

Date

8 April 2026

To

Lachlan Forsyth
Director, Energy and Infrastructure Assessment
State Planning Assessment Facilitation

Address

Department of Transport and Planning
GPO Box 2392
Melbourne, VIC 3001

Lodged

Via online portal

cc. *Taylor Alley*

Dear Lachlan,

Development Facilitation Program PPA-990**188-202 Swan Street, Cremorne**

We continue to act for **188 Swan Street Holdings Pty Ltd** as town planning consultants. On behalf of our client, we enclose an application for a Planning Permit pursuant to Clause 53.23 (Significant Residential Development with Affordable Housing) of the Yarra Planning Scheme.

The proposal meets the eligibility criteria outlined within Clause 53.23 as follows:

- The proposed development is accommodation
- The estimated cost of the proposed development exceeds \$50 million, and this is verified in the enclosed report prepared by a qualified quantity surveyor
- The application includes an affordable housing report that demonstrates how the affordable housing contribution specified in Clause 53.23-4 is intended to be provided
- Feasibility information has been provided, and the proposed development has received written confirmation from Invest Victoria

We acknowledge the significant engagement with officers of the Department and Transport and Planning (DTP) Development Facilitation Program (DFP) undertaken to date.

The application for a Planning Permit is accompanied by the following information:

- Metropolitan Planning Levy Certificate;
- Title particulars;
- Architectural Material prepared by Cox Architecture;
- Urban Context Report prepared by Cox Architecture;
- 3D Digital model prepared by Cox Architecture;
- Town Planning Report prepared by Contour Consultants;
- Landscape Plan (incl. public realm plan) prepared by Oculus;
- Affordable housing report prepared by Affordable Development Outcomes;
- Site survey;
- Traffic Impact Assessment prepared by Traffix Group;
- Waste Management Plan prepared by Traffix Group;
- Green Travel Plan prepared by Traffix Group;

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- Acoustic Report prepared by Acoustic Logic;
- Environmental Wind Assessment prepared by MEL Consultants;
- Sustainability Management Plan (incl. daylight modelling and stormwater management plan) prepared by Wrap Engineering;
- Heritage Impact Assessment prepared by Bryce Raworth; and
- Letter from applicant in relation to future community use.

In response to the Project Eligibility Letter issued on 6 March 2026, please find below a response to the preliminary comments:

Preliminary Comments & Responses

Urban Design

Further design refinements should be included to address the recommendations contained in the email from DTP's urban design team dated 3 March 2026, summarised as follow:

Ground plane

- *Swap retail and lobby locations to improve sightlines from both streets.*
- *Deep soil and south-facing landscaping under the L1 cantilever is problematic; consider shifting the commercial footprint south, expanding the Railway Place public realm, redistributing planters, and providing off-site public realm upgrades/tree planting to offset limited on-site deep soil.*
- *Maintain a minimum 3.5 m clear pedestrian link, with landscaping recessed beyond this zone.*

Façade design

- *Further refine façade design and materials to reduce perceived bulk at the rear and in long-range skyline views, consistent with DDO26.*

Amenity

- *Resolve minor internal amenity constraints near the lift on levels 5–11.*
- *Provide a 4.5 m setback above the podium to the south-east where adjoining low-rise residential properties; carefully manage interim blank boundary walls.*

Contour Response

In response to the preliminary urban design comments relating to the ground plane, the proposal has been amended as follows:

- Increase residential lobby frontage to activate the north-south pedestrian link;
- Removal of landscape area in south-east corner of site, in favour of larger footprint of tenancy for community use offer;
- Addition of planters along the north-south pedestrian link, whilst maintaining a minimum 3.5m width at all points;
- Commercial footprint amended in south-east corner of site to improve useability of tenancy (which could be offered for community use).

