is determined by the preferred requirement for building setbacks from side and rear boundaries and tower	The tower floorplates above the street wall for a tower above 80 metres in height may be adjusted in terms of location and/or shape but must not:	The adjusted floorplate is designed and spaced to: • reduce impact on existing and potential neighbours in terms of privacy, outlook, daylight and
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separation within a site, and the modified requirement for building setback(s) above the street wall

- Result in an increase in the floorplate area;
- be situated less than 5 metres from a side or rear boundary (or from the centre line of an adjoining laneway);
- be less than 5 metres to a street boundary;
- be less than 10 metres to an adjoining tower on the site

sunlight access.

- minimise visual bulk.
- reduce impact on public spaces, including overshadowing and wind effects and reduced visual dominance.
- buildings do not visually dominate heritage places and streetscapes, nor significant view lines.
- buildings do not appear as a continuous wall at street level or from nearby vantage points and maintain open sky views between them.

Response

Proposal complies with the modified requirement.

DDO10 allows for an adjustable tower floorplate above 80 metres, where the floorplate area is not increased and the setbacks from the front, side or rear boundary are not less than 5 metres.

The maximum tower floorplate, calculated by the overall height of the building and the preferred setbacks, results in a tower floorplate area of 2,150 square metres. The proposal seeks to provide a tower floorplate area of 1,431 square metres and include setbacks in excess of 5 metres from each boundary, resulting in a tower floorplate that exceeds the modified requirement.

The proposed tower does not introduce unreasonable bulk to the public realm or impact any civic landmarks or significant open space.

The proposed massing of the building adequately addresses privacy, outlook, daylight and sunlight impacts.

The setback of the tower from the existing heritage building on the site ensures that the development will not visually dominate the significant heritage place.

The overshadowing of the public realm and wind impacts are acceptable and are discussed in detail later in this report.

Design and Development Overlay – Schedule 1

90. Clause 2.3 to Schedule 1 of the DDO1 states that buildings and works must meet the design objectives specified in this schedule and must satisfy the design outcomes specified for each relevant design element.

91. The proposal is consistent with the design objectives and outcomes specified under DDO1, as follows:

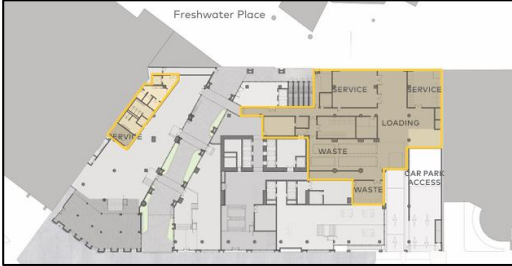
Design Outcome	Assessment
URBAN STRUCTURE	
An urban block structure that: • Is sufficiently fine grained to support walking as the primary mode of transport.	The subject site is located within a block identified in Map 1 of the Appendix to the <i>Central Melbourne Design Guide</i> and as such a new through-block pedestrian connection should be provided. The development will provide a through block pedestrian link from Queens Bridge Street to Freshwater Place thereby providing a level of connectivity not currently available along Queens Bridge Street. It will also assist in providing a pedestrian connection route through to Power Street, should the adjoining property fronting Power Street be developed, as approved. It is noted that the land at 25-35 Power Street has a planning approval,

	which includes a pedestrian link that would lead to the proposed plaza. The proposal thereby improves the overall amenity and walkability of the urban block.  <i>Figure 20: Proposed pedestrian connection through the site (Source: Application)</i>
A pedestrian network that: • Reduces walking distances. • Completes existing connections and laneways. • Retains and improves existing connections. • Provides partial connections which can be completed when adjacent site development occurs.	As above, the pedestrian connection through to Freshwater Place is provided wholly within the subject land. A future connection could be contemplated by connection to 21-25 Power Street, similar to that proposed from 21-25 Power Street through to the Freshwater Place development.
Pedestrian connections that are: • High quality. • Safe and attractive. • Accessible by people of all abilities. • Easily identified and legible. • Designed to enable stationary activities.	The design requirements include that arcades should: • Adopt vertical proportions with a height greater than the width. • Be a minimum of two storeys in height. • Incorporate high quality exterior grade materials and finishes to all surfaces including paving, walls, ceilings and lighting. • Have highly legible entries including any doors or gates. The through block pedestrian link provides a direct and visually attractive space for public use. The link will be lined by active frontages, provision a high level of passive surveillance and activity. The applicant has advised that the through-block link will be open 24 hours per day, and this will be secured through a recommended permit condition requiring a Section 173 Agreement for this outcome. Whilst the proposed link is generally supported, it is noted that the council has recommended a condition be included on any permit to issue requiring further consideration and refinement of the design to achieve a consistent and high quality outcome along its length. This is considered reasonable and a condition will be included on any permit to issue to this effect.
SITE LAYOUT	
Site layout that:	The proposal is appropriately oriented to Queens Bridge Street and Freshwater Place and will



- Reinforces the valued characteristics of streets and laneways. - Delivers a well-defined public realm.	make a positive contribution to an active public realm. The building interface is well designed, avoiding any enclosed or entrapment spaces, and providing generous dimensions that will comfortably accommodate pedestrian movement.
Plazas that: - Are accessible to people of all abilities. - Are safe and attractive - Deliver opportunities for stationary activity. - Alleviate pedestrian congestion.	The proposal includes a public plaza in the south-eastern corner of the site. While this space will sit adjacent to back-of-house functions and will not be directly activated by uses within the new building, it will connect seamlessly with the existing plaza and landscaping at Freshwater Place, thereby enhancing the broader public realm. In addition, the plaza will serve as a key link between the proposed through-block link and any future pedestrian connections to Power Street, as previously outlined.
Vehicle entries that: - Do not create traffic conflict. - Do not undermine the attractiveness or safety of the pedestrian experience	The proposal includes two vehicle access points from Queens Bridge Street, which is identified as a traffic conflict frontage on Map 2 to DDO1. Whilst located on a traffic conflict frontage, the proposed access points are acceptable noting they are consistent with existing access points to the site. The proposed access arrangements have been reviewed by the council, who has advised that there are no concerns with the proposed vehicle access points.
Colonnades that: - Are safe and attractive. - Are accessible to people of all abilities.	N/A – no colonnades are proposed
BUILDING MASS	
Building mass that: - Distinguishes between different buildings where a development comprises multiple buildings. - Respects the height, scale and proportions of adjoining heritage places or buildings within a Special Character Area. - Reinforces the fine grain and visual interest of streetscapes. - Maintains a diverse and interesting skyline through the design of roof profiles.	The height, scale and massing of the building achieves an appropriate built form response to the site and its surrounding context, having regard to the existing and emerging built form in the area. The proposal is of a comparable scale to nearby buildings and will make a positive contribution to the diversity of the skyline. The council has suggested that the tower massing requires further refinement, given the tower presents as a visually broad vertical element. It recommends that a condition be included for further refinement of the tower form through the façade strategy, informed by additional review by the OVGA Design Review Panel. The intent is to achieve greater modulation, tapering and articulation of the upper levels, thereby improving tower slenderness, visual separation and skyline legibility. The council's recommendation is noted, however, further review by the OVGA Design Review Panel will not be pursued. A requirement within the Façade Strategy will require further refinement of the tower form. A more detailed assessment of the building mass is provided in the discussion of the DDO10 requirements.

Street walls that: • Adopt a variety of streetwall heights to reinforce the traditional fine grain, vertical rhythm and visual interest of streetscapes. • Provide aesthetic interest to the public realm. • Frame comfortable and attractive streets.	The proposal adopts a varied street wall height that has been designed to reference the height and rhythm adjoining buildings. The podium is articulated with vertical and horizontal elements and rebates that provide modulation. The southern end of the podium will correspond with the street wall height of the Prima Pearl tower. The built form then steps down to match the height of the podium of 1 Freshwater Place and is setback around the heritage significant retained elements of the Queens Bridge Hotel.  <i>Figure 21: Proposed podium design (Source: Application)</i> A more detailed assessment of the street wall is provided in the discussion of the DDO10 requirements.
BUILDING PROGRAM	
A building program that: • Delivers safe and high quality interfaces between the public and private realm. • Maximises activation of the public realm. • Can accommodate a range of tenancy sizes, including smaller tenancies in the lower levels of the building. • Allows for adaptation to other uses over time. • Delivers internal common areas or podium-rooftop spaces that maximise passive surveillance and interaction with the public realm. • Promotes a strong physical and visual relationship between any uses provided as part of a public benefit under the provisions of Schedule 1 to the Capital City Zone within the building, and the street.	The proposal is appropriately designed to address the public realm, providing a high level of activation to the street and internal connections. Direct entry points are provided to the retail tenancies from Queens Bridge Street and the through-block pedestrian link. Opportunities for landscaping and informal seating have been introduced along the street edge, the through-block pedestrian link and the plaza in the south-east corner. The floor to ceiling heights at the ground floor and the first two levels comply with the required floor to ceiling heights. A variation is sought for levels above, Level 3 to Level 20, where the proposed floor to floor height of approximately 3.1 metres falls short of the required 3.5 metre floor to ceiling height. The proposed floor to ceiling heights are considered acceptable due to these floors being utilised for car parking and the hotel use. An appropriate balance is achieved with the podium spaces offering reasonable potential for adaptive reuse, while maintaining adequate activation and passive surveillance to the public realm.
Building services that: • Minimise impacts on the public realm. • Maximise the quality and activation of the public realm. • Do not dominate the pedestrian experience and are	The proposal results in approximately 1,627 square metres, or 32%, of the ground floor area being dedicated to building services, which is less than the mandatory maximum of 40%.

designed as an integrated design element. Provide waste collection facilities as an integrated part of the building design.	 <i>Figure 22: Ground Level building services (Source: Application)</i> The location and layout of building services are designed to minimise their impact on the public realm and are integrated into the building. The rooftop plant is appropriately setback and well-integrated into the overall building form.
Car parking that: Minimises the impact of car parking on the public realm.	Car parking is provided within the podium on Levels 3-9, with no parking located at ground level, complying with the mandatory requirements. Further, the car parking is appropriately sleeved along the Queens Bridge Street frontage with retail and hotel uses. It is noted that the car parking is not sleeved along the Freshwater Place elevation and this is considered acceptable as Freshwater Place is privately owned, does not function as a public highway and does not meet the definition of a 'street' under DDO1. The design of the car park ramps is generally capable of future adaption.
PUBLIC INTERFACES	
Public interfaces that: - Contribute to the use, activity, safety and interest of the public realm. - Provide continuity of ground floor activity along streets and laneways. - Allow unobstructed views through openings into the ground floor of buildings.	The proposal provides approximately 93.44 metres of the 111.94 metre ground level interface to Queens Bridge Street as an entry or window, excluding window and door frames, stall risers and pilasters, which equates to 83% of the total frontage (80% minimum required). The site is located within an area prone to flooding. The proposed building entrances have been designed to ensure the transition in floor level do not disconnect the interior spaces from the public realm.
Facade projections and balconies that: - Do not adversely impact the levels of daylight or views to the sky from a street or laneway. - Do not obstruct the service functions of a street or laneway through adequate clearance heights. - Add activity the public realm. - Form part of a cohesive architectural response to the public realm.	The proposal does not include any elements that project over adjoining streets.
Weather protection that: - Delivers pedestrian comfort in the public realm and protection from rain, wind and summer sun. - Uses canopies that are functional, of high quality design, and contribute to the human scale of the street.	The proposal includes weather protection canopies along the Queens Bridge Street frontage with a minimum 5.5 metres clearance from the underside of the canopy.

DESIGN DETAIL

Exterior design that:

- Establishes a positive relationship between the appearance of new development and the valued characteristics of its context.
- Is visually interesting when viewed up close and from a distance.
- Responds to the distance at which the building is viewed and experienced from the public realm in the selection, scale and quality of design elements.
- Incorporates sufficient design detail in the lower levels of a building to deliver a visually rich and engaging pedestrian experience.
- Delivers high quality design on all visible sides of a building including rooftops, where visible from the public realm.
- At the ground level interface, provides visual connection between the public realm and interior spaces.

The proposal incorporates a cohesive and high-quality material palette that incorporates a variety of textured aluminium, textured finish, GRC precast cladding and glazing finishes. The architectural response is supported and the integration between the podium and tower forms provides a high-quality, contextual design response.

A condition requiring the submission and approval of a Façade Strategy has been recommended by the council, which will also seek to refine the tower design.

Standard conditions will also require the submission and approval of a Reflective Glare Assessment, which will ensure the building materials are designed to comply with Practice Note PPN96: Glare and reflectivity.

Landscaping

92. The application is supported by Landscape Architectural Report prepared by T.C.L. and dated 4 February 2026. The plans include the proposed works at:

- Ground Level: pedestrian through-block link lane ways and arcades, trees in deep soil, integrated seating edges, raised planters, street trees and bluestone paving;
- Level 2: planter beds;
- Level 3: planter beds, integrated seating edges and bluestone paving; and
- Level 10: planter beds, multi-use court, fitness station, playground, trees in deep soil, turf, deck and rooftop spa.

93. The council have reviewed the plans and have recommended changes to the architectural plans and the Landscape Report that include redesign of the plaza to ensure the proposed landscaping does not impact the existing easement, removal and replacement of a plant species on Level 10, irrigation maps for planters, adequate drainage to stormwater for all planter, growing media volume and specifications and a maintenance plan. These are considered reasonable and will be included on any permit to issue.

Flooding

94. The site is located within the new LSIO4 and Melbourne Water (a determining referral authority for this overlay) does not object to the application, subject to a range of conditions to be included on any permit to issue. Melbourne Water advise that:

Flood Information

- *Melbourne Water sets planning conditions for urban development with reference to 1% Annual Exceedance Probability flood level (1% AEP). The property is subject to flooding from multiple sources (the Yarra River and Coastal flooding). The graded applicable flood level for this property is between 2.79 metres to Australian Height Datum (AHD) and 2.54 metres AHD.*
- *Accordingly, the applicable Nominal Flood protection level (NFPL) for the development based on the highest flood level to the site is 3.39 metres AHD.*

Flood Risk Management Plan

- *Melbourne Water has reviewed the submitted documentation and is satisfied that the proposed development has adequately considered and addressed flood risk management requirements for the site. The Flood Risk Management Plan (FRMP) identifies the relevant flood hazards, defines responsibilities for site management, and outlines procedures for flood monitoring, occupant warning, evacuation, and post-flood recovery.*
- *The FRMP provides sufficient confidence, within the current policy framework, that occupants can be reasonably evacuated from the site during a 1% AEP flood event under the 2040 planning horizon. In particular, the development incorporates a pedestrian egress route that achieves safe access conditions, with flood depths remaining below 500 mm, consistent with the requirements of the Southbank Precinct Local Floodplain Development Plan (LFDP) 2026, an incorporated document under Clause 72.04 of the Melbourne Planning Scheme. Accordingly, Melbourne Water is satisfied that the proposed flood response and evacuation arrangements are appropriate for the anticipated flood risk.*
- *Melbourne Water notes that the permit holder plays a critical role in preparing the FRMP and calculating flood travel time, trigger levels and peak levels accurately that are specific to the site. Their responsibilities encompass meticulous calculation, setting actions to prevent flood risks to the site and its inhabitants.*
- *The permit holder holds the responsibility for adhering to the actions delineated in the FRMP. It is incumbent upon the permit holder to implement the recommended measures and strategies as specified in the FRMP to mitigate and manage flood risks to the site and its occupants.*
- *As noted in the scope of this response, Melbourne Water recommends that the document is progressively updated over time to maintain its currency.*

95. Permit conditions relate to finished floor levels, pedestrian access connection to Freshwater Place, use of flood resistant materials, the requirement for a section 173 Agreement relating to the Flood Risk Management Plan and installation and maintenance of the flood warning system. These conditions will be included on any permit to issue.

Aboriginal Cultural Heritage

96. The site is located within 200 metres of the Yarra River and therefore falls within an area identified as having the potential for Aboriginal Cultural Heritage Sensitivity.
97. The application is supported by an Aboriginal Cultural Heritage Letter Advice prepared by Urbis and date 17 November 2025. The advice confirms that the site has been subject to significant ground disturbance and there is no reasonable potential for in situ Aboriginal archaeological deposits within the study area. The advice also confirms that a Cultural Heritage Management Plan is not required. The Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation (WWCHAC) has recommended that a voluntary CHMP be undertaken. While the site is located within an areas of cultural heritage sensitivity, the evidence in this advice supports that the land has been significantly disturbed and nor a mandatory or voluntary CHMP is triggered. It is also noted that statutory protections under the *Aboriginal Heritage Act 2006* apply regardless of whether a CHMP is in place. It is considered that, given the extent of ground disturbance, the preparation of a voluntary CHMP is not warranted in this instance.

