

Planning Report

Tract

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342-348 and 368-370 Victoria Street, 32 Wilkinson Street and 13-15 Rosser Street Brunswick

Prepared for Assemble Communities Pty Ltd, MAKE Ventures Pty Ltd atf MAKE Ventures Unit Trust, Assemble Manager A Pty Ltd, AS Residential Property Pty Ltd atf AS Residential Property Trust, Assemble VSB Development Nominee Pty Ltd, Assemble VSB Pty Ltd atf Assemble VSB Trust ('Assemble Communities').

Acknowledgement of Country

We pay our respects to the Traditional Custodians of Country throughout Australia, their Elders and ancestors, recognising their rich heritage and enduring connection to Country and acknowledging the ongoing sovereignty of all Aboriginal and Torres Strait Islander Nations.

We recognise the profound connection to land, waters, sky and community of the First Nations peoples, with continuing cultures that are among the oldest in human history. We recognise that they are skilled land shapers and place makers, with a deep and rich knowledge of this land which they have cared for, protected and balanced for millennia.

Our Country, 2022

88 x 119 cm Acrylic on canvas

Original artwork by

Alfred Carter

Gunaikurnai

Quality Assurance

Planning Report

342-348 and 368-370 Victoria Street, 32 Wilkinson Street and 13-15 Rosser Street Brunswick
Wurundjeri Woi Wurrung

Planning Permit Application

Project Number

322-0714-00-P-03-RP01

Revisions

Issue	Date	Description	Prepared By	Reviewed By	Project Principal
00	25/11/2024	Planning Report	DL	PL	DS

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1 Introduction

1.1 Purpose

This report has been prepared by Tract Consultants Pty Ltd upon the instructions of Assemble Communities Pty Ltd, MAKE Ventures Pty Ltd atf MAKE Ventures Unit Trust, Assemble Manager A Pty Ltd, AS Residential Property Pty Ltd atf AS Residential Property Trust, Assemble VSB Development Nominee Pty Ltd, Assemble VSB Pty Ltd atf Assemble VSB Trust ('Assemble Communities').

The purpose of this report is to support a planning permit application to construct a multi-storey, mixed use development at 342-348 & 368-370 Victoria Street, 32 Wilkinson Street and 13 and 15 Rosser Street, Brunswick pursuant to *Clause 52.23 – Significant Residential Development with Affordable Housing*.

1.2 Overview

This development application incorporates a design scheme which delivers a contextual and high-quality design outcome to support a 'Build-to-Rent-to-Own' (BTRTO) housing model. This application involves the construction of four (4) multi-storey and mixed-use buildings. Key features of the proposal include:

- Commitment to a BTRTO housing model, to facilitate home ownership via renting for a diversity of households.
- A high-quality contemporary architectural response designed by Fieldwork Architecture adopting a carefully considered massing arrangement which responds to the urban context of Brunswick and maximises views of the retained heritage buildings, creating space for new areas of public realm and deep soil planting.
- A highly activated and curated ground plane has been designed to facilitate communal interactions while inviting local residents into the generously landscaped laneway network and plaza.
- 284 dwellings in the form of studio, one, two and three bedroom apartments of varying layouts, dimensions, orientations and sizes.
- Provision of affordable dwellings which represent 60% of the overall dwelling numbers.
- 91 car parking spaces, 417 resident bicycle spaces, 40 employee bicycle spaces and 56 visitor bicycle spaces.
- Extensive amenities for residents comprising multi-purpose heritage cottages, laundry facilities, bike workshop, gym, rooftop BBQs and social spaces.
- An Assemble-managed retail premises (80 square metres) on the corner of Building 3 facing the central plaza. Other fine grain retail tenancies are located to activate Victoria Street as well as the central plaza and Upfield Shared Path interface comprising 1,338 square metres.
- Commercial office tenancies making up the remainder of the ground floor space in varying sizes including the more sensitive street-facing residential interfaces to the south and east comprising 2,186 square metres.
- An average NatHERS rating of at least 7.5-stars across the development.

In consideration of the locational context of the Site, the proposed design response and the technical documentation, it is the conclusion of this report that the proposal is appropriate and consistent with the land use and development expectations of the Brunswick Activity Centre and is consistent with the relevant provisions of the *Merri-Bek Planning Scheme*. It follows as a recommendation of this report that a planning permit for the proposed use and development should be issued.

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1.3 Planning Permit Triggers

A planning permit is triggered under the following provisions of the *Merri-bek Planning Scheme*:

- Clause 34.01 – to construct a building and works (C1Z).
- Clause 34.01 – to use the land for dwelling with ground floor frontage exceeding 2 metres (C1Z).
- Clause 43.01 – to demolish (partial), construct a building and works (HO183 and HO239).
- Clause 43.02 – to construct a building and works (DDO18).
- Clause 52.06 – to reduce the statutory car parking rate (car parking).

1.4 Background and planning history

1.4.1 Original Planning Permit & Endorsement (MPS/2017/745 – 2018-2021)

The Permit was issued on 3 July 2018 and was extended on 2 June 2022 by the previous landowner. Plans and supporting materials were endorsed by Council on 11 June 2021 as part of an amended approval (MPS/2017/745/A).

The Victorian Civil and Administrative Tribunal (VCAT) directed Council to issue the Permit on 15 June 2018 for the land at 342-348 Victoria Street, 32 Wilkinson Street and 13 and 15 Rosser Street Brunswick. The Permit issued by Council on 3 July 2018 allows for:

'Development of the land for four multi storey mixed use buildings, partial demolition, buildings and works in a Heritage Overlay, a reduction of the statutory car parking requirement, and use of land for dwellings, in accordance with the endorsed plans'.

1.4.2 Amended Permit (2023)

Assemble Communities purchased the Site in late 2022, and following agreement at the compulsory conference on 5 October 2023, VCAT directed Council to amend the previous Planning Permit (MPS/2017/745/A) under Section 87a of the Act.

1.4.3 Concurrent Planning Permit Endorsement, Amendments and Extension of Time (2023-2024)

An Endorsement Package was submitted to Council on 24 November 2023 for endorsement under Condition 1 of the Permit including a reduction in the number of dwellings from 284 to 268 due to the conditioned increase in the provision of additional commercial floorspace on the first floor of Building 1. It is noted RFI response packages were issued to Council on 22 February and 29 April 2024 to resolve final matters.

An amendment under Section 72 of the Act was approved by Council on 24 April 2024 to provide consistency of timing triggers across the conditions of the Permit specifically in relation to tree protection and the wording of conditions related to Section 173 Agreements (MPS/2017/745/B).

A basement reduction amendment (MPS/2017/745/C) under Section 72 of the Act was approved by Council on 23 September 2024.

A minor amendment under Section 57a of the Act was submitted to Council on 16 July 2024 to incorporate a raingarden and consolidate and resolve endorsement matters under MPS/2017/745/C. This was approved, including the endorsement of plans, by Council on 23 September 2024.

A minor amendment under Section 72 of the Act was approved by Council on 30 September 2024 (MPS/2017/745/D) to update Condition 10 wording in relation to timing of provision of the Public Works Plan.

A further minor amendment under Section 72 of the Act was approved by Council on 20 November 2024 (MPS/2017/745/E) to update Condition 20 wording in relation to timing of provision of the Section 173 Agreement.

An extension of time request was approved by Council on 6 August 2024 extending commencement to be by 3 July 2026 and completion and use to begin by 3 July 2030.

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1.5 Project Team and Advisory Group

Project Team

The project team assembled by Assemble Communities consists of the following:

- **Acoustic Logic** – Acoustics.
- **Armitage Jones** – Project Management.
- **Before Compliance** – DDA.
- **Fieldwork** – Architecture.
- **Hip V. Hype** – ESD.
- **Lovell Chen** – Heritage.
- **Mala** – Landscape Architecture.
- **Tract** – Town Planning.
- **Traffix Group** – Traffic and Waste.
- **Urban Enterprise** – Economic Analysis.
- **Vipac** – Wind.
- **Webber Design** – Structure.
- **Wrap Engineering & Red Fire Engineers** – Building Services.

1.6 Report Structure

This report details the site and its surrounding context (Chapter 2), describes the proposal in full (Chapter 3), identifies relevant planning policy and provisions (Chapter 4) and assesses the proposal against these (Chapter 5). Finally, conclusions and commendations are made (Chapter 6).

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2 Subject Site & Surrounds

2.1 Title Particulars

The 'Site' encompasses the properties at 342-348 and 368-370 Victoria Street, 32 Wilkinson Street and 13 and 15 Rosser Street Brunswick.

The formal description of the new Site is as follows:

- 342-348 Victoria Street:
 - Lot 1 on Title Plan 972121 (main parcel);
 - 'E1': 8x5m carriageway easement along northern boundary of 15 Rosser Street
 - Lot 1 on Title Plan 116720 (minor parcel off Rosser Street);
 - Lot 1 on Title Plan 116721 (minor parcel off Wilkinson Street);
- 368-370 Victoria Street:
 - Lot 1 on Title Plan 968113;
- 32 Wilkinson Street:
 - Lot 2 on Title Plan 972121; and
- 13 Rosser Street:
 - Lot 2 on Lodged Plan 37780;
- 15 Rosser Street:
 - Lot 1 on Lodged Plan 37780.



Apart from the noted carriageway easement, there are no restrictive covenants indicated on the Certificates of Title.

2.2 Site Analysis

The Site is made up of multiple parcels located on the southern side of Victoria Street in Brunswick, bound by Rosser Street to the east, Wilkinson Street to the south and Upfield bike path and railway line to the west.

The Site encompasses the properties at 342-348 and 368-370 Victoria Street, 32 Wilkinson Street and 13 and 15 Rosser Street Brunswick which is 4.9 kilometres north of the Melbourne CBD.

Together the properties form a combined site area of 7,397sqm.

The Site is relatively flat (with an average slope 0.6%).

The Site is predominantly rectangular in shape with a notable inclusion and exclusion of smaller rectangular parcels (inclusion of 368-370 Victoria Street forming the north-western corner; and excluding 28 Wilkinson Street which does not form part of the Site) and has a frontage to Victoria Street of 73.5 metres (north), a maximum depth of 117 metres (Rosser Street eastern frontage) and a split rear frontage to Wilkinson Street of 48 metres (south).

The parcels effectively make up a 'superblock' with three street frontages and the Upfield Railway Line and shared path to the west (refer to Figure 1).

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Figure 1 Site Aerial Plan (May 2024, Nearmap/OneMap)

The Site is currently occupied by:

- Two attached Victorian-era dwellings at 13 and 15 Rosser Street, which are of local heritage significance.
- A brick chimney located within the centre of the Site that is on the Victorian Heritage Register and is associated with the former use of the land as a factory for the Australian Licorice Company.
- An existing electrical substation to the rear (west) of 15 Rosser Street.
- The balance of the Site is now vacant, having recently undergone demolition to remnants of the previous (one to two storey) brick warehouses along the north, northeastern and southwestern frontages.

There are multiple vehicle crossovers to the Site, as the buildings included car parking and building access via roller doors. There are two double vehicle crossovers to Victoria Street, a double and single vehicle crossover to Rosser Street and a double vehicle crossover to 32 Wilkinson Street.

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Figure 2 Recent demolition of northern frontage viewed across from Victoria Street (Tract, June 2024)

2.3 Key Interfaces

The surrounding area is mixed in character, with a variety of commercial, industrial and residential land uses at a variety of scales. Multi-storey mixed-use developments are also emerging throughout the precinct, including a recently completed six storey project and planned social housing. Surrounding land is either zoned as commercial or industrial.

The Site includes the following key interfaces:

- **28 Wilkinson Street:** The Site wraps around 28 Wilkinson Street, which is occupied by a single storey brick building that is built to the side and rear boundaries with a concreted front setback and which is currently used as a gym.
- **North:** Immediately to the north of the Site is Victoria Street, a commercial street with a road reservation width of 20m. The street includes asphalt footpaths and time restricted parallel parking along both sides, a Flexicar carshare space and provides for two way traffic with dedicated bicycle lanes. There is no street planting evident on either side of the street proximate to the Site. On the north side of Victoria Street, opposite the subject site are double storey buildings including a butcher, art gallery and offices (305-317 Victoria Street).
- **East:** Immediately to the east of the Site is Rosser Street, which has a road reservation width of approximately 9m. This street incorporates concrete footpaths on either side, and time restricted parallel parking along the western side adjacent to the site. There is no street planting evident on either side of the street proximate to the Site. On the far side of Rosser Street there is a double-storey brick warehouse on the north-east corner (Victoria and Rosser Streets) with a café on the main frontage. Further south is a row of single storey dwellings and one double storey commercial premises. At the corner of Rosser Street and Wilkinson Street at 2-12 Wilkinson Street is a large open-air Council public car park and Bunnings store. This Site is subject to a planning permit application (PA2403001) for thirty-nine (39) social housing dwellings.
- **South:** Immediately to the south of the Site is Wilkinson Street, which has a road reservation width of approximately 9m. This street has concrete footpaths on either side, with some time restricted parallel parking towards the western end. There is a small landscape outstand / nature strip located centrally on the south side of the street, but no other evident street tree planting. On the far side of Wilkinson Street are a series of single storey dwellings and the new six storey mixed-use development, including vacant office tenancies on ground and first floor, to the south-east at 19 Wilkinson Street.
- **West:** The land to the immediate west forms part of the Upfield Railway Line and bicycle path, with Brunswick Station located adjacent to the south-west corner of the subject site. Beyond the railway line, there are double storey buildings within a core industrial area.

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2.4 Site Context

The Site is located within the Brunswick Major Activity Centre, which is designated as the main centre to accommodate residential and employment growth in Merri-bek.

The Economic Development Framework Plan identifies the Site as an employment area within the Brunswick Design District Core. This is known as an identified 'Category 2 – Employment Area' (see Figure 3) within the Moreland Industrial Land Strategy 2015-2030 (MILS). Melbourne's Industrial and Commercial Land Use Plan 2020 (MICLUP) also identifies the Site as an existing Regionally Significant Commercial Area for the northern region. Refer to Urban Enterprise's Economic Assessment for further details.

Legend

-  Brunswick Design District Key Sites
-  Brunswick Design District Core
-  Core Industry and Employment Areas
-  Employment Areas
-  Activity and Neighbourhood Centres
-  Highway
-  Arterial Road
-  Moreland Local Government Area

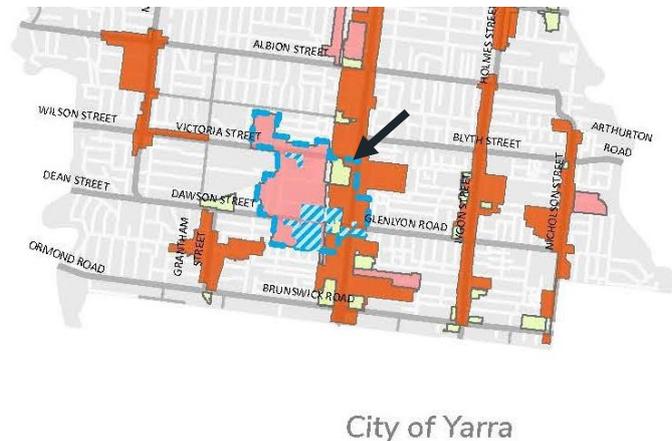


Figure 3 Economic Development Framework

Specifically, the Site is located within the Sydney Road and Upfield Corridor of the Brunswick Activity Centre and has excellent access to public transport (as shown in Figure 4).

The Site has direct access to Brunswick Station on the Upfield line (including the Upfield Shared Path – part of the principal bicycle network), three bus routes (508, 509 and 951) on the Victoria Street frontage and is 120 metres from the Sydney Road Route 19 tram. There are also eleven car share spaces within 400 metres of the site, which allow for occasional car usage.

Other surrounding amenities within the local context and their proximity from the Site include:

- North:
 - Bulleke-Bek Park: 470 metres (N).
 - Brunswick North Primary School: 1.2 kilometres (NW).
 - St Margaret Mary's School: 1.2 kilometres (NE).
- East:
 - La Manna Fresh Fruit & Vegetables: 90 metres (E).
 - Brunswick Post Office and Bunnings: 120 metres (E).
 - Mediterranean Wholesalers Grocer: 150 metres (NE).
 - Proposed Council park at 14 Frith Street: 300 metres (E)
 - Randazzo Park: 360 metres (SE).
- South:
 - Hotel Railway Brunswick: 40 metres (S).
 - Woolworths and BWS: 180 metres (S).
 - Brunswick Baths, Siteworks and Sydney Road Community School (SE): 260 metres (S).
 - Aldi: 325 metres (SE).
 - Brunswick Library: 400 metres (S).
 - Brunswick Secondary College: 550 metres (SW).

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- RMIT University Brunswick Campus: 400 metres (S)
- Proposed Council park at 260 Sydney Road: 500 metres (S).
- Princes Park: 1.1 kilometres (S).
- West:
 - Clifton Park, Gilpin Park and A G Gillion Oval: 450-750 metres (W).



Figure 4 Context Plan

As indicated above, the Site is well located within the Brunswick Activity Centre close to amenities and transport links.

2.5 Streetscape and Surrounding Character

Located in between the heart of the Brunswick Activity Centre and the Upfield Corridor, the Site context is characterised by a diversity of building scales and typologies. This built form context reflects the evolving social and economic fabric of the neighbourhood through waves of development and industrial activity spanning back to the nineteenth century when the Site was originally used as a stadium as well as travelling carnivals before becoming a licorice and chocolate factory - signified by the iconic brick chimney which is the last of its kind from Melbourne's steam-driven confectionery boom.

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The Sydney Road corridor is characterised by late nineteenth century high street shops and the Romanesque-styled Hardwick Building interlaced with single-storey commercial buildings from the twentieth century. The Upfield corridor, to the west, is defined by two-storey brick industrial buildings from the early twentieth century, secondary retail, pockets of Victorian terrace cottages and more recent commercial re-use such as the Spanish-styled former Brunswick Market as a co-working space or contemporary medium density mixed-use communities such as Nightingale Village.

Similar to Sydney Road, the southern frontage of Victoria Street is characterised by fine grain retail with a mix of commercial, carparks and industrial re-use as a transition from Sydney Road towards the railway. Whilst the retail forms a typical two-storey high-street form, the other mix of uses create a streetscape of contrasting height, grain, setback, material and architectural style.

Rosser Street is a mix of industrial character and inactive frontages to the north defined by the sheer brick walls either side of the Victoria Street interface which transitions to a typical Brunswick residential street with Victorian terrace cottages (similar to Wilkinson Street), an office block and the subject Site's vacant south-eastern corner opposite the Bunnings carpark, which is Council-owned and slated for 39 social housing dwellings as evidenced by the recent lodgement of a Ministerial Permit application (PA2403001).

Sustained demand for affordable apartment development has seen the emergence of larger, medium density buildings within the broader Brunswick Activity Centre context. New buildings are typically constructed on large and consolidated sites as well as some smaller sites that preserve the mixed grain character of the local streets. A range of contemporary materials are applied and a trend of improving design quality and residential amenity is observed in response to an increasingly discerning and engaged market.

A network of laneways and private through-links permeate the surrounding streets including the Bunnings, Tripovich Street and Sunshine Lane which will only be enhanced once the elevated rail is implemented. These passive and informal pedestrian linkages are characteristic of the way people move through the Brunswick Activity Centre and provide an important character element and sense of discovery. The proposal seeks to build on these networks providing access and views through the site to the chimney and the new train station and beyond.

The predominantly fine grain lot sizes in the immediate vicinity of the Site align with the mix of uses and dwellings, with larger landholdings at 2-12 and 19 Wilkinson Street being recently completed or seeking approval for more intensive mixed-use development in the order of 6-10 storeys.

2.6 Development Context

Prior to and following the issue of the permit in July 2018, rapid urban renewal is underway in Brunswick (refer to Fieldwork's *Neighbouring Development* map). A review conducted using Council's Planning Portal, Cordell Connect data and recent aerial imagery identified the following key projects:

- 2-12 Wilkinson Street Brunswick:
 - Council Meeting Minutes (8/09/2021): Council-owned carpark gifted to Merri-bek Affordable Housing Ltd via Heads of Terms Agreement provided 85% of dwellings delivered are affordable, at least 50% as social housing, substantially commenced within 2 years and local tenants are given preference.
 - PA2403001: Ministerial Permit application lodged for '53.23 Construction of a residential development comprising thirty-nine (39) social housing apartments (dwellings).'
- 19 Wilkinson Street, Brunswick (completed)
 - MPS/2018/858: VCAT permit issued for 'construction of six storey apartment building with office and dwellings and a reduction in car parking requirements.'
- 2-6 Ballarat Street, Brunswick (nearing completion)
 - PA2101205: Ministerial permit issued for 'demolition, use and development of an eight storey mixed-use building, comprising dwellings (including affordable housing), office and food and drinks premises and a reduction in car parking requirements.'
- 8 Ballarat Street, Brunswick (completed)
 - MPS/2016/854/A: Amended VCAT permit issued for 'construction of an eight storey building above two levels of basement car parking, use of the land for a food and drink premises, and a reduction of the standard car parking requirement.'

- 10 Ballarat Street, Brunswick
 - MPS/2018/856/A: VCAT amended permit issued for 'construction of a multi storey [nine] mixed use development over basement car parking'.
- 33 Saxon Street, Brunswick (Under construction)
 - MPS/2022/194/A: Amended permit issued for 'partial demolition and buildings and works in a Heritage Overlay, construction of a five storey building, use of the land for the purpose of a place of assembly and sale and consumption of liquor and reduction to the car parking requirement'.
- 291-293 Albert Street, Brunswick
 - MPS/2018/638/A: Amended to include live music to the permit for 'partial demolition, buildings and works associated with the existing hotel in a Heritage Overlay, display of signs, a waiver of the standard car parking requirements and the use of the land for the sale and consumption of liquor including variations to the existing liquor license'.
- 257 Albert Street, Brunswick
 - MPS/2020/528/A: VCAT amended permit issued for 'the construction of a six storey building, including the partial demolition of the existing building with a reduction (to zero) in car parking'.
- 1 Duckett Street, Brunswick (completed)
 - MPS/2018/362/E: Amended permit issued for 'development of the land for 6 buildings, with a maximum height of nine storeys, use of the land for dwellings and a reduction of the standard car parking requirement and works, in accordance with the endorsed plans'.
- 17-19 Hope Street, Brunswick (recent demolition)
 - MPS/2022/701: Delegated permit for 'construction of a [nine] multi-storey mixed-use development, use of the land for dwellings, and a reduction to the standard car parking requirement'.
- 392 Sydney Road, Brunswick
 - MPS/2019/800: Delegated permit issued to 'construct a five storey commercial building with a reduction in the car parking requirements'.
- 416-418 Sydney Road, Brunswick
 - MPS/2019/616: VCAT permit issued for 'demolition and buildings and works to construct a seven storey residential building (student accommodation)'.
- 466-474 Sydney Road, Brunswick
 - MPS/2017/836: Delegated permit issued for 'partial demolition of the existing building and construction of an eight storey building above two basement levels, use of the land for dwellings and reduction in statutory car parking'.
- 8-14 Michael Street, Brunswick (completed)
 - MPS/2016/989/A: VCAT amended permit issued for 'construction and use of an eight storey building, with two basement levels, for seventy-two dwellings'.

