

Officer Assessment Report

PA2403098 21-53 Hoddle Street,
Collingwood



Officer Assessment Report
Development Approvals & Design

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Department
of Transport
and Planning

Executive Summary



Key Information	Details																																	
Application No:	PA2403098																																	
Received:	6 August 2024																																	
Applicant:	UEM Sunrise (Collingwood Development Pty Ltd) c/- Sarah Thomas UPCO																																	
Planning Scheme:	Yarra																																	
Land Address:	21-53 Hoddle Street, Collingwood																																	
Proposal Summary:	Utilising Clause 53.23 (Significant Residential Development with Affordable Housing), the proposal seeks to use and develop the land for a multi-storey, mixed use development (incorporating residential dwellings, a community space and food and drink premises and shops). It also includes a reduction in the standard car parking requirements and alteration of access to a road in a Transport Zone 2.																																	
Development Value:	\$183,000,000m																																	
Why is the Minister responsible?	<p>The application is made under Clause 53.23 (Significant Residential Development with Affordable Housing). Pursuant to Clause 72.01-1, the Minister is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and endorsement of, approval of or being satisfied with matters required by a permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority, in relation to the use and development of land for a:</p> <ul style="list-style-type: none">- Use or development to which clause 53.23 applies.																																	
Why is a permit required?	<table border="1"><thead><tr><th>Clause</th><th>Control</th><th>Trigger</th></tr></thead><tbody><tr><td>Zone:</td><td>Clause 34.01-1 and Clause 34.01-1</td><td>Commercial Zone, Schedule 1</td></tr><tr><td></td><td></td><td><i>Use of the land for a dwelling and community space (innominate use).</i></td></tr><tr><td></td><td></td><td><i>Construct a building or construct or carry out works</i></td></tr><tr><td>Overlays:</td><td>Clause 43.02</td><td>Design and Development Overlay Schedule 2</td></tr><tr><td></td><td>Clause 45.06</td><td>Development Contributions Plan Overlay, Schedule 1</td></tr><tr><td></td><td></td><td><i>n/a - requirements for before a permit is granted</i></td></tr><tr><td>Particular Provisions:</td><td>Clause 52.06</td><td>Car Parking</td></tr><tr><td></td><td>Clause 52.29</td><td>Land adjacent to a Principal Road Network.</td></tr><tr><td></td><td></td><td><i>To reduce the car parking requirement under Clause 52.06-5 associated with dwellings and shops.</i></td></tr><tr><td></td><td></td><td><i>To create or alter access to a road in a Transport Zone 2.</i></td></tr></tbody></table>	Clause	Control	Trigger	Zone:	Clause 34.01-1 and Clause 34.01-1	Commercial Zone, Schedule 1			<i>Use of the land for a dwelling and community space (innominate use).</i>			<i>Construct a building or construct or carry out works</i>	Overlays:	Clause 43.02	Design and Development Overlay Schedule 2		Clause 45.06	Development Contributions Plan Overlay, Schedule 1			<i>n/a - requirements for before a permit is granted</i>	Particular Provisions:	Clause 52.06	Car Parking		Clause 52.29	Land adjacent to a Principal Road Network.			<i>To reduce the car parking requirement under Clause 52.06-5 associated with dwellings and shops.</i>			<i>To create or alter access to a road in a Transport Zone 2.</i>
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Cultural Heritage:	The site is not in an area of Aboriginal Cultural Heritage Sensitivity.																																	
Planning History	<p>The current application follows the withdrawal of an application for review (P110/2024) of Planning Application No. PLN21/0824 with the Victoria Civil and Administrative Tribunal (the VCAT).</p> <p>Application for Review No. P110/2024 had been scheduled for a Major Case hearing commencing on 22 July for 7 days following lodgement of a Section 79 'failure to determine within the prescribed time' appeal lodged against Yarra City Council with the VCAT by the permit applicant.</p>																																	
Referral Authorities:	Head, Transport for Victoria (S55 Determining)																																	
Advice sought:	Yarra City Council (Section 52(1)(b) Notice)																																	
Public Notice:	The application was not exempt from the notice requirements of Section 52(1)(a), (b) and (d). The permit applicant was directed to give notice to all adjoining and nearby property owners and occupiers and those who were a registered party to the previous VCAT appeal. Five signs were also required to be erected on site for a period of 14 days. The public notice period occurred between 9/10/2024 and 24/10/2024.																																	
Delegates List:	Delegation received 21 November 2024.																																	



Planning History

1. The current application follows the withdrawal of an application for review (P110/2024) of Planning Application No. PLN21/0824 with the Victoria Civil and Administrative Tribunal (VCAT).
2. In August 2022, a Section 79 'failure to determine within the prescribed time' appeal was lodged with VCAT against Yarra City Council (the council). At this time, the proposal was for the use and development of the land for a multi-storey and multi-building, mixed-use development incorporating 10-23 storeys, 361 residential dwellings, 3985sqm of commercial office space, ground floor retail and 313 car parking spaces.

The application proceeded to a compulsory conference where parties reached agreement to request orders by consent remitting the matter back to the council for reconsideration with a direction that the applicant make an application to the council under Section 57A of the Act to amend the application with changes to the development proposal.

3. Following the order by the VCAT, the permit application was amended under Section 57A of the Act on 16 August 2023. The S57A amended scheme incorporated a height reduction, increased tower setbacks, redistribution of mass, a new publicly accessible open space and architectural changes. The amended proposal was for a 10-18 storey building with 407 residential dwellings, ground floor retail and 200 car parking spaces. A render of the original scheme and the S57A amended scheme are shown below:



Above: Original 2021/2022 scheme (left) and 2023 S57a amended scheme (right).

4. On 13 February 2024, the applicant lodged another Section 79 'failure to determine within the prescribed time' appeal with VCAT. Application for Review No. P110/2024 had been scheduled for a Major Case hearing commencing on 22 July for 7 days. The application for review was subsequently withdrawn.
5. The council was relying on the following grounds of refusal:
 - a. The proposal lacks strategic support and is contrary to policy at Clause 02.03 (Strategic Directions), Clause 15 (Built Environment and Heritage) and fails in its delivery and supply of housing choices at Clause 16 (Housing) of the Yarra Planning Scheme;
 - b. The proposal fails to respond to the existing urban context and preferred future development of the area;



- c. The proposal is an overdevelopment and would have an unacceptable impact on the surrounding area because of its building height, massing, setbacks, transition and architectural composition; and
 - d. The amenity of the communal / public open space areas is poorly resolved.
6. Minor changes have been made to the proposal since the application was last withdrawn, but the key difference is that the proposal now incorporates a 10% affordable housing contribution. Further details of the scheme are contained in the proposal section of this report.

Application Process

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

Milestone	Date
Application lodgement	6 August 2024
Further information requested	29 August 2024
Further information received	18 September 2024
Public Notice	9 October 2024 to 24 October 2024
Decision Plans	Cox Architecture, Drawing Nos. TP- 00-000, TP-01-010, TP-10-100, TP-15-100, TP-20- 000, TP-20-010, TP-20-098, TP-20-099, TP-21-000, TP-21-010, TP-21-020, TP-21-030, TP-21-040, TP-21-050, TP-21-060, TP-21-070, TP-21-080, TP-21- 090, TP-21-100, TP-21-110, TP-21-120, TP-21-130, TP-21-140, TP-21-150, TP-21-160, TP-21-170, TP- 21-180, TP-25-010, TP-25-011, TP-25-020, TP-25- 021, TP-30-100, TP-30-110, TP-30-120, TP-30-130, TP-30-160, TP-30-170, TP-30-180, TP-30-190, TP- 30-200, TP-35-010, TP-35-030, TP-35-040, TP-40- 100, TP-40-110, TP-41-150, TP-45-100, TP-45- 105, TP-45-110, TP-45-120, TP-45-130, TP-45-140, TP-45-150, TP-45-200, TP-45-210, TP-45- 220, TP-45-230, TP-45-240, TP-55-100, TP-55- 105, TP-55-110, TP-55-115, TP-55-120, TP-55- 125, TP-55-130, TP-55-135, TP-55-140, TP-55- 145, TP-55-150, TP-55-155, TP-55-160, TP55- 165, TP-55-610, and TP-90-010, All Revision V and dated 30/05/24
Other Assessment Documents	<ul style="list-style-type: none"> • Sketch Plans, prepared by Cox Architecture, dated 13 September 2024. • Acoustic Report, prepared by Renzo Tonin & Associates, dated 30 May 2024. • Affordable Housing Report, prepared by Urban change, dated July 2024. • Arboriculture Report, prepared by John Patrick Landscape Architects, dated June 2024. • Green Travel Plan, prepared by One Mile Grid, dated 30 May 2024 • Letter from Sister works, dated 1 May 2024. • Letter from Invest Victoria, dated 17 July 2024. • Landscape Plans, prepared by Tract, dated 30 May 2024. • Perspective Renders, prepared by Cox Architects, dated May 2024. • Perspective View explanation, prepared by Cox Architects, dated September 2024. • Planning Report, prepared by Upco, dated August 2024. • Preliminary site investigation, prepared by WSP, dated May 2023. • Quantity Surveyor Letter, prepared by River Levett Bucknall, dated 27 June 2024. • Sustainability Management Plan, prepared by ADP, dated 30 May 2024. • Traffic Impact Assessment, prepared by One Mile Grid, dated 12 July 2024. • Urban Context Report, prepared by Cox Architects, dated May 2024. • Waste Management Plan, prepared by Leigh Design, dated 30 May 2024. • Wind Report, prepared by MEL Consultants, dated 30 May 2024.

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

Subject site and surrounds



Site Description

9. The subject site is approximately 5400sqm in size located on the western side of Hoddle Street, in Collingwood. The site has a 112m frontage to Hoddle Street, 51m frontage to Langridge Street, and 100m frontage Islington Street.
10. The site contains multi-storey, contemporary buildings most recently used for various car sales and show rooms. The existing buildings vary in height from 16m to 18m. The buildings contain extensive glazing to Hoddle Street and Langridge Street. The buildings have been left vacant and are now in a poor visual state, with extensive graffiti on all levels of the building.
11. The site benefits from mature street trees along the Hoddle and Langridge Street frontages.
12. The subject site is shown below:



Above: Aerial of the subject site location and immediate surrounds.



Above: High level photograph of the subject site taken from the corner of Langridge St and Hoddle St (Source: Urban Context Report)



13. The site is formally described as comprising the following land parcels:
 - 21-43 Hoddle Street (southern half portion of the Site):
 - Land in Consolidation plan 105044;
 - Lot 1 on Title Plan 215985P; and Lot 1 on Title Plan 215984R.
 - 53 Hoddle Street (northern half of the Site):
 - Land in Consolidation plan 371229H.
14. The land is not encumbered by any restrictive covenants or easements. However, the land is subject to a Section 173 Agreement (AE428825G). The Agreement is between the landowner and the council. The Agreement relates to a previous office use of the land, prior to the establishment of the car sales and repairs use on the site. The Agreement includes requirements relating to unrestricted access to car parking between lots and the removal and reconstruction of a wall to a fire-resistant level. This matter is discussed further in the assessment section of this report.

Site Surrounds

15. The subject site is in a commercial area adjacent to the Collingwood Major Employment Precinct to the west. Whilst the site and surrounds are commercial in nature, residential dwellings adjoin and are located within the locality.
16. The site is Hoddle Street which is a 40m wide, main arterial road linking the north and southern parts of Melbourne. The site is also on Langridge Street which extends from Abbotsford in the east and leads onto Gertude Street, Fitzroy in the west.
17. The site is well serviced by public transport. Within proximity are the Victoria Parade/Victoria Street tram routes and the site is also located within 400m of the Collingwood and North Richmond railway stations. Various bus routes are also located adjacent to or within close proximity to the site.
18. Development immediately surrounding the site is described below:
 - To the west of the site is Islington Street, a 10m wide one-way street. To the west of Islington Street is a 2- to 11-storey building, which includes the James Hood & Co' Malthouse buildings, including residential conversion of a former silo. Other development includes 1-3 storey commercial buildings, generally built to the boundary.
 - To the east of the site is Hoddle Street, a primary arterial road with an eight-lane carriageway. To the east of Hoddle Street, are 1-2 storey commercial buildings located within the Commercial 2 Zone. This includes the Yorkshire Stingo Hotel, office uses, a service station and restaurant. Other development includes 1-3 storey commercial buildings, generally built to the boundary.
 - To the north of the site is Langridge Street, a 20m wide road with four lanes. To the north of Langridge Street, is a substation with a single storey building, a high brick wall to the frontage and the relevant substation infrastructure. Further north, along Hoddle Street, is a recently constructed 11 storey residential building at 60-66 Islington Street. A linear open space reserve runs along Hoddle Street from approximately 185m. To the north-east is a row of terraces in a Heritage Overlay.
 - To the south of the site are 3-4 storey residential buildings at 18-22 Islington Street and 13-15 Hoddle Street. Ground level courtyards immediately abut the site and various north-facing windows have an outlook toward the site with setbacks of approximately 4.9m to 7.1m to the site's southern boundary.



19. The permit application seeks approval for a multi-storey, residential-led, mixed use building incorporating residential dwellings, a ground floor community space (innominate use) and ground floor food and beverage/retail tenancies. Approval is also sought for a reduction in the statutory car parking requirements and alteration of access to a road in Transport 2 Zone.

20. More specific details of the proposal are described as follows:

- The proposed development is to be mixed use with commercial uses and ancillary facilities provided at the ground floor and residential dwellings provided in the levels above.
- The proposal incorporates 407 residential dwellings. The ratio of proposed apartment types is below:

Apartment Type	Ratio
1B1B	28.5%
1B1B1S	15.2%
2B2B	19.7%
2B2B1S	7.4%
3B2B	10.6%
STUDIO	18.7%

- The proposal incorporates a 10% affordable housing contribution.
- A 255sqm community space is proposed at the ground floor which is proposed to be leased rent-free to a non-for-profit organisation for a period of 10 years post completion. The space could be used for multiple purposes including but not limited to, a food drink premises, shop or education centre.
- Five food and drink/retail premises are proposed at the ground floor equating to 1193sqm of gross floor area.
- The proposed development is to contain a single 3-6 storey podium which is arranged around ground level publicly accessible open space and through links. Specifically, the podium presentation to each street frontage is as follows:
 - Hoddle Street: 3-6 storey podium, with levels above setback 3m to the façade line.
 - Langridge Street: 5-6 storey podium, with levels above setback 6.2m to 14.6m to the façade line.
 - Islington Street: 3-5 storey podium, with levels above setback 5 to 7.5m to the façade line.
- Above, the podium, two towers are proposed, ranging from 10 to 18 storeys in scale, with a maximum height of 60.105m (excluding the rooftop equipment). A link connecting the two towers is proposed at level 15.
- The proposed development is designed to contain a collection of building forms with a mixture of materials and finishes incorporated and applied to give each building forms a different identity. Materials include warm/light grey and red bricks, exposed aggregate, light grey concrete, terracotta powder coat corrugated aluminium cladding, metal screens, light bronze balustrades and other powder coated finishes.
- The application seeks to remove an existing crossover to Hoddle Street. Notably, the proposal also seeks the deletion of one existing crossover to Langridge Street and 3 existing crossovers to Islington Street, with all existing crossovers being consolidated to a single vehicular entry/exit via Islington Street.
- Car parking is proposed within two basement levels. A total of 210 car parking spaces are proposed to be provided, all allocated to dwellings (a rate of 0.49 per dwelling). This results in a proposed 301 space car parking reduction associated with retail uses and dwellings.



21. Renders of the proposal are shown below:



Above: Hoddle St render of proposed scheme.



Above: Islington Street render of proposed scheme.



Above: Corner of Langridge Street and Islington render (left) and 'Islington Square' render (right).



