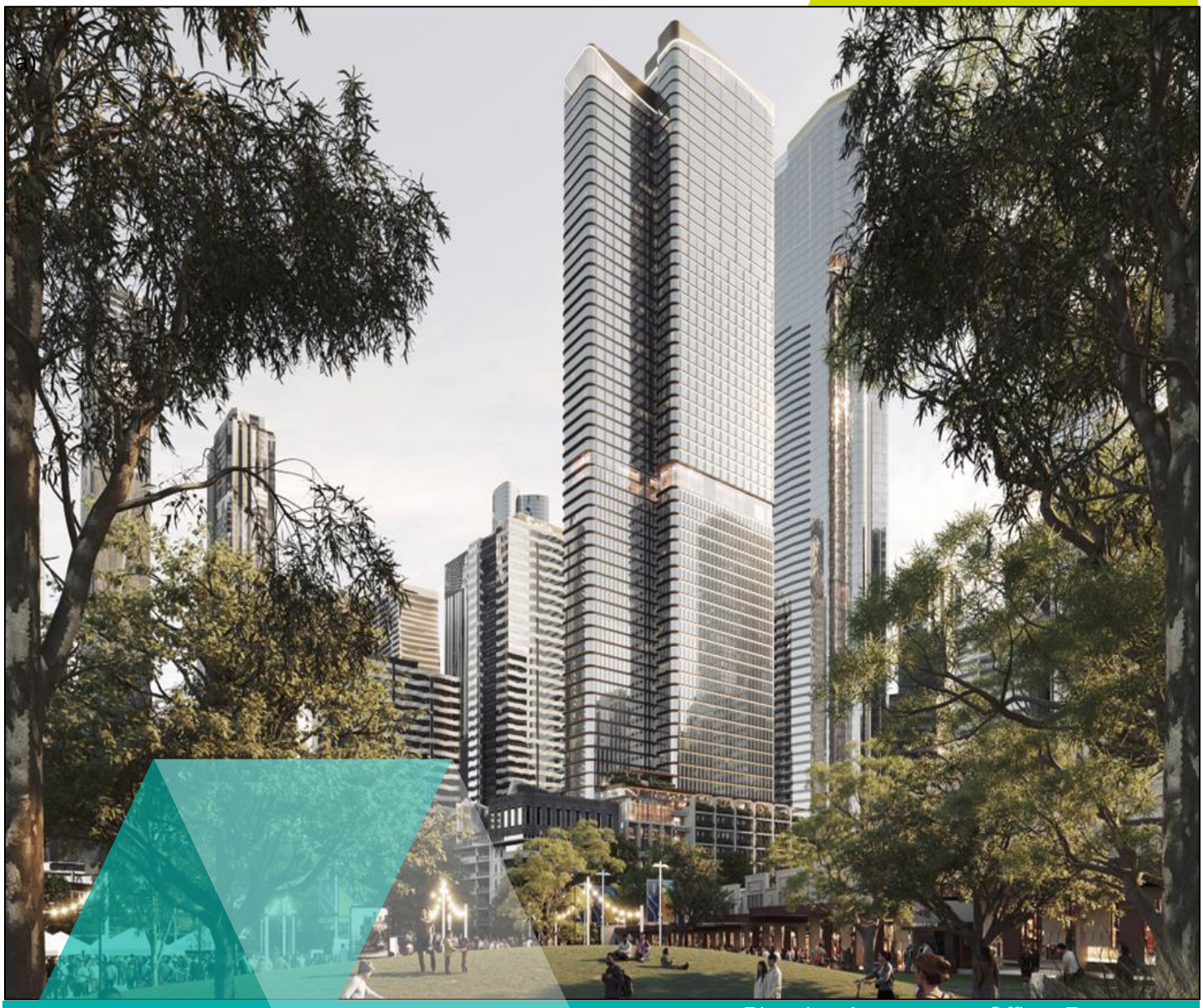
Assessment Officer Report PA2503754 – 400 Queen Street, Melbourne



Planning Assessment Officer Report
Development Assessment

VICTORIA State Government | Department of Transport and Planning

Contents

Executive Summary

Key Information	Details		
Application No:	PA2503754		
Received:	**10 June 2025**		
Statutory Days:	174 days		
Applicant:	Sime Darby Property (Queen Street) Development Pty Ltd c/- Urbis Pty Ltd		
Planning Scheme:	Melbourne		
Land Address:	382-406 Queen Street, Melbourne		
Proposal:	Demolition of the existing building, construction of a building and a reduction in the bicycle facility requirements		
Development Value:	$495,619,040		
Metropolitan Planning Levy:	Paid – $644,304.70		
Why is the Minister responsible?	In accordance with the schedule to Clause 72.01 of the Melbourne Planning Scheme, the Minister for Planning is the Responsible Authority for this application because it is in relation to: • development of land as part of a single project or multiple related projects, if it involves: ○ construction of a new building or buildings containing a total gross floor area of more than 25,000 square metres;		
Why is a permit required?	**Clause**	**Control**	**Trigger**
Zone:	Clause 37.04	Capital City Zone – Schedule 1 (Outside the Retail Core)	*A permit is required to construct a building or construct or carry out works unless the schedule to this zone specifies otherwise.* *A permit is required to demolish or remove a building or works if specified in the schedule to this zone.*
	Clause 43.02	Design and Development Overlay – Schedules 1 (Urban Design in Central Melbourne) and 10 (General Development Area – Built Form)	*Construct a building or construct or carry out works.*
	Clause 45.09	Parking Overlay – Schedule 1 (Capital City Zone – Outside the Retail Core)	*N/A - A permit is only required to provide car parking spaces in excess of the car parking rates in Clause 3.0 of this schedule.*
Particular Provisions:	Clause 52.06	Car Parking	*N/A – A permit is only required to provide more than the maximum parking provision specified in a schedule to the Parking Overlay*
	Clause 52.34	Bicycle Parking	*A permit may be granted to vary, reduce or waive any requirement of Clause 52.34-5.*
	Clause 53.03	Residential Reticulated Gas Service Connection	*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.*
	Clause 53.18	Stormwater Management in Urban Development	*An application to construct a building or construct or carry out works:* • *Must meet all of the objectives of Clauses 53.18-5 and 53.18-6.* • *Should meet all of the standards of Clauses*

			53.18-5 and 53.18-6.
	Clause 58	Apartment Developments	*A development:* • *Must meet all of the objectives of this clause.* • *Should meet all of the standards of this clause.*

Cultural Heritage:	N/A			
Total Site Area:	3,218 m²			
Gross Floor Area:	103,772 m²			
Floor Area Ratio:	28.61:1 (92,090 m² (GFA above ground level) / 3,218 m² (site area))			
Height:	65 storeys, excluding two levels of rooftop plant			
	220.47 metres (measured from the centre of the Queen Street frontage of RL 22.83 metres excluding rooftop plant of RL 243.3 metres)			
	250 metres to Australian Height Datum – highest point			
Land Uses:	**Dwellings (BTS)**	**Student Accommodation (PBSA)**	**Office**	**Retail**
	297 x studios 330 x 1 bedroom 66 x 2 bedroom **Total: 693 dwellings**	520 x 1 bed units 40 x 2 bed units (80 beds) 60 x 3 bed units (180 beds) 20 x 6 bed units (120 beds) **Total: 900 beds**	10,103 m² (NLA)	3,419 m² (GLAR)
Communal areas:	**Internal**		**External**	
	Dwellings – 1,544 m² PBSA – 1,730 m² **Total: 3,274 m²**		Dwellings – 436 m² PBSA – 663 m² **Total: 1,099 m²**	
Parking:	**Cars**	**Motorcycles**	**Bicycles**	
	154	27	386	
Referral Authorities:	Head, Transport for Victoria (s55 – determining referral) Melbourne City Council (s55 – recommending referral)			
Advice sought:	Office of the Victorian Government Architect (OVGA) / DTP Urban Design			
Public Notice:	The application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the *Planning and Environment Act 1987*.			
Delegates List:	Approval to determine under delegation received on 12 March 2026.			

Application Process

1. The key milestones in the application process were as follows:

Milestone	Date
Pre-application request lodged	19 March 2025
OVGA design review (VDRP)	9 April 2025 Comments provided 29 April 2025
Application lodgement	**10 June 2025**
Further information requested	30 June 2025
Further information received	**5 September 2025**
Section 50 amendment (response to the Council's internal referral comments)	**30 September 2025**
Decision Plans	Plans prepared by Cox Architects, titled '400 Queen Street', Drawings TP00-0000 to TP90-0010, listed on Cover Sheet TP00-0000, Revision 3 and received 30 September 2025.
Other Assessment Documents	Planning Report prepared by Urbis and dated 6 June 2025; Urban Context Report prepared by Cox Architects and dated June 2025; Development Summary prepared by Cox Architects and received 6 June 2025; FAR Calculations prepared by WTP Australia Pty Ltd and dated 6 June 2025; Contemporary Public Benefit Assessment prepared by Urbis and dated 6 June 2025; Traffic Engineering Assessment prepared by Traffic Group and dated 25 September 2025; Waste Management Plan prepared by Leigh Design and dated 1 October 2025; Sustainability Management Plan prepared by Stantec and dated 6 June 2025; Stormwater Management Plan prepared by Webber Design Pty Ltd and dated 6 June 2025; Landscape Town Planning Report prepared by Tract Consultants and dated 6 June 2025; Environmental Wind Conditions Study and an Environmental Wind Conditions report both prepared by MEL Consultants and dated 18 August 2025; Acoustic Town Planning Report prepared by Acoustic Logic and dated 6 June 2025; and

	3D Model received 5 September 2025.

2. The subject of this report is the decision plans (as described above).

Proposal Summary

3. The application proposes demolition of the existing building and construction of a 65-storey mixed-use building.

4. Key features of the proposal are:

- The construction of a 220.47 metre (measured from the centre of the Queen Street frontage of RL 22.83 metres to the top of the roof of RL 243.3 metres) building, plus roof plant with an overall height of RL 250 metres. The building is proposed to contain retail premises, office, student accommodation and dwellings. Car parking, storage, bicycle parking and motorcycle parking are to be provided within four levels of basement.
- Retail premises are proposed at Ground Level, Mezzanine Level and Level 1, with part of a Ground Level tenancy extending to the Basement 1 Level. Office is proposed on Levels 2 to 6 and on part Level 7. Student accommodation is proposed on Levels 9 to 28, with communal spaces provided on Mezzanine Level and Levels 7 and 8. Dwellings are proposed on Levels 30 to 62, with communal spaces provided on Levels 8, 29 and 63.
- The ground level features a network of publicly accessible spaces, which are identified as laneways and arcades, and total 1,314 square metres of the site. Of this, 720 square metres would be open to the sky and 594 square metres would be covered by the proposed building. The spaces connect the proposed development to Anthony Street to the east via the existing easement areas, located within the title boundaries.
- The building is proposed in a podium and tower typology with a permeable and activated ground level, an articulated podium to each street frontage and a slipped tower form.
- External materials and finishes of the building include brick, glazing, GRC, metal and aluminium.

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

Key Information	Details
Total Site Area:	3,218 m²
Gross Floor Area:	103,772 m²
Gross Floor Area above Ground Level:	92,090 m²
Floor Area Ratio:	28.61:1
Podium Height:	36.83 metres – Queen Street (measured from the centre of the Queen Street frontage of RL 22.83 metres) 37.97 metres – A'Beckett Street (measured from the centre of the Queen Stret frontage of RL 22.83 metres)
Total Building Height:	220.47 metres (measured from the centre of the Queen Street frontage of RL 22.83 metres to the top of the roof of RL 243.3 metres), plus rooftop plant with an overall height of RL 250 m AHD
Tower Setbacks:	Queen Street: 5 to 15.3 metres A'Beckett Street: 5 to 23 metres Northern boundary: 6 to 25.5 metres Eastern boundary: 9.6 to 18.1 metres
Dwellings:	693 dwellings, including: • 297 x studios

	• 330 x 1 bedroom • 66 x 2 bedroom
Student accommodation:	900 beds, including: • 520 x 1 bed units • 40 x 2 bed units (80 beds) • 60 x 3 bed units (180 beds) • 20 x 6 bed units (120 beds)
Office:	10,103 m² (Net Lettable Area)
Retail:	3,419 m² (Gross Leasable Area Retail)
Car Parking:	154 spaces
Bicycle Parking:	386 spaces
Motorcycle Parking:	27 spaces

Figure 1: Concept image of the proposed building viewed from the future Market Square, QVM (Source: Application)

Figure 2: Concept image of the proposed building viewed from the north-west (Source: Application)

Figure 3: Concept image of the proposed building viewed from the north-east (Source: Application)

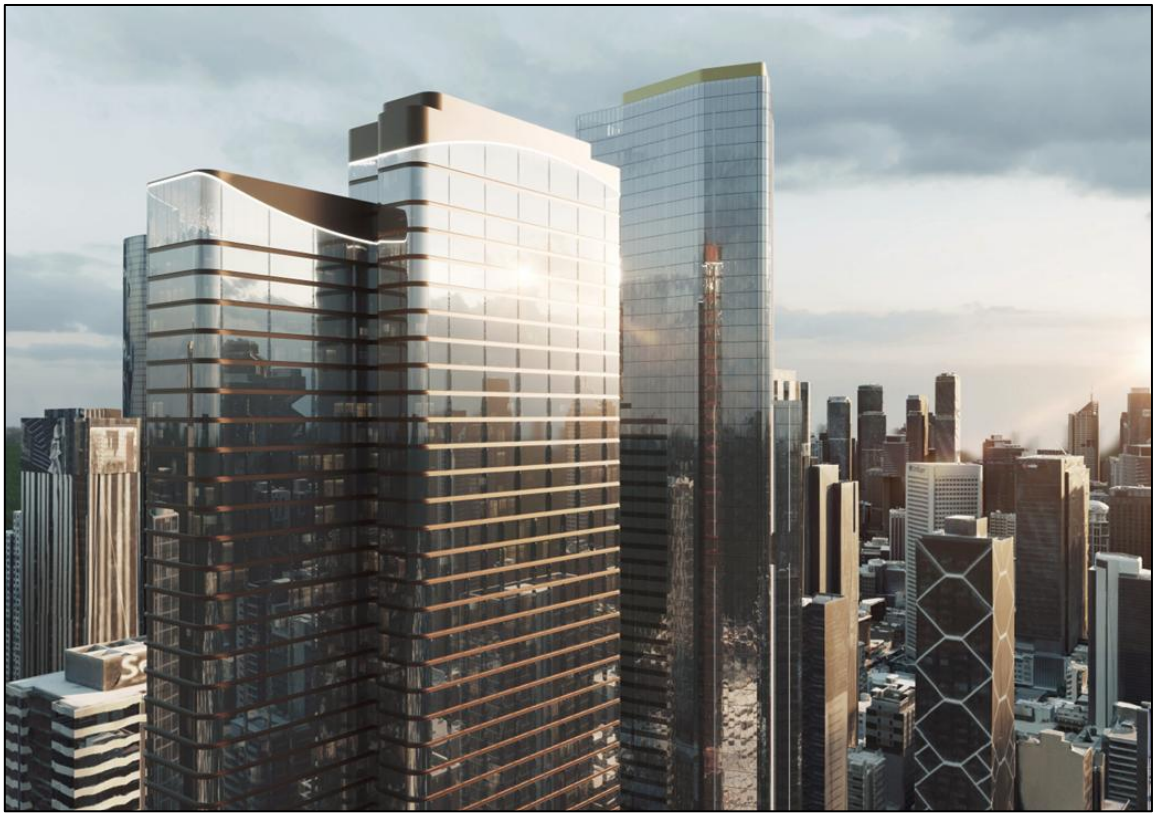


Figure 4: Concept image of the crown of the proposed building viewed from the north-west (Source: Application)

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

Figure 6: Concept image of the proposed podium along A'Beckett Street (Source: Application)

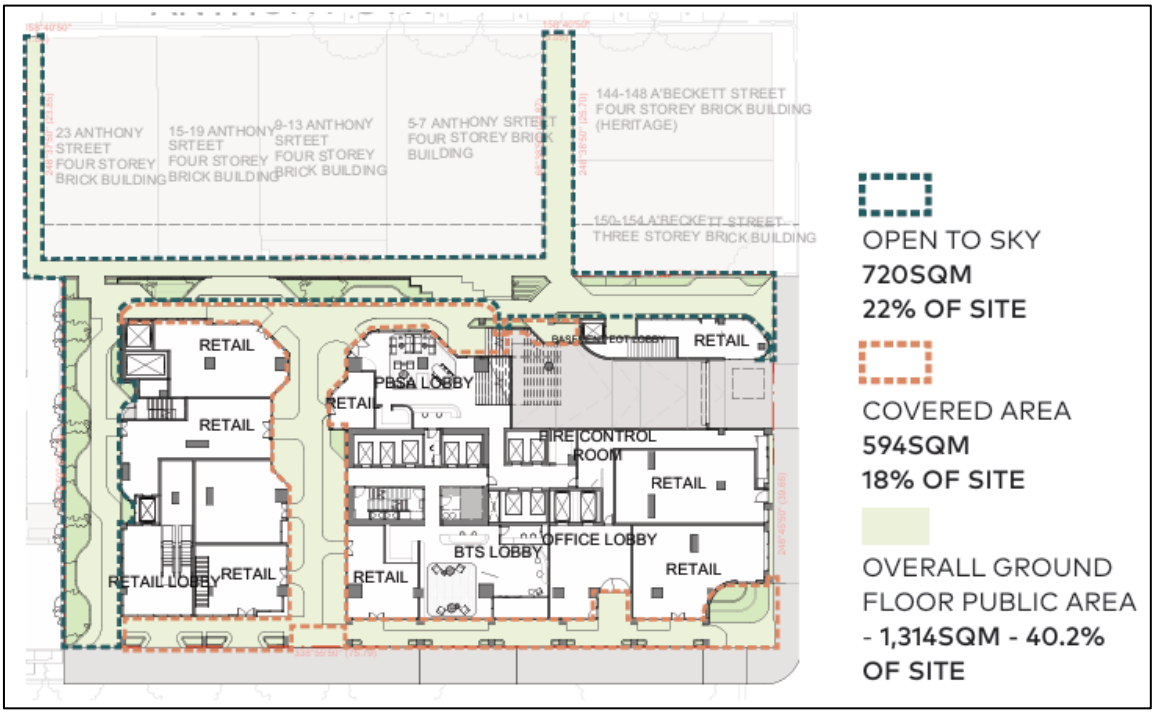


Figure 7: Ground Level publicly accessible spaces and connections (Source: Application)

Subject Site and Surrounds

Site Description

6. The subject site is rectangular in shape located on the north-east corner of Queen Street and A'Beckett Street, Melbourne. The site includes two narrow sections of land which extend to Anthony Street to the east that are encumbered by easements of carriageway, drainage and sewerage.

7. The site has a frontage to Queen Street of 75.79 metres, a frontage to A'Beckett Street of 39.66 metres and a total site area of 3,218 square metres. The northern laneway, extending to Anthony Street has a width of 1.83 metres and a length of 25.68 metres, while the southern laneway extending to Anthony Stret has a width of 3.05 metres and a length of 25.7 metres.

8. The site is formally known as Land on Plan of Consolidation 161945Q in Volume 12323 Folio 511. The site is affected by the following easements and restrictions:

    - Section 52A Agreement, *Town and Country Planning Act 1961* – L929335J: Operation of the car park.
    - Section 173 Agreement, *Planning and Environment Act 1987* – AC278000J: Monitoring of the car park occupancy.
    - Easement E-1: Drainage and sewerage (northern half of the north / south laneway and the northern laneway).
    - Easement E-2: Drainage, sewerage and carriageway (southern half of the north / south laneway and the southern laneway).

9. The site is currently developed with a seven-storey building used as a commercial car park with an education centre occupying the ground and mezzanine levels. The site has a triple width crossover to A'Beckett Street in the south-east corner.

10. There is a fall in the land across Queen Street from the north to the south of approximately 1.8 metres and along A'Beckett Street from the west to the east of approximately 1.6 metres.

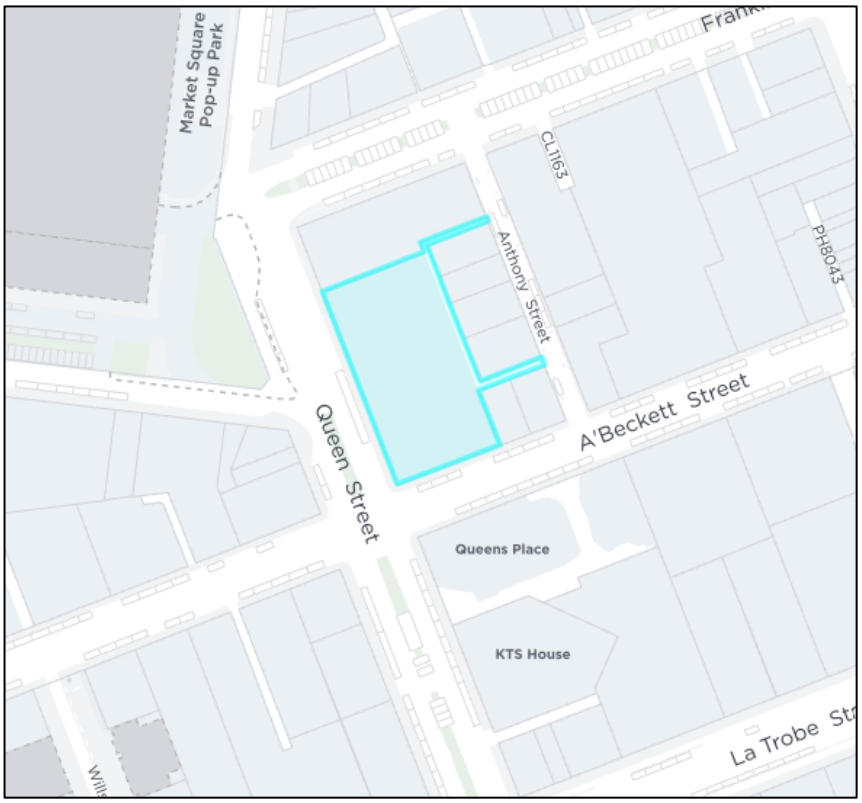


Figure 8: Subject site (Source: maps.melbourne.vic.gov.au)

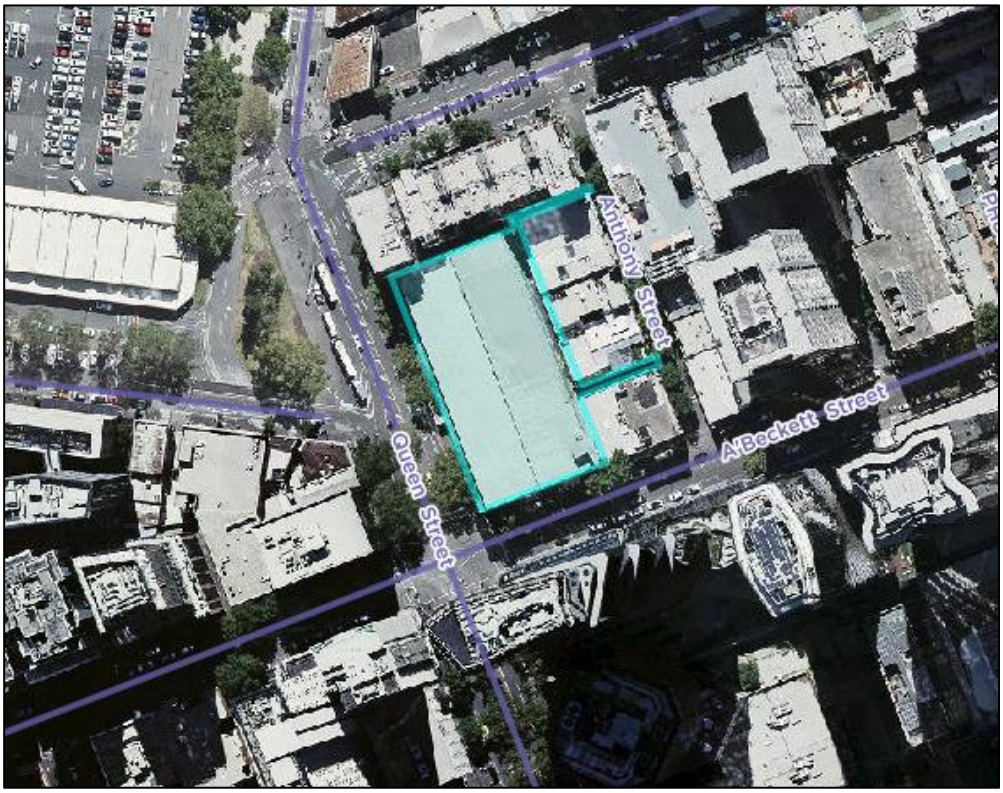


Figure 9: Aerial map of subject site (Source: maps.melbourne.vic.gov.au)

Figure 10: Subject site - western elevation (Queen Street) (Source: Site Visit - 12 February 2026)

Figure 11: Subject site corner of Queen Street and A'Beckett Street (Source: Site Visit - 12 February 2026)

Site Surrounds

11. The subject site is located within the norther portion of the Hoddle Grid, where it transitions into the Queen Victoria Market (QVM) Precinct and further north-west to the lower scale areas of North Melbourne. The locality features a mixture of uses including residential, commercial and education uses. The prominent feature of the area is the Queen Victoria Market, which is a place of national and state heritage significance and subject to the Development Plan Overlay – Schedule 11 (Queen Victoria Market Precinct) (DPO11).