In response to the preliminary urban design comments relating to façade design, the proposal has been amended as follows:

- Amendment to façade framing elements to provide a variation in colour along facades (refer Figure 1), including:
 - Beige coloured masonry elements with expressed horizontal elements and single height glazing along part of south, east and north façade
 - Burgundy coloured masonry elements expressing a double height presentation of glazing along part of south, west and north façade
- The colour variation is brought to ground along the pedestrian link and southern edge of the building (refer Figure 2).

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In response to the preliminary urban design comments relating to amenity, the proposal has been amended as follows:

- Screening devices are added to windows on Level 05 – Level 11 to ensure views from opposite balconies are minimised.
- In response to the advice relating to low rise residential interface to the west, the site and its adjoining properties are within a Commercial 1 Zone.

The adjoining property to the west (184-186 Swan Street) contains brick buildings used for commercial purposes fronting Swan Street and site photos indicate overgrown landscaping to the rear.

Notwithstanding the condition of the adjoining site, its current interface to the subject site is a two-storey blank brick wall (refer Figure 3). The proposal includes a two-storey boundary wall at the southern end of the western boundary for a length of 9.63m, and further inboard, a single storey wall with balcony above.

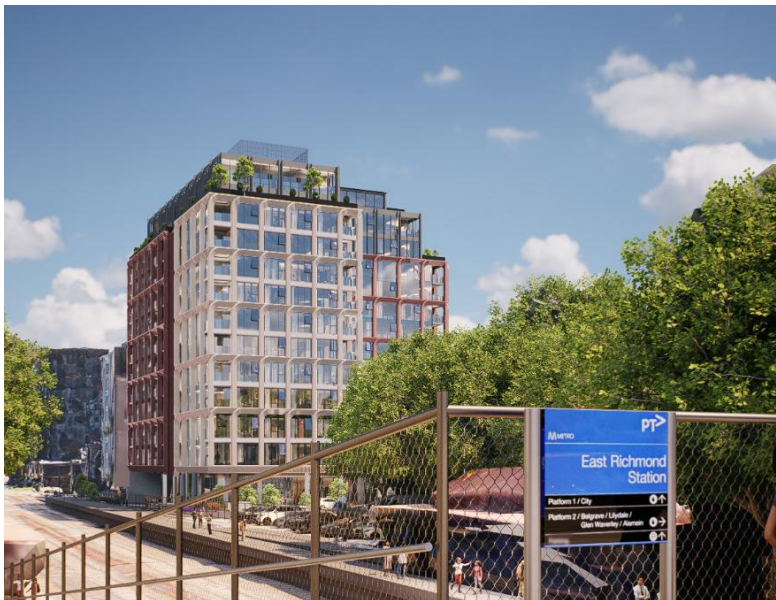


Figure 1 – South east view (Urban Context Report – Cox)



Figure 2 – South east view ground level (Urban Context Report – Cox)



Figure 3 – Adjoining property to the west (Site photos – Contour)

Better Apartment Design Standards (BADs) Compliance
Plans to demonstrate compliance with Better Apartments Design Standards.

Contour Response

The architectural package prepared by Cox includes updated diagrams that demonstrate compliance with the standards and objectives of Clause 58 of the Yarra Planning Scheme. The Clause 58 assessment provided as an attachment to the Contour Town Planning Report is updated to reflect the compliance assessment.

VicTrack comments

The project will need to consider the following VicTrack comments as appropriate:

- A construction management plan will need to be in place to limit risk to rail operations and rail infrastructure is required.
- A construction and control indemnity agreement may need to be entered into given the proximity to rail.
- Note the building is within 20 metres of the rail line and the AS5100 Crash Protection standards are applicable.
- Limiting disruption to pedestrian access to the rail underpass and its pedestrian connection to the rail station grounds will need to be considered.
- Lighting facing the rail corridor should be installed to not cause interference with driver sightlines.

Contour Response

Noted.

