

24 Jessie Street and 19 Hall Street, Coburg

Planning Permit: PA2403141



Clause 53.23: Officer Assessment Report
Development Approvals & Design

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Department
of Transport
and Planning

OFFICIAL

Executive Summary



Key Information	Details		
DFP Application No:	DFP-340		
Application No:	PA2403141		
Received by DFP	13 October 2023		
Date lodged in POL	19 August 2024		
Statutory Days:	73 days		
Applicant:	Uniting Victoria and Tasmania c-/ Three Thirds		
Planning Scheme:	Merri-bek Planning Scheme		
Land Address:	24 Jessie Street and 19 Hall Street, Coburg		
Proposal:	Use and development of the land for a mixed-use development comprising of 75 dwellings and office, reduction in the car parking requirement, buildings and workings in the Heritage Overlay and remove an easement		
Development Value:	\$45,000,000		
Why is the Minister responsible?	In accordance with Clause 72.01 of the Merri-bek Planning Scheme, the Minister for Planning is the responsible Authority for an application for the use or development of land to which Clause 53.23 applies		
DFP eligibility criteria in accordance with 53.22	Category:	Category 3	
	Sector:	Residential	
	Land use:	Dwellings and Office	
	Location:	Merri-bek	
	Alignment with the DFP threshold/criteria:	Accepted to the DFP by the Minister for Planning in letter dated 28 June 2024	
	OVGA:	Memo dated 13 February 2024	
	Invest Victoria:	Letter dated 18 May 2024	
	Quantity Surveyor Report	Requirement waived. Accepted as Category 3 in letter from Minister for Planning and confirmed that the request is significant and eligible to apply for a permit under Clause 53.23. Report not required as a Condition for Category 3.	
Why is a permit required?	Clause	Control	Trigger
Zone:	32.09	Neighbourhood Residential Zone – Schedule 1	32.09-2: A permit is required to use land for the purpose of an Office (associated with Clause 53.23 use and development). 32.09-7: A permit is required to construct a residential building. Clause 32.09-10: A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.09-2.
Overlays:	45.06	Development Contributions Plan Overlay	N/A



	43.01	Heritage Overlay – Schedule 573 (Moreton Bay Fig)	43.01-1: A permit is required to construct a building or construct or carry our works	
Particular Provisions:	52.02	Easements, Restrictions and Reserves	52.02: A permit is required before a person proceeds under Section 23 of the Subdivision Act 1988 to create, vary or remove an easement or restriction or vary or remove a condition in the nature of an easement in a Crown grant.	
	52.06	Car Parking	52.06-3: A permit is required to reduce the number of car parking spaces required under Clause 52.06-5	
Cultural Heritage:	N/A. Not located within an area of potential cultural heritage sensitivity.			
Total Site Area:	5,980 sqm			
Gross Floor Area:	3,401 sqm			
Height:	13.75 metres			
Land Uses:	Dwellings	Office	Retail	Other
	75	1,156 sqm	N/A	N/A
Parking:	Cars	Motorcycles	Bicycles	
	19	0	127	
Referral Authorities:	Head, Transport for Victoria: Section 55, determining referral authority.			
Public Notice:	Letters were sent to owners and occupiers of nearby land, and signs were displayed on both street frontages. Letters were sent to Merri-Bek City Council and Yarra Valley Water			
Delegates List:	Approval to determine under delegation received on 6 November 2024.			



Application Process

Background

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

Development Facilitation Program: Pre-application	
Enquiry lodgement	13 October 2023
Informal advice	2 July 2024
Invest Victoria	18 May 2024
Application process	
Application lodgement	19 August 2024
Further information requested	N/A
Further information received	N/A
Further plans submitted	N/A
Decision Plans	Architectural plans prepared by DKO Architecture Pty Ltd, dated 05/04/2024
Other Assessment Documents	<ul style="list-style-type: none">• Landscape Plan prepared by Outlines, dated March 2024• Sustainable Management Plan prepared by Blue Bee Sustainable Services, dated 2/04/2024• Town Planning Report prepared by Three Thirds Group, dated August 2024• Arboricultural Report prepared by John Patrick Landscape Architects PTY LTD, dated 12/04/2024• Transport Impact Assessment Report prepared by Ratio, dated 26/03/2024• Waste Management Plan prepared by Ratio, dated 27/03/2024• Green Travel Plan prepared by Ratio, dated 03/04/2024• Affordable Housing Proposal, prepared by Affordable Development Outcomes, dated August 2024• Economic Benefits of community housing, prepared by SGS Economics and Planning Pty Ltd, dated 13/03/2024

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

Proposal Summary

3. The proposal can be summarised as follows:

Proposal:	Use and development of the land for a mixed-use development comprising of 75 dwellings and office, reduction in the car parking requirement, buildings and workings in the Heritage Overlay and removal of an easement
Total Site Area:	5,980 sqm



Gross Floor Area:	3,401sqm
Max Height:	14.4 metres (four storeys) (plus rooftop services)
Land Uses:	Dwellings and ancillary Office use
Car Parking:	19
Bicycle Parking:	127
Motorcycle Parking:	0
Loading and Waste arrangements:	Waste room located within car parking area No loading arrangements required

4. Specific details of the application include:

- The proposed site layout is separated into two buildings. The Jessie Street building (Building B) is four storeys, and the Hall Street building (Building A) is three storeys. The proposal is for 75 dwellings, 100% of the dwellings will be managed for long-term affordable or social housing. The proposed mix is for 75% affordable housing (56 dwelling) and 25% social housing (19 dwellings).
- The Jessie Street building includes a 1,156 sqm ancillary Office space. The Office will be used as the 'Uniting Hub', accommodating 121-140 staff members with operating hours of Monday to Friday 8 am-4 pm. The Uniting Hub will be used as the Coburg Community Services and provide outreach programs, including drug and alcohol counselling, education courses, family support, playgroups, disability employment services and asylum seeker resources.
- Materials and finishes include textured concrete, render, glass, metal framing, fibre cement, and brick. Colours include green, grey, white, exposed concrete, and warm tones.
- Carparking consists of 19 car spaces with an under-croft car park integrated into the building with access from the existing south-west crossovers at Jessie Street.
- A car parking reduction is sought for 109 spaces (75 spaces for residential uses and 34 spaces for commercial uses).
- A total of 127 bicycle spaces are provided across the site and includes spaces for residents, resident visitors, staff of the office use and office visitors.
- Communal open space areas for residents are provided at ground level between buildings (389 sqm) and at first floor of the Jessie Street building (211 sqm).
- Landscaping is proposed throughout the site, including along boundaries and first floor open space. Some of the existing Cypress Pines along Jessie Street will be retained.
- A 'Community Garden' centred around the heritage listed Moreton Bay Fig is proposed to Jessie Street.
- Removal of a carriageway and sewerage easements in the site's north-east boundary is proposed.

5. The applicant has provided the following concept images of the proposal:



Figure 1: Proposed Jessie Street elevation



Figure 2: Proposed Hall Street elevation

Subject Site and Surrounds

Site Description

6. The subject site has two frontages to Jessie Street (south) and Hall Street (north) and incorporates a primary parcel at 24 Jessie Street and a secondary parcel at 19 Hall Street.
7. The site comprises a two-storey light brick building at 24 Jessie used by the Uniting Church as a Drug and Alcohol Rehabilitation centre and a single storey residential dwelling at 19 Hall Street.
8. The site has a 45.44 m frontage to Hall Street and 62.73m frontage to Jessie Street, with a total size of 5,980 sqm. Jessie Street has two vehicle crossovers and an at grade carparking area at the south-west frontage. A single crossover and informal parking are located at the north-east frontage to Hall Street.
9. A Moreton Bay Fig tree of individual heritage significant (HO573) is located within the site and is visible from Jessie Street. There are also a series of mature 'Cypress Pines' trees to the Jessie Street boundary. Cypress Pines are not included in HO573.
10. The site is formally described as comprising the following land parcels:
 - Lot 1 on Title Plan 688805C
 - Lot 1 on Title Plan 702325U
 - Lot 1 on Title Plan 011416T (Easement)
 - Lot 1 on Title Plan 687070F
11. There is a 94sqm easement (See Figure 3) located adjacent to the western boundary of 19 Hall Street and is proposed to be removed under this application. The easement is for the purposes of a right of carriageway and sewerage.



Figure 3: Title Plan showing easement

Site Surrounds

12. The surrounding development consists mainly of residential properties and a private hospital.
13. Development surrounding the site can be described as follows:
 - To the **north** of the site is Hall Street, which is a residential street containing a mixture of weatherboard and brick, single and double storey dwellings.
 - To the **south** of the site is Jessie Street, which is largely occupied by back of house functions associated with the John Fawkner Private Hospital. Hospital buildings at Jessie Street are three storeys and include a brick building and a three-storey car park. The hospital is 5 storeys to Moreland Road and includes at-grade carparking.
 - To the **east** of the site in Jessie and Hall Streets, predominately contains a mixed character of residential dwellings ranging from fine grain terrace style dwellings to 'walk up' brick flats (to a height of three storeys). Heritage Overlay – Schedule 115 (Moreland Station Precinct) applies in Jessie Street. The adjoining lot at 22 Jessie Street is owned by Uniting and provides operational support services. This building is currently under renovation. There is a vacant lot at 15 Hall Street and there are no planning approvals associated with this lot.
 - To the **west** of the site in Jessie and Hall Streets, contains a mixed character of residential dwellings including infill dual occupancy dwellings and single dwelling up to two storeys.
14. The site is well-located within an established area providing health and human services (John Fawkner Hospital and other health services on Moreland Road and Station Street) and is situated on the periphery of the Coburg Major Activity Centre (MAC) which is approximately 400 m to the east on Sydney Road.
15. Moreland Railway Station is approximately 200 m to the east and other public transport links are nearby on Moreland Road and Sydney Road (Tram and Bus Services).



Figure 3: Aerial of subject site and surrounds (Near Map image from August 2024)

16. Site inspection of the subject site and surrounds were undertaken on 25 October 2024. Images of the site and surrounds are provided below:



Figure 4: Site frontage to Jessie Street



Figure 5: Moreton Bay Fig Tree within the site (HO573)



Figure 6: John Fawkner Hospital frontage to Jessie Street



Figure 7: Three storey residential buildings at 5 and 7 Jessie Street



Figure 8: Subject site (9 Hall Street)



Figure 9: Site frontage to Hall Street



Referrals

17. The application was referred to the following groups:

Provision / Clause	Organisation	Response and date received
Section 55 Referral: Determining	Head, Transport for Victoria	4 September 2024 Pursuant to Section 56(1) of the <i>Planning and Environment Act 1987</i> , does not object to the grant of a planning permit or recommend any permit condition.

Notice

18. The applicant was directed to give notice of the application in accordance with Section 52(1) of the Act, pursuant to the following requirements:

- letters to adjoining and nearby owners and occupiers of land;
- two signs on site, facing each street frontage.

19. Notice was also given to Merri-Bek City Council (Section 52(1)(b)) and Yarra Valley Water (Section 52(1)(d) – due to removal of the sewerage easement). No response has been received from Yarra Valley Water.

20. Merri-Bek City Council resolved at its Planning and Related Matters Meeting (PARM) on 25 September 2024 to write to the Department of Transport and Planning (DTP) that it does not object to the proposal, subject to conditions.

21. The council's recommended conditions that would require design changes and DTP officer responses are listed below:

Council Conditions	DTP Officer Response
Dwelling mix amended to have a minimum 10 per cent proportion of 3 (or more) bedroom dwellings with modifications to occur within the approved building envelope.	Recommendation has not been adopted. The proposal, including bedroom mix and servicing expectations, has been developed in accordance with the operational needs of Uniting.
Minimise unreasonable overlooking in accordance with into habitable room windows and secluded private open space of neighbouring dwellings from various outlooks.	Additional measures to further reduce potential overlooking of adjoining lots has been adopted as permit conditions.
Screening diagrams in accordance with the above to be provided.	Recommendation has been adopted as a permit condition.
Waste bin room relocated to the eastern side of the car parking under croft (or elsewhere on site) and the western landscape buffer continued to the southern side of the fire tank. The waste bin room must also be redesigned to ensure no bin is placed behind another bin.	Recommendation has not been adopted. The waste room has been designed and sited in line with functionality and engineering requirements. Any built form on boundary at this location complies with planning scheme requirements.
Minimum 112 bicycle parking spaces for residents.	Recommendation has not been adopted. Bicycle parking as proposed exceeds the requirements of Clause 52.34.
Minimum 20 per cent of the resident and staff bicycle parking devices designed to provide ground level horizontal	Recommendation has been adopted as a permit condition.
A minimum of five additional car parking spaces for the office use, without reducing the car parking provision for the residential use. This may be achieved through extending the car park northwards, with consequential changes to the fire service tank and central courtyard communal open space	Recommendation has not been adopted as a permit condition. Onsite car parking is acceptable and discussed in detail in this report. Condition recommended from a Councillor motion. Council Officers are supportive of car parking rate proposed.
An alternative canopy tree to <i>Acacia implexa</i> with comparable height and canopy dimensions selected from Merri-bek's Tree Planting Manual for Residential Zones 2019.	Recommendation has been adopted as a permit condition.



Additional ESD matters including shading devices to north, east and west habitable room windows.	Recommendation has been adopted as a permit condition.
Acoustic report to submitted considering potential impacts on proposed dwellings from vehicle movements within the site, plant equipment and noise from John Fawkner Hospital in accordance with Clause 55.07-7.	Recommendation has not been adopted as a permit condition. Clause 55.07-7 does not apply in this application (proposal doesn't meet any 'Noise influence areas' in Table B8). Potential onsite impacts are discussed in the report.