Referrals

22. The application was referred to the following groups:

Provision / Clause	Organisation	Date Response Received
Section 55 Referral – Determining	Head, Transport for Victoria	15 November 2024 - No objection, subject to conditions
Section 52(1)(b)	Yarra City Council	17 September 2024 - Objection

Statutory Referrals

Head, Transport for Victoria

23. The Head, Transport for Victoria does not object to the grant of a planning permit, subject to conditions.

The Municipal Council

Yarra City Council

24. Yarra City Council (the council) considered the application at its council meeting on 10 September 2024. The council resolved to not support the proposal, and its position is that a permit should not be granted for the development based on the following grounds:

- *The proposal lacks strategic support and is contrary to policy at Clause 02.03 (Strategic Directions), Clause 15 (Built Environment and Heritage) and fails in its delivery and supply of housing choices at Clause 16 (Housing) of the Yarra Planning Scheme*
- *The proposal fails to provide a meaningful affordable housing contribution, including the number, lack of diversity, and short tenure*
- *The proposal fails to respond to the existing urban context and preferred future development of the area*
- *The proposal is an overdevelopment and would have an unacceptable impact on the surrounding area as a result of its building height, massing, setbacks, transition and architectural composition*
- *The amenity of the communal / public open space areas is poorly resolved.*

25. The council's grounds of objection are matters which are assessed in the assessment section of this report. Additionally, responses to the council's grounds of objection are contained at **Appendix B**.

26. The council issued draft recommended permit conditions to assist should a permit issue. Where appropriate, these conditions are recommended to be included on the planning permit.

Public Notice

27. The application is not exempt from public notice requirements under Section 52(1)(a), (b) and (d) pursuant to the following clauses:

- Clause 34.01-7 – for the use of land for dwellings and a community space.
- Clause 43.02-4 – for buildings and works.
- Clause 52.06-4 – for a reduction in car parking.

28. Notice of the application was given on 9 October 2024 as follows:

- Notices to all directly adjoining property owners/occupiers as required under Section 52 (1)(a).
- Notices to other nearby property owners and occupiers (radius of approx. 90m from the buildings and works).
- Notices to those who were a registered as a party to the previous VCAT appeal.
- The placement of five signs on the land for a period of 14 days.



29. A total of 43 objections have been received, at the time of writing. Below is a list of key themes raised in objections received:
- Offsite amenity impacts (overshadowing, visual bulk etc).
 - Increased traffic and parking impacts.
 - Inappropriate built form response (height, scale, massing, density).
 - Impacts and disruption from construction activities.
30. A detailed response to objections raised is contained at **Appendix C**.



Municipal Planning Strategy

31. The following objectives and strategies of the Municipal Strategic Statement of the scheme are relevant to the proposal:

Clause	Description
02.01	Context
02.02	Vision
02.03	Strategic directions
02.04	Strategic Framework Plan

Planning Policy Framework

32. The following objectives and strategies of the Planning Policy Framework of the scheme are relevant to the proposal:

Clause 11	Settlement
11.01	Victoria
11.01-1S	Settlement
11.01-1R	Settlement – Metropolitan Melbourne
11.02	Managing Growth
11.02-2S	Structure Planning
11.02-3s	Sequencing of development
Clause 13	Environmental Risk and Amenity
13.01	Climate change impacts
13.04	Soil degradation
13.04-1S	Contaminated and potentially comminated land
13.05	Noise
13.07	Amenity, Human Health and Safety
13.07-1S	Land use compatibility
13.07-1L-01	Interfaces and amenity
Clause 15	Built Environment and Heritage
15.01	Built environment
15.01-1S	Urban Design
15.01-2s	Building Design
15.01-2L	Building Design
15.01-2L-01	Environmentally Sustainable Design
15.01-2L-02	Landmarks
15.01-4S	Healthy Neighbourhoods
15.01-5S	Neighbourhood Character
Clause 16	Housing
16.01	Residential Development



16.01-1S	Housing Supply
16.01-1R	Housing supply – Metropolitan Melbourne
16.01-1L	Location of residential development
16.01-2L	Housing affordability
16.01-2S	Housing affordability
Clause 17	Economic Development
17.01	Employment
17.02-1S	Business
17.02-1L	Retail
Clause 18	Transport
18.01-1S	Land use and transport integration
18.01-3S	Sustainable and safe transport
18.01-3R	Sustainable and safe transport – Metropolitan Melbourne
18.02	Movement Networks
18.02-1S	Walking
18.02-2S	Cycling
18.02-3R	Principal Public Transport Network
18.02-4L	Road System
18.02-4I-01	Car parking
Clause 19	Infrastructure
19.02-6L-01	Open Space Contribution

33. The assessment section of this report provides a detailed assessment of the relevant planning policies.

Zoning and Overlays

Commercial 1 Zone

34. The site is located in a Commercial Zone, Schedule 1 (C1Z).

35. Pursuant to Clause 34.04-1, a planning permit is required to:

- Use land for residential dwellings if the frontage at the ground level exceeds 2m.
- Use land for a community use (innominate use) as it is not listed in either Section 1 or Section 3 of the table at Clause 34.04-1.

36. Pursuant to Clause 34.04-4, a planning permit is required to construct a building or construct or carry out works.

37. The purpose of the **C1Z** is:

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

Design and Development Overlay, Schedule 2

38. The site is affected by the Design and Development Overlay, Schedule 2 ('Main Roads and Boulevards' – DD02).



39. Pursuant to Clause 43.02-2, a planning permit is required to construct a building or construct or carry out works.
40. The purpose of the Design and Development Overlay is:
- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
 - *To identify areas which are affected by specific requirements relating to the design and built form of new development.*
41. The DDO2 sets out the following Design objectives:
- *To recognise the importance of main roads to the image of the City.*
 - *To retain existing streetscapes and places of cultural heritage significance and encourage retention of historic buildings and features which contribute to their identity.*
 - *To reinforce and enhance the distinctive heritage qualities of main roads and boulevards.*
 - *To recognise and reinforce the pattern of development and the character of the street, including traditional lot width, in building design.*
 - *To encourage high quality contemporary architecture.*
 - *To encourage urban design that provides for a high level of community safety and comfort.*
 - *To limit visual clutter.*
 - *To maintain and where needed, create, a high level of amenity to adjacent residential uses through the design, height and form of proposed development.*
42. The above design objectives are assessed in detail in the assessment section of this report.

Development Contributions Plan Overlay, Schedule 1

43. The site is affected by a Development Contributions Plan Overlay, Schedule 1 (DCPO1). The site is located within Charge Area 6 (Collingwood).
44. The purpose of the DCPO is to:
- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
 - *To identify areas which require the preparation of a development contributions plan for the purpose of levying contributions for the provision of works, services and facilities before development can commence*
45. The Development Contributions Plan applies to the proposed additional commercial, retail areas and dwellings, requiring the developer to pay a cash contribution towards essential infrastructure like road and footpaths.
46. A planning permit is not required under the overlay. The requirements of the overlay are required to be applied to any permit issued.
47. Pursuant to Clause 43.06-1, a permit granted must:
- *Be consistent with the provisions of the relevant development contributions plan.*
 - *Include any conditions required to give effect to any contributions or levies imposed, conditions or requirements set out in the relevant schedule to this overlay*

Particular and General Provisions

Clause 52.06 – Car Parking

48. Clause 52.06 sets out the requirements for the number of car parking spaces to be provided in association with new use and development along with statutory provision for their design.



49. Pursuant to Clause 52.06-2, a permit is required to reduce the number of car parking spaces required under Clause 52.06-5.
50. Under Clause 52.06-5 and noting the site is in principal public transport network, the following car parking requirements apply:

Proposed use	Number/ Size	Statutory Car Parking Rate	No. of Spaces Required	No. of Spaces Allocated
Studio dwelling	76	1.0 spaces per dwelling	76	200
One bedroom dwelling	178		178	
Two-bedroom dwelling	110		110	
Three-bedroom dwelling	43	2.0 spaces per dwelling	86	
Retail/ food and drink/community use	1768sqm	3.5 spaces per 100sqm of leasable floor area	61	0
Total			511	200

51. Pursuant to Clause 52.06-3, a permit is required to reduce the statutory car parking requirements by 311 spaces.
52. The relevant design standards associated with car parking set out at Clause 52.06-9 are applicable and discussed in the assessment section of this report.

Clause 52.29 – Land Adjacent to Principal Road Network

53. Clause 52.29 applies to land adjacent to a road in the Transport Zone 2 or land in a Public Acquisition Overlay if a transport manager (other than a municipal council) is the acquiring authority, and the purpose of the acquisition is for a road. The subject site is located adjacent to two arterial roads (Hoddle Street and Langridge Street).
54. Pursuant to Clause 52.29-2, a permit is required to create or alter access to a Transport 2 Zone.
55. An application must be referred to the Head, Transport for Victoria.

Clause 52.34 – Bicycle Parking

56. Pursuant to Clause 52.-34-1, a new use must not commence until the required bicycle facilities have been provided on the land.
57. Pursuant to Clause 52.34-3, the following bicycle parking requirements apply:

Proposed use	Number/Size	Statutory Parking Rate	No. required spaces	No. allocated spaces
Dwellings	407 dwellings (364x 1-2 bedroom, 43x 3 bedroom)	In developments of four or more storeys, 1 resident space to each 5 dwellings	81	223
		In developments of four or more storeys, 1 visitor space to each 10 dwellings	41	52



Retail premises	1,768 sqm	1 employee space to each 300 sqm of leasable floor area	6	6
		1 visitor space to each 500sqm of leasable floor area	4	0
Bicycle parking total			87	276
			45	53
EOT facilities	to the first 5 employee spaces and 1 to each additional 10 employee spaces		1	2

58. A permit is not required under Clause 53.24. The statutory requirements are discussed in the assessment section of this report.

Clause 53.18 – Stormwater Management in Urban Development

59. Clause 53.18 applies to the buildings and works of this application. The clause includes standards and objectives relating to stormwater treatment and reuse.

Clause 53.23 – Significant Residential Development with Affordable Housing

60. The application has been submitted under Clause 53.23 (Significant Residential Development with Affordable Housing). Clause 53.23 seeks to facilitate residential development that incorporates affordable housing to meet existing and future needs.

61. The development was confirmed as eligible under Category 1 of Clause 53.23 of the Yarra Planning Scheme as part of the Development Facilitation Process. Specifically, the application is supported by:

- A quantity surveyor report confirming the estimated cost.
- A letter from Invest Victoria.
- A report outlining how the proposal will contribute to the provision of affordable housing contribution.

62. The affordable housing contribution is discussed in the assessment section of this report. Pursuant to Clause 53.23-5 an application under any provision of the planning scheme is exempt from the decision requirements of section 64(1), (2) and (3), and the review rights of sections 82 (1) of the Act.

Clause 58 (Better Apartment Design Guidelines)

63. Clause 58 applies to the residential apartments proposed as part of this application. A detailed assessment of the proposed development against Clause 58 is contained at Appendix A of this report and is also discussed in the assessment section.



Strategic Direction and Land Use

64. The *Planning Policy Framework* encourage appropriate land use and development which enhances the built environment, supports economic growth, meets the community expectations on retail and commercial provision, delivers diversity in housing supply to meet existing and future needs, and integrates transport and infrastructure planning.
65. The proposal seeks to use and develop the land for primarily residential dwellings along with ground floor co-retail tenancies (food and beverage) and non-for-profit community use. The proposal to provide residential accommodation at increased densities in established areas, is strongly supported by state and local planning policy, including but not limited to Clause 11.02-1S, which encourages the provision of mixed-use development on land close to existing transport corridors and services. This aligns with purpose of the C1Z, which seeks to provide for residential uses at densities complementary to the role and scale of the commercial centre.
66. Clause 16.01-1S (Housing supply) seeks to facilitate well-located, integrated and diverse housing that meets community needs. It encourages higher density housing development on sites that well connected in relation to jobs, services and public transport. Clause 16.01.1R (Housing supply – Metropolitan Melbourne) seeks to manage the supply of new housing to meet population growth and create a sustainable city by developing housing and mixed-use development opportunities in locations that are, amongst other things, in and around the Central City and near existing and proposed railway stations that can support transit-oriented development. The proposal to provide a mixed-use development with a high yield of residential accommodation is entirely appropriate given the site's proximity to the CBD and excellent accessibility to public transport and essential services. The proposal will help to ensure this well-located area of urban land does not remain underutilised.
67. At Clause 16.01-1L (Location of residential development), the site is identified in a 'moderate change' area and land to the immediate east and west is identified as 'non-residential/uncategorised' in the Strategic Housing Framework Plan for Fitzroy and Collingwood:



Above: Strategic housing framework plan – Fitzroy Collingwood.

68. In accordance with Clause 16.01-1L, and for the reasons detailed in elsewhere in this report, the proposal seeks to deliver a mixed-use development that is responsive to the streetscape character and efficiently utilises the land, to facilitate increased residential density.
69. Clause 16.01-2S (Housing affordability) seeks to deliver more affordable housing closer to jobs, transport and services. It seeks to improve housing affordability by, amongst other things, encouraging a significant proportion of new development to be affordable for households on very low to moderate incomes. In addition to contributing to the supply of well-located homes, 10% of the dwellings (if delivered within the development) are proposed to be affordable, in a tenure blind manner.



70. Clause 17.01-1L (Employment) seeks to support development that provides affordable workspaces and co-working spaces to facilitate a diverse range of enterprises, including small businesses, artist and creative industries. 17.01-2S (Innovation and Research) seeks to support well-located, appropriate and low-cost premises for not-for-profit or start-up enterprises. The proposal incorporates a community use (innominate use) which is proposed to be leased, rent-free, to a not-for-profit organisation for a period of 10 years. This is a positive element of the scheme which will make a meaningful contribution to not only the benefitting not-for-profit, but also to the diversity of employment generating uses in the area.
71. Clause 17.02-1S (Business) seeks to encourage development that meets the community's needs for retail, entertainment, office and other commercial services. It also seeks to encourage small scale shopping opportunities that meet the needs of local residents and workers in convenient locations. Notwithstanding that fact the proposed retail/food and beverage uses do not require planning permission, the proposal to provide 5 separate tenancies with outlooks toward each street interface and direct connection to a proposed area of publicly accessible open space, will service small scale shopping and convenience needs of future occupants, surrounding residents and surrounding workers.

Buildings and Works

Height

72. The planning controls and policy applicable to the site/proposal do not prescribe any mandatory or preferred building height requirements in quantitative terms.
73. Clause 02.03-4 (Strategic Directions – Built environment and heritage) and Clause 15.01-2L (Building Design) seeks to ensure that the heights of new buildings respond to the building height requirements set out in the planning scheme, adjoining development building height or where there are no specified building height requirements, have regard to the physical and strategic context of the site.
74. Clause 02.03-4 and Clause 15.01-2L identifies Hoddle Street, as an appropriate location for where mid-rise development should be directed. Clause 15.01-2L It seeks to support mid-rise development that:
- Contributes to a high-quality built form.
 - Demonstrates architectural design excellence.
 - Provides a transitional scale to the buildings in adjoining low-rise neighbourhood to protect amenity and discourage visual bulk.
 - Improves movement through the sit
 - Provides active frontages at street level
 - Contributes to an improved public realm.
75. Under Clause 16.01-1L (Location of Residential Development) the site is located within a 'moderate change' area. In moderate changes areas, the policy seeks to support medium density residential and mixed-use development that is responsive to heritage significance and streetscape character.
76. It is noted that the term 'mid-rise' is not defined in the Yarra Planning Scheme.
77. Based on the Panel Report for Amendment C269 which introduced the above-mentioned policies, the panel concluded that the terms low-rise, mid-rise and high-rise are relative rather than prescriptive. The report states that the term 'mid-rise' may include a range of heights appropriate to the physical and strategic context of the location and that this is in accordance with good site responsive built form planning.
78. The proposed building height (excluding roof top services) is described as follows:
- Tower 1: 18 storeys / 60.240m
 - Tower 2: 10 storeys / 32.40m to 16 storeys / 53.80m (staggered heights)
79. In terms of the site's context, it is noted that adjoining development and development located immediately opposite, exhibits predominantly low-rise built form of between 1 to 4 storeys. Beyond the immediate surroundings, an 11-



storey building exists at 60-66 Islington Street to the south and to the west within the Collingwood Major Employment Precinct, there is an emerging character of buildings ranging typically from 7-15 storeys and up to 18 storeys (i.e. 21 Robert Street). These buildings are located in a combination of minimal, incremental, moderation and high change areas, as defined at in the Strategic housing framework plan at Clause 16.01-1L.

