

Client
South Road C Developer P/L

Date
1 August 2024

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Planning Submission

Multi-level Office Development

360-372 South Road, Moorabbin

Transport

Urban Design

Waste Management

Landscape Architecture

Circular Economy



ratio:

ratio.com.au

Project
Multi-level Office Development

Prepared for
South Road C Developer P/L

Our reference
20161P_R1

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Application Summary

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Subject Site

Address	360-372 South Road, Moorabbin
Title Details	Lots 25, 26, 27, 28, 29 and 31 of Plan of Subdivision (LP) 10705.
Site Area	1,625 square metres
Are there any covenants?	Yes. Seeks to prevent the removal of earth, clay, stone gravel or sand, except for the purpose of excavating for the foundation of a building, for the purpose of winning of bricks, tiles or pottery.
Are there any easements?	No
Are there any Section 173 Agreements?	No

Planning Controls

Zone	Activity Centre Zone, Schedule 3 'Moorabbin Activity Centre'
Overlays	None
Particular Provisions	Clause 52.06 - Car Parking Clause 52.05 - Signs Clause 53.18 Stormwater Management Clause 53.22 - Significant Economic Development
Planning Scheme Amendments	None
Bushfire prone area	No
Aboriginal Cultural Heritage sensitivity	Yes
Registered Aboriginal Party	Bunurong
Flood-prone area	No
Responsible Authority	Minister for Planning pursuant to Clause 72.01-1 (53.22)

Application Details - Why is a permit required?

Clause 37.08-2	Use of land for indoor recreation facilities
Clause 37.08-5	Construction of buildings and works
Clause 52.06-3	Reduction in car parking requirement

1. Introduction

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1.1. Instructions

Ratio Consultants Pty Ltd has been engaged by South Road C Developer P/L, the permit applicant, to prepare a planning report in relation to a proposal for a multi-level commercial development at 360-372 South Road, Moorabbin.

Development Facilitation Program (DFP) – Clause 53.22 (Category 1)

With a total office Gross Floor Area and Net Leasable Area of 16,576 and 13,194 square metres respectively, the proposal is eligible for consideration under the Development Facilitation Program (DFP) – Category 1.

1.2. Accompanying documentation

In support of this development application, the following documents have been prepared:

- Architectural drawings prepared by KUD;
- Urban Context and Design Response prepared by KUD;
- Concept Landscape Plan prepared by Jack Merlo;
- Transport Impact Assessment and Waste Management Plan prepared by Ratio Consultants;
- Sustainability Management Plan prepared by GIW;
- Green Travel Plan prepared by GIW;
- Daylight Report prepared by GIW;
- Economic Benefits Analysis prepared by GIW;
- Letter of Advice provided by Jem Archaeology;
- Wind Study prepared by Synergetics; and
- Acoustic Impact Assessment prepared by Octave Acoustics.

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2. Pre-application History

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2.1. Overview

This proposal has undergone Phase 1 (pre-application) of the Development Facilitation Program (DFP), which involves the submission of a comprehensive package of plans, technical reports and other supporting information. All applications lodged to the DFP will be determined by the Minister for Planning or the Department of Transport and Planning (DTP) under delegation.

As part of Phase 1 of the DFP, the DTP has consulted with a range of stakeholders including Kingston City Council, the Office of the Victorian Government Architect (OVGA) and Infrastructure Victoria (IV), with feedback received.

DTP has advised that the proposal is now eligible to proceed to Phase 2 (lodgement) of the DFP and has recommended that pre-application advice from key stakeholders is addressed with specific focus on:

- Reducing overall building heights in the order of 3-4 levels.
- Increasing building setbacks from the southern boundary.
- Activating laneway interfaces.

A response to the above matters is addressed in the body of this planning report.

2.2. City of Kingston

Prior to the Phase 1 lodgement of the DFP, the permit applicant has undergone an extensive and meaningful collaboration and consultation process with the City of Kingston. Two pre-application meetings were held with Council in March and October 2023. On all occasions, representatives of various departments within Council attended these meetings including City Development, Urban Design, Traffic, ESD, among others and had opportunities to provide feedback at early stages of the design process.

Importantly at the time these meetings were held, VC242 had not been introduced and therefore, City of Kingston was anticipated to be the Responsible Authority.

Council's feedback included aspects such as:

- Community benefit and public realm improvements expected to justify the proposed height variation such as innovative renewable energy/ESD, landscaping and green infrastructure, laneway widening and design excellence;
- The need to consider amenity impacts to the apartments at No. 17 Taylor Street and alternative built forms that result in lesser impacts;

- The amalgamation of the lots warranting consideration of the site as a key development's site;
- Encouragement for the widening of the southern ROW and/or Macs Lane;
- A significant parking dispensation is unlikely to be supported.

Since these initial pre-application meetings, the City of Kingston has now provided formal comments to DTP recommending changes to address concerns which include:

- The overall height reduced by a minimum 4 storeys (14.4m) to create a 11 storey form (46.73m).
- Setbacks from South Road and Taylor Street interfaces at Level 3 and above to be a minimum 5m.
- Setbacks from the south title boundary to be:
 - 3m for Levels 1 & 2; and
 - 6m for Level 3 and above.

2.3. OVGA

Formal comments from the OVGA supported the proposed height, form and articulation of the building and noted the good amenity and natural light to each floor plate. They recommended further review be undertaken of the configuration and flexibility of Macs Lane to the south, and the potential that its ground plane can add to the value and amenity of both the development and surrounding sites.

The OVGA concluded that the proposal can positively shape future urban outcomes in this emerging precinct.

2.4. Invest Victoria (IV)

A comprehensive package of financial information has been provided to IV who has since provided a letter whereby they are satisfied that the project is feasible and serves as a pre-condition to the formal lodgement of the application (Phase 2).

2.5. Moorabbin Airport

The subject site is not affected by a DDO or an Airport Environs Overlay relating to the protection of flight paths or amenity (noise) considerations. Notwithstanding this, City of Kingston strongly recommended that the proposal was informally referred to the Moorabbin Airport Development Corporation.

A copy of the email correspondence from Moorabbin Airport Development Corporation accompanies our application stating that they do not have an interest in the proposed development due to its height.

2.6. Westernport-Altona-Geelong (WAG) oil pipeline

The site is within the measurement of the Viva Energy WAG High Pressure oil pipeline. Viva Energy has confirmed that they have no objections or conditions provided that specific

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sensitive land uses are not carried out on the site, and they include childcare, school, hospital and medical centres that conduct surgeries and sedation.

2.7. Site services and Civil Infrastructure

The proposed design already incorporates detailed advice from services engineers, electrical Engineers, building surveyors and construction managers. Please refer to the Services and Civil Infrastructure Report and Electrical Demand Assessment.

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3. Broader Context

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3.1. The Moorabbin Activity Centre

The subject site is located within the Moorabbin Activity Centre, identified as one of six Major Activity Centres (MACs) within Kingston. The Moorabbin MAC is uniquely positioned at the north-western corner of the municipal boundaries of Kingston, straddling across two other municipalities, Bayside to the east and Glen Eira to the north. The MAC includes Hampton East Activity Centre, on the opposite side of Nepean Highway, and Moorabbin Junction Major Activity Centre, on the north side of South Road.

Strategically, Moorabbin has been recently identified as one of the ten Activity Centres to accommodate housing and complementary land uses in the Victorian Government’s Housing Statement issued in late 2023. This is consistent with current planning policies at both State and local levels which earmark activity centres to provide for additional and more diverse housing and mixed use activity, reinforcing the important role of activity centres.

Figure 1. Housing Statement Activity Centres



Moorabbin is also identified as a Metropolitan Activity Centre in Plan Melbourne, intended to provide a diverse range of jobs, activities and housing for regional catchments that are well served by public transport. These centres will play a major service delivery role, including

government, health, justice and education services, as well as retail and commercial opportunities.

The physical context of the Moorabbin MAC is highly suited to support further growth and development. It is positioned along two major arterial roads and is serviced by Moorabbin Train Station and a bus interchange, comprising seven different bus routes. It also contains a wide range of retail and commercial uses, and civic buildings, providing an abundance of services and facilities to the community.

3.2. Key demographic and Economic Indicators

A detailed study of the performance of Moorabbin has been undertaken by MacroPlan, and it notes that:

- The regional population is expected to grow up to 335,856 people in 2026 from 326,163. Noting these estimations are based on existing trends and do not take into account the impact of the additional housing concentration expected as result of its identification as one of the 10 Activity Centres in the Housing Statement.
- By 2026, it is estimated there will be an undersupply of 2,861 semi-detached townhouses and flats/apartments, and this undersupply will continue to grow exponentially to over 19,000 dwellings by 2036.
- The area is well serviced by medical centres and allied health services.
- By 2026, over 20,000 square metres of additional commercial floor space will be required.
- By 2026, approximately 15,000 square metres of retail space will be required to support population growth forecasted.

3.3. Key Locational Attributes

The Moorabbin Major Activity Centre is located **18 Kilometres from Melbourne's CBD**, comparable to Box Hill and Glen Waverley at 15 and 21 kilometres respectively. This equates to travel times to Melbourne CBD of less than 40-50 minutes by car and public transport.

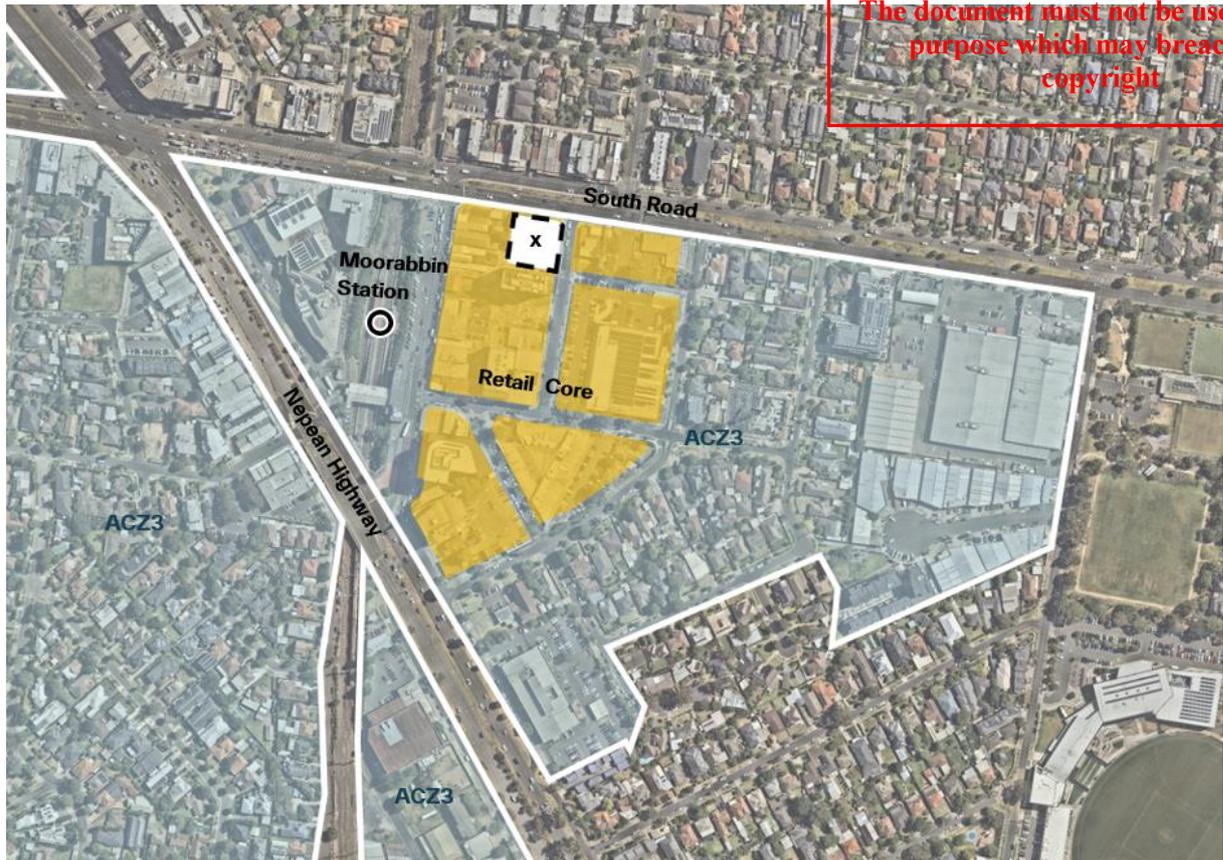
The MAC is also conveniently located 3-3.5 kilometres from the bay making it an attractive place to live and work.

Specifically, the subject site is in a strategically significant location being within the identified retail core of the MAC and within less than a 3 minute walk from the Moorabbin Train Station.

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Figure 2. Subject site in MAC



Other key locations with close proximity to the subject site include:

- The Arts Centre/Kingston City Hall to the west (1-2 minute walk);
- A major supermarket (Woolworths) to the east (2 minute walk);
- Moorabbin Police Station to the south (6 minute walk);
- Several reserves and playgrounds within a 10 minute walk;
- Nepean Highway and South Road as key arterial roads within the Transport Zone 2;
- Several allied health facilities and complementary uses such as pharmacies; and
- Several residential properties including low density dwellings in residential zoning to the north, west, east and south as well as low to high density residential properties within the existing activity centre boundaries.

