

Planning Report



Planning Permit Application

102 – 108 Jeffcott Street, West Melbourne

Prepared for BEG Projects Pty Ltd

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Overview

Background

Applicant / Owner	BEG Projects Pty Ltd
Address	102 – 108 Jeffcott Street, West Melbourne
Lot Description	Lot 1 on Plan of Subdivision 744960S

Relevant Planning Provisions

Municipal Planning Strategy	Melbourne Planning Scheme
Planning Policy Framework	Clause 11 – Settlement Clause 15 – Built Environment and Heritage Clause 17 – Economic Development Clause 18 – Transport Clause 21.02 – Municipal Profile Clause 21.03 – Vision Clause 21.04 – Settlement Clause 21.06 – Built Environment and Heritage Clause 21.07 – Housing Clause 21.08 – Economic Development Clause 21.09 – Transport Clause 21.16 – Local areas (North and West Melbourne) Clause 22.02 – Sunlight to public spaces Clause 22.17 – Urban Design outside of the Capital City Zone Clause 22.19 – Energy, Water and Waste Efficiency Clause 22.23 – Stormwater Management (Water Sensitive Urban Design)
Zone	Mixed Use Zone – Schedule 1 (MUZ1)
Overlays	Design and Development Overlay – Schedule 12 (DDO12) Design and Development Overlay – Schedule 33 (DDO33) Heritage Overlay – Schedule 771 (HO771)
Particular Provisions	Clause 52.06 (Car Parking) Clause 52.34 (Bicycle Parking)
Strategic Planning Documents	Plan Melbourne: 2017 – 2050 Planning Scheme Amendment C309

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Planning Permit Amendment Details

Description of Proposal	Changes to the Planning Permit pre-amble and conditions to allow the staged development of the Site. Changes to the approved plans to change the uses in the proposed building at 102 Jeffcott Street from retail and a residential hotel to retail, offices and dwellings
Permit Requirement	Amendment to a Planning Permit under Section 72 of the Planning and Environment Act 1987

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Quality Assurance

Planning Report

Planning Permit Application

102 – 108 Jeffcott Street, West Melbourne

Project Number

320.0272.00

Revisions

Issue	Date	Description	Prepared By	Reviewed By	Project Principal
--	16/03/2021	Planning Permit Amendment	Robert Carletti	Mia Zar	Daniel Soussan

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1 Introduction

1.1 Purpose

This report has been prepared by Tract Consultants Pty Ltd upon the instructions of BEG Projects Pty Ltd. The purpose of the report is to outline a proposed amendment to the existing planning permit (PA1800480-1) for the land at 102 Jeffcott Street, West Melbourne (the 'Site').

The amendment seeks to stage the development, given that the Planning Permit applies also to 355 Spencer Street and 371 Spencer Street (with 102 Jeffcott Street, these form 'the broader Site'). The ownership of the broader Site is now fragmented (as each parcel is owned separately). As such, the staging allows BEG Projects Pty Ltd to commence development of the Site without needing to satisfy permit conditions which relate to the other land parcels which they do not own or control.

The amendment also seeks to change the proposed use from residential hotel into mixed use building, primarily consisting of dwellings (with a minor food and drinks premises and office tenancy). This responds to the softening of the hotel market (given the COVID-19 pandemic) and the growing demand for housing in this precinct of West Melbourne.

CHT Architects have been engaged by BEG Projects Pty Ltd to design the revised architectural scheme. Whilst key elements of the approved scheme (in terms of materiality, massing and design) remain unchanged, there are several minor amendments to the form to accommodate the proposed change of use.

Background

Planning Permit PA1800480

A planning permit application for a mixed-use development anchored by a residential hotel was lodged for the broader Site in December 2018 by the previous owner of the broader Site, designed by Hachem Architects.

The application sought to repurpose and refresh the heritage buildings across the broader Site (which includes the Sands and McDougal Building), with a tower proposed above the heritage building at 102 Jeffcott Street.

The broader Site would be used as a residential hotel, with the majority of communal facilities (as well as rooms) sited within the Sands and McDougal building, whilst the tower would be largely dedicated to hotel rooms, as well as smaller areas of communal facilities. Office facilities were also proposed.

Planning Permit PA1800480 was granted by the Planning Minister (at the direction of VCAT) on 16 October 2019. The Planning Permit was approved prior to a full VCAT Hearing.

Planning Permit PA1800480-1

In 2020, BEG Projects Pty Ltd purchased the Site at 102 Jeffcott Street (we understand that the previous owner also sold the other properties within the broader Site). BEG Projects proceeded to lodge an amendment to the Planning Permit on 10 June 2020 which sought an additional floor within the envelope of the approved building for a functions space.

Proposed Amendment – Pre-Application Discussions

During the course of the COVID-19 pandemic however, the viability of a residential hotel on this Site has diminished and as such, BEG now intends to construct a residential scheme on the Site. They have also opened discussions with the adjoining property owners in terms of staging of the broader Planning Permit.

A pre – application meeting was held in December 2020 with DEWLP officers to discuss the staging of the Planning Permit. Feedback received was generally positive.

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Project Team

In order to design and deliver this amendment, BEG Projects Pty Ltd have assembled a highly qualified team including:

- **CHT Architects** – Project architects.
- **Tract** – Town planners and landscape architects.
- **Trethowan** – Heritage experts.
- **Acoustic Logic** – Acoustic engineers.
- **ARUP** – Security consultants.
- **GTA** – Traffic engineers.
- **ARK** – Sustainability Consultants.
- **Leigh Design** – Waste engineers.
- **Vipac** – Wind engineers.

1.4 Limitations

The report has considered the following documents:

- Planning Permit PA1800480-1 and associated plans (noting that plans have not been endorsed under the Permit).
- Relevant provisions of the Melbourne Planning Scheme.
- The Certificate of Title applicable.
- Development Plans prepared by CHT Architects.
- Acoustic Report prepared by Acoustic Logic.
- Construction Security Requirements Report prepared by ARUP.
- Post Construction Security Requirements Report prepared by ARUP.
- Heritage Conservation Plan prepared by Trethowan.
- Sustainability Management Plan prepared by ARK.
- Traffic submission prepared by GTA.
- Wind Report prepared by Vipac engineers.
- Waste Management Plan prepared by Leigh Design.

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2 Site & Surrounds

2.1 Subject Site - Description

The Site is located on the northern side of Jeffcott Street at 102 – 108 Jeffcott Street, West Melbourne and is formally identified as Lot 1 on Plan of Subdivision 744960S.

The Site has a 20.7m frontage to Jeffcott Street and a 45.7m depth, with a total size of 928sqm. It also adjoins McDougall Lane, which wraps around the eastern and northern boundaries of the Site.

The Site is developed with a two-storey warehouse building and is used as an 'Education centre'. This building is identified as contributory within the Sands and McDougall precinct under the Melbourne *Heritage Places Inventory 2020 Part A*, with the 'Sands and McDougall building' being to the east (on the opposite side of McDougall Lane) at 355 Spencer Street.

The building on Site is identified as being significant due to:

- *The face brick (bricks painted over) one level plus basement set on a stone paved lane between it and the main building; and*
- *Double gabled parapeted roofline, corrugated iron clad roof behind.*

This building is constructed to all boundaries and covers the entirety of the Site.

A street tree is located in Jeffcott Street fronting the Site. No other vegetation is located on the Site.

Vehicle access is provided at the western part of the frontage (a singular crossover provides access to a large roller door into the building), whilst secondary access is also provided via McDougall Lane at the rear.



Image 1 – The Subject Site frontage (viewed from Jeffcott Street to the south).

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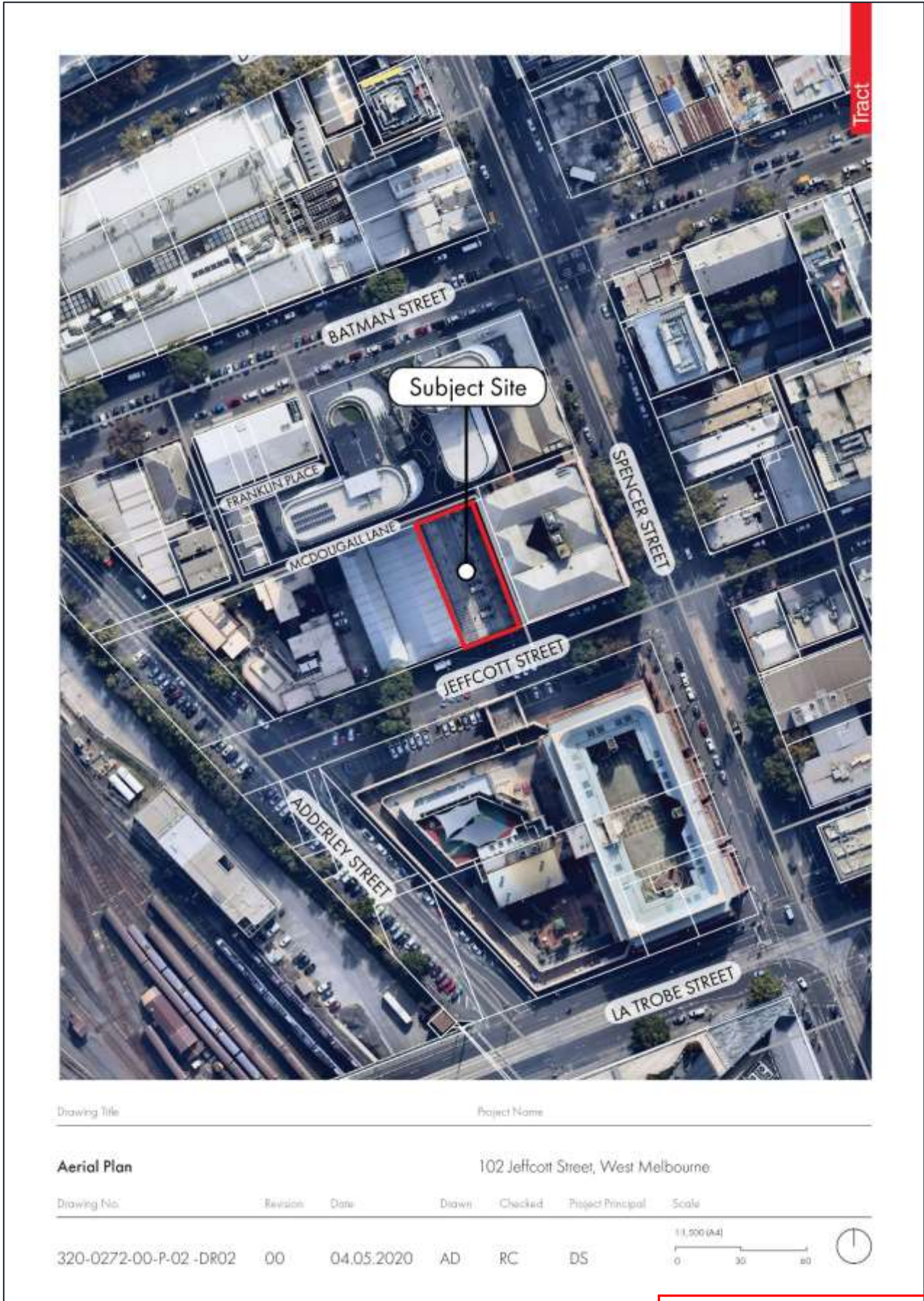


Figure 1 Aerial Photography of the Site and surrounds

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2.2 Subject Site – Planning History

2.2.1 Planning Permit PA1800480

Planning Permit PA1800480 was issued by DELWP (at the direction of VCAT) on 16 October 2019. The Permit allows for:

Use of the land for Residential Hotel, Food and Drink Premises, Office (other than Medical Centre) and Shop (other than Adult sex product shop), development of a residential hotel tower and alterations and additions to the existing buildings with associated partial demolition works, operation of a licenses premises, a reduction of the car parking requirement and the alteration of access to a road in a Road Zone, Category 1.

The Planning Permit applies to the Site, as well the properties at 355 – 369 (to the east, on the opposite side of McDougall Lane) and 371 – 383 Spencer Street (to the north east). The below aerial imagery shows all three properties.



Figure 2 Aerial Photography of the Site, as well as the other properties affected by Planning Permit PA1800480. Source: www.onemap.com.au

A summary of the proposal is as follows:

- The provision of over 25,000sqm of gross floor area, which will be used for employment generation (office, retail and residential hotel). This comprises:
 - 190 Residential Hotel rooms.
 - 8,589sqm of Office space.
 - Several retail tenancies fronting McDougall Lane.
- The repurposing of the three existing heritage buildings on Site to reflect the industrial past of the locality.
- 111 bicycle spaces and 61 car parking spaces.

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Under this approval, 102-108 Jeffcott St would be host to a 22-storey building used as a Residential Hotel, as well as commercial tenancies in the podium of the building.

This amendment proposes changes to the building at 102 – 108 Jeffcott Street only, with no changes proposed to properties comprising the broader Site.

Plans have not been endorsed under this permit.

The Planning Permit remains valid, with commencement required three years from the date of issue (commencement by 16 October 2022) and completion required five years from the date of issue (completion by 16 October 2024). The uses must commence 2 years after the date of completion (by 16 October 2026).



Images 2 and 3 – Concept 3D imagery from the Development Plans prepared by Hachem (dated 9 August 2020) showing the development approved under PA-1800480.

2.2.2 PA1800480-1 (Amended Planning Permit)

On 28 August 2020, the Planning Permit was amended to incorporate minor changes to the development and only affected the Site. These changes were made after our client purchased the Site from the previous 'applicant'.

These changes sought to incorporate an additional level in the proposed building (comprising of a Function Room for the Residential Hotel) and this was facilitated through amended floor to floor levels in the other levels (ie. no changes to the approved building envelope).

Plans have not been endorsed under this permit Planning Permit.

2.3 Adjoining properties

The Site adjoins Jeffcott Street to the south and McDougall Lane to the north and east. Thus, there is only one property with a direct interface with the Site (being 44-58 Adderley Street).

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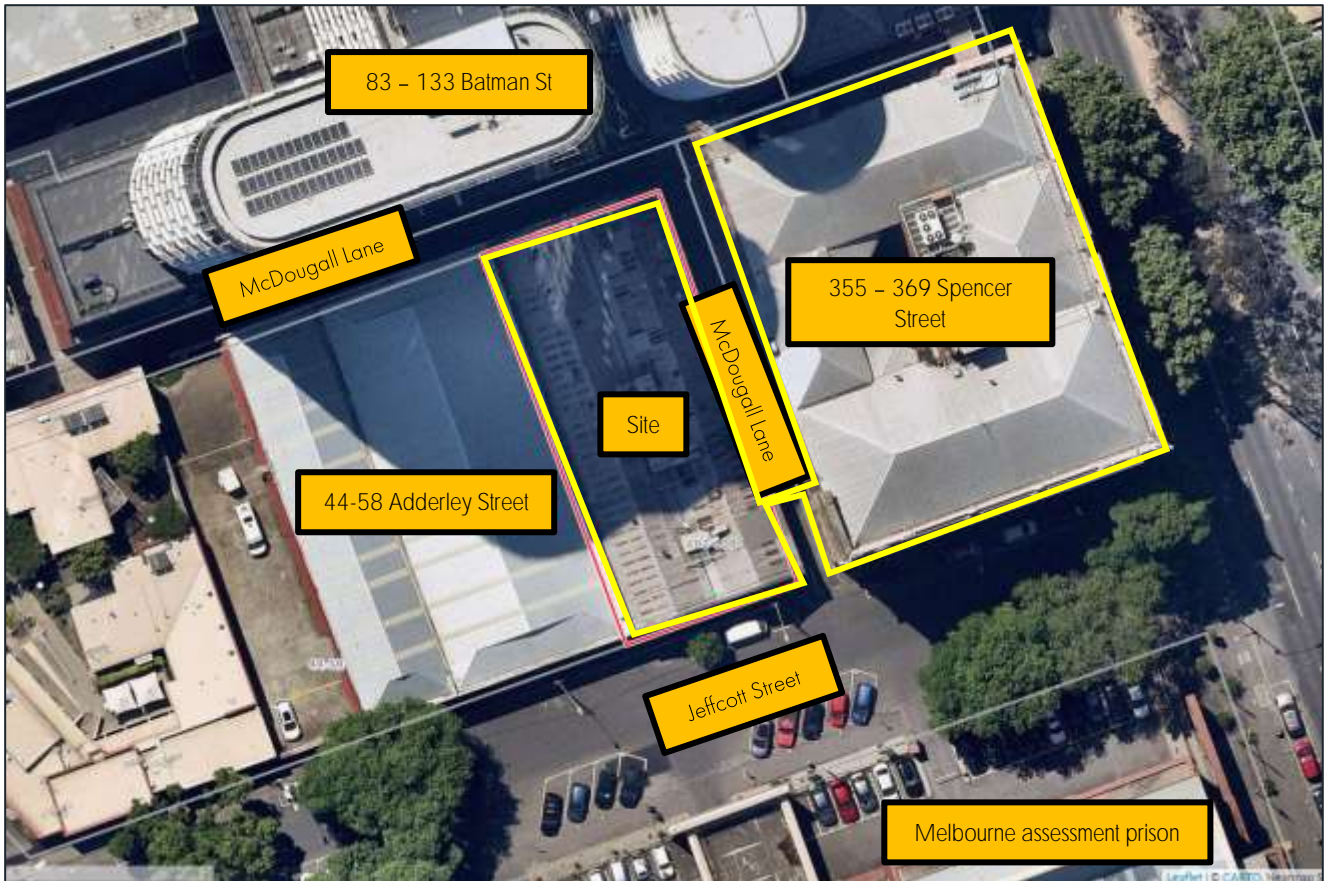


Figure 3 Aerial Photography of the Site (showing its direct interfaces). Red shows the boundaries of the Site, whilst yellow shows the broader properties in which Planning Permit PA1800480 is applicable. Source: www.onemap.com.au

2.3.1 North (McDougall Lane and 83 – 133 Batman Street)

To the north, the Site directly adjoins McDougall Lane. On the opposite side of the lane is 83 – 133 Batman Street, West Melbourne which comprises a mixed-use development, with commercial tenancies at the podium and two towers (22 and 27 storey) which accommodate apartments.

The residential towers include living areas, balconies and bedrooms with some outlook towards the Site. These towers have a consistent setback for their entire height, with a setback of 7m to 9m from the Site (although this varies given the curved nature of the towers). This includes a 2.5m (approximate) setback to the southern boundary McDougall Lane.

