

# 16 Seddon Street, Ivanhoe

Planning Permit No. PA2503973 -  
Planning Permit Assessment Report  
(Clause 52.23)



Officer Assessment Report  
Development Approvals & Design



Department  
of Transport  
and Planning

OFFICIAL

# Executive Summary



Key Information	Details												
<b>Application No:</b>	PA2503973												
<b>Date lodged in POL</b>	7 October 2025												
<b>Statutory Days:</b>	154												
<b>Applicant:</b>	Uniting (Victoria and Tasmania) Limited c/- Three Thirds Group Pty Ltd												
<b>Planning Scheme:</b>	Banyule Planning Scheme												
<b>Land Address:</b>	16 Seddon Street, Ivanhoe VIC 3079												
<b>Proposal:</b>	Residential development comprising an eight-storey building containing 65 dwellings, use of land for accommodation, and a reduction in the statutory car parking requirement, delivered as an affordable housing development.												
<b>Development Value:</b>	\$ 38.2 million												
<b>Why is the Minister responsible?</b>	<p>The Minister for Planning is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and endorsement of, approval of or being satisfied with matters required by a permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority, in relation to the use and development of land for:</p> <ul style="list-style-type: none"><li>Use or development to which Clause 53.23 applies.</li></ul>												
<b>DFP eligibility criteria in accordance with 53.22</b>	<b>Category</b>	1											
	<b>Sector</b>	Residential development with affordable housing											
	<b>Land use</b>	Residential											
	<b>Location</b>	Metro (City of Banyule)											
	<b>Alignment with the DFP threshold/criteria</b>	Yes - affordable housing delivered by a registered community housing provider											
<b>Why is a permit required?</b>	<table><thead><tr><th>Clause</th><th>Control</th><th>Trigger</th></tr></thead><tbody><tr><td><b>Zone:</b></td><td>34.01 Commercial 1 Zone</td><td>Clause 34.01-1 – Use of land for accommodation  Clause 34.01-4 – Construct a building or carry out works</td></tr><tr><td><b>Overlays:</b></td><td>43.02 Design and Development Overlay (Schedule 11)</td><td>Clause 43.02-2 – Design and Development Overlay (Schedule 11) – Buildings and works</td></tr><tr><td></td><td>53.23 Significant Residential Development with Affordable Housing</td><td>N/A</td></tr></tbody></table>	Clause	Control	Trigger	<b>Zone:</b>	34.01 Commercial 1 Zone	Clause 34.01-1 – Use of land for accommodation  Clause 34.01-4 – Construct a building or carry out works	<b>Overlays:</b>	43.02 Design and Development Overlay (Schedule 11)	Clause 43.02-2 – Design and Development Overlay (Schedule 11) – Buildings and works		53.23 Significant Residential Development with Affordable Housing	N/A
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	53.23 Significant Residential Development with Affordable Housing	N/A											
<b>Cultural Heritage:</b>	The site is not identified as an area of potential cultural heritage sensitivity												
<b>Total Site Area:</b>	1,276m <sup>2</sup>												
<b>Height:</b>	30.1 metres overall (eight storeys)												
<b>Land Uses:</b>	<b>Dwellings</b>												
	65												



<b>Parking:</b>	<b>Cars</b>	<b>Motorcycles</b>	<b>Bicycles</b>
	18	0	72
<b>Referral Authorities:</b>	Head, Transport for Victoria (Determining referral authority)		
<b>Public Notice:</b>	Section 52 notice of the application was given to Banyule City Council. Section 52 notice of the application was given to adjoining owners and occupiers.		
<b>Delegates List:</b>	Approval to determine under delegation received on 11/03/2026		



## Application Process

### Background

1. The subject land is located at 16 Seddon Street, Ivanhoe and is within the Ivanhoe Major Activity Centre (Diversity Area). The site is zoned Commercial 1 Zone (C1Z) and is affected by the Design and Development Overlay – Schedule 11 (DDO11-4) and Development Contributions Plan Overlay – Schedule 1 (DCPO1), which establish built form and development outcomes for the Ivanhoe Station Precinct.
2. The site is subject to the controls applying to the Ivanhoe Station Precinct (DDO11-4), including mandatory built form requirements (noting the proposal exceeds the DDO11 mandatory maximum height identified for the precinct) and associated design outcomes. The permit triggers for the proposal include the use of land for accommodation in C1Z, buildings and works, buildings and works under the DDO, and a reduction in the car parking requirement.
3. The following application history is relevant to this proposal:
4. The application is being assessed under the Development Facilitation Program (DFP) pathway, with the Minister for Planning as the responsible authority due to the project's scale, affordable housing commitment, and strategic significance.
5. The key milestones in the application process were as follows:

#### Development Facilitation Program: Pre-application

##### Pre-application Engagement

##### Early 2024

Pre-application engagement commenced under PPA-720, including early discussions with the Department of Transport and Planning (Development Facilitation). The proposal was reviewed against the Category 3 eligibility criteria under Clause 53.23.

##### 6 August 2024 – 5 December 2024

The project was referred to Invest Victoria, which subsequently provided written advice confirming the financial feasibility of the proposal, satisfying a key eligibility requirement of Clause 53.23.

##### Early 2025

Ongoing pre-application discussions occurred between the applicant and DTP officers, including Development Facilitation and Urban Design, to refine the proposal having regard to built form, heritage interface, affordable housing delivery and the operation of the updated planning framework.

#### Application process

##### Application lodgement

**17 November 2025** – Planning Permit Application **PA2503973** lodged via the Planning Online Lodgement (POL) system.

##### Further information requested

N/A

##### Further information received

N/A

##### Further plans submitted

N/A



## Decision Plans

Architectural plans prepared by Jackson, Clements and Burrows dated 21/08/2025

## Other Assessment Documents

- Architectural Plans and Urban Context Report prepared by DKO Architecture, September 2025
- Landscape Plans prepared by Openwork Landscape Architecture, September 2025
- Sustainability Management Plan (SMP) prepared by Ark Resources Pty Ltd, 17 September 2025
- Water Sensitive Urban Design (WSUD) Report and MUSIC Modelling prepared by Ark Resources Pty Ltd, 17 September 2025
- Traffic Impact Assessment prepared by Stantec Australia Pty Ltd, 7 April 2025
- Green Travel Plan prepared by Stantec Australia Pty Ltd, 7 April 2025
- Waste Management Plan prepared by Stantec Australia Pty Ltd, 28 August 2025
- Acoustic Report prepared by Acoustic Logic, 5 September 2025
- Arboricultural Impact Assessment prepared by John Patrick Landscape Architects, February 2025
- Affordable Housing Strategy prepared for Uniting (Victoria and Tasmania) Limited, November 2024
- Heritage Impact Assessment prepared by GJM Heritage, 5 September 2025
- Economic Benefits of Community Housing Report prepared by SGS Economics and Planning dated 29 November 2024

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

## Proposal Summary

7. The proposal is for a 100% social and affordable housing development comprising a seven storey residential building above a lower ground level, with integrated communal indoor and outdoor amenities and activated edges to Seddon Street and the adjoining laneways. It will deliver well-designed, tenure secure homes for essential workers and low income households within the Ivanhoe Major Activity Centre, a short walk to Ivanhoe Station and local services.

8. The proposal includes the following:

- 65 apartments, 24 one-bedroom and 41 two-bedroom, in a contemporary building of seven storeys above a lower-ground level, configured to maximise daylight, outlook and internal amenity. The maximum building height is 27.631 m (30.106 m including lift over-run).
- All dwellings are to be provided as social and affordable housing (approximately 25% social / 75% affordable) and owned and operated by Uniting (Community Housing Provider), ensuring long-term affordability and professional tenancy management.
- Approximately 347 m<sup>2</sup> of resident communal space comprising of 245 m<sup>2</sup> outdoor (wrapping the Seddon Street/eastern edge) and 102 m<sup>2</sup> indoor.
- A podium-and-tower composition with a brick podium referencing nearby heritage fabric and muted concrete to upper levels. Setbacks provide clear separation to 10 Seddon Street (heritage) and equitable spacing to 1–5 Westley Avenue to protect amenity and outlook.
- Active frontages and several direct front-door entries to upper-ground dwellings along the northern laneway deliver passive surveillance and a safer, more legible pedestrian environment.
- 18 resident car spaces; 72 bicycle spaces (65 resident + 7 visitor). Vehicle access is from the western laneway, and redundant Seddon Street crossovers are removed to improve the public realm.

9. Concept imagery accompanying the application illustrates podium materiality, upper-level articulation and active ground-plane treatment to Seddon Street and the laneway network.

10. The applicant has provided the following concept image/s of the proposal:

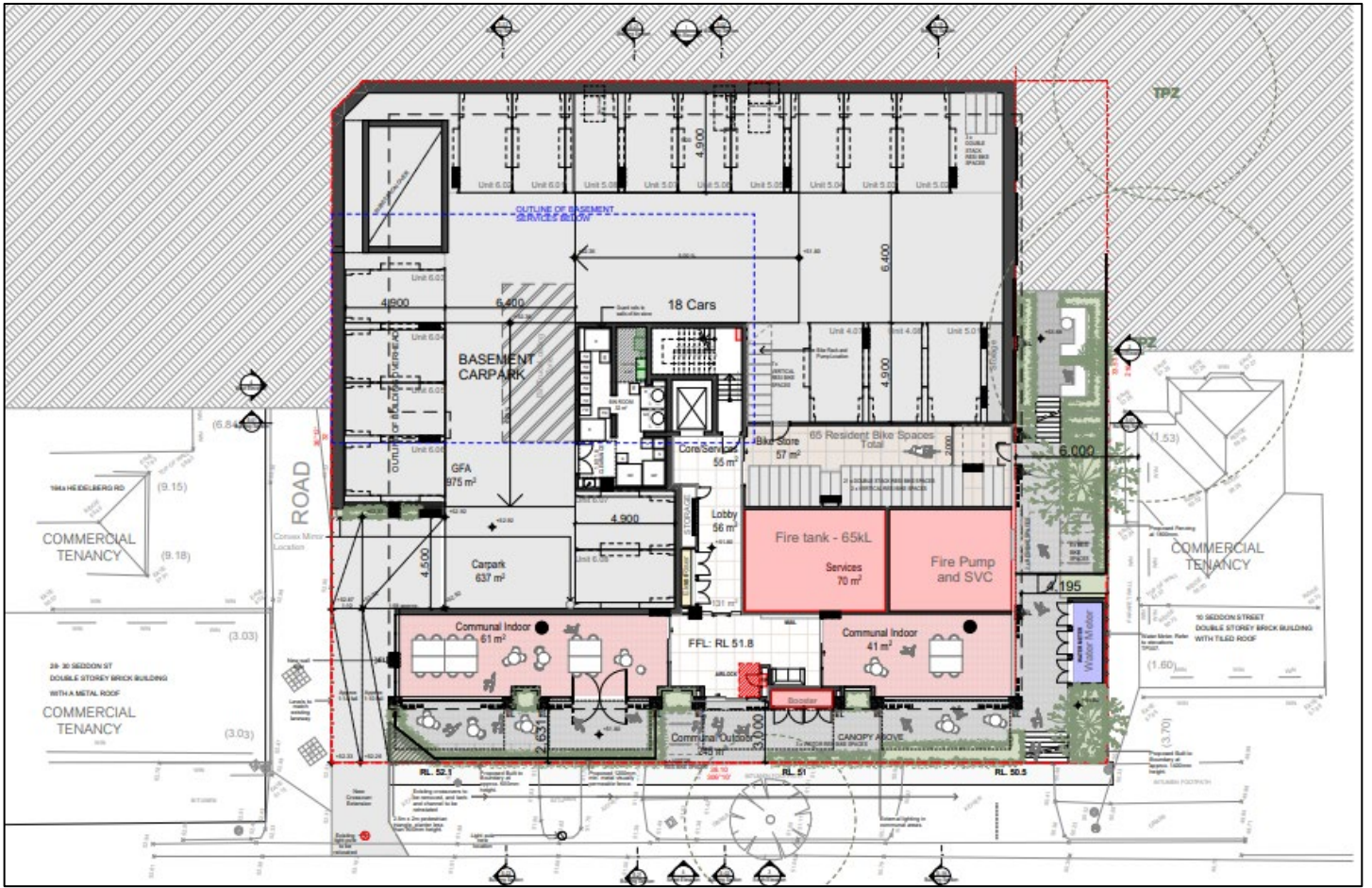


Figure 1: Lower Ground Plan



Figure 2: Upper Ground Plan



*Figure 3: View from Seddon Street looking north west.*



*Figure 4: View from Seddon Street looking north east*



## Site Description

11. The subject site comprises the land at 16 Seddon Street, Ivanhoe, within the Ivanhoe Major Activity Centre and a short walk from Ivanhoe Station. The allotment is roughly square with a slight irregularity at the north-west corner where two laneways meet, and has an approximate area of 1,276 m<sup>2</sup>.
12. The site presents a frontage of about 38.02 metres to Seddon Street, with side boundaries of approximately 32.0 metres (west) and 33.53 metres (east). It interfaces with a 3.0-metre cobblestone laneway along the eastern boundary and a 4.3-metre right-of-way along the western boundary. The land slopes generally from north-east to south-west.
13. The land is currently vacant, with all previous buildings removed. Three vehicle crossovers exist along the Seddon Street frontage. There is no notable vegetation on the lot and no easements affecting the site have been identified in the supplied title documentation.



*Figure 5: Aerial of subject site and surrounds (supplied by applicant)*

14. The site is zoned Commercial 1 Zone (C1Z) and is affected by Design and Development Overlay – Schedule 11 (DDO11: Ivanhoe Major Activity Centre, Precinct 4 – Ivanhoe Station) and Development Contributions Plan Overlay – Schedule 1 (DCPO1). Nearby heritage places include 10 Seddon Street (HO56), the Uniting Church complex at 1–19 Seddon Street (HO183) and the Ivanhoe Shopping Centre along Upper Heidelberg Road (HO90). The land sits within the Principal Public Transport Network.
15. Strategically, the site forms part of the Ivanhoe Station Precinct (DDO11-4), where higher-density residential outcomes are encouraged subject to sensitive heritage and laneway treatments.
16. Title particulars identify the land as “Land in Plan of Consolidation 102076”.



