Planning Permit Officer Report

PA2503894: 636 St Kilda Road, Melbourne

Planning Permit Officer Report
Development Assessment

VICTORIA State Government | Department of Transport and Planning

Executive Summary

Key Information	Details
Application No.:	PA2503894
Received:	04 September 2025
Applicant:	Dexus Life Nominees Pty Limited
Architects:	Bates Smart
Planning Scheme:	Port Phillip
Land Address:	636 St Kilda Road, Melbourne, South Melbourne
Total Site Area:	4,533sqm
Proposal:	Use and development of a 27-storey residential building comprising 402 apartment-style dwellings above a four-level basement, reduction in car parking and alteration of access to road in TRZ2.
Development Value:	$320M
Gross Floor Area:	68,891sqm (total)
Floor Area Ratio	1: 15
Built form:	27 levels or 90.2 metres (excluding roof services)
Tower Setbacks:	North: 4.5m East: 13.7m South: 6.0m West: 5.0m
Dwellings:	402 (committing to provide 10% affordable housing or equivalent cash contribution) Studios 40 (or 10%), 1BDR 87 (or 22%), 2BDR 203 (or 50%), 3BDR 72 (or 18%)
Parking:	449 Car parks, 122 Bicycles
Zone:	Commercial 1 Zone – (C1Z)
Overlays:	Design and Development Overlay – Schedule 14 (DDO13) Design and Development Overlay – Schedule 26 (DDO26-5B)
Why is a permit required?	A permit is required under the following provisions: • Clause 34.01-1: to use the land as a dwelling with a frontage at ground floor level exceeding 2 metres in the Commercial 1 Zone • Clause 34.01-4: to construct a building or construct or carry out works in the Commercial 1 Zone • Clause 43.02-2: to construct a building or construct or carry out works in the Design and Development Overlay. • Clause 52.06 - to reduce, including to zero, the number of car parking spaces required under Cl 52.06-5. • Clause 52.29 - alteration of access to road in TRZ2
Referral authorities/ Notice:	Port Phillip City Council (informal referral) Transport for Victoria/DTP (formal Section 55, determining referral authority) Bunurong Land Council Aboriginal Corporation (informal - for advice)
Public Notification:	Clause 53.23-5 - An application under any provision of this planning scheme is exempt from the decision requirements of sections 64(1), (2) and (3), and the review rights of sections 82(1) of the Act.
Responsible Authority:	The Minister for Planning is the Responsible Authority for applications lodged under Clause 53.23 Significant Residential Development with Affordable Housing of the Port Phillip Planning Scheme.
Delegates List:	12 February 2026
Recommendation:	Approved subject to conditions discussed in the report and included in Form 4 (permit)

Subject site

1. The subject site, somewhat triangular in shape, is located on the north-western corner of the St Kilda Road/Queens Road intersection, Melbourne. It has a primary frontage to St Kilda Road (85m), Queens Road (81m) and Queens Lane (40m) and a site area of approximately 4,533 square metres (see Figure 1).

Figure 1: Subject site 636 St Kilda Road, Melbourne (source Vic Plan)

2. The site is formally contained within four Certificates of Title, now consolidated and known as Land in Plan of Consolidation 359608T. The title is encumbered by Caveat, created by instrument AB554552M in 2002 and safeguards an area within the site for a substation, associated cables and carriageway between Citipower and Centrovincial Estates Pty Ltd, for a period of 30 years (see Figure 2). This lease expires in 2032.

3. Department of Transport and Planning (DTP) Legal Team have confirmed that the existence of a caveat on its own does not operate to prevent planning or development approvals. A caveat is a statutory notice on title that operates to prevent the Registrar of Titles from registering dealings with the land that would be incompatible with the caveator's interest. The caveat is a matter of private property rights between Citipower (caveator) and Dexus Life Nominees Pty Ltd (landowner) and any developer.

4. TP PC359608T also shows an encumbrance 'A-1' associated with a carriageway easement, located approximately 21 metres from the north-western site corner (outside the title boundary) that benefits the site (see Figure 3).

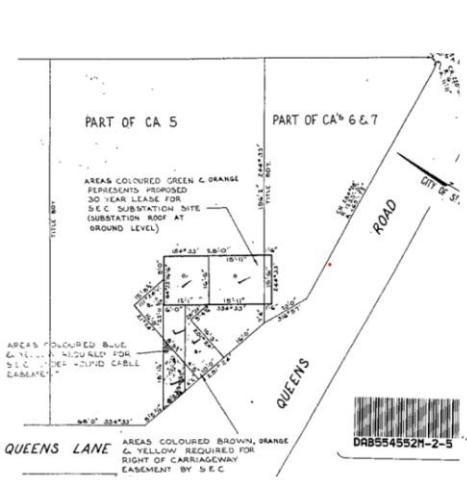


Figure 2: Caveat for a substation

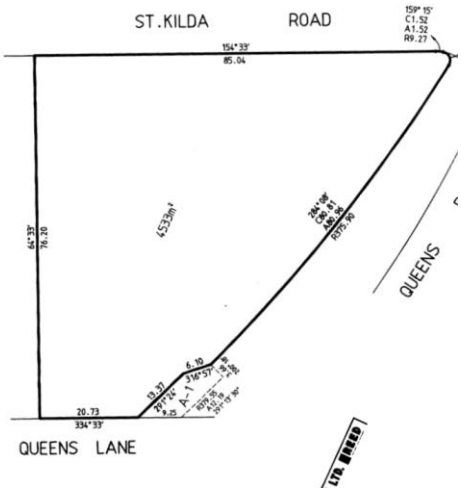
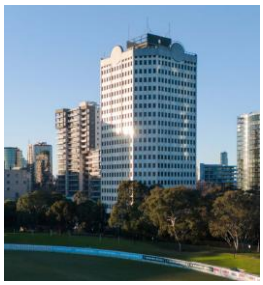


Figure 3: Carriageway easement outside the title boundary

5. The site currently accommodates a single 20 storey tower located at the centre of the site. The existing development, commonly known as the former 'Cadbury building', was erected on site in 1974 and is currently used as an office use. The building is setback 23m from St Kilda Road, 6m from the northern boundary, approximately 16 metres from the western boundary and less than 4.5 metres to the Queens Road boundary. The site is currently accessed via two vehicle crossovers, one each from St Kilda Road and Queens Lane (see figures below).



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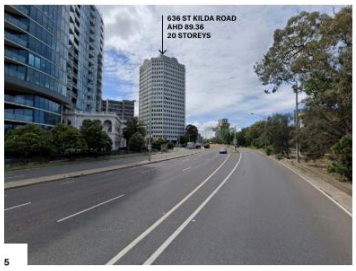

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Figures above - subject site with existing building from various vantage points (source: Urban Context Report)

Site Surrounds

6. St Kilda Road abuts the site to the east. St Kilda Road is a major arterial consisting of six traffic lanes, a tram reserve and parallel parking to either side of the street at this point.

7. To the eastern side of St Kilda Road opposite the subject site are several properties with primary frontages to St Kilda Road and varied built form scale, including:

   - 635 St Kilda Road, Melbourne, which is developed with a 20 storey residential building comprising approximately 65 apartments and setback approximately 12 metres from the street frontage.
   - 645, 647 and 649 St Kilda Road, Melbourne include double storey Victorian dwellings and are subject to the Heritage Overlay (HO257).

Figure 4: 635 St Kilda Road, Melbourne

Figure 5: 645, 647 and 649 St Kilda Road, Melbourne

8. To the north, the site abuts 632 St Kilda Road, Melbourne. This site is developed with a twin-tower residential building constructed in 1998 known as 'The Boulevard'. The northern tower comprises 19 levels and the southern

tower comprises 13 levels, accommodating a total 154 apartments with 189 car spaces within basement level car parking.

9. Abutting the site to the west is Queens Lane which provides a single lane of traffic in each direction on a north-south access. Queens Lane is surrounded by commercial and residential developments with varying built form in terms of scale and height.

10. Fronting Queens Lane to the north-west of the site, at 83 Queens Road, is a 19-storey residential building comprising approximately 150 apartments and 'The Mansion', a two-storey rendered brick Victorian Mansion that was constructed in 1887 and is subject to the Heritage Overlay (HO328).

11. To the immediate south is Queens Road, a six-lane arterial road. Further south-west is Albert Park or the St Kilda Cricket Ground (Junction Oval).

Figure 6: 632 St Kilda Road, Melbourne

Figure 7: 83 Queens Road, Melbourne

Figure 8: The Mansion (83 Queens Road)

12. Land abutting the subject site to the north, east and south are zoned Commercial 1 Zone, as the subject site. Land to the west of the site is zoned Public Park and Recreation Zone (St Kilda Cricket Ground (Junction Oval)).

Figure 9: Zoning of the land surrounding the subject site

Proposal

Proposal:	Use and development of a 27-storey residential building comprising 402 apartment-style dwellings above a four-level basement, reduction in car parking and alteration of access to road in TRZ2.
Gross Floor Area:	68,891sqm (total) 51,751sqm (excluding four levels of basement)
Floor Area Ratio	1:15 (incl basement) or 1: 11.42 (excluding basement)
Built form:	27 levels or 90.2 metres (excluding roof services)
Building Setbacks:	North: 4.5m East: 13.7m South: 6.0m West: 5.0m
Dwellings:	402 Studios 40 (or 10%), 1BDR 87 (or 22%), 2BDR 203 (or 50%), 3BDR 72 (or 18%)
Affordable housing	Provision of 10% affordable housing or equivalent cash contribution as required under Clause 53.23 Significant Residential Development with Affordable Housing of the Port Phillip Planning Scheme The proponent has opted to provide either: • A cash contribution equivalent to 3% of the development cost, which, based on the development cost of $320 million, the contribution is estimated at $9.6 million to the Social Housing Growth Fund (SHGF) (payment to be made to the Department of Treasury (DTF) and Finance accounts receivable prior to occupation). • A 10% allocation of affordable housing within the building, sold to a community housing provider at a 30% discount. A 10% allocation to affordable housing would provide an estimated $11.7 million contribution to the community* * (for the purposes of this assessment, the average market value for the affordable housing dwellings is assumed to be equivalent to approximately $967,00, based on the price of a 2Bed 2Bath apartment at other new developments along St Kilda Road).
Parking (shared):	449 Car parks, 122 Bicycles
Others:	• Communal residential facilities are proposed at the ground floor, Level 1 and Level 21. • Existing vehicle crossover from St Kilda Road removed and one new crossover proposed further south, closer to the intersection with the off-ramp to Queens Road. Existing vehicle crossovers from Queens Lane removed and one new widened crossover proposed further north. Both crossovers join a two-way vehicle access with a port cochere to the south of the building and also connects to the basement car park.

Architectural visuals of the proposal (source – Urban Context report)

Figure 10: St Kilda Road arrival – SE approach

Figure 11: St Kilda Rd elevation – NE approach

Figure 12: Queens Lane Elevation - NE approach

Figure 13: View from south of Princess Highway

Figure 14: St Kilda Rd – southern approach

Figure 15: View from St Kilda Rd

Figure 16: Porte Cochere

Figure 17: Queens Lane approach

Planning Policies and Controls

Planning Policy

13. The planning principles set out under the Planning Policy Framework (PPF) are to be used to guide decision making on planning proposals across the state. The following policies are considered relevant to this application.

Municipal Planning Strategy

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

Clause	Description
02.03-1	Settlement
02.03-4	Built Environment and Heritage
02.03-5	Housing
02.03-7	Transport
02.03-8	Infrastructure
02.03-9	Open Space

Planning Policy Framework

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

Clause 11	Settlement
Clause 11.01-1S	Settlement
Clause 11.01-1R	Settlement – Metropolitan Melbourne
Clause 11.03-1R	Activity Centres
Clause 11.03-1L-01	Activity Centres
Clause 11.03-6L-02	St Kilda Road North Precinct
Clause 15	**Built Environment and Heritage**
Clause 15.01	Built Environment
Clause 15.01-1S	Urban Design
Clause 15.01-1R	Urban Design – Metropolitan Melbourne
Clause 15.01-1L-02	Urban Design
Clause 15.01-2S	Building Design
Clause 15.01-2L-01	Building Design
Clause 15.01-2L-02	Environmentally Sustainable Development
Clause 15.01-2L-03	Urban Art
Clause 15.01-4S	Healthy Neighbourhoods
Clause 15.01-4R	Healthy Neighbourhoods – Metropolitan Melbourne
Clause 15.01-5S	Neighbourhood Character
Clause 15.01-5L	Neighbourhood Character
Clause 16	**Housing**
Clause 16.01	Residential Development

Clause 16.01-1S	Housing Supply
Clause 16.01-1R	Housing Supply - Metropolitan Melbourne
Clause 16.01-1L-01	Housing Diversity
Clause 16.01-1L-02	Location Of Residential Development
Clause 16.01-2S	Housing Affordability
Clause 16.01-2L	Affordable Housing
Clause 18	**Transport**
Clause 18.01-1S	Land Use and Transport Integration
Clause 18.01-1L	Land Use and Transport Integration
Clause 18.01-3S	Sustainable And Safe Transport
Clause 18.01-3R	Sustainable And Safe Transport – Metropolitan Melbourne
Clause 18.01-3L-01	Sustainable And Safe Transport in City of Port Phillip
Clause 18.02	Movement Networks
Clause 18.02-1S	Walking
Clause 18.02-3S	Public Transport
Clause 18.02-3L-01	Public Transport
Clause 18.02-4L-01	Car Parking
Clause 18.02-4L-02	Loading Facilities
Clause 19	**Infrastructure**
Clause 19.03-3S	Integrated Water Management
Clause 19.03-3L	Stormwater Management (Water Sensitive Urban Design)

Statutory planning controls

Significant Residential Development with Affordable Housing (Clause 53.23)

16. This proposal has been submitted under the Clause 53.23 pathway of the Port Phillip Planning Scheme.

17. An application can be submitted under this pathway if the estimated cost of the development of land for accommodation (other than camping and caravan park, group accommodation and residential hotel) as specified in the quantity surveyor report required under clause 53.23-3 is at least $50 million, is located in metropolitan Melbourne and provides at least 10% of the total number of dwellings in the development as affordable housing, or alternatively, via an alternative mechanism for the provision of affordable housing specified in the agreement under section 173 of the Act referred to in clause 53.23-4.

Zone and Overlay provisions

18. A planning permit is triggered for the proposal pursuant to:

Commercial Zone – Schedule 1

- Pursuant to Clause 34.01-1: A permit is required to use the land as a dwelling with a frontage at ground floor level exceeding 2 metres in the Commercial 1 Zone.
- Pursuant to Clause 34.01-4: A permit is required to construct a building or construct or carry out works in the Commercial 1 Zone

Design and Development Overlay – Schedule 13 (Shrine Vista)

- Pursuant to Clause 43.02-2 a permit is required to construct a building or construct or carry out works.

Design and Development Overlay – Schedule 26 5B (St Kilda Road North Precinct)

- Pursuant to Clause 43.02-2 a permit is required to construct a building or construct or carry out works.

Other applicable particular provisions

Car Parking (Clause 52.06)

- Pursuant to Clause 52.06-3, a permit is required to reduce, including to zero, the number of car parking spaces required under Clause 52.06-5.

Land Adjacent to the Principal Road Network (Clause 52.29)

- Pursuant to Clause 52.29-2 a planning permit is required to create or alter access to a road in a Transport Zone 2.

Bicycle Parking (Clause 52.34)

- Pursuant to Clause 52.34-2 a permit may be granted to vary, reduce or waive the bicycle requirements.

Residential Reticulated Gas Service Connection (Clause 53.03)

- Pursuant to Clause 53.03-2, 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.

Stormwater Management in Urban Development (Clause 53.18)

- This clause ensures that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.

Significant Residential Development with Affordable Housing (Clause 53.23)

- This application qualifies for and is submitted under this pathway, as it is in line with the Victorian Housing Statement to provide more dwellings for Victorians, as the estimated cost of the development of land for accommodation is at least $50 million and is located in metropolitan Melbourne.

Referrals

19. The application was referred to the following authorities. Their comments are as follows:

Authority	Referral/Notice	Position
Port Phillip City Council	S52 Notice	Conditional support
Transport for Victoria	S55 (Determining RA)	Conditional support
DTP Urban Design	Internal comments	Conditional support
DTP 3D Team	Internal comments	No objections
Bunurong Land Council Aboriginal Corporation	Advice	No response
Trustees – Shrine of Remembrance	S52	

Referral Authority comments	Planning officer comments
Port Phillip City Council (CoPP)	
CoPP provided draft condition to be included in any approval that may issue and raised the following issues: • No information has been provided indicating liaison with the Shrine of Remembrance Trustees or confirmation of height via a licensed surveyor. • Discrepancies in the landscape plans – landscaping and trees incorrectly shown. • Sustainability - The proposal returns a mediocre BESS result and has the potential to achieve far higher scores. Inconsistency between documentation and plans. • Access width, pedestrian access and sightlines, car parking dimensions, access to site arrangements, provision of traffic signage, traffic concerns at Union Street and Queens Lane intersection. • Do not support the proposal in its current form as it does not achieve urban design and architectural excellence required by DDO26 in terms of: o Insufficient canopy cover at ground plane. o Restricted/unsafe pedestrian movement at ground plane. o Overall urban design quality, including landscape character and pedestrian safety and amenity comprised by expansive area of hardstand areas associated with vehicular paths. o Bulk of the tower – causes increased overshadowing of Albert Park Reserve, including the Junction Oval o and the living Ngargee Tree, unarticulated tower bulk (which appears to be larger than any comparable building mass in the precinct) and poor internal residential amenity (the building floor plates are very deep – particularly on the St Kilda Road wing and internal corner, resulting in a high proportion of poor-quality apartment layouts. • Non – compliances with the following Clause 58 objectives o Clause 58.03-6 Access objective – vehicle crossovers have not been minimised but increased. o Clause 58.05-1 Accessibility objective o Clause 58.05-4 Storage o Clause 58.07-1 Functional layout objective (for studio apartments) o Clause 58.07-3 Window objective for dwelling types 2.2, 2.7, 2.10, 2.11, 2.14 (20% of the apartments) • The Waste management Plan should be revised to include provision for e-waste and charity bins. • It is unclear whether the recommendations from the Acoustic Services Report and the Wind Report have been implemented in the architectural plans. CoPP have provided a suite of conditions to be included if the Minister decides to issue as approval for this development	• A report by Veris has since been submitted confirming the proposed Building Model provided by the applicant complies with the Shrine Vista Controls. • Landscape plans, sustainability, access concerns will be addressed as conditions on any approval. • Conditions on the façade strategy will require further resolution of the design. • As demonstrated by the table contained within the appendix of this report, this is a BADS compliant proposal. • Waste Management concerns will be addressed as conditions on any approval. • Incorporation of recommendations within the Acoustic Services Report and the Wind Report Waste will be addressed as conditions on any approval.
Transport for Victoria	
Head, Transport for Victoria expressed no objections to the proposal and offered the following conditions to be included in any approval that may issue: 1. Unless otherwise approved in writing from the Head, Transport for Victoria, prior to commencement of the development amended plans must be submitted to and approved by the Head, Transport for Victoria. When approved by the Head, Transport for Victoria, the plans must be endorsed by the	• The conditions provided by TfV will be included as conditions on any approval.