It follows that there are additional key services and facilities within proximity to Moorabbin MAC including:

- Holmesglen Private Hospital to the east (1.1 kilometre);
- Sandringham Hospital to the south-west (4.3 kilometres);
- Brighton Beach and Sandringham Beach to the west (5 kilometres); and
- Moorabbin Airport to the south east (7.3 kilometres).

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4. Subject Site

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The subject site is located within the retail/commercial core of the Moorabbin Major Activity Centre and within a 3-minute walk to Moorabbin Train Station (290 metres) to the southwest.

The subject site is an island site with interfaces with South Road to the north, Taylor Street to the east, Macs Lane to the west and an unnamed laneway to the south.

Figure 3. Subject Site



Source: Nearmap (February 2024)

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Key details of the subject site are provided as follows:

- The subject site is formally described as Lots 25, 26, 27, 28, 29 and 31 of Plan of Subdivision LP 10705.
- The combined lots have a total site area of approximately 1,625 square metres.
- As previously discussed, the subject site is an island site with the following frontages:
 - Station Street: 38.1 metres
 - Taylor Street: 36.5 metres
 - Mac Lane: 28.1 metres
 - ROWY: 39.6 metres
- The subject site is generally flat and developed with single and double storey commercial buildings built to the side and front boundaries. Most of these buildings are either vacant or used predominantly for retail purposes and provide weather protection over the footpath.

4.1. Immediate Surroundings

North

- To the immediate north of the site is South Road, a Transport 2 Road Zone and declared arterial road part of Melbourne's Principal Road Network. With three lanes in each direction and on-street parking, this road provides east-west connections from Esplanade to the west and the Dingley Bypass to the east.
- Further north are multiple commercial allotments, between Jasper Road and railway Crescent. These lots range from one to five-storeys in height, and are occupied by various retail, commercial and residential uses.

East

- To the immediate east of the site is Taylor Street, a local road with one lane of traffic in each direction and providing a north to south link between Central Avenue to South Road.
- No. 374-378 South Road to the east of Taylor Street is currently developed with a car wash and has a planning approval for a twelve (12) storey mixed used building.

South

- To the immediate south of the site is an unnamed Right of Way with an approximate width of 3.3 metres connecting Taylor Street with Macs Lane. It provides a two-way single lane of traffic.
- Further to the south is No. 17 Taylor Street developed with a ten (10) storey mixed-used building with apartments at the upper levels.

Further to the south is No.13-15 Taylor Street, a 1,251 square metre lot currently under development in associated with a planning approval for a twelve (12) storey mixed building.

West

- Directly to the west, the subject site adjoins Macs Lane, a laneway of approximately 3.2 metres connecting South Road with Central Avenue.

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- Further to the west of the subject site are multiple allotments facing Station Street. These lots range from one to two-storeys in height and are occupied by various retail and commercial uses.
- Further west of Station Street is Moorabbin Railway Station. Moorabbin Station is serviced by the Frankston line and provides connections between the CBD and Frankston.

Additional photographs of the subject site, surroundings and approved developments are provided in the figures to follow. A full photographic analysis is enclosed with this application.

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Figure 4. Subject site and surroundings



1. Subject site viewed from South Road



2. Subject site and Macs Lane



3. Subject site viewed from Taylor Street



4. Taylor Street



5. South Road and properties to its north



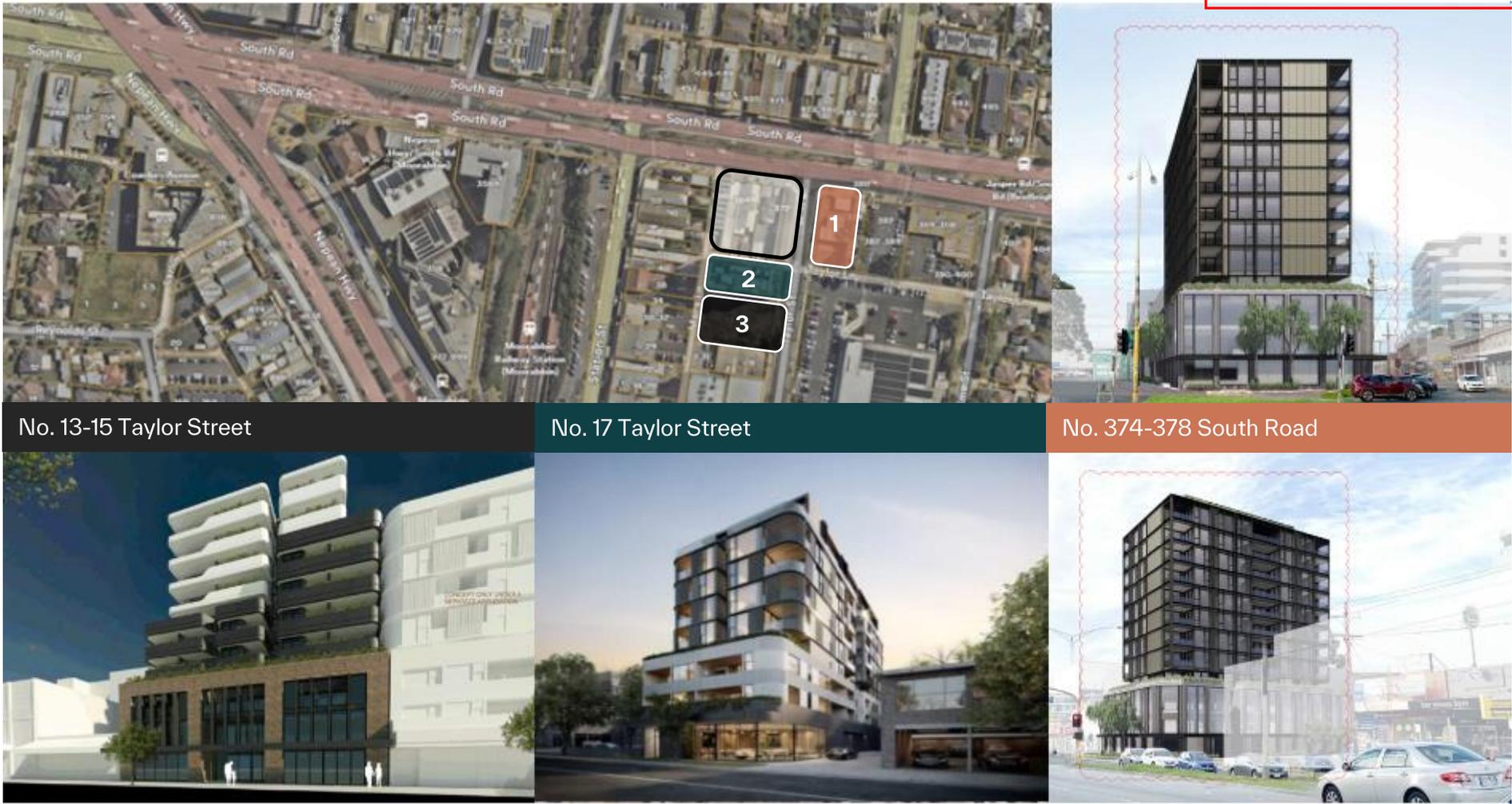
6. ROW to the south of the subject site

Source: Ratio Consultants

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Figure 5. Adjoining multi-storey buildings (approved and constructed)



Source: Ratio Consultants

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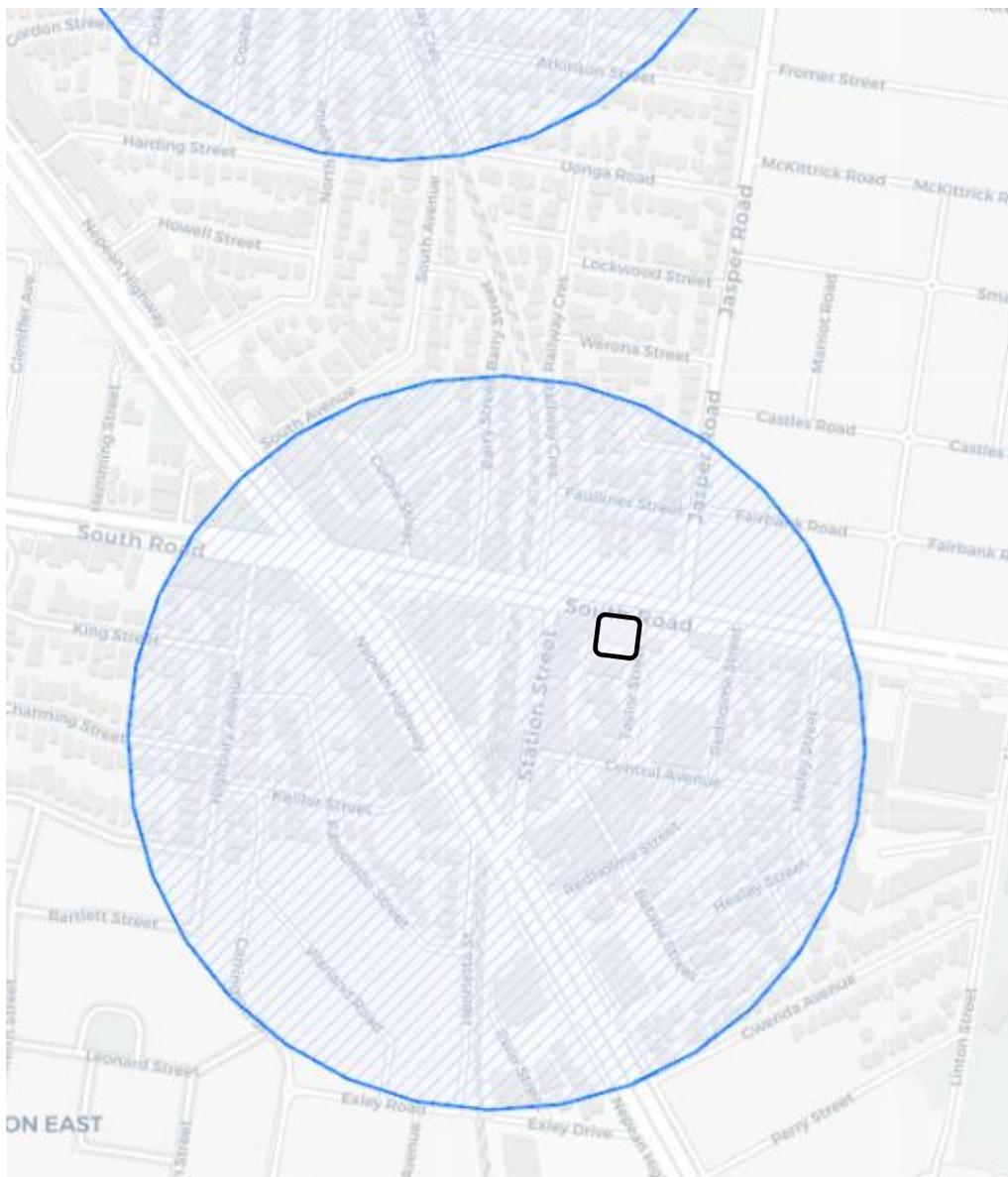
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4.2. Sustainable Transport

The subject site has excellent access to sustainable and active transport options. We note the site is located:

- within the Principal Public Transport Network (PPTN);
- within walking distance to a Train Station and six (6) bus routes;
- Within a network of informal bicycle routes along South Road, Jasper Road, Porter Road and Railway Crescent; and
- Adequate pedestrian infrastructure and services achieving a ‘walk score’ of 87 points and described as ‘very walkable’ where more errands can be accomplished on foot.

Figure 6. Principal Public Transport Network



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Figure 7. Aerial Photography



Source: Nearmaps (2024)

5. The Proposal

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5.1. Summary

The proposal is for a \$63 million 'A-grade' office building which will make a significant contribution to the State's economy and result in a substantial public benefit. Being designed for anchor tenants and anticipated to serve as an exemplary community hub in Moorabbin, the proposed development features a contemporary/high-quality architecture design by KUD. With sustainability at the forefront and with the guidance of GIW, the proposed development is also capable of achieving a 5 Green Star rating (Australian Excellence) under the Building V1 tool and to be certified by the GBCA.

Figure 8. Renders of the proposal - Viewed from South Road



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Key details of the proposal are summarised as follows:

5.2. Land Use

- Three (3) ground level tenancies are proposed as follows:
 - The tenancy at the north-west corner of the building, marked as ‘City Cave’ is anticipated to be leased by a Float and Wellness centre best classified as an ‘Indoor recreation facility’¹.
 - The tenancy at the north-east side of the building, marked as ‘Café’, is anticipated to accommodate a ‘Food & Drinks Premises’ as design provisions are in place to accommodate a hospitality use.
 - The tenancy at the south-east side of the building is to accommodate a Yoga Studio also classified as an ‘Indoor recreation facility’.
 - Both the Wellness Centre and Yoga Studio are anticipated to operate in conjunction with the Gymnasium at the basement level. Consequently, direct access is provided from each of these tenancies directly into the basement lobby.
- As the Gymnasium is anticipated to be predominately subservient to the office uses it is therefore considered an ancillary use.
- The remaining levels will accommodate offices.