Figure 7: Surrounding zoning map

## Site Surrounds

17. The site's Seddon Street frontage and dual laneway interfaces support an integrated, pedestrian-friendly ground plane that complements the existing and emerging character of the Ivanhoe Major Activity Centre. Excellent access to rail, bus, retail and community services underpins reduced car dependency and strong local connectivity.
18. The broader context is a mix of heritage fabric, contemporary multi-storey residential buildings and active commercial frontages along Upper Heidelberg Road. Ivanhoe Station is within easy walking distance, and the surrounding street network connects to local open spaces and education facilities.
19. Development surrounding the site can be described as follows:
  - To the north: Across the 3.0-metre laneway is 1–5 Westley Avenue (Evergreen Apartments), an eight-storey residential building with a café at its northern corner. Ground-level secluded private open space addresses the laneway in parts; other sections present services and bicycle storage.
  - To the south: Seddon Street itself, with the heritage-listed Uniting Church complex opposite, including the landmark tower and gables, and an associated rear public car park with time restrictions.
  - To the east: 10 Seddon Street (HO56), a two-storey Georgian Revival building used primarily as a dental practice with an ancillary residence. The rear garden contains canopy trees near the shared boundary; vehicle access is via the laneway.
  - To the west: A 4.3-metre right-of-way serving the rear of the Upper Heidelberg Road shops (part of HO90), used for loading and back-of-house functions typical of activity-centre laneways.
20. Nearby amenities reinforce the site's suitability for higher-density housing: Ivanhoe Shopping Centre (approximately 110 metres west), Ivanhoe Station (approximately 190 metres east), local parks such as Bryant Reserve and Nellie Ibbot Park, and several schools within the walk-up catchment, all supporting a 20-minute-neighbourhood outcome.



## Statutory Referrals and Notice

21. The application was referred to the following groups:

Provision / Clause	Organisation	Response and date received
<b>Section 55 Referral: Determining</b>	Head, Transport for Victoria (HTfV) Clause 66.02-11 (Land Use and Transport Integration); A residential development comprising 60 or more dwellings or lots.	No objection, subject to conditions (12 December 2025)
<b>Section 52 Referral: Notice</b>	Banyule City Council	Detailed comments provided (17 December 2025)
<b>Section 52 Referral: Notice</b>	Adjoining Owners and Occupiers	47 objections received

## Submissions

### Head, Transport for Victoria (TfV)

22. The Head, Transport for Victoria does not object to the proposal, subject to conditions. These conditions relate primarily to:

- avoiding building colours and finishes that may interfere with rail operations,
- the submission of a reflectivity and light impact study to ensure no adverse impacts on train driver visibility or signalling, and
- management of bus operations on Seddon Street during construction.

23. The applicant has indicated agreement with these conditions, which can be appropriately secured through any permit issued.

### Darebin City Council

24. The council objects to the proposal in its current form, raising concerns regarding public open space, pedestrian connectivity, public realm activation, and aspects of the transport and access arrangements. The council requests further design changes and additional information on several matters. The council's reasons for objections are addressed below.

25. The council has provided a detailed response under **Section 52(1)**, raising a range of matters for consideration, including:

- built form and height in relation to **DDO11** and the adjoining heritage building,
- ground floor interface and interpretation of the **Commercial 1 Zone**,
- car parking provision and access arrangements,
- landscaping and tree planting opportunities,
- waste management design and operation, and
- ESD and WSUD performance.

26. The council's comments do not object in principle to the delivery of affordable housing on the site, and a number of aspects of the proposal are expressly supported, including the material palette, internal amenity, servicing arrangements and the delivery of affordable housing in this location. The matters raised are addressed below and are capable of being resolved through a combination of permit conditions, further design refinement and management plans.

## Response to Objections

## 27. Summary of objection themes

The submissions received raise broadly consistent themes, including:

- i. height, bulk and neighbourhood character;
- ii. heritage interface and setbacks;
- iii. overshadowing and loss of light;
- iv. overlooking and privacy;
- v. car parking reduction, traffic and on-street impacts;
- vi. laneway safety and access;
- vii. landscaping and trees;
- viii. waste management functionality; and
- ix. ESD / WSUD and servicing matters.

## 28. Built form, height, bulk and neighbourhood character

- A number of objections rely on a premise that the proposal should reflect a low-scale “suburban” character. That premise is not aligned with the site’s strategic setting: the land sits within the Ivanhoe Major Activity Centre and is identified for increased density and change, including higher density residential and mixed-use outcomes near Ivanhoe Station.
- Objectors and Council note that the proposal exceeds the DDO11 mandatory height framework. This is a relevant consideration; however, the application is made under Clause 53.23 and the DTP pre-application officer assessment material explicitly recognises that Clause 53.23 provides the Minister discretion to vary mandatory built form controls where the net community benefit and overall planning outcome warrants it.
- The core planning question is whether the additional height produces unreasonable off-site amenity impacts or an unacceptable public realm outcome, having regard to the site’s role and the proposal’s benefits. Here, the proposal delivers 100% social and affordable housing (16 social and 49 affordable dwellings) in a highly accessible location, which is a substantial and enduring community benefit that directly aligns with the purpose of Clause 53.23.
- The urban design narrative in the Urban Context Report and the applicant’s planning response both rely on a podium-and-tower approach, with upper levels set back to reduce perceived bulk and integrate with the changing activity centre context (including the nearby Evergreen apartments). This is a recognised and reasonable approach to moderating scale in activity centre locations.
- To the extent objectors rely on neighbourhood character policy, the relevant test is not whether the proposal replicates existing low-scale form, but whether it responds to context and contributes appropriately to the evolving character anticipated in the Activity Centre and under DDO11. The materials and tower treatment were specifically noted by Council as generally sympathetic and recessive (supporting reduced perceived bulk), even while Council requested refinements to height and stepping.

## 29. Heritage interface, setbacks and transition

- The subject land is not itself within the Heritage Overlay, but it directly interfaces with a heritage place at No. 10 Seddon Street (HO56), and the opposite side of Seddon Street includes a heritage church (HO183). The planning issue is therefore the impact on the significance and setting of adjoining heritage places, rather than demolition or direct alteration to a heritage place.
- The submitted heritage advice states the development will not adversely affect the legibility of the adjoining heritage building, relying on the setback strategy and the podium scale response. This directly addresses the core heritage-interface concern raised in objections.
- The council prefers a stronger “step-down” response on the eastern side and suggests reductions to upper levels near the heritage interface. This is a legitimate design suggestion within DDO11’s intent; however, the applicant response argues that the podium form already balances functional floorplates and contextual transition, and that the recommended reductions would remove a meaningful number of dwellings (which in this case are affordable housing outcomes). Those competing considerations are properly weighed through the Clause 53.23 net community benefit lens, rather than treated as an automatic refusal point.

## 30. Overshadowing and access to sunlight

- Objectors raise overshadowing and loss of natural light. Overshadowing impacts are assessed at 22 September under the DDO11 framework. The Urban Context Report states the DDO11 anticipates overshadowing of the southern side of Seddon Street at 10am and 11am, and concludes the proposal does not extend the time period of overshadowing beyond what DDO11 already contemplates, with impacts described as negligible.
- In activity centre contexts, DDOs commonly accept some morning overshadowing of public footpaths. The planning question is whether the proposal creates unreasonable reduction in public solar access beyond the framework contemplated by the controls. The cited analysis positions the proposal as generally within that envelope, supporting a conclusion that impacts are acceptable on balance.

### 31. Overlooking and privacy

- Objections reference overlooking into dwellings and private areas. The documentation on file (and the council's own review) acknowledges the use of 1.7 m screening / obscure glazing treatments and the adoption of separation distances to the north across the laneway to the Evergreen apartments.
- Given the site interfaces are predominantly to streets and laneways in an activity centre setting (rather than direct private backyards in a GRZ/NRZ), the planning focus is on ensuring reasonable privacy outcomes through screening, sill heights and careful placement of habitable windows/balconies. Council's comments identify specific plan-level refinements (rather than asserting privacy is incapable of being addressed), supporting the proposition that any residual issues are resolvable through targeted plan amendments/conditions.

### 32. Car parking reduction, traffic, and on-street impacts

- Objectors object strongly to the reduction in statutory car parking. The proposal provides 18 on-site spaces and seeks a reduction from the statutory requirement of 65 spaces (shortfall of 47). That is correctly treated as a discretionary matter under Clause 52.06, assessed by reference to locality, public transport access, and demand evidence rather than a fixed "one size fits all" ratio.
- The Traffic Impact Assessment [https://vicroads-my.sharepoint.com/personal/nic\\_watson\\_transport\\_vic\\_gov\\_au/\\_layouts/15/viewer.aspx?sourcedoc={e6ef5b10-35ee-43bf-a932-cc47f1d3d8a9}](https://vicroads-my.sharepoint.com/personal/nic_watson_transport_vic_gov_au/_layouts/15/viewer.aspx?sourcedoc={e6ef5b10-35ee-43bf-a932-cc47f1d3d8a9}) makes the core point that this is an exceptionally well-served site (train and bus services on the frontage) and that affordable housing developments can exhibit lower car ownership. It also quantifies low traffic generation based on parking supply and expects limited network impact.
- Objectors commonly assume reduced on-site supply will push parking into surrounding streets. The traffic assessment notes local on-street supply is generally time restricted and there are limited opportunities for residents to rely on long-term on-street parking, which reduces the likelihood of widespread displacement into residential streets.
- Mitigations that directly address objector concern  
Two practical mitigations on file strengthen the planning acceptability of the reduction: (i) the proposal exceeds statutory bicycle parking requirements, and (ii) the GoGet correspondence supports the provision of up to two car share pods on Seddon Street (subject to council approval), intended to reduce the need for private car ownership.
- The council describes the reduction as excessive and requests additional spaces, along with functional design items (visibility, crossover works, ROW upgrade, loading space). These matters are capable of being secured through conditions requiring a functional layout plan, visibility splays, crossover upgrades and ROW works where warranted, rather than requiring refusal in principle.

### 33. Laneway access, safety and servicing

- Vehicle access is confined to the western laneway, which is consistent with activity centre best practice by minimising crossovers and prioritising pedestrian conditions along the primary street frontage.
- The council's request for improved sightlines, lighting and a functional layout plan are standard and appropriate. The traffic assessment already contemplates queuing within the laneway and includes swept paths; finalisation of pole relocation location and detailed civil works is appropriately handled through conditions and secondary consents.



#### 34. Waste management functionality and OHS concerns

- The Waste Management Plan proposes on-site storage in a basement bin room, chute systems for general waste and recycling, with private contractor collection using a low-profile vehicle. As a concept, this is consistent with best-practice multi-unit arrangements (no kerbside presentation).
- The council's response identifies operational and safety concerns in the bin room configuration (including interactions between chutes, hard waste areas, manoeuvring space, and washdown). These are detailed design matters that can be resolved through revised drawings and conditions requiring an updated waste plan and compliant bin room layout prior to occupation, rather than a strategic "fatal flaw" (particularly given the building is not yet at construction documentation stage).

#### 35. Landscaping, trees, canopy and streetscape

- The landscape concept focuses on "welcome and wellness", with connected communal spaces, buffers to interfaces and planting to soften laneways and front setbacks. This directly responds to activity centre public realm objectives and is a legitimate planning response in a constrained urban site.
- The council's landscape consultant suggests plant palette and density refinements and recommends street trees at the developer's cost. The council's arborist requests TPS/TPP measures and an NDRI process for a tree adjacent to works. These are common detailed requirements that can be addressed through conditions without undermining the proposal's overall acceptability.

#### 36. ESD / WSUD and Clause 53.18

- The SMP and WSUD reports confirm: a development-average 7-star NatHERS, a 4-Star Green Star Buildings pathway, rainwater harvesting (25kL) for toilet flushing, and MUSIC outcomes exceeding BPEMG pollutant reduction targets, with post-development peak discharge not exceeding pre-development.
- The council suggests OSD should be located outside the building footprint and raises a concern about raingarden location "upstream". The WSUD report identifies raingardens and a GPT prior to legal point of discharge, supported by MUSIC modelling. Any final placement and detailed design can be resolved through a conditioned WSUD/engineering plan (with Council's drainage requirements incorporated) given the proposal's demonstrated ability to meet targets.

#### 37. Rail interface, bus operations, glare/reflectivity (HTfV conditions)

- HTfV does not object subject to conditions on façade colour/reflectivity, a reflectivity and light study, mitigation if required, and requirements not to disrupt bus operations without consent. These conditions directly respond to rail safety and network operational concerns and provide a clear pathway to manage this interface.

### Statutory Controls

#### Commercial 1 Zone (C1Z)

38. The overall purpose of the C1Z is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To create vibrant commercial centres that provide for retail, office, business, entertainment and community uses.
- To provide for residential uses at densities complementary to the role and scale of the commercial centre.
- To encourage development that responds to the existing or preferred character of the activity centre and supports pedestrian-friendly streets.

39. Specifically for the Ivanhoe Major Activity Centre (MAC), the C1Z:

- Supports higher-density housing in walkable catchments of public transport, shops and community services.
- Encourages active and engaging street frontages and safe, legible pedestrian connections.
- Anticipates a transition from lower-scale interfaces to taller built form where supported by overlay guidance.



## Design and Development Overlay – Schedule 11 (DDO11: Ivanhoe MAC – Precinct 4: Ivanhoe Station)

32. The proposal must be assessed against the objectives and built-form guidance of DDO11, which seeks high-quality architecture and a coherent public realm while managing interfaces with heritage places and laneways.

33. Key design parameters in Precinct 4 include:

- Building height: A mandatory maximum of 21 metres applies on flat sites, with limited allowance for slope. Architectural features must be designed to minimise visual bulk.
- Street wall and podium: Lower-level podiums are encouraged, with a preferred street-wall height that integrates with adjacent heritage and contributes to a human-scale public realm (preferred podium up to 9 metres).
- Setbacks: Preferred front and laneway setbacks follow the DDO11 setback diagrams, including:
  - – “Urban Street/Urban Laneway” (Type E): ground-level setbacks to accommodate landscaping and pedestrian movement; upper levels set back further to reduce bulk.
  - – “Lower Density Interface” (Type F): increased setbacks at and above nominated heights to provide visual separation and protect amenity.
- Overshadowing: Buildings should avoid significant overshadowing of opposite footpaths and adjoining secluded private open space between 10 am and 3 pm on 22 September.
- Activation and articulation: Ground floors should provide active and engaging frontages; upper levels should be articulated to break up mass and provide visual interest. Rooftop plant and services must be screened and integrated.
- Laneway interfaces: Building elevations addressing laneways should provide articulation, passive surveillance, access opportunities and safe pedestrian conditions, while accommodating servicing where required.

### Clause 52.06 – Car Parking

40. The purpose of Clause 52.06 is:

- To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
- To support sustainable transport alternatives to the motor car.
- To promote the efficient use of car parking spaces through the consolidation of car parking facilities.
- To ensure that car parking does not adversely affect the amenity of the locality.
- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.


41. Pursuant to Clause 52.06-3, a permit is not required for the number of car parking spaces required under Clause 52.06-5.

42. Clause 52.06-9 sets out the design standards for car parking the must be met unless otherwise agreed by the responsible authority.

### Clause 52.34 – Bicycle Facilities

43. The purpose of Clause 52.34 is:

- To encourage cycling as a mode of transport.
- To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.

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44. In accordance with 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.
  45. In accordance with Clause 52.34-1, a use must not commence until the required bicycle facilities are provided. The proposal provides bicycle parking well in excess of the statutory minimum requirements, and a permit is not required under Clause 52.34-5.