Responsible Authority and will then form part of the permit. The plans must be generally in accordance with the plans submitted but modified to show:

a) the relocated crossing on St Kilda Road with the protected bike lanes, line marking, green bike lane treatment and all associated works as required.

2. Unless otherwise agreed in writing with the Head, Transport for Victoria, prior to the occupation of the development, the crossings and associated works shown on the endorsed plans must be completed to the satisfaction and at no cost to the Head, Transport for Victoria.
3. All disused or redundant crossings along St Kilda Road must be removed and the area reinstated to kerb, channel and footpath to the satisfaction of and at no cost to the Head, Transport for Victoria prior to the occupation of the buildings hereby approved.

Permit Note:

Separate consent for works within the road reserve and the specifications of these works is required under the Road Management Act 2004. The proposed development requires construction of new crossover to St Kilda Road. Please contact the Department of Transport prior to commencing any works on email MetroExternalProjectsDevelopment@roads.vic.gov.au

OVGA/Urban Design

The proposal was referred to the Office of the Victorian Government Architect (OVGA) during the Development Facilitation (DF) phase. They provided the following comments:

- The OVGA acknowledged that the site is a key gateway location and that the design should be exemplary.
- Concerns were raised regarding the location of the porte cochère; however, DTP officers are comfortable with the proposed location.
- Back-of-house servicing along Queens Lane was identified as problematic. This issue has since been addressed through a significant reduction in servicing requirements.
- Pedestrian and bicycle access should be clearly separated from primary vehicle movements.
- Additional bicycle parking was requested.
- The proposal was considered overly vehicle-focused, with street frontages and ground-level interfaces requiring further refinement and resolution.
- OVGA queried whether the design adequately responds to the heritage significance and historical character of the site.
- While there was general support for the V-shaped plan form, further refinement was requested to better resolve issues of bulk and mass, including consideration of whether reductions in height, bulk, and mass may be required.
- The architectural language was considered to require further refinement. DTP officers concurred and have been working collaboratively to address this.
- Landscaping was considered insufficiently resolved. A landscape-led design response was requested, including a substantial increase in deep soil planting and a reduction in hard paving.
- OVGA recommended a design workshop to further develop the proposal; however, this was not taken up by the proponent. It

The submitted package to Development Assessment either incorporated design changes required by OVGA or provided a counter argument to why the changes could not be implemented. DTP's Urban Design Team provided further conditions that have been incorporated as conditions in any approval.

It is noted that OVGA's comments have predominantly been positive for this proposal.

was suggested that streamlined workshops led by DTP Urbans Design Team would suffice.

Overall, the DTP Urban Design Team was generally supportive of the proposal, subject to further design development. They indicated that the location of the porte cochère and the overall height and massing are likely to be supportable, provided the architectural language and design resolution are further refined.

DTP Urban Design Team provide:

- The massing appears logically arranged, with the tallest element located at the prominent St Kilda Road and Queens Lane intersection—furthest from the playing fields and consistent with distributing the emerging built form along St Kilda Road.
- the terracing approach to this massing appropriate in this instance as it seeks to mitigate overshadowing impacts on both Queens Road and the oval.

Façade & Articulation Strategy

- The vertical expression is great- it moves away from the podium tower which ubiquitous in schemes that we see at the moment
- rely too heavily on a glazed façade treatment.
- Idea to a 'collection of forms' is appreciated
- The façade varied depending on which perspective or vantage point you were observing the building. And the solidity was seen more strongly in a vertical rhythm – opposed to a base and tower.
- the curvature for the building speaks strongly to the fluidity.
- emanate more of that vertical solidity back into the façade
- Explore diversifying matt spandrel and mullion widths further

Other Considerations

- Ensure the ground floor has a strong sense of arrival and a clear gateway presence along the St Kilda Road interface.
- Be conscious of the treatment of that corner interface between Queens Rd/Queens Lane, its car dominant here, seek to ensure its not a hostile outcome and also the traffic crossing between porte cochere and basement entry.
- Explore whether some of the pool services can be located within the basement to reduce the impact
- Ensure BADS compliance
  - There are some snorkel configurations
  - balcony sizes proportionate to unit offering
- seek to reduce and show a pedestrianised materiality and provide a strong landscaping-led treatment

DTP 3D Team	A satisfactory 3D model was submitted as part of the application. Shadows were checked and it was confirmed that the proposal complied with the Shrine Controls.

Public Notification

20. This application is lodged under Clause 53.23 pathway. Pursuant to Clause 53.23-5, an application under any provision of this planning scheme is exempt from the decision requirements of sections 64(1), (2) and (3), and the review rights of sections 82(1) of the Act.

21. The applicant was required to notify the adjoining owners and occupiers of the development by way of display of signs on the land and by postal mail or email.

22. The submitted Statutory Declaration declares that the notice was posted on the land on 19 November 2025 and maintained in good order for 14 days. The Statutory Declaration was signed and returned to the Department on 8 January 2026.

23. Notice to The Shrine of Remembrance Trustees is required under this provision as the site is in Sub-precinct 5 - St Kilda Road South of Kings Way and the height of the building is greater than 60m.

Submissions

24. DTP received a total of 22 submissions following the notification of the proposal. The submissions have been raised the following:

Traffic and Access Impacts

- Queens Lane and surrounding streets are narrow and cannot accommodate the additional 449 vehicles, service trucks, and construction traffic.
- The proposal will create congestion, safety hazards, impeded emergency access, and reduced residential amenity.
- Cumulative impacts of multiple nearby developments, increased congestion around St Kilda Junction, and reduced road capacity, placing an unreasonable burden on local infrastructure and residents.

Construction disruption

- Prolonged construction activity would result in noise, dust, heavy vehicle congestion, after-hours works, and safety risks, particularly due to inadequate construction traffic management planning.
- Need clarification whether construction trucks will be allowed to use Queens Lane or restricted to St Kilda Road.
- Residents' safe entry and exit by car and on foot must be ensured throughout the construction period.

Asbestos and Demolition

- The 1974 building contains unlabelled asbestos. The application relies on a five-year-old visual audit (RiskTech 2020) rather than a current destructive Hazardous Materials Audit. Total demolition without such a report creates an unacceptable health risk to neighbouring residents.

Excessive Height and Visual Bulk

- At 90m, the tower dwarfs surrounding buildings, exceeding discretionary height limits by ~50%, disrupting the streetscape and boulevard character, unsuitable scale, affects skyline.
- Height is not justified by planning controls (DDO26) or emerging local context or heritage setting.
- The building footprint is excessively long compared to other St Kilda Road towers.
- The proposal does not comply with the 11m podium height or 6m landscape strip requirements outlined in the St Kilda Road North Precinct Framework Plan
- Contrasts with the symmetrical, 20–21 storey buildings along the boulevard, disrupting the streetscape.
- Width of tower (68m) far exceeds recommended maximum (35m), increasing visual bulk.
- Overshadowing, loss of daylight, and loss of views to St Kilda Esplanade, Fitzroy Street, Junction Oval, and Port Phillip Bay will occur.

Amenity, Community, and Social Concerns

- Minimal setbacks (4.5 m) and sheer walls create privacy intrusion, a "canyon effect," and amplified noise.
- Noise, glare, wind impacts, overlooking and proximity of balconies and pool areas reduce neighbouring residential amenity.
- Design violates the equitable development principles
- Poor community integration - high-density, self-contained design risks functioning as an isolated enclave, undermining social cohesion.
- Omission of visitor parking exacerbates parking stress in the area.
- The mix of small apartments may facilitate short-term rentals, increasing anti-social behaviour risks.
- Impact of neighbouring 632 St Kilda Road - will create a 27m high southern wall along most of the boundary with 632 St Kilda Road, resulting in loss of views, visual bulk, and reduced access to natural light for apartments, private and communal open spaces, causing unreasonable detriment.

Sustainability Issues

- Demolition wastes embodied energy, increases carbon emissions, and generates substantial construction waste.
- Retrofitting the existing building could achieve similar sustainability outcomes.
- Basement footprint limits deep soil planting, reducing canopy tree growth and local greenery.

Environmental Issues

- Dust, noise, and vibrations from construction threaten resident health, particularly those with respiratory conditions.

Heritage and Cultural Concerns

- The building casts significant shadow on the Ngargee (Corroboree) Tree, a State-significant Aboriginal cultural asset, threatening its health and Indigenous heritage connections.
- Potential non-compliance with Shrine Vista and broader heritage protection obligations.
- Shrine Vista - impact of materials/reflectivity on visual distraction during ceremonial events.

Procedural and Compliance issues

- The public notice did not appear by the date stated, limiting community awareness and consultation opportunities.
- Environmental Risk Assessment Report , hazardous material assessments are either outdated or incomplete.
- Current plans for loading, waste, and construction management, acoustic report are inadequate.
- The development exceeds discretionary height, width, and podium limits, violating St Kilda Road North Precinct planning controls.
- The Development Facilitation Program is intended to deliver significant public benefit. This proposal opts for a 3% cash-in-lieu contribution rather than providing on-site affordable housing, failing to meet the intended social outcomes.

Construction Impacts

- Extended multi-year demolition and construction will generate persistent noise, vibration, dust, and traffic disruption, negatively affecting residents' quality of life.

Market and Social Impacts

- Additional 402 units contribute to oversupply of unsold units, potentially devaluing neighbouring properties.
- Proposal does not deliver meaningful affordable housing, failing the intended public benefit objectives.
- The proposal prioritises developer yield over neighbourhood amenity, environmental sustainability, heritage protection, and community safety.

Support for the development:

- Will help address Melbourne's housing crisis, making better use of a mostly empty current office tower.
- Construction noise and disruption are expected in an inner-city location, and similar impacts have occurred historically from neighbouring buildings.
- Retention of greenery and landscaping improvements are positive outcomes.
- Reduction in car parking will improve affordability (as some apartments could be sold without car spaces), and reduce traffic impacts given excellent public transport access (multiple tram lines, Windsor station, Metro Anzac station) and high walkability.

Strategic Direction and Land Use

Key considerations

Some of the key considerations in the assessment of this proposal are:

- *Is the proposal consistent with the relevant planning policies?*
- *Is the proposal consistent with the purpose of the Commercial 1 Zone and other overlays and particular provisions that affect the site, including the requirements of Clause 53.23 pathway?*
- *Does the proposal provide an appropriate design response to existing conditions, built form that interface the development?*
- *Does the proposal provide appropriate level of public realm and landscaping?*
- *Does the development provide adequate response to wind conditions, weather protection, light and shade and overshadowing*
- *Does the proposal provide a reasonable level of internal amenity?*
- *Is the proposal representative of Environmentally Sustainable Development?*
- *Is the provision of car parking and bicycle parking appropriate?*
- *Are the proposed access, loading and waste arrangements appropriate?*
- *Does the proposal provide a net community benefit?*
- *Does the proposal have regard to flooding implications?*
- *Will the development be constructed in stages?*
- *Is the site environmentally sound for a sensitive land use?*
- *Does the application trigger a Cultural Heritage Management Plan?*
- *If the proposal is support, what is a reasonable time for the commencement and completion of the development?*
- *How does the development respond to the submissions received?*

Consistency of the proposal with the relevant planning policy

Municipal Planning Strategy

25. The proposal is consistent with the Vision of the Port Phillip Planning Scheme in that it will provide a development:
    - That is liveable, well-designed that contribute to safe, lively, high amenity places with public spaces that are safe and inviting places for people to enjoy.
    - That is easy to get around, with 10-minute neighbourhoods that give locals access to shops, community spaces and a strong sense of place.
    - Will provide a range of affordable, accessible and diverse housing types to meet the needs of the population and is supported by a range of community facilities and services.
26. The proposal is consistent with the Strategic Direction of the Port Phillip Planning Scheme in that the development:
    - Will contribute to maintaining high quality residential environments in established residential areas of South Melbourne (clause 2.03-1: Settlement).
    - Responds to the context of the area, existing built forms, open spaces, including the Shrine of Remembrance (clause 2.03-4: Built Environment and Heritage).
    - Provides for a variety of dwellings to meet the diverse needs of Port Phillip's community and ensuring that in terms of household size, lifestyles and abilities, and provides affordable housing to address the needs of marginalised residents (clause 2.03-5: Housing).
    - Reduces car-based travel and takes advantage of the City's well-established public transport network, promotes walking and bicycle riding (clause 2.03-7: Transport).
    - Locates in an area that is well serviced by existing utilities and infrastructure (clause 2.03-8: Infrastructure).

- Does not detrimentally impact on the amenity, landscape and environmental values of public open space, including the Shrine of Remembrance (clause 2.03-9: Open Space).

Planning Policy Framework

27. The planning policy framework encourages sustainable growth and development of Victoria. It seeks development of sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facilities. It encourages form and density of settlements that supports healthy, active and sustainable transport, limit urban sprawl and direct growth into existing settlements and promotes and capitalises on opportunities for urban renewal and infill redevelopment (clauses 11.01-1S and 11.01-1R).

28. Clause 11.03-6L-02 relates to St Kilda Road North Precinct where the site is located and seeks to:

    - To reinforce the St Kilda Road North Precinct as a dynamic, connected, integrated, safe and inclusive place to live, work and visit.

    - To maintain the role of St Kilda Road North as a preferred location for premier office accommodation and well-designed, higher density residential development.

29. The Planning Policy Framework encourages appropriate land use and development which enhances the built environment, supports economic growth, meets the community expectations on retail provision, delivers diversity in housing supply, to meet existing and future needs, and integrates transport and infrastructure planning.

30. The proposal will contribute development of local significance and achieve a high standard of design. The proposal will provide a diverse form of housing in proximity to the work, cultural and social venues and existing infrastructure.

31. The layout of the development achieves an acceptable outcome, as it presents to both St Kilda Road and Queens Road and appropriately responds to surrounding public realm interfaces in terms of its form, scale and program.

32. The provision of balconies to dwellings along all interfaces will increase activation and vibrancy, provide passive surveillance, and enhance the safety and amenity of the public realm. The development will incorporate clearly legible central entry points with strong passive surveillance to both the St Kilda Road and Queens Road interfaces.

33. The proposed development aligns with transport policy by providing safe and convenient access and egress for pedestrians and cyclists via the existing road network (St Kilda Road, Queens Road and Queens Lane). The site benefits from excellent access to sustainable transport options, and the proposal includes a reduced on-site car parking provision to encourage a modal shift towards more sustainable alternatives.

34. Overall, the proposal will increase the supply of housing in an area with excellent access to services and transport. It will deliver visually engaging, high-quality architecture and urban design that contributes to the vision for the St Kilda North Precinct and enhances the public realm, consistent with Clauses 15.01-1S and 15.01-2S. The development provides appropriate and well-considered street interfaces that will support a safe, attractive and comfortable pedestrian experience in accordance with Clauses 15.01-1S and 15.01-4S.

35. Clause 15.01-2L-03 seeks to encourage the integration of urban art within new developments to reflect local identity, community values, innovation and creativity. While the estimated cost of works exceeds the $2 million threshold under Clause 15.01-2L-03, no urban art proposal has been submitted. This matter can be addressed by way of a permit condition, should approval be granted.

36. The proposal will facilitate well-located, integrated and diverse housing that responds to community needs within a well-serviced area. It will provide a mix of dwelling sizes to accommodate a range of demographics and household types. The development also commits to delivering 10% affordable housing (or an equivalent cash contribution) in accordance with Clause 53.23 (Significant Residential Development with Affordable Housing) of the Port Phillip Planning Scheme. The proposal is therefore consistent with Clauses 16.01, 16.01-1S, 16.01-1R, 16.01-1L-01, 16.01-1L-02, 16.01-2S and 16.01-2L.

37. The proposal seeks a reduction in car parking provision to capitalise on the strong public transport, cycling, walking and shared mobility options available in the immediate area. An adequate supply of bicycle parking will be provided to encourage sustainable transport choices, consistent with Clauses 18.01-1S, 18.01-1L, 18.01-3S, 18.01-3R, 18.01-3L-01, 18.02-1S, 18.02-2S, 18.02-2R, 18.02-3S and 18.02-3L-01. The proposal also meets the intent of Clause 18.02-4L-02 in relation to loading facilities.

38. A Stormwater Management Plan has been submitted with the application. This report will address the requirements of Clause 19.03-3L for stormwater management, subject to conditions.

Consistency of the proposal with the purpose of the Commercial Zone, Design and Development Overlays and that affect the site, including particular provisions that apply to the proposal.

Zoning

Commercial Zone – Schedule 1 (Clause 34.01)

39. The proposal is for a residential development. A permit is required for dwellings if any ground floor frontage exceeds 2 metres. The intent of the control is to ensure active ground-floor uses. The ground floor plan indicates residential lobbies, which also serves as the entrance to the apartments, from St Kilda Road and Queens Lane. The placement of Residents Lounge and dining and Expresso Lounge add to the frontage's activities. Therefore, the proposal aligns with the objectives of the Commercial 1 Zone.

40. The proposal will provide for residential uses at a density that is complementary to the role and scale of the surrounds the subject site. Being close to a or within a vibrant mixed use commercial centre, the increased residential density will support retail, office, business, entertainment and community uses within the precinct.

41. Pursuant to clause 34.01-8, an apartment development must meet the requirements of clause 58. An assessment against clause 58 is included in the appendix to this report and further discussed in the latter part of this report.

Design and Development Overlay – Schedule 13 – Shrine Vista

42. Pursuant to Clause 43.02-2, a permit is required to construct a building or construct or carry out works. DDO13 through design, aims to ensure that the Shrine of Remembrance and its outline as viewed from Swanston Street outside the State Library in the City of Melbourne is not fully or partially obscured by any building or works.

43. A permit is required for a building or works to be constructed above 33 metres in height above the Australian Height Datum on land within the boundaries of this overlay.

44. The height of buildings or works must be in accordance with the shrine vista height control formula as described in the Shrine of Remembrance Controls (April 2014). A permit cannot be granted to vary this requirement. A report by Veris has since been submitted confirming the proposed Building Model provided by the applicant complies with the Shrine Vista Controls.