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2.7 Other Contextual Considerations

2.7.1 Level Crossing Removal Program – Victoria Street Level Crossing & Brunswick Station Upgrade

Under Victoria's Big Build Program, the Level Crossing Removal Project (LXRP) (now deferred to 2030) will remove the Victoria Street level crossing to improve efficiency and safety of congested crossings. Similar to recently upgraded LXRP stations at Moreland and Coburg, heritage-listed station buildings are likely to be retained at ground level for community uses whilst the railway, new platforms and station buildings will be elevated. These changes will have future implications on the Site's western interface and use as a thoroughfare between Sydney Road and the station. The elevated railway will provide opportunities such as a widened Upfield Shared Path and greater east-west permeability. The specific details and location of the upgraded station are likely to be further resolved through future consultation and design development phases.

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3 Proposal

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3.1 Overview

This section should be read in conjunction with the Design Report, List of Changes and Architectural Plans, prepared by Fieldwork, Revision Q dated 16 October, 21 November and 21 November 2024 respectively.

The application proposes to provide a total of 284 dwellings across four buildings under the Assemble Futures BTRTO model (60% as moderate income affordable housing), comprising a diversity of apartment typologies in the form of studios, one bedroom, two bedroom (one/two bath) and three bedroom (one/two bath) dwellings.

The proposed dwelling mix is as follows:

- Studio – 25 dwellings
- 1B1B – 85 dwellings
- 2B1B – 62 dwellings
- 2B2B – 75 dwellings
- 3B1B – 15 dwellings
- 3B2B – 22 dwellings

The proposal comprises the following key elements:

- A mix of ground floor commercial office (2,465sqm) and retail (1,338sqm) tenancies.
- A network of landscaped public laneways bisects the Site to celebrate retained heritage elements.
- 626sqm of Assemble Community amenity facilities including rooftop terraces on each building, Building 3 ground floor spaces including a wellness gym next to the central café and heritage cottage spaces available to the public.
- Deep soil area of 512sqm (excluding heritage zone).
- 91 basement car parking spaces.
- 513 bicycle parking spaces across basement and ground levels.
- 118 basement storage cages.



3.2 Design Concept

The following Design Response has been prepared by Fieldwork:

The design of this new precinct aims to maximise community benefit. This will be achieved by working with the site's existing heritage and context, and building a new community that is of its place, an evolution of Brunswick. The proposal will transform the old chocolate and liquorice factory into a community of four buildings. A new network of urban laneways will frame an active, lively ground plane made up of office, retail, community and food & beverage tenancies. Above, Assemble's affordable build-to-rent-to-own housing includes a rooftop communal laundry and social space for each building.

With respect to the massing strategy and architectural presentation of the proposal, Fieldwork have prepared the following summary:

The overall massing is four distinct volumes, each fragmented into a stepped and varied form. It is neither a "podium-and-tower" design nor sheer to the street, with a carefully considered massing proposition that responds to its urban context. Lower levels provide a greater degree of enclosure and privacy to apartments, through the use of deep balconies, screened pergolas and solid balustrades. As the buildings rise, they "de-materialise" into more lightweight forms that maximise access to light and aspect for residents, and present more visually lightweight to the street.

External circulation encourages stair usage and provides distinct visual breaks and an iconic arch expression signifies the points of entry. Brightly coloured, highly articulated ground floor tenancies within a regular rhythm of pilaster-and-alcove allow the retail tenancies to share the vibrancy and urban morphology of the surrounding shopfronts on Sydney Road, Sparta Place and Victoria Street. On the top levels of each building, rooftop communal laundries and social spaces provide a pop of colour and vibrancy on the horizon, with distinctive pergola and roof forms.

A fragmented and sympathetic built form faces the more domestically-scaled Rosser and Wilkinson Streets, with a predominant single-storey street wall augmented by a 3 storey grow-frame pergola, creating a soft, textured and permeable street edge that filters views to set-back upper forms. A deep and robust ribbon balcony expression to the west gives residents a sense of prospect-and-refuge, with the additional private open space filtering the western sun and occasionally noisy interface with the railway corridor. To Victoria St, a varied and colourful street wall opens onto the central laneway, inviting the public into the precinct.

3.2.1 Materiality

The material palette draws inspiration from the surrounding character, with recycled bricks for street walls, timber-framed windows, tiled shopfronts, timber decks for seating, metal balustrades and galvanized steel mesh frames punctuating an honest and robust ribbed and standard concrete structure with added textural flair.

Robust materials have been selected that will stand the test of time and age gracefully. Colours help distinguish each building, complementing their subtly varied massing with a colour theme running from the tiled shopfronts and recycled brick streetscapes up to mineral-painted concrete podiums and matching coloured metalwork. As with the massing, the intensity and saturation of the colours lightens on the upper levels but is still subtly present to a distant viewer.

Please refer to the figure below for an extract of the proposed material palette, and for further detail please refer to the Architectural Plans prepared by Fieldwork.



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Figure 5 - Material Palette (Fieldwork)

3.3 Built Form

The approach to massing adjusts the envelope generated by applying the requisite Design Development Overlay (DDO18) controls to extrude the form into four distinct buildings separated to allow for natural lighting, ventilation and celebrating the retained central heritage chimney and eastern cottages through appropriate sightlines. The undulating street wall seeks to hold the key corners of the Site and beak up the massing, which along with the articulated form, seeks to allow for an assemblage of stepped and varied forms which promotes generous terraced open space, ample natural lighting, ventilation and sensitive integration along the residential Rosser and Wilkinson Streets.

Activated street frontages with a diverse mix of uses and landscaped public laneways seek to create a vibrant public realm that accentuates the retained heritage. Well-designed walkable vertical circulation and landscaped communal roof terraces further add to vibrant activation of the Site.

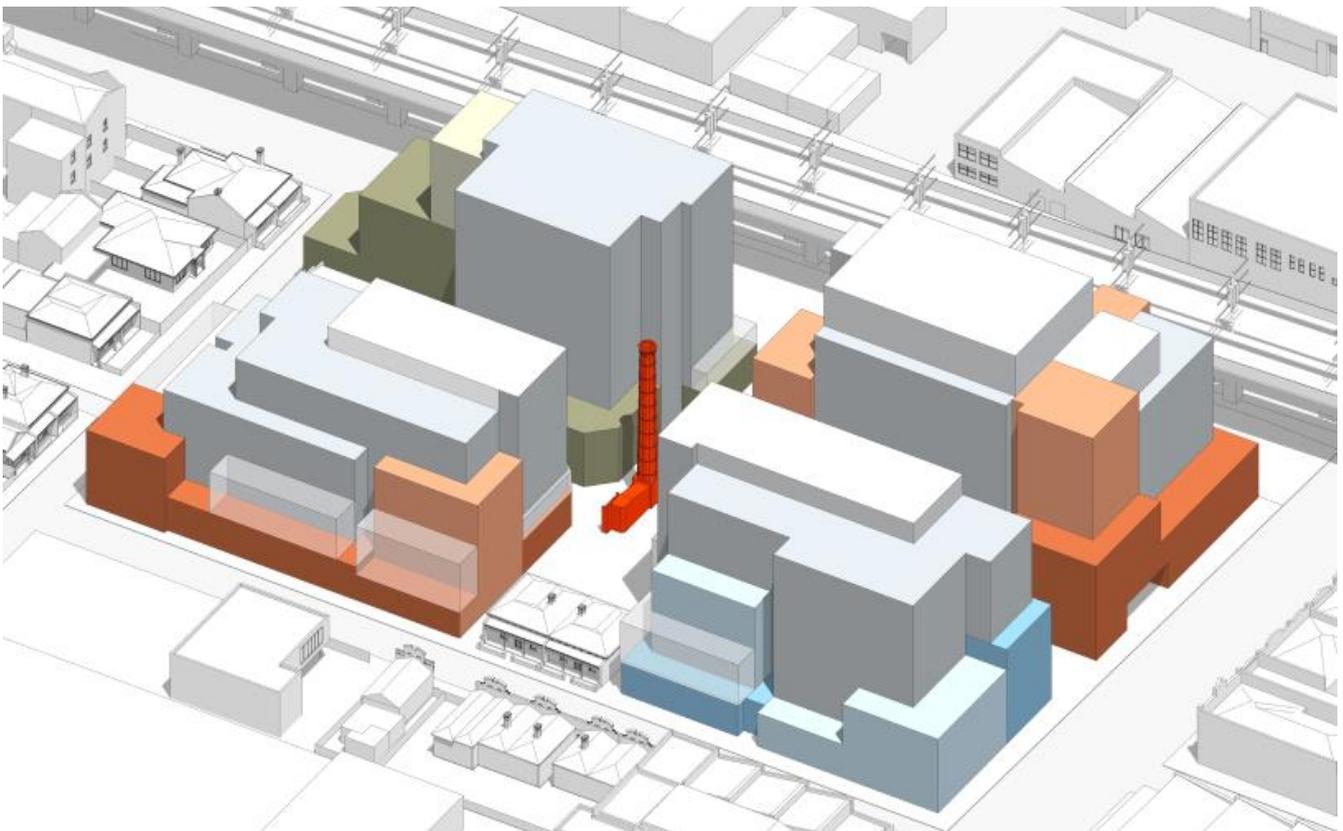


Figure 6 - Excerpt Design Report - Massing Concept (Fieldwork)

3.3.1 Building heights, street walls and setbacks

The proposed building heights, street wall heights and setbacks are summarised in the table below.

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Building	Height	Setbacks	Separation
Building 1 <i>North-west building</i>	<ul style="list-style-type: none"> Maximum height of 11 storeys (36.03 metres). Maximum street wall height of 4 storeys (14.36 metres) facing Victoria Street and the Upfield Line. 	<ul style="list-style-type: none"> Minimum 1 metre setback along the Upfield Line (west) and otherwise built to boundary at ground floor. Minimum 3.155 metre (northeast corner) northern setback on Levels 5 to 8 to Victoria Street. Minimum 5.095 metre northern setback (ribbed balcony) on Levels 3 to 7 to Victoria Street. 	<ul style="list-style-type: none"> To Building 2: <ul style="list-style-type: none"> Minimum 9m separation between secondary outlooks from L1-L3. Minimum 9m separation between primary outlooks at L1. Minimum 12.75m separation between primary outlooks from L2-L7. To Building 4: <ul style="list-style-type: none"> Minimum 9m separation between secondary outlooks (side aspect of terraces) at L1. Minimum separation of 11.18m between secondary outlooks from L2-L3. Minimum separation of 17.65m between secondary outlooks from L4-L6. Greater than 24m separation above L6.
Building 2 <i>North-east building</i>	<ul style="list-style-type: none"> Maximum height of 9 storeys (29.93 metres). Maximum street wall height of 4 storeys (14.36 metres) facing Victoria Street, 3 storeys on the corner and reduced further along Rosser Street. 	<ul style="list-style-type: none"> Minimum 1.145 metre setback to ground floor boundary. Minimum 2.665 metre (northwest corner) northern setback on Levels 5 to 7 to Victoria Street. Minimum 5.825 metre northern setback (ribbed balcony) on Levels 4 to 7 to Victoria Street. Minimum 5.045 metre eastern setback on Levels 3 to 7 to Rosser Street. 	<ul style="list-style-type: none"> To Building 3: <ul style="list-style-type: none"> Minimum separation of 18.67m between primary and secondary outlooks at L1. Minimum separation of 19.8m between primary and secondary outlooks from L2-L7.
Building 3 <i>South-east building</i>	<ul style="list-style-type: none"> Maximum height of 8 storeys (26.93 metres). Maximum street wall height of 3 storeys (11.31 metres) on the corner of Rosser and Wilkinson Streets. 	<ul style="list-style-type: none"> Built to boundary at ground floor. Minimum 5.05 metre eastern setback on Levels 3 to 5 to Rosser Street. Minimum 7.77 metre southern setback on Levels 3 	<ul style="list-style-type: none"> To Building 4: <ul style="list-style-type: none"> Minimum separation of 10.76m between primary outlooks at L1. Minimum separation of 13.01m between primary

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to 5 to Wilkinson Street.

outlooks from L2-L7.

Building 4	<ul style="list-style-type: none"> Maximum height of 10 storeys (32.98 metres). 	<ul style="list-style-type: none"> Minimum 1 metre setback along the Upfield Line (west) and otherwise built to boundary at ground floor. 	<ul style="list-style-type: none"> As detailed above.
<i>South-west building</i>	<ul style="list-style-type: none"> Maximum street wall height of 2 storeys (8.26 metres) on the corner of Wilkinson Street and the Upfield Line. 	<ul style="list-style-type: none"> Minimum 7.63 metre southern setback on Levels 2 to 5 to Wilkinson Street. 	

3.4 Land Use and Programme

3.4.1 Housing Affordability and Diversity

The proposal has been designed to support the Assemble Futures BTRTO model – a new housing model that bridges the gap between renting and home ownership. Assemble Futures allows residents to lease their home for five (5) years while they save to purchase the home. Prospective residents enter a five-and-a-half-year lease (4 x 12 month and 1 x 18 month terms) and have the right but not the obligation to purchase their home for a fixed price after five-years and two months of tenure.

Under this model, it is proposed that 60% of the proposed dwellings will be delivered as affordable housing appropriate for the housing needs of moderate income households, by which the cost of rent does not exceed 30% of gross household income at time of occupation and the cost of interest and principal does not exceed 35% of gross household income forecast at time of settlement.

For the purposes of determining what is appropriate for the housing needs of “Moderate” income households, Assemble has specific regard to both Section 3AA of the Act and the respective income bands specified by the Minister for Planning by notice published in the Government Gazette annually, and those local area median incomes being not greater than 120% of the median income for the Australian Bureau Statistic geographic area in which the project is located.

3.4.2 Apartment Typologies

The Assemble Futures model promotes a variety of well-designed and efficient typologies ensuring the dwelling product can maximise amenity whilst catering to a range of lifestyles, differing income levels and potentially allow for residents to down, or up-size, as generational needs change to another on-site or external Assemble typology. A mix of typologies within a building also promotes a harmonious tenure blind approach and avoids segregation.

The variety of apartment configuration proposed across the 4 buildings is evidenced by the 41 different typologies proposed which is detailed below:

	Building 1	%	Building 2	%	Building 3	%	Building 4	%	Total	%
Studio	15	15%	6	9%	4	7%	0	0%	25	9%
1B1B	30	30%	24	35%	8	14%	23	40%	85	30%
2B1B	21	21%	12	17%	16	29%	13	22%	62	22%
2B2B	25	25%	17	25%	24	43%	9	16%	75	26%
3B1B	0	0%	5	7%	1	2%	9	16%	15	5%

3B2B	10	10%	5	7%	3	5%	4	7%	22	8%
	101		69		56		58		284	

3.4.3 Ground Plane and Activation

A fine grain mix of commercial and retail spaces and entrances are proposed to activate the ground plane of this new community. 2,465sqm NLA of office space is proposed across 13 ground floor tenancies.

Various coworking spaces such as The Old Market Space (TOMS), The Mezzanine, ON3 Studio nearby or The Commons provide precedent models to be emulated as part of this mixed-use proposal. The office tenancies are focused around the central courtyard with two larger tenancies located along building 3's sensitive interface. Providing employment on the currently vacant Site brings this large landholding back into use as a modern hub linking back to its productive history. The average office tenancy size is 168sqm, specifically designed to support small and medium sized enterprises. The proposal also provides EOT bike facilities for staff and bike hoops for visitors.

Retail is expected to play an integral part in activating the Site and revitalising this vacant pocket of Brunswick by linking Sydney Road to the Upfield Station and further west. The high-quality public realm offers a pedestrianised haven or alternative from Sydney Road. 1,338sqm of total retail floorspace is proposed with Victoria Street identified as a key pedestrian street for vibrant activation and entry to the Site. This underutilised space provides a significant opportunity for activation, including the new parcel, to create a new high street. Retail will also be located on the western laneway and along the Upfield interface with long term benefits once the elevated rail project delivers the upgraded public realm and improved Upfield Shared Path. Potential retail uses on-site include a bakery, bookshop, optometrist, food and beverage, barbershop or hairdresser. The average retail tenancy size is 122sqm.

The Assemble café (80sqm) will form the operational heart of the Site for visitors and residents alike. The heritage cottages will also be available to book as meeting rooms (147sqm) for the public, such as local community groups.

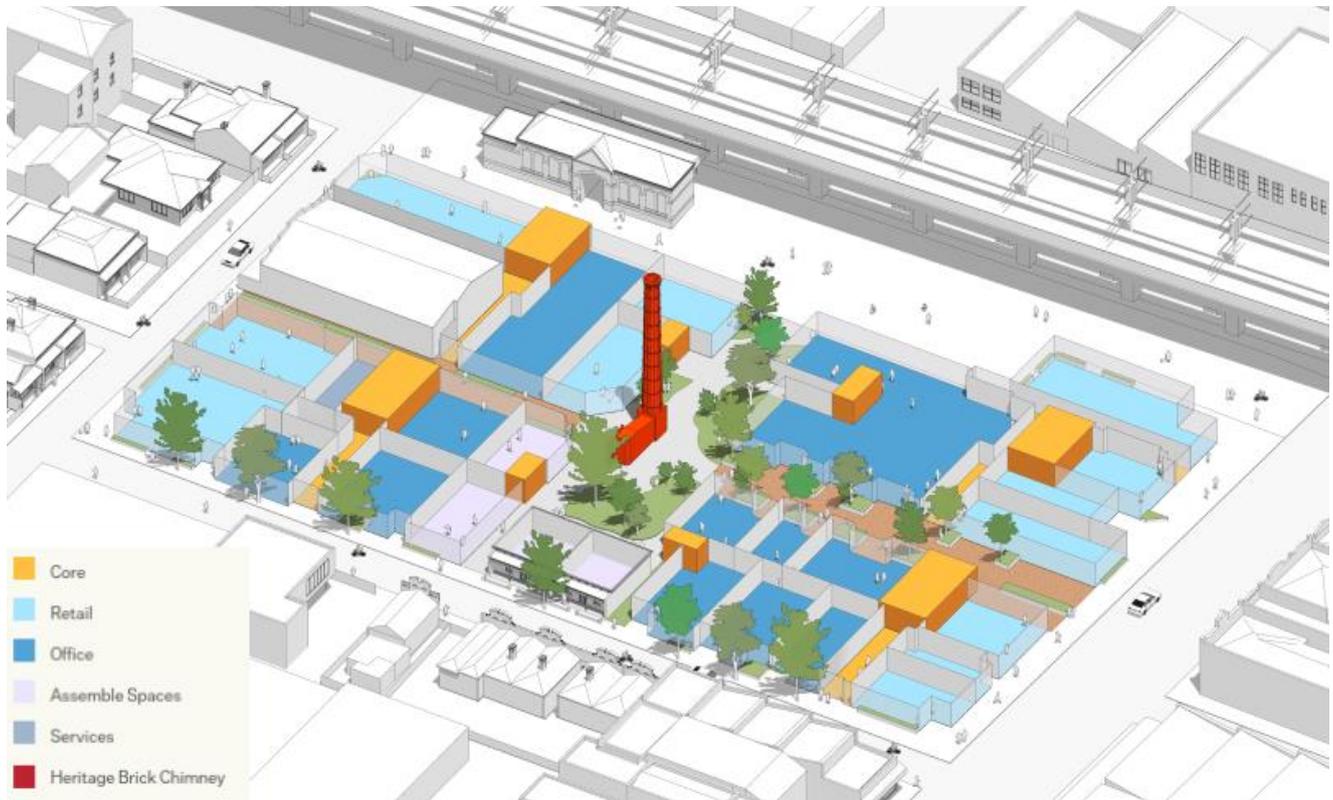


Figure 7 - Excerpt Design Report - Ground Plane Activation (Fieldwork)

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3.4.4 Communal Amenities

The Assemble Futures model includes a range of communal facilities for the benefit of residents, which includes the provision of a rooftop terrace on each building including communal laundries, landscaping, built-in barbeques, communal table and seating.

In addition, the central Assemble Community spaces include a parcel room and wellness gym next to the Assemble café in building 3 which also acts as a resident's touchpoint for enquiries and support on their homeownership journey.

The retained heritage cottages will be respectfully restored and re-purposed as bookable common rooms, a zoom room for online meetings and a lending library for residents to share tools. To provide community benefit the common rooms will also be bookable by the public including local community groups to promote further activation of the cottages and Rosser Street.

The extensive public realm of landscaped laneways with nooks for seating throughout the Site also provide communal amenity for residents on their doorstep.

A breakdown of the communal amenities proposed (626sqm) is provided below:

- Building 1 roof terrace: 88sqm.
- Building 2 roof terrace: 121sqm.
- Building 3 roof terrace: 99sqm.
- Building 4 roof terrace: 68sqm.
- Assemble Community heritage space: 146sqm.
- Building 3 Assemble Community space: 104sqm.



Figure 8 - Excerpt Design Report - Communal Terraces (Fieldwork)

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3.5 Heritage Response

The former Australian Liquorice Company factory's elaborate, octagonal brick chimney stack is of historic and scientific importance as the only known surviving chimney remaining from the steam-driven years of Melbourne's nationally significant confectionery industry.

The chimney is currently being restored for preservation and safety and will form an iconic landmark and wayfinding tool for the Site.