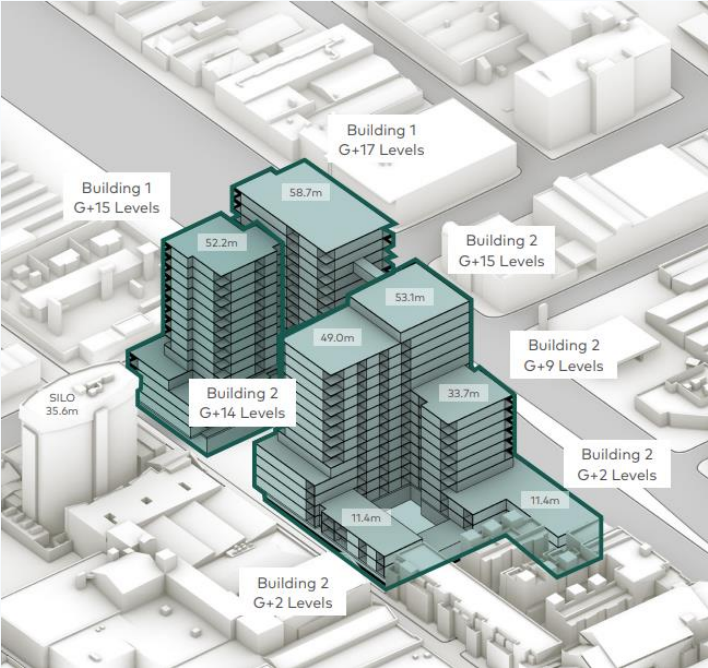
80. Having regard to the proposal and the urban context, the proposed building height is acceptable for the following reasons:
- The proposed building height, at a maximum of 18 storeys, is appropriate having regard to the broader urban context, as described above. The building will not appear at odds with nearby existing/emerging mid to high rise development, particularly that located to the west of the site, near Wellington Street.
 - The fact that the immediate (i.e. adjoining) development is low-rise currently should not prevent development of the scale proposed. The immediately surrounding area is identified as non-residential/un-categorised in the Strategic housing framework plan, and is less sensitive than areas identified for minimal change, within identified established residential neighbourhood character areas with finer grain lot subdivision patterns
 - The building height and scale is proposed to transition down to the adjoining lower rise-built form, which includes residential dwellings, to the south and to the west. The proposed transition assists in limiting off-site amenity impacts, as detailed in the off-site amenity section of this report.
 - The site is located on Hoddle Street, where applicable policies clearly seek to ensure the built form character and streetscape is improved. The concentration of higher built form along Hoddle Street, which is a key boulevard, aligns with relevant Clause 16 Housing policy which seeks to direct mid-rise buildings to boulevards, with the aim of protecting and reinforcing Yarra’s low-rise neighbourhoods (located elsewhere). The road reserve is of a sufficient width (40m) to comfortably accommodate higher built form without causing adverse impacts to its character or appearance and subject to the recommended permit conditions, the proposal will make a positive contribution to the area, through its architecture, street activation, through links and its publicly accessible open space.
81. In addition, and notwithstanding the justification provided above, when considering the proposal on balance with the public benefits proposed (e.g. the affordable housing contribution, rent-free community use and the publicly accessible open space and through links), the proposed building height is worthy of support.

Setbacks and massing

82. The planning controls and policy applicable to the site/proposal do not prescribe any mandatory or preferred building or upper-level setback requirements in numerical terms.
83. Clause 15.01-2L (Building Design) seeks to encourage development that reflects and responds to streetscape elements including the pattern of development and building spacing. In relation to building setbacks, it contains a series of strategies. An assessment of the proposal against these strategies is contained below:

Clause 15.01-12L Building Setback Strategy	DTP Comment
Buildings should align with the street at ground level unless for the provision of public open space or landscaping.	<p>The building is proposed to align with the street at ground level, except in areas where public open space, spill out space for retail and through links are proposed.</p> <p>More specifically, the proposal incorporates setbacks of between 3m to 4.27m along the Islington Street frontage adjacent to the frontages of three separate proposed food and beverage tenancies. A 28m setback is then provided for a ‘public square’. The ground level setbacks to this frontage are a positive element of the scheme as they will effectively widen the street where it leads into the proposed public open space area. Along the Hoddle Street and Langridge Street interface, the building will be set on the boundary except for an area in the northeastern corner, adjacent to a food and drink premises. The spill</p>



	<p>out spaces are a positive element of the scheme that will hopefully facilitate activity as well as space for landscaping. The ground level setbacks are acceptable.</p>
<p>Development should incorporate setbacks that:</p>	<p>The proposal generally reflects the front, side and rear setbacks of buildings in the streetscape, given buildings are typically constructed to all boundaries.</p>
<p>Limit excessive Tiered building profiles on street and laneway frontages and encourage use of contextual materials and finishes at upper levels.</p>	<p>The upper-level setbacks of the building are not excessively tiered but are instead responsive to the site's different interfaces. It is noted the development has been designed to comprise a 'village of forms' with greater setbacks and tapered building heights incorporated adjacent to the residential properties located to the south. This is shown below:</p>  <p>Above: Massing and setbacks diagram (Source: Urban Context Report, Cox Architects).</p> <p>To Hoddle Street, 3m upper levels setbacks are proposed. To Islington Street, 5m to 6m setbacks are proposed and to Langridge Street 6.2m to 8.2m setbacks are proposed, with the greater setback provided at the corner to Hoddle Street. The upper-level setbacks and general massing achieves an acceptable podium and tower design response that will sit comfortably within this street context. This is further aided by the proposed materials and finishes which are applied to the different tower elevations. The mixture of bricks, pigmented concrete, metal cladding and differing balcony expression will give visual interest to each of the building's elevations at both the podium and upper levels. This is discussed further in the detailed design section of this report below.</p>
<p>Provide space for soft landscaping including the planting of canopy</p>	<p>Sufficient space is proposed to be provided for landscaping throughout the ground floor, communal open space areas and some tower setbacks. The extent of landscaping is sufficient and appropriate for the</p>



	trees, where appropriate.	site and development. Further discussion of this matter is contained under the Landscape section of this report.
Discourage front setbacks that include:	Hard paving (other than footpaths and driveways) in the front setbacks in residential areas.	N/A – not a residential area.
	Recessed undercroft parking at ground level.	N/A
	Car parking, basement access and ventilation shafts.	The basement entry is proposed adjacent to the site's southern boundary along Islington Street. It is positioned well away from the front setback and will not detract from the appearance of the building.
	Balconies and building services.	Services are integrated into the building façade where required at the ground floor level but are to be positioned to the boundary. Winter gardens are provided above on the Hoddle Street interface. This is an appropriate response given the arterial road context and given this guideline, which seeks to discourage balconies in the front setback.

84. As noted above, the proposed building has been designed to present as a 'village of forms' and in massing terms it is considered to achieve this. The variations in setbacks to each street frontage for each tower and the non-uniform staggering of the Tower/building 2 mass down to the southern boundary is considered to a contextually appropriate design response.
85. The massing response is further supported by the overshadowing analysis, which demonstrates adjoining and nearby residential dwellings will not be unreasonably impacted by the proposed development. This is further discussed in the amenity impact section of this report. Similarly, in visual bulk terms, it is considered the proposed building has been sensitively designed with regard for the roof terraces of adjoining dwellings, through the incorporation of generous southern setbacks.
86. In terms of internal setbacks, it is noted the towers are proposed to be generally separated by between 10m, where viewed from Hoddle Street, tapering out to 25.7m where it will be viewed from Islington Street. This is except for a bridge link on level 15. The bridge link is proposed so that occupants in Tower 1 can more easily access the communal facilities (private dining, screening room, club room, games room, outdoor terrace and swimming pool) in Tower 2 and vice versa. In urban design terms, there is a preference for the skybridge to be deleted, to ensure the skybridge does not obstruct sky views between the two towers, to improve the legibility of tower separation and to avoid adding unnecessary visual bulk to the building. The skybridge is shown below in a Hoddle St elevation render:



Above: Hoddle Street render showing skybridge on Level 15.

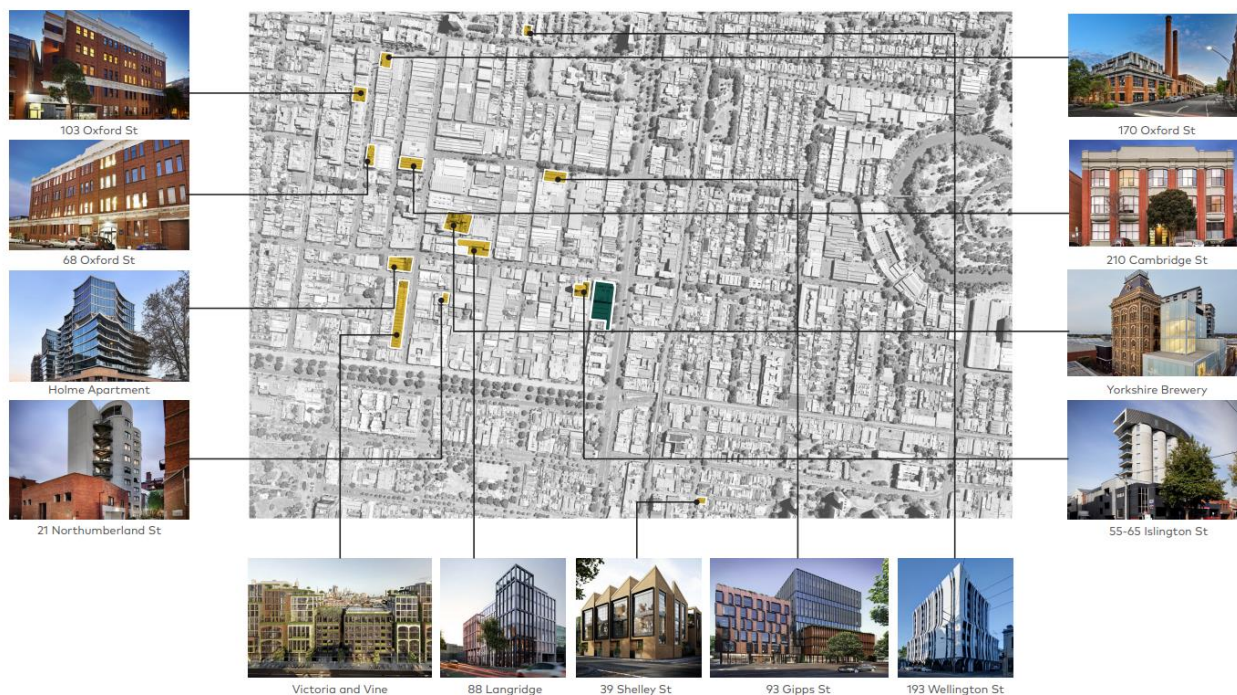
87. Whilst it is acknowledged the sky bridge would result in a slight quicker journey time between each tower, it is not essential, and residents will become familiar with the layout access arrangements of the development. By deleting the skybridge, the break between the tower forms will improve potential visual bulk impacts where the development is viewed from the surrounding area and will reinforce the design intent of providing each of the towers with their own identity. Further, the deletion of the sky bridge will improve the southern and northern outlook of proposed dwellings located immediately below. Therefore, a condition requiring the deletion of the skybridge is recommended to be included on the planning permit.

Design Detail

88. Design objectives of the DDO2 'Main Roads and Boulevards' seek to encourage high quality architecture and to reinforce the pattern of development and character of the street, including traditional lot width, in building design.
89. The proposed development has been designed to read as a collection of buildings. The proposed buildings are each proposed to contain a rectilinear form, with gridded, façade punctuations of differing sizes. Each 'building' is provided with a slightly different architectural identity through differing materials, window opening, frames, balcony and winter garden balustrades, and soffits.
90. The proposal incorporates a varied material palette, including:
- Exposed aggregate in light and dark grey tones
 - Pre-cast concrete (textured profile)
 - Pre-cast concrete (fluted profile)
 - Coloured concrete
 - Bricks in warm brown, grey and light grey colours
 - Powder coat aluminium cladding in light bronze, dark bronze, white, grey and terracotta
 - Powder coat corrugated metal cladding in Terracotta



- Metal balustrades, screen and louvres.
91. The materials schedule is responsive to the character of the broader Collingwood area, which exhibits a pattern of red brick warehouse conversions and more recent development utilising a combination of brick and metal cladding, and various concrete finishes.
92. The supporting Urban Context Report, prepared by Cox Architects, assists in demonstrating how the proposed design detailing, including its structure, grid façade and materiality, has been derived from the broader Collingwood context. Examples of new and converted nearby development are shown as below:



Above: Surrounding developments (source: Page 23 of the UCP, prepared by Cox Architects).

93. The materials schedule is rich and textural and will assist in ensuring the development appears visually interesting. It is considered the development will positively contribute to the character and appearance of the area and the main boulevard it is positioned on – Hoddle Street.
94. Notwithstanding the above, at the ground level, further changes are recommended to be secured to ensure all building interfaces contribute to a visually rich and engaging pedestrian experience. This can occur by reducing the extent of floor to ceiling glazing and incorporating design details such as stall risers, integrated planter boxes, seating, window mullions etc. This matter was raised with the applicant at the RFI stage of the process. The applicant subsequently submitted 'sketch plans' displaying the incorporation of several of the above-mentioned design features. The details shown on the sketch plans are recommended to be secured by condition.
95. Additionally, further details relating to the use of proposed bricks is recommended to be secured by condition to ensure a high-quality finish is achieved.

Heritage

96. The subject site is not located in a Heritage Overlay, nor does it directly adjoin land in a Heritage Overlay.
97. However, opposite the site, on Islington Street, are several properties located within Heritage Overlay, Schedule 106 comprising the former 'James Hood & Co' Malthouse. It is noted the building on the corner of Islington and Langridge Streets within this block, is not in a Heritage Overlay
98. To the north-west of the site across Langridge Street is set of terrace dwellings in Heritage Overlay, Schedule 113, '160-170 Langridge Street Collingwood'.



99. The DDO2 seeks to retain existing streetscapes and places of cultural heritage significance and encourage retention of historic buildings and features which contribute to their identity. Further, the DDO2 seeks to reinforce and enhance the distinctive heritage qualities of main roads and boulevards.
100. Having regard to the above design objectives and surrounding heritage context, it is considered the proposed development will not negatively impact on the heritage significance of the surrounding heritage places because:
- The bulk of the proposed building height is to be positioned in the north of the site, opposite the parts of adjoining block which are not in a Heritage Overlay, including in part the silo conversion:



Above: VicPlan map showing location of heritage interfaces (Heritage Overlays in red/pink).

- Compared with existing conditions, the proposed area of publicly accessible open space and the varied building setbacks to the Islington Street boundary, will enhance visibility and appreciation of the original retained James Hood & Co buildings from Islington Street and in part from Langridge Street at ground level.
- The proposed material palette, particularly the use of bricks, is sympathetic to the original retained heritage buildings.
- The terrace on Langridge Street exists independently in a context of commercial buildings and does not necessarily define the character of the street. The site is sufficiently separated from the terrace and will not cause any unacceptable visual impacts, in a heritage sense.

Ground Plane, Public Realm and Landscaping

Ground plane and public realm

101. Clause 15.01-1L seeks to improve pedestrian environments and the public realm along boulevards and to support development that creates new public spaces to serve the needs of residents, workers, traders and visitors. Design objectives of the DDO2 'Main Roads and Boulevards' seek to encourage urban design that provides for a high level of community safety and comfort. Clause 15.01-1R seeks to support the creation of well-designed places that are memorable, distinctive and liveable.



102. The proposal incorporates active uses and communal facilities at the ground floor, all of which will assist in activating each street frontage, the proposed public open space area and the proposed through links. As discussed above, further design details are recommended to be secured via condition, to ensure the ground floor edge of these tenancies is more pedestrian friendly and interactive. The sketch plans submitted show the incorporation of the stall risers, integrated seating, integrated planter beds etc to further improve the pedestrian experience.
103. The proposal provides two through block connections: one north-south connection from Langridge Street and one east-west connection from Hoddle Street. These connections are accessed through the building/podium and whilst they are supported in principle, they are at risk of reading as private due to their enclosure. To address this matter, a condition is recommended to be included on the permit requiring the operable doors to remain open during business hours and closed with key/fob access after-hours. This has been agreed to by the permit applicant.
104. In addition to the above, it is noted that some sections of the through links have floor to ceiling heights of less than 4m. A consistent floor to ceiling height of more than 4m is preferable. However, it is acknowledged that due to servicing requirements, this is difficult to achieve in all instances. Notwithstanding this, the entries and through links vary from 3.3m to 6.38m in height, accentuating the entry to the links. This is sufficient for the purpose of ensuring the links are legible and attractive.
105. Urban design advice was provided to the permit applicant at RFI stage regarding improving the southbound view within the through link from Langridge Street through the placement/extension of the active use. In response, the active use was not expanded. However, integrated seating is shown on a sketch plan at the southern end of the through link, which is an acceptable improvement. Given the change is shown on a sketch plan, a condition is recommended to be included on the planning permit securing these details.
106. The proposed 'public square' is positioned to face Islington Street with access also provided from Langridge Street and Hoddle Street via the proposed through links, as shown below:



Above: Render of proposed public open space (left) and site plan showing the location of the public open space, communal open space and access points (right).