Floor Area Ratio and Public Benefits

98. Clause 3.0 of Schedule 3 to the Capital City Zone states:

A permit must not be granted or amended (unless the amendment does not increase the extent of non-compliance) to construct a building or construct or carry out works with a floor area ratio in excess of 18:1 on land to which schedule 10 to the Design and Development Overlay applies unless:

- *a public benefit as calculated and specified in a manner agreed to by the responsible authority is provided; and*
- *the permit includes a condition (or conditions) which requires the provision of a public benefit to be secured via an agreement made under section 173 of the Planning and Environment Act 1987.*

99. The subject site has an area of 5,509 square metres. The maximum Gross Floor Area (GFA) above ground level equates to 91,062 square metres, for a Floor Area Ratio (FAR) of 18:1. The proposal seeks to provide 127,512 square metres of GFA above ground level, resulting in a FAR of 25.2:1. As such, there is a requirement to provide an associated public benefit.
100. Clause 15.01-2L-02 includes the following objective:
- To ensure that a development delivers a commensurate public benefit when Floor Area Uplift (the part of the building(s) containing the uppermost floor area of the building, without which the building(s) would not exceed a floor area ratio of 18:1) is sought.*
101. It also includes the following strategies:
- When a Floor Area Uplift requires the delivery of a public benefit:*
- *Ensure the appropriateness and value of the public benefit(s); and*
 - *Ensure the management and maintenance of the public benefit(s); and*
 - *Ensure the complete and timely delivery of the public benefit(s).*
102. The following should be considered as relevant:
- In consultation with the receiving agency of the proposed public benefit(s), whether the Floor Area uplift is appropriately matched by the public benefit(s) to be provided, by considering the following:*
- *The public benefit(s) is consistent with state and local policy, strategic initiatives and relevant guidelines.*
 - *The quantity and value of the floor area uplift being appropriately calculated and the proposed public benefit(s) being of a matching value.*
 - *The proposed public benefit(s) being realistically capable of being delivered and secured by a suitable legal agreement.*
 - *The proposed public benefit being supported by the proposed receiving agency and capable of being maintained for a reasonable period of time.*
103. The proposed development has an FAR of 25.2:1, and as such there is a requirement for an associated public benefit to be provided.
104. The site is located within the Southbank Precinct identified in the Department's *How to Calculate Floor Area Uplifts and Public Benefits* document (Uplift Document) dated November 2016. The gross realisation value (GRV) for residential in this precinct is \$6,500.
105. The applicant submitted a Public Benefit Assessment that has provided a market value of the residential use at \$9,000. This assumption is reflected in the assessment below.
106. Refer to the table below for the relevant calculations.

Step	Calculation	Result
1. Base Gross Floor Area (i.e. floor area available based on a floor area ratio of 18:1)	Site Area x 18	5,059 m ² x 18 = 91,062 m ²
2. Proposed Development Gross Floor Area	Floor Area calculated in accordance with Schedule 3 of the Capital City Zone (above ground floor)	127,512 m ²
3. Floor Area Uplift (FAU) sought in square	Proposed Gross Floor Area (from Step 2) minus	127,512 m ² - 91,062 m ² = 36,450 m ²



metres	Base Gross Floor Area (from Step 1)	
4. Base data for valuing FAU	GRV/m ² associated with applicable use of FAU as derived from the applicant's valuation.	Residential use = \$9,000/m ²
5. Value of each square metre of FAU	10% of applicable GRV/m ² (from Step 4)	The FAU value is: \$9,000/m ² x 10% = \$900/m ²
6. Total value of FAU	FAU sought (from Step 3) x value of each square metre of FAU (from Step 5)	36,450 m ² x \$900/m ² = \$32,805,000
7. Value of Public Benefit to be provided	Equal to (or greater than) the total value of FAU (from Step 6)	At least \$32,805,000
8. Agreed Public Benefit to be provided	Total value of each component as specified in Table 2. There may be a mix of Public Benefits from different categories and a combination of components from each category (e.g. land and works). Administrative and holding costs may also be agreed.	<i>See Table below for calculations</i>

107. The applicant proposed public benefits which included four components: 'Publicly Accessible Area and Public Open Space', 'Strategic Use – Office', 'Public Realm' and 'Affordable Housing'. The application was accompanied by a Public Benefit Assessment, which includes an analysis of the calculation of these benefits as shown below:

Public Benefit Component	Area	Public Benefit Category (Uplift Document)	Valuation
Publicly Accessible Area and Public Open Space	454 m ² which includes: 107m ² that is unrestricted in height 156m ² that has 2 levels of clearance from ground level 1911m ² enclosed at ground floor level	Publicly Accessible enclosed area within proposed building (pedestrian laneway providing through link from Queens Bridge Street to Freshwater Place)	\$4,048,120 (454 m ² at various rates depending on degree of encumbrance, with \$16,500 p/m ² for unencumbered space as benchmark amounting to \$2,860,000 in total, plus \$117,000 façade retention works and \$1,071,120 landscaping costs)
Publicly Accessible Area and Public Open Space	286m ² Open Space area that is unrestricted	Publicly Accessible open areas on site (additional to any public open space contribution under Clause 52.01 of the Planning Scheme) (Open Space Plaza at south-eastern corner)	\$5,149,000 (286m ² at \$16,500 p/m ² amounting to \$4,720,000 plus \$429,000 for works and landscaping costs)
Publicly Accessible Area and Public Open Space – subtotals	740m ²	N/A	\$9,197,120
	N/A	N/A	\$1,379,568 15% allowance for administrative/holding costs
Publicly Accessible Area and Public Open Space – Total Value			\$10,576,688
Strategic Use - Office (or desirable)	2,762 m ² net	Strategically justified uses including Office on site or within the proposed	\$9,667,000



educational or community related use by agreement of the RA)	lettable area	building	(2,762 m ² at an adopted GRV of \$3,500/m ²)
Public Realm	N/A	Public Realm Financial Contributions	\$923,822 (Yarra Trams – Undergrounding Works) \$5,500,000 (Public Realm cash contribution) \$963,573 (15% Administrative/holding costs) Total \$7,387,395
Affordable Housing	N/A	Affordable housing	\$4,500,000 (Affordable housing cash contribution) \$675,000 (15% Administrative/holding costs) Total \$5,175,000
Total value of proposed benefits			\$32,806,083
Total rounded public benefit			\$32,810,000

108. Based on the above calculations provided by the applicant, the proposal will provide a marginal additional public benefit of \$5,000 (\$32,810,000 - \$32,805,000) than what is required.
109. The council raised concerns with several elements of the proposed public benefit package. In particular, the council considers that the office component should not be relied upon as a strategically justified public benefit, the proposed affordable housing cash contribution is inconsistent with the requirements of the Floor Area Uplift Framework, and the proposed arcade should not be attributed as a public benefit in its current form as it does not satisfy the design requirements of DDO1.
110. The council recommends that the value attributed to these components instead be redirected towards the revitalisation of Queensbridge Square, having regard to the site's immediate relationship with the square, the strategic public realm benefits that would be achieved, and the previous approval for the site which contemplated a significant contribution to its upgrade.
111. Consistent with the council's resolution at its Future Melbourne Committee meeting, the applicant subsequently advised that it was prepared to reallocate the proposed affordable housing cash contribution of \$5,175,000 towards public realm works associated with the revitalisation of Queensbridge Square.
112. This approach is supported. Redirecting the value of the affordable housing cash contribution towards the revitalisation of Queensbridge Square will deliver a clear, enduring and publicly accessible benefit that is directly associated with the site and consistent with the strategic intent of the floor area uplift provisions. It also aligns with the previous approval for the site, which contemplated a substantial contribution towards improvements to Queensbridge Square.
113. The council also questioned the appropriateness of attributing public benefit value to the proposed office floorspace and pedestrian through link. While office floorspace is identified within the Floor Area Uplift Framework as an example of a strategically justified use, the council's view that contemporary strategic priorities have evolved since the publication of the Framework is acknowledged. Nevertheless, the proposed office component will diversify land



use within the development, support employment within the central city and contribute to the mixed-use character sought for Southbank. In this context, it is considered appropriate that the office component continues to form part of the overall public benefit package.

114. In relation to the pedestrian through link, it is acknowledged that DDO1 encourages the provision of through-site links. However, the Floor Area Uplift Framework does not preclude a through-block link from being recognised as a public benefit where it delivers a publicly accessible outcome beyond the baseline planning requirements. In this instance the link will improve pedestrian permeability through the site and provide a connection between Queens Bridge Street and Freshwater Place. It is considered that the link is capable of providing a genuine public benefit that warrants recognition within the overall package.
115. Having regard to the revised public benefit package, it is considered that the proposal delivers a commensurate public benefit consistent with Clause 15.01-2L-02. The combination of publicly accessible open space, the strategically justified office use, the enhanced public realm contribution towards the revitalisation of Queensbridge Square, and the publicly accessible pedestrian connection provides an appropriate balance of benefits that are capable of being delivered, secured through permit conditions and a section 173 agreement, and maintained for the benefit of the community. Accordingly, the proposed floor area uplift is appropriately matched by the public benefits to be provided.

Internal Amenity

Clause 58 (Apartment Developments)

116. Clause 58 encourages apartment development that provides reasonable standards of amenity for existing and new residents and supports apartment developments that are responsive to the site and surrounding area.
117. The development achieves a high level of compliance with the objectives and standards of Clause 58 as detailed in the assessment provided at Appendix 1. Other relevant Clause 58 considerations, including conditions to be included to ensure compliance with the Standards and variations sought to Standards are discussed below.

Landscaping

118. A variation is sought to Standard D10 (Landscaping objective) that requires canopy cover and deep soil areas to be provided within the development. Given the site area is approximately 5,059 square metres, Standard D10 requires 15% of the site area (758.85 square metres) to be provided for deep soil planting, 350 square metres plus 20% of the site area above 2,500 square metres (511.8 square metres) of canopy cover (861.8 square metres) and at least 2 Type B trees or 1 Type C tree.
119. As detailed in the submitted Landscape Report, the development will provide a range of planters of at least 800mm to 1000mm in depth with approx. 137.6 square metres of 1000mm depth planters and 1,058 square metres of 800mm planters and approx. 1,477 square metres of canopy cover, with 10 Type B trees and 9 Type A trees.
120. A variation is required in relation to the minimum area/dimensions of the 1000mm depth planters proposed for the Type B trees at the ground floor level, which require a minimum dimension of 4.5 metres but are proposed in planters each only 3 metres in diameter. This is considered acceptable as the landscape plan has been prepared by a landscape architect, which has made tree selections appropriate to growing conditions and, in the event the selected Type B trees do not reach full maturity as a result of constrained planter size, the development currently substantially exceeds the minimum canopy cover requirement, meaning that sufficient canopy coverage will still be achieved.

Wind Impacts

121. Standard D17 (Wind impacts objective) requires that a development should not cause unsafe wind conditions and achieve comfortable wind conditions within the site and on surrounding public land and private open space.
122. The Pedestrian Wind Study, prepared by RWDI and dated 28 April 2026, recommends a number of mitigation measures to ensure that the proposal complies with safety and comfort requirements within the site and surrounding

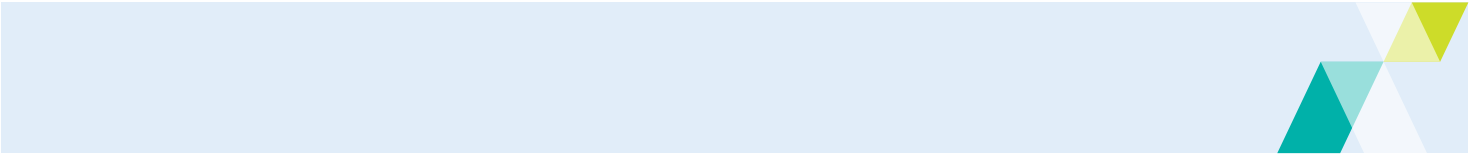


public land and private open space, which include removal of an entrance and additional landscaping, screens and canopies.

123. A condition will be included on any permit to issue requiring the plans be amended to include these measures and for an updated wind report to be submitted and endorsed.

Private open space

124. A variation is sought to Standard D20 (Private open space objective) that requires dwellings to have minimum dimensions and areas of private open space relative to dwelling types and orientation. The submitted architectural plans show no dwelling is provided with any private open space area.
125. The development provides compliant private open space in the form of balconies for all western apartments on levels 11-40 (180 dwellings). Of these dwellings, dwelling types D01.1 (30 dwellings) and D02.1 (30 dwellings) do not comply with the minimum balcony area required for a 3-bedroom dwelling facing west (12sqm that is at least 2.4m wide) as a portion of the balcony 12sqm are less than 2.4 metres wide. This is considered acceptable as the narrowest portion of the balconies are still highly usable for recreation needs at 1.3-1.6 metres wide at a minimum, and the dwellings provide additional living space commensurate to the shortfall in compliant balcony space.
126. This standard allows for this outcome if the finished floor levels of a dwelling is 40 metres or more above ground level, and if the area required for a balcony is provided as additional area associated with a living area or bedroom.
127. All other dwellings that do not provide a balcony are 40 metres above ground level and therefore do not need to provide a balcony provided that the additional living or bedroom area for Table D9 are provided. Additional space is provided for all dwellings, however the following dwelling types fall short of the minimum required (noting that the 3-bedroom dwellings have been incorrectly shown as compliant on the plans due to including additional storage areas which are not living or bedroom area):
- B01.1 (1-bedroom) provides 7sqm additional of 8sqm required
 - B01.2 (1-bedroom) provides 7.1sqm additional of 8sqm required
 - C02.1 (2-bedroom) provides 3.8sqm of 8sqm required.
 - C03.1 (2-bedroom) provides 6.4sqm of 8sqm required.
 - C03.2 (2-bedroom) provides 6.2sqm of 8sqm required.
 - C03.3 (2-bedroom) provides 6.5sqm of 8sqm required.
 - D03.1 (3-bedroom) provides 10.5sqm of 12sqm required.
 - D04.1 (3-bedroom) provides 9.6sqm of 12sqm required
 - D05.1 (3-bedroom) provides 4.7sqm of 12 sqm required
 - D06.1 (3-bedroom) provides 7sqm of 12sqm required
 - D07.1 (3-bedroom) provides 10.8sqm of 12sqm required
128. A variation is required for these 192 x 1-bedroom, 182 x 2-bedroom and 64 x 3-bedroom dwellings. This is considered acceptable for the following reason:
129. The lack of private open space will not unreasonably affect the amenity of the dwellings or the recreation and service needs of future residents. For the most part, the internal space shortfall is minor and does not account for the overall generous proportions of each dwelling and marginal areas of additional space in living and bedroom spaces not accounted for. It is anticipated that each dwelling will experience a high level of internal amenity but it is noted that they will also have access to generous communal outdoor and indoor areas on Levels 10 and Level 41. Further, the Southbank promenade and Queensbridge Square provide public open space in close proximity.



Amenity Impacts

Overshadowing

130. Clause 15.01-1L-03, Sunlight to Public Spaces, and DDO10 lists key locations that development should not cast additional shadow across at key times of the year. Of relevance to this application:
- Pursuant to Clause 15.01-1L-03, *'Development should not unreasonably reduce the amenity of public spaces by casting additional shadows on any public space, public parks and gardens, public squares, major pedestrian routes including streets and lanes, open spaces associated with a place of worship and privately owned plazas accessible to the public between 11.00 am and 2.00 pm on 22 September.'*
 - Pursuant to DDO10, *'With the exception of minor works or minor changes to existing buildings within that defined space, a permit must not be granted for buildings and works which would cast additional shadow across a space listed within Table 1 to this schedule and shown in Figure 2 of this scheme during the hours and dates specified as follows (as relevant):'*
 - *Boyd Park between 12.00pm and 2.00pm on 22 April and 22 September.*
 - Pursuant to DDO10, *'A permit must not be granted for buildings and works which would cast any additional shadow across a space listed within Table 2 to this schedule during the hours and date(s) specified, unless the overshadowing will not unreasonably prejudice the amenity of the space' (as relevant):*
 - *Any public space, public parks and gardens, public squares, open spaces associated with a place of worship and privately owned public spaces accessible to the public between 11.00am and 2.00pm on 22 September.*
131. An assessment of the submitted 3D model has been undertaken, and the following shadow study has been undertaken.