The proposed scheme will utilise a mesh frame expression to Rosser Street enhancing the public connection to the heritage chimney by pulling back the form of Building 4 beyond. This means that the chimney is able to be seen with clear sky around it on the approach into the site.

The terrace houses are to be restored and re-used and a new accessible entry makes these buildings the front door to the Assemble Spaces.

In addition to the sympathetic form proposed, the four new public laneways through the Site will promote vibrant activation and connectivity by providing four avenues of sight to the heritage chimney as the public pass through and around the Site.

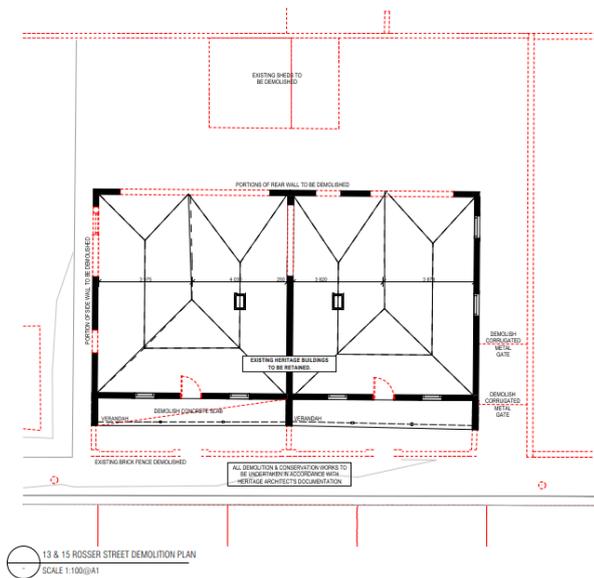


Figure 9 - Excerpt Architectural Plans - 13-15 Rosser Street Demolition Plans (Fieldwork)

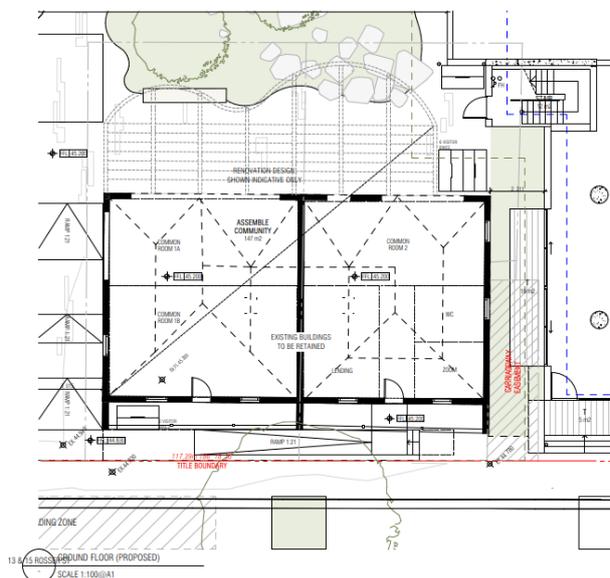


Figure 10 - Excerpt Architectural Plans - 13-15 Rosser Street Proposed Ground Floor (Fieldwork)

3.6 Environmentally Sustainable Design (ESD)

A comprehensive collection of sustainable design initiatives relating to energy performance, Indoor Environmental Quality (IEQ), transport, urban ecology and land use, integrated water management, materials management and waste management has been incorporated into the proposal, including but not limited to:

- Passive design to target a minimum average NatHERS rating of at least 7.5-Stars, minimising the need for active energy systems.
- No fossil fuels including natural gas. 100% all-electric building supplied with renewable energy through an embedded network.
- Maintain comfortable internal temperatures passively, using little or no energy, providing comfortable living spaces year-round and protecting inhabitants from extreme weather events.
- Create healthy homes, including reduction in the use of harmful VOCs in glues, sealants and paints, and protection from dust and other external airborne pollutants.

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- Cost effective design that provides a sustainable outcome, avoiding over engineering and providing for simple maintenance over time.
- Minimise consumption of natural resources, including water and raw materials.
- Minimise environmental impacts through operation, including energy consumption, waste creation and discharge of pollutants.

The project team led by Hip V. Hype have undertaken extensive modelling and consultation over the past eight months to workshop and deliver a Water Sensitive Urban Design (WSUD) strategy which utilises Ocean Protect proprietary systems that achieves compliance with relevant requirements, enables outfall of the catchment, is efficient, cost effective, reliable and easy to maintain.

Refer to the Sustainability Management Plan by Hip V. Hype, WSUD peer reviews and supporting Memorandum for detailed information on ESD and WSUD matters.

3.7 Landscape and Public Realm

The Landscape Plan and public realm arrangement is informed by the following design statement prepared by Fieldwork:

In response to the existing lack of site permeability, redevelopment offers the opportunity for a much more fine-grain urban streetscape. A laneway runs from north-to-south, and a courtyard east-to-west, connecting the surrounding neighbourhood in a car-free site, with the nexus of this permeability being the beautiful heritage-listed chimney. Save for one vehicular entry and a small amount of services, all frontages are active, with a carefully considered tapestry of commercial, retail, community and food & beverage operations curated by Assemble. In the centre of the site is the anchor Assemble Spaces, where community rooms, a lending library and a café bring the four buildings' communities together.

Generous open space on the ground floor allows for extensive deep soil planting, providing some greenery, habitat and play space with a heritage interpretation. The north-south laneway takes on the character of a conveyor belt, running in a straight line to the chimney. Bisecting it, the courtyard takes on a contrastingly informal character, where paved alfresco dining spaces give way to an eroded landscape of ruins and wetland.

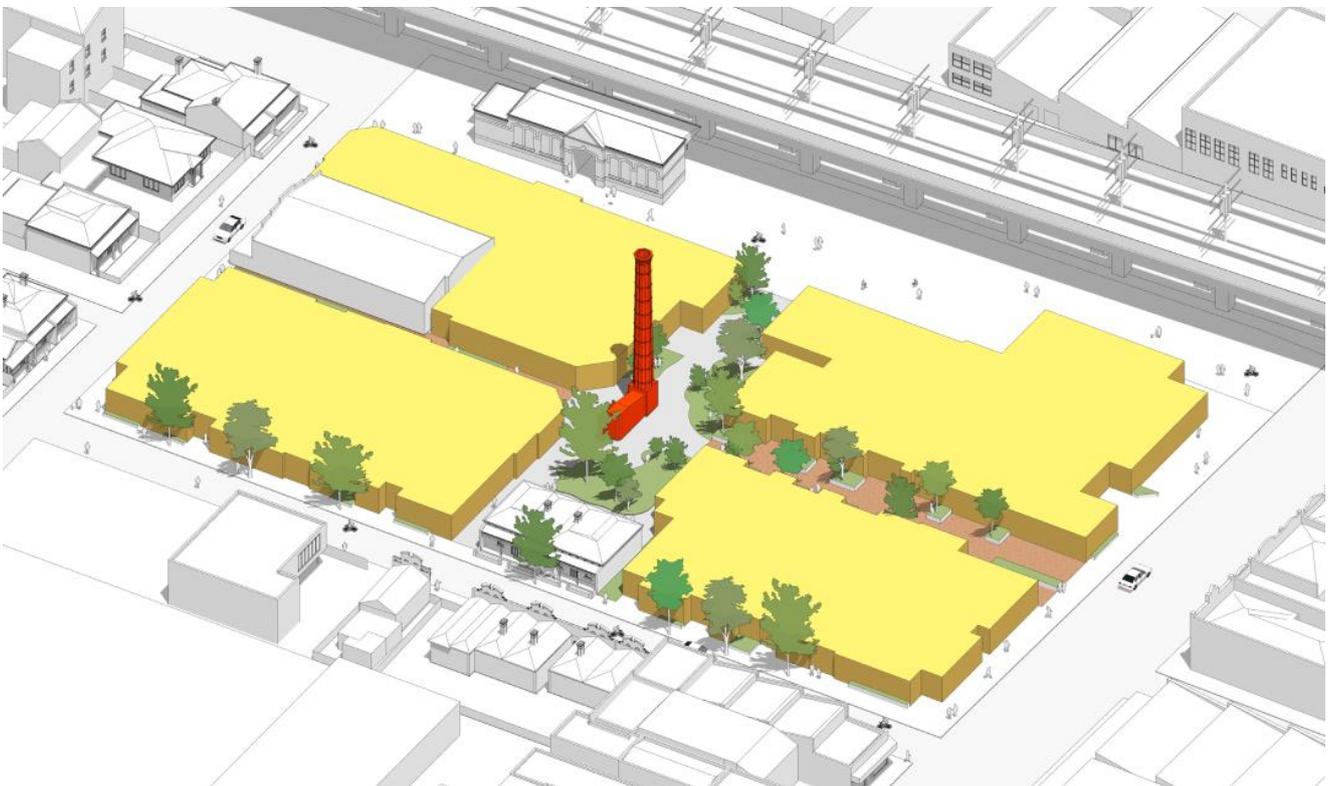


Figure 11 - Excerpt Design Report - Landscape Concept (Fieldwork)

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The Landscape Plan prepared by Mala incorporates the following key elements:

- Four new publicly accessible laneways providing north-south pedestrian access which connects Victoria Street to Wilkinson Street and an east-west connection connecting Rosser Street to the Upfield corridor via the central plaza.
- Two distinct landscape character zones, with the formal arrangement of the north-south aligned laneways comprising recycled brick paving, centenary lighting, and bench seating contrasting to the looser, organic rewilding of the east-west laneway and central courtyard.
- Green roof planting with planting both spilling over the parapet and climbing up raised framing structures.
- Extensively planted upper-level communal terraces.
- Basement sited to provide a large central deep soil planting area of 512sqm allowing for canopy tree planting.
- Planting palette prioritising indigenous and native species with an emphasis on improving biodiversity and urban ecology outcomes.

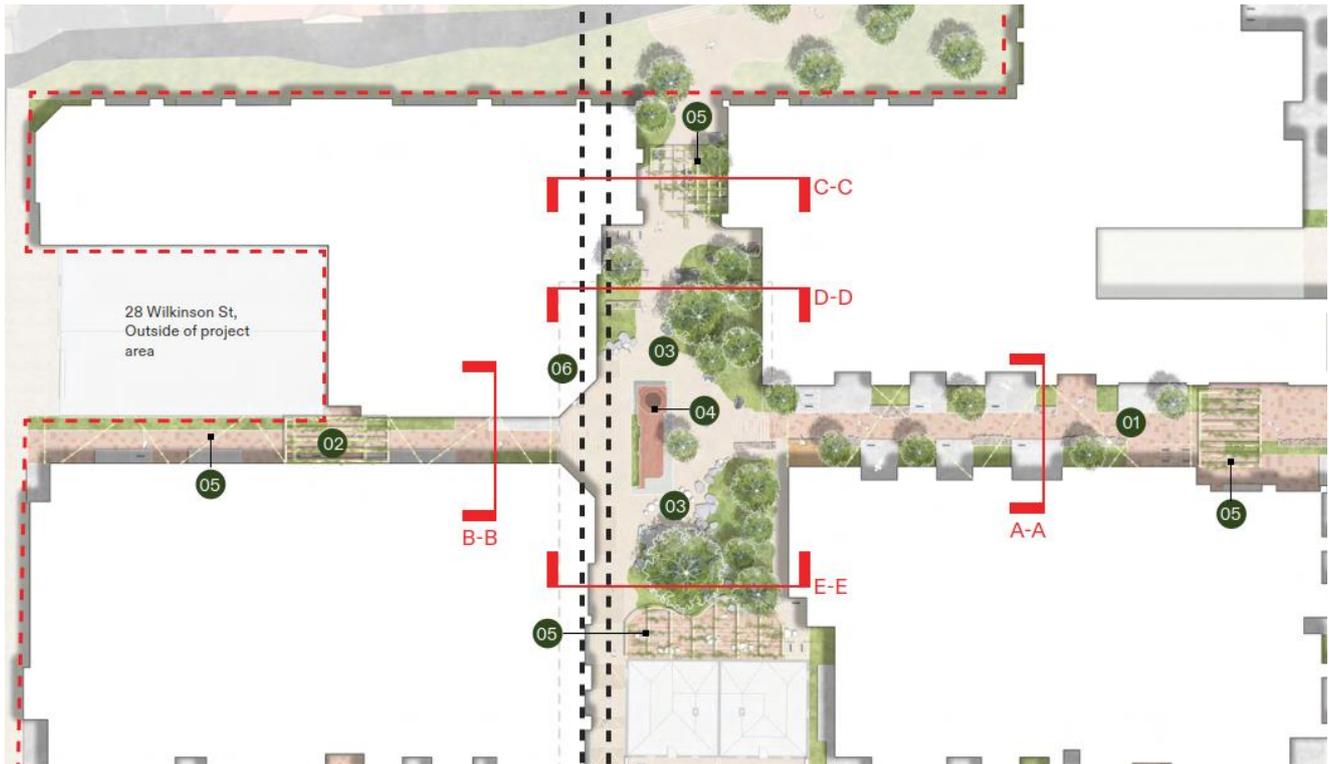


Figure 12 - Ground floor landscape plan (Mala)

3.8 Transport and Bicycle Facilities

A traffic engineering memorandum, car parking management plan and green travel plan have been prepared by Traffix to accompany this application. The key elements of the plan are detailed below.

3.8.1 Vehicle access

The proposal includes car park access via a ramp off Victoria Street, located approximately 25 metres from the hold line to the existing railway line. The bus stop on Victoria Street will be relocated as agreed with Transport for Victoria officers. Existing crossovers to Victoria Street, Wilkinson Street and Rosser Street will be removed as part of this application.

3.8.2 Car parking

Car parking provision is proposed to be located within the secure single level basement. A total of 91 car parking spaces are proposed, intended to be allocated as:

- 82 car spaces for residents,
- 5 car spaces for commercial uses (including a DDA space),

- 4 car share spaces managed by Assemble either privately or through agreement with a commercial operator.
- Parking for the residential component will be managed by Assemble and leased on a per demand basis.

3.8.3 Pedestrian and cycling access

The four laneways promote clear north-south and east-west permeability through the Site for pedestrians and cyclists connecting Sydney Road to the Upfield corridor. This promotes an active transport spine through the Site as well as fine grain access directly from the surrounding streets.

Residential lobbies all have dual access from Rosser Street, north-south laneways and the Upfield Shared Path. Buildings 1 and 4 have triple access points for residents whilst fine grain commercial access is provided throughout. Retail access will primarily be from Victoria Street and the Upfield Shared Path. Ground floor communal facilities will be provided access from Rosser Street for the Cottages and the central courtyard and eastern laneway to the café, parcel room and gym.

3.8.4 Bicycle parking

The application proposes the provision of 513 bicycle spaces, allocated as follows:

- 417 resident spaces (318 spaces within the basement and 99 spaces within the lobby areas of each individual building at ground floor).
- 56 visitor spaces (28 double sided horizontal hoops) within the public realm.
- 40 office/retail staff spaces within dedicated End of Trip facilities located within Buildings 2 and 3 at ground floor.

Shared End of Trip facilities are proposed on-site for staff, inclusive of four shower rooms and changerooms with 72 lockers provided for all commercial staff.

3.9 Waste and Loading

Loading for the tenancies is expected to occur in small vans and utility vehicles given their modest scale. Vehicles will be able to use on-street parking in the area.

A Waste Management Plan ('WMP') has been prepared by Traffix. The key elements of the proposal's approach to waste management are outlined below:

- Waste collection is to be undertaken on-site within the basement level via a private contractor using a 6.4m long mini rear loading waste vehicle with access via a double width ramp off Victoria Street.
- Separate waste areas for residential waste are provided in the basement for each building.
- Two waste areas are provided for commercial waste within the basement adjacent to the cores for Buildings 2 & 4.
- The commercial waste room for Building 2 will accommodate the waste associated with the commercial components for Buildings 1 & 2.
- The commercial waste room for Building 4 will accommodate the waste associated with the commercial components for Buildings 3 & 4.
- A dual waste chute system will be provided on each building level; one for residential use and one for commercial use. A dedicated chute will be provided for garbage and recycling separately which will terminate into the appropriate bins located within the residential and commercial waste areas in the basement.
- Residents will be responsible for disposing garbage and recycling via waste chutes located on each level adjacent the lift core, with glass to be disposed into bins on each level adjacent to the waste chutes.
- On collection days, the waste vehicle can satisfactorily enter the site in a forward direction via the private vehicular accessway from Victoria Street, travel along the ramp, prop adjacent to all the waste rooms within the aisle, collect waste and exit the site in a forward direction.

For full details refer to the WMP prepared by Traffix.

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4 Planning Provisions

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The following provisions of the *Merri-bek Planning Scheme* are considered relevant to the Site and the proposal.

4.1 Municipal Planning Strategy

The Municipal Planning Strategy sets out the vision for the municipality and key strategic directions under a range of themes (such as settlement, housing, built environment and heritage, economic development and transport) to guide planning within the municipality. Relevant clauses are set out below.

- **Clause 02.01 (Context)** provides an overview of the municipality's key characteristics including the following:
 - Merri-bek is home to a diverse population – with a wide range of cultures, household types, tenures, incomes, skills and occupations. Merri-bek is a community in transition, with strong population growth accompanied by structural changes in the economy and urban fabric. A growing population has resulted in increased pressure on housing, infrastructure and community facilities and services.
 - *Adapting and building resilience to climate change and reducing and responding to the urban heat island effect are key concerns for Council given their threat to liveability and sustainable neighbourhoods. Shifting towards zero net carbon emissions is part of creating a prosperous and resilient future for Moreland.*
- **Clause 02.02 (Vision)** outlines the vision for Merri-bek City Council as follows:

Merri-bek City Council's vision is to plan for and manage population growth and associated development by creating sustainable neighbourhoods of well-designed environmentally sustainable development. These neighbourhoods will place emphasis on the social, cultural, physical and economic well-being of the community.

In planning for sustainable neighbourhoods, Merri-bek City Council's goal is that all neighbourhoods will generally include a mix of the following key elements, proportionate to the suburb scale:

 - *Shops and services.*
 - *Community facilities such as schools, neighbourhood houses, recreation, libraries, etc.*
 - *Housing choices.*
 - *Employment choices.*
 - *Public transport options.*
 - *A network of different types of open spaces for leisure and recreation*
- **Clause 02.03 (Strategic Directions)** establishes a range of strategic directions for the development of Merri-bek, as they relate to (relevant to the Site) *growth, activity centres, built environment and heritage, environmentally sustainable design, housing and transport.*

The relevant objectives and strategies of each of these sections are outlined below:

Growth

It is outlined that Merri-bek is experiencing strong population growth, with an additional 38,00 dwellings required by 2036 (1920 a year) to cater to an expected population of over 250,00 by 2036. New housing opportunities will be provided by densification of existing residential areas and within activity centres.

Council will seek to manage this growth by directing it towards areas with good access to shops, services and public transport, whilst seeking to reflect the principles of a '20 minute city'.

Activity Centres

Council seeks to ensure that the majority of households in Merri-bek are within walking distance (approximately 400m) to an activity centre.

The Site is located within the Brunswick Major Activity Centre, which has a role and function as follows:

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Provide a broad mix of retail uses, commercial and cultural activity, employment options, administrative and civic centre functions, government investment and regional facilities.

Accommodate substantial residential/mixed-use growth and change to create a new character of increased density and scale of built form.

Built environment and heritage

It is policy to ensure that the design of new built form is of a high architectural and urban design quality, in order to ensure good amenity for future residents, as well as good health and safety outcomes.

Strategies outlined as part of this direction include (as relevant to the Site):

- *Encouraging development that is designed to respond to and contribute to its context and any relevant heritage significance.*
- *Encouraging development that is designed to integrate with landscape design to improve aesthetic quality and amenity for occupants and the public domain.*
- *Improving the quality of design of housing development.*

Environmentally sustainable design

It is outlined that Merri-bek is committed to becoming an environmentally sustainable and liveable city. It is encouraged that design implements sustainability principles into building design, including:

- *Reducing living costs associated with housing, such as energy costs.*
- *Improved amenity and liveability.*
- *Reduced greenhouse gas emissions.*
- *Greater resilience to the impacts of climate change.*

Housing

This policy notes that there is an increasing shift in Merri-bek to smaller households and more dense housing stock. It encourages the provision of a diverse range of housing in the municipality, including more affordable housing options, housing that meets the different needs of the community and designed to meet changing needs of occupants over their lifetimes.

Transport

This outlines that Merri-bek is seeking to achieve a greater mode share of trips to sustainable transport modes, rather than motor vehicle use.

As such, relevant strategies include:

- *Integrating transport and land use planning decisions that maximise people's opportunities to walk, cycle and use public transport.*
- *Planning for car, bike and vehicle access and parking that:*
 - *Creates better places within Merri-bek.*
 - *Supports the likely demand and nature of the locality.*
 - *Encourages the use of sustainable transport.*
- **Clause 02.04 (Strategic Framework Plans)** provides a range of framework plans to guide the development of Merri-bek. As relevant to the Site, these include:
 - Activity Centre Framework Plan. The Site is identified as being within the Brunswick Activity Centre.
 - Housing Framework Plan. The Site is identified as being within a Significant Change Area.
 - Transport Framework Plan. The Site is located adjacent to the Sydney Road Tram Corridor, the Upfield Rail Corridor and Upfield Bike Route and east-west running bus routes.

4.2 Planning Policy Framework

To ensure the overarching objectives of planning in Victoria are met, policies contained within the Planning Policy Framework (PPF) must be considered. The PPF clauses of most relevance to the Site and proposal are detailed below:

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Clause 11 (Settlement) seeks to anticipate and respond to the needs of existing and future communities through the provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.

- **Clause 11.02-1S (Supply of Urban Land)** seeks to 'ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.'
- **Clause 11.03-1S (Activity Centres)** seeks 'to encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community'.

Clause 13 (Environmental Risks and Amenity) seeks to strengthen the resilience and safety of communities by adopting environmental management and risk management approaches.

- **Clause 13.04-1S (Contaminated and Potentially Contaminated Land)** seeks to 'ensure that contaminated and potentially contaminated land is used and developed safely.'
- **Clause 13.05-1S (Noise Management)** seeks to 'assist the management of noise effects on sensitive land uses'.

Clause 15 (Built Environment and Heritage) seeks to ensure all new land uses and development appropriately responds to its landscape, valued built form and cultural context, and protect places and sites with significant heritage, architectural, aesthetic, scientific and cultural value.