107. It is noted due to the position of the space to the south of proposed built form, the public open space area will be overshadowed during the morning hours and in part the afternoon hours. The park will be partially unshadowed in improving increments, with at least 50% of the space unshadowed at 3pm (on the June Solstice). Whilst the provision of a north-facing public open space area would be preferable, with better access to sunlight, the proposed area is acceptable for the following reasons:
 - Residents are provided with complementary communal open space areas on the rooftops of Buildings 1 and 2. At times the ground floor public open space area is more overshadowed, the rooftop communal spaces will receive an excellent amount of sunlight, providing multiple options for residents to seek out a high amenity space at different times of the day.
 - The location of the open space is proposed in part to create a sufficient break in the building mass, ensuring the amenity of dwellings with an internal outlook into the site is appropriate.
 - The area will be complimented by the proposed widening of the Islington Street footpath.



- The area will be complimented by the spill out space proposed between the commercial food and beverage tenancy along the northern edge of the building and Islington Street, which will also provide a line of sight between Langridge Street and the public open space area.
- Active commercial uses and communal uses are proposed to be positioned adjacent to the space which will provide activation and passive surveillance.

108. A further semi-private courtyard is proposed within the ground plane, which is proposed to be overlooked by the ancillary gym and a commercial shop. Within this space, 16 visitor bicycle parking spaces are proposed and the main ground floor access to the secure residential bicycle parking is proposed. Whilst the space will receive limited sunlight, it will serve a functional purpose and subject to well resolved way finding, will provide a public benefit as a further pedestrian connection through the site, and spill out space for the proposed shop and ancillary gym.

Landscaping

109. The application is supported by a Landscape concept plan, prepared by Tract Consultants. The proposal incorporates landscaping within publicly accessible spaces, communal areas including but not limited to the level 15 and 16 roof terrace, green roofs at various levels, planter boxes to balconies and climbers to pergola structures.

110. The landscaping within the 'public square' incorporates large planters to support canopy tree planting, tiered planter edges for informal seating, a small lawn area and a deck capable of accommodating loose furniture. The proposed landscaping is acceptable and will integrate with the spill proposed spill out areas associated with proposed food and drink tenancies.

111. Along the street edges, the proposed planter boxes and green roofs will complement the existing mature street trees which exist along the Hoddle Street and Langridge Street, contributing to urban greening whilst also softening the appearance of the development:



Above: Section showing proposed green roofs and planter and the interface with relevant street frontages.

Conditions are recommended to secure further street tree planting, as recommended by the council.

112. In the council's delegate report, the council's open space team generally supported the landscape concept but recommended further deep soil planting be provided. In this instance, the deep soil planting provision is considered



to be responsive to the site's commercial context. This matter is discussed further in the Clause 58 Assessment section of this report.

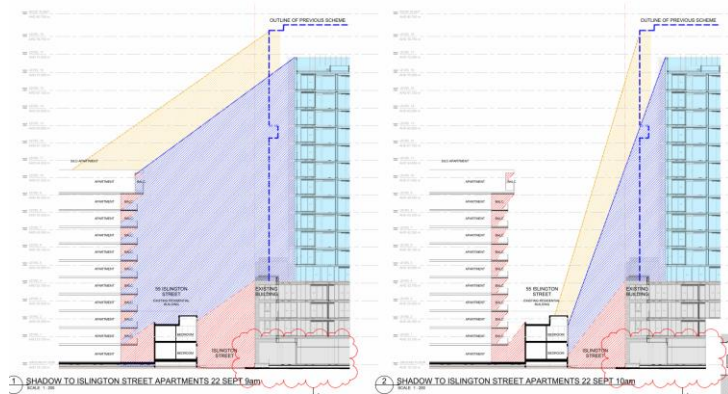
113. The planter boxes to the selected balconies/terraces and the green roofs proposed at various levels will provide an outlook for several dwellings toward greenery which is welcomed. Maintenance details are recommended to be secured by conditions.

Offsite Amenity

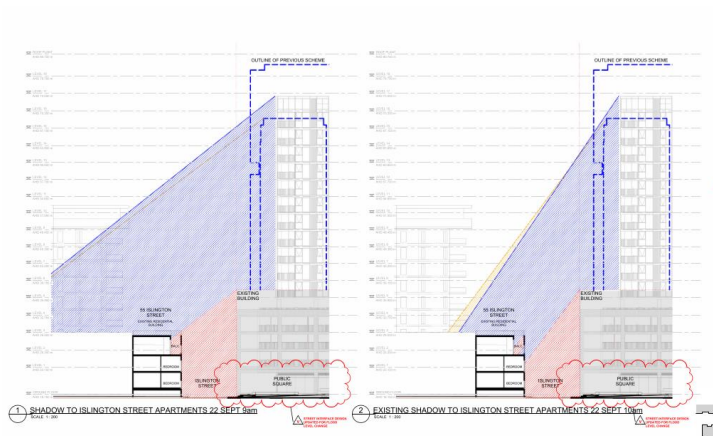
114. Clause 15.01-2S of the Scheme aims to provide building design that minimises to detrimental impact of development on neighbouring properties, the public realm and the natural environment, with potential impacts relating to overshadowing of SPOS, loss of daylight to windows, visual bulk, overlooking of sensitive areas and equitable development.

Overshadowing

115. The DDO2 seeks to maintain a high level of amenity of adjacent residential uses through the design, height and form of proposed development. Clause 15.01-2L seeks to avoid unreasonable overshadowing of SPOS and loss of daylight to habitable room windows.
116. To support the application, shadow diagrams and sectional shadow diagrams have been submitted. The shadow diagrams demonstrate that the proposal will not result cause any new overshadowing to the balconies and terraces of dwellings located immediately south of the site at 13-15 Hoddle Street, compared to existing conditions. This is a welcomed improvement on the previous iteration of the scheme.
117. However, some new overshadowing will occur to private balconies and habitable room windows of dwellings located to the west of the site at 55 Islington Street, as assessed on the September Equinox, as follows:
- At 9am, east facing balconies within the Silo Apartment building at 55 Islington Street, will receive new overshadowing to approximately 50% of their area.
 - At 10am, the shadows move south, with new shadow impacts limited to a selection of east-facing habitable room windows and a balcony associated with ground, first floor and second floor of the eastern-most dwellings located at 55 Islington Street.



Above: 9am and 10am shadows to 55 Islington Street (blue=proposed shadows).

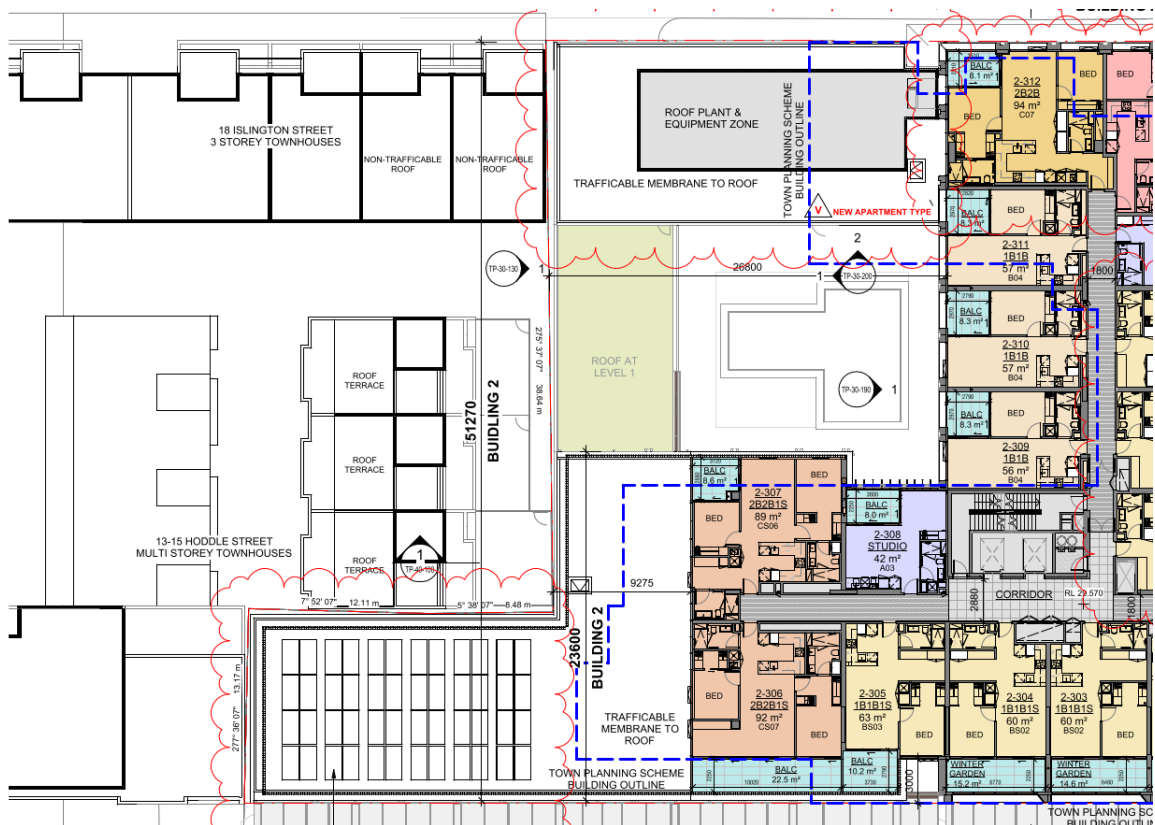


Above: 9am and 10am shadows to 55 Islington Street (blue=proposed shadows).

- Between 9am and 1pm, the east-facing balconies of Townhouse 15, 16, 17 of 18 Islington Street, will receive overshadowing in differing amounts between 9am and 1pm.
118. The extent of proposed overshadowing impact to dwellings at 55 Islington Street, located to the west of Islington Street, is acceptable in this instance because a select number east-facing dwellings will be affected for limited amount of time (9am and in part at 10am) on the September Equinox. On balance, when considering the site's location, the extent of shadow impacts is not considered unreasonable, and it is acknowledged that efforts have been made in design of the building form to eliminate impacts to the south of the building.
119. It is noted the shadow diagrams indicate no additional overshadowing will occur over the second-floor balconies of the adjoining townhouses located at 18 Islington Street. Specifically, the shadow diagrams appear to show that new shadows will fall within existing shadow lines. However, it is noted that section drawings have not been provided for these adjoining dwellings. Sections drawings demonstrating the results shown on the shadow diagrams are recommended to be secured by condition to address this.

Overlooking

120. Dwellings to the south (the site's direct abuttal) at 13-15 Hoddle Street and 18 Hoddle Street contain secluded private open space and habitable room windows within 9m of the site's southern boundary. A solid boundary wall is proposed to the south boundary and above this on level 2, dwellings are proposed to be setback a minimum of 9.27m from the shared boundary. As a result, it is considered no unreasonable or adverse overlooking impacts will occur. The separation distance at level 2, is shown below:



Above: Level 2 Floor Plan showing separation to residential dwellings to the south.

121. Other nearby residential dwellings are separated from the site by a road. Therefore, no unreasonable overlooking impacts will occur.

Visual Bulk

122. It is acknowledged that the development proposes to replace a lower scale existing building. The adjoining and nearby residential dwellings will inherently experience a changed outlook toward the site.
123. For the reasons outlined in the built form section of this assessment, the proposal is considered to be well designed, visually interesting and context responsive. It has been designed to step down to lower scale-built form to the south and incorporates differing design features and materials to provide articulation to each elevation. It is considered the proposal will not cause any unreasonable or adverse amenity impacts, by way of visual bulk, to adjoining or nearby property owners and occupiers, outside of that which can be reasonably anticipated in this urban location, on a busy arterial road.

Wind

124. Clause 15.01-1L seeks to minimise the potential for development, particularly taller buildings, to create adverse wind conditions in the public realm at street level through building siting and design.
125. The application is supported by a wind tunnel assessment, prepared by MEL Consultants. The submitted assessment demonstrates the following in the surrounding streetscapes, nearby private open space and publicly accessible areas:

Langridge Street

- The wind conditions in Langridge Street were shown to satisfy the walking comfort criterion, and in most locations satisfy the standing criterion. This is except for four test locations where wind conditions were slightly worsened from standing criterion to walking criterion.



- As per existing conditions, most test locations fail the sitting conditions. However, four test locations were improved to pass the sitting criterion.

Islington Street

- The wind conditions in Islington Street were shown to satisfy the walking and standing criterion in all test locations.
- Four test locations were shown to satisfy the sitting criterion.
- The Wind Assessment recommends the incorporation of screening solution to the street frontage for outdoor dining areas of the proposed retail tenancies, to ensure the sitting criterion is achieved in these areas. It is noted the plans do not incorporate a retractable full height screen to the outdoor dining area in the north-west corner of the site to address this.

Hoddle Street

- The wind conditions in Hoddle Street were shown to satisfy the walking comfort criterion, and in most locations satisfy the standing criterion. This is except for four test locations where wind conditions were slightly worsened from standing criterion to walking criterion.
- Only one test location is shown to satisfy the sitting criterion, with four other locations failing the sitting criterion where the pass in existing conditions.

Neighbouring premises

- Private open space areas of adjoining dwellings to the south were shown to satisfy the walking and standing criterion in all test locations.
- Three out of the six test locations were shown to satisfy the sitting criterion reflecting existing conditions.

The 'public square' and semi-private south courtyard

- The 'public square' is shown to satisfy the walking and standing criterion in all test locations. The test location at the building entry also achieves the sitting criterion.
- The 'public square' would benefit from further mitigation measures or further testing of areas proposed to be dedicated to seating or outdoor dining to ensure more of the space is comfortable.
- The southern courtyard benefits from the surrounding towers of the development and therefore shown to satisfy the sitting, standing and walking criterion.

126. Having regard to the above, the proposed wind impacts to off-site areas and publicly accessible areas are generally acceptable when comparing to existing conditions. However, to further improve the amenity of the future public square and areas proposed for outdoor dining, a condition is recommended to be included on the planning permit requiring wind conditions within the public square, where seating is shown and outdoor dining is noted, to meet the sitting criterion.

Noise

127. Clause 13.07-1L-01 (Interfaces and amenity) requires residential development provide acoustic attenuation and design features to mitigate noise impacts from nearby commercial and industrial uses. Standard D16 of Clause 58.04-3 seeks to contain noise sources in developments that may affect existing dwellings or small second dwellings.
128. The proposed food and drink/ retail tenancies do not require planning permission for their use and therefore potential noise impacts associated with these tenancies, in respect to off-site impacts, is not required to be assessed. Potential adverse noise related impacts from the proposed community use can be suitably controlled via standard conditions, requiring compliance with EPA guidelines.
129. It is noted the submitted acoustic report indicates that the mechanical plant and car park entry has not been selected yet in terms of the specific equipment. During the detailed design, it is proposed to be designed to comply with the Noise Protocol requirements. This is acceptable and a notation to this effect is recommended required to be included on the plans. This will ensure dwellings directly above the car park entry and the adjoining dwelling at 18 Islington Street to the south is not adversely impacted by noise associated with the car park entry.



Equitable Development

130. The proposal does not raise any equitable development issues based on the following:
- The site has only one direct abuttal to the south. A 3-storey wall on boundary is proposed to this interface with the levels above set suitably back. The setbacks are generous and will enable future development on the adjoining lot.
 - The site is separated from development to the north, east and west by a minimum of 9m.