The towers themselves have a circular design and are defined by extensive glazing. There are various openings in the façade, where balconies are located.

Images of this property are located below for reference.

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Image 4 – facing south west from the corner of Batman and Spencer Streets to the development at 83 – 133 Batman Street, Melbourne. Note that the development has now been completed – this image is from June 2019. Source: www.googlemaps.com.au

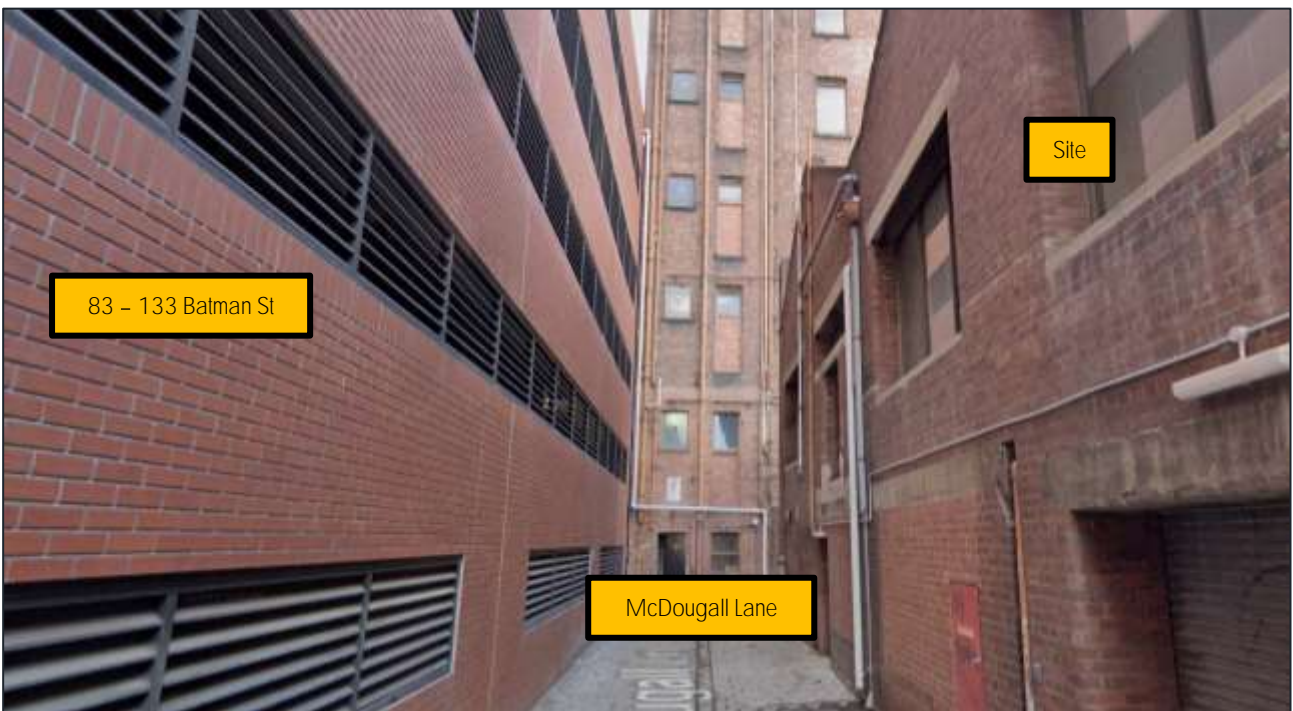


Image 5 – facing east along McDougall Lane to the interface between the Sire and 83 – 133 Batman Street. Source: www.googlemaps.com.au

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2.3.2 South (Jeffcott Street and Melbourne Assessment Prison).

To the south the Site fronts Jeffcott Street, a dual carriageway local street. Directly fronting the Site is a Loading Zone as well as a street tree, whilst on the opposite side of the road is angled car parking.

Opposite the Site is the Melbourne Assessment Prison, which comprises a six-storey brick building, large fences around the Site boundaries and a visitor car parking area along Jeffcott Street.

Images of this property are located below.



Image 6 – facing south from the Site to the Melbourne Assessment Prison. Source: www.googlemaps.com.au

2.3.3 East (McDougall Lane and 355 – 369 and 371 – 383 Spencer Street).

To the east the Site adjoins McDougall Lane, whilst opposite McDougall Lane is the Sands and McDougall building. This building includes six storeys with a basement and is defined by an extensive red brick façade with regular window openings. It is constructed to the McDougall Lane boundary.

The buildings itself is recognised for its heritage contribution, both in its own terms and to the broader precinct. It is listed on the Victorian Heritage Register and is deemed significant within the Melbourne *Heritage Places Inventory 2020 Part A*.

The building has an industrial past and is currently used for commercial purposes (office space).

It is noted that this property is included within the Planning Permit applicable to the Site, however, there are no changes proposed to this property as part of the amendment.

Images of this property are located below.

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Image 7 – facing north from Spencer Street to the Sands and McDougall building (at the corner of Spencer and Jeffcott Streets). Source: www.googlemaps.com.au

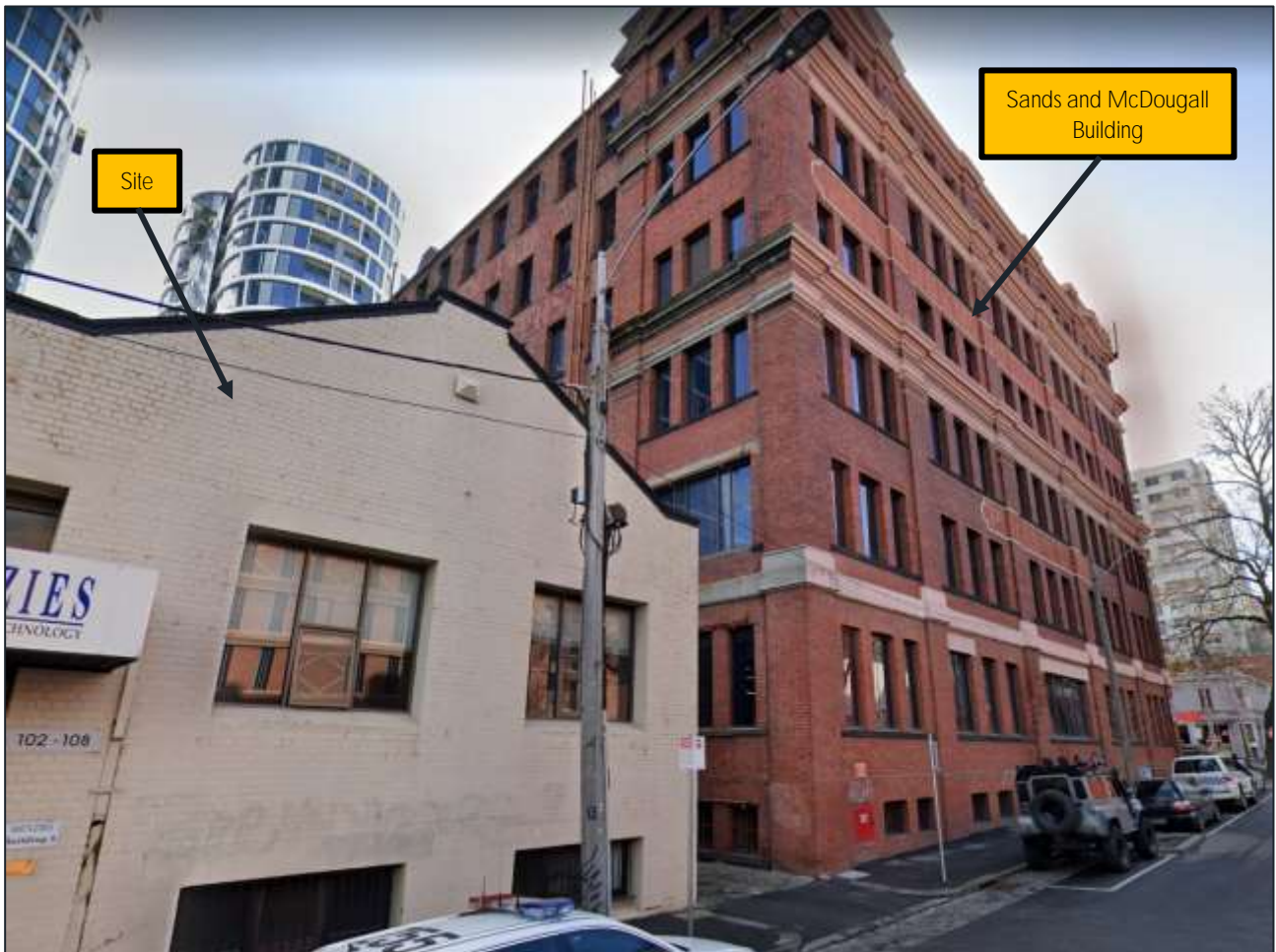


Image 8 – facing north east on Jeffcott Street to the interface between the Site and the Sands and McDougall building. Source: www.googlemaps.com.au

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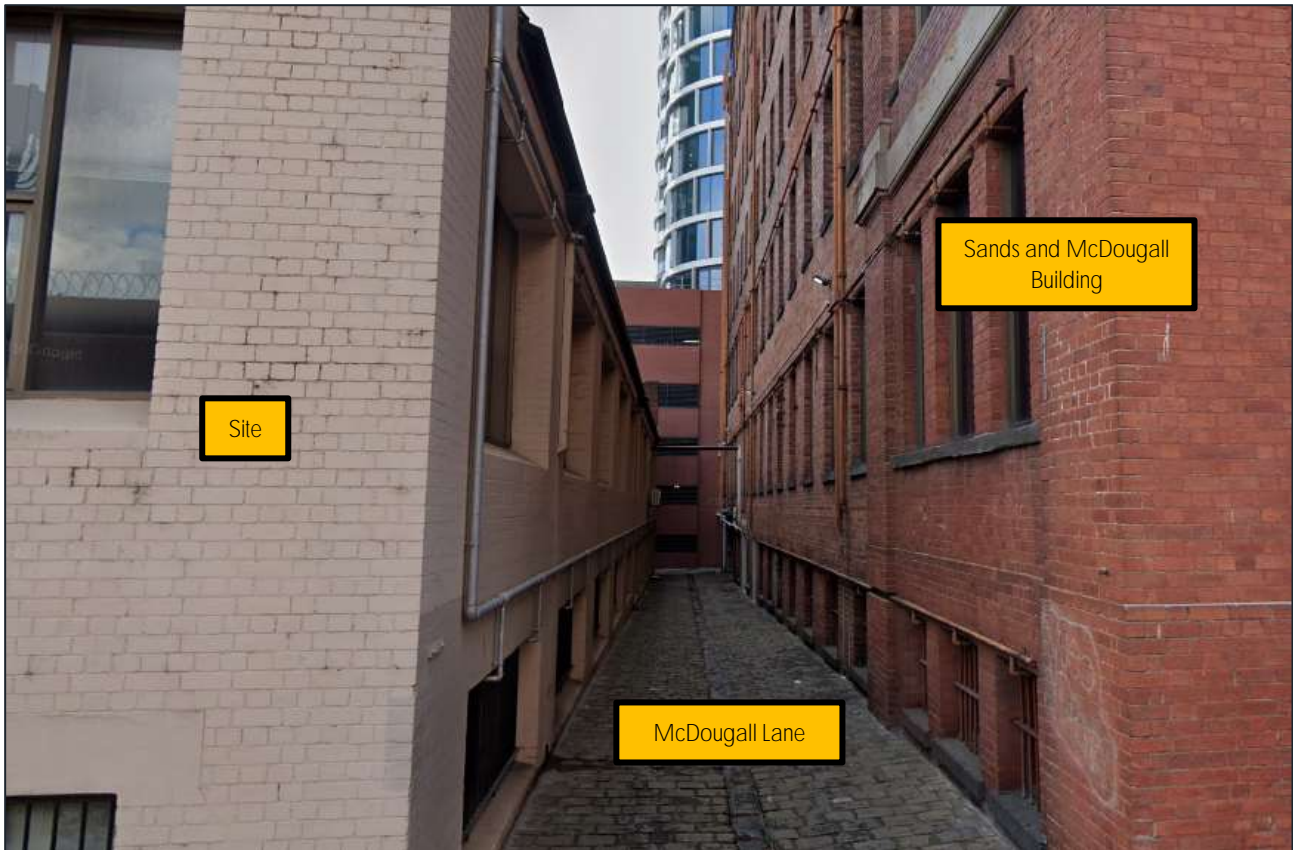


Image 9 – facing north to McDougall Lane showing the interface between the Site, McDougall Lane and the Sands and McDougall building. Source: www.googlemaps.com.au

2.3.4 West (44 – 58 Adderley Street)

To the west, the Site adjoins 44 – 58 Adderley Street - the Judy Lazarus Transition Centre. Directly adjoining the Site is a large warehouse like building built to the common property boundary and including three vehicular entrance / exit points along Jeffcott Street, as well as a further two vehicular entrances closer to the corner of Adderley and Jeffcott Streets.

Images of this property are located below.

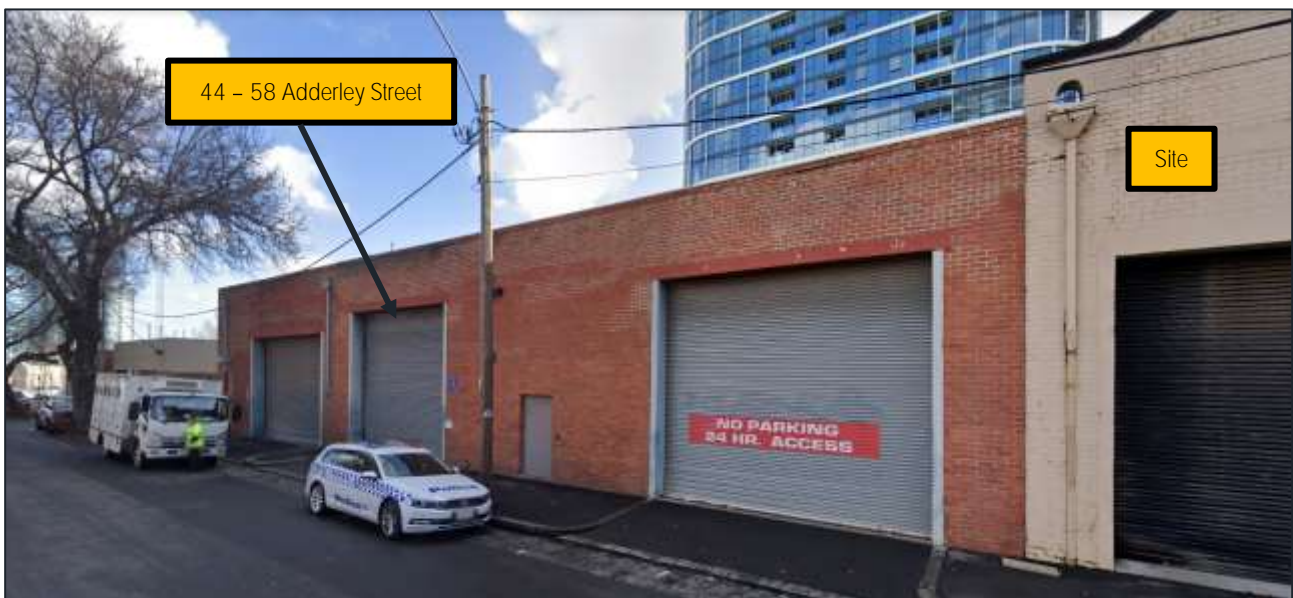


Image 10 – facing north west on Jeffcott Street to 44 – 58 Adderley Street. Source: www.googlemaps.com.au

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Image 11 – facing east from the corner of Adderley and Jeffcott Streets to 44 – 58 Adderley Street. Source: www.googlemaps.com.au

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2.4 Locational Attributes

2.4.1 Amenities

Being located on the fringe of Melbourne's CBD, the Site has excellent walking access to a wide range of amenities, including bars, clubs, cafes, cultural and educational facilities, entertainment, open spaces, recreational facilities, restaurants, shops, services and the like. This is shown on the map below.



Figure 3 – Street Directory Map. Source: www.streetdirectory.com.au

2.4.2 Transport

The Site is located on the fringe of Melbourne's CBD, therefore providing it with excellent access to public transport. This includes the Site being:

- 350m from the Southern Cross Railway Station / Bus Interchange, providing access to the broader Metropolitan and Regional Train and Bus Networks, as well as the Melbourne SkyBus link to the Airport.
- 150m from trams along La Trobe and Spencer Streets, connecting the Site to the inner and middle ring suburbs.
- 50m from Bus Route 216 (Along Spencer Street), connecting the Site to the inner and middle western suburbs.

This is shown on the map below.