- **Clause 15.01-1S (Urban Design)** aims to 'create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity'.
- **Clause 15.01-1R (Urban Design – Metropolitan Melbourne)** seeks 'to create a distinctive and liveable city with quality design and amenity'.
- **Clause 15.01-1L (Urban Design in Merri-bek)** includes relevant strategies such as:
 - *Ensure site design, building frontages, design articulation and internal layout achieve a good interface with and surveillance of the public realm, including maximising opportunities for active frontages.*
 - *Design development to contribute to a fine grain urban structure reflecting an appropriate balance of open space to built-form.*
 - *Design development to contribute to a fine grain architectural expression with detailed street frontages.*
 - *Ensure large sites provide a network of public streets, footpaths and lanes connecting through the site into the surrounding street and pedestrian network.*
 - *Encourage development to contribute to the upgrade of existing streets adjoining the site and undergrounding of powerlines and other utilities.*
 - *Design development adjacent to public open space to provide a clear separation between public and private land.*
 - *Design and site development to not unreasonably overshadow public open space.*
 - *Design development to provide a sense of safety by maximising interaction, passive surveillance and incidental lighting of open spaces.*
 - *Ensure landscape design improves aesthetic quality and amenity for occupants and the public realm by:*
 - *Integrating development with the surrounding environment.*
 - *Providing for summer shading of buildings and private open spaces and allows for access to winter sun.*
 - *Contributing to reduction of the urban heat island effect.*
 - *Incorporating integrated water management and water sensitive urban design.*
- **Clause 15.01-2S (Building Design)** aims to achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.
- **Clause 15.01-2L (Building Design in Merri-bek)** includes numerous strategies, including:
 - *Encourage good-quality contemporary architecture.*
 - *Ensure service infrastructure and waste storage facilities:*

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- Are well concealed and/or screened from the street or; integrated into building design.
- Enable the provision of green infrastructure.
- o Ensure development maximises the retention of existing vegetation and large trees and provides sufficient space and conditions for planting of new canopy and screening trees.
- **Clause 15.01-2L (Apartment Developments in Merri-bek)** applies to all applications for an apartment development of five or more storeys. The objectives of the policy are to design buildings to:
 - o Allow adequate daylight to living rooms and bedrooms.
 - o Provide opportunities for open space and landscaping areas.
 - o Reduce overlooking into habitable rooms and private open space areas through location and design.
 - o Provide a reasonable outlook from living areas.
 - o Enable the reasonable future development opportunities of adjoining sites.
 - o Manage the amenity impacts to adjoining sites.
 - o Achieve a greater level of privacy and higher levels of daylight compared to bedrooms.

There are numerous requirements within the policy in relation to building separation, daylight provision and the like. Of relevance, the following setback requirements are outlined (and apply from the first level of residential use).

Table 1 Building setbacks to the side or rear boundary

Building height	Living room or Main balcony outlook to boundary	Bedroom outlook to boundary
Up to 4 storeys or 12 metres	6 metres	3 metres
5-8 storeys or up to 25 metres	9 metres	4.5 metres
9 or more storeys or over 25 metres	12 metres	6 metres

Table 2 Building setbacks to a lane

Building height	Living room or Main balcony outlook	Bedroom outlook
2 storeys or 9 metres	0 metres (from boundary)	0 metres (from boundary)
3-8 storeys or up to 25 metres	6 metres (from lane centre line)	3 metres (from lane centre line)
9 or more storeys or over 25 metres	9 metres (from lane centre line)	6 metres (from lane centre line)

Likewise, the following lightwell requirements also apply (and apply from the first level of residential use):

Table 4 Light well dimensions

	Minimum width	Minimum area
Up to 4 storeys or 12 metres	2 metres	9 sqm
5-8 storeys or up to 25 metres	4.5 metres	29 sqm
9 or more storeys or over 25 metres	6 metres	51 sqm

Of note, the policy also seeks to consider where relevant, the reasonable future development opportunities for adjoining sites (if the above is not complied with). Likewise, if an existing residential development does not meet the distances specified in the tables (relevant to setbacks but not light wells), there is a requirement to achieve a comparable adequate setback (from a minimum of one metre and maximum of three metres).

- **Clause 15.01-2L-04 (Energy efficiency in Merri-bek)** seeks to ensure development maximises passive energy efficiency and creates quality living and working environments.
- **Clause 15.01-2L-05 (Environmentally sustainable development)** seeks to achieve best practice in environmentally sustainable development from the design stage through to construction and operation.
- **Clause 15.01-4S (Healthy Neighbourhoods)** aims 'to achieve neighbourhoods that foster healthy and active living and community wellbeing'.
- **Clause 15.01-4R (Healthy Neighbourhoods)** aims to 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 public transport trip.
- **Clause 15.01-5S (Neighbourhood character)** aims to recognise and protect cultural identity, neighbourhood character and sense of place.
- **Clause 15.03-1S (Heritage Conservation)** seeks to 'ensure the conservation of places of heritage significance'.
- **Clause 15.03-1L (Heritage in Merri-bek)** provides local strategies to achieve the state objective including:
 - *To encourage retention of contributory or significant heritage fabric required to maintain the original streetscape appearance.*
 - *Support partial demolition of a heritage place, if either:*
 - *The fabric proposed to be removed does not contribute to the heritage significance of the place.*
 - *The removal will enhance the significance of the place or facilitate conservation outcomes in accordance with the provisions of this policy.*
 - *The extent of demolition will not result in facadism.*
 - *Encourage new buildings and alterations and additions that:*
 - *Respect the existing scale, massing, form and siting of contributory or significant elements and do not dominate the heritage place or precinct.*
 - *Adopt innovative and contemporary design that makes a positive contribution to the heritage place.*

Clause 16 (Housing) states that planning should provide for housing diversity and ensure the long term sustainability of new housing, including access to services, walkability to activity centres, public transport, schools and open space. Further, planning should include the provision of land for affordable housing.

- **Clause 16.01-1S (Integrated Housing)** seeks 'to promote a housing market that meets community needs'.
- **Clause 16.01-1R (Integrated Housing – Metropolitan Melbourne)** seeks to 'provide certainty about the scale of growth by prescribing appropriate height and site coverage provisions for different areas'.
- **Clause 16.01-1L (Homes in Merri-bek)** includes a range of strategies, with the strategy relevant to the Site being to encourage increased density housing in the form of apartments and townhouses in areas identified as 'Significant Housing Growth' on the Strategic Framework Plan: Housing at Clause 02.04.
- **Clause 16.01-1L (Housing for people with limited mobility)** includes a strategy that seeks to:
 - *Encourage the provision of housing that can be lived in by people with limited mobility (or easily adapted to be lived in) by incorporating the following design features:*
 - *An accessible path from the street and car park areas to a level entry.*
 - *A clear path of travel from the accessible entry to a living area and toilet.*
 - *A bedroom, living area, kitchen, private open space, bathroom and toilet for people with limited mobility on entry level.*
- **Clause 16.01-2S (Location of residential development)** seeks 'to locate new housing in designated locations that offer good access to jobs, services and transport'.

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- **Clause 16.01-2R (Housing opportunity areas – Metropolitan Melbourne)** seeks to ‘identify areas that offer opportunities for more medium and high density housing near employment and transport in Metropolitan Melbourne’.
- **Clause 16.01-3S (Housing diversity)** seeks ‘to provide for a range of housing types to meet diverse needs’.
- **Clause 16.01-3R (Housing diversity – Metropolitan Melbourne)** seeks to ‘create mixed-use neighbourhoods at varying densities that offer more choice in housing’.

Clause 17 (Economic Development) seeks to provide for a strong and innovative economy, where all sectors of the economy are critical to economic prosperity.

- **Clause 17.01-1S (Diversified economy)** seeks to strengthen and diversify the economy by improving access to jobs closer to where people live.
- **Clause 17.02-1S (Business)** encourages development that meets the community’s needs for retail, entertainment, office and other commercial services.

Clause 18 (Transport) seeks to ensure an integrated and sustainable transport system that provides access to social and economic opportunities, facilitate economic prosperity, contributes to environmental sustainability, coordinates reliable movements of people and goods, and is safe.

- **Clause 18.01-1S (Land use and transport planning)** aims to create a safe and sustainable transport system by integrating land-use and transport.
- **Clause 18.02-1S (Sustainable Personal Transport)** seeks to promote the use of sustainable personal transport.
- **Clause 18.02-1L (Sustainable Travel in Merri-bek)** includes a strategy which seeks to ensure the provision of bicycle parking is suitable to the likely demand generated by the use or development and nature of the locality.
- **Clause 18.02-2S (Public Transport)** seeks ‘to facilitate greater use of public transport and promote increased development close to high-quality public transport routes’.

Clause 19 (Infrastructure) aims for strategic planning to facilitate efficient use of existing infrastructure and human services. Providers of infrastructure, whether public or private bodies, are to be guided by planning policies and should assist strategic land use planning.

4.3 Zoning

Clause 34.01 – Commercial 1 Zone

The Site is within the Commercial 1 Zone (C1Z). The purpose of the C1Z is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.
- To provide for residential uses at densities complementary to the role and scale of the commercial centre.

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Figure 13. Zone Map

Pursuant to Clause 34.01-1 a permit is required to use land for 'Accommodation' (including dwellings) as the frontage at ground floor level exceeds 2 metres.

Pursuant to Clause 34.01-4 a permit is required to construct a building or construct or carry out works. An apartment development must meet the requirements of Clause 58.

Pursuant to Clause 34.01-7 an application to subdivide land or construct a building or construct or carry out works is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre. On our review, the Site would meet this threshold.

4.4 Overlays

The Site is covered by the following overlays:

- Heritage Overlay – Schedule 183 and Schedule 239 (HO183 and HO239)
- Design and Development Overlay – Schedule 18 (DDO18)
- Environmental Audit Overlay (EAO).

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- Development Contributions Plan Overlay, Schedule 1 (DCPO1).
- Parking Overlay, Schedule 1 (PO1).

Clause 43.01 - Heritage Overlay – Schedule 183 and Schedule 239 (HO183 and HO239)

The Site is subject to Schedule 183 and 239 of the Heritage Overlay (HO183 and HO239). The purpose of the Heritage Overlay includes:

- To conserve and enhance heritage places of natural or cultural significance.
- To conserve and enhance those elements which contribute to the significance of heritage places.
- To ensure that development does not adversely affect the significance of heritage places.
- To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

Pursuant to Clause 43.01-1 a permit is required to demolish a building and to construct a building or construct or carry out works.

HO183 affects a small curtilage of land around the chimney in the centre of the site. This land is included on the Victorian Heritage Register (VHR). Pursuant to Clause 43.01-2 of the Heritage Overlay a planning permit is not required to develop a heritage place that is included on the VHR. Heritage Victoria assumes responsibility for approvals relating to heritage matters for sites on the VHR. This means that Council cannot consider the proposal against the Heritage Overlay or local heritage policy with regard to the chimney.

HO239 relates to 13 and 15 Rosser Street, Brunswick which are a pair of originally matching single-storey double-fronted Victorian brick dwellings that are of historic and aesthetic heritage significance.

Clause 43.02 – Design and Development Overlay – Schedule 18 (DDO18)

The Site is affected by Schedule 18 to the Design and Development Overlay – Brunswick Activity Centre – Sydney Road and Upfield Corridor (DDO18).

The purpose of the DDO is:

- “To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify areas which are affected by specific requirements relating to the design and built form of new development.”

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

Schedule 18 to the DDO outlines a number of ‘Design objectives’. The most relevant objectives include:

- To encourage a new mid-rise built form character with buildings generally ranging from 4-10 storeys with lower built form at the interfaces with the adjoining low rise residential areas.
- To complement the valued built form and heritage character along Sydney Road.
- To ensure the street wall remains the visually dominant element of all development in Sydney Road and that any height above the street wall is visually recessive, subservient and does not dominate the streetscape appearance.
- To ensure building design incorporates best practice environmentally sustainable design initiatives.
- To ensure development is designed to respect the form, design and context of buildings of individual heritage significance.
- To create accessible, adaptable and visitable housing within the activity centre to ensure housing caters for all residents’ needs.
- To create an inviting, safe and vibrant public realm.

Section 2.0 of DDO18 also describes the following requirements.

Building height

- The Site should not exceed the preferred maximum building height of 25 metres.

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Street walls

- Buildings within the commercial zone should be constructed to the street frontage.
- Street wall height on Victoria Street should be between 8 and 11 metres.
- Street wall height on Wilkinson Street and Rosser Street should be between 7 and 10 metres.
- Street facades within the Commercial 1 Zone should extend to both sides of the property boundary.

Upper levels (other than Sydney Road)

- Any part of a building above the street wall should:
 - Be set back at least 5 metres from the street boundary.
 - From ground level not exceed the horizontal distance from the opposite street boundary (i.e. be set back within a 45 degree envelope from the opposite street boundary).
 - Adopt the same street setback for at least 75% of the height of the upper levels to avoid 'wedding cake' built form outcomes.
- Materials at the upper levels of the building should be distinct from materials of the lower levels of the building.
- The architectural expression of the upper and lower building components should be complementary and upper levels should be visually recessive.
- Be designed to respect the form and design of adjacent civic buildings and heritage places.

Building layout and detailed design

- Development should incorporate active edges at street level to invigorate street life and contribute to a safe and pedestrian friendly environment. The Site has been designated a 'Frontage Type A: Retail', for which should incorporate a display window and/or entrance, measuring 65-80% of the width of the street frontage of each individual premise.
- Development should incorporate windows in all upper level facades facing streets.
- Development should minimise the impact of vehicle access and car parking on the public realm by locating vehicle access at the rear of buildings where possible and locating car parking where it cannot be seen from the public realm.
- In commercial zones, development should have a ground floor ceiling height that allows for a range of commercial uses.
- Development should incorporate awnings over the footpath for the full width of the building frontage along Sydney Road and Key Pedestrian Streets as set out in Sydney Road and Upfield Corridor Strategic Framework Plan.
- Development that abuts the Upfield Shared Path should be designed to avoid large areas of blank walls. Where unavoidable, large areas of blank walls should be treated with materials, artwork or in other ways that provide an attractive and visually interesting environment.
- Services cabinets should be located at the rear of buildings wherever possible, or the side of corner buildings away from the front façade where rear access is not available. Where they can only be located in the front façade, the size of services cabinets should be minimised and they should be integrated with the overall façade design.

Public Realm

- Development should not overshadow the opposite footpath of Wilkinson Street between 10.00am and 2.00pm at the equinox.
- Development adjacent to Jewell, Brunswick and Anstey Railway Stations should maintain or enhance the visibility of and access to railway station buildings.

Upfield shared path interface

- The ground floor of development abutting the Upfield Shared Path should be set back a minimum of 1 metre.

Category 2 Employment Areas

- Development within Category 2 – Employment Areas should achieve commercial built form outcomes, including increased floor to ceiling heights and flexible floor plates, at ground and first floor to facilitate opportunities for employment uses.
- Ground floor commercial spaces should provide for activation, for example through entrances, transparent glazing and architectural features which encourage interaction and visual interest.

Exemption from notice and review

- An application to construct a building or construct or carry out works is exempt from the notice requirements of Section 52(1) (a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Planning and Environment Act 1987 (the Act) unless the proposal seeks to do any of the following:
 - Exceed the preferred maximum building height specified in section 2.0 of this schedule, or
 - Exceed the preferred maximum street wall height specified in section 2.0 of this schedule, or
 - Reduce the setbacks above the street wall specified in section 2.0 of this schedule, or
 - Reduce the rear setback requirements specified in section 2.0 of this schedule.

Clause 45.03 – Environmental Audit Overlay

The Environmental Audit Overlay affects the entire Site. The purpose of the EAO is:

- To ensure that potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination.

Clause 45.06 - Development Contributions Plan Overlay – Schedule 1 (DCPO1)

The Site is subject to the Development Contributions Plan Overlay, which aims to implement the MPS and PPF and 'to identify areas which require the preparation of a development contributions plan for the purpose of levying contributions for the provision of works, services and facilities before development can commence.

Clause 45.09 – Parking Overlay (PO1)

The Site is subject to the Parking Overlay and is located within Precinct 1.

The purpose of the Parking Overlay is as follows:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To facilitate an appropriate provision of car parking spaces in an area.
- To identify areas and uses where local car parking rates apply.
- To identify areas where financial contributions are to be made for the provision of shared car parking.

PO1 outlines the following car parking objective:

- To identify appropriate car parking rates for land uses in the Mixed Use Zone, Residential Growth Zone, Commercial 1 Zone, Commercial 2 Zone and Activity Centre Zone.

Pursuant to subclause 2.0, for all uses listed in Table 1 of Clause 52.06-5, the number of car parking spaces required for a use is calculated using the Rate in Column B of that Table.

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Figure 14 Heritage and Built Form Overlays Map

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Figure 15 Other Overlays Map (EAO, DCP01 and P01)

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4.5 Particular Provisions

Clause 52.06 – Car Parking

The purpose of Clause 52.06 is as follows:

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

Pursuant to Clause 52.06, a permit is required to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay.

As the Site is located in the Principal Public Transport Network Area (PPTN), Column B rates would have applied regardless of the Parking Overlay.

Clause 52.34 – Bicycle Facilities

The purpose of Clause 52.34 is as follows:

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

Pursuant to Clause 52.34-1, a new use must not commence until the required bicycle facilities and associated signage has been provided on the land.

Pursuant to Clause 52.34-2, a permit may be granted to vary, reduce or waive any requirement of Clause 52.34-5 and Clause 52.34-6.

Clause 53.18 – Stormwater Management in Urban Development

The purpose of Clause 53.18 is:

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

Pursuant to Clause 53.18-3 an application to construct a building or construct or carry out works:

- *'Must meet all of the objectives of Clause 53.18-5 and 53.18-6*
- *Should meet all of the standards of Clause 53.18-5 and 52.18-6.'*

This matter is addressed in the Sustainability Management Plan prepared by Hip V Hype.

Clause 53.23 – Significant Residential Development with Affordable Housing

Clause 53.23 applies to application includes the use or development of land for accommodation that meet the requirements of a category of Table 1. The purpose of this clause is:

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

Pursuant to Category 1 of Table 1, an application in Metropolitan Melbourne with a development cost greater than \$50m that provides at least 10% affordable housing is eligible for consideration under the Clause.

Pursuant to Clause 53.23-2, the responsible authority may waive or vary any of the following:

- A minimum garden area requirement.
- Any building height or setback requirement.
- A condition opposite a use in Section 2 in a zone or a schedule to a zone.

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

Pursuant to Clause 72.01-1, the Minister for Planning is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and endorsement of, approval of or being satisfied with matters required by a permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority, in relation to the use and development of land for a use or development to which Clause 53.23 applies.

Clause 58 – Apartment Developments

The purpose of Clause 58 includes the following:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To encourage apartment development that provides reasonable standards of amenity for existing and new residents.
- To encourage apartment development that is responsive to the site and the surrounding area.

The Architectural Plans and Clause 58 assessment submitted with this application detail how compliance under Clause 58 has been addressed.

4.6 Other Planning Considerations

4.6.1 Victoria’s Housing Statement

Victoria’s Housing Statement was released on 20 September 2023. It sets out a series of reforms that aim to deliver greater housing availability and affordability through facilitating the delivery of 80,000 homes per year (including social and affordable housing) and a ‘re-focus’ of residential growth to achieve a greater proportion of dwellings in established urban areas.

The reform includes the expansion of the eligibility criteria for the *Development Facilitation Program* (DFP) which will apply to residential projects with a development cost of at least \$50m in Metro Melbourne that provide at least 10% affordable housing.

4.6.2 Amendment C230mbek – Draft Brunswick Activity Centre Structure Plan

Proposed Planning Scheme Amendment C230mbek proposes to give effect to the Vibrant Brunswick: Brunswick Activity Centre Structure Plan through the application of an Activity Centre Zone to the Brunswick Activity Centre. The Activity Centre Zone is designed to increase the opportunities for employment in the area and to simplify and improve the current controls that are made up of a mixture of zones and overlays affecting properties in multiple combinations.

At its Council Meeting on 8 May 2024, Council resolved to seek authorisation from the Minister for Planning to prepare Merri-bek Planning Scheme Amendment C230mbek.

Given this amendment is yet to proceed through a formal notification process or be subject to a review by Planning Panels Victoria, it is not considered to be a seriously entertained planning proposition at this time and therefore has not been considered further within this report.

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5 Planning Assessment

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5.1 Overview

This chapter provides an assessment of the proposal against the relevant policy and provisions of the *Merri-bek Planning Scheme*. The assessment has raised the following key questions.

- Is the proposed land use programming appropriate?
- Is the proposal consistent with the built form outcomes sought by DDO18?
- Does the proposal provide an appropriate heritage response with regard to HO183 and HO239?
- Is the proposal consistent with the built form outcomes sought by Clause 15.01-2L (Apartment Developments in Moreland)?
- Does the proposal provide appropriate internal amenity?
- Does the proposal result in any unacceptable offsite amenity impacts?
- Does the proposal provide for an environmentally sustainable design?
- Does the proposal provide appropriate bicycle parking and car parking arrangements?

A detailed response to each of these matters is provided below.

5.2 Is the land use programming appropriate?

The proposed development is designed to provide a genuinely mixed use outcome, with a highly activated and delicately programmed ground plane offering a range of commercial and retail opportunities for local businesses and to support the future community on the Site. Moreover, the development will provide 60% of the proposed dwellings as affordable housing, which is clearly consistent with Council's Vision at Clause 02.02, strategic directions at Clause 02.03-5, and policy at Clause 16.01-2S.

The proposal is consistent with the relevant provisions of the C1Z as:

- The proposed use of land for the purpose of dwellings, office and retail premises is consistent with the purpose of the C1Z, which is to create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses and provide for residential uses at densities complementary to the role and scale of the commercial centre. Specifically, this includes over 3,500sqm of office and commercial space in a range of tenancy sizes – including larger format office space of 625sqm and a number of smaller tenancies between 51-250sqm – that will support local small businesses and employment opportunities.
- The proposed uses of land do not require a permit except insofar as the residential lobbies present a ground floor frontage of greater than 2m. Given the multiple street frontages and substantial size of the Site this is an appropriate outcome particularly having regard to the extent of commercial and retail opportunities provided to existing street frontages and within the new internal laneways.