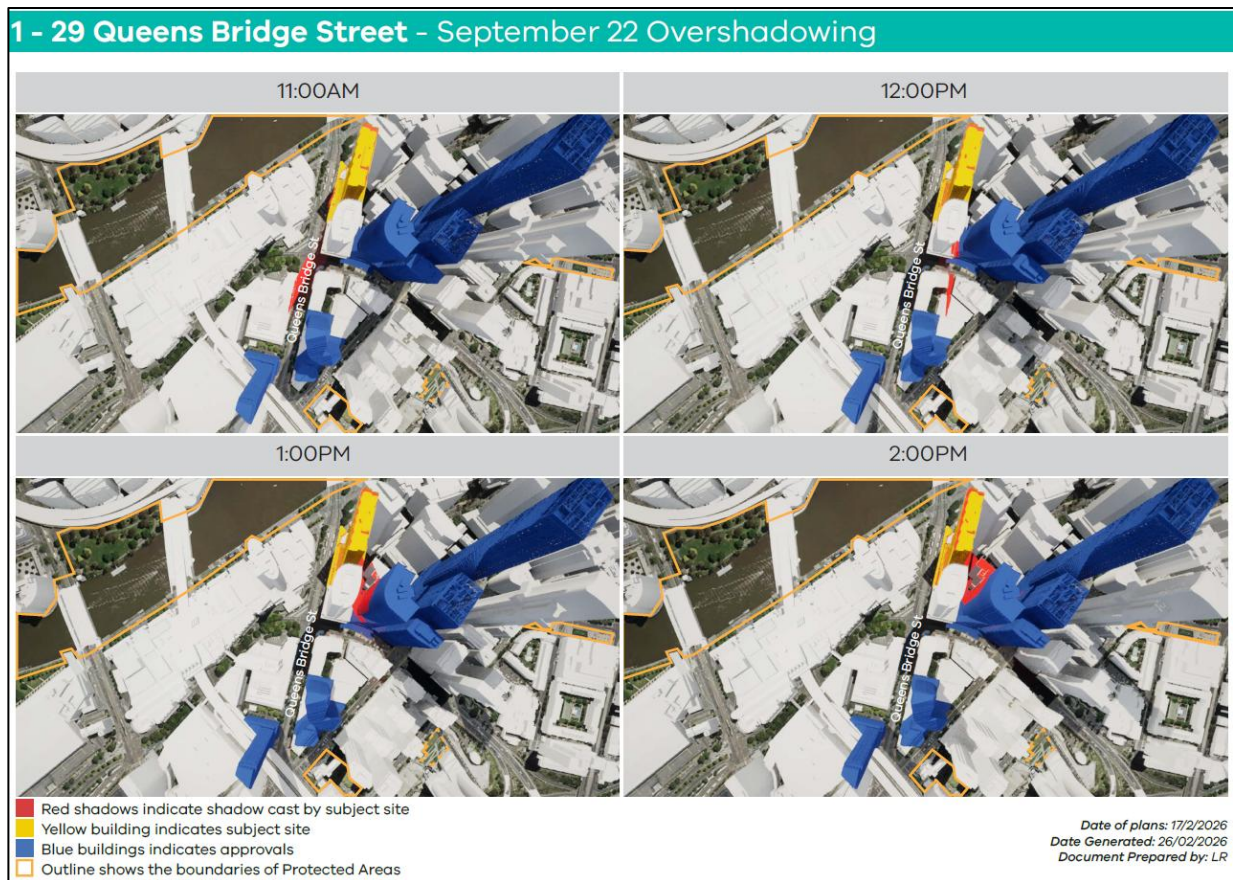


Figure 23: Shadow study – 22 September at 11.00am -2.00pm (Source: DTP 3D Visualisation)

132. The figure above demonstrates that the proposed building will not cast any additional shadow to nearby key locations.
133. The figure above also demonstrates that the proposed building will not cast any unreasonable shadow over any public space, public parks and gardens, public squares, open spaces associated with a place of worship and privately owned public spaces accessible to the public between 11.00am and 2.00pm on 22 September. The shadow study demonstrates that the proposed building will cast additional shadow over Queens Bridge Street, Freshwater Place open space and surrounding properties. These shadows will move throughout the day and some also fall within existing shadows, which is not considered to unreasonably detract from the amenity of the public realm, given the site's Central City context.

Potentially Contaminated Land

134. While the subject site is not located within an Environmental Audit Overlay, conditions should be included on any permit to issue requiring a Preliminary Risk Screen Assessment (PRSA) of the site to be conducted by a suitably qualified environmental auditor. This condition requires a PRSA statement and report to be submitted to the responsible authority in accordance with section 205 of the *Environment Protection Act 2017* and respond to the matters contained in Part 8.3, Division 2 of the *Environment Protection Act 2017*.
135. In the event that the PRSA requires an Environmental Audit to be undertaken, the conditions require an Environmental Audit of the site to be carried out by a suitably qualified environmental auditor prior to the commencement of the development. Lastly, if any of the conditions of the EAS require ongoing maintenance or monitoring, the owner of the land must enter into an agreement with the responsible authority under section 173 of the *Planning and Environment Act 1987*. Conditions to this effect should be included on any permit to issue.

Car and Bicycle Parking, Loading and Waste

Car Parking

136. The following car parking rates are relevant to the application:

Use	Car Parking Rate	Maximum No. of Spaces Allowed	No. of Spaces Provided
Dwelling (637)	Must not exceed one (1) space per dwelling	637	518
Other uses (14,052 m ² (hotel, office and retail premises))	5 x net floor area of building on that part of the site in sq m / 1000 sq m	70	
Motorcycle Parking	One (1) motorcycle space for every 100 car parking spaces	5 spaces required	7
Total		707	518

137. The proposal does not exceed the maximum number of car parking spaces required by the Parking Overlay – Schedule 1, therefore a permit is not required. Further, the proposal provides in excess of the required motorcycle parking spaces, which is considered acceptable.

138. The council supports the car parking rate, design, traffic volume, waste collection and loading arrangements, subject to the inclusion of a condition on any permit to issue requiring the traffic signal infrastructure that is displaced by the new vehicle crossover to be relocated and the protected bike lane reconstructed. The council has recommended permit conditions requiring the submission and approval of a Loading Management Plan and a Road Safety Audit. These are considered reasonable and will be included as conditions on any permit to issue.

Bicycle Facilities

139. Clause 52.34-5 of the scheme requires bicycle parking facilities as follows:

Use	Purpose	Bicycle Parking Rate	No. of Spaces Required	No. of Spaces Provided
Dwelling (637)	Resident	1 space / 5 dwellings	127	135
	Visitor	1 space / 10 dwellings	64	64
Hotel (Residential building) (181 rooms)	Resident	1 space / 10 lodging rooms	18	18
	Visitor	1 space / 10 lodging rooms	18	18
Office (2,762 m ²)	Employee	1 / 300 sqm of net floor area, if the net floor area exceeds 1,000 sqm	9	28 employee 8 visitor
	Visitor	1 / 1000 sqm of net floor area, if the net floor area exceeds 1,000 sqm	13	
Retail (1,741 m ²)	Employee	1 / 300 sqm of leasable floor area	6	
	Visitor	1 / 500 sqm of leasable floor area	3	
Total			258 (145 resident / hotel)	271 (153 resident / hotel)



		15 employee 98 visitor)	28 employee 90 visitor)
Showers (Employee)	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.	2	3 staff shower and change rooms + 1 DDA shower and change room
Change rooms (Employee)	1 change room or direct access to a communal change room or shower. The change room may be a combined shower and change room.	1	

140. The proposal includes a total of 271 bicycle spaces, which exceed the requirement for 258 spaces. As such, no permit is required under this clause.
141. Ground Level includes three staff shower and change rooms, plus 1 DDA shower and change room is provided for the non-residential uses. This complies with Clause 52.34-5.
142. The bicycle spaces will be provided on Level 3 for residents, employees and visitors, with access via the goods lift on the ground level, accessed via the through-block pedestrian link.
143. The council supports the proposed provision and design of bicycle spaces and end of trip facilities. It is considered that the proposal is acceptable and appropriately responds to Clause 52.34.

Loading / Unloading

144. Clause 65.01 of the Melbourne Planning Scheme specifies that, before deciding on an application or approval of a loading plan, the responsible authority must consider the adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.
145. Waste collection and loading requirements for the commercial tenancies will take place on the Ground Level at two dedicated loading bays adjacent to the residential waste room, accessed via Queens Bridge Street. The loading bays will accommodate a hook lift vehicle of total length 10.7 metres and a Medium Rigid Vehicle of total length 8.8 metres.
146. The council considers that location and sizes of the loading bays are acceptable for the proposed development and has recommended a Loading Management Plan (LMP) be submitted for approval prior to the commencement of the development. Consistent with other similar approvals in the central city, the LMP will be required to be submitted prior to the occupation of the development, and this will be included as a condition on any permit to issue.

Waste

147. The application is supported by a Waste Management Plan (WMP) prepared by WSP and dated 4 March 2026. It is proposed that all waste collection is to occur onsite from the loading bays on the Ground Level. The council will collect residential waste, while a private contractor will be engaged to collect retail / commercial and hotel waste.
148. As stated above, the waste vehicle will enter via Queens Bridge Street and use the back-of-house area to reverse into the loading bays (using a reverse manoeuvre that should be confirmed via a swept path diagram) allowing waste collection to occur. The vehicles will then be able to exit in a forward direction.
149. The council considered that the WMP is unsatisfactory, requesting confirmation of bins for organics and glass in each chute room, confirmation of a charity bin and detailed swept path diagrams. This is considered reasonable and will be included as a condition on any permit to issue requiring the submission of an amended WMP.

Sustainability

Environmentally Sustainable Design (ESD) and Water Sensitive Urban Design (WSUD)

150. The application is supported by a Sustainability Management Plan (SMP) prepared by ADP Consulting and dated 1 December 2025 in response to clauses 15.01-2L-01, 19.03-3L and 53.18 of the Melbourne Planning Scheme.
151. The SMP includes a commitment to achieve the following key targets:
- 5 Star Green Star Buildings Rating;
 - A minimum NatHERS rating for any single apartment;
 - An average NatHERS rating of at least 7.5 stars across the development; and
 - Best practice water quality performance objectives as demonstrated with MUSIC.
152. The council has recommended conditions be included on any permit to issue requiring additional detail on the architectural plans and the submission and approval of an updated SMP to provide evidence of Green Star rating, daylight modelling, details of maximum NatHERS annual cool loading, modelling via Upfront Emissions Calculator, evidence via Movement and Place calculator, sustainable transport initiatives, rainwater tank details and a 5-year maintenance agreement for the rainwater propriety device. These are considered reasonable and will be required via a condition on any permit to issue.

Birrarung (Yarra River Protection)

153. The purpose of Clause 51.06 of the scheme is to ensure responsible public entities have regard to the principles specified in the *Yarra River Protection (Wilip-gin Birrarung murrn) Act 2017* (Birrarung Act).
154. This clause applies to the land defined as 'Yarra River Land' under Part 3 of the Birrarung Act, which includes the entire site.
155. The applicant has provided the following response to the principles outlined in the Birrarung Act:

Principles	Applicant comments
General principles	
1. Proposed development and decision- making should be based on the effective integration of environmental, social and cultural considerations in order to improve public health and wellbeing and environmental benefit.	<i>Decision-making regarding development within the precinct is a collaborative process comprising multiple stakeholders, including DTP, City of Melbourne, referral authorities and surrounding landowners The development decision is aimed at improving the social, environmental and cultural offering of Southbank and Queens Bridge Street. The ongoing upgrades to the Southbank precinct ensure that it is a space that the whole of the community can enjoy and use during the year.</i>
2. Decision-makers should take into account the best practicably available information about the potential impacts of climate change so as to avoid, so far as possible, serious or irreversible damage resulting from climate change.	<i>The project team have engaged ADP and Harc to ensure that the proposal will not have any adverse impact on the potential impacts of Climate Change. Advice has been obtained from Melbourne Water that any anticipated flooding issues are close to being resolved, which will ensure the proposal remains an acceptable outcome from a flooding perspective.</i>
3. Decision-makers should take into account the impact of any individual action or policy on public health and wellbeing and seek to ensure that public health and wellbeing is enhanced by the action or policy.	<i>The improvement of the streetscape and provision of open spaces in the form of the Piazza adjoining Freshwater place will provide a benefit to the community with positive public health and wellbeing outcomes.</i>
4. Each generation should ensure that the environmental, social and cultural benefits that have	<i>This development will ensure the ongoing use of this space is available to the public throughout the year.</i>



been acquired are maintained or enhanced for the benefit of future generations.	
5. Protection of the environment and delivery of sustainable development is a responsibility shared by all levels of government, industry, business, communities and the people of Victoria.	<i>The proposed development has been designed with ESD principles at the forefront, with considerations of climate related impacts resolved through the design process. Engagement with the relevant stakeholders has ensured all relevant levels of government have contributed to the decision making process for this proposal.</i>
Environmental principles	
(1) If there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation or for failing to assess the risk-weighted consequences of the options.	<i>No notable threats of serious or irreversible environmental damage are proposed by this project.</i> <i>Due to the location and existing development on site, there are no trees which require removal to facilitate the development.</i>
(2) Environmental practices and procedures should ensure that biodiversity and ecological integrity is maintained or enhanced in ways that are proportionate to the significance of the environmental risks and consequences being addressed.	<i>The proposed conditions result in high-quality landscaped areas within the development area, and the proposal will provide a positive response to increase the biodiversity of the site.</i> <i>On-site drainage is to be passively managed locally. A stormwater management plan has been included within the SMP prepared by ADP.</i>
(3) If approaches to managing environmental impacts on one segment of the environment have potential impacts on another segment, the best practicable environmental outcome should be sought.	<i>The project will result in an increase in canopy cover through the detailed landscape plan prepared. This will be an improved outcome from existing conditions.</i>
(4) There should be a net gain for the environment in the area of Yarra River land arising out of any individual action or policy that has an environmental impact on Yarra River land.	<i>There will be a cumulative increase in landscaping area as a result of this development. Whilst this doesn't directly impact the Yarra River environs, it does show a commitment to ensure environmental outcomes are a priority.</i> <i>The project seeks to achieve a net increase of landscaped area's consisting largely of a diverse and multi-story planting mix, promoting improved biodiversity and resilience.</i>
Social principles	
(1) The existing amenity of Yarra River land, including its natural features, character and appearance, should be protected and enhanced for the benefit of the whole community.	<i>See above, the overall increase in landscaping as a result of this proposal.</i>
(2) Community consultation and participation should play an essential and effective role in the protection, improvement and promotion of Yarra River land.	<i>The permit applicant engaged with key stakeholders including the OVGA to ensure the proposal supports key objectives related to the Yarra River land.</i>
Recreational principles	
(1) Community access to, and use and enjoyment of, Yarra River land should be protected and enhanced through the design and management of public open space for compatible multiple uses that optimise community benefit.	<i>This project will provide a key pedestrian pathway from Queens Bridge Street through to freshwater place which will improve pedestrian porosity for the precinct. The improvements to the public realm will also facilitate greater enjoyment of the Yarra River.</i>
(2) Public open space should be used for recreational and community purposes that are within the capacity of that space, in order to sustain natural	<i>This application seeks to provide upgrades to open spaces within proximity to the Yarra River. The upgrade works will provide for recreational uses for residents and visitors to the</i>



processes and not diminish the potential of that open space to meet the long-term aspirations of the community.	<i>precinct. The provision of permanent shade/weather protection along Queens Bridge Street will enhance and provide good amenity for visitors.</i>
Cultural principles	
(1) Aboriginal cultural values, heritage and knowledge of Yarra River land should be acknowledged, reflected, protected and promoted.	<i>The cultural and heritage values of the Yarra River have been reflected in the design of the proposal which employs aspects which reference the location of the site as the confluence of salt and fresh water as the Yarra meets Port Phillip Bay. This is referenced in the Urban Context Report submitted with the application</i>
(2) The role of the traditional owners as custodians of Yarra River land should be acknowledged through partnership, representation and involvement in policy planning and decision-making.	<i>The role of the traditional owners as custodians of the Yarra River has been acknowledged through the design of the building and the response to various cultural heritage considerations as required through the planning scheme and Aboriginal Cultural Heritage Act.</i>
(3) The cultural diversity and heritage of post-European settlement communities should be recognised and protected as a valued contribution to the identity, amenity and use of Yarra River land.	<i>The cultural heritage of post-European settlement communities have also been considered through the design process. This and the impacts for the proposed design have been demonstrated in the Urban Context Report prepared by Cox.</i>
Management principles	
(1) There should be coordination between all levels of government and government agencies when designing policies and programs and making decisions in relation to Yarra River land.	<i>N/A</i> <i>No policies or programs are being designed as part of this application.</i>
(2) When designing policies and programs, the best practicable measures available at the time should be used.	<i>N/A</i> <i>No policies or programs are being designed as part of this application.</i>
(3) Implementation of natural resource management should aim for continuous improvement and extend beyond compliance with relevant laws and requirements.	<i>N/A</i>

156. On balance, the proposed development demonstrates a broad consistency with the Birrarung Act principles, particularly through commitments to revegetation, sustainable design, improved access to the Main Yarra Trail, and recognition of cultural and historical values.