Figure 4 – Public Transport Map. Source: www.ptv.vic.gov.au

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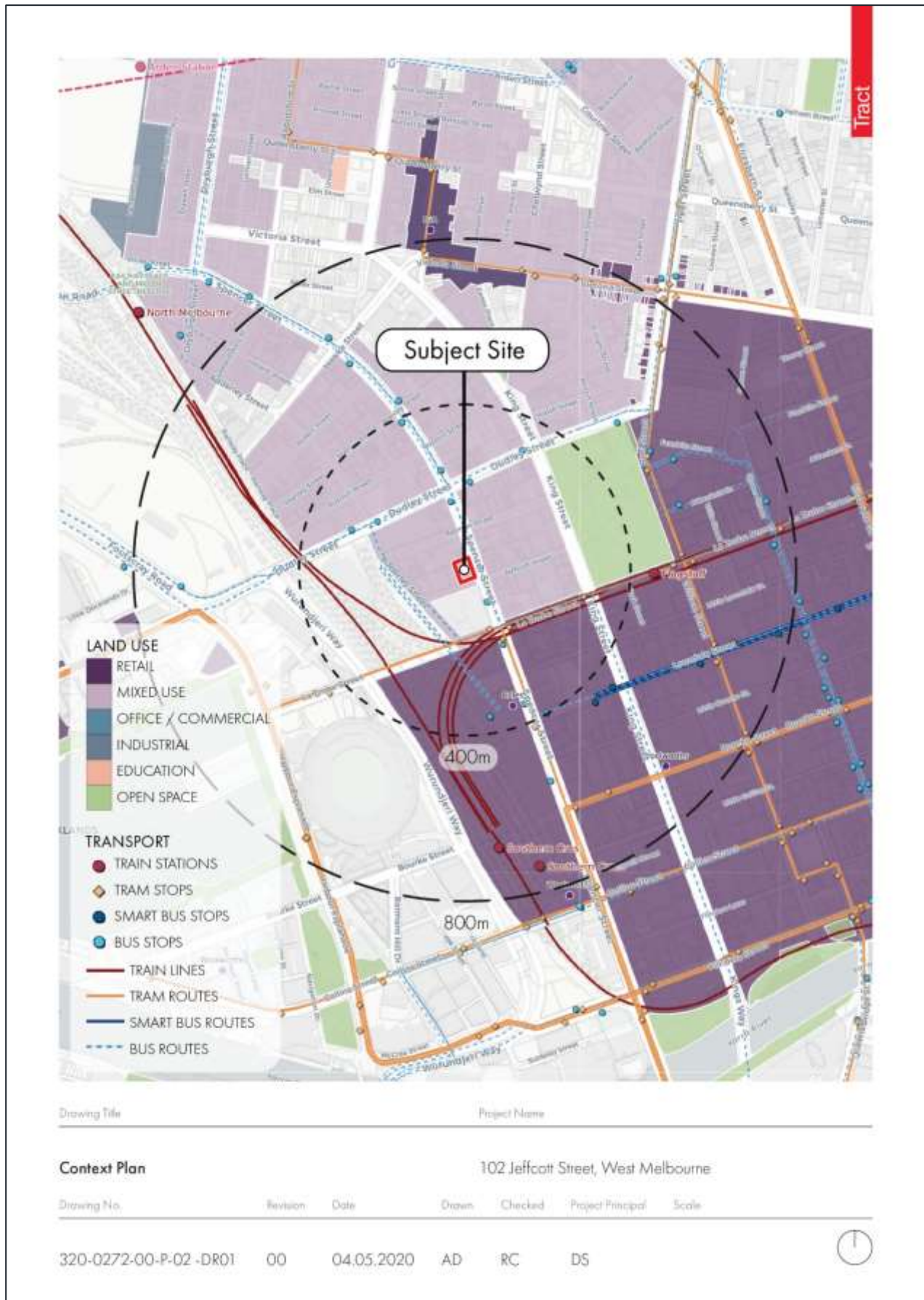


Figure 5 – Site Context Plan.

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3 Proposal

3.1 Overview

3.1.1 Summary of revised proposed

The revised proposal seeks to stage the development so that 102 Jeffcott Street can be constructed independently of the other properties which benefit from the permit. Given this, the amended proposal facilitates the building to be 'self-sufficient' and capable of operating without the development of the other properties within the broader Site.

The amendment retains the architectural language of the approved tower at 102 Jeffcott Street, as well as its approved height. However, minor changes are made to the setbacks to the front, side and rear boundaries, required to facilitate the proposed change in use of the building from residential hotel to dwellings. The amended building comprises:

- 113 dwellings, including 65 one bedroom and 48 two-bedroom dwellings.
- Two 'loft' dwellings at the ground floor, being two storeys in height and facing McDougal Lane. In addition, a private resident gym will also face McDougal Lane.
- A 47.5sqm Food and Drinks premises at the Jeffcott Street frontage. This will also share a courtyard (within the façade of the building) used for entrance and exit to the building from occupants.
- A 119.5sqm office tenancy.
- 65 car parking spaces over a three-level basement, with access facilitated via two car lifts and crossovers from Jeffcott Street and McDougal Lane. A Loading Dock is also provided for resident use, as well as waste collection.
- 91 secure bicycle spaces within the basement levels.
- A communal rooftop garden, providing entertainment, leisure and recreation opportunities, with extensive views to the Docklands Precinct and beyond.

The revised architectural scheme has been designed by CHT Architects and imagery of the amended proposal is below (in comparison to the existing approval).

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Images 12 and 13 – 3D imagery of the approval on Site (viewed from the corner of Spencer and Jeffcott Streets on the left, and the south west of the Site on Jeffcott Street on the right).



Images 14 and 15 – 3D imagery of the proposal on Site (viewed from Jeffcott Street to the south west on the left, and Jeffcott Street to the south east on the right).

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3.1.2 Amendments to the Development Plans

Several amendments are proposed to the approved plans. These changes are primarily a reflection of the proposed change of use as well as functional changes to ensure that the Site is 'self sufficient' (and does not rely on the other properties in the broader Site in order to be operational) and to implement the requirements of some of the permit conditions. These changes can be summarised as follows:

- Provision of a Staging Plan, to show the overall development of the broader Site in stages (noting that this amendment only relates to 'Stage One'.)
- Reduction of the total height of the proposal from 23 levels to 19 levels (with additional changes to floor to floor levels which results in an approximate reduction in height of the building by approximately 5m).
- Incorporation of an additional basement level, to ensure there is sufficient car parking provided for a building primarily used for residential (rather than a residential hotel).
- Changes to the layout of the ground floor to provide for 'loft style' apartments within the heritage podium, as well as a private residential gym facing McDougall Lane.
- Addition of a vehicle entrance point from Jeffcott Street, in order to assist in achieving the intent of Condition 1h which seeks to ensure that McDougall Lane can continue to form a pleasant pedestrian environment (this has been achieved by splitting the access points – and therefore reducing the level of vehicles moving through the access point on McDougall Lane).
- Incorporation of a Loading Bay at the ground floor to facilitate on-site waste collection.
- Reduction in the setback to the rear boundary (2.17m in lieu of 2.33m). As the approval did not have any balconies, the setback to the facade is larger in the locations where inboard balconies have been incorporated (4.193m).
- Alteration to the 'twisting' element of the building. As per the above, this ensures the apartment layouts in this area are functional.
- Reduction in the western setback of the tower from 5.960m to 4.880m. As per the above, this ensures the apartment layouts in this area are functional.
- Reduction in the minimum eastern setback of the tower from 2.395m to 2.390m. As per the above, this ensures the apartment layouts in this area are functional.
- Addition of a rooftop garden, to provide communal open space for future residents.
- Deletion of the 'skybridge' to the Sands and McDougall building, given the developments will not rely on each other (and therefore do not require a connection).
- Incorporation of changes to implement Conditions of the Planning Permit. This includes:
 - Further detail regarding the conservation of heritage elements of the building, as per Condition 7.
 - Refinements of the screening proposed to the south to ensure that the security of the Melbourne Assessment Prison is not unreasonably impacted by the proposal (as per Condition 1c and d).

3.1.3 Amendments to the Planning Permit

The following changes are proposed to the Planning Permit:

- Amendment of Condition 1, 1c and 15 to change the reference from the application plans prepared by Hachem to the application plans prepared by CHT. Note that this only is applicable to elements of the proposal associated with Stage 1, whilst Stage 2 and 3 will continue to be covered by the Hachem Plans.
- Deletion of Condition 1B (referring to the 'skybridge' over McDougall Lane').
 - This condition is no longer required as the skybridge is no longer proposed.
- Deletion of Condition 1H (requiring a reconfiguration of the car parking area in the basement of the building to reduce the number of vehicle movements in McDougall Lane).
 - This condition is no longer required as an additional vehicular entry point from Jeffcott Street will reduce the vehicle movements in McDougall Lane.

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- Amend Condition 3 to refer to the Site Security Reports that have been prepared by ARUP (the existing Condition refers to another Condition which requires these reports).
- Amend Condition 6 to facilitate the staging of the development:
 6. *The land use and development approved under this permit may be undertaken in stages as follows:*
 - a) *Prior to the commencement of the development, excluding demolition, bulk excavation, site preparation, soil removal, site remediation, retention works, footings, ground beams and ground slab and temporary structures, a Staging Plan must be submitted to and be approved to the satisfaction of the Responsible Authority and Melbourne City Council. This Staging Plan must include, but is not limited to, plans and information detailing any public realm works, proposed temporary treatment and use of vacant land. The development must proceed in the order of the stages as shown on the endorsed plan(s), unless otherwise agreed to in writing by the Responsible Authority.*
 - b) *With the exception of condition 6a above, any references to 'development', 'buildings and works', or 'land use' and any requirement for endorsement of documents or plans in this permit is to be read as relating to each stage independantly as identified in the endorsed staging plan under condition 6a.*
- Amend Condition 8, which requires a \$200,000 bank guarantee or bond, to read as follows:
 8. *Prior to the commencement of the development, including demolition and bulk excavation:*
 - a) *a bank guarantee or bond to the value of \$100,000.00 must be deposited with the Responsible Authority to ensure that the Jeffcott Street building is not demolished, except to complete the development in accordance with the endorsed plans. The bank guarantee or bond will be returned when the development is completed to the satisfaction of the Council.*
 - b) *a bank guarantee or bond to the value of \$140,000.00 must be deposited with the Responsible Authority to ensure that the buildings at 355-369 Spencer Street and 371-383 Spencer Street are not demolished, except to complete the development in accordance with the endorsed plans. The bank guarantee or bond will be returned when the development is completed to the satisfaction of the Council.*
- Amend Condition 28 to require Wind Test Modelling only for Stage 1 and in accordance with the Vipac Report (rather than RWDI report).
- Amend Condition 30 to ensure that the 12 January 2021 report is applicable to Stage 1 and the 17 December 2018 report is applicable to Stage 2.
- Amend Condition 33 to reflect that the proposal has a report prepared by ARK (rather than WSP).

3.2 Amendments to Permit Preamble

The current preamble reads:

Use of the land for Residential Hotel, Food and Drink Premises, Office (other than Medical Centre) and Shop (other than Adult sex product shop), development of a residential hotel tower and alterations and additions to the existing buildings with associated partial demolition works, operation of a licenses premises, a reduction of the car parking requirement and the alteration of access to a road in a Road Zone, Category 1.

The preamble requires amendment to reflect the change in use. We suggest that the preamble could be amended as follows:

Use of the land for a Residential Hotel, Office (other than Medical Centre) and staged development of a Residential Building and alternations and additions to the existing buildings with associated partial demolition and works, operation of licensed premises, a reduction of the car parking requirement and the alteration of access to a road in a Road Zone, Category 1, in accordance with the endorsed plans.

3.3 Design Response

3.3.1 Architectural Design

The architectural design continues to be in the spirit of what was previously approved, ensuring that the development remains complementary to the existing heritage building on Site as well as the adjoining Sands and McDougall building.

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The tower will continue to be defined primarily by glazing, with rusted metal framing (in a brown colour) to each floor and window providing a sense of dimensionality. The twisting portion at the frontage also maximises views to the Sands and McDougall Building, whilst the façade will continue to be retained and restored to its original red brick presentation.

3.3.2 Heritage Conservation

Trethowan has been involved in this Site for some time and has been re-engaged as part of this amendment process to provide heritage advice on the changes (through a Heritage Impact Statement), as well as provide further detail as to how the heritage façade will be rejuvenated (through the Heritage Conservation Plan).

The proposed changes continue to ensure that the façade will be respected, whilst the balance of the building will have a good relationship with the surrounding heritage precinct.

Of note, the majority of the Jeffcott Street façade is proposed to be retained, with pedestrian openings to the building located within areas where there are existing openings. Services have also been carefully integrated into these openings, whilst black frames will be provided to windows to complement the red brick façade.

In terms of the relationship with the surrounding properties, the key elements of the approved design continue to ensure that the building respects its surrounds. This includes the 'twisting' element of the tower which maximises views to the Sands and McDougall building, as well as good front, side and rear setbacks which ensure that the façade below is not overwhelmed.

We refer to the Heritage Impact Statement prepared by Trethowan which accompanies this application for further detail.

3.3.3 Access, Bicycle & Car Parking and Waste

Access

Access to the basement car park will be facilitated via two existing crossovers – one to Jeffcott Street and one to McDougal Lane.

It is noted that the existing approval does not utilise the Jeffcott Street crossover, which was proposed to be removed.

Vehicles accessing the basement car park will either enter via Jeffcott Street and exit via McDougal Lane, or vice versa (depending on what level of the basement their parking space is located on). The split of the basement car park and car lifts means that entry and exit via the same access point will not be possible. This assists in splitting the traffic generation associated with accessing the Site onto both Jeffcott Street and McDougal Lane (as detailed in the submitted Traffic Impact Assessment).

A Loading Bay is also proposed at the ground floor, with access via Jeffcott Street to provide for onsite loading and waste collection.

Bicycle

91 bicycle spaces will be provided within a secure facility in the basement car park, providing extensive opportunities for residents to use a bicycle to access the Site.

Car Parking

65 car parking spaces will be provided within the basement car park, with all spaces allocated to the dwellings on Site (whilst Stage 2 will also continue to include 2 car parking spaces).

This provides a car parking rate of 0.57 spaces per apartment, reflecting the increasing desire to provide lesser car parking in locations adjacent to the central city. The Site is considered a prime candidate for minimal car parking given its location adjoining the CBD and the access to several key public transport routes.

All car parking spaces will be readily accessible for residents. Where possible (and given the constraints of the Site), car parking spaces have been designed to limit the number of movements required in order to access the space.

Whilst this represents a six space increase over the current approval, this is as a result of the change of use from Residential hotel to Dwellings. It is also noted that some of the car park within the basement was proposed to be allocated to the office uses in Stage 2, however this is no longer the case.

Waste

The proposal incorporates waste chutes on each level, providing residents with the ability to dispose of waste conveniently. Waste will then be stored in a large waste room at the ground floor, which will incorporate 10 x 1,100

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litre bins (for garbage and recycling), five x 240 litre bins (for organics) and one 240 litre charity bin. For the commercial uses, one x 660 litre garbage bin, two x 240 litre recycling bins and one 120 litre organics bin will be provided.

As per the current approval, waste will be collected by a private waste contractor twice per week (although we note that the current approval includes seven collections per week). The vehicle will prop into the Loading Bay, entering and exiting the building via the Jeffcott Street entrance.

3.3.4 Residential Amenity

The proposal has been designed to provide a high level of amenity for future residents. Apartments have an excellent level of compliance with the Better Apartment Design Standards, providing well sized living areas, bedrooms and balconies for residents, for a range of lifestyles.

In addition to the above, a large area of communal open space will be provided on the rooftop. It provides extensive spaces for entertainment, leisure and recreation, including a barbeque, pergola, dining tables, a bar and the like. It also includes a communal garden (for food growing) and spaces for outdoor yoga and outdoor cinema sessions. This will ensure residents have ample open space available.

Residents will also be located in an area adjoining the central city, with excellent access to the range of bars, cultural facilities, educational precincts, shopping and services the CBD has to offer. In addition, residents will be located less than 600m from Southern Cross Railway Station, which provides rail access to the broader metropolitan and regional rail networks.

3.3.5 Landscape Response

Tract has been engaged to prepare a Landscape response for the Site. This response seeks to create an 'urban oasis' of green spaces for future residents, facilitate flexibility in the use of the communal open spaces and provide greening to soften the built form, façade and roof surfaces.

As part of this landscape plan, it is proposed to provide planters and a Chinese Elm tree within the ground floor courtyard (which opens to Jeffcott Street via the openings in the façade), with bluestone paving defining the ground floor. This area will act as a seating area for the café, as well as a key entrance for residents into the building. The street tree is also proposed to be removed and replaced with another street tree to Council's satisfaction.

On the communal rooftop terrace, several canopy trees are proposed. The species proposed have been specifically selected given their tolerance to high wind locations (such as this rooftop deck). These trees will be completed by extensive planters defining the edge of the terrace, as well as synthetic grass, a vegetable garden, a water feature and pre-cast concrete paving. This will complement the extensive space provided for entertainment, leisure and recreation, such as the barbeque, tables and seats, covered dining, flexible outdoor yoga space and outdoor cinema spaced.

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4 Planning Policy Framework

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

4.1 Planning Policy Framework: State

Clause 11 – Settlement

Clause 11 seeks broadly to ensure that *planning anticipates and responds to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure*. Relevant sub – clauses are as follows:

- **Clause 11.03-1S (Activity Centres)**, which seeks to *encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community*. The strategies within the Clause look to facilitate the building up of activity centres, through reducing motor vehicle trips to these centres, improving access to walking, cycling and public transport, and supporting the continued growth and diversity of these centres to provide employment and economic activity.

Clause 15 – Built Environment and Heritage

Clause 15 seeks to ensure that the built environment responds to the surrounding character context. In doing this, planning is to ensure that development reflects the character and desired character of the surrounding area through building design, urban design and the like. This will assist in creating an environment that is comfortable and enjoyable for all. Relevant sub-clauses are as follows:

- **Clause 15.01-1R (Urban Design – Metropolitan Melbourne)** seeks the creation of a *distinctive and liveable city with quality design and amenity*. Strategies to achieve this include supporting well designed places.
- **Clause 15.01-2S (Building Design)** seeks to facilitate a high quality of building and urban design that *contributes positively to the local context and enhances the public realm*. Strategies to achieve this include ensuring development responds to the context of its location, minimising detrimental impacts to surrounding properties and the public realm, ensuring buildings have good interfaces with the public realm and that the form, scale and appearance of development enhances the function and amenity of the public realm.
- **Clause 15.01-4R (Healthy Neighbourhoods – Metropolitan Melbourne)** seeks the creation of *20 minute neighbourhoods* (ie. Everyday needs being met within a 20 minute walk, cycle or local public transport trip from their home).
- **Clause 15.01-5S (Neighbourhood Character)** seeks to *recognise, support and protect neighbourhood character, cultural identity and sense of place*. Strategies to achieve this include ensuring development responds to its context and existing and preferred character of the area.
- **Clause 15.02-1S (Energy and resource efficiency)** seeks to *encourage land use and development which is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions*. Strategies to achieve this include ensuring development is designed to be environmentally sustainable and promoting urban consolidation and better integration of land use and development.
- **Clause 15.03-1S (Heritage Conservation)** seeks to *ensure conservation of places and heritage significance*. Strategies include retaining elements that *contribute to the importance of a heritage place*, as well as supporting *adaptive reuse*.

Clause 17 – Economic Development

Clause 17 seeks to ensure *planning provides a strong and innovative economy and that it facilitates economic growth*. Relevant sub-clauses are as follows:

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- **Clause 17.01-1R (Diversified economy – Metropolitan Melbourne)** aims to support the development of the *Central City to become Australia's largest commercial and residential centre by 2050, by planning for office, retail, residential, education, health, entertainment and cultural activity spaces.*
- **Clause 17.01-2S (Innovation and research)** seeks to support the development of business clusters, to support the development of enterprise precincts that built the critical mass of employment in an area, and to promote accessible, well-connected, high amenity and collaborative physical environment (that is conducive to innovation and creative industries).
- **Clause 17.02-1S (Business)** seeks to encourage development of retail, entertainment, office and other commercial services.