#### Clause 53.18 – Stormwater Management in Urban Development

46. The purpose of Clause 53.18 is to ensure that stormwater in urban develop, including retention and reuse, is managed to mitigate the impact of stormwater on the environment, property and public safety, and to provided cooling, local habitat and amenity benefits.
47. Pursuant to Clause 53.18-1, the clause applies to an application to construct a building or construct or carry out works associated with the proposal.
48. 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 53.23 – Significant Residential Development with Affordable Housing

49. The purpose of Clause 53.23 is:
  - To facilitate residential development that includes affordable housing to meet existing and future needs.
  - To facilitate the redevelopment and renewal of public housing stock to meet existing and future needs.
  - To facilitate residential development carried out by the State of Victoria or jointly or in partnership with the private sector, including via innovative funding, investment and partnership approaches.
  - To facilitate residential development with high quality urban design, architecture and landscape architecture.
  - To provide opportunities for non-residential use and development in association with residential development.
50. As detailed above, the application has been submitted in accordance with Category 1 at Clause 53.23, thereby the Minister for Planning is the responsible authority for the application.
51. In accordance with Clause 53.23-4, unless specified in Clause 53.23-1, a permit must not be granted unless the owner of the land has entered into an agreement with the responsible authority under section 173 of the Act for the provision of affordable housing. The agreement would not come into operation unless a permit is issued for the proposed use or development and the agreement must be recorded on the Register.
52. A condition would be required on any permit to secure to delivery of affordable housing.
53. Pursuant to Clause 53.23-5, an application under any provision of the planning scheme is exempt from the decision requirements of sections 64(1), (2), and (3), and review rights of sections 82(1) of the *Planning and Environment Act 1987* (the Act).

## **Relevant Strategic Plan / Background Documents**

### **Plan Melbourne**

54. Plan Melbourne 2017–2050: Metropolitan Planning Strategy (DELWP 2017) sets out the long-term vision for managing growth across Melbourne and its suburbs to the year 2050. The strategy seeks to integrate land use, infrastructure, and transport planning to meet the city's future environmental, population, housing, and employment needs.



55. The subject site is located within a Substantial Change Area and within an identified activity centre, aligning with Plan Melbourne's objectives to:

- Increase housing supply in well-serviced locations.
- Deliver affordable housing close to jobs, services and public transport.
- Reduce car dependency and support 20-minute neighbourhoods.

56. The proposal directly supports Outcome 2 – Housing choice and affordability, including Direction 2.3 – Increase the supply of social and affordable housing.

## Strategic Direction and Land Use

57. The Planning Policy Framework (PPF) and Municipal Planning Strategy (MPS) encourage land use and development that:

- Enhances the built environment (Clauses 15.01-1S, 15.01-1R)
- Supports economic growth (Clauses 17.01-1S, 17.02-1S)
- Meets community expectations for retail and commercial provision (Clauses 17.02-1S, 11.01-1R)
- Delivers diversity in housing supply to meet existing and future needs (Clauses 16.01-1S, 16.01-2S)
- Integrates transport and infrastructure planning (Clauses 18.01-1S, 18.01-2S, 19.03-3S).

58. The following clauses are directly relevant to the Preston proposal and have been considered in the assessment:

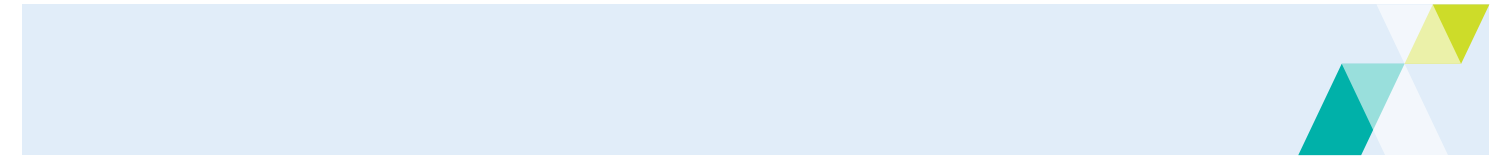
Clause	Description
02.03-1	Settlement
02.03-3	Environmental risk and amenity
02.03-5	Housing
02.03-8	Infrastructure
02.03-9	Infrastructure
02.04-1	Strategic framework plans
11.01-1R	Settlement – Metropolitan Melbourne
11.01-1S	Supply of urban land
13.04-1S	Contaminated and potentially contaminated land
13.05-1S	Noise abatement
13.07-1S	Land use compatibility
15.01-1R	Urban design – Metropolitan Melbourne
15.01-1S	Urban design
15.01-2S	Building design
15.01-2L-02	Environmentally sustainable development
15.01-4S	Healthy neighbourhoods
15.01-4R	Healthy neighbourhoods – Metropolitan Melbourne
16.01-1S	Housing supply

<b>16.01-2S</b>	Housing affordability
<b>17.01-1S</b>	Diversified economy
<b>18.01-1S</b>	Land use and transport integration
<b>18.01-2S</b>	Movement networks
<b>19.02-6S</b>	Open space
<b>19.03-3S</b>	Integrated water management

59. Specifically, the application responds to the MPS and PPF as follows:
60. Specifically, the application responds to the Municipal Planning Strategy (Clause 10) and the Planning Policy Framework as follows:
- Policy seeks to facilitate sustainable growth by directing development to locations of strategic significance (Clause 11.01-1R). The subject site is located within the Ivanhoe Major Activity Centre, identified for change and intensification. The proposal delivers higher-density residential development in a location with excellent access to services and public transport.
  - Policy supports the delivery of well-located and diverse housing to meet existing and future needs (Clause 16.01-1S). The proposal provides 65 dwellings in a variety of apartment types within walking distance of Ivanhoe Station, shops, employment and community services.
  - Policy seeks to increase the supply of affordable housing close to jobs, transport and services (Clause 16.01-2S). The proposal is being delivered by Uniting (Victoria and Tasmania) Limited as an affordable housing development, with delivery secured through Clause 53.23 and a Section 173 Agreement.
  - Policy seeks to create urban environments that are safe, functional and visually appealing, with development that contributes positively to the public realm (Clauses 15.01-1R and 15.01-2S). The proposal provides an articulated built form, active street interface, and landscaped setbacks consistent with the objectives of DDO11 and the Ivanhoe Structure Plan.
  - Policy promotes best-practice ESD outcomes (Clause 15.01-2L-02). The proposal incorporates a comprehensive Sustainability Management Plan, WSUD strategy, MUSIC modelling, rainwater harvesting and energy-efficient building design.
  - Policy seeks to support healthy, walkable neighbourhoods and the 20-minute neighbourhood concept (Clauses 15.01-4S and 15.01-4R). The development's location, pedestrian connectivity, bicycle parking provision and Green Travel Plan strongly support active transport and reduced car dependency.
  - Policy seeks to manage noise and ensure land-use compatibility (Clauses 13.05-1S and 13.07-1S). Acoustic impacts can be appropriately managed through building design and permit conditions, without unreasonable impacts on future residents or surrounding land uses.
  - Policy supports integrating land use with transport and improving movement networks (Clauses 18.01-1S and 18.01-2S). The proposal benefits from excellent access to public transport and cycling infrastructure and is supported by a Traffic Impact Assessment and Green Travel Plan.
  - Policy seeks best-practice stormwater and water management outcomes (Clause 19.03-3S). The proposal includes rainwater harvesting, water-sensitive urban design measures and treatment systems that exceed best-practice performance targets.
61. The assessment section of this report refers to other relevant policies where necessary and demonstrates that the proposal is consistent with the strategic direction of the Banyule Planning Scheme and delivers a positive net community benefit.

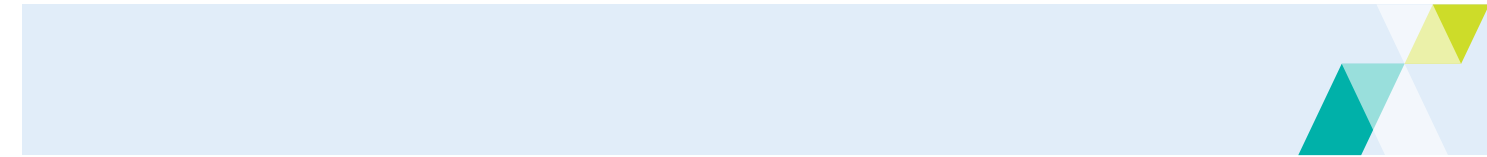
## Land Use and Built Form

### Land Use

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62. The proposal seeks to use the land for the purposes of accommodation through the provision of 65 dwellings within a single integrated development. The apartment mix comprises 24 one-bedroom dwellings (36.9%) and 41 two-bedroom dwellings (63.1%), a typology that directly responds to demonstrated housing need within Banyule, particularly for single-person and smaller households.
63. All dwellings are to be delivered as long-term affordable housing, comprising 49 discount-to-market rental dwellings for moderate-income households and 16 social housing dwellings for very low and low-income households. The development will be owned and operated by Uniting Housing (Victoria) Ltd, a registered housing provider, ensuring the ongoing delivery and management of affordable housing outcomes in accordance with the Planning and Environment Act 1987.
64. The proposal also incorporates ancillary non-residential uses at ground and upper ground level, including commercial tenancies and Uniting office space. These uses are secondary to the primary accommodation use and are integrated into the podium to activate the street and support the ongoing operational needs of the affordable housing provider.
65. A permit is required under the Commercial 1 Zone to use the land for accommodation and for the construction of two or more dwellings on a lot. The proposed residential use is consistent with the purpose of the zone, which encourages a mix of uses and residential development within activity centres and highly accessible locations.
66. The application is being assessed under Clause 53.23 (Significant development with affordable housing) via the State Government's Development Facilitation Program. The proposal meets the intent of Category 3 under Clause 53.23, with 100 per cent of dwellings provided as affordable housing, ownership and operation by a registered community housing provider, and a location with excellent access to public transport, services, employment and community infrastructure.
67. The built form comprises a podium and tower arrangement of up to seven storeys, consistent with the scale of development anticipated within the Ivanhoe Major Activity Centre. The podium provides a strong street interface to Seddon Street and the laneway, while the tower element is recessed to reduce visual bulk and provide an appropriate transition to adjoining development, including nearby heritage interfaces.
68. The proposed land use and built form make efficient use of a strategically located site within walking distance of Ivanhoe Station, bus services and the Upper Heidelberg Road retail strip. The Traffic Impact Assessment confirms that the development's low-car-parking, high-active-transport model is appropriate given the site's accessibility and will not result in unacceptable impacts on the surrounding road network.
69. The proposed dwelling mix and residential outcome are consistent with Clause 58, including Standards D2 (Residential policy objectives) and D3 (Dwelling diversity). The predominance of one- and two-bedroom dwellings aligns with the documented demand for smaller dwellings within the municipality and the objectives of affordable housing policy at both State and local levels.
70. Overall, the proposed use of the land for accommodation, together with ancillary commercial and office uses, is consistent with the objectives of the Commercial 1 Zone, Clause 53.23 and the broader planning policy framework. The development represents an appropriate built form and land use outcome for the site and will deliver a significant, long-term affordable housing contribution within the Ivanhoe Major Activity Centre.

## Affordable Housing

71. Pursuant to Clause 53.23 of the Banyule Planning Scheme, under which this application has been submitted, there is a mandatory requirement to deliver a minimum of 10 per cent affordable housing as part of significant residential development.

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72. The proposal exceeds this requirement, providing a 100 per cent social and affordable housing development comprising 65 dwellings. The dwellings will be owned and operated by Uniting (Victoria and Tasmania) Limited, a registered community housing provider, ensuring long-term affordability, tenure security and professional tenancy management. The housing mix includes both social housing and affordable rental dwellings, supporting a range of households including very low-, low- and moderate-income groups.
73. In accordance with Clause 53.23-4, the owner of the land will be required to enter into an agreement with the responsible authority under section 173 of the Planning and Environment Act 1987 to secure the provision of affordable housing. The agreement will specify the ongoing affordability arrangements, dwelling numbers, eligibility criteria and management responsibilities associated with the development.
74. A condition will be included on any planning permit requiring the applicant to enter into a section 173 agreement to secure the delivery and ongoing operation of the social and affordable housing component. This will ensure compliance with the requirements of Clause 53.23 and formalise the significant and enduring community benefit delivered by the proposal.

### Site Layout

75. The proposal seeks to redevelop the entirety of the subject site at 16 Seddon Street, Ivanhoe, which comprises a single allotment of approximately 1,276 square metres. The site occupies a prominent position within the Ivanhoe Major Activity Centre and is bounded by Seddon Street to the south and public laneways to the east and west. The site is currently vacant, with all previous buildings and structures having been demolished.
76. The development comprises a single residential building arranged to address all three public interfaces. The building is sited to maintain a strong and active frontage to Seddon Street, with articulated interfaces to the eastern and western laneways. This “in-the-round” siting responds to the site’s corner-like condition and ensures that all elevations contribute positively to the public realm.
77. The building is organised around a compact and efficient floor plate, with a central vertical circulation core providing access to all dwellings. The ground and lower ground levels accommodate building services, bicycle and car parking, resident facilities and communal spaces, while upper levels contain a mix of one- and two-bedroom apartments. The layout enables clear legibility of entrances, efficient internal circulation and strong passive surveillance across all interfaces.
78. A key feature of the site layout is the provision of communal open space along the Seddon Street frontage and wrapping through the eastern setback, forming a semi-public, landscaped forecourt that mediates between the building and the street. This space provides opportunities for resident interaction, passive recreation and informal surveillance, while also reinforcing the pedestrian character of Seddon Street within the activity centre.
79. Pedestrian access to the building is provided directly from Seddon Street via a clearly identifiable main entry, supplemented by secondary connections through the eastern communal open space to the northern laneway. This arrangement enhances permeability and legibility without creating a through-site public thoroughfare, maintaining appropriate delineation between public and resident-only spaces.
80. Vehicle access is consolidated to a single entry from the western laneway, enabling the removal of redundant crossovers along Seddon Street and reducing pedestrian-vehicle conflict at the primary frontage. This approach is consistent with best-practice activity centre design, prioritising pedestrian amenity while efficiently accommodating servicing and parking functions away from the main street.
81. Overall, the site layout represents a considered and efficient response to the site’s constraints and opportunities. It supports a high-quality public realm outcome, strong interface activation, and excellent resident amenity, while aligning with the broader objectives of the Ivanhoe Structure Plan and the Design and Development Overlay for the precinct.

