

Assessment Officer Report

PA2402798 511-537 Sydney
Road Coburg



Officer Assessment Report
Development Approvals & Design

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Contents

| | |
|--|-------------------------------------|
| Executive Summary | 2 |
| Proposal | 4 |
| Subject Site and Surrounds | 8 |
| Planning Provisions | 10 |
| Referrals and Notice | 14 |
| Assessment | 17 |
| Recommendation | 31 |
| Appendix 1: Clause 58 Assessment (Better Apartments Design Standards) | Error! Bookmark not defined. |

Executive Summary



| Key Information | Details | | | |
|--|---|---|--|--|
| Application No: | PA2402798 | | | |
| Received: | 06 March 2024 | | | |
| Statutory Days: | 98 days on 17/07/2024 | | | |
| Applicant: | Assemble SRC Development Nominee Pty Ltd, Assemble SRC Pty Ltd atf Assemble SRC Trust c/- Tract Consultants | | | |
| Planning Scheme: | Merri-bek | | | |
| Land Address: | 511-537 Sydney Road, Coburg | | | |
| Proposal: | Use and development of the land for a mixed-use development comprising of 326 dwellings, offices and food and drink premises, reduction in car parking requirements, remove an easement and alteration to access to a road in a Transport Zone 2 and Public Acquisition Overlay | | | |
| Development Value: | \$138,485,000 | | | |
| Why is the Minister responsible? | In accordance with the schedule to Clause 72.01 of the Planning Scheme, the Minister for Planning is the responsible Authority for this application because Use or development to which clause 53.23 applies. | | | |
| DFP eligibility criteria in accordance with 53.22 | Category | 1 | | |
| | Sector | Residential | | |
| | Land use | Dwelling, Office, Retail Premises | | |
| | Location | City of Merri-bek | | |
| | Alignment with the DFP threshold/criteria | Yes - \$138 million development cost (\$50 million threshold) | | |
| | OVGA | Yes: Details in assessment | | |
| | Invest Victoria | Yes: Letter received on 05/02/2024 | | |
| | Quantity Surveyor Report | Yes: Cost Plan prepared by Slattery dated 15 February 2024 | | |
| Why is a permit required? | Clause | Control | Trigger | |
| Zone: | Clause 37.08 | Activity Centre Zone Schedule 1 Precinct 2 | Use of the land for a dwelling with a frontage at ground floor exceeding 2 m. Construct a building or construct or carry out works Use of the land for Office and food and drink premises – do not require permit permission in Precinct 2 | |
| | Overlays: | Clause 45.03 | Environmental Audit Overlay | N/A – Audit conducted on 30/09/2021 under No. 0008006615 |
| | | Clause 45.01 | Public Acquisition Overlay PAO1 | A permit is required to use land for any use in Section 1 or Section 2 Construct a building or construct or carry out works |
| | Clause 45.09 | Parking Overlay Schedule 1 | N/A | |
| | Clause 45.06 | Development Contributions Plan Overlay Schedule 1 | N/A | |
| Particular Provisions: | Clause | Easements, Restrictions and | To remove an easement | |



