

Assessment Officer Report

PA2302374, Queen Victoria
Market Precinct, Towers 1
and 2



Officer Assessment Report
Development Approvals & Design

© The State of Victoria Department of Transport and Planning 2024

Disclaimer

This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.



Department
of Transport
and Planning

OFFICIAL



Contents

Executive Summary	4
Proposal	8
Application Process	8
Proposal Summary	14
Subject Site and Surrounds	20
Site Description	20
Victorian Heritage Register	21
Heritage Victoria Permit	22
Recent Site History	23
National Heritage Place	23
Site Surrounds	23
Planning Provisions	28
Municipal Planning Strategy	28
Planning Policy Framework	28
Zoning and Overlays	29
Applicable Zones	29
Capital City Zone – Schedule 1 (Outside the Retail Core)	29
Applicable Overlays	29
Heritage Overlay – Schedule 7 (Queen Victoria Market Precinct) and Schedule 496 (Queen Victoria Market, 65-159 Victoria Street, Melbourne)	29
Design and Development Overlay – Schedule 1 (Urban Design in Central Melbourne)	30
Development Plan Overlay – Schedule 11 (Queen Victoria Market Precinct)	30
Parking Overlay – Schedule 1 (Capital City Zone – Outside the Retail Core)	30
Particular Provisions	31
Referrals and Notice	32
Referrals	32
Melbourne City Council	32
Head, Transport for Victoria	32
Office of the Victorian Government Architect	33
Notice	34
Assessment	35



Permit application requirements under DPO11	35
Assessment against DPO11	39
Development Plan	39
Affordable Housing	41
Response to Design Objectives in DP	42
Queen Victoria Market Precinct Framework Plan 2017	49
Vision Statements	50
Table 1 of DPO11 (Built Form)	51
Overshadowing	55
Wind	57
Design and Development Overlay – Schedule 1	59
Pedestrian Links / Landscaping	62
Car Parking, Bicycle Parking, Loading / Unloading and Waste	63
Car Parking	63
Bicycle Parking	64
Loading / Unloading	65
Waste	65
Environmental considerations	65
Environmentally Sustainable Design (ESD)	65
Water Sensitive Urban Design (WSUD)	66
Environmental Audit	66
Noise	66
Signage	67
Aboriginal Cultural Heritage	67
Recommendation	69
Prepared by:	70
Reviewed / Approved by:	70
Appendix 2: Clause 58 Assessment (Better Apartments Design Standards)	71
Application requirements	71
Urban context report	71
Design response	71
Urban context objectives	72
Residential policy objectives	72
Dwelling diversity objectives	72
Infrastructure objectives	72
Integration with the street objective	73
Energy efficiency objectives	73



Communal open space objective	74
Solar access to communal outdoor open space objective	75
Safety objective	75
Landscaping objectives	75
Access objectives	77
Parking location objectives	77
Integrated water and stormwater management objectives	77
Building setback objectives	78
Internal views objective	78
Noise impacts objectives	79
Wind impacts objective	80
Accessibility objective	80
Building entry and circulation objectives	81
Private open space objective	82
Storage objective	83
Common property objectives	83
Site services objectives	83
Waste and recycling objectives	84
External walls and materials objective	84
Functional layout objective	85
Room depth objective	85
Windows objective	85
Natural ventilation objectives	86

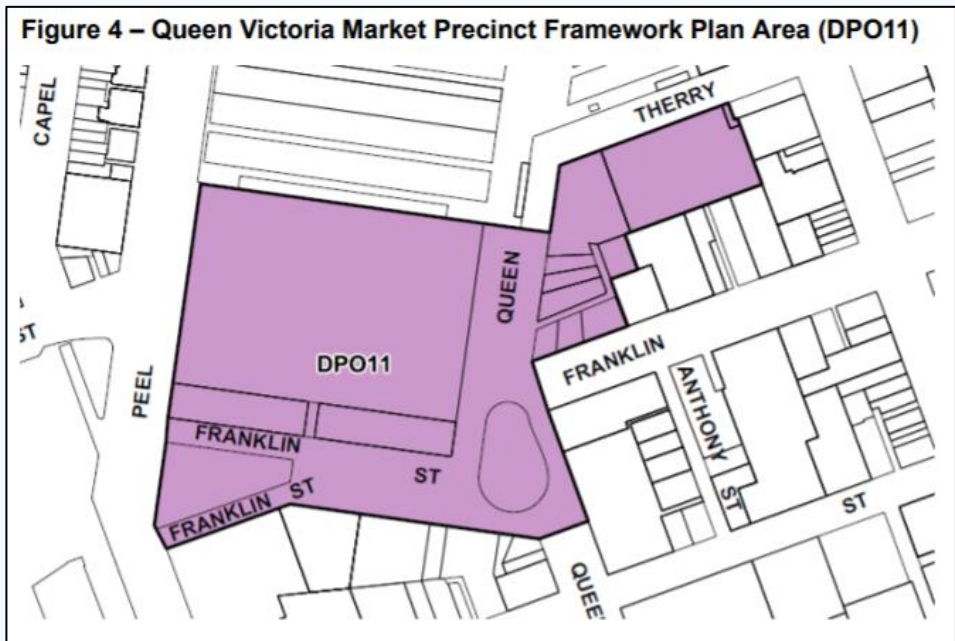
Executive Summary



Key Information	Details
Application No:	PA2302374
Received:	17 July 2023 (lodged 27 July 2023)
Statutory Days:	77 days (to 16 August 2024)
Applicant:	Lendlease Development Pty Ltd C/- Urbis
Planning Scheme:	Melbourne
Land Address:	Part Crown Allotment 2057 at West Melbourne City of Melbourne Parish of Melbourne North
Development Plan approval:	28 June 2024 <ul style="list-style-type: none"> Development Plan titled 'Queen Victoria Market Southern Precinct Development Plan, June 2024' (the DP); Planning Report prepared by Urbis and dated 17 June 2024; Heritage Impact Assessment prepared by Lovell Chen and dated 9 May 2024; and Transport Management Plan prepared by WSP and dated 13 May 2024.
Proposal:	Use of the site as a car park and construction of an office building and a residential building
Development Value:	\$442,656,470.00

Why is the Minister responsible? In accordance with the schedule to Clause 72.01 of the Planning Scheme, the Minister for Planning is the responsible authority for this application as it is:

- Land included in the Development Plan Overlay, Schedule 11 – Queen Victoria Market Precinct Framework Plan Area (Figure 4 of this Schedule).



Why is a permit required?	Clause	Control	Trigger
Zone:	Clause 37.04	Capital City Zone – Schedule 1 (Outside the Retail Core)	Use of the land for a car park and it must meet the requirements of Clause 52.06 and not be an open lot car park. Construct a building or construct or carry out works.



Construct or put up for display a sign.

Overlays:

Clause 43.01	Heritage Overlay – Schedule HO496 (Queen Victoria Market, 65-159 Victoria St, Melbourne) <i>N.B. Schedule HO7 extends only to the southern wall of the Franklin Street Stores, it does not include the southern canopy.</i>	N/A – no permit is required as Heritage Victoria have issued a permit for the proposed development
--------------	--	--

Clause 43.02	Design and Development Overlay: <ul style="list-style-type: none"> Schedule 1 (Urban Design in Central Melbourne) Schedule 10 (General Development Area – Built Form) <i>N.B. DDO10 covers the area to the west of the site, which includes the western canopy of the Franklin Street Stores. Given that no works are proposed to the canopy, DDO10 is not triggered.</i>	Construct a building or construct or carry out works.
--------------	--	---

Clause 43.04	Development Plan Overlay – Schedule 11 (Queen Victoria Market Precinct)	Any permit issued for the use, subdivision or development of the land must be generally in accordance with: <ul style="list-style-type: none"> The approved Development Plan (ie 'Queen Victoria Market Southern Precinct Development Plan, June 2024'); The Queen Victoria Market Precinct Framework Plan 2017 at Figure 1; and The Vision in Clause 3.0. Any permit issued for the use, subdivision or development of the land must be compliant with the provisions of Table 1. A permit must not be granted for a development that does not meet the mandatory requirements in Table 1.
--------------	---	---

Clause 45.09	Parking Overlay – Schedule 1 (Capital City Zone – Outside the Retail Core)	N/A – as the number of car parking spaces proposed is less than the car parking rate of 1 per dwelling and 214 spaces for the office use.
--------------	--	---

Particular Provisions:

Clause 52.05	Signs	Sign requirements are at Clause 52.05.
--------------	-------	--

Clause 52.06	Car Parking	N/A – A permit is only required to provide more than the maximum parking provision specified in a schedule to the Parking Overlay.
--------------	-------------	--

Clause 52.34	Bicycle Facilities	N/A – A permit is only required to provide less than the required bicycle facilities.
--------------	--------------------	---

Clause 53.18	Stormwater Management in Urban Development	An application to construct a building or construct or carry out works: <ul style="list-style-type: none"> Must meet all of the objectives of Clauses 53.18-5 and 53.18-6.
--------------	--	---



- Should meet all of the standards of Clauses 53.18-5 and 53.18-6.

Clause 58 Apartment Developments

A development:

- Must meet all of the objectives of this clause.
- Should meet all of the standards of this clause.

Cultural Heritage: Cultural Heritage Management Plans exist for the Development Plan site:

- CHMP 14125 (Old Melbourne Cemetery) – approved on 15 May 2018
- CHMP 17098 (outside of Old Melbourne Cemetery) – approved on 12 May 2020

Total Site Area: 5,854 m²

Gross Floor Area:

Tower 1 above ground: 57,730 m²
 Tower 2 above ground: 55,975 m²
 Basement car park: 20,372 m²
Total: 134,077 m²

Floor Area Ratio: 19.42:1 (GFA above ground level 113,705 m² / site area 5,854 m²)

Total Site Area for Parcel D: 11,892 m²

Gross Floor Area (above ground) for Parcel D:

Tower 1: 57,730 m²
 Tower 2: 55,975 m²
 Tower 3: 43,072 m²
 Franklin Street Stores: 3,208 m²
Total: 159,985 m²

Floor Area Ratio for Parcel D: 13.45:1

Height:

Tower 1	29 storeys, excluding plant (31 storeys, including plant) 124.57 metres, including plant 154.15m AHD to the top of the plant
Tower 2	47 storeys, excluding plant (48 storeys, including plant) 161.35 metres, including plant 188.95m AHD to the top of plant

Land Uses:	Dwellings	Affordable Housing Dwellings	Office	Retail
	106 x studio		42,851 m ²	822 m ² (Tower 1)
	159 x 1 bedroom	49 x 1 bedroom	(Net Lettable Area)	602 m ² (Tower 2)
	211 x 2 bedroom	32 x 2 bedroom		(Gross Lettable Area – Retail)
	12 x 3 bedroom			
	Total: 488 dwellings	Total: 81 dwellings		
	Total dwellings: 569			

Parking:	Cars	Motorcycles	Bicycles
	82 commercial	4	953
	198 public		
	87 residential		
	20 trader vans		
	Total: 387 car spaces		



Referral Authorities: Melbourne City Council (recommending)
Head, Transport for Victoria (determining)

Advice sought: Heritage Victoria (informal)
Office of the Victorian Government Architect (OVGA) (informal)

Public Notice: Pursuant to the Development Plan Overlay, if a development plan has been prepared to the satisfaction of the responsible authority, an application under any provision of this planning scheme is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.
The DP was endorsed on 28 June 2024 and as such the application is exempt from the notice requirements.

Delegates List: Approval to determine under delegation received on 12 August 2024.



Application Process

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

Milestone	Date
Pre-application meeting (DTP, Melbourne City Council, HV (various meetings) & applicant)	15 December 2022; 31 January 2023; 14 February 2023 (Site Visit); 2 March 2023; 19 April 2023; 26 April 2023; 11 May 2023; 23 May 2023; and 30 May 2023. In addition, there were multiple meetings on specific matters; e.g. wind, overshadowing, etc DTP officers also attended multiple Heritage Victoria pre-application meetings
OVGA Design Workshops	29 March 2023; 19 April 2023; 10 May 2023; 11 October 2023; and 15 November 2023.
Application lodgement	27 July 2023
Further information requested	31 July 2023
Further information received	5 April 2024
Further plans submitted formally under s50 of the Act	31 May 2024
Decision Plans	<p><u>Overall Plans</u> – Architectural plans prepared by NH Architects, titled ‘QVM Southern Development Site’, dated various dates (received 4 June 2024) and known as drawings:</p> <ul style="list-style-type: none"> • NHA-BS-A-P20-90-00 (Rev 7) – Overall Layout Plan - Foundation • NHA-BS-A-P20-91-00 (Rev 10) – Overall Layout Plan – Level B4 • NHA-BS-A-P20-92-00 (Rev 10) – Overall Layout Plan – Level B3 • NHA-BS-A-P20-93-00 (Rev 10) – Overall Layout Plan – Level B2 • NHA-BS-A-P20-94-00 (Rev 11) – Overall Layout Plan – Level B1 • NHA-SI-A-P20-00-00 (Rev 12) – Overall Layout Plan Level GR • NHA-SI-A-P20-01-00 (Rev 9) – Overall Layout Plan Level 01 • NHA-SI-A-P20-03-00 (Rev 8) – Overall Layout Plan Level 03 • NHA-SI-A-P20-06-00 (Rev 8) – Overall Layout Plan Level 06 • NHA-SI-A-P20-10-00 (Rev 8) – Overall Layout Plan Level 10 • NHA-SI-A-P20-42-00 (Rev 8) – Overall Layout Plan Level 42 • NHA-SI-A-P20-43-00 (Rev 8) – Overall Layout Plan Level 43 • NHA-SI-A-P20-47-00 (Rev 7) – Overall Layout Plan Level 47 • NHA-SI-A-P22-99-02 (Rev 7) – Overall Section – 1 • NHA-SI-A-P22-99-03 (Rev 7) – Overall Section – 2 • NHA-SI-A-P40-99-01 (Rev 10) – Overall Elevations – North • NHA-SI-A-P40-99-02 (Rev 8) – Overall Elevations – East

- NHA-SI-A-P40-99-03 (Rev 9) – Overall Elevations – South
- NHA-SI-A-P40-99-04 (Rev 8) – Overall Elevations – West
- NHA-SI-A-P44-99-00 (Rev 1) – Sky Signage Detail

Tower 1 Plans – Architectural plans prepared by **3XN**

Architects, titled ‘QVM Southern Development Site’, dated various dates (received 4 June 2024) and known as drawings:

- 3XN-T1-A-P21-00-00 (Rev 10) – Layout Plan-T1-Ground Level
- 3XN-T1-A-P21-01-00 (Rev 09) – Layout Plan-T1-Level 01
- 3XN-T1-A-P21-02-00 (Rev 08) – Layout Plan-T1-Level 02
- 3XN-T1-A-P21-03-00 (Rev 07) – Layout Plan-T1-Level 03
- 3XN-T1-A-P21-04-00 (Rev 07) – Layout Plan-T1-Level 04
- 3XN-T1-A-P21-05-00 (Rev 07) – Layout Plan-T1-Level 05
- 3XN-T1-A-P21-06-00 (Rev 07) – Layout Plan-T1-Level 06
- 3XN-T1-A-P21-07-00 (Rev 07) – Layout Plan-T1-Level 07
- 3XN-T1-A-P21-08-00 (Rev 07) – Layout Plan-T1-Level 08
- 3XN-T1-A-P21-09-00 (Rev 07) – Layout Plan-T1-Level 09
- 3XN-T1-A-P21-10-00 (Rev 07) – Layout Plan-T1-Level 10
- 3XN-T1-A-P21-11-00 (Rev 07) – Layout Plan-T1-Level 11
- 3XN-T1-A-P21-12-00 (Rev 07) – Layout Plan-T1-Level 12
- 3XN-T1-A-P21-13-00 (Rev 07) – Layout Plan-T1-Level 13
- 3XN-T1-A-P21-14-00 (Rev 07) – Layout Plan-T1-Level 14
- 3XN-T1-A-P21-15-00 (Rev 07) – Layout Plan-T1-Level 15
- 3XN-T1-A-P21-16-00 (Rev 07) – Layout Plan-T1-Level 16
- 3XN-T1-A-P21-17-00 (Rev 07) – Layout Plan-T1-Level 17
- 3XN-T1-A-P21-18-00 (Rev 07) – Layout Plan-T1-Level 18
- 3XN-T1-A-P21-19-00 (Rev 07) – Layout Plan-T1-Level 19
- 3XN-T1-A-P21-20-00 (Rev 07) – Layout Plan-T1-Level 20
- 3XN-T1-A-P21-21-00 (Rev 07) – Layout Plan-T1-Level 21
- 3XN-T1-A-P21-22-00 (Rev 07) – Layout Plan-T1-Level 22
- 3XN-T1-A-P21-23-00 (Rev 07) – Layout Plan-T1-Level 23
- 3XN-T1-A-P21-24-00 (Rev 07) – Layout Plan-T1-Level 24
- 3XN-T1-A-P21-25-00 (Rev 07) – Layout Plan-T1-Level 25
- 3XN-T1-A-P21-26-00 (Rev 07) – Layout Plan-T1-Level 26
- 3XN-T1-A-P21-27-00 (Rev 07) – Layout Plan-T1-Level 27
- 3XN-T1-A-P21-28-00 (Rev 07) – Layout Plan-T1-Level 28
- 3XN-T1-A-P21-29-00 (Rev 07) – Layout Plan-T1-Level 29
- 3XN-T1-A-P21-30-00 (Rev 07) – Layout Plan-T1-Level 30
- 3XN-T1-A-P21-31-00 (Rev 07) – Layout Plan-T1-Roof Level
- 3XN-T1-A-P42-99-01 (Rev 10) – Building Elevation-T1-North
- 3XN-T1-A-P42-99-02 (Rev 09) – Building Elevation-T1-South
- 3XN-T1-A-P42-99-03 (Rev 08) – Building Elevation-T1-East
- 3XN-T1-A-P42-99-04 (Rev 09) – Building Elevation-T1-West
- 3XN-T1-A-P42-99-11 (Rev 06) – Podium Elevation-T1-North Zone 1
- 3XN-T1-A-P42-99-12 (Rev 07) – Podium Elevation-T1-North Zone 2
- 3XN-T1-A-P42-99-13 (Rev 08) – Podium Elevation-T1-North Zone 3
- 3XN-T1-A-P42-99-21 (Rev 08) – Podium Elevation-T1-South Zone 1
- 3XN-T1-A-P42-99-22 (Rev 07) – Podium Elevation-T1-South Zone 2
- 3XN-T1-A-P42-99-23 (Rev 08) – Podium Elevation-T1-South Zone 3
- 3XN-T1-A-P42-99-31 (Rev 08) – Podium Elevation-T1-East Zone 1

- 3XN-T1-A-P42-99-41 (Rev 07) – Podium Elevation-T1-West Zone 1
- 3XN-T1-A-P42-99-42 (Rev 07) – Podium Elevation-T1-West Zone 2
- 3XN-T1-A-P42-99-43 (Rev 07) – Podium Elevation-T1-West Zone 3
- 3XN-T1-A-P43-99-01 (Rev 07) – Building Section-T1-1 and 2
- 3XN-T1-A-P43-99-11 (Rev 06) – Podium Section-T1-1
- 3XN-T1-A-P43-99-12 (Rev 06) – Podium Section-T1-2
- 3XN-T1-A-P43-99-13 (Rev 06) – Podium Section-T1-3
- 3XN-T1-A-P44-99-00 (Rev 02) – Visualisations
- 3XN-T1-A-P44-99-01 (Rev 02) – Façade Introduction
- 3XN-T1-A-P44-99-02 (Rev 02) – Façade Strategy-Scoping Elevations
- 3XN-T1-A-P44-99-03 (Rev 02) – Façade Strategy-Scoping Ground Floor
- 3XN-T1-A-P44-99-10 (Rev 02) – Façade Strategy-T1-Tower North 01
- 3XN-T1-A-P44-99-11 (Rev 02) – Façade Strategy-T1-Tower North 02
- 3XN-T1-A-P44-99-20 (Rev 02) – Façade Strategy-T1-Tower West 01
- 3XN-T1-A-P44-99-21 (Rev 02) – Façade Strategy-T1-Tower West 02
- 3XN-T1-A-P44-99-22 (Rev 02) – Façade Strategy-T1-Balustrade
- 3XN-T1-A-P44-99-30 (Rev 02) – Façade Strategy-T1-South+East+Core 01
- 3XN-T1-A-P44-99-31 (Rev 02) – Façade Strategy-T1-South+East+Core 02
- 3XN-T1-A-P44-99-40 (Rev 02) – Façade Strategy-T1-Plant Interface (Louvres)
- 3XN-T1-A-P44-99-50 (Rev 02) – Façade Strategy-T1-Podium 01
- 3XN-T1-A-P44-99-51 (Rev 02) – Façade Strategy-T1-Podium 02
- 3XN-T1-A-P44-99-60 (Rev 02) – Façade Strategy-T1-Ground 1-Retail Portals
- 3XN-T1-A-P44-99-61 (Rev 02) – Façade Strategy-T1-Ground 2-Retail Portals
- 3XN-T1-A-P44-99-62 (Rev 02) – Façade Strategy-T1-Ground 3-Car Park Lift
- 3XN-T1-A-P44-99-63 (Rev 02) – Façade Strategy-T1-Ground 3-Car Park Entry
- 3XN-T1-A-P44-99-64 (Rev 02) – Façade Strategy-T1-Ground 4-Lobby Facade
- 3XN-T1-A-PSCH-99-03 (Rev 02) – Materials & Finishes Schedule-T1

Tower 2 Plans – Architectural plans prepared by **NH Architects**, titled ‘QVM Southern Development Site’, dated various dates (received 4 June 2024) and known as drawings:

- NHA-T2-A-P21-00-00 (Rev 11) – Layout Plan-T2-Level GR
- NHA-T2-A-P21-01-00 (Rev 9) – Layout Plan-T2-Level 01
- NHA-T2-A-P21-02-00 (Rev 9) – Layout Plan-T2-Level 02
- NHA-T2-A-P21-03-00 (Rev 9) – Layout Plan-T2-Level 03
- NHA-T2-A-P21-04-00 (Rev 9) – Layout Plan-T2-Level 04
- NHA-T2-A-P21-05-00 (Rev 10) – Layout Plan-T2-Level 05
- NHA-T2-A-P21-06-00 (Rev 10) – Layout Plan-T2-Level 06
- NHA-T2-A-P21-07-00 (Rev 10) – Layout Plan-T2-Level 07-

08

- NHA-T2-A-P21-09-00 (Rev 10) – Layout Plan-T2-Level 09
- NHA-T2-A-P21-10-00 (Rev 10) – Layout Plan-T2-Typical-Level 10-21, 25-37, 41
- NHA-T2-A-P21-22-00 (Rev 10) – Layout Plan-T2-Level 22
- NHA-T2-A-P21-23-00 (Rev 10) – Layout Plan-T2-Level 23-24, 39-40
- NHA-T2-A-P21-38-00 (Rev 8) – Layout Plan-T2-Level 38
- NHA-T2-A-P21-42-00 (Rev 10) – Layout Plan-T2-Level 42
- NHA-T2-A-P21-43-00 (Rev 9) – Layout Plan-T2-Typical-Level 43-46
- NHA-T2-A-P21-47-00 (Rev 9) – Layout Plan-T2-Level Plant
- NHA-T2-A-P21-48-00 (Rev 8) – Layout Plan-T2-Level Roof
- NHA-T2-A-P23-99-01 (Rev 7) – Apartment Types-T2-(AFF) Typ A1, A2, A3
- NHA-T2-A-P23-99-02 (Rev 7) – Apartment Types-T2-(AFF) Typ A4, A5, A6
- NHA-T2-A-P23-99-03 (Rev 7) – Apartment Types-T2-(AFF) Typ A7, A8, A9
- NHA-T2-A-P23-99-04 (Rev 7) – Apartment Types-T2-(AFF) Typ A10, A11, A12
- NHA-T2-A-P23-99-05 (Rev 5) – Apartment Types-T2-(AFF) Typ A13, A14, A15
- NHA-T2-A-P23-99-06 (Rev 5) – Apartment Types-T2-(AFF) Typ A16, A17, A18
- NHA-T2-A-P23-99-07 (Rev 7) – Apartment Types-T2-(AFF) Typ B1, B2, B3
- NHA-T2-A-P23-99-08 (Rev 7) – Apartment Types-T2-(AFF) Typ B4, B5, B6
- NHA-T2-A-P23-99-09 (Rev 5) – Apartment Types-T2-(AFF) Typ B7, B8, B9
- NHA-T2-A-P23-99-10 (Rev 5) – Apartment Types-T2-(AFF) Typ B10, B11
- NHA-T2-A-P23-99-11 (Rev 5) – Apartment Types-T2-(BTR) Typ S1, S2, S3, S4
- NHA-T2-A-P23-99-12 (Rev 5) – Apartment Types-T2-(BTR) Typ A1, A2, A3
- NHA-T2-A-P23-99-13 (Rev 5) – Apartment Types-T2-(BTR) Typ A4, A5, A6
- NHA-T2-A-P23-99-14 (Rev 5) – Apartment Types-T2-(BTR) Typ A7
- NHA-T2-A-P23-99-15 (Rev 5) – Apartment Types-T2-(BTR) Typ B1, B2, B3
- NHA-T2-A-P23-99-16 (Rev 5) – Apartment Types-T2-(BTR) Typ B4, B5, B6
- NHA-T2-A-P23-99-17 (Rev 5) – Apartment Types-T2-(BTR) Typ B7, B8
- NHA-T2-A-P23-99-18 (Rev 5) – Apartment Types-T2-(BTR) Typ C1, C2, C3
- NHA-T2-A-P42-99-01 (Rev 9) – Building Elevation-T2-North
- NHA-T2-A-P42-99-02 (Rev 9) – Building Elevation-T2-West & Spine West
- NHA-T2-A-P42-99-03 (Rev 9) – Building Elevation-T2-South
- NHA-T2-A-P42-99-04 (Rev 9) – Building Elevation-T2-East & Spine East
- NHA-T2-A-P42-99-05 (Rev 7) – Podium Elevation-T2-1-North
- NHA-T2-A-P42-99-06 (Rev 8) – Podium Elevation-T2-2-North
- NHA-T2-A-P42-99-07 (Rev 6) – Podium Elevation-T2-3-North
- NHA-T2-A-P42-99-08 (Rev 7) – Podium Elevation-T2-4-