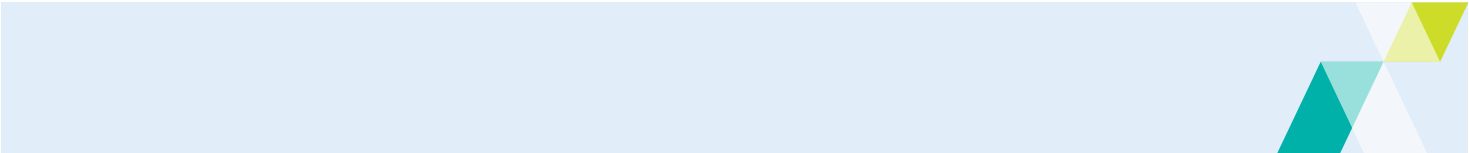
Response to Objections

157. All objections received to the application have been considered. The table below provides a summary of the key concerns raised by nearby property owners and occupiers to the proposal and is not intended to be an exhaustive list of every specific matter raised in the objections received.

Objection	Applicant's comments	DTP comments
Loss of views	<i>The loss of views is not a relevant planning consideration. Notwithstanding this, the proposal has been designed with generous setbacks to adjoining properties to ensure the outlook of surrounding</i>	Loss of views is not a relevant planning consideration.



	<i>properties is maintained.</i>	
Loss of daylight	<i>The proposed building is of a similar scale to the two adjoining buildings at 1 Freshwater Place and Prima Pearl. The proposed building also employs generous setbacks to these buildings to ensure that they will not result in an unreasonable loss of daylight to the apartments buildings.</i>	The proposal has been designed to minimise amenity impacts on neighbouring properties. The setbacks from common boundaries are more generous than the minimum requirements under Design and Development Overlay 10.
Property devaluation	<i>This is not a valid planning issue and cannot be considered as a valid ground for objection.</i>	Property devaluation is not a relevant planning consideration.
Wind impacts	<i>A full wind tunnel assessment has been prepared to support the proposed development. The assessment has found that subject to the inclusion of wind mitigation techniques within the development, the proposed wind impacts will be acceptable. These wind impacts will be incorporated into the proposed design.</i>	Wind impacts have been assessed and deemed to be acceptable, subject to minor wind mitigation measures being implement into the building.
Traffic	<i>The traffic considerations have been assessed by Traffix in the submitted Traffic Engineering Assessment. The report has found that the proposed traffic generation will be able to be accommodated in the surrounding street network. The quantity of carparking is determined to be appropriate for the proposed development and is in accordance with the statutory requirements. No permit is sought to reduce the parking requirements.</i>	The proposed car parking providing and anticipated traffic generation is considered acceptable for the site within the central city context. The location of the site and the proximity to public transport and cyclist routes will assist in encouraging active transport options.
Construction impacts	<i>The submissions raised concern regarding the construction impacts of the proposed development. Construction impacts will be managed through the submission and endorsement of a detailed Construction Management Plan which we support being included as a condition on the permit, should one be issued.</i>	A condition will be included on any permit to issue requiring the submission and approval of a Demolition and Construction Management Plan.
Consideration of heritage	<i>While no specific objections related to heritage issues, heritage was raised in the objections, objections did identify that the proposed development must be respectful of the heritage form. We can confirm that the proposal has been designed in direct response to the significance of the Queens Bridge Hotel. The Hotel façade, returns, windows and partial interior will be retained providing a significant contribution to the heritage of this area within Southbank. The adaptive reuse of the building as a food and beverage tenancy will reimagine the significant Queens Bridge Hotel providing an important connection to its heritage. The demolition and built form proposal</i>	The proposal has been designed to retain the significant elements of the significant heritage building at 1-7 Queens Bridge Street and ensures the significant setback of the tower above is clearly distinguishable from the retained built form and is unlikely to detract from the heritage value of the site.



	<i>has been assessed by Lovell Chen and Council's heritage referral (GJM). The design has been updated to respond directly to these comments and is now determined to be an acceptable heritage outcome.</i>	
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158. The proposed development is consistent with the relevant planning policies of the Melbourne Planning Scheme and current State government housing policy and will contribute to the provision of housing within the Central City, with a built form response appropriate to the site's heritage and urban context. In particular, the proposal is of a design, scale and massing that responds appropriately to the Heritage Overlay and DDO10, with the retention of the significant principal heritage facade, a sympathetic podium design and height, appropriate tower setbacks and through block connections.
159. The proposal is supported, subject to conditions, including those recommended by the Head, Transport for Victoria, Melbourne Water and the council.
160. It is recommended that a Notice of Decision to Grant a Planning Permit PA2503614, for partial demolition of 1-7 Queens Bridge Street and construction of a building be issued, subject to conditions.
161. It is recommended that the applicant, Head, Transport for Victoria, Melbourne Water, the council and all objectors be notified of the above in writing.



Prepared by:

I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

- ☒ **No Conflict**
- ☐ Conflict and have therefore undertaken the following actions:
- ☐ Completed the **Statutory Planning Services declaration of Conflict/Interest form.**
- ☐ Attached the Statutory Planning Services declaration of Conflict/Interest form on to the hardcopy file.
- ☐ Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.

Name:

Title:

Phone:

Signed:

Dated:

Reviewed / Approved by:

I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

- ☐ **No Conflict**
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Name:

Title:

Phone:

Signed:

Dated:

Appendix 1: Clause 58 Assessment (Better Apartments Design Standards)



Application requirements

Clause 58.01-1	Assessment
<i>An application must be accompanied by:</i> <i>An urban context report.</i> <i>A design response.</i>	Satisfied The application has been accompanied by an urban context report and a design response prepared by Cox Architects.

Urban context report

Clause 58.01-2	Assessment
<i>The urban context report may use a site plan, photographs or other techniques and must include:</i> <i>An accurate description of:</i> <i>Site shape, size, orientation and easements.</i> <i>Levels and contours of the site and the difference in levels between the site and surrounding properties.</i> <i>The location and height of existing buildings on the site and surrounding properties.</i> <i>The use of surrounding buildings.</i> <i>The location of private open space of surrounding properties and the location of trees, fences and other landscape elements.</i> <i>Solar access to the site and to surrounding properties.</i> <i>Views to and from the site.</i> <i>Street frontage features such as poles, street trees and kerb crossovers.</i> <i>The location of local shops, public transport services and public open spaces within walking distance.</i> <i>Movement systems through and around the site.</i> <i>Any other notable feature or characteristic of the site.</i> <i>An assessment of the characteristics of the area including:</i> <i>Any environmental features such as vegetation, topography and significant views.</i> <i>The pattern of subdivision.</i> <i>Street design and landscape.</i> <i>The pattern of development.</i> <i>Building form, scale and rhythm.</i> <i>Connection to the public realm.</i> <i>Architectural style, building details and materials.</i> <i>Off-site noise sources.</i> <i>The relevant NatHERS climate zones (as identified in Clause 58.03-1).</i> <i>Social and economic activity.</i> <i>Any other notable or cultural characteristics of the area.</i>	Satisfied The submitted planning report prepared by Urbis and architectural plans prepared by Cox Architects satisfactorily meet the requirements of this Clause.

Design response

Clause 58.01-3	Assessment
<i>The design response must explain how the proposed design:</i> <i>Responds to any relevant planning provision that applies to the land.</i> <i>Meets the objectives of Clause 58.</i> <i>Responds to any relevant housing, urban design and landscape plan, strategy or policy set out in this scheme.</i> <i>Derives from and responds to the urban context report.</i> <i>The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible</i>	Satisfied The submitted planning report prepared by Urbis and architectural plans prepared by Cox Architects satisfactorily meet the requirements of this Clause.



authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.

Urban context objectives

Clause 58.02-1	Assessment
Objectives <i>To ensure that the design responds to the existing urban context or contributes to the preferred future development of the area.</i> <i>To ensure that development responds to the features of the site and the surrounding area.</i>	Meets Objective The design responds to the existing urban context and contributes to the preferred future development for the Southbank precinct. The development responds to the opportunities and constraints of the site and has regard for existing buildings on surrounding properties.
Standard D1 <i>The design response must be appropriate to the urban context and the site.</i> <i>The proposed design must respect the existing or preferred urban context and respond to the features of the site.</i>	Complies with Standard The design response is considered appropriate to the urban context and the existing conditions of the site and surrounds. The design responds to the features of the site including the retention of the Queens Bridge Hotel heritage built form, flooding considerations at ground level and increasing through-block connectivity within the urban block bordered by Queens Bridge Street, Power Street and Southbank Boulevard.

Residential policy objectives

Clause 58.02-2	Assessment
Objectives <i>To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.</i> <i>To support higher density residential development where development can take advantage of public and community infrastructure and services.</i>	Meets Objective The development provides higher density residential development in an existing urban renewal area within the Central City that is identified for increased housing density and in a location that has good access to services, infrastructure and public transport. The proposed residential development responds to housing policies in the MPS and PPF.
Standard D2 <i>An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.</i>	Complies with Standard The submitted planning report by Urbis includes a written statement describing how the development is consistent with relevant policies for housing in the MPS and PPF.

Dwelling diversity objectives

Clause 58.02-3	Assessment
Objective <i>To encourage a range of dwelling sizes and types in developments of ten or more dwellings</i>	Meets Objective The development provides a diverse mix of dwelling sizes and typologies to cater to a range of household types.
Standard D3 <i>Developments of ten or more dwellings should provide a range of dwelling sizes and types, including dwellings with a different number of bedrooms.</i>	Complies with standard The development provides a range of dwelling types and layouts including 192 x one bedroom dwellings (30%), 302 x two bedroom dwellings (47%), 124 x three bedroom dwellings (19%) and 19 x four bedroom + dwellings (3%).



Infrastructure objectives

Clause 58.02-4	Assessment
Objectives <i>To ensure development is provided with appropriate utility services and infrastructure.</i> <i>To ensure development does not unreasonably overload the capacity of utility services and infrastructure.</i>	Meets Objective The development will be provided with appropriate utility services and infrastructure and will not unreasonably overload the capacity of existing utility services and infrastructure.
Standard D4 <i>Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.</i> <i>Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.</i> <i>In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure</i>	Complies with Standard The development will be connected to all relevant services as appropriate for a building of this scale. It will not unreasonably exceed the capacity of the surrounding service infrastructure.

Integration with the street objective

Clause 58.02-5	Assessment
Objective <i>To integrate the layout of development with the street.</i> <i>To support development that activates street frontage.</i>	Meets Objective The development has been designed to be well integrated with Queens Bridge Street and the lesser frontage to Freshwater Place, activating both street frontages and providing connection between them.
Standard D5 <i>Developments should be oriented to front existing and proposed streets.</i> <i>Along street frontage, development should:</i> <i>Incorporate pedestrian entries, windows, balconies or other active spaces.</i> <i>Limit blank walls.</i> <i>Limit high front fencing, unless consistent with the existing urban context.</i> <i>Provide low and visually permeable front fences, where proposed.</i> <i>Conceal car parking and internal waste collection areas from the street.</i> <i>Development next to existing public open space should be designed to complement the open space and facilitate passive surveillance.</i>	Complies with Standard The development activates Queens Bridge Street through the multiple retail tenancies, the residential lobby and hotel lobby, all of which front the street and provide entries at footpath level. Although the internal ground floor is raised to address flooding constraints, generous floor to ceiling height and extensive glazing maintain visual connectivity between the interior and the public realm, supporting an active and engaging street frontage. The generous width of the internal laneway (8.028 metres along the Queens Bridge Street frontage) and internal activation through glazing and entries to retail tenancies, residential bike lift entry and the commercial (office) lobby ensure passive activation is maintained along the full length of the laneway. The Freshwater Place frontage which is opposite the lobby and forecourt of 28 Freshwater Place is activated by the entrance to the internal laneway and commercial lobby. This space has the potential to be further activated by the proposed public plaza further south which can be connected to Freshwater Place as a result of future development on adjacent land. The upper levels include windows, terraces and balconies for retail, office and hotel floor space and dwellings. Given the location and design of the lift core there are no blank walls, fencing or non-permeable elements. Whilst vehicle access is provided via Queens Bridge Street, it has been designed to be consolidated within the building frontage and the location of adjoining vehicle access to 35 Queens Bridge Street. As a



result, it will not be visually intrusive, and the car parking and waste collection/loading areas are concealed at the rear of the building where this interface is less visible from the public realm.

Energy efficiency objectives

Clause 58.03-1	Assessment																		
Objectives <i>To achieve and protect energy efficient dwellings and buildings.</i> <i>To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.</i> <i>To ensure dwellings achieve adequate thermal efficiency.</i>	Meets Objective The development protects the energy efficiency of existing buildings through appropriate setbacks from adjoining built form. The orientation and layout of the development also makes appropriate use of daylight and solar energy.																		
Standard D6 <i>Buildings should be:</i> <i>Oriented to make appropriate use of solar energy.</i> <i>Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.</i> <i>Living areas and private open space should be located on the north side of the development, if practicable.</i> <i>Developments should be designed so that solar access to north-facing windows is optimised.</i> <i>Dwellings located in a climate zone identified in Table D1 should not exceed the maximum NatHERS annual cooling load specified in the following table.</i> <table border="1"> <caption>Table D1 Cooling load</caption> <thead> <tr> <th>NatHERS climate zone</th><th>NatHERS maximum cooling load MJ/M² per annum</th></tr> </thead> <tbody> <tr> <td>Climate zone 21 Melbourne</td><td>30</td></tr> <tr> <td>Climate zone 22 East Sale</td><td>22</td></tr> <tr> <td>Climate zone 27 Mildura</td><td>69</td></tr> <tr> <td>Climate zone 60 Tullamarine</td><td>22</td></tr> <tr> <td>Climate zone 62 Moorabbin</td><td>21</td></tr> <tr> <td>Climate zone 63 Warrnambool</td><td>21</td></tr> <tr> <td>Climate zone 64 Cape Otway</td><td>19</td></tr> <tr> <td>Climate zone 66 Ballarat</td><td>23</td></tr> </tbody> </table>	NatHERS climate zone	NatHERS maximum cooling load MJ/M ² per annum	Climate zone 21 Melbourne	30	Climate zone 22 East Sale	22	Climate zone 27 Mildura	69	Climate zone 60 Tullamarine	22	Climate zone 62 Moorabbin	21	Climate zone 63 Warrnambool	21	Climate zone 64 Cape Otway	19	Climate zone 66 Ballarat	23	Complies with Standard The development has been designed to maximise solar energy, where practical by maximising the usable and habitable floor area that is oriented to the unencumbered western/north-western Queens Bridge Street frontage which receives good solar access from 11am onwards. The narrow profile of the upper floors of the building combined with its orientation means its shadow is fast moving throughout the day and does not impact any adjoining or surrounding buildings for an extended period of time. The Sustainability Management Plan prepared by ADP is targeting a 7.5 Star average NatHERS rating, with no dwelling achieving below 6.5 Stars. While based on this star rating no dwelling should exceed the maximum NatHERS annual cooling load of 30 MJ/M², it is noted that the SMP does not specify this is complied with. A condition of the planning permit will require this to be included in the SMP commitments.
NatHERS climate zone	NatHERS maximum cooling load MJ/M ² per annum																		
Climate zone 21 Melbourne	30																		
Climate zone 22 East Sale	22																		
Climate zone 27 Mildura	69																		
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Climate zone 62 Moorabbin	21																		
Climate zone 63 Warrnambool	21																		
Climate zone 64 Cape Otway	19																		
Climate zone 66 Ballarat	23																		
Note: <i>Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy).</i>																			

Communal open space objective

Clause 58.03-2	Assessment
Objectives <i>To provide communal open space that meets the recreation and amenity needs of residents.</i>	Meets Objective The development provides a communal open space on Level 10 that will meet the recreation and amenity



<i>To ensure that communal open space is accessible, practical, attractive, easily maintained.</i> <i>To ensure that communal open space is integrated with the layout of the development and enhances resident amenity.</i>	needs of residents. The communal open space will be accessible, functional, attractive and is integrated with the layout of the development.
Standard D7 <i>A development of 10 or more dwellings should provide a minimum area of communal outdoor open space of 30 square metres.</i> <i>If a development contains 13 or more dwellings, the development should also provide an additional minimum area of communal open space of 2.5 square metres per dwelling or 220 square metres, whichever is the lesser. This additional area may be indoors or outdoors and may consist of multiple separate areas of communal open space.</i> <i>Each area of communal open space should be:</i> <i>Accessible to all residents.</i> <i>A useable size, shape and dimension.</i> <i>Capable of efficient management.</i> <i>Located to:</i> <i>Provide passive surveillance opportunities, where appropriate.</i> <i>Provide outlook for as many dwellings as practicable.</i> <i>Avoid overlooking into habitable rooms and private open space of new dwellings.</i> <i>Minimise noise impacts to new and existing dwellings.</i> <i>Any area of communal outdoor open space should be landscaped and include canopy cover and trees.</i>	Complies with Standard The proposed development provides a total of 2,592 square metres of communal open space, in excess of the 250 square metres required by this standard. The communal open space area is accessible, useable and capable of efficient management. It does not overlook any dwellings and is provided on Level 10 to ensure that noise and other impacts to dwellings on site are minimised. Further, the outdoor open space will include generous provision for well-integrated landscaped areas, including canopy trees.