Having regard to Clause 17.01-1L-02, it is acknowledged that the proposal reduces the quantum of commercial and retail space provided and seeks to vary the requirement for the amount of employment floor space in a mixed-use development to be least equivalent to the amount of all proposed ground and first floor building areas (inclusive of car parking, other services and circulation space).

As outlined in the supporting economic analysis prepared by Urban Enterprise, the proposal provides an appropriate outcome with respect to the provision of employment generating land on the basis that:

- The existing approval on the Site represents a substantial over-provision of commercial office space that is inconsistent with current demand for large format office space in this location, particularly in light of post-Covid trends leading to a greater proportion of staff working from home and generally reduced demand for office space as a whole.

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- The existing approval's provision of large-format above-ground commercial office space is not aligned with current or anticipated market needs. Delivering above-ground commercial office space that is likely to remain untenanted into the future will compromise the commercial viability of the project.
- The proposal provides a highly curated ground floor programme with commercial tenancies of diverse sizes and arrangements that will directly support local employment generation while being tailored to reflect the Site's specific built form context. Moreover, the arrangement of commercial and retail tenancies has been specifically designed to address the local demand profile.
- The proposed development would achieve (and in many cases, exceed) the economic objectives of relevant planning policy, albeit without meeting the associated quantitative floorspace requirement, as detailed in the *A Job in Moreland: The floorspace we need now and in the future* report.

On balance, the proposed land use mix of affordable apartments, office space, retail tenancies and communal amenities represents a substantial net community benefit to the Brunswick neighbourhood. The proposal will deliver much needed affordable housing supply in range of high amenity dwelling typologies to suit a range of housing needs, supported by generous communal amenities that will assist in fostering social connections between residents. Any further increase in commercial floor area above the ground floor would directly impact on the delivery of affordable housing, both through the reallocation of floor space and through additional construction costs associated with increases in floor to ceiling heights and less efficient building arrangements.

Based on the above the proposed mix of land uses is an appropriate planning outcome.

5.3 Is the proposal consistent with the built form outcomes sought by DDO18?

The application has been assessed against the relevant design objectives and buildings and works requirements of the DDO18 as follows.

Design objectives

A response to each of the design objectives of DDO18 is set out in the table below.

Design objective	Response
To encourage a new mid-rise built form character with lower built form at the interfaces with the adjoining low rise residential areas.	<p>The proposal is consistent with this objective as it contributes to the growing mid-rise built form character of the area.</p> <p>While the proposal does not adjoin any low-rise residential areas it provides a transition in scale towards the existing lower-scaled residential to the south of the Site.</p>
To complement the valued built form and heritage character along Sydney Road and respect the form, design and context of buildings of individual heritage significance in the precinct.	<p>This design objective is not applicable to the Site as the Site is not located on Sydney Road.</p> <p>Nevertheless, the proposal responds sensitively to its heritage context, both with respect to the clear sightlines provided to the central chimney and repurposing of the surrounding space for a public plaza, as well as through the adaptive reuse and minor alterations of the two cottages at 13-15 Rosser Street. The Rosser Street street wall adopts a lower height to allow a transition in scale to the north and south of the cottages, with distinct setbacks clearly distinguishing the existing heritage fabric as a prominent element within the streetscape.</p>
To ensure the street wall remains the visually dominant element of all development in Sydney Road and that any height above the street wall is visually recessive, subservient and does not dominate the streetscape appearance.	<p>Not applicable - the Site is not located on Sydney Road.</p>
To establish a new cohesive built form character in off-corridor locations to the east and west of Sydney Road to achieve an appropriate	<p>The proposal provides a robust and undulating street wall condition to each of its three interfaces in a variety of fine-grained material expressions. Street wall heights respond appropriately to the width of the adjoining streets with the</p>

balance between a sense of enclosure and openness and to ensure new street walls reinforce the existing character of street walls in nominated off-corridor streets.

insertion of more prominent forms in corner locations to provide a legible urban morphology. The assembly of a large landholding of various parcels such as this proposal allows for a more holistic built form outcome that continues the proposed street wall condition to the Site's interface to the Upfield Shared Path, avoiding the potential for an isolated 'left-over' site on the land that was inconsistent with the architectural character of the broader development.

Where street walls are reduced in scale to provide appropriate floorplate depths the proposal incorporates galvanized mesh framing elements to retain a sense of enclosure and minimise the visual presence of upper-level elements while reducing overshadowing impacts.

To protect the amenity of existing and proposed public open spaces and key pedestrian streets, and maintain reasonable amenity for residential properties within and adjacent to the activity centre.

The proposal results in minimal overshadowing to key pedestrian streets, with this being generally confined to shadow resulting from the three-storey podium to the corner of Rosser Street and Wilkinson Street. The three-storey street wall element represents a marginal variation to the preferred street wall height to Wilkinson Street and is a key measure in allowing the building to hold the corner and provide a point of contrast to the metal framing street wall element to the west. On balance, the marginal overshadowing to a small portion of the footpath will not unreasonably impact the amenity of the street when considered in the context of the overall improved street scape presentation to Wilkinson Street resulting from the proposal.

With respect to nearby residential properties, while the consolidated upper levels along Rosser Street result in an increase in shadow, due to the timing of this shadow, the existing awnings and recessed building line the proposal will result in no additional amenity impact when compared to the approved development on the Site.

With respect to nearby residential properties, upper level built form along Rosser Street have been designed to provide visual relief with rationalised setback arrangements to avoid 'wedding cake' effects of excessive steps in the built form, thereby ensuring appropriate amenity conditions on existing and future residences are maintained.

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For the reasons outlined above, the proposal achieves the built form outcomes sought by DDO18.

Building height

The proposed building heights outlined in Section 3.3.1 (26.93m-36.03m) seek to vary the preferred maximum building height under DDO18 (25m) for each of the four buildings by circa 2-11m. This is informed through detailed massing and shadow studies undertaken by Fieldwork and consideration of similar urban context precedents set by recent and proposed developments along the Upfield corridor. Building height is limited to below 30m (within 2-5m of preferred) on residential streets for Buildings 2 and 3 to limit visual bulk and shadow impacts on these sensitive interfaces. Increased height has been sited along the less sensitive Upfield interface. Effective use of materials, balconies, articulation, visual interest and upper level setbacks assist in breaking up the built form, limiting visual and amenity impacts.

Given the above, the proposed building height arrangement is considered reasonable and in keeping with the present and future urban context of the Upfield corridor and therefore an acceptable variation to preferred height under DDO18.

Street walls

The proposal's response to the street wall requirements of the DDO18 is detailed below:

Interface	Requirement	Response
Victoria Street	8-11m	The proposal provides an undulating street wall height that varies between two storeys (8.26m) and four storeys (14.31m). The proposal pushes and pulls the street wall heights to provide a varied street wall character, with the four storey element assisting in marking the entrance to the

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pedestrian laneway and the extended two storey element addressing the existing two-storey street wall on the opposite side of Victoria Street.

The proposed variation presents a street wall arrangement that ensures the street wall remains that dominant element within the streetscape.

Rosser Street 7-10m

The proposed three storey (11.31m) street wall arrangement to Rosser Street is defined by its soft materiality. The proposal utilises a mesh framing arrangement as the street wall along Rosser Street, using the additional height of these elements to create a sense of streetscape enclosure and minimise the visual presence of upper-level elements.

Given the marginal variation from the DDO18 requirement, and given the light weight presentation to Rosser Street, the proposal is considered to represent an appropriate outcome.

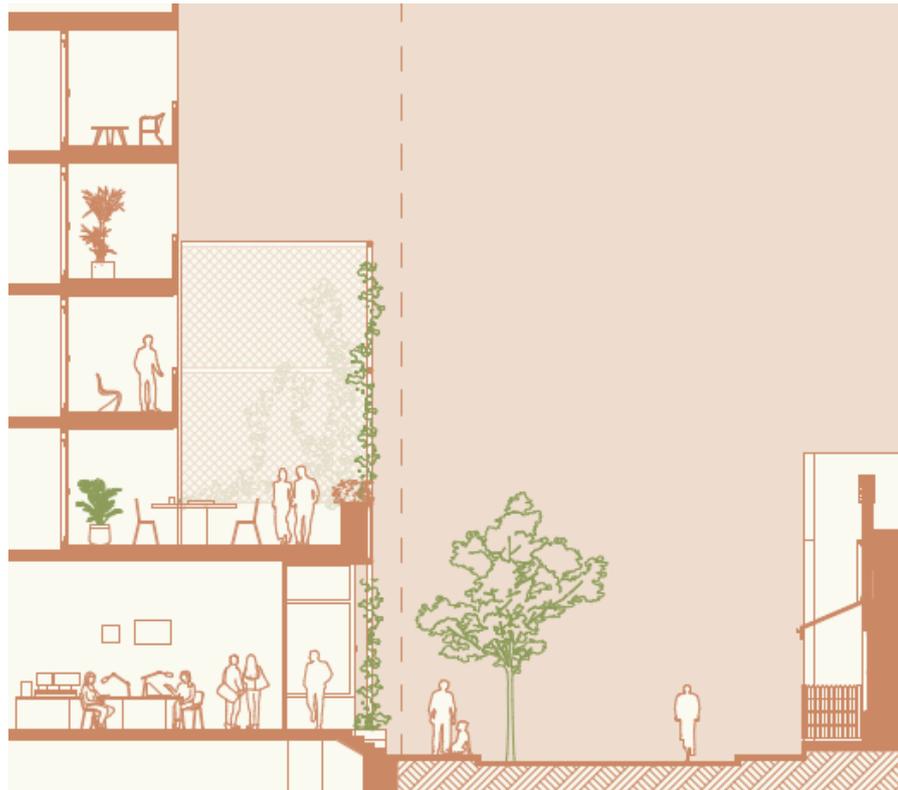


Figure 16 - Rosser Street interface section (Fieldwork)

Wilkinson Street 7-10m

The proposal presents a two-storey (8.26m) street wall to Building 4, and a three-storey (11.31m) street wall to Building 3. Notably the proposal also incorporates a pedestrian connection between Building 3 and the shared boundary to 28-30 Wilkinson Street that will break up the street wall and provide clear views to the chimney in the centre of the Site.

The street wall height to Building 3 presents a 1.3m variation to the DDO18 requirement. The architectural presentation of the street wall incorporates a solid element to the Rosser Street corner finished in dark red concrete, with mesh galvanized framing alternating with projecting balconies treated with metal balustrades set between steel framing completing the western portion of the street wall.

Noting the marginal variation to the requirement of the DDO18, the proposal presents an appropriate street wall outcome, with the solid corner component consistent with design objective of the DDO18 aimed at ensuring a prominent street wall condition.

effect to the design.

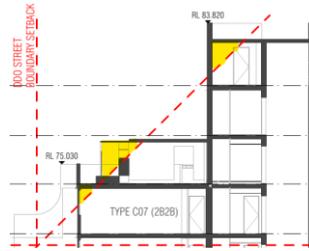


Figure 18 - Excerpt of Site Section A (area of encroachment to Building 1 highlighted) (Fieldwork)

- To Rosser Street, the approved envelope of Building 2 encroaches into this setback requirement. Minor upper level changes to the southwestern corner related to detailed design and the stair core shift results in reduced encroachment and overshadowing towards 14 Rosser Street further reducing the complexity and stepping of the massing arrangement to ensure compliance with the DDO18 objectives.
- Similarly to Building 3, greater recessions have been applied to upper levels (>1m setback) of the approved envelope providing visual relief from the street and improving the interface with the future development outcomes at 2-12 Wilkinson Street. This slightly reduces the shadow cast along the Wilkinson Street footpath.

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Figure 19 – Render of Rosser Street (area of recessions to Buildings 2 & 3 highlighted) (Fieldwork)

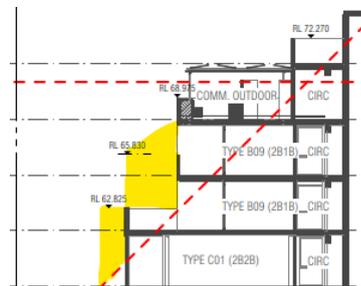


Figure 20 - Excerpt of Site Section D (area of recession to Building 3 highlighted) (Fieldwork)

- To Wilkinson Street, Building 3 upper levels are entirely contained within the setback requirement with the exception of minor encroachments from parapets to Levels 5 and 7.

To Building 4, there is a slight encroachment to the setback requirement, which is

largely in relation to the communal rooftop space, a Level 8 balcony and Level 5 parapet.

On the basis of the above the proposal provides an appropriate response to the requirement.

Adopt the same street setback for at least 75% of the height of the upper levels to avoid 'wedding cake' built form outcomes. Detailed design of the proposal has resulted in upper levels for all 4 buildings to only be setback or stepped up twice above the street walls and appropriate articulation and modulated expression. This avoids excessive stepping in the built form or 'wedding cake' outcomes resulting in compliance with the standard.

Be designed to respect the form and design of adjacent civic buildings and heritage places. The proposal has been designed to celebrate the landmark heritage chimney via maximised viewing corridors towards the landscaped central courtyard and provides generous upper-level setbacks from the heritage cottages at 13-15 Rosser Street in a manner that is respectful of their form and scale as it is adaptively reused for community use.

Building layout and detailed design

The proposal responds to the relevant building layout and detailed design requirements as follows:

- The proposal provides a highly activated and engaging streetscape presentation, incorporating fine grained retail and commercial tenancies set within regular rhythm of pilaster-and-alcove that seeks to reference the surrounding shopfronts on Sydney Road, Sparta Place and Victoria Street. Each individual tenancy is provided with a display window and/or entrance that measures at least 60% of the width of the street frontage.
- The proposal's interface to the Upfield shared path is characterised by glazed office and retail tenancies at the ground floor that are consistent with the broader architectural language. Upper level elements are designed in the round with well-resolved architectural treatments, inset balconies and windows providing direct outlook towards the shared path.

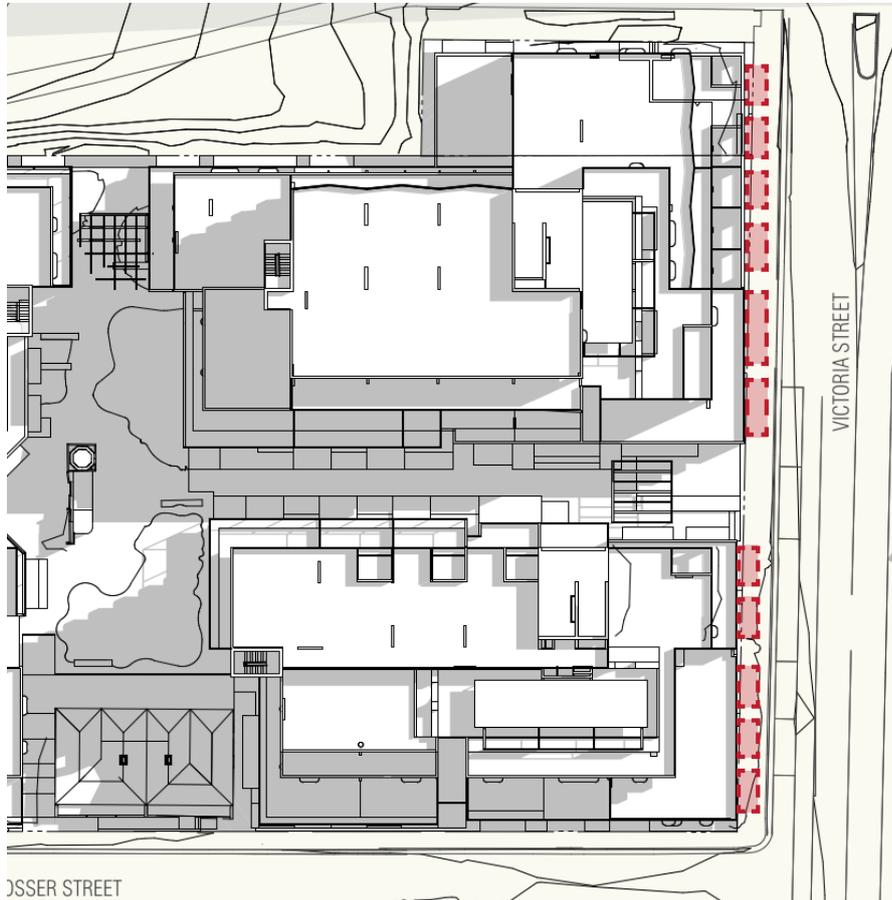


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Figure 21 - Excerpt Design Report - Upfield Shared Path interface section (Fieldwork)

- Glazing is provided to all upper-level facades facing streets and the Upfield shared path.
- The proposal prioritises the public realm environment and proposes a single vehicular access arrangement.
- The proposed ground floor height allows for a range of commercial uses.

- As detailed in the Design Report, to activate Victoria Street as a high street the proposal seeks to provide commuters and customers canopy cover via an arrangement and location of awnings that are appropriately integrated within the overall architecture of the development. Referencing the existing 'tooth and gap' character of canopies along Victoria Street the proposal provides near continuous canopies to the northern boundary, with breaks between canopies reinforcing the rhythm of retail tenancies providing a legible marker for each new premises. Moreover, the breaks in the canopy allow the vertical elements of the street wall to meet the footpath, clearly grounding the podium element rather than fragmenting the vertical articulation. This strategy results in a canopy cover along the Victoria Street frontage of 72% which will provide appropriate weather protection for pedestrians walking along Victoria Street.



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Figure 22 - Excerpt Design Report - Victoria Street Ground Plane Façade Strategy (Fieldwork)



Figure 23 - Future canopy arrangement to Victoria Street (Fieldwork)

- Service cabinets have been generally consolidated on the Site's secondary frontage to Rosser Street and are appropriately integrated within the broader façade expression.
- The ground plane strategy has sought to ensure pedestrian permeability through the Site as a key gateway between Sydney Road and Brunswick Station with connections via Wilkinson Street's shared zone and an accessible ramp from the central courtyard to the Upfield Path noting wind impacts and level constraints for a direct connection.

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Building 3 and 4 residential lobbies have been sited to line up views towards the station. This legible urban form will ensure improved pedestrian access to the Station from the Site and the surrounding area as elevated rail progresses in future.



Figure 24 - Render image looking east towards the chimney from the Upfield Shared Path (Fieldwork)

- The proposal provides a major upgrade on existing conditions by adding a laneway network that bisects the Site along both north-south and east-west axis. This results in high quality public realm outcomes with respect to pedestrian permeability.



Figure 25 - Render image looking north from Wilkinson Street through the new pedestrian path (Fieldwork)

- Overshadowing to Wilkinson Street is addressed at Section 5.7.1.
- The ground floor is set back a minimum of 1 m from the boundary to the Upfield shared path.
- Requirements in relation to Employment Areas are addressed at Section 5.2

5.4 Is the proposal consistent with the built form outcomes sought by Clause 15.01-2L (Apartment Developments in Moreland)?

Clause 15.01-2L applies to applications for apartment development of five or more storeys and seeks to ensure that apartment buildings are designed to provide daylight, privacy and outlook to living rooms and bedrooms, to enable the reasonable development opportunities of adjoining sites, and prioritise opportunities for ground level landscaping and

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open space. The clause provides building separation distance requirements that vary dependent on the type of interface and the height of the building.

The proposal is consistent with the building design and separation strategies as follows:

- The massing arrangement has been designed to allow appropriate daylight into living rooms and bedrooms, with apartment typologies arranged to minimise apartments with only southern aspect (Apt 3.1.09 & 3.2.09 are the only south facing apartments in the development) and living spaces projected closest to the building line in order to maximise daylight.
- The development provides substantial opportunities for landscaping and open spaces between buildings, including through landscaped rooftops above ground floor tenancies, and in projecting framing elements that provide opportunities for climbing plants and mitigate direct views.
- The proposal sites and orients balconies and living spaces to both minimise direct views and maximise oblique outlooks towards the laneways and plazas. The separation distances and provision of inset planter boxes to Level 1 apartments avoid the need for privacy screening.
- The proposal is cognisant of maintaining equitable development opportunities for 28 Wilkinson Street, with boundary construction along the land's shared western and northern boundaries and setback distances that are consistent with the requirements of the clause (6.7m, in excess of the 6m requirement for a primary outlook up to four residential storeys). This will allow a reasonable future development scenario of the land consistent with both the DDO18 and Clause 15.01-2L – refer Drawing TP2-115 for further detail.
- The Site does not have any immediate residential abutments that would be subject to amenity impacts.

With respect to the building separation distance requirements, the proposal largely retains or increases the building separation distances of the existing approval (i.e. 12.21m between Buildings 3 and 4) while minimising the number of apartments that do not benefit from dual aspect or outlook towards the central plaza. Refer to the figures outlined in Section 3.3.1 and the excerpt of Fieldwork's supporting building separation strategy diagrams.

The proposed massing arrangements and apartment layouts represent an appropriate response to Clause 15.01-2L on the basis that:

- The proposal meets and exceeds the separation requirements between Buildings 1 and 4 and Buildings 2 and 3.
- Between Buildings 1 and 2 and Buildings 3 and 4, the proposal is compliant with the required primary and primary separation 12m distance up to Level 4. The proposal seeks a variation to the 18m separation distance requirement from Levels 5-8 of Buildings 1 and 2 and from Levels 5-7 of Buildings 3 and 4.
 - Between Buildings 1 and 2 the minimum separation distance from Levels 5-8 is 12.75m.
 - Between Buildings 3 and 4 the minimum separation distance from Levels 5-7 is 13m (noting 12.21m approval).
- Where separation distances vary the preferred requirements of Clause 15.01-2L, apartments have been designed to maximise daylight access to living areas and opportunities for outlook to landscaped communal spaces while appropriately balancing privacy considerations. Specifically:
 - The east facing apartments in Building 1 have been designed to have wide frontages with shallow room depths, affording them access to daylight with the opportunity for outlook to the north and south. The studio typology at the northern end of the east elevation is aligned opposite the circulation space of Building 2, reducing overlooking considerations. Moreover, from Level 4 the north-eastern corner element of the building is further recessed, providing additional daylight and outlook towards Victoria Street to the north.
 - The west facing apartments in Building 2 have been designed to provide northern aspect to their living spaces through inseting the terrace space, inviting clear views to the north rather than directly towards the building opposite to the west (see Figure 26 below). This technique further recesses the more private bedroom zones to address any privacy concerns.
 - With respect to Building 3, from Level 5-7 there is only one apartment per floor with primary outlook to the west. This typology is arranged with wide aperture and shallow depth, providing opportunities for oblique views to the north-west and north-west. The primary building line is also recessed behind the apartment balustrade, providing further screening from apartments on the eastern elevation of Building 4.
 - Similar to Building 3, from Level 5-7 there are only two apartments per floor with primary outlook to the east. These apartments have been designed to provide northern aspect to their living spaces through inseting the terrace space to maximise daylight and outlook from the living spaces and emphasise privacy considerations to

the bedrooms. These apartments will benefit from oblique views towards the central chimney to the north-east, with views to the south likely to be maintained into the future under likely development scenarios of 28 Wilkinson Street.