Design and Development Overlay – Schedule 26 -5b – St Kilda Road North Precinct

45. Pursuant to Clause 43.02-2 a permit is required to construct a building or construct or carry out works.

46. The subject site falls within the St Kilda North precinct which has the following purpose (as relevant):

General

- *To provide for the future development of the St Kilda Road North Precinct, as a Precinct integrated with its urban and landscape surrounds.*
- *To ensure development is environmentally sustainable.*
- *To ensure development does not dominate or obstruct view corridors to key landmark and civic buildings, including the Shrine of Remembrance.*
- *To encourage building design that minimises adverse amenity impacts upon residential properties, Albert Park Reserve, the Shrine of Remembrance and other open space, streets and public places in the area as a result of overshadowing, wind tunnelling or visual bulk.*

Shrine setting

- *To protect the Shrine of Remembrance as a significant historic and cultural landmark and place of reverence by:*
  - *Maintaining the scale of development within its setting and backdrop.*
  - *Preserving important views and vistas to and from the Shrine.*

- *Ensuring that external building materials and finishes are selected to minimise solar reflectivity and glare impacts, particularly on ANZAC Day and Remembrance Day.*
- *Ensuring that signs do not adversely affect the significance of the Shrine of Remembrance as a place providing contemplation and reflection.*

- *To prevent further intrusion of built form into the Shrine's silhouette above the level of the portico roof when viewed from its western elevation.*
- *To maintain solar access to the Shrine's Memorial Gardens.*

City Beautiful

- *To reinforce a sense of symmetry and consistency in the streetscapes of St Kilda Road and Queens Road, through regularity of building heights, spacing and frontage setbacks.*
- *To create a built form that transitions between the higher scale buildings in St Kilda Road and medium scale buildings in Queens Road respectively.*

Landscape setting

- *To ensure development contributes to an expanded network of high-quality green streets and public places.*
- *To maintain and consolidate the grand landscape setting of the Precinct as an important and distinctive feature of the area by requiring consistent front and side boundary setbacks and high-quality landscaping.*
- *To maintain solar access to major open spaces.*

Streets for People

- *To ensure new development enhances the public realm and contributes to a network of pedestrian friendly streets.*
- *To ensure development contributes to connections that achieve a fine-grained pedestrian network.*
- *To create an active, high quality pedestrian environment at street level.*

Private Amenity and Outlook

- *To ensure a high degree of internal amenity for building occupants, including providing for outlook and privacy, natural ventilation, sunlight and daylight and noise minimisation.*
- *To ensure spacing between towers is sufficient to:*
  - *Allow for cross ventilation within the building.*
  - *Assist in maintaining the sense of space and 'open sky views' at street level.*
  - *Provide opportunities for buildings to have an outlook.*
- *To ensure development does not unreasonably impact on the amenity of adjoining residential areas.*
- *To ensure development in the Precinct does not unreasonably overshadow adjoining residential properties south/west of Kings Way.*
- *To ensure that the design of buildings constructed 'boundary to boundary' minimises building bulk across the width of the site, reflects the existing fine grain subdivision pattern and promotes vertical articulation in the design.*

47. An assessment of the proposal against the DDO 26-15b control is located in the latter part of this report.

Car Parking (Clause 52.06)

48. Pursuant to clause 52.06-3, a permit is required to reduce the number of car parking spaces under clause 52.06-5, including any reduction to zero or provide more than the maximum parking requirement. The plans must comply with the design standards outlined in clause 52.06-9, unless the responsible authority grants an exemption.

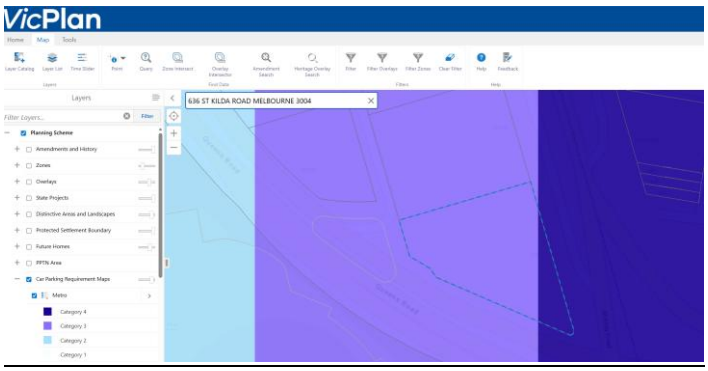


Figure 18: CPR map (source VicPlan 8 January 2026)

49. The site is identified within two categories (Category 3 and Category 4) under the Car Parking Requirement Maps (CPR Maps). Pursuant to Clause 52.06-5, where land is shown in two or more categories, the car parking requirement applicable to the higher category applies to the entirety of the land. Accordingly, the maximum rate of two car spaces per dwelling applies to the development. On this basis, a minimum of 804 car parking spaces is required for the proposed 402 dwellings.

50. The development proposes provision of 448 car spaces. Further details regarding these aspects of the proposal are discussed later in this report.

Land Adjacent to the Principal Road Network (Clause 52.29)

51. Pursuant to Clause 52.29-2 a planning permit is required to create or alter access to a road in a Transport Zone 2.

52. The purpose of this clause is:

- *To ensure appropriate access to the Principal Road Network or land planned to form part of the Principal Road Network.*
- *To ensure appropriate subdivision of land adjacent to Principal Road Network or land planned to form part of the Principal Road Network.*

Bicycle Parking (Clause 52.34)

53. Pursuant to clause 52.34-2, a permit may be granted to vary, reduce, or waive the bicycle parking requirements. Clause 52.34-3 mandates the provision of 1 bicycle parking space for every 5 dwellings for residents and 1 bicycle parking space for every 10 dwellings for visitors.

54. The proposal triggers a requirement for a minimum of 80 bicycle parking spaces for residents and 40 spaces for resident visitors, totalling 120 spaces.

55. The proposal will provide 120 bicycle parking spaces, as required. A permit is not triggered under clause 52.34. These matters are further discussed in the latter part of this report.

Residential Reticulated Gas Service Connection (Clause 53.03)

56. Pursuant to Clause 53.03-2, 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.

57. Conditions will be included on any approval, prohibiting the use of reticulated gas service.

Stormwater Management in Urban Development (Clause 53.18)

58. This clause ensures that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.

59. This will be assessed in the latter part of this report.

Significant Residential Development with Affordable Housing (Clause 53.23)

60. This application qualifies for, and has been submitted under, this pathway as it aligns with the Victorian Housing Statement's objective to deliver additional housing supply for Victorians. The estimated cost of developing the land for accommodation exceeds $50 million, and the site is located within metropolitan Melbourne, thereby satisfying the relevant eligibility criteria under Clause 53.23.

61. The purpose of clause 53.23 is to:

- *To facilitate residential development that includes affordable housing to meet existing and future needs.*
- *To facilitate the redevelopment and renewal of public housing stock to meet existing and future needs.*
- *To facilitate residential development carried out by the State of Victoria or jointly or in partnership with the private sector, including via innovative funding, investment and partnership approaches.*
- *To facilitate residential development with high quality urban design, architecture and landscape architecture.*
- *To provide opportunities for non-residential use and development in association with residential development.*

62. The applicant has provided commercial in confidence documents, to demonstrate their financial capability. They have also appropriately demonstrated viability of the project in its current form and ability to commence development immediately, if a permit is granted. This has been assessed by Investment Victoria and DTP's Development Facilitation Project Team and deemed to be satisfactory.

63. The applicant will provide at least 10% of the total number of dwellings in the development as affordable housing, or alternatively, via an alternative mechanism for the provision of affordable housing specified in the agreement under section 173 of the Act referred to in clause 53.23-4. The proponent elects to provide a cash contribution equal to 3% of the estimated development cost for the residential component of the development to the Social Housing Growth Fund (SHGF) (Payment to be made to the Department of Treasury (DTF) and Finance accounts receivable prior to occupation. This will be required as a condition on any approval that may issue.

Assessment of the proposal against DDO26 – 5b – St Kilda Road North Precinct

64. The site falls within the Edge of Shrine Memorial Gardens in Map 1 to Schedule 26 to Clause 43.02 - St Kilda Road North Precinct and Sub-precincts (**Sub Precinct 5**).

65. Sub-Precinct 5: The St Kilda Road South of Kings Way Sub-Precinct forms the southern section of the St Kilda Road boulevard between Kings Way and the Junction. Here, the streetscape is strongly defined by the scale and form of regularly spaced buildings, the consistent boulevard planting and the wide, straight road reserve with multiple traffic lanes. The following design objectives apply:

- ***To ensure the development contributes to and maintains consistent and symmetrical building heights on both sides of St Kilda Road.***
- ***To ensure that development results in regularly placed buildings, with space between them to frame view corridors along St Kilda Road.***
- ***To ensure that development provides generous landscaped front setbacks to St Kilda Road that strengthens the leafy grand boulevard character.***
- ***To provide landscaped links along east-west streets.***
- *To encourage the development of a high quality, high amenity mixed use area on Raleigh and Union Streets.*
- *To provide a transition in height from the high rise development along St Kilda Road to sites fronting Punt Road to provide an appropriate lower scale interface to the residential areas to the east.*
- ***To ensure that development improves the pedestrian environment along Queens Lane with buildings designed to address and engage with the street edge, while recognising the service role of this Lane.***
- ***To ensure that buildings are scaled to maintain a respectful backdrop for the Shrine of Remembrance.***

Figure 19: Map 1 to Schedule 26 to Clause 43.02 - St Kilda Road North Precinct and Sub-precincts

66. The above is achieved though compliance with the controls below:

DDO requirements that apply to Sub Precinct 5	Design response
Design Quality • *New developments should achieve urban design and architectural excellence.* • *Developments on corner sites with a St Kilda Road, Albert Road, Kings Way or Queens Road frontage or abuttal should not express the side street podium requirement to those roads.* • *Developments on large sites should minimise building bulk and promote vertical articulation in their design.*	Subject to further refinement, the proposal achieves a strong urban design outcome and represents a marked improvement on the existing conditions in terms of built form presentation and public realm enhancement. The design demonstrates a considered and contextually responsive approach through the provision of a two-storey masonry podium that establishes a well-defined, human-scaled street wall to St Kilda Road, Queens Road and Queens Lane (refer Figures 10 and 14–17). The use of varied materials and articulated detailing clearly distinguishes the podium from the upper levels, providing visual interest and reinforcing a coherent architectural hierarchy. The built form appropriately transitions in scale, stepping down from the St Kilda Road commercial corridor toward Queens Road, Queens Lane and the Albert Park reserve to reduce perceived bulk and protect the amenity of the surrounding area (refer Figures 11–13). Ground-level setbacks are provided in accordance with the mandatory and discretionary requirements of DDO26, including 13.7 metres to St Kilda Road, 6 metres to Queens Road, 5 metres to Queens Lane, and 4.5 metres to No. 632 St Kilda Road, Melbourne. These setbacks ensure compliance while supporting a high-quality interface with the public realm. The development also delivers meaningful public realm improvements, including a 138-square-metre linear park along St Kilda Road, substantial landscaping, and new pedestrian through-links connecting St Kilda Road, Queens Road and Queens Lane. Collectively, these elements enhance site permeability, improve walkability, and strengthen integration with the surrounding urban network.
Separation Distances / Side and Rear Setbacks • *For properties with a primary frontage to St Kilda Road or Queens Road in Sub-Precincts 5 and 6 development <u>must</u> be setback at least 4.5 metres from common side boundaries.* **A permit may not be granted to construct a building or construct or carry out works which are not in*	Ground-level setbacks are provided in accordance with the mandatory and discretionary requirements of DDO26. The development is set back 13.7 metres from St Kilda Road, 6 metres from Queens Road, and 5 metres from Queens Lane, appropriately responding to its dual frontage to Queens Road and Queens Lane and ensuring a well-proportioned interface with the public realm.

accordance with this requirement unless allowed by Clause 2.3 of this schedule.

- *Additional side and rear setbacks and/or separation distances may be required to ensure buildings are designed and spaced to:*
  - *Respect the existing urban character and pattern of development.*
  - *Equitably distribute access to an outlook, daylight and achieve privacy from primary living areas for both existing and proposed development.*
  - *Achieve sky views between towers, ensure adequate sun penetration to street level and mitigate wind effects.*
  - *Avoid windows of primary living areas and balconies that directly facing one another.*
  - *Maintain the equitable development potential of adjoining lots.*

The development is set back 4.8 metres from No. 632 St Kilda Road at ground level, being the only immediately abutting property, and 4.5 metres at the upper levels.

No. 632 St Kilda Road is itself set back approximately 4.5 metres from the common boundary with the subject site. This results in a generous building separation that respects the established urban character and prevailing development pattern. The separation equitably distributes access to outlook and daylight, protects privacy to primary living areas of both the existing and proposed buildings, and maintains sky views between developments. It also assists in ensuring adequate sunlight penetration to street level and in mitigating potential wind impacts.

The design and placement of primary living area windows and balconies within the proposed development avoid direct facing arrangements. In any event, the overall separation of approximately 9 metres between buildings appropriately addresses overlooking and privacy considerations.

Landscaped Setbacks

- *Frontages along St Kilda Road and Queens Road should be retained as open space for substantial landscaping and pedestrian activity:*
  - *St Kilda Road frontages should function as a forecourt for public, private and communal use. Public seating areas should be provided in these forecourts.*
  - *Queens Road frontages should be designed to provide substantial landscaping, including, where appropriate, large scale canopy trees.*
- *Clear sightlines should be provided from the footpath to the building façade to increase perceptions of pedestrian safety.*
- *Water sensitive urban design treatments should be incorporated into frontage design to manage and reduce stormwater runoff.*
- *Exhaust stacks from underground car parks should be located away from main pedestrian areas and incorporated into the building design or adequately screened.*
- *Grade differences between the ground floor level and natural ground level should be kept to a minimum. Where level differences cannot be avoided (for example, due to the Special Building Overlay), stairs, terraces, disabled access ramps should be designed to not visually dominate the*

Frontages along St Kilda Road and Queens Road were retained as open space, providing opportunities for substantial landscaping and supporting active pedestrian use.

Figure 20: Extent of landscaping along Queens Road and St Kilda Road

The St Kilda Road frontage is proposed as a landscaped forecourt accommodating a combination of public, private and communal uses. It will incorporate publicly accessible seating areas and contribute positively to the activation, amenity and overall quality of the public realm.

The Queens Road frontage is designed to feature substantial landscaping, including the planting of large-scale canopy trees where appropriate. This approach will enhance visual amenity and reinforce the established landscaped boulevard character of Queens Road.

All but two existing trees on the site are to be retained, with additional tree planting proposed to further strengthen the landscape outcome. A permit condition requires the

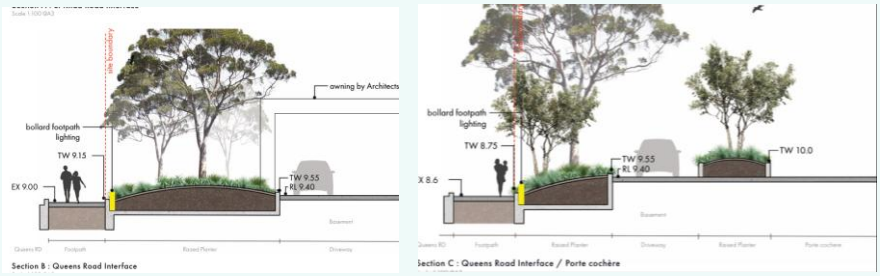
frontage setback space or significantly reduce the area for landscaping.	provision of additional trees, ensuring an enhanced and enduring canopy presence across the site.  *Figure 21: St Kilda Rd interface*  *Figure 22: Queens Rd interface* Clear sightlines will be provided from the footpath to the building façade, enhancing passive surveillance and improving perceptions of pedestrian safety. Water Sensitive Urban Design treatments will be incorporated into the frontage design to manage and reduce stormwater runoff. Exhaust stacks associated with underground car parking are not located within this public realm Grade differences between the ground floor level and natural ground level are minimised, although condition on any approval will require provision of ground floor level, FFL within and outside the building to ensure, stairs, terraces and accessible ramps are designed to be recessive in form, ensuring they did not visually dominate the frontage setback or materially reduce areas available for landscaping.
Heritage • *New development should respect the form, massing and siting of heritage buildings on the development site or adjoining sites.*	645, 647 and 649 St Kilda Road, Melbourne are developed with double storey dwellings and are subject to the Heritage Overlay (HO257). Two or three storey street wall height define the heritage buildings within the precinct (see below):  *Figure 23: 2-3 storey street wall height of heritage buildings*

Figure 14: St Kilda Rd – southern approach

Figure 15: View from St Kilda Rd

As shown in figures 14 and 15, the development contains a two storey masonry street wall along St Kilda Road, Queens Road, and Queens Lane to complement the prevailing street wall heights. These levels use of varied materials and finishes, to visually distinct it from the upper levels. The podium is capped with metal detailing and moulded cornices, allowing it to seamlessly turn corners at key intersections.

Street Wall / Podium Level

- *The design of podiums should create a 'human scale' providing visual interest and activity for pedestrians at the street edge, ameliorate wind effects and provide access to sunlight and sky views.*
- *The design of buildings should reinforce the pattern of the street by aligning their façade with the curvature of the street frontage.*
- *The design of new buildings should include openable habitable windows and balcony doors on the first five levels of the 'street wall' to enhance the sense of connection, surveillance and safety at ground level.*
- *All car parking at ground level or above should be sleeved with active uses to ensure it is not visible from the street.*
- *Buildings located on corner sites should address both street frontages.*

As demonstrated in the elevations below (Figure 24 and figures 14, 15 and 23 above), the two-storey design of podium, reinforces the pattern of the street by aligning their façade with the curvature of the street frontage and helps create a 'human scale' and provide visual interest and activity for pedestrians at the street edge.

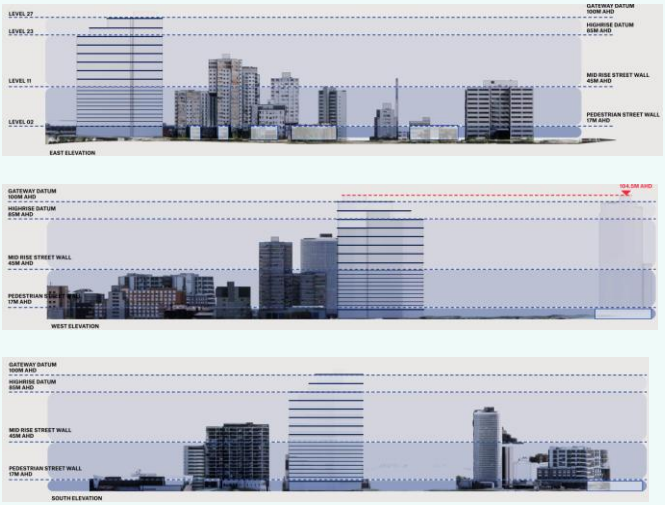


Figure 24: podium heights reenforcing human scale

The development is designed to have openable habitable windows and balcony doors on the first five levels of the 'street wall' to enhance the sense of connection, surveillance and safety at ground level. The development will have a frontage to both Queens Rd and St Kilda Rd, appropriately addressing the corner (see figures 14-17).