Internal Amenity

131. A detailed assessment of the proposal against the objectives and standards of Clause 58 is contained at **Appendix A** of this report.
132. The proposed residential dwellings are generally acceptable in size and layout and will achieve appropriate levels of daylight and natural ventilation. More specifically, some key positives of the scheme, in internal amenity terms, include:
- The proposal incorporates generous ancillary communal facilities and communal open space. This includes approximately 725 sqm of communal uses on the ground floor along with internal facilities, and open terraces (including a swimming pool) on Level 15 and Level 16 of the building. It is noted, the submitted shadow studies demonstrate the communal roof terraces will receive at least 2 hours of sunlight between 9am and 3pm on the June Solstice.
 - The proposed development will meet the needs of people with limited mobility, with 68.8% of dwellings designed to be accessible.
 - 40.3% of dwellings will achieve effective cross ventilation.
 - All of the proposed dwellings are designed to achieve acceptable levels of daylight, with a large proportion of dual aspect dwellings proposed.
 - All the proposed one-, two- and three-bedroom dwellings fully comply with functional layout requirements of Standard D26, with sufficiently sized living rooms and bedrooms.
133. Notwithstanding the above, some variations to the objectives and/or standards of Clause 58 are proposed. Some of the proposed variations are acceptable, for the reasons set out in the assessment at Appendix A. However, some variations are not worthy of support and are recommended to be addressed by conditions. These are discussed below.

Noise

134. Standard D16 of Clause 58.04-3 seeks to protect residents from external and internal noise sources.
135. It is noted the submitted acoustic report indicates that the mechanical plant and car park entry has not been selected yet in terms of the specific equipment. During the detailed design, it is proposed to be designed to comply with the Noise Protocol requirements. This is acceptable and a notation to this effect is recommended required to be included on the plans. This will ensure dwellings directly above the car park entry and the dwelling at 18 Islington Street is not adversely impacted by noise associated with the car park entry.
136. Additionally, the submitted acoustic report does not appear to address potential live music from the Yorkshire Hotel located opposite the site on Hoddle Street. Whilst the report assumes background noise, it is recommended the report address potential live music impacts.
137. Subject to the recommended conditions, the acoustic report demonstrates that the proposal will achieve the required internal noise levels with specific wall cladding and glazing configurations. This will mitigate any noise related impacts from external noise sources.

Wind

138. Standard D17 of Clause 58.04-4 seeks to ensure the built form, design and layout of the development does not generate unacceptable wind impacts within the site or on surrounding land.



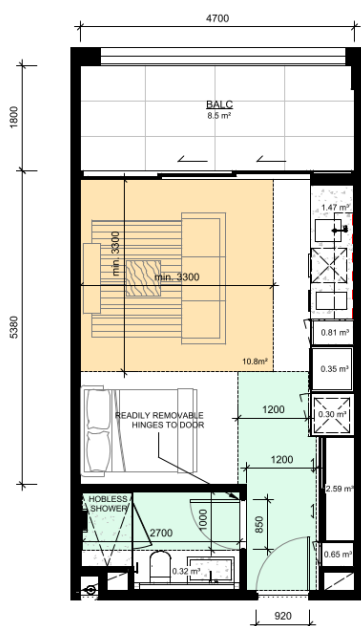
139. Wind impacts to offsite areas and publicly accessible areas is discussed in the off-site amenity section of this report.
140. Internally within the site, most upper-level balconies and terraces satisfy the walking criterion and standing criterion. This is except for the fifth-floor balcony, associated with Apartment 1-511 which meets only the waling criterion. This balcony is shown to be 120.7sqm in size. A condition is recommended to be included on the planning permit requiring wind conditions within all dwelling private terraces/balconies to meet the standing criterion.
141. Additionally, it is noted the level 16 communal terrace had originally failed to satisfy the safety criterion. The plans have since been amended to incorporate the suggested wind mitigation measures including a 2.1m balustrade, and landscaping features. The wind assessment notes that with the incorporation of these measures, the wind conditions are expected to achieve sitting comfort criterion.

Functional Layout

142. Standard D26 of Clause 58.07-1 seeks to ensure dwellings provide functional areas that meet the needs of residents.
143. The majority of proposed dwelling types comply with the living and bedroom dimension and area requirements of the standard. However, Studio Apartment Types A01 and A05 are not considered to be meet the objective of the standard:

Studio Type A01:

There are 40 Type A01 dwellings proposed within the development. These are proposed to contain a bedroom with a minimum dimension of approx. 2.08m, and an approximate area of 6sqm, shown below:



Above: Type A01 dwelling layout.

Whilst it is noted Standard D26 (Functional Layout) does not specify minimum bedroom size dimensions for studios, the bedroom dimensions shown above demonstrate that there would be constrained circulation space around the bed and limited space for a bedside table. The Tribunal has previously determined that bedrooms within studios should have a dimension of 3m on at least one side and should be 9sqm in size. The Type A01 layout will not clearly meet the functional needs of residents and given 40 of these apartment types are proposed within the development, an improved amenity outcome is recommended to be sought by conditions.

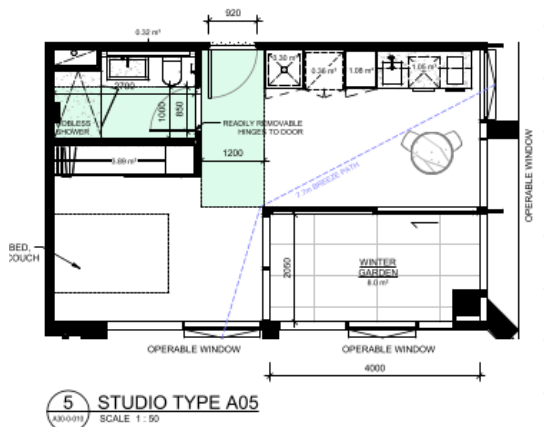
A condition is recommended to be worded to allow flexibility for the permit applicant to respond with an appropriate option. This could include amalgamation of some apartments for example, or alternatively the internal width of the bedroom space of the Type A01 dwellings could be increased by 600mm, by reducing the balcony depth to 1.2m. A reduced balcony depth would introduce a non-compliance with Standard D20 in some locations (i.e. those that aren't



south facing). However, this would be acceptable in this instance because future occupants will have access to multiple and generous sized areas of internal and external communal space within the development.

Studio Type A05:

There are five Type A05 dwellings proposed within the development. The layout does not incorporate a living area with a minimum dimension of 3.3m and minimum area of 10sqm. This is shown below:

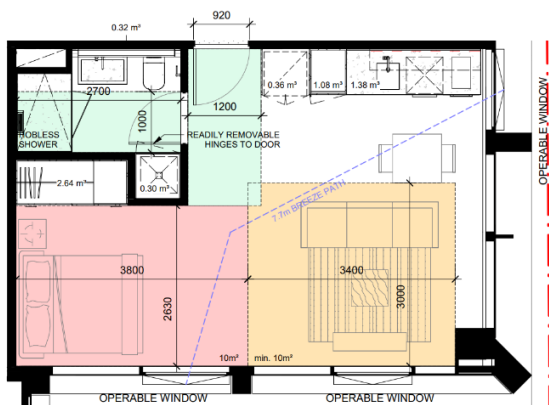


5 STUDIO TYPE A05
SCALE 1:50

Above: Type A05 dwelling layout.

The applicant contends that the above layout is acceptable as the bed will be a 'murphy bed' making the area flexible for conversion into a living room. This not considered to be an acceptable permanent arrangement.

The permit applicant has provided an alternative layout on a 'sketch plan' showing the winter garden removed and converted into living space. This is shown below:



Above: Proposed alternative Type A05 dwelling layout as shown on the Sketch Plans, dated 13 September 2024.

Whilst it is acknowledged that the removal of the winter garden would result in a non-compliance with Standard D18 (private open space), the alternative arrangement is more functional and is acceptable given future occupants will have access to multiple areas of internal and external communal open space within the development. Therefore, a condition is recommended to be included on the planning permit requiring conversion of the Type A05 dwelling layouts to that shown on the sketch plans.



Sustainability

Sustainability

144. Clause 15.01-2L-01 (Environmentally Sustainable Development) the Yarra Planning Scheme to ensure buildings achieve best practice environmentally sustainable development from the design stage through to construction and operation.
145. The application is supported by a Sustainability Management Plan, prepared by ADP, dated 30 May 2024. The SMP demonstrates a commitment to a series of positive ESD initiatives, some of these are listed below:
- Registered and certified as a 5 Star Green Star Building.
 - A 7-star average NatHERS rating, with no dwelling achieving less than 5.5 stars (Residential only).
 - Water efficient fittings and fixtures are applied throughout.
 - A 40,000-litre rainwater tank will harvest rainwater from 3,010m² of roof area, and connected to common area toilets.
 - Communal landscape areas will be irrigated using subsurface drip type irrigation systems.
 - 301 bicycle spaces are to be provided for occupants and visitors.
 - EOT facilities including staff showers and lockers will be provided at Basement 02.
 - The development will provide EV charging infrastructure to a minimum of 10% of car parking spaces.
146. The proposed development commits to a level of sustainability that meets the objectives of Clause 15.01 and 19.03. Notwithstanding this, conditions are recommended to be included on the permit to ensure these commitments are further secured, and additional matters are clarified.

Water Sensitive Urban Design

147. Clause 15.01-2L-01 (Energy and resource efficiency), Clause 19.03-3L (Water Sensitive Urban Design) and Clause 53.18 (Stormwater Management in Urban Development) seeks to ensure new developments achieve the best practice water quality performance objectives set out in the Urban Stormwater Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999).
148. The SMP details how the proposal exceeds the pollutant load reduction targets set out in the Best Practice Environment Management Guidelines.
149. The proposal includes a 40,000-litre rainwater tank will harvest rainwater from 3,010m² of roof area, and connected to common area toilets.
150. In addition, a OceanProtect stormwater treatment system is proposed to be used to treat any stormwater from the impervious areas not collected by the rainwater tank, as well as overflow from the tank.
151. A construction management plan is proposed and is recommended to be secured via condition which will require details including but not limited to the management of stormwater runoff on waterways.
152. The proposal is considered to acceptable having regard to Clause 19.03 (Water Sensitive Urban Design) and Clause 53.18 (Stormwater Management in Urban Development).

Parking, Access, Traffic, Loading and Other Services

Car Parking Provision

153. The following statutory car parking rates are relevant to application as derived from Clause 52.06:

Proposed use	Number/Size	Statutory Car Parking Rate	No. of Space Required	No. of Spaces Allocated



Studio dwelling	76	1.0 spaces per dwelling	76	210
One bedroom dwelling	178		178	
Two-bedroom dwelling	110		110	
Three-bedroom dwelling	43	2.0 spaces per dwelling	86	
Retail/ food and drink/community use	1768sqm	3.5 spaces per 100sqm of leasable floor area	61	0
Total			511	210

154. As indicated above, a car parking reduction of 301 spaces is proposed with 0 spaces provided to the retail/food and beverage tenancies and a rate of only 0.49 spaces is proposed to be provided per dwelling.
155. Having regard to the decision guidelines of Clause 52.06 (Car Parking), the proposed car parking reduction is acceptable based on the following:
- The site is very well serviced in respect to public transport, with bus and tram stops and train stations located within immediate proximity or a short walking distance from the site. Specifically, the site is located 300m from North Richmond railway station, 50m from a Hoddle Street bus stop, and 230m from Victoria Parade tram stops.
 - The site is very well positioned in respect to sustainable and active methods of transport, with good connectivity to the on-road bicycle network and immediate proximity to shops, supermarkets, employment and other essential infrastructure and facilities.
 - Given the site's accessibility to public and active transport and its well serviced location, the proposal to reduce the car parking provision, will assist in promoting these methods of transport and reduce car dependency. This is responsive to the strategies listed under Clause 18.01-3L (Sustainable Transport).
 - The council has noted that similar approvals for reduced dwelling car parking have been approved nearby, including a development at 25 River Boulevard, Richmond, where a 0.42 per dwelling rate was approved.
 - Staff and customer car parking associated with the proposed commercial uses would be accommodate off site. Staff and customers would become accustomed to this and are likely to make alternative travel arrangements (i.e. public transport, walk, cycle, ride share).
 - The supporting Traffic Report demonstrates that during peak periods there would be some on-street parking availability for visitors and customers to the development (approx. 21 out of 234 publicly available spaces).
156. The proposed car parking reduction aligns with the outcomes sought by Clause 18.02-4I-01 (Car Parking) and acceptable when considering the decision guidelines of Clause 52.06.

Layout, Access & Traffic

157. Vehicle car parking is proposed to be provided within two basement levels and accessed via Islington Street.
158. The proposed car parking layout has been assessed against the design standards of Clause 52.06-9 and is compliant in terms of its layout and design.
159. It is noted the council's traffic engineers were also generally satisfied with the proposed car parking design and layout. The council's recommended conditions included some changes, including the designation of small car parking spaces for spaces 168 and 170. The applicant has since responded to say the spaces are not required to be allocated as small car parking spaces. The spaces are designed in accordance with the design requirements of Clause 52.06.



However, to ensure cars can comfortably navigate in and out of the spaces, given the location of adjacent columns, swept paths are recommended to be required within an updated traffic report.

- 160. The proposal to locate the access and egress point on Islington Street is a positive element of the scheme, as it will result in the removal of unnecessary access points from Hoddle Street and Langridge Street along with two additional vehicle crossovers on Islington Street. It is noted the Head, Transport for Victoria is supportive subject to recommended conditions.
- 161. Having regard to traffic generation impacts, the Traffic Engineering Assessment, prepared by One Mile Grid, dated 12 July 2024, assesses the anticipated traffic demand likely to be generated by the proposal. The proposed development is expected to generate up to 55 movements per peak hour, turning in and out Islington Street. This is less than 1 vehicle movement per minute and is not expected to have an impact on the operation of Islington Street. Further, the traffic analysis demonstrates that during peak period the Hoddle and Langridge Street intersection will continue to operate under 'excellent' conditions during peak periods, with minimal queues.
- 162. The proposed peak hour traffic generation will not have an adverse impact on the local traffic network and concerns have not been raised by the council's traffic engineering team or the Head, Transport for Victoria. The proposal is acceptable in traffic engineering terms.

Bicycle Facilities

- 163. The following statutory bicycle parking rates are applicable to the proposed development as per the requirements of Clause 52.34 (Bicycle Parking):

Proposed use	Number/Size	Statutory Parking Rate	No. spaces required	No. spaces allocated
Dwellings	407 dwellings (364x 1-2 bedroom, 43x 3 bedroom)	In developments of four or more storeys, 1 resident space to each 5 dwellings	81	223
		In developments of four or more storeys, 1 visitor space to each 10 dwellings	41	52
Retail premises	1,768 sqm	1 employee space to each 300 sqm of leasable floor area	6	6
		1 visitor space to each 500sqm of leasable floor area	4	0
Bicycle parking total			87	276
			45	53
EOT facilities	to the first 5 employee spaces and 1 to each additional 10 employee spaces		1	2

- 164. The proposal comfortably exceeds the requirements of Clause 52.34 (Bicycle Parking). The bicycle parking and EOT facilities are appropriately located within the development.
- 165. Overall, it is considered the proposed development will assist in encouraging bike usage as a sustainable method of transport and is acceptable.



Loading / Unloading & Waste

166. Clause 65.01 requires consideration of the adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.
167. The proposal incorporates an on-site loading bay within Basement level 01. Detailed matters relating to the operation of the loading facilities are recommended to be secured via a condition in a Loading Management Plan.
168. Regarding waste management, the proposed development has been designed for private waste collection services as detailed in a draft Waste Management Plan, prepared by Leigh Design, dated 30 May 2024. The traffic report also demonstrates through swept paths that 8.8m long MRVs will be able to suitably access and the ramp and loading bay within the basement.
169. The council have not specific concerns with the loading and waste management facilities but have recommended a series of conditions, most of which are recommended to be included on the planning permit.

Public Benefits

170. As discussed elsewhere in this report, the proposal incorporates three through links and publicly accessible open space areas. Subject to the recommended permit conditions, it is considered these elements of the proposal will positively contribute to the future functionality and character of the site and surrounding area.
171. Below are further public benefits forming part and key to the proposal.