North

- NHA-T2-A-P42-99-09 (Rev 7) – Podium Elevation-T2-5-West
- NHA-T2-A-P42-99-10 (Rev 7) – Podium Elevation-T2-6-South
- NHA-T2-A-P42-99-11 (Rev 6) – Podium Elevation-T2-7-South
- NHA-T2-A-P42-99-12 (Rev 6) – Podium Elevation-T2-8-South
- NHA-T2-A-P42-99-13 (Rev 7) – Podium Elevation-T2-9-South
- NHA-T2-A-P42-99-14 (Rev 7) – Podium Elevation-T2-10-East
- NHA-T2-A-P43-99-01 (Rev 8) – Building Section-T2-1
- NHA-T2-A-P43-99-02 (Rev 9) – Building Section-T2-2
- NHA-T2-A-P43-99-03 (Rev 8) – Podium Section-T2-1
- NHA-T2-A-P43-99-04 (Rev 8) – Podium Section-T2-2
- NHA-T2-A-P43-99-05 (Rev 8) – Podium Section-T2-3
- NHA-T2-A-P44-00-01 (Rev 2) – Façade Strategy-T2-Podium North Retail
- NHA-T2-A-P44-00-02 (Rev 2) – Façade Strategy-T2-Podium Residential Lobby
- NHA-T2-A-P44-00-03 (Rev 2) – Façade Strategy-T2-Podium North Coworking Façade
- NHA-T2-A-P44-00-04 (Rev 2) – Façade Strategy-T2-Podium North Residential Balcony
- NHA-T2-A-P44-00-05 (Rev 2) – Façade Strategy-T2-Podium West Residential Façade
- NHA-T2-A-P44-00-06 (Rev 2) – Façade Strategy-T2-Podium South Residential Balcony
- NHA-T2-A-P44-00-07 (Rev 2) – Façade Strategy-T2-Podium South Coworking Façade
- NHA-T2-A-P44-00-08 (Rev 2) – Façade Strategy-T2-Podium South Residential Lobby
- NHA-T2-A-P44-00-09 (Rev 2) – Façade Strategy-T2-Podium South Retail
- NHA-T2-A-P44-99-01 (Rev 2) – Façade Strategy-T2-Tower A North Upper
- NHA-T2-A-P44-99-02 (Rev 2) – Façade Strategy-T2-Tower B North Lower
- NHA-T2-A-P44-99-03 (Rev 2) – Façade Strategy-T2-Green Spine North
- NHA-T2-A-P44-99-04 (Rev 2) – Façade Strategy-T2-Tower A East Upper
- NHA-T2-A-P44-99-05 (Rev 2) – Façade Strategy-T2-Tower A East Lower
- NHA-T2-A-P44-99-06 (Rev 2) – Façade Strategy-T2-Tower A South Lower
- NHA-T2-A-P44-99-07 (Rev 2) – Façade Strategy-T2-Tower B South Upper
- NHA-T2-A-PSCH-01 (Rev 5) – Materials & Finishes Schedule T2

Other Assessment Documents

Planning Report prepared by Urbis and dated 12 January 2024;

Design Response and Overshadowing Diagrams prepared by NH Architects and 3XN Architects and dated January 2024;

Traffic Engineering Report prepared by WSP and dated 15 May 2024;



Car Parking Management Plan prepared by WSP and dated 13 May 2024;

Sustainability Management Plan – Tower 1 prepared by WSP and dated 27 March 2024;

Sustainability Management Plan – Tower 2 prepared by WSP and dated 27 March 2024;

Waste Management Plan prepared by WSP and dated 20 May 2024;

Pedestrian Wind Environment Study prepared by Windtech and dated 7 June 2024;

Landscape Report prepared by NH Architects, 3XN Architects and Openwork and dated January 2024;

Daylight Modelling Memo prepared by WSP and dated 15 December 2023;

Arboricultural Assessment prepared by Arbor Survey and dated 4 May 2023;

Acoustic Design Report – Tower 1 & Basement Levels prepared by PWNA and dated 21 December 2023;

Acoustic Design Report – Tower 2 prepared by PWNA and dated 21 December 2023;

Preliminary Public Realm Lighting Strategy prepared by LCI Consultants and dated 18 September 2023;

Development Schedule prepared by NH Architects and dated 30 May 2024;

Gross Floor Area Analysis – T1 prepared by Rider Levett Bucknall and dated 7 May 2024;

Gross Floor Area Analysis – T2 prepared by Rider Levett Bucknall and dated 7 May 2024;

Supplementary Visualisations prepared by NH Architect and 3XN Architects and dated April 2024;

Tenancy and Furniture Guidelines for Laneway Elements / Guidelines for Management and Maintenance of Laneways prepared by Lendlease and Scape received 29 May 2024;

Summary of Environmental Assessments prepared by Senversa Pty Ltd and dated 18 July 2023;

Structural Limitations Advice prepared by Robert Bird Group and dated 31 August 2023; and

Overall Construction and Environmental Management Plan prepared by Lendlease and dated 10 January 2024.

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



Proposal Summary

3. The application proposes:

- Use of the land for a car park;
- Construction of a 29 storey office building (Tower 1);
- Construction of a 47 storey Build to Rent residential building (Tower 2);
- Construction of three new pedestrian links; and
- Erect advertising signs.



Figure 1: Concept image of the proposed buildings viewed from the north (Source: Application)



4. Specific details of the application include:

- Basement car park:
 - 387 car parking spaces (82 commercial, 198 public, 87 residential and 20 trader vans);
 - 284 bicycle spaces (235 residential and 49 visitor);
 - 4 motorcycle spaces; and
 - GFA 20,372 m².
- Tower 1:
 - 42,851 m² of office;
 - 822 m² of retail;
 - 645 bicycle spaces (601 office (Level 1), 8 T1/T2 retail (Level 1), 6 visitor (Ground Level – external) and 30 visitor (Ground Level – internal)); and
 - GFA 57,730 m².
- Tower 2:
 - 569 dwellings (106 x studios, 159 x 1 bedroom, 211 x 2 bedroom, 12 x 3 bedroom and 49 x 1 bedroom (Affordable Housing) and 32 x 2 bedroom (Affordable Housing));
 - 602 m² of retail;
 - 24 visitor bicycle spaces (Ground Level – external); and
 - GFA 55,975 m².

5. Overall, the proposal includes:

- 42,851 m² of office;
- 1,424 m² of retail;
- 569 dwellings, including 81 affordable housing dwellings;
- 387 car parking spaces, including 198 public and 20 trader van spaces;
- 953 bicycle spaces;
- 4 motorcycle spaces;
- An east-west pedestrian link (minimum 5.5 metres wide)
- Two north-south pedestrian links between Towers 1 and 2 (minimum 6.85 metres wide) and between Towers 2 and 3 (minimum 5.8 metres wide); and
- Total GFA 134,077 m².

6. A detailed description of the building envelopes is as follows:

- Basement Levels B1-B4 are built to all boundaries.
- Tower 1:
 - The Ground Level is generally built to all boundaries, with the exception of the south-west corner and the north-west corner, which are setback to allow for plaza areas and landscaping. The building is also



setback to the north, from the Franklin Street Stores (FSS), allowing for the 5.5 metre wide east-west pedestrian link.

- Level 01 includes similar setbacks to the Ground Level. Projecting façade elements extend 300 mm beyond the Franklin Street title boundary and 500 mm beyond the Peel / William Street title boundary. Awnings to Franklin Street have a maximum depth of 1.3 metres.
- Level 02 includes similar setbacks to Level 01, with the built form extending over part the east-west pedestrian link, setback 2.86 metres from the FSS.
- Level 03 includes similar setbacks to Level 02, with the built form extending further over part of the east-west pedestrian link in a staggered form and 250 mm over the FSS. A wind canopy extends 1.25 metres over the FSS for the part of the built form that extends over the FSS.
- Level 04 has similar setbacks to Level 03, without the wind canopy extending over the FSS. A terrace is incorporated along the west façade (previously internal floor area).
- Level 05 has similar setbacks to Level 04, with a terrace wrapping around the west and south elevations. The west elevation is setback a minimum 10.02 metres from Peel / William Street, measured to the edge of the 500 mm projection. The south elevation is setback 6.0 metres from Franklin Street, measured to the edge of the 300 mm projection.
- Levels 06-09 include similar setbacks to Level 05.
- Level 10 includes similar setbacks to Levels 06-09, with the built form eroding in the south-west corner to provide a terrace.
- Levels 11-14 include similar setbacks to Level 10.
- Level 15 includes similar setbacks to Levels 11-14, with the built form further eroding in the south-west corner to provide a terrace.
- Level 16 includes similar setbacks to Level 15, with the built form eroding in the north-west corner to provide a terrace.
- Level 17 includes similar setbacks to Level 16, with the built form eroding in the south-west corner to provide a terrace.
- Level 18 includes similar setbacks to Level 17.
- Level 19 includes similar setbacks to Level 18, with the built form eroding in the north-west corner to provide a terrace.
- Level 20 includes similar setbacks to Level 19, with the built form eroding in the south-west corner to provide a terrace.
- Level 21 includes similar setbacks to Level 20.
- Level 22 includes similar setbacks to Level 21, with the built form eroding in the south-west corner to provide a concealed BMU and in the north-west corner to provide a terrace.
- Levels 23-24 includes similar setbacks to Level 22.
- Level 25 includes similar setbacks to Levels 23-24, with the built form eroding in the north-west corner to provide a terrace.
- Level 26 includes similar setbacks to Level 25, with the built form eroding in the south-west corner to provide a terrace.
- Level 27 includes similar setbacks to Level 26.



- Level 28 includes similar setbacks to Level 27, with the built form eroding in the north-west corner to provide a terrace.
 - Level 29 includes similar setbacks to Level 28, with the built form eroding in the south-west corner to provide a terrace.
 - Level 30 includes similar setbacks to Level 29.
 - Tower 2
 - The Ground Level is generally built to all boundaries, with the exception of the south-east corner, which is setback to allow for stair access to Level 01. The building is also setback from the FSS, allowing for the 5.5 metre wide east-west pedestrian link.
 - Level 01 includes similar setbacks to the Ground Level, with voids along the north, east and south elevations to create ground level double height spaces.
 - Level 02 includes similar setbacks to Level 01, with the built form extending over part the east-west pedestrian link, setback 3.18 metres from the FSS.
 - Level 03 includes similar setbacks to Level 02, with the built form extending over part the east-west pedestrian link, setback 3.025 metres from the FSS.
 - Level 04 includes similar setbacks to Level 03, with the built form extending over part the east-west pedestrian link, setback 2.575 metres from the FSS.
 - Level 5 includes similar setbacks to Level 4, with the built form extending over part of the east-west pedestrian link, setback 625 mm from the FSS. A vertical break in the north and south façade begins on this level and extends to the entire height of the building. The south elevation is setback 6.01 metres from Franklin Street, 11.25 metres from Tower 1 and 17.385 metres from Tower 3.
 - Levels 6-41 include similar setbacks to Level 5.
 - Level 42 includes similar setbacks to Levels 6-41, with the built form setback 21 metres from the west and providing a covered terrace.
 - Levels 43-47 (plant level) include similar setbacks to Level 42.
7. A detailed description of the floorplates is as follows:
- Basement Levels B1-B4 across both Towers 1 and 2:
 - Basement Level B4 includes 42 public car spaces, 82 commercial / weekend market use car spaces, stores, a 30,000 litre rainwater tank, plant and services.
 - Basement Level B3 includes 81 public car spaces, 41 residential car spaces, resident stores, commercial stores, a 30,000 litre rainwater tank, plant and services.
 - Basement Level B2 includes 75 public car spaces, 46 residential car spaces, resident stores, commercial stores, residential waste room, a 30,000 litre rainwater tank, plant and services.
 - Basement Level B1 includes 20 trader van spaces, 3 loading bays, 284 residential bicycle spaces (235 for residents and 49 for resident visitors), substations, residential stores, commercial stores, commercial waste room, plant and services.
 - Tower 1:
 - The Ground Level includes five retail tenancies, lobby with access from the east-west pedestrian link and Peel / William Street, 30 internal visitor bicycle spaces, 6 external visitor bicycle spaces, basement



access via three lanes from Franklin Street, loading bays access from Franklin Street, bicycle EoT entry from Franklin Street, lift lobby, plant and services.

- Level 01 includes office and EoT bicycle facilities, including 609 bicycle spaces (601 for office and 8 for retail) and shower and change room facilities.
 - Levels 02-28 are office floor levels.
 - Levels 29-30 are plant levels.
 - Signage is proposed on the building as follows:
 - 1 x internally illuminated business identification high wall sign measuring 3.8 metres high x 21.55 metres long along the plant levels on the west elevation;
 - 1 x internally illuminated business identification high wall sign measuring 6.61 metres high x 8.1 metres long plant level 30 on the north elevation;
 - 1 x indicative signage zone on Level 01 for the building tenant and 1 x signage zone for the car park entry along the south elevation;
 - 1 x signage zone on the Ground Level for the pedestrian car park entry / lifts along the east elevation; and
 - 2 x indicative signage zones on Level 01 for the building tenant along the west elevation.
 - The podium will have a height of 19.75 metres, as measured from the centre of the Peel / William Street frontage (29.4m AHD) and the tower will have a height of 124.57 metres (154.15m AHD), as measured from the highest point of the site frontage (29.58m AHD) to the top of the plant (definitions as per DPO11).
 - The materials and finishes include glazing, aluminium façade framing, concrete, masonry and metal louvres.
- Tower 2:
 - The Ground Level includes five retail tenancies, lobby with access from the east-west pedestrian link and Franklin Street, lobby lounge, mail room, informal meeting area, residential storage, outdoor dining associated with the retail tenancies that front the east-west pedestrian link, a north-south through block link, public amenities, 24 visitor bicycle spaces, lift core, and stair access to Level 01 along the east elevation, plant and services.
 - Level 01 includes communal offices, co-working spaces, 'third spaces' and a landscaped terrace.
 - Levels 02-46, with the exception of Level 42, include dwellings.
 - Communal indoor and outdoor areas are provided on Level 02, 05, 22, 38 and 42.
 - Level 47 is the plant level.
 - Indicative signage zones are proposed on the Ground Level along the north and south elevations.
 - The podium will have a height of 20 metres, as measured from the centre of the Franklin Street frontage (27.05m AHD) and the tower will have a height of 138.05 metres (165.65m AHD) (west portion) and 161.35 metres (188.95m AHD) (east portion), as measured from the highest point of the site frontage (27.6m AHD) to the top of the plant (definitions as per DPO11).
 - The materials and finishes include various colours of glazing, concrete, metal, brick and powder coated metal.



8. Indicative locations of wind mitigation measures within each of the north-south pedestrian links are also shown on the plans.
9. The application is supported by consultant reports including a planning report, traffic engineering report, car parking management plan, sustainability management plans, waste management plan, wind assessment, landscape report, daylight modelling memo, arboricultural assessment, acoustic reports, public realm lighting strategy, FAR reports, supplementary visualisations, tenancy, furniture and maintenance guidelines, summary of environmental assessments and construction management plan.
10. The proposal under consideration in this report is based on the following:
 - Overall plans prepared by NH Architects, titled 'QVM Southern Development Site', dated various dates and received on 4 June 2024;
 - Tower 1 plans prepared by 3XN Architects, titled 'QVM Southern Development Site', dated various dates and received on 4 June 2024; and
 - Tower 2 plans prepared by NH Architects, titled 'QVM Southern Development Site', dated various dates and received on 4 June 2024.



Site Description

11. The subject site is located within the south-west portion of the broader Queen Victoria Market (QVM) precinct and is generally bound by Franklin Street to the south, Peel Street / William Street to the west, the southern interface of the Franklin Street Stores (FSS) to the north and the future Tower T3 site to the east.
12. The site has a frontage to Franklin Street of 169.23 metres, a frontage to Peel Street / William Street of 65.45 metres (including the splay on the corner of William and Franklin Streets), a depth along the east boundary of 26.34 metres, a frontage to the FSS of 164.08 metres and an overall site area of 5,854 m².
13. The site:
 - occupies part of Parcel D identified in Development Plan Overlay – Schedule 11 (DPO11). Parcel D is an irregular shaped parcel of land, approximately 11,890 m² in area, located at the southern end of the market and includes the FSS.
 - comprises an at-grade publicly accessible open car park. A single car lane exists on either side of the parking lot providing access east from Queen Street and west from Peel Street / William Street.
 - includes irregular tree planting throughout the car park with raised medians located at the eastern end of the car park for tree planting.
 - interfaces with the FSS, which are listed on the Victorian Heritage Register.
 - is Crown land, formally known as part Crown Allotment 2057 at West Melbourne City of Melbourne Parish of Melbourne North. There are no easements, restrictions or reserves on the site.

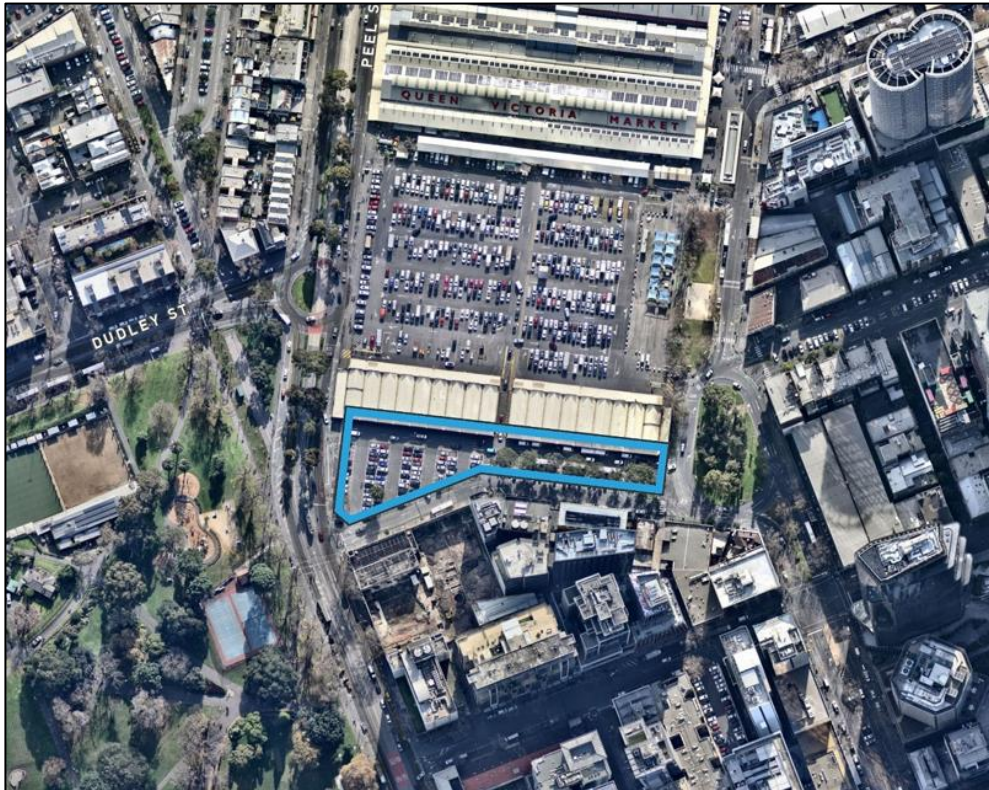


Figure 2: Subject site (Source: Application)

14. To support the QVM Precinct Renewal Program, the Victorian Government and the Melbourne City Council (the council) entered into a formal agreement in 2014 to transfer Crown land south of the FSS to the council subject to delivery of a range of obligations across the QVM Market Precinct. Freehold land is being created as a result of the

land transfer, being Parcel D, Southern Development Site, providing opportunities for mixed-use development, as well as the relocation of existing at-grade public car parking underground.

Victorian Heritage Register

15. The Queen Victoria Market (QVM) is listed on the Victorian Heritage Register (VHR H0734) identifying it as a place of State heritage significance.

16. The VHR citation notes that:

The Queen Victoria Market is of historical significance as one of the great nineteenth century markets of Victoria and the only one surviving from a group of important central markets built by the corporation of the City of Melbourne. It has been in continual operation as a retail market since the 1870s. The Queen Victoria Market is of historical significance as the site of Melbourne's first official cemetery, which was in use between 1837 and 1854, and intermittently from 1854 until its final closure in 1917. [Criterion A]

The former cemetery site is of archaeological significance because it contains an estimated 6,500 to 9,000 burials. The site has the potential to yield information about the early population of Melbourne, including Aboriginal and European communities, and their burial practices and customs. [Criterion C]

The Queen Victoria Market is of architectural significance as a notable example of the class of produce market. It is a remarkably intact collection of purpose built nineteenth and early twentieth century market buildings, which demonstrate the largely utilitarian style adopted for historic market places combined with the later attempt to create a more appealing 'public' street frontage through the construction of rows of nineteenth century terrace shops along Elizabeth Street and Victoria Street. [Criterion D]

The Queen Victoria Market is of social significance for its ongoing role and continued popularity as a fresh meat and vegetable market, shopping and meeting place for Victorians and visitors alike. [Criterion G]

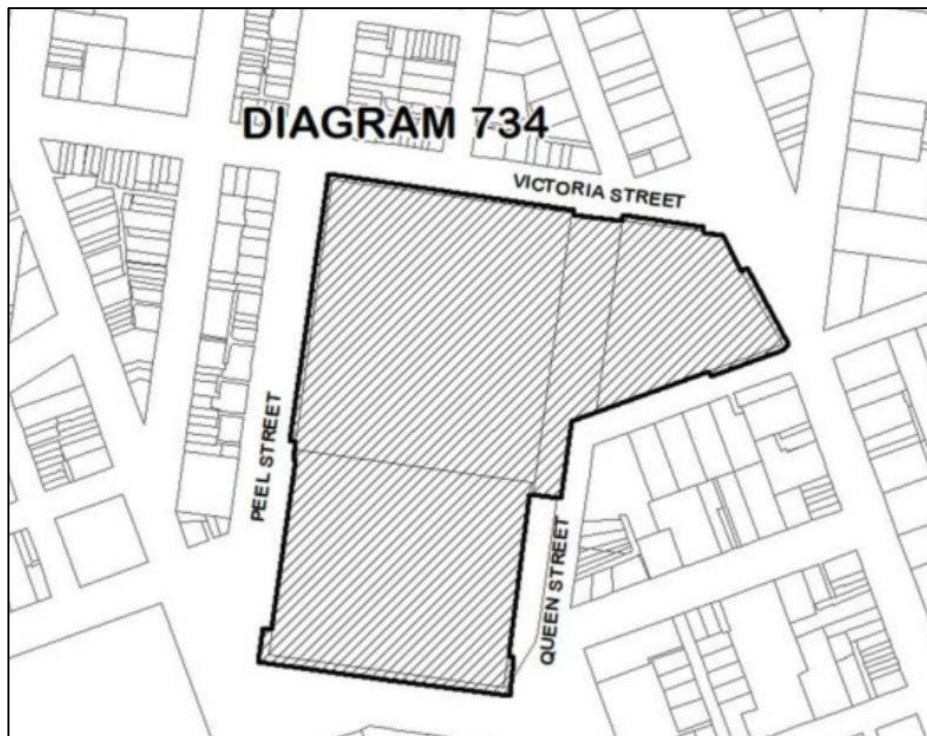


Figure 3: VHR extent of registration (Source: Victorian Heritage Database)



Figure 4: QVM plan (Source: Victorian Heritage Database)

Heritage Victoria Permit

17. On 20 December 2023, Heritage Victoria issued a Heritage Permit (P36779) for the proposed works to Parcel D and the Market Square / Shared Zone for:

'Construction of two multi-level towers to the southern edge of the Queen Victoria Market on Franklin Street (only partially within the extent of registration), works to the Franklin Street Stores including partial demolition of the southern canopy, temporary dismantling and reinstatement of the southern, eastern and western canopies, conservation and adaptation works to facilitate the introduction of new uses, demolition works to the existing at-grade market carpark (including demolition of the waste receiving station) and development of a new public open space (Market Square).'

18. The permit includes a number of conditions that require:

- Engagement of various consultants to be approved by the Executive Director: Archaeology Team, Heritage Consultant, Engineer, Landscape Architect; and
- Approval of the following documents:
 - Archaeological Management Plan;
 - Archival quality photographic survey;
 - Staging Plan;
 - Heritage Protection Plan;
 - Detailed design plans;
 - Landscape Plans;
 - Construction ready plans;
 - Heritage Interpretation Plan;

- Tenancy Design Guidelines; and
- Bank Guarantees to ensure the satisfactory completion of all works required for the exterior and interior of the Franklin Street Stores, the reinstatement of the canopy to the north, west and east elevations and partial reinstatement of the canopy to the south elevation of the Franklin Street Stores.