52.02 Reserves

| | | | | |
|------------------------------|--|--|--|-------------------------|
| | Clause 52.06 | Car Parking | Reduction to the car parking requirements | |
| | Clause 52.29 | Land adjacent to the principal road network | A permit is required to create access to a road in a Transport Zone 2 and land in a public acquisition overlay | |
| Cultural Heritage: | The site is not located in an area of Aboriginal cultural heritage sensitivity | | | |
| Total Site Area: | 6,645 | m ² | | |
| Gross Floor Area: | 37,808.2 | m ² | | |
| Height: | 16 | Storeys excluding plant | | |
| | 49.75 | Metres excluding plant | | |
| | 52.15 | Metres (RL114.75) overall height including plant | | |
| Land Uses: | Dwellings | Office | Retail | Other – Assemble |
| | 326 dwellings | 4 offices | Food and drink premises | 342.4 m ² |
| | 23,474.7 m ² | 1051.4 m ² | 103.4 m ² | |
| Parking: | Cars | Motorcycles | Bicycles | |
| | 156 | 3 | 610 (562 residential) | |
| Referral Authorities: | Head, Transport for Victoria – Section 55, determining | | | |
| Advice sought: | N/A | | | |
| Public Notice: | <p>Notice of the application was undertaken by the applicant at the direction of the Minister for Planning in the following manner: letters to the owners and occupiers of adjoining and nearby land. Notice was given to Melbourne Water, Yarra Valley Water and Merri-Bek City Council</p> <p>Four (4) objections were received as of 09/07/2024.</p> <p>Two (2) objections were group objections, from a total of 11 individual nearby residents. One (1) objection is from Merri-Bek City Council.</p> | | | |
| Delegates List: | Approval to determine under delegation received on 01/07/2024 | | | |



Application Process

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

| Development Facilitation Program: Pre-application | |
|---|-------------|
| Enquiry lodgement | August 2023 |
| Informal advice – Pre Application Meeting | 19/10/2023 |
| Invest Victoria feasibility letter | 05/02/2024 |

| Application process | Date |
|----------------------------|---|
| Application lodgement | 06/03/2024 |
| Notice | 10/04/2024 |
| Decision Plans | Plans prepared by Jackson Clements Burrows Architects , titled ' Sydney Rd ', Revision 3 and dated February 2024 |
| Other Assessment Documents | Acoustic Assessment, prepared by Acoustic Logic, dated 29/02/2024 Landscape Plan, prepared mala, dated 29/02/2024 Sustainability Management Plan, prepared by HIP v. Hype, dated 29/02/2024 Traffic Engineering Assessment, prepared by Traffix Group, dated March 2024 Urban Context Report, prepared by Jackson Clements Burrows, dated 29/02/2024 Waste Management Plan, prepared by Traffix Group, dated March 2024 Wind Impact Statement, prepared by Vipac Engineers and Scientists Limited, dated 29/02/2024 |

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

Proposal Summary

3. The proposal is for a multi-storey mixed use building. The scope of the proposal includes:
 - The building comprises a 3-storey podium and two towers with the rear (west) section of both towers at 9 storeys, the front (east) section of the south tower is 15 storeys and the north tower is 16 storeys.
 - The overall height of the building is 46.7 metres.
 - There are a total of 326 dwellings, which are subject to Assemble's build-to-rent-to-own model and 60% of those dwellings qualify as affordable housing for moderate income households.



- The ground floor includes four offices with a total net leasable area (NLA) of 1051sqm and one food and drink premises with a NLA of 103.4sqm.
- Landscaped communal open space at Level 3, and further communal terraces and services at Level 9.
- Building materials include precast concrete, smooth in-situ concrete, folded metal balustrade, brick and powder-coated metal. Colours include red, green, natural concrete and grey.
- 156 car spaces and 610 bicycle spaces.
- Creating new access to a road in a Transport Zone 2 with an accessway to the north of the site.
- Removal of an unused Melbourne Water easement.
- The frontage of the site is affected by a Public Acquisition Overlay.

4. The dwelling summary:

- 1BC (studio) – 26 dwellings – 4 types
- 1B1B – 75 dwellings – 10 types
- 2B1B – 53 dwellings – 9 types
- 2B2B – 103 dwellings – 12 types
- 3B1B – 40 dwellings – 5 types
- 3B2B – 29 dwellings – 4 types

5. The minimum development setbacks are 21.89 metres to Clayton Road (west), 12 metres to Fraser Road (north), 15.6 metres to Deals Road (east) and 7.5 metres to the south.