Solar access to communal outdoor open space objective

Clause 58-03-3	Assessment
Objective <i>To allow solar access into communal outdoor open space</i>	Meets Objective The development will allow solar access into the proposed communal outdoor open space due to its location and orientation on the north, east and west side of the building.
Standard D8 <i>The communal outdoor open space should be located on the north side of a building, if appropriate.</i> <i>At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.</i>	Complies with Standard The outdoor communal open space is located on all four sides of the tower and therefore due to the building's orientation, the western outdoor communal open space areas (approx. 555 square metres) receives solar access from 12pm onwards in excess of the 125 square metres required, which is also complemented by the north/north-western area of the communal outdoor open space which receives meaningful solar access from 1pm onwards.

Safety objective

Clause 58.03-4	Assessment
Objective <i>To ensure the layout of development provides for the safety and security of residents and property</i>	Meets Objective The layout of the development provides for the safety and security of residents and property.
Standard D9 <i>Entrances to dwellings should not be obscured or isolated from the street and internal accessways.</i> <i>Planting which creates unsafe spaces along streets and accessways should be avoided.</i> <i>Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.</i>	Complies with Standard The proposed residential entrance is separate from the retail/commercial/hotel uses and can be access directly from Queens Bridge Street as well as the internal pedestrian laneway. Access to the residential entry can be made secure while all publicly accessible areas will be appropriately lit and managed to ensure



- *Private spaces within developments should be protected from inappropriate use as public thoroughfares.*

safety and security.

Planter boxes which have been incorporated into the Queens Bridge Street façade frontages and pedestrian laneways provide appropriate sight lines and visibility of entry points.

The car park areas will also have secure lines within the accessways to ensure private areas of the basement are secured, subject to conditions of the planning permit to clearly show the location of all proposed roller doors, etc.

Landscaping objectives

Clause 58.03-5	Assessment
Objectives • <i>To provide landscaping that supports the existing or preferred urban context of the area and reduces the visual impact of buildings on the streetscape.</i> • <i>To preserve existing canopy cover and support the provision of new canopy cover.</i> • <i>To ensure landscaping is climate responsive, supports biodiversity, wellbeing and amenity and reduces urban heat.</i>	Meets Objective The proposed landscaping response supports the existing and preferred urban context of the area.
Standard D10 • <i>Development should retain existing trees and canopy cover.</i> • <i>Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.</i> • <i>Development should:</i> ○ <i>Provide the canopy cover and deep soil areas specified in Table D2. Existing trees can be used to meet the canopy cover requirements of Table D2.</i> ○ <i>Provide canopy cover through canopy trees that are:</i> - <i>Located in an area of deep soil specified in Table D3. Where deep soil cannot be provided trees should be provided in planters specified in Table D3.</i> - <i>Consistent with the canopy diameter and height at maturity specified in Table D4.</i> - <i>Located in communal outdoor open space or common areas or street frontages.</i> ○ <i>Comprise smaller trees, shrubs and ground cover, including flowering native species.</i> ○ <i>Include landscaping, such as climbing plants or smaller plants in planters, in the street frontage and in outdoor areas, including communal outdoor open space.</i> ○ <i>Shade outdoor areas exposed to summer sun through landscaping or shade structures and use paving and surface materials that lower surface temperatures and reduce heat absorption.</i> ○ <i>Be supported by irrigation systems which utilise alternative water sources such as rainwater, stormwater and recycled water.</i> ○ <i>Protect any predominant landscape features of the area.</i> ○ <i>Take into account the soil type and drainage patterns of the site.</i> ○ <i>Provide a safe, attractive and functional environment for residents.</i> ○ <i>Specify landscape themes, vegetation (location and species), irrigation systems, paving and lighting.</i> ○ <i>Specify landscape themes, vegetation (location and species), irrigation systems, paving and lighting.</i> Table D2 Canopy cover and deep soil requirements	Variation to Standard Accepted The site area of 5,059 square metres, requires 15% of the site area (758.85 square metres) to be provided for deep soil planting, 350 square metres plus 20% of the site area above 2,500 square metres (511.8 square metres) of canopy cover (861.8 square metres) and at least 2 Type B trees or 1 Type C tree. As detailed in the submitted Landscape Report, the development will provide a range of planters of at least 800mm to 1000mm in depth with approx. 137.6 square metres of 1000mm depth planters and 1,058 square metres of 800mm planters and approx. 1,477 square metres of canopy cover, with 10 Type B trees and 9 Type A trees. A variation is required in relation to the minimum area/dimensions of the 1000mm depth planters proposed for the Type B trees at the ground floor level, which require a minimum dimension of 4.5 metres but are proposed in planters each only 3 metres in diameter. This is considered acceptable as the landscape plan has been prepared by a landscape architect, which has made tree selections appropriate to growing conditions and, in the event the selected Type B trees do not reach full maturity as a result of constrained planter size, the development currently substantially exceeds the minimum canopy cover requirement, meaning that sufficient canopy coverage will still be achieved.



Site area (sqm)	Canopy cover	Deep soil
1000 square metres or less	5% of site area Include at least 1 Type A tree	5% of site area or 12 square metres whichever is the greater
1001 – 1500 square metres	50 square metres plus 20% of site area above 1,000 square metres Include at least 1 Type B tree	7.5% of site area
1501 - 2500 square metres	150 square metres plus 20% of site area above 1,500 square metres Include at least 2 Type B trees or 1 Type C tree	10% of site area
2500 square metres or more	350 square metres plus 20% of site area above 2,500 square metres Include at least 2 Type B trees or 1 Type C tree	15% of site area

Table D3 Soil requirements for trees

Tree type	Tree in deep soil Area of deep soil	Tree in planter Volume of planter soil	Depth of planter soil
A	12 square metres (min. plan dimension 2.5 metres)	12 cubic metres (min. plan dimension 2.5 metres)	0.8 metre
B	49 square metres (min. plan dimension 4.5 metres)	28 cubic metres (min. plan dimension of 4.5 metres)	1 metre
C	121 square metres (min. plan dimension 6.5 metres)	64 cubic metres (min. plan dimension of 6.5 metres)	1.5 metre

Note:

- *Where multiple trees share the same section of soil the total required amount of soil can be reduced by 5% for every additional tree, up to a maximum reduction of 25%.*

Table D4 Tree types

Tree type	Minimum canopy diameter at maturity	Minimum height at maturity
A	4 metres	6 metres
B	8 metres	8 metres
C	12 metres	12 metres

Access objectives

Clause 58.03-6	Assessment
Objectives • <i>To ensure that vehicle crossovers are designed and located to provide safe access for pedestrians, cyclists and other vehicles.</i>	Meets Objective The proposed vehicle crossovers to Queens Bridge Street will provide safe access for vehicles.



<i>To ensure the vehicle crossovers are designed and located to minimise visual impact.</i>	
Standard D11 <i>Vehicle crossovers should be minimised.</i> <i>Car parking entries should be consolidated, minimised in size, integrated with the façade and where practicable located at the side or rear of the building.</i> <i>Pedestrian and cyclist access should be clearly delineated from vehicle access.</i> <i>The location of crossovers should maximise pedestrian safety and the retention of on-street car parking spaces and street trees.</i> <i>Developments must provide for access for service, emergency and delivery vehicles.</i>	Complies with Standard The proposed crossovers which consists of a single width crossover for loading/waste vehicle access and a double width crossover for car parking access are located adjacent to each other, consolidating vehicle access to the site and reducing the number of separate vehicle access points along the frontage from three to one. The location of the vehicle crossovers at the southern boundary is also adjacent to the vehicle access for 35 Queens Bridge Street. The vehicle crossovers are appropriately spaced to allow for pedestrian refuge and generally maintain clear sightlines to the footpath from the exit lane. As the point of access into secure parking areas are recessed internally into the building and the proportions of the ground floor street wall a retained, the vehicle access points are well blended into the façade and not visually prominent to Queens Bridge Street. Pedestrian and cyclist access to car and bicycle parking areas is completely separated from the vehicle entries (via the residential lobby and pedestrian laneway) and pedestrian circulation paths provided around lift cores in car parking areas, to provide for the safety of pedestrians and cyclists. There is a dedicated EOT entrance (lift and stair) provided to the east of the building, along the north-south laneway in close proximity to A'Beckett Street. Adequate access is provided on site for service, emergency and delivery vehicles via the existing road network.

Parking location objectives

Clause 58.03-7	Assessment
Objectives <i>To provide convenient parking for resident and visitor vehicles.</i> <i>To protect residents from vehicular noise within developments.</i>	Meets Objective The development provides convenient parking for residents in the podium levels, which also ensures residents are well protected from vehicle noise.
Standard D12 <i>Car parking facilities should:</i> <i>Be reasonably close and convenient to dwellings.</i> <i>Be secure.</i> <i>Be well ventilated if enclosed.</i> <i>Shared accessways or car parks of other dwellings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.</i>	Complies with Standard Car parking is appropriately located within the podium levels at the rear of the development, meaning it is primarily obscured from view from the public realm. Car parking areas are appropriately set out, provided with convenient internal access and internal areas can be well lit and protected via security systems as required.

Integrated water and stormwater management objectives

Clause 58.03-8	Assessment
Objectives <i>To encourage the use of alternative water sources such as rainwater, stormwater and recycled water.</i> <i>To facilitate stormwater collection, utilisation and infiltration</i>	Meets Objective The development achieves the objectives through the use of alternative water sources to reduce the impact of stormwater run-off on the drainage system.



<i>within the development.</i> <i>To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.</i>	
Standard D13 <i>Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use.</i> <i>Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.</i> <i>The stormwater management system should be:</i> <i>Designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999).</i> <i>Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.</i>	Complies with Standard As detailed in the submitted Sustainability Management Plan and accompanying MUSIC model assessment, the development will meet the best practice standard for urban stormwater management. This is achieved through diversion of roof runoff to a 50kL rainwater tank for reuse and treatment of run off from trafficable areas through filtration systems prior to discharge to the LPOD.

Building setback objectives

Clause 58.04-1	Assessment
Objectives <i>To ensure the setback of a building from a boundary appropriately responds to the existing urban context or contributes to the preferred future development of the area.</i> <i>To allow adequate daylight into new dwellings.</i> <i>To limit views into habitable room windows and private open space of new and existing dwellings.</i> <i>To provide a reasonable outlook from new dwellings.</i> <i>To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents.</i>	Meets Objective The development appropriately responds to the site context, with a podium and tower typology, generally consistent with the DDO10 design objectives. The height of the podium responds to the neighbouring buildings and has been appropriately setback in the north-western corner from Level 3 and above to respect the heritage setting of the retained portion of the Queens Bridge Hotel building. The proposed tower includes front, side and rear setbacks which combined with maximising habitable space orientation to the unencumbered west/north-western frontage allow for adequate daylight into the new dwellings and for reasonable outlook from all habitable rooms, ensuring a high standard of internal amenity for future occupants. The design also limits direct views into habitable room windows and private open space of new and existing dwellings. The design response, in terms of height and setbacks and massing, also contributes to the preferred future development of the area.
Standard D14 <i>The built form of the development must respect the existing or preferred urban context and respond to the features of the site.</i> <i>Buildings should be set back from side and rear boundaries, and other buildings within the site to:</i> <i>Ensure adequate daylight into new habitable room windows.</i> <i>Avoid direct views into habitable room windows and private open space of new and existing dwellings. Developments should avoid relying on screening to reduce views.</i> <i>Provide an outlook from dwellings that creates a reasonable visual connection to the external environment.</i> <i>Ensure the dwellings are designed to meet the objectives of Clause 58.</i>	Complies with Standard The proposed built form respects the existing and preferred urban context and appropriately responds to the features of the site. The proposed height and setbacks are considered acceptable as the building will provide adequate daylight into new habitable room windows, avoid direct views into any habitable room windows, provide an outlook that creates a visual connection to the surrounding environment and appropriately responds to the objectives of Clause 58.



Internal views objective

Clause 58.04-2	Assessment
Objective To limit views into the private open space and habitable room windows of dwellings within a development.	Meets Objective The building is designed to limit views into the private open space and habitable room windows of dwellings within the development.
Standard D15 Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the private open space of a lower-level dwelling directly below and within the same development.	Complies with Standard The building has been designed to ensure through the repetition of the tower footprint, orientation of the dwellings and enclosure of balconies that there are no direct views are between balconies or habitable room windows, including from upper floor levels.

Noise impacts objectives

Clause 58.04-3	Assessment
Objectives - To contain noise sources in developments that may affect existing dwellings or small second dwellings. - To protect residents from external and internal noise sources.	Meets Objective The building is designed to protect residents from external and internal noise sources.
Standard D16 - Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings or small second dwellings. - The layout of new dwellings and buildings should minimise noise transmission within the site. - Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings. - New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources. - Buildings within a noise influence area specified in Table D5 should be designed and constructed to achieve the following noise levels: - Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am. - Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm. - Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements. - Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.	Complies with Standard The application is supported by an Acoustic Town Planning Report prepared by ADP and dated 27 November 2025. The report identifies potential noise sources surrounding and associated with the development and provides recommendations to appropriately address them. Particular noise sources surrounding the site include tram and road traffic noise from Queen Bridge Street and City Road, Crown Casino opposite the site and helicopter noise at the Melbourne Helipad. The nearest sensitive receptors to the proposal are the residential properties within the 35 Queens Bridge Street building. The building is designed to mitigate internal and external noise impact through the siting of plant, waste rooms, and car parking areas while various design specifications such as wall, floor and ceiling thickness and glazing performance. The acoustic report, confirms that the development will achieve the noise targets specified in this standard and other relevant legislation subject to appropriate construction specifications, noting the site is not within a noise influence area as per table D5.
Table D5 Noise influence area	
Noise source	Noise influence area
Zone interface	
Industry	300 metres from the Industrial 1, 2 and 3 zone boundary
Roads	
Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume	300 metres from the nearest trafficable lane
Railways	



Railway servicing passengers in Victoria	80 metres from the centre of the nearest track
Railway servicing freight outside Metropolitan Melbourne	80 metres from the centre of the nearest track
Railway servicing freight in Metropolitan Melbourne	135 metres from the centre of the nearest track

Note:
The noise influence area should be measured from the closest part of the building to the noise source.