Basement levels

- Five (5) basement levels are proposed accommodating a total of 209 car parking spaces, 10 motorcycle spaces, lift lobby and service areas.
- In addition to the above, basement level 1 accommodates a Gymnasium/wellness service and End of the Trip (EOT) facilities including nine (9) showers, locker rooms and changing/amenity areas.

Ground level

- Three (3) tenancies are proposed at the ground level with direct access/interface to South Road, Taylor Street and Mac Lane.
- Centrally located is the main lobby with ample landing areas and direct pedestrian access via South Road.
- Bicycle access is provided via the southern ROW leading to the bike storage areas with 110 bicycle spaces, EOT facilities and lift lobby. Notably, a separate bike lane is provided from Taylor Street to the entry to the building.

¹Wellness centres and yoga studios are best classified as ‘indoor recreation facilities’ defined as ‘a building used for indoor leisure, recreation, or sport’. We do not consider these uses to be ‘restricted recreation facilities’ such as a gym because these wellness/yoga centres are less likely to be used predominantly by members only and are instead infrequently used by the public, either as a once-off activity not dissimilar to a massage or subject to a fixed schedule for the case of the yoga sessions. In the case that the Department finds the proposed use is best classified as a ‘restricted recreation facility’ we note this is also a permissible use under the ACZ3.

- Vehicle access is provided via the widened southern ROW, leading into the basement levels below.
- ‘Back of house’ services and vehicle access are predominantly located at the southwestern module of this level and include: loading bays, switch rooms, waste storage rooms, substation, among others.

Levels 1 to 14 and roof terrace

- Levels 1-2 have a larger floor plate as they form part of the podium. These levels accommodate office tenancies, a mezzanine with direct views into the ground level lobby, lift lobby, services and amenities.
- Levels 3 to 14 accommodate office tenancies, lift lobby, services and amenities.
- Corner balconies are provided at levels 8, 9, 11 and 12.
- In addition to building services such as a generator and fire water tank, the roof terrace includes 389 square metres of useable common areas complementary to the office tenancies including lift lobby and services within the building core.

Table 1. Development Summary – Excluding Basement Levels

Level	Use	Gross Floor Area (m ²)	Net Floor Area (m ²)
Ground	Mixed	1,307	1,121
L01 – L14	Office	1110 – 1572 per level	1016-1476 per level
Roof Terrace	Mixed	412	151
Total	Mixed	18,292	16,466 ²

Table 2. Office Land Use - Excluding ancillary GYM & Terrace

Level	Use	Gross Floor Area (m ²)	Net Leasable Area (m ²)
L01 – L14	Office	16,576 ³	13,194

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² Estimated from Architectural Drawings Development Summary Table as follows:
16,844 (Total -NLA) – 378 (Basement 01) = 16,466

³ Estimated from Architectural Drawings Development Summary Table as follows:
18,292 (Total - GFA) – 412 (Roof Terrace) – 1,307 (Ground) = 16,576

5.3. Buildings and Works

The proposal includes the demolition of all existing building and structures within the site boundaries.

Building height

The proposed building incorporates five (5) basement levels, three (3) podium levels and eleven (11) storeys above for a total building height of fifteen storeys:

- 56.6 metres over ground level (excluding terrace structures and lift overrun);
- 87.33 metres AHD measured at the roof terrace; and
- 92.23 metres AHD measured at the lift overrun.

Massing and setbacks

- The Ground floor level is constructed to then north, east and west boundaries of the site and off set 3 metres from the southern boundary.
- The setback to the southern allows for widening of the southern ROW from 3.3 metres to 6.3 metres.
- Remaining podium levels 2 to 3 are constructed effectively to all site boundaries.
- Above podium levels (3-14) are further recessed as follows:
 - 2.9 metres to the north (South Road);
 - 3.9 metres to the south (ROW);
 - 3.1 metres to the east (Taylor Street);
 - 3.2 metres to the west (Mac Lane)

Please refer to the Urban Context and Design Response prepared by KUD.

Materiality and Landscaping

- The proposal features a mix of materials including recycled concrete in dark grey for the podium and balconies, a modulated façade predominantly featuring window framing elements in light grey, louvres and reflective glazing.
- Please refer to the Concept Landscape Plan prepared by Jack Merlo.

5.4. Pedestrian, Bicycle and Vehicle Access

- Pedestrian access to the building is prioritised throughout all street and lane interfaces. The main entry point for pedestrians is via the main foyer/lobby accessed directly from South Road. This access is provided a generously sized weather protected landing area incorporated into the facade design and with an effective floor to ceiling height of three storeys.

- Access to bicycles is provided via an exclusive lane from Taylor Street, along the southern ROW and into bicycle parking areas located generally at the rear of the building.
- Vehicle access is via the southern ROW concealed away from key street and lane interfaces.

Figure 9. Main Entrance



5.5. Parking Numbers

The parking provision proposed is summarised in the following table.

Table 3. Parking Summary

Type of parking	Total Proposed	Statutory requirement
Secure Bicycle parking	110	Surpassed requirement
Showers and change rooms	9	Surpassed requirement
Motorcycle	10	N.A
Car	209	Variation sought

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Figure 10. Renders of the proposal – Viewed from the north-west (South Road)



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Figure 11. Ground Floor Plan

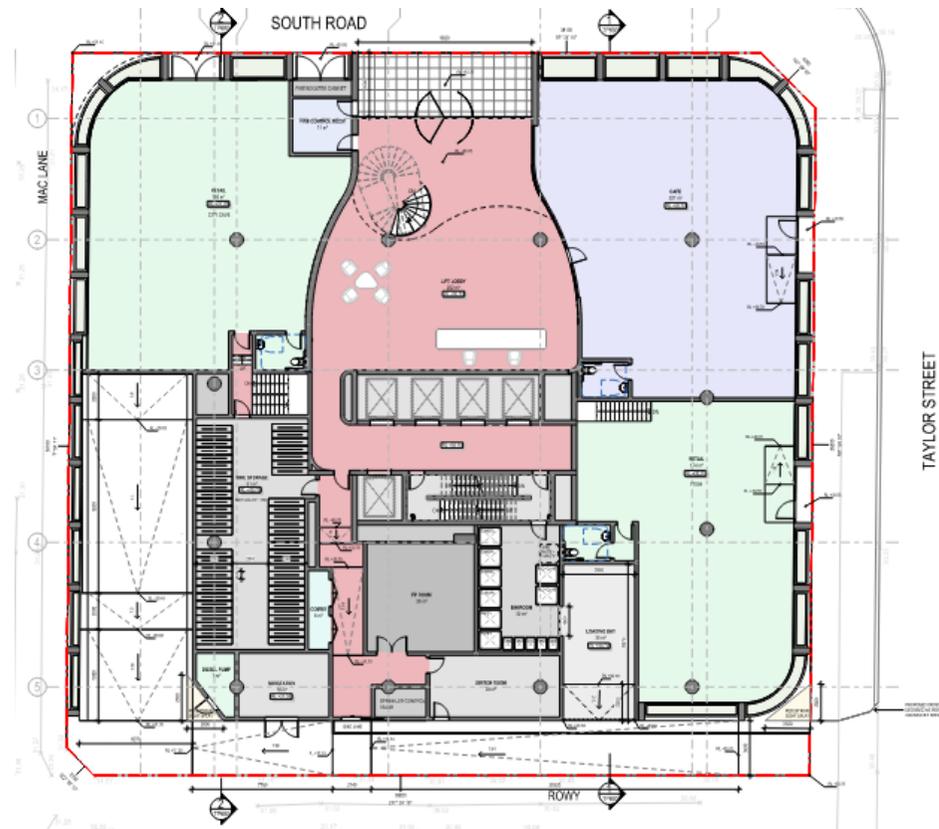
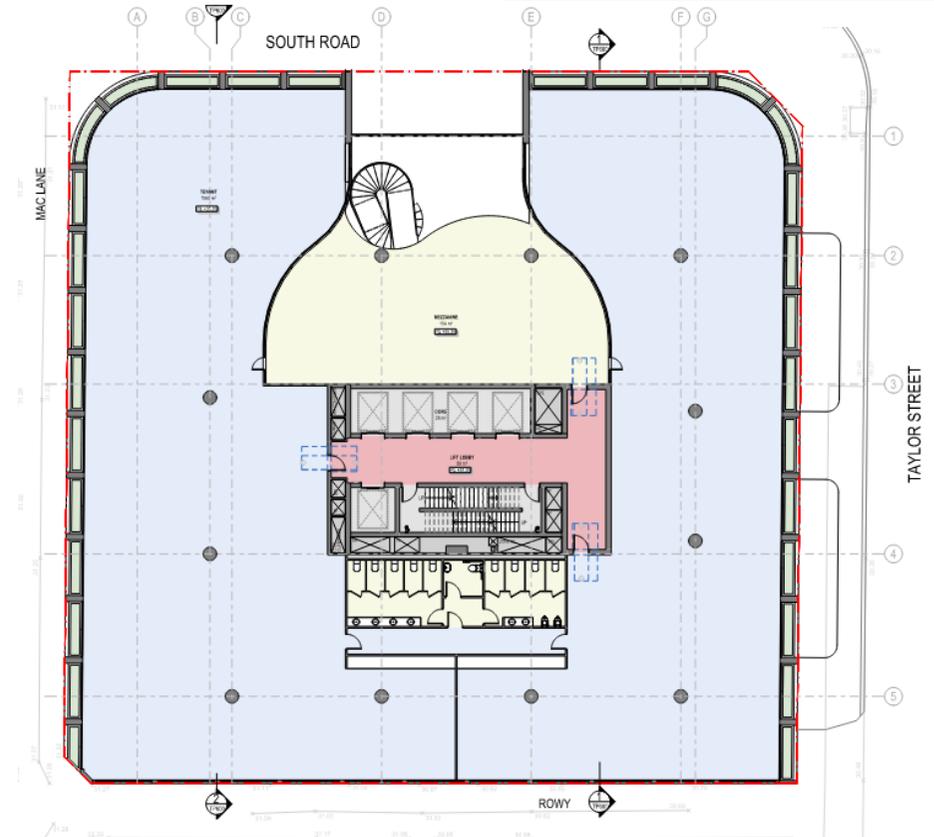


Figure 12. Typical podium floor plan



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Figure 13. Typical office tenancy level

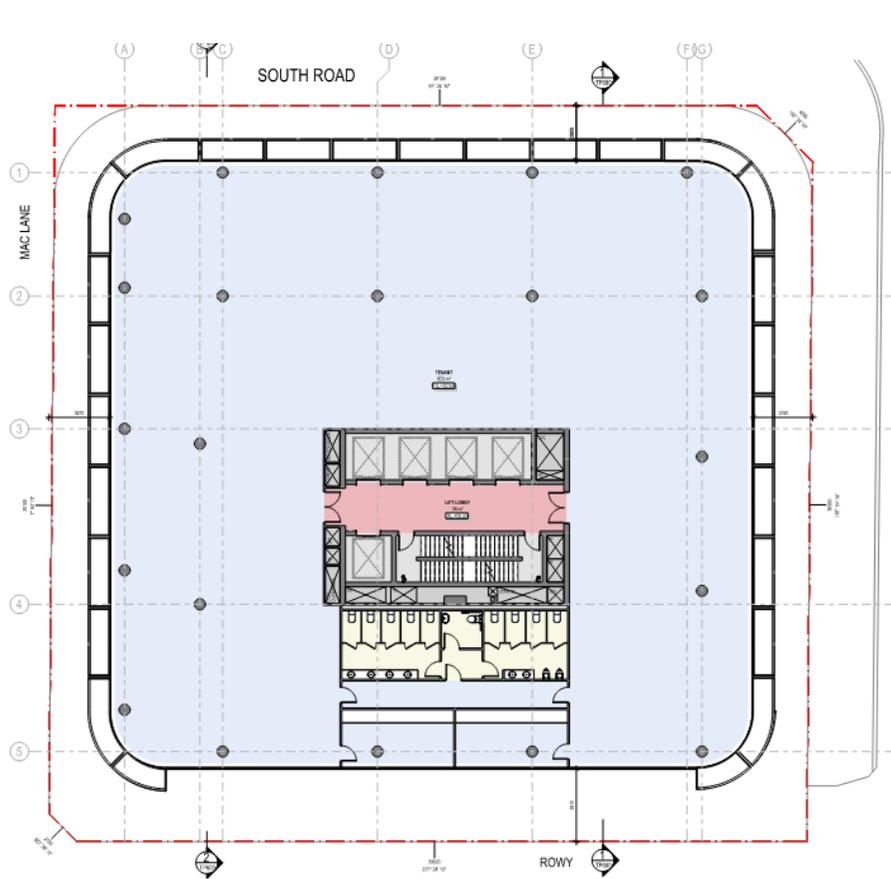
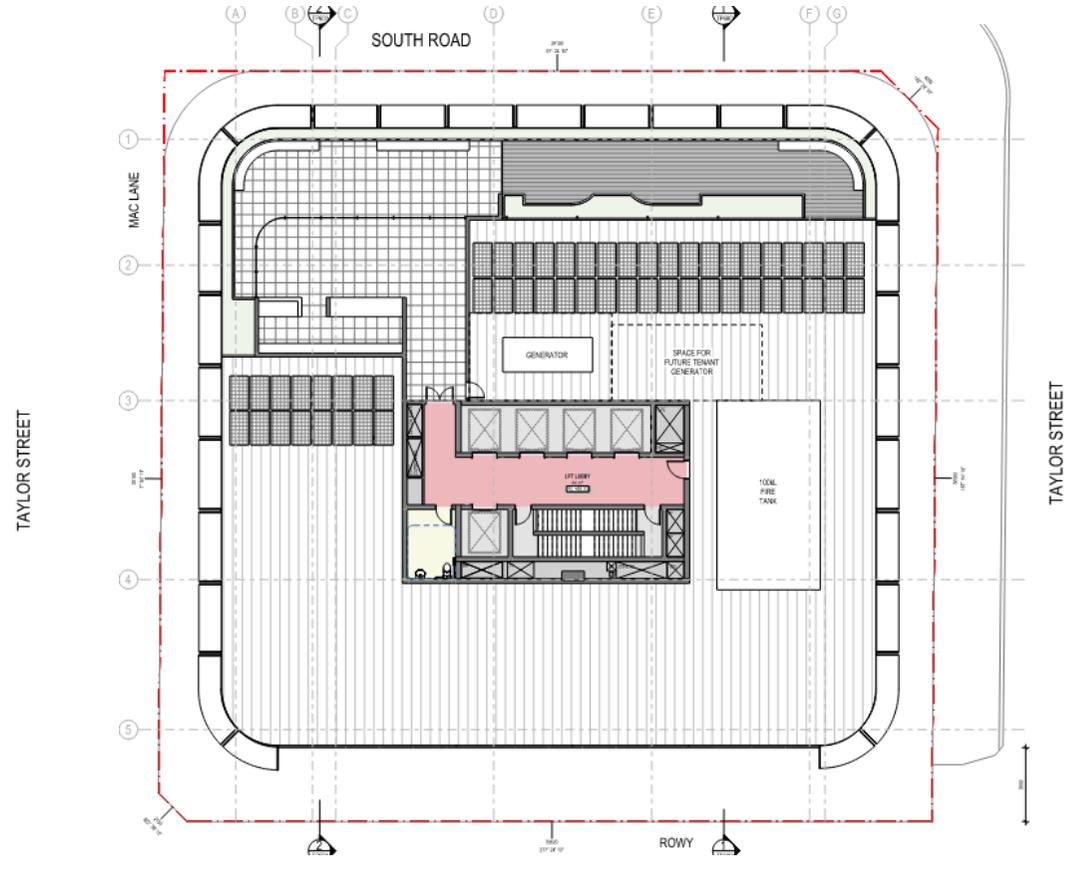