6. The ground floor plan for the proposal is shown below:



7. The applicant has provided the following concept image/s of the proposal:





Subject Site and Surrounds

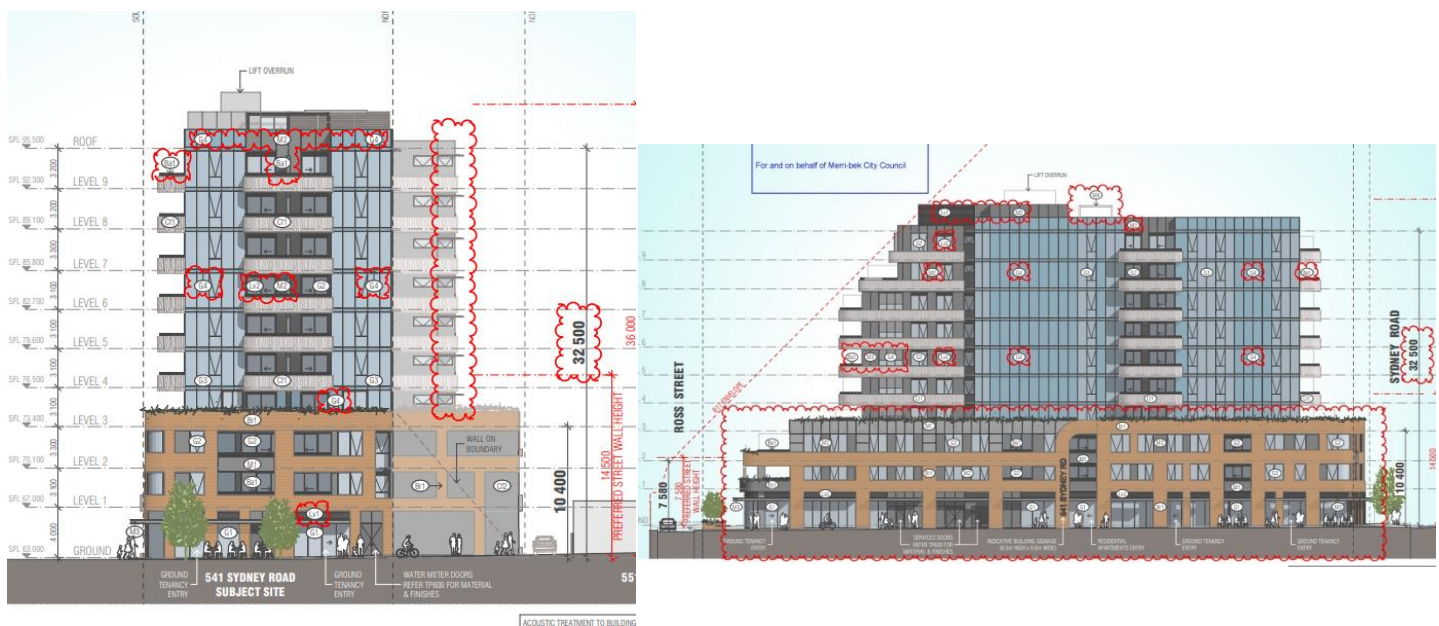


Site Description

8. The site is located in Coburg and is currently vacant land (vacant since at least 2009, source Google Maps). The site is on the west side of Sydney Road and the east side of Ross Street.
9. The site has a frontage to Sydney Road (east) of approximately 89 metres, northern interface to a Council's owned right of way (part of the east-west link) of 75.27 metres, rear (west interface to Ross Street of 85.5 metres, and southern interface to a private road (laneway) of 71.4 metres. The site has a total area of 6645sqm.
10. The site is formally described as comprising the following land parcels: Lot 1 on Title Plan 409652N and Land in Plan of Consolidation 364199E.
11. There is one easement in favour of Melbourne Water (formerly MMBW) which is proposed to be removed as part of this application.