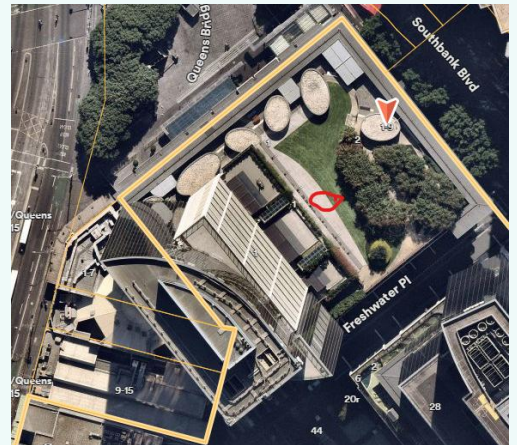
Wind impacts objective

Clause 58.04-4	Assessment
Objective <i>To ensure the built form, design and layout of development does not generate unacceptable wind impacts within the site or on surrounding land.</i>	Condition to be included to ensure that the development meets Objective The built form, design and layout of the development will not generate unacceptable wind impacts within the site or on surrounding land, subject to conditions.
Standard D17 <i>Development of five or more storeys, excluding a basement should:</i> <i>not cause unsafe wind conditions specified in Table D6 in public land, publicly accessible areas on private land, private open space and communal open space; and</i> <i>achieve comfortable wind conditions specified in Table D6 in public land and publicly accessible areas on private land within a distance of half the greatest length of the building, or half the total height of the building measured outwards on the horizontal plane from the ground floor building façade, whichever is greater.</i> <i>Trees and landscaping should not be used to mitigate wind impacts. This does not apply to sitting areas, where trees and landscaping may be used to supplement fixed wind mitigation elements.</i> <i>Wind mitigation elements, such as awnings and screens should be located within the site boundary, unless consistent with the existing urban context or preferred future development of the area.</i>	Condition to be included to ensure that development complies with Standard A Pedestrian Wind Study, prepared by RWDI and dated 28 April 2026 was prepared with respect to the decision plans and demonstrates that the proposal will satisfy the relevant comfort and safety criteria for publicly accessible areas within and around the building, with the following exceptions: - At the ground level, the safety requirements are exceeded at the entry in the narrow recess in the northern corner of the Queens Bridge Hotel building and at one entrance on the north-western corner of this façade. While the wind impacts can be mitigated by 2 metre tall porous screening to the northern entry, the north-western corner entry would require modifications to the façade itself, which is not supported given this forms part of the heritage fabric to be retained. Conditions of the planning permit will instead require that this not be provided as a building entry point, noting this façade already has multiple entry points to Queens Bridge Street. - The footpath at the corner of Queens Bridge Street and Power Street (south of the site) is modelled to experience a reduction in comfort conditions from walking comfort (under existing conditions) to uncomfortable however the consideration of the significant existing tree planting along Whiteman Street to the west and smaller trees along Queens Bridge Street would reduce the impact of the westerly winds along Power Street and bring the conditions at this corner within walking use (noting that under existing conditions this corner already experiences unsafe wind gusts). No further mitigation measures are therefore recommended for this location. - There is a minor decrease in wind comfort conditions to part of the Freshwater Place roof

Table D6 Wind conditions

Unsafe	Comfortable
Annual maximum 3 second gust wind speed exceeding 20 metres per second with a probability of exceedance of 0.1% considering at least 16 wind directions.	Hourly mean wind speed or gust equivalent mean speed (3 second gust wind speed divided by 1.85), from all wind directions combined with probability of exceedance less than 20% of the time, equal to or less than: 3 metres per second for sitting areas, 4 metres per second for standing areas, 5 metres per second for walking areas.

top's (to the north-east of the site) wind comfort conditions, with one receptor (72) experiencing a reduction from standing comfort to walking comfort. This is considered acceptable as the roof top currently achieves a mix of standing and uncomfortable wind comfort conditions, with the receptor in question located in an open pathway area of the Freshwater Place rooftop which also experiences uncomfortable wind conditions further south (Receptor 70). A walking comfort level would still be appropriate for the intended use of this area, opposed to the areas along the north/west of the rooftop where seating areas are located and the existing trees on this rooftop would also further improve the wind comfort in this location.



The report also considers the wind impacts to the various elevated communal and private open space areas across the development, with the following key wind comfort/safety issues and wind mitigation requirements detected:

- Multiple areas of the terrace experience both unsafe wind conditions and conditions not comfortable for sitting or standing (the targeted conditions for the terrace). The safety and targeted comfort criteria can be met, subject to a range of mitigation measures such as additional, higher landscaping, screens and covered canopies which can be easily blended into the



proposed landscaping and structures currently proposed on the terrace

These wind mitigation measures are considered reasonable and can be fully contained within the property boundaries and therefore a condition will be included on any permit to issue requiring the architectural plans to be amended to include these measures and for an updated wind report to be submitted and endorsed.

Accessibility objective

Clause 58.05-1		Assessment															
Objective To ensure the design of dwellings meets the needs of people with limited mobility.		Meets Objective															
Standard D18 - At least 50 per cent of dwellings should have: - A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom. - A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area. - A main bedroom with access to an adaptable bathroom. - At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table D7.		Complies with Standard															
Table D7 Bathroom design: <table> <tr> <th></th><th>Design option A</th><th>Design option B</th></tr> <tr> <td>Door opening</td><td>A clear 850mm wide door opening</td><td>A clear 820mm wide door opening located opposite the shower</td></tr> <tr> <td>Door Design</td><td> Either: - A slide door, or - A door that opens outwards, or - A door that opens inwards that is clear of the circulation area and has readily removable hinges. </td><td> Either: - A slide door, or - A door that opens outwards, or - A door that opens inwards and has readily removable hinges. </td></tr> <tr> <td>Circulation area</td><td> A clear circulation area that is: - A minimum area of 1.2 metres by 1.2 metres. - Located in front of the shower and the toilet. - Clear of the toilet, basin and the door swing. The circulation area for the toilet and shower can overlap. </td><td> A clear circulation area that is: - A minimum width of 1 metre. - The full length of the bathroom and a minimum length of 2.7 metres. - Clear of the toilet and basin. The circulation area can include a shower area. </td></tr> <tr> <td>Path to</td><td>A clear path with a</td><td>Not applicable</td></tr> </table>			Design option A	Design option B	Door opening	A clear 850mm wide door opening	A clear 820mm wide door opening located opposite the shower	Door Design	Either: - A slide door, or - A door that opens outwards, or - A door that opens inwards that is clear of the circulation area and has readily removable hinges.	Either: - A slide door, or - A door that opens outwards, or - A door that opens inwards and has readily removable hinges.	Circulation area	A clear circulation area that is: - A minimum area of 1.2 metres by 1.2 metres. - Located in front of the shower and the toilet. - Clear of the toilet, basin and the door swing. The circulation area for the toilet and shower can overlap.	A clear circulation area that is: - A minimum width of 1 metre. - The full length of the bathroom and a minimum length of 2.7 metres. - Clear of the toilet and basin. The circulation area can include a shower area.	Path to	A clear path with a	Not applicable	The application material provides different percentages for the total number of dwellings designed to comply with Standard D18. A review by the council of individual dwelling types confirms that 482 dwellings (or 75.8% of the total 693 dwellings) comply with Standard D18. This includes where the accessible bathroom is an ensuite, that the associated bedroom can be accessed via the 1.2m circulation path. It is noted that for a number of apartment types (C03.1, C03.2, C03.3) the 1.2m wide circulation path cuts through the indicative dining furniture area to access either the living area or bedroom however in all instances there is sufficient room for dining furniture to be provided in an alternative location/orientation and facilitate the required access path.
	Design option A	Design option B															
Door opening	A clear 850mm wide door opening	A clear 820mm wide door opening located opposite the shower															
Door Design	Either: - A slide door, or - A door that opens outwards, or - A door that opens inwards that is clear of the circulation area and has readily removable hinges.	Either: - A slide door, or - A door that opens outwards, or - A door that opens inwards and has readily removable hinges.															
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Path to	A clear path with a	Not applicable															



circulation area	minimum width of 900mm from the door opening to the circulation area.	
Shower	A hobless (step-free) shower.	A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.
Toilet	A toilet located in the corner of the room.	A toilet located closest to the door opening and clear of the circulation area.

Building entry and circulation objectives

Clause 58.05-2	Assessment
Objectives <i>To provide each dwelling and building with its own sense of identity.</i> <i>To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.</i> <i>To ensure internal communal areas provide adequate access to daylight and natural ventilation.</i>	Meets Objective The building has a clearly defined main entry from Queens Bridge Street as well as the secondary building entry from Freshwater Place, leading to the residential lobby. The internal layout will provide for the safe, functional and efficient movement of residents via the lift core. Each level will have access to daylight from a window along the eastern elevation adjacent to the lift core.
Standard D19 <i>Entries to dwellings and buildings should:</i> <i>Be visible and easily identifiable.</i> <i>Provide shelter, a sense of personal address and a transitional space around the entry.</i> <i>The layout and design of buildings should:</i> <i>Clearly distinguish entrances to residential and non-residential areas.</i> <i>Provide windows to building entrances and lift areas.</i> <i>Provide visible, safe and attractive stairs from the entry level to encourage use by residents.</i> <i>Provide common areas and corridors that:</i> <i>Include at least one source of natural light and natural ventilation.</i> <i>Avoid obstruction from building services.</i> <i>Maintain clear sight lines.</i>	Complies with Standard The main building entry from Queens Bridge Street will be visible and easily identifiable and will provide shelter via projecting canopies over and adjacent to the residential lobby entry. The building entry includes an entry lobby at the ground level for a transitional entry space with stairs and chair lift leading to the main building lobby reception, mailroom and lift core. Internal residential communal and common areas are appropriately laid out to ensure safe, functional and efficient thoroughfare. The internal corridors will have access to daylight from a window along the eastern elevation adjacent to the lift core.

Private open space objective

Clause 58.05-3	Assessment
Objective <i>To provide adequate private open space for the reasonable recreation and service needs of residents.</i>	Meets Objective The development provides adequate private open space for the reasonable recreation and services needs of residents.
Standard D20 <i>A dwelling should have private open space consisting of at least one of the following:</i> <i>An area at ground level of at least 25 square metres, with a minimum dimension of 3 metres and convenient access from a living room.</i> <i>A balcony with at least the area and dimensions specified in Table D8 and convenient access from a living room.</i> <i>An area on a podium or other similar base of at least 15</i>	Variation to Standard Accepted The development provides compliant private open space in the form of balconies for all western apartments on levels 11-40 (180 dwellings). Of these dwellings, dwelling types D01.1 (30 dwellings) and D02.1 (30 dwellings) do not comply with the minimum balcony area required for a 3-bedroom dwelling facing west (12sqm that is at least 2.4m wide) as a portion of the balcony 12sqm are less than 2.4 metres wide.



square metres, with a minimum dimension of 3 metres and convenient access from a living room.

- **An area on a roof of 10 square metres, with a minimum dimension of 2 metres and convenient access from a living room.**
- **If a cooling or heating unit is located on a balcony, the minimum balcony area specified in Table D8 should be increased by at least 1.5 square metres.**
- **If the finished floor level of a dwelling is 40 metres or more above ground level, the requirements of Table D8 do not apply if at least the area specified in Table D9 is provided as living area or bedroom area in addition to the minimum area specified in Table D11 or Table D12 in Standard D25.**

Table D8 Balcony size

Orientation of dwelling	Dwelling type	Minimum area	Minimum dimension
North (between north 20 degrees west to north 30 degrees east)	All	8 square metres	1.7 metres
South (between south 30 degrees west to south 20 degrees east)	All	8 square metres	1.2 metres
Any other orientation	Studio or 1 bedroom	8 square metres	1.8 metres
	2 bedroom	8 square metres	2 metres
	3 or more bedroom	12 square metres	2.4 metres

Table D9 Additional living area or bedroom area

Dwelling type	Additional area
Studio or 1 bedroom	8 square metres
2 bedroom	8 square metres
3 or more bedroom	12 square metres

This is considered acceptable as the narrowest portion of the balconies are still highly usable for recreation needs at 1.3-1.6 metres wide at a minimum, and the dwellings provide additional living space commensurate to the shortfall in compliant balcony space.

This standard allows for this outcome if the finished floor levels of a dwelling is 40 metres or more above ground level, and if the area required for a balcony is provided as additional area associated with a living area or bedroom.

All other dwellings that do not provide a balcony are 40 metres above ground level and therefore do not need to provide a balcony provided that the additional living or bedroom area for Table D9 are provided. Additional space is provided for all dwellings, however the following dwelling types fall short of the minimum required (noting that the 3-bedroom dwellings have been incorrectly shown as compliant on the plans due to including additional storage areas which are not living or bedroom area):

- B01.1 (1-bedroom) provides 7sqm additional of 8sqm required
- B01.2 (1-bedroom) provides 7.1sqm additional of 8sqm required
- C02.1 (2-bedroom) provides 3.8sqm of 8sqm required.
- C03.1 (2-bedroom) provides 6.4sqm of 8sqm required.
- C03.2 (2-bedroom) provides 6.2sqm of 8sqm required.
- C03.3 (2-bedroom) provides 6.5sqm of 8sqm required.
- D03-1 (3-bedroom) provides 10.5sqm of 12sqm required.
- D04.1 (3-bedroom) provides 9.6sqm of 12sqm required
- D05.1 (3-bedroom) provides 4.7sqm of 12 sqm required
- D06.1 (3-bedroom) provides 7sqm of 12sqm required
- D07.1 (3-bedroom) provides 10.8sqm of 12sqm required

A variation is required for these 192 x 1-bedroom, 182 x 2-bedroom and 64 x 3-bedroom dwellings. This is considered acceptable for the following reason:

- The lack of private open space will not unreasonably affect the amenity of the dwellings or the recreation and service needs of future residents. For the most part, the internal space shortfall is minor and does not account for the overall generous proportions of each dwelling and marginal areas of additional space in living and bedroom spaces not accounted for. It is anticipated that each dwelling will experience a high level of internal amenity but it is noted that they will also have access to generous communal outdoor and indoor areas on Levels 10 and Level 41. Further, the Southbank promenade and Queensbridge Square provide open space in



close proximity.

Storage objective

Clause 58.05-4		Assessment															
Objective <i>To provide adequate storage facilities for each dwelling</i>		Meets Objective The development provides adequate storage facilities for each dwelling.															
Standard D21 <i>Each dwelling should have convenient access to usable and secure storage space.</i> <i>The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table D10.</i> <table><caption>Table D10 Storage</caption><tr><th>Dwelling type</th><th>Total minimum storage volume</th><th>Minimum storage volume within the dwelling</th></tr><tr><td>Studio</td><td>8 cubic metres</td><td>5 cubic metres</td></tr><tr><td>1 bedroom dwelling</td><td>10 cubic metres</td><td>6 cubic metres</td></tr><tr><td>2 bedroom dwelling</td><td>14 cubic metres</td><td>9 cubic metres</td></tr><tr><td>3 or more bedroom dwelling</td><td>18 cubic metres</td><td>12 cubic metres</td></tr></table>		Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling	Studio	8 cubic metres	5 cubic metres	1 bedroom dwelling	10 cubic metres	6 cubic metres	2 bedroom dwelling	14 cubic metres	9 cubic metres	3 or more bedroom dwelling	18 cubic metres	12 cubic metres	Complies with the Standard The submitted architectural plans demonstrate that all of the dwellings include the required minimum storage within the dwellings, with all 3-bedroom and greater dwellings meeting their overall storage requirements fully within the dwelling. Overall total storage volumes required for the 1 and 2-bedroom dwellings will be met through provision of additional external storage accessible within the car parking areas.
Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling															
Studio	8 cubic metres	5 cubic metres															
1 bedroom dwelling	10 cubic metres	6 cubic metres															
2 bedroom dwelling	14 cubic metres	9 cubic metres															
3 or more bedroom dwelling	18 cubic metres	12 cubic metres															

Common property objectives

Clause 58.06-1	Assessment
Objectives - To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. - To avoid future management difficulties in areas of common ownership.	Meets Objective Communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.
Standard D22 - Developments should clearly delineate public, communal and private areas. - Common property, where provided, should be functional and capable of efficient management.	Complies with Standard Private property is clearly distinguished from communal open space or common areas between the various uses proposed on site through secure lines, dedicated lift and stair cores etc. Communal areas are laid out in a functional, accessible and easily maintainable manner. Conditions of the planning permit will also ensure that public access rights over the internal pedestrian laneway via a s173 agreement or similar will also be required.

Site services objectives

Clause 58.06-2	Assessment
Objectives - To ensure that site services are accessible and can be installed and maintained. - To ensure that site services and facilities are visually integrated into the building design or landscape.	Meets Objective Site services are accessible and will be installed and maintained and are generally not visible from the public realm.
Standard D23 - Development should provide adequate space (including easements where required) for site services to be installed and maintained efficiently and economically. - Meters and utility services should be designed as an integrated	Complies with Standard The development will be appropriately serviced, with service and plant areas clearly shown on the architectural plans and integrated into the building design.



component of the building or landscape.

- ***Mailboxes and other site facilities should be adequate in size, durable, water-protected, located for convenient access and integrated into the overall design of the development.***

Site services and facilities for residential uses are located across the development including a residential waste room at ground level (easily accessed from the residential lift core) and a dedicated mailroom accessed from the residential lobby.

Utility services such as the substation and main switch room are located within the building, with access to maintenance etc. by utility providers to be enabled by suitable arrangement. Plant services for the building are primarily located on the non-residential floors of the building, or within the central building core where impacts such as noise can be appropriately isolated from surrounding dwellings.

The fire booster is integrated into the Queens Bridge Street frontage and has been incorporated into the facade within a cupboard that matches the height/materiality of the planter boxes located along the frontage.