Recent Site History

19. In September 2014, the council entered into an agreement with the Victorian State Government to support the QVM Precinct Renewal, seeking to create opportunities for commercial and residential development to add to the vibrancy and sustainability of the QVM precinct.
20. In August 2017, Planning Scheme Amendment C245 was gazetted to facilitate the Queen Victoria Market Precinct Renewal. The amendment (specific to the site):
 - rezoned the existing at-grade car park between Shed M and the FSS from Capital City Zone – Schedule 1 to Public Park and Recreation Zone;
 - applied the Development Plan Overlay – Schedule 11, which incorporates a vision and design requirements for the development of land within and adjacent to the QVM;
 - amended the local policy to include the QVM Renewal Built Form Review and Recommendations (April 2015) and QVM Precinct Renewal Master Plan (July 2015) as reference documents;
 - amended the local policy to include a provision that development should not overshadow Flagstaff Gardens between 11am and 2pm on 22 June; and
 - amended the scheme to make the Minister for Planning the responsible authority for approval of any Development Plan or planning permit application under DPO11 and the land within the area covered by DPO11.
21. The council's QVM Precinct Renewal Program seeks to boost visitation to the QVM Precinct, accelerate the market's recovery, return QVM to profitability from 2025, and generate significant benefits for the community.
22. To support the Program, the Victorian Government and the council entered into an agreement in 2014 to transfer Crown land south of the FSS to the council subject to delivery of a range of obligations across the QVM Precinct.
23. Freehold land is being created as a result of the land transfer, being Parcel D of the Southern Development Site.
24. Funds secured through development of Parcel D will be reinvested into the QVM.
25. The council went out to tender for the QVM Southern Development Site in June 2021. Lend Lease Development Pty Ltd were announced as the preferred developer on 28 June 2023.

National Heritage Place

26. On 23 July 2028, the Queen Victoria Market was included on the National Heritage List and is protected under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act 1999).
27. On 21 June 2024, a delegate of the Commonwealth Minister for the Environment and Water decided that the proposed action (the proposal) is a controlled action under the EPBC Act 1999 and that it will be assessed by a Public Environment Report.
28. This process is currently underway by the Commonwealth Government. The assessment required under the EPBC Act 1999 is separate to the considerations under the *Planning and Environment Act 1987*.

Site Surrounds

29. The site is located within the QVM Precinct, on the northern edge of Melbourne's CBD. To the north of the site are the QVM sheds, the City North precinct, which includes the Parkville National Employment and Innovation Cluster,



and the lower scale mixed use neighbourhood of West Melbourne. To the south and east of the site, is the CBD which includes a mix of tower developments and heritage buildings of various scales and a variety of uses. To the south-west of the site is Flagstaff Gardens.

30. The site is positioned in close proximity to multiple public transport options (trains, trams and buses) and public open spaces. Flagstaff Train Station is located 350 metres to the south and Melbourne Central Train Station is located 700 metres to the south-east. Tram routes are located along Peel Street / William Street (No. 58), La Trobe Street (No. 30 and No. 35) and Elizabeth Street (No. 19, No. 57 and No.59). Multiple bus routes are located within close proximity (No. 220, No. 232, No. 234, No. 235, No. 236, No. 237, No. 546, No. 605 and No. 959).

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

- To the **north** of the site is the existing at-grade car park and the balance of the QVM, consisting of Trading Sheds A – L, the Dairy and Meat Halls, the centre laneway, as well as shops fronting Victoria Street and Elizabeth Street to the north and east. This forms the northern portion of the QVM precinct area. The built form is low scale, reflecting the historic market buildings of the area.

Further north of the QVM is Victoria Street, which includes two lanes of traffic in each direction, car parking parallel to both footpaths and a central tramway. North of Victoria Street is the City North precinct that consists of medium scale development given its location as an area of transition between the CBD and Carlton.

- To the **east** of the site is land associated with Tower 3. Beyond this is Queen Street, the location of the former roundabout intersection at Queen and Franklin Streets. The road network has been recently altered, consistent with the DP, creating one way traffic in a westerly direction along Franklin Street to the south of the site, and two way traffic along Queen Street between Franklin Street to the south of the site and Franklin Street to the east of the site.

On the east side of Queen Street are a mix of multi storey commercial and residential buildings. On the corner of Queen Street and Therry Street is the QVM Munro development, which was recently constructed. It is a mixed use development comprising a hotel, dwellings (including Build to Rent and affordable housing dwellings), community uses including a council library, retail and a public car park. The development varies in height from 40 metres to 125 metres.

To the south of this site is 432-438, 440 and 446-450 Queen Street, which includes single and double storey buildings. The site is known as Parcel B – Stage 1 and a Development Plan (DP2000876) and Planning Permit (PA2000875) have been approved for a 67 metre (21 storey) high mixed use building, comprising retail and dwellings (including affordable rental housing). Works have yet to commence on site. To the south of this site are properties 422-428 Queen Street, 142-146 Franklin Street and 132 Franklin Street, which include a single and double storey building and a vacant site. This site is known as Stage 2 of Parcel B and to date, no planning approvals have been issued for the redevelopment of this site.

On the south-east corner of Queen Street and Franklin Street, at 410 Queen Street, are the Melbourne Terrace Apartments. This is a 6-8 storey residential building, with lower level retail and office uses.

To the south of this site is 400 Queen Street, a 6 storey car park with ground and mezzanine offices.

- To the **south** of the site is Franklin Street, which directs traffic one-way in a west direction between Queen Street and William Street. The southern side of the street includes parallel parking.

On the south-east corner of Franklin Street and William Street, at 386-412 William Street, is the remainder of the existing heritage facades along William Street and Franklin Street and the shell of a single storey building in the north-west corner of the site. Planning Permit 2013009182-4 (issued on 8 June 2015 and most recently amended on 13 July 2023) allows for the construction of a 16-36 storey mixed-use building comprising, office, residential hotel and retail.

To the east of this site, at 243-263 Franklin Street is a part 10 and part 12 residential building with a covered pedestrian link (Frederick Way) along its eastern boundary. To the east of this site, at 229-241 Franklin Street,

is a 10 storey student accommodation building. Further east at 225 and 215-223 Franklin Street are 2 and 3 storey office and warehouse buildings. On the south-west corner of Franklin Street and Queen Street, at 211-213 Franklin Street and 375 Queen Street, are two, 2 storey buildings, one occupied by a restaurant.

- To the **west** of the site is Peel Street / William Street, a major north-south thoroughfare that connects the CBD to the inner northern suburbs. The streets include both single and double carriageways, bicycle lanes, a part bus lane and a central tramway for tram route No. 58. The roundabout intersection of Peel Street and Dudley Street is also located to the west of the site.

On the western side of Peel Street / William Street is the VHR heritage listed Flagstaff Gardens. To the north of the Gardens, on the west side of Peel Street are a mixture of 1, 2 and 3 storey residential and retail buildings.

32. There are several site developments existing, approved or proposed in the surrounding area, as illustrated below:



Figure 5: Subject site and surrounding context (Source: DTP 3D model)

Development Plan: 'Queen Victoria Market Southern Precinct Development Plan, June 2024'

33. The DP was approved under delegation on 26 March 2024, subject to amendments.

34. The DP provides an overarching planning framework to lead the transformation of the QVM Southern Precinct Development site and includes:

- A new 'Market Square', replacing the existing at-grade public car park with a landscaped public open space of 1.8 hectares. This includes a new shared path north of the Franklin Street Stores (FSS) to provide a pedestrian and bicycle connection to the surrounding streets and Flagstaff Gardens and deliveries to the FSS.
- The 'Queens Corner Building' (QCB) on Parcel C (maximum height 13 metres), a cultural and civic building incorporating public amenities, visitor centre and market and civic uses.

- Retail tenancies within the restored and revitalised FSS.
- Three buildings on Parcel D, including and to the south of the FSS – Tower 1 commercial building (125 metres), Tower 2 Build to Rent building (141 metres to 162 metres) and Tower 3 student housing building (176 metres), connected by new laneways activated with ground level retail, food and drink premises and building entries.
- Affordable housing – 15% of net area of Tower 2.
- An underground car park in the basement of Towers 1 and 2 and accessed from Franklin Street, primarily for market customers and traders, comprising 389 spaces, including 198 public car spaces, 20 trader van spaces, 82 commercial car spaces (to be accessible to market customers / general public on weekends), 87 residential car spaces and 2 loading bay spaces.
- Parcel D Gross Floor Area (GFA) of 159,948 m² (excluding basements, but including FSS area of 3,208 m²) and Floor Area Ratio (FAR) of 13.45:1.
- Sustainability outcomes including Green Factor; WELL Gold (Office); NABERS 5.5; Passive House (student housing); 100% renewables in operation; and Green Star 6 (office) and 5 (residential).
- A Staging Plan for the development.
- Various consultant reports inform and are part of the DP including:
 - Planning Report (to be endorsed as part of the DP);
 - Heritage Impact Assessment (to be endorsed as part of the DP);
 - Transport Management Report (to be endorsed as part of the DP);
 - Landscape Design Report;
 - Waste Management Plan;
 - Sustainability Strategy;
 - Stormwater Management Plan; and
 - Wind Report.

35. On 28 June 2024 the following documents were endorsed for the Queen Victoria Market Southern Precinct:

- Development Plan titled 'Queen Victoria Market Southern Precinct Development Plan, June 2024';
- Planning Report prepared by Urbis and dated 17 June 2024;
- Heritage Impact Assessment prepared by Lovell Chen and dated 9 May 2024; and
- Transport Management Plan prepared by WSP and dated 13 May 2024.

36. The DP is generally in accordance with the Development Plan Overlay - Schedule 11 (Queen Victoria Market Precinct) of the Melbourne Planning Scheme, which includes built form requirements in relation to matters such as building heights and setbacks, Floor Area ratio and through block links.

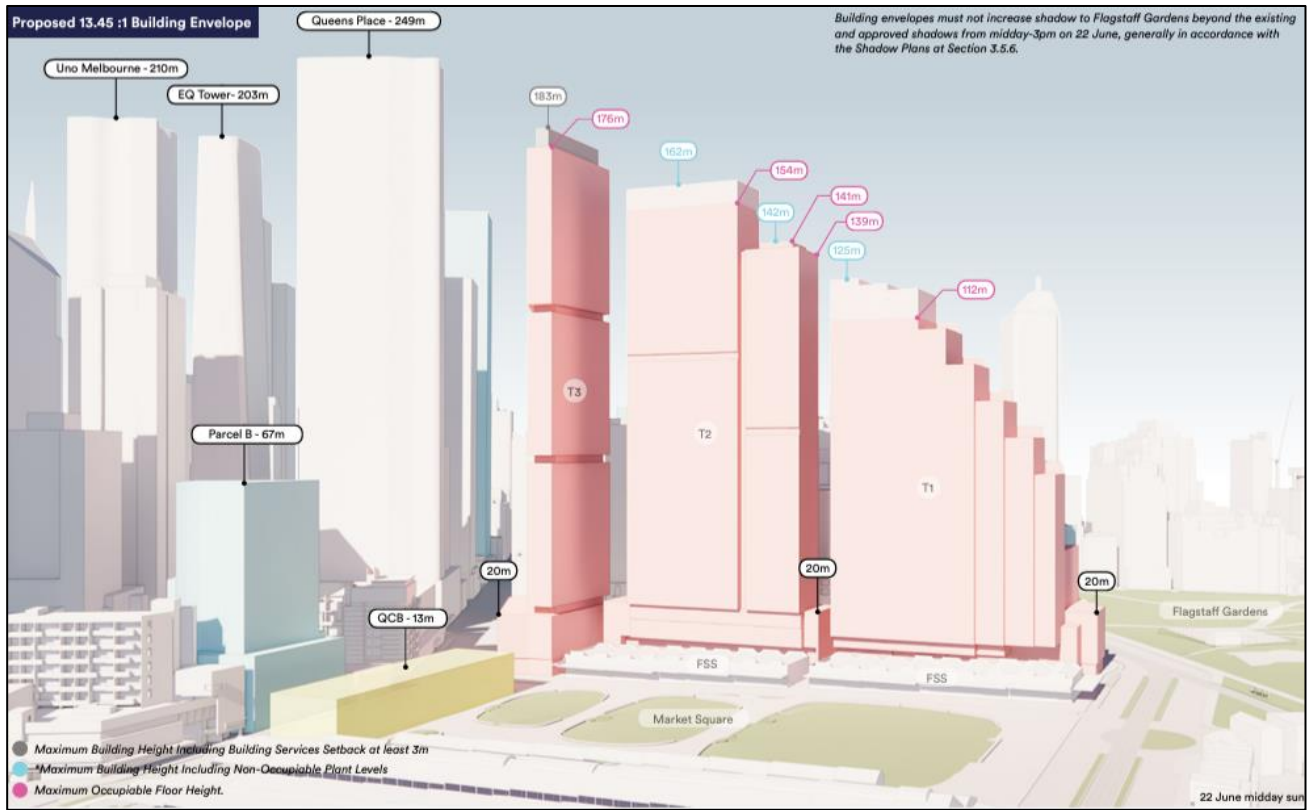


Figure 6: Proposed building envelopes in approved Development Plan (Source: DP Application)



Municipal Planning Strategy

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

Clause	Description
02.01	Context
02.02	Vision
02.03-4	Built environment and heritage
02.03-5	Housing
02.03-6	Economic development
02.03-7	Transport
02.03.08	Infrastructure
02.04	Strategic Framework Plans

Planning Policy Framework

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

Clause 11	Settlement
11.01-1S	Settlement
11.01-1R	Settlement – Metropolitan Melbourne
11.03-1S	Activity centres
11.03-1R	Activity centres – Metropolitan Melbourne
11.03-6L-09	Hoddle Grid
Clause 15	Built Environment and Heritage
15.01-1S	Urban design
15.01-1R	Urban design – Metropolitan Melbourne
15.01-1L-01	CBD Lanes
15.01-1L-02	Signs
15.01-1L-03	Sunlight to public spaces
15.01-1L-04	Urban design
15.01-2S	Building design
15.01-2L-01	Energy and resource efficiency
15.01-4S	Healthy neighbourhoods
15.01-4R	Healthy neighbourhoods – Metropolitan Melbourne
15.03-2S	Aboriginal cultural heritage
Clause 16	Housing
16.01-1S	Housing supply
16.01-1R	Housing supply – Metropolitan Melbourne
16.01-2S	Housing affordability



Clause 17	Economic Development
17.01-1S	Diversified economy
17.01-1R	Diversified economy – Metropolitan Melbourne
17.02-1S	Business
Clause 18	Transport
18.01-1S	Land use and transport integration
18.01-1L	Land use and transport planning
18.02-3S	Public transport
Clause 19	Infrastructure
19.03-3L	Stormwater management (Water sensitive urban design)
19.03-5S	Waste and resource recovery

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

Zoning and Overlays

Applicable Zones

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

40. Pursuant to Clause 1.0 of Schedule 1, a permit is not required for accommodation, office, place of assembly and retail premises. A permit is required for a car park and must meet the requirements of Clause 52.06 and must not be an open lot car park.
41. Pursuant to Clause 37.04-4, a permit is required to:
- Construct a building or construct or carry out works unless the schedule to this zone specifies otherwise.
 - An apartment development must meet the requirements of Clause 58.
42. Pursuant to Clause 37.04-5, a permit is required to construct or put up for display a sign.
43. Pursuant to Clause 3.0 of Schedule 1, a permit is required to construct a building or construct or carry out works.
44. Pursuant to Clause 5.0 of Schedule 1, a permit is required to erect an advertising sign. Sign requirements are at Clause 52.05. This zone is not in a sign category at Clauses 52.05-11 to 52.05-14.

Applicable Overlays

Heritage Overlay – Schedule 7 (Queen Victoria Market Precinct) and Schedule 496 (Queen Victoria Market, 65-159 Victoria Street, Melbourne)

45. Pursuant to Clause 43.01-1, a permit is required to:
- Construct a building or construct or carry out works.
 - Construct or display a sign.
46. Pursuant to Clause 43.01-3, a permit is not required under this overlay:
- To develop a heritage place which is included in the Victorian Heritage Register, other than an application to subdivide a heritage place of which all or part is included in the Victorian Heritage Register.



Design and Development Overlay – Schedule 1 (Urban Design in Central Melbourne)

47. Pursuant to Clause 43.02-1, a permit is required to construct a building or construct or carry out works. This does not apply if a schedule to this overlay specifically states that a permit is not required.

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

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

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

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

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

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

Development Plan Overlay – Schedule 11 (Queen Victoria Market Precinct)

49. Pursuant to Clause 43.04-2, a permit must not be granted to use, subdivide land, construct a building or construct or carry out works until a development plan has been prepared to the satisfaction of the responsible authority. This does not apply if a schedule specifically states that a permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority.

50. A permit granted must:

- Be generally in accordance with the development plan.
- Include any conditions or requirements specified in a schedule to this overlay.

51. Pursuant to Clause 1.0 of Schedule 11, a permit may be granted to use, subdivide land or for minor buildings and works to an existing development before a development plan has been prepared to the satisfaction of the responsible authority. The responsible authority must be satisfied that the grant of a permit will not prejudice the future use or development of the land in an integrated manner.

52. Pursuant to Clause 2.0 of Schedule 11, any permit issued for the use, subdivision or development of the land must be generally in accordance with:

- The approved Development Plan;
- The *Queen Victoria Market Precinct Framework Plan 2017* at Figure 1; and
- The Vision in Clause 3.0.

Any permit issued for the use, subdivision or development of the land must be compliant with the provisions of Table 1.

A permit must not be granted for a development that does not meet the mandatory requirements in Table 1.

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

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

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

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

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

Particular Provisions

56. The following particular provisions apply:

- Clause 52.05 – Signs
 - Pursuant to Clause 52.05-1, this clause applies to the development of land for all signs.
- Clause 52.34 – Bicycle Facilities
 - Pursuant to Clause 52.34-1, a new use must not commence until the required bicycle facilities and associated signage has been approved on the land.
- Clause 53.18 – Stormwater Management in Urban Development
 - Pursuant to Clause 53.18-3 an application to construct a building or construct or carry out works:
 - Must meet all of the objectives of Clauses 53.18-5 and 53.18-6.
 - Should meet all of the standards of Clauses 53.18-5 and 53.18-6.
- Clause 58 – Apartment Developments
 - Pursuant to Clause 58, the provisions of this clause apply to an application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development.



Referrals

57. The application was referred to the following groups:

Provision / Clause	Organisation	Date received
Capital City Zone – Schedule 1 (Section 55 Referral – Recommending)	Melbourne City Council	Various dates with final response received 13 August 2024
Clause 66.02-11 (Section 55 Referral – Determining)	Head, Transport for Victoria	5 February 2024
Informal	Heritage Victoria	No response received. Note: The application was referred as a courtesy, given it is within the DP site but not included within a Victorian Heritage Register site.
Internal	DTP – 3D Visualisation	25 January 2024 3D model checked and shadow analysis and context map provided.
Internal	Office of the Victorian Government Architect	31 July 2023 23 August 2023

Melbourne City Council

58. The Melbourne City Council (the council) considered the application at their Future Melbourne Committee (FMC) meeting on 6 August 2024. At the meeting, and as advised on 13 August 2024, the council resolved:

That the Future Melbourne Committee resolves to advise the Department of Transport and Planning that the Melbourne City Council does not object to the application subject to the conditions outlined in the delegate report (refer to Attachment 4 of the report from management).

59. In addition to ‘standard’ conditions, the council recommended conditions to require alterations to improve the ground level activation for the Peel / William Street interface of Tower 1, the pedestrian link area to the east of Tower 2 and the south side of Tower 2, together with a suite of ‘standard’ conditions.

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

Head, Transport for Victoria

61. Head, Transport for Victoria (HTfV) advised on 5 February 2024 that it does not object to the application, subject to the following conditions, which will be included on any permit to issue:

1. *Before development starts a Construction Management Plan must be submitted and approved to the satisfaction of Head, Transport for Victoria. The Construction Management Plan must include details of (but not be limited to) management proposals to minimise impacts to public transport assets and operations during construction and must set out:*
 - a) *how public transport operations, bus stops, traffic, walking and cycling movements will be managed during the demolition and construction*
 - b) *how traffic impacts to bus operations and associated infrastructure will be mitigated including any temporary bus stop relocations*
 - c) *a schedule of works for any temporary bus stop relocations*

- d) *a schedule of works for ultimate bus stop locations with shelters and all associated infrastructure (as required)*
- e) *all bus stops temporary and ultimate must be Disability Discrimination Act compliant.*

All construction works must be carried out in accordance with the approved Construction Management Plan. The Construction Management Plan must be implemented at no cost to the Head, Transport for Victoria to the satisfaction of the Head, Transport for Victoria.

2. *If the existing bus stops along Franklin and William Streets cannot be used during the construction of the development temporary bus stops must be provided in an alternative location at no cost and to the satisfaction of the Head, Transport for Victoria.*
3. *Any request for written consent to disrupt bus operations or temporary bus stops during the construction of the development must be submitted to and approved by the Head, Transport for Victoria not later than 8 weeks prior to the planned disruption / temporary bus stop relocation as set out in the approved Construction Management Plan.*
4. *Prior to the occupation of the development the temporary bus stops must be removed and reinstated to an agree location (as shown on the endorsed Construction Management Plan) all to the satisfaction of and at no cost to the Head, Transport for Victoria.*

Office of the Victorian Government Architect

62. The Office of the Victorian Government Architect (OVGA) led Design Review Workshops, attended further meetings and provided comment throughout the Development Plan and Tower 3 application processes. These meetings were facilitated by the OVGA and attended by DTP officers, council officers, Heritage Victoria officers and the applicant's project team.
63. The key matters discussed throughout the OVGA workshops and of relevance to Towers 1 and 2, can be summarised as follows.

Tower 1

- The quality of the design and articulation for Tower 1, as originally presented, must be maintained, including:
 - Façade detailing and depth, to avoid a 'flattening' of the tower form.
 - The relationship between the structural grid of the tower and the structural grid of the FSS.
 - The stepping, 'rotating' and massing of the terraces in response to the angular dimensions of the site and overshadowing to the Flagstaff Gardens.

Tower 2

- A number of improvements to Tower 2 have been made over the course of the application, including:
 - A grounding of the brickwork in the podium so that it extends to street level and integrates with the public realm.
 - The rebates and expressed spacing to each façade.
 - The junctions and trimming of the fenestration in the podium have been improved, but their materiality should be further refined.

Key matters for both towers

- The following key matters were relevant to both towers:
 - Ensuring articulation and material quality is achieved across all elevations.



- Wind mitigation (i.e. fins, screens and wind socks) should be appropriately designed and integrated.
- Building services should be embedded into the soffits above the east-west pedestrian link.

64. Most of these matters have been resolved via the DP, the s50 amendment plans received on 4 June 2024 and via further conditions on any permit to issue.

Notice

65. Pursuant to Clause 43.04-3 of DPO11, if a DP has been prepared to the satisfaction of the responsible authority, an application under any provision of this planning scheme is exempt from the notice requirement of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

66. The application is considered to be generally in accordance with the DP and is therefore exempt from the notice provisions of the Act.

67. It is noted that apart from DPO11, the application would be exempt from the notice and review requirements of the *Planning and Environment Act 1987* with regard to the other applicable permit triggers.



Permit application requirements under DPO11

69. Pursuant to DPO11, the following conditions and requirements are required for permits:

- Any permit issued for the use, subdivision or development of the land must be generally in accordance with:
 - The approved Development Plan;
 - The *Queen Victoria Market Precinct Framework Plan 2017* at Figure 1; and
 - The Vision in Clause 3.0.
- Any permit issued for the use, subdivision or development of the land must be compliant with the provisions of Table 1.
- A permit must not be granted for a development that does not meet the mandatory requirements in Table 1.