Objections

22. At the time of writing this report, 42 objections have been received from nearby residents. The predominant concerns raised in objections are discussed below:

Issue of concern	DTP Officer Response
Reduction in car parking requirement, zero spaces for the office, availability of on street car parking and traffic impacts.	<p>Car parking rate is acceptable. The site has excellent access to a range of public transport options providing travel in all directions, including to the Melbourne CBD. This includes Bus 510 (Essendon to Ivanhoe) on Moreland Road, Moreland Railway Station (Upfield Line), Tram Route 6 (Moreland to Glen Iris) on Moreland Road and Tram Route 19 (Coburg North to Flinders Street) on Sydney Road.</p> <p>A zero rate is proposed for the Office component. The Transport Impact Assessment (TIA) prepared for the proposal states the demand anticipated from the office use is minimal because of the limited and or restricted public parking in surrounds and the availability of alternate transport in surrounds. The applicant proposes to manage the office use and staff will be aware of car parking availability.</p> <p>There is significant local and state policy to support a car parking reduction in this location (Clause 18.02-1L and 18.02-4L)</p> <p>The TIA projects additional vehicle movements in Jessie Street as a result of the development will generate 0.5 movements per dwelling at peak times which equates to 10 movements in peak times. This is described as a "negligible" increase in the TIA noting Jessie Street is the access point for the multi-level car to John Fawkner Hospital.</p>
Non-compliance with the Neighbourhood Residential Zone. Bulk/scale is incompatible with the existing neighbourhood character	<p>The application has been received under Clause 53.23 which allows the responsible authority to waive or vary any building height requirement. A variation to the mandatory building height requirement is acceptable in this instance because:</p> <ul style="list-style-type: none"> • The site area is a large holding allowing an integrated redevelopment. • The site is strategically located nearby the Coburg MAC, Moreland Railway Station and complementary health and medical facilities, including John Fawkner Hospital. • Existing built form in the surrounds exceeds the current mandatory building heights of the NRZ including residential buildings at 5 and 7 Jessie Street (3 storeys) and John Fawkner Hospital (3 storeys to Jessie Street frontage and 5 storeys to Moreland Road frontage). • Mandatory garden area requirement (35% of the site) of the zone is achieved. 38.8% of the site is set aside as garden area. • Potential offsite amenity impacts (such as overlooking and overshadowing) are minimised to adjoining residential land. • Site layout and setbacks appropriately respond to the adjoining residential precinct. Setbacks substantially meet or exceed the requirements of Standard B17 (Side and Rear Setbacks Objectives) where interfacing with existing built form to the east and west. Setbacks variations are supported by large breaks in form to primary open space areas. • Breaks in built form is provided with a 12m building separation between the Jessie Street and Hall Street building and a significant break in buildings to Jessie Street allowing for a Community Garden. • The landscape response retains mature trees, including the individually heritage significant Moreton Bay Fig and part of the Cypress Pines to



Issue of concern	DTP Officer Response
	Jessie Street. Planting of new canopy trees and provision of screen tree planting in side setbacks to adjoining dwellings is also provided.
Overlooking	The proposed plans incorporate measures to reduce potential overlooking. Additional permit conditions will further reduce potential overlooking to open space and habitable room windows of adjoining land in Jessie and Hall Streets.
Overshadowing	<p>Sunlight to adjoining Secluded Private Open Space (SPOS) at 30 Jessie Street meets the requirements of the scheme and is only reduced by a minor amount beyond fence line shadows at 9:00am and 10:00am on 22 September.</p> <p>Sunlight is reduced to the SPOS of 15 (vacant block) and 17 Hall Street at 2:00pm and 3:00pm. Very minor reductions are observed at 2:00pm at 15 Hall Street and the reduction at 3:00pm would still allow for acceptable amenity in a future development of this lot.</p> <p>The SPOS to 17 Hall Street is approximately 30sqm and due to its south orientation and is affected by shadows from the rear of the dwelling throughout the day. Sunlight is reduced to SPOS at 2:00pm (dwelling will have approximately 15sqm of sunlight) and 2:00pm (approximately 12sqm of sunlight). Sunlight should not be further reduced to the SPOS of this dwelling.</p> <p>A variation is acceptable because shadowing to the SPOS is mostly from existing structures or fencing at 17 Hall Street and the significant breaks in form and setbacks are provided adjacent to the SPOS of this dwelling. Additionally, sunlight access is unchanged between 9:00am and 1:00pm.</p>
Use of the land as an office is inappropriate	Use of the land for an Office is ancillary to the affordable/social housing development and incorporates community and outreach services. The Office will operate during typical office hours and will not unreasonably interrupt the amenity of surrounds. Furthermore, there is an established character of discretionary uses in residential zone in the surrounds including John Fawkner hospital and health/human services in residential buildings/zoned land in Moreland Road.
Community engagement timeframes	The application was advertised for a 14 day notice period with 2 signs displayed on the site. This is consistent with the requirements of the Planning and Environment Regulations 2015. Matters raised in the objections have been considered in the assessment of the applications. Conditions addressing some of the concerns are included on the planning permit.



Strategic Direction and Land Use

Plan Melbourne

24. *Plan Melbourne 2017-2050* (Plan Melbourne) outlines the key strategic directions with regard to the provision of housing and commercial activity within Melbourne's urban areas. The strategic outcomes outlined in the document are required to be considered as part of Council's decision-making process and include (inter-alia):
- a) Outcome 1: 'Melbourne is a productive city that attracts investment, supports innovation and creates jobs.'
 - i. Direction 1.2 of Plan Melbourne is to 'Improve access to jobs across Melbourne and closer to where people live'.
 - b) Outcome 2: 'Melbourne provides housing choice in locations close to jobs and services'.
 - i. Direction 2.2: Deliver more housing closer to jobs and public transport.
 - ii. Direction 2.3: Increase the supply of social and affordable housing.
 - c) Outcome 5: Melbourne is a city of inclusive, vibrant and healthy neighbourhoods.
 - i. Direction 5.3: Deliver social infrastructure to support strong communities.
 - d) The strategy promotes '20 minute neighbourhoods' where there is access to local shops, schools, parks, jobs and a range of community services within a 20 minute trip from your front door.
25. The proposal is consistent with *Plan Melbourne* and will contribute to increased well located social and affordable housing, create employment opportunities and strengthen communities by providing vital drug and alcohol rehabilitation services and other community services and outreach programs, nearby the Coburg MAC.

Merri-Bek Planning Policy Framework

26. The *Planning Policy Framework* encourages appropriate land use and development which enhances the built environment, supports economic growth, meets the community expectations on retail and commercial provision, delivers diversity in housing supply to meet existing and future needs, and integrates transport and infrastructure planning.
27. The relevant Municipal Planning Strategy and Planning Policy Framework policies have been considered in assessing the application and the following are considered relevant:

Clause	Description
02.01	Context
02.02	Vision
02.03	Strategic Directions
02.04	Strategic framework plans
Clause 11	Settlement
11.01-1S	Settlement
11.01-1R	Settlement – Metropolitan Melbourne
11.03-1S	Activity Centres
11.03-1R	Activity Centres - Metropolitan Melbourne
Clause 12	Environmental and Landscape Values
12.01-1L	Biodiversity in Merri-bek
Clause 13	Environmental Risks And Amenity



13.07-1L	Discretionary uses in Residential Zones
Clause 15	Built Environment and Heritage
15.01-1S	Urban Design
15.01-1R	Urban Design – Metropolitan Melbourne
15.01-1L	Urban Design in Merri-bek
15.01-2S	Building Design
15.01-2L	Building Design in Merri-bek
15.01-2L-04	Energy efficiency in Merri-bek
15.01-2L-05	Environmentally sustainable development
15.01-4S	Healthy neighbourhoods
15.01-4R	Healthy neighbourhoods
15.01-5S	Neighbourhood character
Clause 16	Housing
16.01-1S	Housing supply
16.01-1R	Housing supply – Metropolitan Melbourne
16.01-1L	Homes in Merri-bek
16.01-1L	Housing for people with limited mobility
16.01-2S	Housing affordability
16.01-2L	Housing affordability Merri-bek
Clause 17	Economic Development
17.01-1S	Diversified economy
Clause 18	Transport
18.01-3S	Sustainable and safe transport
18.02-1L	Sustainable and safe transport – Metropolitan Melbourne
18.02-2L	Cycling in Merri-bek
18.02-4L	Car parking in Merri-bek
Clause 19	Infrastructure
19.02-4S	Social and cultural infrastructure

28. The proposal is considered to provide an appropriate response to the above-mentioned planning policies as outlined below.
29. The subject site is a large parcel of land close to the Coburg MAC. Strategic Directions at Clause 02-03-1 seeks to direct the majority of Merri-bek's population growth to MACs with the Coburg MAC ranked '1' in Council's activity centre hierarchy.
30. Although, the site is not within the Coburg MAC, the large land parcel, location and scale of the proposal broadly benefits from the availability of services in the MAC. The site is in an undefined/de facto area where health and human services are provided including:
- John Fawkner Private Hospital (opposite the site)



- Coburg Specialist Consulting Rooms (corner Jessie Street and Station Street)
 - Moreland Psychology (245 Moreland Road)
 - Reservoir Private Hospital Day (253 Moreland Road)
 - Moreland Orthopaedic & Sports Clinic Physiotherapy (253 Moreland Road)
 - Northern Orthopaedic Surgeons (260 Moreland Road)
 - Moreland Dental Surgery (266 Moreland Road)
 - Melbourne Haematology (265 Moreland Road).
31. The proposal is consistent with the strategic directions of the scheme to accommodate substantial residential/mixed-use growth in and nearby MACs. Although, not explicitly referred to in the scheme the surrounds have an established precinct character of providing health/human services. The associated office use is consistent with this character and will deliver essential community services and aligns with service delivery aims of Clause 19.02-4S.
32. Strategies in Clause 12.01-1L seek to avoid the removal, destruction or lopping of native vegetation. The individually heritage significant Moreton Bay Fig will be retained and act as a centre piece for a new community garden. Cypress Pines to the Jessie Street frontage is also partly retained. These trees are not native; however, the proposed landscape includes the provision of new native canopy trees.
33. Urban design strategies of Clause 15.01-1L are achieved. The proposal will significantly improve the relationship between the public and private realm with activated frontages and landscaped paths provided in place of high fencing (Hall Street) and inactive frontages.
34. The built form layout achieves a fine grain form punctuated by landscaped paths and open space areas which link to the existing pedestrian network. Significant breaks in built form are provided to Jessie Street and respectfully balances the sites mixed character within a residential street and opposite a hospital.
35. Clause 15.01-2L encourages good-quality contemporary architecture and seeks to minimise visual impacts of servicing and waste storage facilities. The buildings are of a high-quality contemporary design with appropriate setbacks, breaks in building form, design detail and materiality.
36. The final design successfully integrates recommendations from the Office of the Victorian Government Architect (OVGA) including widening access paths, improving wayfinding and providing further details on materials. The OVGA overall is supportive of the design and commented “The design is a well-considered social and affordable housing solution” and “Approach to building mass and articulation to each street frontage is appropriate.”
37. Energy efficiency and Environmentally Sustainable Design (ESD) requirements are satisfied. A Sustainability Management Plan (SMP) has been submitted in response to Clause 15.01-2L-04 and Clause 15.01-2L-05. The SMP achieves a ‘Best Practice’ BESS rating of 60% and includes a 20kW rooftop solar PV system.
38. Council has recommended a series of ESD permit conditions including plans to be amended to show ESD initiatives on the plans and further Water Sensitive Urban Design (WSUD) details. These conditions are included on the permit and separately discussed.
39. Housing policy objectives at Clause 16 are also achieved. The proposal will contribute to the provision of social and affordable housing in an area well serviced by existing services. Although, the site is within an ‘incremental change’ area the site area and dimensions and proposed scale, siting and landscaping supports a development at a greater height.
40. Significantly, the proposed development model is for a 100% social and affordable housing with 80% of dwellings design in accordance with Standard B42 (Accessibility Objective). This is consistent with multiple local and state housing policy objectives of Clause 16.



41. Complementary jobs are created as a result of the development. The office space will operate as the 'Uniting Hub' and will be a central place for social services in the northern region. This aligns with Clause 17.01-1S which supports improving access to jobs closer to where people live.
42. Sustainable transport objectives are achieved. The proposal provides high levels of bike parking and proposes a car parking reduction. The site is well served by public and active transport facilities. Car and bike parking considerations are separately assessed in this report.

Zone

43. The land is within the Neighbourhood Residential Zone (NRZ). The purpose of the zone is:
 - *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
 - *To recognise areas of predominantly single and double storey residential development.*
 - *To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics.*
 - *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*
44. The proposal is for residential uses and ancillary offices which will provide services that serve community needs. This is through the provision of drug and alcohol counselling and a range of community and outreach services. Although, the design response exceeds the mandatory maximum building height of 2 storeys and 9 metres in the zone, the design response respects the established character of the surrounds.
45. The application has been received under Clause 53.23 which allows the responsible authority to waive or vary any building height requirement. A variation to the mandatory building height requirement is acceptable in this instance because:
 - The site area at 5,980sqm is a large holding allowing an integrated redevelopment.
 - The site is strategically located nearby the Coburg MAC, Moreland Railway Station, tram and bus services and complementary health and medical facilities, including John Fawkner Hospital.
 - Existing built form in surrounds exceeds mandatory building heights of the NRZ including residential buildings at 5 and 7 Jessie Street (3 storeys) and John Fawkner Hospital (3 storeys to Jessie Street frontage and 5 storeys to Moreland Road frontage).
 - Mandatory garden area requirement (35% of the site) of the zone is achieved. 38.8% of the site is set aside as garden area.
 - Site coverage and permeability requirements of Clause 55 are achieved.
 - Potential offsite amenity impacts (such as overlooking and overshadowing) are minimised to adjoining residential land.
 - Site layout and setbacks appropriately respond to the adjoining residential precinct. Setbacks substantially meet or exceed the requirements of Standard B17 (Side and Rear Setbacks Objectives) where interfacing with existing built form to the east and west. Setbacks variations are supported by large breaks in form to primary open space areas.
 - Breaks in built form is provided with a 12m building separation between the Jessie Street and Hall Street building and a significant break in buildings to Jessie Street allowing for a Community Garden.
 - The streetscape design response is appropriately scaled to respond to the established neighbourhood character. Four storey scale is partly proposed to Jessie Street where adjacent to more intense form from John Fawkner Hospital. This is offset by a significant break in buildings towards the eastern part of the frontage which will be used as a Community Garden. Three storey heights are proposed to Hall Street which is one



storey above the mandatory provisions of the NRZ. Non-compliance buildings heights are setback well in excess of the side setback Standard

- The landscape response retains mature trees, including the individually heritage significant Moreton Bay Fig and part of the Cypress Pines to Jessie Street. Planting of new canopy trees and provision of screen tree planting in side setbacks to adjoining dwellings is also provided.
- The proposal represents a significant community benefit with 100% of the new housing to be provided as social or affordable housing and through the provision of ancillary drug and alcohol treatment facilities and other community and outreach services.
- The proposal represents a significant economic contribution and will provide:
 - A total of \$155 million in income across 30 years (\$69M in direct income and \$86M in indirect income).
 - A total of \$51 million in gross value added (GVA) across 30 years (\$23M in direct GVA and \$28 in indirect GVA).
 - An average of 12.6 jobs supported each year (consisting of 5.8 direct jobs and 6.8 indirect jobs).