Affordable Housing

172. The application is made under Clause 53.23 (Significant Residential Development with Affordable Housing) which amongst other things seeks to facilitate residential development that includes affordable housing to meet existing and future needs.
173. Clause 16.01-2L (Housing Affordability) seeks to support development that includes a provision of affordable housing within its mix of dwellings and to provide well-designed affordable housing within new development that is integrated with the remainder of the development.
174. The application is supported by an Affordable Housing Report, prepared by Urban-X-Change, July 2024. The report is an application requirement of Clause 53.23 and to qualify for the 53.23 pathway, a 10% affordable housing contribution must be incorporated in the proposal. The report sets out a proposed position for an affordable housing contribution that will achieve the mandatory requirements. This will be secured by a Section 173 agreement permit condition, with details of the affordable housing offer to be resolved at the time the agreement is submitted.
175. The proposed contribution, along with the inherent benefits that come with an increase in supply of dwellings, is welcomed and is responsive to the purpose of Clause 53.23 and the strategies of Clause 16.01-2S and 16.01-2L (Housing Affordability).

Non-for-profit community use

176. The proposal includes a 255sqm 'community use' (an innominate use) on the ground floor adjacent to Hoddle Street. The use is proposed to be leased, rent-free, to a non-for-profit organisation.
177. In support of the application, a letter is provided from Sister Works, a non-for-profit organisation who support migrant, refugee and asylum seeker women, with the aim of improving their economic independence. Sister Works are a prospective tenant for the community space and provide detail to confirm the viability of the space and its potential social and economic impact.
178. The provision of this space and the proposed lease terms, whilst not specifically required by the Yarra Planning Scheme, are a welcomed and positive benefit of the scheme. The proposal will make a meaningful contribution to supporting well-located, appropriate and low-cost premises for non-for-profit enterprises as encouraged by Clause 17.01-2S (Innovation and Research) of the Yarra Planning Scheme.
179. The proposed community use is recommended to be secured by condition, by way of a S173 Agreement.



Other Matters

Restrictions on title

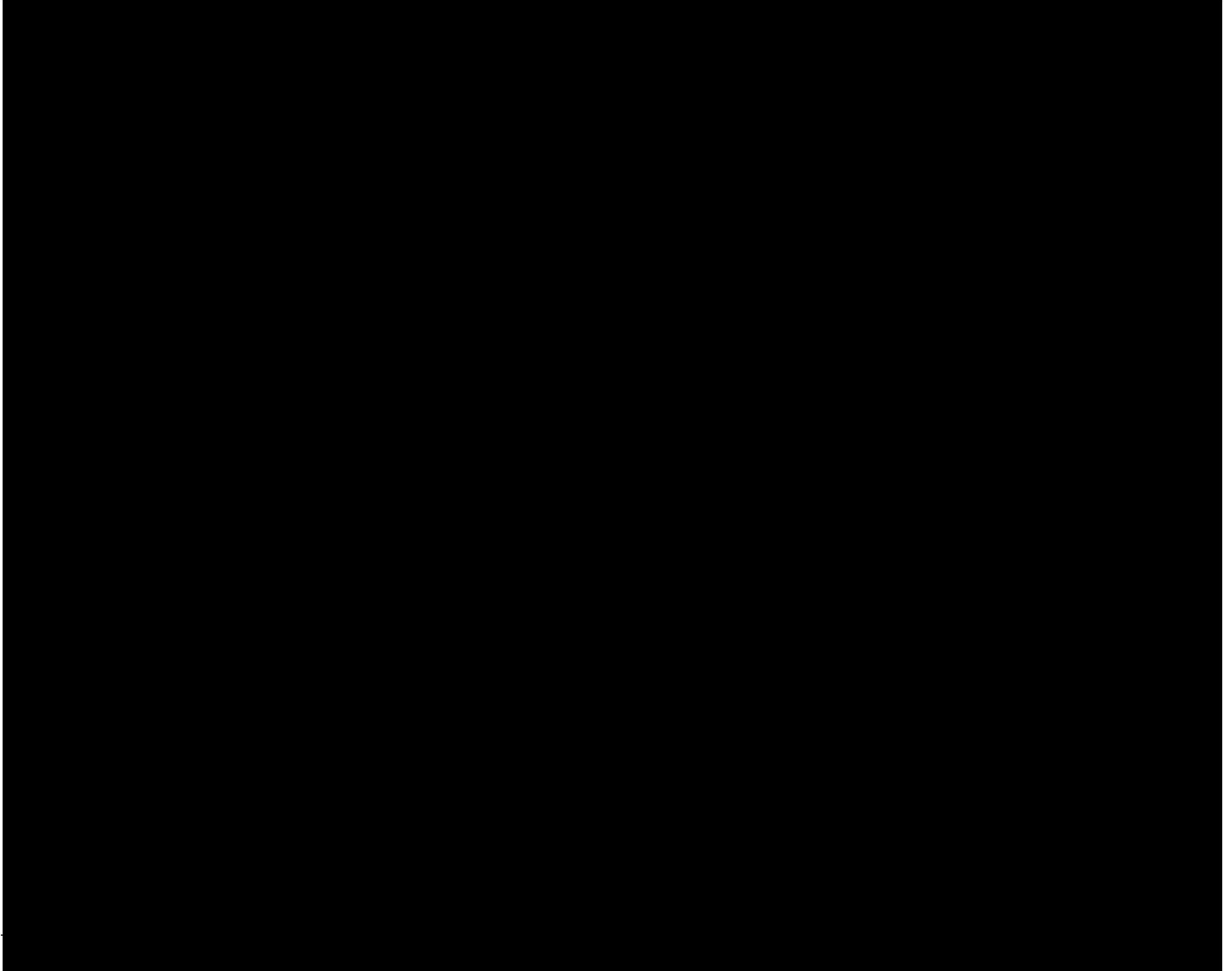
180. A Section 173 Agreement is registered on the title. The agreement is between the landowner and Yarra City Council and relates to a previous office use of the land, prior to the establishment of the car sales and repairs use on the site.
181. Whilst the agreement is in a practical sense redundant, it still exists on title and therefore the proposed scheme would contravene its requirements. Therefore, the agreement must be amended or ended before the development can proceed.
182. The validity of the imposing a permit condition which requires the ending of an agreement, to which the Minister for Planning is not a party to, was raised with the permit applicant at the RFI stage. Legal advice was subsequently provided, from Rigby Cooke Lawyers, dated 3 September 2024. The advice states:
 - a) *a condition requiring the removal or amendment of the Section 173 Agreement is a valid permit condition, consistent with the findings in Sixth-Fifth Eternity Pty Ltd; and*
 - b) *it is open for the Minister (as the responsible authority through the Development Facilitation Program) to include the condition even where the removal or amendment of the Section 173 Agreement requires a separate process through Council as the Section 173 Agreement remains enforceable until such time as Council agrees to the removal or amendment*
183. Importantly, the council have not specifically objected to a condition of this nature. Should a permit be issued, the council have recommended a condition which states that the permit will not come into effect until the relevant agreement is amended or ended. This condition has been agreed to by the permit applicant and is recommended for inclusion on the planning permit.

Development Contributions Overlay, Schedule 1

184. The subject site is within an area covered by the Yarra Development Contributions Plan.
185. Conditions are recommended to secure the required development infrastructure and community infrastructure contributions, in accordance with the above plan, as recommended by the council.



186. It is recommended that the amended Planning Permit No. PA2403098 for the land at 21-53 Hoddle Street, Collingwood be issued subject to conditions.
187. It is recommended that the applicant and the statutory and non-statutory referral authorities be notified of the above in writing.





Application requirements

Clause 58.01-1	Assessment
<ul style="list-style-type: none"> An application must be accompanied by: <ul style="list-style-type: none"> An urban context report. A design response. 	<p>Complies</p> <p>A sufficiently detailed Design Response and Urban Context Report, prepared by Cox Architects and UpCo Planning Consultants was submitted with the application.</p>

Urban context report

Clause 58.01-2	Assessment
<ul style="list-style-type: none"> The urban context report may use a site plan, photographs or other techniques and must include: An accurate description of: <ul style="list-style-type: none"> Site shape, size, orientation and easements. Levels and contours of the site and the difference in levels between the site and surrounding properties. The location and height of existing buildings on the site and surrounding properties. The use of surrounding buildings. The location of private open space of surrounding properties and the location of trees, fences and other landscape elements. Solar access to the site and to surrounding properties. Views to and from the site. Street frontage features such as poles, street trees and kerb crossovers. The location of local shops, public transport services and public open spaces within walking distance. Movement systems through and around the site. Any other notable feature or characteristic of the site. An assessment of the characteristics of the area including: <ul style="list-style-type: none"> Any environmental features such as vegetation, topography and significant views. The pattern of subdivision. Street design and landscape. The pattern of development. Building form, scale and rhythm. Connection to the public realm. Architectural style, building details and materials. Off-site noise sources. The relevant NatHERS climate zones (as identified in Clause 58.03-1). Social and economic activity. Any other notable or cultural characteristics of the area. 	<p>Complies</p> <p>A sufficiently detailed Design Response and Urban Context Report, prepared by Cox Architects and UpCo Planning Consultants was submitted with the application.</p>

Design response

Clause 58.01-3	Assessment
<ul style="list-style-type: none"> The design response must explain how the proposed design: <ul style="list-style-type: none"> Responds to any relevant planning provision that applies to the land. Meets the objectives of Clause 58. Responds to any relevant housing, urban design and landscape plan, strategy or policy set out in this scheme. Derives from and responds to the urban context report. The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement. 	<p>Complies</p> <p>A sufficiently detailed Design Response and Urban Context Report, prepared by Cox Architects and UpCo Planning Consultants was submitted with the application.</p>



Urban context objectives

Clause 58.02-1	Assessment
Objectives <ul style="list-style-type: none"> 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. 	Complies Refer to the built form assessment section of this report.
Standard D1 <ul style="list-style-type: none"> 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. 	As above

Residential policy objectives

Clause 58.02-2	Assessment
Objectives <ul style="list-style-type: none"> To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework. To support higher density residential development where development can take advantage of public and community infrastructure and services. 	Complies The proposal provides 407 residential dwellings in very well serviced location in Collingwood.
Standard D2 <ul style="list-style-type: none"> An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the Municipal Planning Strategy and the Planning Policy Framework. 	Complies The proposal incorporates a diverse range of dwellings typos including studios, one-, two- and three-bedroom dwellings.

Dwelling diversity objectives

Clause 58.02-3	Assessment
Objective <ul style="list-style-type: none"> To encourage a range of dwelling sizes and types in developments of ten or more dwellings 	Complies
Standard D3 <ul style="list-style-type: none"> Developments of ten or more dwellings should provide a range of dwelling sizes and types, including dwellings with a different number of bedrooms. 	Complies The proposal incorporates a diverse range of dwellings typos including studios, one-, two- and three-bedroom dwellings.

Infrastructure objectives

Clause 58.02-4	Assessment
Objectives <ul style="list-style-type: none"> To ensure development is provided with appropriate utility services and infrastructure. To ensure development does not unreasonably overload the capacity of utility services and infrastructure. 	Complies
Standard D4 <ul style="list-style-type: none"> 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 The development will be appropriately connected to services and required infrastructure.



Integration with the street objective

Clause 58.02-5	Assessment
Objective <ul style="list-style-type: none"> To integrate the layout of development with the street. 	Complies
Standard D5 <ul style="list-style-type: none"> Developments should be oriented to front existing and proposed streets. Along street frontage, development should: <ul style="list-style-type: none"> Incorporate pedestrian entries, windows, balconies or other active spaces. Limit blank walls. Limit high front fencing, unless consistent with the existing urban context. Provide low and visually permeable front fences, where proposed. Conceal car parking and internal waste collection areas from the street. adequate vehicle and pedestrian links that maintain or enhance local accessibility. Development next to existing public open space should be designed to complement the open space and facilitate passive surveillance. 	Complies <p>The residential entry lobby is provided centrally off the proposed through, it is adjacent communal amenity areas and subject to clear wayfinding will be clearly legible.</p> <p>The commercial tenancies are proposed to be located adjacent to the site's various interfaces, with pedestrian entries, windows and spill out spaces. The development is considered to be well designed with regard to provide activation and passive surveillance to the streets and the proposed through links/open space.</p>

Energy efficiency objectives

Clause 58.03-1	Assessment
Objectives <ul style="list-style-type: none"> To achieve and protect energy efficient dwellings and buildings. To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy. To ensure dwellings achieve adequate thermal efficiency. 	Complies
Standard D6 <ul style="list-style-type: none"> Buildings should be: <ul style="list-style-type: none"> Oriented to make appropriate use of solar energy. Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced. Living areas and private open space should be located on the north side of the development, if practicable. Developments should be designed so that solar access to north-facing windows is optimised. Dwellings located in a climate zone identified in Table D1 should not exceed the maximum NatHERS annual cooling load specified in the following table. 	Complies <p>The proposed development will achieve acceptable ESD credentials as discussed in the assessment section of this report. Further, it is noted that dwellings have been designed to achieve maximise solar and daylight access despite site constraints.</p>



Table D1 Cooling load

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

Note:

- Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy).

Communal open space objective

Clause 58.03-2	Assessment
Objectives <ul style="list-style-type: none"> • To provide communal open space that meets the recreation and amenity needs of residents. • To ensure that communal open space is accessible, practical, attractive, easily maintained. • To ensure that communal open space is integrated with the layout of the development and enhances resident amenity. 	Complies
Standard D7 <ul style="list-style-type: none"> • A development of 10 or more dwellings should provide a minimum area of communal outdoor open space of 30 square metres. • If a development contains 13 or more dwellings, the development should also provide an additional minimum area of communal open space of 2.5 square metres per dwelling or 220 square metres, whichever is the lesser. This additional area may be indoors or outdoors and may consist of multiple separate areas of communal open space. • Each area of communal open space should be: <ul style="list-style-type: none"> ○ Accessible to all residents. ○ A useable size, shape and dimension. ○ Capable of efficient management. ○ Located to: <ul style="list-style-type: none"> - Provide passive surveillance opportunities, where appropriate. - Provide outlook for as many dwellings as practicable. - Avoid overlooking into habitable rooms and private open space of new dwellings. - Minimise noise impacts to new and existing dwellings. • Any area of communal outdoor open space should be landscaped and include canopy cover and trees. 	Complies, subject to conditions. <p>The development is proposed to contain communal open space areas which exceed the size requirements required by Standard D7. This includes 757sqm of communal external open space, in the form of a two roof terraces and a swimming pool on level 15 and 16. Additionally, approximately 725sqm of internal communal facilities are proposed on the ground floor level, further complimented by the semi-private and public open space areas on the ground floor. The communal open space provision is a positive element of the scheme.</p>

Solar access to communal outdoor open space objective

Clause 58-03-3	Assessment
Objective	Complies



<ul style="list-style-type: none"> To allow solar access into communal outdoor open space 	
Standard D8 <ul style="list-style-type: none"> The communal outdoor open space should be located on the north side of a building, if appropriate. At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June. 	Complies Solar access in accordance with the Standard is achieved within communal open space areas on the level 15 and 16 roof terraces, with 50% of the area receiving sunlight for at least two hours during the June solstice.

Safety objective

Clause 58.03-4	Assessment
Objective <ul style="list-style-type: none"> To ensure the layout of development provides for the safety and security of residents and property 	Complies
Standard D9 <ul style="list-style-type: none"> 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 The proposed residential entries are considered to be easily identifiable. Further details on lighting and landscaping will be secured via conditions.