70. A permit application must provide the following requirements, noting that only those requirements relevant to the proposed early works have been included in the table below:

Requirement	Assessment
<p>Elevations and Cross-Section Plans that address and meet (as a minimum) the following design requirements:</p>	<p>Plans and cross-sections have been provided in the architectural set of plans as follows:</p> <ul style="list-style-type: none"> • Overall plans prepared by NH Architects, titled 'QVM Southern Development Site', dated various dates and received on 4 June 2024; • Tower 1 plans prepared by 3XN Architects, titled 'QVM Southern Development Site', dated various dates and received on 4 June 2024; and • Tower 2 plans prepared by NH Architects, titled 'QVM Southern Development Site', dated various dates and received on 4 June 2024.
<ul style="list-style-type: none"> • Where consistent with the heritage significance of existing buildings, continuous weather protection should be provided to the footpaths of Therry Street, Queen Street, Peel Street and to the southern side of the New Franklin Street to promote pedestrian amenity and provide protection from rain, wind and sun. 	<p>Canopies along the Peel / William Street and Franklin Street frontages of Tower 1 will promote pedestrian amenity and protection from rain, wind and sun.</p>
<ul style="list-style-type: none"> • An active frontage to the ground level of buildings fronting Therry Street, Queen Street, the southern side of New Franklin Street and Peel Street, comprising: <ul style="list-style-type: none"> ○ At least 5 metres or 80% of the street frontage (whichever is the greater) as an entry or display window to a shop and/or a food and drink premises, or ○ At least 5 metres or 80% of the street frontage (whichever is the greater) as other uses, customer service areas and activities, which provide pedestrian interest and interaction. 	<p>Active frontages are proposed along Peel / William Street, the east-west pedestrian link and both north-south pedestrian links, with services along the Franklin Street frontage (known as 'Formerly Franklin Street' in DPO11). Given the irregular site shape, the exposure of the many frontages and building and operational requirements (including the car park entry, loading entry, fire escape stairs and services), the ground level provides a high level of active frontage to 83% of the total frontage to Tower 1 and 85% of the total frontage to Tower 2.</p> <p>The active frontages are generally an entry and windows to the ground level lobbies, retail tenancies, the bicycle parking area and the café and retail spaces.</p>

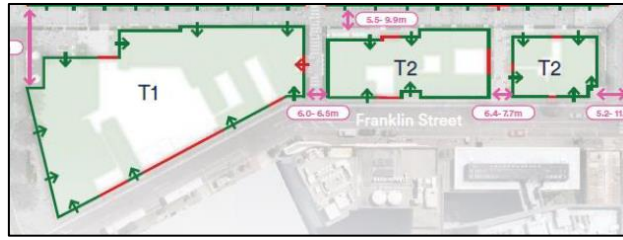


Figure 7: Active frontage (Source: Application)

- New development should not cast a shadow across the Flagstaff Gardens or the proposed public open space in Figure 1 between 11.00 am and 2.00 pm on 22 June, unless the Responsible Authority considers the overshadowing will not significantly prejudice the amenity of the open space.

Towers 1 and 2 will cast some additional shadow across the eastern edge of the Flagstaff Gardens between 11.00 am and 12.00 pm on 22 June. This is not considered to significantly prejudice the amenity of Flagstaff Gardens for the following reasons:

- The additional shadow, covering a maximum area of approximately 4,330 m², at 11.00 am, would occur within a limited timeframe (11:00 am to 12:00 pm on 22 June) at the winter solstice. The majority of Flagstaff Gardens would be unaffected by overshadowing at this time.
- The affected area of the Gardens is already compromised by shadows due to its proximity to taller buildings in the CBD. The shadows from Towers 1 and 2 would, in part, overlap with those cast by existing and approved built form.
- Tower 1 has been designed to minimise overshadowing with setbacks to William Street and a stepped building mass that steps down towards Flagstaff Gardens. The shadow cast by Tower 1 would be comparable to the shadow cast by the approved development to the south at 386-412 William Street.
- Overshadowing associated with Tower 2 would fill a gap between existing and approved shadows further to the south, which would not unreasonably affect any large open area within the Gardens.
- From 12:00 pm onward, Flagstaff Gardens would not be overshadowed.

This is consistent with the shadows permitted under the DP.



Figure 8: Shadow studies June 22 - 11:00am - 12:30pm (Source: DTP 3D model)



Figure 9: Shadow studies June 22 - 1:00pm - 2:00pm (Source: DTP 3D model)

Site Layout Plans that address and meet (as a minimum) the following design requirements:

Plans and cross-sections have been provided in the architectural set of plans as follows:

- Overall plans prepared by NH Architects, titled 'QVM Southern Development Site', dated various dates and received on 4 June 2024;
- Tower 1 plans prepared by 3XN Architects, titled 'QVM Southern Development Site', dated various dates and received on 4 June 2024; and
- Tower 2 plans prepared by NH Architects, titled 'QVM Southern Development Site', dated various dates and received on 4 June 2024.

• For street length blocks that exceed 100 metres in length the provision of at least one mid-block publicly accessible pedestrian link.

DPO11 requires Parcel D to include 2 north-south publicly accessible pedestrian links, noting that the southern frontage of Parcel D exceeds 200 metres. The location of the 2 north-south links is consistent with Figure 1 in DPO11.

• For street length blocks that exceed 200 metres in length the provision of at least two mid-block publicly accessible pedestrian links.

As above.

• New publicly accessible pedestrian links should be located to connect to the area's pedestrian network and enhance the pedestrian permeability of the public realm, generally as shown on Figure 1.

Consistent with the DP, two north-south pedestrian links are proposed between Towers 1 and 2 and between Towers 2 and 3, consistent with Figure 1 in DPO11. A new east-west pedestrian link (not envisaged by the planning scheme) is also proposed to the north of the site between Towers 1 and 2 and the FSS. Combined, these pedestrian links will provide a high level of connection and pedestrian permeability throughout the site and connecting with the broader QVM precinct and surrounding public realm.

• Vehicular ingress and egress to new development (excluding loading and unloading facilities) should not be constructed within a frontage to Therry Street, Queen Street, Peel Street or the southern side of the New Franklin Street, where vehicle access via an alternative frontage is possible.

Vehicular access points for the basement car park and ground level loading bays for Towers 1 and 2 are located along the Franklin Street frontage for Tower 1. This will ensure that the Franklin Street frontage for Tower 2 remains active and free of vehicle access. This is consistent with the requirements to ensure that key frontages along Queen Street, Peel / William Street and the shared zone (known as New Franklin Street in DPO11) are protected, as per the DPO11 requirements.

Floor Area Ratio assessment and report by an independent quantity

A FAR Assessment prepared by WTP and dated 7 May 2024 was submitted with the application, which identifies that the FAR for Towers 1 and 2 is



surveyor.	<p>19.42:1. However, given the proposed development for the remainder of Parcel D (Tower 3 and the FSS), overall, Parcel D must be generally in accordance with the DP that includes a FAR of 13.4:1.</p> <p>The site area of Parcel D is 11,892 m².</p> <p>The total GFA for Towers 1 (57,730 m²), 2 (55,975 m²) and 3 (43,072 m²) and the FSS (3,208 m²) is 159,985 m², equating to a FAR for Parcel D of 13.45:1.</p>
Materials and Finishes Schedule that outline the specifications of the proposed building materials and finishes.	The architectural set of plans for each Tower include a detailed materials and finishes schedule, which includes various types of glazing, concrete, aluminium façade framing, masonry, metal louvres, metal, brick, powder coated metal and concrete.
Wind Tunnel Model Study that addresses and meets (as a minimum) the following design requirements:	A Pedestrian Wind Environment Study prepared by Windtech and dated 7 June 2024 forms part of the application documents.
<ul style="list-style-type: none">• Demonstrates that new development will not adversely affect the amenity of the public realm.• New development adjoining the proposed public open space shown on Figure 1 and the frontages of Therry Street, Queen Street, the southern side of the New Franklin Street and Peel Street should be designed to be generally acceptable for short term stationary wind exposure (where the peak gust speed during the hourly average with a probability of exceedence of 0.1% in any 22.5o wind direction sector must not exceed 13ms-1).• New development adjoining all other public spaces should be designed to be generally acceptable for walking (where the peak gust speed during the hourly average with a probability of exceedence of 0.1% in any 22.5o wind direction sector must not exceed 16ms1).	The report demonstrates that with wind mitigation measures, the amenity of the public realm will not be adversely affected. Conditions will be included on any permit to issue requiring further testing be undertaken and that mitigation measures within the public realm are implemented as part of this approval (see discussion below).
Acoustic Assessment Report that addresses and meets (as a minimum) the following design requirements:	<p>Two Acoustic Reports (one for each building) prepared by PWNA and dated 21 December 2023 were submitted with the application.</p> <p>Given the commercial use for Tower 1, the report includes recommendations for treatments to mechanical plant and services throughout the building. This is considered reasonable, and a condition will be included on any permit to issue.</p> <p>The residential use for Tower 2 requires more extensive acoustic treatments. The report for Tower 2 provides a high level review of the proposal and the surrounding noise sources. Further details are required to identify the surrounding noise sources and the subsequent acoustic treatments. A condition will be included on any permit to issue requiring an updated acoustic report to address these.</p>
<ul style="list-style-type: none">• How noise sensitive uses will be protected from impacts from noise generating uses in the area.• Buildings to be occupied by a residential use should be designed to limit internal noise levels in habitable rooms to a maximum of 45dB in accordance with relevant Australian Standards for acoustic control.	
Environmental Sustainable Design and Water Sensitive Urban Design Assessment that outlines the initiatives	<p>Two Sustainability Management Plans (one for each building) prepared by WSP and dated 27 March 2024 were submitted with the application.</p> <p>These reports commit to a high level of sustainability for each building.</p>



that are to be included in the proposal.

However, the council has recommended that a condition be included on any permit to issue requiring the submission of updated SMPs to demonstrate a firm commitment to each of the nominated credits and show evidence where practical that the design team can resolve and demonstrate, which will be included on any permit to issue.

<p>Demolition and Construction Management Plan that addresses (as a minimum) the following design requirements:</p>	<p>An Overall Construction and Environment Management Plan prepared by Lendlease and dated 10 January 2024 was submitted with the application and generally addresses the relevant requirements. The council has recommended a standard condition for the approval and endorsement of a Construction Management and Tree Protection Plan, which will be included on any permit to issue.</p>
<ul style="list-style-type: none"> Compliance with the City of Melbourne Construction Management Plan Guidelines. 	<p>As above.</p>
<ul style="list-style-type: none"> Construction vehicle access and traffic management that ensures that the ongoing activities of the Queen Victoria Market are not adversely affected. 	<p>As above.</p>
<ul style="list-style-type: none"> Public safety and amenity. 	<p>As above.</p>
<ul style="list-style-type: none"> Air and dust management. 	<p>As above.</p>

Assessment against DPO11

Development Plan

71. The application is generally in accordance with the endorsed DP for the QVM Southern Precinct Development Site and is therefore supported. The proposed building form generally aligns with the podium height (20 metres), overall height (162 metres and 176 metres) and tower setbacks in the endorsed DP.

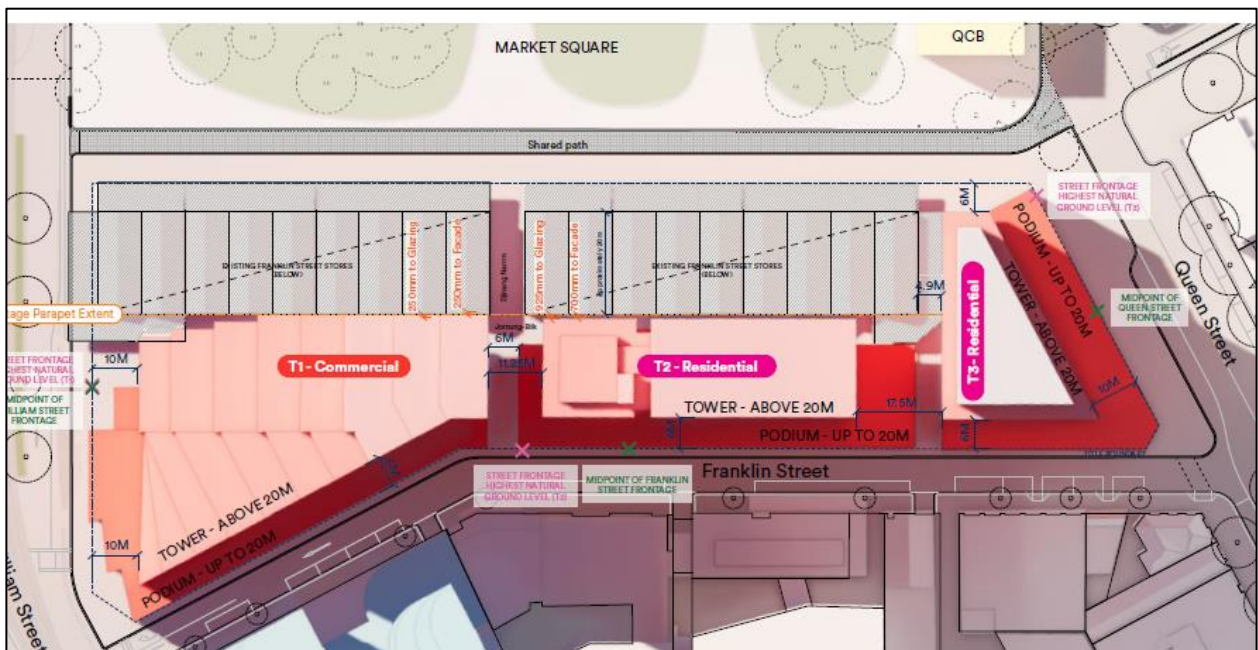


Figure 10: Page 52 of the endorsed Development Plan dated June 2024

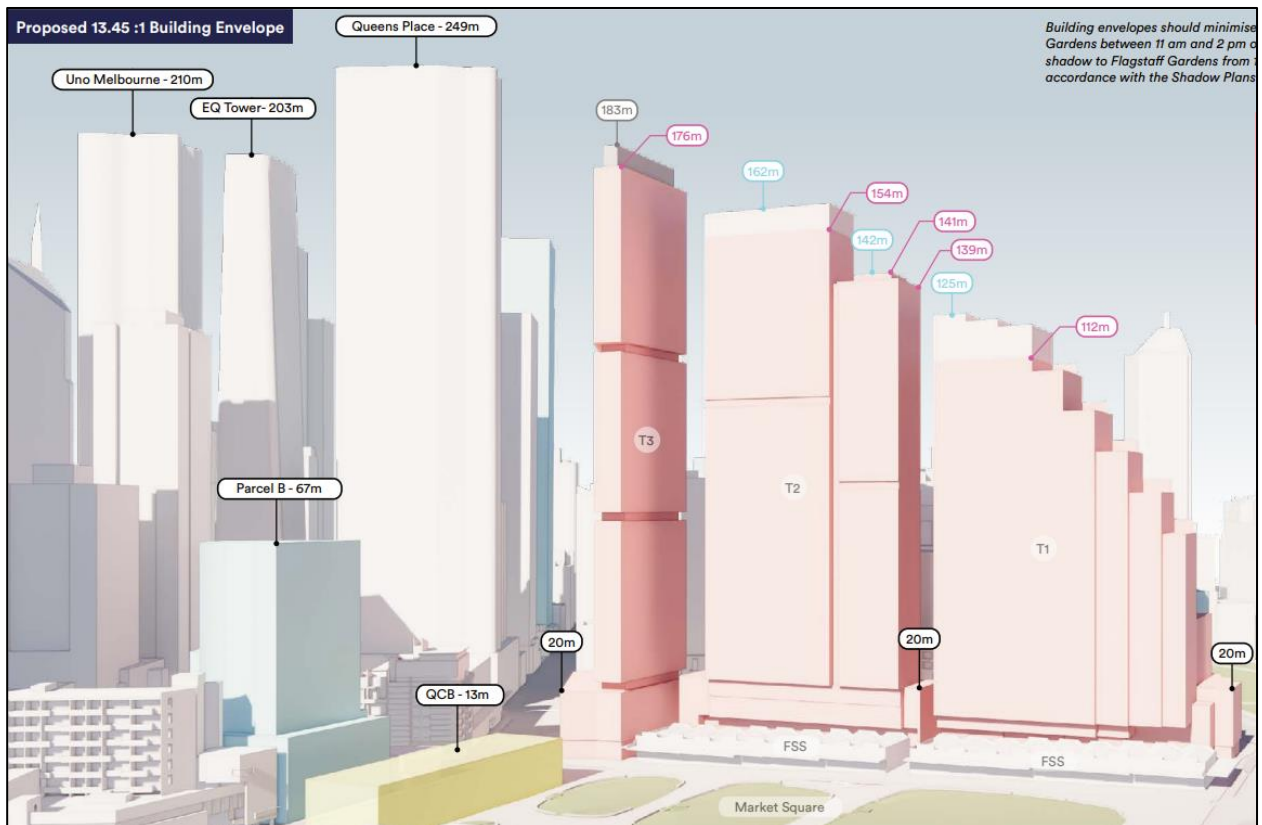


Figure 11: Page 55 of the endorsed Development Plan dated June 2024

72. The DP provides indicative podium and tower heights, tower setbacks, tower separation and Floor Area Ratio requirements. This application is assessed against the DP as follows:

	Queen Victoria Market Southern Precinct Development Plan, June 2024	Proposal
Podium height	20 metres (for both Towers)	Tower 1: 19.75 metres Tower 2: 20 metres
Tower setbacks	Tower 1: <ul style="list-style-type: none"> 6 metres from Franklin Street 20 metres from the northern façade of the FSS 10 metres from Peel / William Street Tower 2: <ul style="list-style-type: none"> 6 metres from Franklin Street 20 metres from the FSS 	Tower 1: <ul style="list-style-type: none"> 6 metres from Franklin Street 20 metres from the northern façade of the FSS 10 metres from Peel / William Street Tower 2: <ul style="list-style-type: none"> 6 metres from Franklin Street 20 metres from the FSS
Tower separation	Between Towers 1 and 2: 11.25 metres Between Towers 2 and 3: 17.5 metres	Between Towers 1 and 2: 11.25 metres Between Towers 2 and 3: 17.385 metres <i>*noting that the glazing line for Tower 3 is setback a further 355mm from the title boundary, which is consistent with the endorsed DP</i>



Building height	Tower 1: 125 metres Tower 2: 162 metres	Tower 1: 124.57 metres Tower 2: 161.35 metres
Floor Area Ratio	Parcel D: 13.45:1	19.42:1 (as it applies to Towers 1 and 2 area) 9.56:1 (as it applies to Parcel D); leaving 3.89:1 or 46,259 m ² for Tower 3
Gross Floor Area (above ground)	Tower 1: 57,757 m ² Tower 2: 55,911 m ² Tower 3: 43,072 m ² Franklin Street Stores: 3,208 m ² <u>Total</u> : 159,948 m ²	Tower 1: 57,730 m ² Tower 2: 55,975 m ² Tower 3: 43,072 m ² Franklin Street Stores: 3,208 m ² <u>Total</u> : 159,985 m ² (+37 m²)
Interface to FSS and the east-west pedestrian link	<p>Tower 1:</p> <ul style="list-style-type: none"> • Ground: 5.5 – 14.8 metres • Level 1: 5.5 – 14.3 metres • Level 2: 2.8 – 14.3 metres • Level 3 and above: 0.25 metre overhang • Height clearance: 7.5 – 12 metres • Wind lip extending over FSS: 1 metre <p>Tower 2:</p> <ul style="list-style-type: none"> • Ground: 5.5 – 9.9 metres • Level 1: 5.5 – 10.2 metres • Level 2: 3.18 metres • Level 3: 3.05 metres • Level 4: 2.6 metres • Level 5 and above: 0.7 metres • Height clearance: 7.5 – 9.8 metres 	<p>Tower 1:</p> <ul style="list-style-type: none"> • Ground: 5.5 – 14.8 metres • Level 1: 5.5 – 14.8 metres • Level 2: 2.8 – 14.8 metres • Level 3 and above: 0.25 metre overhang • Height clearance: 7.5 – 12 metres • Wind lip extending over FSS: 1.25 metres (+0.25 metres) <p>Tower 2:</p> <ul style="list-style-type: none"> • Ground: 5.675 – 10.2 metres • Level 1: 5.5 – 9.9 metres • Level 2: 3.18 metres • Level 3: 3.025 metres (-0.025 metres) • Level 4: 2.575 metres (-0.025 metres) • Level 5 and above: 0.625 metres (-0.075 metres) • Height clearance: 7.5 – 9.8 metres
Width of north-south pedestrian links	Between Towers 1 and 2: 6 – 6.5 metres Between Towers 2 and 3: 5.2 – 11.8 metres	Between Towers 1 and 2: 6.85 metres Between Towers 2 and 3: 5.8 – 10.4 metres (-1.4 metres)

73. Minor variations to the DP numerical requirements are detailed above. It is considered that these variations will not adversely impact the overall design of the development and is generally in accordance with the DP.

Affordable Housing

74. The DP includes requirements for affordable housing to be provided within Parcel D. The provision is specified as a minimum of 15% of the net area of Tower 2, and any other dwelling floor space that may be provided within Parcel D in the future.

75. The proposal provides 81 affordable housing dwellings, including 49 x 1 bedroom and 32 x 2 bedroom dwellings. This accounts for approximately 5,280 square metres or 17.4% of the 30,294 square metres of the net area of Tower 2. The affordable housing dwellings are provided with a high level of compliance with Clause 58, including appropriate access to communal facilities.



76. As required by the council, the delivery of the affordable housing will be secured through a section 173 Agreement to be registered on title. This will be included as a condition on any permit to issue.

Response to Design Objectives in DP

77. An assessment against the relevant Design Principles within the DP is as follows:

Design Principle	Assessment
Parcel D Southern Development Site	
<p>Design Principle 1 Reinforce the distinctive relationship of the precinct’s location where the Hoddle Street Grid, the Queen Victoria Market and the Franklin Street Stores intersect.</p>	<p>The layout of each tower and the through block links align with the site layout included in the DP and will reinforce the relationship of Towers 1 and 2 to QVM, the Hoddle Grid and FSS.</p>
<p>Design Principle 2 The built form should step up in height from west to east, from the low point at Flagstaff Gardens through to a high point, landmark building at the corner of Queen and Franklin Street. The heights should be differentiated between the towers incorporate soft landscape through the towers, as well as at the ground plane.</p>	<p>The building heights are consistent with the heights in the DP and steps up from Tower 1 (maximum height 124.57 metres) to Tower 2 (maximum height 161.35 metres). Tower 1 includes a stepped form along its western elevation with a series of terraces, while Tower 2 includes two distinct vertical elements with different building heights. The buildings provide an appropriate graduation and differentiation in height from Flagstaff Gardens to the taller buildings in the Central City. Landscaping is provided on the ground plane, terraces and balconies.</p>
<p>Design Principle 3 To ensure the towers do not appear as a continuous wall when viewed from the surrounding streets and public realm, buildings must be designed with differentiation of design expression, diversification of the facade between towers, and implement strategies to provide layering, articulation and depth to facades, such as variation in facade framing, facade techniques to break up the massing and facade projections to all tower elevations. Each tower’s identity should be read in the round, to ensure there is no front and back reading, demonstrating this identity from different vantage points.</p>	<p>The proposed towers achieve a highly resolved architectural response on all elevations ensuring they are read in the round and appropriately articulated from key vantage points. Each tower has a legible identity through its massing, façade expression and detailed design elements. Importantly, the towers will not appear as a continuous wall when viewed from street level due to these design elements. The tower setbacks and separation between each of the towers is consistent with the built form requirements in the DP.</p>
<p>Design Principle 4 Provide diversity of facade and architectural language between Towers 1, 2 and 3, while including unifying elements. Diversity of design and architectural practices are required to bring a different design hand to the building language.</p>	<p>Each of the towers is designed by a different architect and has a unique design language, providing the diversity of design and architecture sought for the precinct. Unifying elements are included such as the use of masonry at lower levels, complementary palette of materials and finishes, active frontages, laneway treatments and landscaping.</p>
<p>Design Principle 5 Deliver high quality materials to facades and finishes, which include textured, robust and finely detailed materials at podium level. Use of brick, masonry, metal and other solid materials should be used to bring the building to ground.</p>	<p>Each tower includes the use of high quality masonry finishes which bring each building ‘to ground’, through the use of expressed concrete cladding to Tower 1 and brickwork to Tower 2.</p>
<p>Design Principle 6 The colour palette of materials and finishes should explore the elements of earth and sky, with generally a gradient of colours that have richer tones from east, becoming lighter towards the west, and darker colours towards the base of buildings.</p>	<p>A schedule of external materials and finishes is provided for each tower. The colours of each tower are reflective of the earth and sky, with light brown (‘champagne’) concrete to Tower 1 and browns and reds used in Tower 2. The colours become lighter toward the west and more robust darker colours are incorporated at the lower levels to bring the towers to</p>



ground.

Design Principle 7

Lower podium forms should contribute to and activate the streets and support new pedestrian links. Podium forms should enable pedestrian interaction, activation and contribute to the broader Queen Victoria Market Precinct.

The design and layout of each podium contributes to activation and passive surveillance of the public realm, through the positioning of active uses at ground level and terraces and open glazing to rooms on the upper podium levels.

The setbacks and clearance heights of each podium are generally consistent with the built form requirements in the DP. This also provides the east-west and north-south pedestrian links around each tower with appropriate volumes, daylight access and space for pedestrian circulation and stationary activities.

Notwithstanding the above, the council has raised an issue with the proposed presentation of the ground level of Tower 1 to Peel / William Street and considers that alterations be incorporated into this elevation to improve activation. This is considered reasonable, and a condition will be included on any permit to issue.

Design Principle 8

Materials, finishes and cladding should avoid glare, with requirements for all materials, finishes and cladding to have reflectivity of no more than 15%.

Conditions will be included on any permit to issue requiring the submission and endorsement of a Façade Strategy and a Reflective Glare Assessment, which will ensure the maximum reflectivity for all materials, finishes and cladding of 15% is achieved.

Design Principle 9

High quality materials, finishes, and detailing should be provided to soffits, including integrated lighting and services. Comprehensive material palettes are to be provided at the permit application stage.

The plans for each tower show that soffits are appropriately designed, and lighting is capable of being incorporated into the overall architectural language of each building.

Conditions will be included on any permit to issue requiring the submission and endorsement of a Façade Strategy and Lighting Strategy, which will ensure these detailed elements are appropriately designed and integrated.

Design Principle 10

Services and louvres are integrated into main podium facade design (such as air intake, service cupboards, car park doors) are part of the design approach. Louvres on towers are integrated into overarching architectural design to minimise visual impact to the main tower facade.