12. The site is positioned in close proximity to multiple public transport options (trains, trams and buses) and public open spaces. Flagstaff Train Station is located 300 metres to the south-west, Melbourne Central Train Station is located 250 metres to the south-east and the new State Library Station is accessible via Franklin Street, 400 metres to the north-east. Tram routes are located along La Trobe Street (No. 30 and No. 35), Elizabeth Street (No. 19, No. 57 and No.59) and Peel Street / William Street (No. 58). Multiple bus routes are located within close proximity (No. 220, No. 232, No. 234, No. 235, No. 236, No. 237, No. 546, No. 605, No.684 and No. 959). Flagstaff Gardens is located 260 metres to the west, while the future Market Square (a 1.8 hectare new park as part of the Queen Victoria Market Southern Precinct Development Plan) is located 70 metres to the north-west.

13. Development surrounding the site can be described as follows:

    - To the **north** of the site is 410 Queen Street, a 6-8 storey residential building known as the Melbourne Terrace Apartments. This is a locally significant graded heritage place (Heritage Overlay – HO1160). This building also includes lower-level retail and office uses.

      Further north, beyond Franklin Street, is land located within DPO11. On the corner of Queen Street and Therry Street is the QVM Munro development, a mixed-use development comprising a hotel, dwellings (including Build to Rent and affordable housing dwellings), community uses including a council library, retail and a public car park. The development varies in height from 40 metres to 125 metres.

      To the south of this site is 432-438, 440 and 446-450 Queen Street, which includes single and double storey buildings. The site is known as Parcel B – Stage 1 and a Development Plan (DP2000876) and Planning Permit

(PA2000875) were approved for a 67 metre (21 storey) high mixed-use building, comprising retail and dwellings (including affordable rental housing). This permit has since lapsed. To the south of this site are properties 422-428 Queen Street, 142-146 Franklin Street and 132 Franklin Street, which include a single and double storey building and a vacant site. This site is known as Stage 2 of Parcel B and to date, no planning approvals have been issued for the redevelopment of this site.

- To the **east** of the site are properties that face Anthony Street a Class 2 lane identified in Clause 15.01-1L-01 (CBD Lanes). Buildings directly adjoining the site, with a frontage to Anthony Street (No.s 5-7, 9-13, 15-19 and 21-23), are 3 and 4 storeys in height and are predominantly residential. They do not have any heritage status.

  Buildings along A'Beckett Street, No.s 150-154 and 144-148, are 3 and 4 storey office buildings and do not have any heritage status.

  Further to the east, is the two mixed-use tower development of 89 and 149 metres in height known as Fulton Lane and completed in 2015.

- To the **south** of the site is A'Beckett Street, which features buildings ranging in height from two to 10 storeys, as well as a number of tower developments completed in recent years. Immediately to the south, at 143-171 A'Beckett Street, is the development known as Queens Place, which includes a 79-storey residential and retail building (tower 1) and a second building, approved at a similar height that has yet to commence construction.

- To the **west** of the site is Queen Street, the Queen Victoria Market (QVM) and land located within DPO11. The QVM is listed on the Victorian Heritage Register (HV734) and the National Heritage Register (106277).

  This site is part of the southern development precinct of the *Queen Victoria Market Precinct Framework Plan 2017*, identified as Parcel D in DPO11. The Queen Victoria Market Southern Precinct Development Plan (DP) was approved under delegation by the Minister for Planning on 26 March 2024, subject to amendments. On 28 June 2024 the DP was endorsed and provide an overarching planning framework to lead the transformation of the QVM Southern Precinct Development site and allows:

  - A new 'Market Square', replacing the existing at-grade public car park with a landscaped public open space of 1.8 hectares. This includes a new shared path north of the Franklin Street Stores (FSS) to provide a pedestrian and bicycle connection to the surrounding streets and Flagstaff Gardens and deliveries to the FSS.
  - The 'Queens Corner Building' (QCB) on Parcel C (maximum height 13 metres), a new cultural and civic building incorporating public amenities, visitor centre and market and civic uses.
  - Retail tenancies within the restored and revitalised FSS.
  - Three buildings on Parcel D, including and to the south of the FSS – Tower 1 commercial building (125 metres), Tower 2 Build to Rent building (141 metres to 162 metres) and Tower 3 student housing building (176 metres), connected by new laneways activated with ground level retail, food and drink premises and building entries.
  - Affordable housing – 15% of net area of Tower 2.
  - An underground car park in the basement of Towers 1 and 2 and accessed from Franklin Street, primarily for market customers and traders, comprising 389 spaces, including 198 public car spaces, 20 trader van spaces, 82 commercial car spaces (to be accessible to market customers / general public on weekends), 87 residential car spaces and 2 loading bay spaces.

  On 19 August 2024, under delegation from the Minister for Planning, Planning Permit PA2302374 was issued for the construction of two towers of 125 metres and 162 metres for office and residential use.

  On 19 August 2024, under delegation from the Minister for Planning, Planning Permit PA2302581 was issued for the construction of a 183-metre tower for use as student accommodation.

Queen Street has recently been reconfigured in preparation for the redevelopment of the land in accordance with the DP, which included the removal of the roundabout at the intersection of Franklin and Queen Streets.

Existing development on the western side of Queen Street includes a two-storey building at 375 Queen Street, a significant heritage place (Heritage Overlay – HO735), a two-storey retail building at 373 Queen Street and a 10-storey office building on the north-west corner of Queen and A'Beckett Streets.

On the south-west corner of Queen and A'Beckett Streets is a 28-storey residential building, with lower-level retail and office uses.

Figure 12: 410 Queen Street (left) and QVM Southern Development site (right) (Source: Site Visit - 12 February 2026)

Figure 13: 143-171 A'Beckett Street (left) and 365-371 Queen Street (right) (Source: Site Visit - 12 February 2026)

Figure 14: 150-154 A'Beckett Street (left) and 144-148 A'Beckett Street (right) (Source: Site Visit - 12 February 2026)

Figure 15: Anthony Street looking south (left) and laneway to the south of 5-7 Anthony Street (right) (Source: Site Visit - 12 February 2026)

Figure 16: Laneway to the north of 21-23 Anthony Street (left) and 15-19 Anthony Street (right) (Source: Site Visit - 12 February 2026)

14. The proposed building within its surrounding context is illustrated below:

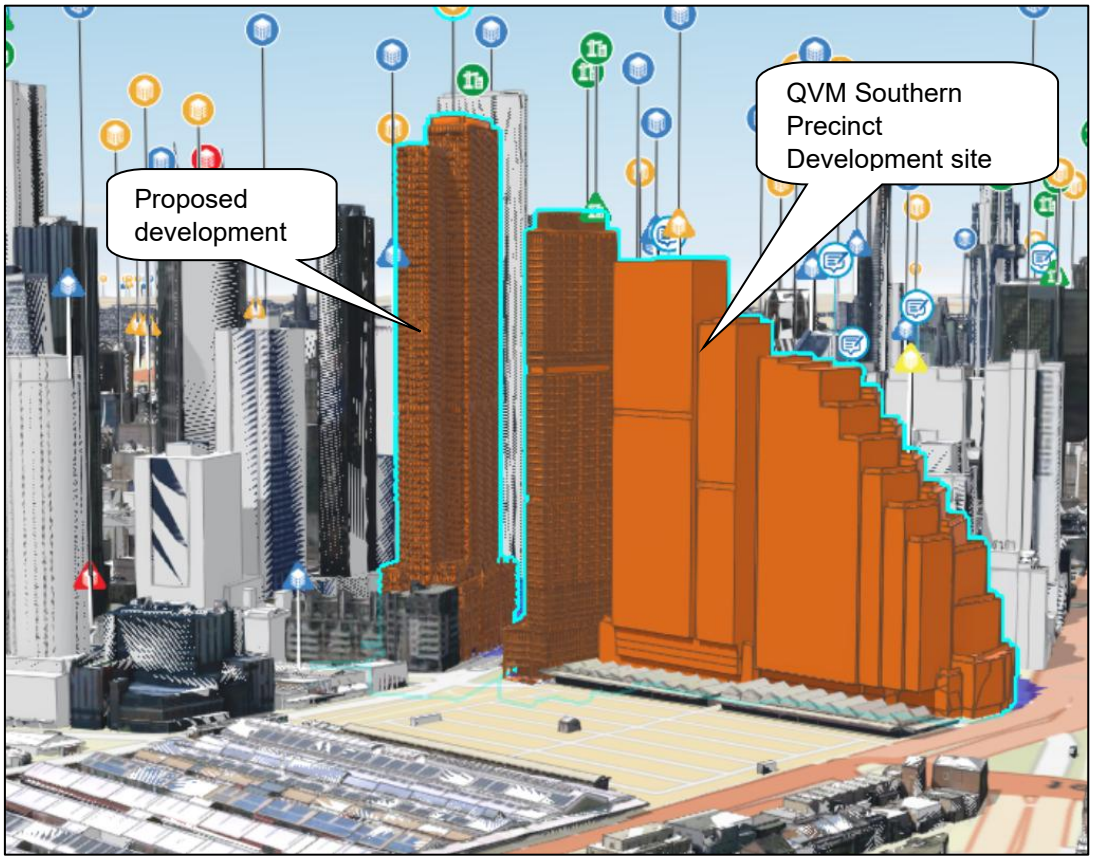


Figure 17: Proposed development with approved QVM development to the right (Source: DTP 3D model)

Planning Provisions

Plan for Victoria

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

Municipal Planning Strategy

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

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

02.04	Strategic Framework Plans

Planning Policy Framework

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

Clause 11	**Settlement**
11.01-1S	Settlement
11.01-1R	Settlement – Metropolitan Melbourne
11.03-1S	Activity centres
11.03-1R	Activity centres – Metropolitan Melbourne
11.03-6L-09	Hoddle Grid
Clause 13	**Environmental Risks and Amenity**
13.05-1S	Noise management
13.07-1L-03	Land use compatibility
Clause 15	**Built Environment and Heritage**
15.01-1S	Urban design
15.01-1R	Urban design – Metropolitan Melbourne
15.01-1L-01	CBD Lanes
15.01-1L-04	Urban design
15.01-2S	Building design
15.01-2L-01	Energy and resource efficiency
15.01-2L-02	Floor area uplift and delivery of public benefits
Clause 16	**Housing**
16.01-1S	Housing supply
16.01-1R	Housing supply – Metropolitan Melbourne
16.01-1L	Student housing
16.01-2S	Housing affordability
Clause 17	**Economic Development**
17.01-1S	Diversified economy
17.01-1R	Diversified economy – Metropolitan Melbourne
17.02-1S	Business
Clause 18	**Transport**
18.01-1S	Land use and transport integration
18.01-1L	Land use and transport planning
18.02-3S	Public transport
Clause 19	**Infrastructure**
19.03-3L	Stormwater management (Water sensitive urban design)
19.03-5S	Waste and resource recovery

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

Zoning and Overlays

Applicable Zone

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

25. Pursuant to Clause 1.0 of Schedule 1, a permit is not required for accommodation, office and retail premises.
26. Pursuant to Clause 37.04-4, a permit is required to:

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

    An apartment development must meet the requirements of Clause 58.
27. Pursuant to Clause 3.0 of Schedule 1:

    - A permit is required to construct a building or construct or carry out works.
    - A permit must not be granted to construct a building or construct or carry out works with a floor area ratio in excess of 18:1 on land to which schedule 10 to the Design and Development Overlay applies unless:
        - a public benefit as calculated and specified in a manner agreed to by the responsible authority is provided; and
        - the permit includes a condition (or conditions) which requires the provision of a public benefit to be secured via an agreement made under section 173 of the *Planning and Environment Act 1987*.
28. Pursuant to Clause 4.0 of Schedule 1, a permit and prior approval for the redevelopment of the site are required to demolish or remove a building or works.
29. Pursuant to Clause 6.0 of Schedule 1, an application for development with a gross floor area exceeding 25,000 square metres must be referred in accordance with section 55 of the Act to the referral authority specified in the schedule to Clause 66.04.

Applicable Overlays

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

30. Pursuant to Clause 43.02-2, a permit is required to construct a building or construct or carry out works. This does not apply if a schedule to this overlay specifically states that a permit is not required.
31. Pursuant to Clause 2.3 of Schedule 1, buildings and works:

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

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

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

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

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

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

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

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

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

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

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

33. Pursuant to Clause 2.0 of Schedule 1, a permit is required to provide car parking spaces in excess of the car parking rates in Clause 3.0 of this schedule.
34. Pursuant to Clause 3.0 of Schedule 1, where a site is used partly for dwellings and partly for other uses, the maximum number of spaces allowed:

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

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

Particular Provisions

36. The following particular provisions apply:

    - Clause 52.06 – Car Parking
        - Pursuant to Clause 52.06-2, before a new use commences, the minimum number of car parking spaces required under clause 52.06 or in a schedule to the Parking Overlay for a use must be provided to the satisfaction of the responsible authority in one or more of the following ways:
            - on the land; or
            - in accordance with a permit issued under clause 52.06-3; or
            - in accordance with a financial contribution requirement specified in a schedule to the Parking Overlay.

- If Table 1 to clause 52.06-5, or a schedule to the Parking Overlay, specifies a maximum car parking requirement, the maximum requirement must not be exceeded except in accordance with a permit issued under clause 52.06-3.

- Clause 52.34 – Bicycle Facilities
  - Pursuant to Clause 52.34-1, a new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land.
  - Pursuant to Clause 52.34-2, a permit may be granted to vary, reduce or waive any requirement of Clause 52.34-5 and Clause 52.34-6.
- Clause 53.03 – Residential Reticulated Gas Service Connection
  - Pursuant to Clause 52.03-2:
    - A permit must not be granted for construction of a new dwelling or a new apartment development that is to be connected to a reticulated gas service.
    - A permit granted for buildings and works in relation to an application to which this clause applies must include the following mandatory condition(s) as relevant:

      For an apartment development:

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

Referrals and Notice

Referrals

37. The application was referred to the following groups:

Provision / Clause	Organisation	Date and response received
Clauses 66.02-11 **(Section 55 Referral – Determining)**	Head, Transport for Victoria	22 July 2025 No objection, subject to conditions
Capital City Zone – Schedule 1 and the schedule to Clause 66.04 **(Section 55 Referral – Recommending)**	Melbourne City Council	4 December 2025 No objection, subject to conditions
Internal	DTP Urban Design Team	19 December 2025 No objection, subject to comments

Head, Transport for Victoria

38. On 22 July 2025, Head, Transport for Victoria advised that it does not object to the application, subject to the following conditions:

    1. *The demolition and construction of the development must not disrupt bus operations on Queens Street without the prior written consent of the Head, Transport for Victoria.*
    2. *Any request for written consent to disrupt bus operations on Queen Street during the demolition and construction of the development must be submitted to the Head, Transport for Victoria not later than 8 weeks prior to the planned disruption and must detail measures that will occur to mitigate the impact of the planned disruption.*
    3. *If the existing bus stop on Queens Street at the property frontage cannot be used during the construction of the development and a temporary bus stop must be provided at no cost and to the satisfaction of the Head, Transport for Victoria. Any request for a temporary bus stop must be submitted to the Head, Transport for Victoria not later than 8 weeks prior to the planned works.*
    4. *Prior to the occupation of the development the temporary bus stop must be removed and reinstated to its original location (shown on the endorsed plans) all to the satisfaction of and at no cost to the Head, Transport for Victoria.*

Melbourne City Council

39. The Melbourne City Council considered the application at their Future Melbourne Committee (FMC) meeting on 2 December 2025. At the meeting, and as advised on 4 December 2025, the council resolved:

    1. *That the Future Melbourne Committee:*

        1.1 Advise the Department of Transport and Planning that the Melbourne City Council does not object to the application, subject to the resolution of the key outstanding matters and inclusion of conditions outlined in the planning report (refer to Attachment 3 of the report from management – Planning Report).

40. In addition to 'standard' conditions, the council recommended conditions to require the northern laneway to Anthony Street to be closed to public access, increase the communal space for student housing, the student accommodation layouts to be modified, a revised more diverse apartment mix, compliance with the accessibility standard of Clause 58 and a notation for bicycle spaces to be designed in accordance with the relevant Australian Standards..

41. These conditions, with DTP modifications, will be included on any permit to issue.

DTP Urban Design Team

42. On 19 December 2025, DTP Urban Design Team provided the following comments:

We note that the proposal has undergone a design review by OVGA in April 2025. Advice provided within the OVGA memo recommended the following:

- *Resolution required around the existing and new laneway offerings*
- *Resolution required for levels on north and east podium elevations*
- *Additional 1:20 Façade Details requested of key façade types (part plan, section, elevation, axo)*
- *Greater resolution of plant room strategy (podium, tower, roof) is required.*
- *The western colonnade is not continuous and therefore not functional. Recommend the removal of the landscape planting to the south west corner to allow permeability.*

The RFI package and plans address these comments and Appendix B of the Urban Context Report provides a detailed design response. Upon review of this response the Urban Design Team note the following items have been addressed:

- *Improvements in the architectural design response notably: the inclusion of 1:20 façade details, incorporation of crown articulation, and contextual response to the northwest podium façade.*
- *Further detail incorporated on plans regarding the plant rooms: at the rooftop level vertical chevron louvers are used to screen mechanical plant and while a perforated mesh screen will be applied to the façade to conceal planting zones at the relevant levels.*
- *The south west corner landscape has been updated to accommodate the continuous Western colonnade.*
- *Inclusion of lighting, paving and wayfinding on existing laneways and confirmation that these will be accessible 24/7.*

While the architectural design has responded well to the OVGA recommendations, ***the design still presents ongoing challenges with the public realm and integration of existing laneways****. Particularly the north-western laneway connecting to Anthony St, which is 1.83m wide easement between two blank walls of existing neighbouring buildings and doesn't offer a unique connection / follow desire line. Access to this laneway is further disrupted by level changes, with the design currently proposing access via a narrow stairwell in the northeast corner. This remains an ongoing challenge as the laneway forms part of the publicly accessible spaces included in the proposed public benefits supporting the floor area uplift.*

The City of Melbourne have recommended the closure of this laneway and reconfiguration of the surrounding public space as a permit condition (1a). *We agree with this condition from an urban design perspective due to the limited public realm and connectivity benefit and safety concerns.*

We also note that City of Melbourne recommends a façade strategy, landscape plan and landscape maintenance plan as permit conditions which we also agree with.

Notice

43. The application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the *Planning and Environment Act 1987* pursuant to the following provisions:

- Capital City Zone – Schedule 1 (Outside the Retail Core): an application to construct a building or construct or carry out works for a use in Section 1 of Clause 37.04-1 (i.e. accommodation, office and retail premises).

- Design and Development Overlay – Schedule 1 (Urban Design in Central Melbourne): an application for construction of a building or to construct or carry out works.
- Design and Development Overlay – Schedule 10 (General Development Area – Built Form): an application to construct a building or to construct or carry out works.

44. Given the application is exempt from all the relevant notice requirements, notice was not required to be undertaken.

45. Notwithstanding the above, two submissions have been received to the application from adjoining owner/occupiers. The following is a summary of the issues raised:

    - Lack of public consultation;
    - Potential Aboriginal Heritage, noting newly signed Treaty between Victoria's Aboriginal Community and the State of Victoria;
    - Structural integrity and ensuring no damage to services of adjoining Melbourne Terrace building;
    - Construction impacts;
    - Wind impacts;
    - Amenity impacts (noise and smokers) in the student spaces opposite dwellings on Anthony Street; and
    - The laneways that extend from the site through to Anthony Street should be removed from the application as there would be no benefit to pedestrians, no means of surveillance and there will be hidden corners, which is contrary to public safety. Further, additional lighting may be required, which would impact on the amenity of residents of Anthony Street.

46. While submissions have been received, the application is exempt from the relevant decision requirements of the Melbourne Planning Scheme, as stated above. In accordance with section 64(5) of the *Planning and Environment Act* 1987¸ any planning permit issued will be given to the objectors.

Key Considerations

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

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

Strategic Direction and Land Use

Municipal Planning Strategy

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

- The proposal is consistent with the Vision of the Melbourne Planning Scheme, which seeks to facilitate a city for people; a creative city; a prosperous city; a city of knowledge; an eco-city; and a connected city. The proposal will provide housing to accommodate the expected significant population growth in a highly serviced locality.
- The proposal is consistent with the Strategic Directions for the Hoddle Grid (Clause 02.03-1), which includes maintaining the key functions of government and public buildings, offices, cafes, education, retail and residential. A strong emphasis is placed on a quality public realm and good pedestrian amenity and connectivity.
- The proposal is consistent with the strategic direction for built form, which seeks to ensure that design, height and scale of development responds to the identified preferred built form character of an area, improve public realm permeability, legibility and flexibility and ensure that development provide active street frontages and minimise pedestrian disruption from car access.
- The proposal is consistent with the strategic direction for housing, which seeks to encourage significant housing and population growth in the Central City and ensure that new residential development achieves high standards of amenity.
- The proposal will create additional supply of office floorspace in an area identified for future strategic growth, supporting the City's role in driving the state's service economy.
- The proposal is also consistent with the student housing direction that supports purpose-built student housing that encourages social interaction.

Planning Policy Framework

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

- The proposal is consistent with supporting permanent and short term (student) residential development that accommodates a demographically diverse population.

- The proposal will incorporate high-quality architecture, design and materials that will respond to and enhance the character of the area and positively contribute to the public realm. The design of the building and setbacks from each boundary will deliver a cohesive built form response that will be read in the round from all approaches.
- The proposal aligns with policy relating to the Queen Victoria Market, which seeks to support the market as a retail and tourist destination, ensuring that development around the market does not detract from its amenity or 24 hour function and to ensure the development form and scale achieves built form, urban design and public realm amenity outcomes that are consistent with those sought for the Hoddle Grid.
- The proposal will promote a human scale at street level, will respect the street pattern through building placement, a low scale podium and adds architectural interest to the skyline through the building's articulated crown.
- The proposal will provide new publicly accessible open to sky and covered pedestrian links at ground level, increasing pedestrian permeability, amenity and safety.
- The proposal will provide increased housing choice and density in an area that is well positioned in relation to jobs, services and public transport.
- The proposed retail and office uses will contribute to economic growth and employment opportunities.
- The proposal will provide less than the maximum car parking rate of the PO1, contributing to a reduction in private car dependence. The proposed building is well serviced by shops, public open space and cycling and public transport infrastructure.

Land Use

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

Demolition and Built Form

Demolition

53. The application proposes to demolish the existing building on the site. Pursuant to the zone, a planning permit and approved development is required in order to demolish a building.
54. Noting that the site is not affected by a Heritage Overlay, complete demolition of the existing building on the site is considered acceptable, noting the concurrent support for the proposed building.
55. The zone requires consideration of the construction of a temporary use (such as a park or a commercial use) should the site remain vacant for six months after the completion of the demolition, or if the construction activity ceases for six months. A condition requiring a Section 173 Agreement to this effect should be included on any permit to issue.

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

56. Capital City Zone – Schedule 1 (CCZ1) at Clause 3.0 states:

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

- *a public benefit as calculated and specified in a manner agreed to by the responsible authority is provided; and*

- *the permit includes a condition (or conditions) which requires the provision of a public benefit to be secured via an agreement made under section 173 of the Planning and Environment Act 1987.*

57. The proposed floor area ratio is 28.62:1. As such, there is a requirement for a public benefit to be delivered.

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

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

59. DDO10 requires that buildings and works:

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

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

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

Response
Proposal complies with the modified requirement. The proposed street wall height along Queen Street is 36.83 metres and along A'Beckett Street is 37.97 metres (measured from the centre of the Queen Street frontage of RL 22.83). While this exceeds the preferred requirement of 20 metres, it is within the modified requirement of 40 metres. The site is located on a main street intersection, which lends support for a higher street wall response that will define the corner of Queen Street and A'Beckett Street without unacceptable impacts on the amenity of the public realm. The height of the street walls does not adversely affect the sense of enclosure in either Queen Street (approx. 30 metres wide) or A'Beckett Street (approx. 20 metres wide). The scale of the street walls will not contribute to any unreasonable wind or shadowing impacts on the public realm and will allow adequate sky views due to the corner location of the site as well as the setbacks provided from the northern (6 metres) and eastern (4.5 metres) boundaries. The design of the street walls provides a human scaled response to each street through its horizontal proportions which reference nearby built form, and vertical expression which both articulate the built form and delineate the street edge through the layout of the upper levels corresponding to the colonnades meeting the ground level. This is emphasised through the sculpted, double height feature splay at the south-western corner of the site where Queen

Street and A'Beckett Street meet.