Figure 14: St Kilda Rd – southern approach

Figure 15: View from St Kilda Rd

Figure 16: Porte Cochere

Figure 17: Queens Lane approach

All car parking at ground level in four basement levels and will not be visible from the street.

Active Frontages

- *New development should provide integrated community and active space at street level that contributes to a high-quality public realm.*
- *All building frontages (except on laneways and service streets) should:*
  - *Be orientated towards the street.*
  - *Allow for natural surveillance and a visual connection into the building through transparent windows and balconies.*
  - *Avoid blank walls, large areas of reflective services, high fences, service areas, car parks and garage doors in the podium interface areas.*
  - *Provide clear glazing to street frontages; security grills should be visually permeable and mounted internally.*
  - *Provide no or low, visually permeable front fencing.*
- *New development along Queens Lane should incorporate lighting, entry doors, habitable rooms with windows, and display windows.*
- *Design pedestrian entrances to open directly onto the street, as a key feature of the façade and at the same level as the public footpath.*
- *Foyer areas should have visibility to the street and be designed to encourage activity and interest both within and external to the building.*
- *New development within a commercial or mixed-use zone should provide:*
  - *Transparent windows and entrances for at least 80 per cent of the width of the street frontage of each individual retail premises, or at least 60 per cent of the width of the street frontage of each premises for other commercial uses.*
  - *Lighting design that is incorporated to the façade to contribute to a sense of safety at night.*

Figure 25: Active frontages at ground level

Figure 26: Public realm enhancements

The proposal responds positively to its urban context by activating the public realm and reinforcing street-level engagement along Queens Road, St Kilda Road and Queens Lane. A range of resident amenities—including lounge and dining areas, entry lobbies, an espresso lounge, swimming pool and gym—are located at ground level, contributing to a high-quality, safe and vibrant public interface (approximately 90% active frontage, refer Figure 25).

All building frontages, with the exception of the rear service laneway, are designed to directly address the street and strengthen the relationship between the development and the public realm. This represents a significant improvement to the existing building, which is characterised by inactive and blank façades. Street-oriented frontages incorporate transparent glazing and balconies to promote natural surveillance and visual connectivity (refer Figures 14–17). Foyer spaces are designed with clear sightlines to the street, enhancing activity and visual interest both internally and within the surrounding public realm. No fencing is proposed, further reinforcing openness and permeability.

In addition, the proposal delivers the following key ground-floor public realm improvements (refer Figure 26):

- A pedestrian through-link connecting St Kilda Road, Queens Road and Queens Lane, improving permeability and legibility and strengthening connections toward the St Kilda Road tram corridor and Albert Park Reserve.
- A new linear park along St Kilda Road, providing a landscaped green connection between Queens Lane and the tram corridor.
- Relocation of the vehicle crossover to consolidate and reinforce the boulevard character of St Kilda Road, enabling a more cohesive landscape outcome.
- Provision of public meeting points, seating areas and weather protection along all three street frontages.
- Generous landscaped setbacks to St Kilda Road, Queens Road and Queens Lane, enhancing pedestrian amenity and streetscape quality.

Tower Design and Internal Amenity

- *Tower forms (above podiums) <u>should</u> not exceed a maximum width of 35 metres to:*
  - *Ensure that daylight penetrates through to parts of the building and streets, and adjoining buildings.*
  - *Reduce their perceived visual bulk.*
  - *Maintain sightlines between buildings.*
- *New residential development should have access to onsite communal or*

This is not a tower podium typology and thus the width restrictions stipulated here do not apply to this proposal due to its design response. It is noted that the development will have a wide frontage to St Kilda Rd. This however is consistent with the width of buildings to their lot widths, along St Kilda Rd as shown in figure 27.

private open space in the form of rooftops, podiums, balconies or courtyards.

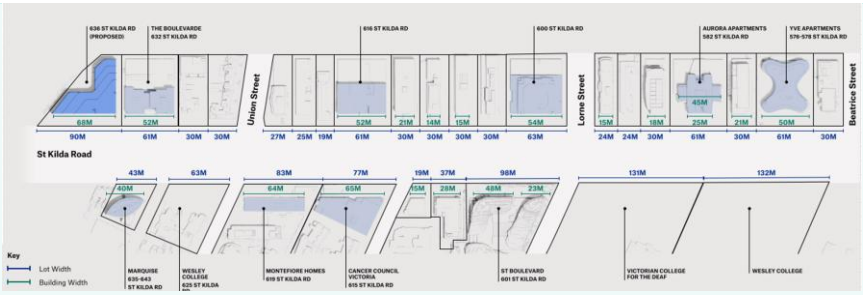


Figure 27 : Width of buildings to their lot widths

The building form has been carefully sculpted to maximise daylight penetration throughout the site, enlivening internal spaces, adjacent streets and neighbouring properties. The massing is articulated and layered to reduce perceived visual bulk and to establish a human-scaled streetscape that responds thoughtfully to its context.

Strategic setbacks, separation distances and building orientation create generous view corridors, maintaining sightlines between structures and fostering a sense of openness and visual connectivity across the site. Through the careful modulation of built form, the proposal achieves a dynamic interplay of light, shadow and transparency, enhancing the spatial quality of both the public realm and private domains.

The development also provides a range of on-site communal and private open spaces, including rooftop terraces, podium-level areas, balconies and courtyards, ensuring residents have access to functional and high-quality outdoor environments.

Building Services

- *Waste materials storage and services should be provided on site and should be screened from areas of high pedestrian activity.*
- *Waste storage or service should not impede pedestrian access and should be located away from footpaths.*
- *New buildings should provide internal and on-site loading facilities and on-site service vehicle parking at the rear of buildings to minimise disruption of traffic or pedestrian access and avoid laneway congestion.*
- *Building services on rooftops should be screened to avoid detrimental noise and visual impacts on the amenity of both private and public realms.*
- *Noise attenuation measures and suppression techniques should be incorporated into development to ensure noise does not unreasonably affect the amenity of public areas and nearby residences.*
- *Green roofs, roof gardens and vertical gardens should be encouraged in new or refurbished buildings. Green roofs are defined as a vegetated landscape built up from a series of layers that are installed on the roof surface as 'loose laid' sheets or modular blocks.*

- Waste materials storage/services will be provided on site, internal to the building away from view from the public realm.
- Internal and on-site loading facilities and on-site service vehicle parking at the rear of buildings will be provided to minimise disruption of traffic or pedestrian access and avoid laneway congestion.
- Building services on rooftops will be appropriately setback and screened to avoid detrimental noise and visual impacts on the amenity of both private and public realms (see images below and figures 11-13 earlier).

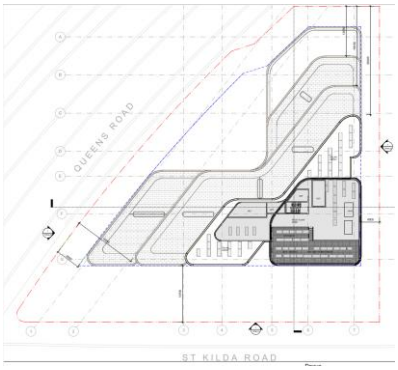
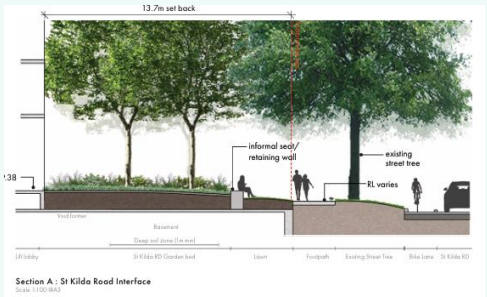


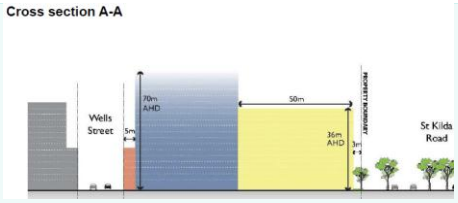
Figure 28: Services at ground level and roof top screened from public view

- An acoustic report has been submitted with the application. Implementing the recommendations of the report will ensure noise attenuation measures and suppression techniques are incorporated into development to ensure noise does not unreasonably affect the amenity of public areas and nearby residences.

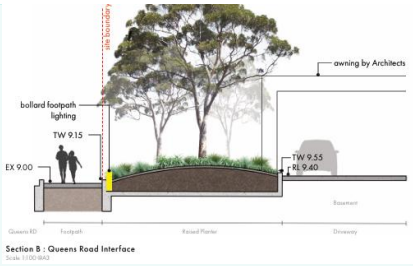
Vehicular Access and Car Parking

- Vehicular access to the development will be provided via two entry points: one from St Kilda Road and one from Queens Lane. Access from St Kilda Road is proposed

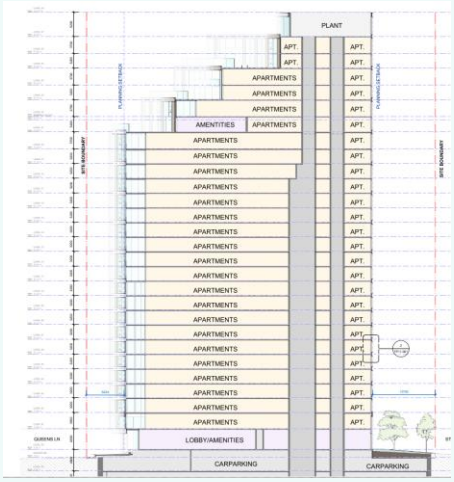
• *Vehicle crossovers should be no more than 6 metres wide, with a maximum of one crossover per site.* • *Vehicle ingress and egress should be located on lanes, where possible.* • *Car access ways should not visually dominate the façade of a building, and be visually permeable to retain a visual connection through the site and allow for natural surveillance.* • *Car parks should be built underground or located to the rear of the site to enable active uses on the street frontage. Where car parks are built above ground, they should not front the site or be visible from St Kilda Road, Queens Road or Punt Road.* • *Car parking within a podium should incorporate floor to ceiling heights of 3.5 metres to enable future adaptation for habitable uses.* • *Open/at-grade car parks should not be located in front setback areas.*	via a new two-way, 6.4-metre-wide crossover operating on a left-in/left-out basis. A secondary access point from Queens Lane will be provided via an 8.4-metre-wide, two-way crossover servicing residential parking. A ground-level porte cochère facilitates safe and convenient pick-up and drop-off activity. Collectively, this dual-access arrangement distributes traffic movements, minimises turning conflicts on St Kilda Road, and maintains clear separation between vehicular access, cycle lanes and the pedestrian realm (subject to conditions). The removal of redundant crossovers will improve pedestrian and cyclist safety and reinstate kerb continuity. • While DDO26-5B discourages new vehicular access from St Kilda Road, the proposal does not introduce an additional access point but instead relocates the existing crossover slightly to the south. The relocation will result in no net loss of on-street parking, as any displaced spaces will be reinstated at the former crossover location. Minor modifications to bicycle infrastructure will be undertaken to accommodate this change. Overall, the left-in/left-out arrangement to St Kilda Road is appropriate and is expected to operate with minimal impact on the broader road network. • All car parking will be accommodated within four basement levels and will not be visible from the street.
Pedestrian Permeability • *New development should include pedestrian links along St Kilda Road, Queens Road and areas in the Mixed Use Zone to create mid-block links and increase the permeability of the Precinct.* • *Development should enhance existing links/laneways by providing a mix of active and non-active frontages, appropriate to the role of the link/ laneway.*	The development will provide the following: • A pedestrian through-link connecting St Kilda Road, Queens Road and Queens Lane to the St Kilda Road tram line and Albert Park reserve. • A new St Kilda Road linear park, providing a green connection between Queens Lane and St Kilda Road tram line.
Sub-precent requirements  *Map 6 to Schedule 26 to Clause 43.02 - Built Form and Setback Requirements: Sub-Precinct 5*	• The development will provide a 13.7 metre landscaped setback to St Kilda Rd, which will accommodate a 138sqm linear park with canopy trees, connecting to the broader St Kilda Road boulevard.   • The design also provides a 6m setback to Queens Road for most of the site but starts to narrow towards the west. This is satisfactory.



- *Development should be generally in accordance with Map 6 of this schedule.*
- *On St Kilda Road a landscape setback of 13.7 metres must be provided to St Kilda Road. A permit may not be granted to construct a building or construct or carry out works which are not in accordance with this requirement unless allowed by clause 2.3 of this schedule.*
- *A landscape setback of 6 metres should be provided to Queens Road.*
- *Development fronting and abutting Queens Lane should:*
  - *be built to the Queens Lane boundary; and*
  - *within 5 metres of Queens Lane not exceed a height of 11 metres.*
- *Development height beyond the landscape setbacks and the Queens Lane setback requirement should not exceed a height of 60 metres.*



- The development will also provide 4.5 metre side setback to the common boundary and a 5 metre setback to Queens Lane.
- These setbacks collectively widen pedestrian footpaths and the public realm along all street frontages and are linked via through-site connections between St Kilda Rd, Queens Lane, and Queens Rd.



The development is not proposed to extend to the Queens Lane boundary, reflecting its departure from a traditional tower-and-podium typology. Instead, it provides an 8.24-metre setback from Queens Lane, with a maximum encroachment of 11 metres within 5 metres of the lane.

The building height along Queens Lane reaches 68.24 metres, marginally above the 60-metre guideline, with a maximum overall height of 90.2 metres (excluding roof-mounted services). As these limits are discretionary, a variation is considered appropriate in this context.

The subject site occupies a strategic gateway location and functions as an island site, capable of accommodating a modest exceedance of the discretionary height control. Its prominent position along the St Kilda Road boulevard and tram corridor allows for a dynamic built form with varied tower heights, while providing a sensitive and gradual transition to Queens Road, Queens Lane, and the adjoining Albert Park precinct.

Any visual and amenity impacts associated with the proposed height, particularly at upper levels are being mitigated through a suite of massing and design strategies such as:

- Generous ground-level setbacks are provided in accordance with DDO26,
- A stepped built form facilitates a transition from the St Kilda Road commercial corridor to Queens Road, Queens Lane and the Albert Park reserve
- Continuation of the 13.7m setback to St Kilda Road, 4.5m setback to the northern interface for the full height of the building and the 6m setback to Queens Road and 5m setback to Queens Lane up to Level 21 and additional upper-level setbacks at the Queens Road/Queens Lane corner between Levels 21 and 26,

resulting in final setbacks of approximately 25.7m to Queens Road and 26.6m to Queens Lane.

- Use of varied materials and colour tones across all building levels, to reduce the perceived height and visual bulk of the building from surrounding viewpoints, including a distinct two-storey street wall up to 17m and an articulated mid-rise street wall of up to 11 storeys or 45m (see figure below).

Figure 29: Differentiation in built form

Clause 2.3 Exceptions to Mandatory Requirements ***(this proposal can benefit from the highlighted exemptions)***

In relation to any requirements of this schedule which otherwise operate as mandatory requirements, a permit may be granted to vary such requirements if either of the following circumstances apply:

- *A permit may be granted to allow the construction of minor buildings and works within the area of a setback required by this schedule, including:*
  - *reskinning or recladding of an existing building, sunshades or architectural features on the exterior of the building, or*
  - ***verandahs, architectural features, shelters, sunshades, art works, outdoor furniture, play equipment, art works, landscaping, fences, and basements which do not exceed the height of ground level or***
  - ***balconies within the front setback, and seating at ground level.***
- *Within Sub-Precinct 2 and Sub-Precinct 3, a permit may be granted to allow architectural features such as domes, towers, masts and building services that do not exceed the maximum height by more than 4 metres and do not exceed 10% of the gross floor area of the top building level or 50 square metres (whichever is the greater). (No gross floor area limit applies to the installation of solar panels.)*
- *Within Sub-Precinct 2 and Sub-Precinct 3, allow the construction of a green roof (defined as a vegetated landscape built up from a series of layers that are installed on the roof surface as 'loose laid' sheets or modular blocks) or communal open space that does not exceed the mandated building height by more than 2 metres.*
- *A permit may be granted to replace a building or works which existed on 15 May 2016 which does not meet the height or setback requirements of this schedule so long as all of the following apply:*
  - *The responsible authority is satisfied that an increased height or reduced setback does not unreasonably impact on the vision for the Sub-Precinct as set out in the Design Objectives for the relevant Sub-Precinct.*
  - *The building or works is no higher than the building being replaced.*
  - *The building or works is to be constructed no closer to a boundary than the building being replaced.*

Design response to existing conditions and built form that interface the development

67. At noted earlier, the site is located within sub-Precinct 5 (St Kilda Road South of Kings Way) which forms the southern section of the St Kilda Road boulevard between Kings Way and the Junction. Here, the streetscape is strongly defined by the scale and form of regularly spaced buildings, the consistent boulevard planting and the wide, straight road reserve with multiple traffic lanes. The following objectives apply to this sun-precinct:

    - *To ensure the development contributes to and maintains consistent and symmetrical building heights on both sides of St Kilda Road.*
    - *To ensure that development results in regularly placed buildings, with space between them to frame view corridors along St Kilda Road.*
    - *To ensure that development provides generous landscaped front setbacks to St Kilda Road that strengthens the leafy grand boulevard character.*
    - *To provide landscaped links along east-west streets.*

- *To encourage the development of a high quality, high amenity mixed use area on Raleigh and Union Streets.*
- *To provide a transition in height from the high rise development along St Kilda Road to sites fronting Punt Road to provide an appropriate lower scale interface to the residential areas to the east.*
- *To ensure that development improves the pedestrian environment along Queens Lane with buildings designed to address and engage with the street edge, while recognising the service role of this Lane.*
- *To ensure that buildings are scaled to maintain a respectful backdrop for the Shrine of Remembrance.*

68. The surrounding area is characterised by older building stock that is progressively being replaced by contemporary, mixed-use developments incorporating commercial and residential uses. Recent re-developments have increased ground-floor activation, pedestrian focus and façade articulation, contributing to a more vibrant and visually engaging streetscape. New buildings along St Kilda Road have generally maintain landscaped setbacks that help integrate with the established avenue of mature trees, reinforcing the boulevard's distinctive, high-quality character.

69. As discussed earlier in this report, this development through maintaining the prescribed setbacks, will ensure the development contributes to and maintains consistent and symmetrical building heights on both sides of St Kilda Road and that development results in regularly placed buildings, with space between them to frame view corridors along St Kilda Road.