Each tower shows that the services and louvres are suitably integrated into the overall architectural language of the building, particularly in the case of Tower 1 which has integrated louvres to the upper level plant structures and future signage locations.

A condition will be included on any permit to issue requiring the submission and endorsement of a Façade Strategy, which will ensure these detailed elements are appropriately designed.

Design Principle 11

Provide soft landscaping to towers such as podium balconies, roof terraces, and vertical building breaks, and the west-facing terraces of T1. Landscaping provision is to be low maintenance, with appropriate site-specific plant selection for longevity, and include watering systems that enable their success.

Adequate landscaping has been provided to the upper level terraces of each tower, particularly the terraces on the western elevation of Tower 1 as well as the north-facing podium rooftop 'urban reef' of Tower 2.

A condition will be included on any permit to issue requiring the submission and endorsement of a detailed Landscape Plan and Maintenance Plan, which will ensure these detailed elements are appropriately designed.

Design Principle 12

For Tower 1, the building should be designed to respond to the following principles:

The massing of Tower 1 accords with this principle, through the rotating and stepped massing of the tower to the western elevation as well as the proportions and



- The west-facing massing should express as a rotating massing, including stepping of the west-facing terraces to create a central vertical zipper, with off-set vertical rectangular framed facade bays.
- The massing of the podium should be eroded in order to provide an appropriate interface to the Franklin Street Stores. The podium should be masonry and create a human scale to the development.
- The rhythm of the facade framing should complement the rhythm and proportions of the Franklin Street Stores.
- With consideration that framing elements may be permitted to extend beyond the title boundaries; provide a consistent framing element to the north, south and western facades, varying in depth with up to 500mm to the facade to the north / west and 300mm facade frame depth to the south and east.
- The terraces will include landscaping to provide greening of the facade, and reinforce Tower 1's unique relationship to William Street and the Flagstaff Gardens.
- Plant room is to be integrated into the building form.
- Material palette should be muted.

consistency of the framing elements along the northern elevation to respond to the structural rhythm of the FSS.



Figure 12: West elevation of Tower 1 (Source: Application)

The projecting window fins along each framed element is consistent with the 300mm / 500mm requirement in the DP and results in a high level of articulation and visual interest to both the podium and tower forms.

The podium incorporates the use of masonry finishes, and the roof plant structures are fully integrated into the building form.

Design Principle 13

For Tower 2, the building should be designed to respond to the following principles:

- A finer grain to the facade framing to reflect its residential character.
- The vertical form of the tower should be broken into two, with height should step down to the west, creating variation in building height and responding to the winter solar protection to Flagstaff Gardens. The plant on taller tower element should be integrated with the building form.
- The facade design should incorporate a range of facade articulation techniques to break down the tower massing. On the north facade, the vertical and horizontal bands should be to a depth no less than:
 - One 2,800mm deep vertical recess
 - Two 300mm deep horizontal recesses, with darker glass to emphasise the recessOn the south facade
 - One 1,300mm deep vertical recess
 - Two 1,300mm deep horizontal recesses
- Clear building openings at the ground level provide a rhythm to the podium, where brick and metal materials ground the building.
- Landscape should be utilised in key aspects of the facade, including the podium.

The design language of Tower 2 incorporates a grid detailing which is organised into two distinct tower forms stepping down in height from east to west, consistent with the requirements in the DP.



Figure 13: North elevation of Tower 2 (Source: Application)

Horizontal and vertical bands are included in the northern and southern facades to break down the tower massing, consistent with the requirements of the DP.

Design Principle 16

The termination of the east-west pedestrian link at the eastern end of the link should provide an attractive interface with high quality, tactile materials and human scale detailing. Desire lines should be unobstructed to ensure visual permeability along the east-west pedestrian link.

This design principle will be addressed via the permit application for Tower 3.

However, the council has some concern with the ground level staircase in the south-east corner of Tower 2 and how it integrates with the building and public realm. The council has recommended a condition to modify the staircase and has suggested that this may include changing the orientation of the stairs, activating the blank wall adjoining the stairs and / or providing additional landscaping, lighting etc. The condition, with some modifications to the wording, will be included on any permit to issue.



Figure 14: South- east corner of Tower 2 (Source: Application)

Design Principle 17

Future wind studies should aim to achieve sitting comfort criteria in outdoor seating and dining areas, and standing comfort criteria at main building entrances, where mitigation measures do not impact on the quality of the public realm and are acceptable to Heritage Victoria for mitigation measures on land within the Heritage Registration.

The submitted wind assessment demonstrates that Towers 1 and 2 will achieve the relevant comfort criteria anticipated by the DP. The report also identifies the location and type of wind mitigation measures required to achieve the relevant comfort criteria, which will be the subject of further design and approval processes.

Franklin Street Stores

Design Principle 3

Balance daylight and amenity to the new pedestrian links, through the partial removal of the southern canopy of the Franklin Street Stores, should be consistent with the Heritage Victoria permit.

The proposed towers will provide an appropriate level of daylight to the new pedestrian links through setbacks, clearance heights and building separation which accords with the built form requirements in the DP. It is noted that the partial removal of the southern canopy of the FSS has been approved by Heritage Victoria.

Design Principle 4

Provide for enhanced views of the Franklin Street Stores, through the eroding of the north-western podium edge to Tower 1, to allow views of the south-western facades of the Franklin Street Stores. Setback the northern edge of the Tower 3 building to provide for views to the eastern facade of the Franklin Street Stores.

Pedestrian views from Peel Street / Willaim Street to the FSS are enhanced via the eroding of the north-western podium edge of Tower 1. This approach also visually emphasises the entrance to the new east-west pedestrian link as a key entry point to the QVM precinct.



Figure 15: West elevation of Tower 1 (Source: Application)

Public Realm – Ground Plane

Design Principle 1

Deliver a connected and continuous ground plane, with laneway connections that provide for two north-south mid-block pedestrian links, and an east-west pedestrian link to the southern side of the Franklin Street Stores. The through block links should strategically connect to the broader surrounding precincts to connect the site to the broader surrounding precinct

The proposal will deliver a continuous and connected ground plane, with pedestrian through block links located and designed in accordance with the DP.



and ensure a seamless integration between existing and new places.

Design Principle 2

Provide for a continuous north-south connection between Franklin Street, Market Square and the Market. Where possible, the view lines through this space at ground level should not be obscured.

The north south connection between Towers 1 and 2 aligns with the space between the rows of the FSS and will enable the connection between Franklin Street, the future Market Square and the Market.

Design Principle 3

Create a rhythm of expressed structure of new development where it meets the ground plane.

The design of each building at the ground level has a direct spatial relationship to the structural rhythm of the adjacent FSS and will establish a highly articulated and fine-grained presentation to the future pedestrian links.

Design Principle 4

Provide for a high-quality materiality of ground plane that reflects the Melbourne-ness of materials, including City of Melbourne materials standards of bluestone at the edges and public spaces, with variation and modification of materials and patterns within the private laneways.

The indicative materiality shown on the plans, particularly the submitted landscape plans, show appropriate surface treatments of pedestrian links as well as the materiality of structures integrating with the public realm. The council has recommended a condition requiring the final detail of these surfaces and structures to align with their standards for public realm treatments. This is considered reasonable, and a condition will be included on any permit to issue.

Design Principle 5

Use demarcation of materials within the public realm and paving treatments to assist wayfinding and identification. The use of material changes to assist in legibility and wayfinding will be present at key nodal areas such as access to the basement carpark, on the edge of the Franklin Street Stores and at key building entries.

The indicative surface treatments shown on the plans and landscape plans suitably demarcate the public realm, including key locations such as the public car park entrance at the base of Tower 1.

Design Principle 6

Provide robust and fit-for-purpose materiality including paving with bluestone and granite, with exploration of pattering and change in levels while remaining a visual calmness.

The materials shown on the plans include bluestone and granite finishes, the details of which will be specified through a permit condition.

Design Principle 7

Ensure that facades within the east-west laneway provide identity and character, including a fine grain occupation to the northern elevation of the towers. Provide for visual diversity, depth and grain of key public realm interfaces.

Towers 1 and 2 will provide a visually diverse, fine grain response to the east-west pedestrian link that is respectful of the FSS.

Design Principle 8

The laneway should expand the public realm at the eastern and western ends, including a northern setback of tower 3 to the shared path and a wider western opening to the east-west pedestrian link.

The staggered setbacks to the podium of Tower 1 will provide for the expanded western opening to the east-west pedestrian link.

Design Principle 9

Provide for varying east-west laneway experience along the lane's 175 m length, including volumetric compression and expansion. Ensure that the through block links provided cater for a range of activities along its length.

The east-west pedestrian link includes a varied expression along its length with changes to the volumetric compression and expansion. These are as a result of the setbacks from the FSS, the height clearances beneath the cantilevered form, and the changes to the slope of the land.

Design Principle 10

Specialist lighting will be provided throughout the public realm, which will provide a range of lighting settings to suit different requirements, and provide atmospheric and functional requirements.

While the council has recommended a condition be included on any permit requiring public lighting in the surrounding streets, a condition will also be included requiring a Lighting Plan for the subject site. This will ensure appropriate lighting arrangements are delivered for the public and private spaces within the subject site.

**Design Principle 11**

Pedestrian access to the carpark entry should be located from the central north-south laneway. The entry should be visually prominent and legible, safe and accessible.

Pedestrian access to the basement car park is located within the central north-south pedestrian link between Towers 1 and 2 and within the ground floor of Tower 1. The entrance is appropriately visually emphasised through materiality and its design within the Franklin Street edge of the building.

Design Principle 12

Consider opportunities for occupiable furniture within the laneways and within the public realm, while maintaining required clearance heights and minimum space unencumbered for pedestrian pathways. As part of the detailed permit application, a tenancy and furniture guidelines for laneway elements would be prepared; these must be consistent with any Heritage Victoria permit conditions.

The council has recommended conditions to address the objectives of these principles as they relate to access, security, street furniture, as well as operational management and maintenance arrangements within the public realm.

Further, a condition has also been recommended for an amended Landscape Plan and Maintenance Plan that seeks to ensure the landscaping is high quality, embedded in the development, integrated with the broader public realm works for the precinct and considers the council's Design and Construction Standards.

These conditions will be included on any permit to issue.

Design Principle 13

As part of the planning permit application, guidelines for management and maintenance of laneways in private ownership would be prepared, including tenancy guidelines around furniture and identifying what furniture items are portable; these must be consistent with any Heritage Victoria permit conditions.

Design Principle 14

Where required, security cameras, loud speakers, telecommunication posts, etc, will be incorporated into a holistic design solution within the public realm.

Design Principle 15

Tactile indicators, contrast nosing strips, handrails, bollard, and other hazard / assistance elements within the public realm will be considered as part of a holistic design approach and not as independent elements.

Design Principle 16

Deliver laneways, whether in public or private ownership, that will be publicly accessible 24/7, in perpetuity.

The east-west and north-south (between Towers 1 and 2 and Towers 2 and 3) pedestrian links will be provided in perpetuity and will be accessible to the public 24 hours a day, seven days a week. A condition requiring a Section 173 Agreement to be entered into to facilitate this will be included on any permit to issue.

Design Principle 17

Public realm spaces should be well lit to provide for safe and inviting spaces, during the day and night.

All spaces within the public realm will be provided with adequate lighting, noting that conditions will be included on any permit to issue for the provision of lighting plan for the subject site and surrounding public spaces.

Design Principle 18

Services should be minimised where possible at ground and lower podium levels. Any service cupboards or elements must be designed to integrate with the architecture.

Services to each tower are appropriately integrated into the architectural language along the street edge to Franklin Street (Tower 1) and the future mid-block pedestrian link (Tower 2).

Design Principle 19

All vehicle parking will be provided in basement levels. Basement carpark and access is to be located from Franklin Street, and should be designed to be identifiable as a public carpark entrance, co-located with the carparking for Towers 1 and 2.

Parking is provided entirely at the basement levels which are accessed from Franklin Street, with the access point suitably emphasised for the public through colour selection and materiality.

Signage and Wayfinding Approach**Design Principle 1**

The proposal includes two high wall signs to Tower 1



Minimise signage to north building elevations, while providing consideration for one business identification signage for the T1 commercial building and minor tenancy signage for the Franklin Street Stores, subject to approval under the Heritage Act 2017.

(office) on the north and west elevations. The signs are adequately spaced to ensure they do not result in visual clutter. There are no high wall signs on Tower 2 (BTR).

Design Principle 3

High wall signage should have a moderate level of illumination and be integrated within the facade and compatible with architecture of the building.

The proposed high wall signs for Tower 1 are suitably integrated with the rooftop plant structure and do not detract from the appearance of the building. Conditions will be included on any permit to issue requiring further details of the high wall signage, hours of operation for the illumination and ongoing compliance with standard lighting and illumination requirements.

Design Principle 4

High wall signage to be a maximum of two signs per building.

The proposal includes two high wall signs for Tower 1.

Design Principle 5

Avoid visual clutter of signage on facades.

The proposed signage does not result in visual clutter.

Design Principle 7

Design guidance should be prepared around signage for pedestrian level and ground level signage, including details of illumination and scale.

Further signage plans will be required via a condition on any permit to issue.

Queen Victoria Market Precinct Framework Plan 2017

78. The application area relates to the western part of the land within Parcel D as shown on the Queen Victoria Market Framework Plan 2017 contained in DPO11 (see figure below). The proposal is generally in accordance with the plan, as it includes the following:

- a podium height of 20 metres (measured from the centre of the Peel / William Street frontage for Tower 1 and Franklin Street for Tower 2);
- two north through block pedestrian links between Towers 1 and 2 and Towers 2 and 3;
- tower setbacks of 10 metres from Peel / William Street; 6 metres from Franklin Street; and 20 metres from the northern frontage of the FSS;
- an overall height of 124.57 metres for Tower 1 and 161.35 metres for Tower 2; and
- a FAR of 19.42:1, with an overall FAR for Parcel D of 13.45:1.

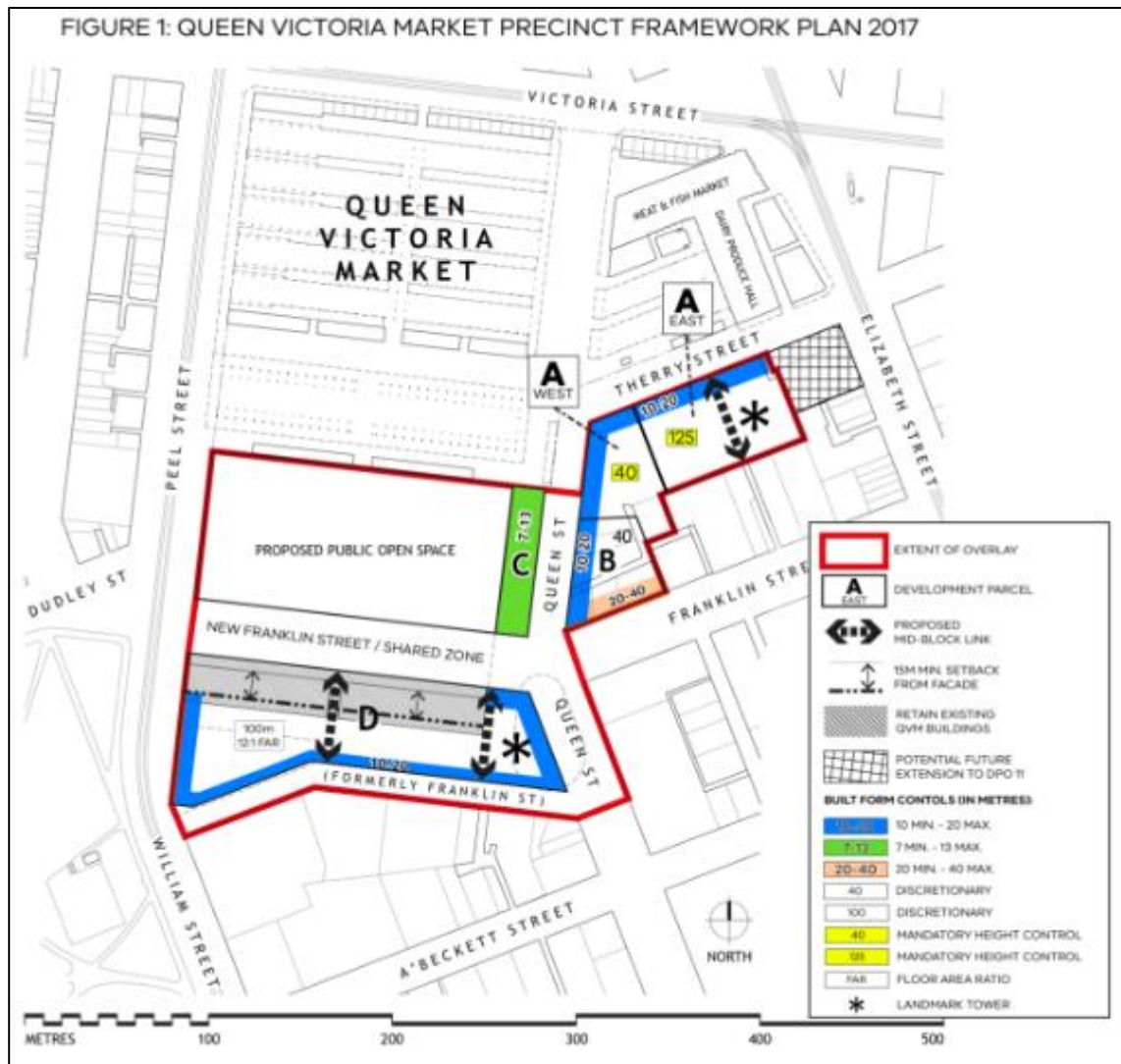


Figure 16: Queen Victoria Market Precinct Framework Plan 2017 at Figure 1 at Clause 3.0 of Schedule 11 of the Development Plan Overlay (Source: Melbourne Planning Scheme)

Vision Statements

79. The application is consistent with the following relevant Vision Statements contained in DPO11:

- The proposed built form integrates with the surrounding built form scale and character of the site's immediate context in the CBD, which is defined by numerous substantial tower developments of considerable or greater height. The overall height of the Towers at 124.57 metres (Tower 1) and 161.35 metres (Tower 2) provides an appropriate stepping down of built form to Flagstaff Gardens and as the CBD transitions to the QVM precinct.
- The proposed built form massing is respectful of the FSS and the QVM precinct more broadly, through the setting back of the built form, in excess of the required 15 metres from the northern facade of the FSS. The east-west and two north-south pedestrian links will allow for the FSS to remain as a stand-alone building that can be appreciated in the round. These links will enhance pedestrian connections within the broader QVM precinct.
- The proposal will contribute to activating streets and public places. The podiums have been appropriately scaled and incorporate ground floor entry / lobby, retail and cafe uses along all frontages (with less activation along Franklin Street which accommodates most of the services). These uses will foster interaction with the street and upper level accommodation uses will also provide passive surveillance of public spaces.

- The proposed mix of uses including, office, retail, residential and new pedestrian links will enhance the vibrancy of the broader QVM precinct and provides a suitable response to the public realm.
- The proposal will not result in any direct impact on solar access to the proposed public open space to the north of the FSS, namely the future Market Square. The proposal will cast some additional shadow across the Flagstaff Gardens between 11.00 am and 12.00 pm on 22 June, which is consistent with the shadows permitted under the endorsed DP.
- A Pedestrian Wind Environment Study has been undertaken that demonstrates, that with wind mitigation measures, the amenity of the public realm will not be adversely affected. Conditions will be included on any permit to issue requiring further testing be undertaken and that mitigation measures both within the subject site and within the adjacent public realm are implemented as part of this approval (see discussion below).
- The proposed built form has considered the development potential of Tower 3 (concurrent student accommodation permit application) to the east. Tower 2 building envelope exceeds the minimum 10 metre tower separation to Tower 3, addressing any potential overlooking to habitable room windows. It is setback at the upper levels to allow adequate daylight to adjacent land. Within the podium of Tower 3, the student rooms and terraces are screened along its western boundary to reduce overlooking between habitable rooms of Towers 2 and 3.
- The buildings will achieve a high standard of architectural quality in terms of building form, composition and materiality, and will provide for a positive addition to this area of the QVM precinct. All elevations have been highly articulated, acknowledging that the building will be read in the round. Further, the proposal will provide a high level of amenity for the future residents and office workers who will occupy the buildings.
- The existing at-grade 220 car parking spaces, required to be relocated to enable the future Market Square to be delivered, will be provided in the Basement Levels of Towers 1 and 2.
- Towers 1 and 2 will contribute to the mixed use offering within Parcel D, providing new pedestrian links through the site and activating the street frontages.
- Tower 2 includes 15% of the net floor area of dwellings as Affordable Rental Housing, equating to 81, 1 and 2 bedroom dwellings.

Table 1 of DPO11 (Built Form)

80. An assessment against Table 1 to DPO11 is as follows:

Built Form Element	Discretionary Requirement	Mandatory Requirement	Built Form Outcomes
Podium Height	10 metres Podiums fronting Little Franklin Street (labelled "Formerly Franklin Street" on Figure 1), New Franklin Street (as labelled on Figure 1) and William Street	20 metres Podiums fronting Little Franklin Street (labelled "Formerly Franklin Street" on Figure 1), New Franklin Street (as labelled on Figure 1) and William Street	All building podiums should: <ul style="list-style-type: none"> • Be oriented to complement the street system and constructed to the street edge. • Be of a scale that provides an appropriate level of street enclosure having regard to the width of the street. • Complement adjoining building podiums. • Include high quality treatments to side walls where visible above adjoining buildings. • Be of a height, siting and detailing that does not adversely affect the heritage significance of the Queen Victoria Market or any adjoining heritage building(s).

- Be designed to internalise above ground car parking behind active uses such as dwellings or offices to ensure a visual relationship between occupants of upper floors and pedestrians to improve surveillance of the public realm.
- Be able to mitigate wind impacts at street level in accordance with the wind amelioration design standards of this schedule.

Assessment

The proposed podium height of Tower 1, of 19.75 metres to William Street, is consistent with the endorsed DP.

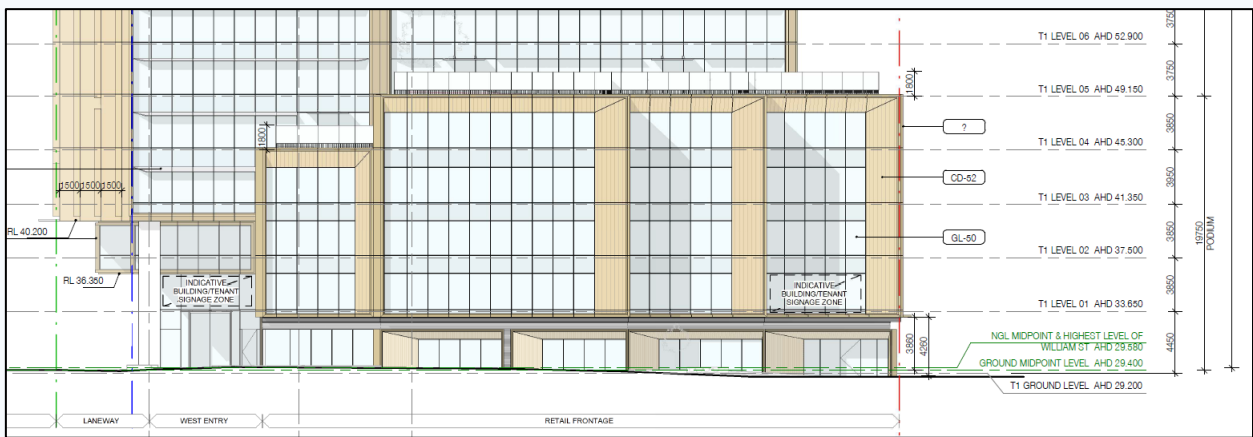


Figure 17: Podium height of Tower 1 along William Street frontage (Source: Application)

The proposed podium height of Tower 2, of 20 metres to Franklin Street, is consistent with the endorsed DP.

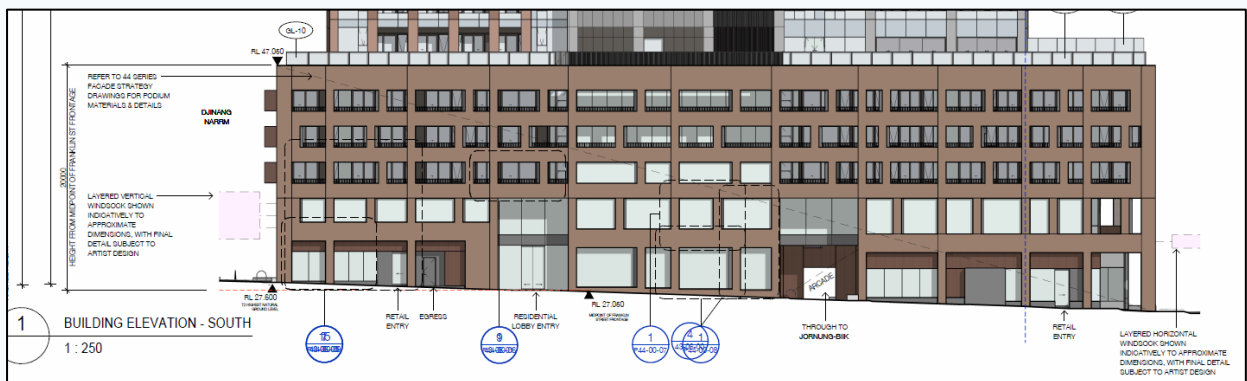


Figure 18: Podium height of Tower 2 along Franklin Street frontage (Source: Application)

The proposal meets the applicable built form outcomes as follows:

- The buildings are orientated appropriately to the street / link frontages and constructed to the street / link edge.
- The podium heights respond to the width of Franklin Street and William Street, which will ensure an appropriate level of street enclosure.
- The podiums are consistent with the mandatory height of 20 metres and will complement the height of the podium for Tower 3.
- All elevations are well articulated, including window, balconies and appropriate treatments to lift cores / plant.
- The podium heights will not adversely affect the heritage significance of the QVM Precinct or the FSS.