Importantly, the datum of the street walls has had regard to the scale of adjoining built form, particularly that of the neighbouring Melbourne Terrace apartments to the north, which is a significant heritage place. The datum of the northern section of the street wall to Queen Street is lowered to directly correspond with the height of Melbourne Terrace which, together with the 6 metre setback provided to the northern boundary, will provide a respectful built form response to this significant building.

While the street wall will be considerably taller than the neighbouring building to the east along A'Beckett Street, it will be commensurate in height with the building on the north-west corner of Queen Street and A'Beckett Street. This is an appropriate response which acknowledges the varied heights in the immediate area and defines the corner location of the site. The 4.5 metre setback to the eastern boundary and subsequent absence of any of blank, sheer walls along the eastern façade also assist this interface.

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

Response

Proposal complies with the modified requirement.

The proposed building has a minimum setback above the street wall of 5 metres from Queen Street and 5 metres from A'Beckett Street. This complies with the modified requirement of a minimum 5 metres from the title boundary. The setback from Queen Street includes architectural fins, which are 300mm deep, complying with the definition of 'setback' in DDO10.

The 'slipped' tower floorplate results in staggered setbacks to each street, resulting in a section of the tower which exceeds the modified 5 metre setback. These setbacks are effective in establishing a clear visual separation between the tower and the street wall below, which ensures the setbacks do not impact on the built form scale at the street interface. The proposed setbacks also do not contribute to any unreasonable wind or shadowing impacts. The architectural language of the tower is distinguished from that of the street wall below, with glazing and metal cladding contrasting with the lighter, masonry and glazing finishes at the lower levels.

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

Design Element	Preferred Requirement	Modified Requirement	Built Form Outcomes
Building setbacks from side boundaries and rear boundaries (or from the centre line of an adjoining laneway) and tower separation within a site	Above the street wall or 40 metres (where there is no street wall), towers and additions should be setback a minimum of 5 metres or 6% of the total building height whichever is greater.	**Towers and additions up to 80 metres in height:** Towers and additions up to 80 metres in height: Above the street wall or 40 metres (where there is no street wall), towers and additions must be setback a minimum of 5 metres. Towers and additions of no more than 80 metres in height may be constructed up to one side or rear boundary, excluding a laneway, if an existing, approved, proposed or potential building on an adjoining site is built to that boundary and if a minimum setback of 5 metres is met to all other side and rear	Towers and additions are designed and spaced to ensure: • sun penetration and mitigation of wind impacts at street level. • provision of reasonable sunlight, daylight, privacy and outlook from habitable rooms, for both existing and potential developments on adjoining sites. • floorplate layout or architectural treatment limits direct overlooking between habitable rooms. • buildings do not appear as a continuous wall at street level or from nearby vantage points and

boundaries and the centre line of any adjoining laneway. Buildings of no more than 80 metres in height, may be constructed to a second side or rear boundary if an adjoining site cannot, by legal restriction benefitting the application site, be developed above the street wall height.

Towers exceeding 80 metres in total height:

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

Tower separation within a site:

Towers must be separated by a minimum of 10 metres.

maintain open sky views between them.

- buildings do not visually dominate heritage places and streetscapes, nor significant view lines.

Response

Proposal complies with the modified requirement.

Towers should be setback a minimum of 5 metres or 6% of the total height of the building height, whichever is greater. 6% of 220.47 metres results in a required setback of 13.22 metres from side boundaries or the centre line of an adjoining laneway.

These setback requirements contemplate a maximum tower floorplate of 1,250 square metres.

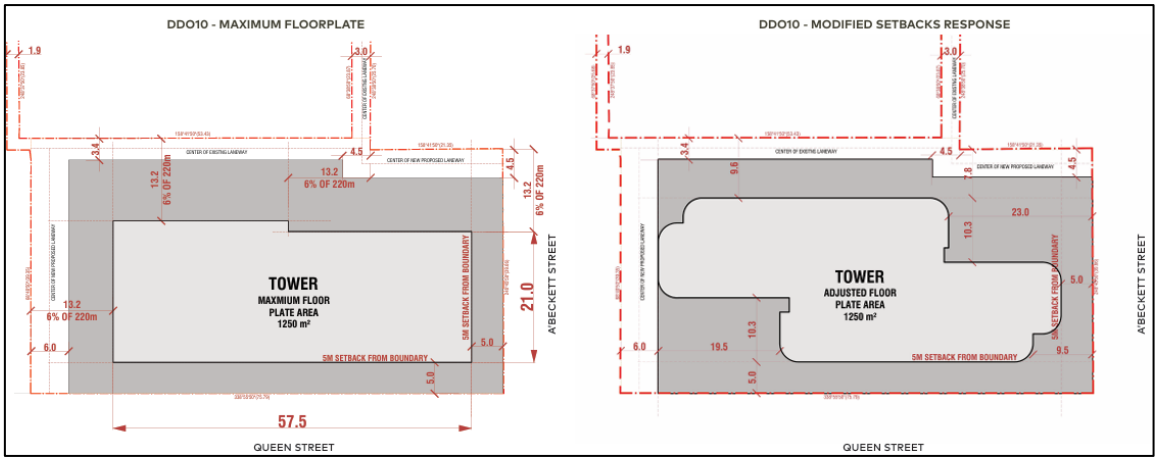


Figure 18: Preferred DDO10 setback requirements (Left) and proposed setbacks (Right) (Source: Application)

The proposed building has a setback to the side boundaries above the street wall of between 6 and 25.5 metres to the northern boundary and between 9.6 and 18.1 metres to the eastern boundary. These setbacks comply with the mandatory modified minimum 5 metre setback requirements.

The integrated roof plant structure complies with the exemptions under the building definition in DDO10. The 3 metre parapet wall meets the definition of a non-habitable architectural feature and all building services above the roof are setback at least 3 metres from the building façade.

Similar to the street wall setback requirement discussed above, the built form outcomes for side setbacks are considered to be met due to the varied setbacks provided around the tower. The irregular setbacks ensure that sun penetration to the surrounding streets is adequately maintained throughout the day and provides for reasonable and equitable access to daylight, privacy and outlook having regard to both existing and potential development of adjoining

properties. The setbacks will provide clear open sky views and articulation ensuring that the building does not present as a continuous wall at street level.

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

Importantly, the setbacks of the tower from both Queen Street and the northern boundary provide a respectful separation and transition to the significant heritage building to the north.

Tower Floorplate/s	The tower floorplate is determined by the preferred requirement for building setbacks from side and rear boundaries and tower separation within a site, and the modified requirement for building setback(s) above the street wall	The tower floorplates above the street wall for a tower above 80 metres in height may be adjusted in terms of location and/or shape but must not: • Result in an increase in the floorplate area; • be situated less than 5 metres from a side or rear boundary (or from the centre line of an adjoining laneway); • be less than 5 metres to a street boundary; • be less than 10 metres to an adjoining tower on the site	The adjusted floorplate is designed and spaced to: • reduce impact on existing and potential neighbours in terms of privacy, outlook, daylight and sunlight access. • minimise visual bulk. • reduce impact on public spaces, including overshadowing and wind effects and reduced visual dominance. • buildings do not visually dominate heritage places and streetscapes, nor significant view lines. • buildings do not appear as a continuous wall at street level or from nearby vantage points and maintain open sky views between them.

Response

Proposal complies with the modified requirement, subject to conditions.

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

The maximum tower floorplate, calculated by the overall height of the building and the preferred setbacks, results in a tower floorplate area of 1,250 square metres. The proposal seeks to meet the modified requirement by maintaining the maximum tower floorplate and adjusting its shape to ensure that no part of the tower is less than the mandatory 5 metres from each boundary.

Notwithstanding the above, the tower includes 600mm deep fins along the northern elevation of the tower (see figure below). Given that the fins exceed a depth of 300mm, they cannot be defined as a ‘setback’. As such, a condition will be included on any permit to issue requiring the depth of the fins along the northern elevations to be reduced to 300mm.

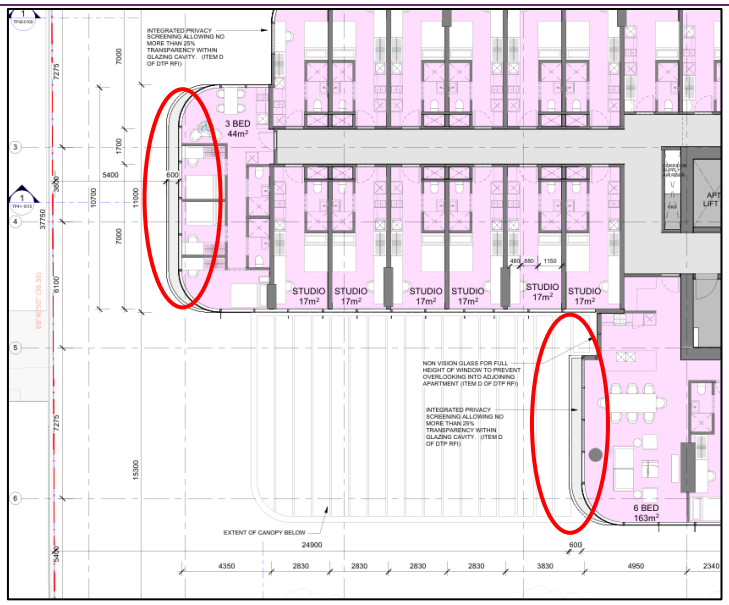


Figure 19: Levels 9-28 interface with the northern boundary (Source: Application)

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

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

The setback of the tower from the Melbourne Terrace apartments to the north ensures that the building will not visually dominate the significant heritage place and would not unreasonably impact on the amenity of the south-facing terraces to dwellings within that building.

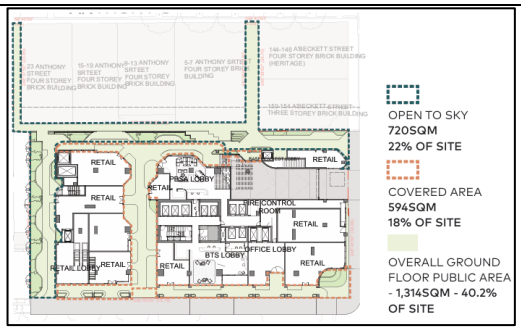
The overshadowing of the public realm and wind impacts are acceptable and are discussed in detail later in this report.

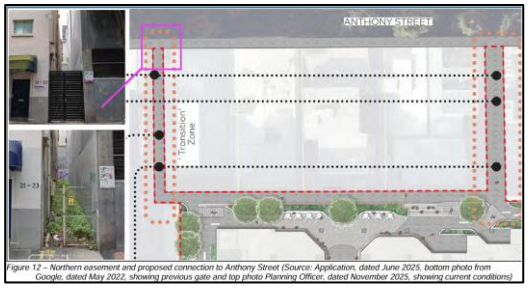
Design and Development Overlay – Schedule 1

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

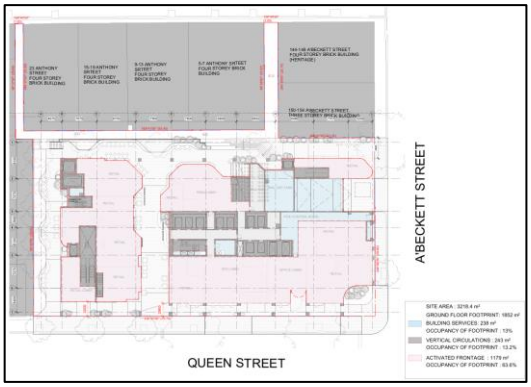
62. The proposal is consistent with the design objectives and outcomes specified under DDO1, as follows:

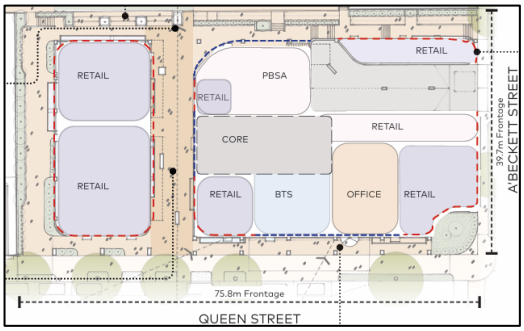
Design Outcome	Assessment
URBAN STRUCTURE	
An urban block structure that: • Is sufficiently fine grained to support walking as the primary mode of transport.	The subject site is not located within a block identified in Map 1 of the Appendix to the *Central Melbourne Design Guide* and as such a new through-block pedestrian connection is not required. The site has an abuttal to two streets and the proposal includes new pedestrian connections, which will connect Queen Street and A'Beckett Street, as well as Anthony Street to the east via an existing carriageway easement. These connections provide a total area of 1,314 square metres (including the two existing laneways connecting to Anthony Street), including 720 square metres that will be open to the sky.

	 *Figure 20: Proposed pedestrian connections through the site (Source: Application)*
A pedestrian network that: • Reduces walking distances. • Completes existing connections and laneways. • Retains and improves existing connections. • Provides partial connections which can be completed when adjacent site development occurs.	As above, the pedestrian connections are provided wholly within the subject land, and do not rely on neighbouring sites to complete their connection to the streets.
Pedestrian connections that are: • High quality. • Safe and attractive. • Accessible by people of all abilities. • Easily identified and legible. • Designed to enable stationary activities.	Generally, the layout of the pedestrian connections provides direct and visually attractive spaces for public use. The design of the building interface to the connections generally manages the changes in levels within the ground plane by providing low steps and ramps with generous dimensions, which minimises the potential disconnect between the building and the ground plane. This also improves sight lines and accessibility. The submitted landscape plan indicates the link will be improved through integrated planters and tree plantings throughout. Active frontages are provided to the majority of the connections, providing a high level of passive surveillance and activity. The connections will be available 24 hours per day, and this will be secured through a condition on any permit to issue requiring a Section 173 Agreement for this outcome. However, the council has concern with the northern laneway connecting to Anthony Street, which seeks to provide access through the existing 1.83 metre wide drainage and sewerage easement via a narrow steep staircase from the main part of the site, down and through adjacent blank walls of neighbouring buildings out to Anthony Street. It is noted that this easement (E-1 on CP161945Q) does not grant any rights of carriageway to others. There is concern with the lack of passive surveillance to this space and the potential for entrapment spaces due to its long, narrow length and lack of any active frontages. There is also no significant need for an additional pedestrian connection in this location, noting the layout of the existing pedestrian network as well as the classification of Anthony Street as a Class 2 lane under Clause 15.01-1L-01 (CBD Lanes). The site is located on a block which is not identified as having an average length of more than 100 metres on Map 1 to the Appendix of the

	Central Melbourne Design Guide. The layout of this space is an existing condition constrained by neighbouring buildings and, given the safety and entrapment risks, it is not considered appropriate to convert this into to a publicly accessible space. The council has recommended a condition, requiring the redesign of this space to restrict access to the public. This is considered reasonable and a condition will be included on any permit to issue to this effect.  *Figure 21: Northern laneway connecting to Anthony Street (Source: Melbourne City Council planning report)* Further, it is noted that the southern laneway connection to Anthony Street is affected by a different easement (E-2), which does include carriageway rights to neighbouring properties, it has a greater width of 3.05 metres and features windows of neighbouring buildings, allowing for passive surveillance. The proposed ground plane also provides a more legible integration with this laneway, through wider pathways and stairs, establishing a clear line of sight for pedestrians. As such, the southern laneway connection is considered acceptable and can form part of the wider pedestrian connections through the site.
SITE LAYOUT	
Site layout that: • Reinforces the valued characteristics of streets and laneways. • Delivers a well-defined public realm.	The proposal is appropriately oriented to each street frontage and will make a positive contribution to an active public realm. The building interfaces along the streets and the proposed pedestrian connections (except for the northern laneway to Anthony Street) are well designed, avoiding any enclosed or entrapment spaces, and provide generous dimensions that will comfortably accommodate pedestrian movement.
Plazas that: • Are accessible to people of all abilities. • Are safe and attractive • Deliver opportunities for stationary activity. • Alleviate pedestrian congestion.	N/A – No plaza is proposed.
Vehicle entries that: • Do not create traffic conflict. • Do not undermine the attractiveness or safety of the pedestrian experience	The proposal includes one vehicle access point from A'Beckett Street, which is not identified as a traffic conflict frontage on Map 2 to DDO1. The width of the access point is 7.3 metres, reducing the width of the existing crossover and thus, reducing impact on pedestrian movement

	along A'Beckett Street.
Colonnades that: • Are safe and attractive. • Are accessible to people of all abilities.	The proposal includes colonnades along Queen Street that have vertical proportions with a height greater than their width and are of a high architectural quality, which will positively contribute to the public realm. Their design is integrated into the overall architectural expression of the street wall as well as the building entries and retail tenancies around the building edge at Ground Level. They will provide clear lines of sight complementing the adjoining footpaths and do not include any entrapment spaces. The colonnades terminate in a splayed double-height landscaped feature and informal seating area at the south-western corner of the site, which provides an attractive space for pedestrians as well as a defined design element to a key junction of the development. These are located within the property boundary.  *Figure 22: Colonnades and south-west corner splay viewed along Queen Street (Source: Application)*
BUILDING MASS	
Building mass that: • Distinguishes between different buildings where a development comprises multiple buildings. • Respects the height, scale and proportions of adjoining heritage places or buildings within a Special Character Area. • Reinforces the fine grain and visual interest of streetscapes. • Maintains a diverse and interesting skyline through the design of roof profiles.	The height, scale and massing of the building achieve an appropriate built form response to the site and its surrounding context, having regard to the existing and emerging built form in the area. The proposal is of a comparable scale to nearby buildings to the south and the approved building to the west and will make a positive contribution to the diversity of the skyline. A more detailed assessment of the building mass is provided in the discussion of the DDO10 requirements.
Street walls that: • Adopt a variety of streetwall heights to reinforce the traditional fine grain, vertical rhythm and visual interest of streetscapes. • Provide aesthetic interest to the public realm. • Frame comfortable and attractive streets.	The proposal adopts a varied street wall height to each street and with setbacks provided from both the northern and eastern boundaries. Each street wall is articulated with legible horizontal datums that define uses within the building and respond to adjacent buildings, particularly the significant heritage building to the north. The street walls are also broken up with vertical elements. Rebates and 'crowns'; comparably light weight building elements, which provide a recessive cap to the podium. The street walls will provide visual relief, fine grain articulation and human scale, and improved views to the sky for the pedestrian experience along Queen Street and A'Beckett Street, as well as a diversity of form and aesthetic interest to the area.

	A more detailed assessment of the street wall is provided in the discussion of the DDO10 requirements.
BUILDING PROGRAM	
A building program that: • Delivers safe and high quality interfaces between the public and private realm. • Maximises activation of the public realm. • Can accommodate a range of tenancy sizes, including smaller tenancies in the lower levels of the building. • Allows for adaptation to other uses over time. • Delivers internal common areas or podium-rooftop spaces that maximise passive surveillance and interaction with the public realm. • Promotes a strong physical and visual relationship between any uses provided as part of a public benefit under the provisions of Schedule 1 to the Capital City Zone within the building, and the street.	The proposal is appropriately designed to address the public realm, providing a high level of activation to each street and internal connections. Direct entry points are provided to the retail tenancies to each street, and integrated into the colonnade design along Queen Street, which will minimise potential for queuing within the public realm. Opportunities for landscaping and informal seating have been introduced along the street edge, while stairs and ramps have been integrated into the pedestrian connections. Car parking and services are located at basement levels. Floor to ceiling heights within the podium are generally compliant with the preferred minimum requirements, with a minor variation at Mezzanine Level, which is approximately 3.3 metres. This is considered acceptable, noting that Level 1 is provided with a floor to ceiling height of approximately 5.3 metres, exceeding the 3.8 metres required. The levels above Level 1 up to 20 metres in height also have floor to ceiling heights of 3.5 metres. The is considered reasonable overall, noting that an appropriate balance is achieved with the podium spaces offering reasonable potential for adaptive reuse, while maintaining adequate activation and passive surveillance to the public realm.
Building services that: • Minimise impacts on the public realm. • Maximise the quality and activation of the public realm. • Do not dominate the pedestrian experience and are designed as an integrated design element. • Provide waste collection facilities as an integrated part of the building design.	The proposal results in approximately 238 square metres, or 13%, of the ground floor area being dedicated to building services, which is less than the mandatory maximum of 40%. The location and layout of building services are designed to minimise their impact on the public realm and are integrated into the building as they present to each street. The rooftop plant is appropriately setback and well-integrated into the overall building form.  *Figure 23: Ground Level building services (Source: Application)*

Car parking that: • Minimises the impact of car parking on the public realm.	Car parking is provided within Basement Levels 2, 3 and 4, with no parking located at ground level, complying with the mandatory requirements. The design of the basement ramps is generally capable of future adaption.
PUBLIC INTERFACES	
Public interfaces that: • Contribute to the use, activity, safety and interest of the public realm. • Provide continuity of ground floor activity along streets and laneways. • Allow unobstructed views through openings into the ground floor of buildings.	The proposal provides approximately 65.6 metres of the 68 metre wide ground level interface to Queen Street (95%) as an entry or window, excluding window and door frames, stall risers and pilasters. A total of 18.43 metres of the 32.33 metre wide ground level interface to A'Beckett Street (57%) is provided as an entry or window, excluding window and door frames, stall risers and pilasters. This equates to a total of 84.03 metres of 83.7% of the combined 100.33 metre ground level street interface. This complies with the design requirement.  *Figure 24: Ground level activation (Source: Application)*
Facade projections and balconies that: • Do not adversely impact the levels of daylight or views to the sky from a street or laneway. • Do not obstruct the service functions of a street or laneway through adequate clearance heights. • Add activity the public realm. • Form part of a cohesive architectural response to the public realm.	The proposal does not include any elements that project over adjoining streets.
Weather protection that: • Delivers pedestrian comfort in the public realm and protection from rain, wind and summer sun. • Uses canopies that are functional, of high quality design, and contribute to the human scale of the street.	The proposal does not include weather protection canopies to either street but will provide weather protection and shelter via the pedestrian spaces and colonnades provided along Queen Street. This is considered an acceptable response in this context, having regard to the slope of the land along the A'Beckett Street frontage and the building layout in this location, which includes the vehicle access point to the basement parking and loading area. The lack of weather protection to A'Beckett Street will also be balanced by the publicly accessible spaces that are accessed directly from the street, which will offer further opportunities for refuge and shelter.
DESIGN DETAIL	
Exterior design that: • Establishes a positive relationship between the appearance of new development and the valued	The proposal incorporates a cohesive and high-quality material palette that incorporates a variety of brick, metal cladding and concrete finishes.

characteristics of its context. • Is visually interesting when viewed up close and from a distance. • Responds to the distance at which the building is viewed and experienced from the public realm in the selection, scale and quality of design elements. • Incorporates sufficient design detail in the lower levels of a building to deliver a visually rich and engaging pedestrian experience. • Delivers high quality design on all visible sides of a building including rooftops, where visible from the public realm. • At the ground level interface, provides visual connection between the public realm and interior spaces.	The colours and materials are responsive to the existing context and references notable built form in the surrounding area such as the Melbourne Terrace apartments and the Queen Victoria Market. The architectural response is supported and the integration between the podium and tower forms provides a high-quality, contextual design response. A condition requiring the submission and approval of a Façade Strategy has been recommended by the council, which will also seek to incorporate a greater variation in depth and tactility on the central form / northern podium to reinforce the variation in the distinct parts of the lower form. Standard conditions will also require the submission and approval of a Reflective Glare Assessment, which will ensure the building materials are designed to comply with *Practice Note PPN96: Glare and reflectivity*.

Landscaping

63. The application is supported by Landscape Town Planning Report prepared by Tract Consultants and dated 6 June 2025. The plans include the proposed works at:

    - Ground Level: laneways and arcades, trees in deep soil, activated seating edges, raised planters, terraced seating, staggered stairs, climbers on wire, fixed pedestal tables, loose furniture, planters with seating edges, retention of existing street trees and bluestone and granite paving;
    - Mezzanine Level: terraces, façade planters, raised planters and planters with bar bench table;
    - Levels 1-6: balcony planters;
    - Level 7: balcony planters, bar bench with stool seating, planter with seating edge, balcony planters with cascading plants, trees in deep soil, BBQ and loose furniture; and
    - Level 8: raised planters with integrated seating, bar bench with stool seating, arbor with climbers, planter with seating edge, trees in deep soil, BBQ and loose furniture.

64. The council have reviewed the plans and recommended the following:

    - Improve connections between the north-south pedestrian link with the lower laneway to the east of the site.
    - Reconsider planting species given the limited sun exposure of some planters.
    - Small and narrow planting beds along Queen Street should be revisited.
    - Provide extent of tree canopy cover.
    - Provide planter species.

65. The decision plans include amendments to the southern north-south pedestrian link to improve connections between it and the lower laneway to the east of the site. The redesign of this space should be included on the Landscape Plans.