Clause 18 – Transport

Clause 18 aims *for planning to ensure an integrated and sustainable transport system that provides access to social and economic opportunities, facilitates economic prosperity, contributes to environmental sustainability, coordinates reliable movements of people and goods, and is safe.* Relevant sub-clauses are as follows:

- **Clause 18 (Land Use and Transport Planning)** seeks to *create a safe and sustainable transport system by integrating land use and transport.* Strategies to achieve this include planning urban development to be located within close proximity of public transport to ensure it is accessible.
- **Clause 18.02-1R (Sustainable personal transport – Metropolitan Melbourne)** includes several strategies that seek to support the concept of the 20 minute neighbourhood through improving bicycling facilities.
- **Clause 18.02-2R (Principal Public Transport Network)** includes several strategies to assist in ensuring high quality public transport corresponds with the density of development and urban consolidation activities, so that public transport usage increases.
- **Clause 18.02-4S (Car Parking)** has an overarching objective to *ensure that an adequate supply of car parking is appropriately designed and located.*

4.2 Planning Policy Framework: Local

Clause 21.02 – Municipal Profile

Clause 21.02 (Municipal Profile) provides a description of the cultural, economic, historical, political and social factors which have shaped the municipality. It notes that the municipality is the heart of Victoria and *the location for many of the State's premier economic and cultural infrastructure and for a wide diversity of uses 24 hours a day, 7 days a week including office and commercial, cultural, leisure, entertainment, research, educational and residential uses.*

The Clause outlines that Melbourne's daily visitor population is growing, with the current 705,000 workers, students and visitors expected to increase to 1 million by 2030. It is also indicated that the municipality produces approximately 20.5% of Victoria's GSP.

Clause 21.03 – Vision

Clause 21.03 (Vision) outlines the vision for the municipality, as outlined in *Future Melbourne 2008*. The plan's vision for the municipality is of a **bold, inspirational and sustainable city**. Six goals are outlined as part of this overarching vision:

- *A city for people,*
- *A creative city,*
- *A prosperous city,*
- *A city of knowledge,*
- *An eco-city, and*
- *A connected city.*

A range of key issues and focuses underline this vision, including Settlement, Environment and Landscape Values, Built Environment and Heritage, Housing, Economic Development, Transport and Infrastructure actions.

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Clause 21.04 – Settlement

Clause 21.04 (Settlement) provides a Growth Area Framework for the municipality. The original city centre (the Hoddle Grid) is outlined as one of the five different types of character areas and the plan for this precinct is as follows:

Central City functions will be located in the Hoddle Grid. This area will be managed to facilitate continued growth where appropriate and limit change or the scale of development in identified locations to preserve valued characteristics. A strong emphasis will be placed on a quality public realm and good pedestrian amenity and connectivity.

Clause 21.06 – Built Environment and Heritage

Clause 21.06 (Built Environment and Heritage) provides a description of the vision for the built form character of the city, so that new development can be compatible with this character. A range of objectives and strategies are outlined under several matters, including Urban Design, Heritage and Sustainable Development. Some of the relevant objectives and strategies include:

Urban Design

Objective 4 - To ensure that the height and scale of development is appropriate to the identified preferred built form character of an area.

- *Strategy 4.5 - In the Hoddle Grid and Urban Renewal areas ensure occupancies in new tower buildings are well spaced and offset to provide good access to an outlook, daylight, sunlight and to minimise direct overlooking between habitable room windows.*

Objective 5 - To increase the vitality, amenity, comfort, safety and distinctive City experience of the public realm.

- *Strategy 5.2 - Ensure that the scale, bulk and quality of new development supports a high quality public realm.*

Objective 6 - To improve public realm permeability, legibility, and flexibility.

- *Strategy 6.1 - Protect and enhance the character and function of laneways.*
- *Strategy 6.2 - Ensure the design of buildings and public spaces enhances the public realm and the pedestrian environment.*
- *Strategy 6.3 - Ensure that new developments in the Capital City, Docklands, Business and Mixed Use zoned areas provide active street frontages and minimise pedestrian disruption from car access.*

Objective 7 - To create a safe and comfortable public realm.

- *Strategy 7.1 - Ensure built form and land uses promote surveillance of the public realm at all times of the day and night.*
- *Strategy 7.2 - Support the use of materials resistant to vandalism and graffiti, subject to their being respectful of the preferred built form character.*
- *Strategy 7.3 - Ensure that public and private safety design principles are incorporated in the development of buildings and public open spaces.*

Heritage

Objective 1 – To conserve and enhance places and precincts of identified cultural heritage significance

- *Strategy 1.1 - Conserve, protect and enhance the fabric of identified heritage places and precincts.*
- *Strategy 1.2 – Support the restoration of heritage buildings and places.*
- *Strategy 1.3 – Maintain the visual prominence of heritage buildings and landmarks.*
- *Strategy 1.4 – In heritage precincts protect heritage buildings, subdivision patterns, boulevards and public open space.*
- *Strategy 1.5 – Within heritage precincts and from adjoining areas protect buildings, streetscapes and precincts of cultural heritage significance from the visual intrusion of new built form both.*
- *Strategy 1.8– Maintain cultural heritage character as a key distinctive feature of the City and ensure new development does not damage this character.*

Sustainable Development

Objective 1 - To create an environmentally sustainable urban environment with reduced greenhouse emissions

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- *Strategy 1.1 - Ensure that new buildings and new public spaces are environmentally sustainable.*
- *Strategy 1.2 - Promote innovative environmentally sustainable development. Encourage the retention of buildings or parts of buildings that have efficient recycling potential and can be adapted to a variety of uses.*
- *Strategy 1.3 - To make the built environment resilient to heatwaves, water shortages, extreme storm events and sea level rise.*

Objective 2 - To make the built environment resilient to heatwaves, water shortages, extreme storm events and sea level rise.

- *Strategy 2.1 - Design new buildings, streets and public open spaces to minimise their contribution to the urban heat island effect and to contribute to urban cooling.*
- *Strategy 2.2 - Ensure that new development incorporates water sensitive urban design features including stormwater harvesting and flow attenuation, and water recycling and reuse.*
- *Strategy 2.3 - Ensure that flood risk by stormwater surges, waterway flooding and sea level rise is mitigated and managed.*

Objective 3 - To encourage efficient resource use and waste reduction in the City.

- *Strategy 3.1 - Encourage all new development to maximise water efficiency.*
- *Strategy 3.2 - Encourage provision of purpose built storage for recyclable waste, in all development.*

Objective 4 - To encourage environmentally sustainable building design innovation

- *Strategy 4.1 - Design all new developments to maximise the use of passive systems to achieve comfortable indoor conditions.*
- *Strategy 4.2 - Support new developments that minimise their embodied energy by their use of materials, construction and retention of reusable building fabric.*
- *Strategy 4.3 - Support on-site renewable and low emission energy generation, such as solar hot water, photovoltaic cells, wind powered turbines or combined heat and power generation systems in new developments.*

Clause 21.07 – Housing

Clause 21.07 (Housing) recognises the large population growth anticipated for the Melbourne CBD and inner area. In particular, it recognises that in some established areas, this growth will be more modest, whilst in the urban renewal areas and the Hoddle Grid, there will be higher levels of growth.

It also outlines that growth will need to be managed to ensure good quality of housing and amenity for existing and future residents.

A range of objectives and strategies are outlined for Residential Development. The ones which are relevant to this application are outlined below:

Objective 1 – To provide for new housing while preserving the valued characteristics of the existing neighbourhoods.

- Strategy 1.1 – In areas outside the Central City and Urban Renewal Areas, increase housing quantity and density consistent with the existing character of the area.
- Strategy 1.2 – Encourage the most significant housing and population growth in the Central City and Urban Renewal areas.
- Strategy 1.3 – Ensure that new residential development achieves high standards of amenity including access to sunlight and daylight and protection from overlooking.
- Strategy 1.4 – In areas of Proposed Urban Renewal, encourage housing that is consistent with an approved structure plan, or where it can be demonstrated it will not adversely impact on ongoing industry or port uses.

Objective 2 – To ensure new dwellings are located and designed to protect residents from current and future off-site amenity impacts.

- Strategy 2.1 – In the Capital City, Docklands and Commercial Zones, ensure residential developments are designed to mitigate the amenity impacts from surrounding established and future uses, including insulation from noise.

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- Strategy 2.2 – Encourage consideration of acoustic attenuation measures in dwellings that adjoin or are located close to the Capital City Zone, Docklands Zone, or Commercial Zones, or are in the Mixed Use Zone.
- Strategy 2.3 – Encourage all residential developments adjacent to industry, rail corridors and major roads to provide acoustic insulation in dwellings.

Objective 3 – To ensure the amenity of existing residential uses is protected.

- Strategy 3.1 – Ensure that the reasonable expectations of amenity for existing residential uses are maintained.

Objective 4 – To support a range of housing tenures, types and options to meet the diverse of housing needs.

- Strategy 4.1 – Support the provision of housing for older people close to public transport and services.

Objective 5 – To ensure new residential developments contribute to the social and physical infrastructure of the City.

- Strategy 5.1 – Ensure that in areas where a new built form character is sought, new residential development adds to the vitality, amenity, comfort and safety of the area.
- Strategy 5.2 – Support the provision of facilities and services for residents in new developments, including convenience retail and community facilities

Clause 21.08 – Economic Development

Clause 21.08 seeks to foster the continued economic development of Melbourne, through the numerous industries present within the municipality. This includes retail, business, industry and knowledge.

Of relevance to this application, the following is noted regarding business:

The Central City is the prime location for commerce in metropolitan Melbourne, and along with the St Kilda Road commercial area, is of state significance. Areas zoned Mixed Use and Commercial around the Central City have traditionally provided locations for business activities, which support Capital City functions. These areas are under increased pressure for housing, and it is important to ensure their ongoing functioning and viability as business areas, which serve both local community needs and Capital City business activity.

The following relevant objectives and strategies support the overarching goal for business development in the municipality:

Objective 1 - To reinforce the City's role as Victoria's principal centre for commerce.

- *Strategy 1.1 - Support the Central City as metropolitan Melbourne's principal centre for commerce, professional, business and financial services, and encourage new and innovative business that takes advantage of the Capital City location.*
- *Strategy 1.2 - Support the development of Docklands and Southbank as a vibrant business and retail areas along with the Hoddle Grid.*
- *Strategy 1.5 - Support Melbourne as an Australian and the Asia Pacific gateway for health services, financial and business services, education and biotechnology.*
- *Strategy 1.6 - Support the development of enterprise incubators and facilities for innovative business sectors.*
- *Strategy 1.7 - Support the provision of facilities and services for the changing and diverse needs of residents, visitors and workers.*

Objective 2 - To encourage employment opportunities for local residents.

- *Strategy 2.3 - Strategy 2.2 To ensure the nature and intensity of office and commercial activity is appropriate to its location.*
- *Strategy 2.5 - Ensure that all new office and business uses manage off site impacts such as noise, traffic generation and parking consistent with the local amenity.*

Clause 21.09 – Transport

Clause 21.09 (Transport) describes the context of the main forms of travel within the Melbourne municipality. This includes walking, cycling, public transport and private motor vehicles. It is noted that by 2030 the number of daily trips in and out of the city are anticipated to increase to 1 million per day.

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A range of objectives and strategies are outlined for several matters. The ones in which are relevant to this application are as follows:

Integrated Transport

Objective 1 – To integrate transport and growth

- *Strategy 1.2 - Encourage development in locations, which can maximise the potential use of public transport.*

Walking

Objective 1 - To develop and maintain a comprehensive, safe, comfortable and convenient pedestrian network throughout the municipality.

- *Strategy 1.2 - Create high quality and safe pedestrian environments throughout the City.*
- *Strategy 1.7 - Protect and enhance the laneway system as a significant element of the pedestrian network and public realm.*

Cycling

Objective 1 - To develop a comprehensive, safe and convenient cycling network throughout the Municipality.

- *Strategy 1.3 - Ensure that new development provides bicycle access and high quality, safe and secure end of trip cycle facilities*

Public Transport

Objective – To maximise the use of public transport through efficient urban structures.

- *Strategy 1.4 - Encourage public transport as the primary mode of access to the Central City.*

Private Motor Transport

Objective 1 – To encourage more efficient use of private motor vehicles.

- *Strategy 1.1 - Recognise that cars are complementary to other modes of transport and their use should be visitors daily managed to minimise adverse impacts on other transport modes.*
- *Strategy 1.5 - Support the reduction or waiving of car parking for new uses and developments, which have good access to public transport.*
- *Strategy 1.7 - Discourage commuter car parking in the Central City.*

Clause 21.16 – Local Areas (North and West Melbourne)

Clause 21.16 (Local Areas) provides built form and character direction for a range of precincts within Melbourne, including North and West Melbourne.

The relevant character statement for North and West Melbourne is as follows:

North and West Melbourne has a strong residential base as well as commercial and industrial uses. Many of the area's streetscapes and buildings have been recognised for their heritage significance. Flemington Road is a key tree-lined boulevard entry into the City.

North and West Melbourne should provide a balance of residential and commercial uses that maintains an emphasis on local community and liveability. There should be a clear distinction in scale from the Central City with higher scales of development expected located at the Central City fringe, around the North Melbourne railway station and along Flemington Road. In all other areas, a lower scale of development should be maintained.

The role and character of the Errol Street and Victoria Street shopping area should be strengthened, as local community centres.

The objectives relevant for North and West Melbourne (as relevant to this Site) are as follows:

Housing

- *Support residential development in the Hoddle Grid fringe. In this area, increased residential densities should be balanced with the strategic role of this area in providing for small to medium enterprises that support the Hoddle Grid and Docklands.*

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Economic Development

- *Support a mix of uses with retail and small scale business uses and some light industrial uses in the Mixed Use Zone in North Melbourne.*
- *Support commercial development in the Hoddle Grid fringe.*
- *Support the ongoing operation and establishment of small to medium enterprises and businesses that provide professional and business support services to the Capital City Zone in the Mixed Use Zone of North and West Melbourne adjacent to the Hoddle Grid.*
- *Support home business, small to medium offices and other commercial developments in the Mixed Use Zone of North and West Melbourne.*
- *Support light and service industry in the Mixed Use Zone in North and West Melbourne.*

Built Environment and Heritage

- *Ensure that development is sympathetic to the architecture, scale and heritage character of the lower scale areas. Ensure the area bounded by Latrobe Street, south west of the Flagstaff Gardens provides a contrast in scale between the lower built form of West Melbourne and the higher scale of the Hoddle Grid*

Clause 22.05 – Heritage Places outside the Capital City Zone

Clause 22.05 applies to all places within the Heritage Overlay outside of the Capital City Zone and Docklands Zone. The policy is split into two components – Part A and Part B.

Part A of the policy is relevant to this Site and seeks to provide guidelines for the conservation and enhancement of significant, contributory and non-contributory buildings (noting the building on Site is identified as being contributory).

The objectives of the policy (as relevant to the Site) are as follows:

- *To conserve and enhance Melbourne’s heritage places.*
- *To retain fabric, which contributes to the significance, character or appearance of heritage places and precincts.*
- *To recognise and conserve the assessed significance of heritage places and streetscapes, as referenced in this policy or incorporated into this planning scheme as the basis for consideration of development and works.*
- *Further information may be considered, including in relation to streetscapes, where there is limited information in the existing citation or council documentation.*
- *To ensure new development is respectful of the assessed significance of heritage places.*
- *To ensure new development is respectful of the character and appearance of heritage places.*
- *To encourage high quality contextual design for new development, which avoids replication of historic forms and details.*
- *To encourage retention of the three dimensional fabric and form of a building.*
- *To discourage facadism.*
- *To encourage the adaptive reuse of heritage places.*
- *To ensure new development is consistent with the conservation principles, processes and practices of the Australia ICOMOS Burra Charter.*
- *To enhance the presentation and appearance of heritage places through restoration and, where evidence exists, reconstruction of original or contributory fabric.*
- *To protect significant views and vistas to heritage places.*

This policy was gazetted on 23 December 2020, and therefore did not apply to the original approval.

The submitted Heritage Impact Statement prepared by Trethowan provides an assessment of the proposed amendments to the built form against Clause 22.05. In addition, the submitted Schedule of Conservation Works & Specification (also prepared by Trethowan) details the proposed conservation of the retained heritage building (as required by Condition 7 of the Permit).

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Clause 22.17 – Urban Design Outside of the Capital City Zone

Clause 22.17 applies to all land outside of the Capital City and Docklands Zone. In summary, the policy seeks to ensure that the valued aspects of the city's character are not lost through redevelopment and that new built form respects the existing character.

Likewise, where more robust development is envisioned, it is sought to ensure that an attractive environment is established.

The relevant objectives within this policy are as follows:

- *To ensure that the scale, siting, massing and bulk of development complements the scale, siting, massing and bulk of adjoining and nearby built form.*
- *To ensure that the height of buildings relates to the prevailing patterns of height and scale of existing development in the surrounding area.*
- *To reduce unacceptable bulk in new development.*
- *To ensure that buildings on prominent sites are designed to achieve a high standard of design which reflects the importance of their location and extent of their visibility.*
- *To ensure that building design including the use of materials and activities at the ground floor frontages of buildings creates and improves pedestrian interest and engagement.*
- *To ensure that development includes architecturally integrated building tops.*
- *To ensure that development uses design and detail to ensure all visible facades (including the rear and sides of buildings) provide a rich and positive contribution to the public realm.*
- *To ensure that development avoids ambiguity and conflict in the design of fronts and backs of buildings.*
- *To ensure that development contributes to a pedestrian and vehicular network which ensures pedestrian movement and amenity is a priority and strengthens networks of pedestrian pathways through an area.*
- *To ensure that development maintains and enhances traditional street patterns of projecting cornices, and allows projecting balconies and canopies where they follow an existing pattern and/or contribute positively to the public realm.*
- *To ensure that development promotes building forms that will minimise the adverse impacts of wind in surrounding public spaces and provide weather protection where appropriate.*
- *To ensure that development creates and maintains a high quality landscape setting*

In addition to the objectives, a series of policies are outlined. These relate to Scale, Context, Building Height, Building Bulk, Large and Prominent Sites, Street Level Frontages, Front and Backs of Buildings, Building Tops, Visible Facades and Blank Walls, Pedestrian Connection and Vehicle Access, Building Projections, Protection from Wind and Rain, Landscape and Access and Safety in Public Spaces.