Moreover, the proposed massing arrangements allows for a viable and contextually responsive architectural outcome that maximises the delivery of new affordable dwellings. Any further variation will substantively impact the delivery of this critical new supply.

On the basis of the above the proposal represents an appropriate response to the strategies and requirements of Clause 15.01-2L.

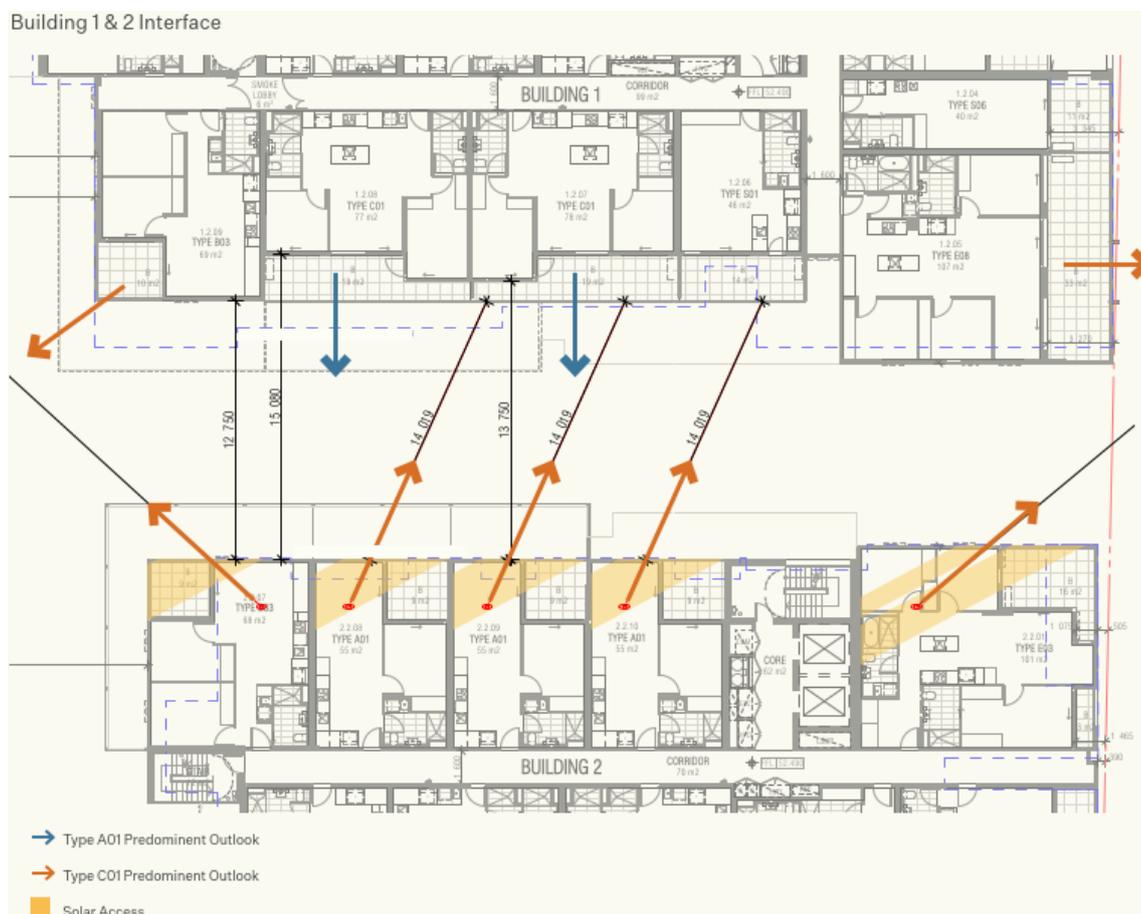


Figure 26 - Building separation strategy diagram (Fieldwork)

5.5 Does the proposal provide an appropriate heritage response with regard to HO183 and HO239?

The Site is subject to the HO183 – affecting the land surrounding the chimney in the centre of the Site - and the HO239 – affecting the single storey cottages at 13 and 15 Rosser Street.

HO183 affects a small curtilage of land around the chimney in the centre of the site. This land is included on the Victorian Heritage Register (VHR). Pursuant to Clause 43.01-2 of the Heritage Overlay a planning permit is not required to develop a heritage place that is included on the VHR. Heritage Victoria assumes responsibility for approvals relating to heritage matters for sites on the VHR. This means that Council cannot consider the proposal against the Heritage Overlay or local heritage policy with regard to the chimney.

HO239 relates to 13 and 15 Rosser Street, Brunswick which are a pair of originally matching single-storey double-fronted Victorian brick dwellings that are of historic and aesthetic heritage significance.

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Heritage Overlay – Schedule 183

As the land affected by the HO183 is included on the VHR, a planning permit is not required to develop the land. Notwithstanding the above, having regard to the DDO18 objective to *ensure development is designed to respect the form, design and context of buildings of individual heritage significance* the proposal's massing arrangement has ensured that the development creates legible and unobstructed sightlines to the chimney from the south, east and west of the Site – refer Figure 24.

Heritage Overlay – Schedule 239

The proposal seeks to adaptively restore and reuse the built form affected by the HO239, with minor variations to the areas of existing fabric to be demolished along the western and southern elevations of the buildings. The location of new built form will not interrupt the heritage elements of the front facades and will be clearly distinguishable in architectural style from the existing fabric. A new opening along the southern elevation will assist in providing visual connections to the laneway to the south while not interrupting the extent or prominence of roof forms.

Whilst the new additions will be clearly visible from the public laneways and plaza within the Site, these elements will allow the adaptive reuse of the heritage buildings and support their integration with the larger precinct. The new additions and alterations will facilitate communal use of the existing cottages in a contemporary architectural style that is consistent with the broader design language of the proposal that appropriately responds to the characteristics and design motifs of the heritage fabric.

On the basis of the above the extent of alterations, additions and demolition is considered appropriate.

5.6 Does the proposal deliver an appropriate level of internal amenity?

The purpose of Clause 58 is to maximise the Site's context to deliver higher quality daylight, ventilation, outlook, privacy, and internal amenity outcomes in dwellings that are safe, functional and efficient in order to meet the needs of all residents. The Assemble Futures model has been used to refine the design by implementing an increased range of 43 well-designed and efficient typologies that ensure amenity is maximised whilst catering to a range of lifestyles and housing needs in a tenure blind approach. To address amenity, the design has sought to retain or improve building separation as needed on accrued development rights, provide a greater range of typologies, and ensure daylight and cross ventilation is maximised.

For a complete assessment against Clause 58 please refer to Appendix A.

5.7 Will the proposal result in any unacceptable offsite amenity impacts?

5.7.1 Overshadowing

The proposal has been designed to ensure no greater impact of overshadowing on the surrounding area between 10am and 2pm at the equinox when compared to the accrued development rights. Overshadowing impacts related to Wilkinson Street and Rosser Street respectively are discussed below.

Wilkinson Street

The DDO18 includes a discretionary requirement that development should not overshadow the opposite footpath of Wilkinson Street (being identified as a Key Pedestrian Street) between 10.00am and 2.00pm at the equinox. As a general comment, the accrued development rights incorporated a degree of overshadowing to the opposite footpath of Wilkinson Street. This proposal has sought to ensure that the development does not unreasonably increase the extent of overshadowing to the opposite footpath.

Whilst there is a minor increase to Building 4's shadow across the street during the same period at the equinox, the shadow is largely clear of the opposite footpath by 11.00am, after which time the shadow does not reach the opposite footpath.

There is a similar minor increase to Building 3's shadow across the street to the opposite footpath. This footpath is all clear by 11.00am. The street wall does create shadows across Rosser Street to the opposite footpath after 2.00pm. This outcome is acceptable on the basis that:

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- The requirement is a discretionary control, indicating that a small degree of overshadowing can be anticipated.
- The additional shadow is generally within the area that was already affected by shadow under the approved development.
- While the shadow impacts are clearly seen in plan, for pedestrians walking along Wilkinson Street, the opposite footpath will be out of the shadow from 11.00am.
- The solid portion of the street wall has a parapet height of 8.6-11.6m, representing a 1.6m variation to the preferred maximum street wall height that results largely from the commercial floor to ceiling height at the ground floor.
- The solid street wall element provides a clear urban design benefit, as the more robust presentation assists in holding the corner edge while contrasting with the lightweight framing treatment on the balance of the Building 3 street walls to Wilkinson Street and Rosser Street.

On balance, the overall extent of overshadowing is marginal and will be offset by the wider benefits to the amenity of the Key Pedestrian Street, delivered through an improved architectural response, more engaged and active frontages and the new north-south pedestrian connection to Wilkinson Street that provides clear views to the heritage chimney.

Rosser Street

With respect to Building 3, the upper level setbacks provide a slight improvement to shadows on the Rosser Street corner's opposite footpath at 3.00pm.

The accrued development rights resulted in some overshadowing impacts to the land at 22-24 Rosser Street and 18-20 Rosser Street at 2.00pm at the equinox.

While the proposal does result in some overshadowing during this time, due to the arrangement of awnings and windows this will not result in any material amenity impact to these dwellings.

Refer Figure 27 below.

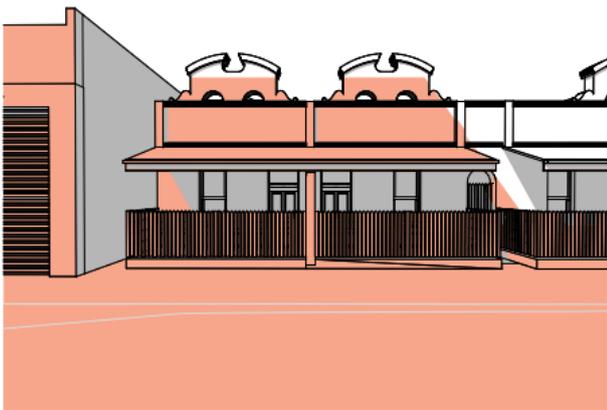


Figure 27 - Excerpt Drawing TP5-107 (Fieldwork)

5.7.2 Overlooking

Clause 58.04-1 focuses on building siting and setbacks to manage the impact of overlooking on the amenity of existing and proposed dwellings. Similar to the strategies mentioned in Section 5.4, the dwelling layouts have been purposefully arranged to limit overlooking internally and externally from habitable rooms.

Given the Site's island nature and separation from any existing residential dwellings the proposal will not result in any amenity impacts as a result of overlooking.

5.7.3 Visual Bulk

The proposed design has been carefully designed to avoid major change to the massing arrangement and architectural language of the approved development on the Site. This minimises the visual presence of the development to the public and private realm. Specifically:

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- The proposed street walls play a key role in holding and activating the street, whilst recessed upper levels are 'tucked in behind' to present as distinctly recessive elements and to mitigate any perception of bulk from the opposite footpath, whilst maintaining a high-quality outcome that speaks to the surrounding local context.
- The design seeks to limit the extent of terracing and stepping in the proposal to present a simple and robust massing arrangement comprising a series of building volumes. Articulation is provided through subtle variation in the colour, materiality and angle of facades, with some inset ribbon balconies and vertical recesses assisting to modulate the upper levels.
- The simple yet sophisticated use of colour helps to distinguish each building and complement the varied massing arrangement. Complementary colour themes and shifts in façade expression ensure each building presents as distinct part of a cohesive whole, avoiding the sense of a homogenous architectural outcome.
- The massing arrangement results in clear views to the heritage chimney along both north-south and east-west axis without building elements in the background. This results in a legible pedestrian network as well as offering a sense of openness to the public realm.
- Development that abuts the Upfield Shared Path has been designed to avoid large areas of blank walls.
- The external circulation to each building assists in breaking down the upper level building while acting as a lookout for residents and providing public realm surveillance.

On the basis of the above, the proposed architectural response will not result in any unacceptable offsite amenity impacts related to visual bulk.

5.8 Does the proposal provide for an environmentally sustainable design?

The proposal addresses the objective and strategies of Clause 15.01-2L-05 – Environmentally Sustainable Development of the *Merri-bek Planning Scheme* as follows:

Energy Performance

- The proposal achieves an average 7.5 stars NatHERS rating, through:
 - Emphasizing careful building orientation to maximise daylight access.
 - Ensuring glazing placement and sizing is carefully managed to reduce unwanted heat gain and heat loss, while providing natural light to habitable spaces.
 - Installing high-performance, double glazed window systems to all apartments.
- The proposal will incorporate a minimum 51.6kWp solar photovoltaic system on the rooftop, offsetting residential and retail power usage and supplementing domestic hot water systems.

Integrated Water Management

- The proposal will incorporate a total capacity of 100kL rainwater tanks capturing rainwater for use in occupant toilet flushing and irrigation.
- A STORM score of 100% and best practice pollutant reductions has been achieved by the project, which meets the compliance requirements with trafficable ground level areas draining to two Ocean Protect treatment devices.
- The proposal will incorporate water efficient fixtures and appliances.
- The landscape plan will incorporate drought-resistant species.

The proven WSUD technologies enable effective outfall of the catchment, are efficient, cost effective, reliable and easy to maintain as demonstrated through their use on the following key projects within Merri-bek and Greater Melbourne:

- Assemble's Sydney Road, Coburg (DTP approval - PA2402798)
- Homes Victoria/AVJennings' Harvest Square (Gronn Place), West Brunswick
- 10-16 Little Miller Street, East Brunswick, and
- East Village, Bentleigh East (Glen Eira Council).

Ocean Protect's proprietary systems have been extensively tested across various Australian conditions and overseas as evidenced by the enclosed independent peer reviews, their SQIDEP industry certifications and demonstrated examples.

Indoor Environment Quality

The proposal incorporates the following measures to provide building occupants with a comfortable space with high air quality, adequate daylight and ventilation:

- Ensuring glazing placement and sizing is carefully managed to reduce unwanted heat gain and heat loss, unwanted heat gain and heat loss, while providing natural ventilation to habitable spaces.
- Ensuring all apartment living rooms and bedrooms have access to a view and daylight.
- Designing the development to exceed BESS requirements for daylight into all habitable rooms and commercial and retail spaces.
- Providing all apartments with high-quality double-glazed windows contributing to high thermal comfort outcomes.
- Ensuring all apartments will be acoustically separated from adjacent apartments and external spaces.
- Designing all apartments to have high-quality double-glazed windows contributing to high acoustic performance.

Transport

- The proposal is located in close proximity to a range of public transport options, major cycling routes and the Brunswick Activity Centre, and will provide a range of retail and employment opportunities on site to minimise the need for car dependency.
- The proposal will provide 318 secure bike parks provided in the basement and 83 on ground floor lobbies for residents whilst staff will have access to end of trip facilities and an additional 96 ground level bike parks provided in both secure facilities and for the public realm.
- Infrastructure to allow the easy adoption of EV charging, including distribution boards, will be included in the building, with at least four charge points to be provided from day one.

Waste Management

- The builder and/or waste management contractor's contract will include a requirement for 80% by mass of construction waste to be diverted from landfill (i.e. reused or recycled). Prior to recycling soil, the contractor will ensure a soil test is conducted and soil is only reused in the absence of contamination.
- Separated waste streams will be built into kitchen joinery, making it easy for residents to divert as much waste from landfill as possible.
- Facilities for food, organics, and green waste will be incorporated into the building design.
- A bio-composter to be included in the waste facility.

Urban Ecology

The proposal adopts the following measures to promote urban ecology:

- Outdoor communal roof terraces will be provided in each building for residents to share and enjoy.
- Rooftop communal garden will be provided for all residents and regular occupants to benefit.
- The design improves the existing site through incorporation of landscaping, including measures in the private and public realm to assist in minimising local urban heat impacts and preserving biodiversity value.
- Locally indigenous, native or adaptive species which will be used to reduce maintenance requirements associated with upkeep, irrigation, and pest management.
- Rooftop planting elements included within the landscape design.
- A tap and floor waste will be provided on each balcony to encourage plants to be grown on balconies.

On the basis of the above the proposal will result in high-quality environmentally sustainable outcomes that clearly addresses the requirements of Clause 15.01-2L-05.

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5.9 Are the proposed traffic, car parking, and bicycle parking arrangements appropriate?

A detailed Traffic Engineering Memorandum, Car Parking Management Plan (CPMP) and Green Travel Plan (GTP) have been prepared by Traffix which is relied on in responding to this question.

5.9.1 Traffic

A succession of parking dispensations through accrued development rights and no change to on-street parking provision ensures limited traffic generation from the proposal which is considered appropriate and consistent with similar approvals within the Brunswick Activity Centre.

5.9.2 Car parking

With respect to the anticipated demand for car parking, as the proposal is delivering housing under the Assemble Futures model, Traffix states the following in their CPMP (Page 10):

The proposal will operate under a Build-to-Rent-to-Own model.

This model maintains car parking lots within a pooled title and not sold with apartments. This allows for the Building Managers to manage an ongoing rental pool for individual lease by residents on demand. This allows for efficiencies in the management and allocation of parking, supporting the potential for reduced demands and provisions.

The Traffix Memorandum details a series of factors that support the proposed car parking provision (91 spaces allocated as 5 commercial spaces (including 1 DDA), 82 resident spaces and 4 car share spaces) and dispensation against the statutory rates (451 total spaces) under Clause 52.06 (Pages 5-7):

- *This site has excellent public transport with multiple fixed rail opportunities including a railway line running along the boundary and tram access to the east and west as well as supporting bus routes in the precinct.*
- *The location of the site being within the Brunswick Activity Centre offers a significant opportunity to be much less reliant on car parking as there is direct [walkable] access to everyday services and amenities, including shopping, medical, banking, entertainment etc, all within 200 metres of the site.*
- *Future residents can, and will, enjoy the benefits of inner city living and have little or no need for a private car.*
- *The reduction of residential parking would be consistent with Merri-bek's approach (and also the State Government's approach) to implementing strategic policies that encourage active transport modes by reducing parking provisions and requirements for new developments in areas close to public transport and in and around activity centres.*
- *Generous provision of bike and end of trip facilities (allowing for approximately 10% of staff to ride and the majority of residents) will allow for a significant shift away from cars to support the reduced provisions which aligns with Government and State policy.*
- *The Built to Rent to Own Model will ... be maintained which would allow the Building Managers to manage an ongoing rental pool for individual lease by residents on demand. This allows for efficiencies in the management and allocation of parking, supporting the potential for reduced demands and provisions.*

Other supporting factors include Council support for parking reduction where sufficient bicycle and on-site car share parking is provided, high quality and secure end of trip facilities, the bike friendly network within Merri-bek, flexibility of the leasing arrangements, and further details outlined in Traffix's Green Travel Plan to encourage mode shift.

The proposed reduction in car parking provision is in line with similar contemporary developments in the highly accessible activity centre of Brunswick, including direct future elevated railway access, and is supported by Merri-bek policy and the Brunswick Structure Plan to reduce reliance on private vehicles (Clauses 2.03-4, 2.03-7, 18.02-1 and 18.02-4L).

On this basis the proposed provision of car parking is appropriate.

5.9.3 Bicycle Parking

With respect to the provision of bicycle parking, the GTP states the following (Page 5):

The application proposes the provision of 513 bicycle spaces, allocated as follows:

- 417 resident spaces (318 spaces within the basement and 99 spaces within the lobby areas within each of the individual building at ground floor),
- 56 visitor spaces (28 double sided horizontal hoops) within the public realm,
- 40 office/retail staff spaces within dedicated End of Trip facilities located within Buildings 2 and 3 at ground floor.

End of Trip facilities are proposed on-site for staff, inclusive of 4 showers and changerooms with 72 lockers provided for commercial staff located.

These provisions comfortably exceed the minimum requirements under Clause 52.34 of the scheme.

The CPMP provides the following response with respect to the appropriateness of the provision of end-of-trip facilities (Page 11):

The requirement for 11 staff spaces also triggers a requirement for End of Trip Facilities at a rate of 1 shower/changeroom for the first 5 bicycle spaces and 1 space for each 10 bicycle spaces thereafter.

The proposal has a requirement to provide 2 showers/changerooms.

End of trip facilities (EOT) are to be provided at ground level, consisting of a total of 4 shower/change rooms for shared use by staff. These are located adjacent to the bicycle parking areas at Buildings 2 and 3.

A total of 52 lockers are also provided across the staff EOT areas.

The CPMP illustrates the layout of bicycle facilities in accordance with AS2890.3-2015 by providing a mix of dynamic pivoting lower units and alternating front/rear access with spacing as dimensioned on the plans, to maximise favourable outcomes under Clauses 18.02-11L and 52.34. Diagrams below from the CPMP (pages 5-6) outline the proposed layouts across the basement and ground level.