Figure 14. Roof plan



6. Planning Context

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6.1. Strategic Background

Plan Melbourne

Plan Melbourne 2017-2050 is a metropolitan planning strategy that seeks to provide direction for the future of the city. Under Plan Melbourne, the purpose of activity centres is to provide a diverse range of jobs, activities and housing for regional catchments that are well served by Public Transport.

Outcome 1 of Plan Melbourne is for Melbourne to be a productive city that attracts investment and supports innovation and creates jobs. A number of priority sectors have been identified, including 'professional services'. Notably, Plan Melbourne estimates community and business services to be the top two job industries leading the southern region.

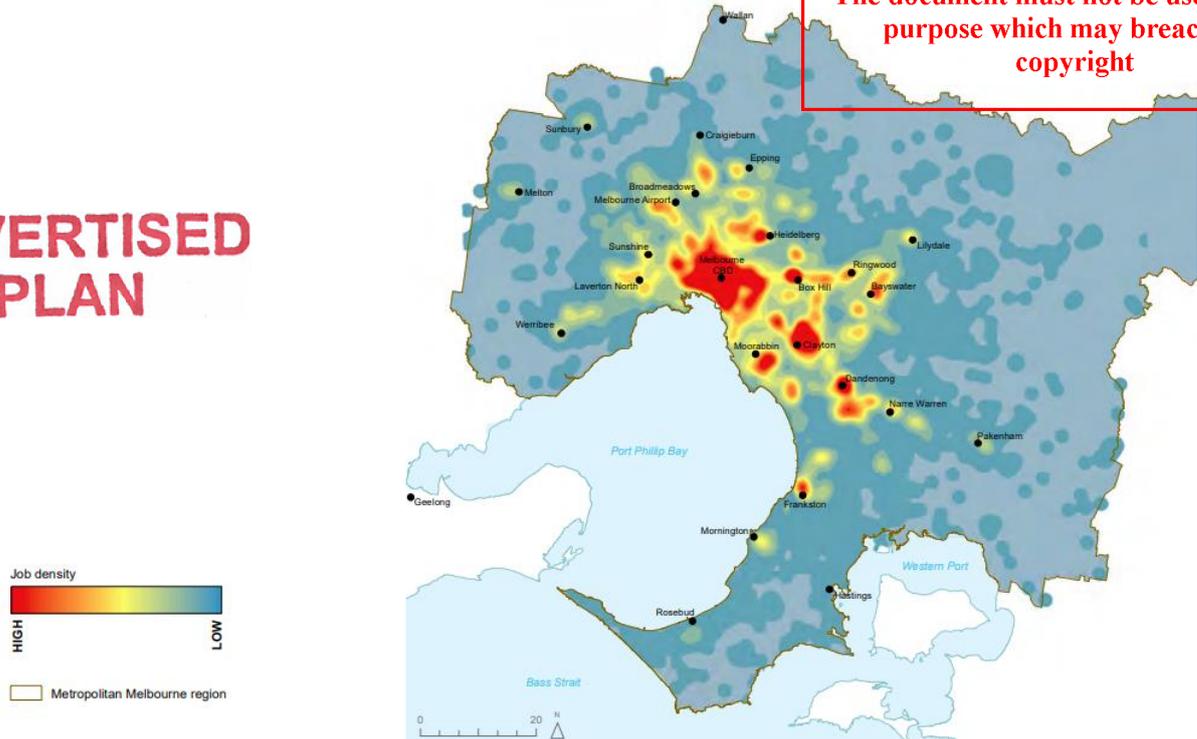
Direction 1.2 seeks to improve access to jobs across Melbourne and closer to where people live. Supporting investment and job creation in activity centres is recognised as critical to growth across a regional catchment providing access to range of major services. Job densities across Melbourne are depicted in the figure below. Notably, significant job clusters are identified as follows (sorted by size): Melbourne's CBD & inner-west, Clayton & North of Clayton North and a large cluster generally between Moorabbin and Cheltenham.

Melbourne's transport system includes four key airports, Melbourne Airport, Avalon and aviation airfields at Essendon and Moorabbin. Moorabbin's airport is a light aircraft airport including commercial airline services.

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Figure 15. Job concentration in Melbourne

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6.2. Moorabbin Activity Centre Structure Plan (May, 2011)

The Moorabbin Activity Centre Structure Plan is a background document listed under Clause 10 of the ACZ3 affecting the subject site. The recommendations of the Structure Plan are generally consistent with the provisions included in the ACZ3.

Adopted in 2011, over 13 years ago, this structure plan was prepared taking into account former strategic studies (such as Melbourne 2030 prepared in 2002 and Melbourne @ 5 million prepared in 2008), subsequently, the structure plan relies on demographic and economic input/forecasts prepared as early as 2002, more than 22 years ago.

The structure plan correctly identifies Moorabbin as a key activity centre responsible to accommodate future growth in Melbourne, however, its recommendations and subsequently the existing ACZ3 controls, do not reflect the scale of growth experienced in the State and particularly, the forecasted growth for the next decade. Notwithstanding this, the structure plan and ACZ3 abstain from setting mandatory building heights and allow greater heights when the precinct objectives and guidelines are met.

City of Kingston's implementation of the ACZ3 demonstrates the centres capacity to accommodate a higher form of development. Applications approved in the centre, the majority constructed, have exceeded the 'preferred heights' set by the Structure Plan as listed below:

- 374-378 South Road, Moorabbin at thirteen (13) storeys approved in 2022 (KP-2021/629)
- 13-15 Taylor Street at twelve (12) storeys (KP-2017/149).
- 17 Taylor Street at ten (10) storeys (KP-2014/739).
- 7-11 Central Avenue at seven (7) storeys (KP-2012/443).

- 4-6 Station Street at ten (10) storeys (KP-2012/496).
- 420 South Road and 34 Healey Street is ten (10) storeys (KP-2016/544).
- 13-15 Taylor Street at twelve (12) storeys (KP-2017/149)

Some of the above approvals are for sites identified by the Structure Plan as 'Key Development Site', it is worth noting that whilst the subject site is not identified as such under the structure plan, this is largely due to the lot sizes of the individual parcels comprising the site. During pre-application discussions with City of Kingston, it was agreed that as a consolidated site, the subject site, is best classified as a 'key development site'.

6.3. Other relevant strategic considerations

HOUSING STATEMENT

In September 2023, the Victorian State Government announced a target to build 800,000 new dwellings over the next 10 years. Ten activity centres – Broadmeadows, Camberwell Junction, Chadstone, Epping, Frankston, Moorabbin, Niddrie (Keilor Road), North Essendon, Preston (High Street) and Ringwood – have been identified for reformed planning controls to deliver an additional 60,000 dwellings. These centres are well serviced by existing and proposed infrastructure and have untapped capacity to support more intensive development and population. The Statement also identifies the need to provide community facilities, public spaces and parks within these 10 activity centres.

DRAFT HOUSING TARGETS

The Victorian State Government has released draft housing targets to achieve 2.24million new homes by 2051 in Victoria. These targets will form part of a new plan for Victoria which is intended to supersede Plan Melbourne. Within Kingston City Council, there are 69,1000 homes as of 2023. The draft target is 59,000 new homes.

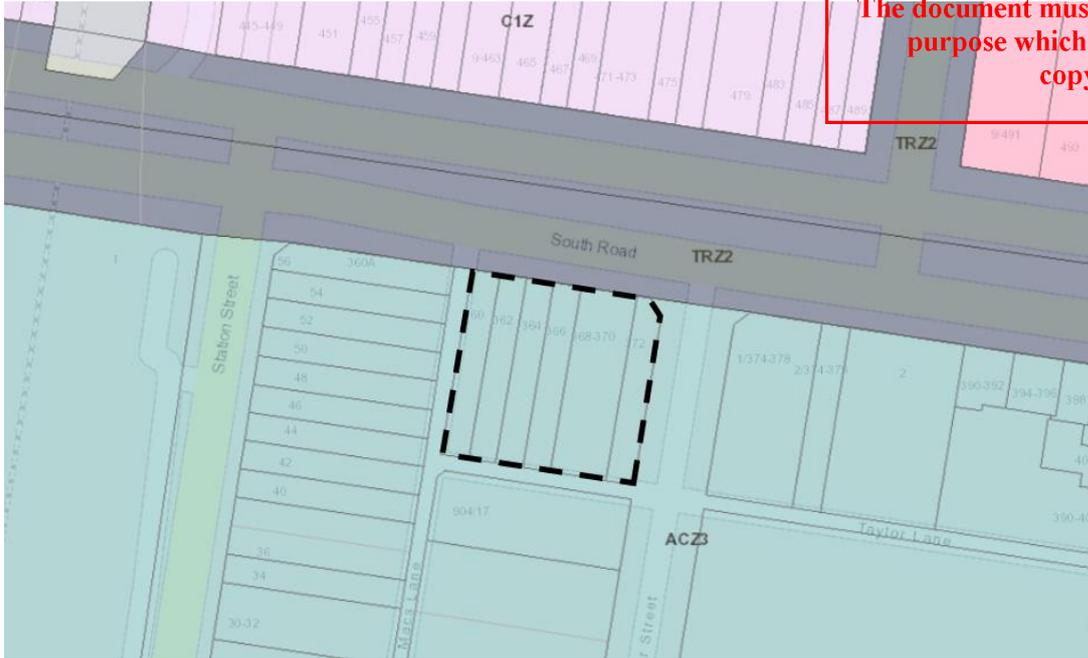
6.4. Zoning – Activity Centre Zone – Schedule 3

The subject site is affected by the **Activity Centre Zone (ACZ) – Schedule 3**. Schedule 3 specifically applies to land within the Moorabbin Activity Centre (MAC).

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Figure 16. Zoning map



Source: VicPlan (2023)

- Pursuant to Clause 37.08-2 of the ‘parent provisions’ and Clause 3.0 of Schedule 3, a permit is not required for the office use.
- Pursuant to Clause 37.08-2 of the ‘parent provisions’ and Clause 3.0 of Schedule 3, a permit is required for indoor recreation facilities.
- Pursuant to Clause 37.08-5, a permit is required to construct a building or carry out works.

The proposal exceeds the preferred building height set out for Sub Precinct 2A (14 metres/4 storeys). Pursuant to Clause 4.4, a permit may be granted to exceed the building height set out in the precinct requirements where it can be demonstrated that the precinct objectives and guidelines are met.

The purpose of this zone ‘parent provisions’ is (inter alia):

- To encourage a mixture of uses and the intensive development of the activity centre:
 - *As a focus for business, shopping, working, housing, leisure, transport and community facilities.*
 - *To support sustainable urban outcomes that maximise the use of infrastructure and public transport.*
- To create through good urban design an attractive, pleasant, walkable, safe and stimulating environment.