70. The development will provide generous landscaped front setbacks to St Kilda Road and Queens Road, that will strengthen the leafy grand boulevard character. The development will improve the pedestrian environment along Queens Lane, providing activation and passive surveillance and engaging with the street edge, while recognising the service role of this Lane.

71. The development will maintain a respectful backdrop for the Shrine of Remembrance.

<u>Podium height and width and overall height</u>

72. The proposal is not a podium/tower typology but mimics the form by use of varied materials and colour tones across all building levels, providing a distinct two-storey street wall up to 17m and an articulated mid-rise street wall of up to 11 storeys or 45m (see figures below).

Figure 30: Variation in built form between lower, mid and high rise forms

73. DDO26 requires tower forms (above podiums) to not exceed a maximum width of 35m to ensure daylight penetrates through to parts of the building and streets, and adjoining buildings, reduce their perceived visual bulk and to maintain sightlines between buildings.

74. The tower is designed in an L-shaped configuration, with a rebate along St Kilda Road that results in a narrow built form when viewed from each elevation (see Figures 10–17 above). Given the cascading nature of the development, the building footprint and apparent width progressively reduces toward the upper levels across all elevations (see figure below).

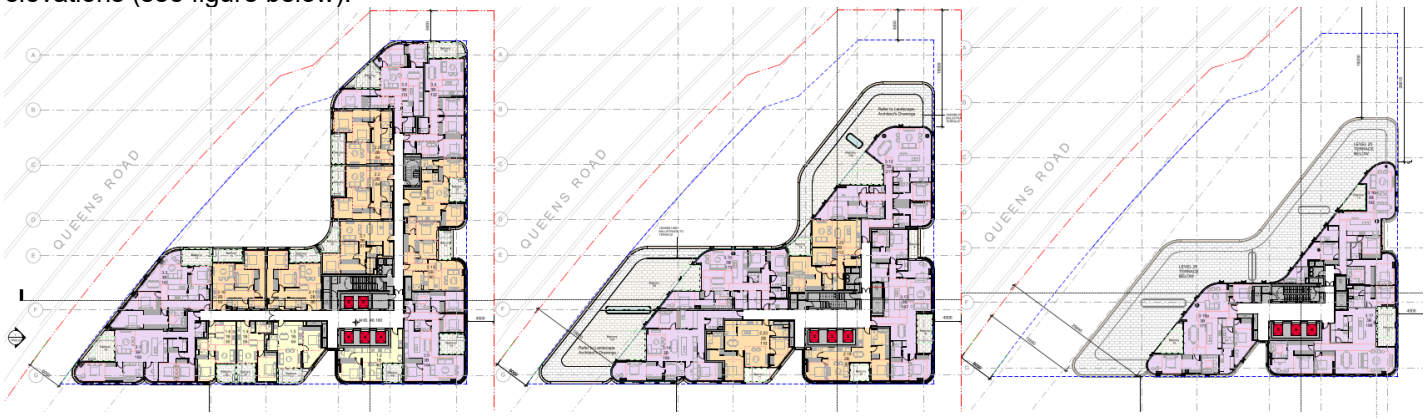


Figure 31: Reduction in footprint from levels 11 to 23 to 25

75. As well as helping minimise perception of mass and bulk, this ensures daylight penetrates through to parts of the building and streets, and adjoining buildings, reduce their perceived visual bulk and to maintain sightlines between buildings.

Setbacks

76. As discussed earlier, the development will have a setback of 13.7m to St Kilda Road, 4.5m to the northern interface for the full height of the building, 6m to Queens Road and 5m to Queens Lane up to Level 21 and additional upper-level setbacks at the Queens Road/Queens Lane corner between Levels 21 and 26, resulting in final setbacks of approximately 25.7m to Queens Road and 26.6m to Queens Lane. This is in accordance with DDO26 requirements.

77. In response to the interface with 626 St Kilda Road property, the development is setback 4.5m from the common property boundary and this proposal provides a setback of 4.5m from that common boundary. This ensures a 9m separation between the two building, allowing for an appropriate physical break and the protection of the reasonable amenity expectations of future residents.

Overall Architectural Design

78. The lower levels of the development establish a strong human-scale response across all interfaces through the use of varied materials, finishes, and articulation, which are visually distinct from the upper levels. This section is capped with metal detailing and moulded cornices, providing a cohesive architectural expression that elegantly addresses and turns key street corners. Shaped columns with metal inlays further articulate the base, reinforcing its differentiation from the upper building elements.

79. Subtle variations in the building form along the site's curvature enhance its multi-form composition and strengthen its presence across the St Kilda Road and Queens Road interface.

80. Along the St Kilda Road frontage, the upper levels are expressed as two vertical elements extending the full height of the building, emphasising verticality and slenderness. In contrast, the Queens Road elevation adopts a stepped form that progressively recedes, opening views toward Albert Park and the St Kilda Cricket Ground to the south-west. Outdoor terraces at Levels 21 and 23 articulate these setbacks and provide opportunities for landscaping, softening the building's massing and enhancing visual permeability.

81. The architectural composition balances vertical and horizontal elements, utilising masonry, metallic finishes, and clear glazing to achieve a visually refined, lightweight, and organic outcome, consistent with principles of design excellence.

82. Overall, the DTP Urban Design Team was generally supportive of the proposal, subject to further design development. A key strength of the concept is its treatment as a collection of interrelated forms, with façade articulation varying according to perspective and vantage point. This approach creates a rhythm and vertical solidity, rather than relying on a conventional base-and-tower hierarchy. The curvature of the building form is particularly successful in conveying fluidity and movement, offering a compelling architectural narrative that extends beyond glazing alone.

83. The proposed vertical expression is a strong and commendable feature of the design, moving away from the more ubiquitous podium-and-tower typology commonly seen in contemporary developments. However, the current reliance on extensive glazed façades risks diminishing the perceived depth and solidity of the built form.

84. Further design refinement is encouraged to reintroduce vertical solidity within the façade treatment, potentially through greater use of matte spandrel panels and variation in mullion widths to reinforce vertical rhythm and material depth. These adjustments would enhance articulation, reduce the visual dominance of glazing, and strengthen the overall architectural composition. Implementation of this refinement should be required as a condition of any approval.

Materials and finishes

85. The proposed development demonstrates design excellence through a refined and cohesive material palette comprising masonry, clear glazing, and a graduated application of metal elements. These smooth, contemporary materials contribute to a visually lightweight built form and generate visual interest across all street frontages. The considered variation in materials, finishes, and built-form articulation across each interface ensures the building is perceived differently from multiple viewpoints, reinforcing its landmark quality. A clear and deliberate distinction between the podium and upper-level elements further enhances architectural legibility, while the design respectfully responds to and enhances the historical and urban character of the surrounding streetscapes.

86. The towers will be expressed through the introduction of horizontal bands that make reference to similarly orientated buildings in the surrounding area. The podium reads as residential. The main building entry is expressed by the central curvature in the building, aligned with the porte cochère, separating and emphasising the two tower components.

87. Overall, the proposed architectural expression responds to DDO26, by delivering a high-quality design that is well articulated, visually interesting and incorporating a range of materials and finishes that complement the surrounding and streetscape context.

88. Further details are required from architectural treatments to services and the development. It will be required as a condition, that elevation details generally at a scale of 1:50, illustrating typical building details, entries and doors, utilities, services and any special features which are important to the building's presentation and relationships with public spaces. It will further be required that services are incorporated as part of any architectural response.

Public realm and activation and landscaping

89. The landscape strategy is integrated across generous ground-level setbacks at all interfaces, as well as within upper-level communal and private terraces. Private terraces provide opportunities for individual planting, contributing to a layered and diverse landscape outcome. Green spaces and landscaped elements are embedded throughout the development to enhance site permeability, environmental performance, and sense of place. Each landscaped area is designed to deliver high-quality green amenity and areas of refuge, deliberately softening the transition between internal and external environments. Where structurally feasible, deep soil planting and canopy tree cover are incorporated at all interfaces, reinforcing the development's ecological and urban design objectives.

90. Council has expressed concerns regarding the proposed extent of canopy cover at the ground plane and the overall urban design quality, including landscape character and pedestrian amenity, due to the provision of extensive hardstand areas associated with vehicular access.

91. The development requires substantial car parking to meet anticipated demand, with parking and essential building services appropriately accommodated within basement levels. The scale of these functions informs the spatial extent of the basement, which extends beyond the existing envelope. Consequently, 28 trees within the site are required to be removed to facilitate construction, while two trees outside the basement footprint will be retained.

92. To offset vegetation loss, 29 new trees are proposed across the site, resulting in a net increase in tree numbers upon project completion. This is achieved through a carefully considered basement design that allows for sufficient soil depth to support long-term tree establishment. Step-downs in the basement along the southern boundary improve interface with the adjoining public footpath by providing landscaped treatments in place of tall retaining walls.

93. The proposal will ultimately deliver approximately 1,288 square metres of canopy cover, representing nearly one-third of the total site area. This provides a significant environmental benefit for an inner-city site within a commercial zone.

94. As previously discussed, the development provides a pedestrian through-link connecting St Kilda Road, Queens Road and Queens Lane to the St Kilda Road tram corridor and Albert Park Reserve, as well as a new St Kilda Road linear park, enhancing connectivity and delivering a green link between Queens Lane and the tram line.

95. Building setbacks are provided in accordance with DDO26 and will be landscaped to enhance visual amenity. Low-maintenance planting is proposed within the porte cochère, lobby entrance, balconies, and rooftop areas. A condition of approval will require that species selection, planting locations, and pot/soil specifications are to the satisfaction of Council.

Wind conditions, weather protection, light and shade and overshadowing

96. A wind tunnel study has been conducted by Windtech. The findings of the Pedestrian Wind Environment Study indicate that wind conditions across the majority of trafficable outdoor areas within and surrounding the development will be suitable for their intended uses. Notwithstanding this, the study identifies several locations where wind conditions are predicted to exceed the relevant comfort and/or safety criteria. Accordingly, a series of mitigation measures is recommended:

- Ground-level areas and pedestrian footpaths:
  - The site corner at St Kilda Road and Queens Road is to be treated as non-trafficable or landscaped with hard planting, including planter boxes with a minimum height of 1.2m.
  - Provision of planter boxes with a minimum height of 1.2m along the St Kilda Road frontage.
  - Installation of impermeable baffle screens with a minimum height of 1.2m between the development and The Boulevard South building.
- For the north-west corner of the site:
  - Installation of a minimum 2.0m high screen with at least 40 per cent porosity along the northern edge of the development.

- Installation of a minimum 1.8m high, 40 per cent porous wind screen at the western corner of the development.

- For the south-east corner, implementation of any two of the following measures:
  - Installation of a minimum 40 per cent porous, full-height (floor-to-ceiling) screen at the building columns south of the development.
  - Installation of a driveway or car park gate.
  - Installation of a privacy screen around the ground-floor courtyard, with a minimum height of 1.8m and 40 per cent porosity.
  - Installation of a minimum 1.8m high, 40 per cent porous wind screen at the building corner.
  - Installation of a minimum 1.8m high impermeable divider separating the pedestrian walkway from the driveway.
- Level 21 communal open terrace
  - Retention of the existing 1.8m high impermeable balustrade.
  - Retention of planter boxes with a minimum height of 1.2m, increasing in height around designated lounge areas.
- Private balconies and terraces
  - Installation of full-height (floor-to-ceiling) impermeable screens to the north-western aspect of western balconies on Levels 1–20 and Level 22.
  - Retention of 1.8m high impermeable balustrades around private terraces on Level 23.
  - Retention of 2.0m high impermeable balustrades around private terraces on Level 25.

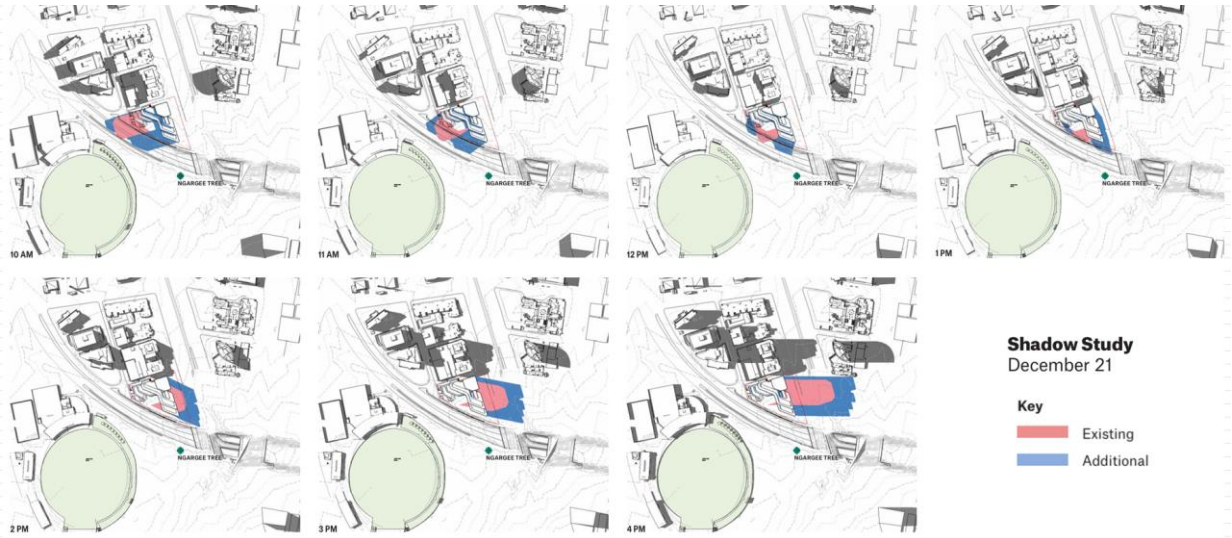
97. The report provides that with the incorporation of these mitigation measures into the final design, it is anticipated that wind conditions across all trafficable outdoor areas within and surrounding the development will achieve acceptable levels of comfort and safety for their intended uses.

98. It will be required as a condition on any approval that the mitigation measures are incorporated in the design in a holistic way.

99. A lighting plan will be required as a condition on any approval that will detail illumination of footpath.

100. DTP Urban Design and Council have raised issues with the extent of hard stand area within the Queens Rd front setback. A condition will require a strong landscaping-led treatment for the driveway/port cochere to reduce the extent of hardstand area.

101. Whilst the redevelopment of the site increases the extent of shadows on the peripherals, it is noted that overshadowing to the St Kilda Cricket ground is only increased during the winter solstice (10am – 12pm). Whilst this is acknowledged, it is noted that there are no overshadow controls that apply to the St Kilda Cricket ground.



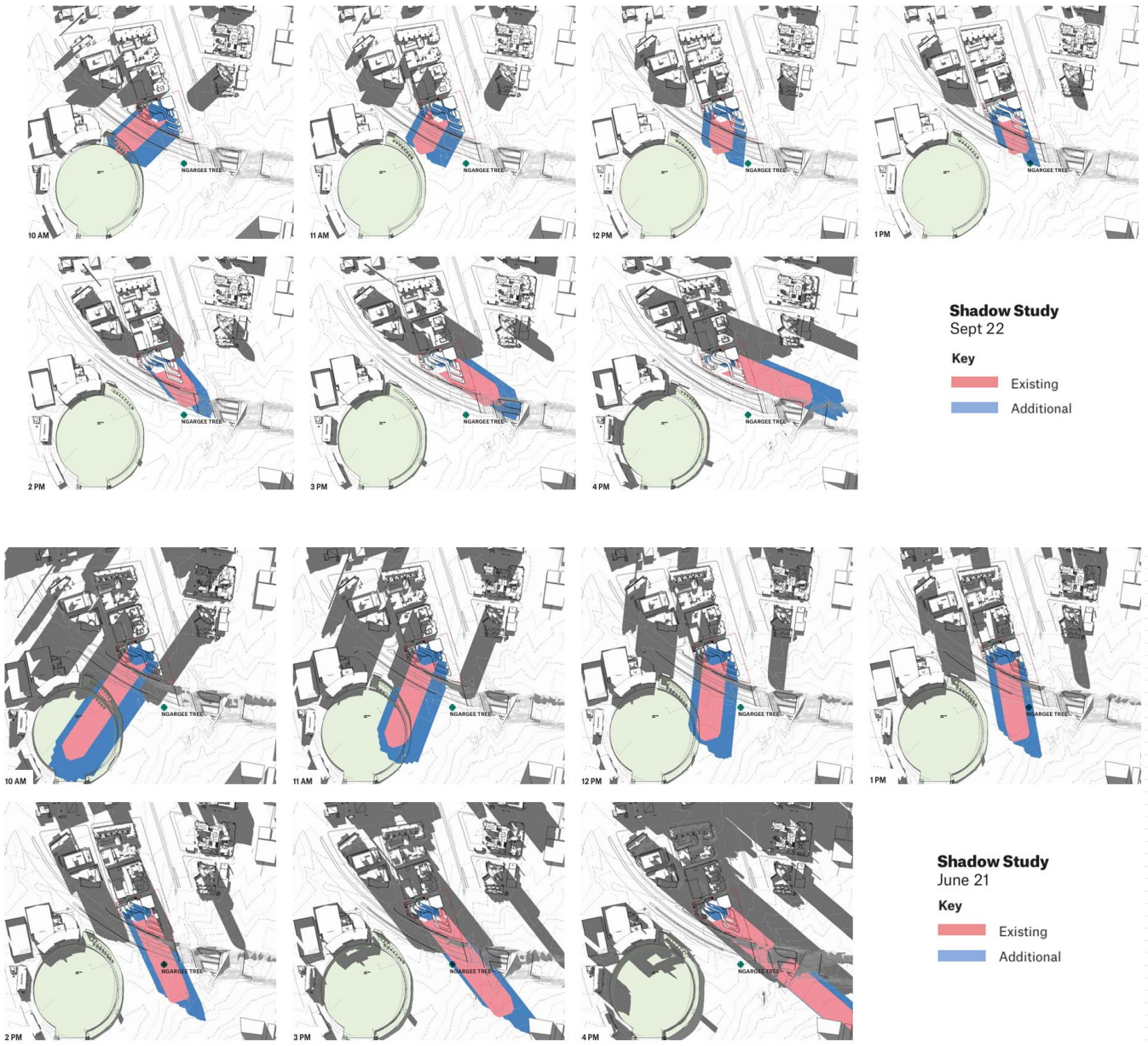


Figure 32: Shadows by the existing building and proposed development (compared)

102. The proposal will have minimal shadow impacts of the Ngargee Tree that is present in proximity to the site (only impacted between 1-3pm during the winter solstice).