Site Surrounds

12. The surrounding development consists mainly of residential and commercial land uses.
13. Development surrounding the site can be described as follows:
 - To the **north** of the site is a council-owned Right of Way.
 - Further to the north is a vacant site which has been approved for a 11-storey dwelling (inclusive of roof terrace) under Merri-bek planning permit MPS/2020/793. The endorsed plans are shown below:



- To the **south** of the site is a group of two storey commercial buildings with frontages to Sydney Road and Bell Street. There is a private laneway that services the rear of these buildings abutting the subject site. A large portion of these sites are affected by a Public Acquisition Overlay Schedule 1.
- To the **east** of the site is Sydney Road, which is a Transport Zone 2 road with multiple traffic lanes, central tram line and bicycle land on the western side. On the other side of Sydney Road is Bell Street Reverse and several places of worship.



- To the **west** of the site is Ross Street, which is 6 metres wide and provides a narrow concrete footpath along the site's western boundary. Further to the west side are mostly single storey dwelling fronting Lobb Street, which also have rear access from Ross Street. This land is zoned General Residential Zone Schedule 1.

14. Site inspections of the subject site and surrounds were undertaken on **9 July 2024**. Images of the site and surrounds:





Municipal Planning Strategy

15. 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 plans |

Planning Policy Framework

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

| | |
|------------------|--|
| Clause 11 | Settlement |
| 11.01-1S | Settlement |
| 11.01-1R | Settlement – Metropolitan Melbourne |
| 11.03-1S | Activity Centres |
| 11.03-1R | Activity Centres - Metropolitan Melbourne |
| Clause 13 | Environmental Risks and Amenity |
| 13.04-1S | Contaminated and Potentially Contaminated Land |
| Clause 15 | Built Environment and Heritage |
| 15.01-1S | Urban Design |
| 15.01-1R | Urban Design – Metropolitan Melbourne |
| 15.01-1L | Urban Design in Merri-bek |
| 15.01-2S | Building Design |
| 15.01-2L | Building Design in Merri-bek |
| 15.01-2L | Apartment Development in Merri-bek |
| 15.01-2L-04 | Energy efficiency in Merri-bek |
| 15.01-2L-05 | Environmentally sustainable development |
| 15.01-4S | Healthy neighbourhoods |
| 15.01-4R | Healthy neighbourhoods |
| 15.01-5S | Neighbourhood character |
| Clause 16 | Housing |
| 16.01-1S | Housing supply |
| 16.01-1R | Housing supply – Metropolitan Melbourne |
| 16.01-1L | Homes in Merri-bek |
| 16.01-1L | Housing for people with limited mobility |
| 16.01-2S | Housing affordability |
| 16.01-2L | Housing affordability Merri-bek |



| | |
|------------------|---|
| Clause 17 | Economic Development |
| 17.01-1S | Diversified economy |
| Clause 18 | Transport |
| 18.01-3S | Sustainable and safe transport |
| 18.02-1L | Sustainable and safe transport – Metropolitan Melbourne |
| Clause 19 | Infrastructure |

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

Zoning and Overlays

Applicable Zone

Activity Centre Zone Schedule 1

18. A planning permit is required for the use of the land for dwellings and to construct a building or construct or carry out works in accordance with **Activity Centre Zone Schedule 1**. The purpose of Activity Centre is to encourage a mixture of uses and the intensive development of the activity centre with a focus on sustainable urban outcomes for business, shopping, working, housing, leisure, transport and community facilities. The ACZ should deliver a diversity of housing at high densities to make optimum use of the facilities and services, as well as facilitate use and development in accordance with the Development Framework for the activity centre. The schedule to the zone includes a range of land use and development objectives, including to develop the Coburg Principal Activity Centre into a vibrant and diverse pedestrian oriented high density mixed use centre.