Under Clause 3.0, office and retail premises uses (food and drink premises/shop) do not require a permit subject to conditions. The conditions under the Table of uses do not restrict

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these uses within precinct 2 (retail core). For office uses to remain Section 1 – No Permit Required uses, frontages at ground floor level must not exceed 2 metres.

Precinct 2 – Retail Core

The subject site falls within precinct 2 (Retail Core) of the MAC Framework Plan. Pursuant to Clause 5.2 of the schedule to the zone, the subject site falls into sub-precinct 2A.

Figure 17. Moorabbin Activity Centre Framework Plan: Precinct 2 – Retail Core.



The subject site is located within **Sub-precinct 2A**. The relevant precinct objectives include:

- To provide for a mix of uses within the precinct with street level retail activity and commercial and residential uses located within the upper floors of development.
- To undertake significant changes to the manner in which the road network operates to provide for better transport connectivity and improved centre amenity for pedestrians and cyclists.
- To provide for significant redevelopment opportunities in the key development areas.
- To expand the retailing role of the precinct to create a vibrant precinct.

Precinct requirements include a preferred building height of 14 metres/4 storeys; upper level setbacks (4th storey) of 5 metres from the frontage with South Road; and a ground floor level setback of 3 metres to Mac's lane.

6.5. Overlays

The subject site not affected by any overlays.

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6.6. Municipal Planning Strategy (MPS)

The MPS sets out the vision and establishes direction and objectives for future use and land development in Kingston. The following strategic directions contained within the MPS are relevant to the assessment of this application:

- Clause 02.02 - Vision
- Clause 02.03-1 - Settlement
- Clause 02.03-5 - Built environment and heritage
- Clause 02.03-7 - Economic development
- Clause 02.03-8 - Transport
- Clause 02.04 - Strategic framework plans

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Clause 02.02 sets out the vision for the municipality, being to create a *diverse, dynamic community where we all share a sustainable, safe, attractive environment and a thriving economy.*

More specifically, Clause 02.02 also sets out built environment, economic development and infrastructure land use visions including:

- *High standards of urban design enhances community safety, creates vibrant places and preserves character areas.*
- *Environmentally Sustainable Development principles are embraced in new developments.*
- *Local employment provision matches the needs of the changing workforce and economy.*
- *Strong community hubs are established at locations next to activity centres and public transport to provide integrated services, programs and activities to the community.*

Relevant strategies contained within Clause 02.03 provide the following strategic directions:

Settlement

- *Accommodate increased urban growth in established areas across the municipality, according to environmental constraints and access to services.*
- *Diversify uses in Kingston’s activity centres to respond to the impacts of structural change in the retail industry.*
- *Facilitate ongoing renewal across Kingston’s activity centres to integrate transport and land use, and promoting health and wellbeing through sustainable communities.*

Activity centres

- *Diversify the role and function of existing activity centres through a broader range of complementary non-retail uses to enhance economic vitality.*
- *Incorporate residential/mixed use activity into centres and create niche market strengths for each centre.*
- *Promote the development and expansion of retail and related facilities appropriate to the role and position of centres within the overall hierarchy, as identified in Table 1 below.*

As a Major Activity Centre, Moorabbin's primary role is to provide community retail supported by significant commercial floor space.

Urban Design

– *Ensure a high standard of design forms the cornerstone of future development.*

Economic Development

– *Support development comprising retail uses to reinforce viability of established strip shopping centres.*

Transport

– *Integrate land use and transport planning to create a more sustainable community.*

– *Promote the development of bicycle and pedestrian linkages between residential, commercial, industrial and open space areas.*

The strategic land use framework plan under Clause 02.04 identifies Moorabbin as a Major Activity Centre (MAC). Notably, Moorabbin is Kingston's closest MAC to the CBD.

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Figure 18. Kingston's Strategic Land Use Framework Plan



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6.7. Planning Policy Framework (PPF)

The following State 'S', Regional 'R' and Local 'L' PPF provisions that are relevant to this proposal include:

Clause 11.01-1S & R	Settlement
Clause 11.02-1S	Supply of urban land
Clause 11.02-2S	Structure planning
Clause 11.03-1S & R	Activity centres – Metropolitan Melbourne
Clause 11.03-1L-01	Activity centres – Kingston
Clause 15.01-1S & R	Urban design
Clause 15.01-1L-01	Urban design – Kingston
Clause 15.01-1L-02	Signs
Clause 15.01-2S	Building design
Clause 15.01-2L	Environmentally sustainable development
Clause 15.01-4S & R	Healthy neighbourhoods
Clause 15.01-5S	Neighbourhood character
Clause 15.01-5L-01	Neighbourhood character – Kingston
Clause 17.01-1S & R	Diversified economy
Clause 17.02-1S	Business
Clause 17.02-1L-01	Retail and commercial land use – Kingston
Clause 18.01-1S	Land use and transport integration
Clause 18.01-1S & R	Sustainable and safe transport
Clause 18.02-1S	Walking
Clause 18.02-2S & R	Cycling
Clause 18.02-3S & R	Public transport
Clause 18.02-4S	Roads
Clause 18.02-4L	Car parking – Kingston

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The above PPF provisions that relate to the proposed development state the need to:

Relevant policy and objectives are reproduced below:

- Facilitate the sustainable growth and development of Victoria (Clause 11.01-1S).
- Provide for growth in population and development of facilities and services across a regional or sub-regional network; plan for development and investment opportunities along existing and planned transport infrastructure (Clause 11.01-1S).

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- Ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses (Clause 11.02-1S).
- Encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community (Clause 11.03-1S).
- Build up activity centres as a focus for high-quality development, activity and living by developing a network of activity centres that, among others, maximises choices in services, employment and social interaction (Clause 11.03-1S).
- Support the role and function of each centre in the context of its classification, the policies for housing intensification, and development of the public transport network (Clause 11.03-1S).
- Support the continued growth and diversification of activity centres to give communities access to a wide range of goods and services, provide local employment and support local economies (Clause 11.03-1S).
- Encourage economic activity and business synergies (Clause 11.03-1S).
- To encourage active commercial premises at ground level and inactive uses such as offices and residential at upper levels (11.03-1L-01).
- Support development that reinforces the character and function of activity centres consistent with their position in the activity centre hierarchy (Clause 11.03-1L-01).
- Recognise the role of building design, heritage and energy and resource efficiency in delivering liveable and sustainable cities (Clause 15).
- Require development to respond to its context in terms of character and ensure development provides landscaping that supports the amenity, attractiveness and safety of the public realm (Clause 15.01-1S).
- Ensure development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness realm (Clause 15.01-1S)
- Ensure development supports public realm amenity and safe access to walking and cycling environments and public transport (Clause 15.01-1S).
- Support the creation of well-designed places that are memorable, distinctive and liveable (Clause 15.01-1R).
- Encourage contemporary architectural expression throughout all facets of development; create new views, vistas and landmarks, where possible and appropriate; Design buildings to interact with the public realm and communal areas by providing entrances, windows and the like that maximise movement and surveillance; achieve a high standard of amenity in new development while maintaining or enhancing the amenity of adjoining development; and integrate balconies and roof decks with buildings to provide minimal visual impact when viewed from the street and surrounding area (Clause 15.01-1L-01).
- Achieve building design and siting outcomes that contribute positively to the local context and minimise detrimental impacts on neighbouring properties (Clause 15.01-2S).

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- Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment (Clause 15.01-2S).
- Ensure the layout and design of development supports resource recovery, including separation, storage and collection of waste, mixed recycling, glass, organics and e-waste (Clause 15.01-2S).
- Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm; ensure development responds and contributes to the strategic and cultural context of its location; and minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment (Clause 15.01-2S).
- Ensure development provides landscaping that responds to its site context, enhances the built form, creates safe and attractive spaces (Clause 15.01-2S).
- Ensure development considers and responds to transport movement networks and provides safe access and egress for pedestrians, cyclists and vehicles (Clause 15.01-2S).
- To achieve best practice in environmentally sustainable development from the design stage through to construction and operation (Clause 15.01-2L).
- To achieve neighbourhoods that foster healthy and active living and community wellbeing (Clause 15.01-4S).
- Create a city of 20-minute neighbourhoods, that give people the ability to meet most of their everyday needs within a 20 minute walk, cycle or local public transport trip from their home (Clause 15.01-4R).
- To recognise, support and protect neighbourhood character, cultural identity, and sense of place (Clause 15.01-5S).
- Provide for a strong and innovative economy, where all sectors are critical to economic prosperity; planning is to contribute to the economic wellbeing of the state and foster economic growth by facilitating decisions so that each region may build on its strengths and achieve its economic potential (Clause 17).
- Strengthen and diversity the economy and facilitate growth in a range of employment sectors including industries and services based on the emerging and existing strengths of each region (Clause 17.01-1S).
- To encourage development that meets the community's needs for retail, entertainment, office and other commercial services; ensure commercial facilities are aggregated and provide net community benefit in relation to their viability, accessibility and efficient use of infrastructure; locate commercial facilities in existing or planned activity centres (Clause 17.02-1S).
- Locate commercial facilities in existing or planned activity centres (Clause 17.02-1S).
- Facilitate office development in larger activity centres, where they do not conflict with active retail streets and avoid office uses at ground level within the core retail precincts of activity centres where active retail uses are sought (Clause 17.02-1L-01).
- To facilitate access to social, cultural and economic opportunities by effectively integrating land use and transport (Clause 18.01-1S).

- Plan the use of land adjacent to the transport system having regard to the current and future development and operation of the transport system (Clause 18.01-1S).
- To facilitate an environmentally sustainable transport system that is safe and supports health and wellbeing and design development to promote walking, cycling and the use of public transport, in that order, and minimise car dependency (Clause 18.01-3S).

6.8. Aboriginal Cultural Heritage Sensitivity

Part of the subject site is identified as an area of cultural heritage sensitivity.

Figure 19. Aboriginal Cultural Heritage



A letter of advice prepared by Jem Archaeology accompanies this application. Jen Burch, archaeologist/heritage advisor concludes that r.41(2) of the Aboriginal Heritage Regulations 2018 applies and a mandatory CHMP is not required to be prepared and approved prior to the commencement of the proposed activity due to the activity area been subjected to significant ground disturbance.

6.9. Amendments

There are no current planning scheme amendments with the potential to affect the assessment of the proposed development.

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6.10. Particular and General Provisions

Clause 52.05 – Signs

The Activity Centre Zone is in Category 1 for signage requirements. Under Clause 52.05-11, Category 1 is a Commercial area with minimum limitation on signage.

Whilst details of the proposed signage will depend on the future occupancy of the tenancies, we would appreciate if the Department could allow for the assessment of subsequent signage via the placement of conditions on the permit to facilitate its approval.

Clause 52.06 – Car Parking & Clause 52.34 – Bicycle Facilities

We defer to the Transport Impact Assessment prepared by Ratio Consultants and submitted with the application.

Clause 53.22 – Significant Economic Development

This particular provision applies to Significant Economic Developments/projects. The purpose of this provisions is:

- *To prioritise and facilitate the planning, assessment and delivery of projects that will make a significant contribution to Victoria’s economy and provide substantial public benefit, including jobs for Victorians.*
- *To provide for the efficient and effective use of land and facilitate use and development with high quality urban design, architecture and landscape architecture.*

Under Clause 53.22-1, ‘Office’ is a land use contained within Table 2 subject to meeting the following condition (as relevant):

The combined gross floor area of all buildings associated with the proposed use or development must be at least 10,000 square metres if any part of the land is in metropolitan Melbourne.

The proposal meets the above condition with a total office Gross Floor Area and Net Leasable Area of 16,576 and 13,194 square metres respectively.

Subsequently, Invest Victoria is satisfied the proposal meets the relevant conditions under Category 1 and therefore, is eligible for consideration under the Development Facilitation Program.

The Development Facilitation Program (DFP) is “*an accelerated assessment pathway for priority projects in identified sectors. The sectors target projects that will inject investment into the Victorian economy, keep people in jobs and create homes for people.*”

In addition to providing an ‘accelerated pathway’, Clause 53.22 also sets out additional requirements and exemptions:

- Clause 53.22-2 allows the responsible authority to waive or vary any building height or setback requirements.

- Clause 53.22-2 allows the responsible authority to exempt applications from an application requirement when such information is not relevant to the assessment of the application.
- Clause 53.22-3 sets out mandatory requirements for applications including a quantity surveyor report and written advice of the CEO, Invest Victoria.
- Pursuant to Clause 53.22-4 an application under this provision is exempt from the notice requirements and review rights set out under s64(1), (2) (3) and s 82 (1) of the Act.
- Pursuant to Clause 53.22-6, the responsible authority must consider, among others, the purpose of the Clause 53.22 and the views of the Office of the Victorian Government Architect before deciding on an application.

Clause 65.01 – Approval of Application or Plan

Decision Guidelines' states that, before deciding on an application, considerations should be given to a series of matters including the purpose of the zone, overlay or other provision, the orderly planning of the area and the effect on the amenity of the area.