In summary, the policies seek to ensure that new buildings are of a high architectural quality, provide high amenity to residents and do not unreasonably impact adjoining properties.

Clause 22.19 – Energy, Water and Waste Efficiency

Clause 22.19 seeks at a broader level to ensure that development has a good level of environmental sustainability, to assist in ensuring Melbourne can achieve its goals in relation to becoming an eco – city.

The objectives relevant to this development are as follows:

The overarching objective is that development should achieve best practice in environmentally sustainable development from the design stage through to construction and operation.

In the context of this policy best practice is defined as a combination of commercially proven techniques, methodologies and systems, appropriate to the scale of development and site specific opportunities and constraints, which are demonstrated and locally available and have already led to optimum ESD outcomes. Best practice in the built environment encompasses the full life cycle of the build.

It is a policy objective to encourage innovative technology, design and processes in all development, which positively influence the sustainable of buildings.

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For a commercial development as proposed on the Site, a Sustainable Management Plan (SMP) and Green Travel Plan (GTP) should be provided as part of the Planning Permit application documentation.

A SMP prepared by Ark Resources has been submitted with this application. A GTP could be provided as a condition of approval, if required (noting that the existing permit does not require a GTP).

Clause 22.23 – Stormwater Management (Water Sensitive Urban Design)

Clause 22.23 of this policy has a range of objectives which are:

- *To achieve the best practice water quality performance objectives set out in the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999 (or as amended). Currently, these water quality performance objectives are:*
 - *Suspended Solids - 80% retention of typical urban annual load*
 - *Total Nitrogen - 45% retention of typical urban annual load*
 - *Total Phosphorus - 45% retention of typical urban annual load*
 - *Litter - 70% reduction of typical urban annual load.*
- *To promote the use of water sensitive urban design, including stormwater re-use.*
- *To mitigate the detrimental effect of development on downstream waterways, by the application of best practice stormwater management through water sensitive urban design for new development.*
- *To minimise peak stormwater flows and stormwater pollutants to improve the health of water bodies, including creeks, rivers and bays.*
- *To reintegrate urban water into the landscape to facilitate a range of benefits including microclimate cooling, local habitat and provision of attractive spaces for community use and wellbeing.*

As part of achieving these objectives, this Clause requires a Water Sensitive Urban Design (WSUD) Report to be prepared and submitted with a range of Planning Permit applications.

A WSUD Assessment prepared by Ark Resources has been submitted with this application.

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5 Planning Controls

5.1 Zoning

5.1.1 Mixed Use Zone (MUZ)

The Site is located within the Mixed Use Zone (Melbourne Mixed Use Areas). The purpose of this zone is as follows:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.*
- *To provide for housing at higher densities.*
- *To encourage development that responds to the existing or preferred neighbourhood character of the area.*
- *To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone.*

Pursuant to Clause 32.04-6, a Planning Permit is required to construct two or more dwellings on a lot. As the approval does not currently provide planning permission to construct two or more dwellings, the Planning Permit pre-ambles is proposed to be amended to specifically require this permission.

The approval already also provides permission for the use of offices, as well as a residential hotel. As these uses are still proposed (offices within both Stages 1 and 2 and residential hotel in Stage 2) no amendments are proposed to the Planning Permit pre-ambles (as there are no additional approvals sought).

It is noted that a Planning Permit was previously provided on the Site for the use of a Food and Drinks Premises, as well as a Shop. As the proposed Food and Drinks Premises is under 150sqm in leasable floor area, whilst the Shop components have been removed, permission is no longer required for these uses. As such, the Planning Permit pre-ambles is proposed to be amended accordingly.

5.2 Overlays

5.2.1 Design and Development Overlay – Schedule 12 (DDO12)

The Site is located within the Design and Development Overlay – Schedule 12 (DDO12), which relates to Noise Attenuation Area. The objectives of the DDO12 are as follows:

- *To ensure that new or refurbished developments for new residential and other noise sensitive uses constructed in the vicinity of the Docklands Major Sports and Recreation Facility include appropriate acoustic measures to attenuate noise levels, in particular music noise, audible within the building.*
- *To ensure that land use and development in the vicinity of the Docklands Major Sports and Recreation Facility is compatible with the operation of a Major Sports and Recreation Facility.*

A Planning Permit is required to construct buildings or carry out works for a residential use, however, as approval has already been provided under this overlay, no additional approval is required.

The requirements for any new or refurbished development that accommodates residential or other noise sensitive uses are as follows:

- *Be designed and constructed to include noise attenuation measures. These measures must achieve a maximum noise level of 45 dB in habitable rooms with windows closed when music is emitted from the Major Sports and Recreation Facility in the Melbourne Docklands Area. f*
- *Be fitted with ducted air conditioning if the new or refurbished development is within 400 metres of the centre point of the Docklands Major Sports and Recreation Facility. f*

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- *Have external glazing and doors and the air conditioning or ventilation system in all new residential and other noise-sensitive use and development designed by a recognised acoustic consultant.*

An application for buildings and works under the Overlay is exempt from the notice and appeal rights under Section 52(1)(a)(b)(d), 64(1)(2)(3) and Section 82(1) of the Planning and Environment Act.

The submitted Acoustic Assessment prepared by Acoustic Logic provides an assessment of the proposal against these requirements.

5.2.2 Design and Development Overlay – Schedule 33 (DDO33)

The Site is located within the Design and Development Overlay – Schedule 33 (DDO33), which relates to the CBD Fringe. The design objectives of this control are as follows:

- *To provide a transition between the taller built form of the central city and the lower scale built form of West Melbourne.*
- *To maintain the heritage characteristics of the area by ensuring new development respects the scale of, and provides a transition to, adjoining heritage buildings.*
- *To ensure development limits impact on the amenity and outlook from Flagstaff Gardens.*

DDO33 sets out several discretionary built form requirements, including:

- Maximum building height of 40m, and maximum podium height of 16m.
- Setbacks above podium of 6m to front, side and rear boundaries, and 2m to a laneway.

A range of built form outcomes are also outlined, including:

- *Built form which provides a visual transition between the taller prevailing heights of the CBD and the lower scale built form of West Melbourne.*
- *Development provides a transition to adjoining lower scale heritage buildings by the use of podiums and upper level setbacks.*
- *Development that does not overshadow Flagstaff Gardens between 11am and 2 pm on 22 September and 22 June.*
- *Building setbacks that strengthen the pedestrian scale and focus of the area and maintain a sense of open outlook from the Flagstaff Gardens.*

A Planning Permit is required for buildings and works, however, as approval has already been granted under this overlay, no additional approval is required.

5.2.3 Heritage Overlay – Schedule 771 (HO771)

The Site is located within the Heritage Overlay – Schedule 771 (HO771), which relates to the Sands and McDougall Precinct. The objectives of the Heritage Overlay is as follows:

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

The precinct is described as being significant, with the following description:

Aesthetically, like many other warehouse or factory buildings of the period and earlier, this complex dominates its residential contemporaries in scale and adopts the Italian Renaissance Revival ornament of commercial designs current since the 1870s but in this case executed in red brick with stucco trim. The main building of 1888-9 is a large and original, prominently sited and competently ornamented 19th century factory building which possesses early use of all iron fire-proofed framing and was designed by the distinguished architectural firm, Thomas Watts and Sons. It is of State importance as an indicative and surprisingly original example of the last disappearing large industrial buildings of the late 19th century. The adjacent contributory buildings from the interwar period use the same architectural language and materials but with a modern interpretation (Criterion E); and

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Historically, the complex includes the most of the known surviving and most substantial buildings linked with this most well known of stationery firms that had a national presence and is one of the most significant industrial complexes in Victoria, with the Goetz factory also representing a specialised area of manufacture that differs from the more typical heavy industry (Criterion A).

The description of 102 Jeffcott Street in the relevant Statement of Significance for the precinct is as follows:

- *face brick (bricks painted over) one level plus basement building set on a stone paved lane between it and the main building; and,*
- *double gabled parapeted roofline, corrugated iron clad roof behind.*

A Planning Permit is required for buildings and works, as well as demolition, however, as approval has already been granted under this overlay, no additional approval is required.

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Figure 6 Zone Plan

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Tract



Drawing Title

Project Name

Overlay Plan - Design and Development

102 Jeffcott Street, West Melbourne

Drawing No.

Revision

Date

Drawn

Checked

Project Principal

Scale

320-0272-00-P-02 -DR04

00

04.05.2020

AD

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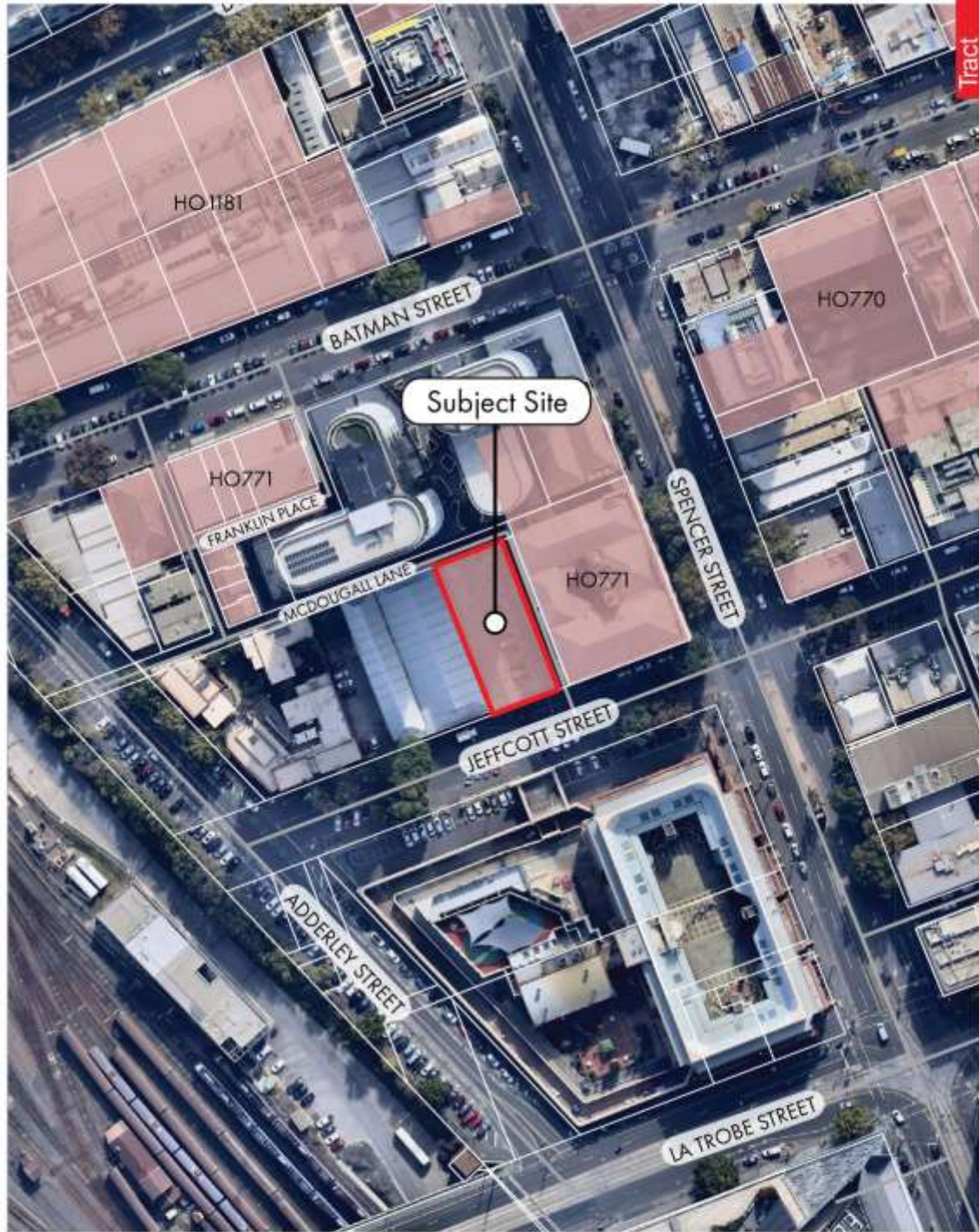
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Figure 7 Design and Development Overlay Plan

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Drawing Title

Project Name

Overlay Plan - Heritage

102 Jeffcott Street, West Melbourne

Drawing No.

Revision

Date

Drawn

Checked

Project Principal

Scale

320-0272-00-P-02 - DR05

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Figure 8 Heritage Overlay Plan

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5.3 Particular Provisions

5.3.1 Clause 52.06 (Car Parking)

Clause 52.06 relates to the provision of car parking and the objectives of the policy are as follows

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

Of note, the site is located within the PPTN, therefore the requirements of Table 1 Column B apply to uses and developments on site (such as office) which is 3.5 spaces per 100sqm of gross floor area.

Pursuant to Clause 52.06-3, a planning permit is required to reduce (including to zero) the number of car parking spaces required by Table 1 Column B. It also requires a car parking demand assessment to be provided to the responsible authority for consideration in such planning permit applications.

Whilst the existing approval provides for a reduction in the statutory parking requirements (associated with the office, food and drinks premises and shop components of the development). This amendment will further reduce the reduction sought for the office use to zero, whilst also introducing a new statutory reduction for the new use of dwellings. As such, the amendment prompts re-consideration of car parking and Clause 52.06.

It is noted that car parking for a Restricted Recreational Facility it to be to the satisfaction of the responsible authority and does not have a statutory rate.

5.3.2 Clause 52.34 (Bicycle parking)

The purpose of Clause 52.34 is as follows:

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

The rates of bicycle parking to be provided for each of the uses on the Site is as follows:

Use	Requirement	Proposal	Number Required	Number proposed
Dwelling	<u>Resident</u> : 1 space per 5 dwellings <u>Visitor</u> : 1 space per 10 dwellings	113 dwellings	Resident: 23 Visitor: 11	89 spaces (shared with the Office and Food and Drinks Premises in Stage 1).
Office	<u>Employee</u> : 1 space per 300sqm of NFA if the NFA exceeds 1,000sqm. <u>Visitor</u> : 1 space per 1000sqm of NFA if the NFA exceeds 1,000sqm.	8735sqm of net floor area between Stage 1 and 2.	Employee: 30 Visitor: 9	89 spaces (shared with the Dwellings and Food and Drinks Premises in Stage 1). 45 spaces (shared with the Residential Hotel) in Stage 2
Food and Drink Premises	<u>Employee</u> : 1 space per 300sqm LSA.. <u>Visitor</u> : 1 space per 500sqm LSA..	84sqm	N/A	89 spaces (shared with the Dwellings

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and Office in Stage 1).

Residential Hotel	<u>Employee / Guest:</u> 1 per 10 lodging rooms <u>Visitor:</u> 1 per 4 lodging rooms.	10 rooms.	Employee / Guest: 1 space Visitor: 3 spaces	45 in Stage 2 (for the Residential Hotel and Office uses)
TOTAL			34 resident spaces (Stage 1) and	89 spaces in Stage 1 (for the Dwellings, Office at 102 Jeffcott Street and Food and Drinks Premises) 45 in Stage 2 (for the Residential Hotel and Office uses)

The application proposes 91 bicycle spaces (in lieu of the 34 required), well in excess of the requirements.

5.3.3 Clause 58 (Construction of an apartment building of five or more storeys)

Clause 58 applies to all apartment developments of five or more storeys in residential zones (including the MUZ). The purpose of this provision is as follows:

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

The provision then outlines a range of objectives that developments must achieve, as well as specified standards within the objectives that should be achieved. Where the standards cannot be met, it must be demonstrated that the objectives have still been met.

The role of the objectives and standards are to ensure an appropriate level of internal amenity in developments.

Given the proposal involves the construction of apartment building of five or more storeys, the full suite of provisions within Clause 58 apply.

A full assessment against Clause 58 is provided at Appendix 1, with a summary at Section 6.7 of this report.

5.4 Other Planning Considerations

5.4.1 Planning Scheme Amendment C309

Planning Scheme Amendment C309 seeks to translate the findings of the West Melbourne Structure Plan 2018 into controls within the Melbourne Planning Scheme, with the Site identified as being within the Flagstaff Precinct.

Of relevance to the Site, the amendment proposes:

- Rezoning of the Site from the Mixed Use Zone (MUZ) to the Special Use Zone – Schedule 6 (SUZ6).
- Implementing the Parking Overlay – Schedule 14 (PO14).
- Revise the Design and Development Overlay – Schedule 33 (DDO33).

Proposed SUZ6 includes a range of objectives which broadly seek to ensure that development in the area is a 'genuine mix' of residential and employment generating uses, support a less car dependant transport system and to meet the needs of the growing community.

With respect to the proposed amendment:

- The provision of more than 9 dwellings requires a planning permit.
- Shops require a planning permit once the leasable floor area exceeds 150sqm.
- Offices require a permit once the leasable floor area exceeds 250sqm.

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Other proposed requirements within the SUZ6 / revised DDO33 / PO14 include:

- Where a residential development requires a planning permit, a minimum of 6% of the dwellings is to be preferred to be provided as affordable housing (unless agreed otherwise with the responsible authority).
- A minimum of 16.6% of the gross floor area of the development to be allocated to a use other than accommodation (mandatory requirement).
- A mandatory floor area ratio of 6:1, with bonus floor area allowable depending on public benefits delivered.
- A preferred maximum building height of 16m, with street wall heights between 3 and 10 storeys.
- Minimum setbacks above the podium from all laneways, side and rear boundaries of 6m, with a setback above the podium from the street of 3m.
- 4m floor to ceiling heights at ground floor, with 3.3m on all other floors for residential uses (to enable future conversion to non-residential uses).
- Implement maximum car parking rates (rather than minimum) for a range of uses, including dwellings, offices and shops.

The amendment proceeded to an independent Planning Panel in 2019 and a report was released on 11 October 2019. The Panel recommended the amendment be adopted, although suggested some changes including:

- Examining whether the percentage of non-accommodation floor uses in the Flagstaff precinct should be increased.
- Convert the non-accommodation floor area requirements from mandatory to discretionary.
- Broaden the basis to consider varying the affordable housing requirements.
- Allow discretionary floor area uplift for social housing contributions, or affordable housing contributions exceeding 6% in the Flagstaff Precinct.