Waste and recycling objectives

Clause 58.06-3	Assessment
Objectives • <i>To ensure dwellings are designed to encourage waste recycling.</i> • <i>To ensure that waste and recycling facilities are accessible, adequate and attractive.</i> • <i>To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.</i>	Meets Objective The development is designed to encourage waste recycling as outlined in the submitted Waste Management Plan. Separate residential and commercial waste and recycling facilities are accessible, adequate and located within the building, on the ground level internal within the building, minimising impacts on residential amenity and the public realm.
Standard D24 • <i>Developments should include dedicated areas for:</i> ○ <i>Waste and recycling enclosures which are:</i> - <i>Adequate in size, durable, waterproof and blend in with the development.</i> - <i>Adequately ventilated.</i> - <i>Located and designed for convenient access by residents and made easily accessible to people with limited mobility.</i> ○ <i>Adequate facilities for bin washing. These areas should be adequately ventilated.</i> ○ <i>Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.</i> ○ <i>Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.</i> ○ <i>Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.</i> ○ <i>Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.</i> • <i>Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and:</i> ○ <i>Be designed to meet the better practice design options specified in Waste Management and Recycling in Multi-unit Developments (Sustainability Victoria, 2019).</i>	Complies with Standard All residents are provided with convenient access to waste storage facilities in the form of a waste chute on every floor, connecting to the waste storage room located on the ground level. Dwellings will be provided with sufficient internal storage space to enable temporary storage of household waste. Waste collection can be appropriately undertaken via the loading bay within the ground level back of house area. Further details are provided in the accompanying Waste Management Plan.

- *Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.*

External walls and materials objective

Clause 58.06-4	Assessment
Objectives • <i>To ensure external walls use materials appropriate to the existing urban context or preferred future development of the area.</i> • <i>To ensure external walls endure and retain their attractiveness.</i>	Meets Objective The proposed development adopts materials that will endure and retain their attractiveness over time. The use of concrete render, glazing, GRC, metal and aluminium are appropriate to the existing urban context and the preferred future development of the area.
Standard D25 • <i>External walls should be finished with materials that:</i> ○ <i>Do not easily deteriorate or stain.</i> ○ <i>Weather well over time.</i> ○ <i>Are resilient to the wear and tear from their intended use.</i> • <i>External wall design should facilitate safe and convenient access for maintenance.</i>	Complies with Standard The external walls are finished with materials that will not deteriorate or stain and will be resilient and weather well to serve their intended use to positively contribute to the character of the area. The external walls can be easily accessed for maintenance via the roof and/or level 10 terrace (as required), with this to be further detailed in the Façade Strategy which will be endorsed.

Functional layout objective

Clause 58.07-1	Assessment																								
Objective <i>To ensure dwellings provide functional areas that meet the needs of residents</i>	Meets Objective The design and layout of dwellings within the development provides functional areas that will meet the needs of residents.																								
Standard D26 Bedrooms should: <i>Meet the minimum internal room dimensions specified in Table D11.</i> <i>Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.</i> <table><tr><th colspan="3">Table D11 Bedroom dimensions</th></tr><tr><th>Bedroom type</th><th>Minimum width</th><th>Minimum depth</th></tr><tr><td>Main bedroom</td><td>3 metres</td><td>3.4 metres</td></tr><tr><td>All other bedrooms</td><td>3 metres</td><td>3 metres</td></tr></table> <i>Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table B13.</i> <table><tr><th colspan="3">Table D12 Living area dimensions</th></tr><tr><th>Dwelling type</th><th>Minimum width</th><th>Minimum area</th></tr><tr><td>Studio and 1 bedroom dwelling</td><td>3.3 metres</td><td>10 sqm</td></tr><tr><td>2 or more bedroom dwelling</td><td>3.6 metres</td><td>12 sqm</td></tr></table>	Table D11 Bedroom dimensions			Bedroom type	Minimum width	Minimum depth	Main bedroom	3 metres	3.4 metres	All other bedrooms	3 metres	3 metres	Table D12 Living area dimensions			Dwelling type	Minimum width	Minimum area	Studio and 1 bedroom dwelling	3.3 metres	10 sqm	2 or more bedroom dwelling	3.6 metres	12 sqm	Complies with Standard The submitted architectural plans demonstrate that all bedrooms and living areas comply with the requirements of Table D11 and Table D12.
Table D11 Bedroom dimensions																									
Bedroom type	Minimum width	Minimum depth																							
Main bedroom	3 metres	3.4 metres																							
All other bedrooms	3 metres	3 metres																							
Table D12 Living area dimensions																									
Dwelling type	Minimum width	Minimum area																							
Studio and 1 bedroom dwelling	3.3 metres	10 sqm																							
2 or more bedroom dwelling	3.6 metres	12 sqm																							

Room depth objective

Clause 58.07-2	Assessment
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Objective

- *To allow adequate daylight into single aspect habitable rooms*

Standard D27

- *Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.*
- *The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:*
 - *The room combines the living area, dining area and kitchen.*
 - *The kitchen is located furthest from the window.*
 - *The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen.*
- *The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.*

Meets Objective

The development will allow adequate daylight into single aspect habitable rooms.

Complies with Standard

The submitted architectural plans demonstrate that all dwellings with a single aspect habitable room comply with the standard.

Windows objective

Clause 58.07-3

Objective

- *To allow adequate daylight into new habitable room windows.*

Standard D28

- *Habitable rooms should have a window in an external wall of the building.*
- *A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky.*
- *The secondary area should be:*
 - *A minimum width of 1.2 metres.*
 - *A maximum depth of 1.5 times the width, measured from the external surface of the window.*

Assessment

Meets Objective

The development is designed to allow adequate daylight into habitable room windows.

Complies with Standard

The submitted architectural plans demonstrate that all habitable rooms have a window in an external wall of the building.

Natural ventilation objectives

Clause 58.07-4

Objectives

- *To encourage natural ventilation of dwellings.*
- *To allow occupants to effectively manage natural ventilation of dwellings.*

Standard D29

- *The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.*
- *At least 40 per cent of dwellings should provide effective cross ventilation that has:*
 - *A maximum breeze path through the dwelling of 18 metres.*
 - *A minimum breeze path through the dwelling of 5 metres.*
 - *Ventilation openings with approximately the same area.*
- *The breeze path is measured between the ventilation openings on different orientations of the dwelling.*

Assessment

Meets Objective

The design and layout of the development will allow occupants to effectively manage natural ventilation of individual dwellings.

Complies with Standard

The submitted architectural plans demonstrate that 51.9% of dwellings (330 out of 636) are provided with effective cross ventilation, which exceeds the minimum 40% required by this Standard.

Appendix 2: Assessment of the Melbourne City Council recommended permit conditions

MCC condition	DTP assessment
Amended Plans 1. Prior to the commencement of the development, including demolition and site preparation works, an electronic set of plans drawn to scale and an updated development summary, must be submitted to the Responsible Authority in consultation with Melbourne City Council, generally in accordance with the plans prepared by Cox Architecture dated 17 February 2026 but amended to show: a) All apartments are designed in accordance with the requirements of Standard D20 of Clause 58.05-3 (Private Open Space), with any necessary modifications to internal layouts. b) Further consideration and refinement of the arcade design to achieve a consistent and high-quality spatial outcome along its length. c) The paint colour for the hotel façade which will be informed by the historical paint analysis required under Condition 10b. d) The rear plaza redesigned to ensure the proposed landscaping does not impact the existing easement. e) The total system size of the onsite PV system outlined in the Sustainable Management Plan. f) Material schedule updated to confirm the proposed materials that are included in the 75% compliance area for the urban heat island requirements outlined in the Sustainable Management Plan. g) A notation specifying that the collected rainwater is to be reused for toilet flushing, landscape irrigation and wash-down purposes. h) Location of the rainwater harvesting proprietary treatment device as outlined in the Sustainable Management Plan. i) Where stairwell exits are not independently accessed and rely on access over an adjoining car space, the adjoining car parking spaces must be deleted or access must be provided to the satisfaction of the Responsible Authority. j) Where storage areas are not independently accessed and rely on access over an adjoining car space, the adjoining car parking spaces must be deleted or access must be provided to the satisfaction of the Responsible Authority. k) Any changes, technical information or plan notations (or otherwise) required as a result of any other condition in this permit which is to be satisfied concurrently with the endorsement of plans. These amended plans must be to the satisfaction of the Responsible Authority and when approved shall be the endorsed plans of this permit.	a) Per Clause 58 assessment, the minor non-compliances to this standard are considered acceptable. The building provides ample open space options and generously proportioned apartments. b) At its narrowest, the path of travel within the arcade is 4.6 metres, providing ample room for pedestrian movements, with the full width (8 metres) retained around all entry points within the arcade. The arcade maintains a floor to ceiling height that is in excess of one storey (4.69 metres at its lowest), which will provide sufficient proportions to create an 'open' high amenity environment. c) A condition to this effect will be adopted. d) There is no landscaping (within the site) that obstructs the existing carriageway easement. Conditions on the permit will require the easement to be extended north across the pedestrian laneway, which will require in effect require changes to the planter boxes in Freshwater Place to keep this access clear. This would not require any redesign internal to the site though. e) A condition to this effect will be adopted. f) A condition to this effect will be adopted. g) A condition to this effect will be adopted. h) A condition to this effect will be adopted. i) No car parking spaces block access to any stairwell though some of the storage cages on Level 3 adjacent to the northern food and drinks premises stairwell may obstruct access to the rest of this level. A condition requiring a circulation path at least 1.2m wide to the vehicle aisle to be provided. j) Generally, all storage cages can be independently accessed, though access to a number of storage cages in the south-west corner of Level 3 have minimal clearance (700mm or less) between a car parking space and the cage which may be insufficient to access the cage. A condition of the planning permit will require these cages to be allocated to the car parking spaces they are in front of, or otherwise relocated to a location where they can be independently and conveniently accessed. k) A condition to this effect will be adopted.
Endorsed plans 2. At all times what the permit allows must be carried out in accordance with the requirements of any document endorsed under this permit to the satisfaction of the	Conditions to this effect to be adopted.



Responsible Authority. 3. The development as shown on the endorsed plans must not be altered or modified unless with the prior written consent of the Responsible Authority.	
Completion of Development 4. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.	Condition not included as it is not one of DTP's standard conditions.
Retention of architect 5. Except with the written consent of the Responsible Authority, Cox Architecture must be retained to provide architectural oversight during construction and completion of the detailed design as shown in the endorsed plans and schedule of materials and finishes to the satisfaction of the Responsible Authority.	Condition to this effect to be adopted.
Façade Strategy 6. Concurrent with the endorsement of plans pursuant to Condition 1, a Façade Strategy and Materials and Finishes must be submitted to and be approved by the Responsible Authority in consultation with Melbourne City Council. All materials, finishes and colours must be in conformity with the approved Façade Strategy to the satisfaction of the Responsible Authority in consultation with Melbourne City Council. The Façade Strategy must be generally in accordance with the development plans and must include: - Further design review of the proposed tower form, including review by the OVGA's Design Review Panel. - A concise description by the architect of the building design concept and how the façade works to achieve this. - Elevation details (generally at a scale of 1:50) illustrating typical lower level details, balcony niches, entries, lobbies and doors, utilities and structural columns, as well as typical tower details, key junctures and any special features which are important to the building's presentation. - Street level elevations (generally at a scale of 1:20) for all public interfaces. All proposed materials at the street wall level should be robust and of high quality. - Cross sections or another method of demonstrating the façade systems, including fixing details indicating junctions between materials and significant changes in form and/or material. - Information about how the façade will be accessed and maintained and cleaned, including any planting if proposed. - Example prototypes and/or precedents that demonstrate the intended design outcome as indicated on plans and perspective images, to produce a high quality built outcome in accordance with the design concept. - A schedule of colours, materials and finishes, including the colour, type and quality of materials showing their application and appearance.	Condition to this effect to be adopted. However, condition 6a) is not recommended to be adopted. It is not considered appropriate to require a further OVGA review at condition stage and this condition does not provide guidance for how the outcome of such a review should be translated into the façade strategy/development. A previous iteration of the application has been subject to an OVGA Design Review Panel and many key improvements have been adopted and/or explored throughout the evolution of the design.



Materials and finishes must be of a high quality, contextually appropriate, durable and fit for purpose. 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 coding. The façade strategy must be to the satisfaction of the responsible authority and when approved will endorsed to form part of the permit. The façade strategy must not be altered or amended without the written consent of the Responsible Authority.	
Reflected Glare 7. Prior to the commencement of the development, including demolition and site preparation works, a Reflected Glare Assessment of external building materials and finishes, utilising an appropriate methodology prepared by a suitably qualified person, must be prepared and submitted to the satisfaction of the Responsible Authority. 8. External building materials and finishes must not result in hazardous glare to pedestrians, public transport operators and commuters, motorists, aircraft, or occupants of surrounding buildings and public spaces, to the satisfaction of the Responsible Authority. 9. Specular light reflectance from external materials and finishes must be less than 15% to the satisfaction of and unless otherwise approved by the Responsible Authority.	Conditions to this effect to be included.
Conservation Works Plan 10. Concurrent with the endorsement of plans pursuant to Condition 1, a Conservation Works Plan for the heritage building must be submitted to and approved by the Responsible Authority in consultation with Melbourne City Council. The Conservation Work Plan must be prepared by a suitability qualified conservation architect or an appropriately experienced heritage practitioner to the satisfaction of the Responsible Authority. The Conservation Works Plan must include, but not be limited to, the following: - A record of existing conditions, and/or original conditions (including photographs and/or drawings as appropriate) and include a schedule of building elements effected. - Details of how the retained portion of the building is going to be supported during demolition, excavation and construction works, as prepared by the Structural Engineer. - A historical paint analysis to inform the proposed colour scheme for the hotel façade. - A comprehensive description of the proposed works, including construction drawings, details and methodology for the works, including façade finishes, to a tender ready standard as a suitable basis for commissioning contractors to undertake the works. - Any other items to the satisfaction of the	Conditions to this effect to be included.



Responsible Authority. 11. Once endorsed, the Conservation Works Plan will form part of the permit. Works to the heritage place must be undertaken in accordance with the endorsed Conservation Works Plan, to the satisfaction of the Responsible Authority. The Conservation Works Plan must not be altered or modified unless with the prior written consent of the Responsible Authority.	
Sustainable Management Plan 12. Concurrent with the endorsement of plans pursuant to Condition 1, an amended Sustainable Management Plan (SMP) prepared by a suitably qualified person must be submitted to and approved by the Responsible Authority in consultation with Melbourne City Council. When approved, the amended SMP report will be endorsed and form part of this permit. The amended SMP report must be generally in accordance with the SMP report prepared by ADP dated 1 December 2025, but modified to include or show: a) Any changes as required by Condition 1 of this Permit. b) Provide evidence that the development has been registered with the Green Building Council of Australia for a 5 Star Green Star Buildings rating. c) Provide daylight modelling to demonstrate the development can achieve high levels of daylight to at least 40% of the regularly occupied areas for non-residential spaces and 60% of combined living and bedroom areas. d) Provide a preliminary report and results from the Upfront Emissions Calculator demonstrating how the development could achieve a 20% reduction in upfront emissions compared to a reference building. e) A signed NABERS Commitment Agreement for the Hotel to be provided with preliminary modelling to demonstrate the development can achieve a minimum 4.6 stars (Energy Estimate model rating progress metric, or energy modelling provided that demonstrates the hotel components energy use is at least 20% less than a reference building. P f) Provide the Green Star movement and place calculator indicating 3 points can be achieved by the development. g) Provide a consistent list of sustainable transport initiatives including bicycle parking (resident / employee and visitors) after trip facilities and EV charging provisions with reference to the location on the floor plans. h) Proposed rainwater tank details updated to be consistent with the architectural plans. i) Provide the 5-year maintenance agreement between the property owner and the supplier of the rainwater propriety device. The Responsible Authority in consultation with Melbourne City Council may consent in writing to vary any of these requirements. Once approved, the SMP will be endorsed and will	A condition to this effect to be include, noting that the applicant's request to remove the requirement for daylight modelling as achieving the 40% non-residential and 60% residential benchmarks listed is not mandatory, rather an options credit achievement targeted for points. Further, given the scale and context of the site, it might not be achievable. Applicant to confirm is NABERS for Hotel is viable.