Applicable Overlays

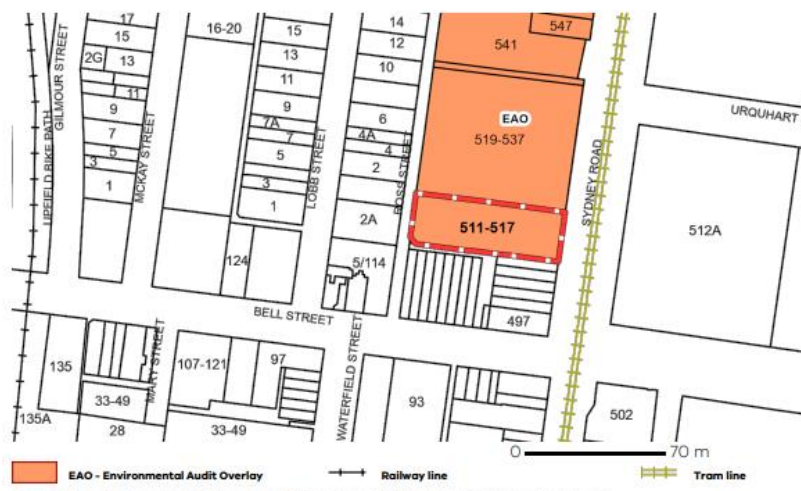
Development Contributions Plan Overlay Schedule 1

19. This overlay is not relevant because contributions under the Development Contribution Plan ended on 30 June 2023.

Environmental Audit Overlay

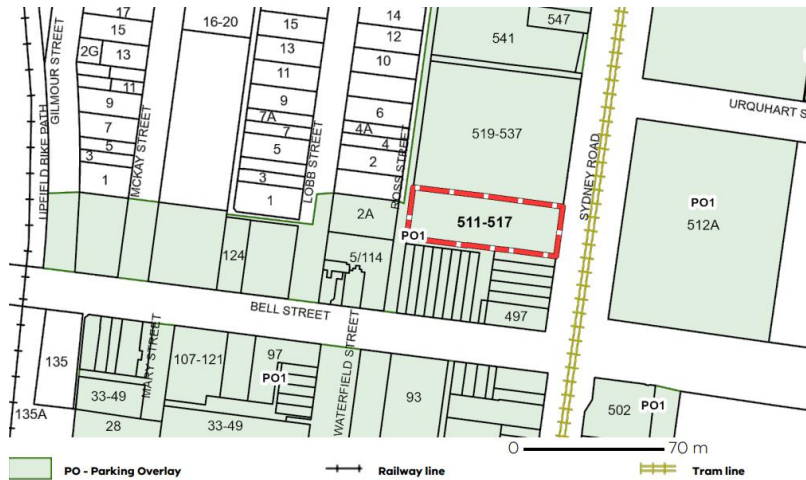
20. The overlay requires a preliminary risk screen assessment (PRSA) or environmental audit before a sensitive use or building and works in association with these uses commences. A residential use is a sensitive use.

21. Planning permit conditions can outline the requirements of the overlay.



Parking Overlay Precinct 1

22. The parking overlay applies 'Column B' car parking rates in the table to Clause 52.06 apply. No other changes apply to car parking design standards.



Public Acquisitions Overlay Schedule 1

23. A permit is required to use land for any Section 1 or Section 2 use in the zone, construct a building or carry out works under the overlay.
24. The PAO1 is for the purpose of road acquisition and was referred to the acquiring authority for the land Head, Transport for Victoria. Referral comments have been provided below.



Particular and General Provisions

Provisions that Require, Enable or Exempt a Permit

25. Clause 52.02 enables the removal and variation of an easement or restrictions to enable a use or development that complies with the planning scheme after the interests of affected people are considered. The proposal proposes to remove a MMBW easement which is now a sewerage easement owned by Yarra Valley Water.
26. Clause 52.06 sets out the requirements of car parking design. The design standards under Clause 52.06-9 are applicable to this application and is discussed in the assessment section of this report. The proposal requires a



planning permit pursuant to Clause 52.06-3 to reduce the number of spaces required under Clause 52.06-5. The development provides 156 car spaces (143 residential and 13 commercial) while the statutory requirement is 434 car spaces (395 residential, 36 office and 3 for retail).