- All car parking spaces are located within the Basement Levels.
- A Pedestrian Wind Environment Study has been undertaken that demonstrates, that with wind mitigation measures, the amenity of the public realm will not be adversely affected. Conditions will be included on any permit to issue requiring further testing be undertaken and that mitigation measures within the public realm are implemented as part of this approval (see discussion below).

Tower setbacks	N/A	6 metres Parcel D (as shown on Figure 1) fronting the former alignment of Franklin Street	Towers should be designed and spaced to:
		15 metres Mandatory minimum tower setback from the northern masonry facades of the existing Franklin Street Stores (Parcel D as shown on Figure 1)	<ul style="list-style-type: none"> • Equitably distribute access to an outlook, sunlight between towers and to ensure adequate sun penetration at street level. • Ensure habitable room windows do not directly face one another and that consideration has been given to the development potential of adjoining lots.
		10 metres All other streets (<i>Peel / William Street</i>)	<ul style="list-style-type: none"> • Ensure sunlight, good daylight and privacy and an outlook from habitable rooms for both existing and proposed development can be provided. • Encourage the reasonable sharing of access to daylight and an outlook, and the mitigation of wind effects. • Ensure towers do not appear as a continuous wall at street level.

Assessment

The proposed towers include setbacks of 6 metres from Franklin Street, 20 metres from the northern facades of the FSS and 10 metres from Peel / William Street, which is consistent with the endorsed DP.

The proposal meets the applicable built form outcomes as follows:

- The tower setbacks, allow for equitably distributed access to an outlook, sunlight between towers and ensures adequate sun penetration at street level.
- The tower setbacks have been designed to ensure that habitable room windows do not directly face one another within the development and with the proposed Tower 3 to the east.
- The tower setbacks will provide for reasonable access to sunlight and daylight, privacy and outlook from habitable rooms within the proposed building.
- A Pedestrian Wind Environment Study has been undertaken that demonstrates, that with mitigation measures, the amenity of the public realm will not be adversely affected. Conditions will be included on any permit to issue requiring further testing be undertaken and that mitigation measures within the public realm are implemented as part of this approval.
- The transition in height of the buildings across Parcel D, together with their form, separation and articulation, ensures that the towers will not appear as a continuous wall at street level.

Tower separation	24 metres	10 metres	Towers should be designed and spaced to:
	Discretionary minimum tower separation within a site and from existing or approved towers on adjoining sites	Mandatory minimum tower separation within a site and from existing or approved towers on adjoining sites.	<ul style="list-style-type: none"> • Equitably distribute access to an outlook, sunlight between towers and to ensure adequate sun penetration at street level. • Ensure habitable room windows do not directly face one another and that consideration has been given to the development potential of adjoining lots. • Ensure sunlight, good daylight and privacy and an outlook from habitable



rooms for both existing and proposed development can be provided.

- Encourage the reasonable sharing of access to daylight and an outlook, and the mitigation of wind effects.
- Ensure towers do not appear as a continuous wall at street level.

Assessment

The proposed towers include a separation of 11.25 metres between Towers 1 and 2 and 17.385 metres between Towers 2 and 3 (noting that the glazing line for Tower 3 is setback a further 355mm from the title boundary), which is consistent with the endorsed DP.

The proposal meets the applicable built form outcomes as follows:

- The tower separation allows for equitably distributed access to an outlook, sunlight between towers and ensures adequate sun penetration at street level.
- The tower separation will ensure that habitable room windows are adequately separated within the development, while a minimum 17.385 metre setback is provided to Tower 3 to the east.
- The tower separation will provide for reasonable access to sunlight and daylight, privacy and outlook from habitable rooms within the proposed development and the adjoining Tower 3.
- A Pedestrian Wind Environment Study has been undertaken that demonstrates, that with wind mitigation measures, the amenity of the public realm will not be adversely affected. Conditions will be included on any permit to issue requiring further testing be undertaken and that mitigation measures within the public realm are implemented as part of this approval (see discussion below).
- The transition in height of the buildings across Parcel D, together with their form, separation and articulation, ensures that the towers will not appear as a continuous wall at street level.

Building heights and Floor Area Ratios

Parcel D

N/A

100 metres with a floor area ratio of 12:1

- **Parcel D:** Ensure that development responds appropriately to the new public open space and the Franklin Street stores.

New development should not cast a shadow across the Flagstaff Gardens or the proposed public open space in Figure 1 between 11.00 am and 2.00 pm on 22 June, unless the Responsible Authority considers the overshadowing will not significantly prejudice the amenity of the open space.

**Any application to exceed the discretionary heights must be supported by 3D modelling and an assessment of the visual impact on the proposed public open space shown on Figure 1 to this schedule, Flagstaff Gardens and on the public realm.

Assessment

The proposed towers include an overall building height of 124.57 metres for Tower 1 and 161.35 metres for Tower 2, which is



consistent with the endorsed DP.

The proposed FAR of Towers 1 and 2 of 19.42:1 is consistent with the endorsed DP. The endorsed DP allows for an overall FAR for Parcel D of 13.45:1, which is consistent with the combined FAR of Towers 1, 2, 3 and the FSS, which together comprise Parcel D.

Overshadowing

81. The endorsed DP requires that building envelopes should minimise any shadow impact to Flagstaff Gardens between 11 am and 2 pm on 22 June and must not increase shadows to Flagstaff Gardens from 12 pm on 22 June, generally in accordance with the Shadow Plans at Section 1.3.7.6 (pages 86 – 93 of the DP).
82. The following shadow diagrams show the extent of shadows to Flagstaff Gardens between 11.00 am and 2.00 pm on 22 June.
83. There will be some additional shadow cast between 11.00 am and 12.00 pm, but this is not considered to significantly prejudice the amenity of Flagstaff Gardens for the following reasons:
 - The additional shadow, covering a maximum area of approximately 4,330 m², at 11.00 am, would occur within a limited timeframe (11:00 am to 12:00 pm on 22 June) at the winter solstice. The majority of Flagstaff Gardens would be unaffected by overshadowing at this time.
 - The affected area of the Gardens is already compromised by shadows due to its proximity to taller buildings in the CBD. The shadows from Towers 1 and 2 would, in part, overlap with those cast by existing and approved built form.
 - Tower 1 has been designed to minimise overshadowing with setbacks to William Street and a stepped building mass that steps down towards Flagstaff Gardens. The shadow cast by Tower 1 would be comparable to the shadow cast by the approved development to the south at 386-412 William Street.
 - Overshadowing associated with Tower 2 would fill a gap between existing and approved shadows further to the south, which would not unreasonably affect any large open area within the Gardens.
 - From 12:00 pm onward, Flagstaff Gardens would not be overshadowed.
84. Further, shadow diagrams between 11.00 am and 2.00 pm on 22 September show that the proposed development would not cast any additional shadows over Flagstaff Gardens at the equinox.



Figure 19: Shadow studies June 22 - 11:00am - 12:30pm (Source: DTP 3D model)



Figure 20: Shadow studies June 22 - 1:00pm - 2:00pm (Source: DTP 3D model)



Figure 21: Shadow studies September 22 - 11:00am - 2:00pm (Source: DTP 3D model)

Wind

85. A Pedestrian Wind Environment Study prepared by Windtech and dated 7 June 2024 was submitted with the application. The report requires the following items to be updated (via a condition on any permit to issue):
- a. In Table 5a of the report:
 - i. Study point 4 should be further tested to comply with the comfort criteria.
 - b. In Table 6a of the report:
 - i. Study points 33 and 34 should be further tested to comply the comfort and safety criteria;
 - ii. Study point 52 should be updated to 'pass' for the comfort criteria with the treatment testing; and
 - iii. Study point 80 should be amended to correct the title of the row 'existing' to 'treatment testing'.
 - c. Note that for study points 17, 33, 34, 53, 57, 59, 65 and 66 further localised street furniture / screening / raised planters or vegetation may be required as a result of the Parcel C detailed design and as required by the section 173 Agreement condition for wind mitigation measures outside the title boundary.
86. The report recommends a number of wind mitigation measures that are generally in accordance with those recommended in the endorsed DP.
87. The recommended wind mitigation measures include fins, wind lip, layered horizontal screens, porous vertical screens to buildings and screening to upper levels an 'X' shaped porous screen in the east-west pedestrian link. The comfort areas for sitting, standing and walking generally comply with the DP, with the exception of a small area to the north of Tower 2, identified in red below. In the context of the broader precinct, the area will achieve standing, rather than sitting comfort and this is considered acceptable, noting the challenging wind conditions in this location of the city.

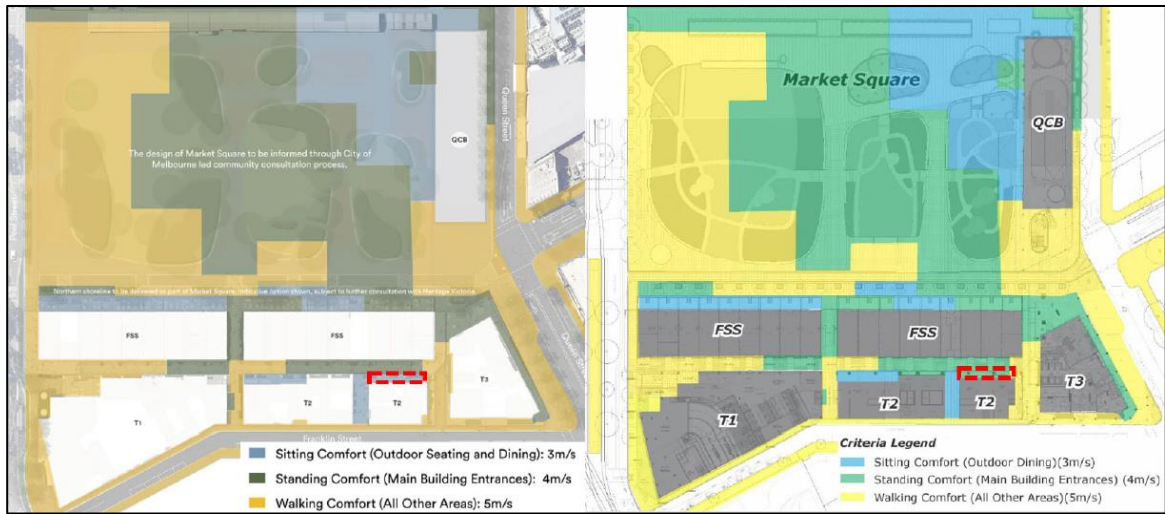


Figure 22: Comfort criteria as required by the DP (left) and the proposal (right)

- 88. A condition will be included on any permit to issue requiring the further testing to reflect any final design changes and to ensure that the proposal continues to achieve the target wind comfort and safety criteria as required by the endorsed DP.
- 89. The wind report also recommends wind mitigation measures in the public realm, outside the title boundaries for Towers 1 and 2. These include concrete bollards, planter boxes, street furniture, vegetation and screens to the tram stop on Peel Street. As such, a condition (following consultation with the applicant and the council) will also be included on any permit to requiring the owner to enter into a Section 173 Agreement to ensure all wind mitigation measures in the public realm and outside the subject site title boundaries are designed, delivered and implemented prior to occupation of the development.



Figure 23: Wind mitigation measures required by the DP

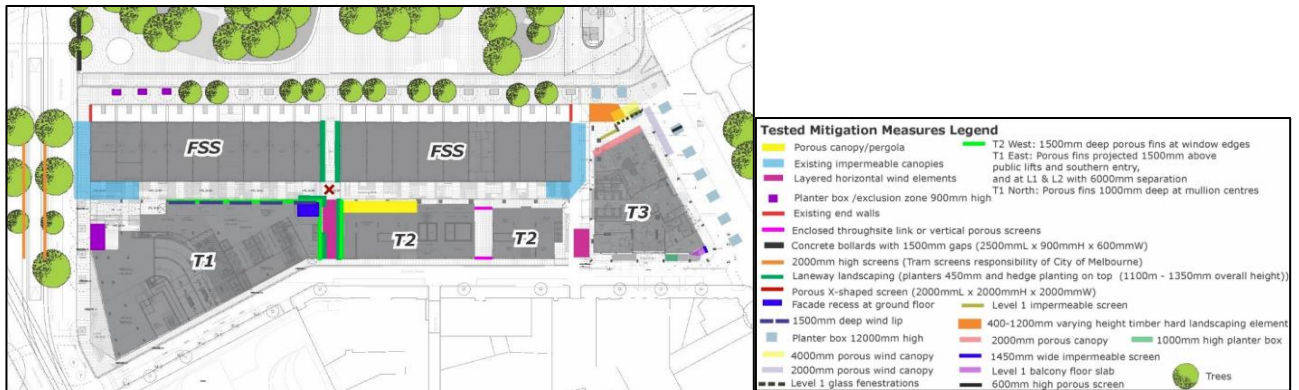


Figure 24: Proposed wind mitigation measures

Design and Development Overlay – Schedule 1

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

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

Design Outcome	Assessment
Urban Structure	
An urban block structure that: <ul style="list-style-type: none"> Is sufficiently fine grained to support walking as the primary mode of transport. 	Parcel D will have a new east-west pedestrian link between Towers 1 and 2 and the FSS, and two new north-south pedestrian links between Towers 1 and 2 and Towers 2 and 3.
A pedestrian network that: <ul style="list-style-type: none"> Reduces walking distances. Completes existing connections and laneways. Retains and improves existing connections. Provides partial connections which can be completed when adjacent site development occurs. 	As above, the proposal provides for new through block pedestrian links.
Pedestrian connections that are: <ul style="list-style-type: none"> High quality. Safe and attractive. Accessible by people of all abilities. Easily identified and legible. Designed to enable stationary activities. 	<p>The north-south pedestrian links between the towers will be accessible 24 hours a day and be designed in accordance with this design requirement, noting the width of the links are at least 6 metres wide and open to the sky.</p> <p>The east-west link between Towers 1 and 2 and the FSS will also be accessible 24 hours a day. While it is not entirely open to the sky, the podium of each tower is recessed above the link to provide a spacious volume, with minimum clearance heights of 7.8 to 8.7 metres, which exceeds the discretionary two storey height requirement for arcades. The building cantilevers over the link are consistent with the approved DP and ensure an acceptable level of daylight to the link and the lower building levels.</p>
Site Layout	
Site layout that: <ul style="list-style-type: none"> Reinforces the valued characteristics of streets and laneways. Delivers a well-defined public realm. 	<p>The proposed buildings are appropriately aligned to each street.</p> <p>A condition will be included on any permit to issue requiring further design detail to the staircase of Tower</p>



	2 to achieve a design response which activates the junction of the of the east-west pedestrian link and the north-south pedestrian link.
Plazas that: <ul style="list-style-type: none"> • Are accessible to people of all abilities. • Are safe and attractive • Deliver opportunities for stationary activity. • Alleviate pedestrian congestion. 	N/A – No plaza is proposed.
Vehicle entries that: <ul style="list-style-type: none"> • Do not create traffic conflict. • Do not undermine the attractiveness or safety of the pedestrian experience 	Vehicle access for the basement beneath Towers 1 and 2 is suitably located along the Franklin Street frontage of Tower 1. A separate loading bay access (for ground level) is provided adjacent to the basement access. This arrangement minimises conflict with the safety of pedestrians around the site, particularly the dedicated pedestrian links around and within the precinct.
Colonnades that: <ul style="list-style-type: none"> • Are safe and attractive. • Are accessible to people of all abilities. 	N/A.
Building Mass	
Building mass that: <ul style="list-style-type: none"> • Distinguishes between different buildings where a development comprises multiple buildings. • Respects the height, scale and proportions of adjoining heritage places or buildings within a Special Character Area. • Reinforces the fine grain and visual interest of streetscapes. • Maintains a diverse and interesting skyline through the design of roof profiles. 	The height, scale and proportions of each building achieve an appropriate built form response to the site and its context. Noting the highly visible location at the northern edge of the central city, the proposal will make a visually engaging contribution to the diversity of the skyline.
Street walls that: <ul style="list-style-type: none"> • Adopt a variety of streetwall heights to reinforce the traditional fine grain, vertical rhythm and visual interest of streetscapes. • Provide aesthetic interest to the public realm. • Frame comfortable and attractive streets. 	The street wall heights, with a maximum 20 metres, are consistent with the DP. The street walls of each tower are provided with a high level of articulation and material variation. The rhythm of the street walls reflects the structure of the FSS, which also serves to break up the mass along each frontage.
Building Program	
A building program that: <ul style="list-style-type: none"> • Delivers safe and high quality interfaces between the public and private realm. • Maximises activation of the public realm. • Can accommodate a range of tenancy sizes, including smaller tenancies in the lower levels of the building. • Allows for adaptation to other uses over time. • Delivers internal common areas or podium-rooftop spaces that maximise passive surveillance and interaction with the public realm. • Promotes a strong physical and visual relationship between any uses provided as part of a public benefit under the provisions of Schedule 1 to the Capital City Zone within the building, and the street. 	<p>The development is appropriately designed to address the existing and new public realm.</p> <p>Building entries are proposed along Peel / William Street, the east-west pedestrian link, the north-south pedestrian links and Franklin Street.</p> <p>All levels of the building, including the ground floor, will feature large, glazed windows, to maximise activation to the public realm. Floor to ceiling heights are generally consistent with the design requirements:</p> <ul style="list-style-type: none"> • The ground floor of each building will have floor to ceiling heights exceeding 4.0 metres. • Levels 2 and 3 will have minimum floor to ceiling heights between 3.15 and 3.8 metres. • Levels above 3 and up to 20m will have minimum floor to ceiling heights of 3.15 to 3.85 metres. <p>While not strictly adhering to the stipulated heights, the development achieves the design outcomes and is acceptable having regard to the slope of the land across the site.</p>



Building services that:

- Minimise impacts on the public realm.
- Maximise the quality and activation of the public realm.
- Do not dominate the pedestrian experience and are designed as an integrated design element.
- Provide waste collection facilities as an integrated part of the building design.

The proposal results in a total of 559 square metres, or 13.32%, of the 4,199 square metres combined ground floor area being dedicated to building services, which is less than the mandatory maximum of 40%.

The location and layout of building services are generally designed to minimise their impact on the public realm and are suitably integrated into the buildings as they present to Franklin Street.

Car parking that:

- Minimises the impact of car parking on the public realm.

The proposal includes basement car parking.

Public Interfaces

Public interfaces that:

- Contribute to the use, activity, safety and interest of the public realm.
- Provide continuity of ground floor activity along streets and laneways.
- Allow unobstructed views through openings into the ground floor of buildings.

The ground level provides an active frontage to 83% of the total frontage to Tower 1 and 85% of the total frontage to Tower 2, consistent with these requirements.

The active frontages are generally an entry and windows to the ground level lobbies, the bicycle parking area and the café and retail spaces.

Facade projections and balconies that:

- Do not adversely impact the levels of daylight or views to the sky from a street or laneway.
- Do not obstruct the service functions of a street or laneway through adequate clearance heights.
- Add activity the public realm.
- Form part of a cohesive architectural response to the public realm.

Tower 1 includes projections of 500 mm beyond the Peel / William Street title boundary and 300 mm beyond the Franklin Street title boundary, consistent with these requirements.

Weather protection that:

- Delivers pedestrian comfort in the public realm and protection from rain, wind and summer sun.
- Uses canopies that are functional, of high quality design, and contribute to the human scale of the street.

Tower 1 includes canopies along Peel / William Street and Franklin Street frontage, promoting pedestrian amenity and protection from rain, wind and summer sun.

Tower 2 does not include any canopies, however the ground level is designed with open and recessed entry points that offer shelter within the site.

Design Detail

Exterior design that:

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

The design detailing further refines many architectural and urban design elements. In particular, the tonal hues and type of the materials and the design integration between the FSS, podium and tower forms provides an appropriate and contextual design response which has undergone rigorous design review.

Pedestrian Links / Landscaping

92. The proposal will deliver an east-west pedestrian link between the towers and the FSS and two north-south pedestrian links between Towers 1 and 2 and Towers 2 and 3, consistent with the requirements of the DP.
93. The east-west pedestrian link will connect Peel / William Street with Queen Street and open up at the western end to increase views to the FSS. The north-south pedestrian links will connect Franklin Street to the future Market Square and the Market. The width and height dimensions and clearances along the links are consistent with the DP requirements and all links will provide 24/7 access. A condition will be included on any permit to issue requiring a section 173 Agreement to be entered into to allow 24/7 unimpeded public access.
94. The pedestrian links will incorporate high quality and robust materials, consistent with the council's materials standards of bluestone and granite. Variations of materials and patterns will assist in legibility and wayfinding, including particular paving treatments at key nodal areas such as the lift access to the basement car park, on the edge of the FSS and at key building entries.
95. The pedestrian links will be activated by retail edges along the southern elevation of the FSS and along the various elevations of Towers 1 and 2. Towers 1 and 2 will also incorporate building entries to each of the towers and the public car park, further enhancing the public realm interfaces.
96. A condition will also be included on any permit to issue requiring guidelines for the management and maintenance of the pedestrian links. Embedded in this will be a set of tenancy guidelines for furniture and identifying what furniture items can be fixed and what can be portable within the links. This will ensure that there is a holistic management and design approach for the public realm.
97. The ground plane comprises landscaping along all the pedestrian links that will extend along the west elevation of Tower 1 in the form of landscaped terraces along the stepped elements of the built form and the north facing podium 'urban reef' of Tower 2. A condition will be included on any permit to issue requiring the submission and endorsement of a detailed Landscape Plan and Maintenance Plan, which will ensure these detailed elements are appropriately designed.



Figure 25: Tower 1 Ground level landscape plan (Source: Application)



Figure 26: Tower 2 Ground level landscape plan (Source: Application)

Car Parking, Bicycle Parking, Loading / Unloading and Waste

Car Parking

98. The following car parking rates are applicable to the application:

Use	Purpose	No. of spaces required by the DP	No. of spaces required by the planning scheme	No. of spaces provided
Public Car Park	Public	200	200	198
Trader Vans	Trader Vans	20	20	20
Office / Retail (total area – 44,275 m ²)	Employee	80 for office 0 for retail	221 maximum	82
Dwelling (569 dwellings)	Resident	N/A	569 maximum	87
	Visitor	N/A	N/A	
Total		300 minimum	1,010	387

99. A permit is required to use the land for a car park and it must meet the requirements of Clause 52.06 of the scheme and not be an open lot car park. The proposed basement car park, specifically the public spaces, are a requirement of DPO11. Where 500 public spaces have been provided within Parcel A of DPO11, the remaining 220 spaces are required to be provided on Parcel D. Hence, the proposed use for 220 car parking spaces is considered acceptable.

100. Public car spaces (198) and trader vans (20) are generally consistent with the endorsed DP. It is noted that the plans show 82 commercial spaces and 198 public car spaces. A condition will be included on any permit to issue, requiring 2 spaces to be reallocated from commercial to public use, consistent with DPO11 and the endorsed DP.

101. The proposed car parking provided for the office, retail and dwelling uses is less than the maximum statutory requirement and is considered acceptable. The council has not raised any concerns with the provision of car parking spaces. The basement levels also provide 4 motorcycle parking spaces, which is more than the 2 spaces required.



102. The access and layout of the car park is generally in accordance with the design standards as Clause 52.06-9 (Car Parking). They are also generally in accordance with the endorsed DP and the associated Transport Management Report, in particular the alignment of Franklin Street to the south and the provision of the remaining 220 car parking spaces of the total 720 spaces to be provided for the market operations.

103. The council has reviewed the design of the basement levels, with regard to car parking spaces, and have recommended:

- further details on the proposed management of the car parking spaces and bicycle facilities, as part of a management plan;
- clarification on how amenity and traffic concerns are to be managed / mitigated through the provision of a Loading Management Plan; and
- the requirement for a Road Safety Audit.

The council has not raised any concerns with the layout or traffic impacts of the proposal.

104. These requirements are considered reasonable and will be included as conditions on any permit to issue.

Bicycle Parking

105. Clause 52.34-1 of the scheme requires bicycle parking facilities as follows:

Use	Purpose	Bicycle Parking Rate	No. of spaces required	No. of spaces provided
Dwelling (569 dwellings)	Resident	1 space / 5 dwellings	114	235
	Visitor	1 space / 10 dwellings	57	49*
Office (42,851 m ²)	Employee	1 space / 300 m ² of net floor area	143	601
	Visitor	1 space / 1,000 m ² of net floor area	43	36*
Retail (1,424 m ²)	Employee	1 space / 300 m ² of leasable floor area	5	8
	Customer	1 space / 500 m ² of leasable floor area	3	24*
Showers	Employee	If 5 or more employee bicycle spaces are required, 1 shower for the first 5 employee spaces, plus 1 to each 10 employee bicycle spaces thereafter.	15 showers	12 x female showers / change rooms
Change rooms	Employee	1 change room or direct access to a communal change room to each shower. The change room may be a combined shower and change room.	1 change room	12 x male showers / change rooms 1 x accessible shower/ change room
Total			365	953

*Visitor spaces are provided internally and externally on the ground level; overall the required visitor spaces are provided.