46. These matters are discussed in more detail in the subsequent sections of the report.

Use

47. A permit is required for use of the land for an Office pursuant to Clause 32.09-2 (Neighbourhood Residential Zone). Office hours are proposed Monday to Friday between 8:00am and 4:00pm, up to 140 staff members.

48. The Table of uses requires that “the use must be associated with a use or development to which Clause 53.23 (Significant residential development with affordable housing) applies”. This application has been received under Clause 53.23 and the office component supports the function of the social and affordable housing dwellings and broader community services. This requirement is met.

49. The following decision guidelines apply for non-residential use and development in the NRZ.

In the local neighbourhood context:

- *Whether the use or development is compatible with residential use.*
- *Whether the use generally serves local community needs.*
- *The scale and intensity of the use and development.*
- *The design, height, setback and appearance of the proposed buildings and works.*
- *The proposed landscaping.*
- *The provision of car and bicycle parking and associated accessways.*
- *Any proposed loading and refuse collection facilities.*
- *The safety, efficiency and amenity effects of traffic to be generated by the proposal.*

50. The use is compatible with residential uses and is consistent with existing non-commercial uses in the surrounds including John Fawcner Hospital and health consulting rooms at 9 Station Street (corner of Jessie Street).

51. The use will include community and outreach services along with management of the social and affordable housing dwellings and will serve community needs.

52. The design, height, setbacks and appearance of the proposed buildings and works are appropriate. This consideration is separately discussed in more detail below.

53. As discussed above the proposal retains high value vegetation and provides additional vegetation, including screen tree planting in setbacks to existing dwellings.

54. Traffic, car parking and waste services are acceptable and separately discussed.



55. These considerations are further reinforced at Clause 13.07-1L (Discretionary uses in Residential Zones). This policy applies to an application to use or develop land in a residential zone for a Section 2 use and includes objectives to locate, design and manage discretionary uses in residential areas to be compatible with the surrounding area.
56. Location strategies encourage discretionary uses to have a frontage to a Transport Zone, abut land used for non-residential uses, minimise impacts on amenity and serve catchments beyond the local level to locate within the defined boundaries of Activity Centres.
57. As previously discussed, the site is located on the periphery of the Coburg MAC and opposite a non-residential use (John Fawkner Hospital). The surrounding context supports the need for health/human services outside of established areas within the council's strategic framework. Similarly, the proposed hours of operation are standard office hours and are less intrusive than the hospital which operates 24 hours a day and 7 days a week.
58. Although, the site does not front a Transport Zone the proposed rate of car parking will not create unreasonable traffic impacts.
59. Siting design and management strategies encourages built form that is of a scale, design and appearance compatible with the scale and character of the residential area, include landscaping buffers, require acoustic reports and discourage 24 hour operations.
60. Design policy objectives are met in the proposal and discussed within the report. As discussed above the office use is proposed to operate within typical business hours and does not propose 24 hour operations.

Buildings and Works

61. Various provisions within the zone, discretionary uses policy and PPF encourage a built form outcome that is of a scale, design and appearance compatible with the scale and character of the residential area while also encouraging innovative and high quality designs.
62. The following assessment will consider the building design response with respect to height, massing, setbacks and the associated relationship to nearby buildings.
63. Additionally, the following standards and objectives of Clause 55 apply for an apartment development in the NRZ:
 - All of Clause 55 except Clause 55.03-5 (Energy efficiency objective), Clause 55.03-6 (Open space objective), Clause 55.03-8 (Landscaping objective), Clause 55.04-8 (Noise impacts objectives), Clause 55.05-1 (Accessibility objectives), Clause 55.05-2 (Dwelling entry objective) and Clause 55.05-6 (Storage objective)'.
64. It is noted that the proposal is less than 5 storeys and Clause 58 does not apply.

Building Height

65. Building heights exceed the mandatory maximum height of 2 storeys and 9m of the NRZ. As previously discussed, applications received under Clause 53.23 allows the responsible authority to waive or vary any building height requirement.
66. The proposal has a maximum building height of 14.4m and four storeys. Notwithstanding, the community benefits secured as result of the additional height; consideration has been given to the suitability of the height variation within the established site context.
67. A height variation is supported because there is an established character of buildings in the surrounds that exceed the mandatory maximum building height. Including at 5 and 7 Jessie Street (3 storeys) and John Fawkner Hospital (3 storeys to Jessie Street frontage and 5 storeys to Moreland Road frontage).



68. Furthermore, the site layout and setbacks are respectful of the prevailing character of surrounds and offers generous breaks in built form, staggered upper level setbacks, compliant site coverage, garden area/open space areas provided in excess of planning scheme requirements and high quality landscaping is provided, including in setbacks to existing dwellings.
69. Additionally, the design of each building and streetscape response is appropriately scaled in relation to the character of adjoining interfaces.
70. Four storey scale is partly proposed to Jessie Street where adjacent to more intense form from John Fawkner Hospital. This is offset by a significant break in buildings towards the eastern part of the frontage which will be used as a Community Garden.
71. Three storey heights are proposed to Hall Street which is one storey above the mandatory provisions of the NRZ. Non-compliance buildings heights are setback well in excess of the side setback standard (see below) and appropriately responds to scale and rhythm of building siting in Hall Street.

Setbacks

72. Setback requirements of Standard B17 apply to the proposal. The proposal either meets or exceeds the Standard to the western boundary to the Jessie Street building (other than a minor encroachment into the setback by a raked wall) as shown in Figure 10. Notably, a minimum setback of 1m is required to a height of 3.6m; the design incorporates a 5.6m setback to a height of 11.4m exceeding the requirements.
73. Setbacks to the west from the Hall Street building exceed the Standard as shown in Figure 11. Additionally, this interface is to a common vehicle accessway to the dual occupancy at 23 Hall Street. The eastern setbacks at the street to the Hall Street building also exceed side setbacks requirements and is shown at Figure 11.
74. A variation (up to 6.2m) is sought for setbacks from upper levels of the Jessie Street building to the eastern boundary (midblock). Variations are required to the setbacks of 22 Jessie Street and 17 and 15 Hall Street as shown in Figure 12.
75. This is acceptable because the site layout provides generous breaks in built form which is highly respectful of prevailing rear yards at 22 Jessie Street and 17 Hall Street. The building envelopes to the east are appropriately setback from the central open spaces to these lot. It is also noted that 22 Jessie Street is owned by the applicant.
76. The council is accepting of the variation and has also confirmed that there is no planning approvals associated with the vacant block at 15 Hall Street where a reduced setback is also proposed.

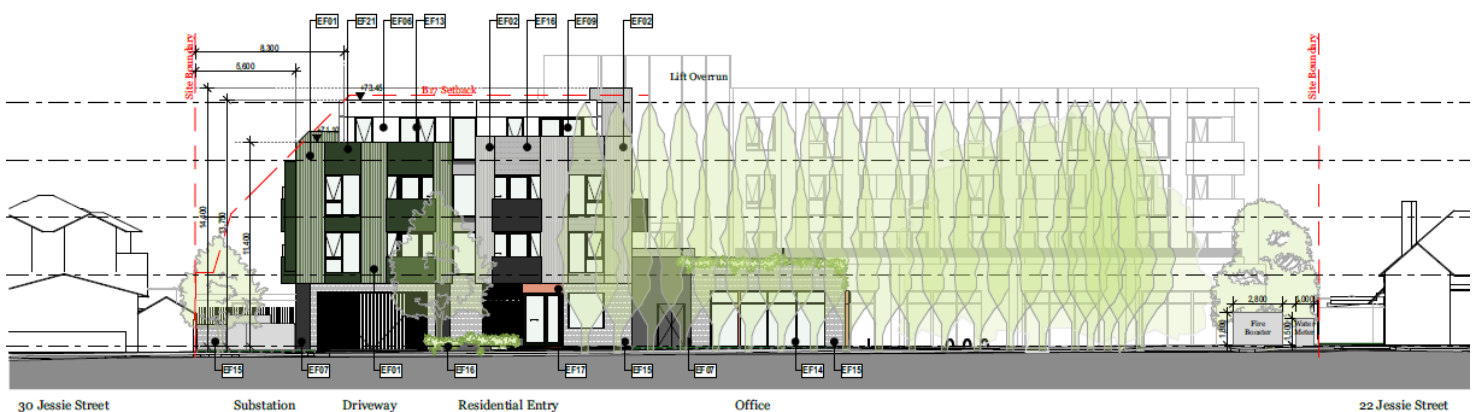


Figure 10: Side setback analysis to Jessie Street (south) elevation



Figure 11: Side setback analysis to Hall Street (north) elevation

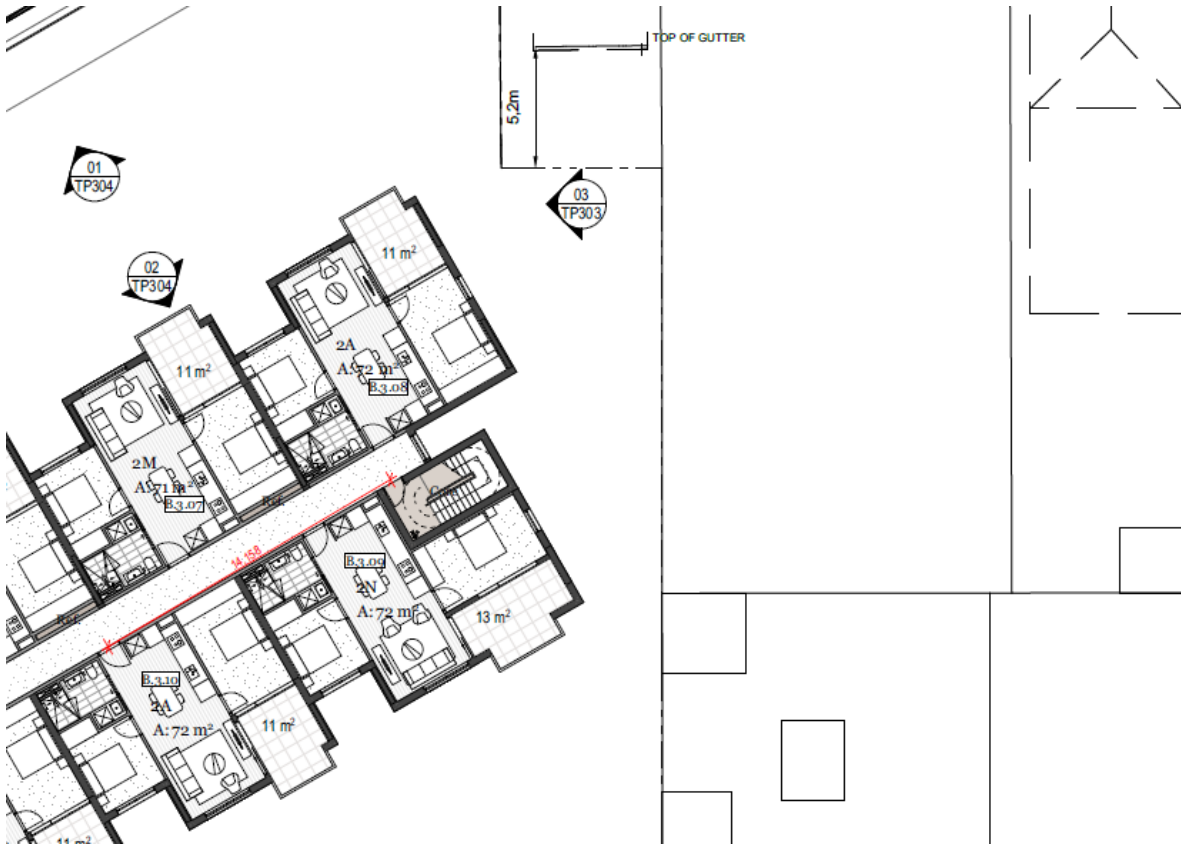


Figure 12: Upper levels of Jessie Street building shown in context of setback variations to adjoining lots

77. It is noted that boundary walls are proposed to the western boundary for a length of 17m to a maximum building height of 2.095m (wall is semi-submerged). The length and height of the boundary wall complies with Standard B18 (Wall on boundary objectives) and is constructed, in part, simultaneously to a boundary wall at 23A Hall Street.
78. An objection from 30 Jessie Street raises concerns about potential impacts from the new boundary wall on pool safety certification within this property. This is not a planning matter that requires further consideration.



Design Detail

79. Design detailing is of a high architectural standard and incorporates quality and durable materials. DTP's urban design team is supportive of the design and materials. The council is similarly supportive of design detailing.
80. OVGA provided advice on the design in the pre-application and recommended materials and detailing finishes. The proposed material schedule has appropriately incorporated these recommendations into the final design.

Public Realm

81. The proposal significantly improves the site's contribution to the public realm and will create further activation and a sense of passive surveillance of adjoining streets. This is achieved through the siting of habitable room windows, balconies and open space areas to the street. Office spaces and the community garden will also improve the sites public realm appearance to Jessie Street.
82. Street setbacks appropriately respond to the character of each street frontage. Buildings are setback between 5.3m and 7m to Hall Street and is consistent with the rhythm of siting in the street which vary from 10.7m to 4.7m. Larger setbacks are provided to the west where there is a character of generous setbacks at 23 Hall Street.
83. Fence heights and integrated landscaping also appropriately respond to the Hall Street interface. Front fences to Hall Street have a maximum height of 1.8m which is 300mm above preferred heights for this street in Standard B32 (Front fence objectives).
84. A variation is acceptable because the fence is not proposed for the extent of the site frontage, is buffered by landscaping, is a paling design and visually permeable and replaces an existing fence of similar height constructed to the boundary.
85. Jessie Street incorporates servicing (substation) and a vehicle accessway enclosed by a roller door at the sites south-western frontage and is setback 6.8m to Jessie Street with an upper level setback of 4.9m. A setback of 5.95m would be required under Standard B6 (Street setback objective).
86. Co-locating of these facilitates is acceptable and is consistent with the car parking and service functions from the rear of John Fawkner Hospital. The remainder frontage is primarily dedicated to the community garden and offsets any impacts from services.