This was originally proposed to be reported to Council on 25 February 2020. However, based on the number of Councillor conflicts declared for an earlier stage of the Amendment, and because the Minister for Local Government has not provided an exemption to the conflicted Councillors so that they may vote on the matter, the report was withdrawn from the Council meeting agenda.

As a consequence, the Council has been unable to make a decision on whether or not to adopt the Amendment under s.29 of the *Planning and Environment Act 1987*. This is because, as we understand it, a decision under that section must be made by the Council and cannot be lawfully delegated to any other person or body.

Instead, a management report was prepared, recommending the establishment of a Special Committee (consisting of all non-conflicted Councillors) to consider Amendment C309.

At the meeting the Council resolved the following:

1. That Council:

1.1. Establishes the Amendment C309 West Melbourne Structure Plan Committee (Committee), pursuant to section 86 of the Local Government Act 1989 (the Act).

1.2. Appoints the Lord Mayor, Sally Capp, and Councillors Frances Gilley, Le Liu, Oke and Watts to be members of the Committee.

1.3. By Instrument of Delegation pursuant to section 86 of the Act, delegates to the Committee the powers, duties and functions of Council to make decisions of an advisory nature in respect to Planning Scheme Amendment C309 West Melbourne Structure Plan, subject to the limitations contained in the Act and the Planning and Environment Act 1987 (refer Attachment 2 of the report from management).

1.4. Notes that in accordance with Council's Conduct of Meetings Local Law 2019, the Lord Mayor or three Councillors can call a special meeting of the Committee.

An officer report regarding Amendment C309 West Melbourne Structure Plan was presented to the Special Committee on 28 April 2020.

We note that the officer report presents a number of key issues to the Special Committee which include the following (inter alia):

7. Management supports most of the Panel's recommendations. A summary of the recommendations and management's response is set out in Attachment 3. The recommendations not wholly supported include:

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7.1. The suggested increase to the minimum non-accommodation ratios for each precinct as the ratios proposed by the Panel had not been tested for feasibility whereas Council's ratios had been tested.

7.2. The discretionary floor area uplift for all four precincts for social housing contributions and affordable housing contributions that exceed six per cent as this concept was untested and never part of the exhibited Amendment.

This report included a set of revised amendment documentation reflecting the above.

The Special Committee resolved:

1. That the Amendment C309 West Melbourne Structure Plan Committee:

1.1. notes that:

1.1.1. Council was unable to consider adopting Melbourne Planning Scheme Amendment C309 (the Amendment) due to a loss of quorum

1.1.2. the Amendment cannot be adopted under delegation due to the operation of section 188(2) of the Planning and Environment Act 1987 (the Act)

1.2. refers Amendment C309 as shown in Attachment 4 of the report from management to the Minister for Planning

1.3. requests the Minister for Planning prepare and approve the Amendment under section 20(4) of the Act, in the form set out in Attachment 4 of the report from management given the Amendment has been lawfully exhibited and subject to consultation and a Panel process under the Act

1.4. authorises the General Manager, Strategy, Planning and Climate Change to make further minor editorial changes to the Amendment documentation prior to submitting the Amendment to the Minister for Planning

It is our understanding that the resolutions of the Special Committee cannot be regarded as being resolutions of the Council, and nor can they be said to represent the views of the Council. The Special Committee has asked the Minister to prepare and approve a new planning scheme amendment in a particular form under s.20(4). Whether or not the Minister agrees with that request cannot be determine at this point in time.

As a result, the position appears to be that the Amendment has stalled. The Council has not adopted the Amendment, or considered the changes recommended by the Panel.

As at 16 March 2021 (i.e. almost 12 months after the request was lodged with the Minister) there has been no formal indication of the Minister's position on this amendment or request.

Having regard to the above Amendment C309 cannot reasonably be considered a seriously entertained or be given significant weight as it is not possible to form a view as to what form it will take if and when it ever becomes part of the planning scheme.

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6 Planning Assessment

6.1 Overview

Consideration of the amendment against the provisions of the *Melbourne Planning Scheme* prompts the following questions:

- Does the proposal remain consistent with the Planning Policy Framework?
- Is the amended building design and siting appropriate to the Site?
- Does the proposed develop respect the amenity of adjoining properties (including the safety and security of the Melbourne Assessment prison)?
- Are the altered access, car parking, traffic and waste arrangements appropriate?
- Is the proposal representative of best practice ESD?
- Are the proposed dwellings consistent with the Better Apartment Design Standards?
- Will the future residents be impacted by any unreasonable acoustic impacts?
- Does the proposal have a good level of consistency with Planning Scheme Amendment C309?
- Does the amendment represent orderly and proper planning?

These considerations are explored in turn below.

6.2 Does the proposal remain consistent with the Planning Policy Framework?

The amended proposal continues to remain consistent with the broader planning principles embedded within the Melbourne Planning Scheme. We note the following in support of this:

- The proposal provides increased residential opportunities within a location adjoining Melbourne's CBD. The location of the Site has excellent access to bars, cafes, cultural facilities, employment opportunities, entertainment, parklands, restaurants, shops, services and the like. This provides future residents with a high level of amenity and the ability to live within a '20 minute neighbourhood', consistent with **Clauses 11.01-1R, 15.01-4R, 16.01-1R, 21.02, 21.03, 21.06 and 21.07.**
- The future residents of the Site are likely to use public and other sustainable forms of transport (in lieu of motor vehicle use), given the location for the Site within the PPTN, its location adjoining the CBD and the vast array of public transport services, walking and bicycle facilities within close proximity to the Site. This is consistent with **Clauses 11.01-1R, 15.01-4R, 15.02-1S, 16.01-1R, 18.01-1S, 18.02-1R, 18.02-2R and 21.09.**
- The proposal provides an excellent level of internal amenity for future residents, with dwellings designed to achieve a high level of compliance with the Better Apartment Design Standards (BADS). This includes the provision of well sized living spaces and bedrooms, good internal and external storage areas, highly amenable balconies, good outlooks, access to sufficient natural daylight and high quality internal communal spaces. In addition, a large area of communal open space is provided on the rooftop, providing various opportunities for entertainment, leisure and recreation. A high level of housing is also accessible for those with limited mobility. This is consistent with **Clause 58.**
- The amended proposal is representative of environmentally sustainable design, given it will have a Green Star Rating of 5 for the development. This has been achieved through numerous initiatives, including providing 19.5kW solar energy facilities on the rooftop of the Site, a 8,000 litre water tank, the use of high performance glazing, extensive bicycle facilities (well in excess of the requirements) and a range of energy and water efficient fixtures. In addition, a large portion of dwellings have been designed so that they have more than one aspect, providing excellent daylight and cross ventilation opportunities. This is consistent with **Clauses 15.02-1S, 21.06, 21.07, 22.19 and 22.23.**
- The architectural response proposed continues to ensure excellent integration with the street and surrounding properties, whilst also enhancing the value of the heritage place. This has been achieved through providing detailed

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conservation management plans which show how the existing heritage façade is to be maintained and rejuvenated, as well as through the provision of a larger opening to the façade to facilitate passive surveillance opportunities. In addition, the setbacks proposed to the side and rear boundaries continue to provide equitable development opportunities, whilst the front setback also ensures that the vistas to the heritage façade and adjoining Sands and McDougall Building are maintained. This is consistent with **Clauses 15.01-1R, 15.01-2S, 15.01-4R, 15.03-1S, 21.03, 21.04, 21.06, 21.07, 21.11, 22.05 and 22.07.**

- The amended proposal provides for increased housing diversity within the local area whilst also providing employment generating uses on the Site through the provision of office space and a food and drinks premises, consistent with the purpose of the **Mixed Use Zone**.

6.3 Is the amended building design and siting appropriate to the Site?

As noted in previous sections of this Report, the overarching architectural language of the proposed tower will remain similar to the approval. However, there are some changes proposed to setbacks, as well as a variety of minor other changes which allows for the use of the building as dwellings. Importantly however, the height of the proposal remains consistent with the approval.

Built Form

The changes proposed to the built form are summarised as follows:

- Reduction in the building height from 23 levels to 19 levels. Coupled with some minor changes to floor to floor heights, this equates to a reduction in the total height of the building by approximately 5m.
- Alteration to the 'twisting' element of the building (to the south eastern frontage of the Site). In some parts, this element will now protrude slightly closer to Jeffcott Street and McDougall Lane.
- Reduction in the rear façade setback to the rear boundary (2.17m in lieu of 2.33m). Where balconies are proposed however the rear setback to the façade is larger than approved (4.193m), but the balcony balustrades adopt the 2.17m setback.
- Reduction in the western setback of the building from 5.960m to 4.880m.
- Reduction in the minimum eastern setback of the building from 2.395m to 2.390m.
- Addition of a communal open space area on the rooftop. Most of this area is open (and therefore not defined as building height), however the outdoor dining area is semi enclosed.

When considering the context of the Site, it is submitted that the proposed changes are reasonable. The following is noted in support of this statement:

- The reduced height reduces the overall scale of the building, which in turn reduces any potential amenity impacts associated with its height (such as overshadowing).
- The decreased setbacks will not appear as unreasonably visually bulky when viewed from the street, or adjoining properties. Notably, the architectural language remains consistent with the approval and will continue to appear visually articulated and modulated.
- The reduced setbacks will not unreasonably impact the provision of daylight, outlook or sunlight to surrounding towers. It is noted that the setbacks have not been reduced by more than 1.1m in comparison to the approved setbacks and continue to provide large areas of separation with adjoining developments (both existing and any potential future development). This ensures reasonable daylight, outlook and sunlight is maintained into the future.
- The reduced setbacks continue to allow equitable development opportunities to adjoining properties, given there are minimum 4.5m setbacks to property boundaries or the centre of adjoining laneways. To the east (interface with the Sands and McDougall Building) the setback is lesser, however it is noted that this setback was already less than 4.5m and that there is limited opportunity for a redevelopment of the Sands and McDougall Building into a tower given its significant heritage status.
- The reduction in the rooftop height ensures that the originally approved FAR is not increased. Likewise, the additional structures above the roof associated with the communal area will not create any unreasonable amenity impacts. This is given its nature of being recessed on the rooftop (and therefore having minimal visibility to the surrounding area), as well as its open nature will reduce amenity impacts such as shadow or visual bulk to surrounding properties.

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- The reduced setbacks has also been subject to an assessment by Trethowan, which have deemed that they will not create any unreasonable impacts to the existing heritage building, or the adjoining Sands and McDougall Building.
- The amendments remain consistent with the objectives of DDO33, which seek largely to provide a transition between the higher scale CBD to the south and lower scale West and North Melbourne neighbourhoods to the north, whilst also maintaining the heritage characteristics of the area. This is given that the proposal seeks a lower height than the approval whilst also continuing to respect the heritage characteristics of the façade and adjoining area, it is considered to be consistent with DDO33.

Wind

This Section of the Report should be read in conjunction with the *Wind Impact Assessment prepared by VIPAC Engineers* which accompanies this application.

The wind assessment confirms that the proposal is not expected to generate unreasonable wind impacts, noting the following:

- The footpath along McDougall Lane is expected to meet the walking comfort criterion.
- The Jeffcott Street footpath is expected to meet the standing comfort criterion.
- The ground floor courtyard is expected to meet the sitting comfort criterion.
- Level 1 terraces are expected to be suitably protected from downwash by the proposed pergola.
- The rooftop deck is expected to meet the walking comfort criterion.
- Balconies will generally be suitable for recreation but during strong winds these areas may exceed the comfort criteria.

Based on this assessment, it is not considered that the amended design creates any unreasonable wind conditions to either the Site or surrounding area.

Condition 29 of the permit requires that a wind tunnel test be undertaken prior to the commencement of the development, with any changes required as a result of this testing to be reflected in the plans (as required by Condition 11). It is not proposed to remove or amend these conditions as part of this application.

6.4 Will the amended building design and siting respect the amenity of adjoining residential and commercial properties (including the safety and security of the Melbourne Assessment prison)?

Amenity of adjoining residential properties

The proposal maintains the same, slender architectural response for the tower as has been originally approved on Site. As such, it is not considered that the development will create any unreasonable amenity impacts on adjoining properties.

It is noted however that the siting of the building has been revised, with some reductions to the front, side and rear setbacks (as well as the reduction in height by approximately 5m). These have been summarised previously in the report, but are noted again below for reference:

- Reduction in the rear setback (2.17m in lieu of 2.33m), as well as a larger setback (4.193m) where there are balconies in front of the rear façade.
- Reduction in the western setback of the building from 5.960m to 4.880m (interface with 44 – 58 Adderley Street).
- Reduction in the minimum eastern setback of the building from 2.395m to 2.390m (interface with 357 Spencer Street).

Overall, these reductions in setbacks are not considered to have any unreasonable detrimental impacts to nearby properties. It is noted that all adjoining residential properties are located to the north and naturally, will not be impacted by additional overshadowing generated by these changes to the built form.

In addition, all apartments continue to remain in excess of 9m from adjoining apartments (negating the need for screening devices), whilst setbacks to the adjoining property to the west continues to ensure equitable development rights (being in excess of 4.5m). These large setbacks provide ample space for the provision of daylight and good outlooks. In addition, the architectural design of the building remains very similar to the approval and will not appear as unduly visually bulky to nearby properties.

It is also noted that the revised setback to the Sands and McDougall Lane boundary is 0.05m less than previously approved, which will have negligible amenity impacts (or impacts by way of visual bulk).

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In terms of potential amenity impacts from the use of land for residential dwellings, it is not considered that there will be any unreasonable impacts. The Site continues to be located in the Mixed Use Zone (MUZ) and adjacent to the Central City. A range of uses are envisioned in this location, including commercial and residential uses. Any potential amenity impacts typically associated with residential uses (such as the movement of people to and from the Site) are likely to be quite limited in this context. Likewise, the modest nature of the ground floor café and first floor office suites will not create unreasonable levels of noise or generate large numbers of people travelling to and from the Site.

Safety and Security of the Melbourne Assessment Prison

This Section of the Report should be read in conjunction with the *Site Security Requirement Reports (both construction phase and post – construction phase) prepared by ARUP* which accompany this application.

As part of the Planning Permit, Condition 11 required the preparation of a Security Management Plan, to ensure that the safety and security of the Melbourne Assessment Prison (MAP) opposite the Site is not compromised by the development. This is required to be endorsed prior to the commencement of the development.

The amendment application includes a Security Management Plan prepared by ARUP for the construction phase, as well as for the life and operation of the building. This has been developed in consultation with management of the MAP.

Overall, the proposal is considered to appropriately protect the safety and security of the MAP, with the following noted in support of this:

- During the construction phase, a range of measures will be committed too, including:
 - All construction workers on Site will go through an induction process, with their identities verified (such as via a drivers license, or other equivalent) and communicated a range of safety measures. This includes indicating that no filming / photography is allowed on Site (without prior permission), a requirement to sign in every day when attending the Site (and the builder keeping a log of this), securing equipment at the end of the day, as well as a range of other similar measures.
 - Access to the Site will be controlled with hoarding / fencing a height of 2.4m (minimum) to the public interfaces.
 - Construction vehicle keys are to be removed from vehicles at all times and subjected to check in / check out processes.
 - Hoarding and screening will be implemented from levels 9 and above where practicable, to prevent videoing of inmates at the MAP. If this is not practical, alternative arrangements can be used, such as ensuring workers are supervised at all times and not carrying mobile phones.
 - If Jeffcott Street is to be obstructed, MAP will be notified a minimum of 72 hours prior.
 - Monthly meetings will occur between the builder and MAP to ensure any potential traffic impacts to Jeffcott Street can be minimised and are known to MAP.
- During the operation and life of the building, a range of measures will also be committed too, including:
 - CCTV coverage within the building will be extensive, including identification grade footage for all rooftop access points.
 - Access control systems will be implemented to the plant area and rooftop to prevent unauthorised access.
 - All personal who access the rooftop will be registered in a log. They will also be subjected to an induction process (with identity checks and communication of rules, such as no filming or photography, etc).
 - From Level 9 and above, the building facade will include timber louvers angle up, to prevent views down into the MAP.
 - The communal area on the rooftop has been sited away from the MAP (with the plant area separating the communal area from the MAP) and therefore preventing views.

6.5 Are the altered access, car parking, traffic and waste arrangements appropriate?

This Section of the Report should be read in conjunction with the *Traffic Report prepared by GTA Consultants* which accompanies this application.

Access

The revised proposal includes an additional access point from Jeffcott Street. This will utilise the existing crossover to Jeffcott Street to the west of the Site.

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It is considered that the use of this existing crossover is appropriate and will not unreasonably impact the streetscape of Jeffcott Street. The following is noted in support of this:

- Condition 1h of the existing Planning Permit seeks to convert some of the approved basement area into bicycle / motorcycle parking, in order to reduce the total number of car parking spaces. The rationale behind this was to ensure that there are low vehicle movements in McDougall Lane, maximising its amenity for the commercial uses fronting onto the lane.
- The number of car parking spaces on Site has increased by six, as dwellings typically have larger car parking demands than residential hotels. Whilst this is likely to increase vehicle movements in and out of the Site, these will now be split between two access points (one from Jeffcott Street and McDougall Lane).
- In order to ensure this does not unreasonably impact the amenity of McDougall Lane, it is proposed to use the existing crossover on Jeffcott Street. This will ensure that vehicle movements in and out of the Site are 'shared' between the two access points. In the peak hour, it is anticipated that each crossover will experience just 14 vehicle movements – ensuring that the amenity of Jeffcott Street and McDougall Lane are not unreasonably compromised.
- The impacts to Jeffcott Street from the continued use of this crossover will be minimal. Notably, the crossover already exists and is the primary access point to the Site currently. The pedestrian experience along the front of the Site will not be unreasonably impacted by its continued use (but with less reliance on the crossover given rear access is also available).
- Likewise, the interface to Jeffcott Street will still present as active for pedestrians, given the crossover and vehicle access will only form a small portion of the overall frontage. The balance of the frontage will be dedicated to the lobby and commercial uses, offering an improved pedestrian experience to current conditions.

Given this, it is considered that the altered access arrangements are appropriate.