### Height and setbacks

#### Building Height.



82. The proposal seeks approval for the construction of a single residential building of up to eight (8) storeys, comprising a three-storey podium with upper levels above, and a maximum overall height of approximately 27.6 metres (30.1 metres inclusive of the lift overrun). The building is arranged as a consolidated form that addresses Seddon Street and the adjoining laneways, with upper levels set back to reduce visual bulk and manage interfaces with surrounding development.
83. The subject site is located within Precinct 4 of the Ivanhoe Major Activity Centre, where the Design and Development Overlay (DDO11) identifies a preferred maximum building height of 21 metres, with provision for a minor increase on sloping sites. The proposal exceeds the preferred height; however, the height control is discretionary rather than mandatory and is intended to be applied with regard to site context, design quality and overall planning outcomes.
84. The appropriateness of increased building heights within this part of the activity centre has been considered in multiple previous assessments and Tribunal decisions, which recognise that taller built form is anticipated where sites are well-located, unconstrained by sensitive residential interfaces, and capable of delivering high-quality urban design outcomes. In this instance, the site is bounded by commercial zoning on all sides, laneway interfaces to the east and west, and a wide street frontage to Seddon Street within an established mixed-use environment.
85. The building height has been carefully modulated through the use of a clearly defined podium and upper-level setbacks. The podium height responds to the prevailing heritage scale along Seddon Street, while the upper levels are recessed to visually reduce the perceived height from the public realm and adjoining heritage places. This approach enables the building to read as a contextual street-scaled form with a lighter, more recessive upper element.
86. The council has previously expressed concern that height exceedances within the Ivanhoe Activity Centre could undermine preferred character outcomes or set an undesirable precedent. However, the proposal confines its greatest height to a centrally located site with no direct low-density residential interface and demonstrates that the additional height does not result in unreasonable off-site amenity impacts, including overshadowing, visual bulk or overlooking.
87. The proposal has been reviewed through the Development Facilitation Program process, including consideration by the Office of the Victorian Government Architect. The OVGA supported the overall height strategy, noting that the additional height enables a more efficient site outcome, high-quality architectural expression and the delivery of substantial public benefit in the form of 100 per cent social and affordable housing in a highly accessible location.
88. The increased building height is integral to the viability of the proposal and allows the development to achieve its affordable housing objectives without over-developing the site footprint. By accommodating additional height rather than increased site coverage, the proposal is able to provide generous communal open space, strong streetscape outcomes and well-resolved interfaces to surrounding development.
89. On balance, the proposed building height is considered to be consistent with the strategic intent of the Ivanhoe Structure Plan and DDO11, when read as a discretionary framework. The height is supported by the site's activity centre location, absence of sensitive residential interfaces, high-quality design response and the significant community benefit delivered. It is therefore appropriate that discretion be exercised to support the proposed height outcome.

### Setbacks

90. In accordance with Schedule 11 to the Design and Development Overlay (DDO11) and the Ivanhoe Structure Plan, the proposed building is subject to a range of preferred setback expectations that vary depending on interface, height and relationship to the public realm. The DDO11 does not prescribe mandatory setbacks for all interfaces, instead establishing preferred minimum setbacks and encouraging a performance-based assessment having regard to context, amenity impacts and design quality.
91. The proposal adopts a site-responsive setback strategy that distinguishes between the Seddon Street frontage, the eastern and western laneway interfaces, and the northern interface with the existing apartment building at 1–5 Westley Avenue. This approach ensures appropriate separation, daylight access, visual relief and a high-quality public realm outcome while making efficient use of the constrained inner-activity-centre site.



92. The key setback arrangements are as follows:

- **Seddon Street frontage** – The building is setback an average of approximately **2.6 metres** from the front title boundary, responding to the prevailing street wall alignment and the adjoining heritage buildings at Nos. 10 and 28–30 Seddon Street. The podium form is articulated within this setback through landscaping and communal open space, while upper levels are set back further to reduce perceived bulk and provide an appropriate transition in scale.
- **Eastern interface (No. 10 Seddon Street)** – A podium setback of approximately 4.5 metres to the eastern boundary (resulting in a minimum building separation of approximately 6 metres) is provided, increasing to approximately 6.4 metres at upper levels. This exceeds the minimum separation required to manage amenity impacts and reflects the heritage sensitivity of the adjoining site.
- **Western laneway interface** – The building adopts a varied setback condition, including areas built to the boundary at lower levels where appropriate for services, with upper levels generally setback approximately **4.5 metres** from the laneway centreline. This treatment balances functional requirements, passive surveillance and equitable development outcomes consistent with the DDO11.
- **Northern interface (laneway to 1–5 Westley Avenue)** – A minimum building separation of approximately 9 metres is maintained to the existing apartment building to the north. While no specific setback is prescribed for this interface, the separation provided ensures acceptable amenity outcomes and aligns with established Tribunal guidance for equitable development.

93. Overall, the proposed setbacks are consistent with the intent and preferred outcomes of DDO11. The arrangement provides adequate daylight, privacy and outlook for both future residents and adjoining properties, supports strong activation and landscaping at ground level, and delivers a built form that integrates appropriately with the heritage and activity-centre context of Seddon Street.

#### Public Realm

94. Clause 11.03 (Planning for Places) and Clause 15.01 (Built Environment) of the Banyule Planning Scheme seek to deliver high-quality, safe and inclusive public realm outcomes, including active frontages, pedestrian-focused streets, high levels of amenity and positive microclimatic conditions. These objectives are particularly relevant within the Ivanhoe Major Activity Centre, where development is expected to contribute to a walkable, legible and well-activated public environment.
95. The proposal responds to these objectives by providing a strong and active interface to **Seddon Street**, supported by clearly identifiable building entries, extensive glazing to habitable rooms and communal spaces, and a landscaped setback that functions as a semi-public forecourt. While no retail uses are proposed at ground level, the design adopts a residential-led activation strategy that prioritises visibility, interaction and passive surveillance rather than blank or service-dominated frontages.
96. A key public-facing element of the proposal is the provision of communal open space along the Seddon Street frontage, which wraps through the eastern setback and connects to the northern laneway. This landscaped space provides visual relief, pedestrian interest and opportunities for informal gathering, while reinforcing the pedestrian priority character of Seddon Street within the activity centre.
97. The ground plane is deliberately designed to be permeable and pedestrian-focused, with clear and legible access from Seddon Street and secondary pedestrian connections via the eastern communal open space to the laneway network. These connections support local movement patterns and enhance mid-block permeability without creating a through-site public thoroughfare, maintaining appropriate separation between public and resident-only areas.
98. The northern and western laneway interfaces are treated as important components of the public realm. Ground-level dwellings with direct access to the northern laneway, combined with habitable room windows and balconies above, provide a high level of passive surveillance and activation consistent with the established treatment of the laneway by the adjoining Evergreen Apartments. The western laneway balances its utilitarian function with passive surveillance and architectural articulation to avoid presenting as a service-dominated rear elevation.



99. The orientation of dwellings, communal spaces and circulation areas ensures consistent overlooking of streets and laneways, supporting Crime Prevention Through Environmental Design (CPTED) principles and contributing to a safe and inviting pedestrian environment. Materials at ground level—including brickwork, glazing and integrated landscaping—are robust and contextually responsive, reinforcing the character of the Ivanhoe Activity Centre and its heritage setting.
100. The council has previously raised the importance of ensuring that residential-led developments within the activity centre contribute positively to street life and pedestrian amenity. In this instance, the proposal demonstrates that high-quality public realm outcomes can be achieved without traditional retail activation, through careful design of the ground plane, generous landscaping, and strong visual engagement between the building and the public domain.
101. Overall, the public realm outcomes proposed for 16 Seddon Street are considered to be consistent with the objectives of the Banyule Planning Scheme and the Ivanhoe Structure Plan. The development will enhance pedestrian amenity, strengthen laneway connectivity, and contribute positively to the evolving public realm character of the Ivanhoe Major Activity Centre.

### Design Detail

102. The proposed building adopts a clearly articulated podium and upper-level form, with a robust brick podium providing a strong base to Seddon Street and the adjoining laneways. The podium is expressed through finely detailed masonry, deep window reveals and generous glazing to communal spaces and ground-floor dwellings, reinforcing pedestrian engagement and human scale at the street level. Above the podium, the upper storeys transition to a lighter architectural expression, utilising concrete elements and recessed balconies to reduce perceived bulk and provide visual relief.
103. The upper levels are modulated through a combination of setbacks, balcony recesses and framed openings, creating a legible vertical rhythm that breaks down the overall massing of the building. Corner balconies and vertical separations introduce depth and shadow play across the façades, while the articulation of the upper form ensures the building reads as a series of scaled elements rather than a single monolithic volume. This approach assists in mediating the building's height when viewed from Seddon Street and the surrounding public realm.
104. The proposal responds to Clause 15.01 (Built Environment) and the design objectives of DDO11 by ensuring the building's form, detailing and materials contribute positively to the evolving character of the Ivanhoe Major Activity Centre. The architectural language draws from the area's established masonry character and heritage context, while adopting a contemporary interpretation that reflects the site's strategic role and future-focused housing outcome.
105. Materiality has been deliberately restrained and robust, with a palette comprising brickwork at lower levels, concrete finishes to upper storeys, metal balustrades and integrated planter elements. This combination provides durability, longevity and a tactile quality appropriate to a high-use urban environment, while also reinforcing a sense of permanence and "home" consistent with the project's social and affordable housing purpose.
106. Balconies are integrated as key architectural elements rather than applied features, contributing to façade articulation and resident amenity. The balustrade design balances transparency and solidity, allowing for passive surveillance and outlook while maintaining privacy. Integrated planter opportunities and balcony depth further soften the building envelope and introduce greenery into elevated façades, enhancing both visual amenity and microclimatic performance.
107. The council and referral authority commentary has emphasised the importance of achieving a high level of architectural resolution, particularly in relation to façade detailing, material transitions and the visual treatment of upper-level elements. In response, the proposal demonstrates a cohesive and resolved design approach, with consistent detailing across all elevations and careful consideration of how the building is experienced from the public domain and adjoining properties.
108. It is recommended that a condition be included on any permit requiring the submission of a detailed façade and materials schedule, including samples and detailed drawings, to the satisfaction of the responsible authority. This will ensure that the final built outcome reflects the architectural intent of the proposal and delivers a high-quality interface with the public realm.



109. Overall, the detailed design response is considered to be appropriate for the site and its context. The proposal achieves a high standard of architectural quality, responds sensitively to heritage and activity-centre character, and is consistent with the objectives of DDO11, Clause 15.01 of the Banyule Planning Scheme, and the broader design aspirations for the Ivanhoe Major Activity Centre.

### DDO11 Assessment

110. Below is a table providing an assessment of the proposed development against the requirements of Schedule 11 to Clause 43.02 (DDO11) and then the Precinct 4 / Ivanhoe Station Precinct (DDO11-4) requirements:

DDO11 element	DDO Requirement	Project response (16 Seddon St)	Assessment / comments
<b>Height and Setbacks</b>	Ensure upper storeys are not unduly bulky/visually intrusive and enable transition to lower scale buildings.	Podium and recessed upper levels is the primary massing strategy described; upper levels are set back to reduce perceived bulk and manage interfaces including heritage.	Variation / partly meets. Built form approach aligns with the objective, but overall height exceeds the preferred height framework (addressed below).
<b>Overshadowing</b>	Avoid unreasonable loss of sunlight access, including to key pedestrian routes/public areas and adjoining private open space between 10 am–3 pm, 22 Sept.	Overshadowing of the southern footpath occurs in the morning and is within the outcome contemplated by DDO11, with no extension of duration beyond that timeframe.	Meets. Conclusion relies on submitted shadow diagrams and the report's stated outcome; keep diagrams/summary in final pack.
<b>Overshadowing</b>	Should not significantly overshadow opposite footpath and existing SPOS between 10 am–3 pm on 22 Sept.	Footpath impacts occur in the morning period and do not extend beyond the timeframe contemplated; limited to public footpath	Meets (as presented). Ensure final report retains a clear statement of "no significant overshadowing 10 am–3 pm" or explains consistency with DDO expectation.
<b>Design quality</b>	High quality contemporary design, coherent public realm, articulation, fine urban grain at street level.	Design response emphasises articulated podium, active edges to street/laneways, and a materials palette (brick podium, muted upper finishes).	Meets (subject to detailed façade condition). Recommend condition for a façade/material schedule to lock in intent
<b>Design / articulation</b>	Facades over 10m to be articulated; muted non-reflective finishes; upper level articulation; avoid blank walls; recess vehicle entrances; screen rooftop plant/services; internal connections where possible.	Proposal provides articulation, muted palette, recessed upper levels; vehicle access from western laneway; rooftop services to be managed; active edges to laneways	Meets (subject to conditions). Add/retain permit condition for rooftop plant screening and façade schedule.
<b>Acoustic and Visual amenity</b>	Design Objective – Acoustic & Visual amenity	Acoustic report submitted; officer report relies on acoustic measures for rail influence area and internal amenity. Landscaping strategy included.	Meets. Acoustic is supported, but permit conditions capture any final acoustic requirements and rooftop plant screening.
<b>Heritage and Character</b>	Development should not adversely affect nearby heritage significance; colours/materials to complement texture and fine grain.	Heritage interface discussed: podium scale/material response and setbacks to HO56; officer report concludes interface is acceptable subject to conditions.	Meets (subject to conditions)
<b>Height</b>	Buildings/works should not exceed preferred maximum heights in the tables/built form plans; street wall abutting HO must integrate with	The development as ~27.6 m (30.1 m incl lift overrun) and acknowledges height exceedance relative to DDO	Does not meet (height). This is the key DDO tension. If relied upon, explicitly state the variation



adjoining heritage street wall; architectural features limits and minimum floor-to-ceiling guidance (3.0 m res; 3.8 m commercial).

expectations; podium described as three storeys to Seddon Street.

is supported via Clause 53.23 discretion and net community benefit (100% affordable/social housing). This is addressed further above.

## Landscaping and Vegetation

111. The proposal provides a comprehensive landscape response that seeks to reinforce the identity of key open spaces through a diverse range of planting, seating, and resting places. The landscape design incorporates native trees, shrubs, and understorey plantings throughout the central 'green heart', podium terraces, and street interfaces. Notably, the proposal delivers approximately 2,639 sqm of deep soil planting area and 1,795 sqm of canopy cover, with a strong emphasis on native species and productive gardens.
112. The proposed deep soil area exceeds the requirements of Standard D10 to Clause 58 of the Darebin Planning Scheme. However, the canopy cover provided (1,795 sqm) is marginally below the required 1,910 sqm. The landscape plan demonstrates a commitment to maximising canopy tree planting within the constraints of the site and podium structure, including the use of large planters and soil cells to support healthy tree growth.
113. The development will require the removal of existing planted vegetation within the site and the removal of several street trees, including two identified as 'high' and 'medium' value in the Oakover Village Development Plan. While the Development Plan seeks retention of these trees, their location and proximity to the proposed building footprints make retention unfeasible. The landscape plan includes new street tree planting and extensive replacement planting within the site to offset these losses.
114. The council has commented that the submitted Arboricultural Impact Assessment does not provide full comfort that all trees shown to be retained can in fact be protected, due to the extent of encroachment into tree protection zones. The council also noted a lack of justification for the removal of additional street trees and recommended that bench seating be provided within the central open space, the use of rock/boulders be reduced, canopy trees be planted along the east-west pedestrian link, and that plantings be shade and wind tolerant. An amended landscape plan for the whole of the subject area (including the northern section) was also requested.
115. The applicant is generally supportive of the council's recommended conditions but considers the request for a landscape plan covering the entire precinct to be unreasonable, as future landscaping of the northern section will be addressed in subsequent planning applications. The department agrees that it is not appropriate to require the applicant to amend the landscape plan to include land not under consideration in this application.
116. Overall, the proposed landscaping is generally in accordance with the approved Development Plan and Standard D10, while also appropriately responding to the Planning Policy Framework. The design delivers communal open space that is landscaped with canopy trees, productive garden beds, and a variety of seating and gathering opportunities, supporting both resident amenity and broader neighbourhood character.