Heritage

87. The Heritage Overlay (HO573) applies to a circular section of the site towards the south-east corner of the Jessie Street frontage and relates to the mature Moreton Bay Fig Tree onsite. The statement of significance for HO573 includes:

"The Moreton Bay Fig has historical and aesthetic significance, as well as rarity value, to the City of Moreland".

"The Moreton Bay Fig is historically significant as a remnant landscape feature of the 1859 Moreland Hall grounds".
"The Moreton Bay Fig, particularly of this size, age and quality, is rare within the City of Moreland".

"The Moreton Bay Fig has aesthetic value as a high quality and visually striking tree which occupies a large portion of the landscape."
88. The Moreton Bay Fig is retained and will be the centrepiece of a community garden. A permit is required to construct a building or construct or carry out works in the HO. The community garden will introduce a lawn and landscape area and permeable paving within and/or adjacent to the extent of the HO.
89. The proposal will improve the viability and heritage contribution of the Moreton Bay Fig by introducing lawned areas in place of hard surfacing within the structural root zone.



90. An Arboricultural report has been supplied with the application showing that there will be a 5% encroachment to the Tree Protection Zone (TPZ) from the permeable paving and a 3.1% TPZ encroachment from the Jessie Street building. There is an existing 5.2% encroachment from the hard surface pedestrian path (See Figure 13).
91. The arborist report comments that the proposed encroachments are below 10% allowed under AS-4970, and if any roots are encountered when excavating the footings are cut cleanly with a sharp implement this should not have a detrimental impact on the retention of the tree.
92. Permit conditions require a Tree Management Plan (TMP) to be submitted to the satisfaction of the Responsible Authority in consultation with Merri-bek City Council. The proposal will retain the heritage value of the tree.

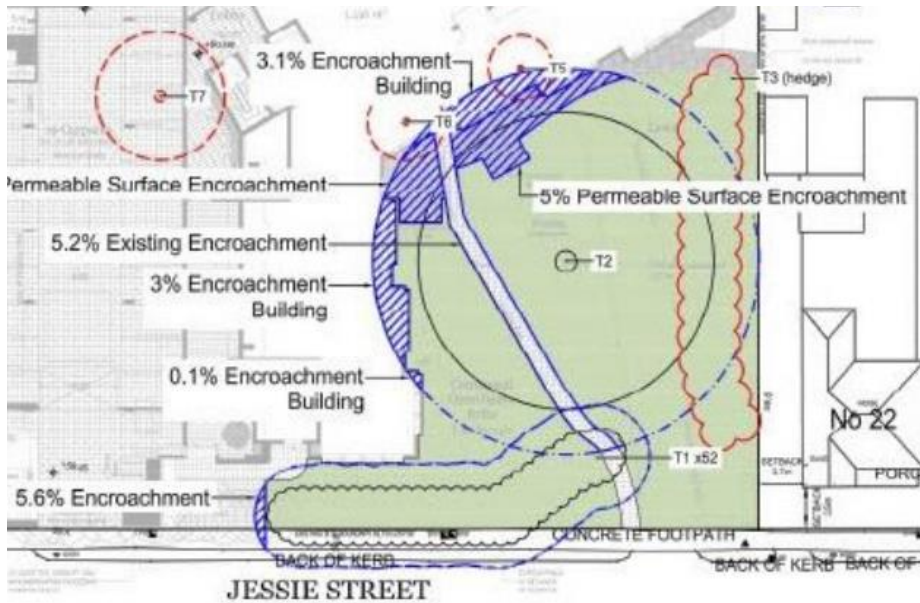


Figure 13: Moreton Bay Fig TPZ encroachments

Offsite Amenity

Overlooking

93. Overlooking to habitable room windows and open space areas is raised in a number of objections. Standard B22 (Overlooking objective) applies in this application. The Standard seeks to limit views into existing secluded private open space and habitable room windows within a 9m horizontal view measured within a 45 degree angle from the plane of the window or perimeter of the balcony.
94. Potential overlooking from west facing habitable room windows and balconies in the Jessie Street building are reduced at Levels 2 and 3 through the provision of obscured glazing to a height of 1700mm (above floor levels) and with fins to the west facing windows of B.1.01 which limit oblique views towards upper level windows of the adjoining dwelling. Conditions will also require views to be limited from the balconies of B.3.02 and B.3.03 to the west.
95. Permit conditions have been recommended by Council to “minimise unreasonable overlooking” from a number of proposed balconies and habitable room windows and for a detailed screening diagram which demonstrates compliance with the Standard to be provided. These conditions have been included on the permit.
96. Subject to conditions the proposal will not create any unreasonable overlooking to adjoining habitable room windows or secluded private open space areas.



Overshadowing (Secluded Private Open Space)

97. Standard B21 (Overshadowing open space objective) applies to this application and has been raised in objections. The Standard is to ensure buildings do not significantly overshadow existing secluded private open space.
98. Where sunlight to the Secluded Private Open Space (SPOS) of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September. If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.
99. Minor additional overshadowing beyond the existing fence line shadows will occur to the adjoining dwelling to the west (30 Jessie Street) at 9:00am and 10:00am. Notwithstanding, more than 40sqm of the SPOS to this dwelling will have sunlight in all hours on 22 September. The Standard is met to this dwelling.
100. The dual occupancy to the west in Hall Street (23 Hall Street) has a common driveway to the site interface which absorbs the substantial volume of additional shadows and is acceptable.
101. The adjoining lot to the east in Jessie Street (22 Jessie Street) is owned and operated by Uniting (the applicant) and primarily has a commercial function. Notwithstanding, the site is contained within the NRZ and will continue to have sunlight in accordance with Standard B21.
102. Sunlight is reduced to the SPOS of 15 (vacant block) and 17 Hall Street at 2:00pm and 3:00pm. Very minor reductions are observed at 2:00pm at the 15 Hall Street and the reduction at 3:00pm would still allow for acceptable sunlight to SPOS in a future development of this lot. There are no approved developments associated with 15 Hall Street.
103. The SPOS to 17 Hall Street is approximately 30sqm and due to its south orientation is affected by shadows from the rear of the dwelling throughout the day. Sunlight is reduced to SPOS at 2:00pm (dwelling will have approximately 15sqm of sunlight) and 3:00pm (approximately 12sqm of sunlight). Sunlight should not be further reduced to the SPOS of this dwelling under the Standard.
104. A variation is acceptable because shadowing to the SPOS is mostly from existing structures or fencing on 17 Hall Street and significant breaks in form and setbacks are provided adjacent to the SPOS of this dwelling minimising shadowing impacts. Additionally, sunlight access is unchanged between 9:00am and 1:00pm.
105. A comparison of existing and proposed daylight at 3:00pm is shown at Figure 14.

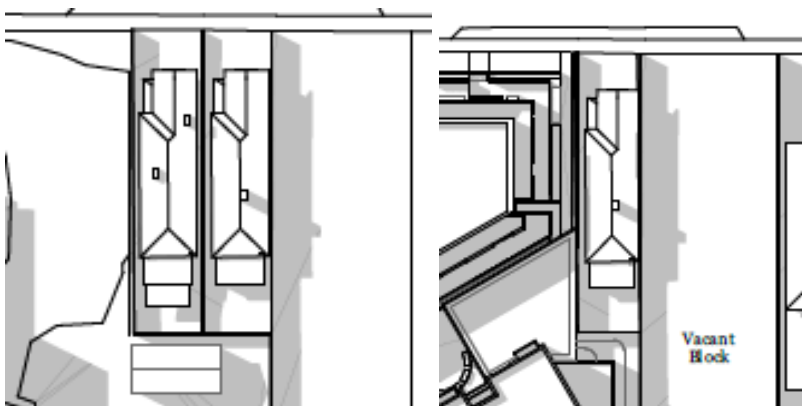


Figure 14: Existing sunlight (left) and proposed (right) at 3:00pm on 22 September

Overshadowing (Solar Panels)

106. Overshadowing of rooftop solar panels to the adjoining dwelling at 30 Jessie Street was raised in an objection. *Planning Practice Note 88 (PPN88): Planning for domestic rooftop solar energy systems* provides advice about planning permit applications for development that may overshadow an existing domestic rooftop solar energy system and applies to land in the NRZ.



107. This dwelling has three strings of solar panels on the east and west roof hips as indicated in Figure 15. Shadow diagrams indicate that part of strings nearest to the eastern boundary will be affected by shadows at 9:00am on 22 September. Data of energy generation is provided in the objection from 20 December 2023 which would have different sunlight conditions to the shadow plans.



Figure 15: Aerial of subject site and adjoining Rooftop solar energy facility

108. An assessment of potential impacts on these panels against PPN88 is undertaken below which includes the following directions on assessing the overshadowing of an existing domestic rooftop solar energy system:

The responsible authority must consider:

- *The extent to which it is already overshadowed*
- *Whether it is appropriately located*
- *The effect of overshadowing from the proposed development.*

109. Under existing conditions solar panels are not subject to any overshadowing from the subject site because the area adjacent to the existing panels contains an at grade car park. PPN88 includes diagrams of recommended heights and setbacks of solar panel placements as shown in Figure 16 and 17.



Height

Locating panels higher on the roof minimises the likelihood of overshadowing by:

- Increasing the separation between the panels and any neighbouring development.
- Reducing the chance that any neighbouring development will extend higher above the panels.

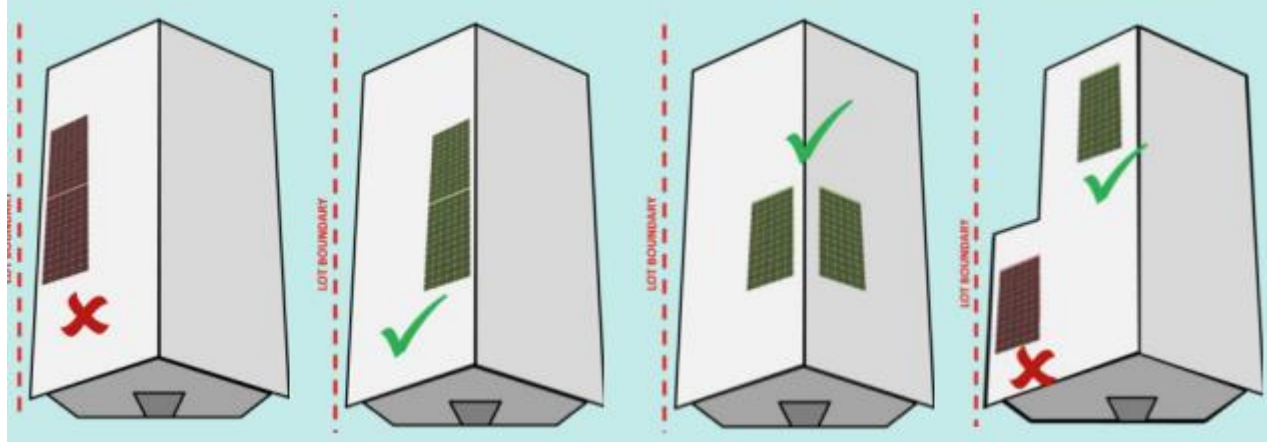
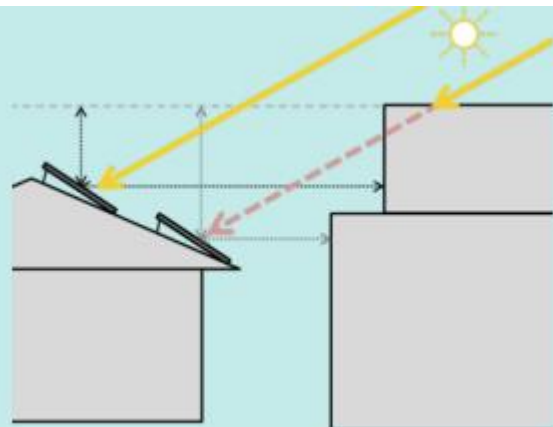


Figure 16: Rooftop solar energy facility placement (height)

Setback

Setting the panels as far back from the lot boundary as possible (either by placing them on roof panes with a greater setback or further back on the roof) will increase the distance between the panels and any potential source of neighbouring overshadowing.