103. Pursuant to DDO26, the development should not protrude into the Shrine's silhouette, nor should it cast any additional shadow across the Shrine of Remembrance and its northern forecourt, between the hours of 11.00am and 3.00pm from the 22 April to the 22 September. The diagrams below demonstrate that the development will not overshadow the Shrine's silhouette or cast any additional shadow across the Shrine of Remembrance and its northern forecourt for the times indicated above.

104. Further, a report by Veris confirms the proposed Building Model provided by the applicant complies with the Shrine Vista Controls.

Glare

105. Arup was engaged by the proponent to undertake an external reflected glare assessment for the façade of the proposed development. The report identifies two potential reflected disability glare risks:

- Reflections from the north-east elevation affecting drivers travelling west along Peel Street.
- Reflections from the south elevation affecting drivers travelling north along Nepean Highway.

106. The potential impacts of these risks are however considered limited for the following reasons:

- They would occur for only a brief period each day (typically 5–20 minutes) and only during certain times of the year.
- The reflections would affect only small sections of a limited number of roads.
- At these times, the sun is low on the horizon, and direct sunlight would produce glare far more intense than the reflected sunlight from the building.
- Drivers experiencing these reflections can easily mitigate the effects using sun visors or by slightly adjusting their line of sight. The effect would be temporary and consistent with normal experiences of low-angle sunlight near sunrise or sunset.

107. The report states that, overall, the proposed development is expected to perform well in mitigating reflected glare risks due to several key design features:

- The façade incorporates substantial solidity, with glazing positioned between solid horizontal and vertical cladding elements, limiting overall glass exposure.
- Glazing is recessed relative to the cladding, reducing glare from grazing sunlight and oblique viewing angles.
- Curved glass at all corners disperses reflections over a wider area, lowering their intensity.
- Recessed sections of the façade, particularly along the south elevation facing Queens Road, allow the building to self-shade and further reduce glare.

108. Together, these measures ensure that sunlight reflections from the building envelope are unlikely to generate glare sufficient to affect drivers or pedestrians or pose a significant hazard to road users.

109. Publicly accessible areas will be provided with adequate shading through canopies and mature trees.

Internal and Onsite Amenity

110. A full clause 58 assessment of the proposal included as an appendix to this report. The proposal provides an acceptable response to Clause 58 and generally complies with all Standards, seeking variation on the following only:

- Clause 58.03-5 (Landscape objectives)
- Clause 58.07-1 (Functional Layout objectives) – For one dwelling only
- Clause 58.07-2 (Room Depth objectives) – For one dwelling only

Acoustic

111. The site is located at the convergence of Queens Road and St Kilda Road, both major arterials. The submitted acoustic report by NDY suggests concludes that the proposed development at 636 St Kilda Road is acceptable from a noise and vibration perspective, consistent with applicable state and local regulations. Key findings and recommendations are summarised below:

- Design Phase Coordination:
  - Façade Construction: Coordination between the project architect and acoustic consultant is required to finalise façade design, noting that the façade constructions proposed in this report already comply with the most stringent acoustic criteria, including those specified by the City of Port Phillip.

- Services Noise: Coordination between the mechanical and fire services engineer, pool consultant, and acoustic consultant is required to finalise the design of building services to ensure compliance with acoustic requirements.

- Construction Phase:
  - Noise and vibration during construction must be carefully managed to protect neighbouring residential and heritage properties.
  - A Construction Noise and Vibration Management Plan (CNVMP) is recommended to ensure construction activities comply with regulatory requirements and minimise impacts on surrounding properties.

112. It will be required that the recommendations of this report be implemented, at no cost to, and be to the satisfaction, of the Responsible Authority.

113. Subject to conditions, there are no overlooking issues between dwellings. Dwellings are provided with functional layouts which ensure a high level of amenity for future residents.

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

114. A Sustainability Management Plan prepared by NDY dated 22 August 2025 has been submitted with the application. The report states that:

- The building will be 100% electric with no natural gas infrastructure installed.
- The project is committed to achieve 7.5-star NatHERS development average with no individual dwelling achieving lesser than 6.0-star rating.
- Provision of a 20 kWp on-site renewable energy array via installation of photovoltaic panels.
- Potable water usage reduction via high efficiency WELS rated fixtures and appliances, rainwater harvesting system (35kL rainwater tank) and closed loop fire pump testing system.
- Water Sensitive Urban Design (WSUD) in alignment with Best Practice Environmental Management Guidelines (BPEMG).
- Best practice stormwater quality achieved via rainwater harvesting.

115. Council has required further information to be included as conditions on any approval. These are:

- Dwelling heating and cool systems to be within 1-star of best available.
- The internal residential lighting to be at 4W/m2.
- The capacity of the photovoltaic system increased to provide at least 5% of the annual energy consumption of the building.
- The BESS updated to refer to:
  - State that the rainwater tank is to be connected to all toilets and to irrigation
  - Include electric vehicle charging for 10% car spaces, provision of a car share parking space, 5 motorbike parking spaces.
  - Refer to the provision of a tap and floor waste on every balcony and courtyard.
  - Refer to external shading to north, east, west glazing.
- Building users guide that details essential information on the efficient, safe and sustainable operation of the building.
- MUSIC stormwater modelling.
- Material commitments such as:
- Concretes with 20-35% (or greater) Supplementary Cementitious Materials such as slag or flyash or similar geopolymer mixes for on-site on ground poured concrete mixes.
- Recycled steel sourced from accredited environmentally responsible steel producer.
- Sustainable timber products with third party certification through schemes such as Forest Stewardship Council (FSC) or Australian Forest Certification Scheme (AFSC), sourced as plantation timber. No rainforest timbers will be incorporated i.e. no Oregon, Western Red Cedar, Meranti, Merbau, Teak or Luan.

116. A Stormwater Management Plan prepared by NDY dated 21 August 2025 has been submitted with the application. The proposed stormwater management system for the development includes:

- A pipe network to collect minor storm runoff from impervious areas.

- Overland flow path designed to convey major storm runoff from impervious areas to the council road reserve.
- An on-site detention (OSD) tank, and underground storage pipes with orifice and weir control.

117. Whilst this is acknowledged, Council has required the proponent to demonstrate how the development will meet the water quality performance objectives as set out in the *Urban Stormwater – Best Practice Environmental Management Guidelines (CSIRO 1999)* or its updated equivalent and include:

    - Design details of the water sensitive urban design stormwater treatments to be used, including cross-sections and connection to legal point of discharge.
    - A Blue Factor report demonstrating compliance (or MUSIC modelling for large scale developments).
    - A plan showing all stormwater catchment areas, permeable and impermeable areas in square metres (m2).
    - A plan illustrating the location of the nominated water sensitive urban design stormwater treatment measures in relation to buildings, sealed surfaces and landscaping areas, with connection notations.

118. In addition, the Stormwater Management Plan must show details of how the water sensitive urban design stormwater treatment measures will be maintained on an on-going basis.

119. These will be rectified as conditions, as appropriate, on any approval that may issue. Subject to the above conditions, the proposal will satisfactory meet ESD principles.

Car parking and bicycle parking

Car Parking (Clause 52.06)

120. Pursuant to Clause 52.06-3, a planning permit is required to reduce the number of car parking spaces under Clause 52.06-5, including any reduction to zero. All car parking must comply with the design standards specified in Clause 52.06-9, unless the Responsible Authority grants an exemption.

121. Amendment VC277, gazetted on 18 December 2025, updated Clause 52.06 (Car Parking) to better align car parking requirements with demand and reduce the number of spaces required in locations well-serviced by public transport.

122. The site is identified within two categories (Category 3 and Category 4) on the Car Parking Requirement Maps (CPR Maps). Clause 52.06-5 provides that where land falls within multiple categories, the car parking rate for the higher category applies to the entire site. Consequently, a maximum of two car spaces per dwelling applies, resulting in a requirement for a minimum of 804 spaces for the proposed 402 dwellings.

123. An assessment of car parking has been undertaken in accordance with these requirements.

124. Pursuant to Clause 52.06-12 (Transitional Provision A), references to Clause 52.06-5 in the current provisions are taken to refer to the former Clause 52.06-5 for transition proposals, except in relation to maximum parking, where both of the following conditions are met:

    - The transition proposal involves a use listed in Table 1 of the current clause.
    - The number of spaces required under the former clause is less than the minimum number of spaces required under the current clause.

125. In this case, the former minimum statutory requirement of 474 spaces is less than the current minimum of 804 spaces. Accordingly, the transitional provisions of Clause 52.06-12 apply, and the application is to be assessed against the former Clause 52.06-5.

Land Use		Number of Units	Statutory Parking Rate	Parking Required
Dwelling	Studio (1-bed)	40 units	1 to each one- or two-bedroom dwelling	40 spaces
	1-bedroom	87 units		87 spaces
	2-bedroom	203 units		203 spaces
	3-bedroom	66 units	2 to each three- or more-bedroom dwellings	132 spaces
	Penthouse	6 units		12 spaces
	TOTAL	402 units	0 spaces for visitors to every 5 dwellings for developments of 5 or more dwellings	0 spaces
			TOTAL	474 spaces

Figure 33: Statutory car parking requirement under the former 52.06

126. The development proposes provision of 448 car spaces. As such, a permit is required under clause 52.06-3 for reduction in car parking provision. This is acceptable given that the site is located in an area that is well serviced by public transport, have good quality walking and cycling paths.

127. No on-site car sharing is proposed as part of this proposal. However, the submitted Traffic Engineering Assessment by Traffix Group suggests extensive car share pods are also available in the wider area. A condition on any approval with require that at least one car share is provided onsite.

128. No EV charging points are shown for any of the car spaces. It will be required as a condition on any approval that at least 10% car parking spaces across all parking levels be provided with electric vehicle fast charging infrastructure with associated signage.

Bicycle Parking (Clause 52.34)

129. Pursuant to clause 52.34-2, 1 bicycle parking space for every 5 dwellings for residents, 1 bicycle parking space for every 10 dwellings for visitors.

130. The proposal triggers a requirement for a minimum of 80 bicycle parking spaces for residents and 40 spaces for resident visitors, totalling 120 spaces.

131. The proposal triggers a requirement for a minimum of 80 bicycle parking spaces for residents and resident visitors, totalling 73 spaces. The proposal will provide 120 bicycle parking spaces, as required. A permit is not triggered under clause 52.34.

132. Clause 52.34 requires provision of showers and change rooms for residents (End of Trip facilities) and visitors is not required.

Green Travel Plan (GTP)

133. The application is supported by a Green Travel Plan that support sustainable forms of transport, such as public transport, walking and cycling. Council has required the plan to outline how traffic will be managed while prioritising sustainable, non-private transport. The GTA should promote public transport, cycling, and car-sharing through clear information displays, secure bike parking, signage, controlled parking access, and a dedicated car-share space. These will be included as conditions on any approval.

Access, loading and waste arrangements

Access

134. Access to the loading bay and car parking areas will be provided via Queens Lane. Another access will be provided from St Kilda Road. These will be mainly for vehicles using the porte cochère. This is satisfactory.

Queuing for parking

135. Traffic volumes using this access are expected to be low, with up to 15 vehicle movements in peak hours, and suitable traffic gaps mean no queuing or delays are anticipated. Site access has been designed to minimise queuing and delays, including a sufficiently long driveway from St Kilda Road to prevent congestion.

Traffic generation at peak times

136. The submitted Traffic Engineering Assessment by SALT suggests that the proposed development is expected to generate relatively low traffic volumes, with up to 36 vehicle movements equating to approximately one vehicle every 11 seconds. Dual access from St Kilda Road and Queens Lane will help distribute traffic across the surrounding road network, which is expected to readily absorb the additional movements.

137. Traffic generation is expected as follows:

- AM peak hour: 76 trips (15 in/51 out)
- PM peak hour: 60 trips (36 in/24 out)
- Daily: 611 trips (305 in/306 out).

138. Typically, in the AM peak hour, trips are distributed as 80% departing and 20% arriving and in the PM peak hour, trips are typically distributed as 60% arriving and 40% departing.

139. Compared to the existing commercial building, which generates significantly higher peak-hour traffic, the proposal will result in an overall reduction in weekday AM and PM peak-hour traffic.

Car parking functionability

140. The submitted Traffic Engineering Assessment by SALT confirms that the development is designed to comply with clause 52.06-9 Design Standard 2 & 3 – Car Parking Spaces and Gradients.

Loading area

141. Loading and waste collection is to be facilitated on Basement 1, with provisions made to accommodate up to two 6.4m Small Rigid Vehicles (SRVs) simultaneously. Loading and waste collection vehicles can access the basement from Queens Lane and utilise the car park aisle to reverse into the loading bay and exit in a forward direction. Swept paths have been provided and are satisfactory.

Waste arrangements

142. A Waste Management Plan (WMP), prepared by SALT, has been submitted with the application. The report confirms that adequate space is available on-site to accommodate all waste storage requirements for the proposed development.

143. A dual chute system for garbage and recycling will be provided on each residential level, discharging to a dedicated chute area at the lower ground level. Each dwelling will be supplied with unlined bins and bins with compostable linings approved by the waste contractor, each with a minimum capacity of 5 litres for glass and organic waste. Residents will transfer glass and organic waste to the designated bins located in the Level 1 basement bin room. Hard waste will be placed in the 9 sqm hard waste area within the same bin room, with collection organised by building management via a private contractor as required.

144. All bins will be stored on-site within the Level 1 basement bin room. Waste collections will occur between 7:00 am and 8:00 pm on Mondays to Saturdays (minimum two collections per week) and between 9:00 am and 8:00 pm on Sundays and public holidays, in accordance with the EPA Victoria Noise Control Guidelines 2021, ensuring minimal disturbance to neighbouring properties.

145. On-site waste collections will be undertaken using a small rigid waste collection vehicle (6.4 m). Hard waste collections will be performed by a utility vehicle or equivalent to an AustRoads B99 design vehicle.

Net community benefit

Affordable housing

146. To be considered under the clause 53.23 pathway, the proponent is required to provide at least 10% of the total number of dwellings in the development as affordable housing, or alternatively, via an alternative mechanism for the provision of affordable housing specified in the agreement under section 173 of the Act referred to in clause 53.23-4.

147. The proponent has opted to provide either:

- A cash contribution equivalent to 3% of the development cost, which, based on the development cost of $320 million, the contribution is estimated at $9.6 million to the Social Housing Growth Fund (SHGF) (payment to be made to the Department of Treasury (DTF) and Finance accounts receivable prior to occupation).

- A 10% allocation of affordable housing within the building, sold to a community housing provider at a 30% discount.

  For the purposes of this assessment, the average market value for the affordable housing dwellings is assumed to be equivalent to approximately $967,00, based on the price of a 2Bed 2Bath apartment at other new developments along St Kilda Road. On that basis, a 10% allocation to affordable housing would provide an estimated $11.7 million contribution to the community.

148. This will be required as a condition on any approval that may issue.

Urban Art

149. Further, a condition on any approval will require the permit holder to provide an urban art plan in accordance with Council's Urban Art Strategy to the value of at least 0.5% of the total building cost of the development, with the urban art installed prior to the occupation of the building.

Public realm improvements

150. As part of this proposal, the development will provide the following key ground floor public realm improvements:

- A pedestrian through-link connecting St Kilda Road, Queens Road to Queens Lane.
- A new St Kilda Road linear park, providing a green connection between Queens Lane and St Kilda Road tram line.
- A re-located vehicle crossover to consolidate the boulevard character along St Kilda Road, promoting seamless landscape outcomes.
- Provision of public meeting points, seating areas, and weather protection along all three street frontages.
- Landscaped setbacks along St Kilda Road, Queens Road, and Queens Lane to enhance pedestrian amenity.

Flooding implications

151. The subject land is not located on land that is subject to flooding. The application was not informally referred to Melbourne Water either.

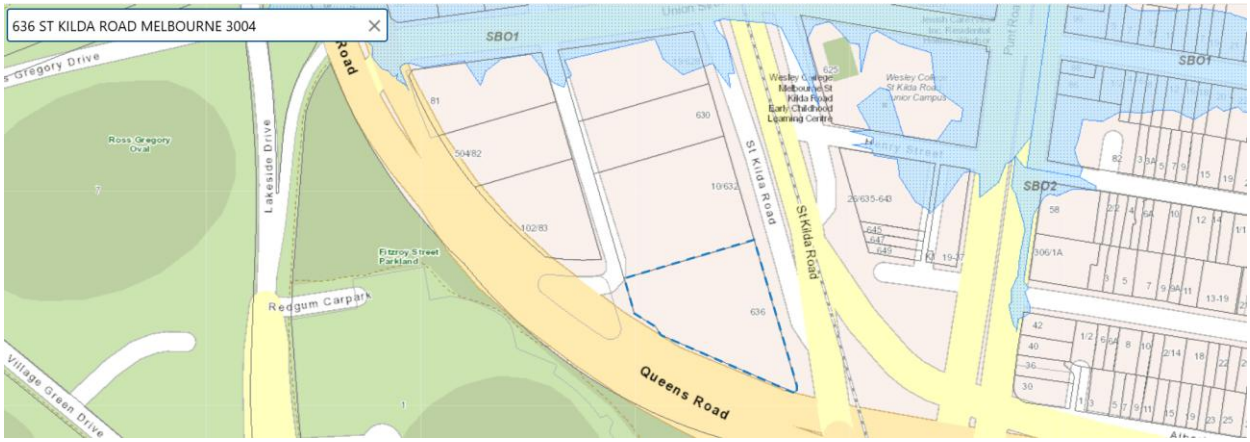


Figure 34: The site is not subject to flooding (source: VicPlan on 8 January 2026)

Environmental Audit Assessment

152. The site is located within a Commercial Zone and has no specific requirements for environmental audit assessment. The proppant has however submitted an Environment Risk Assessment for the development, prepared by Riskteck compliance dated December 2020, which finds:

- Overall, the site represents a low environmental risk.
- There are no moderate or high-risk tenancies currently located on site.
- Adjacent sites are not considered to have potential to have given rise to major soil or groundwater contamination.
- No visible signs of staining or unusual residues were observed on the exposed ground surfaces of the site.

- Hazardous chemicals are stored on site. In some instances, hazardous chemicals were observed to be stored without appropriate secondary containment.
- There are asbestos containing materials (ACM) on site, noted in the current Asbestos/Hazardous Materials report for the site. Some asbestos materials however have not been labelled.

153. It is noted that this report from 2020, especially in relation to hazardous materials stored on site. This is not a planning consideration and will be dealt with through other jurisdictions such as Local Laws. Similar, removing asbestos from site will require other permissions and conditions under the Australian Building Codes Board (BCA).