Clause 71.02-2 – Operation

This policy provides instructions on the operation of the Planning Policy Framework. It states that the PPF provides guidance for decision making. A planning authority must take into account the PPF when making a decision under the Scheme. A planning policy and policy guidelines indicate how the objectives can be met; a responsible authority must take a relevant policy guideline into account but is not required to give effect to it.

Clause 71.02-3 – Integrated decision making

This policy states that, planning should endeavour to integrate the range of planning policies and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.

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7. Planning Assessment

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7.1. Introduction/Overview

Clause 71.02-3 of the PPF promotes the 'balancing' of sometimes conflicting policies in favour of sustainable development and 'net community benefit'.

In this case the 'balancing act' needs to assess matters such as the value of providing a multi-level A-grade office and mixed-use development on the site against other matters such as an outdated structure plan, amenity, urban design, traffic and parking considerations.

Whilst there is general policy support for urban renewal and intensification within established urban areas, the level of support (and the associated level of 'change') varies from place to place.

The subject site a large site with excellent access to public transport and various key facilities, services, within a Major Activity Centre (MAC) earmarked for increased growth at a State level, adjacent to a main road (South Road), within close proximity to a major highway (Nepean Highway) and within an Activity Centre Zone that is undergoing significant change/growth.

Potential tempering factors include urban design considerations in relation to the scale and massing of the proposed development and public realm outcomes. Likewise, abuttals to neighbouring properties and associated amenity impacts, equitable development, and traffic/parking matters are relevant considerations.

Importantly, the proposal is eligible for consideration under Clause 53.22 seeking to prioritise and facilitate the delivery of projects of state significance.

It follows that this is an application where strategic planning considerations play an important role given the clear and unequivocal strategic directions for Moorabbin MAC to provide a significant role in the delivery of a wide range of land uses including residential and commercial floor space. The various policies of Plan Melbourne and Kingston Planning Scheme clearly encourage a higher scale and intensity of development of land within activity centres and within the State's Principal Public Transport Network.

As stated earlier, the ACZ3 controls no longer serve the needs of the activity centre and its significant role within the immediate and broader region. This is clearly demonstrated by the emerging character of the area through recently built developments and approvals that far exceed the existing discretionary built form controls.

New built form controls are proposed within the Moorabbin MAC in direct response to the release of the State Government's Housing Statement, to tackle the pressing issues of housing supply and affordability. An overhaul of the existing ACZ3 controls is an important factor in the assessment of future development within this MAC. It is anticipated that the new guidelines will promote taller and more robust built forms, creating a new urban landscape.

Greater weight needs to be afforded to the future character of the activity centre to contribute to the city's growth and to contribute meaningfully in tackling housing supply and affordability issues, and to advance the broader urban consolidation initiatives that are at the forefront of State and local planning policies. Ultimately the Kingston Planning Scheme requires planning outcomes to promote sustainable development and net community benefit.

The proposal is an efficient and effective use of the land and presents as a high-quality architecture and urban design proposal and that the proposal will result in net community benefit. In achieving the above conclusion, we have considered the following key questions:

- Is there strategic support for the proposal?
- Is the proposed built form appropriate to its context?
- Will the proposal have acceptable amenity outcomes?
- Is the proposal appropriate having regard to traffic, parking and waste?

7.2. Is there strategic support for the proposal?

Site attributes and contextual considerations

The context of the site represents an excellent opportunity for urban renewal and intensification through the construction of a multi-level mixed commercial development of the nature proposed.

Specifically, it is noted that:

- The subject site is a substantial site, particularly relatively to urban standards, with a total area of 1,625 square metre made up of several consolidated lots and an almost symmetrical square shape, thereby representing a valuable redevelopment opportunity.
- The site has an uninterrupted northern orientation due to its location abutting South Road.
- The site benefits from being an island site, adjoining two roads (South Road and Taylor Street) and two laneways. These roads/lanes serve as buffers between the site and adjoining properties providing separation ranging between 3.3 to 37 metres.
- The subject site is within a Major Activity Centre, within the PPTN, thereby enjoying excellent access to a variety of commercial, community, educational, transport and recreational facilities (as previously detailed).
- The site is positioned on South Road and in proximity to Nepean Highway, both major arterial roads and serviced by Moorabbin Train Station and a bus interchange. Notably, the site is within a 3-minute walk from the entrance to Moorabbin Train Station.
- The subject site is in an area that is experiencing transition and urban renewal, with numerous existing and approved developments accommodating commercial and residential uses in taller multi-storey buildings. An overhaul of the existing built form controls within this MAC will create more 'uplift' and greater development opportunities

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- At the ‘micro’ level, the subject site demonstrates no constraints that would prevent its development for commercial purposes. The subject site is generally flat and does not accommodate significant vegetation, water features or restrictive easements or covenants.

Planning Policy

The **PPF** retains the emphasis of encouraging urban consolidation to take advantage of existing settlement patterns and infrastructure provisions. The establishment of diversity of well-located commercial/employment options in activity centres with convenient public transport access remains a prominent policy objective.

The proposal before the Department is for a 15 storeymixed use development on a large site within a key Major Activity Centre (MAC) with excellent access to various key facilities and services. There is unequivocal strategic support for a commercial development of this scale in Moorabbin Activity Centre and the subject site.

The proposal is consistent with and supported by numerous planning policies within the PPF, notably:

- It will provide a significant commercial (office) floor space in a key metropolitan activity centre not only reenforcing its role in the local, regional and state hierarchy but also providing jobs and office space in a location earmarked for residential growth and therefore, delivering planning objectives encouraging the location of jobs close to where people live (Clause 11.01-1S, Clause 11.03-1S);
- It represents a high-quality development contributing to the mix and diversity of services and employment choices at a local, metropolitan and state level (Clause 11.03-1S);
- It strongly supports the continued growth and diversification of activity centres providing local employment opportunities and supporting local economies (Clause 11.03-1S);
- It will contribute to community and cultural life by providing a high-quality work environments, facilitating accessibility and presenting as a high-quality urban design, architecture and landscaping exemplar (Clase 15.01.1S);
- It is a well-designed with the potential to become a distinctive landmark in the MAC featuring high-quality and contemporary architecture, notably the proposal features a noteworthy response to best practice environmentally sustainable development objectives as well as high levels of internal amenity and effective public realm contributions (Clause 15.01-1S, R & L);
- It achieves urban design and siting outcomes that will positively contribute to the local context whilst minimising detrimental amenity impacts to adjoining and nearby properties (Clause 15.01-2S); and
- It contributes to the creation of a 20-minute neighbourhood providing jobs close to where people leave and fostering healthy and active living spaces with meaningful design and infrastructure considerations catering for active modes of transport and minimising car dependency (Clause 15.01-4S & R & Clause 18.01-3S).

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Particular emphasis is given to the proposal's response and implementation of Economic Development Policies within the PPF (Clause 17). This is a project of state significance, and will strengthen the State's economy and facilitate growth in a range of employment sectors including professional services. This builds on the emerging strengths of the State, the region and Moorabbin as a key activity centre (Clause 17.01-1S). It will facilitate economic opportunities in a highly accessible and well serviced area, increase employment opportunities as well as support the surrounding commercial uses. Specifically, it is noted that:

- The injection of more people in the area will likely provide support for other business in the location and be an attraction for more businesses to establish in the MAC;
- The proposal will create new commercial uses (office, retail and other complementary commercial uses);
- The proposal will generate direct construction jobs; and
- The proposal will also generate other direct and indirect employment opportunities.

Refer to the economic benefits assessment prepared by MacroPlan for further consideration of the economic impact of this proposal.

The proposal is consistent with the **MPS** strategic directions including supporting Moorabbin Activity Centre as a Major Activity Centre in Kingston's hierarchy, contributing to a broad of uses to enhance economic vitality (Clause 02.02-02.04).

Importantly, the MPS identifies Moorabbin's primary role being the provision of retail and significant commercial floor space. The injection of substantial high quality office space will also be a catalyst for other development to occur including residential living which will contribute to the housing targets of Kingston.

The proposal is consistent with settlement, urban design, economic development and transport strategies as previously discussed which are broadly consistent with those contained within the PPF. Lastly, the proposal will significantly contribute to the overall **vision** of the municipality by providing a sustainable, safe and attractive development in a key location supporting the local economy.

Activity Centre Zone - Schedule 3

The proposal implements the objectives of the Activity Centre Zone by delivering a higher scale and intensity of development within the ACZ3 supporting the role of the Activity Centre as a focus for business, working and transport whilst supporting sustainable urban outcomes and featuring high-quality urban design, architectural and landscaping.

In terms of the particular objectives of Precinct 2 (Retail Core), the proposal is highly consistent because:

- it provides a mix of uses with retail activity at the ground level and commercial floor space at the upper levels;
- it provides excellent cycling and pedestrian infrastructure and access encouraging active modes of transport; and

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– it represents a significant redevelopment in a key development site – noting that it is generally agreed that the consolidation of the lots warrants the consideration of the site as a ‘key development site’.

The built form outcomes are discussed in detail in subsequent sections, however, it is noted that whilst the proposal seeks a variation to the preferred building height and setback requirements, it is submitted that the precinct objectives and guidelines are met and therefore the proposed height can be varied.

Significant Economic Development – Clause 53.22

The proposal implements the strategic objectives of Clause 53.22 by providing a development that represents the highest and best use of the subject site and featuring high-quality urban design, architecture and landscape architecture.

There is no doubt that the commercial floor space offering warrants the qualification of the proposal as a significant economic development. It follows that the Economic Analysis accompanying this application demonstrates the contribution the proposal will make to the State’s economy resulting in a substantial public benefit. By way of summary:

- Based on output multipliers, the initial construction investment of \$63.0 million is likely to generate an additional \$71.0 million of indirect construction output elsewhere in the wider economy, totalling \$134.0 million of total output (including direct and indirect) to the economy during the construction phase.
- Based on employment multipliers, the proposed development is expected generate approximately 141 direct construction Full-Time Equivalent jobs on site and an additional 176 indirect jobs elsewhere in the economy, totalling 317 construction related jobs over the 22 month construction period.
- The operation of the proposed facility will also support an increased level of employment both directly onsite and indirectly in the wide economy. The average employment density assumed for a commercial office at the subject site is 1 Full-Time Equivalent job per 15 sq.m of internal floor area, generating an estimated direct on-site operational employment potential of 1,400 jobs.
- The total direct and indirect employment generated during the operational phase is estimated at approximately 2,055 Full-Time Equivalent jobs.
- An ongoing total direct output of \$387 million, with a total ongoing estimated output of \$611 million is estimated.
- In addition to the quantified economic benefits outlined above, the proposed development is expected to deliver a number of economic and community benefits, including significant improvements to land utilisation and values, increased local employment opportunities and economic activity.

Housing Statement 2023 & Plan Melbourne

The proposal is highly consistent with State and metropolitan strategic plans and policy statements. It is noted that:

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- The Moorabbin MAC is uniquely positioned at the north-western corner of the municipal boundaries of Kingston, straddling across two other municipalities and within 18 kilometres from Melbourne’s CBD.
- The centre has been recently identified as one of the ten Activity Centres to accommodate housing and complementary land uses in the Victorian Government’s Housing Statement issued in late 2023. This is consistent with current planning policies at both State and local levels which earmark activity centres to provide for additional and more diverse housing and mixed-use activity, reinforcing the important role of activity centres.
- The proposal is a significant project that will contribute to the reinforcing of Moorabbin as a key activity centre and result in a meaningful investment in Victoria’s economy supporting Outcome 1 of Plan Melbourne, for Melbourne to be a productive city that attracts investment, supports innovation and creates job, particularly noting that the proposal will provide significant office floor space supporting one of the key priority sectors in the southern region and identified in Plan Melbourne, the professional services sector.
- The proposal is consistent with Direction 1.2 of Plan Melbourne seeking to improve access to jobs closer to where people live. With Moorabbin being earmarked to accommodate a significant proportion of the projected housing and population growth of the State, the proposal presents as a unique opportunity to create office/commercial spaces within an area that will accommodate greater population growth.

Conclusion

It is highly evident that there are clear and unequivocal strategic directions for the Moorabbin MAC to play a significant role in the delivery of a wide range of land uses including commercial floor space. There is also a myriad of planning strategic directions aimed at addressing population growth and changing household structures, requiring additional and more diverse housing and job creation in activity centres. This is consistent with the strategic directions of the Moorabbin MAC contained within Kingston’s Municipal Planning Statement.

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7.3. Is the Proposed Built Form Appropriate to its Context?

Overview/Introduction

The design challenge for the subject site is to achieve a high-quality building benefiting from its strategic location and fulfilling the expectations for a more intense mixed-use developments whilst also responding to immediate site context.

The relevant built form considerations include:

- **Context and Design response** - The need to achieve a design that engages with and does not overwhelm the public realm through appropriate massing, setbacks and detailed design;
- **Circulation & Movement** - The need to provide efficient, safe and convenient movement through the site including interfaces at the pedestrian level and the movement of vehicles, bicycles and pedestrians within and through the site; and
- **Public benefit** - The need to demonstrate community/public benefit commitments such as sustainability commitments and public realm improvements. This will also assist in the justification of the height variation.