## Amenity

### Amenity Impacts (internal and offsite)

117. The proposal has been assessed against the standards of Clause 58 (Apartment Developments) of the Banyule Planning Scheme and generally demonstrates a high level of compliance. Minor variations are sought to Standard D19 (Building Entry and Circulation) and Standard D20 (Private Open Space); however, these variations are limited in extent and are considered acceptable when assessed against the objectives of Clause 58 and the overall design response.
118. A variation to Standard D19 is sought where a small number of internal circulation spaces are marginally below the preferred minimum corridor width. This outcome is considered acceptable as the majority of circulation areas exceed the minimum width, all resident entries are clearly legible and accessible, and corridors benefit from



adequate lighting, ventilation and passive surveillance. The overall circulation strategy provides safe, efficient and dignified access for residents, consistent with the objectives of Clause 58.05-2 (Building Entry and Circulation).

119. A variation to Standard D20 is sought for a limited number of dwellings where private open space dimensions are marginally below the preferred minimum. This is considered acceptable in the context of the development given the generous provision of high-quality communal open space, including ground-level landscaped areas fronting Seddon Street, communal outdoor terraces and indoor communal facilities. The shortfall is modest and is offset by the quality, accessibility and usability of the shared amenity spaces provided.
120. The submitted Sustainable Management Plan and associated modelling demonstrate that the development achieves a high standard of internal environmental quality. The proposal delivers strong outcomes in relation to daylight access, thermal comfort and energy efficiency, with a development-wide average 7-star NatHERS rating, compliance with BESS daylight standards, and building fabric and services that exceed NCC minimum requirements. These outcomes support the objectives of Clause 15.01-2L (Environmentally Sustainable Development) and Standard D27 (Natural Ventilation).
121. The building layout maximises opportunities for daylight, outlook and ventilation, with living areas and bedrooms oriented to take advantage of the site's aspect and laneway interfaces. A high proportion of apartments are naturally cross-ventilated, and all habitable rooms receive appropriate daylight and access to outlook, consistent with the objectives of Clause 58.02-1 (Urban Context) and Clause 58.07-3 (Windows).
122. Acoustic impacts have been addressed through the building design and construction methodology, including the use of concrete floor slabs, masonry and insulated wall systems, and appropriate glazing specifications. These measures ensure that internal noise levels will comply with the internal amenity objectives of Standard D16 (Noise Impacts) of Clause 58. Any detailed acoustic requirements arising from the final building design can be addressed through permit conditions to ensure ongoing compliance.
123. The proposal provides a diverse mix of dwelling types, all designed with functional layouts, adequate storage, generous balconies or terraces where provided, and strong connections to communal spaces. The integration of indoor and outdoor communal areas supports social interaction, resident wellbeing and a sense of community, particularly important in the context of a social and affordable housing development.
124. Overall, the proposal achieves a high standard of residential amenity for future occupants. The minor variations to Clause 58 standards are appropriately justified by the overall design quality, the level of communal amenity provided, and the strong environmental performance of the development. The proposal is considered to be consistent with the objectives of Clause 58 and the broader amenity expectations of the Banyule Planning Scheme.

## External

### Overshadowing

125. Shadow diagrams submitted with the application demonstrate that the proposal results in no additional overshadowing of sensitive public open space beyond that anticipated by the Design and Development Overlay. On 22 September, the proposal casts shadow onto the southern footpath of Seddon Street during the morning period, consistent with the outcomes contemplated by DDO11. At 10 am, the extent of shadow is broadly comparable to that envisaged by the control, with only a marginal increase in width.
126. At 11 am, the proposal results in an increased extent of shadow to the southern footpath of Seddon Street; however, the duration of overshadowing is not extended beyond the timeframe already contemplated by DDO11, and the affected area remains confined to the public footpath rather than private open space or key civic areas. The overshadowing does not persist beyond the late morning period and progressively recedes as the day advances.
127. Overall, the extent and duration of overshadowing to the public realm is considered to be reasonable and acceptable given the site's location within the Ivanhoe Major Activity Centre, its proximity to public transport, and the strategic policy support for increased density in this location. The overshadowing impacts are limited, occur within the envelope anticipated by the planning controls, and do not result in an unreasonable reduction of public realm amenity.



Figure 8: Extent of overshadowing at 10:00am and 3:00pm on September 22

## Car and Bicycle Parking, Loading, and Other Services

### Car Parking

128. Clause 52.06 – Car Parking was amended after the lodgement of the proposed development. Therefore the car parking assessment used in the supporting lodgement documentation does not reflect the most current provisions of Clause 52.06. Refer below for an assessment against Clause 52.06 – Car Parking.

129. Figure 9 below shows the subject site is within Category 3 of the Car Parking Requirements.



Figure 9: Car parking category map



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

Use	Rate	Amount Required	Amount Provided
<b>Dwelling (Resident)</b>	0 – minimum	0 – minimum	18
	2 – maximum	130 - maximum	
<b>Total</b>		<b>0 - 130</b>	<b>18</b>

131. The following car parking rates are relevant to the application: The application is compliant with Clause 52.06, providing 18 car parking spaces. This is deemed acceptable due to the provision of bicycle parking and the proximity to public transport in the area.

### Design Standards for Car Parking

132. The proposed car parking layout is generally consistent with the design standards at Clause 52.06-9 of the Banyule Planning Scheme and the relevant Australian Standards. All car spaces, aisles, ramps and headroom clearances have been designed to accommodate the intended vehicle types, including passenger vehicles and a 6.4-metre mini waste collection vehicle, as demonstrated through swept-path analysis.

133. Council officers have reviewed the basement layout and identified the need to ensure that all internal columns and encroachments fully comply with the minimum clearance envelopes. It is therefore recommended that a condition be included on any permit requiring the endorsed plans to be updated to demonstrate compliance with the applicable column clearance standards, to the satisfaction of the Responsible Authority.

### Access, Traffic Movement and Circulation

134. Vehicle access to the development is provided via the existing **north-south laneway** along the site's western boundary, accessed from **Seddon Street**. The laneway provides direct access to the basement car park and waste collection area, with all vehicle movements occurring off Seddon Street and away from pedestrian-priority areas within the activity centre.

135. The access arrangement has been designed to minimise impacts on the surrounding road network and pedestrian environment. The laneway has been configured to allow vehicles to queue within the site boundary rather than on Seddon Street, reducing the potential for congestion or conflicts with through traffic. The reinstatement of redundant crossovers along the Seddon Street frontage will also result in a net increase in on-street parking and an improved streetscape outcome.

136. Pedestrian and cyclist access is clearly prioritised, with direct, legible access provided from Seddon Street to the building entry and communal spaces. A dedicated pedestrian and cyclist accessway is also provided along the eastern boundary, connecting directly to the secure bicycle parking facilities and supporting safe, convenient movement independent of vehicle access points.

137. The council has raised comments regarding the need to carefully manage potential vehicle conflicts within the laneway, particularly given its shared use for car park access and waste collection. In response, the submitted Traffic Impact Assessment includes swept-path testing that demonstrates vehicles can enter and exit the site in a forward direction without impeding pedestrian movement or creating unsafe conditions. It is recommended that a condition be included requiring final swept-path diagrams to be submitted and approved prior to construction to confirm the detailed access arrangements.

138. The Traffic Impact Assessment prepared by Stantec Australia Pty Ltd concludes that traffic generated by the development will be low, with no material impact on the operation or safety of Seddon Street or the wider road network. All intersections are expected to continue to operate within acceptable parameters, and the proposed access and circulation arrangements are considered appropriate for the scale and nature of the development.



## Bicycle Facilities

139. Clause 52.34-1 of the Banyule Planning Scheme requires bicycle parking facilities as follows:

Proposed Use	Purpose	Bicycle Parking Rate	No. of Spaces Required	No. of Spaces Provided
Dwelling	Resident	1 space to each 5 dwellings	65 dwellings = 13 spaces	65
	Visitor	1 space to each 10 dwellings	65 dwellings = 7 spaces	7
<b>Total</b>			<b>20</b>	<b>72</b>

140. The proposal provides a total of 72 bicycle parking spaces, comprising 65 resident spaces and 7 visitor spaces, significantly exceeding the minimum statutory requirement of 20 spaces under Clause 52.34.

141. Bicycle parking is provided in secure and convenient locations across the ground and lower ground levels, with clear and legible access from Seddon Street and via the dedicated pedestrian and cyclist accessway along the eastern boundary of the site.

142. The bicycle parking facilities have been designed in accordance with Clause 52.34-4 and the Australian Standard for Bicycle Parking Facilities (AS2890.3:2015). The provision includes a mix of horizontal, vertical and double-stacked rails, with the majority of spaces provided as horizontal rails, supporting ease of use and accessibility.

143. The generous provision of bicycle parking, well in excess of statutory requirements, aligns with the objectives of the Banyule Planning Scheme and State policy to promote walking, cycling and reduced reliance on private motor vehicles in well-located activity centres.

## Loading / Unloading

144. Loading and unloading for the development is accommodated entirely on-site, with access provided via the existing north–south laneway along the western boundary of the site. The laneway provides direct access to the basement level, where a dedicated waste and loading area is located adjacent to the car park.


145. The on-site loading area is designed to accommodate small rigid vehicles and service vans, including a 6.4-metre mini waste collection vehicle, which will service residential waste and recycling streams. Swept-path analysis submitted with the application demonstrates that these vehicles can enter and exit the site in a forward direction, without encroaching into pedestrian areas or causing conflict within the laneway.

146. Occasional residential loading activities associated with move-ins, deliveries or maintenance can be accommodated either within the on-site loading area or via short-term use of on-street parking along Seddon Street. The reinstatement of redundant crossovers along the site frontage will result in a net increase in on-street parking spaces, further supporting these low-frequency loading demands.

147. The submitted Traffic Impact Assessment confirms that the proposed loading and waste collection arrangements are appropriate for the scale and nature of the development and will not result in unreasonable impacts on the surrounding road network or pedestrian environment. On this basis, the loading and unloading strategy is considered to be acceptable and consistent with the objectives of the Banyule Planning Scheme.

## Waste

148. A comprehensive Waste Management Plan (WMP) has been prepared by Stantec Australia Pty Ltd for the proposed residential development, in accordance with the Sustainability Victoria Better Practice Guide for Waste



Management and Recycling in Multi-unit Developments (2020) and relevant provisions of the Banyule Planning Scheme.

149. The WMP provides for a fully self-contained waste management system, with all waste streams to be collected by private contractors from within the site. No waste will be stored or presented outside the title boundary or placed on the kerb at any time, ensuring that waste operations do not adversely affect the public realm.
150. For the residential component, waste is separated into general garbage, commingled recycling, food organics, glass, and hard waste/e-waste streams. Dedicated garbage and recycling chutes are provided at each level, terminating in 1,100-litre bins within a centrally located basement bin store. Food organics and glass waste are collected via 240-litre bins stored within the same waste room, with hard waste and e-waste accommodated in a dedicated storage area for collection as required.
151. All waste is stored within a purpose-designed basement waste room that provides adequate space for bin manoeuvring, ventilation, washing facilities and vermin control measures. The waste room exceeds the minimum area required to accommodate the projected waste volumes and is designed to minimise noise, odour and amenity impacts on residents.
152. Waste collection will occur on-site within the basement level by a low-profile rear-loading vehicle (WasteWise Mini, 6.4-metre length), accessed via the western laneway. Swept-path analysis confirms that the waste vehicle can enter and exit the site in a forward direction, with sufficient headroom and clearance provided throughout the collection route.
153. Collections are expected to occur once per week for each waste stream, within EPA-prescribed hours, and will be coordinated by the building manager to avoid peak traffic periods where practicable. Bins will be collected directly from the waste room and returned immediately following emptying, with building management responsible for providing access and maintaining the waste facilities.
154. Overall, the proposed waste management arrangements are considered appropriate for the scale and nature of the development. The WMP demonstrates that waste can be safely, efficiently and discreetly managed on-site, without adverse impacts on surrounding streets or pedestrian amenity, and is consistent with best-practice waste management principles and the objectives of the Banyule Planning Scheme.

## Sustainability

### Environmentally Sustainable Design (ESD)

155. The applicant has submitted a Sustainable Management Plan (SMP) prepared by Ark Resources Pty Ltd for the proposed development at 16 Seddon Street, Ivanhoe. The SMP responds to the requirements of the Banyule Planning Scheme, including Clause 15.01-2S and Clause 15.01-2L-02 (Environmentally Sustainable Development), and demonstrates a coordinated, best-practice approach to achieving high-quality environmental performance outcomes.
156. Key sustainability initiatives incorporated into the proposal include:
- A commitment to a development-wide average 7.0-Star NatHERS rating, with all individual apartments achieving a minimum 6-Star rating, representing a high standard of thermal efficiency.
  - Building fabric and services designed to exceed the minimum requirements of NCC 2022 Section J, with a 20.8% improvement in greenhouse gas emissions compared to a reference building.
  - Preliminary assessment demonstrating the capacity to achieve a 4-Star Green Star Buildings rating.
  - Installation of a 22kW rooftop solar photovoltaic (PV) system, generating approximately 25.7 MWh per annum, contributing to reduced operational emissions.
  - High-performance building envelope, including thermally broken double-glazed windows, insulated concrete construction and reduced thermal bridging.

- Water-efficient fixtures and fittings throughout the development, achieving best-practice WELS ratings.
- A 25kL rainwater harvesting system capturing roof runoff for toilet flushing, reducing reliance on potable water.
- Stormwater treatment measures that exceed best-practice environmental management targets, including raingardens and gross pollutant traps, with MUSIC modelling demonstrating compliance with Melbourne Water objectives.
- High levels of internal amenity, with compliance with BESS daylight standards and strong thermal comfort outcomes verified through modelling.
- Generous provision of secure bicycle parking, significantly exceeding statutory requirements, to encourage active transport and reduce car dependency.
- Electric-ready infrastructure, including capacity for future electric vehicle charging, consistent with emerging best practice.
- Use of low-VOC paints, sealants and adhesives, and low-formaldehyde engineered timber products to improve indoor air quality.
- Sub-metering of major services and provision of building tuning and monitoring systems to support efficient long-term operation.

157. Council officers have reviewed the SMP and requested clarification and refinement of several matters, including the detailed integration of rainwater reuse with landscape irrigation, confirmation of stormwater treatment measures, and ensuring that all ESD initiatives are clearly reflected on the architectural and landscape plans. The applicant has indicated support for permit conditions requiring the SMP to be updated and endorsed prior to construction.
158. A Green Travel Plan (GTP) has been submitted with the application, prepared by Stantec Australia Pty Ltd, in accordance with Clause 15.01-2L-02 of the Banyule Planning Scheme. The GTP identifies the site's strong access to public transport, walking and cycling infrastructure, and sets out mode split targets, actions and monitoring measures to encourage reduced car dependency and increased uptake of sustainable transport modes by future residents.
159. The proposed sustainability and transport initiatives, when considered collectively, are robust and well resolved. The SMP and GTP demonstrate that the development will deliver strong environmental and sustainable transport outcomes, exceed minimum statutory requirements in several key areas, and are consistent with best-practice ESD principles for a medium-density residential development within a well-serviced activity centre.