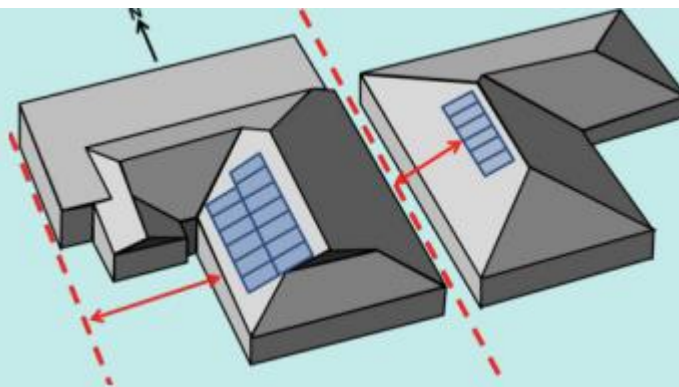


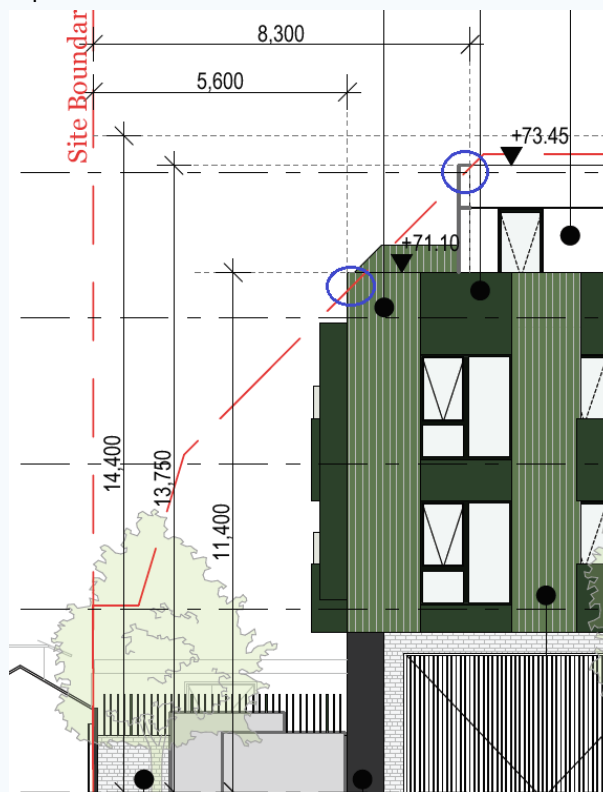
Figure 17: Rooftop solar energy facility placement (setback)

110. Relevant factors to consider in determining whether the impact of a development is unreasonable on an existing solar facility from PPN88 are considered below:

Factors to consider	Assessment
<i>The extent of existing overshadowing of the domestic rooftop solar energy system from existing buildings or permanent structures.</i>	There is no existing overshadowing to the rooftop solar energy system from existing buildings or permanent structures.
<i>Whether the proposed development meets the side and rear setback and north-facing windows standards under clauses 54 and 55.</i>	Other than very minor non-compliances at the wall/rooflines of levels 3 and 4; the proposal meets or exceeds the side setback standard of Clause 55 where adjacent to existing solar panels. Areas of non-compliance are shown below (circled in blue). A wholly compliant setback would not meaningfully reduce



shading impacts which are only present at 9:00am on 22 September.



Whether the protection of the existing domestic rooftop solar energy system will unreasonably constrain or compromise the proposed development.

The proposed development impacts one string of panels for an hour on 22 September. It is unreasonable to further constrain built form to reduce shadows on part of a string which is sited close to the boundary.

The type of existing domestic rooftop solar energy system. A multiple string system is less affected by shading than a single string, which is more vulnerable to shading. Other system features such as micro inverters or bypass diodes can also operate with partial shading.

The existing system has multiple strings on both the east and west roof hips and space for additional panel on the northern hip. Part of the string closest to the eastern boundary will be affected by shadows at 9:00am on 22 September. All other panels will be unshaded at this time and between 9:00am and 3:00pm on 22 September.

Whether the siting of the existing domestic rooftop solar energy system takes into account the potential future development of adjoining lots promoted or permitted under the planning scheme.

The siting of the existing domestic rooftop solar energy system on the eastern roof hip does not take into account the potential development of the subject site allowed under the planning scheme. This is potentially because the site has operated as an institutional use. However, the land is within the NRZ, and the planning scheme allows building heights to 9m, boundary walls to a height of 3.6m (with an average 3.2m height), minimum ground level setbacks of 1m and minimum setbacks between 2m and 4.1m up to the maximum building height.

The extent to which the existing domestic rooftop solar energy system has been located to protect it from overshadowing through placement higher on the roof and further from existing lot boundaries. (See diagrams)

The placement of the impacted section of existing system has not been sited to wholly protect the system from potential overshadowing (See Figure 18). Strings are located to the roof ridge line which is setback 3.2m from the eastern boundary. This placement does not align with recommendation from PPN88 as shown in Figure 15.

111. On balance impacts on the existing solar facility at 30 Jessie Street is not unreasonable because:



- Part of one string is impacted at 9:00am on 22 September only. The property has multiple solar panels which are wholly unaffected by the proposal.
- Other than a very minor non-compliance at the wall/rooflines of levels 3 and 4; the proposal meets or exceeds the side setback standard or Clause 55.
- The planning scheme allows for a development that potentially could create greater impacts on the solar facility on the eastern roof hip through boundary walls and setbacks closer to boundary.
- The placement of the impacted section of existing system has not been sited to wholly protect the system from potential overshadowing.



Figure 18: Existing solar panel facility adjacent to eastern boundary

Landscaping

112. As previously discussed, the heritage listed Moreton Bay Fig will be retained and act as a centrepiece to a new community garden. Arborist advice confirms that the tree is in good health and can flourish with the proposed TPZ encroachments.
113. Part removal of the Cypress Pines fronting Jessie Street is acceptable. This is required to facilitate new pedestrian and vehicular access to the site. Other non-native trees, Australian native or planted Victorian trees are proposed to



be removed. The arborist report identifies all trees proposed to be removed as having a Low or Moderate retention value.

- 114. Loss of trees will be offset by an increase in trees including canopy trees in each street frontage, the community garden and the central courtyard communal space. Screening trees are also provided in setbacks.
- 115. The proposal meets the requirements of Standard B38 (Landscaping objectives) which require 15% of the site to include deep soil planting and for a 1,546sqm canopy coverage. Deep soil planting is provided for approximately 19% of the site area and canopy coverage is proposed for approximately 1,550sqm of the site.
- 116. Permit conditions, as recommended by the council, require an alternative canopy tree to *Acacia implexa* with comparable height and canopy dimensions selected from Merri-bek's Tree Planting Manual for Residential Zones 2019 and for standard street tree protection measures.
- 117. A variation is sought to Standard B37 (Solar access to communal outdoor open space objective) which requires 125sqm of the primary communal open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June. A northern orientation to communal open space is encouraged in the Standard.
- 118. The site has two street frontages making northern orientation of the communal open space areas is not favourable. The primary open space (ground level area) will receive sunlight for a maximum of 11.3% or 69sqm sunlight (at 11am on 21 June) and will be wholly in shadows at 2pm.
- 119. A variation is acceptable because the siting of communal open space between buildings is an effect of the site characteristics which has two frontages and is design strategy to the break up built form as viewed from adjoining lots. Additionally, residents will have access to the community garden at Jessie Street which enjoys good solar access on 21 June.



Figure 19: Site landscape plan

Car and Bicycle Parking, Loading, and Other Services

Car Parking

120. The following car parking rates apply to the proposal in accordance with Clause 52.06:

Use	Rate	Amount Required	Amount Provided
Car Parking: Dwellings	1 space to each one or two bedroom dwelling	75	18
Car parking: Office	3 spaces to each 100sqm of net floor area	34	0
Car Share	NA	NA	1
Total		109	19

121. A car parking reduction of 90 spaces is sought. Clause 52.06-3 requires a permit to reduce the number of spaces required under Clause 52.06-5.
122. It is noted that a 0.6 carparking space per dwelling rate applies to consent requests received under Clause 53.20 (Housing on or behalf of Homes Victoria). The purpose of this application pathway is to facilitate the development of social and affordable housing. The housing component of the subject proposal is for 100% social and affordable housing, however, is not eligible for this consent pathway. A 45 space parking requirement would be generated if the 0.6 rate applied.
123. A Traffic Impact Assessment (TIA) prepared by Ratio has been submitted in support of the proposed reduction. The TIA includes a case study analysis of constructed/completed affordable housing developments where parking rates are below both Clause 52.06 and Clause 53.20 requirements.
124. Across the 6 case studies the average rate is calculated at 0.2 spaces per dwelling. The proposed rate is 0.24 spaces per dwelling and marginally above the case study average. The TIA argues that based on the case study analysis and the site excellent access to active and public transport and proposed the proposed resident parking rate is acceptable. Bicycle provisions are provided above the statutory requirement and are separately discussed.
125. As indicated in Figure 20 the site is well connected to a diverse range of public transport options (rail, tram and buses) providing travel in all directions and to the Melbourne CBD. The site is also connected to active transport routes including the Upfield shared bike which runs parallel to the rail line.
126. A zero rate is proposed for the Office component. The TIA states the demand anticipated from the office use is minimal because of the limited and or restricted public parking in surrounds and the availability of high quality alternate transport in surrounds.
127. A Green Travel Plan (GTP) prepared by Ratio has been supplied with the application. The GTP provides information on alternative travel options to future residents and offices users and details public transport options, access to bike parking and alternatives to owning a private vehicle.
128. A car parking reduction is supported by local and state planning policy. This includes Clause 18.01-3S (Sustainable and safe transport) which includes “Prioritise the use of sustainable personal transport”, Clause 18.02-2S (Cycling) “Enable cycling as a part of everyday life” and Clause 18.02-4L (Car parking in Merri-bek) which supports car parking reduction within and close to activity centres, in locations with excellent access to public transport and with increased bicycle parking.

129. Council Officers do not object to the proposed car parking reduction. However, a Councillor motion at the PARM meeting including a recommended condition for 5 spaces for the Office use and was included in Council's recommended conditions. This has not been included as a permit condition. The rate of car parking is acceptable for the reasons discussed above.

Design Standards for Car Parking

130. The proposed design of car parking spaces meets design standards pursuant to Clause 52.06-9. The TIA includes swept path diagrams and details onsite car parking area grades and dimensions of spaces. Waste collection swept paths are also provided which show collection within in the site which is serviced by a turnaround bay.
131. Council did not object to the design of car parking and vehicle access. Conditions require the submission of a public works plans to the satisfaction of Merri-bek City Council showing technical specification of upgrade works to the public realm.

Access, Traffic Movement and Circulation

132. Traffic was raised in a number of objections. The TIA projects additional vehicle movements in Jessie Street as a result of the development will generate 0.5 movements per dwelling at peak times which equates to 10 movements in peak times. This is described as a "negligible" increase in the TIA noting Jessie Street is the access point for the multi-level car to John Fawcner Hospital.
133. Informal car parking and the associated crossover (kerb and channel reinstated) to Hall Street will be removed as a result of the application reducing trips to the site from Hall Street.
134. Council did not object to traffic movement in the application.

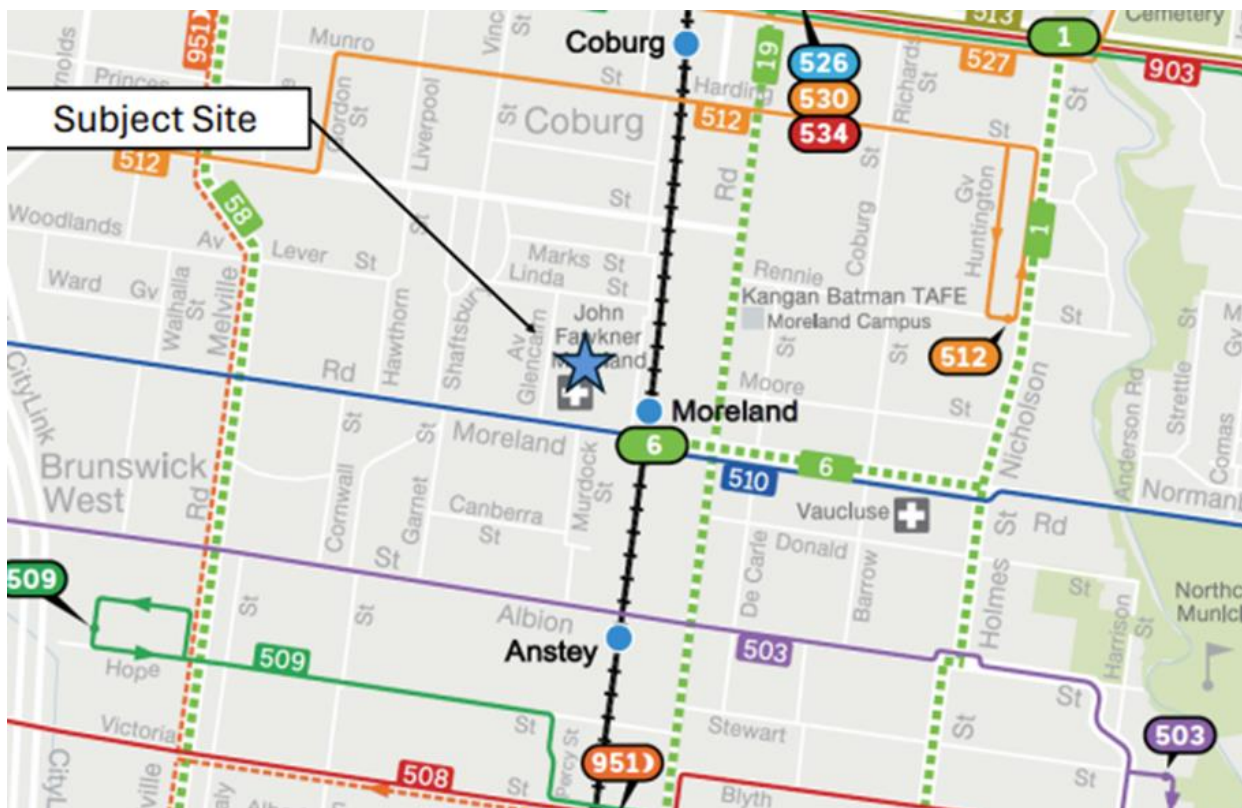


Figure 20: Public transport availability in the surrounds



Bicycle Facilities

135. Clause 52.34-1 of the Scheme requires bicycle parking facilities as follows:

Proposed Use	Purpose	Bicycle Parking Rate	No. of Spaces Required	No. of Spaces Provided
Dwelling	Resident	1 space / 5 dwellings	15	75
	Visitor	1 space / 10 dwellings	8	16
Office	Employee	1 to each 300m ² of net floor area, if the net floor area exceeds 1000m ²	4	36
	Visitor	1 to each 1000m ² of net floor area, if the net floor area exceeds 1000m ²	1	6
Total			28	127

136. Bicycle parking facilities are provided in the following areas:

- Secure resident parking compound with 64 spaces (20 at grade and 40 wall mounted)
- Secure commercial parking compound with 24 wall mounted spaces
- 10 visitor spaces at the Hall Street residential entrance
- 6 visitor spaces at the Jessie Street frontage
- 12 commercial spaces fronting the Community Garden area
- 6 visitor spaces adjacent to the Central Courtyard.

137. The requirement to provide Showers and Change Rooms is not triggered because the employee bike parking provision does not exceed 5 spaces. However, the proposal includes the provision of end of trip facilities including showers and change rooms and supports the approved Office car parking reduction.