As outlined earlier, DTP has recommended that pre-application advice from key stakeholders is addressed with specific focus on:

- Reducing overall building heights in the order of 3-4 levels.
- Increasing building setbacks from the southern boundary.
- Activating laneway interfaces.

A response to these matters are within this section of the report.

Context and Design Response

The site's physical and strategic context is fundamental in determining an appropriate design response. The subject site benefits from the following contextual characteristics:

- By consolidating six individual parcels, an island site is created with four different public interfaces allowing for a seamlessly integration of the building's access and façade design with the public realm.
- With a direct abuttal to a main arterial road to the north and a local road to the east, the subject site has greater capacity to accommodate a higher built form and scale.
- The immediate context of area, including direct abutting/adjoining properties have undergone significant levels of change with recent constructions and planning approvals for developments up to 13 storeys in height.

The above-mentioned characteristics demonstrate the capacity of the subject site and the area to absorb/accommodate greater building forms and scales. The Moorabbin MAC is also expected to accommodate substantial change with new draft guidelines to be released shortly as part of the State Government's Activity Centre Program. It is anticipated that this MAC will

undergo a transformation and will accommodate taller and more robust buildings that exhibit good urban design principles.

This proposal endeavours to contribute in a positive and meaningful manner to the future development of the MAC. It represents a high quality and site responsive contemporary development that will inject substantial commercial floor space to the existing offerings. The Urban Context Report and Design Response prepared by KUD provides a comprehensive analysis of the architecture and urban design process behind the proposal.

The proposed built form, scale, articulation and materiality demonstrate the design excellence of the proposal as follows:

- Thoughtful consideration has been given to the building’s scale and form to ensure a harmonious transition between the South Road interface and the activity centre.
- The building contains a 3-storey podium built to the site boundaries and a 12-storey tower above with 3 metre setbacks. This setback of the tower form responds to the site’s island context. A greater setback would be warranted if the site adjoined other properties and if sensitive uses (ie. dwellings) were proposed within the tower.
- The proposed height has considered the future context and development of properties to the west (facing Station Street) and serves as a transitional built form element between the existing and emerging building scale to the east of the site and the anticipated development/scale of properties to the west. The 15 storey height is an appropriate built form outcome in this location given that similar scaled buildings have been built or approved, and that taller and more robust built forms are envisaged as part of the imminent release of new built form controls and guidelines within this MAC.
- The centrifugal column placement and central core allows for flexible tenancies, efficient load transfer and ease of circulation.
- Building articulation has been incorporated in the built form of the proposed building with the assistance of:
 - fillet corners softening the built form;
 - subtracted gridded indentations throughout;
 - double-storey height balconies along the South Road and Taylor Street facades; and
 - a 3-storey height pedestrian entrance to South Road.
- Distinct high-quality materials have been selected and include recycled concrete in dark grey, a modulated façade predominantly featuring window framing elements in light grey, louvres and reflective glazing.
- Landscaping opportunities are provided within the public interfaces, the podium, balcony elements and at the roof top of the proposed building. The concept landscape plan prepared by Jack Merlo maximises these areas to provide additional articulation and visual interest.
- Lastly, the proposed design is capable of achieving a 5 Green Star rating (Australian Excellence) under the Building V1 tool and to be certified by the GBCA.

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The future built form character of this MAC is expected to change substantially. Greater weight ought to be afforded to the future character rather than existing buildings and approvals. This is consistent with the feedback from the OVGA that recognises this emerging precinct.

Council's feedback to reduce the height of the building by a minimum of 4 levels is based on existing buildings and approvals, and makes no acknowledgement of the impending built form controls that will be released as part of the Activity Centre Program.

Another important factor is to also ensure that this development is economically viable especially at a time when rising construction costs have created significant challenges to the development industry and broader implications to the economy. At this stage, a 15 storey building is economically feasible.

Circulation and movement

The proposal achieves efficient connectivity and safe movement of pedestrians, cyclists and vehicles throughout the building. It prioritises the efficient and safe movement of pedestrians with clear visibility, accessibility from footpaths minimising conflicts between different modes of transport and pedestrians.

- Pedestrian access to the building is prioritised throughout all street and lane interfaces. The main entry point for pedestrians is via the main foyer/lobby accessed directly from South Road. This access is provided a generously sized weather protected landing area incorporated into the facade design and with an effective floor to ceiling height of three storeys. Direct access to ground floor tenancies is also provided to Taylor Street, with extensive glazing providing a high degree of passive surveillance.
- A secondary access is provided to the rear laneway allowing directly access to 'back of house' areas.
- Access to bicycles is provided via an exclusive lane from Taylor Street, along the southern ROW and into bicycle parking areas located generally at the rear of the building.
- Vehicle access is via a widened southern ROW concealed away from key street and pedestrian networks. A 4.5m minimum clearance height is provided to ensure that all heavy vehicles can traverse along this roadway.

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This development does not anticipate either Macs Lane or the southern laneway to provide for a future key pedestrian route for these reasons:

- Macs Lane is intended to be for vehicle and services due to the anticipated volume of traffic created by future development of the adjoining properties and its north/south orientation. Key pedestrian routes will continue along South Road, Station Street, Central Avenue and Taylor Street.
- The positioning of the southern laneway is in proximity to South Road, and therefore is unlikely to generate pedestrian demand in the future. There are no major attractors to warrant an east-west pedestrian accessway in this locale.

Both Macs Lane and the southern laneway are not expected to warrant a shared pedestrian and vehicle arrangement, and therefore further activation of the southern ground floor plane to the laneway is unnecessary. The ground floor glazing wraps around the north-west and south-east corners of the building, providing viewlines into both laneways.

The cantilevered nature of the podium over the widened laneway is appropriate as it maximises the podium floor plates. It also provides a degree of weather protection to part of the laneway for end users. This laneway is not intended to form part of a key pedestrian network and therefore removal of the cantilever to enhance daylight access for amenity purposes is not warranted.

This 'island' site will inevitably require BOH areas and vehicle access to be positioned along the laneways, ensuring that the integrity of the public realm of South Road and Taylor Street is maintained and protected.

Public Benefit

We are satisfied the proposal results in substantial public benefits in line with the purpose of Clause 53.22 (Significant Economic Development) including best practice environmentally sustainable design, public realm improvements, design excellence and economic benefits including a significant contribution to the local, metropolitan, and State economy.

Further details are provided in the table below.

- , the proposed design is capable of achieving a 5 Green Star rating (Australian Excellence) under the Building V1 tool and to be certified by the GBCA.

Table 4. Public Benefit Commitments

1. Australian Excellence - 5 Start Green Star Building

The proposed design is capable of achieving a 5 Green Star rating (Australian Excellence) under the Building V1 tool and to be certified by the GBCA.

NABERS 5.5

– NABERS 5.5 Star Commitment Agreement with 25% modelling margin.

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Daylight excellence	– Daylight to a minimum of 40% of the regularly occupied areas across the building to receive at least 100 lux due to daylight during 80% of the nominated hours with no less than 20% on any floor or tenancy.
Comprehensive computational fenestration study	– Comprehensive computational fenestration study balancing thermal, energy, daylight and view considerations
High efficiency HVAC	– High efficiency HVAC, hot water and lighting systems
Embodied Carbon emission reduction	– Upfront embodied carbon emission reductions of 20% to be targeted.
Fossil Fuel Free Development	– Fossil fuel free development with a GreenPower Commitment in operation.
EV Charging	– High amenity for future tenants including gymnasium, open space landscaping, end of trip facilities, EV charging capabilities.
Air Pressure Testing	– Air pressure testing and as-built verification reporting.

2 Public Realm Improvements

Laneway widening	<p>The proposed design results in the widening of the southern ROW from approximately 3.3 metres to 6.3 metres. The widening of the southern ROW allows for:</p> <ul style="list-style-type: none"> – the ‘back of house’ elements including vehicle access and loading bays to be concealed from primary/key interfaces; – uninterrupted safe and convenient bicycle access via a separate lane to the building via the ROW; – the prioritisation of pedestrian movements across the remaining interfaces with main pedestrian entrance via South Road and two via Taylor Street.
Undergrounding of power lines	The overhead powerlines along South Road to be undergrounded for constructability, clearances and aesthetic purposes.

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Landscaping/Urban design	The landscape concept plan sets out a number of improvements to the public realm along both South Road and Taylor Street including:
Canopy Street trees	The planting of medium to large canopy trees within the road reserve. As a starting point, six (6) street trees are proposed along South Road and three (3) along Taylor Street. These trees will result in improved public spaces at this key location of the activity centre.
Paving treatments	The public interfaces along South Road and Taylor Street are proposed to be re-surfaced with sawn bluestone cobblestones and paving.
Public Seating	The landscape concept plan includes the provision of public setting at both interfaces, additional planter boxes, screens with climbers and pergolas.
Public bicycle parking	Six public bicycle parking spaces are proposed along the South Road footpath.
Congregation space	The generous entrance via South Road incorporates weather protection over the footpath and coupled with the road reserve/footpath spaces will acts as a medium size congregation point in the activity centre.
Outdoor dining	Outdoor dining zones are provided along the majority of the subject site’s interface with Taylor Street.
Activation & Passive surveillance	The provision of three large retail/commercial tenancies at the ground level with generous glazing elements throughout result in meaningful passive surveillance opportunities, bolstering safety along streets, laneways and public spaces.

3 Design Excellence

The proposal will result in a high quality and site-responsive contemporary development that will make a positive contribution to the existing and emerging character of the area and the Moorabbin MAC.

The Urban Context Report and Design Response prepared by KUD provides a comprehensive analysis of the architecture and urban design process behind the proposal. Notably, the proposal incorporates meaningful built form articulation and a mix of high-quality materiality including recycled materials.

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4 Economic Benefits

\$63 million cost; 22 months	MacroPlan prepared an Economic Impact Assessment for the proposal. Key construction inputs to the analysis include a cost of \$63 million, 22 months of build-out and provision of 15 office floors across the land area of approximately 2,000 square metres.
\$134 million of total output to the economy during construction	Based on output multipliers, the initial construction investment of \$63.0 million is likely to generate an additional \$71.0 million of indirect construction output elsewhere in the wider economy, totalling \$134.0 million of total output (including direct and indirect) to the economy during the construction phase.
317 construction related jobs	Based on employment multipliers, the proposed development is expected generate approximately 141 direct construction Full-Time Equivalent jobs on site and an additional 176 indirect jobs elsewhere in the economy, totalling 317 construction related jobs over the 22 month construction period.
Operational employment potential of 1,400 jobs	The operation of the proposed facility will also support an increased level of employment both directly onsite and indirectly in the wide economy. The average employment density assumed for a commercial office at the subject site is 1 Full-Time Equivalent job per 15 sq.m of internal floor area, generating an estimated direct on-site operational employment potential of 1,400 jobs.
2,055 Full Time Jobs	The total direct and indirect employment generated during the operational phase is estimated at approximately 2,055 Full-Time Equivalent jobs.
Ongoing output of \$611 million	An ongoing total direct output of \$387 million, with a total ongoing estimated output of \$611 million is estimated.
Increased land utilisation, values and local employment	In addition to the quantified economic benefits outlined above, the proposed development is expected to deliver a number of economic and community benefits, including significant improvements to land utilisation and values, increased local employment opportunities and economic activity.

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Activity Centre Zone - Schedule 3

The precinct requirements set out under the zone include a preferred building height of 14 metres/4 storeys; upper level setbacks (4th storey) of 5 metres from the frontage with South Road; and a ground floor level setback of 3 metres to Mac's lane.

As previously discussed, an overhaul of the current controls will be occurring in the immediate future and therefore limited weight should be afforded to the current ACZ3 controls.

Notwithstanding, the provisions of the ACZ3 allow for the proposal to exceed the above-mentioned requirements when it is demonstrated that the proposal meets the overall objectives and guidelines of the precinct.

It follows that the proposal achieves a high level of compliance/consistency with the precinct objectives and guidelines. The precinct objectives were assessed in the previous section of this report. The precinct guidelines are met as follows:

- The proposed development addresses all interfaces and provides alternate access and active frontages to both laneways and both street frontages;
- The widening of the southern ROW allows for the integration of vehicle access and the provision of adequate sight lines for vehicles and pedestrians;
- The design response ensures that a robust façade articulation and detailing is incorporated;
- The design achieves a clear distinction between the podium and upper levels by way of setbacks, articulation, materiality and landscaping treatments;
- The design preserves a 3-storey street edged, providing a suitable pedestrian scale to the public realm; and
- Lastly, the proposal does not adjoin properties within the residential zones.

PPF & MPS

In response to the broad building design and urban design provisions contained predominantly within Clause 15.01-1S, R & L, Clause 15.01-2S, Claus 15.01-5S & L, we note:

- The overall design has undergone careful analysis regarding its height, scale and mass and responds appropriately to its strategic and cultural context.
- The proposal will contribute to the emerging diversity of building design within the MAC. It will reinforce the role of the centre and enhance the function and amenity of the public realm.
- It results in excellent activation and passive surveillance opportunities of the public interfaces and the convenient and safe movement of pedestrians, cyclists and vehicles in that order.
- The proposal will minimise the impact of vehicle access and car parking on the public realm.
- The use of a mix of materials, vertical and horizontal treatments will result in a suitably articulated built form creating visual interest.