## Stormwater Management

160. Clause 53.18 (Stormwater Management in Urban Development) of the Banyule Planning Scheme requires stormwater to be managed in a manner that minimises runoff, improves water quality and ensures post-development stormwater outcomes do not exceed pre-development conditions. Local policy strongly encourages the use of water sensitive urban design (WSUD) measures and on-site retention systems.
161. A Water Sensitive Urban Design (WSUD) Report has been prepared by Ark Resources Pty Ltd to support the application. The report demonstrates how the development has been designed to meet the objectives of Clause 53.18 and includes detailed MUSIC modelling, rainwater harvesting analysis and maintenance strategies.
162. As detailed in the WSUD Report, the development incorporates a 25,000-litre rainwater harvesting system collecting runoff from all roof areas, canopies and selected terrace areas. Captured rainwater will be reused for toilet flushing throughout the development, significantly reducing reliance on potable water. Stormwater from paved and podium areas will be treated via raingardens and a gross pollutant trap (CDS Nipper or equivalent) prior to discharge at the legal point of discharge.




163. The MUSIC assessment demonstrates that the proposal exceeds the Best Practice Environmental Management Guidelines (BPEMG) targets for stormwater quality, achieving:
- a reduction in total suspended solids (TSS) of approximately 87%,
  - a reduction in total phosphorus of approximately 65%,
  - a reduction in total nitrogen of approximately 79%, and
  - a reduction in gross pollutants of approximately 99%.
164. The modelling also confirms that post-development peak stormwater discharge does not exceed pre-development conditions.
165. The WSUD strategy is supported by permeable landscaping and planting areas that promote on-site infiltration and reduce runoff volumes. The WSUD Report also includes a detailed maintenance manual for rainwater tanks, raingardens and treatment devices to ensure ongoing performance over the life of the development.
166. It is recommended that a condition be included on any permit requiring the WSUD measures to be implemented generally in accordance with the endorsed WSUD Report, and for a detailed stormwater and maintenance plan to be approved prior to occupation, to the satisfaction of the Responsible Authority.
167. Subject to the above, the proposal is considered to deliver appropriate and best-practice stormwater management outcomes, consistent with the objectives of Clause 53.18 and relevant state and local policy.

## Other Matters

### Heritage Impact

168. The subject land is not included within a Heritage Overlay; however, it directly interfaces with 10 Seddon Street (HO56) and is located opposite the Uniting Church complex at 1–19 Seddon Street (HO183). The relevant planning consideration is therefore the impact of the proposal on the significance and setting of adjoining heritage places.
169. A Heritage Impact Assessment prepared by GJM Heritage accompanies the application and has informed this assessment. The assessment identifies that the significance of 10 Seddon Street is derived from its Georgian Revival form, modest scale and landscaped setting, while the Uniting Church complex is valued as a landmark civic building within the activity centre.
170. The proposal adopts a podium-and-upper-level built form, with the podium scaled to the established street wall height and articulated in masonry materials that respond to the surrounding heritage context. Upper levels are recessed and expressed in lighter materials to reduce perceived bulk when viewed from Seddon Street and adjoining heritage interfaces.
171. Along the eastern boundary, the development provides a meaningful setback that increases at upper levels, maintaining clear visual separation from 10 Seddon Street. This approach preserves the legibility of the heritage building, avoids visual dominance, and allows for landscaping that reinforces its traditional garden setting.
172. In relation to the Uniting Church complex, the proposal is separated by the width of Seddon Street, which continues to operate as a strong spatial break. While the development will be visible in broader views, it does not obscure or compete with the church's primary façades or tower and does not diminish its landmark role within the activity centre.
173. The council has expressed a preference for additional stepping at the eastern interface. This is acknowledged; however, the assessment is satisfied that the adopted setback, modulation and material strategy appropriately



manages heritage impacts in the context of an activity centre location and the discretionary framework applying under the Development Facilitation Program.

174. On balance, the proposal is considered to respond appropriately to the adjoining heritage places. It respects the significance and setting of heritage buildings without mimicry, maintains visual separation, and ensures heritage places remain legible within the streetscape. Subject to conditions requiring finalisation of materials and façade detailing, the heritage interface impacts are acceptable.

### Cultural Heritage

175. The land is not identified as an area of cultural heritage sensitivity under the Aboriginal Heritage Act 2006. Accordingly, a mandatory Cultural Heritage Management Plan is not required for the proposed development. The place is not included on the Victorian Heritage Register.

### Infrastructure

176. The site is located within an established urban area and is adequately serviced by existing water, sewer, electricity, gas and telecommunications infrastructure. Any upgrades required to accommodate the development, including confirmation of service capacity and final service locations, can be addressed at the detailed design stage and secured through standard permit conditions.

### Wind

177. Given the scale and height of the proposed development, potential wind effects at street level and within on-site communal areas are a relevant consideration.
178. A detailed **Wind Impact Assessment** has not been submitted with the application. However, it is considered reasonable and appropriate for this matter to be addressed through a **permit condition**, requiring the preparation and endorsement of a Wind Impact Assessment prior to construction.
179. The Wind Impact Assessment should assess pedestrian comfort and safety impacts at street level, building entrances and within communal open space areas, and identify any mitigation measures required to ensure acceptable wind conditions.
180. Subject to a permit condition requiring the submission and implementation of a Wind Impact Assessment, the proposal is not expected to result in unreasonable wind impacts.



182. The proposal is generally consistent with the relevant planning policies of the Banyule Planning Scheme and supports the strategic objectives for the Ivanhoe Major Activity Centre, providing well-located higher-density residential development in close proximity to public transport, services and employment. The development will deliver affordable housing, contributing to housing diversity and addressing identified housing need within the municipality.
183. The application has been informed by a comprehensive suite of supporting technical documentation, including traffic, waste, sustainability, stormwater and urban design assessments, and has had regard to input from relevant referral authorities and internal Council departments where applicable.
184. It is recommended that Planning Permit No. PA2503973 for a residential development comprising 65 dwellings and associated buildings and works at 16 Seddon Street, Ivanhoe be issued subject to conditions.
185. It is further recommended that the applicant and Banyule City Council be notified of the above decision 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.

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Name:	[Redacted]	Signed:	[Redacted]
Title:	[Redacted]		
Phone:	[Redacted]	Dated:	19 March 2026

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**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.

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Name:	[Redacted]	Signed:	[Redacted]
Title:	[Redacted]		
Phone:	[Redacted]	Dated:	20/03/2026

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# Appendix 1: Clause 58 Assessment



## Application requirements

Clause 58.01-1	Assessment
<ul style="list-style-type: none"><li>• <i>An application must be accompanied by:</i><ul style="list-style-type: none"><li>○ <i>An urban context report.</i></li><li>○ <i>A design response.</i></li></ul></li></ul>	<p><b>Complies</b></p> <p>The application is accompanied by a comprehensive Urban Context Report and Design Response, prepared by Three Thirds Group and DKO Architecture (October 2025), submitted as part of the Planning Report.</p> <p>The documentation includes a detailed analysis of the site and surrounds, built form context, heritage interfaces, laneway conditions and public realm relationships, and provides a clear rationale for the proposed development response.</p>

## Urban context report

Clause 58.01-2	Assessment
<ul style="list-style-type: none"><li>• <i>The urban context report may use a site plan, photographs or other techniques and must include:</i></li><li>• <i>An accurate description of:</i><ul style="list-style-type: none"><li>○ <i>Site shape, size, orientation and easements.</i></li><li>○ <i>Levels and contours of the site and the difference in levels between the site and surrounding properties.</i></li><li>○ <i>The location and height of existing buildings on the site and surrounding properties.</i></li><li>○ <i>The use of surrounding buildings.</i></li><li>○ <i>The location of private open space of surrounding properties and the location of trees, fences and other landscape elements.</i></li><li>○ <i>Solar access to the site and to surrounding properties.</i></li><li>○ <i>Views to and from the site.</i></li><li>○ <i>Street frontage features such as poles, street trees and kerb crossovers.</i></li><li>○ <i>The location of local shops, public transport services and public open spaces within walking distance.</i></li><li>○ <i>Movement systems through and around the site.</i></li><li>○ <i>Any other notable feature or characteristic of the site.</i></li></ul></li><li>• <i>An assessment of the characteristics of the area including:</i><ul style="list-style-type: none"><li>○ <i>Any environmental features such as vegetation, topography and significant views.</i></li><li>○ <i>The pattern of subdivision.</i></li><li>○ <i>Street design and landscape.</i></li><li>○ <i>The pattern of development.</i></li><li>○ <i>Building form, scale and rhythm.</i></li><li>○ <i>Connection to the public realm.</i></li><li>○ <i>Architectural style, building details and materials.</i></li><li>○ <i>Off-site noise sources.</i></li><li>○ <i>The relevant NatHERS climate zones (as identified in Clause 58.03-1).</i></li><li>○ <i>Social and economic activity.</i></li><li>○ <i>Any other notable or cultural characteristics of the area.</i></li></ul></li></ul>	<p><b>Complies</b></p> <p>The Urban Context Report (Three Thirds Group, October 2025) provides a detailed and accurate description of the subject site, including its size (1,276sqm), corner configuration, laneway interfaces, slope, and relationship to surrounding heritage and contemporary development.</p> <p>The report documents surrounding land uses, building heights, heritage places, public transport access (Ivanhoe Station and bus services), nearby public open space, and the role of the site within the Ivanhoe Major Activity Centre. It also assesses the emerging built form pattern envisaged by DDO11 and the Ivanhoe Structure Plan.</p>

## Design response

Clause 58.01-3	Assessment
<ul style="list-style-type: none"><li>• <i>The design response must explain how the proposed design:</i><ul style="list-style-type: none"><li>○ <i>Responds to any relevant planning provision that applies to the land.</i></li><li>○ <i>Meets the objectives of Clause 58.</i></li><li>○ <i>Responds to any relevant housing, urban design and landscape plan, strategy or policy set out in this scheme.</i></li><li>○ <i>Derives from and responds to the urban context report.</i></li></ul></li></ul>	<p><b>Complies</b></p> <p>The Design Response (DKO Architecture, August 2025) clearly demonstrates how the proposal responds to Clause 58 objectives, the Commercial 1 Zone, DDO11 and the broader strategic framework</p>



- *The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.*

for the Ivanhoe Major Activity Centre.

The design is directly informed by the Urban Context Report and includes detailed elevations, sections and streetscape diagrams illustrating the relationship to adjacent heritage buildings, laneways and contemporary development.

## Urban context objectives

Clause 58.02-1	Assessment
<b>Objectives</b> <ul style="list-style-type: none"> <li>• <i>To ensure that the design responds to the existing urban context or contributes to the preferred future development of the area.</i></li> <li>• <i>To ensure that development responds to the features of the site and the surrounding area.</i></li> </ul>	<b>Complies</b>
<b>Standard D1</b> <ul style="list-style-type: none"> <li>• <i>The design response must be appropriate to the urban context and the site.</i></li> <li>• <i>The proposed design must respect the existing or preferred urban context and respond to the features of the site.</i></li> </ul>	<b>Complies</b> <p>The proposal responds appropriately to the evolving mixed-use and higher-density character of the Ivanhoe Major Activity Centre. The built form addresses three public interfaces, transitions sensitively to adjacent heritage places, and adopts a podium-and-tower form consistent with DDO11's preferred future character.</p>

## Residential policy objectives

Clause 58.02-2	Assessment
<b>Objectives</b> <ul style="list-style-type: none"> <li>• <i>To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.</i></li> <li>• <i>To support higher density residential development where development can take advantage of public and community infrastructure and services.</i></li> </ul>	<b>Complies</b>
<b>Standard D2</b> <ul style="list-style-type: none"> <li>• <i>An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.</i></li> </ul>	<b>Complies</b> <p>The Planning Report demonstrates that the proposal delivers well-located higher-density housing within walking distance of shops, services and public transport. The development is consistent with State and local housing policy and directly supports the delivery of social and affordable housing within an activity centre location.</p>

## Dwelling diversity objectives

Clause 58.02-3	Assessment
<b>Objective</b> <ul style="list-style-type: none"> <li>• <i>To encourage a range of dwelling sizes and types in developments of ten or more dwellings</i></li> </ul>	<b>Complies</b>
<b>Standard D3</b> <ul style="list-style-type: none"> <li>• <i>Developments of ten or more dwellings should provide a range of dwelling sizes and types, including dwellings with a different number of bedrooms.</i></li> </ul>	<b>Complies</b> <p>The development provides 65 dwellings, comprising:</p> <ul style="list-style-type: none"> <li>• 24 one-bedroom apartments (37%)</li> <li>• 41 two-bedroom apartments (63%)</li> </ul> <p>This mix is appropriate for the activity centre context and aligns with the needs of social and affordable housing tenants, as outlined in the Planning Report.</p>



## Infrastructure objectives

Clause 58.02-4	Assessment
<b>Objectives</b> <ul style="list-style-type: none"> <li>To ensure development is provided with appropriate utility services and infrastructure.</li> <li>To ensure development does not unreasonably overload the capacity of utility services and infrastructure.</li> </ul>	<b>Complies</b>
<b>Standard D4</b> <ul style="list-style-type: none"> <li>Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.</li> <li>Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.</li> <li>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</li> </ul>	<b>Complies</b>  The site is fully serviced and the development will not unreasonably overload existing infrastructure. The Planning Report (ThreeThirds Group, October 2025) and Traffic Engineering Assessment (Stantec, 28 August 2025) confirm that upgrades are proposed where required, including intersection improvements.

## Integration with the street objective

Clause 58.02-5	Assessment
<b>Objective</b> <ul style="list-style-type: none"> <li>To integrate the layout of development with the street.</li> </ul>	<b>Complies</b>
<b>Standard D5</b> <ul style="list-style-type: none"> <li>Developments should be oriented to front existing and proposed streets.</li> <li>Along street frontage, development should:               <ul style="list-style-type: none"> <li>Incorporate pedestrian entries, windows, balconies or other active spaces.</li> <li>Limit blank walls.</li> <li>Limit high front fencing, unless consistent with the existing urban context.</li> <li>Provide low and visually permeable front fences, where proposed.</li> <li>Conceal car parking and internal waste collection areas from the street. adequate vehicle and pedestrian links that maintain or enhance local accessibility.</li> </ul> </li> <li>Development next to existing public open space should be designed to complement the open space and facilitate passive surveillance.</li> </ul>	<b>Complies</b>  The building fronts Seddon Street and activates both laneway interfaces through habitable rooms, entries and communal spaces. Blank walls are avoided, car parking is concealed, and ground-level activation enhances pedestrian safety and amenity.