66. The applicant has advised that they intend to replace the small, staggered planters along Queen Street with continuous planters that provide a stronger edge and that have better integration with seating elements. This should

be included as a condition on any permit to issue requiring amendments to the architectural plans and the Landscape Plans.

67. Plant selection for the planters will be required via a condition on any permit to issue for an updated Landscape Plan.

68. Further, the council has requested an updated Landscape Plan to include annotated cross-sectional details, irrigation systems, planting schedule and details to accord with an approved Green Factor tool scorecard. This will require a complete Green Infrastructure Landscape Package and Landscape Maintenance Plan to be submitted for endorsement.

69. These conditions are considered reasonable and will be included on any permit to issue.

Floor Area Ratio and Public Benefits

70. Clause 3.0 of Schedule 1 to the Capital City Zone states:

> *A permit must not be granted or amended (unless the amendment does not increase the extent of non-compliance) to construct a building or construct or carry out works with a floor area ratio in excess of 18:1 on land to which schedule 10 to the Design and Development Overlay applies unless:*
>
> - *a public benefit as calculated and specified in a manner agreed to by the responsible authority is provided; and*
> - *the permit includes a condition (or conditions) which requires the provision of a public benefit to be secured via an agreement made under section 173 of the Planning and Environment Act 1987.*

71. The subject site has an area of 3,218 square metres. The maximum Gross Floor Area (GFA) above ground level equates to 57,924 square metres, for a Floor Area Ratio (FAR) of 18:1. The proposal seeks to provide 92,090 square metres of GFA above ground level, resulting in a FAR of 28.61:1. As such, there is a requirement to provide an associated public benefit.

72. Clause 15.01-2L-02 includes the following objective:

> *To ensure that a development delivers a commensurate public benefit when Floor Area Uplift (the part of the building(s) containing the uppermost floor area of the building, without which the building(s) would not exceed a floor area ratio of 18:1) is sought.*

73. It also includes the following strategies:

> *When a Floor Area Uplift requires the delivery of a public benefit:*
>
> - *Ensure the appropriateness and value of the public benefit(s); and*
> - *Ensure the management and maintenance of the public benefit(s); and*
> - *Ensure the complete and timely delivery of the public benefit(s).*

74. The following should be considered as relevant:

> *In consultation with the receiving agency of the proposed public benefit(s), whether the Floor Area uplift is appropriately matched by the public benefit(s) to be provided, by considering the following:*
>
> - *The public benefit(s) is consistent with state and local policy, strategic initiatives and relevant guidelines.*
> - *The quantity and value of the floor area uplift being appropriately calculated and the proposed public benefit(s) being of a matching value.*
> - *The proposed public benefit(s) being realistically capable of being delivered and secured by a suitable legal agreement.*

- *The proposed public benefit being supported by the proposed receiving agency and capable of being maintained for a reasonable period of time.*

75. The proposed development has an FAR of 28.62:1, and as such there is a requirement for an associated public benefit to be provided.

76. It is noted that the site sits outside any of the designated GRV precincts identified in the Department's *How to Calculate Floor Area Uplifts and Public Benefits* document dated November 2016. The site is adjacent to the northern boundary of the Flagstaff Precinct, which specifies a $7,000 GRV for residential uses. The submitted Public Benefit Assessment has acknowledged this and assumed a more contemporary GRV of $10,000 for residential uses that seek the proposed uplift. This assumption is reflected in the assessment below.

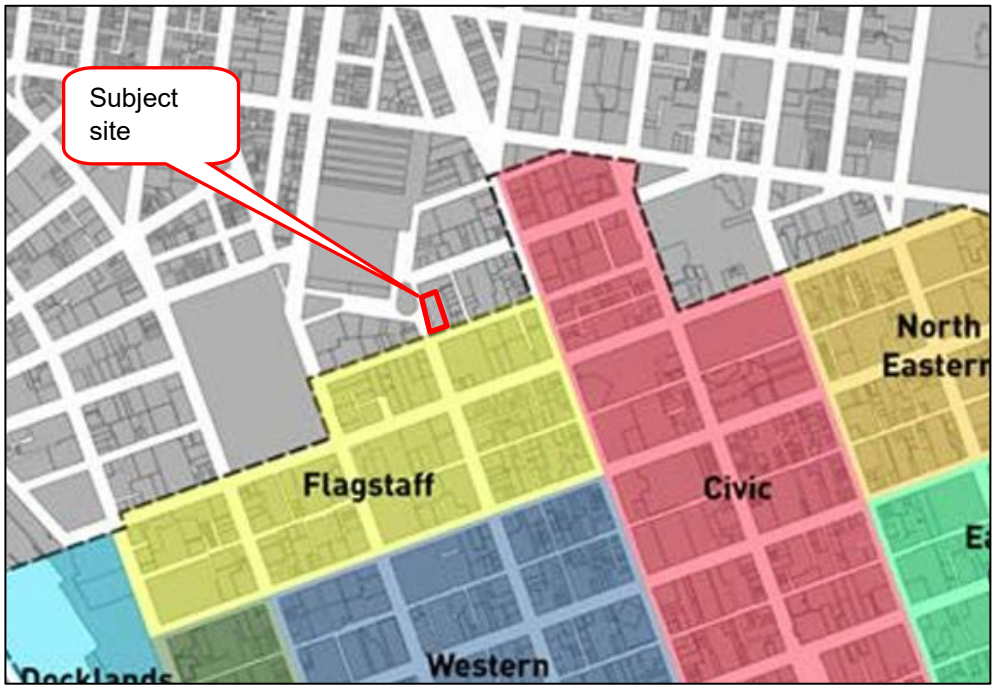


Figure 25: Extract of GRV Precincts Map (Source: DTP's 'How to Calculate Floor Area Uplifts and Public Benefits' document)

77. Refer to the table below for the relevant calculations.

Step	Calculation	Result
1. Base Gross Floor Area (i.e. floor area available based on a floor area ratio of 18:1)	Site Area x 18	3,218 m² x 18 = 57,924 m²
2. Proposed Development Gross Floor Area	Floor Area calculated in accordance with Schedule 1 of the Capital City Zone (above ground floor)	92,090 m²
3. Floor Area Uplift (FAU) sought in square metres	Proposed Gross Floor Area (from Step 2) minus Base Gross Floor Area (from Step 1)	92,090 m² - 57,924 m² = 34,166 m²
4. Base data for valuing FAU	GRV/m² associated with applicable use of FAU as derived from the applicant's valuation.	Residential use = $10,000/m²
5. Value of each square metre of FAU	10% of applicable GRV/m2 (from Step 4)	The FAU value is: $10,000/m² x 10% = $1,000/m²

6. Total value of FAU	FAU sought (from Step 3) x value of each square metre of FAU (from Step 5)	34,166 m² x $1,000/m² = $34,166,000
7. Value of Public Benefit to be provided	Equal to (or greater than) the total value of FAU (from Step 6)	At least **$34,166,000**
8. Agreed Public Benefit to be provided	Total value of each component as specified in Table 2. There may be a mix of Public Benefits from different categories and a combination of components from each category (e.g. land and works). Administrative and holding costs may also be agreed.	*See Table below for calculations*

78. The applicant proposes the following public benefits:

Public Benefit Component	Public Benefit Category (Uplift Document)	Valuation	% Split
Publicly Accessible Open Space	Publicly accessible open areas on site	$22,674,400	66%
Affordable Housing	Affordable Housing	$8,202,350	24%
Strategic Use - Office	Strategically justified uses including Office on site or within the proposed building	$3,289,250	10%
Total value of proposed benefits		**$34,166,000**	**100%**

79. The applicant proposes a combination of publicly accessible open space, office floor space and a cash contribution to affordable housing to meet the public benefit requirement associated with the proposed floor area uplift. These benefits are generally consistent with the Department's guidelines.

80. The provision of publicly accessible open space and pedestrian laneway and arcade connections within the site will improve site permeability for pedestrians. These spaces will remain in private ownership and management, whilst being publicly accessible in perpetuity. The applicant has provided a value to these areas based on their development potential and their function as publicly accessible space. Additional information has been provided by the applicant's valuer, confirming that these areas have been valued, with no additional valuation discount being applied with regard to the provision of basements underneath or easements affecting the land. These constraints do not materially alter the above-ground use or public access function of these spaces. The value of the laneway has been calculated as follows:

Publicly Accessible Areas	Area (m^2)	Rate	Discount	Effective Rate	Total
Area					
Lane Area - Open - Anthony Street East	72 m² @	$35,000/m²	less 50%	$17,500/m²	$1,260,000
Lane Area - Open - Balance	602 m² @	$35,000/m²	less 50%	$17,500/m²	$10,535,000
Lane Area - 7-9m Clearance Portion	594 m² @	$35,000/m²	less 60%	$14,000/m²	$8,316,000
Sub-total Lane Area					**$20,111,000**
Add Hard & Soft Landscaping Cost - Open - Anthony Street East	72 m² @	$1,600/m²			$115,200
Add Hard & Soft Landscaping Cost - Open - Balance	602 m² @	$1,600/m²			$963,200
Add Hard & Soft Landscaping Cost - Open - 7-9m Clearance	594 m² @	$2,500/m²			$1,485,000
Sub-total - QS Cost Estimates					**$2,563,400**
Total Publicly Accessible Area Credit					**$22,674,400**

Figure 26: Calculation of the value of the publicly accessible open space (Source: Application)

81. As a percentage split of the total value of the public benefits to be provided, the publicly accessible open space represents 66% of the total value. The remaining public benefits are distributed between affordable housing (24%) and office floorspace (10%).

82. The proposed affordable housing component will be provided as a cash contribution toward affordable housing within the State. This contribution will support the delivery of affordable housing and is considered an appropriate public benefit outcome, consistent with State and local housing policy objectives.

83. The proposed development also provides a total of 10,103 m² of office floorspace within the building. While there has been a shift in State government policy towards housing delivery as a preferred public benefit, office floorspace is no longer considered a strategic use towards the calculation of the public benefit. Notwithstanding this, it is considered that a portion of the overall value of public benefit could be provided by the office use. It has been agreed that 10% of the total public benefit value could be provided to the office use, which would equate to approximately 1,315.7 m².

84. The proposed mix of public benefits results in a total value that corresponds with the value of the floor area uplift and is considered acceptable. The combination of publicly accessible open space, affordable housing and office floorspace is consistent with the intent of Clause 15.01-2L-02 and the Capital City Zone. The delivery, timing, operation and maintenance of these public benefits will be secured via a condition on any permit to issue requiring the owner to enter into a section 173 Agreement with the Minister for Planning and the council.

Internal Amenity

Student Housing Policy

85. Clause 16.01-1L of the scheme applies to the use or development of land for student housing that is purpose built for students studying at tertiary institutions. The following is a response to the policy:

Student room layout strategies	Assessment
Ensure all rooms are of a size, layout and design that are liveable and functional.	All rooms have generally been designed to be liveable and functional. Within the building, there are multiple room layouts to allow for an appropriate size, layout and design based on the building form and number of bedrooms provided within each typology. A variety of unit types are provided ranging from 16 to 163 square metres as single studio rooms, twin-bed rooms, three-bed rooms and six-bed rooms.
Ensure every room has direct access to daylight, fresh air and an external window.	Every room has direct access to daylight and fresh air via a window, with the exception of living areas associated with a two bedroom unit that is discussed later in the report.
Discourage rooms being unreasonably overlooked by another room.	Every room has direct access to a window looking outwards, with some windows providing screening or non-vision glazing, preventing overlooking by another room within the building.
Design rooms to limit excessive noise and disruption from pedestrian or vehicle traffic.	Student rooms are provided at Levels 9 to 28, limiting excessive noise and disruption from pedestrian and vehicle traffic. An acoustic report submitted with the application includes recommendations for minimal wall and window acoustic treatments. A condition will be included on any permit to issue requiring the endorsement and implementation of this report.
Provide secure long-term storage.	Each room includes storage (robes/drawers) for personal items.
Shared facilities strategies	**Assessment**
Support shared laundry, cooking and dining facilities that	The communal areas are located on the Ground Level,

are designed to be conducive to incidental socialising.	Mezzanine Level and Levels 7 and 8 and include a lobby / concierge, study lounges, quiet pods, podcast room, a laundry, gym, cinema, lounge, breakout space, music room, VR room, private dining room, media lounge, kitchen / dining areas, games lounge, karaoke room and video games room. These areas have been designed to encourage social interaction.
Encourage the provision of storage areas for property manager's equipment and building maintenance.	A concierge desk and admin office and store are provided on the Ground Level, while staff offices, breakout room and meeting room are provided on the Mezzanine Level. Service and plant are provided throughout the building to allow for service access and building maintenance.
Encourage the provision of waste management facilities.	Bin chutes are provided on each level, sending waste to the storage area at Basement Level 2. On site waste collection will occur via the loading bays on Basement Level 2, accessed via A'Beckett Street.
Locate shared facilities in a safe and accessible area.	Shared facilities are located in accessible areas, with communal spaces dispersed throughout the building to enhance access for all students.
Design corridors and stairways to be attractive spaces, with natural lighting and ventilation that is conducive to incidental social interaction.	Corridors and stairways are designed to be safe, accessible and are at least 1.6 metres wide. Natural light is provided at one end of the corridor and there are opportunities for incidental social interaction.
Communal areas strategies	**Assessment**
Ensure each student has access to communal outdoor space that is well designed, safe and accessible, can be maintained and has adequate solar access.	Communal outdoor areas are provided on Mezzanine Level and Levels 7 and 8 with landscaping, seating and an arbor with climbers that will be well designed, safe and accessible, can be maintained and have adequate solar access.
Ensure provision of well-located internal common areas that are capable of being used for multiple functions to meet a range of study, social, cultural and religious needs.	Internal communal areas are provided on the Ground Level, Mezzanine Level and Levels 7 and 8 and are capable of being used for multiple functions to meet a range of study and social needs.
Encourage a direct relationship between communal outdoor spaces and common internal spaces to enhance function and safety.	All outdoor communal areas have a direct relationship with internal communal areas, which will enhance the functionality and safety of these spaces for students.
Provide adequate lighting of internal and external access areas.	Adequate lighting will be provided to internal and external access areas.
Transport strategies	**Assessment**
Encourage development that provides: • Adequate space for bicycle, motorcycle and scooter parking. • Car parking for the management and servicing needs of the building. • Limited or no car parking for students. • Adequate space for loading and unloading vehicles and waste collection.	The proposal provides: • a total of 386 bicycle spaces and 27 motorcycle spaces are provided for residents, students, employees and visitors within the building; • no car parking spaces for the management and servicing needs of the building; • no car parking spaces for students; and • loading bays at Basement Level 2, accessed via A'Beckett Street.
Policy guidelines	**Assessment**
Consider as relevant:	
• Providing a ratio of 2.5 square metres of communal outdoor space per student, in a maximum of two parcels, each parcel with a minimum width of 3	The proposal provides 663 square metres of outdoor communal area on Mezzanine Level and Levels 7 and 8, where the policy requires 2,250 square metres for 900

metres.	students. This equates to 0.74 square metres per student. To ensure adequate communal outdoor space is provided, the council has recommended that this be increased to at least 1 square metre per student. This is considered reasonable, noting that this is still less than the required 2.5 square metres per student. However, Flagstaff Gardens and future open space in the QVM Precinct opposite the site will provide open space in close proximity. As such, a condition will be included on any permit to issue requiring the communal outdoor space be increased to 1 square metre per student.
• Providing an internal communal living area with a minimum of 15 square metres in area for every 12 students.	The proposal provides 1,730 square metres of internal communal area throughout the development, where the policy requires 1,125 square metres for 900 students. While this exceeds the requirement for internal communal area, it falls short of the overall requirement for communal space of 3.75 square metres per student, providing a total of 2.66 square metres for each student. To ensure adequate communal facilities are provided for students occupying the building, the council has recommended that the overall communal space be increased to at least 3.5 square metres per student. This is considered reasonable, noting that it is generally consistent with the ratios approved for the student housing building opposite the site, QVM Tower 3. A condition will be included on any permit to issue requiring the increase in communal space for students.
• Providing at least one bicycle parking space per student.	The proposal provides for a total of 386 bicycle parking spaces for the building occupants (residents, students, employees) and visitors. Whilst this is less than the 900 bicycle spaces recommended by this policy, the number of spaces provided is considered acceptable, noting that the council supports the ratios proposed. The council has also recommended a condition to be included on any permit to issue requiring the submission and approval of an Operational Management Plan for the student housing component. This plan must include provision for bicycle share facilities, ensuring that students have adequate and convenient access to on-site bicycle parking. This is considered reasonable and a condition will be included on any permit to issue.
• Supporting rooms of a size, layout and design that can comfortably accommodate: ○ Access to a bed from its side. ○ A study area with a desk and bookshelf. ○ A robe/drawer units with ample storage space for clothing and personal items. ○ Computer and TV. ○ A table or bench to provide a space to eat, separate from that used for study purposes.	The various room configurations provide: • access to a bed from its side; • a study area with a desk and bookshelf; • a robe for storage of clothing and personal items; and • a TV and a space for a computer. A separate table or bench from the study area has not been provided for the studios or 2-bed units. The 3-bed and 6-bed units provide communal eating areas for students, equating to 33% of units (60 x 3-bed units (180 beds) + 20 x 6-bed units (120 beds)). This is considered reasonable, noting that there are generous internal communal areas for students to eat.
• Providing private kitchen facilities with adequate room for a microwave, stove top cooker, fridge, clear bench space, sink, storage space for food, crockery, utensils, cleaning equipment and a designated location for garbage and recycling.	Private kitchen facilities are available within all room types within the building, providing adequate space for a microwave, stovetop cooker, fridge, clear bench space, sink, storage space for food and garbage and recycling bin.

• Providing shared laundry facilities with washing machines, clothes dryers, laundry tubs with hot and cold water and clotheslines.	A communal laundry is provided on Level 7.
• Encouraging shared cooking and dining facilities to include: ○ Space for garbage and recycling bins. ○ Stove top cookers, refrigerators and freezers. ○ Sinks with running hot and cold water. ○ Bench space for food preparation. ○ Storage space for dry goods.	Shared cooking and dining facilities have been designed to include: • Areas for garbage and recycling bins; • Stove top cookers, refrigerators and freezers; • Sinks with running hot and cold water; and • Bench space for food preparation.

86. The council has recommended that one of the three-bed rooms and one of the two-bed rooms be redesigned to ensure that acceptable levels of internal amenity are provided. The unit types are as follows:

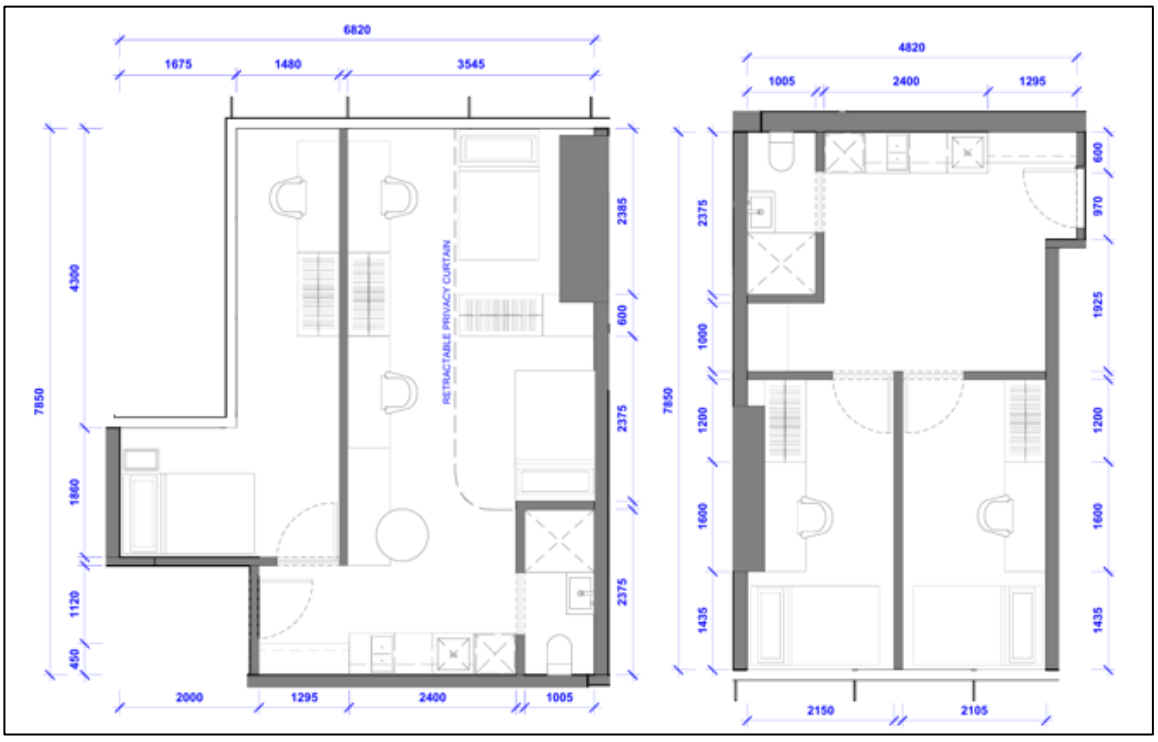


Figure 27: Three-bed room (left image) and two-bed room (right image) (Source: Application)

87. The three-bed room (above) includes two beds located in the same room shared with the kitchen and dining area and separated be a retractable privacy curtain. The two-bed room (above) includes a shared kitchen and living spaces with no external windows. It is considered that these layouts will provide poor amenity for future occupants and must be redesigned. The council has recommended a condition requiring that all beds must be located in individual rooms and that all living spaces must be provided with access to daylight. This is considered reasonable and a condition will be included on any permit to issue.

88. The council has also recommended conditions requiring the submission of a Student Housing Operational Management Plan for the building and a section 173 Agreement being entered into to give effect to this Plan. These are considered reasonable and will be included on any permit to issue.

89. Overall, the proposal complies with the objectives, strategies and guidelines of Clause 16.01-1L.

Clause 58 (Apartment Developments)

90. Clause 58 encourages apartment development that provides reasonable standards of amenity for existing and new residents and supports apartment developments that are responsive to the site and surrounding area.

91. The development achieves a high level of compliance with the objectives and standards of Clause 58 as detailed in the assessment provided at Appendix 1. Other relevant Clause 58 considerations (condition to be included to ensure compliance with the Standards and variations sought to Standards) are discussed below.

Dwelling diversity

92. Standard D3 (Dwelling diversity objective) requires a range of dwelling sizes and types. The development provides a range of dwelling types and layouts including 297 x studios (42%), 330 x 1-bedroom dwellings (47%) and 66 x 2-bedroom dwellings (9%).

93. It is noted that the types of dwellings is calculated from the architectural plans and not the development summary. The development summary should be updated to correlate with the architectural plans and this will be required via a condition on any permit to issue.

94. The majority of dwellings (91%) are either studios or 1-bedroom dwellings, with a smaller percentage of two-bedroom dwellings and no 3-bedroom dwellings. While the dwelling typologies include a range of sizes and types, the council considers that a development of this scale should include 3-bedroom dwellings to cater for larger households. Further to this, it is considered that the number of studios (at 42%) is excessive and that this should be reduced to no more than 30% of the total dwellings. Conditions will be included on any permit to issue requiring these changes.

Landscaping

95. A variation is sought to Standard D10 (Landscaping objective) that requires canopy cover and deep soil areas to be provided within the development. Given the site area is approximately 3,218 square metres, Standard D10 requires 15% of the site area (482.7 square metres) to be provided for deep soil planting, 350 square metres plus 20% of the site area above 2,500 square metres (143.6 square metres) of canopy cover (493.6 square metres) and at least 2 Type B trees or 1 Type C tree.

96. As detailed in the submitted Landscape Report, the development will provide 868 square metres of deep soil planting through deep soil planters and 462 square metres of canopy cover, with 2 Type B trees.

97. A variation is required in relation to the 31.6 square metre shortfall of canopy coverage. This is considered acceptable for the following reasons:

- The shortfall of canopy coverage is relatively minor having regard to the landscape character of the area and does not prevent the development from achieving increased canopy cover from the existing conditions as sought by this clause.
- The proposal provides several tree plantings along the publicly accessible areas and communal open space at Level 8. The spaces include integrated landscaping that will enhance and improve legibility within both the public areas and internal amenities for building occupants.
- The street edges to Queen Street and A'Beckett Street will incorporate planters, contributing additional greening to the public realm.
- The proposal achieves a Green Factor score of 0.59, exceeding the minimum score of .055, further demonstrating adequate landscaping is incorporated throughout the building.

Accessibility

98. Standard D18 (Accessibility objective) requires that at least 50 percent of dwellings should have accessible paths to bedrooms and bathrooms and adaptable bathrooms.

99. The application material provides different percentages for the total number of dwellings designed to comply with Standard D18. A review by the council of individual dwelling types confirms that 231 dwellings (or 33.33% of the total 693 dwellings) comply with Standard D18.

100. A condition will be included on any permit to issue requiring that at least 50% of dwellings be designed to comply with Standard D18.