form part of this permit. The performance outcomes specified in the SMP must be achieved in the completed development. The SMP must not be altered or amended without the written consent of the Responsible Authority and Melbourne City Council.	
Implementation of Sustainable Management Plan Report 13. Prior to the occupation of the development, a report from the author of the endorsed SMP, or similarly qualified persons or companies, outlining how the performance outcomes specified in the amended SMP have been implemented must be submitted to the Responsible Authority and Melbourne City Council. The report must be to the satisfaction of the Responsible Authority and Melbourne City Council and must confirm and provide sufficient evidence that all measures specified in the approved SMP have been implemented in accordance with the relevant approved plans. 14. Within 24 months of practical completion, evidence of a certified 5 Star Green Star Buildings rating should be provided to the satisfaction of the Responsible Authority and Melbourne City Council.	Conditions to this effect to be included.
Landscape Plan 15. Concurrent with the endorsement of plans pursuant to Condition 1, an amended Landscape Plan prepared by a suitably qualified landscape architect must be submitted and approved by the Responsible Authority in consultation with Melbourne City Council. The Landscape Plan must be generally in accordance with the Landscape Schematic Design prepared by TCL dated 21 March 2026 and must be updated to show: a) Any changes as required by Condition 1 of this permit. b) The removal and replacement of Dichondra repens on Level 10. c) Irrigation maps for planters. d) Adequate drainage to stormwater for all planters. e) Growing media volume and specifications. f) A detailed green infrastructure maintenance plan for establishment period and beyond the 52 week establishment period. This should include time frames for poorly performing vegetation. Once approved, the Landscape Plan will be endorsed and will form part of this permit.	A condition to this effect to be included.
Waste Management 16. Concurrent with the endorsement of plans under Condition 1, an amended WMP prepared by a suitably qualified person, must be approved and endorsed by Melbourne City Council – Waste and Recycling. The amended WMP must be generally in accordance with the WMP prepared by WSP dated 4 March 2026, but modified to include or show: a) Any changes as required by Condition 1 of this Permit. b) Confirmation the proposed 60L drop off bins for organics and glass in each chute room to be	A condition to this effect to be included.



provided by a private supplier. c) Confirmation that the charity bin will be provided by a private supplier. d) Updated swept path diagrams which show the clearance around the waste vehicles when they are in their collection location, noting that a minimum of 1 metre clearance is required on both sides of the vehicle for the occupants to safely enter and exit the vehicle. e) Updated swept path diagrams for the hook lift vehicle that show the vehicle aligning with each of the compactors. f) Updated swept path diagrams for the hook lift vehicle that confirm the vehicle body does not touch building infrastructure. g) Updated swept path diagrams for the MRV which confirm that the vehicle has a continuous 4 metre height clearance along its path of travel. Once approved, the WMP will be endorsed and will form part of this permit. At all times waste management and collection must be carried out in accordance with the requirements of the approved and endorsed WMP to the satisfaction of Melbourne City Council – Waste and Recycling. Waste storage and collection arrangements must not be altered without prior consent of Melbourne City Council – Waste and Recycling. 17. No garbage bin or waste materials generated by the development may be deposited or stored outside the site and bins must be returned to the garbage storage area as soon as practical after garbage collection, to the satisfaction of Melbourne City Council – Waste and Recycling.	
Traffic Engineering 18. Prior to the occupation of the development, the traffic signal infrastructure that is displaced by the new vehicle crossover is to be relocated, and protected bike lane reconstructed to the satisfaction of the Melbourne City Council and the Department of Transport and Planning at no cost to Melbourne City Council or the Department of Transport and Planning.	This condition is to be adopted.
Loading Management Plan 19. Prior to the commencement of the development, including demolition and site preparation works, a Loading Management Plan must be submitted to and approved by the Responsible Authority in consultation with Melbourne City Council. The Loading Management Plan must specify how the access / egress of loading vehicles is to be managed and ensuring that: a) The delivery needs of the uses within the development are accommodated. b) Any potential conflicts between vehicles and other users are satisfactorily addressed. c) There are no obstructions in the path of the vehicles (kerbs, walls, etc.) and appropriate height clearances are provided for all required vehicles / manoeuvres.	Condition to this effect to be adopted but submission can exclude demo/site prep etc. per applicant request.



d) A Loading Dock Manager, Building Manager or similar person is nominated, with the following responsibilities: i. Present on site when deliveries are undertaken. ii. Act as a spotter for any reversing movements into the loading bay. iii. Act as informal traffic controller to discourage pedestrian movements when vehicles reverse. iv. Ensure conflicts do not occur between loading / other vehicles. v. Ensure that space used for vehicle manoeuvring is kept clear of other vehicles / obstructions at all times. Once approved, the Loading Management Plan will be endorsed to form part of the permit.	
Road Safety Audit 20. Concurrent with the endorsement of plans under Condition 1, a formal and independent Road Safety Audit must be undertaken and approved by the Melbourne City Council. The Road Safety Audit must include an assessment of: a) Internal layout. b) Access arrangements. c) Loading arrangements. d) Pedestrian and bicycle access and movements within the site and in the public realm. e) Potential conflicts between vehicles / pedestrians / cyclists. f) Road safety issues associated with the vehicle access of the subject site, affecting all road users. The findings of the Audit must be incorporated into the design at the developer's expense to the satisfaction of Melbourne City Council.	This condition is to be adopted.
Noise 21. Concurrent with the endorsement of plans under Condition 1, the Acoustic Report prepared by ADP Consulting dated 27 November 2025 must be amended to reflect the changes as required by Condition 1 and must be submitted and approved by the Responsible Authority. When provided to the satisfaction of the Responsible Authority, the Acoustic Report will be endorsed to form part of this permit. 22. Prior to the occupation of the development, the provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority. The report must not be altered or amended without the written consent of the Responsible Authority.	These conditions are to be adopted.
Wind 23. Concurrent with the endorsement of plans under Condition 1, the Pedestrian Wind Assessment prepared by RWDI dated 4 March 2025 must be amended to reflect the amended plans required by Condition 1, include wind tunnel testing zones at	A condition to this effect to be included, only if it is necessary to reflect changes as a result of Condition 1 (ie. pedestrian laneway height increases etc.) as the updated Wind Report dated 29 April 2026 has addressed the other requirements of this condition.



building entrances and publicly accessible spaces, and must be submitted and approved by the Responsible Authority. When provided to the satisfaction of the Responsible Authority, the report will be endorsed to form part of this permit. The recommendations of the report must be implemented at no cost to the Responsible Authority and must not include reliance on street trees. 24. Prior to the occupation of the development, the provisions, recommendations and requirements of the endorsed Environmental Wind Conditions Study report must be implemented and complied with to the satisfaction of the Responsible Authority. The report must not be altered or amended without the written consent of the Responsible Authority.	
3D Model 25. Prior to the occupation of the development, or as otherwise agreed with the Responsible Authority, a 3D digital model of the development must be submitted to and must be to the satisfaction of the Responsible Authority and the Melbourne City Council. In the event that substantial modifications are made to the building envelope and design, a revised 3D digital model must be submitted to and be to the satisfaction of the Responsible Authority, before these modifications are approved.	A condition to this effect to be included.
Legal Agreement – Publicly Accessible Areas 26. Prior to the occupation of the development, the owner of the land must enter into an agreement with Melbourne City Council pursuant to Section 173 of the Planning and Environment Act 1987 and have it recorded on title. The agreement must provide the following: a) Provide access to all publicly accessible areas 24 hours a day, 7 days a week, unless otherwise agreed in writing by Melbourne City Council. b) The owner must, at its cost, maintain the area in accordance with any endorsed Landscape Plan to the satisfaction of the Melbourne City Council. The owner of the land must pay all of Melbourne City Council's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.	A condition to this effect to be included.
Legal Agreement – Public Benefits 27. Prior to the commencement of the development, including demolition bulk excavation and site preparation works, or as may otherwise be agreed with the Responsible Authority, the owner of the land must enter into an agreement with the Responsible Authority and the Melbourne City Council pursuant to Section 173 of the Planning and Environment Act 1987. This agreement must provide for public benefits which are commensurate to the Floor Area Uplift above 18:1	Condition to be adopted but amended to specifically require the public benefits to be provided both on the site and for contribution to public realm upgrades. See discussion above for further details.



and must address the key outstanding matters outlined at Section 10.1 of this report, including the redirection of benefits toward the upgrade and revitalisation of Queensbridge Square, be strategically justified, appropriately valued and calculated, and supported by the proposed receiving agency to the satisfaction of the Responsible Authority, Melbourne City Council and any other receiving agency. The agreement must include covenants that run with the land to secure the delivery, timing and ongoing operation of the public benefits, and must make provision for the amendment or removal of the agreement once the obligations have been satisfied, where appropriate. The owner must pay all of the Responsible Authority's and the Melbourne City Council's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.	
Queensbridge Square Public Realm and Landscaping Co-design 28. Within three (3) months of the commencement of the development, or as otherwise agreed by the Responsible Authority, a scaled and dimensioned detailed landscape and public realm plan prepared by a suitably qualified landscape architect must be submitted to and approved by Melbourne City Council. The plan must be prepared and designed in consultation with Melbourne City Council and include a schedule of all soft and hard landscaping materials and treatments, including street trees, automatic irrigation, planting schedules, and urban design elements such as (but not limited to) paving, lighting, seating and public art. The plan must also clearly delineate public realm and private spaces and detail arrangements for pedestrian, bicycle and vehicular circulation throughout the development. The landscape and public realm plan must demonstrate how the proposal responds to water-sensitive urban design principles, including how stormwater will be mitigated, captured, treated and stored for on-site irrigation purposes where appropriate. Council's adopted technical notes, guidelines and standards must form the basis for the design and delivery of all public realm works. All approved works are to be delivered to the satisfaction of Melbourne City Council.	Condition to be adopted but greater time (6 months) provided following commencement for public realm plan to be submitted.
Land Survey 29. Prior to the commencement of the development, including demolition and site preparation works, or as otherwise agreed to by the Responsible Authority in consultation with the City of Melbourne, the owner must provide evidence to the Responsible Authority that any required easements for the approved built form have been created, to the satisfaction of the City of Melbourne. 30. Prior to the commencement of the development, including demolition and site preparation works, the	Conditions to this effect to be adopted, but submission can exclude demo/site prep etc. per applicant request.



owner must provide evidence to the Responsible Authority that the land benefits from a light and air right (or similar) to protect the windows which are proposed to be constructed on the boundary. 31. Prior to the commencement of the development, including demolition and site preparation works, all the land for the proposed development must be owned by the one entity and consolidated onto the one certificate of title to the satisfaction of the Responsible Authority. 32. Prior to occupation of the development, the pedestrian link must be named in accordance with the <i>Geographic Place Names Act 1998</i> to provide appropriate street addressing for the retail tenancies. Any proposed road name must comply with the Naming rules for places in Victoria 2022 - Statutory requirements for naming roads, features and localities (the naming rules), and the <i>Geographic Place Names Act 1998</i>.	
Construction Management 33. Prior to the commencement of the development, including demolition and site preparation works, a detailed demolition and construction management plan must be submitted to and be approved by the Melbourne City Council – Site Services. This demolition and construction management plan must be prepared in accordance with the City of Melbourne’s Code of Practice for Building, Construction and Works and is to address 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.	Condition to be adopted, subject to ‘excluding’ demolition.
Contamination 34. Prior to the commencement of the development, including demolition or preliminary site works, a Preliminary Risk Screen Assessment (PRSA) of the subject land must be conducted by a suitably qualified environmental auditor. The PRSA statement and report must be submitted to the responsible authority in accordance with section 205 of the <i>Environment Protection Act 2017</i> and respond to the matters contained in Part 8.3, Division 2 of the <i>Environment Protection Act 2017</i> to the satisfaction of the responsible authority. 35. If the PRSA requires an Environmental Audit be undertaken or if an Environmental Audit is otherwise undertaken, then prior to the development starting, not including any development that is required to undertake the Environmental Audit, an Environmental Audit of the site must be carried out by a suitably qualified environmental auditor. On completion of the Environmental Audit, an Environmental Audit Statement (EAS) and report must be submitted to the	Conditions to this effect to be adopted.



responsible authority in accordance with section 210 of the <i>Environment Protection Act 2017</i> responding to the matters contained in Part 8.3, Division 3 of the <i>Environment Protection Act 2017</i> to the satisfaction of the responsible authority. The EAS must either: a) State the subject land is suitable for the use and development allowed by this permit. b) State the subject land is suitable for the use and development allowed by this permit if the recommendations contained within the EAS are complied with. 36. Prior to the occupation of the development, all the recommendations of the EAS must be complied with to the satisfaction of the responsible authority for the full duration of any buildings and works on the land in accordance with the development hereby approved, and written confirmation of compliance must be provided to the responsible authority by a suitably qualified environmental auditor in accordance with any requirements in the EAS. 37. Prior to the occupation of the development, if any of the conditions of the EAS require significant ongoing maintenance and/or monitoring, to the satisfaction of the responsible authority, the owner of the land must enter into an agreement with the Melbourne City Council under section 173 of the <i>Planning and Environment Act 1987</i>. The agreement must be to the effect that all conditions of the EAS issued in respect of the land will be complied with. The owner of the land must pay all of the Melbourne City Council's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.	
City Infrastructure <i>Relocation of overhead cables along Queens Bridge Street frontage below ground</i> 38. Overhead cables along the Queens Bridge Street frontage are to be relocated underground in consultation with the relevant service authority at no cost to Melbourne City Council or the Responsible Authority. <i>Drainage of projections</i> 39. All projections over the street alignment must be drained to a legal point of discharge in accordance with plans and specifications first approved by the Responsible Authority – City Infrastructure. <i>Drainage system upgrade</i> 40. Prior to the commencement of the development, a stormwater drainage system, incorporating integrated water management design principles, must be submitted to and approved by the Responsible Authority – City Infrastructure. This system must be constructed prior to the occupation of the development and provision made to connect this system to the City of Melbourne's underground stormwater drainage system. Where necessary, the City of Melbourne's drainage network must be upgraded to accept the	Conditions to this effect to be adopted, subject to the change to the satisfaction of the council, rather than the Responsible Authority.



discharge from the site in accordance with plans and specifications first approved by the Responsible Authority – City Infrastructure.

Groundwater management

41. All groundwater and water that seeps from the ground adjoining the building basement (seepage water) and any overflow from a reuse system which collects groundwater or seepage water must not be discharged to the Council's drainage network. All contaminated water must be treated via a suitable treatment system and fully reused on site or discharged into a sewerage network under a relevant trade waste agreement with the responsible service authority.

Demolish and construct access

42. Prior to the commencement of the use/occupation of the development, all necessary vehicle crossings must be constructed, and all unnecessary vehicle crossings must be demolished and the footpath, kerb and channel reconstructed, in accordance with plans and specifications first approved by the Responsible Authority – City Infrastructure.

Roads

43. All portions of roads affected by the building related activities of the subject land must be reconstructed together with associated works including the reconstruction or relocation of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by the Responsible Authority – City Infrastructure.

Sawn bluestone footpaths

44. The footpath adjoining the site along Queens Bridge Street must be reconstructed in sawn bluestone together with associated works including the renewal of kerb and channel, provision of street furniture and modification of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by the Responsible Authority – City Infrastructure.

Street levels not to be altered

45. Existing street levels in roads adjoining the site must not be altered for the purpose of constructing new vehicle crossings or pedestrian entrances without first obtaining approval from the Responsible Authority – City Infrastructure.

Existing street lighting not altered without approval

46. All street lighting assets temporarily removed or altered to facilitate construction works shall be reinstated once the need for removal or alteration has been ceased. Existing public street lighting must not be altered without first obtaining the written approval of the Responsible Authority – City Infrastructure.

Existing street furniture

47. Existing street furniture must not be removed or relocated without first obtaining the written approval of the Responsible Authority – City Infrastructure.



<i>Public lighting</i> 48. Prior to the commencement of the development, excluding preliminary site works, demolition and any clean up works, or as may otherwise be agreed with the City of Melbourne, a lighting plan must be prepared to the satisfaction of Council. The lighting plan should be generally consistent with Council's Lighting Strategy, and include the provision of public lighting in Queens Bridge Street adjacent the subject land. The lighting works must be undertaken prior to the commencement of the use/occupation of the development, in accordance with plans and specifications first approved by the Responsible Authority – City Infrastructure.	
Building appurtenances and services 49. No architectural features, plant and equipment or services other than those shown on the endorsed plans are permitted above roof level, unless with the prior written consent of the Responsible Authority and Melbourne City Council or as otherwise exempt under the Melbourne Planning Scheme.	Condition to this effect to be adopted.
No reticulated gas connection 50. Any new dwellings allowed by this permit must not be connected to a reticulated gas service (within the meaning of Clause 53.03 of the Melbourne Planning Scheme). This condition continues to have force and effect after the development authorised by this permit has been completed.	Condition to this effect to be adopted.
Development time limit 51. This permit will expire if one or more of the following circumstances apply: a) The development is not started within 3 years of the date of this permit. b) The development is not completed within 5 years of the date of this permit. The Responsible Authority may extend the permit if a request is made in writing before the permit expires, or within 6 months afterwards. The Responsible Authority may extend the time for completion of the permit if a request is made in writing within 12 months after the permit expires and the development started lawfully before the permit expired.	Conditions to this effect to be adopted, subject to the change to the timing, noting that the applicant has requested 5 and 7 years given the scale of the development.