138. Conditions recommended by Council include a requirement for 112 resident bike parking spaces and particular design specifications for bike parking areas (increased percentage of accessible parking, dimensions to be shown in accordance with the relevant Australian Standard and for secure access and self-locking door be introduced).

139. Design specification conditions recommended by Council have been included on the permit. The proposed volume of bike parking exceeds the requirements of Clause 52.34 and will provide appropriate supply for bike users across the uses. Council recommended condition to increase parking for the residential use has not been adopted.

Waste

140. A waste management plan prepared by Ratio has been provided. A dedicated waste storage area is located in the car parking area which includes shared bins for the commercial and residential uses. A discussed previously waste collection will occur within the car parking area.

141. Subject to conditions Council does not object to the proposed waste management plan. This includes confirmation that waste will be collected by a private contractor and that the layout be amended so that no bin is placed behind another. These conditions are included on the permit.

Sustainability

Environmentally Sustainable Design (ESD)

142. A Sustainability Management Plan (SMP) prepared by Blue Bee Sustainable Services in response to the requirements of Clause 15.01-2L-05 (Environmentally sustainable development) has been submitted. The SMP includes a BESS report which demonstrates that the proposal will achieve a 60% 'Best Practice' rating.
143. Notable features of the SMP include provision of a 20kW rooftop solar photovoltaic system, a full electric (no natural gas) development and an average NatHERS rating of 7.2 stars will be achieved.
144. Conditions recommended by Council to further improve the sustainable design response have been included on the permit. This includes the provision of external shading devices to north, east and west facing habitable room windows and surface finish specifications to roofs and driveway to minimise solar absorptance and reflection.

Stormwater Management and Water Sensitive Urban Design (WSUD)

145. The SMP includes WSUD commitments and confirms that the proposal achieves a 100% STORM rating. This is achieved through the provision of 50kl rainwater tanks (1x20kl and 1x30kl tank) which are connected to toilets and irrigation systems for reuse of captured water. Additionally, a 9sqm raingarden area is also provided.
146. Permit conditions recommended by Council requiring an updated WSUD catchment plan showing all stormwater management features committed to in the STORM report has been included on the permit.

Other Matters

Development Contributions

147. The site is within the Development Contribution Overlay - Schedule 1 (DCPO1). DCPO1 has expired and is not applicable to applications determined on or after 1 July 2021.

Removal of an Easement

148. A permit is required before a person proceeds under Section 23 of the Subdivision Act 1988 to create, vary or remove an easement or restriction pursuant to Clause 52.02.
149. As indicated in Figure 1, an easement is registered on the titles adjacent to the boundary of 17 Hall Street and is for the right of carriage way and sewerage. The titles do not identify a beneficiary or authority that the easement is in favour of.
150. The planning report submitted with the application outlines that the easement provides right of carriage to 24 Jessie Street, and the right of carriage and sewerage to No.19 Hall Street and that these arrangements will become extinguished as a result of the proposal.
151. All lots that benefit from these easements form part of the application and are ownership of Uniting. Yarra Valley Water is the relevant water/sewerage provider and has been notified of the proposed easement removal. Yarra Valley Water has not made a submission in response to the permit application.
152. The interests of affected people have been considered and the removal will contribute to the orderly planning of the area, support a development consistent with state and local policy and accords with the decision guidelines of Clause 65.01. The proposed easement removal is supported.

Housing Statement

153. The Department of Premier and Cabinet released Victoria's Housing Statement: The Decade Ahead 2024-2034 (Housing Statement) in September 2023 which aims to increase housing supply in Victoria. The Housing Statement sets a target of building 800,000 homes in Victoria over the next decade with 70% of new homes to be built in established area.



154. The Housing Statement also aims to build more social and affordable housing for the Victorians who need it most. The permit will contribute to objectives of the Housing Statement through the delivery of new housing in an established area well served by infrastructure. Additionally, 75% of the housing will be affordable housing and 25% will be social housing which meets the requirements of Clause 53.23-4.

Recommendation



155. The proposal is generally consistent with the relevant planning policies of the Merri-bek Planning Scheme and will contribute to the provision of affordable and social housing, and a range of community and outreach services.
156. Variation to the mandatory maximum building height can be considered under Clause 53.23 and is appropriate in this instance.
157. The proposal is generally supported by the various referral agencies.
158. It is recommended that Planning Permit No. PA2403141 for 'Use and development of the land for a mixed-use development comprising of 75 dwellings and office, reduction in the car parking requirement, buildings and workings in the Heritage Overlay and removal of an easement'. at 24 Jessie Street and 19 Hall Street, Coburg be issued subject to conditions.
159. It is recommended that the applicant and the council be notified of the above in writing.



Prepared by:

I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

- No Conflict**
- Conflict and have therefore undertaken the following actions:
 - Completed the **Statutory Planning Services declaration of Conflict/Interest form.**
 - Attached the Statutory Planning Services declaration of Conflict/Interest form on to the hardcopy file.
 - Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.

Name: [REDACTED]

Title: Senior Planner, Development Approvals and Design

Signed:

[REDACTED]

Phone: [REDACTED]

Dated: 7 November 2024

Reviewed / Approved by:

I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

- No Conflict**
- Conflict and have therefore undertaken the following actions:
 - Completed the **Statutory Planning Services declaration of Conflict/Interest form.**
 - Attached the Statutory Planning Services declaration of Conflict/Interest form on to the hardcopy file.
 - Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.

Name: [REDACTED]

Title: Manager, Priority Projects

Signed:

[REDACTED]

Phone: [REDACTED]

Dated: 7/11/2024

Appendix 1: Clause 55 Assessment



The following tables comprise an assessment of the proposed apartments against clause 55 of the planning scheme.

Neighbourhood and site description

Clause 55.01-1	Assessment
<ul style="list-style-type: none"> • <i>The neighbourhood and site description may use a site plan, photographs or other techniques and must accurately describe:</i> <ul style="list-style-type: none"> ○ <i>In relation to the neighbourhood:</i> <ul style="list-style-type: none"> - <i>The pattern of development of the neighbourhood.</i> - <i>The built form, scale and character of surrounding development including front fencing.</i> - <i>Architectural and roof styles.</i> - <i>Any other notable features or characteristics of the neighbourhood.</i> ○ <i>In relation to the site:</i> <ul style="list-style-type: none"> - <i>Site shape, size, orientation and easements.</i> - <i>Levels of the site and the difference in levels between the site and surrounding properties.</i> - <i>The location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.</i> - <i>The use of surrounding buildings.</i> - <i>The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres.</i> - <i>Solar access to the site and to surrounding properties.</i> - <i>Location of significant trees existing on the site and any significant trees removed from the site 12 months prior to the application being made, where known.</i> - <i>Any contaminated soils and filled areas, where known.</i> - <i>Views to and from the site.</i> - <i>Street frontage features such as poles, street trees and kerb crossovers.</i> - <i>The location of local shops, public transport services and public open spaces within walking distance.</i> - <i>Any other notable features or characteristics of the site.</i> • <i>If in the opinion of the responsible authority a requirement of the neighbourhood and site description is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.</i> <p>Satisfactory neighbourhood and site description</p> <ul style="list-style-type: none"> • <i>If the responsible authority decides that the neighbourhood and site description is not satisfactory, it may require more information from the applicant under Section 54 of the Act.</i> • <i>The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the neighbourhood and site description meets the requirements of Clause 55.01-1 and is satisfactory.</i> • <i>This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.</i> 	<p>Complies</p> <p>Neighbourhood and site description plan prepared by DKO Architecture and survey plan prepared by GEM have been submitted in response to this requirement.</p>

Design response

Clause 55.01-2	Assessment
<ul style="list-style-type: none"> • <i>The design response must explain how the proposed design:</i> <ul style="list-style-type: none"> ○ <i>Derives from and responds to the neighbourhood and site description.</i> ○ <i>Meets the objectives of Clause 55.</i> 	<p>Complies</p> <p>Planning report prepared by Three Thirds Group outlines the design response, neighbourhood character assessment and apartment guideline assessment.</p>



- Responds to any neighbourhood character features for the area identified in a local planning policy or a Neighbourhood Character Overlay.
- If the application is for an apartment development, the design response must explain how the proposed design selects materials and finishes for the external walls.
- The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.

Neighbourhood character objectives

Clause 55.02-1	Assessment
Objectives <ul style="list-style-type: none"> • To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character. • To ensure that development responds to the features of the site and the surrounding area. 	Complies Although the proposal seeks to vary the mandatory maximum building height, this is acceptable. A detailed assessment of this consideration is provided in the main body of the report.
Standard B1 <ul style="list-style-type: none"> • The design response must be appropriate to the neighbourhood and the site. • The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site. 	

Residential policy objectives

Clause 55.02-2	Assessment
Objectives <ul style="list-style-type: none"> • To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework. • To support medium densities in areas where development can take advantage of public transport and community infrastructure and services. 	Complies Planning report prepared by Three Thirds Group responds to all relevant state and local policies of the Merri-bek Planning Scheme.
Standard B2 <ul style="list-style-type: none"> • An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the Municipal Planning Strategy and the Planning Policy Framework. 	

Dwelling diversity objective

Clause 55.02-3	Assessment
Objective <ul style="list-style-type: none"> • To encourage a range of dwelling sizes and types in developments of ten or more dwellings. 	Complies The proposal provides a mix of one and two bedroom dwellings. The proponent will operate the social and affordable housing component of the proposal and has developed the proposal to cater to established needs of future residents.
Standard B3 <ul style="list-style-type: none"> • Developments of ten or more dwellings should provide a range of dwelling sizes and types, including: <ul style="list-style-type: none"> ○ Dwellings with a different number of bedrooms. ○ At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level. 	



Infrastructure objectives

Clause 55.02-4	Assessment
Objectives <ul style="list-style-type: none"> To ensure development is provided with appropriate utility services and infrastructure. To ensure development does not unreasonably overload the capacity of utility services and infrastructure. 	Complies The site is in an established area connected to services and will not unreasonably exceed the capacity of utility services and infrastructure. Notably, the development is gas free, includes rooftop solar panels and reuses harvested rainwater.
Standard B4 <ul style="list-style-type: none"> 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. 	

Integration with the street objective

Clause 55.02-5	Assessment
Objective <ul style="list-style-type: none"> To integrate the layout of development with the street. 	Complies The proposal improves activation to Hall and Jessie Streets. This is discussed in more detail in the main body of the report.
Standard B5 <ul style="list-style-type: none"> Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility. Development should be oriented to front existing and proposed streets. High fencing in front of dwellings should be avoided if practicable. Development next to existing public open space should be laid out to complement the open space. 	

Street setback objective

Clause 55.03-1	Assessment										
Objective <ul style="list-style-type: none"> To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site. 	Variation										
Standard B6 <ul style="list-style-type: none"> Walls of buildings should be set back from streets: <ul style="list-style-type: none"> At least the distance specified in a schedule to the zone, or If no distance is specified in a schedule to the zone, the distance specified in Table B1. Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard. 	Hall Street Requirement: 6.85m Proposed: 5.3m to 7.3m Jessie Street Requirement: 5.95m Proposed: 6.8m Discussed in more detail the main body of the report.										
Table B1 Street setback											
<table border="1"> <thead> <tr> <th>Development Context</th> <th>There is an existing building on both the abutting allotments facing the same street, and the site is</th> <th>There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment</th> <th>There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.</th> <th>The site is on a corner.</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Development Context	There is an existing building on both the abutting allotments facing the same street, and the site is	There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment	There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.	The site is on a corner.						
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	<i>not on a corner.</i>	<i>facing the same street, and the site is not on a corner.</i>		
Minimum setback from front street (metres)	<i>The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.</i>	<i>The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</i>	<i>6 metres for streets in a Transport Zone 2 and 4 metres for other streets.</i>	<i>If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</i> <i>If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Transport Zone 2 and 4 metres for other streets.</i>
Minimum setback from a side street (metres)	<i>Not applicable.</i>	<i>Not applicable.</i>	<i>Not applicable.</i>	<i>Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser.</i> <i>Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.</i>



Building height objective

Clause 55.03-2	Assessment
Objective <ul style="list-style-type: none">To ensure that the height of buildings respects the existing or preferred neighbourhood character.	Variation
Standard B7 <ul style="list-style-type: none">The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.Changes of building height between existing buildings and new buildings should be graduated.	The proposal is for a four storey building and exceeds the mandatory maximum building height of the NRZ. This is discussed in detail in the main body of the report.

Site coverage objective

Clause 55.03-3	Assessment
Objective <ul style="list-style-type: none">To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.	Complies
Standard B8 <ul style="list-style-type: none">The site area covered by buildings should not exceed:<ul style="list-style-type: none">The maximum site coverage specified in a schedule to the zone, orIf no maximum site coverage is specified in a schedule to the zone, 60 per cent.	Maximum: 60% Proposed: 56.8%

Permeability and stormwater management objectives

Clause 55.03-4	Assessment
Objectives <ul style="list-style-type: none">To reduce the impact of increased stormwater run-off on the drainage system.To facilitate on-site stormwater infiltration.To encourage stormwater management that maximises the retention and reuse of stormwater.	Complies
Standard B9 <ul style="list-style-type: none">The site area covered by the pervious surfaces should be at least:<ul style="list-style-type: none">The minimum area specified in a schedule to the zone, orIf no minimum is specified in a schedule to the zone, 20 percent of the site.The stormwater management system should be designed to:<ul style="list-style-type: none">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).Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.	Minimum: 20% Proposed: 29.6%

Energy efficiency objectives

Clause 55.03-5	Assessment
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<p>Objectives</p> <ul style="list-style-type: none"> To achieve and protect energy efficient dwellings and residential buildings. To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy. 	<p>Does not apply in an application to construct and apartment development</p>
<p>Standard B10</p> <ul style="list-style-type: none"> Buildings should be: <ul style="list-style-type: none"> 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. Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged. 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 maximised. 	

Open space objective

<p>Clause 55.03-6</p>	<p>Assessment</p>
<p>Objective</p> <ul style="list-style-type: none"> To integrate the layout of development with any public and communal open space provided in or adjacent to the development. 	<p>Does not apply in an application to construct and apartment development</p>
<p>Standard B11</p> <ul style="list-style-type: none"> If any public or communal open space is provided on site, it should: <ul style="list-style-type: none"> Be substantially fronted by dwellings, where appropriate. Provide outlook for as many dwellings as practicable. Be designed to protect any natural features on the site. Be accessible and useable. 	