Private open space

101. A variation is sought to Standard D20 (Private open space objective) that requires dwellings to have minimum dimensions and areas of private open space relative to dwelling types and orientation. The submitted architectural plans show no dwelling is provided with any private open space area.

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

103. The plans show that most of the 1 and 2 bedrooms dwellings include the required additional internal area, with the exception of dwelling Types B01.1 (7.6 square metres of internal area) and B04.1 (6.5 square metres of internal area). This results in a total of 99 dwellings not including the required amount of internal area.

104. The plans also show that the 297 studio dwellings do not include any additional internal area.

105. A variation is required for these 297 x studio and 99 x 1 bedroom dwellings that should provide 8 square metres of private open space or an additional internal area of 8 square metres. This is considered acceptable for the following reason:

- The lack of private open space will not unreasonably affect the amenity of the dwellings or the recreation and service needs of future residents, noting that they will have access to communal outdoor space on Level 8. Further, Flagstaff Gardens and the future open space in the QVM Precinct opposite the site will provide open space in close proximity.

Storage

106. A variation is sought to Standard D21 (Storage objective) that requires dwellings to have minimum storage for different dwelling types. The submitted architectural plans demonstrate that all of the dwellings include the required minimum storage within the dwelling. Further, 82 x 6 cubic metres of external storage spaces are provided in the basement levels.

107. A variation is required in relation to the total storage provided. This is considered acceptable for the following reason:

- While the proposal does not strictly meet the minimum storage volumes specified in Table D10 for all dwellings, the design is considered reasonable as it provides internal storage solutions that are appropriate, functional, and proportionate to the dwelling types and their intended occupants with external storage provided for 82 apartments.

Functional Layout

108. A variation is sought to Standard D26 (Functional layout objective) that requires dwellings to have minimum dimensions and areas for bedrooms and living rooms. The submitted architectural plans demonstrate that most bedrooms and living areas generally comply with the requirements of Table D11 and Table D12, with the exception of the bedrooms and living areas detailed in the table in Appendix 1.

109. Studio type dwellings A03.1 and A04.1 do not meet the minimum internal living area dimension of 3.3 metres due to the curve of the building and the location of the kitchen, although they do meet the minimum area requirement.

110. One bedroom type dwellings B01.1 and BS03.1 do not meet the minimum bedroom dimensions of 3.3 metres x 3.4 metres due to the curve of the building and an indent in the external wall, although they do meet the minimum

area requirement. Dwelling type BS02.1 contains a structural column, which will encroach into the minimum living area dimension, although it does meet the minimum area requirement.

111. Two bedroom type dwellings C01.1 and C02.1 do not meet the minimum bedroom dimensions of 3 metres x 3 metres for the second bedroom due to the curve of the building and structural columns, although they do meet the minimum area requirement. Due to the curve of the building, dwelling type C02.1 does not meet the minimum living area dimension, although it does meet the minimum area requirement.

112. A variation is required for these dwelling types. This is considered acceptable for the following reasons:

- The shape and layout will achieve a functional space overall, with good internal amenity.
- The rooms remain functional as demonstrated by furniture placement.
- The variations are relatively minor.

Windows

113. A variation is sought to Standard D28 (Windows objective) that requires adequate daylight to new habitable room windows. The submitted architectural plans demonstrate that the majority of habitable rooms enjoy direct access to daylight.

114. 110 dwellings feature separate internal rooms with no window, to be used as studies. This is considered acceptable given the overall amenity of the dwellings and the studies are of a size and / or shape that is not conducive to being used as a bedroom.

Amenity Impacts

Overshadowing

115. Clause 15.01-1L-03, Sunlight to Public Spaces, and DDO10 lists key locations that development should not cast additional shadow across at key times of the year. Of relevance to this application:

- Pursuant to Clause 15.01-1L-03, *'Development should not unreasonably reduce the amenity of public spaces by casting additional shadows on any public space, public parks and gardens, public squares, major pedestrian routes including streets and lanes, open spaces associated with a place of worship and privately owned plazas accessible to the public between 11.00 am and 2.00 pm on 22 September*.'
- Pursuant to DDO10, *'A permit must not be granted for buildings and works which would cast any additional shadow across a space listed within Table 2 to this schedule during the hours and date(s) specified, unless the overshadowing will not unreasonably prejudice the amenity of the space'* (as relevant):
    - *Flagstaff Gardens and proposed public open space within Queen Victoria Market between 12.00pm and 2.00pm on 22 June; and*
    - *Any public space, public parks and gardens, public squares, open spaces associated with a place of worship and privately owned public spaces accessible to the public between 11.00am and 2.00pm on 22 September.*

116. An assessment of the 3D model has been undertaken, and the following relevant shadow studies are provided, which show that there a no additional and unreasonable shadow impacts to nearby key locations.

Figure 28: Shadow study – 22 June at 12.00pm (Source: DTP VIC3D)

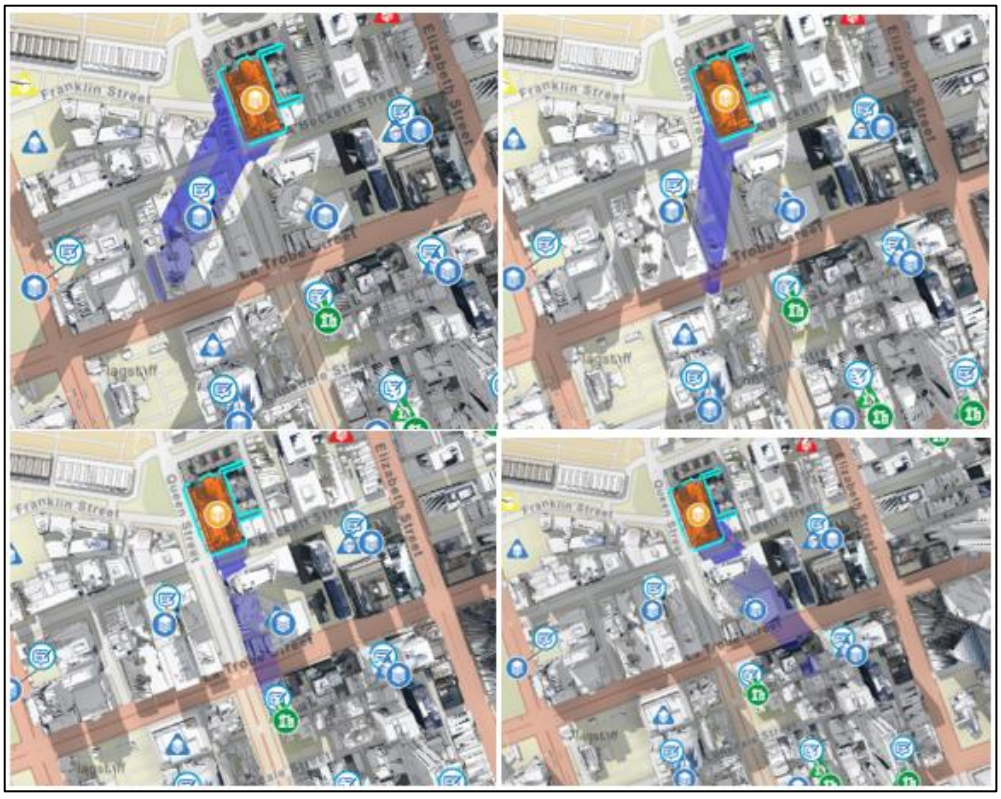


Figure 29: Shadow study – 22 September – 11.00am – 2.00pm (Source: DTP VIC3D)

117. The figure above demonstrates that the proposed building will not cast any additional shadow over Flagstaff Gardens or the proposed public open space within Queen Victoria Market at 12.00pm on 22 June. Having regard to the sweep of the shadow and subject site's location to the east of Flagstaff Gardens and south of the proposed public open space, the proposed building will not result in any additional shadow of these areas.

118. The figures above also demonstrate that the proposed building will not cast any unreasonable shadow over any public space, public parks and gardens, public squares, open spaces associated with a place of worship and privately owned public spaces accessible to the public between 11.00am and 2.00pm on 22 September. The shadow study demonstrates that the proposed building will cast additional shadow over Queen Street, A'Beckett Street, La Trobe Street and surrounding properties. These shadows will move throughout the day and some also fall within existing shadows, which is not considered to unreasonably detract from the amenity of the public realm.

Wind

119. The application is supported by an Environmental Wind Conditions Study (24123A-WT-ENV02) prepared by MEL Consultants and dated 18 August 2025. The report concludes:

> ***Wind Safety Assessment***
>
> *There are no exceedances of the safety criterion for the Existing and Proposed Configurations with wind mitigation strategies. There is one Test Location for the Proposed Configuration with the future QVM South Precinct that fails the safety criterion. This Test Location is on the west side of the future QVM South Precinct and the proposal development has not caused this exceedance.*
>
> *The annual maximum 3 second gust wind speed from each of the 16 wind directions are presented in polar plots and compared against the safety criterion in Appendix B.*
>
> ***Wind Comfort***
>
> *In addition to the tabular format, the assessment of the pedestrian comfort for the Existing and Proposed Configurations are summarised in the following;*
>
> The assessment of the pedestrian wind comfort for the different configurations are summarised in as follows:
>
> *Figure 4 Existing Configuration*
>
> *Figures 5a to 5h Proposed Configuration (including Configurations 4 & 5)*
>
> *Figures 6a to 6b Proposed Configuration (terraces) with mitigation strategies*
>
> *Figure 7 Proposed Configuration (Ground) with QVM South Precinct*
>
> *Figure 8a and 8b Existing and Proposed Configurations – 201 Franklin Street Terrace*
>
> *The figures present the pedestrian comfort criteria satisfied using a colour code system, where different colours have been used to represent the wind criteria satisfied at each Test Location.*
>
> *5.2.1 Ground Level Streetscapes*
>
> *The wind conditions in the surrounding streetscapes for the Proposed Configuration have been shown to satisfy the standing and walking comfort criteria, with Test Locations 4, 7, 10, 14, 22a and 35 satisfying the sitting comfort criterion. The wind conditions have increased compared to the Existing Configuration, which is expected for the change of built form.*
>
> *The wind conditions in the internal laneways of the proposed development have been shown to satisfy the sitting comfort criterion at all locations.*

The wind conditions at the office and BTS lobby entrances have been shown to satisfy the recommended standing comfort criterion.

The wind tunnel study has examined changing the shape of the southwest corner of the development (Configurations 4 and 5). The wind conditions for the Proposed Configuration at the southwest corner, have been shown to satisfy the standing comfort criterion at Test Locations 2 and 2a and satisfy the walking comfort criterion at Test Locations 3 and 17. For Configurations 4 (Chamfered corner) and 5 (Rectangle corner), the wind conditions at Test Locations 2, 3 and 17 have been shown to satisfy the walking comfort criterion.

5.2.2 Upper Level Terraces

The wind conditions for the Proposed Configuration on the Level 7 Terrace have been shown to satisfy the standing and sitting comfort criteria.

The wind conditions for the Proposed Configuration on the Level 8 Terraces have been shown to exceed the walking comfort and safety criteria at many locations. The study has investigated wind mitigation strategies to address these exceedances (Refer to Figure 6a). These strategies have been shown to be successful and wind conditions on the Level 8 Terraces have been shown to satisfy the sitting to walking comfort criteria.

Typical private terraces have been examined on the tower (Levels 21 and 51), Location L3 was shown to exceed the safety criterion and the wind mitigation strategies (Refer to Figure 6b) has been shown to be successful to mitigate the exceedance. The mitigation strategy should be applied to the terraces above and below this location.

5.2.3 Future Queen Victoria Market South Precinct Development

The wind conditions in the streetscapes surrounding the proposed 380 Queen Street Development were shown to have increased with the future QVM South Precinct Development but were still within the walking comfort criterion or better at all Test Locations except at the northwest corner of the future QVM Development (Test Locations 22b) where wind conditions failed the safety criterion. However, it has been shown that the wind conditions at Test Location 22b in the Existing Configuration with the future QVM Development also fails the safety criterion. Therefore, demonstrating that the proposed 380 Queen Street Development does not have an adverse impact on the wind conditions at Test Location 22b.

5.2.4 Neighbouring Private Terrace

There is a private terrace on the south face of 201 Franklin Street. The wind conditions have been shown to satisfy the sitting comfort criterion for the Proposed and Existing Configurations.

120. The application is supported by an Environmental Wind Conditions report (24123A-WT-ENV00-ADD-A00) prepared by MEL Consultants and dated 18 August 2025. The report concludes:

A wind tunnel study was undertaken in March/April 2025 to measure the environmental wind conditions around the proposed 380 Queen Street development, Melbourne, with the model constructed using architectural drawings by Cox Architecture received up to 17th March 2025. The findings were reported in MEL Consultants Report 24123A-WT-ENV02.

The design of the proposed development has been revised according to drawings by Cox Architecture dated 5th June 2025 with changes to the floor plan of the podium levels. This addendum presents results from an additional wind tunnel study conducted in July 2025 to measure wind conditions at test locations impacted by the revised podium design. The wind conditions for all other areas (not presented in this addendum) would be expected to be similar compared to those presented in MEL Consultants Report 24123A-WT-ENV02.

The wind conditions on the ground level and upper-level terraces for the Proposed Configuration were shown to satisfy the safety and walking comfort criteria at a minimum except at the western and eastern corners on Levels 7 and 8, respectively, which were shown to fail the safety and walking comfort criteria. It has been demonstrated that with the incorporation of wind mitigation strategies, the wind conditions at the western and eastern corners of Levels 7 and 8, respectively, would improve to satisfy the safety and walking comfort criteria with many locations satisfying the stationary criteria.

Figure 30: Proposed Ground Level wind comfort criteria satisfied (Source: Application - Environmental Wind Conditions Study)

Figure 31: Proposed south-west corner wind comfort criteria satisfied (Source: Application - Environmental Wind Conditions Study)

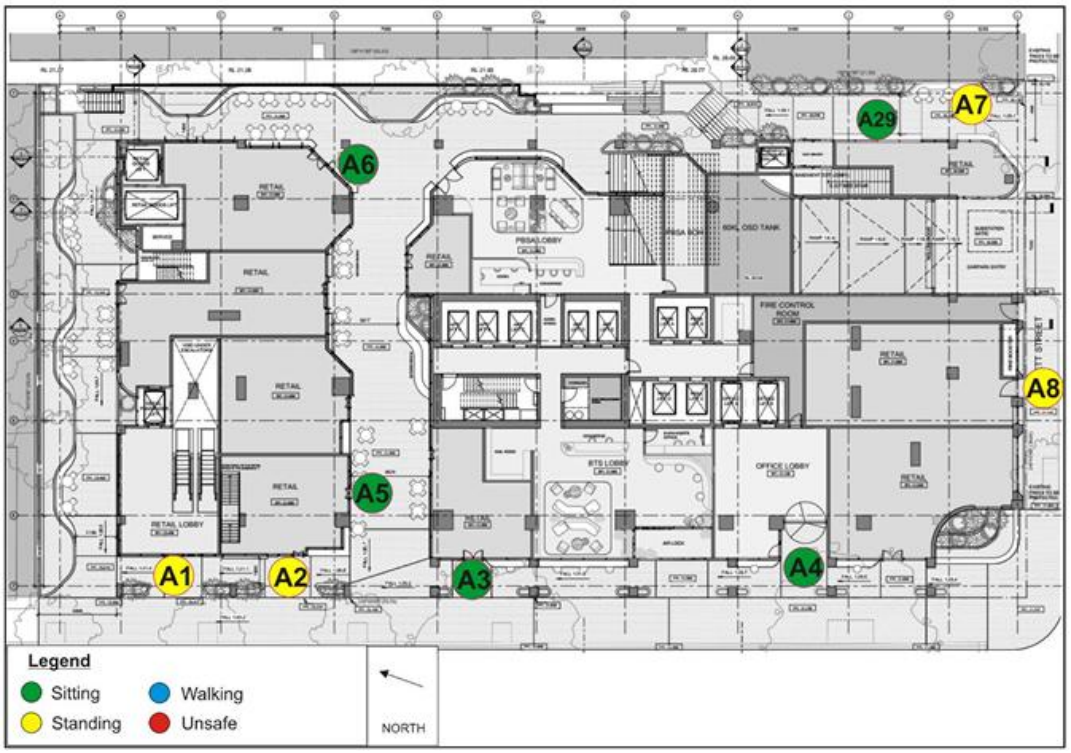


Figure 32: Proposed Ground Level entries wind comfort criteria satisfied (Source: Application - Environmental Wind Conditions report)

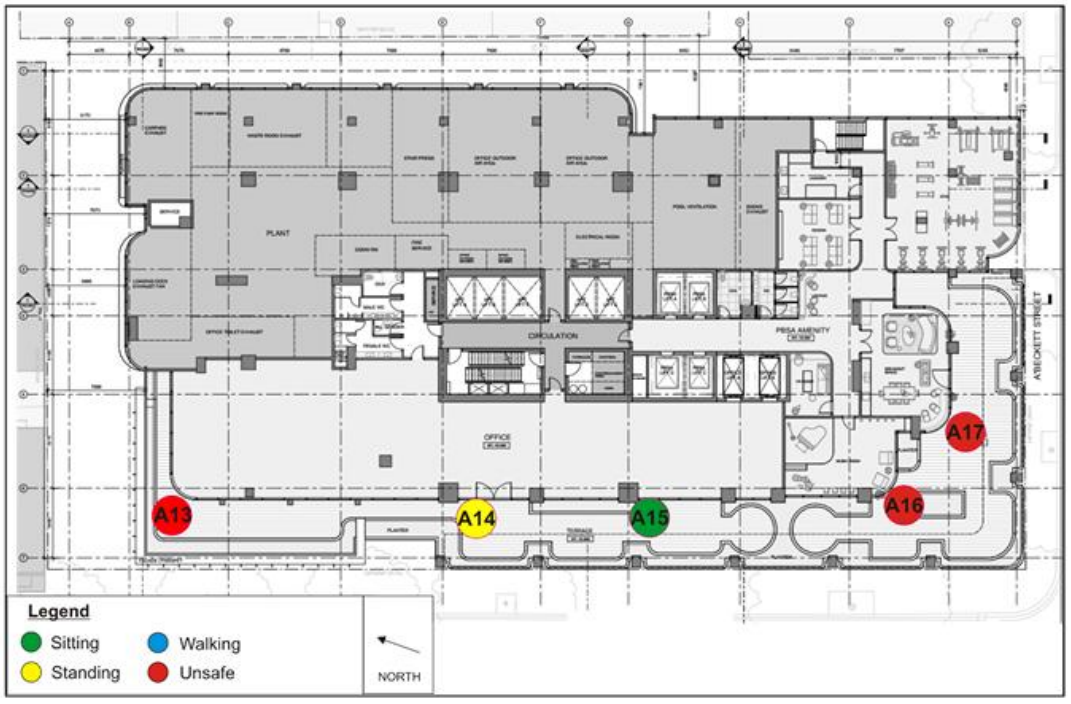


Figure 33: Proposed Level 7 wind comfort criteria satisfied (Source: Application - Environmental Wind Conditions report)

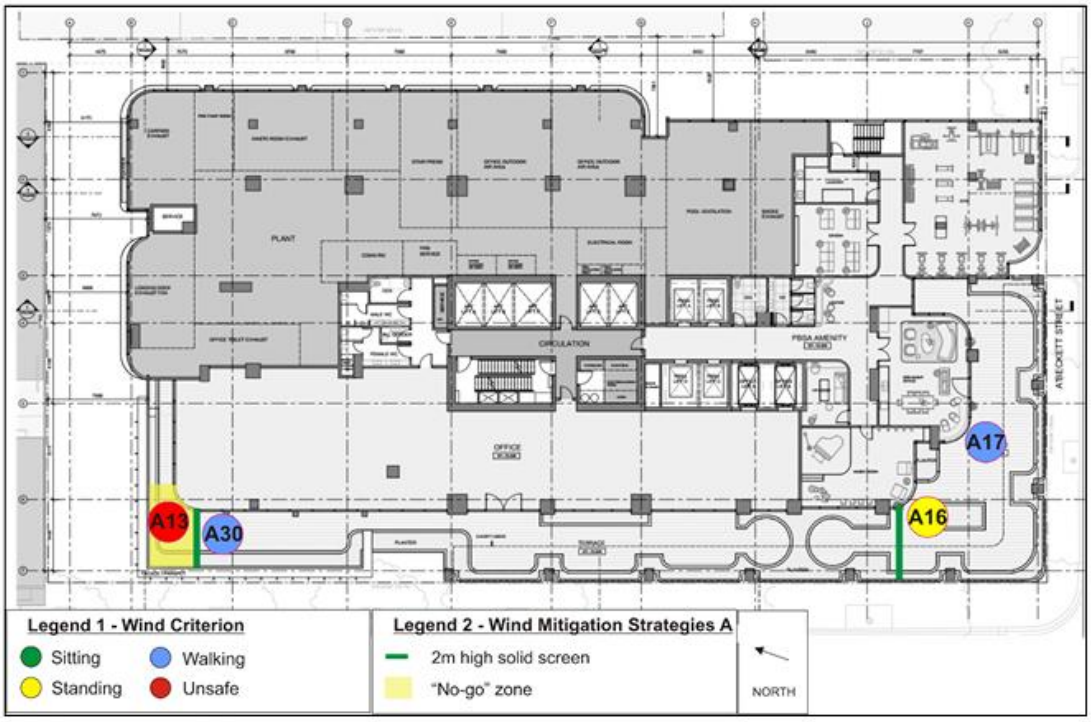


Figure 34: Proposed Level 7 wind comfort criteria satisfied with Mitigation Strategies A (Source: Application - Environmental Wind Conditions report)

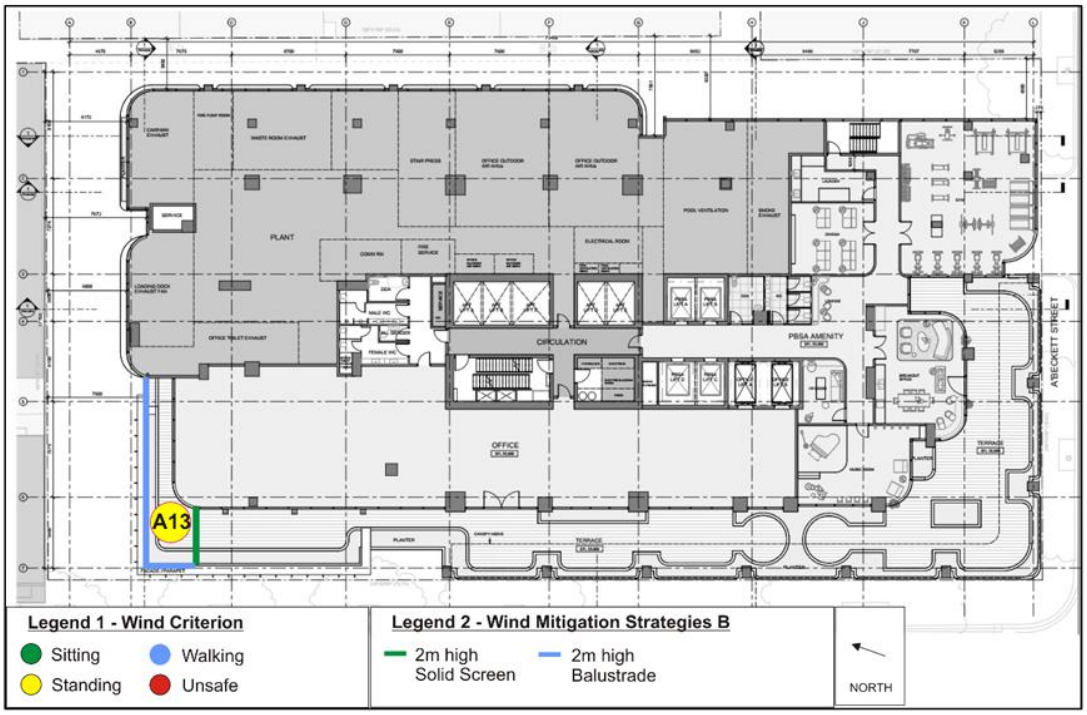


Figure 35: Proposed Level 7 wind comfort criteria satisfied with Mitigation Strategies B (Source: Application - Environmental Wind Conditions report)