Bicycle parking

The amended proposal will include 91 bicycle spaces, located within the three basement levels. This significantly exceeds the requirement for 34 bicycles (associated with the dwellings within Stage 1) under Clause 52.34 and will encourage the use of bicycles to access the Site.

Car Parking

Stage 1 of the proposal generates a requirement for a minimum of 115 car parking spaces, which includes 113 spaces allocated to the dwellings, one allocated to the café and one allocated to the offices.

67 car parking spaces (with 65 located within Stage 1 and two located within Stage 2) are proposed on Site, which represents an increase of six from the approved development).

All of the 65 associated with Stage 1 will be allocated to the residential dwellings on the Site, whilst the two in Stage 2 allocated to the uses on that property. This equates to a rate of 0.55 spaces per dwelling and a reduction of 50 spaces to the statutory requirements for Stage 1.

This reduction is considered to be appropriate given the following:

- The Site is located adjacent to the CBD, with 'CBD like' accessibility. This includes being located within 600m of Southern Cross Railway Station, which provides access to the majority of metropolitan and regional railway lines. In addition, the nearby CBD offers a range of employment, shops, services and the like, reducing the need for motor vehicle travel to and from the Site.
- The proposal will provide excess bicycle parking, with bicycles likely to be a popular way to access the Site given its proximity to several high quality bicycle routes to surrounding suburbs and the CBD. This will reduce the demand for motor vehicle use.
- It is common for developments in the CBD, or adjoining the CBD, to provide limited (if any) car parking, given the general acknowledgement that the CBD is constrained in terms of the number of vehicle movements it can accommodate.
- Likewise, the Site is affected by the Congestion Levy, which works to discourage the provision of private car parking.

Planning Scheme Amendment C309 seeks to implement Parking Overlay – Schedule 4 on Site (PO4) and the adoption of PO4 has been recommended by an independent Planning Panel. If this was gazetted into the Planning Scheme, it would include maximum car parking rates (rather than the minimum rates that exist today).

Traffic

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Given that vehicle access is now proposed from two access points (in lieu of the one approved access point) and the modest number of car parking spaces, it is not anticipated that the use will generate large vehicle movements. It is noted that the additional access point has been included in order to assist in meeting the intent of Condition 1h, which seeks to reduce the number of vehicle movements through McDougall Lane.

It is also noted that vehicles associated with the dwellings are likely to be little used on a day to day basis, given the location of the Site within walking distance to the central city and Southern Cross Railway Station.

Waste Management

It is proposed that waste will be collected by a private operator, consistent with the original approval (although the amended proposal results in just two private waste collections per week, as opposed to the seven currently permitted). We believe this is the most appropriate arrangement, particularly noting:

- Two weekly pick ups of 10 x 1,100 litre bins, as well as five x 240 litre organic bins are proposed.
 - The narrow frontage of the Site does not provide sufficient space for these bins to be placed on the kerb on waste collection day.
 - The current approval includes seven private waste collections per week.
- We understand CoM usually only provides for one pick up per week. This would result in a doubling of the above number of bins (20 x 1,100 litre bins and 10 x 240 litre organic bins).
 - There is not sufficient kerb space to collect this waste.
- Council pick up within the building would require works to the heritage façade of the building in order to widen the access point. It is considered that maintaining the heritage fabric of the building is a more important consideration.
- McDougall Lane is not large enough to allow for CoM's waste vehicles to use the laneway to collect waste (whilst entering and exiting the laneway in a forward direction).
- On waste collection days, the bins will be transferred to and from the loading dock, where the private waste vehicle will prop to collect waste. The vehicle will be capable of entering and exiting the Site in a forward direction.

Given the above, it is submitted that the private waste collection is the most appropriate option, which maintains the heritage fabric of the building, does not result in an overflow of bins provided on the kerb and ensures that there are no unsafe waste vehicle movements in McDougall Lane.

In terms of waste arrangements in the balance of the building, it is noted that chutes will allow residents to conveniently dispose of their waste and transfer it to the waste storage room at the ground floor. The room will also be designed to ensure it can be appropriately cleaned and maintained.

6.6 Is the proposal representative of best practice ESD?

This Section of the Report should be read in conjunction with the *Sustainable Management Plan and Water Sensitive Urban Design Response prepared by ARK Resources* which accompanies this application.

The proposal has been designed to achieve Best Practice ESD Design, with a 5 Star Green Star Rating achieved for the development. This is reflected through the following initiatives which have been committed too:

- Provision of solar energy facilities on the rooftop (19.5kW solar photovoltaic system) which will create energy that will then be used on Site. This will assist in reducing the consumption of energy generated by fossil fuels (such as coal) and also reduce energy costs for future.
- An 8,000 litre water tank will be installed within the basement and will capture water run off on Site for use as grey water. This will be connected to apartment toilets (to be used for flushing) as well as irrigation of plants within the communal areas, reducing the use of fresh water on Site.
- High performance glazing will be used throughout the façade, assisting in reducing the need for heating / cooling systems within apartments.
- The location of the development adjacent to the central city and within close proximity to extensive public transport and bicycle routes will naturally reduce the need for motor vehicle travel to and from the Site. This will assist in reducing emissions associated with motor vehicle travel.
- Extensive landscaping is provided within the communal open spaces, contributing to reducing the impact of the urban heat island effect within the surrounding area and the central city.

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- All apartments will achieve a cooling load of less than 30MJ/2, in accordance with the relevant requirement of Clause 58. This will again assist in reducing reliance on heating and cooling systems. In addition, a reasonable portion of dwellings have been oriented to face north to maximise access to northern sunlight,
- 65% of dwellings provide for cross ventilation, reducing the need for heating and cooling systems.
- Water and energy efficient appliances and fixtures are proposed, ensuring no unreasonable water or energy wastage. This includes 5 WELS Star taps, 4 WELS Star toilets, 3 WELS star showers, 4 WELS Star washing machines and 5 WELS Star dishwashers. Lighting will also have a power density that is reduced by 10%, whilst motion sensors will be used for common areas. Appliances will also be within 1 star of the best available energy efficient appliances.
- A range of environmentally efficient building materials will be used, including concrete mixes with reduced water (or the use of recycled water), steel created using energy reducing processes and sustainably sourced timber. This will assist in reducing waste associated with construction and demolition.

6.7 Are the proposed dwellings consistent with the Better Apartment Design Standards?

The proposed dwellings have been designed in order to maximise the amenity for the future residents, and this includes an excellent level of consistency with Clause 58 (Better Apartment Design Standards). In support of this statement, the following is noted:

- A variety of different dwelling types are provided, including one and two bedroom dwellings of different sizes, layouts and typologies (including loft style townhouse fronting McDougall Lane). This provides housing diversity for future residents to choose from, allowing them to reside in dwellings which best fit their needs.
- Dwellings have functional internal layouts, which generally comply with the standards of Clause 58. This includes well sized living areas, with separate spaces for kitchen tables and kitchen benches, as well as appropriately sized bedrooms. This ensures there is ample space for a range of future needs of residents.
- A good level of private open space is provided to each dwelling, generally in accordance with the requirements of Clause 58. Likewise, balconies have been sited with northern orientation where possible, whilst siting ensures that no screening is required, maximising daylight and solar access, as well as outlook.
- Extensive communal open space is provided on the rooftop (approximately 300sqm of area – well in excess of the requirement for 250sqm), with a landscape response proposed to ensure this space can be used for a variety of purposes. This includes siting, exercise, outdoor yoga and outdoor cinema screenings, all of which is complemented by extensive landscaping. This provides residents with additional open spaces, as well as opportunities to foster social interaction between residents.
- 65% of dwellings have two or more aspects (in excess of the requirement for 40% of dwellings to have two or more aspects), allowing cross ventilation opportunities and ensuring good access to sunlight and daylight throughout the day.
- 54% of dwellings have been designed so that they are adaptable for people with limited mobility (in excess of the requirement for 50% of dwellings), ensuring that ample housing is provided to cater to these needs.
- Dwellings have been oriented to the north where possible, maximising daylight and solar access and reducing their reliance on heating and energy systems.
- Floor to ceiling heights are proposed at 2.7m high in living spaces, to ensure good levels of daylight and a sense of openness for residents.
- Many dwellings include study nooks to accommodate working from home, which is anticipated to remain popular post COVID-19.
- All dwellings are provided with good levels of internal and external storage, providing good opportunities to store a range of items.
- Given the location of the development, residents will enjoy living within a CBD adjacent area with excellent access to a range of cafes, educational and employment opportunities, parklands, restaurants, transport, shops and services. This assists in allowing residents to have access to their daily needs within a 20 minute trip.
- The provision of office and café tenancies at the ground / first floor are likely to be well utilised by residents on Site offering opportunities for workplaces and take away food within the same building.

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- Communal spaces on Site are also well designed, providing access to daylight and ventilation. Likewise, all entrances to dwellings are provided with clear transitional spaces around the entrance, allowing a sense of identity to each dwelling.

Given the above, it is submitted the development will offer excellent internal amenity for future residents.

6.8 Does the development incorporate appropriate acoustic attenuation measures?

This Section of the Report should be read in conjunction with the *Acoustic Report prepared by Acoustic Logic* which accompanies this amendment application.

The Site is affected by DDO12 (Noise Attenuation Area) which seeks to ensure that residential buildings constructed in the vicinity of the Docklands Stadium include appropriate acoustic measures.

DDO12 requires that all habitable room windows on Site are designed to ensure a maximum internal noise level of 45Db (with windows closed) when music is emitted from the Stadium during events.

It is noted that whilst Clause 58 includes acoustic requirements, these are not applicable given the Site does not meet the locational criteria which would trigger these requirements. Whilst the Site is within 135m (133m) of the centre of a railway track, the railway track does not service freight vehicles and is associated with stabling for V-line trains. Railway lines associated with stabling do not typically generate the larger levels of noise associated with other railway lines, given trains move very slowly into stabling position. The railway lines servicing freight and metropolitan trains are located further west (and outside of 135m from the Site). This is illustrated on the below aerial photograph of the Site:

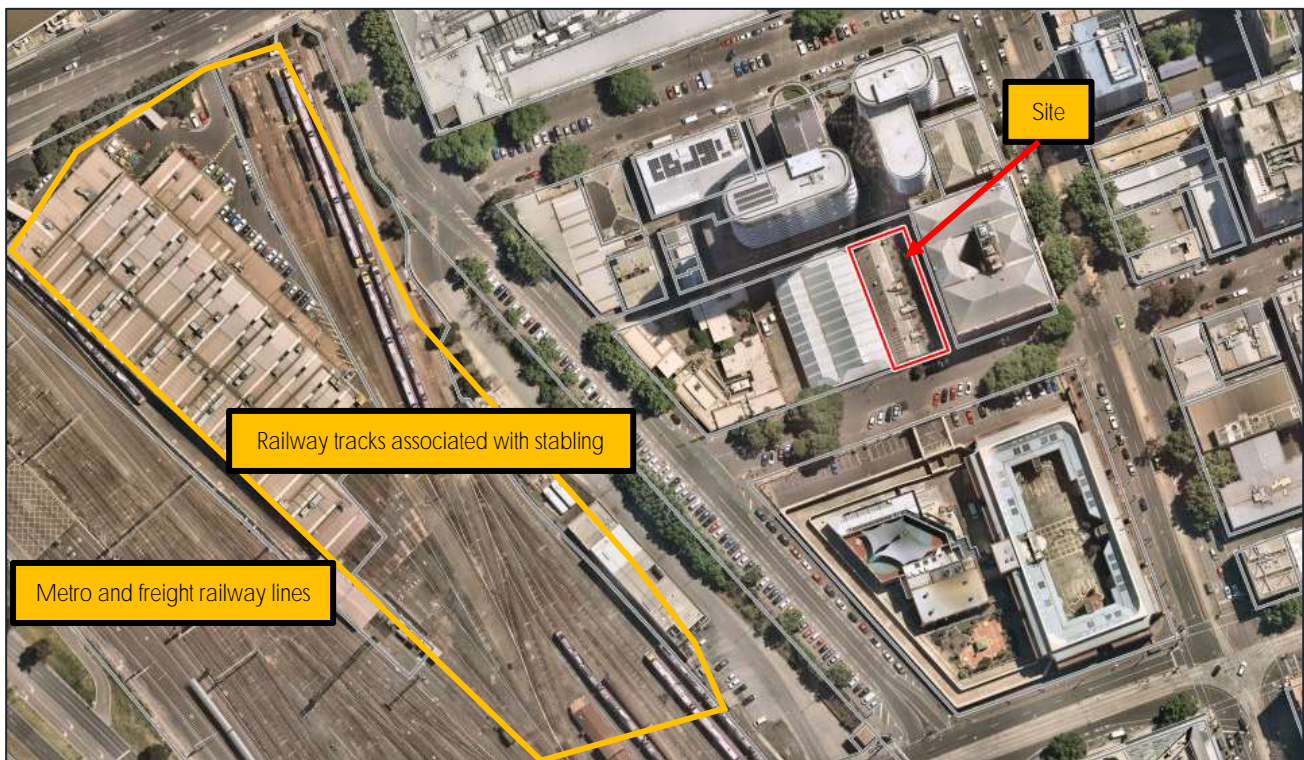


Figure 9 – Aerial Photograph showing the locational context of the Site in terms of nearby railway lines.

Notwithstanding the above, consideration has been given both to noise emissions from the Stadium as well as from the railway tracks and the Site surrounds, with the plans incorporating the following recommendations made by Acoustic Logic:

- A range of glazing types have been recommended for habitable room windows, as well as winter gardens, to ensure that there is no unreasonable noise transmission. This includes glazing with minimum R_w 's of between 20 and 35, with all incorporating acoustic seals.
- Any lightweight materials used for roofing will be required to be reviewed by an acoustic consultant to ensure compliance with the minimum internal noise levels is achieved.

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- Penetrations in ceilings and walls (such as for light fittings) will be sealed to be 'gap free' with a flexible sealant, to ensure no unreasonable transmission of noise.
- Concrete or masonry walls will be used and where lightweight elements or materials are proposed, they will also be reviewed by an acoustic consultant to ensure compliance with the internal noise levels can be achieved.

Given the above, it is submitted that the building achieves compliance with DDO12, and that future residents will not be subject to unreasonable noise .

6.9 Does the proposal have a good level of consistency with Planning Scheme Amendment C309?

As indicated in previous sections of this Report, Planning Scheme Amendment C309 proposes to change/ implement the following planning provisions to the Site:

- Rezoning of the Site from the Mixed Use Zone (MUZ) to the Special Use Zone – Schedule 6 (SUZ6).
- Implementing the Parking Overlay – Schedule 14 (PO14).
- Revise the Design and Development Overlay – Schedule 33 (DDO33).

It should be noted that whilst the amendment proceeded to an independent Planning Panel in 2019 and recommended a variety of changes to the proposed controls, it has not been formally adopted by the City of Melbourne (given a quorum was unable to be reached). It has instead been submitted to the Minister for Planning with a request that the Minister gazette a 'new amendment' – albeit without incorporating many of the changes recommended by the Panel.

We note that whilst C309 has stalled, at the time the existing planning permit was considered this was a seriously entertained planning proposal as it had been scrutinised by an independent panel and the failure of the Council to achieve a quorum and adopt the amendment occurred after the permit was granted.

Notwithstanding all of the above, if an assessment of the proposal was made against the provisions of C309, the proposal would be generally consistent with the proposed controls, with the amendments to the development being (noting that strict compliance would not be achieved with the proposed mandatory built form controls). The following is noted in support of this:

- The proposal provides a mix of uses on Site, including residential, office space and a food and drinks premises. Importantly, it is noted that the broader Site continues to provide large areas of commercial space.
- The provision of an increased density of housing will contribute to the liveliness of the West Melbourne environs, as envisioned within the amendment. A diversity of housing is also provided within the development.
- The setback above the podium is in excess of the preferred 3m, whilst good side setbacks are proposed (albeit less than the 6m preferred by the amendment).
- The proposal reduces the approved height of the building by approximately 5m. This offers an improved consistency with the desire of Planning Scheme Amendment C309 to implement lower building heights in the area.
- Minimal car parking will be provided, ensuring that a range of alternative travel options are encouraged, rather than creating a motor vehicle dependant development.
- The proposal provides substantial public benefit through the refurbishment and rejuvenation of the existing heritage building on Site.

6.10 Does the amendment represent orderly and proper planning?

As part of this Planning Permit amendment, it is proposed to stage the delivery of the project. This involves splitting the development as follows:

- Stage 1 – 102-108 Jeffcott Street (the proposal sought to be amended by this application). This includes the restoration and refurbishment of the existing heritage building, and the construction of a residential tower above.
- Stage 2 – 355 and 371 Spencer Street includes the restoration and refurbishment of the heritage buildings for commercial uses.

This staging is proposed as the sites are individually owned, and our client (owner of 102 Jeffcott Street) is ready to commence development but is unable to satisfy permit conditions which relate to the other properties within the broader

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Site. The staging of the development (and of the permit) ensures that the development of the Site can commence as each owner/developer is ready.

In order to facilitate the staging of the development, a number of amended Conditions are proposed (as detailed in the track changes version of the permit submitted with this application).

The proposed staging and amendments to the development allows for the orderly and proper development of the Site, allowing for the development of 102 Jeffcott Street independently of the remainder of the Site.

The amended proposal presents an outstanding opportunity to provide for an increased level of housing density and diversity within a location adjacent to the Melbourne CBD, with the staging of the permit ensuring that this project will be delivered in an orderly and efficient manner, given the varied ownership across the broader Site.

The amended development continues the architectural language of the approved tower, incorporating a range of high quality materials, complemented by the twisting element of the tower facing the street which ensures it has a good relationship with the heritage building on Site, and in the surrounding heritage precinct.

The proposed apartments are well sized, with most providing for cross-ventilation and generous balconies, along with access to a 300sqm communal open space area.

The development is therefore considered to be highly consistent with the broader strategic objectives of the *Melbourne Planning Scheme* and it is respectfully submitted that the Minister for Planning issue an amended Planning Permit for the proposal.

Appendices

Appendix A Clause 58 assessment

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Appendix A Clause 58 assessment

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Clause 58

Better Apartment Design Standards

1.1 Overview

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

1.2 Requirements

A development:

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

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

For Clause 58.04-1 (Building setback):

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

1.3 Definition

An Apartment is defined in Clause 72 as:

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

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Clause 58.02 – Neighbourhood Character and Infrastructure

Clause 58.02-1 – Urban Context Objectives

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

Achieved

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

Complies with the standard

Clause 58.02-1 – Urban Context Objectives Assessment

We refer to Section 5.3 of our Planning Report which provides this assessment.