Cultural Heritage Management Plan (CHMP)

154. Part of the site is located within an area of Aboriginal cultural heritage significance. The study/site area being within 50m of a registered Aboriginal Place (VAHR 7822-3022), which is recognised as an area of Aboriginal cultural heritage sensitivity under Regulation 25(2) of the Regulations.

155. Urbis has prepared a Letter of Advice for the Proponent for the proposed re-development which states the following:

> *VAHR 7822-3022, an Aboriginal Historical Place, is separated from the study area by Queens Road. The next closest registered Place, VAHR 7822-4859, is 787m away on a different landform and does not inform the potential for cultural heritage within the study area. Nearby archaeological reports consistently identified ground disturbance, including land modification. CHMP 19042 concluded that the presence of Aboriginal cultural heritage was not reasonably possible in areas near the study area.*
>
> *The study area has been disturbed by land clearing, mechanical grading, levelling, excavation, and construction, and has historically been subjected to significant ground disturbance as defined by the Regulations. This investigation is guided by FPSR's 2018 Practice Note on significant ground disturbance.*

156. Based on the assessment findings the Urbis has concluded that:

- The study area has historically been subjected to significant ground disturbance as defined by the Regulations. This includes machine grading and machine excavating.
- There is no reasonable potential for in situ archaeological deposits present within the study area due to a long history of construction and land use resulting in significant ground disturbance.
- As a result of the above, the study area is no longer within an area of cultural heritage sensitivity as outlined in Regulation 25(3). Therefore, a mandatory Cultural Heritage Management Plan is not required for this application.
- Due to the ongoing significant disturbance in the study area, there is a low likelihood for Aboriginal cultural heritage to be present within the study area and a voluntary CHMP is not recommended.

Permit Expiry

157. This application is lodged under clause 53.23, which is for shovel-ready proposals in accordance with the Housing Statement. Therefore, the expiry dates should align with developments of this scale: three years to commence and five years to complete from the permit date, should a permit issue.

How does the development respond to the grounds of objections raised?

Nature of submission	Planning Officer comments
Traffic and Access Impacts	A Construction Management Plan will be required as a condition of any approval. The plan must be prepared to the satisfaction of Council and address measures to mitigate potential impacts on the surrounding road network and neighbouring properties, ensuring minimal disruption to amenity during construction.
• Queens Lane and surrounding streets are narrow and cannot accommodate the additional 449 vehicles, service trucks, and construction traffic.	
• The proposal will create congestion, safety hazards, impeded emergency access, and reduced residential amenity.	
• Cumulative impacts of multiple nearby developments, increased congestion around St Kilda Junction, and reduced	

road capacity, placing an unreasonable burden on local infrastructure and residents.	The submitted traffic report raises no concerns associated with cumulative effects of the proposed development on local and state roads.
Construction disruption	
• Prolonged construction activity would result in noise, dust, heavy vehicle congestion, after-hours works, and safety risks, particularly due to inadequate construction traffic management planning.	A Construction Management Plan will be required as a condition of any approval. The plan must be prepared to the satisfaction of Council and address measures to mitigate potential impacts on the surrounding road network and neighbouring properties, ensuring minimal disruption to amenity during construction.
• Need clarification whether construction trucks will be allowed to use Queens Lane or restricted to St Kilda Road.	
• Residents' safe entry and exit by car and on foot must be ensured throughout the construction period.	
Construction Impacts	
• Extended multi-year demolition and construction will generate persistent noise, vibration, dust, and traffic disruption, negatively affecting residents' quality of life.	
Asbestos and Demolition	
• The 1974 building contains unlabelled asbestos. The application relies on a five-year-old visual audit (RiskTech 2020) rather than a current destructive Hazardous Materials Audit. Total demolition without such a report creates an unacceptable health risk to neighbouring residents.	This is a building compliance issue that must be resolved before any demolition proceeds and not a planning discretion issue. The adequacy of hazardous materials identification prior to demolition will be addressed under the Building Code of Australia.
Excessive Height and Visual Bulk	
• At 90m, the tower dwarfs surrounding buildings, exceeding discretionary height limits by ~50%, disrupting the streetscape and boulevard character, unsuitable scale, affects skyline.	See table in paragraph 68 of this report for discussion on built form and compliance with DDO26
• Height is not justified by planning controls (DDO26) or emerging local context or heritage setting.	
• The building footprint is excessively long compared to other St Kilda Road towers.	
• The proposal does not comply with the 11m podium height or 6m landscape strip requirements outlined in the St Kilda Road North Precinct Framework Plan	
• Contrasts with the symmetrical, 20–21 storey buildings along the boulevard, disrupting the streetscape.	
• Width of tower (68m) far exceeds recommended maximum (35m), increasing visual bulk.	
• Overshadowing, loss of daylight, and loss of views to St Kilda Esplanade, Fitzroy Street, Junction Oval, and Port Phillip Bay will occur.	See paragraph 103-106 of this report for discussion on overshadowing and compliance with the Shrine controls.
Amenity, Community, and Social Concerns	
• Minimal setbacks (4.5 m) and sheer walls create privacy intrusion, a "canyon effect," and amplified noise.	The proposed development has been designed to limit overlooking impacts on neighbouring properties to the northern boundary. a 4.5m setback has been provided, which mitigates overlooking impacts to 632 St Kilda Road while providing for equitable development should a future development be pursued on the land.

• Noise, glare, wind impacts, overlooking and proximity of balconies and pool areas reduce neighbouring residential amenity.	A glare report was submitted with the application which finds the proposed development is expected to perform well in mitigating reflected glare risks. Wind impacts will be mitigated through conditions and noise associated with the use of the development will be typical of noise expected from a residential tower.
Design violates the equitable development principles	
• Poor community integration - high-density, self-contained design risks functioning as an isolated enclave, undermining social cohesion.	The development is a typical high rise resident tower, prevalent within the neighbourhood and the central city.
• Omission of visitor parking exacerbates parking stress in the area.	The site is well sited and accessible to other modes of sustainable transport which is encouraged
• The mix of small apartments may facilitate short-term rentals, increasing anti-social behaviour risks.	This is pre-emptive and unsubstantiated.
• Impact of neighbouring 632 St Kilda Road - will create a 27m high southern wall along most of the boundary with 632 St Kilda Road, resulting in loss of views, visual bulk, and reduced access to natural light for apartments, private and communal open spaces, causing unreasonable detriment.	The proposal has been assessed to have a high degree of compliance with DDO26. As discussed earlier in the report, the proposal will not pose unreasonable detriment to the property to the north at 632 St Kilda Road
Sustainability Issues	
• Demolition wastes embodied energy, increases carbon emissions, and generates substantial construction waste.	While it is acknowledged that demolition results in the loss of embodied energy and generates construction waste, this must be balanced against the long-term environmental, functional, and planning benefits of the proposed redevelopment. The existing building does not meet contemporary standards for energy efficiency, accessibility, fire safety, or overall building performance as required under current codes and policies. Retaining the structure would constrain the site's ability to achieve modern sustainability objectives. In contrast, the proposed development will incorporate a new built form that complies with all relevant energy efficiency and sustainability requirements, delivering substantially improved operational performance over the building's lifecycle. The resulting long-term reductions in energy consumption and associated emissions are considered to outweigh the short-term environmental impacts of demolition.
• Retrofitting the existing building could achieve similar sustainability outcomes.	While retrofitting can enhance the sustainability of an existing building, its effectiveness is often constrained by the original design, structural limitations, and inherent operational inefficiencies. In contrast, the proposed redevelopment enables the integration of modern sustainable design strategies, energy-efficient systems, and high-performance materials, achieving superior long-term environmental outcomes. In this context, redevelopment provides a more effective and enduring approach to maximising sustainability than attempting to retrofit the existing structure.
• Basement footprint limits deep soil planting, reducing canopy tree growth and local greenery.	The basement design has been carefully configured to maximise opportunities for deep soil areas and landscaping where possible. While some limitations are unavoidable, the landscape strategy includes provision for canopy trees,

	planting in available soil zones, and green infrastructure to enhance local greenery, biodiversity, and streetscape amenity. Overall, the development balances site constraints with meaningful landscaping outcomes.
Environmental Issues	
• Dust, noise, and vibrations from construction threaten resident health, particularly those with respiratory conditions.	Construction activities will be subject to a Construction Management Plan that includes specific measures to minimise dust, noise, and vibration in accordance with relevant environmental and health standards. Dust suppression, noise controls, and vibration monitoring will be implemented to protect nearby residents, including those with respiratory or other health sensitivities. These impacts will be temporary, managed, and regulated to ensure risks to health are minimised.
Heritage and Cultural Concerns	
• The building casts significant shadow on the Ngargee (Corroboree) Tree, a State-significant Aboriginal cultural asset, threatening its health and Indigenous heritage connections.	As noted earlier in this report, the proposal does not cast unreasonable shadows on the Ngargee tree. A report by Veris confirms the proposed Building Model provided by the applicant complies with the Shrine Vista Controls. Arup was engaged by the proponent to undertake an external reflected glare assessment for the façade of the proposed development. The report states that, overall, the proposed development is expected to perform well in mitigating reflected glare risks.
• Potential non-compliance with Shrine Vista and broader heritage protection obligations.	
• Shrine Vista - impact of materials/reflectivity on visual distraction during ceremonial events.	
Procedural and Compliance issues	
• The public notice did not appear by the date stated, limiting community awareness and consultation opportunities.	The applicant has submitted a Statutory Declaration that states that the notice was posted on the land on 19 November 2025 and maintained in good order for 14 days. The Statutory Declaration was signed and returned to the Department on 8 January 2026. Any objection submitted to the time of the decision of this application (20 February 2026), as required by the Planning and Environment Act were considered.
• Environmental Risk Assessment Report, hazardous material assessments are either outdated or incomplete.	The site is not affected by any control that require the submission of Environmental Risk Assessment Report. This has been done voluntarily and will be further assessed under the Building Code of Australia.
• Current plans for loading, waste, and construction management, acoustic report are inadequate.	Current plans and reports are adequate to assess the proposal. Any discrepancies and shortcomings will be dealt with as conditions on any approval
• The development exceeds discretionary height, width, and podium limits, violating St Kilda Road North Precinct planning controls.	See response to built form earlier in the report
• The Development Facilitation Program is intended to deliver significant public benefit. This proposal opts for a 3% cash-in-lieu contribution rather than providing on-site affordable housing, failing to meet the intended social outcomes.	This is an option available to the applicant under the Development Facilitation Program at Clause 53.23 of the Port Phillip Planning scheme, which the applicant has opted for.
Market and Social Impacts	
• Additional 402 units contribute to oversupply of unsold units, potentially devaluing neighbouring properties.	The proposed development responds to demonstrated housing demand in a well-serviced, inner-city location and aligns with strategic planning objectives for increased residential density. Market conditions, including levels of

	supply, demand, and property values, are influenced by broader economic factors and are not a planning consideration. There is no evidence that the development would directly devalue neighbouring properties, and appropriately designed residential growth in accessible locations is generally associated with long-term neighbourhood viability and housing choice rather than adverse economic impact.
• Proposal does not deliver meaningful affordable housing, failing the intended public benefit objectives.	The proposed cash contribution for affordable housing is consistent with Clause 53.23 of the Port Phillip Planning Scheme. The contribution will support the further provision of affordable housing both locally and statewide. The contribution will be committed to and ensured, through a permit condition.
• The proposal prioritises developer yield over neighbourhood amenity, environmental sustainability, heritage protection, and community safety.	The proposal has been designed to achieve an appropriate balance between development yield and broader planning objectives, including neighbourhood amenity, environmental sustainability, heritage protection, and community safety. The design responds to the site's context and relevant planning controls. Maximising yield has not been pursued at the expense of these considerations, and the proposal represents an orderly and appropriate development of the site.
Support for the development:	
• Will help address Melbourne's housing crisis, making better use of a mostly empty current office tower.	Noted
• Construction noise and disruption are expected in an inner-city location, and similar impacts have occurred historically from neighbouring buildings.	Noted
• Retention of greenery and landscaping improvements are positive outcomes.	Noted
• Reduction in car parking will improve affordability (as some apartments could be sold without car spaces), and reduce traffic impacts given excellent public transport access (multiple tram lines, Windsor station, Metro Anzac station) and high walkability.	Noted

Conclusion

158. The development is generally consistent with the relevant planning policies of the Port Phillip Planning Scheme.

159. Subject to the conditions recommended in this report, the proposal is expected to deliver a high-quality development within Melbourne and provide public benefits, including the provision of affordable housing. The proposal has generally received support from the relevant referral agencies, subject to their recommended conditions.

160. It is acknowledged that some residents have lodged objections to the proposal. An assessment has been undertaken to evaluate how the development addresses the issues raised, and conditions will be imposed where necessary to mitigate these concerns.

161. Accordingly, it is recommended **that Planning Permit No. PA2503894 be issued for the use and development of a 27-storey residential building comprising 402 apartment-style dwellings above a four-level basement, including a reduction in car parking and alterations to vehicle access in TRZ2**, at 626 St Kilda Road, Melbourne, subject to the recommended conditions.

Recommendation

162. It is recommended that a planning permit be approved, subject to conditions.

163. It is recommended that the applicant and objectors be notified of the above in writing.

Prepared by:

[redacted]

APPENDIX 1

CLAUSE 58 ASSESSMENT: BETTER APARTMENTS DESIGN STANDARDS RESPONSE

Clause 58.01 Urban Context Report and Design Response	
58.01-1 Application requirements An application must be accompanied by: • An urban context report. • A design response.	**Assessment** The town planning report prepared by Urbis Ltd (dated 20 August 2025) and Urban Context Report prepared by Bates Smart (dated August 2025), submitted as part of this application, submitted as part of this application, adequately responds to this requirement. Compliance with Standard ☑ Compliance with Objective ☑
58.01-2 Urban Context Report The urban context report may use a site plan, photographs or other techniques and must include: An accurate description of: • Site shape, size, orientation and easements. • Levels and contours of the site and the difference in levels between the site and surrounding properties. • The location and height of existing buildings on the site and surrounding properties. • The use of surrounding buildings. • The location of private open space of surrounding properties and the location of trees, fences and other landscape elements. • Solar access to the site and to surrounding properties. • Views to and from the site. • Street frontage features such as poles, street trees and kerb crossovers. • The location of local shops, public transport services and public open spaces within walking distance. • Movement systems through and around the site. • Any other notable feature or characteristic of the site. An assessment of the characteristics of the area including: • Any environmental features such as vegetation, topography and significant views. • The pattern of subdivision.	**Assessment** An Urban Context Report prepared by Bates Smart (dated August 2025), was submitted as part of this application, addressing the relevant features. Compliance with Standard ☑ Compliance with Objective ☑

• Street design and landscape. • The pattern of development. • Building form, scale and rhythm. • Connection to the public realm. • Architectural style, building details and materials. • Off-site noise sources. • The relevant NatHERS climate zones (as identified in Clause 58.03-1). • Social and economic activity. • Any other notable or cultural characteristics of the area.	
58.01-3 Design response The design response must explain how the proposed design: • Responds to any relevant planning provision that applies to the land. • Meets the objectives of Clause 58. • Responds to any relevant housing, urban design and landscape plan, strategy or policy set out in this scheme. • Derives from and responds to the urban context report. 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 authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.	**Assessment** A satisfactory assessment of how the policy responds to the PPF, Clause 58, relevant housing, urban design and landscape policy was submitted to support this application. Compliance with Standard ☑ Compliance with Objective ☑

Clause 58.02 Urban Context	
58.02-1 Urban context objectives • To ensure that the design responds to the existing urban context or contributes to the preferred future development of the area. • To ensure that development responds to the features of the site and the surrounding area.	**Assessment** The Urbis Town Planning Report and BATESSMART Urban Context report demonstrate that the proposal will be consistent with the existing urban context and will positively contribute to the preferred future development of Melbourne. Compliance with Standard ☑ Compliance with Objective ☑
Standard D1 • The design response must be appropriate to the urban context and the site. • The proposed design must respect the existing or preferred urban context and respond to the features of the site.	
58.02-2 Residential Policy objectives • To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework. • To support higher density residential development where development can take advantage of public and community infrastructure and services.	**Assessment** A satisfactory assessment of how the policy responds to the PPF, Clause 58, relevant housing, urban design and landscape policy was submitted as part of this application.

Standard D2 • 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.	Compliance with Standard ☑ Compliance with Objective ☑
58.02-3 Dwelling Density objectives • To encourage a range of dwelling sizes and types in developments of ten or more dwellings. **Standard D3** • Developments of ten or more dwellings should provide a range of dwelling sizes and types, including dwellings with a different number of bedrooms.	**Assessment** The development will have a total of 402 dwellings with the following configuration: • Studios: 40 apartments (10%) • 1 bedroom apartment: 87 apartments (22%) • 2 bedroom apartment: 203 apartments (50%) • 3 bedroom apartment: 72 apartments (18%) The proposal provides a range of dwelling sizes and types, including dwellings with a different number of bedrooms. Compliance with Standard ☑ Compliance with Objective ☑
58.02-4 Infrastructure objectives • To ensure development is provided with appropriate utility services and infrastructure. • To ensure development does not unreasonably overload the capacity of utility services and infrastructure. **Standard D4** • Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available. • Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads. • 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.	**Assessment** The proposed development will be located within an existing, established and functioning urban area, which is well serviced and has connections to appropriate utility services and infrastructure. The available services and trunk infrastructure will be able to service this development. Compliance with Standard ☑ Compliance with Objective ☑
58.02-5 Integration with the street objective • To integrate the layout of development with the street. **Standard D5** • Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility. • Development should be oriented to front existing and proposed streets. • High fencing in front of dwellings should be avoided if practicable. • Development next to existing public open space should be laid out to complement the open space.	**Assessment** The development will have a high level of integration with St Kilda Rd, Queens Rd and Queens Lane. The development responds to each street frontage with active land uses that will have interaction with the public realm and provide passive surveillance. The proposal will link the already available, well accessible pedestrians, cyclists paths along St Kilda Road. Compliance with Standard ☑ Compliance with Objective ☑

Clause 58.03 Site Layout

58.03-1 Energy Efficiency objectives

- To achieve and protect energy efficient dwellings and buildings.
- To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.
- To ensure dwellings achieve adequate thermal efficiency

Standard D6

- Buildings should be:
- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.

  Living areas and private open space should be located on the north side of the development, if practicable.

  Developments should be designed so that solar access to north-facing windows is optimised.

  Dwellings located in a climate zone identified in Table D1 should not exceed the maximum NatHERS annual cooling load specified in the following table.

Table D1 Cooling load

NatHERS climate zone	NatHERS maximum cooling load MJ/M² 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

Note: Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy).