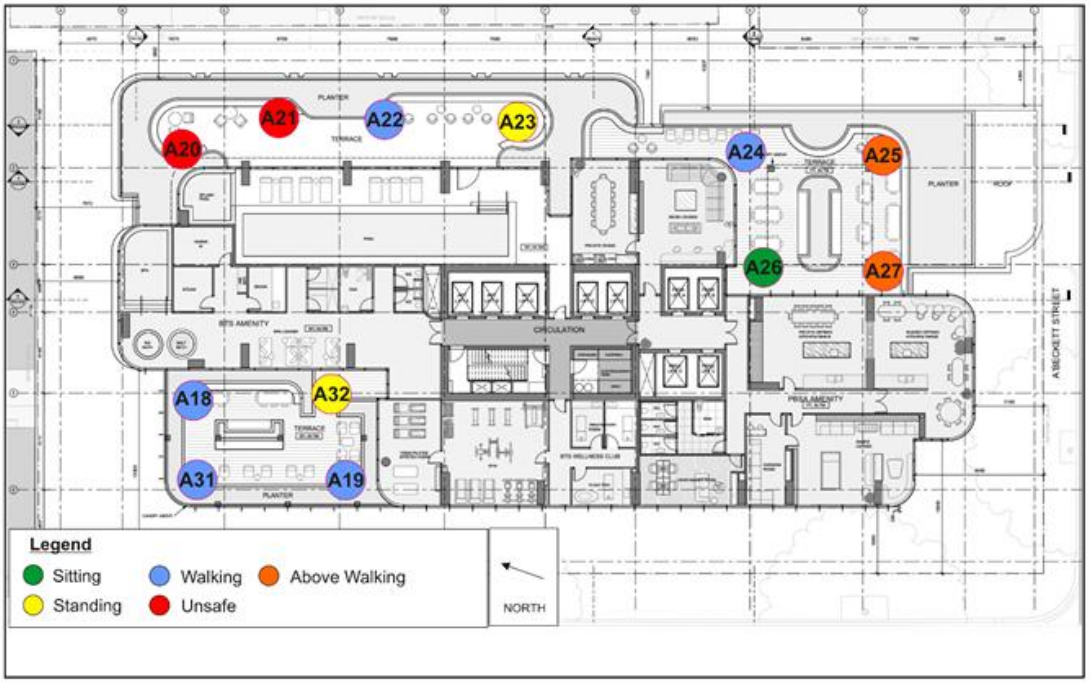


Figure 36: Proposed Level 8 wind comfort criteria satisfied (Source: Application - Environmental Wind Conditions report)

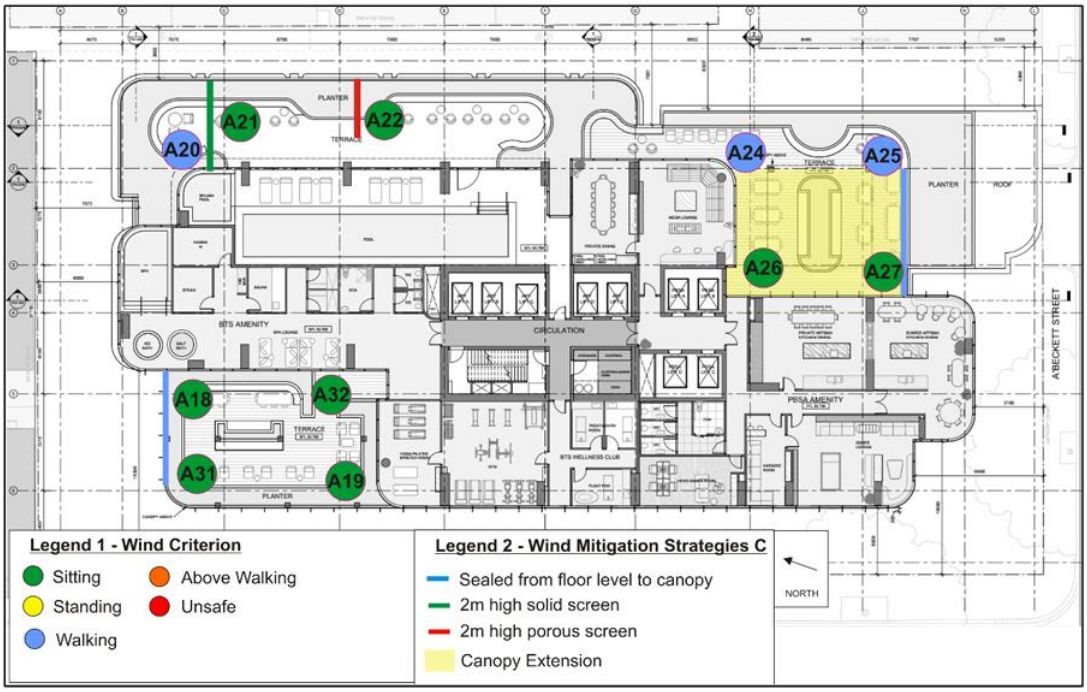


Figure 37: Proposed Level 8 wind comfort criteria satisfied with Mitigation Strategies C (Source: Application - Environmental Wind Conditions report)

121. The report is considered satisfactory as the wind comfort and safety criteria are met for publicly accessible areas around the building.

122. While not required by DD010, the report also considers the wind impacts to the proposed communal open space areas on Levels 7 and 8. The report identifies that the comfort and safety criteria will be met with mitigation

measures. The decision plans include the wind mitigation measures, with the exception of the extended canopy in the south-east corner of Level 8.

123. Notwithstanding the results of the wind mitigation measures suggested for Level 8 to achieve sitting and walking criterion, it is recommended that Level 8 achieves a minimum of standing criterion to provide high amenity space for residents. The applicant has suggested that this level be redesigned to reposition internal and external communal spaces and to achieve a minimal of standing criterion. This is considered reasonable and a condition will be included on any permit to issue requiring the architectural plans to be amended and for an updated wind report to be submitted and endorsed.

Acoustics

124. The application is supported by an Acoustic Town Planning Report prepared by Acoustic Logic and dated 6 June 2025.The report identifies potential noise sources associated with the development and provides recommendations to appropriately address them. The building is designed to mitigate internal and external noise impact through the siting of plant, waste rooms, and car parking areas. The layout of dwellings and mechanical plant ensures adequate separation to protect residential amenity.

Potentially Contaminated Land

125. While the subject site is not located within an Environmental Audit Overlay, conditions should be included on any permit to issue requiring a Preliminary Risk Screen Assessment (PRSA) of the site to be conducted by a suitably qualified environmental auditor. This condition requires a PRSA statement and report to be submitted to the responsible authority in accordance with section 205 of the *Environment Protection Act 2017* and respond to the matters contained in Part 8.3, Division 2 of the *Environment Protection Act 2017*.

126. In the event that the PRSA requires an Environmental Audit to be undertaken, the conditions require an Environmental Audit of the site to be carried out by a suitably qualified environmental auditor prior to the commencement of the development. Lastly, if any of the conditions of the EAS require ongoing maintenance or monitoring, the owner of the land must enter into an agreement with the responsible authority under section 173 of the *Planning and Environment Act 1987*. Conditions to this effect should be included on any permit to issue.

Car and Bicycle Parking, Loading and Waste

Car Parking

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

Use	Car Parking Rate	Maximum No. of Spaces Allowed	No. of Spaces Provided
Dwelling (693)	Must not exceed one (1) space per dwelling	693	154
Other uses (32,222 m² (student accommodation, office and retail premises))	5 x net floor area of building on that part of the site in sq m / 1000 sq m	161	
Motorcycle Parking	One (1) motorcycle space for every 100 car parking spaces	2 spaces required	27
Total		**854**	**154**

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

129. The council supports the car parking rate and design and has not raised any concerns with the proposed traffic generated by the development. The council has recommended permit conditions requiring the submission and approval of a Car Parking Management Plan, Loading Management Plan, Sustainable Transport Plan and a Road Safety Audit. These are considered reasonable and will be included as conditions on any permit to issue.

Bicycle Facilities

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

Use	Purpose	Bicycle Parking Rate	No. of Spaces Required	No. of Spaces Provided
Dwelling (693)	Resident	1 space / 5 dwellings	139	(see below)
	Visitor	1 space / 10 dwellings	69	(see below)
Student Accommodation (Residential building) (900 beds)	Resident	1 space / 10 lodging rooms	90	(see below)
	Visitor	1 space / 10 lodging rooms	90	(see below)
Office (10,103 m²)	Employee	1 / 300 sqm of net floor area, if the net floor area exceeds 1,000 sqm	34	(see below)
	Visitor	1 / 1000 sqm of net floor area, if the net floor area exceeds 1,000 sqm	10	(see below)
Retail (3,419 m²)	Employee	1 / 300 sqm of leasable floor area	11	(see below)
	Visitor	1 / 500 sqm of leasable floor area	7	(see below)
Total			**450** (229 resident / student 45 employee 176 visitor)	**386** 356 (resident / student / employee – Basement 2) 30 (visitor – Ground Level)
	Showers (Employee)	If 5 or more employee bicycle spaces are required, 1 shower for the first 5 employee bicycle spaces, plus 1 to each 10 employee bicycle spaces thereafter.	3	5 female 5 male 1 DDA
	Change rooms (Employee)	1 change room or direct access to a communal change room or shower. The change room may be a combined shower and change room.	1	1 female 1 male

131. The proposal includes a total of 386 bicycle spaces, which is less than the required 450 spaces (a shortfall of 64 spaces). As such, a permit is required to reduce the number of bicycle spaces required under this clause.

132. Basement Level 2 includes separate female, male and DDA change rooms for the non-residential uses, with 5 female showers, 5 male showers and 1 DDA shower. This complies with Clause 52.34-5.

133. The bicycle spaces will be provided on Basement Level 2 for residents, students, employees and visitor spaces, with 30 visitor spaces also provided within the public areas on the Ground Level.

134. While the proposal does not provide all the required bicycle spaces pursuant to Clause 52.34-5, it is considered that a reduction in spaces is acceptable in this instance and will adequately meet the demand of the building occupants and visitors in this location. The council also supports the proposed rate, noting that a condition ensuring their design meets relevant standards is included on any permit to issue.

135. Further, the council has recommended a condition for the submission and approval of a Sustainable Transport Plan for the student accommodation, to encourage alternative modes of transport. This is considered reasonable and will be required via a condition on any permit to issue.

Loading / Unloading

136. Clause 65.01 of the Melbourne Planning Scheme specifies that, before deciding on an application or approval of a loading plan, the responsible authority must consider the adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

137. Waste collection will take place on Basement Level 1 at dedicated loading bays adjacent to the various bin rooms, accessed via A'Beckett Street. It will accommodate two vehicles up to 10.7 metres long x 2.5 metres wide, with a floor-to-ceiling height of 4.5 metres (4 metre clearance under the roller door). Two additional loading bays are provided for a large truck (12.5 metres long) and a mid-size truck (8.8 metres long) to be used by the retail premises and residents. A turntable is provided to ensure that trucks can enter and exit the site in a forwards direction.

138. The council considers that location and sizes of the loading bays are acceptable for the proposed development and has recommended a Loading Management Plan (LMP) be submitted for approval prior to the commencement of the development. Consistent with other similar approvals in the central city, the LMP will be required to be submitted prior to the occupation of the development, and this will be included as a condition on any permit to issue.

139. In addition, the council has also requested a sequence diagram be included in the Waste Management Plan to show the waste vehicle passing under the roller door to ensure that there is adequate clearance as the vehicle passes under the roller door. This is considered reasonable and will be included as a condition on any permit to issue.

Waste

140. The application is supported by a Waste Management Plan (WMP) prepared by Leigh Design and dated 1 October 2025. It is proposed that all waste collection is to occur onsite from the loading bays on Basement Level 2. The council will collect residential waste, while a private contractor will be engaged to collect commercial waste.

141. As stated above, the waste vehicle will enter the basement car park via A'Beckett Street and use the turntable to reverse into the loading bays (using a reverse manoeuvre that has been confirmed via a swept path diagram) allowing waste collection to occur. The vehicles will then be able to exit in a forward direction.

142. The council considered that the WMP is unsatisfactory, requesting a sequence diagram be included to show the waste vehicle passing under the roller door to ensure that there is adequate clearance as the vehicle passes under the roller door. This is considered reasonable and will be included as a condition on any permit to issue requiring the submission of an amended WMP.

Sustainability

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

143. The application is supported by a Sustainability Management Plan (SMP) prepared by Stantec and dated 6 June and a Stormwater Management Plan prepared by Webber Design and dated 6 June 2025 in response to clauses 15.01-2L-01, 19.03-3L and 53.18 of the Melbourne Planning Scheme.

144. The SMP includes a commitment to achieve the following key targets:

- 5 Star Green Star Rating under the GBCA Green Star Buildings V1 tool;
- Achieve a 20% reduction in embodied carbon through carbon-conscious building design;

- All-electric building design;
- Demonstrate compliance with the Melbourne Green Factor Tool achieving a scorecard of 0.59 (above the minimum of 0.55);
- PV solar panels to accommodate 20kWp installed PV; and
- 7 Star NatHERS average rating for all apartments with no individual dwelling below 6 Star.

145. The Stormwater Management Plan includes MUSIC model results that show the pollutant removal rate achieves the reduction targets as outlined by the Urban Stormwater: Best Practice Environmental Management Guidelines. A 20,000-litre rainwater tank will harvest rainwater from the roof and be reused for irrigation and toilet flushing to the office and retail spaces.

146. The council has recommended a condition be included on any permit to issue requiring the submission and approval of an updated SMP to provide evidence of Green Star rating, daylight modelling, climate change assessment, details on materials, modelling via Upfront Emissions Calculator, alternative pathway of J1V5 energy modelling, Zero Carbon Action Plan, evidence via Movement and Place calculator, additional detail of the Green Factor tool assessment, notes on plans indicating re-use of rainwater tank and a proprietary product used with the rainwater tank. These are considered reasonable and will be required via a condition on any permit to issue.

Response to Objections

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

148. It is noted that the application is exempt from the relevant notice, decision and appeal requirements of the Melbourne Planning Scheme and as such any decision made does not require notification to objectors.

Objection	DTP comments
Lack of public consultation	Given the zone and overlays that apply to the site, the application is exempt from public consultation.
Potential Aboriginal Heritage	The site is not located within an area of Aboriginal Cultural Heritage Sensitivity. The recently signed Treaty framework between Victoria's Aboriginal Community and the State of Victoria does not alter the statutory assessment requirements for this planning application.
Structural integrity and ensuring no damage to services of adjoining Melbourne Terrace building	Structural integrity and protection of adjoining buildings and services are matters that are typically addressed through the building permit.
Construction impacts	A condition will be included on any permit to issue requiring the submission and approval of a Demolition and Construction Management Plan.
Wind impacts	Wind impacts have been assessed and deemed to be acceptable having regard to the requirements of the Melbourne Planning Scheme.
Amenity impacts (in particular the student accommodation use)	While some impacts may occur, they are consistent with the expectations of a central city location and can be adequately managed through the requirement for an Operation Management Plan to be submitted and approved by the council. This Plan must establish a set of 'house rules' for the use, to be implemented by an on-site manager and followed by the students.
Remove laneways that extend from the site through to	As detailed in the assessment above, the council has concern with the northern laneway connecting to Anthony Street, which seeks to provide access through the existing 1.83 metre wide drainage and sewerage easement via a narrow steep

Anthony Street	staircase from the main part of the site, down and through adjacent blank walls of neighbouring buildings out to Anthony Street. It is noted that this easement (E-1 on CP161945Q) does not grant any rights of carriageway to others. There is concern with the lack of passive surveillance to this space and the potential for entrapment spaces due to its long, narrow length and lack of any active frontages. There is also no significant need for an additional pedestrian connection in this location, noting the layout of the existing pedestrian network as well as the classification of Anthony Street as a Class 2 lane under Clause 15.01-1L-01 (CBD Lanes). The site is located on a block which is not identified as having an average length of more than 100 metres on Map 1 to the Appendix of the Central Melbourne Design Guide. The layout of this space is an existing condition constrained by neighbouring buildings and, given the safety and entrapment risks, it is not considered appropriate to convert this into to a publicly accessible space. The council has recommended a condition requiring the redesign of this space to restrict access to the public and this will be included on any permit to issue.

Recommendation

149. The proposed development is consistent with the relevant policies of the Melbourne Planning Scheme and current State government housing policy and will contribute to the provision of housing and student accommodation within the Central City, with a built form response appropriate to the site's urban context. In particular, the proposal is of a design, scale and massing that responds appropriately to Design and Development Overlay, Schedule 10, with an acceptable podium design and height, appropriate tower setbacks and through block connections.

150. The proposal is supported, subject to conditions, including those recommended by the Head, Transport for Victoria and the council.

151. It is recommended that Planning Permit PA2503754, for demolition of the existing building, construction of a building and a reduction in the bicycle facility requirements be issued, subject to conditions.

152. It is recommended that the applicant, Head, Transport for Victoria, the council and objectors be notified of the above in writing.

Prepared by:

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

☒ **No Conflict**

☐ Conflict and have therefore undertaken the following actions:

☐ Completed the **Statutory Planning Services declaration of Conflict/Interest form**.

☐ Attached the Statutory Planning Services declaration of Conflict/Interest form on to the hardcopy file.

☐ Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.

Name: [redacted]

Title:

Phone:

Reviewed / Approved by:

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

☒ **No Conflict**

☐ Conflict and have therefore undertaken the following actions:

☐ Completed the **Statutory Planning Services declaration of Conflict/Interest form**.

☐ Attached the Statutory Planning Services declaration of Conflict/Interest form on to the hardcopy file.

☐ Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.

Name: [redacted]

Title:

Phone:

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

Application requirements

Clause 58.01-1	Assessment

• *An application must be accompanied by:*
  ○ *An urban context report.*
  ○ *A design response.*
	Satisfied
	The application has been accompanied by an urban context report and a design response prepared by Cox Architects.

Urban context report

Clause 58.01-2	Assessment

• *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.*
  ○ *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.*
	Satisfied
	The submitted planning report prepared by Urbis and architectural plans prepared by Cox Architects satisfactorily meet the requirements of this Clause.

Design response

Clause 58.01-3	Assessment

• *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*
	Satisfied
	The submitted planning report prepared by Urbis and architectural plans prepared by Cox Architects satisfactorily meet the requirements of this Clause.

waive or reduce the requirement.	

Urban context objectives

Clause 58.02-1	Assessment
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.*	**Meets Objective** The design responds to the existing urban context and contributes to the preferred future development for this northern section of the Hoddle Grid. The development responds to the opportunities and constraints of the site and has regard for existing buildings on surrounding properties.
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.*	**Complies with Standard** The design response is considered appropriate to the urban context and the existing conditions of the site and surrounds. The design responds to the features of the site and to the emerging urban context of this northern section of the Hoddle Grid.

Residential policy objectives

Clause 58.02-2	Assessment
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.*	**Meets Objective** The development provides higher density residential development in an area identified for increased housing density in a location that has good access to services, infrastructure and public transport. The proposed residential development responds to housing policies in the MPS and PPF.
Standard D2 • *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.*	**Complies with Standard** The submitted planning report by Urbis includes a written statement describing how the development is consistent with relevant policies for housing in the MPS and PPF.

Dwelling diversity objectives

Clause 58.02-3	Assessment
Objective • *To encourage a range of dwelling sizes and types in developments of ten or more dwellings*	**Subject to a condition to meet Objective** The development should be amended to ensure a range of dwelling sizes and types are provided.
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.*	**Subject to condition to comply with Standard** The development provides a range of dwelling types and layouts including 297 x studios (42%), 330 x 1-bedroom dwellings (47%) and 66 x 2-bedroom dwellings (9%). It is noted that the types of dwellings is calculated from the architectural plans and not the development summary. The development summary should be updated to correlate with the architectural plans and this will be required via a condition on any permit to issue. The majority of dwellings (91%) are either studios or 1-bedroom dwellings, with a smaller percentage of two-bedroom dwellings and no 3-bedroom dwellings. While the dwelling typologies include a range of sizes and types, the council considers that a development

	of this scale should include 3-bedroom dwellings to cater for larger households. Further to this, it is considered that the number of studio (at 42%) is excessive and that this should be reduced to no more than 30% of the total dwellings. Conditions will be included on any permit to issue requiring these changes.

Infrastructure objectives

Clause 58.02-4	Assessment
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.*	**Meets Objective** The development will be provided with appropriate utility services and infrastructure and will not unreasonably overload the capacity of existing utility services and infrastructure.
Standard D4 • *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*	**Complies with Standard** The development will be connected to all relevant services as appropriate for a building of this scale. It will not unreasonably exceed the capacity of the surrounding service infrastructure.

Integration with the street objective

Clause 58.02-5	Assessment
Objective • *To integrate the layout of development with the street.* • *To support development that activates street frontage.*	**Meets Objective** The development has been designed to integrate with Queen Street and A'Beckett Street, activating both street frontages.

Standard D5
• *Developments should be oriented to front existing and proposed streets.*
• *Along street frontage, development should:*
  ○ *Incorporate pedestrian entries, windows, balconies or other active spaces.*
  ○ *Limit blank walls.*
  ○ *Limit high front fencing, unless consistent with the existing urban context.*
  ○ *Provide low and visually permeable front fences, where proposed.*
  ○ *Conceal car parking and internal waste collection areas from the street.*
• *Development next to existing public open space should be designed to complement the open space and facilitate passive surveillance.*
	Complies with Standard
	The development activates both street frontages with retail, residential lobby and office lobby to Queen Street and retail to A'Beckett Street.
	The residential lobby is accessible directly from Queen Street.
	The upper levels include windows and balconies for retail, office, student accommodation and dwellings. Given the location and design of the lift core there a no blank walls, fencing or non-permeable elements.
	Whilst vehicle access is provided via A'Beckett Street, it has been designed to not be visually intrusive, and the car parking and waste collection is concealed within the basement levels.

Energy efficiency objectives

Clause 58.03-1	Assessment
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.*	**Meets Objective** The development protects the energy efficiency of existing buildings through appropriate setbacks. The orientation and layout of the development makes appropriate use of daylight and solar energy.
Standard D6 • *Buildings should be:*	**Complies with Standard** The development has been designed to maximise

○ *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.*	solar energy, where practical. The Sustainability Management Plan prepared by Stantec is targeting a 7 Star average NatHERS rating, with no dwelling achieving below 6 Stars. No dwelling will exceed the maximum NatHERS annual cooling load of 30 MJ/M².

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:

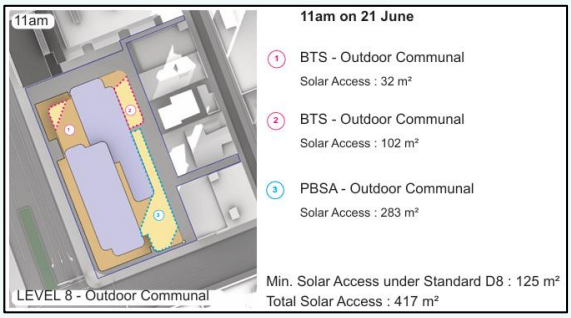
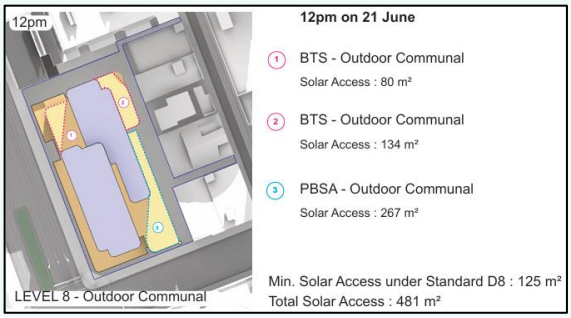
- *Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy).*

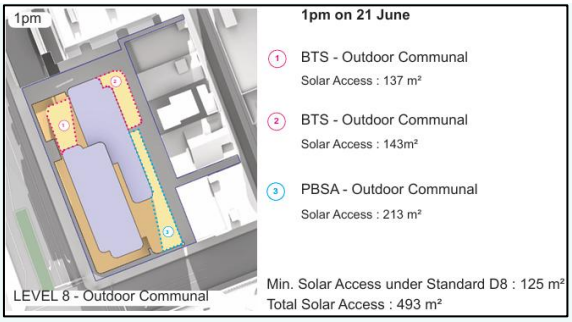
Communal open space objective

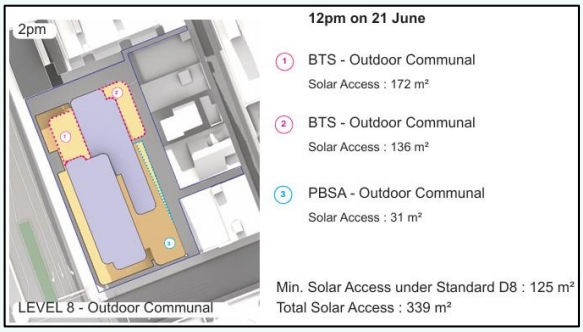
Clause 58.03-2	Assessment
Objectives • *To provide communal open space that meets the recreation and amenity needs of residents.* • *To ensure that communal open space is accessible, practical, attractive, easily maintained.* • *To ensure that communal open space is integrated with the layout of the development and enhances resident amenity.*	**Meets Objective** The development provides a communal open space on Level 8 that will meet the recreation and amenity needs of residents. The communal open space will be accessible, functional, attractive and is integrated with the layout of the development.
Standard D7 • *A development of 10 or more dwellings should provide a minimum area of communal outdoor open space of 30 square metres.* • *If a development contains 13 or more dwellings, the development should also provide an additional minimum area of communal open space of 2.5 square metres per dwelling or 220 square metres, whichever is the lesser. This additional area may be indoors or outdoors and may consist of multiple separate areas of communal open space.* • *Each area of communal open space should be:* ○ *Accessible to all residents.* ○ *A useable size, shape and dimension.* ○ *Capable of efficient management.* ○ *Located to:* - *Provide passive surveillance opportunities, where appropriate.*	**Complies with Standard** The proposed development provides a total of 436 square metres of communal open space, in excess of the 250 square metres required by this standard. The communal area is accessible, useable and capable of efficient management. It does not overlook any dwellings and is located appropriately on the Level 8 to ensure that noise impacts are minimised. Further, it will include integrated landscaped areas.