Safety objective

<p>Clause 55.03-7</p>	<p>Assessment</p>
<p>Objective</p> <ul style="list-style-type: none"> To ensure the layout of development provides for the safety and security of residents and property. 	<p>Complies</p>
<p>Standard B12</p> <ul style="list-style-type: none"> Entrances to dwellings and residential buildings 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. 	<p>Dwelling entries are from dedicated lobbies from the Hall and Jessie Street frontages which are visible from the street and clear glazed. Internal corridors include natural light and good visibility.</p>

Landscaping objectives

<p>Clause 55.03-8</p>	<p>Assessment</p>
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<p>Objectives</p> <ul style="list-style-type: none"> To encourage development that respects the landscape character of the neighbourhood. To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance. To provide appropriate landscaping. To encourage the retention of mature vegetation on the site. 	<p>Does not apply in an application to construct and apartment development</p>
<p>Standard B13</p> <ul style="list-style-type: none"> The landscape layout and design should: <ul style="list-style-type: none"> Protect any predominant landscape features of the neighbourhood. Take into account the soil type and drainage patterns of the site. Allow for intended vegetation growth and structural protection of buildings. In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals. Provide a safe, attractive and functional environment for residents. Development should provide for the retention or planting of trees, where these are part of the character of the neighbourhood. Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made. The landscape design should specify landscape themes, vegetation (location and species), paving and lighting. Development should meet any additional landscape requirements specified in a schedule to the zone. 	

Access objective

<p>Clause 55.03-9</p>	<p>Assessment</p>
<p>Objectives</p> <ul style="list-style-type: none"> To ensure the number and design of vehicle crossovers respects the neighbourhood character. 	<p>Complies</p>
<p>Standard B14</p> <ul style="list-style-type: none"> The width of accessways or car spaces should not exceed: <ul style="list-style-type: none"> 33 per cent of the street frontage, or if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage. No more than one single-width crossover should be provided for each dwelling fronting a street. The location of crossovers should maximise the retention of on-street car parking spaces. The number of access points to a road in a Transport Zone 2 or a Transport Zone 3 should be minimised. Developments must provide for access for service, emergency and delivery vehicles. 	<p>The volume of crossovers is reduced as result of the proposal and the development relies on a single crossover to the south-west frontage to Jessie Street.</p>

Parking location objectives

<p>Clause 55.03-10</p>	<p>Assessment</p>
<p>Objectives</p> <ul style="list-style-type: none"> To provide convenient parking for resident and visitor vehicles. To protect residents from vehicular noise within developments. 	<p>Complies</p>
<p>Standard B15</p> <ul style="list-style-type: none"> Car parking facilities should: <ul style="list-style-type: none"> Be reasonably close and convenient to dwellings and residential buildings. 	<p>Car parking area links to the central courtyard and residential entries. The car parking area is open sided supporting ventilation and setback more than 3.2m</p>



- *Be secure.*
- *Be well ventilated if enclosed.*
- *Shared accessways or car parks of other dwellings and residential buildings 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.*

from the adjoining property. Screening planting is provided in this setback.

Side and rear setback objective

Clause 55.04-1	Assessment
Objective <ul style="list-style-type: none"> ● <i>To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.</i> 	Variation
Standard B17 <ul style="list-style-type: none"> ● <i>A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:</i> <ul style="list-style-type: none"> ○ <i>At least the distance specified in a schedule to the zone, or</i> ○ <i>If no distance is specified in a schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.</i> ● <i>Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.</i> ● <i>Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.</i> 	This is discussed in detail in the report.

Walls on boundary objective

Clause 55.04-2	Assessment
Objective <ul style="list-style-type: none"> ● <i>To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.</i> 	Complies
Standard B18 <ul style="list-style-type: none"> ● <i>A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary:</i> <ul style="list-style-type: none"> ○ <i>For a length of more than the distance specified in a schedule to the zone; or</i> ○ <i>If no distance is specified in a schedule to the zone, for a length of more than:</i> <ul style="list-style-type: none"> - <i>10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or</i> - <i>Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports whichever is the greater.</i> ● <i>A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.</i> ● <i>A building on a boundary includes a building set back up to 200mm from a boundary.</i> ● <i>The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or</i> 	Discussed in more detail in the report.

rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

Daylight to existing windows objective

Clause 55.04-3	Assessment
Objective <ul style="list-style-type: none"> To allow adequate daylight into existing habitable room windows. 	Complies Setbacks provide daylight to existing windows in accordance with the standard.
Standard B19 <ul style="list-style-type: none"> Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot. Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window. Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window. 	

North-facing windows objective

Clause 55.04-4	Assessment
Objective <ul style="list-style-type: none"> To allow adequate solar access to existing north-facing habitable room windows. 	N/A
Standard B20 <ul style="list-style-type: none"> If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east. 	

Overshadowing open space objective


Clause 55.04-5	Assessment
Objective <ul style="list-style-type: none"> To ensure buildings do not significantly overshadow existing secluded private open space. 	Variation Discussed in detail in the main report body.
Standard B21 <ul style="list-style-type: none"> Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September. If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced. 	



Overlooking objective

Clause 55.04-6	Assessment
<p>Objective</p> <ul style="list-style-type: none"> To limit views into existing secluded private open space and habitable room windows. 	<p>Condition</p>
<p>Standard B22</p> <ul style="list-style-type: none"> A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level. A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either: <ul style="list-style-type: none"> Offset a minimum of 1.5 metres from the edge of one window to the edge of the other. Have sill heights of at least 1.7 metres above floor level. Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level. Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent. Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard. Screens used to obscure a view should be: <ul style="list-style-type: none"> Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels. Permanent, fixed and durable. Designed and coloured to blend in with the development. This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary. 	<p>Complies subject to conditions. Discussed in report.</p>

Internal views objective

Clause 55.04-7	Assessment
<p>Objective</p> <ul style="list-style-type: none"> To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development. 	<p>Complies</p>
<p>Standard B23</p> <ul style="list-style-type: none"> Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development. 	<p>Dwellings are proposed mostly in a single plane with minimal downward views. Windows are offset where orientated internally and opposite habitable rooms for daylight. See image below.</p> 



Noise impacts objectives

Clause 55.04-8	Assessment
Objectives <ul style="list-style-type: none">To contain noise sources in developments that may affect existing dwellings.To protect residents from external noise.	Does not apply in an application to construct and apartment development
Standard B24 <ul style="list-style-type: none">Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties.Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.	

Accessibility objective

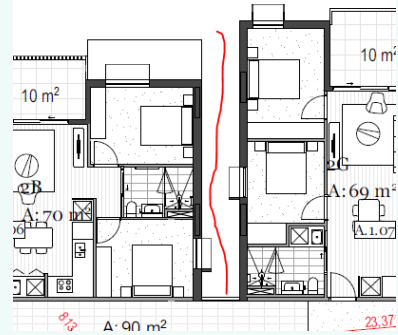
Clause 55.05-1	Assessment
Objective <ul style="list-style-type: none">To encourage the consideration of the needs of people with limited mobility in the design of developments.	Does not apply in an application to construct and apartment development
Standard B25 <ul style="list-style-type: none">The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.	

Dwelling entry objective

Clause 55.05-2	Assessment
Objective <ul style="list-style-type: none">To provide each dwelling or residential building with its own sense of identity.	Does not apply in an application to construct and apartment development
Standard B26 <ul style="list-style-type: none">Entries to dwellings and residential buildings should:<ul style="list-style-type: none">Be visible and easily identifiable from streets and other public areas.Provide shelter, a sense of personal address and a transitional space around the entry.	

Daylight to new windows objective

Clause 55.05-3	Assessment
Objective <ul style="list-style-type: none">To allow adequate daylight into new habitable room windows.	Complies All habitable room windows orientated to balconies or opening in walls with compliant daylight access. A 1.5m opening is provided in the Hall Street building where bedroom windows face internally for daylight.
Standard B27 <ul style="list-style-type: none">A window in a habitable room should be located to face:<ul style="list-style-type: none">An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, orA verandah provided it is open for at least one third of its perimeter, orA carport provided it has two or more open sides and is open for at least one third of its perimeter.	



Private open space objective

Clause 55.05-4	Assessment
Objective <ul style="list-style-type: none"> To provide adequate private open space for the reasonable recreation and service needs of residents. 	N/A
Standard B28 <ul style="list-style-type: none"> A dwelling or residential building should have private open space of an area and dimensions specified in a schedule to the zone. If no area or dimensions are specified in a schedule to the zone, a dwelling or residential building should have private open space consisting of: <ul style="list-style-type: none"> An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room. The balcony requirements in Clause 55.05-4 do not apply to an apartment development. 	See Standard B43

Solar access to open space objective

Clause 55.05-5	Assessment
Objective <ul style="list-style-type: none"> To allow solar access into the secluded private open space of new dwellings and residential buildings. 	N/A
Standard B29 <ul style="list-style-type: none"> The private open space should be located on the north side of the dwelling or residential building, if appropriate. The southern boundary of secluded private open space should be set back from any wall on the north of the space at least $(2 + 0.9h)$ metres, where 'h' is the height of the wall. 	Secluded private open space areas provided as balconies. Where ground level SPOS is proposed these areas have a northern orientation.

Storage objective

Clause 55.05-6	Assessment
Objective <ul style="list-style-type: none"> To provide adequate storage facilities for each dwelling. 	Does not apply in an application to construct and apartment development
Standard B30	

- Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.

Design detail objective

Clause 55.06-1	Assessment
Objective <ul style="list-style-type: none"> • To encourage design detail that respects the existing or preferred neighbourhood character. 	Complies The design detail represents a high quality architectural outcome and appropriately responds to the character of the surrounds. This is discussed in the main body of the report.
Standard B31 <ul style="list-style-type: none"> • The design of buildings, including: <ul style="list-style-type: none"> ○ Facade articulation and detailing, ○ Window and door proportions, ○ Roof form, and ○ Verandahs, eaves and parapets, should respect the existing or preferred neighbourhood character. • Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character. 	

Front fences objective

Clause 55.06-2	Assessment
Objective <ul style="list-style-type: none"> • To encourage front fence design that respects the existing or preferred neighbourhood character. 	Variation Front fences to Hall Street have a maximum height of 1.8m. A variation is acceptable because the fence is not proposed for the extent of the site frontage, is buffered by landscaping and replaces an existing fence of similar height constructed to the boundary.
Standard B32 <ul style="list-style-type: none"> • The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties. • A front fence within 3 metres of a street should not exceed: <ul style="list-style-type: none"> ○ The maximum height specified in a schedule to the zone, or ○ If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B3. 	

Table B3 Maximum front fence height

Street Context	Maximum front fence height
Streets in a Transport Zone 2	2 metres
Other streets	1.5 metres

Common property objectives

Clause 55.06-3	Assessment
Objectives <ul style="list-style-type: none"> • To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. • To avoid future management difficulties in areas of common ownership. 	Complies Site plans indicate areas of communal and private open space and delineate between commercial and residential uses.
Standard B33 <ul style="list-style-type: none"> • Developments should clearly delineate public, communal and private areas. • Common property, where provided, should be functional and capable of efficient management. 	



Site services objectives

Clause 55.06-4	Assessment
Objectives <ul style="list-style-type: none"> To ensure that site services can be installed and easily maintained. To ensure that site facilities are accessible, adequate and attractive. 	Complies Site services are suitably integrated into the design and will have a minimal visual impact on the public realm. These facilities (e.g. water metres and substation) are provided in landscaped areas and will be screened from the public realm.
Standard B34 <ul style="list-style-type: none"> The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically. Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development. Bin and recycling enclosures should be located for convenient access by residents. Mailboxes should be provided and located for convenient access as required by Australia Post. 	

Energy efficiency objectives

Clause 55.07-1	Assessment
Objectives <ul style="list-style-type: none"> 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. 	Complies Sustainable design response to discussed in detail in the main body of this report.
Standard B35 <ul style="list-style-type: none"> Buildings should be: <ul style="list-style-type: none"> 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. Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged. 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. Dwellings located in a climate zone identified Table B4 in should not exceed the maximum NatHERS annual cooling load specified in the following table. 	



Table B4 Cooling load

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

Note:

- Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy). Maximum cooling load levels are currently being prepared for all relevant Victorian climate zones.

Communal open space objective

Clause 55.07-2	Assessment
<p>Objectives</p> <ul style="list-style-type: none"> • To provide communal open space that meets the recreation and amenity needs of residents. • To ensure that communal open space is accessible, functional, and is easily maintained. • To ensure that communal open space is integrated with the layout of the development and enhances resident amenity. 	<p>Complies</p> <p>The Standard requires 217.5sqm of communal open space. The Standard is exceeded with two communal open space areas provided for residential uses including a first floor communal terrace of 211sqm in the Jessie Street building and a 398sqm area at ground level. Resident's will also have access to the community garden at Jessie Street.</p>
<p>Standard B36</p> <ul style="list-style-type: none"> • A development of 10 or more dwellings should provide a minimum area of communal outdoor open space of 30 square metres. • If a development contains 13 or more dwellings, the development should also provide an additional minimum area of communal open space of 2.5 square metres per dwelling or 220 square metres, whichever is the lesser. This additional area may be indoors or outdoors and consist of multiple separate areas of communal open space. • Each area of communal open space should be: <ul style="list-style-type: none"> ○ Accessible to all residents. ○ A useable size, shape and dimension. ○ Capable of efficient management. ○ Be located to: <ul style="list-style-type: none"> - Provide passive surveillance opportunities, where appropriate. - Provide outlook for as many dwellings as practicable. - Avoid overlooking into habitable rooms and private open space of new dwellings. - Minimise noise impacts to new and existing dwellings. • Any area of communal outdoor open space should be landscaped and include canopy cover and trees. 	



Solar access to communal outdoor open space objective

Clause 55.07-3	Assessment
Objective <ul style="list-style-type: none"> To allow solar access into communal outdoor open space. 	Variation
Standard B37 <ul style="list-style-type: none"> The communal outdoor open space should be located on the north side of a building, if appropriate. At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June. 	Discussed in main body of the report.