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Conclusion

The proposal represents an excellent example of contemporary architecture, urban design and landscaping architecture making a positive contribution to the existing and emerging character of the area. The height and scale of the building has been informed by the future built form setting that responds to the objectives and aspirations of the State Government's Activity Centre program. It also aligns with the strategic directions espoused in the Kingston Planning Scheme for activity centres to play a crucial role as places to work, live and play.

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7.4. Will the Proposal Have Acceptable Amenity Outcomes?

The various PPF and zone provisions require consideration be given to internal and external amenity.

Internal Amenity

As the proposed development is commercial/mixed use, there is no specific requirements in relation to internal amenity. Notwithstanding this, we consider the assessment of internal amenity for the proposed development to be warranted.

The proposal achieves high-levels of internal amenity for future occupants and users of the adjoining/immediate public spaces/interfaces, notably:

- The proposal secures ample daylight and sunlight access for upper level tenancies and key public spaces and pedestrian streets, ensuring a comfortable environment for future occupants of the building and for members of the public and local community.
- Engineering advice has been sought and incorporated to ensure the proposed design minimises adverse wind effects at the street level.
- Weather protection has been provided to increase the amenity of the public interfaces including South Road, Taylor Street and the ROW to the south.
- At the ground level are generous bicycle parking facilities, end of the trip facilities and convenient pedestrian circulation.
- At the upper levels the office floorplates in both the podium and tower comprise generous glazing 'in the round' to maximise natural light and views.
- There are large mezzanine and landing/lobby spaces at every level serving as communal/common spaces with excellent daylight access and ventilation.
- The roof top level provides open space areas for future tenants and visitors.
- Lastly the building is in an excellent location for future occupants to have access to local services and public transport.

External Amenity

The main potential impacts associated with this proposal relate to:

- Overshadowing/loss of daylight
- Overlooking
- Noise
- Equitable development

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The above external amenity impacts need to be addressed with the following principles/considerations in mind:

- Amenity impacts to adjoining properties need to be considered in the context of the planning framework that encourages a mixed use outcome in this area and a higher density development given the zoning and strategic location of the Moorabbin MAC and the subject site.
- Whilst neighbouring properties may have enjoyed daylight/sunlight access and outlook/views over the subject site, in an urban setting borrowed amenity should be regarded as a ‘bonus’ rather than an entitlement, particularly in the retail core of an activity centre.
- Visual bulk impacts are often associated with external amenity impacts, however, in this activity centre context where taller buildings are expected, visual bulk impacts should not form a relevant consideration.

Amenity impacts to No. 17 Taylor Street

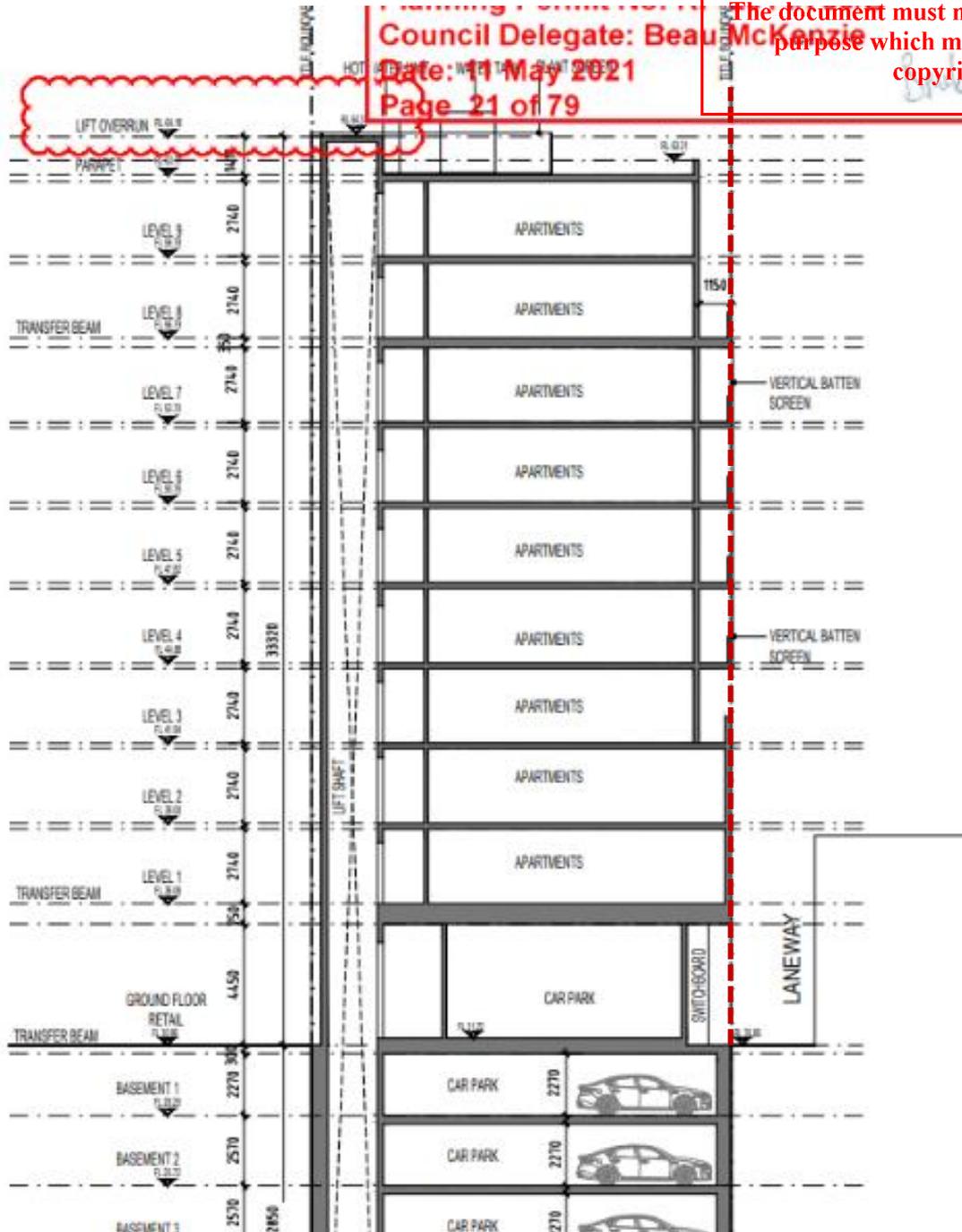
The subject site benefits from relatively benign interfaces to its north, east and west. However, on the other side of the ROW to the south is No. 17 Taylor Street, a sensitive interface as No.17 is developed with a multi-storey apartment building. With respect to this property, it is noted that:

- The apartment building at No. 17 has been mostly constructed to the northern boundary of the site with balconies constructed to the northern boundary and living areas setback less than 1.2 metres (refer to Figure 20).
- Subsequently, the existing separation between this property (including respective balconies) and the subject site is solely provided by the ROW of approximately 3.3 metres.
- In principle, a 3-metre setback to the northern boundary should have been provided considering the width of the lane, the proposed use being for a residential/sensitive use and the northern aspect of this interface. This development does not demonstrate an equitable development outcome as no setback to the northern interface is provided and is now left vulnerable to the future development of the subject site and nearby properties.
- This activity centre/commercial context also tempers amenity expectations as compared to an apartment building in a residential context.

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Figure 20. Interface of apartment building at No. 17 and the subject site



With all of the above in mind, the proposal appropriately manages its interface with the residential property to the south because:

Overshadowing/daylight

- The design incorporates the recession of the upper levels providing a 3.9 metre setback from the southern boundary of the site. Considering the ROW, a total separation of 7.2 metres is achieved.

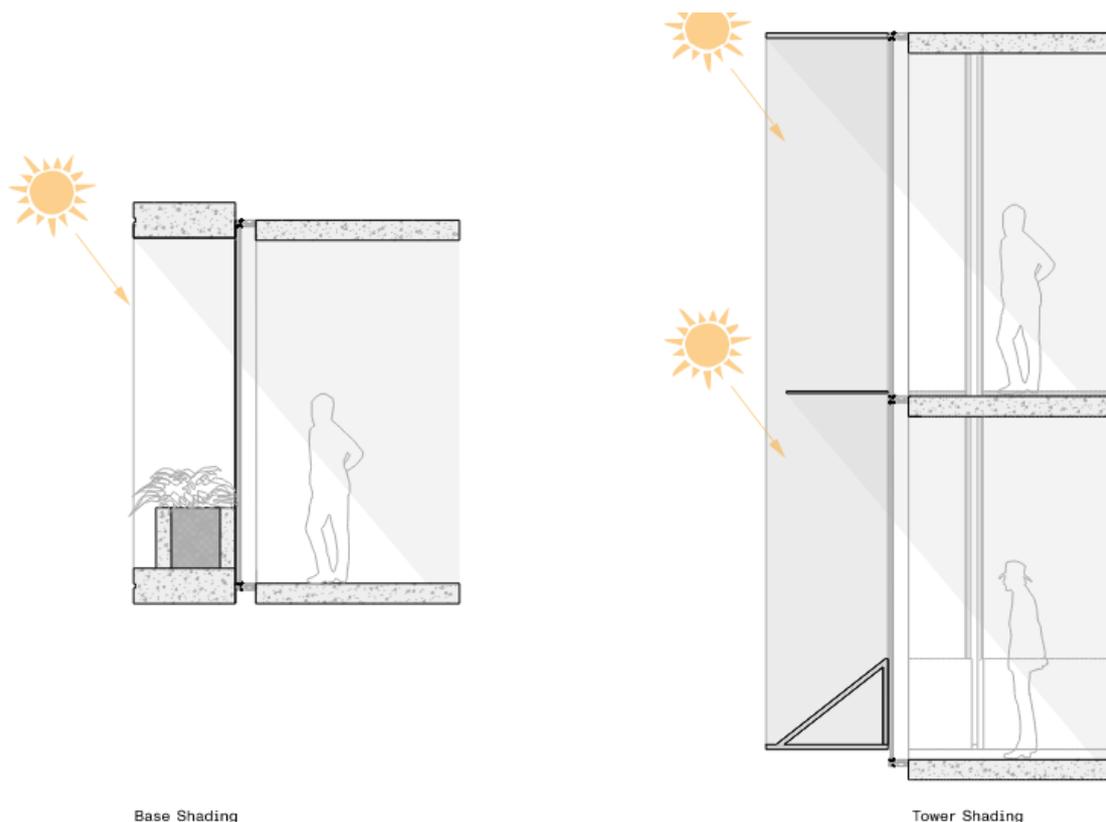
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- The separation provided to the southern boundary (3.9 metres) is well in excess of the separation provided by the development at No. 17 Taylor Street;
- A comparative daylight assessment prepared by GIW is provided with this application and demonstrates that the proposed development will have an equivalent or lesser impact as a building of the same height and setbacks as that constructed at No. 17 Taylor Street with respect to daylight amenity. It demonstrates that due to the orientation of the sites and the poor consideration for equitable development at No. 17, a development of the same scale, form and size will result in similar daylight impacts to the apartments at No. 17. This reinforces that a greater setback of the tower from the southern boundary is not required.

Overlooking

- The building core and services areas are located closer to the southern end of the floorplate. Subsequently, the primary location for the future internal fit-out of the offices are likely to concentrate key activities and circulation areas closer to the northern end of the floorplan and therefore minimising opportunities for overlooking to the south.
- The steel façade incorporates shading elements that help minimise overlooking opportunities into the apartment building to the south.

Figure 21. Shading elements



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Noise

- Offices are innocuous uses and unlikely to result in unacceptable noise impacts.
- Delivery and waste collection times can be managed to ensure these do not result in unreasonable amenity impacts to the residential property to the south.
- This application includes an Acoustic Impact Assessment of potential mechanical plant and waste/delivery collection noise emissions associated with the proposal. The assessment incorporates recommendations in relation to delivery/waste collection hours, among others.

Equitable development

Lastly, a relevant consideration is equitable development opportunities to nearby sites. The proposed height and tower setbacks will safeguard the development potential of the sites to the west and east, noting that the property to the south has already been developed. The intervening Macs Lane and Taylor Street ensures greater separation to these nearby sites.

Conclusion

The proposal results in excellent levels of internal amenity whilst suitably managing potential external amenity impacts. There are inevitable impacts to the apartment building to the south which failed to adequately consider equitable development outcomes. The development potential on the subject site should not be severely hampered given its locational credentials and the meaningful contribution it can make in achieving a myriad of settlement and economic goals.

7.5. Is the proposal appropriate having regard to traffic, parking and waste considerations?

Refer to the Transport Impact Assessment and the Waste Management Assessments prepared by Ratio Consultants providing further details and justification on traffic, parking and waste matters.

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8. Conclusion

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The subject site is a large site with excellent access to public transport and various key facilities, services, within a Major Activity Centre (MAC) not only undergoing significant change but also earmarked for increased growth at a State level. As indicated by the OVGA, this proposal can positively shape future urban outcomes in this MAC.

The proposal implements the strategic objectives of Clause 53.22 by providing a development that represents the highest and best use of the subject site and featuring high-quality urban design, architecture and landscape architecture. It follows that this proposal will result in net community benefit and is worthy of support.

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