In response to the further information requested, please find below a response to each item:

Further Information	Contour Response
a. Confirmation of the preferred expiry condition for the staging of the proposal.	The development will not be staged.
b. Architectural drawings updated to show: <ul style="list-style-type: none"> i. Dimensions to confirm compliance with AS parking requirements. ii. Solar access / shadow plans for the proposed primary communal outdoor space between 9am and pm on 21 June. 	<ul style="list-style-type: none"> i. Typical dimensions are provided within the basement drawings, and these have been assessed by Traffix and determined acceptable. ii. Refer TP85-00. Compliance is demonstrated.

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<p>iii. <i>Shadow diagrams amended to show:</i></p> <ol style="list-style-type: none"> 1. <i>The location of existing habitable room windows and secluded private open space areas of surrounding properties.</i> 2. <i>Existing and proposed shadows cast onto the secluded private open space areas of surrounding dwellings on 22 September for 9am, 10am, 11am, 12pm, 1pm, 2pm and 3pm.</i> 3. <i>A table identifying the square metres of SPOS of the adjoining properties, or any property that experiences an increase in shadowing, with the SQM of unshadowed area noted for existing and proposed conditions throughout the day.</i> <p>iv. <i>Further ground plane public domain treatments adjacent to Railway Place to demarcate the pedestrian areas from the on-site parking spaces.</i></p> <p>v. <i>Details of the proposed land uses and location of windows along the eastern elevation of the buildings within 184 Swan Street.</i></p>	<p>iii. In relation to the shadow diagrams, it is noted:</p> <ol style="list-style-type: none"> 1. All overshadowing is minimised to properties within the Commercial 1 Zone. 2. Residentially zoned properties on the southern side of the railway line are unimpacted by way of overshadowing from the proposed building. <p>iv. Refer to the Public Realm Plan on Page 19 of the Landscape Report prepared by Oculus. The ground plane treatment includes variation in order to delineate pedestrian vs vehicle areas</p> <p>v. Refer to TP10-1002 which includes the site survey. Windows and doors are noted. The site is in a Commercial 1 Zone.</p>
<p>c. <i>The Landscape Plans and Town Planning Report should be updated to accurately reflect the proposed deep soil and canopy tree coverage calculations, and to address any discrepancies.</i></p>	<p>The Clause 58 assessment addresses this requirement.</p>
<p>d. <i>Revisions to the Acoustic Report to consider all land use (including live music) and any inter-industrial conflicts consequential to the intensification of land uses on the subject site.</i></p>	<p>An Acoustic Report prepared by Acoustic Logic is submitted, and includes an assessment of proximate live music venues, including noise measurement testing.</p>
<p>e. <i>Town Planning Report amended to include:</i></p> <ol style="list-style-type: none"> i. <i>Additional detail on proposed staging, including a preferred expiry condition and the contingency in place should individual stages not proceed (noting that eligibility has been granted on the basis of the full development being constructed).</i> ii. <i>Additional information pertaining to the community use.</i> 	<ol style="list-style-type: none"> i. Staging is not part of the application. ii. This is included in the proposal section of the Town Planning Report, and a letter from the applicant is enclosed within the submission.
<p>f. <i>Traffic Impact Statement amended to address:</i></p> <ol style="list-style-type: none"> i. <i>Updated car parking assessment which confirms compliance with the recently introduced car parking rates associated with Amendment VC277.</i> 	<p>The Traffic Impact Assessment submitted with the application addresses the amended car parking provisions within Clause 52.06 of the Yarra Planning Scheme.</p>
<p>g. <i>Clause 58 – Better Apartments Design Standards / BADs Assessment updated to address any inconsistencies between the Architectural Plans, Landscape Plans and Town Planning Report regarding the level of compliance with Clause 58.</i></p>	<p>This has been coordinated, and the submitted Clause 58 assessment addresses the proposal's compliance.</p>



We trust that the submitted application material is satisfactory and that the application can progress.

Should you require any further information, please contact the undersigned, or Mimi Nuciforo (mnuciforo@contour.net.au / 0434 162 717).

Yours sincerely,
Contour Consultants Australia Pty Ltd

A handwritten signature in blue ink, appearing to read 'Vaughan Connor'.

Vaughan Connor
Director

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