Landscaping objectives

Clause 55.07-4	Assessment						
Objectives <ul style="list-style-type: none"> To provide landscaping that supports the existing or preferred urban context of the area and reduces the visual impact of buildings on the streetscape. To preserve existing canopy cover and support the provision of new canopy cover. To ensure landscaping is climate responsive, supports biodiversity, wellbeing and amenity and reduces urban heat. 	Complies						
Standard B38 <ul style="list-style-type: none"> Development should retain existing trees and canopy cover. Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made. Development should: <ul style="list-style-type: none"> Provide the canopy cover and deep soil areas specified in Table B5. Existing trees can be used to meet the canopy cover requirements of Table B5. Provide canopy cover through canopy trees that are: <ul style="list-style-type: none"> Located in an area of deep soil specified in Table B6. Where deep soil cannot be provided trees should be provided in planters specified in Table B6. Consistent with the canopy diameter and height at maturity specified in Table B7. 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. <p>Table B5 Canopy cover and deep soil requirements:</p> <table border="1"> <thead> <tr> <th>Site area (sqm)</th> <th>Canopy cover</th> <th>Deep soil</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Site area (sqm)	Canopy cover	Deep soil				<p>The landscape response is of a high standard and retains heritage value vegetation. This is discussed in detail in the main body of the report.</p>
Site area (sqm)	Canopy cover	Deep soil					



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

Table B6 Soil requirements for trees:

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

Note:

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

Table B7 Tree types:

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

Integrated water and stormwater management objectives

Clause 55.07-5	Assessment
Objectives <ul style="list-style-type: none"> • 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. 	Complies



- 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.

Standard B39

- 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).
 - Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.

Collected rainwater is reused for irrigation and toilet flushing. This is discussed in detail in the main body of the report.

Access objective

Clause 55.07-6	Assessment
<p>Objectives</p> <ul style="list-style-type: none"> • To ensure that vehicle crossovers are designed and located to provide safe access for pedestrians, cyclists and other vehicles. • To ensure that vehicle crossovers are designed and located to minimise visual impact. 	Complies
<p>Standard B40</p> <ul style="list-style-type: none"> • Vehicle crossovers should be minimised. • Car parking entries should be consolidated, minimised in size, integrated with the façade and where practicable located at the side or rear of the building. • Pedestrian and cyclist access should be clearly delineated from vehicle access. • The location of crossovers should maximise pedestrian safety and the retention of on-street car parking spaces and street trees. • Development must provide access for service, emergency and delivery vehicles. 	Crossovers are reduced as a result of the proposal with vehicle access provided by a single cross over at the south-west frontage of Jessie Street.

Noise impact objective

Clause 55.07-7	Assessment
<p>Objectives</p> <ul style="list-style-type: none"> • To contain noise sources in developments that may affect existing dwellings. • To protect residents from external and internal noise sources. 	Complies
<p>Standard B41</p> <ul style="list-style-type: none"> • Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings. • The layout of new dwellings and buildings should minimise noise transmission within the site. • Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings. • New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources. • Buildings within a noise influence area specified in Table B8 should be designed and constructed to achieve the following noise levels: <ul style="list-style-type: none"> ○ Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am. 	New bedrooms are designed to avoid potential impacts from site services. The site is not within a noise influence area defined in Table B8.



- *Not greater than 40dB(A) for living areas, assessed LAeq, 16h from 6am to 10pm.*
- *Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.*
- *Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.*

Table B8 Noise influence area:

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

Note:

- *The noise influence area should be measured from the closest part of the building to the noise source.*

Accessibility objective

Clause 55.07-8	Assessment								
<p>Objective</p> <ul style="list-style-type: none"> • <i>To ensure the design of dwellings meets the needs of people with limited mobility.</i> 	<p>Complies</p> <p>80% of the dwellings are accessible. Further conditions are included on the permit to adding details to show all accessible design features.</p>								
<p>Standard B42</p> <ul style="list-style-type: none"> • <i>At least 50 per cent of dwellings should have:</i> • <i>A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.</i> • <i>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.</i> • <i>A main bedroom with access to an adaptable bathroom.</i> • <i>At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table B9.</i> <p style="text-align: center;">Table B9 Bathroom design:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #008080; color: white;"></th> <th style="background-color: #008080; color: white;">Design option A</th> <th style="background-color: #008080; color: white;">Design option B</th> </tr> </thead> <tbody> <tr> <td>Door opening</td> <td>A clear 850mm wide door opening</td> <td>A clear 820mm wide door opening located opposite the shower</td> </tr> <tr> <td>Door Design</td> <td>Either: <ul style="list-style-type: none"> • A slide door, or </td> <td>Either: <ul style="list-style-type: none"> • A slide door, or </td> </tr> </tbody> </table>			Design option A	Design option B	Door opening	A clear 850mm wide door opening	A clear 820mm wide door opening located opposite the shower	Door Design	Either: <ul style="list-style-type: none"> • A slide door, or
	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 	Either: <ul style="list-style-type: none"> • A slide door, or 							



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

Private open space objective

Clause 55.07-9	Assessment
<p>Objectives</p> <ul style="list-style-type: none"> • <i>To provide adequate private open space for the reasonable recreation and service needs of residents.</i> 	<p>Variation</p>
<p>Standard B43</p> <ul style="list-style-type: none"> • <i>A dwelling should have private open space consisting of at least one of the following:</i> <ul style="list-style-type: none"> ○ <i>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.</i> ○ <i>A balcony with at least the area and dimensions specified in Table B10 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 B10 should be increased by at least 1.5 square metres.</i> ○ <i>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.</i> 	<p>A very minor variation is sought for ground level open space areas to A.G.06 and A.G.07. These private open space areas are 24sqm and are 1sqm short of the Standard. A variation is acceptable because the non-compliance is negligible, and these dwellings have excellent access to communal open space.</p> <p>Living rooms in 1 bedroom dwellings achieve the minimum area quantum and minimum width dimension for both width and depth of POS.</p> <p>Where the Standard is not met in 2 bedroom dwellings the minimum area is met, minimum width is met, and the minimum depth is no less than 3.4m. This results in compliance in terms of minimum area, with living areas for</p>

- An area on a roof of at least 10 square metres, with a minimum dimension of 2 metres and convenient access from a living room.

Table B10 Balcony size

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

two-bedroom dwellings being at least 12.24sqm and is acceptable.

Overall, the dwellings will have a high standard of internal amenity and is comparable with other social/affordable dwelling projects.

Storage objective

Clause 55.07-10	Assessment														
<p>Objectives</p> <ul style="list-style-type: none"> To provide adequate storage facilities for each dwelling. 	<p>Complies</p> <p>Dwellings are provided with compliant internal and external (within common areas on each floor) storage areas.</p>														
<p>Standard B44</p> <ul style="list-style-type: none"> Each dwelling should have convenient access to usable and secure storage space. The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table B11. <p>Table B11 Storage</p> <table border="1"> <thead> <tr> <th>Dwelling type</th> <th>Total minimum storage volume</th> <th>Minimum storage volume within the dwelling</th> </tr> </thead> <tbody> <tr> <td>Studio</td> <td>8 cubic metres</td> <td>5 cubic metres</td> </tr> <tr> <td>1 bedroom dwelling</td> <td>10 cubic metres</td> <td>6 cubic metres</td> </tr> <tr> <td>2 bedroom dwelling</td> <td>14 cubic metres</td> <td>9 cubic metres</td> </tr> <tr> <td>3 or more bedrooms</td> <td>18 cubic metres</td> <td>12 cubic metres</td> </tr> </tbody> </table>		Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling	Studio	8 cubic metres	5 cubic metres	1 bedroom dwelling	10 cubic metres	6 cubic metres	2 bedroom dwelling	14 cubic metres	9 cubic metres	3 or more bedrooms	18 cubic metres
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 bedrooms	18 cubic metres	12 cubic metres													

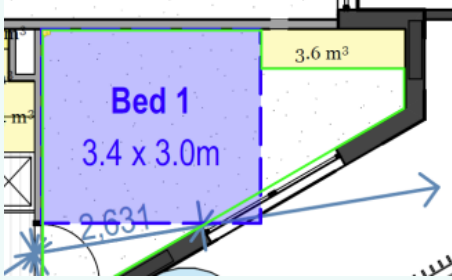
Waste and recycling objectives

Clause 55.07-11	Assessment
<p>Objectives</p> <ul style="list-style-type: none"> 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. 	<p>Complies</p> <p>Waste management is discussed in the main body of the report.</p>
<p>Standard B45</p> <ul style="list-style-type: none"> Developments should include dedicated areas for: <ul style="list-style-type: none"> 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.
- o Adequate facilities for bin washing. These areas should be adequately ventilated.
- o 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.
- o Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.
- o Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.
- o 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 design and managed in accordance with a Waste Management Plan approved by the responsible authority and:
 - o Be designed to meet the better practice design options specified in Waste Management and Recycling in Multi-unit Developments (Sustainability Victoria, 2019).
 - o Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.

Functional layout objective

Clause 55.07-12	Assessment									
Objectives <ul style="list-style-type: none"> • To ensure dwellings provide functional areas that meet the needs of residents. 	Variation									
Standard B46 <ul style="list-style-type: none"> • Bedrooms should: <ul style="list-style-type: none"> o Meet the minimum internal room dimensions specified in Table B12. o Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe. 	<p>A variation is sought for Bed 1 in A.G.09, A1.10 and A2.07 and is a result of the angled building form to the Hall Street building. A variation is acceptable because the non-compliance relates to a width dimension with the overall area of these bedrooms exceeding the Standard. Internal amenity and the functionality of these rooms will meet the future needs of residents.</p>  <p style="text-align: center;"><i>Typical extent of non-compliance</i></p>									
<p style="text-align: center;">Table B12 Bedroom dimensions</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #00838f; color: white;">Bedroom type</th> <th style="background-color: #00838f; color: white;">Min. width</th> <th style="background-color: #00838f; color: white;">Min. depth</th> </tr> </thead> <tbody> <tr> <td>Main bedroom</td> <td>3 metres</td> <td>3.4 metres</td> </tr> <tr> <td>All other bedrooms</td> <td>3 metres</td> <td>3 metres</td> </tr> </tbody> </table>		Bedroom type	Min. width	Min. depth	Main bedroom	3 metres	3.4 metres	All other bedrooms	3 metres	3 metres
Bedroom type		Min. width	Min. depth							
Main bedroom	3 metres	3.4 metres								
All other bedrooms	3 metres	3 metres								
<ul style="list-style-type: none"> • Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table B13. <p style="text-align: center;">Table B13 Living area dimensions</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #00838f; color: white;">Dwelling type</th> <th style="background-color: #00838f; color: white;">Min. width</th> <th style="background-color: #00838f; color: white;">Min. area</th> </tr> </thead> <tbody> <tr> <td>Studio and 1 bedroom dwelling</td> <td>3.3 metres</td> <td>10 sqm</td> </tr> <tr> <td>2 or more bedroom dwelling</td> <td>3.6 metres</td> <td>12 sqm</td> </tr> </tbody> </table>	Dwelling type	Min. width	Min. area	Studio and 1 bedroom dwelling	3.3 metres	10 sqm	2 or more bedroom dwelling	3.6 metres	12 sqm	
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	<p>A similar approach is taken for Living room areas. The minimum area requirements are achieved where a non-compliant dimension is proposed in each dwelling. Living rooms are functional and meet the objectives of the Standard.</p>									



Room depth objective

Clause 55.07-13	Assessment
Objective <ul style="list-style-type: none"> To allow adequate daylight into single aspect habitable rooms. 	Complies Rooms depth in each dwelling comply with the Standard.
Standard B47 <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> 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. 	

Windows objective

Clause 55.07-14	Assessment
Objective <ul style="list-style-type: none"> To allow adequate daylight into new habitable room windows. 	Complies Habitable room windows are provided in external walls and do not rely on secondary areas for daylight.
Standard B48 <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> A minimum width of 1.2 metres. A maximum depth of 1.5 times the width, measured from the external surface of the window. 	

Natural ventilation objectives

Clause 55.07-15	Assessment
Objectives <ul style="list-style-type: none"> To encourage natural ventilation of dwellings. To allow occupants to effectively manage natural ventilation of dwellings. 	Complies 42.7% of dwellings (32 apartments) are compliant with cross-ventilation breeze paths.
Standard B49 <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> 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.

Building entry and circulation objectives

Clause 55.07-16	Assessment
Objectives <ul style="list-style-type: none"> ● 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. 	Complies Building entries are easily identifiable, functional and provided shelter and sense of address. This is discussed in more detail in the report.
Standard B50 <ul style="list-style-type: none"> ● Entries to dwellings and buildings should: <ul style="list-style-type: none"> ○ 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: <ul style="list-style-type: none"> ○ 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: <ul style="list-style-type: none"> - Include at least one source of natural light and natural ventilation. - Avoid obstruction from building services. - Maintain clear sight lines. 	

Integration with the street objective

Clause 55.07-17	Assessment
Objectives <ul style="list-style-type: none"> ● To integrate the layout of development with the street. ● To support development that activates street frontages. 	Complies The proposal activates Hall and Jessie Street, avoids blank walls, conceals car parking and provides visually permeable fencing. These features are discussed in more detail in the report.
Standard B51 <ul style="list-style-type: none"> ● Development should be oriented to front existing and proposed streets. ● Along street frontages, development should: <ul style="list-style-type: none"> ○ 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. 	



Site services objective

Clause 55.07-18	Assessment
Objectives <ul style="list-style-type: none">To ensure that site services are accessible and can be easily installed and maintained.To ensure that site services and facilities are visually integrated into the building design or landscape.	Complies Servicing is integrated into the design and is softened by quality landscaping.
Standard B52 <ul style="list-style-type: none">Development should provide adequate space (including easements where required) for site services to be installed and maintained efficiently and economically.Meters and utility services should be designed as an integrated component of the building or landscape.Mailboxes and other site facilities should be adequate in size, durable, weather-protected, located for convenient access and integrated into the overall design of the development.	

External walls and materials objective

Clause 55.017-19	Assessment
Objectives <ul style="list-style-type: none">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.	Complies External wall design and materials are of high standard and durable and includes textured concrete, brick, render and feature mesh screening.
Standard B53 <ul style="list-style-type: none">External walls should be finished with materials that:<ul style="list-style-type: none">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.	