106. The proposal includes a total of 953 bicycle spaces, which exceeds the requirement for 365 spaces. As such, no permit is required under this clause.

107. The application also provides 12 female showers / change rooms, 12 male showers / change rooms and 1 accessible shower / change room. A total of 545 lockers are provided for the EoT facilities. This complies with Clause 52.34-5.

108. The bicycle spaces will be provided in Basement Level 1 (for residents and resident visitors), internal areas and within the public realm (for visitors) and Level 01 in Tower 1 (for office and retail employees). Level 01 in Tower 1 will provide the end of trip facilities with access via dedicated lifts and a stair accessed from Franklin Street.



109. The council has reviewed the design and location of the bicycle spaces, and have recommended further details on the accessibility of the bicycle spaces, particularly within the basement for visitors. This is considered reasonable, and a condition will be included on any permit to issue.
110. It is considered that the proposal is acceptable and appropriately responds to Clause 52.34 of the scheme.

Loading / Unloading

111. Loading bays are provided on the ground level of Tower 1, with access from Franklin Street to the south and on Basement Level 01, adjacent to the trader van spaces.
112. The ground level loading bays have been designed to accommodate vehicles up to a size of an 8.8 metre MRV (Medium Rigid Vehicle), with allowance made for waste collection via a vehicle up to a size of a 10.7 metre hooklift truck. This loading area under Tower 1 will service both towers.
113. The loading spaces on Basement Level 01 will cater to smaller vehicles up to a size of 6.4 metre SRV (Small Rigid Vehicles).
114. The council has not raised any concerns with the proposed loading area. However, it has recommended a Loading Management Plan and a Road Safety Audit be submitted for approval. It has also requested a condition for a Dock Manager to be responsible for controlling the operation of the loading bay and unloading of goods. These are considered reasonable, with some flexibility in the Dock Manager role, and will be included as conditions on any permit to issue.


Waste

115. The application is supported by a Waste Management Plan (WMP) prepared by WSP and dated 20 May 2024. It proposes private waste collection for both towers. Whilst the dwellings within Tower 2 are entitled to council waste collection, the applicant has advised that they prefer private collection due to the commercial nature of the overall development. The council's waste team considers the WMP unacceptable and that it should be updated to demonstrate its ability for a municipal collection for residential waste as the ultimate collection agency. As such, modifications are required to ensure that the site is capable of municipal collection. Provision for permanent storage bins for organic bin collection, reference to commercial waste room and the correct size of bins are also required to be updated in the WMP.
116. The council has recommended a condition to be included on any permit to issue to update the WMP to ensure that the above matters are addressed. This is considered reasonable and will be included as a condition on any permit to issue.

Environmental considerations

Environmentally Sustainable Design (ESD)

117. The application is supported by two Sustainability Management Plans (SMPs – one for each Tower) prepared by WSP and dated 27 March 2024 in response to Clause 15.01-2L-01 of the scheme.
118. The SMP for Tower 1 states that the proposal has the potential to achieve a certified 6-star Green Star Buildings rating.
119. The SMP for Tower 2 states that the proposal has the potential to achieve a 5-star Green Star Buildings rating.
120. The council notes that the proposal is capable of achieving an appropriate response when assessed against Clause 15.01-2L-01 and the Sustainability Strategy and targets approved in the DP.
121. The council has recommended a condition be included on any permit to issue requiring the submission and approval of updated SMPs to provide evidence that the development has been registered to seek the minimum star ratings with the Green Building Council of Australia, a signed NABERS Commitment Agreement, pre-screening checklist and evidence, evidence of WELL register and enrolment, daylight modelling, urban heat island impacts,



20% improvement for carbon emissions, draft Zero Carbon Action Plan, water efficiency modelling, Sustainable Transport Plan and a response to Biodiversity Enhancement credit.

122. Further, a condition has also been recommended by the council for a report to be submitted within 12 months of occupation of the building to ensure that all ESD commitments are implemented and other further certification to be submitted within 24 and 36 months of occupation of the buildings.
123. The SMP requests by the council are considered reasonable, and conditions will be included on any permit to issue to reflect these requirements.

Water Sensitive Urban Design (WSUD)

124. The SMP for Tower 1 includes a preliminary MUSIC modelling to respond to Clauses 19.03-3L and 53.18 of the scheme. The required treatment levels could be achieved by rainwater capture and reuse system with a 30,000 litre rainwater tank (located within the basement levels) to be used for connection to toilets, irrigation and wash down areas to achieve the best practice performance objectives.
125. The SMP for Tower 2 includes a preliminary MUSIC modelling to respond to Clauses 19.03-3L and 53.18. The required treatment levels could be achieved by rainwater capture and reuse system with a 30,000 litre rainwater tank (located within the basement levels) to be used for irrigation and wash down areas to achieve the best practice performance objectives.
126. The council has recommended that the SMPs be updated to include final MUSIC modelling that meets the requirements. This is considered reasonable and will be include as a condition on any permit to issue.

Environmental Audit

127. While the site is not located within an Environmental Audit Overlay, the application is supported by a letter prepared by Senversa Pty Ltd and dated 18 July 2023, which identified a summary of the recent Environmental Investigations undertaken for the site:
- Cardno 2020. QVM Precinct Renewal Program – Preliminary Contamination Site Investigation – Southern Development Site and Queens Corner. (Document Ref: V200049Report01.3)
 - Seversa 2023a. In-situ Waste Soil Categorisation – Queen Victoria Market Southern Development Site Project – Development Area Combined Stage D1 and D2. (Document Ref: M20378_011_LTR_Rev0).
 - Seversa 2023b. In-situ Waste Soil Categorisation – Queen Victoria Market Southern Development Site Project – Development Area Queen’s Corner. (Document Ref: M20662_002_LTR_Rev1).
128. The letter concludes:
- *The risks associated with excavation, management and disposal of contaminated soils identified at the Queen Victoria Market Development Project are deemed to be low and manageable provided that applicable industry standards are followed by the contractors conducting the work.*
 - *As such Senversa anticipates no further environmental implications to the proposed early works package. If unexpected contamination is encountered during excavation works (e.g. ACM in soil or visual and / or olfactory evidence of contamination such as odour or staining) it is recommended that soils are segregated and further assessed by an experienced environmental practitioner via further sampling and laboratory analysis.*
129. This information is considered acceptable and no further environmental investigations are required.

Noise

130. The application is supported by two Acoustic Reports (one for each Tower) prepared by PWNA and dated 21 December 2023 in response to the requirements within the DP. Specifically, the DP requires permit applications for sensitive land uses (dwellings) to be accompanied by acoustic assessments to address noise associated with vehicles, trams, loading and the market operations.



131. Given the commercial use for Tower 1, the report includes recommendations for treatments to mechanical plant and services throughout the building. This is considered reasonable, and a condition will be included on any permit to issue.
132. The residential use for Tower 2 requires more extensive acoustic treatments. The report for Tower 2 provides a high level review of the proposal and the surrounding noise sources. Further details are required to identify the surrounding noise sources and the subsequent acoustic treatments. A condition will be included on any permit to issue requiring an updated acoustic report to address these.

Signage

133. Signage is proposed on the towers as follows:
- Tower 1:
 - 1 x internally illuminated business identification high wall sign measuring 3.8 metres high x 21.55 metres long along the plant levels on the west elevation;
 - 1 x internally illuminated business identification high wall sign measuring 6.61 metres high x 8.1 metres long plant level 30 on the north elevation;
 - 1 x indicative signage zone on Level 01 for the building tenant and 1 x signage zone for the car park entry along the south elevation;
 - 1 x signage zone on the Ground Level for the pedestrian car park entry / lifts along the east elevation; and
 - 2 x indicative signage zones on Level 01 for the building tenant along the west elevation.
 - Tower 2:
 - Indicative signage zones are proposed on the Ground Level along the north and south elevations.
134. The location of the proposed signage is considered reasonable. The internally illuminated business identification high wall signs to Tower 1 are consistent with the endorsed DP that requires one high wall sign to the north elevation, integration with the façade of the building and a maximum of 2 high wall signs per building. The Ground Level and Level 01 signage zones are reasonable in so far as they are appropriately located to identify the relevant building and retail tenants.
135. While signage zones have been provided, further details are required regarding the size, material, colour, lettering style and details of illumination. These will be required via a condition on any permit to issue for further signage plans.

Aboriginal Cultural Heritage

136. The application site is located within 200 metres of an area of Cultural Heritage Sensitivity as shown in the figure below.
137. The proposed works activate the requirement for a Cultural Heritage Management Plan (CHMP).
138. Various CHMPs have been approved for the DP site and the wider QVM precinct. The following recent plans have been approved for the DP area:
- CHMP 14125 (Old Melbourne Cemetery) – approved on 15 May 2018; and
 - CHMP 17098 (outside of Old Melbourne Cemetery) – approved on 12 May 2020
139. The works proposed under this application would be required to comply with all conditions contained within the approved CHMPs. A note has been included on any permit to issue to reference this.



Figure 27: Map of Cultural Heritage Sensitivity (Source: CHMP 17098)



140. The proposed development is generally in accordance with the endorsed DP titled 'Queen Victoria Market Southern Precinct Development Plan, June 2024' and is supported by all informal and formal referral agencies, subject to conditions. The proposal (as well as other components of the Queen Victoria Market Southern Development Site overall development, including Tower 3 and the overarching DP) has undergone rigorous design review which has resulted in buildings of design excellence that will integrate well with other components.
141. It is recommended that Planning Permit PA2302374 for the use of the land as a car park, construction of two buildings for use as office and Build to Rent dwellings and erect advertising signs at land known as Part Crown Allotment 2057 at West Melbourne City of Melbourne Parish of Melbourne North be issued, subject to conditions, as outlined in this report.
142. It is recommended that the applicant, the council and Head, TfV be notified of the above in writing. Further, that the OVGA and HV are also advised in writing of the approval.

Appendix 2: Clause 58 Assessment (Better Apartments Design Standards)



Application requirements

Clause 58.01-1	Assessment
<ul style="list-style-type: none">An application must be accompanied by:<ul style="list-style-type: none">An urban context report.A design response.	The endorsed Development Plan titled, 'Queen Victoria Market Southern Precinct Development Plan, June 2024' (the DP), provides the urban context of the site and the design response.

Urban context report

Clause 58.01-2	Assessment
<ul style="list-style-type: none">The urban context report may use a site plan, photographs or other techniques and must include:An accurate description of:<ul style="list-style-type: none">Site shape, size, orientation and easements.Levels and contours of the site and the difference in levels between the site and surrounding properties.The location and height of existing buildings on the site and surrounding properties.The use of surrounding buildings.The location of private open space of surrounding properties and the location of trees, fences and other landscape elements.Solar access to the site and to surrounding properties.Views to and from the site.Street frontage features such as poles, street trees and kerb crossovers.The location of local shops, public transport services and public open spaces within walking distance.Movement systems through and around the site.Any other notable feature or characteristic of the site.An assessment of the characteristics of the area including:<ul style="list-style-type: none">Any environmental features such as vegetation, topography and significant views.The pattern of subdivision.Street design and landscape.The pattern of development.Building form, scale and rhythm.Connection to the public realm.Architectural style, building details and materials.Off-site noise sources.The relevant NatHERS climate zones (as identified in Clause 58.03-1).Social and economic activity.Any other notable or cultural characteristics of the area.	The submitted planning report prepared by Urbis and the architectural plans prepared by NH Architecture satisfactorily meet the requirements of this Clause.

Design response

Clause 58.01-3	Assessment
<ul style="list-style-type: none">The design response must explain how the proposed design:<ul style="list-style-type: none">Responds to any relevant planning provision that applies to the land.Meets the objectives of Clause 58.Responds to any relevant housing, urban design and landscape plan, strategy or policy set out in this scheme.Derives from and responds to the urban context report.The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may	The submitted planning report prepared by Urbis and the architectural plans prepared by NH Architecture satisfactorily meet the requirements of this Clause.

waive or reduce the requirement.

Urban context objectives

Clause 58.02-1	Assessment
Objectives <ul style="list-style-type: none">To ensure that the design responds to the existing urban context or contributes to the preferred future development of the area.To ensure that development responds to the features of the site and the surrounding area.	Meets Objective <p>The design response is consistent with the endorsed Development Plan titled, 'Queen Victoria Market Southern Precinct Development Plan, June 2024'.</p>
Standard D1 <ul style="list-style-type: none">The design response must be appropriate to the urban context and the site.The proposed design must respect the existing or preferred urban context and respond to the features of the site.	Complies with Standard <p>The design response is consistent with the endorsed Development Plan titled, 'Queen Victoria Market Southern Precinct Development Plan, June 2024'.</p>

Residential policy objectives

Clause 58.02-2	Assessment
Objectives <ul style="list-style-type: none">To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.To support higher density residential development where development can take advantage of public and community infrastructure and services.	Meets Objective <p>The development provides higher density residential development in an area identified for increased housing density in a location which has good access to services, infrastructure and public transport. The proposed residential development responds to housing policies in the MPS and PPF.</p>
Standard D2 <ul style="list-style-type: none">An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.	Complies with Standard <p>The submitted planning report prepared by Urbis includes a written statement describing how the development is consistent with relevant policies for housing in the MPS and PPF.</p>

Dwelling diversity objectives

Clause 58.02-3	Assessment
Objective <ul style="list-style-type: none">To encourage a range of dwelling sizes and types in developments of ten or more dwellings	Meets Objective <p>The development comprises a range of dwelling sizes and types to meet a range of housing needs.</p>
Standard D3 <ul style="list-style-type: none">Developments of ten or more dwellings should provide a range of dwelling sizes and types, including dwellings with a different number of bedrooms.	Complies with Standard <p>The development provides a range of dwelling types and layouts, including 106 x studio dwellings, 208 x 1 bedroom dwellings, 243 x 2 bedroom dwellings and 12 x 3 bedroom dwellings.</p>

Infrastructure objectives

Clause 58.02-4	Assessment
Objectives <ul style="list-style-type: none">To ensure development is provided with appropriate utility services and infrastructure.To ensure development does not unreasonably overload the capacity of utility services and infrastructure.	Meets Objective <p>The development will be provided with appropriate utility services and infrastructure and will not unreasonably overload the capacity of existing utility services and infrastructure.</p>
Standard D4 <ul style="list-style-type: none">Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.	Complies with Standard <p>The development will be connected to all relevant services as appropriate for a building of this scale. It will not unreasonably exceed the capacity of the</p>



- *Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.*
- *In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure*

surrounding service infrastructure.

Integration with the street objective

Clause 58.02-5	Assessment
Objective <ul style="list-style-type: none"> • <i>To integrate the layout of development with the street.</i> 	Meets Objective The development has been designed to integrate with Franklin Street, activating both the street and the internal pedestrian links.
Standard D5 <ul style="list-style-type: none"> • <i>Developments should be oriented to front existing and proposed streets.</i> • <i>Along street frontage, development should:</i> <ul style="list-style-type: none"> ○ <i>Incorporate pedestrian entries, windows, balconies or other active spaces.</i> ○ <i>Limit blank walls.</i> ○ <i>Limit high front fencing, unless consistent with the existing urban context.</i> ○ <i>Provide low and visually permeable front fences, where proposed.</i> ○ <i>Conceal car parking and internal waste collection areas from the street. adequate vehicle and pedestrian links that maintain or enhance local accessibility.</i> • <i>Development next to existing public open space should be designed to complement the open space and facilitate passive surveillance.</i> 	Complies with Standard The development is designed to front Franklin Street and the internal pedestrian links. The primary pedestrian entrance to the residential lobby is via Franklin Street, with an additional entrance from the east-west pedestrian link. The upper levels include windows and balconies for the dwellings and the indoor and outdoor communal areas. Given the exposed northern elevation and the tower floorplate size, the lift core is located along the southern elevation. The central part of the southern elevation is treated with various coloured materials to reduce the effect of the blank wall. Vehicular access to basement car parking and waste collection is located within Tower 1. The development provides appropriate setbacks to the future Market Square, in excess of DPO11 requirements, allowing for passive surveillance.

Energy efficiency objectives

Clause 58.03-1	Assessment
Objectives <ul style="list-style-type: none"> • <i>To achieve and protect energy efficient dwellings and buildings.</i> • <i>To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.</i> • <i>To ensure dwellings achieve adequate thermal efficiency.</i> 	Meets Objective The development protects the energy efficiency of existing buildings through appropriate setbacks. The orientation and layout of the development makes appropriate use of daylight and solar energy.
Standard D6 <ul style="list-style-type: none"> • <i>Buildings should be:</i> <ul style="list-style-type: none"> ○ <i>Oriented to make appropriate use of solar energy.</i> ○ <i>Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.</i> • <i>Living areas and private open space should be located on the north side of the development, if practicable.</i> • <i>Developments should be designed so that solar access to north-facing windows is optimised.</i> • <i>Dwellings located in a climate zone identified in Table D1 should not exceed the maximum NatHERS annual cooling load specified in the following table.</i> 	Complies with Standard The development has been designed to maximise solar energy, where practical. The Sustainability Management Plan prepared by WSP is targeting a minimum NatHERS rating of 7 stars and an average NatHERS rating of 8 stars for the dwellings. No dwelling will exceed the maximum NatHERS annual cooling load of 30 MJ/M ² .



NatHERS climate zone	NatHERS maximum cooling load MJ/M ² per annum
Climate zone 21 Melbourne	30
Climate zone 22 East Sale	22
Climate zone 27 Mildura	69
Climate zone 60 Tullamarine	22
Climate zone 62 Moorabbin	21
Climate zone 63 Warrnambool	21
Climate zone 64 Cape Otway	19
Climate zone 66 Ballarat	23

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
<p>Objectives</p> <ul style="list-style-type: none"> • 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. 	<p>Meets Objective</p> <p>The development provides multiple areas of communal open space that will meet the recreation and amenity needs of residents. The communal open space will be accessible, practical, attractive and integrated with the layout of the development.</p>
<p>Standard D7</p> <ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> ○ Accessible to all residents. ○ A useable size, shape and dimension. ○ Capable of efficient management. ○ Located to: <ul style="list-style-type: none"> - 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. 	<p>Complies with Standard</p> <p>The proposed development exceeds the minimum 220 m² required as it provides:</p> <ul style="list-style-type: none"> • 2,295 m² of internal communal areas; • 717 m² of external communal areas; • 307 m² of residential lobby areas on the ground level. <p>The areas will each have their own purpose or function, comprising:</p> <ul style="list-style-type: none"> • Ground Level: lobby, lobby lounge, mail room, residential storage and informal meeting areas; • Level 1: offices, co-working spaces and 'third spaces' (all for occupants of the building) and a landscaped terrace; • Level 2: internal working lounge; • Level 5: gym, pool and a landscaped terrace; • Level 22: lounge and landscaped terrace; • Level 38: lounge and landscaped terrace; and • Level 42: lounge areas, sitting areas, kitchens, dining areas and a landscaped covered terrace. <p>These areas will be accessible, useable and capable of efficient management.</p>



Solar access to communal outdoor open space objective

Clause 58-03-3	Assessment
Objective <ul style="list-style-type: none">To allow solar access into communal outdoor open space	Meets Objective <p>The development will allow solar access into the proposed communal outdoor areas due to their location and orientation.</p>
Standard D8 <ul style="list-style-type: none">The communal outdoor open space should be located on the north side of a building, if appropriate.At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.	Complies with Standard <p>The shadow diagrams demonstrate that 190 m² of communal open space on Level 5 will receive full sunlight for at least two hours between 9am and 3pm on 21 June. Other communal open spaces throughout the building will also receive adequate solar access throughout the day on 21 June.</p>

Safety objective

Clause 58.03-4	Assessment
Objective <ul style="list-style-type: none">To ensure the layout of development provides for the safety and security of residents and property	Meets Objective <p>The layout of the development provides for the safety and security of residents and property.</p>
Standard D9 <ul style="list-style-type: none">Entrances to dwellings should not be obscured or isolated from the street and internal accessways.Planting which creates unsafe spaces along streets and accessways should be avoided.Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.Private spaces within developments should be protected from inappropriate use as public thoroughfares.	Complies with Standard <p>The layout of the development has been designed to maximise passive surveillance towards Franklin Street and out over the FSS and the future Market Square to the north. The layout of the basement car park is safe and functional, can be well lit and provided with signage to ensure comfortable and safe movements for residents, building occupants and the public.</p>

Landscaping objectives

Clause 58.03-5	Assessment
Objectives <ul style="list-style-type: none">To provide landscaping that supports the existing or preferred urban context of the area and reduces the visual impact of buildings on the streetscape.To preserve existing canopy cover and support the provision of new canopy cover.To ensure landscaping is climate responsive, supports biodiversity, wellbeing and amenity and reduces urban heat.	Meets Objective <p>The proposed landscaping response supports the preferred urban context of the area.</p>
Standard D10 <ul style="list-style-type: none">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:<ul style="list-style-type: none">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:<ul style="list-style-type: none">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	Variation to Standard <p>Given the site area is approximately 5,854 square metres, Standard D10 requires 15% of the site area (878 square metres) to be provided for deep soil planting and 350 square metres plus 20% of the site area above 2,500 square metres (670 square metres) of canopy cover (1,020 square metres).</p> <p>The proposal does not provide a compliant quantum of deep soil planting. However, the proposal is considered to be acceptable given it's CBD location.</p> <p>Having regard to the landscape character of the surrounding context and the extent of landscaping proposed within the wider development precinct, which includes the future Market Square, it is considered appropriate to vary the requirements of</p>



or street frontages.

- Comprise smaller trees, shrubs and ground cover, including flowering native species.
- Include landscaping, such as climbing plants or smaller plants in planters, in the street frontage and in outdoor areas, including communal outdoor open space.
- Shade outdoor areas exposed to summer sun through landscaping or shade structures and use paving and surface materials that lower surface temperatures and reduce heat absorption.
- Be supported by irrigation systems which utilise alternative water sources such as rainwater, stormwater and recycled water.
- Protect any predominant landscape features of the area.
- Take into account the soil type and drainage patterns of the site.
- Provide a safe, attractive and functional environment for residents.
- Specify landscape themes, vegetation (location and species), irrigation systems, paving and lighting.
- Specify landscape themes, vegetation (location and species), irrigation systems, paving and lighting.

Table D2 Canopy cover and deep soil requirements

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

Table D3 Soil requirements for trees

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

this standard in relation to deep soil areas and planting.

It is also noted that the proposal includes integrated landscaping at ground level as well as upper level communal terraces, which feature planter beds for both tree planting and low shrubs that will enhance the landscape setting of the area.

Note:

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

Table D4 Tree types

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

Access objectives

Clause 58.03-6	Assessment
Objectives <ul style="list-style-type: none"> • To ensure that vehicle crossovers are designed and located to provide safe access for pedestrians, cyclists and other vehicles. • To ensure the vehicle crossovers are designed and located to minimise visual impact. 	Meets Objective Vehicle crossovers for access to the basement car park and the ground level loading area are located within Tower 1.
Standard D11 <ul style="list-style-type: none"> • Vehicle crossovers should be minimised. • Car parking entries should be consolidated, minimised in size, integrated with the façade and where practicable located at the side or rear of the building. • Pedestrian and cyclist access should be clearly delineated from vehicle access. • The location of crossovers should maximise pedestrian safety and the retention of on-street car parking spaces and street trees. • Developments must provide for access for service, emergency and delivery vehicles. 	Complies with Standard Vehicles crossovers for access to the basement car park and the ground level loading are located within Tower 1.

Parking location objectives

Clause 58.03-7	Assessment
Objectives <ul style="list-style-type: none"> • To provide convenient parking for resident and visitor vehicles. • To protect residents from vehicular noise within developments. 	Meets Objective The development provides convenient parking for residents in a secure basement which also ensures residents are well protected from vehicle noise.
Standard D12 <ul style="list-style-type: none"> • Car parking facilities should: <ul style="list-style-type: none"> ○ Be reasonably close and convenient to dwellings. ○ Be secure. ○ Be well ventilated if enclosed. • Shared accessways or car parks of other dwellings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway. 	Complies with Standard Car parking is appropriately located within the basement of the development. Car parking areas are appropriately set out, provided with convenient internal access and internal areas can be well lit and protected via security systems as required.