27. Clause 52.29 seeks to ensure appropriate access to the Principal Road Network or land planned to form part of the Principal Road Network. A permit is required to create or alter access to a road in Transport Zone 2 and land in a Public Acquisition Overlay if a transport manager is the acquiring authority and the acquisition is for the purpose of a road. The proposal creates new access to Sydney Road which is a Transport Zone 2 and on land that is in a PAO. The application was referred to the responsible authority for the road, Head, Transport for Victoria and their comments are noted in the next section of this report.
28. Clause 52.34 seeks to encourage cycling and provide secure, accessible and convenient bicycle parking spaces. A permit is required to reduce any requirement of Clause 52.34-5 and Clause 52.34-6. However, the Activity Centre Zone Schedule 1, has specific bicycle parking rates for dwelling, office and shop uses which supersede the rates specified within Clause 52.34-5. The development provides 610 bicycle spaces (562 residential, 36 visitor, and 12 office staff) and is required to provide 591 bicycle spaces (551 residential, 34 visitors and 5 staff spaces). End of trip facilities are proposed for staff inclusive of 2 showers and changerooms with lockers. No permit is required pursuant to Clause 52.34.

General Requirements and Performance Standards

29. Clause 53.18 applies to the buildings and works of this application. The clause includes standards and objectives relating to stormwater management, treatment and reuse.
30. Clause 53.23 to an application under any provision of this planning scheme if the condition corresponding to a category in Table 1 Clause 53.23-1 is met. The proposal meets Category 1 requirements and is therefore eligible to apply for a planning permit to the Minister for Planning, who is the responsible authority pursuant to Clause 72.01-1. Further information is located within the executive summary table.



Referrals

31. The application was referred to the following groups:

| Provision / Clause | Organisation | Response and date received |
|--|------------------------------|----------------------------|
| Section 55 Referral – Determining | Head, Transport for Victoria | 17 May 2025 |
| No objection, subject to the following conditions: | | |
| <ol style="list-style-type: none"> 1. Unless otherwise approved in writing from the Head, Transport for Victoria, prior to commencement of the development amended plans must be submitted to and approved by the Head, Transport for Victoria. When approved by the Head, Transport for Victoria, the plans must be endorsed by the Responsible Authority and will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must be generally in accordance with the concept plans Traffix Group Sydney Road Urquhart Street Function Layout Plan Drawing G32748-02-01 dated 21st February 2024 submitted but modified to show: <ol style="list-style-type: none"> a) all features such as pavement, kerb/shoulders, line marking, power poles, trees, and other road furniture within 50 metres of additional access point. b) details of how the shared cycle path along the property frontage will be managed / retained in the public realm works. c) no right turn lane into the site from the north approach (through lane only) d) allow for pedestrian space in the public acquisition overlay and limit any infrastructure that may need to be relocated if the public acquisition overlay is acquired. e) no building structures or foundations within the public acquisition overlay for the principle building approved. f) retention of the existing bus stop along the site frontage and all associated infrastructure 2. Prior to the occupation of the development all works outlined on the approved Function Layout Plan must be completed to the satisfaction of the Head, Transport for Victoria at the full cost to the permit holder. 3. Prior to the commencement of the development a statement must be provided by a licensed land surveyor that the development is clear of the public acquisition overlay land to the satisfaction of the Head, Transport for Victoria. 4. Any approved structures which encroach into the public acquisition overlay must not be permanent and integral to the building structure and must be constructed with materials that are easily removed and would not have a negative impact on the balance of the development following removal. 5. All disused or redundant crossings along Sydney Road must be removed and the area reinstated to kerb, channel and footpath to the satisfaction of and at no cost to the Head, Transport for Victoria prior to the occupation of the buildings hereby approved. 6. The permit holder must avoid disruption to bus and tram operation along Sydney Road during the construction of the development. Any planned disruptions to bus and tram operation during construction and mitigation measures must be communicated to and approved by the Head, Transport for Victoria a minimum of 8 weeks prior. Any damage to public transport infrastructure must be rectified to the satisfaction of the Head, Transport for Victoria at the full cost of the permit holder. 7. No compensation is payable under part 5 of the Planning and Environment Act 1987 in respect of anything done under this permit. | | |
| <p>Permit Note</p> <p>The proposed development requires construction of new crossover to Sydney Road. Separate approval under the Road Management Act 2004 for this activity is required from the Head, Transport for Victoria. Please contact the Department of Transport prior to commencing any works.</p> | | |