Assessment

The site functions as an island site (circled by roads and laneways) and has an advantage of clear building separation and direct street frontages to St Kilda Rd, Queens Street and Queens Lane. The proposed development is designed to optimise natural ventilation and solar access through the inclusion of dual aspect apartments and the strategic orientation of habitable room windows to the north. These design measures will support thermal comfort and reduce reliance on mechanical heating and cooling systems.

The site is located within Climate Zone 21 (Melbourne), which requires a maximum average annual cooling load of 30 MJ/m². The modelling of apartment samples demonstrate an average cooling load of 30MJ/m², which meets the minimum requirement. Further, the submitted SMP suggests the development will achieve the following targets:

- The building will be 100% electric with no natural gas infrastructure installed.
- The project is committed to achieve 7.5-star NatHERS development average with no individual dwelling achieving lesser than 6.0-star rating.
- Provision of a 20 kWp on-site renewable energy array via installation of photovoltaic panels.

Compliance with Standard ☑

Compliance with Objective ☑

58.03-2 Communal open space objective

- To provide communal open space that meets the recreation and amenity needs of residents.
- To ensure that communal open space is accessible, practical, attractive, easily maintained.
- To ensure that communal open space is integrated with the layout of the development and enhances resident amenity.

Standard D7

- A development of 10 or more dwellings should provide a minimum area of communal outdoor open space of 30 square metres. A development of 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. Each area of communal open space should be:
  - > Accessible to all residents.
  - > A useable size, shape and dimension.

Assessment

The proposal consists of 402 dwellings and is required to provide 30sqm + 1,005 = 1,035sqm, or 220sqm of communal open space, whichever is lesser.

The development will provide:

- A 135sqm linear park along St Kilda Road
- An outdoor terrace of 182sqm on Level 21

In addition, the development will provide 1,578sqm of communal indoor amenities, comprising:

- 852 sqm at ground level – health and wellness facilities
- 366 sqm at Level 1 – residential and work lounges
- 360 sqm at Level 20 – entertainment and dining spaces

All communal spaces, both indoor and outdoor, will be accessible to residents, well integrated within the building design, and intended to be functional, attractive, and easy to manage.

Compliance with Standard ☑

> Capable of efficient management. > Located to: – Provide passive surveillance opportunities, where appropriate. – Provide outlook for as many dwellings as practicable. – Avoid overlooking into habitable rooms and private open space of new dwellings. – Minimise noise impacts to new and existing dwellings. • Any area of communal outdoor open space should be landscaped and include canopy cover and trees.	Compliance with Objective ☑
58.03-3 Solar access to communal outdoor open space objective • To allow solar access into communal outdoor open space. **Standard D8** • The communal outdoor open space should be located on the north side of a building, if appropriate. • 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.	**Assessment** The communal open space areas will be located at the northern end of the development and have been designed to optimise solar access, exceeding the requirement for a minimum of two hours of sunlight to at least 50 per cent of the area at the equinox. Further the site is located within walking distance of open space areas and parks. Compliance with Standard ☑ Compliance with Objective ☑
58.03-4 Safety objective • To ensure the layout of development provides for the safety and security of residents and property **Standard D9** • Entrances to dwellings should not be obscured or isolated from the street and internal accessways. • Planting which creates unsafe spaces along streets and accessways should be avoided. • Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways. • Private spaces within developments should be protected from inappropriate use as public thoroughfares.	**Assessment** The layout of the development provides for the safety and security of residents. All dwellings will be well connected and not visually obscured or isolated. The design provides clear sightlines, adequate lighting, and passive surveillance of car park entrances and internal accessways. Pedestrian and vehicle accessways will be easily identifiable from the public realm. Pedestrian and vehicle access to the site will be adequately lit (subject to inclusion of conditions pertaining to provision of footpath lighting). Compliance with Standard ☑ Compliance with Objective ☑
58.03-5 Landscaping objectives • To provide landscaping that supports the existing or preferred urban context of the area and reduces the visual impact of buildings on the streetscape. • To preserve existing canopy cover and support the provision of new canopy cover. • To ensure landscaping is climate responsive, supports biodiversity, wellbeing and amenity and reduces urban heat. **Standard D10** • Development should retain existing trees and canopy cover.	**Assessment** A concept landscape plan prepared by Tract is provided with the application that provides concept of how the public realm areas of the development will be laid out and landscaped. An Arboricultural Assessment details health of street trees and others that will be removed and how the existing ones, to be retained will be protected. The scale of car parking and building services required for this development has heavily influenced the spatial extents of the basement which needs to extend beyond the current basement envelope. To construct basement levels, 28x trees within the

- Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.
- Development should: 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.
  - > Provide canopy cover through canopy trees that are:
    - – 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.
    - – Consistent with the canopy diameter and height at maturity specified in Table D4.
    - – Located in communal outdoor open space or common areas or street frontages.
- Comprise smaller trees, shrubs and ground cover, including flowering native species.
- Include landscaping, such as climbing plants or smaller plants in planters, in the street frontage and in outdoor areas, including communal outdoor open space.
- 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.
- Be supported by irrigation systems which utilise alternative water sources such as rainwater, stormwater and recycled water.
- Protect any predominant landscape features of the area.
- Take into account the soil type and drainage patterns of the site.
- Provide a safe, attractive and functional environment for residents.
- Specify landscape themes, vegetation (location and species), irrigation systems, paving and lighting.

Table D2 Canopy cover and deep soil requirements

Site area	Canopy cover	Deep soil
1000 square metres	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

site will be required for removal, while 2x trees will be retained outside the basement extent.

Notwithstanding the above, the proposal meets the relevant quantitative standards under Clause 58.03-5, including:

- Provision of at least 15% of the site as deep soil (Table D2).
- Planting of required Type B or Type C canopy trees, in accordance with Table D3 planter or soil requirements.
- Achieves the canopy cover area minimum, with appropriate species selected to meet height and spread at maturity (Table D4).

The proposal will use native and flowering species across all planting zones. Irrigation systems will be designed to use alternative water sources. Shading will be provided of key outdoor areas through vegetation and shade structures.

The development will meet the objective of this clause.

Compliance with Standard ☑

Compliance with Objective ☑

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 of 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 type

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

58.03-6 Access objective

- To ensure that vehicle crossovers are designed and located to provide safe access for pedestrians, cyclists and other vehicles.
- To ensure the vehicle crossovers are designed and located to minimise visual impact.

Standard D11

- Vehicle crossovers should be minimised.
- 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.
- Pedestrian and cyclist access should be clearly delineated from vehicle access.
- The location of crossovers should maximise pedestrian safety and the retention of on-street car parking spaces and street trees.
- Developments must provide for access for service, emergency and delivery vehicles.

Assessment

Vehicular access is will be from Queens Lane and St Kilda Rd.

Subject to conditions, pedestrian and cyclist access will delineated from vehicle access along the Queens Rd frontage.

Compliance with Standard ☑

Compliance with Objective ☑

58.03-7 Parking Location objectives

- To provide convenient parking for resident and visitor vehicles.
- To protect residents from vehicular noise within developments.

Standard D12

- Car parking facilities should:
  - > Be reasonably close and convenient to dwellings.
  - > Be secure.
  - > Be well ventilated if enclosed.
- 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.

Assessment

The development incorporates secure, basement car parking across four levels accessed via the western interface. No dwellings are to be impacted by car parking. The car parks will be conveniently accessible to the dwellings via private lift cores and staircases.

Compliance with Standard ☑

Compliance with Objective ☑

58.03-8 Integrated water and stormwater management objectives • To encourage the use of alternative water sources such as rainwater, stormwater and recycled water. • To facilitate stormwater collection, utilisation and infiltration within the development. • 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.	**Assessment** The plan emphasises best practice standards identified through the MUSIC treatment, including stormwater harvesting via 35kL rainwater tanks to collect stormwater from clean roof catchments as primary treatment, enhancement of water quality through the use of filters and stormwater proprietary water treatment systems as overflow before leaving the site towards a nominated point of discharge. As noted in the body of this report, Council has required conditions to be included in any approval – seeking further details. These will be required to be rectified as conditions on any approval. Compliance with Standard ☑ Compliance with Objective ☑
Standard D13 • Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use. • Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority. • The stormwater management system should be: > 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). > Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.	

Clause 58.04 Amenity Impacts	
58.04-1 Building setback objectives • 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. • To allow adequate daylight into new dwellings. • To limit views into habitable room windows and private open space of new and existing dwellings. • To provide a reasonable outlook from new dwellings. • To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents.	**Assessment** As discussed in the body of this report, the proposal will comply with the setbacks stipulated at DDO26. The upper levels provide a transitional building height, stepping down from St Kilda Road to the Queens Road and Queens Lane. The stepped form also enables light and air to channel toward the Albert Park reserve. A balance of building envelope and setback controls has been applied, resulting in appropriate building separation internal to the site and to the neighbouring property to the north. Given the site is bound by roads on all sides, the proposal would maintain equitable development for the surrounding properties, provide sufficient view lines and natural light access to dwellings.
Standard D14 • The built form of the development must respect the existing or preferred urban context and respond to the features of the site. • Buildings should be set back from side and rear boundaries, and other buildings within the site to: Ensure adequate daylight into new habitable room windows.	

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. Provide an outlook from dwellings that creates a reasonable visual connection to the external environment. Ensure the dwellings are designed to meet the objectives of Clause 58.	Compliance with Standard ☑ Compliance with Objective ☑
58.04-2 Internal views objective • To limit views into the private open space and habitable room windows of dwellings within a 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.	**Assessment** All apartments' windows subject to overlooking impacts will be treated with obscured glazing to a height of 1.7m. All communal terrace areas provided to each level of the residential floors will incorporate a screen to obscure sightlines to secluded private open spaces and habitable windows. Compliance with Standard ☑ Compliance with Objective ☑
58.04-3 Noise impacts objectives • To contain noise sources in developments that may affect existing dwellings. • 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. • 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 D3 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.	**Assessment** The site is located at the convergence of Queens Road and St Kilda Road, both major arterials. The submitted acoustic report by NDY suggests concludes that the proposed development at 636 St Kilda Road is acceptable from a noise and vibration perspective, consistent with applicable state and local regulations. However, the report indicates that, provided the specific façade construction requirements outlined within the report are met, along with proper placement and selection of mechanical services, the development can achieve the necessary noise reductions to comply with the decibel limits set by Standard D16. Mechanical plants will be located on the roof level, with acoustic screening to ensure that the penthouse area's open space maintains appropriate amenity standards. Car parking will be located within the basement levels and podium areas, to ensure sufficient separation from residential apartments. It will be required that the recommendations of this report be implemented, at no cost to and be to the satisfaction of the Responsible Authority. Compliance with Standard ☑ Compliance with Objective ☑

- Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.

Table D3 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.

58.04-4 Wind impacts objectives

- To ensure the built form, design and layout of development does not generate unacceptable wind impacts within the site or on surrounding land.

Standard D17

- Development of five or more storeys, excluding a basement should:
  - 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 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.
- 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.
- 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.

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.

Assessment

A wind tunnel study has been conducted by Windtech. The findings of the Pedestrian Wind Environment Study indicate that wind conditions across the majority of trafficable outdoor areas within and surrounding the development will be suitable for their intended uses. Notwithstanding this, the study identifies several locations where wind conditions are predicted to exceed the relevant comfort and/or safety criteria. Accordingly, a series of mitigation measures is recommended.

The report provides that with the incorporation of these mitigation measures into the final design, it is anticipated that wind conditions across all trafficable outdoor areas within and surrounding the development will achieve acceptable levels of comfort and safety for their intended uses. It will be required as a condition on any approval that the mitigation measures are incorporated in the design.

Compliance with Standard ☑

Compliance with Objective ☑

58.05 On-Site Amenity and Facilities

58.05-1 Accessibility objective	**Assessment**

- To ensure the design of dwellings meets the needs of people with limited mobility.

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 D4.

Table D4 Bathroom design

	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 circulation area	A clear path with a minimum width of 900mm from the door opening to the circulation area.	Not applicable.
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.

The typical apartment layout/dimension plans indicate that the accessibility requirements of this Standard will be achieved for 58% of the development. This exceeds the minimum requirement of 50%.

Compliance with Standard ☑

Compliance with Objective ☑

58.05-2 Building entry and circulation objectives

- To provide each dwelling and building with its own sense of identity.
- To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.
- To ensure internal communal areas provide adequate access to daylight and natural ventilation.

Standard D19

- Entries to dwellings and buildings should:
  - > Be visible and easily identifiable.
  - > Provide shelter, a sense of personal address and a transitional space around the entry.
- The layout and design of buildings should:
  - > Clearly distinguish entrances to residential and non-residential areas.
  - > Provide windows to building entrances and lift areas.

Assessment

The proposed development clearly defines ground floor entry and residential lobby and commercial tenancies.

Residential access to the building will be via a single sheltered entry to Queens Road, designed as an enclave to the street to give a sense of privacy, yet a highly visible and clearly identifiable as the building entry.

Common areas will maintain clear sight lines and incorporate multiple sources of natural light and ventilation.

Compliance with Standard ☑

Compliance with Objective ☑

- Provide visible, safe and attractive stairs from the entry level to encourage use by residents.
- Provide common areas and corridors that:
  - Include at least one source of natural light and natural ventilation.
  - Avoid obstruction from building services.
  - Maintain clear sight lines

58.05-3 Private open space objective

- To provide adequate private open space for the reasonable recreation and service needs of residents

Standard D20

- A dwelling should have private open space consisting of at least one of the following:
  - An area of 25 square metres, with a minimum dimension of 3 metres and convenient access from a living room.
  - A balcony with at least the area and dimensions specified in Table D8 and convenient access from a living room.
  - An area on a podium or other similar base of at least 15 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

Dwelling type	Minimum area	Minimum dimension
Studio or 1 bedroom dwelling	8 square metres	1.8 metres
2 bedroom dwelling	8 square metres	2 metres
3 or more bedroom dwelling	12 square metres	2.4 metres

Table D9 Additional living area or bedroom area

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

58.05-4 Storage objective

- To provide adequate storage facilities for each dwelling

Standard D21

- Each dwelling should have convenient access to usable and secure storage space.

Assessment

All dwellings will be provided with private open space areas in accordance with Standard B20.

Heating and cooling equipment will not be located on the balconies of the dwellings.

Compliance with Standard ☑

Compliance with Objective ☑

The compliance by schedule and the town planning report suggests that all dwellings will be provided with storage areas in accordance with this standard. As dimensions of storage areas are only provided for those located within the dwellings, it is not clear if this standard is met for all dwellings. A condition will require that the total storage area provided for each dwelling is provided in accordance with this standard.

• The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table D10. **Table D10 Storage** 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	Compliance with Standard ☑ Compliance with Objective ☑

58.06 Detailed Design

58.06-1 Common property 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. **Standard D22** • Developments should clearly delineate public, communal and private areas. • Common property, where provided, should be functional and capable of efficient management.	**Assessment** The proposal has been designed to clearly delineate public, communal and private areas. Common property will be functional and capable of efficient management Compliance with Standard ☑ Compliance with Objective ☑
58.06-2 Site services objectives • To ensure that site services can be installed and easily maintained. • To ensure that site facilities are accessible, adequate and attractive **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 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.	**Assessment** The proposal has been designed to ensure that site services can be installed and easily maintained within accessible locations throughout the development. Sufficient space is set aside for mailboxes for the dwellings in a convenient location in the lobby for regular access by Australia Post. Compliance with Standard ☑ Compliance with Objective ☑
58.06-3 Waste and recycling objectives • To ensure dwellings are designed to encourage waste recycling. • To ensure that waste and recycling facilities are accessible, adequate and attractive. • To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm. **Standard D24**	**Assessment** The proposal has been designed to ensure that waste and recycling facilities are accessible, adequate and attractive. Waste and recycling facilities have been designed to be managed to minimise impacts on residential user amenity. Compliance with Standard ☑ Compliance with Objective ☑

• Developments should include dedicated areas for: > Waste and recycling enclosures which are: – Adequate in size, durable, waterproof and blend in with the development. – Adequately ventilated. – Located and designed for convenient access by residents and made easily accessible to people with limited mobility. > Adequate facilities for bin washing. These areas should be adequately ventilated. > 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. > Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.	
> Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate. • Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and: > Be designed to meet the best practice waste and recycling management guidelines for residential development adopted by Sustainability Victoria. > Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.	
58.06-4 External walls and materials objective • To ensure external walls use materials appropriate to the existing urban context or preferred future development of the area. • To ensure external walls endure and retain their attractiveness.	**Assessment** The external walls use materials appropriate to the existing urban context or preferred future development of the area and will be able to endure and retain their attractiveness.
Standard D25 • External walls should be finished with materials that: > Do not easily deteriorate or stain. > Weather well over time. > Are resilient to the wear and tear from their intended use. External wall design should facilitate safe and convenient access for maintenance.	Compliance with Standard ☑ Compliance with Objective ☑
58.07 Internal Amenity	
58.07-1 Functional layout objective	**Assessment**

• To ensure dwellings provide functional areas that meet the needs of residents	All dwellings within the development will be provided with bedrooms and living areas with minimum dimensions outlined in the standard. Studio apartments will be provided with living areas in accordance with this standard. Compliance with Standard ☑ Compliance with Objective ☑
Standard D26 • Bedrooms should: Meet the minimum internal room dimensions and area specified in Table D11. Provide an area in addition to the minimum internal room dimensions and area to accommodate a wardrobe. • Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table D12. **Table D11 Bedroom dimensions** Bedroom type | Minimum width | Minimum depth | Minimum area Main bedroom | 3 metres | 3.4 metres | 10.2 sqm All other bedrooms | 3 metres | 3 metres | 9 sqm **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	
58.07-2 Room depth objective • To allow adequate daylight into single aspect habitable rooms	**Assessment** The proposed building includes a 3.1-3.7m metre floor to floor height which allows for a minimum 2.7m finished floor to ceiling level. All apartments with single aspect habitable rooms, including combined living, dining and kitchen area. The development complies with this standard. Compliance with Standard ☑ Compliance with Objective ☑
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.	
58.07-3 Windows objective • To allow adequate daylight into new habitable room windows.	**Assessment** All habitable rooms are provided with a window in an external wall of the building. Dwelling types 2.2,2.7, 2.10, 2.11, 2.14 (20% of the apartments) are provided with snorkel rooms. These bedrooms are however provided with a minimum width of 1.2 metres and a maximum depth of 1.5 times the width, measured from the external surface of the window. Compliance with Standard ☑ Compliance with Objective ☑
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.	
58.07-4 Natural ventilation objectives • To encourage natural ventilation of dwellings. • To allow occupants to effectively manage natural ventilation of dwellings.	**Assessment** 44 per cent of dwellings will achieve effective cross ventilation in accordance with Standard D29 of the Port Phillip Planning Scheme Compliance with Standard ☑ Compliance with Objective ☑
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.	