Integrated water and stormwater management objectives

Clause 58.03-8	Assessment
Objectives <ul style="list-style-type: none"> • To encourage the use of alternative water sources such as rainwater, 	Meets Objective The development achieves the objectives of this



<p>stormwater and recycled water.</p> <ul style="list-style-type: none"> To facilitate stormwater collection, utilisation and infiltration within the development. To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site. 	<p>Clause through the use of alternative water sources to reduce the impact of stormwater run-off on the drainage system.</p>
<p>Standard D13</p> <ul style="list-style-type: none"> Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use. Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority. The stormwater management system should be: <ul style="list-style-type: none"> Designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999). Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas. 	<p>Complies with Standard</p> <p>As detailed in the submitted Sustainable Management Plan, the development will meet the best practice standard for urban stormwater management. MUSICX modelling results have been provided for the building, which achieves best practice, with a 30,000 litre rainwater tank to be used for irrigation and wash down areas.</p> <p>The council has recommended that the SMP be updated to include final MUSIC modelling that meets the requirements which will be included as a condition on any permit to issue.</p>

Building setback objectives

<p>Clause 58.04-1</p>	<p>Assessment</p>
<p>Objectives</p> <ul style="list-style-type: none"> To ensure the setback of a building from a boundary appropriately responds to the existing urban context or contributes to the preferred future development of the area. To allow adequate daylight into new dwellings. To limit views into habitable room windows and private open space of new and existing dwellings. To provide a reasonable outlook from new dwellings. To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents. 	<p>Meets Objective</p> <p>The building setbacks are consistent with the endorsed Development Plan titled, 'Queen Victoria Market Southern Precinct Development Plan, June 2024'.</p> <p>The proposed building allows for adequate daylight into the new dwellings and for reasonable outlook from all habitable rooms, ensuring a high standard of internal amenity for future occupants.</p> <p>The design response, in terms of height and setbacks, contributes to the preferred future development of the area for increased housing.</p>
<p>Standard D14</p> <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> 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. 	<p>Complies with Standard</p> <p>The proposed built form is consistent with the endorsed Development Plan titled, 'Queen Victoria Market Southern Precinct Development Plan, June 2024' and appropriately responds to the features of the site.</p> <p>The proposed height and setbacks are considered acceptable as the building will provide adequate daylight into new habitable room windows, avoid direct views into any habitable room windows, provide an outlook that creates a visual connection to the surrounding environment and appropriately responds to the objectives of Clause 58.</p>

Internal views objective

<p>Clause 58.04-2</p>	<p>Assessment</p>
<p>Objective</p> <ul style="list-style-type: none"> To limit views into the private open space and habitable room windows of dwellings within a development. 	<p>Meets Objective</p> <p>The building is designed to limit views into the private open space and habitable room windows of dwellings within the development.</p>
<p>Standard D15</p> <ul style="list-style-type: none"> Windows and balconies should be designed to prevent overlooking of 	<p>Complies with Standard</p> <p>The massing of the tower has been designed to</p>

more than 50 per cent of the private open space of a lower-level dwelling directly below and within the same development.

ensure direct views are limited between balconies or habitable room windows.

Noise impacts objectives

Clause 58.04-3	Assessment																		
<p>Objectives</p> <ul style="list-style-type: none"> To contain noise sources in developments that may affect existing dwellings. To protect residents from external and internal noise sources. 	<p>Meets Objective</p> <p>The building is designed to protect residents from external and internal noise sources.</p>																		
<p>Standard D16</p> <ul style="list-style-type: none"> Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings. The layout of new dwellings and buildings should minimise noise transmission within the site. Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings. New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources. Buildings within a noise influence area specified in Table D3 should be designed and constructed to achieve the following noise levels: <ul style="list-style-type: none"> 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. 	<p>Complies with Standard</p> <p>The application is supported by two Acoustic Reports (one for each Tower) prepared by PWNA and dated 21 December 2023 in response to the requirements within the DP. Specifically, the DP requires permit applications for sensitive land uses (dwellings) to be accompanied by acoustic assessments to address noise associated with vehicles, trams, loading and the market operations.</p> <p>Given the commercial use for Tower 1, the report includes recommendations for treatments to mechanical plant and services throughout the building. This is considered reasonable, and a condition will be included on any permit to issue.</p> <p>The residential use for Tower 2 requires more extensive acoustic treatments. The report for Tower 2 provides a high level review of the proposal and the surrounding noise sources. Further details are required to identify the surrounding noise sources and the subsequent acoustic treatments. A condition will be included on any permit to issue requiring an updated acoustic report to address these.</p>																		
<p>Table D5 Noise influence area</p>																			
<table border="1"> <thead> <tr> <th>Noise source</th> <th>Noise influence area</th> </tr> </thead> <tbody> <tr> <td colspan="2">Zone interface</td> </tr> <tr> <td>Industry</td> <td>300 metres from the Industrial 1, 2 and 3 zone boundary</td> </tr> <tr> <td colspan="2">Roads</td> </tr> <tr> <td>Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume</td> <td>300 metres from the nearest trafficable lane</td> </tr> <tr> <td colspan="2">Railways</td> </tr> <tr> <td>Railway servicing passengers in Victoria</td> <td>80 metres from the centre of the nearest track</td> </tr> <tr> <td>Railway servicing freight outside Metropolitan Melbourne</td> <td>80 metres from the centre of the nearest track</td> </tr> <tr> <td>Railway servicing freight in Metropolitan Melbourne</td> <td>135 metres from the centre of the nearest track</td> </tr> </tbody> </table>		Noise source	Noise influence area	Zone interface		Industry	300 metres from the Industrial 1, 2 and 3 zone boundary	Roads		Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume	300 metres from the nearest trafficable lane	Railways		Railway servicing passengers in Victoria	80 metres from the centre of the nearest track	Railway servicing freight outside Metropolitan Melbourne	80 metres from the centre of the nearest track	Railway servicing freight in Metropolitan Melbourne	135 metres from the centre of the nearest track
Noise source	Noise influence area																		
Zone interface																			
Industry	300 metres from the Industrial 1, 2 and 3 zone boundary																		
Roads																			
Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume	300 metres from the nearest trafficable lane																		
Railways																			
Railway servicing passengers in Victoria	80 metres from the centre of the nearest track																		
Railway servicing freight outside Metropolitan Melbourne	80 metres from the centre of the nearest track																		
Railway servicing freight in Metropolitan Melbourne	135 metres from the centre of the nearest track																		
<p>Note:</p> <p>The noise influence area should be measured from the closest part of the building to the noise source.</p>																			



Wind impacts objective

Clause 58.04-4	Assessment				
Objective <ul style="list-style-type: none"> To ensure the built form, design and layout of development does not generate unacceptable wind impacts within the site or on surrounding land. 	Meets Objective The built form, design and layout of the development will not generate unacceptable wind impacts within the site or on surrounding land, subject to further testing.				
Standard D17 <ul style="list-style-type: none"> Development of five or more storeys, excluding a basement should: <ul style="list-style-type: none"> not cause unsafe wind conditions specified in Table D6 in public land, publicly accessible areas on private land, private open space and communal open space; and achieve comfortable wind conditions specified in Table D6 in public land and publicly accessible areas on private land within a distance of half the greatest length of the building, or half the total height of the building measured outwards on the horizontal plane from the ground floor building façade, whichever is greater. Trees and landscaping should not be used to mitigate wind impacts. This does not apply to sitting areas, where trees and landscaping may be used to supplement fixed wind mitigation elements. Wind mitigation elements, such as awnings and screens should be located within the site boundary, unless consistent with the existing urban context or preferred future development of the area. <p style="text-align: center;">Table D6 Wind conditions</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr style="background-color: #009688; color: white;"> <th>Unsafe</th> <th>Comfortable</th> </tr> </thead> <tbody> <tr> <td style="vertical-align: top;"> 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. </td> <td style="vertical-align: top;"> 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"> 3 metres per second for sitting areas, 4 metres per second for standing areas, 5 metres per second for walking areas. </td> </tr> </tbody> </table>	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"> 3 metres per second for sitting areas, 4 metres per second for standing areas, 5 metres per second for walking areas. 	Complies with Standard A Pedestrian Wind Environment Study prepared by Windtech and dated 7 June 2024 accompanied the application. The report demonstrates, that with mitigation measures, the amenity of the public realm will not be adversely affected. Conditions will be included on any permit to issue requiring further testing be undertaken and that mitigation measures within the public realm are implemented as part of this approval.
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"> 3 metres per second for sitting areas, 4 metres per second for standing areas, 5 metres per second for walking areas. 				

Accessibility objective

Clause 58.05-1	Assessment									
Objective <ul style="list-style-type: none"> To ensure the design of dwellings meets the needs of people with limited mobility. 	Meets Objective The design and layout of the development has regard for the needs of people with limited mobility.									
Standard D18 <ul style="list-style-type: none"> At least 50 per cent of dwellings should have: <ul style="list-style-type: none"> 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. <p style="text-align: center;">Table D7 Bathroom design:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr style="background-color: #009688; color: white;"> <th></th> <th>Design option A</th> <th>Design option B</th> </tr> </thead> <tbody> <tr> <td style="border: none;">Door opening</td> <td style="border: none;">A clear 850mm wide door opening</td> <td style="border: none;">A clear 820mm wide door opening located opposite the shower</td> </tr> <tr> <td style="border: none;">Door</td> <td style="border: none;">Either:</td> <td style="border: none;">Either:</td> </tr> </tbody> </table>		Design option A	Design option B	Door opening	A clear 850mm wide door opening	A clear 820mm wide door opening located opposite the shower	Door	Either:	Either:	Complies with Standard The submitted architectural plans and Development Summary demonstrate that 81% of the proposed dwellings achieve compliance with the requirements of this Standard.
	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	Either:	Either:								



Design	<ul style="list-style-type: none"> • A slide door, or • A door that opens outwards, or • A door that opens inwards that is clear of the circulation area and has readily removable hinges. 	<ul style="list-style-type: none"> • A slide door, or • A door that opens outwards, or • A door that opens inwards and has readily removable hinges.
Circulation area	<p>A clear circulation area that is:</p> <ul style="list-style-type: none"> • A minimum area of 1.2 metres by 1.2 metres. • Located in front of the shower and the toilet. • Clear of the toilet, basin and the door swing. <p>The circulation area for the toilet and shower can overlap.</p>	<p>A clear circulation area that is:</p> <ul style="list-style-type: none"> • A minimum width of 1 metre. • The full length of the bathroom and a minimum length of 2.7 metres. • Clear of the toilet and basin. <p>The circulation area can include a shower area.</p>
Path to circulation area	A clear path with a minimum width of 900mm from the door opening to the circulation area.	Not applicable
Shower	A hobless (step-free) shower.	A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.
Toilet	A toilet located in the corner of the room.	A toilet located closest to the door opening and clear of the circulation area.

Building entry and circulation objectives

Clause 58.05-2

Objectives

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

Standard D19

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

Assessment

Meets Objective

The building has a clearly defined main entry from Franklin Street leading to the main. The internal layout will provide for the safe, functional and efficient movement of residents via one lift core. All levels include internal corridors that will have access to natural light adjacent to each lift core towards the south. The podium levels will have an additional light source from the north, between two dwellings.

Complies with Standard

The ground level lobby includes two pedestrian entries, one from Franklin Street to the south and one from the east-west link to the north. These entries are visible and easily identifiable and that provide shelter and sense of address.

Windows are provided to building entrances and lift



areas.

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

areas.

Internal communal and common areas are appropriately laid out to ensure safe, functional and efficient thoroughfare.

Common areas, including internal corridors, have at least one source of natural light, are clear of obstructions and maintain clear sightlines.

Private open space objective

Clause 58.05-3	Assessment																												
Objective <ul style="list-style-type: none"> • To provide adequate private open space for the reasonable recreation and service needs of residents 	Meets Objective The development provides adequate private open space for the reasonable recreation and services needs of residents.																												
Standard D20 <ul style="list-style-type: none"> • A dwelling should have private open space consisting of at least one of the following: <ul style="list-style-type: none"> ○ An area at ground level of at least 25 square metres, with a minimum dimension of 3 metres and convenient access from a living room. ○ A balcony with at least the area and dimensions specified in Table D8 and convenient access from a living room. ○ An area on a podium or other similar base of at least 15 square metres, with a minimum dimension of 3 metres and convenient access from a living room. ○ An area on a roof of 10 square metres, with a minimum dimension of 2 metres and convenient access from a living room. • If a cooling or heating unit is located on a balcony, the minimum balcony area specified in Table D8 should be increased by at least 1.5 square metres. • If the finished floor level of a dwelling is 40 metres or more above ground level, the requirements of Table D8 do not apply if at least the area specified in Table D9 is provided as living area or bedroom area in addition to the minimum area specified in Table D11 or Table D12 in Standard D25. <div style="text-align: center; margin-top: 10px;"> Table D8 Balcony size <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr style="background-color: #009688; color: white;"> <th>Orientation of dwelling</th> <th>Dwelling type</th> <th>Minimum area</th> <th>Minimum dimension</th> </tr> </thead> <tbody> <tr> <td>North (between north 20 degrees west to north 30 degrees east)</td> <td>All</td> <td>8 square metres</td> <td>1.7 metres</td> </tr> <tr> <td>South (between south 30 degrees west to south 20 degrees east)</td> <td>All</td> <td>8 square metres</td> <td>1.2 metres</td> </tr> <tr> <td rowspan="3">Any other orientation</td> <td>Studio or 1 bedroom</td> <td>8 square metres</td> <td>1.8 metres</td> </tr> <tr> <td>2 bedroom</td> <td>8 square metres</td> <td>2 metres</td> </tr> <tr> <td>3 or more bedroom</td> <td>12 square metres</td> <td>2.4 metres</td> </tr> </tbody> </table> </div> <div style="text-align: center; margin-top: 10px;"> Table D9 Additional living area or bedroom area <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr style="background-color: #009688; color: white;"> <th>Dwelling type</th> <th>Additional area</th> </tr> </thead> <tbody> <tr> <td>Studio or 1 bedroom</td> <td>8 square metres</td> </tr> <tr> <td>2 bedroom</td> <td>8 square metres</td> </tr> </tbody> </table> </div>	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	Dwelling type	Additional area	Studio or 1 bedroom	8 square metres	2 bedroom	8 square metres	Variation to Standard The submitted architectural plans and Development Summary demonstrate that 81% of the proposed dwellings achieve compliance with the requirements of this Standard. The proposal includes 106 studios, of which 102 do not include any private open space and 4 that do not meet the minimum area (6.7 m ² instead of 8 m ²) of the required private open space. Future residents will have access to multiple areas of indoor and outdoor communal areas within the development, as well as access to the future Market Square and the nearby Flagstaff. Overall, each dwelling is provided with approximately 5 m ² of communal space, which is consistent, if not greater, than other similar BTR developments. This will provide an appropriate level of space for recreational needs for future residents.
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																										
Dwelling type	Additional area																												
Studio or 1 bedroom	8 square metres																												
2 bedroom	8 square metres																												



3 or more bedroom 12 square metres

Storage objective

Clause 58.05-4	Assessment															
<p>Objective</p> <ul style="list-style-type: none"> To provide adequate storage facilities for each dwelling 	<p>Meets Objective</p> <p>The development provides adequate storage facilities for each dwelling.</p>															
<p>Standard D21</p> <ul style="list-style-type: none"> 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. <p style="text-align: center;">Table D10 Storage</p> <table border="1"> <thead> <tr> <th>Dwelling type</th> <th>Total minimum storage volume</th> <th>Minimum storage volume within the dwelling</th> </tr> </thead> <tbody> <tr> <td>Studio</td> <td>8 cubic metres</td> <td>5 cubic metres</td> </tr> <tr> <td>1 bedroom dwelling</td> <td>10 cubic metres</td> <td>6 cubic metres</td> </tr> <tr> <td>2 bedroom dwelling</td> <td>14 cubic metres</td> <td>9 cubic metres</td> </tr> <tr> <td>3 or more bedroom dwelling</td> <td>18 cubic metres</td> <td>12 cubic metres</td> </tr> </tbody> </table>	Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling	Studio	8 cubic metres	5 cubic metres	1 bedroom dwelling	10 cubic metres	6 cubic metres	2 bedroom dwelling	14 cubic metres	9 cubic metres	3 or more bedroom dwelling	18 cubic metres	12 cubic metres	<p>Complies with Standard</p> <p>The submitted architectural plans and Development Summary demonstrate that 100% of the proposed dwellings achieve compliance with the requirements of this Standard.</p>
Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling														
Studio	8 cubic metres	5 cubic metres														
1 bedroom dwelling	10 cubic metres	6 cubic metres														
2 bedroom dwelling	14 cubic metres	9 cubic metres														
3 or more bedroom dwelling	18 cubic metres	12 cubic metres														

Common property objectives

Clause 58.06-1	Assessment
<p>Objectives</p> <ul style="list-style-type: none"> 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. 	<p>Meets Objective</p> <p>Communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.</p>
<p>Standard D22</p> <ul style="list-style-type: none"> Developments should clearly delineate public, communal and private areas. Common property, where provided, should be functional and capable of efficient management. 	<p>Complies with Standard</p> <p>Private property is clearly distinguished from communal open space or common areas. Communal areas are laid out in a functional, accessible and easily maintainable manner.</p>

Site services objectives

Clause 58.06-2	Assessment
<p>Objectives</p> <ul style="list-style-type: none"> To ensure that site services are accessible and can be installed and maintained. To ensure that site services and facilities are visually integrated into the building design or landscape. 	<p>Meets Objective</p> <p>Site services are accessible and will be installed and maintained. Site services and facilities are located in the basement levels, the ground level, throughout the upper levels and the roof plant. All services are either well setback and visually integrated with the building design.</p>
<p>Standard D23</p> <ul style="list-style-type: none"> Development should provide adequate space (including easements where required) for site services to be installed and maintained efficiently and economically. Meters and utility services should be designed as an integrated component of the building or landscape. Mailboxes and other site facilities should be adequate in size, durable, water-protected, located for convenient access and integrated into the overall design of the development. 	<p>Complies with Standard</p> <p>The development will be appropriately serviced, with service and plant areas clearly shown on the architectural plans and integrated into the building design. Service and plant areas are appropriately positioned to provide ease of access for installation and maintenance.</p> <p>A mail room is conveniently located adjacent to the lobby lounge for convenient access and security.</p>



Waste and recycling objectives

Clause 58.06-3	Assessment
Objectives <ul style="list-style-type: none"> • <i>To ensure dwellings are designed to encourage waste recycling.</i> • <i>To ensure that waste and recycling facilities are accessible, adequate and attractive.</i> • <i>To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.</i> 	Meets Objective <p>The development is designed to encourage waste recycling as outlined in the submitted Waste Management Plan. Communal waste and recycling facilities are accessible, adequate and located on Basement Level 02, minimising impacts on residential amenity and the public realm.</p>
Standard D24 <ul style="list-style-type: none"> • <i>Developments should include dedicated areas for:</i> <ul style="list-style-type: none"> ○ <i>Waste and recycling enclosures which are:</i> <ul style="list-style-type: none"> - <i>Adequate in size, durable, waterproof and blend in with the development.</i> - <i>Adequately ventilated.</i> - <i>Located and designed for convenient access by residents and made easily accessible to people with limited mobility.</i> ○ <i>Adequate facilities for bin washing. These areas should be adequately ventilated.</i> ○ <i>Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.</i> ○ <i>Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.</i> ○ <i>Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.</i> ○ <i>Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.</i> • <i>Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and:</i> <ul style="list-style-type: none"> ○ <i>Be designed to meet the best practice waste and recycling management guidelines for residential development adopted by Sustainability Victoria.</i> ○ <i>Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.</i> 	Complies with Standard <p>All residents are provided with convenient access to waste storage facilities in the form of a waste chute adjacent to each lift core on every floor, connecting to the waste storage rooms located on Basement Level 02.</p> <p>Dwellings will be provided with sufficient internal storage space to enable temporary storage of household waste.</p> <p>Waste collection can be appropriately undertaken via the loading bays on the ground level. Further details are provided in the accompanying Waste Management Plan.</p>

External walls and materials objective

Clause 58.06-4	Assessment
Objectives <ul style="list-style-type: none"> • <i>To ensure external walls use materials appropriate to the existing urban context or preferred future development of the area.</i> • <i>To ensure external walls endure and retain their attractiveness.</i> 	Meets Objective <p>The proposal incorporates a strong podium base finished in brick, metal, powder coated metal, concrete and glazing. The upper levels include different colours and materials of concrete, powder coated metal and glazing.</p> <p>It is considered that the proposed external materials are appropriate to the existing urban context and the preferred future development of the area.</p> <p>The external walls are considered of high quality and will be durable and retain their attractiveness to maintain the character of the area.</p>
Standard D25 <ul style="list-style-type: none"> • <i>External walls should be finished with materials that:</i> <ul style="list-style-type: none"> ○ <i>Do not easily deteriorate or stain.</i> 	Complies with Standard <p>The external walls are finished with materials that will not deteriorate or stain and will be resilient and</p>



- *Weather well over time.*
- *Are resilient to the wear and tear from their intended use.*
- *External wall design should facilitate safe and convenient access for maintenance.*

weather well to serve their intended use to positively contribute to the character of the area.

The external walls can be easily accessed for maintenance (as required).

Functional layout objective

Clause 58.07-1	Assessment																		
Objective <ul style="list-style-type: none"> ● <i>To ensure dwellings provide functional areas that meet the needs of residents</i> 	Meets Objective The design and layout of dwellings within the development provides functional areas that will meet the needs of residents.																		
Standard D26 <ul style="list-style-type: none"> ● <i>Bedrooms should:</i> <ul style="list-style-type: none"> ○ <i>Meet the minimum internal room dimensions specified in Table D11.</i> ○ <i>Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.</i> <table border="1" style="margin: 10px auto;"> <caption>Table D11 Bedroom dimensions</caption> <thead> <tr> <th style="background-color: #009688; color: white;">Bedroom type</th> <th style="background-color: #009688; color: white;">Minimum width</th> <th style="background-color: #009688; color: white;">Minimum depth</th> </tr> </thead> <tbody> <tr> <td>Main bedroom</td> <td>3 metres</td> <td>3.4 metres</td> </tr> <tr> <td>All other bedrooms</td> <td>3 metres</td> <td>3 metres</td> </tr> </tbody> </table> <ul style="list-style-type: none"> ● <i>Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table B13.</i> <table border="1" style="margin: 10px auto;"> <caption>Table D12 Living area dimensions</caption> <thead> <tr> <th style="background-color: #009688; color: white;">Dwelling type</th> <th style="background-color: #009688; color: white;">Minimum width</th> <th style="background-color: #009688; color: white;">Minimum area</th> </tr> </thead> <tbody> <tr> <td>Studio and 1 bedroom dwelling</td> <td>3.3 metres</td> <td>10 sqm</td> </tr> <tr> <td>2 or more bedroom dwelling</td> <td>3.6 metres</td> <td>12 sqm</td> </tr> </tbody> </table>	Bedroom type	Minimum width	Minimum depth	Main bedroom	3 metres	3.4 metres	All other bedrooms	3 metres	3 metres	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	Variation to Standard The submitted architectural plans and Development Summary demonstrate that 88% of all bedrooms and living areas comply with the requirements of Table D11 and Table D12. The proposal includes 106 studios, of which 68 (all studio Types S2 and S3) do not include the minimum depth requirement for the bedroom areas. Instead of requiring a 3.4 metre depth, these studios include bedrooms areas that are 3.0 metres deep. Overall, it is considered that these dwellings will provide accessible and functional layouts that will meet the needs of future residents.
Bedroom type	Minimum width	Minimum depth																	
Main bedroom	3 metres	3.4 metres																	
All other bedrooms	3 metres	3 metres																	
Dwelling type	Minimum width	Minimum area																	
Studio and 1 bedroom dwelling	3.3 metres	10 sqm																	
2 or more bedroom dwelling	3.6 metres	12 sqm																	

Room depth objective

Clause 58.07-2	Assessment
Objective <ul style="list-style-type: none"> ● <i>To allow adequate daylight into single aspect habitable rooms</i> 	Meets Objective The development will allow adequate daylight into single aspect habitable rooms.
Standard D27 <ul style="list-style-type: none"> ● <i>Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.</i> ● <i>The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:</i> <ul style="list-style-type: none"> ○ <i>The room combines the living area, dining area and kitchen.</i> ○ <i>The kitchen is located furthest from the window.</i> ○ <i>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.</i> ● <i>The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.</i> 	Complies with Standard The submitted architectural plans and Development Summary demonstrate that 100% of dwellings are provided with adequate room depths.

Windows objective

Clause 58.07-3	Assessment
Objective <ul style="list-style-type: none"> ● <i>To allow adequate daylight into new habitable room windows.</i> 	Meets Objective The development is designed to allow adequate



Standard D28

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

daylight into new habitable room windows.

Complies with Standard

The submitted architectural plans and Development Summary demonstrate that 100% of habitable rooms enjoy direct access to daylight.

Further, a Daylight Modelling Memo prepared by WSP and dated 15 December 2023 demonstrates that the podium levels, Levels 02-04, achieve acceptable levels of daylight. Green Star requires that a minimum of 60% of the combined living room and bedroom areas receive high levels of daylight. The figure below show that the podium levels exceed this requirement. The council's ESD officer has assessed this and raised no concerns.

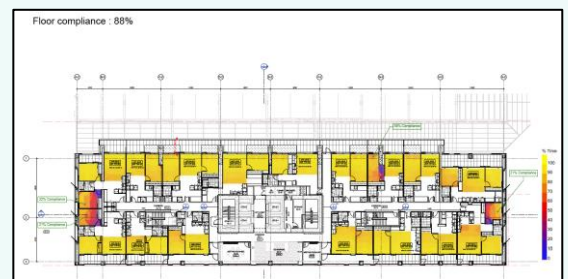


Figure 28: Level 02 daylight analysis (Source: Application)



Figure 29: Level 03 daylight analysis (Source: Application)



Figure 30: Level 04 daylight analysis (Source: Application)

Natural ventilation objectives

Clause 58.07-4

Objectives

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

Assessment

Meets Objective

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



Standard D29

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

Complies with Standard

The submitted architectural plans and Development Summary demonstrate that 44% of dwellings are provided with effective cross ventilation, which exceeds the minimum 40% required by Standard D29.