Notice

32. The applicant was directed to give notice by way of notifying adjoining owners and occupiers.

33. Notice was also given to water authorities due to the proposed easement removal: Melbourne Water and Yarra Valley Water. No objections received.

34. 4 (four) objections (including a total of 11 (eleven) residents and the council) were received to the proposal, with the following issues were raised by residents (in bold):

- **Residential amenity impacts (visual bulk, overshadowing, overlooking) and the overall building height**
A comprehensive assessment of the amenity impacts including the overall building height concerns raised by the objectors has been addressed below in the ACZ1 assessment. In summary, amenity impacts are largely acceptable against the planning scheme requirements and permit condition will can address off-site impacts. The

design uplift provided by the proposal justifies the height proposed and the net community benefits of the proposal have been considered appropriate under Clause 71.02-3 – Integrated decision making.

The applicant has proposed to make additional changes such as removal of tall balustrade framing, light-wells to break up the façade length and rotation of the stairs which will further soften the west facing built form. A permit condition requiring additional changes to the west façade is included on the permit.

- **On-street parking**

The proposed carparking reduction is considered appropriate due to the location of the subject site close to key transport infrastructure (see detailed assessment later in the report). Future residents (and their guests) may park on the street, however this isn't something that is considered under the planning scheme and the council has noted that residents will generally not be able to obtain on-street parking permits. The council's traffic engineers held no objection to the proposed reduction in car parking. A further assessment of the car parking reduction is in the assessment section.

- **Affordable housing not including lowest 40% income group**

The affordable housing report provided with the application (prepared by AssembleFuture, dated December 2023), outlines the Assemble model of built-to-rent-own and the 60% affordable housing proposed. The report outlines that: *An apartment to be affordable for rent when the cost of rent does not exceed 30% of the gross household income at time of occupation. For apartments which will be purchased, an apartment is considered affordable if the cost of the mortgage repayments (principal and interest) does not exceed 35% of the gross household income at the time of purchase.* Assemble incorporates loan assumptions and sources the suburb median income and then applies a factor of 120% to establish gross household income for a moderate-income household.

It is noted a permit condition requiring an affordable housing management plan and a Section 173 agreement will be required, to ensure that 60% of the dwellings comply with the meaning of affordable housing. This also includes annual reporting for 5 years to ensure the management plan is being followed.

It is also noted that the Assemble model was discussed through the Priority Projects Standing Advisory Committee (SAC) for their Kensington (3 November 2021) and Brunswick (22 November 2021) developments, and both SAC reports found that affordable housing as appropriate and that the substantial proportion of affordable housing will provide significant community benefit.

35. Merri-bek City Council objected and provided their formal response on 24/05/2024 following a council meeting:

| Council's Comments | DTP response / comments |
|---|---|
| <p>The council proposed a range of built form changes:</p> <ul style="list-style-type: none"> • Overall height to not exceed 34.5 metres (11 storeys to the north tower and 10 storeys to the south tower) • Deletion of level 8 to the rear towers (Ross Street) • Increased western setback for levels 6 and 7 to comply with Standard B17 • Privacy screening to west facing balconies at Level 1 and 2 • Increase west setback for GF, L1, and L2 to 4.25 metres • Staggered shapes, balconies and fenestration to reduce visual domination | <p>Height acceptable based on amenity/ design uplift and affordable housing contribution. Height in emerging activity centre will be consistent with evolving character over time.</p> <p>Permit conditions recommended to soften the west interface including removal of tall balustrade framing, lightwells to break up the façade length, and rotation of the stairs which will further soften the west facing built form. One dwelling will also be conditioned to be removed from the rear northern tower to comply with the overshadowing standard.</p> |