## Energy efficiency objectives

Clause 58.03-1	Assessment
<b>Objectives</b> <ul style="list-style-type: none"> <li>To achieve and protect energy efficient dwellings and buildings.</li> <li>To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.</li> <li>To ensure dwellings achieve adequate thermal efficiency.</li> </ul>	<b>Complies</b>
<b>Standard D6</b> <ul style="list-style-type: none"> <li>Buildings should be:               <ul style="list-style-type: none"> <li>Oriented to make appropriate use of solar energy.</li> <li>Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.</li> </ul> </li> <li>Living areas and private open space should be located on the north side of the development, if practicable.</li> <li>Developments should be designed so that solar access to north-facing windows is optimised.</li> <li>Dwellings located in a climate zone identified in Table D1 should not exceed the maximum NatHERS annual cooling load specified in the following table.</li> </ul>	<b>Complies</b>  The development is oriented to maximise daylight and solar access. The Sustainability Management Plan confirms compliance with BESS and NatHERS requirements, with an average NatHERS rating exceeding minimum standards.



Table D1 Cooling load	
NatHERS climate zone	NatHERS maximum cooling load MJ/M <sup>2</sup> 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**

**Complies**

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

**Standard D7**

**Complies**

- 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.
    - 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.

The proposal provides 245sqm of communal outdoor open space and 102sqm of communal indoor space, exceeding minimum requirements. These spaces are accessible, well-designed and integrated with the ground floor layout, as shown in the Landscape Concept Plan (DKO Landscape, 9 September 2025) and Planning Report.

### Solar access to communal outdoor open space objective

**Clause 58-03-3**

**Assessment**

**Objective**

**Complies**

- To allow solar access into communal outdoor open space

**Standard D8**

Due to the orientation of the site and the existing and



- *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.*

anticipated scale of surrounding development, communal open space (COS) is appropriately located to the eastern and southern portions of the building. Given the site's interfaces and activity centre context, the provision of COS to the north of the building is not appropriate. Any such space would fail to achieve reasonable solar access, receiving less than two hours of sunlight between 9am and 3pm on 21 June, due to overshadowing from the existing apartment building at 1–3 Westley Avenue and the three-storey development at 174–178 Upper Heidelberg Road.

Further, future development envisaged along Upper Heidelberg Road would exacerbate overshadowing impacts to any northern or western COS, resulting in compromised amenity outcomes and introducing unnecessary design constraints that would conflict with the strategic objectives for the Ivanhoe Major Activity Centre.

The proposal instead provides a considered combination of internal and external communal open spaces, ensuring residents have access to high-quality shared spaces throughout the year and across varying weather conditions. Importantly, the design does not rely solely on winter solar access to deliver acceptable communal open space outcomes.

The communal open spaces are not conceived as large, singular lawn areas, but rather as a series of integrated, well-distributed spaces that support incidental activity, informal gathering and everyday use. This approach is consistent with the intent of Clause 58.03-2, which seeks to provide communal open space that enhances resident amenity and social interaction.

The COS is fully integrated into the overall design response. Street-facing communal areas contribute positively to the Seddon Street interface, providing activation, surveillance and a clear transition between the public realm and the residential environment. The eastern communal space functions as a permeable transition through the site, connecting to the laneway to the north and offering a range of semi-formal spaces for residents to sit, pause and gather.

In addition, there are two public open spaces within close proximity to the site, which will complement the on-site COS and provide residents with access to areas of higher solar exposure during the winter months.

## Safety objective

Clause 58.03-4	Assessment
<b>Objective</b> <ul style="list-style-type: none"> <li>• <i>To ensure the layout of development provides for the safety and security of residents and property</i></li> </ul>	<b>Complies</b>
<b>Standard D9</b> <ul style="list-style-type: none"> <li>• <i>Entrances to dwellings should not be obscured or isolated from the street and internal accessways.</i></li> <li>• <i>Planting which creates unsafe spaces along streets and accessways should be avoided.</i></li> <li>• <i>Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.</i></li> </ul>	Entrances are visible and accessible, with passive surveillance from dwellings and communal areas. Pedestrian and vehicle accessways are clearly distinguished and well lit. The Planning Report and architectural plans confirm these outcomes. Car parking security will be maintained through adequate lighting, clear sightlines, and controlled access measures to ensure resident safety and deter



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

unauthorised entry.

## Landscaping objectives

### Clause 58.03-5

#### 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.

### Assessment

#### Complies

### 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 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.

The Site is 1,276m<sup>2</sup> and so must provide:

- Canopy cover of 155.2m<sup>2</sup> (50m<sup>2</sup> + 20% of 276m<sup>2</sup> (55.2m<sup>2</sup>))
- One Type B tree.
- 95.7m<sup>2</sup> of deep soil (7.5% of site)

The proposal provides:

- +200m<sup>2</sup> of canopy coverage. Complies.
- One (1) Type B Tree – Native Frangipani.

Complies The landscape plan demonstrates a carefully considered and resolved design response that seeks to ameliorate built form and provide landscape buffers to sensitive interfaces.

Each interface is treated carefully and with consideration of function, form and use. The Seddon Street interface s designed to be welcoming, visually permeable, and implements planters to manage site slope. The function of communal open space within the frontage is enhanced by the landscaping schedule, which also includes the provision of a green canopy above outdoor seating and paved areas. The eastern COS laneway is designed to provide a number of seating opportunities integrated with raised planters. Trees and boundary plantings will create a welcoming shared space and provide visual buffers between the heritage building at No.10 Seddon Street and the Subject Site. The western laneway garden is planted with a mix of trees and vegetation to soften views of walls and service units. The landscape plan also includes a planting scheme for private balconies, particularly through the first three levels of the Site (podium levels). Balcony planting is designed to create layers of texture, colour and form. Low-maintenance plants are selected. Trailing plants in particular are selected for private balcony plantings to create the impression of a 'green wall'. (DKO, 09 September 2025).

**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	50 square metres plus 20% of site area above	7.5% of site area



square metres	1,000 square metres Include at least 1 Type B tree	
1501 - 2500 square metres	150 square metres plus 20% of site area above 1,500 square metres Include at least 2 Type B trees or 1 Type C tree	10% of site area
2500 square metres or more	350 square metres plus 20% of site area above 2,500 square metres Include at least 2 Type B trees or 1 Type C tree	15% of site area

**Table D3 Soil requirements for trees**

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

**Note:**

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

**Table D4 Tree types**

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

## Access objectives

### Clause 58.03-6

#### 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.

### 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.

### Assessment

#### Complies

The proposal results in the deletion of all crossovers currently servicing the Site. Redundant crossovers will be made good. The car parking entrance is from the existing laneway to the west of the Site. The car park entrance is not visible within the façade, and is well-located to provide convenient egress and ingress. Pedestrian access takes the primary position within the Seddon Street interface, with central access at the façade, and secondary access via the eastern COS.



- *Developments must provide for access for service, emergency and delivery vehicles.*

## Parking location objectives

Clause 58.03-7	Assessment
<b>Objectives</b> <ul style="list-style-type: none"> <li>• <i>To provide convenient parking for resident and visitor vehicles.</i></li> <li>• <i>To protect residents from vehicular noise within developments.</i></li> </ul>	<b>Complies</b>
<b>Standard D12</b> <ul style="list-style-type: none"> <li>• <i>Car parking facilities should:</i> <ul style="list-style-type: none"> <li>○ <i>Be reasonably close and convenient to dwellings.</i></li> <li>○ <i>Be secure.</i></li> <li>○ <i>Be well ventilated if enclosed.</i></li> </ul> </li> <li>• <i>Shared accessways or car parks of other dwellings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.</i></li> </ul>	

A basement car park is provided to service the development. Pedestrian access to the central stairs and lift is provided via the bike store. The car parking arrangement has been tested by Stantec via SWEPT Path assessment at Appendix A of the Traffic Impact Assessment. Vehicle movements are convenient and will allow for safe ingress and egress.

## Integrated water and stormwater management objectives

Clause 58.03-8	Assessment
<b>Objectives</b> <ul style="list-style-type: none"> <li>• <i>To encourage the use of alternative water sources such as rainwater, stormwater and recycled water.</i></li> <li>• <i>To facilitate stormwater collection, utilisation and infiltration within the development.</i></li> <li>• <i>To encourage development that reduces the impact of stormwater runoff on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.</i></li> </ul>	<b>Complies</b>
<b>Standard D13</b> <ul style="list-style-type: none"> <li>• <i>Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use.</i></li> <li>• <i>Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.</i></li> <li>• <i>The stormwater management system should be:</i> <ul style="list-style-type: none"> <li>○ <i>Designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999).</i></li> <li>○ <i>Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.</i></li> </ul> </li> </ul>	

The proposal provides an Onsite Stormwater Detention Tank in the basement services area with an approximate volume of 25 000 litres (25kL). The 25kL rainwater tank is part of a pumped OSD system that also includes a 16kL OSD tank. A semi-submerged fire tank with an approximate volume of 330kL is located at ground floor to the north of the carpark.

864m<sup>2</sup> of roof, canopy and private terrace area will drain to rainwater tanks for detention and reuse. A 69m<sup>2</sup> catchment area on the eastern communal terrace will drain to a raingarden. 241m<sup>2</sup> of the Site is made up of permeable landscape areas.

The MUSIC Assessment complies with Melbourne Water targets for reduction in Total Suspended Solids, Total Phosphorous, Total Nitrogen and Total Gross Pollutants. Rainwater captured for reuse will be used for nondrinking purposes throughout the proposal.

## Building setback objectives

Clause 58.04-1	Assessment
<b>Objectives</b> <ul style="list-style-type: none"> <li>• <i>To ensure the setback of a building from a boundary appropriately responds to the existing urban context or contributes to the preferred future development of the area.</i></li> <li>• <i>To allow adequate daylight into new dwellings.</i></li> <li>• <i>To limit views into habitable room windows and private open space of new and existing dwellings.</i></li> <li>• <i>To provide a reasonable outlook from new dwellings.</i></li> <li>• <i>To ensure the building setbacks provide appropriate internal amenity to</i></li> </ul>	<b>Complies</b>



*meet the needs of residents.*

**Standard D14**

- *The built form of the development must respect the existing or preferred urban context and respond to the features of the site.*
- *Buildings should be set back from side and rear boundaries, and other buildings within the site to:*
  - *Ensure adequate daylight into new habitable room windows.*
  - *Avoid direct views into habitable room windows and private open space of new and existing dwellings. Developments should avoid relying on screening to reduce views.*
  - *Provide an outlook from dwellings that creates a reasonable visual connection to the external environment.*
  - *Ensure the dwellings are designed to meet the objectives of Clause 58.*

The existing and preferred urban context invites a robust built form with modest setbacks. The building form and siting have been driven by contextual cues, including the heritage building, apartment building to the north and the content of the DDO11.

With respect to each setback:

**North**

To the north, the minimum setback to the building at 1-5 Westley Avenue is 9m. This is consistent with equitable development principles and ensures compliance with relevant ResCode amenity standards.

**East**

To the east, the minimum setback to the building at No.10 Seddon Street is 6m (4.195m to the common boundary). This setback has been developed in response to the heritage value and significance of this building. Detailed analysis of the heritage impacts and context of the proposal has been prepared by GJM Heritage in a memorandum that accompanies this submission. Above Level 01 of the proposal, the setback to the building at No.10 increases from 6 metres to 8 metres (6.477m to the common boundary).

**West**

To the west, a 4.5m setback to the centre of the laneway is provided. This is consistent with equitable development principles with due regard for future development envisioned by the DDO11.

**Internal views objective**

Clause 58.04-2	Assessment
<b>Objective</b> <ul style="list-style-type: none"> <li>• <i>To limit views into the private open space and habitable room windows of dwellings within a development.</i></li> </ul>	<b>Complies</b>
<b>Standard D15</b> <ul style="list-style-type: none"> <li>• <i>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.</i></li> </ul>	Internal overlooking is limited by the layout of dwellings, which are within a single built form element. Distinct from a proposal that may implement multiple tower forms where internal views may require specific intervention.

**Noise impacts objectives**

Clause 58.04-3	Assessment
<b>Objectives</b> <ul style="list-style-type: none"> <li>• <i>To contain noise sources in developments that may affect existing dwellings.</i></li> <li>• <i>To protect residents from external and internal noise sources.</i></li> </ul>	<b>Complies</b>
<b>Standard D16</b> <ul style="list-style-type: none"> <li>• <i>Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.</i></li> <li>• <i>The layout of new dwellings and buildings should minimise noise transmission within the site.</i></li> <li>• <i>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</i></li> </ul>	Noise sources are well-located to ensure amenity impacts to future residents are avoided. Refer to the accompanying Acoustic Assessment prepared by Renzo Tonin & Associates. The report assesses the proposal in terms of both the Railway noise influence area, and potential noise impacts derived from the proposal on surrounding residential areas. The



dwelling.

- *New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.*
- *Buildings within a noise influence area specified in Table D3 should be designed and constructed to achieve the following noise levels:*
  - *Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.*
  - *Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.*
- *Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.*
- *Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.*

**Table D5 Noise influence area**

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

proposal complies with Standard D16.

## Wind impacts objective

Clause 58.04-4	Assessment
<p><b>Objective</b></p> <ul style="list-style-type: none"> <li>• <i>To ensure the built form, design and layout of development does not generate unacceptable wind impacts within the site or on surrounding land.</i></li> </ul>	<b>Complies</b>
<p><b>Standard D17</b></p> <ul style="list-style-type: none"> <li>• <i>Development of five or more storeys, excluding a basement should:</i> <ul style="list-style-type: none"> <li>○ <i>not cause unsafe wind conditions specified in Table D6 in public land, publicly accessible areas on private land, private open space and communal open space; and</i></li> <li>○ <i>achieve comfortable wind conditions specified in Table D6 in public land and publicly accessible areas on private land within a distance of half the greatest length of the building, or half the total height of the building measured outwards on the horizontal plane from the ground floor building façade, whichever is greater.</i></li> </ul> </li> <li>• <i>Trees and landscaping should not be used to mitigate wind impacts. This does not apply to sitting areas, where trees and landscaping may be used to supplement fixed wind mitigation elements.</i></li> <li>• <i>Wind mitigation elements, such as awnings and screens should be</i></li> </ul>	A wind assessment will be conditioned.

located within the site boundary, unless consistent with the existing urban context or preferred future development of the area.

**Table D6 Wind conditions**

Unsafe	Comfortable
Annual maximum 3 second gust wind speed exceeding 20 metres per second with a probability of exceedance of 0.1% considering at least 16 wind directions.	Hourly mean wind speed or gust equivalent mean speed (3 second gust wind speed divided by 1.85), from all wind directions combined with probability of exceedance less than 20% of the time, equal to or less than: <ul style="list-style-type: none"> <li>• 3 metres per second for sitting areas,</li> <li>• 4 metres per second for standing areas,</li> <li>• 5 metres per second for walking areas.</li> </ul>

## Accessibility objective

### Clause 58.05-1

#### Objective

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

### Standard D18

- At least 50 per cent of dwellings should have:
  - A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.
  - A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.
  - A main bedroom with access to an adaptable bathroom.
  - At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table 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: <ul style="list-style-type: none"> <li>• A slide door, or</li> <li>• A door that opens outwards, or</li> <li>• A door that opens inwards that is clear of the circulation area and has readily removable hinges.</li> </ul>	Either: <ul style="list-style-type: none"> <li>• A slide door, or</li> <li>• A door that opens outwards, or</li> <li>• A door that opens inwards and has readily removable hinges.</li> </ul>
Circulation area	A clear circulation area that is: <ul style="list-style-type: none"> <li>• A minimum area of 1.2 metres by 1.2 metres.</li> <li>• Located in front of the shower and the toilet.</li> <li>• Clear of the toilet, basin and the door swing.</li> </ul> <p>The circulation area for the toilet and shower can overlap.</p>	A clear circulation area that is: <ul style="list-style-type: none"> <li>• A minimum width of 1 metre.</li> <li>• The full length of the bathroom and a minimum length of 2.7 metres.</li> <li>• Clear of the toilet and basin.</li> </ul> <p>The circulation area can include a shower area.</p>
Path to	A clear path with a	Not applicable

### Assessment

#### Complies

90.8% of dwellings are accessible. A mix of bathroom types (A and B) are selected across the development.