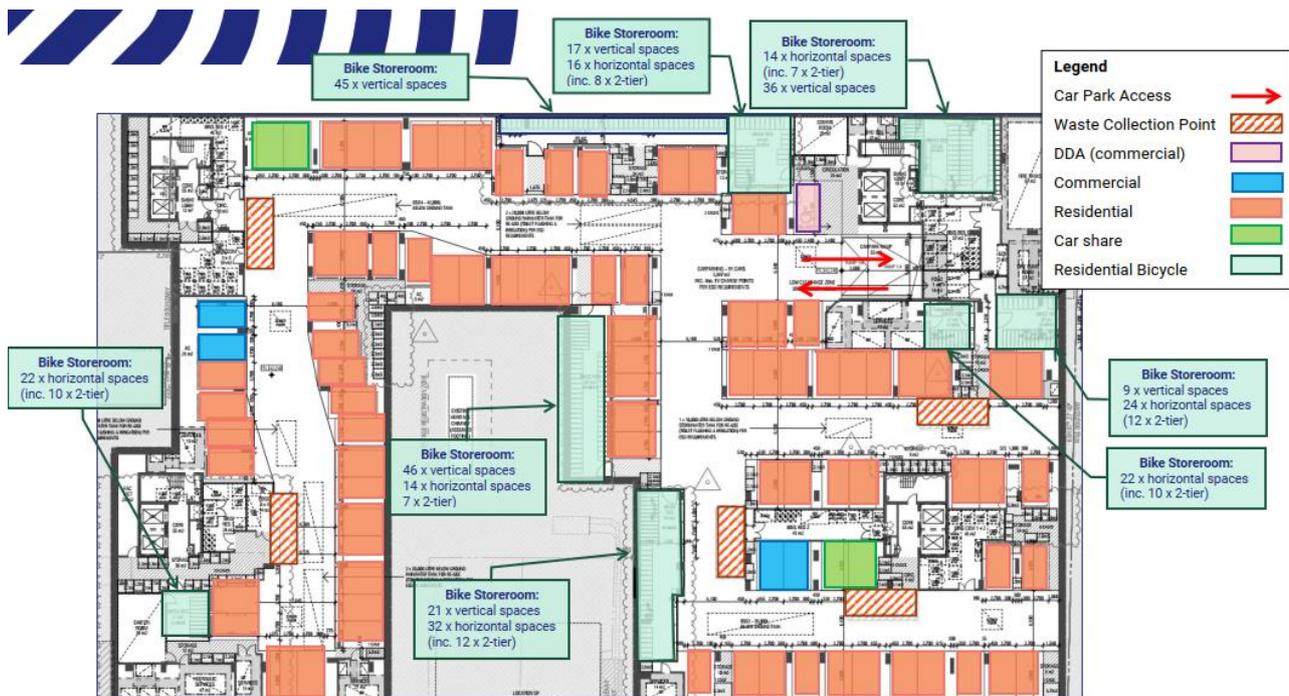


Figure 28 – Basement Parking Layout (Traffix)

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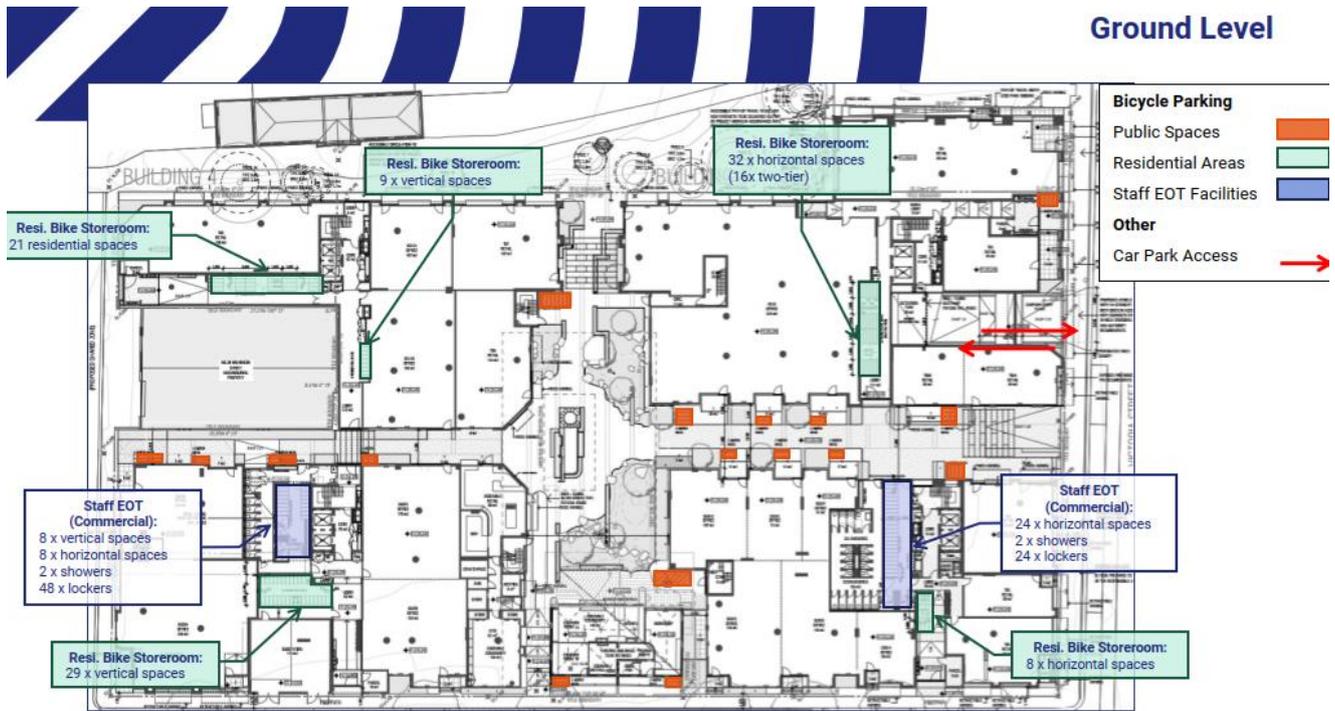


Figure 29 – Ground Level Layout (Trafix)

On this basis the proposed provision of bicycle parking and bicycle facilities is considered appropriate.

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6 Conclusion

This report supports a planning permit application for the use and development of land at the Site facilitated by the provisions of Clause 52.23.

The development application incorporates a design scheme which delivers a contextual and high-quality design outcome to support a BTRTO housing model. This involves the construction of four multi-storey mixed-use buildings and the adaptive reuse of two heritage cottages. Key features of the proposal include:

- Transforming the old chocolate and liquorice factory into a community of four buildings and respectfully repurposed cottages, with a new network of urban laneways framing an active, lively ground plane made up of office, retail, community and food & beverage tenancies centred around the heritage chimney stack.
- Commitment to a Built-to-Rent-to-Own (BTRTO) housing model, to facilitate home ownership via renting for a diversity of households, including 60% as affordable housing for moderate income earners.
- A high-quality contemporary architectural response designed by Fieldwork Architects adopting a massing arrangement which responds to the Site's varied interface conditions and celebrates a landmark heritage chimney through fragmented assemblage of building volumes that "de-materialise" as they rise into more lightweight forms while grounded by an undulating street wall condition.
- The material palette which draws inspiration from the surrounding character, with recycled brick, timber-framed windows, tiled shopfronts, timber decks and galvanized steel pergolas punctuating an honest and robust concrete structure. Colours help distinguish each building, complementing their subtly varied massing with a colour theme running from the tiled shopfronts and recycled brick streetscapes up to mineral-painted concrete podiums and matching coloured metalwork. As with the massing, the intensity and saturation of the colours lightens on the upper levels, but is still subtly presented to a distant viewer proposition that responds to its unique urban context.
- Introduction of east-west and north-south landscaped laneways providing connections between Key Pedestrian Streets and the Upfield Line. A central courtyard to showcase the heritage chimney above a deep soil zone created to maximise landscaping and opportunities for canopy cover.
- Fine grain public realm through over 3,500sqm of commercial and retail uses to provide employment and activation of a new vibrant community for the Brunswick Activity Centre.
- 284 dwellings in the form of studio, one, two and three bedroom apartments of varying layouts, dimensions, orientations and sizes.
- 91 car parking spaces, 417 resident bicycle spaces, 40 employee bicycle spaces and 56 visitor bicycle spaces.
- Extensive amenities for residents comprising social rooftop terraces including BBQ's, communal laundry facilities, gym, parcel rooms and repurposed heritage cottages for public community use.
- An average NatHERS rating of at least 7.5-stars across the development.

The proposal represents a high-quality development outcome that is supported by the provisions of the Merri-Bek Planning Scheme and accrued development rights under the DDO18 to create a vibrant new community focused around the delivery of much needed BTRTO housing and an engaging and contextually responsive architectural form.

On the basis of the above, the proposal represents a well-considered and appropriate proposal that will deliver a substantial net community benefit and merits the issuing of a planning permit to facilitate its delivery.

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Appendices

Appendix A Clause 58 Assessment

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Clause 58

Better Apartment

Design Standards

1.1 Purpose

- To implement the Municipal Planning Strategy and Planning Policy Framework.
- To encourage apartment development that provides reasonable standards of amenity for existing and new residents.
- To encourage apartment development that is responsive to the site and the surrounding area

1.2 Requirements

A development:

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

If a zone or a schedule to a zone, or a schedule to an overlay specifies a requirement different from a requirement of a standard set out in Clause 58 (excluding Clause 58.04-1), the requirement in Clause 58 applies.

For Clause 58.04-1 (Building setback):

- If a zone or a schedule to a zone specifies a building setback requirement different from a requirement set out in Clause 58.04-1, the building setback requirement in the zone or a schedule to the zone applies.
- If the land is included in an overlay and a schedule to the overlay specifies a building setback requirement different from the requirement set out Clause 58.04-1 or a requirement set out in the zone or a schedule to the zone, the requirement for building setback in the overlay applies.

1.3 Definition

An Apartment is defined in Clause 73.01 as:

- A dwelling located above the ceiling level or below the floor level of another dwelling and is part of a building containing two or more dwellings.

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Clause 58.02 – Neighbourhood Character and Infrastructure

Clause 58.02-1 – Urban Context Objectives

Objectives To ensure that the design responds to the existing urban context or contributes to the preferred future development of the area.
To ensure that development responds to the features of the site and the surrounding area.

Achieved

Standard D1 The design response must be appropriate to the urban context and the site.
The proposed design must respect the existing or preferred urban context and respond to the features of the site.

Complies with the standard

Clause 58.02-1 – Urban Context Objectives Assessment

The proposal represents a considered design response to the Site and its immediate context as well as its wider surrounds and is consistent with the intended development outcomes for the Brunswick Activity Centre. The proposal responds to the built form and density outcomes sought by its zone (Commercial 1 Zone – C1Z) and the Design and Development Overlay – Schedule 18 (DDO18) by implementing a high quality design based on the Assemble Futures model delivering a mid-rise development that respects and enhances the local context.

The proposal incorporates street walls and efficient stepping of upper level setbacks that expertly complement the Site's varied heritage fabric and a material palette that reflects the local vernacular. The siting of the four buildings in accordance with development rights accrued under the existing permit on the Site complements the proportions of the existing heritage chimney and two cottages on-site.

With regard to site context, the proposal responds to its surrounding street and laneway network by providing a high quality public realm enhanced by providing a new network of four landscaped laneways that maximise prominent views of the heritage chimney and easy access between the train station and Sydney Road via the publicly accessible central courtyard, activated fine grain streets and various laneways.

Please refer to the Planning Report prepared by Tract and Design Report prepared by Fieldwork for further clarification.

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Clause 58.02-2 – Residential Policy Objectives

Objectives To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.
To support higher density residential development where development can take advantage of public and community infrastructure and services.

Achieved

Standard D2 An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.

Complies with the standard

Clause 58.02-2 – Residential Policy Objectives Assessment

Chapter 5 of the Planning Report (prepared by Tract) outlines the compliance of the proposal with the provisions relating to housing set out in the Merri-bek Planning Scheme. In summary, the proposal provides a higher density housing product in an identified area for significant change under Council's Housing Framework Plan, as it has excellent access to public transport, community infrastructure, services and amenity in a location that is suited to accommodating this scale of residential built form.

Refer to Planning Report prepared by Tract for further clarification.

Clause 58.02-3 – Dwelling Diversity Objectives

Objectives To encourage a range of dwelling sizes and types in developments of ten or more dwellings.

Achieved

Standard D3 Developments of ten or more dwellings should provide a range of dwelling sizes and types, including dwellings with a different number of bedrooms.

Complies with the standard

Clause 58.02-3 – Dwelling Diversity Objectives Assessment

The amended proposal provides for a total of 284 dwellings comprising 25 x studios, 85 x one-bedroom dwellings, 137 x two-bedroom dwellings and 37 x three-bedroom dwellings, all ranging in size (46sqm to 141sqm) and typology, with an emphasis on providing functional floorplans with access to daylight and outlook. Importantly, the proposal offers a diversity of dwellings in the context of the broader residential offering in the City of Merri-bek. Under the Assemble Futures model, well designed, more efficient and affordable typologies are provided including a greater proportion of studios and three-bedroom units compared to the standard market offering.

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Clause 58.02-4 – Infrastructure Objectives

Objectives To ensure development is provided with appropriate utility services and infrastructure.
To ensure development does not unreasonably overload the capacity of utility services and infrastructure.

Achieved

Standard D4 Development should be connected to reticulated services, including reticulated sewerage, drainage and electricity, if available. Connection to a reticulated gas service is optional.
Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.
In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.

Complies with the standard

Clause 58.02-4 – Infrastructure Objectives Assessment

The proposal will be connected to existing services and there is no evidence to suggest that such services are at capacity. The proposal will also generate its own electricity through on-site solar PV panels.

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Clause 58.02-5 – Integration with the Street Objectives

Objectives To integrate the layout of development with the street.
To support development that activates street frontage.

Achieved

Standard D5 Development should be oriented to front existing and proposed streets.

Along street frontage, development should:

- Incorporate pedestrian entries, windows, balconies or other active spaces.
- Limit blank walls.
- Limit high front fencing, unless consistent with the existing urban context.
- Provide low and visually permeable front fences, where proposed.
- Conceal car parking and internal waste collection areas from the street.

Development next to existing public open space should be designed to complement the open space and facilitate passive surveillance.

Complies with the standard

Clause 58.02-5 – Integration with the Street Objectives Assessment

The proposal has been designed to activate and integrate with Victoria, Rosser and Wilkinson Streets as well as the Upfield shared path and station. The large industrial and vacant frontages of the Site (recently demolished) provide significant opportunities for improvement. Reflecting the surrounding context, a fine grain streetscape is proposed with sitting areas throughout, large areas of glazing facing the street, awnings overhead for shelter, and balconies above for passive surveillance.

Notably, the development provides four additional public pedestrian laneways in north-south and east-west directions to connect Key Pedestrian Streets and the Upfield Line. This ensures permeability through the Site and to all frontages and clear sky views of the heritage chimney as a key landmark and wayfinding tool. These passive and informal pedestrian linkages are characteristic of the way people move through the Brunswick Activity Centre and provide an important character element and sense of discovery.

Victoria Street is a Key Pedestrian Street which will be highly activated by fine grain retail including the additional parcel ensuring activation from Sydney Road all the way to the train station including seating and canopy cover under this proposal. The Upfield interface is intended to also be activated by retail providing connectivity and surveillance to the path, sight lines of the station through the lobbies of buildings 3 and 4. Ultimately, the LXP's elevated rail and public realm changes are expected to result in high quality outcomes and further links to the west.

Whilst retail is provided to activate the Upfield interface, commercial uses are proposed to sensitively activate frontages towards Wilkinson and Rosser Streets. The retention of the Rosser Street cottages for community use adds a further heritage connection and activation at street level, including new street trees whilst a single laneway here ensures a safer public realm and clear lines of sight.

Consolidated crossovers promote human-scale prioritisation and the laneways with overhead arbours as clear welcoming entries to the site. Vehicular access will be limited to the basement driveway on Victoria Street.

The varied street wall heights including soft mesh framing towards Rosser and Wilkinson Streets provide a transition in the built form to provide visual interest and ensure it does not present as overwhelming or visually dominant to the street.

For the above reasons, the proposal is considered to meet and exceed the requirements of this standard.

Clause 58.03-1 – Energy Efficiency Objectives

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

Achieved

Standard D6 Buildings should be:

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

Living areas and private open space should be located on the north side of the development, if practicable.
 Developments should be designed so that solar access to north-facing windows is optimised.
 A dwelling located in a climate zone identified in Table D1 should not exceed the specified maximum NatHERS annual cooling load specified in the following table

NatHERS Climate Zone	NatHERS Maximum Cooling Load (MJ/M ² per annum)
Climate Zone 21 Melbourne	30
Climate Zone 22 East Sale	22
Climate Zone 27 Mildura	69
Climate Zone 60 Tullamarine	22
Climate Zone 62 Moorabbin	21
Climate Zone 63 Warrnambool	21
Climate Zone 64 Cape Otway	19
Climate Zone 66 Ballarat	23

Table B4 Cooling Load
 Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy)

Complies with the standard

Clause 58.03-1 – Energy Efficiency Objectives Assessment

Energy efficient design is a key ingredient of the Assemble Futures model as it also relates to ongoing affordability and net-zero operational emissions.

The proposal is targeting a NatHERS average thermal performance target for all residences of at least 7.5 stars. High-performance double-glazing placement and sizing is carefully managed to reduce unwanted heat gain and heat loss, while maximising natural light to habitable spaces ensuring apartments maintain a cooling load average of approximately 17MJ/M² per annum. Sun shading is also provided where required by orientation.

Refer to the SMP prepared by HIP V. Hype for further clarification.

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Clause 58.03-2 – Communal Open Space Objective

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

Achieved

Standard D7 A development of 10 or more dwellings should provide a minimum area of communal outdoor open space of 30 square metres.

If a development contains 13 or more dwellings, the development should also provide an additional minimum area of communal open space of 2.5 square metres per dwelling or 220 square metres, whichever is the lesser. This additional area may be indoors or outdoors and may consist of multiple separate areas of communal open space.

Each area of communal open space should be:

- Accessible to all residents.
- A useable size, shape and dimension.
- Capable of efficient management
- Located to:
 - Provide passive surveillance opportunities, where appropriate.
 - Provide outlook for as many dwellings as practicable.
 - Avoid overlooking into habitable rooms and private open space of new dwellings.
 - Minimise noise impacts to new and existing dwellings.

Any area of communal outdoor open space should be landscaped and include canopy cover and trees.

Complies with the standard

Clause 58.03-2 – Communal Open Space Objective Assessment

The requirement for communal open space under the standard would be for 250sqm. The proposal provides a series of communal rooftop terraces which total 376sqm in area, substantially exceeding the statutory requirements. This comprises the following spaces:

- Building 1 communal roof terrace with outlook over Victoria Street and the west (88sqm).
- Building 2 communal roof terrace and laundry area with outlook over Victoria and Rosser Streets (121sqm).
- Building 3 communal roof terrace and laundry area with outlook over Rosser Street (99sqm).
- Building 4 communal roof terrace and laundry area with outlook over the Upfield interface (68sqm).

All rooftop communal spaces are cohesively designed to form a key component of each building and are located for practical and easy access for all residents, while maintaining solar access, outlook and ensuring appropriate wind conditions. The rooftop terraces are designed to be equitably distributed throughout the development to assist in fostering a sense of community within individual buildings.

In addition to the above, the development also benefits from Assemble Community spaces (250sqm) and an extensive public realm network of landscaped and fully pedestrianised spaces that will assist in offering opportunities for recreation and connection to the outdoors for future residents, while also being accessible to the wider Brunswick community.

Refer to Architectural Plans prepared by Fieldwork and Landscape Plans prepared by MALA for further details.

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Clause 58.03-3 – Solar Access to Communal Outdoor Open Space Objective

Objectives To allow solar access into communal outdoor open space.

Achieved

Standard D8 The communal outdoor open space should be located on the north side of a building, if appropriate. At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.

Complies with the objective

Clause 58.03-3 – Solar Access to Communal Outdoor Open Space Objective Assessment

The benefits of a large, consolidated site and main road to the north allow the four roof terraces to receive significant solar access for residents, with two located along the northern frontage ensuring compliance is achieved. While the proposal does not incorporate a single 'primary' outdoor space, each of the four terraces is generously sized to allow for the recreational needs of residents, in addition to the public laneways and plaza provided at ground level.

Refer to Architectural Plans prepared by Fieldwork and Landscape Plans prepared by MALA for further details.

Clause 58.03-4 – Safety Objective

Objectives To ensure the layout of development provides for the safety and security of residents and property.

Achieved

Standard D9 Entrances to dwellings should not be obscured or isolated from the street and internal accessways. Planting which creates unsafe spaces along streets and accessways should be avoided. Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways. Private spaces within developments should be protected from inappropriate use as public thoroughfares.

Complies with the standard

Clause 58.03-4 – Safety Objective Assessment

The pedestrian laneways have been specifically designed to avoid dark corners and dead end alleys. The highly permeable Site with extensive sight lines throughout and from exposed stair core above seek to provide a safe public realm.

The proposal has balanced the provision of ground floor pedestrian thoroughfares, commercial and retail spaces with the need to provide safety and security to residents. Access to the ground floor lobbies and bike storage has been designed with clear sight lines to be highly visible ensuring maximised safety and security. The fine grain nature of the proposal, residential balconies and windows and extensive ground plane activation promote strong surveillance of the streetscape. Appropriate levels of light will be provided within the common walkways and car parking areas.

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Clause 58.03-5 – Landscaping Objectives

- Objectives**
- To provide landscaping that supports the existing or preferred urban context of the area and reduces the visual impact of buildings on the streetscape.
 - To preserve existing canopy cover and support the provision of new canopy cover.
 - To ensure landscaping is climate responsive, supports biodiversity, wellbeing and amenity and reduces urban heat.

Achieved

- Standard D10**
- Development should retain existing trees and canopy cover
- Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

Development should:

- Provide the canopy cover and deep soil areas specified in Table D2. Existing trees can be used to meet the canopy cover requirements of Table D2.
- Provide canopy cover through canopy trees that are:
 - Located in an area of deep soil specified in Table D3. Where deep soil cannot be provided trees should be provided in planters specified in Table D3.
 - Consistent with the canopy diameter and height at maturity specified in Table D4.
 - Located in communal outdoor open space or common areas or street frontages.
- Comprise smaller trees, shrubs and ground cover, including flowering native species.
- Include landscaping, such as climbing plants or smaller plants in planters, in the street frontage and in outdoor areas, including communal outdoor open space.
- Shade outdoor areas exposed to summer sun through landscaping or shade structures and use paving and surface materials that lower surface temperatures and reduce heat absorption.
- Be supported by irrigation systems which utilise alternative water sources such as rainwater, stormwater and recycled water.
- Protect any predominant landscape features of the area.
- Take into account the soil type and drainage patterns of the site.
- Provide a safe, attractive and functional environment for residents.
- Specify landscape themes, vegetation (location and species), irrigation systems, paving and lighting.