Landscaping objectives

Clause 58.03-5	Assessment
Objectives <ul style="list-style-type: none"> To provide landscaping that supports the existing or preferred urban context of the area and reduces the visual impact of buildings on the streetscape. To preserve existing canopy cover and support the provision of new canopy cover. To ensure landscaping is climate responsive, supports biodiversity, wellbeing and amenity and reduces urban heat. 	Complies
Standard D10 <ul style="list-style-type: none"> Development should retain existing trees and canopy cover. Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made. Development should: <ul style="list-style-type: none"> Provide the canopy cover and deep soil areas specified in Table D2. Existing trees can be used to meet the canopy cover requirements of Table D2. Provide canopy cover through canopy trees that are: <ul style="list-style-type: none"> Located in an area of deep soil specified in Table D3. Where deep soil cannot be provided trees should be provided in planters specified in Table D3. Consistent with the canopy diameter and height at maturity specified in Table D4. Located in communal outdoor open space or common areas or street frontages. Comprise smaller trees, shrubs and ground cover, including flowering native species. Include landscaping, such as climbing plants or smaller plants in planters, in the street frontage and in outdoor areas, including communal outdoor open space. Shade outdoor areas exposed to summer sun through landscaping or shade structures and use paving and surface materials that lower surface temperatures and reduce heat absorption. Be supported by irrigation systems which utilise alternative water sources such as rainwater, stormwater and recycled water. Protect any predominant landscape features of the area. 	Variation proposed Landscaping is proposed to be provided around the buildings and within the proposed communal terraces, public open space and realm areas. The supporting documents indicate that 17.1% of the site will be set aside for planting, 5.4% of which will be for deep soil planting areas containing 9 type A and 6 type B trees. The proposal does not meet the standard, in terms of the extent of deep soil planting area. However, the proposed variation is acceptable in this instance because: <ul style="list-style-type: none"> The proposal will significantly increase the landscaping/canopy cover compared with existing conditions where no landscaping/vegetation is provided. The site is in a Commercial 1 Zone. Due to the zoning of the land, it is not considered necessary, from a contextual perspective, to require fully compliant deep soil planting. The extent of vegetated planters and climbers provided will contribute to



- *Take into account the soil type and drainage patterns of the site.*
- *Provide a safe, attractive and functional environment for residents.*
- *Specify landscape themes, vegetation (location and species), irrigation systems, paving and lighting.*
- *Specify landscape themes, vegetation (location and species), irrigation systems, paving and lighting.*

Table D2 Canopy cover and deep soil requirements

Site area (sqm)	Canopy cover	Deep soil
1000 square metres or less	% of site area include at least 1 Type A tree	% of site area or 12 square metres whichever is the greater
1001 – 1500 square metres	1000 square metres plus 20% of site area above 1,000 square metres include at least 1 Type B tree	5% of site area
1501 - 2500 square metres	1500 square metres plus 20% of site area above 1,500 square metres include at least 2 Type B trees or 1 Type C tree	5% of site area
2500 square metres or more	2000 square metres plus 20% of site area above 2,500 square metres include at least 2 Type B trees or 1 Type C tree	5% of site area

Table D3 Soil requirements for trees

Tree type	Area in deep soil Area of deep soil	Volume in planter Volume of planter soil	Depth of planter soil
Small tree	1 square metres (min. plan dimension 2.5 metres)	1 cubic metres (min. plan dimension 2.5 metres)	100 mm
Medium tree	4 square metres (min. plan dimension 4.5 metres)	4 cubic metres (min. plan dimension of 4.5 metres)	150 mm
Large tree	9 square metres (min. plan dimension 6.5 metres)	9 cubic metres (min. plan dimension of 6.5 metres)	200 mm

Note:

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

Table D4 Tree types

Tree type	Minimum canopy diameter at maturity	Minimum height at maturity
Small tree	1 metres	2 metres
Medium tree	2 metres	4 metres
Large tree	3 metres	6 metres

the amenity of the site and area and achieves the intent of the standard.

Access objectives

Clause 58.03-6	Assessment
Objectives	Complies



<ul style="list-style-type: none"> • <i>To ensure that vehicle crossovers are designed and located to provide safe access for pedestrians, cyclists and other vehicles.</i> • <i>To ensure the vehicle crossovers are designed and located to minimise visual impact.</i> 	
<p>Standard D11</p> <ul style="list-style-type: none"> • <i>Vehicle crossovers should be minimised.</i> • <i>Car parking entries should be consolidated, minimised in size, integrated with the façade and where practicable located at the side or rear of the building.</i> • <i>Pedestrian and cyclist access should be clearly delineated from vehicle access.</i> • <i>The location of crossovers should maximise pedestrian safety and the retention of on-street car parking spaces and street trees.</i> • <i>Developments must provide for access for service, emergency and delivery vehicles.</i> 	<p>Complies</p> <p>The proposal seeks to remove four existing vehicle crossovers (one on Hoddle Street, one on Langridge Street and two on Islington St) and to provide one single access/egress point adjacent to the southern boundary on Islington Street. The removal and consolidation of the access points is a positive element of the scheme as it will improve pedestrian and cyclists' safety conditions, create space for additional on-street parking spaces and will ensure the vehicle accessway does not detract from or dominate the appearance of the development.</p>

Parking location objectives

<p>Clause 58.03-7</p>	<p>Assessment</p>
<p>Objectives</p> <ul style="list-style-type: none"> • <i>To provide convenient parking for resident and visitor vehicles.</i> • <i>To protect residents from vehicular noise within developments.</i> 	<p>Complies</p>
<p>Standard D12</p> <ul style="list-style-type: none"> • <i>Car parking facilities should:</i> <ul style="list-style-type: none"> ○ <i>Be reasonably close and convenient to dwellings.</i> ○ <i>Be secure.</i> ○ <i>Be well ventilated if enclosed.</i> • <i>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.</i> 	<p>Complies</p> <p>The proposed car parking location is convenient, secure and will be well ventilated.</p>

Integrated water and stormwater management objectives

<p>Clause 58.03-8</p>	<p>Assessment</p>
<p>Objectives</p> <ul style="list-style-type: none"> • <i>To encourage the use of alternative water sources such as rainwater, stormwater and recycled water.</i> • <i>To facilitate stormwater collection, utilisation and infiltration within the development.</i> • <i>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.</i> 	<p>Complies</p>
<p>Standard D13</p> <ul style="list-style-type: none"> • <i>Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use.</i> • <i>Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.</i> • <i>The stormwater management system should be:</i> <ul style="list-style-type: none"> ○ <i>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).</i> ○ <i>Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.</i> 	<p>Complies</p> <p>The proposal includes a rainwater harvesting system that will capture stormwater runoff within 40000L rainwater tanks. The proposed stormwater management / water sensitive urban design strategy meets best practice performance objectives for stormwater quality. This matter is further discussed in the Sustainability assessment section of this report.</p>



Building setback objectives

Clause 58.04-1	Assessment
Objectives <ul style="list-style-type: none"> To ensure the setback of a building from a boundary appropriately responds to the existing urban context or contributes to the preferred future development of the area. To allow adequate daylight into new dwellings. To limit views into habitable room windows and private open space of new and existing dwellings. To provide a reasonable outlook from new dwellings. To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents. 	Complies
Standard D14 <ul style="list-style-type: none"> The built form of the development must respect the existing or preferred urban context and respond to the features of the site. Buildings should be set back from side and rear boundaries, and other buildings within the site to: <ul style="list-style-type: none"> Ensure adequate daylight into new habitable room windows. Avoid direct views into habitable room windows and private open space of new and existing dwellings. Developments should avoid relying on screening to reduce views. Provide an outlook from dwellings that creates a reasonable visual connection to the external environment. Ensure the dwellings are designed to meet the objectives of Clause 58. 	Complies The proposed development is considered to be designed appropriately with regard to the site's urban context, the adjoining interfaces, adjoining and adjacent amenity and for the purpose of achieving acceptable outlook and internal amenity for future occupants. This is discussed in further detail throughout the assessment section of this report.

Internal views objective

Clause 58.04-2	Assessment
Objective <ul style="list-style-type: none"> To limit views into the private open space and habitable room windows of dwellings within a development. 	Complies
Standard D15 <ul style="list-style-type: none"> Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the private open space of a lower-level dwelling directly below and within the same development. 	Complies, subject to conditions. Where required, screening is proposed to be provided between balconies/terraces, habitable room windows and communal areas, to limit internal overlooking within the development. In some areas obscure glazing to 1.7-1.8m is proposed, and in other areas 'screens' are proposed. The details of the proposed 'screens' are recommended to be secured by condition to ensure the materiality and transparency of the screens are fit for purpose in terms of providing limiting overlooking.

Noise impacts objectives

Clause 58.04-3	Assessment
Objectives <ul style="list-style-type: none"> To contain noise sources in developments that may affect existing dwellings. To protect residents from external and internal noise sources. 	Complies
Standard D16 <ul style="list-style-type: none"> Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings. The layout of new dwellings and buildings should minimise noise transmission within the site. Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings. 	Complies, subject to conditions. Internally, noise sources that may affect dwellings include the mechanical plant, car park entry, commercial premises, ancillary gym and shared services. Externally, noise sources may affect dwellings include road noise from Hoddle Street (which varies more than 40,000 Annual Average Traffic Volume), the transformer station on the east



- **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.**

Table D5 Noise influence area

Noise source	Noise influence area
Zone interface	
Industry	30 metres from the Industrial 1, 2 and 3 zone boundary
Roads	
Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume	30 metres from the nearest trafficable lane
Railways	
Railway servicing passengers in Victoria	30 metres from the centre of the nearest track
Railway servicing freight outside Metropolitan Melbourne	30 metres from the centre of the nearest track
Railway servicing freight in Metropolitan Melbourne	35 metres from the centre of the nearest track

Note:

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

side of Hoddle Street and commercial uses opposite on Hoddle Street (petrol station and Yorkshire Hotel).

The application is supported by an Acoustic Report, prepared by Renzo Tonin and Associates, dated 30 May 2024 (Revision 8).

It is noted the submitted acoustic report indicates that the mechanical plant and car park entry has not been selected yet in terms of specific equipment. During the detailed design, it is proposed to be designed to comply with the Noise Protocol requirements. This is acceptable and the further details are recommended to be secured via condition, in part to also ensure the dwelling at 18 Islington Street is not adversely impacted by noise associated with the car park entry.

The submitted acoustic report demonstrates, that the proposal will achieve the required internal noise levels with specific wall cladding and glazing configurations. This will mitigate any noise related impacts from external noise sources.

Wind impacts objective

Clause 58.04-4	Assessment
Objective <ul style="list-style-type: none"> • To ensure the built form, design and layout of development does not generate unacceptable wind impacts within the site or on surrounding land. 	Complies
Standard D17 <ul style="list-style-type: none"> • Development of five or more storeys, excluding a basement should: <ul style="list-style-type: none"> ○ not cause unsafe wind conditions specified in Table D6 in public land, publicly accessible areas on private land, private open space and communal open space; and ○ achieve comfortable wind conditions specified in Table D6 in public land and publicly accessible areas on private land within a distance of half the greatest length of the building, or half the total height of the building measured outwards on the horizontal plane from the ground floor building façade, whichever is greater. • Trees and landscaping should not be used to mitigate wind impacts. This does not apply to sitting areas, where trees and 	Complies <p>The application was supported by a wind impact assessment, prepared by MEL Consultants, dated 30 May 2024. It includes recommendations for several wind mitigation measures, many of which have been incorporated into the proposal. Further detail is recommended to be secured via condition to ensure the private balconies, communal terraces and publicly accessible outdoor dining/seating areas meet comfortable wind conditions. Further detail is contained in the offsite and internal amenity section of this report.</p>



landscaping may be used to supplement fixed wind mitigation elements.

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

Table D6 Wind conditions

Unsafe	Comfortable
<p>Annual maximum 3 second gust wind speed exceeding 20 metres per second with a probability of exceedance of 0.1% considering at least 16 wind directions.</p>	<p>Hourly mean wind speed or gust equivalent mean speed (3 second gust wind speed divided by 1.85), from all wind directions combined with probability of exceedance less than 20% of the time, equal to or less than:</p> <ul style="list-style-type: none"> • 3 metres per second for sitting areas, • 4 metres per second for standing areas, • 5 metres per second for walking areas.

Accessibility objective

Clause 58.05-1	Assessment						
<p>Objective</p> <ul style="list-style-type: none"> • To ensure the design of dwellings meets the needs of people with limited mobility. 	<p>Complies</p>						
<p>Standard D18</p> <ul style="list-style-type: none"> • At least 50 per cent of dwellings should have: <ul style="list-style-type: none"> ○ A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom. ○ A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area. ○ A main bedroom with access to an adaptable bathroom. ○ At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table D7. <p>Table D7 Bathroom design:</p> <table border="1"> <thead> <tr> <th></th> <th>ign option A</th> <th>ign option B</th> </tr> </thead> <tbody> <tr> <td>or opening</td> <td>ear 850mm wide door opening</td> <td>ear 820mm wide door opening located opposite the shower</td> </tr> </tbody> </table>		ign option A	ign option B	or opening	ear 850mm wide door opening	ear 820mm wide door opening located opposite the shower	<p>Complies</p> <p>The proposal is designed to meet the needs of people with limited mobility, with 66.8% of dwellings achieving compliance with the requirements of Standard D18.</p>
	ign option A	ign option B					
or opening	ear 850mm wide door opening	ear 820mm wide door opening located opposite the shower					



er Design	er: <ul style="list-style-type: none"> • A slide door, or • A door that opens outwards, or • A door that opens inwards that is clear of the circulation area and has readily removable hinges. 	er: <ul style="list-style-type: none"> • A slide door, or • A door that opens outwards, or • A door that opens inwards and has readily removable hinges.
ulation area	ear circulation area that is: <ul style="list-style-type: none"> • A minimum area of 1.2 metres by 1.2 metres. • Located in front of the shower and the toilet. • Clear of the toilet, basin and the door swing. <p>circulation area for the toilet and shower can overlap.</p>	ear circulation area that is: <ul style="list-style-type: none"> • A minimum width of 1 metre. • The full length of the bathroom and a minimum length of 2.7 metres. • Clear of the toilet and basin. <p>circulation area can include a shower area.</p>
1 to circulation area	ear path with a minimum width of 900mm from the door opening to the circulation area.	applicable
wer	obless (step-free) shower.	obless (step-free) shower that has a removable shower screen and is located on the best wall from the door opening.
et	ilet located in the corner of the room.	ilet located closest to the door opening and clear of the circulation area.

Building entry and circulation objectives

Clause 58.05-2	Assessment
Objectives <ul style="list-style-type: none"> • <i>To provide each dwelling and building with its own sense of identity.</i> • <i>To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.</i> • <i>To ensure internal communal areas provide adequate access to daylight and natural ventilation.</i> 	Complies
Standard D19 <ul style="list-style-type: none"> • <i>Entries to dwellings and buildings should:</i> <ul style="list-style-type: none"> ○ <i>Be visible and easily identifiable.</i> ○ <i>Provide shelter, a sense of personal address and a transitional space around the entry.</i> 	Complies Residential entries are clearly identifiable, accessible and will not be obstructed by building services. A way-finding strategy is recommended to be secured via



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

condition though, to ensure the various tenancies along with the residential entry and publicly accessible open space, is more easily identifiable from the various street interfaces.

Upper-level corridors are provided with clear lines of sight where practical and are also provided with ventilation and sources of natural daylight.

Private open space objective

Clause 58.05-3	Assessment
Objective <ul style="list-style-type: none"> • To provide adequate private open space for the reasonable recreation and service needs of residents 	Complies
Standard D20 <ul style="list-style-type: none"> • A dwelling should have private open space consisting of at least one of the following: <ul style="list-style-type: none"> ○ An area at ground level of at least 25 square metres, with a minimum dimension of 3 metres and convenient access from a living room. ○ A balcony with at least the area and dimensions specified in Table D8 and convenient access from a living room. ○ An area on a podium or other similar base of at least 15 square metres, with a minimum dimension of 3 metres and convenient access from a living room. ○ An area on a roof of 10 square metres, with a minimum dimension of 2 metres and convenient access from a living room. • If a cooling or heating unit is located on a balcony, the minimum balcony area specified in Table D8 should be increased by at least 1.5 square metres. • If the finished floor level of a dwelling is 40 metres or more above ground level, the requirements of Table D8 do not apply if at least the area specified in Table D9 is provided as living area or bedroom area in addition to the minimum area specified in Table D11 or Table D12 in Standard D25. <p style="text-align: center;">Table D8 Balcony size</p>	Variation required <p>The majority of the proposed apartments comply with the requirements of Standard D20. This is except for Apartment type D06, which effects 11, three-bedroom dwellings. The dwellings are proposed to contain a 10.8sqm balcony, where a 12sqm balcony is required. The 1.2sqm variation is considered to be acceptable in this instance because:</p> <ul style="list-style-type: none"> • The proposed development incorporates substantial areas of internal and external communal space. Therefore, the recreational needs of future occupants will be suitably catered for. • The dwelling type is proposed to be provided with additional indoor space, in the form of the dining room and WIR, is dual aspect, and complies with the functional layout and natural ventilation standards. <p>For the above reasons, it is considered the proposed variation will not unreasonable compromise the recreational and service needs of the future residents.</p>



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

Table D9 Additional living area or bedroom area

Dwelling type	Additional area
Studio or 1 bedroom	8 square metres
2 bedroom	8 square metres
3 or more bedroom	12 square metres

Storage objective

Clause 58.05-4	Assessment						
Objective <ul style="list-style-type: none"> To provide adequate storage facilities for each dwelling 	Complies						
Standard D21 <ul style="list-style-type: none"> Each dwelling should have convenient access to usable and secure storage space. The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table D10. 	Complies, subject to conditions. <p>Each of the proposed dwellings will have access to usable and secure storage, in accordance with the internal and external storage requirements of Standard D21. It is noted the various storage cage sizes in the basement are identified as Type A to D but the corresponding allocation of cage types to dwellings is not noted on the BADS assessment. This detail is recommended to be secured by a condition of the permit.</p>						
Table D10 Storage							
<table border="1"> <thead> <tr> <th>Dwelling type</th> <th>Total minimum storage volume</th> <th>Minimum storage volume within the dwelling</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>		Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling			
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

Common property objectives

Clause 58.06-1	Assessment
Objectives <ul style="list-style-type: none"> To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. To avoid future management difficulties in areas of common ownership. 	Complies
Standard D22 <ul style="list-style-type: none"> Developments should clearly delineate public, communal and private areas. Common property, where provided, should be functional and capable of efficient management. 	Complies Common property areas are designed to be functional and will be capable of efficient management.