Clause 58.02-2 – Residential Policy Objectives

Objectives To ensure that residential development is provided in accordance with any policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
To support higher density residential development where development can take advantage of public and community infrastructure and services.

Achieved

Standard D2 An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

Complies with the standard

Clause 58.02-2 – Residential Policy Objectives Assessment

We refer to Section 5.2 of our Planning Report which provides this assessment.

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Clause 58.02-3 – Dwelling Diversity Objectives

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

Achieved

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

Complies with the Standard

Clause 58.02-3 – Dwelling Diversity Objectives Assessment

The development comprises of a diversity of dwellings, including one, two and three bedroom dwellings, as well as 'loft style' apartments. Dwellings also include balconies, bedrooms and living areas with a range of sizes and orientations, providing dwelling diversity for a range of lifestyle.

Clause 58.02-4 – Infrastructure Objectives

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

Achieved

Standard D4 Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.

Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.

In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.

Complies with the Standard

Clause 58.02-4 – Infrastructure Objectives Assessment

The proposed development is located within an existing urban area and has the ability to be connected to existing utilities, services and infrastructure.

Likewise, it is not considered that the development will unreasonably overload the capacity of the existing services, utilities and infrastructure.

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Clause 58.02-5 – Integration with the Street Objectives

Objectives To integrate the layout of development with the street.

Achieved

Standard D5 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.

Complies with the Standard

Clause 58.02-5 – Integration with the Street Objectives Assessment

The development achieves a high level of integration with the street. In particular:

- The proposal provides a large forecourt to the front of the building, which opens to the street and provides for a level of interaction with the street.
 - The main entrance to the building is sited towards Jeffcott Street and is clearly visible. Entrances to the loft style dwellings, as well as a secondary entrance to the building is provided from McDougall Lane.
 - There is no fencing in front of the proposal that limits its interaction with the street.
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Clause 58.03 – Site Layout

Clause 58.03-1 – Energy Efficiency Objectives

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

Achieved

Standard D6 Buildings should be:

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

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

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

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

Complies with the Standard

Clause 58.03-1 – Energy Efficiency Objectives Assessment

We refer to the ESD Report prepared by ARK which demonstrates compliance with the above Standard.

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Clause 58.03-2 – Communal Open Space Objective

Objectives	To ensure that communal open space is accessible, practical, attractive, easily maintained and integrated with the layout of the development.
	Achieved
Standard D7	Developments with 40 or more dwellings should provide a minimum area of communal open space of 2.5 square metres per dwelling or 250 square metres, whichever is lesser. Communal open space should: <ul style="list-style-type: none">· 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. Be designed to protect any natural features on the site.· Maximise landscaping opportunities.· Be accessible, useable and capable of efficient management.
	Complies with the Standard

Clause 58.03-2 – Communal Open Space Objective Assessment

The proposal provides an 302sqm area of communal open space on the rooftop, which complies with the above requirements in terms of size. The space has extensive outlooks to the north east and west (providing excellent solar access), whilst also maximising landscaping opportunities. Its siting on the rooftop also avoid any potential noise impacts to existing or new dwellings on Site.

The terrace will also provide a range of amenities for resident use and will be accessible, usable and capable of efficient management.

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

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

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

The proposed communal space will be oriented to face north and is located on the rooftop. By virtue of these features, this ensures that there will be excellent access to sunlight (and minimal shadows) impacting the communal open space.

ADVERTISED PLAN

Clause 58.03-4 – Safety

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

Achieved

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

Complies with the Standard

Clause 58.03-4 – Safety Assessment

All dwellings on Site are accessible from the communal corridors within the building, which will be safe and secure spaces to use. The corridors provide good sight lines, with all dwelling entrances visible from each other. Likewise, there is no private space on Site likely to be used inappropriately as a public thoroughfare.

ADVERTISED PLAN

Clause 58.03-5 – Landscaping Objectives

- Objectives
- To encourage development that respects the landscape character of the area.
 - 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.
 - To promote climate responsive landscape design and water management in developments that support thermal comfort and reduces the urban heat island effect.

Achieved

- Standard D10
- The landscape layout and design should:
- Be responsive to the site context.
 - Protect any predominant landscape features of the area.
 - Take into account the soil type and drainage patterns of the site and integrate planting and water management.
 - 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.
 - Consider landscaping opportunities to reduce heat absorption such as green walls, green roofs and roof top gardens and improve on-site storm water infiltration.
 - Maximise deep soil areas for planting of canopy trees.
- Development should provide for the retention or planting of trees, where these are part of the urban context.
- 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 provide the deep soil areas and canopy trees specified in Table D2. If the development cannot provide the deep soil areas and canopy trees specified in Table D2, an equivalent canopy cover should be achieved by providing either:
- Canopy trees or climbers (over a pergola) with planter pits sized appropriately for the mature tree soil volume requirements.
 - Vegetated planters, green roofs or green facades.

Table D2 Deep soil areas and canopy trees

Site area	Deep soil areas	Minimum tree provision
750 - 1000 square metres	5% of site area (minimum dimension of 3 metres)	1 small tree (6-8 metres) per 30 square metres of deep soil

Complies with the Standard

Clause 58.03-5 – Landscaping Assessment

We refer to the Landscape Plan prepared by Tract which demonstrates that the landscaping on Site achieves an 'equivalent canopy cover' to 5% of the Site area / 1 small tree per 30sqm of deep soil, through the provision of planting on the rooftop and in the front courtyard. This is considered to be appropriate for a Site within a commercial zone context and adjoining the central city.

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ADVERTISED PLAN

Clause 58.03-6 – Access Objective

Objectives To ensure the number and design of vehicle crossovers respects the urban context.

Achieved

Standard D11 The width of accessways or car spaces should not exceed:

- 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 Road Zone should be minimised. Developments must provide for access for service, emergency and delivery vehicles.

Complies with the Standard

Clause 58.03-6 – Access Objective Assessment

The vehicle crossovers proposed do not exceed 33 percent of the street frontage.

Clause 58.03-7 – Parking Location Objectives

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

Achieved

Standard D12 Car parking facilities should:

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

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

Complies with the Standard

Clause 58.03-7 – Parking Location Objectives Assessment

Car parking on Site is provided within the basement car park. This basement will provide easy access direct to the dwellings (through lifts / stairs), will be secure and well ventilated.

ADVERTISED PLAN

Clause 58.03-8 – Integrated Water and Stormwater Management Objectives

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

Achieved

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

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

Complies with the Standard

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

We refer to the ESD / Stormwater report prepared by ARK which demonstrates compliance with the above.

ADVERTISED PLAN

Clause 58.04 – Amenity Impacts

Clause 58.04-1 – Building Setback Objectives

Objectives To ensure that the location, length, and height of a wall on a boundary respects existing or preferred neighbourhood character and limits impact on amenity of existing dwellings.

Achieved

Standard D14 The built form of the development must respect the existing or preferred urban context and respond to the features of the site.

Buildings should be set back from side and rear boundaries, and other buildings within the site to:

- Ensure adequate daylight into new habitable room windows.
 - Avoid direct views into habitable room windows and private open space of new and existing dwellings. Developments should avoid relying on screening to reduce views.
 - Provide an outlook from dwellings that creates a reasonable visual connection to the external environment.
 - Ensure the dwellings are designed to meet the objectives of Clause 58.
-

Complies with the Standard

Clause 58.04-1 – Building Setback Objectives Assessment

The tower elements of the proposal has been designed to ensure there is appropriate building setbacks to surrounding properties. Of note:

- The tower is setback in excess of 9m from the adjoining apartment buildings to the north, as well as 4.5m to the west. This ensures dwellings have a good outlook and access to daylight, even in a scenario where the property to the west is developed.
- Dwellings facing the south and the east will have excellent outlooks (and access to daylight), given the large width of Jeffcott Street and the significant heritage buildings to the east that are unlikely to be redeveloped in future.
- The building has also been designed to avoid any direct views (in existing or future conditions) into habitable room windows or areas of private open space, given the large separations provided. This also results in limited requirements for screening.
- Dwellings have been oriented to be provided with good outlooks. Dwellings fronting the south, north and east have visual connections to either Jeffcott Street or McDougall Lane, whilst dwellings facing east also have oblique views to these streets. This ensures a reasonable connection with the external environment.
- The setbacks have also allowed the design of the dwellings to meet the objectives of Clause 58.

It is noted that at the ground / first floors, the 'podium' structure utilises the existing heritage building on Site and is built to all boundaries. No changes are proposed to the siting of this building.

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Clause 58.04-2 – Internal Views Objective

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

Achieved

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

D15

Complies with the Standard

Clause 58.04-2 – Internal Views Objective Assessment

The proposal has been designed so that the majority of balconies are 'flush' with those below, preventing overlooking opportunities. Where they are not, balustrades ensure that they cannot overlook more than 50 percent of the balcony below.

ADVERTISED PLAN

Clause 58.04-8 – Noise Impacts

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

Achieved

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

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

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

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

Table D3 Noise Influence Area

Complies with the Standard

Clause 58.04-8 – Noise Impacts Assessment

It is noted that the Site does not technically fall within a Noise Influence Area as defined above, given its separation to land within an industrial zone, freeways or busy roads exceeding 40,000 annual average daily traffic volumes, as well as the centre of railway tracks.

Nonetheless, an Acoustic Report prepared by Acoustic Logic accompanies this application and demonstrates that the proposal will not be unreasonably impacted by noise generated from nearby railway lines, as well as the Docklands Stadium.

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Clause 58.05 – On Site Amenity and Facilities

Clause 58.05-1 – Accessibility Objective

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

Achieved

Standard D17 At least 50 per cent of dwellings should have:

- A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.
- A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.
- A main bedroom with access to an adaptable bathroom.
- At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table D4.

Complies with the Standard

Clause 58.05-1 – Accessibility Objective Assessment

The proposal provides 54% of dwellings which are accessible for people with limited mobility, well in excess of the requirement of 50% of dwellings.

ADVERTISED PLAN

Clause 58.05-2 – Building Entry and Circulation Objectives

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

Achieved

Standard Entries to dwellings and buildings should:
D18 · Be visible and easily identifiable.
 · Provide shelter, a sense of personal address and a transitional space around the entry.
The layout and design of buildings should:
 · Clearly distinguish entrances to residential and non-residential areas.
 · Provide windows to building entrances and lift areas.
 · Provide visible, safe and attractive stairs from the entry level to encourage use by residents.
 · Provide common areas and corridors that:
 o Include at least one source of natural light and natural ventilation.
 o Avoid obstruction from building services.
 o Maintain clear sight lines.

Complies with the Standard

Clause 58.05-2 – Dwelling Entry Assessment

Entrances the majority of dwellings within the building are from a 'T' shaped corridor, which maximises sightlines and views in the communal areas to the front entrances of dwellings. This also ensures dwellings are visible and easily identifiable when coming from the lifts / stairs. The loft dwellings at the ground floor also include entrances direct from McDougall Lane which are also readily identifiable from the street.

In terms of the communal corridors, all contain access to one source of ventilation and fresh air. This is also sited next to the lift and stair core maximising provision of daylight when residents / visitors enter and exit the lift cores.

ADVERTISED PLAN

Clause 58.05-3 – Private Open Space Objective

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

Achieved

Standard D19 A dwelling should have private open space consisting of:

- An area of 25 square metres, with a minimum dimension of 3 metres at natural ground floor level and convenient access from a living room, or
- An area of 15 square metres, with a minimum dimension of 3 metres at a podium or other similar base and convenient access from a living room, or
- A balcony with an area and dimensions specified in Table D5 and convenient access from a living room, or
- A roof-top area of 10 square metres with a minimum dimension of 2 metres and convenient access from a living room.

If a cooling or heating unit is located on a balcony, the balcony should provide an additional area of 1.5 square metres.

Dwelling Type	Minimum Area	Minimum Dimension
Studio or 1 bedroom dwelling	8 square metres	1.8 metres
2 bedroom dwelling	8 square metres	2 metres
3 or more bedroom dwelling	12 square metres	2.4 metres

Table D5 Balcony Size

Complies with Objective

Clause 58.05-3 – Private Open Space Objective Assessment

The vast majority of dwellings on Site have been designed to achieve compliance with the balcony requirements. This includes the minimum area and dimension, with an additional 1.5sqm provided given that cooling units will be located on the balcony.

A variation is sought however for the following dwellings:

- G01 and G02 (the 'loft' dwellings) as no private open space is provided. This is in lieu of the requirement for an 8sqm balcony with a 1.8m dimension.
- 101 and 106, which provide 8sqm and 9.5sqm balconies respectively. This is in lieu of the requirement for apartments directly above the podium which are required to have an area of 15sqm / minimum dimension of 3m.

It is considered that the variation for these four apartments (comprising a total of 3.54% of the 113 dwellings proposed) is appropriate, given the following:

- The number of apartments which are non compliant is minor in comparison to the total number of dwellings proposed.
- The provision of smaller / no balconies to these apartments will assist in providing housing diversity on Site.
- The loft style apartments will be provided within the confines of the existing heritage structure, which would make it highly challenging to provide balconies without the need to alter some of the heritage fabric of the building. Likewise, these apartments will have a unique design (given the 'loft style' proposed). This includes direct access to McDougall Lane, as well as the provision of extensive skylights. Given this, the apartments will still appear open and as having a connection to the external environment.
- Apartments 101 and 106 will still meet the requirements of Table D5, but not provide the larger area required for dwellings directly above the podium. This is again considered reasonable given that the provision of large balconies would impact the presentation of the heritage fabric below to Jeffcott Street / McDougall Lane. Likewise, sufficient space is still provides for entertainment / leisure / passive recreational opportunities.

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Clause 58.05-4 – Storage Objective

Objectives To provide adequate storage facilities for each dwelling.

Achieved

Standard D20 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 D6.

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

Table D6 Storage

Complies with the Standard

Clause 58.05-4 – Storage Objective Assessment

All dwellings have been provided with sufficient internal and external storage in accordance with the requirements of the Standard.

ADVERTISED PLAN

Clause 58.06 – Detailed Design

Clause 58.06-1 – Common Property Objectives

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

Achieved

Standard D21 Developments should clearly delineate public, communal and private areas.
Common property, where provided, should be functional and capable of efficient management.

Complies with the Standard

Clause 58.06-1 – Common Property Objectives Assessment

The common property areas proposed as part of the development are practical and capable of being effectively maintained by any future owner's corporation on Site.

Clause 58.06-2 – Site Services Objectives

Objectives To ensure that site services can be installed and easily maintained.
To ensure that site facilities are accessible, adequate and attractive.

Achieved

Standard D22 The design and layout of dwellings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.
Mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.
Mailboxes should be provided and located for convenient access as required by Australia Post.

Complies with the Standard

Clause 58.06-2 – Site Services Objectives Assessment

The proposal has been designed to include sufficient space for the relevant on Site services.

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Clause 58.06-3 – Waste and Recycling Objectives

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

Achieved

Standard Developments should include dedicated areas for:
D23 · Waste and recycling enclosures which are:
 ◦ Adequate in size, durable, waterproof and blend in with the development.
 ◦ Adequately ventilated.
 ◦ Located and designed for convenient access by residents and made easily accessible to people with limited mobility.
· Adequate facilities for bin washing. These areas should be adequately ventilated.
· Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.
· Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.
· Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.
· Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.
Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and:
· Be designed to meet the best practice waste and recycling management guidelines for residential development adopted by Sustainability Victoria.
· Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.

Complies with the Standard

Clause 58.06-3 – Waste and Recycling Objectives Assessment

We refer to the Waste Management Plan prepared by Leigh Design which demonstrates compliance with the above Standard.

ADVERTISED PLAN

Clause 58.07 – Internal Amenity

Clause 58.07-1 – Functional Layout Objective

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

Achieved

Standard D24 Bedrooms should:

- Meet the minimum internal room dimensions specified in Table D7.
- Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.

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

Table D7 Bedroom Dimensions

Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table D8.

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

Table D8 Living Area Dimensions

Complies with the Objective

Clause 58.07-1 – Functional Layout Objectives Assessment

All dwellings and bedrooms have been designed to comply with Standard D24, with the exception of apartments 202, 302 and 402, which include one bedroom which does not meet the above requirements. This is due to the splayed nature of the tower frontage at the lower levels.

It is considered that this variation is appropriate given the following:

- The splayed nature of the building has been designed in order to respond to the heritage façade of the existing building below.
 - Whilst at their minimum the bedrooms do not strictly meet the minimum dimension required, the balance of the bedrooms generally exceed the minimum dimension given the splayed nature of the façade.
 - The variation is generally minor (with the minimum bedroom dimension being 2.7m) which is not considered unreasonable given the maximum dimension of the bedroom is 3.8m.
-

ADVERTISED PLAN

Clause 58.07-2 – Room Depth Objective

Objectives To allow adequate daylight into single aspect habitable rooms.

Achieved

Standard D25 Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height. The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:

- The room combines the living area, dining area and kitchen.
- The kitchen is located furthest from the window.
- The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen. The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.

Complies with the Standard

Clause 58.07-2 – Room Depth Objective Assessment

All single aspect habitable rooms have been designed to have a room depth not exceeding 2.5 times the ceiling height, complying with this Standard. In addition, where there are single aspect living areas, this is for an area that combines the living area, dining and kitchen, with the kitchen being located furthest from the window, and the ceiling height being at least 2.7m from the finished floor level to finished ceiling level.

Clause 58.07-3 – Windows Objective

Objectives To allow adequate daylight into new habitable room windows.

Achieved

Standard D26 Habitable rooms should have a window in an external wall of the building. A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky. The secondary area should be:

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

Complies with the Standard

Clause 58.07-3 – Windows Objective Assessment

All habitable room windows are located on an external wall of the building and if they are provided from a smaller secondary area within a bedroom, it has a minimum width of 1.2m and maximum depth of 1.5m times the width (measured from the external surface of the window).

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Clause 58.07-4 – Natural Ventilation

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

Achieved

Standard D27 The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.
At least 40 per cent of dwellings should provide effective cross ventilation that has:

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

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

Complies with the Standard

Clause 58.07-4 – Natural Ventilation Assessment

65% of apartments on Site can be cross ventilated as per the above Standard, exceeding the requirement for 40% of apartments to be capable of cross ventilation.