- *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.*	

Solar access to communal outdoor open space objective

Clause 58-03-3	Assessment
Objective • *To allow solar access into communal outdoor open space*	**Meets Objective** The development will allow solar access into the proposed communal outdoor open space due to its location and orientation on the north-east and north-west side of the building.
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.*	**Complies with Standard** The communal open space is located on the north-east and north-west side of the building and at least 125 square metres of the space will receive a minimum of two hours of sunlight between 9am and 3pm on 21 June. The communal outdoor open space on Level 8 measures 436 square metres. 50% equates to 218 square metres and as such this standard requires 125 square metres to receive 2 hours of sunlight. The communal open space on the north-east side will receive sunlight in the morning, while the north-west side will receive sunlight in the afternoon. This is considered to comply with the requirements of this standard.  





Safety objective

Clause 58.03-4	Assessment
Objective • *To ensure the layout of development provides for the safety and security of residents and property*	**Meets Objective** The layout of the 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.*	**Complies with Standard** The proposed residential entrance is separate from the retail uses and will not be publicly accessible. Publicly accessibly areas will be appropriately lit and managed to ensure safety and security. Car park areas will have secure lines within the accessways to ensure private areas of the basement are secured.

Landscaping objectives

Clause 58.03-5	Assessment
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.*	**Meets Objective** The proposed landscaping response supports the existing and preferred urban context of the area.
Standard D10 • *Development should retain existing trees and canopy cover.* • *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*	**Variation to Standard Accepted** Given the site area is approximately 3,218 square metres, Standard D10 requires 15% of the site area (482.7 square metres) to be provided for deep soil planting, 350 square metres plus 20% of the site area above 2,500 square metres (143.6 square metres) of canopy cover (493.6 square metres) and at least 2 Type B trees or 1 Type C tree.

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.*
- *Specify landscape themes, vegetation (location and species), irrigation systems, paving and lighting.*

Table D2 Canopy cover and deep soil requirements

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

Table D3 Soil requirements for trees

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

As detailed in the submitted Landscape Report, the development will provide 868 square metres of deep soil planting through deep soil planters and 462 square metres of canopy cover, with 2 Type B trees.

A variation is required in relation to the 31.6 square metre shortfall of canopy coverage. This is considered acceptable for the following reasons:

- The shortfall of canopy coverage is relatively minor having regard to the landscape character of the area and does not prevent the development from achieving increased canopy cover as sought by this clause.
- The proposal provides several tree plantings along the publicly accessible areas and communal open space at Level 8. The spaces include integrated landscaping that will enhance and improve legibility within both the public areas and internal amenities for building occupants.
- The street edges to Queen Street and A'Beckett Street will incorporate planters, contributing additional greening to the public realm.
- The proposal achieves a Green Factor score of 0.59, exceeding the minimum score of .055, further demonstrating adequate landscaping is incorporated throughout the building.

	dimension 4.5 metres)	dimension of 4.5 metres)	
C	121 square metres (min. plan dimension 6.5 metres)	64 cubic metres (min. plan dimension of 6.5 metres)	1.5 metre

Note:

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

Table D4 Tree types

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

Access objectives

Clause 58.03-6	Assessment
Objectives • *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.*	**Meets Objective** The modified vehicle crossover to A'Beckett Street will provide safe access for vehicles.
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.*	**Complies with Standard** The modified crossover to A'Beckett Street will reduce the impact on the public realm. Pedestrian / cyclist access is clearly delineated from the vehicle entries to provide for the safety of pedestrians and cyclists. There is a dedicated EOT entrance (lift and stair) provided to the east of the building, along the north-south laneway in close proximity to A'Beckett Street. Adequate access is provided on site for service, emergency and delivery vehicles via the existing road network.

Parking location objectives

Clause 58.03-7	Assessment
Objectives • *To provide convenient parking for resident and visitor vehicles.* • *To protect residents from vehicular noise within developments.*	**Meets Objective** The development provides convenient parking for residents in the basement and podium levels, which also ensures residents are well protected from vehicle noise.

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.*
	Complies with Standard
	Car parking is appropriately located within the basement levels of the development. Car parking areas are appropriately set out, provided with convenient internal access and internal areas can be well lit and protected via security systems as required.

Integrated water and stormwater management objectives

Clause 58.03-8	Assessment
Objectives • *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.*	**Meets Objective** The development achieves the objectives through the use of alternative water sources to reduce the impact of stormwater run-off on the drainage system.

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.*
	Complies with Standard
	As detailed in the submitted Stormwater Management Plan, the development will meet the best practice standard for urban stormwater management, via the MUSIC modelling tool.

Building setback objectives

Clause 58.04-1	Assessment
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.*	**Meets Objective** The development appropriately responds to the site context, with a podium and tower typology, consistent with the DDO10 design objectives. The height of the podium responds to the neighbouring buildings and, while the northern setback respects the Melbourne Terrace heritage building. The proposed tower includes front, side and rear setbacks to allow for adequate daylight into the new dwellings and for reasonable outlook from all habitable rooms, ensuring a high standard of internal amenity for future occupants. The design also limits views into habitable room windows and private open space of new and existing dwellings. The design response, in terms of height and setbacks, contributes to the preferred future development of the area.

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*
	Complies with Standard
	The proposed built form respects the existing and preferred unban context and appropriately responds to the features of the site.
	The proposed height and setbacks are considered acceptable as the building will provide adequate daylight into new habitable room windows, avoid direct views into any habitable room windows, provide an outlook that creates a visual connection to the surrounding environment and appropriately responds to the objectives of Clause 58.

Clause 58.	

Internal views objective

Clause 58.04-2	Assessment
Objective • *To limit views into the private open space and habitable room windows of dwellings within a development.*	**Meets Objective** The building is designed to limit views into the private open space and habitable room windows of dwellings within the development.
Standard D15 • *Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the private open space of a lower-level dwelling directly below and within the same development.*	**Complies with Standard** The building has been designed to ensure direct views are limited between balconies or habitable room windows.

Noise impacts objectives

Clause 58.04-3	Assessment
Objectives • *To contain noise sources in developments that may affect existing dwellings or small second dwellings.* • *To protect residents from external and internal noise sources.*	**Meets Objective** The building is designed to protect residents from external and internal noise sources.

Standard D16
• *Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings or small second dwellings.*
• *The layout of new dwellings and buildings should minimise noise transmission within the site.*
• *Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.*
• *New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.*
• *Buildings within a noise influence area specified in Table D5 should be designed and constructed to achieve the following noise levels:*
  ○ *Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.*
  ○ *Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.*
• *Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.*
• *Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.*
	Complies with Standard
	The application is supported by an Acoustic Town Planning Report prepared by Acoustic Logic and dated 6 June 2025.
	The report identifies potential noise sources associated with the development and provides recommendations to appropriately address them. The building is designed to mitigate internal and external noise impact through the siting of plant, waste rooms, and car parking areas. The layout of dwellings and mechanical plant ensures adequate separation to protect residential amenity.
	The use of modern materials, including double glazing for all habitable rooms, will assist in containing noise emissions within levels typical and acceptable for a residential building.
	The acoustic report, confirms that the development will achieve the noise targets specified in this standard, noting the site is not within a noise influence area as per table D5.

Table D5 Noise influence area

Noise source	Noise influence area
Zone interface	
Industry	300 metres from the Industrial 1, 2 and 3 zone boundary
Roads	
Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume	300 metres from the nearest trafficable lane
Railways	

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

Note:

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

Wind impacts objective

Clause 58.04-4	Assessment
Objective • *To ensure the built form, design and layout of development does not generate unacceptable wind impacts within the site or on surrounding land.*	**Meets Objective** The built form, design and layout of the development will 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.*
	Complies with Standard
	An Environmental Wind Condition Study and an Environmental Wind Conditions report, both prepared by MEL Consultants and dated 18 August 2025 accompanied the application and demonstrate that the proposal will satisfy the relevant comfort and safety criteria for publicly accessible areas around the building.
	While not required by DD010, the report also considers the wind impacts to the proposed communal open space areas on Levels 7 and 8. The report identifies that the comfort and safety criteria will be met with mitigation measures. The decision plans include the wind mitigation measures, with the exception of the extended canopy in the south-east corner of Level 8.
	Notwithstanding the results of the wind mitigation measures suggested for Level 8 to achieve sitting and walking criterion, it is recommended that Level 8 achieves a minimum of standing criterion to provide high amenity space for residents. The applicant has suggested that this level be redesigned to reposition internal and external communal spaces and to achieve a minimal of standing criterion. This is considered reasonable and a condition will be included on any permit to issue requiring the architectural plans to be amended and for an updated wind report to be submitted and endorsed.

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.

Accessibility objective

Clause 58.05-1	Assessment
Objective • *To ensure the design of dwellings meets the needs of people with limited mobility.*	**Condition to be included to ensure that the development meets Objective** The design and layout of the development should meet the needs of people with limited mobility, subject to a condition to be included on any permit to issue.
Standard D18	**Condition to be included to ensure that the**

- *At least 50 per cent of dwellings should have:*
  - *A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.*
  - *A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.*
  - *A main bedroom with access to an adaptable bathroom.*
  - *At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table D7.*

Table D7 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.

development complies with Standard

The application material provides different percentages for the total number of dwellings designed to comply with Standard D18. A review by the council of individual dwelling types confirms that 231 dwellings (or 33.33% of the total 693 dwellings) comply with Standard D18.

A condition will be included on any permit to issue requiring that at least 50% of dwellings be designed to comply with Standard D18.

Building entry and circulation objectives

Clause 58.05-2	Assessment
Objectives	**Meets Objective**

• *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.*	The building has a clearly defined main entry from Queen Street leading to the residential lobby. The internal layout will provide for the safe, functional and efficient movement of residents via the lift core. Each level will have access to daylight from a window along the western elevation adjacent to the lift core.

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.*
  ○ *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.*
	Complies with Standard
	The main building entry will be visible and easily identifiable and will provide shelter via the colonnade. The building entry includes an air lock entry into the lobby and will be distinct from the ground level commercial tenancies to each street frontage.
	Internal communal and common areas are appropriately laid out to ensure safe, functional and efficient thoroughfare. The internal corridors will have access to daylight from a window along the western elevation adjacent to the lift core.

Private open space objective

Clause 58.05-3	Assessment
Objective • *To provide adequate private open space for the reasonable recreation and service needs of residents.*	**Meets Objective** The development provides adequate private open space for the reasonable recreation and services needs of residents.

Standard D20
• *A dwelling should have private open space consisting of at least one of the following:*
  ○ *An area at ground level of at least 25 square metres, with a minimum dimension of 3 metres and convenient access from a living room.*
  ○ *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.*
	Variation to Standard Accepted
	The submitted architectural plans show no dwelling is provided with any private open space area.
	This standard allows for this outcome if the finished floor levels of a dwelling is 40 metres or more above ground level, and if the area required for a balcony is provided as additional area associated with a living area or bedroom.
	The plans show that most of the 1 and 2 bedrooms dwellings include the required additional internal area, with the exception of dwelling Types B01.1 (7.6 square metres of internal area) and B04.1 (6.5 square metres of internal area). This results in a total of 99 dwellings not including the required amount of internal area.
	The plans also show that the 297 studio dwellings do not include any additional internal area.
	A variation is required for these 297 studio and 99 x 1 bedroom dwellings that should provide 8 square metres of private open space or an additional internal area of 8 square metres. This is considered acceptable for the following reason:
	• The lack of private open space will not unreasonably affect the amenity of the dwellings or the recreation and service needs of future residents, noting that they will have access to communal outdoor space on Level 8. Further, Flagstaff Gardens and the future open space in the QVM Precinct opposite the site will provide open space in close proximity.

Table D8 Balcony size

Orientation of dwelling	Dwelling type	Minimum area	Minimum dimension
North (between north 20 degrees west to north 30 degrees east)	All	8 square metres	1.7 metres
South (between south 30	All	8 square metres	1.2 metres

degrees west to south 20 degrees east)			
Any other orientation	Studio or 1 bedroom	8 square metres	1.8 metres
	2 bedroom	8 square metres	2 metres
	3 or more bedroom	12 square metres	2.4 metres

Table D9 Additional living area or bedroom area

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

Storage objective

Clause 58.05-4	Assessment
Objective • *To provide adequate storage facilities for each dwelling*	**Meets Objective** The development provides adequate storage facilities for each dwelling.
Standard D21 • *Each dwelling should have convenient access to usable and secure storage space.* • *The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table D10.*	**Variation to Standard Accepted** The submitted architectural plans demonstrate that all of the dwellings include the required minimum storage within the dwelling. Further, 82 x 6 cubic metres of external storage spaces are provided in the basement levels. A variation is required in relation to the total storage provided. This is considered acceptable for the following reason: • While the proposal does not strictly meet the minimum storage volumes specified in Table D10 for all dwellings, the design is considered reasonable as it provides internal storage solutions that are appropriate, functional, and proportionate to the dwelling types and their intended occupants.

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

Common property objectives

Clause 58.06-1	Assessment
Objectives • *To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.* • *To avoid future management difficulties in areas of common ownership.*	**Meets Objective** Communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.
Standard D22 • *Developments should clearly delineate public, communal and private areas.* • *Common property, where provided, should be functional and capable of efficient management.*	**Complies with Standard** Private property is clearly distinguished from communal open space or common areas. Communal areas are laid out in a functional, accessible and easily maintainable manner.

Site services objectives

Clause 58.06-2	Assessment
Objectives • *To ensure that site services are accessible and can be installed and maintained.*	**Meets Objective** Site services are accessible and will be installed and maintained. Site services and facilities are located in

• *To ensure that site services and facilities are visually integrated into the building design or landscape.*	the basement levels, Ground Level, Level 7, Level 29 and Levels 63 to 65. All services are visually integrated with the building design.
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.*	**Complies with Standard** The development will be appropriately serviced, with service and plant areas clearly shown on the architectural plans and integrated into the building design. Service and plant areas are appropriately positioned to provide ease of access for installation and maintenance. The fire booster is integrated into the A'Beckett Street frontage, while the substation and electric switch room will be located in Basement Level 1, accessible via a Gatic Hatch along A'Beckett Street vehicle entry. The services have been incorporated into the facades with appropriate colours and materiality. A mail room is located adjacent to the residential lobby for convenient access.

Waste and recycling objectives

Clause 58.06-3	Assessment
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.*	**Meets Objective** The development is designed to encourage waste recycling as outlined in the submitted Waste Management Plan. Separate residential and commercial waste and recycling facilities are accessible, adequate and located within the building, on Basement Level 1, minimising impacts on residential amenity and the public realm.

Standard D24
• *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 circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.*
  ○ *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 better practice design options specified in Waste Management and Recycling in Multi-unit Developments (Sustainability Victoria, 2019).*
  ○ *Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated*
	Complies with Standard
	All residents are provided with convenient access to waste storage facilities in the form of a waste chute on every floor, connecting to the waste storage room located on Basement Level 1.
	Dwellings will be provided with sufficient internal storage space to enable temporary storage of household waste.
	Waste collection can be appropriately undertaken via the loading bays on Basement Level 1. Further details are provided in the accompanying Waste Management Plan.

with waste collection vehicle movements.

External walls and materials objective

Clause 58.06-4	Assessment
Objectives • *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.*	**Meets Objective** The proposed development adopts materials that will endure and retain their attractiveness over time. The use of brick, glazing, GRC, metal and aluminium are appropriate to the existing urban context and the preferred future development of the area.

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.*
	Complies with Standard
	The external walls are finished with materials that will not deteriorate or stain and will be resilient and weather well to serve their intended use to positively contribute to the character of the area.
	The external walls can be easily accessed for maintenance via the BMU on the roof (as required).

Functional layout objective

Clause 58.07-1	Assessment
Objective • *To ensure dwellings provide functional areas that meet the needs of residents*	**Meets Objective** The design and layout of dwellings within the development provides functional areas that will meet the needs of residents.

Standard D26
• *Bedrooms should:*
  ○ *Meet the minimum internal room dimensions specified in Table D11.*
  ○ *Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.*
• *Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table B13.*
	Variation to Standard Accepted
	The submitted architectural plans demonstrate that most bedrooms and living areas generally comply with the requirements of Table D11 and Table D12, with the exception of the bedrooms and living areas detailed in the table below.

Table D11 Bedroom dimensions

Bedroom type	Minimum width	Minimum depth
Main bedroom	3 metres	3.4 metres
All other bedrooms	3 metres	3 metres

Table D12 Living area dimensions

Dwelling type	Minimum width	Minimum area
Studio and 1 bedroom dwelling	3.3 metres	10 sqm
2 or more bedroom dwelling	3.6 metres	12 sqm

Dwelling Type	Main Bedroom Dimension	Main Bedroom Area	Living Area Dimension	Living Area
A01.1	X	X	✓	✓
A02.1	X	X	✓	✓
A03.1	X	X	X	✓
A04.1	X	X	X	✓
B01.1	X	✓	✓	✓
B02.1	✓	✓	✓	✓
B03.1	✓	✓	✓	✓
B04.1	✓	✓	✓	✓
B05.1	✓	✓	✓	✓
B06.1	✓	✓	✓	✓
BS01.1	✓	✓	✓	✓
BS02.1	✓	✓	X *structural column	✓
BS03.1	X	✓	✓	✓
C01.1	✓ *X for second	✓	✓	✓

	bedroom			
C02.1	✓ *X for second bedroom	✓	X	✓

Studio type dwellings A03.1 and A04.1 do not meet the minimum internal living area dimension of 3.3 metres due to the curve of the building and the location of the kitchen, although they do meet the minimum area requirement.

One bedroom type dwellings B01.1 and BS03.1 do not meet the minimum bedroom dimensions of 3.3 metres x 3.4 metres due to the curve of the building and an indent in the external wall, although they do meet the minimum area requirement. Dwelling type BS02.1 contains a structural column, which will encroach into the minimum living area dimension, although it does meet the minimum area requirement.

Two bedroom type dwellings C01.1 and C02.1 do not meet the minimum bedroom dimensions of 3 metres x 3 metres for the second bedroom due to the curve of the building and structural columns, although they do meet the minimum area requirement. Due to the curve of the building, dwelling type C02.1 does not meet the minimum living area dimension, although it does meet the minimum area requirement.

A variation is required for these dwelling types. This is considered acceptable for the following reasons:

- The shape and layout will achieve a functional space overall, with good internal amenity.
- The rooms remain functional as demonstrated by furniture placement.
- The variations a relatively minor.

Room depth objective

Clause 58.07-2	Assessment
Objective • *To allow adequate daylight into single aspect habitable rooms*	**Meets Objective** The development will allow adequate daylight into single aspect habitable rooms.

Standard D27
• *Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.*
• *The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:*
  ○ *The room combines the living area, dining area and kitchen.*
  ○ *The kitchen is located furthest from the window.*
  ○ *The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen.*
• *The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.*
	Complies with Standard
	The submitted architectural plans demonstrate that all dwellings comply with this standard.

Windows objective

Clause 58.07-3	Assessment
Objective • *To allow adequate daylight into new habitable room windows.*	**Meets Objective** The development is designed to allow adequate

	daylight into habitable room windows.

Standard D28
• *Habitable rooms should have a window in an external wall of the building.*
• *A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky.*
• *The secondary area should be:*
  ○ *A minimum width of 1.2 metres.*
  ○ *A maximum depth of 1.5 times the width, measured from the external surface of the window.*
	Variation to Standard Acceptable
	The submitted architectural plans demonstrate that the majority of habitable rooms enjoy direct access to daylight.
	110 dwellings feature separate internal rooms with no window, to be used as studies. This is considered acceptable given the overall amenity of the dwellings and the studies are of a size and / or shape that is not conducive to being used as a bedroom.

Natural ventilation objectives

Clause 58.07-4	Assessment
Objectives • *To encourage natural ventilation of dwellings.* • *To allow occupants to effectively manage natural ventilation of dwellings.*	**Meets Objective** The design and layout of the development will allow occupants to effectively manage natural ventilation of individual dwellings.

Standard D29
• *The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.*
• *At least 40 per cent of dwellings should provide effective cross ventilation that has:*
  ○ *A maximum breeze path through the dwelling of 18 metres.*
  ○ *A minimum breeze path through the dwelling of 5 metres.*
  ○ *Ventilation openings with approximately the same area.*
• *The breeze path is measured between the ventilation openings on different orientations of the dwelling.*
	Complies with Standard
	The submitted architectural plans demonstrate that 43% of dwellings (297 out of 693) are provided with effective cross ventilation, which exceeds the minimum 40% required by this Standard.

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

MCC condition	DTP assessment
Amended Plans 1. Prior to the commencement of the development, including demolition and site preparation works, an electronic set of plans drawn to scale and an updated development summary, must be submitted to the Responsible Authority in consultation with Melbourne City Council, generally in accordance with the plans prepared by Cox Architecture dated 29 September 2025 but amended to show: a) The northern section of easement E1 generally between Anthony Street and the eastern boundary of the main part of the land to be closed to public access, and the reconfiguration of internal publicly accessible spaces to minimise safety and entrapment risks to comply with the relevant design requirements for pedestrian connections at Clause 2.4 of Schedule 1 to the Design and Development Overlay. b) The communal spaces associated with the student housing modified as follows: i. The amount of communal outdoor space to be at least 1 square metre per student, over a maximum of two parcels with a minimum internal dimension of 3 metres; and ii. The overall amount of communal space to be at least 3.5 square metres per student. c) The layout of student units modified to: i. Provide that all beds are located in individual rooms with no reliance on 'retractable privacy curtains' for separation from other beds and/or shared areas; and ii. Provide all living spaces with direct access to daylight. d) A revised apartment mix which provides an increased number of three-bedroom dwellings. e) At least 50% of apartments are designed in accordance with the requirements of Standard D18 of Clause 58.05-1 (Accessibility), with any necessary modifications to internal layouts. f) A notation that all bicycle spaces are to be design in accordance with the relevant Australian Standards. g) Any changes, technical information or plan notations (or otherwise) required as a result of any other condition in this permit which is to be satisfied concurrently with the endorsement of plans. These amended plans must be to the satisfaction of the Responsible Authority and when approved shall be the endorsed plans of this permit.	Conditions accepted, with minor amendment to wording.
Endorsed plans 2. At all times what the permit allows must be carried out in accordance with the requirements of any document endorsed under this permit to the satisfaction of the Responsible Authority.	Conditions accepted, with minor amendment to wording.