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

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

Table D2 Canopy cover and deep soil requirements

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

Table D3 Soil requirements for trees

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

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

Table D4 Tree types

Complies with the objective

Clause 58.03-5 – Landscaping Objectives Assessment

By refining the principles of the accrued development rights, the proposal continues to demonstrate strong alignment with the updated Clause 58.03-5 objectives by providing for a series of well-designed landscaping spaces that complement the built form and is climate responsive, supports biodiversity, wellbeing and amenity and reduces urban heat. It is noted that the significant retention of heritage assets and high quality pedestrian links limits further in ground planting.

The proposal provides for appropriate landscaping opportunities given its site context and site area (7,307sqm), which would fall under the '2,500sqm or more category' of Standard D10 which sets a canopy cover requirement of 350sqm plus 20% of site area above 2,500sqm and at least 2 Type B trees or 1 Type C tree, with 15% deep soil area. This equates to 1,311sqm of canopy cover and 1,096sqm of deep soil for the Site. The siting of the deep soil area is aligned to the east-west laneway and central courtyard which has been designed to take on an informal and organic character 'where alfresco dining spaces give way to an eroded landscape of ruins and wetland' allowing for more diverse interaction with the natural environment than would typically be found in an urban renewal project of this nature.

The Landscape Plan prepared by MALA complements the generous ground floor and rooftop open space and includes deep soil planting areas of 512sqm, excluding heritage zones. This represents a sizeable 46% of the deep soil compliance requirement. Further opportunities for planting continues on the upper floors through pergola structures, vertical creepers, terraces, balconies and shared rooftop pavilions to result in a landscape outcome that will support the recreational needs of residents and improves canopy cover.

Clause 58.03-6 – Access Objective

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

Achieved

Standard D11 Vehicle crossovers should be minimised.
Car parking entries should be consolidated, minimised in size, integrated with the façade and where practicable located at the side or rear of the building.
Pedestrian and cyclist access should be clearly delineated from vehicle access.
The location of crossovers should maximise pedestrian safety and the retention of on-street car parking spaces and street trees.
Developments must provide for access for service, emergency and delivery vehicles.

Complies with the standard

Clause 58.03-6 – Access Objective Assessment

A basement car park is proposed with a single point of access and egress via a Victoria Street crossover that includes bus stop, train and traffic considerations. This consolidates the five previous crossovers promoting a highly pedestrianised and bike friendly ground plane across the rest of the Site.

Service, emergency and delivery vehicles will still be able to access the Site from main streets to the north or south.

Clause 58.03-7 – Parking Location Objectives

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

Achieved

Standard D12 Car parking facilities should:

- Be reasonably close and convenient to dwellings.
- Be secure.
- Be well ventilated if enclosed.

Shared accessways or car parks of other dwellings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.

Complies with the standard

Clause 58.03-7 – Parking Location Objectives Assessment

The proposal includes car parking facilities within a secure basement avoiding the use of a stacker system. These spaces are accessible via internal corridors, secure and well ventilated, complying with this Standard.

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Clause 58.03-8 – Integrated Water and Stormwater Management Objectives

Objectives To encourage the use of alternative water sources such as rainwater, stormwater and recycled water.
To facilitate stormwater collection, utilisation and infiltration within the development.
To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.

Achieved

Standard D13 Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use.
Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.
The stormwater management system should be:

- Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater – Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee 1999) as amended.
- Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.

Complies with the standard

Clause 58.03-8 – Integrated Water and Stormwater Management Objectives Assessment

The proposal includes provision of a 100,000 kilolitre rainwater tank to collect roof runoff and to be connected to all toilets for flushing and for irrigation. The proposal achieves a STORM score of 100%.

As outlined in the Planning Report prepared by Tract, the Water Sensitive Urban Design (WSUD) strategy proposes proprietary stormwater devices in lieu of a small central raingarden due to significant site complexity preventing natural outfall, basement constraints, excessive pumping and duplication of equipment to enable a tokenistic raingarden, viability and maintenance, impacts to the fine grain public realm and water quality outcomes.

Refer to SMP prepared by HIP V. Hype for further information.

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Clause 58.04 – Amenity Impacts

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Clause 58.04-1 – Building Setback Objectives

Objectives	To ensure the setback of a building from a boundary appropriately responds to the existing urban context or contributes to the preferred future development of the area. To allow adequate daylight into new dwellings. To limit views into habitable room windows and private open space of new and existing dwellings. To provide a reasonable outlook from new dwellings. To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents.
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Achieved

Standard D14	The built form of the development must respect the existing or preferred urban context and respond to the features of the site. Buildings should be set back from side and rear boundaries, and other buildings within the site to: <ul style="list-style-type: none">• Ensure adequate daylight into new habitable room windows.• Avoid direct views into habitable room windows and private open space of new and existing dwellings. Developments should avoid relying on screening to reduce views.• Provide an outlook from dwellings that creates a reasonable visual connection to the external environment.• Ensure the dwellings are designed to meet the objectives of Clause 58.
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Complies with the standard

Clause 58.04-1 – Building Setback Objectives Assessment

The development generally maintains the accrued building envelope and setbacks with moderate consolidation of the building's stepped forms or 'wedding cake' outcomes. This is intended to reduce visual built form complexity with fewer setbacks and modulation to the façade whilst ensuring there is still multiple setbacks on each interface to remain sympathetic and provide 'broken down' urban forms as viewed from the street. The changing context of the surrounds is well documented with a range of similar medium mixed-use developments in planning, construction or having been built since the original permit for this Site.

The changing proposed interface along Rosser Street from a future public open space to affordable housing development by Council has provided the opportunity for a considered minor massing increase to upper levels on the eastern interface. However, latest detailed design of this interface has sought to slightly increase upper level setbacks to provide visual relief at this interface.

The DDO18 requirements of 1 metre setback to the Upfield Shared Path has been incorporated, whilst a 5 metre upper level setback applies to the main façade line and 1:1 ratio of building height to distance across Victoria Street. This ensures a well-integrated design outcome for this key frontage as opposed to narrow standalone future developments were these lots developed separately. Layouts have been rationalised to address the Assemble Futures housing typologies and be more efficient whilst achieving dual aspect living in a high proportion of all dwellings.

The new southern laneway has been designed to increase the setback to the neighbouring Site, whilst being cognisant of improving current overlooking and ensuring equitable future development outcomes are provided.

Please refer to the Architectural Plans by Fieldwork and the daylight analysis as part of the SMP by HIP V. Hype for demonstration of compliance.

Clause 58.04-2 – Internal Views Objective

Objectives To limit views into the private open space and habitable room windows of dwellings within a development.

Achieved

Standard D15 Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the private open space of a lower-level dwelling directly below and within the same development.

Complies with the standard

Clause 58.04-2 – Internal Views Objective Assessment

Apartments have been designed to ensure that windows and balconies avoid overlooking more than 50 per cent of the private open space of a lower-level dwelling directly below. Furthermore, building separation distances and provision of inset planter boxes avoid the need for privacy screening to minimise views within a 9m radius.

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Clause 58.04-3 – Noise Impacts

Objectives To contain noise sources in developments that may affect existing dwellings.
To protect residents from external and internal noise sources.

Achieved

Standard D16 Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.
The layout of new dwellings and buildings should minimise noise transmission within the site.
Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.
New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.
Buildings within a noise influence area specified in Table D3 should be designed and constructed to achieve the following noise levels:

- Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
- Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.

Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.
Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.
Note: The noise influence area should be measured from the closest part of the building to the noise source.

Noise Source	Noise Influence Area
Zone Interface	
Industry	300 metres from the Industrial 1, 2 and 3 zone boundary
Roads	
Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume	300 metres from the nearest trafficable lane
Railways	
Railway servicing passengers in Victoria	80 metres from the centre of the nearest track
Railway servicing freight outside Metropolitan Melbourne	80 metres from the centre of the nearest track
Railway servicing freight in Metropolitan Melbourne	135 metres from the centre of the nearest track

Table D3 Noise Influence Area

Complies with the standard

Clause 58.04-3 – Noise Impacts Assessment

The development has been designed with specific regard to acoustics noting its proximity to the Upfield Railway primarily and to a lesser extent, remnant industrial land uses to the west. Refer to the Acoustic Report which has been prepared by Acoustic Logic, which recommends glazing and other initiatives to protect residents from off-site noise sources. Internal noise impacts will be addressed during the detailed design phase of the project.

Clause 58.04-4 – Wind Impacts Objective

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

Achieved

Standard D17

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

- not cause unsafe wind conditions specified in Table D6 in public land, publicly accessible areas on private land, private open space and communal open space; and
- achieve comfortable wind conditions specified in Table D6 in public land and publicly accessible areas on private land

within a distance of half the greatest length of the building, or half the total height of the building measured outwards on the horizontal plane from the ground floor building façade, whichever is greater. Trees and landscaping should not be used to mitigate wind impacts. This does not apply to sitting areas, where trees and landscaping may be used to supplement fixed wind mitigation elements.

Wind mitigation elements, such as awnings and screens should be located within the site boundary, unless consistent with the existing urban context or preferred future development of the area.

Unsafe

Annual maximum 3 second gust wind speed exceeding 20 metres per second with a probability of exceedance of 0.1% considering at least 16 wind directions.

Comfortable

Hourly mean wind speed or gust equivalent mean speed (3 second gust wind speed divided by 1.85), from all wind directions combined with probability of exceedance less than 20% of the time, equal to or less than:

- 3 metres per second for sitting areas,
 - 4 metres per second for standing areas,
 - 5 metres per second for walking areas
-

Table D6 Wind Conditions

Complies with the standard

Clause 58.04-4 – Wind Impacts Objective Assessment

A wind impact assessment has been prepared by Vipac which details how design features such as arbours, setback entrances, landscaping, setback tower design and other features have been included to manage wind impacts in accordance with the requirements of the standard.

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Clause 58.05 – On Site Amenity and Facilities

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Clause 58.05-1 – Accessibility Objective

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

Achieved

Standard D18

At least 50 per cent of dwellings should have:

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

	Design option A	Design Option B
Door Opening	A clear 850mm wide door opening	A clear 820mm wide door opening located opposite the shower
Door Design	Either: <ul style="list-style-type: none"> • A slide door, or • A door that opens outwards, or • A door that opens inwards that is clear of the circulation area and has readily removable hinges 	Either: <ul style="list-style-type: none"> • A slide door, or • A door that opens outwards, or • A door that opens inwards and has readily removable hinges
Circulation Area	A clear circulation area that is: <ul style="list-style-type: none"> • A minimum area of 1.2 meters by 1.2 meters • Located in front of the shower and the toilet • Clear of the toilet, basin and the door swing <p>The circulation area for the toilet and shower can overlap</p>	A clear circulation area that is: <ul style="list-style-type: none"> • A minimum width of 1 meter • The full length of the bathroom and a minimum length of 2.7 meters • Clear of the toilet and basin <p>The circulation area can include a shower area</p>
Path to Circulation Area	A clear path with a minimum width of 900mm from the door opening to the circulation area	Not applicable
Shower	A hobless (step-free) shower	A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening
Toilet	A toilet located in the corner of the room	A toilet located closest to the door opening and clear of the circulation area

Table D7 Bathroom Design

Complies with the standard

Clause 58.05-1 – Accessibility Objective Assessment

76% and 64% of the yield meets the 1.2m path, and adaptable bathroom, requirements respectively which exceeds Standard D18.

Clause 58.05-2 – Building Entry and Circulation Objectives

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

Achieved

Standard D19 Entries to dwellings and buildings should:

- Be visible and easily identifiable.
- Provide shelter, a sense of personal address and a transitional space around the entry.

The layout and design of buildings should:

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

Complies with the standard

Clause 58.05-2 – Dwelling Entry Objectives Assessment

The proposal is consistent with the standard as follows:

- All ground floor residential entries are clearly identifiable, with canopy cover and glazing clearly differentiating them from entries and service windows to retail and office tenancies, including arched entries.
 - Easily accessible yet secure lobbies, bike storage and stairwells have been designed to maximise sight lines from the exterior to promote daylight and safety benefits for residents.
 - Exposed open-air stairs are proposed with neighbourhood views to encourage the use of stairs in lieu of lifts. This will also support street activation, provide visual interest and passive surveillance over the street.
-

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Clause 58.05-3 – Private Open Space Objective

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

Achieved

Standard D20

A dwelling should have private open space consisting of at least one of the following:

- An area at ground level of at least 25 square metres, with a minimum dimension of 3 metres and convenient access from a living room.
- A balcony with at least the area and dimensions specified in Table D8 and convenient access from a living room.
- An area on a podium or other similar base of at least 15 square metres, with a minimum dimension of 3 metres and convenient access from a living room.
- An area on a roof of 10 square metres, with a minimum dimension of 2 metres and convenient access from a living room.

If a cooling or heating unit is located on a balcony, the minimum balcony area specified in Table D8 should be increased by at least 1.5 square metres.

If the finished floor level of a dwelling is 40 metres or more above ground level, the requirements of Table D8 do not apply if at least the area specified in Table D9 is provided as living area or bedroom area in addition to the minimum area specified in Table D11 or Table D12 in Standard D25.

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

Table D8 Balcony Size

Dwelling Type	Additional area
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Studio or 1 bedroom dwelling	8 square metres
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2 bedroom dwelling	8 square metres
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3 or more bedroom dwelling	12 square metres
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Table D9 Additional living area or bedroom area

Complies with the standard

Clause 58.05-3 – Private Open Space Objective Assessment

Private open space compliance has been achieved for all dwellings through the provision of balconies which take advantage of the overall building design and dual living nature of the proposal. All apartments are provided balcony areas that meet or exceed the requirements of the standard.

Clause 58.05-4 – Storage Objective

Objectives To provide adequate storage facilities for each dwelling.

Achieved

Standard D21 Each dwelling should have convenient access to usable and secure storage space. The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table D10.

Dwelling Type	Total Minimum Storage Volume	Minimum Storage Volume within the Dwelling
Studio	8 cubic metres	5 cubic metres
1 bedroom dwelling	10 cubic metres	6 cubic metres
2 bedroom dwelling	14 cubic metres	9 cubic metres
3 or more bedroom dwelling	18 cubic metres	12 cubic metres

Table D10 Storage

Complies with the standard

Clause 58.05-4 – Storage Objective Assessment

All dwelling typologies comply with both the overall minimum storage volume and the minimum storage volume within the dwelling requirements.

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Clause 58.06 – Detailed Design

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Clause 58.06-1 – Common Property Objectives

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

Achieved

Standard D22 Developments should clearly delineate public, communal and private areas.
Common property, where provided, should be functional and capable of efficient management.

Complies with the standard

Clause 58.06-1 – Common Property Objectives Assessment

The Assemble Futures (Build-to-Rent-to-Own) model is unique in that the developer holds a long-term interest in the Site backed by institutional super investors, similar to previous sites such as the award-winning Albemarle Street Kensington, also focused on longer perspectives compared to a typical build-to-sell or ‘hands off’ short-term approach.

On-site, this means an ongoing Assemble presence and genuine ownership of the Site to assist residents generally, support on their homeownership journey and management of communal areas. This will ensure the Site operates as intended, whilst maximising activation of key assets and allowing for flexible use such as the cottages’ communal uses to avoid them being left idle and the central Assemble café as a key heart of the proposal and touch point. Other key Assemble Spaces such as the parcel room, gym, bike storage and rooftop terraces will be clearly delineated as communal resident spaces.

Clause 58.06-2 – Site Services Objectives

Objectives To ensure that site services are accessible and can be installed and maintained.
To ensure that site services and facilities are visually integrated into the building design or landscape.

Achieved

Standard D23 Development should provide adequate space (including easements where required) for site services to be installed and maintained efficiently and economically.
Meters and utility services should be designed as an integrated component of the building or landscape.
Mailboxes and other site facilities should be adequate in size, durable, water-protected, located for convenient access and integrated into the overall design of the development.

Complies with the standard

Clause 58.06-2 – Site Services Objectives Assessment

Sufficient space for services is provided within the development, with most services located in the basement such as waste, fire and hydraulics. Water services will be located on Wilkinson Street. The fire booster on Victoria Street has been left exposed at FRV’s request. The substation is proposed to front Rosser Street to address Citipower requirements, noting this replaces the existing on-site kiosk substation located behind the heritage cottages. Each building will have its own address and parcel room enabling easy access by Australia Post. Other building services have been designed to blend in with the buildings.

Clause 58.06-3 – Waste and Recycling Objectives

Objectives To ensure dwellings are designed to encourage waste recycling.
To ensure that waste and recycling facilities are accessible, adequate and attractive.
To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.

Achieved

**Standard
D24**

Developments should include dedicated areas for:

- Waste and recycling enclosures which are:
 - Adequate in size, durable, waterproof and blend in with the development.
 - Adequately ventilated.
 - Located and designed for convenient access by residents and made easily accessible to people with limited mobility.
- Adequate facilities for bin washing. These areas should be adequately ventilated.
- Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.
- Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.
- Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.
- Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.

Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and:

- Be designed to meet the better practice design options specified in *Waste Management and Recycling in Multi-unit Developments* (Sustainability Victoria, 2019).
 - Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.
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Complies with the standard

Clause 58.06-3 – Waste and Recycling Objectives Assessment

The amended proposal has been designed in accordance with a Waste Management Plan (WMP) prepared by Traffix Group, based on separate waste chutes in the basement for general waste, recycling and organic waste. The Closed Loop Composter will reduce organic waste volume and save waste transport costs and emissions. General waste and recycling bins are located within waste rooms at basement level and waste collection is proposed via a private contractor. Building management will promote waste avoidance, reuse and recycling to all residents and tenants. Separate waste streams will be built into kitchen joinery, making it easier for residents to divert waste from landfill.

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Clause 58.06-4 – External Walls and Materials Objectives

Objectives To ensure external walls use materials appropriate to the existing urban context or preferred future development of the area.
To ensure external walls endure and retain their attractiveness.

Achieved

Standard D25 External walls should be finished with materials that:

- Do not easily deteriorate or stain.
- Weather well over time.
- Are resilient to the wear and tear from their intended use.

External wall design should facilitate safe and convenient access for maintenance

Complies with the standard

Clause 58.06-4 – External Walls and Materials Objectives Assessment

The Design Report prepared by Fieldwork provides the following summary of the proposed material palette, which is intended to provide a contemporary response to Brunswick’s post-industrial heritage while incorporating coloured elements referencing the diversity of its shopfront treatments:

The material palette draws inspiration from the surrounding character, with recycled brick, timber-framed windows, tiled shopfronts, timber decks and galvanized steel pergolas punctuating an honest and robust concrete structure. Colours help distinguish each building, complementing their subtly varied massing with a colour theme running from the tiled shopfronts and recycled brick streetscapes up to mineral-painted concrete podiums and matching coloured metalwork. As with the massing, the intensity and saturation of the colours lightens on the upper levels, but is still subtly present to a distant viewer.

The proposed material palette relies on durable materials emphasising recycled bricks, tiling, galvanised metal treatments, timber and coloured concrete and precast to ensure that the building will age gracefully and facilitate simple maintenance.

Refer to the Architectural Plans prepared by Fieldwork for further detail.

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Clause 58.07 – Internal Amenity

Clause 58.07-1 – Functional Layout Objective

Objectives To ensure dwellings provide functional areas that meet the needs of residents.

Achieved

Standard D26 Bedrooms should:

- Meet the minimum internal room dimensions specified in Table D11.
- Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.

Dwelling Type	Minimum Width	Minimum Depth
Main bedroom	3 metres	3.4 metres
All other bedrooms	3 metres	3 metres

Table D11 Bedroom Dimensions

Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table D12.

Dwelling Type	Minimum Width	Minimum Area
Studio and 1 bedroom dwelling	3.3 metres	10 square metres
2 or more bedroom dwelling	3.6 metres	12 square metres

Table D12 Living Area Dimensions

Complies with the objective

Clause 58.07-1 – Functional Layout Objective Assessment

All dwellings meet the internal bedroom and living minimum dimensions within this Standard, except for the three instances of Type S07 altered in Building 2 as a result of the stair core relocation. Whilst these three studios now have a minor non-compliance with a 3x3.31m bedroom, this is clearly offset by the rotated layout to provide dual aspect amenity benefits to these bedrooms.

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Clause 58.07-2 – Room Depth Objective

Objectives To allow adequate daylight into single aspect habitable rooms.

Achieved

Standard D27 Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height. The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:

- The room combines the living area, dining area and kitchen.
- The kitchen is located furthest from the window.
- The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen.

The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.

Complies with the objective

Clause 58.07-2 – Room Depth Objective Assessment

The proposal provides a high level of daylight into habitable rooms thanks to siting, design and a high proportion of dual aspect typologies. HIP V. Hype’s daylight report within the SMP demonstrates 93% of bedrooms and 83% of living rooms across the development exceeding minimum daylight requirements under BESS guidelines.

Fieldwork’s BADS assessment demonstrates all apartment typologies are either meeting the maximum 9m depth or are otherwise provided a dual aspect living area. With respect to Types S06 and A01, these single-aspect typologies have a room depth of 9 metres, noting its combined living and kitchen location furthest from the window. The typologies exceed relevant requirements in relation to functional layout and accessibility, and the additional room depth therefore provides additional amenity by way of a more generous layout and larger kitchen and dining area, as well as by ensuring light to the primary space is maximised.

The proposal therefore complies with the objective.

Clause 58.07-3 – Windows Objective

Objectives To allow adequate daylight into new habitable room windows.

Achieved

Standard D28 Habitable rooms should have a window in an external wall of the building. A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky. The secondary area should be:

- A minimum width of 1.2 metres.
- A maximum depth of 1.5 times the width, measured from the external surface of the window.

Complies with the standard

Clause 58.07-3 – Windows Objective Assessment

All habitable rooms have generously proportioned windows in external walls of the buildings to maximise daylight access and no windows are provided via snorkels.

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Clause 58.07-4 – Natural Ventilation Objectives

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

Achieved

Standard D29 The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.
At least 40 per cent of dwellings should provide effective cross ventilation that has:

- A maximum breeze path through the dwelling of 18 metres.
- A minimum breeze path through the dwelling of 5 metres.
- Ventilation openings with approximately the same area.

The breeze path is measured between the ventilation openings on different orientations of the dwelling.

Complies with the standard

Clause 58.07-4 – Natural Ventilation Objectives Assessment

The proposal matches the Standard by providing 41% of dwellings with the requisite cross ventilation.

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