Site services objectives

Clause 58.06-2	Assessment
Objectives <ul style="list-style-type: none"> To ensure that site services are accessible and can be installed and maintained. To ensure that site services and facilities are visually integrated into the building design or landscape. 	Complies
Standard D23 <ul style="list-style-type: none"> Development should provide adequate space (including easements where required) for site services to be installed and maintained efficiently and economically. Meters and utility services should be designed as an integrated component of the building or landscape. Mailboxes and other site facilities should be adequate in size, durable, water-protected, located for convenient access and integrated into the overall design of the development. 	Complies, subject to conditions. The location of site services is appropriate as they are conveniently located and positioned in accordance with service requirements. The proposed fire booster cupboard and gas metres are incorporated into the design with metal louvre doors, as is the proposed substation along the Islington Street interface. Further design details are recommended be secured by condition in a Façade Strategy.

Waste and recycling objectives

Clause 58.06-3	Assessment
Objectives <ul style="list-style-type: none"> To ensure dwellings are designed to encourage waste recycling. To ensure that waste and recycling facilities are accessible, adequate and attractive. To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm. 	Complies
Standard D24 <ul style="list-style-type: none"> Developments should include dedicated areas for: <ul style="list-style-type: none"> Waste and recycling enclosures which are: <ul style="list-style-type: none"> Adequate in size, durable, waterproof and blend in with the development. Adequately ventilated. 	Complies The proposed WMP, prepared by Leigh Design, is considered to acceptable and its endorsement is recommended to be secured by condition.



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

External walls and materials objective

Clause 58.06-4	Assessment
Objectives <ul style="list-style-type: none"> • To ensure external walls use materials appropriate to the existing urban context or preferred future development of the area. • To ensure external walls endure and retain their attractiveness. 	Complies
Standard D25 <ul style="list-style-type: none"> • External walls should be finished with materials that: <ul style="list-style-type: none"> o Do not easily deteriorate or stain. o Weather well over time. o Are resilient to the wear and tear from their intended use. • External wall design should facilitate safe and convenient access for maintenance. 	Complies As detailed in the assessment section of this report, the proposed external materials are appropriate having regard to the character of the area. This is subject to conditions, which will secure further details regarding the types of bricks, how they are laid and other detailed design matters. Overall, though, the proposed material list appears durable and of high quality.

Functional layout objective

Clause 58.07-1	Assessment						
Objective <ul style="list-style-type: none"> • To ensure dwellings provide functional areas that meet the needs of residents 	Does not comply – addressed via conditions.						
Standard D26 <ul style="list-style-type: none"> • Bedrooms should: <ul style="list-style-type: none"> o Meet the minimum internal room dimensions specified in Table D11. o Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe. <p style="text-align: center;">Table D11 Bedroom dimensions</p> <table border="1" style="width: 100%; text-align: center;"> <thead> <tr> <th style="width: 33%;">Bedroom type</th> <th style="width: 33%;">Minimum width</th> <th style="width: 33%;">Minimum depth</th> </tr> </thead> <tbody> <tr> <td style="height: 20px;"> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Bedroom type	Minimum width	Minimum depth				Does not comply – addressed via conditions. Most of the proposed dwellings comply with the requirements of Standard D26. This is except for Studio Apartment Type A05 which does not contain a living area with a minimum width of 3.3sqm/min area of 10sqm. The proposed dwelling layout is shown below:
Bedroom type	Minimum width	Minimum depth					

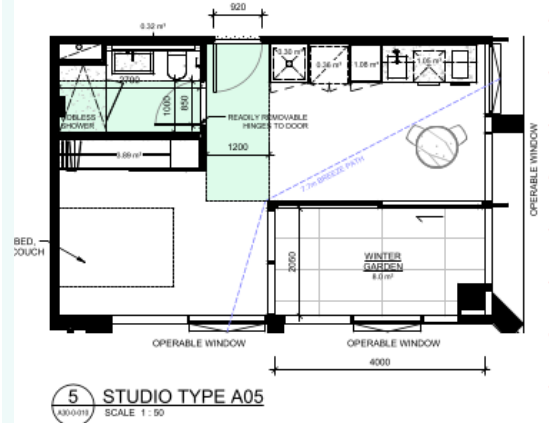
Main bedroom 3 metres 3.4 metres

All other bedrooms 3 metres 3 metres

- Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table B13.

Table D12 Living area dimensions

Dwelling type	Minimum width	Minimum area
Studio and 1 bedroom dwelling	3.3 metres	10 sqm
2 or more bedroom dwelling	3.6 metres	12 sqm



Above: Type A05 dwelling.

The applicant contends that the above layout is acceptable as the bed will be a 'murphy bed' making the area flexible for conversion into a living room. This not an acceptable permanent arrangement and is not supported.

The permit applicant has provided an alternative layout on a 'sketch plan' showing the winter garden removed and converted into living space. Whilst it is acknowledged that the removal of the winter garden would result in a non-compliance with Standard D18 (private open space), the arrangement is considered to be acceptable and improved on the above layout from a functionality perspective, given the dwelling occupants will have access to multiple areas of internal and external communal open space within the building. Furthermore, there are only 5 of the Type A05 dwellings proposed, with the majority of dwellings demonstrating compliance with the standard.

Further to the above, it is noted the Type A01 studio apartments are proposed to a contain bedroom spaces which is approx. 2.08m wide and 2.7m in minimum dimension and generally around 6sqm in size. Whilst it is acknowledged Standard D26 does not explicitly specify minimum bedroom sizes for studio apartments, there are 40 Type A01 dwellings proposed within the development and the internal layout of these dwellings is considered to sub-optimal having regard to the functional needs of residents. In particular, there is limited circulation pace around the bed and no space for bed side table unless in encroaches into the living space. To address this matter, it is recommended space be taken from the balcony to increase the internal living dimensions of the apartment. Or alternatively, the permit applicant may address the issue in another manner, to the satisfaction of the responsible authority. A condition to this effect is recommended to be included on the planning permit.



Room depth objective

Clause 58.07-2	Assessment
Objective <ul style="list-style-type: none"> To allow adequate daylight into single aspect habitable rooms 	Complies
Standard D27 <ul style="list-style-type: none"> Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height. The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met: <ul style="list-style-type: none"> The room combines the living area, dining area and kitchen. The kitchen is located furthest from the window. The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen. The room depth should be measured from the external surface of the habitable room window to the rear wall of the room. 	Complies Several dwellings are proposed to be dual aspect which is a positive element of the scheme. For those that are single aspect, dwellings are designed to comply with the depth requirements and floor to ceiling height requirements of Standard D27.

Windows objective

Clause 58.07-3	Assessment
Objective <ul style="list-style-type: none"> To allow adequate daylight into new habitable room windows. 	Complies
Standard D28 <ul style="list-style-type: none"> Habitable rooms should have a window in an external wall of the building. A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky. The secondary area should be: <ul style="list-style-type: none"> A minimum width of 1.2 metres. A maximum depth of 1.5 times the width, measured from the external surface of the window. 	Complies All habitable room are proposed to be provided with a window.

Natural ventilation objectives

Clause 58.07-4	Assessment
Objectives <ul style="list-style-type: none"> To encourage natural ventilation of dwellings. To allow occupants to effectively manage natural ventilation of dwellings. 	Complies
Standard D29 <ul style="list-style-type: none"> The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate. At least 40 per cent of dwellings should provide effective cross ventilation that has: <ul style="list-style-type: none"> A maximum breeze path through the dwelling of 18 metres. A minimum breeze path through the dwelling of 5 metres. Ventilation openings with approximately the same area. The breeze path is measured between the ventilation openings on different orientations of the dwelling. 	Complies 40.3% of dwellings are proposed to effectively cross ventilated in accordance with Standard D29. Further, it is noted all of the dwellings will have appropriate access to natural ventilation.

Appendix B: Yarra City Council grounds of objection

Council Grounds	DTP response
The proposal lacks strategic support and is contrary to policy at Clause 02.03 (Strategic Directions), Clause 15 (Built Environment and Heritage) and fails in its delivery and supply of housing choices at Clause 16 (Housing) of the Yarra Planning Scheme.	For the reasons set out in the assessment section of this report, it is considered that there is strategic support for the proposed development.
The proposal fails to provide a meaningful affordable housing contribution, including the number, lack of diversity, and short tenure.	The proposal incorporates a 10% affordable housing contribution in accordance with the requirements of Clause 53.23.
The proposal fails to respond to the existing urban context and preferred future development of the area;	For the reasons set out in the assessment section of this report, it is considered the proposal is acceptable with regard to its context.
The proposal is an overdevelopment and would have an unacceptable impact on the surrounding area as a result of its building height, massing, setbacks, transition and architectural composition.	For the reasons set out in the assessment section of this report, it is considered the development will not have an unacceptable impact on the surrounding area as a result of its height, massing, setbacks and architectural composition. It is considered to be acceptable, subject to the recommended conditions.
The amenity of the communal / public open space areas is poorly resolved.	For the reasons set out in the assessment section of this report, it is considered the communal and public open space areas are acceptable on balance.

Appendix C: Public Submissions



Objections	DTP Response
The design is contrary to the existing planning controls and is not respectful of the neighbouring built form and streetscape.	Subject to the recommended permit conditions, the proposal is considered to be acceptable having regard to the Yarra Planning Scheme. Refer to the assessment section of this report for further detail.
The design is not respectful of the nearby buildings of heritage significance, including the clock tower and the silos renovation.	The proposal is considered to be acceptable having regard to the surrounding heritage context, for the reasons set out in the assessment section of this report. It is further noted the subject site is over 400m from the Collingwood Town Hall clock tower.
The proposed buildings are visually bulky.	The proposed development has been designed with appropriate regard for its interfaces and is acceptable in the site's context. This matter is discussed in further detail in the assessment section of this report.
The proposal is overwhelmingly residential. This is not a correct balance of uses, given the commercial 1 zoning of the site.	<p>The purpose of the Commercial 1 Zone is to:</p> <ul style="list-style-type: none"> • To implement the Municipal Planning Strategy and the Planning Policy Framework. • To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses. • To provide for residential uses at densities complementary to the role and scale of the commercial centre. <p>The proposal aligns with the purpose of the C1Z as it incorporates five food and beverage/retail tenancies and a community use on the ground floor with residential dwellings above. The proposed dwelling density is considered to appropriate having regard to the site's location, on a main boulevard, in Collingwood.</p>
The proposal does not meet the DDO2 objectives.	The proposal is considered to be acceptable having regard to the DDO2 objectives. A detailed assessment of the proposal against the objectives is contained throughout the assessment section of this report.
The excessive height would create a detrimental precedence, altering the character of the neighbourhood.	The proposed development has been designed with appropriate regard for its interfaces and is acceptable in the site's context. This matter is discussed in further detail in the assessment section of this report.
A number of small apartments do not meet BADS and are compromised in terms of amenity and outlook.	Conditions are recommended to secure further changes to two of the proposed studio apartment types, ensuring the internal amenity of these apartments is not compromised. All dwellings are provided with an acceptable outlook. Further detailed assessment is contained in the assessment section of the report and at Appendix A.
The single access/egress point from Islington Street will create significant unsolvable traffic congestion. They	The single egress/access point, consolidated on Islington Street, is a positive element of the scheme, as detailed in the assessment section of this report. It is noted the council's



<p>should include access/egress points on Hoddle St and Langridge St.</p>	<p>traffic engineers have not raised specific concern with this element of the scheme and the proposal is supported by the Head, Transport for Victoria.</p>
<p>The site falls within the ‘Low-Rise’ Residential Precinct’ in the Yarra Strategic Framework Plan at Clause 02.04 of the YPS. The proposal is not low rise.</p>	<p>The Strategic Framework Plan must be read in conjunction with the Strategic Directions at Clause 02.03 which seeks to direct mid-rise development to (amongst other areas) boulevards, including Hoddle Street. As noted in the assessment section of this report, the Yarra Planning Scheme does not define ‘mid-rise’.</p>
<p>The proposed density is contrary to the economic direction at Clause 02.03-6 of the scheme which seeks to manage pressure for residential conversion of employment land and to protect opportunities for growth.</p>	<p>The proposed density aligns with several other strategic directions and policy objectives within the Yarra Planning Scheme, as detailed in the assessment section of this report. Importantly, the site’s excellent access to public transport, employment and essential services, makes it appropriate for the proposed increased density. The proposal is also mixed use and therefore will still provide an appropriate contribution to local employment opportunities and economic growth.</p>
<p>The height should be dropped, by between 2 to 4 storeys, to transition down to the adjacent historic silos building (to be considered a significant industrial landmark.</p>	<p>The height of the proposed development is acceptable for the reasons outlined in the assessment section of this report. The proposal is also considered to be appropriate in terms of its potential impact on the heritage significance of the silo building and other adjacent heritage buildings.</p>
<p>The proposal will overlook neighbouring developments, affecting privacy.</p>	<p>It is considered no unreasonable overlooking impacts will occur because of the proposed development. Refer to the assessment section of this report for further detail.</p>
<p>The proposal will overshadow 11 Hoddle Street Collingwood, causing impacts particularly in winter.</p>	<p>The proposal will not worsen existing overshadowing to the POS areas of the adjoining dwellings to the south during the September Equinox. This the test applied under the planning scheme. Further details are contained in the assessment section of this report.</p>
<p>The construction period will negatively impact surrounding residents from dust, noise, road closures.</p>	<p>A construction management plan is recommended to be secured via condition to ensure construction impacts are managed and mitigated appropriately in accordance with Council’s local laws.</p>
<p>Views of from surrounding properties will be impacted.</p>	<p>The outlook from nearby dwellings will inevitably be expected to change because of the proposed development. However, it is considered any changes experienced will not be unreasonable, given the urban context of the site and surrounds. It is also noted that whilst the planning scheme does require an assessment of visual bulk impacts, there are no rights to a view.</p>
<p>Reduction of car spaces will impact the area.</p>	<p>The proposed car parking provision is acceptable for the reasons outlined in the assessment section of this report. In particular, the site is well serviced by public transport and sustainable methods of transport and less car parking will encourage less car dependency in accordance with Clause 02.03-7 of the Yarra Planning Scheme.</p>



No other buildings in the area are tall and the building will dwarf all surrounding areas.	There are several other buildings within the area that of a similar height to the proposed. Whilst they are not immediately adjacent to the site, the proposal is not considered to be introducing a building scale that is at odds with the emerging character of the broader area and is acceptable in this main road location.
Its concerning that only 40% of dwelling are to be cross ventilated, meaning 60% will rely on air conditioning for cooling in the summer months.	The proposal complies with Standard D29 (Natural Ventilation). Whilst not all dwellings will be cross ventilated, all habitable room will have access to natural ventilation.
This is a development that should be in the CBD, not in a historic suburb like Collingwood.	For the reasons outlined in the assessment section of this report, the proposed building height is acceptable having regard to the site's context.
The affordable housing contribution should be increased to 20% and should be permanent.	The proposal seeks to provide 10% affordable housing contribution which is in accordance with the requirements of Clause 53.23 (Significant Residential Development with Affordable Housing).
The proposal will create a wind tunnel on Islington Street.	Offsite wind impacts are to generally remain as per existing conditions on Islington Street based on the Wind Tunnel Assessment, prepared by MEL Consultants, dated 30 May 2024.