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

## Building entry and circulation objectives

Clause 58.05-2	Assessment
<b>Objectives</b> <ul style="list-style-type: none"> <li>To provide each dwelling and building with its own sense of identity.</li> <li>To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.</li> <li>To ensure internal communal areas provide adequate access to daylight and natural ventilation.</li> </ul>	<b>Complies</b>
<b>Standard D19</b> <ul style="list-style-type: none"> <li>Entries to dwellings and buildings should:               <ul style="list-style-type: none"> <li>Be visible and easily identifiable.</li> <li>Provide shelter, a sense of personal address and a transitional space around the entry.</li> </ul> </li> <li>The layout and design of buildings should:               <ul style="list-style-type: none"> <li>Clearly distinguish entrances to residential and non-residential areas.</li> <li>Provide windows to building entrances and lift areas.</li> <li>Provide visible, safe and attractive stairs from the entry level to encourage use by residents.</li> <li>Provide common areas and corridors that:                   <ul style="list-style-type: none"> <li>Include at least one source of natural light and natural ventilation.</li> <li>Avoid obstruction from building services.</li> <li>Maintain clear sight lines.</li> </ul> </li> </ul> </li> </ul>	

Entrances to the building is clear and easily identifiable. The proposal has a single, residential use with all spaces that are not dwellings provided in support of the residential use. Entrances provide shelter and transitional space. From Seddon Street, the immediate front setback area provides covered seating areas. This transitions into an airlock and the communal indoor spaces. Secure access is then provided to the lobby, lift and stairs beyond. The airlock and lobby will be provided with natural light. The residential secure bike store is provided with natural light. Common areas have excellent natural light and ventilation and provide clear sight lines to Seddon Street, the western laneway, the airlock/lobby area and the eastern COS.w

## Private open space objective

Clause 58.05-3	Assessment
<b>Objective</b> <ul style="list-style-type: none"> <li>To provide adequate private open space for the reasonable recreation and service needs of residents</li> </ul>	<b>Complies</b>
<b>Standard D20</b> <ul style="list-style-type: none"> <li>A dwelling should have private open space consisting of at least one of the following:               <ul style="list-style-type: none"> <li>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.</li> <li>A balcony with at least the area and dimensions specified in Table D8 and convenient access from a living room.</li> <li>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.</li> <li>An area on a roof of 10 square metres, with a minimum dimension of 2 metres and convenient access from a living room.</li> </ul> </li> </ul>	

All dwellings provide a compliant quantum of SPOS by way of balconies. All balconies are at least 8m<sup>2</sup> in area and maintain minimum dimensions in excess of 1.2 metres.



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

**Table D8 Balcony size**

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

**Table D9 Additional living area or bedroom area**

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

## Storage objective

### Clause 58.05-4

#### Objective

- To provide 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.

**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

### Assessment

#### Complies

All dwellings are provided with compliant storage quantum. The minimum storage area required is 9m<sup>3</sup> for 2 bedroom dwellings and 6m<sup>3</sup> for 1 bedroom dwellings. The minimum storage area provided for a 1 bedroom dwelling is 10.0m<sup>3</sup>. The minimum storage area provided for a 2 bedroom dwelling is 14.0m<sup>3</sup>.

## Common property objectives

### Clause 58.06-1

#### Objectives

- To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.
- To avoid future management difficulties in areas of common ownership.

#### Standard D22

- Developments should clearly delineate public, communal and private

### Assessment

#### Complies

The proposal clearly delineates public, communal and private areas by way of intentional pathway and entrance design assisted by landscape treatments.



areas.

- Common property, where provided, should be functional and capable of efficient management.

Secure gates are provided to the eastern communal open space to ensure it is not used as a public thoroughfare. Common property is functional and capable of efficient management. Given Uniting will remain the operator of the proposal in perpetuity via a S173 agreement, management of common property will be centralised and efficient.

## Site services objectives

Clause 58.06-2	Assessment
<b>Objectives</b> <ul style="list-style-type: none"> <li>• To ensure that site services are accessible and can be installed and maintained.</li> <li>• To ensure that site services and facilities are visually integrated into the building design or landscape.</li> </ul>	<b>Complies</b>
<b>Standard D23</b> <ul style="list-style-type: none"> <li>• Development should provide adequate space (including easements where required) for site services to be installed and maintained efficiently and economically.</li> <li>• Meters and utility services should be designed as an integrated component of the building or landscape.</li> <li>• 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.</li> </ul>	<p>Site services are provided and integrated into the design of the proposal commensurate with contemporary apartment type developments. The project team includes qualified engineering consultants who are engaged to review and advise upon service provision throughout the design, planning and construction phases of the project.</p>

## Waste and recycling objectives

Clause 58.06-3	Assessment
<b>Objectives</b> <ul style="list-style-type: none"> <li>• To ensure dwellings are designed to encourage waste recycling.</li> <li>• To ensure that waste and recycling facilities are accessible, adequate and attractive.</li> <li>• To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.</li> </ul>	<b>Complies</b>
<b>Standard D24</b> <ul style="list-style-type: none"> <li>• Developments should include dedicated areas for:               <ul style="list-style-type: none"> <li>○ Waste and recycling enclosures which are:                   <ul style="list-style-type: none"> <li>- Adequate in size, durable, waterproof and blend in with the development.</li> <li>- Adequately ventilated.</li> <li>- Located and designed for convenient access by residents and made easily accessible to people with limited mobility.</li> </ul> </li> <li>○ Adequate facilities for bin washing. These areas should be adequately ventilated.</li> <li>○ 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.</li> <li>○ Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.</li> <li>○ Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.</li> <li>○ Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.</li> </ul> </li> <li>• Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and:               <ul style="list-style-type: none"> <li>○ Be designed to meet the best practice waste and recycling management guidelines for residential development adopted by Sustainability Victoria.</li> </ul> </li> </ul>	<p>A comprehensive Waste Management Plan prepared by Stantec is provided as a part of this application. It confirms that the proposal will provide a comprehensive waste and recycling system, tailored to both the residential and office uses, inclusive of:</p> <ul style="list-style-type: none"> <li>- Private contractor collection and disposal of all waste streams associated with the development.</li> <li>- A dedicated bin room with allocated FOGO, Glass, Waste, P &amp; C, recycling and hard waste areas.</li> <li>- Waste collection plan for private contractor.</li> <li>- Responsibilities of residents, employees and building management.</li> <li>- Adequate circulation for waste and recycling collection vehicles. Refer SWEPT Paths appendix of the Waste Management Plan.</li> </ul> <p>All waste and recycling enclosures and facilities are designed in accordance with the relevant Australian Standards. The waste areas are located in a bin storey room at basement level. A dedicated chute system facilities transfers of garbage and recyclable waste from each level.</p>

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

## External walls and materials objective

Clause 58.06-4	Assessment
<b>Objectives</b> <ul style="list-style-type: none"> <li>• <i>To ensure external walls use materials appropriate to the existing urban context or preferred future development of the area.</i></li> <li>• <i>To ensure external walls endure and retain their attractiveness.</i></li> </ul>	<b>Complies</b>
<b>Standard D25</b> <ul style="list-style-type: none"> <li>• <i>External walls should be finished with materials that:</i> <ul style="list-style-type: none"> <li>○ <i>Do not easily deteriorate or stain.</i></li> <li>○ <i>Weather well over time.</i></li> <li>○ <i>Are resilient to the wear and tear from their intended use.</i></li> </ul> </li> <li>• <i>External wall design should facilitate safe and convenient access for maintenance.</i></li> </ul>	

External walls are finished primarily in concrete and brick. The proposal is designed to weather well over time and be resilient to expected wear and tear. The use of concrete, brick and metal is a clear demonstration of resilience in design.

## Functional layout objective

Clause 58.07-1	Assessment
<b>Objective</b> <ul style="list-style-type: none"> <li>• <i>To ensure dwellings provide functional areas that meet the needs of residents</i></li> </ul>	<b>Complies with objective</b>
<b>Standard D26</b> <ul style="list-style-type: none"> <li>• <i>Bedrooms should:</i> <ul style="list-style-type: none"> <li>○ <i>Meet the minimum internal room dimensions specified in Table D11.</i></li> <li>○ <i>Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.</i></li> </ul> </li> </ul>	

**Table D11 Bedroom dimensions**

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

- *Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table B13.*

**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

### Bedrooms

All bedrooms meet or exceed the minimum width and depth requirements specified in Table D11. Adequate space is provided to accommodate beds, storage and circulation without compromising functionality or amenity.

### Living areas

Living areas are designed to meet the minimum area and width requirements, with a minimum functional depth of no less than 3.1 metres for one-bedroom dwellings and 3.4 metres for two-bedroom dwellings. As a result, living areas exceed the minimum area requirements, with one-bedroom dwellings providing a minimum of 10.23sqm and two-bedroom dwellings providing a minimum of 12.24sqm.

This approach ensures that living rooms are genuinely usable and avoids outcomes that may technically comply with minimum area standards but result in poor functionality, such as excessively narrow or elongated spaces. The design response prioritises liveability, furniture placement and everyday use, which aligns with the intent of Clause 58.07-1.

The rationale is sound and consistent with contemporary social and affordable housing projects delivered under Clauses 52.20 and 53.20 across metropolitan Melbourne. From the perspective of functionality, amenity and policy intent, the proposed living areas represent an appropriate and



well-considered outcome. The proposal therefore complies with **Standard D26**.

**Room depth objective**

Clause 58.07-2	Assessment
<p><b>Objective</b></p> <ul style="list-style-type: none"> <li>To allow adequate daylight into single aspect habitable rooms</li> </ul>	<p><b>Complies</b></p>
<p><b>Standard D27</b></p> <ul style="list-style-type: none"> <li>Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.</li> <li>The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:             <ul style="list-style-type: none"> <li>The room combines the living area, dining area and kitchen.</li> <li>The kitchen is located furthest from the window.</li> <li>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.</li> </ul> </li> <li>The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.</li> </ul>	<p>All dwellings have a floor-to-ceiling height of 2.7 metres, which establishes a maximum standard room depth of 6.75 metres for single-aspect habitable rooms unless the additional requirements of Clause 58.07-2 are met.</p> <p>A limited number of dwellings exceed the preferred room depth, as outlined below.</p> <p>UG.01 and 1.01</p> <p>These dwellings have a room depth of approximately 9.16 metres, representing a minor exceedance of 0.16 metres beyond the 9-metre allowance. The dwellings are north-facing and benefit from strong access to daylight. The kitchen is located furthest from the window, with the majority of primary living functions comfortably contained within the 9-metre dimension.</p> <p>UG.03 and 1.03</p> <p>These dwellings have an overall room depth of approximately 9.57 metres, attributable to the inclusion of the laundry within the open-plan layout. If measured to the edge of the kitchen, the room depth is approximately 8.44 metres, which complies with the standard. The functional living, dining and kitchen areas remain within acceptable proportions and receive adequate daylight.</p> <p>UG.06 and 1.06</p> <p>These dwellings have a room depth of approximately 10.6 metres, representing an exceedance of 1.6 metres. Notwithstanding this, the primary living, dining and kitchen areas are well within the 9-metre dimension, with non-habitable elements located at the rear of the space. Daylight access and internal amenity are not compromised.</p> <p>UG.10 and 1.10</p> <p>These dwellings have a room depth of approximately 8.9 metres, inclusive of the laundry located furthest from the window. If measured to the edge of the kitchen, the room depth is comfortably within the 9-metre allowance. The dwellings are north-facing and are anticipated to receive good daylight.</p> <p>Levels 2.09, 3.09, 4.09, 5.09 and 6.09</p> <p>These dwellings also have a room depth of approximately 8.9 metres, inclusive of the laundry. Measured to the kitchen, the room depth complies with the standard. These dwellings are north-facing and benefit from good access to daylight.</p> <p>In all instances where the room depth exceeds 6.75 metres, the habitable room is an open-plan living, dining and kitchen space, the kitchen is located furthest from the window, and the minimum floor-to-ceiling height of 2.7 metres is achieved. The variations do not result in poor daylight access, compromised functionality or reduced amenity.</p>



From the perspective of internal amenity and the intent of Clause 58.07-2, the proposed room depths represent an acceptable outcome. The proposal therefore complies with the objective and satisfies the requirements of Standard D27.

## Windows objective

Clause 58.07-3	Assessment
<b>Objective</b> <ul style="list-style-type: none"> <li>To allow adequate daylight into new habitable room windows.</li> </ul>	<b>Complies</b>
<b>Standard D28</b> <ul style="list-style-type: none"> <li>Habitable rooms should have a window in an external wall of the building.</li> <li>A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky.</li> <li>The secondary area should be:               <ul style="list-style-type: none"> <li>A minimum width of 1.2 metres.</li> <li>A maximum depth of 1.5 times the width, measured from the external surface of the window.</li> </ul> </li> </ul>	<p>The majority of apartments receive daylight to habitable rooms via windows in external walls. Apartments UG.05 and 1.05 each maintain a bedroom facing Seddon Street that is provided with daylight from a secondary area and light court. The secondary area of each dwelling is 1.3m wide with a depth of approximately 1.8m.</p> <p>Both dwellings maintain living areas with excellent access to daylight via large windows and balconies. The overwhelming balance of amenity benefits of the proposal in terms of its location (in walking distance to shops, services and public transport) facilitates an amenity 'trade off' in which a minor noncompliance for two bedrooms within the entire development is ultimately an acceptable planning outcome. The proposal complies with Standard D28.</p>

## Natural ventilation objectives

Clause 58.07-4	Assessment
<b>Objectives</b> <ul style="list-style-type: none"> <li>To encourage natural ventilation of dwellings.</li> <li>To allow occupants to effectively manage natural ventilation of dwellings.</li> </ul>	<b>Complies</b>
<b>Standard D29</b> <ul style="list-style-type: none"> <li>The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.</li> <li>At least 40 per cent of dwellings should provide effective cross ventilation that has:               <ul style="list-style-type: none"> <li>A maximum breeze path through the dwelling of 18 metres.</li> <li>A minimum breeze path through the dwelling of 5 metres.</li> <li>Ventilation openings with approximately the same area.</li> </ul> </li> <li>The breeze path is measured between the ventilation openings on different orientations of the dwelling.</li> </ul>	<p>29 dwellings (44.6%) are cross-ventilated in accordance with the standard.</p>