3. The development as shown on the endorsed plans must not be altered or modified unless with the prior written consent of the Responsible Authority.	
Completion of Development 4. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.	Condition not included.
Retention of architect 5. Except with the written consent of the Responsible Authority, Cox Architecture must be retained to provide architectural oversight during construction and completion of the detailed design as shown in the endorsed plans and schedule of materials and finishes to the satisfaction of the Responsible Authority.	Condition accepted, with minor amendment to wording.
Façade Strategy 6. Concurrent with the endorsement of plans pursuant to Condition 1, a Facade Strategy and Materials and Finishes must be submitted to and be approved by the Responsible Authority in consultation with Melbourne City Council. All materials, finishes and colours must be in conformity with the approved Façade Strategy to the satisfaction of the Responsible Authority in consultation with Melbourne City Council. The Facade Strategy must be generally in accordance with the development plans and must detail: a) A concise description by the architect of the building design concept and how the façade works to achieve this. b) Elevation details (generally at a scale of 1:50) illustrating typical lower level details, balcony niches, entries, lobbies and doors, utilities and structural columns, as well as typical tower details, key junctures and any special features which are important to the building's presentation. c) Street level elevations (generally at a scale of 1:20) for all public interfaces. All proposed materials at the street wall level should be robust and of high quality. d) Cross sections or another method of demonstrating the façade systems, including fixing details indicating junctions between materials and significant changes in form and/or material. e) Information about how the façade will be accessed and maintained and cleaned, including any planting if proposed. f) Example prototypes and/or precedents that demonstrate the intended design outcome as indicated on plans and perspective images, to produce a high quality built outcome in accordance with the design concept. g) A schedule of colours, materials and finishes, including the colour, type and quality of materials showing their application and appearance. Materials and finishes must be of a high quality, contextually appropriate, durable and fit for purpose. This can be demonstrated in coloured elevations or renders from key viewpoints, to show	Condition accepted, with minor amendment to wording.

the materials and finishes linking them to a physical sample board with coding. h) A greater variation in depth and tactility on the central form / northern podium to reinforce the variation in the distinct parts of the lower form. The façade strategy must be to the satisfaction of the responsible authority and when approved will endorsed to form part of the permit. The façade strategy must not be altered or amended without the written consent of the Responsible Authority.	
Reflected Glare 7. Prior to the commencement of the development, including demolition and site preparation works, a Reflected Glare Assessment of external building materials and finishes, utilising an appropriate methodology prepared by a suitably qualified person, must be prepared and submitted to the satisfaction of the Responsible Authority. 8. External building materials and finishes must not result in hazardous or uncomfortable glare to pedestrians, public transport operators and commuters, motorists, aircraft, or occupants of surrounding buildings and public spaces, to the satisfaction of the Responsible Authority. 9. Specular light reflectance from external materials and finishes must be less than 15% to the satisfaction of and unless otherwise approved by the Responsible Authority.	Conditions accepted, with minor amendment to wording.
Sustainable Management Plan 10. Concurrent with the endorsement of plans pursuant to Condition 1, an amended Sustainable Management Plan (SMP) prepared by a suitably qualified person must be submitted to and approved by the Responsible Authority in consultation with Melbourne City Council. When approved, the amended SMP report will be endorsed and form part of this permit. The amended SMP report must be generally in accordance with the SMP report prepared by Stantec dated 6 June 2025, but modified to include or show: a) Any changes as required by Condition 1 of this Permit. b) Provide evidence that the development has been registered with the Green Building Council of Australia for a 5 Star Green Star Buildings rating. c) Provide daylight modelling to demonstrate the development can achieve high levels of daylight to at least 40% of the regularly occupied areas for non-residential spaces and 60% of combined living and bedroom areas. d) Assumptions used for daylight modelling Visual Light Transmittance values provided and shown on plans. e) The pre-screening climate change checklist. f) Project specific climate change risk and adaptation assessment. g) Provide a consolidated site plan that shows the areas of all compliant materials and provides	Condition accepted, with minor amendment to wording.

calculations that show 75% of the total site area features materials that reduce the urban heat island effect h) Further detail and evidence that the development can achieve the minimum requirements (buildings up front carbon emissions are 20% less than those of a reference building). Modelling or calculations via the Upfront Emissions Calculator to be provided as adequate evidence. i) Alternative pathway of J1V5 energy modelling to align to the reference building pathway in Green Star. Modelling to be provided that demonstrates a 20% improvement between proposed design and reference building. j) Provide a Zero Carbon Action Plan for the building indicating how and when the project intends to operate as fossil fuel free, indicating 100% of the building's electricity will come from renewable sources and 100% of the building's energy comes from renewables. An alternative pathway exists via registration to state that the development is committing to being 100% electric. k) Provide evidence via the Movement and Place calculator that the project is meeting the minimum requirements for bicycle parking spaces and associated change facilities, electric vehicle parking spaces and related infrastructure, a reduction in car parking and prioritising walking. l) Provide a report that indicates how the minimum expectations for the credit will be met by the design response including the building was not built on, or significantly impacted, a site with a high ecological value. m) Provide further detail of the Green Factor tool assessment that shows the full scorecard including the 'Specified Green Infrastructure Elements' and a Green Factor Plan to locate and show where these inputs exist. n) 20 kL rainwater tank shown on plans with a note to indicate re-use for toilets, landscape and wash down. o) Proprietary Product used in conjunction with RWT to achieve water quality outcomes to be notated on plans and a signed 5 year maintenance contract provided. The Responsible Authority in consultation with Melbourne City Council may consent in writing to vary any of these requirements. Once approved, the SMP will be endorsed and will form part of this permit. The performance outcomes specified in the SMP must be achieved in the completed development. The SMP must not be altered or amended without the written consent of the Responsible Authority and Melbourne City Council.	
Implementation of Sustainable Management Plan Report 11. Prior to the occupation of the development, a report from the author of the endorsed SMP, or similarly qualified persons or companies, outlining how the performance outcomes specified in the amended SMP	Conditions accepted, with minor amendment to wording.

have been implemented must be submitted to the Responsible Authority and Melbourne City Council. The report must be to the satisfaction of the Responsible Authority and Melbourne City Council and must confirm and provide sufficient evidence that all measures specified in the approved SMP have been implemented in accordance with the relevant approved plans. 12. Within 24 months from the date of occupancy evidence of a certified 5 Star Green Star Buildings rating should be provided to the satisfaction of the Responsible Authority and Melbourne City Council.	
Landscape Plan 13. Concurrent with the endorsement of plans pursuant to Condition 1, an amended Landscape Plan prepared by a suitably qualified landscape architect must be submitted and approved by the Responsible Authority in consultation with Melbourne City Council. The Landscape Plan must be generally in accordance with the Landscape Plan prepared by Tract Consultants dated 6 June 2025 and must be updated to show: a) Any changes as required by Condition 1 of this permit. b) Details of proposed green infrastructure and planters (including volume of planter soil / media and depths) and mulch specifications. c) Annotated cross-sectional details for green infrastructure and planters including materials, waterproofing, drainage, dimensions, support structures and tree anchors. d) Irrigation systems demonstrating use of alternative water sources such as rainwater, stormwater and recycled water. e) Planting schedule of proposed vegetation, including common and scientific names, height / width specs, amounts, pot size and location of plants. f) Details to accord with the approved Green Factor tool scorecard. Once approved, the Landscape Plan will be endorsed and will form part of this permit. 14. Concurrent with the endorsement of plans pursuant to Conditions 1 and 13, a Green Infrastructure Landscape Package and Landscape Maintenance Plan in connection with the proposed development must be submitted to and be approved by the Responsible Authority. The landscape package should include but not limited to, detailed planter sections including soil volumes, diverse schedule of species including indicative planting locations with specific consideration given to tree species / placement / soil volume requirements and specified lightweight growing media. The Landscape Maintenance Plan should provide comprehensive details of proposed maintenance regimes with provision for maintenance beyond the fifty-two week period following Practical Completion. Except with the prior written consent of the	Conditions accepted, with minor amendment to wording.

Responsible Authority the approved landscaping must be implemented prior to the occupation of the development. The landscaped areas must be maintained to the satisfaction of the Responsible Authority.	
Waste Management 15. Concurrent with the endorsement of plans under Condition 1, an amended WMP prepared by a suitably qualified person, must be approved and endorsed by Melbourne City Council – Waste and Recycling. The amended WMP must be generally in accordance with the WMP prepared by Leigh Design dated 1 October 2025, but modified to include or show: a) Any changes as required by Condition 1 of this Permit. b) A sequence diagram showing the waste vehicle passing under the roller door demonstrating there is adequate clearance as the vehicle passes under the door. Once approved, the WMP will be endorsed and will form part of this permit. At all times waste management and collection must be carried out in accordance with the requirements of the approved and endorsed WMP to the satisfaction of Melbourne City Council – Waste and Recycling. Waste storage and collection arrangements must not be altered without prior consent of Melbourne City Council – Waste and Recycling. 16. No garbage bin or waste materials generated by the development may be deposited or stored outside the site and bins must be returned to the garbage storage area as soon as practical after garbage collection, to the satisfaction of Melbourne City Council – Waste and Recycling.	Conditions accepted.
Parking Management Plan 17. Concurrent with the endorsement of plans under Condition 1, a Parking Management Plan must be prepared and submitted to and approved by the Responsible Authority in consultation with Melbourne City Council. The plan must include details such as signs, line markings and other traffic management (i.e. mirrors, etc) measures to be developed to manage the internal operation of the car park and mitigate potential vehicle conflict. The Parking Management Plan must be to the satisfaction of the Responsible Authority and when approved shall form part of the endorsed plans of this permit.	Condition accepted.
Sustainable Transport Plan 18. Prior to the occupation of the development, a Sustainable Transport Plan (STP) for the student housing must be submitted to the satisfaction of and be endorsed by the Responsible Authority in consultation with Melbourne City Council. The STP must:	Condition accepted.

a) Describe the location in the context of alternative modes of transport and objectives for the STP. b) Outline STP measures for the building including: i. Employee welcome packs to include public transport information. ii. Other incentives for employees (i.e. provision of public transport discounts if available). iii. Cycle parking and facilities available. iv. Management, monitoring and review. Once approved, the STP will be endorsed to form part of the permit to ensure the STP continues to be implemented by the owners / management of the site to the satisfaction of the Responsible Authority. The STP must not be altered without the prior consent of the Responsible Authority in consultation with Melbourne City Council.	
Loading Management Plan 19. Prior to the commencement of the development, including demolition and site preparation works, a Loading Management Plan must be submitted to and approved by the Responsible Authority in consultation with Melbourne City Council. The Loading Management Plan must specify how the access / egress of loading vehicles is to be managed and ensuring that: a) The delivery needs of the uses within the development are accommodated. b) Any potential conflicts between vehicles and other users are satisfactorily addressed. c) There are no obstructions in the path of the vehicles (kerbs, walls, etc.) and appropriate height clearances are provided for all required vehicles / manoeuvres. d) A Loading Dock Manager, Building Manager or similar person is nominated, with the following responsibilities: i. Present on site when deliveries are undertaken. ii. Act as a spotter for any reversing movements into the loading bay. iii. Act as informal traffic controller to discourage pedestrian movements when vehicles reverse. iv. Ensure conflicts do not occur between loading / other vehicles. v. Ensure that space used for vehicle manoeuvring is kept clear of other vehicles / obstructions at all times. Once approved, the Loading Management Plan will be endorsed to form part of the permit.	Condition accepted, with minor amendment to wording.
Road Safety Audit 20. Concurrent with the endorsement of plans under Condition 1, a formal and independent Road Safety Audit must be undertaken and approved by the Melbourne City Council. The Road Safety Audit must include an assessment of: a) Internal layout. b) Access arrangements. c) Loading arrangements.	Condition accepted.

d) Pedestrian and bicycle access and movements within the site and in the public realm. e) Potential conflicts between vehicles / pedestrians / cyclists, having regard to the existing access arrangements for other properties. f) Road safety issues affecting all road users. The findings of the Audit must be incorporated into the design at the developer's expense to the satisfaction of Melbourne City Council.	
Noise 21. Concurrent with the endorsement of plans under Condition 1, the Acoustic Report prepared by Acoustic Logic dated 6 June 2025 must be amended to reflect the changes as required by Condition 1 and must be submitted and approved by the Responsible Authority. When provided to the satisfaction of the Responsible Authority, the Acoustic Report will be endorsed to form part of this permit. 22. Prior to the occupation of the development, the provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority. The report must not be altered or amended without the written consent of the Responsible Authority.	Conditions accepted, with minor amendment to wording.
Wind 23. Concurrent with the endorsement of plans under Condition 1, the Environmental Wind Conditions Study report prepared by MEL Consultants dated 18 August 2025 must be amended to reflect the amended plans required by Condition 1, include wind tunnel testing zones at all building entrances and publicly accessible spaces, and must be submitted and approved by the Responsible Authority. When provided to the satisfaction of the Responsible Authority, the report will be endorsed to form part of this permit. The recommendations of the report must be implemented at no cost to the Responsible Authority and must not include reliance on street trees. 24. Prior to the occupation of the development, the provisions, recommendations and requirements of the endorsed Environmental Wind Conditions Study report must be implemented and complied with to the satisfaction of the Responsible Authority. The report must not be altered or amended without the written consent of the Responsible Authority.	Conditions modified to require further wind testing to be undertaken.
3D Model 25. Prior to the occupation of the development, or as otherwise agreed with the Responsible Authority, a 3D digital model of the development must be submitted to and must be to the satisfaction of the Responsible Authority and the Melbourne City Council. In the event that substantial modifications are made to the building envelope and design, a revised 3D digital model must	Condition accepted, with minor amendment to wording.

be submitted to and be to the satisfaction of the Responsible Authority, before these modifications are approved.	
Operational Management Plan 26. Prior to the occupation of the development, an Operational Management Plan for the student housing must be submitted to and approved by Melbourne City Council. When approved, the plan will be endorsed and will then form part of the permit. The Operational Management Plan must establish a set of 'house rules' for the use, to be followed thereafter to the satisfaction of Melbourne City Council. The Operational Management Plan must ensure that a suitably qualified full time manager with responsibility to oversee students is either on-site during general business hours or contactable off-site after hours by both professionally trained staff and residents. The Operational Management Plan must also detail the maintenance, cleaning, garbage storage and collection, supervision and security of the site, and include provision for bicycle share arrangements for students utilising the bicycle parking provided within the site.	Condition accepted, with minor amendment to wording.
Legal Agreement – Student Housing 27. Prior to the occupation of the development, the owner of the land must enter into an agreement with Melbourne City Council pursuant to Section 173 of the *Planning and Environment Act 1987*. The agreement must provide the following: a) The accommodation provided on the subject land is to be used for the exclusive accommodation of students enrolled full time at a secondary or tertiary level educational institution and to be vacated within six months of completion of full time or part time studies. b) The building to operate at all times in accordance with the endorsed Operational Management Plan as required by this permit to the satisfaction of Melbourne City Council. c) Any on-site facilities, including bicycle parking spaces and communal space, approved under this permit must at all times be managed in accordance with this permit to the satisfaction of Melbourne City Council. The on-site facilities are only permitted to be used by the occupants / employees of the student housing, in accordance with the endorsed plans, and such facilities must not be subdivided, leased or sold separate from the facility for any reason without the prior written consent of Melbourne City Council. d) The requirements contained in the agreement shall form part of any lease of the premises which the owner of the land under this permit may enter into with another party. The owner of the land must pay all of Melbourne City Council's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.	Condition accepted, with minor amendment to wording.

Legal Agreement – Temporary Works 28. Prior to the commencement of the development, including demolition and site preparation works, the owner of the land must enter into an agreement pursuant to Section 173 of the *Planning and Environment Act 1987*. The agreement must provide that the owner must construct temporary works on the land to the satisfaction of Melbourne City Council in the following scenarios: a) If the land remains vacant for six months after completion of the demolition; b) Demolition or construction activity ceases for a period of six months; or c) Construction activity ceases for an aggregate of six months after commencement of the construction. Prior to the commencement of construction of the temporary works, details of the temporary works must be submitted to and be approved by the Melbourne City Council, to its satisfaction. Temporary works may include: a) The construction of temporary buildings for a retail or commercial use. Such structures shall include the provision of an active street frontage; or b) Landscaping of the site for the purpose of public recreation and open space. The owner of the land must pay all of Melbourne City Council's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.	Condition accepted.
Legal Agreement – Publicly Accessible Areas 29. Prior to the occupation of the development, the owner of the land must enter into an agreement with Melbourne City Council pursuant to Section 173 of the *Planning and Environment Act 1987* and have it recorded on title. The agreement must provide the following: a) Provide access to all publicly accessible areas 24 hours a day, 7 days a week, unless otherwise agreed in writing by Melbourne City Council. b) The owner must, at its cost, maintain the area in accordance with any endorsed Landscape Plan to the satisfaction of the Melbourne City Council. The owner of the land must pay all of Melbourne City Council's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.	Condition accepted.
Legal Agreement – Public Benefits 30. Prior to the commencement of the development, including demolition bulk excavation and site preparation works, or as may otherwise be agreed with the Responsible Authority, the owner of the land must enter into an agreement with the Responsible Authority in consultation with Melbourne City Council pursuant to Section 173 of the *Planning and Environment Act 1987*.	Condition amended to reference the additional information provided by the applicant (see assessment section).

This agreement must provide for public benefits which are commensurate to the Floor Area Uplift above 18:1 and must address the key outstanding matters outlined at Section 11.1 of this report, be strategically justified, appropriately valued and calculated, and supported by the proposed receiving agency to the satisfaction of the Responsible Authority, Melbourne City Council and any other receiving agency. The public benefits must incorporate a meaningful component of affordable housing to the satisfaction of the Responsible Authority in consultation with Melbourne City Council. The owner must pay all of the Responsible Authority's and the Melbourne City Council's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.	
Existing Legal Agreements 31. Prior to the occupation of the development, and following the demolition of the existing car park on the site, registered Agreements L929335J and AC278000J must be ended and removed from all titles affected by the Agreement to the satisfaction of the Responsible Authority.	Condition accepted, subject to minor amendment to reference the Melbourne City Council instead of the Responsible Authority.
Land Survey 32. Prior to occupation of the development, the pedestrian links must be named in accordance with the *Geographic Place Names Act 1998* to provide appropriate street addressing for the retail tenancies. Any proposed road name must comply with the Naming Rules for Places in Victoria, Statutory Requirements for Naming Roads, Features and Localities 2016.	Condition accepted.
Construction Management and Tree Protection 33. Prior to the commencement of the development, including demolition and site preparation works, a detailed demolition and construction management plan must be submitted to and be approved by the Melbourne City Council – Site Services. This demolition and construction management plan must be prepared in accordance with the City of Melbourne's Code of Practice for Building, Construction and Works and is to address the following: a) Public safety, amenity and site security. b) Operating hours, noise and vibration controls. c) Air and dust management. d) Stormwater and sediment control. e) Waste and materials reuse. f) Traffic management. g) Include an Arboricultural Impact Assessment (AIA) and Tree Protection Plan (TPP). It may be required to stage these documents to cover the demolition, excavation, construction or civil works. The AIA-TPP must collectively identify all impacts to public trees, be in accordance with AS 4970-2025 (*Protection of trees on development sites*), AS4373-2007 (*Pruning of Amenity Trees*), and be	Conditions accepted.

authored by a qualified consulting arborist (min. AQF Level 5), including, but not limited to: i. A public tree protection plan drawn to scale including approved building design, construction zones, site access, machinery, equipment, temporary structures and dimensioned tree protection zones required to enable demolition, excavation, and construction, where these works are to impact public trees. ii. City of Melbourne asset numbers for the public trees to be impacted. iii. A written assessment of all public trees located adjoining property, detailing the general condition and specific data of each public tree, and any construction impact the proposal will have on the trees, presented concisely with the assistance of tables and photos. iv. Reference finalised Construction and Traffic Management Plan, including designs, details, and dimensions of any public protection gantries, scaffold, loading zones and machinery locations. v. Site specific details of the temporary tree protection fencing or hoarding to be used to isolate public trees from the demolition and construction activities. These must be shown on the protection plan. Details of any other tree protection measures considered necessary and appropriate to the works. vi. Specific details of any design modifications or construction methodologies to be used within the Tree Protection Zone of any public trees. These must be provided for any utility connections or civil engineering works. vii. Any pruning required to public trees must include detailed specifications with reference to marked images. viii. A supervision schedule for the Project Arborist, interim reporting periods and final completion report (necessary for bond release). 34. All works, including demolition, within the Tree Protection Zone of public trees must be undertaken in accordance with the endorsed Tree Protection Plan and supervised by a suitably qualified Arborist where identified in the report, except with the further written consent of the Melbourne City Council. 35. Following the approval of the TPP, a bond equivalent for the combined environmental and amenity values of public trees that may be affected by the development will be held against the TPP for the duration of construction activities. The bond amount will be calculated by council and provided to the applicant / developer / owner of the site. Should any tree be adversely impacted on, Melbourne City Council will be compensated for any loss of amenity, ecological services or amelioration works incurred.	
Public Tree Removal / Pruning 36. No public tree adjacent to the site can be removed or pruned in any way without the written approval of	Condition accepted.

Melbourne City Council.	
Contamination 37. Prior to the commencement of the development, excluding demolition or preliminary site works, a Preliminary Risk Screen Assessment (PRSA) of the subject land must be conducted by a suitably qualified environmental auditor. The PRSA statement and report must be submitted to the responsible authority in accordance with section 205 of the *Environment Protection Act 2017* and respond to the matters contained in Part 8.3, Division 2 of the *Environment Protection Act 2017* to the satisfaction of the responsible authority. 38. If the PRSA requires an Environmental Audit be undertaken or if an Environmental Audit is otherwise undertaken, then prior to the development starting, an Environmental Audit of the site must be carried out by a suitably qualified environmental auditor. On completion of the Environmental Audit, an Environmental Audit Statement (EAS) and report must be submitted to the responsible authority in accordance with section 210 of the *Environment Protection Act 2017* responding to the matters contained in Part 8.3, Division 3 of the *Environment Protection Act 2017* to the satisfaction of the responsible authority. The EAS must either: a) State the subject land is suitable for the use and development allowed by this permit. b) State the subject land is suitable for the use and development allowed by this permit if the recommendations contained within the EAS are complied with. 39. Prior to the occupation of the development, all the recommendations of the EAS must be complied with to the satisfaction of the responsible authority for the full duration of any buildings and works on the land in accordance with the development hereby approved, and written confirmation of compliance must be provided to the responsible authority by a suitably qualified environmental auditor in accordance with any requirements in the EAS. 40. Prior to the occupation of the development, if any of the conditions of the EAS require significant ongoing maintenance and/or monitoring, to the satisfaction of the responsible authority, the owner of the land must enter into an agreement with the Melbourne City Council under section 173 of the *Planning and Environment Act 1987*. The agreement must be to the effect of that all conditions of the EAS issued in respect of the land will be complied with. The owner of the land must pay all of the Melbourne City Council's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.	Conditions accepted.
City Infrastructure *Drainage of projections* 41. All projections over the street alignment must be	Conditions accepted.

drained to a legal point of discharge in accordance with plans and specifications first approved by Melbourne City Council – City Infrastructure. *Drainage system upgrade* 42. Prior to the commencement of the development, including demolition and bulk excavation, a stormwater drainage system, incorporating integrated water management design principles, must be submitted to and approved by the Melbourne City Council – City Infrastructure. This system must be constructed prior to the occupation of the development and provision made to connect this system to the Melbourne City Council's underground stormwater drainage system. Where necessary, the Melbourne City Council's drainage network must be upgraded to accept the discharge from the site in accordance with plans and specifications first approved by Melbourne City Council – City Infrastructure. *Groundwater management* 43. All groundwater and water that seeps from the ground adjoining the building basement (seepage water) and any overflow from a reuse system which collects groundwater or seepage water must not be discharged to the Melbourne City Council's drainage network. All contaminated water must be treated via a suitable treatment system and fully reused on site or discharged into a sewerage network under a relevant trade waste agreement with the responsible service authority. *Demolish and construct access* 44. Prior to the occupation of the development, all necessary vehicle crossings must be constructed and all unnecessary vehicle crossings must be demolished and the footpath, kerb and channel reconstructed, in accordance with plans and specifications first approved by Melbourne City Council – City Infrastructure. *Roads* 45. Prior to the occupation of the development, all portions of roads affected by the building related activities of the subject land must be reconstructed together with associated works including the reconstruction or relocation of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by Melbourne City Council – City Infrastructure. *Footpaths* 46. Prior to the occupation of the development, the footpaths adjoining the site along Queen Street and A'Beckett Street must be reconstructed in sawn bluestone together with associated works including the renewal of kerb and channel with new sawn 300 mm wide bluestone kerb and new 250 mm wide bluestone gutterstone, provision of street furniture and modification of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by Melbourne City Council – City Infrastructure.	

Street levels not to be altered 47. Existing street levels in roads adjoining the site must not be altered for the purpose of constructing new vehicle crossings or pedestrian entrances without first obtaining approval from Melbourne City Council – City Infrastructure. *Existing street lighting not altered without approval* 48. All street lighting assets temporarily removed or altered to facilitate construction works shall be reinstated once the need for removal or alteration has been ceased. Existing public street lighting must not be altered without first obtaining the written approval of Melbourne City Council – City Infrastructure. *Existing street furniture* 49. Existing street furniture must not be removed or relocated without first obtaining the written approval of Melbourne City Council – City Infrastructure. *Street furniture* 50. Prior to the occupation of the development, all street furniture such as street litter bins, recycling bins, seats and bicycle rails must be supplied and installed on the Queen Street and A'Beckett Street footpaths outside the proposed building to plans and specifications first approved by Melbourne City Council – City Infrastructure. *Public lighting* 51. Prior to the commencement of the development, excluding preliminary site works and demolition, or as may otherwise be agreed with Melbourne City Council, a lighting plan must be prepared to the satisfaction of Melbourne City Council. The lighting plan should be generally consistent with Council's Lighting Strategy, and include the provision of public lighting in Queen Street and A'Beckett Street. 52. Prior to the occupation of the development, the lighting works must be undertaken in accordance with plans and specifications first approved by Melbourne City Council – City Infrastructure.	
Building appurtenances and services 53. No architectural features, plant and equipment or services other than those shown on the endorsed plans are permitted above roof level, unless with the prior written consent of the Responsible Authority and Melbourne City Council or as otherwise exempt under the Melbourne Planning Scheme.	Condition accepted.
No reticulated gas connection 54. Any new dwellings allowed by this permit must not be connected to a reticulated gas service (within the meaning of Clause 53.03 of the Melbourne Planning Scheme). This condition continues to have force and effect after the development authorised by this permit has been completed.	Condition accepted, with minor amendments to wording to refer to apartment development.

Time limit 55. This permit will expire if one or more of the following circumstances apply: a) The development is not started within three years of the date of this permit. b) The development is not completed within five years of the date of this permit. The Responsible Authority may extend the permit if a request is made in writing before the permit expires, or within six months afterwards. The Responsible Authority may extend the time for completion of the permit if a request is made in writing within 12 months after the permit expires and the development started lawfully before the permit expired.	Condition accepted, with minor amendments to wording consistent with DTP conditions.