| | |
|--|---|
| Material and detailed design changes | Include some of the recommended conditions including changes to the southern boundary wall and vary the colour of the pre-cast panels as per the reference image provided in the urban context report. No further changes are required, as the proposal is determined to be of high quality architectural design. |
| Physical samples of all external finishes | Not required at this stage |
| East-West Green Link Plan/Public Works Plan | Agree |
| Bicycle parking dimensions | Agree |
| Public footpath notes | Agree |
| Amended landscape plan (minor changes) | Agree |
| Amended Environmentally Sustainable Design initiatives | <p>Agree in part.</p> <p>The proposal achieves a 7.6 Star average NatHERS rating and 71 per cent BESS Score which is considered 'excellent' as per council's Design Excellence Scorecard. However, the council did raise concerns with the daylight modelling provided and the water sensitive urban design (WSUD). DTP officers agree that daylight modelling and a revised WSUD strategy should be submitted however the recommended conditions by the council were too specific and similar outcomes can be achieved by allowing the applicant more flexibility.</p> <p>It is also noted that the council requested that the development does not rely on proprietary stormwater treatment systems, there is no policy to support this, and they are commonly accepted in developments in other council areas.</p> |
| An Accessibility Report | <p>Do not agree.</p> <p>The accessibility has been demonstrated on the development plans and will need to be complied with. No further report is required, and there is no planning scheme requirement for this.</p> |
| Amended Waste Management Plan | Agree |
| Amended Acoustic Report | Agree |
| Amended Wind Impact Statement | Agree |
| A façade strategy | Agree |
| Environmental Audit | Agree with minor change in wording |
| Car Share conditions | Agree with minor changes to wording |
| 3D Model | Agree |
| Affordable Housing Management Plan and Section 173 agreement | Agreed with minor change in reporting time |



Key Considerations

37. The following are deemed the key considerations in assessing the acceptability of the proposal:
- Whether the proposal is consistent with the Planning Policy Framework and the purpose and decision guidelines of the Activity Centre Zone Schedule 1 and the applied overlays as contained within the Merri-bek Planning Scheme.
 - Whether the proposed development is acceptable having regard to the site conditions, site context, surrounding residential amenity, sustainable building design and landscape.

Strategic Direction and Land Use

38. The Planning Policy Framework encourages appropriate land use and development which enhances the built environment, supports economic growth, meets the community expectations on retail and commercial provision, delivers diversity in housing supply to meet existing and future needs, and integrates transport and infrastructure planning.
39. Clause 02.01 Context outlines that the City of Merri-bek is home to a diverse population, has convenient access to Melbourne's CBD and major transport routes. *Merri-bek is a community in transition, with strong population growth accompanied by structural changes in the economy and urban fabric. A growing population has resulted in increased pressure on housing, infrastructure and community facilities and services.* Furthermore, a key concern for the council is climate change and reducing and responding to the urban heat island effect.
40. Clause 20.02 Vision outlines that the council's vision is to *plan for and manage population growth and associated development by creating sustainable neighbourhoods of well-designed environmentally sustainable development. These neighbourhoods will place emphasis on the social, cultural, physical and economic well-being of the community.*
41. Under Clause 02.03-1 Settlement it notes that *the population is expected to grow to over 250,000 people by 2036 and an additional 38,000 dwellings. Around 1920 dwellings a year will be required to accommodate this growth.* One of the ways the council seeks to manage growth is by having intensification of development in activity centres. The role and function of Coburg Activity Centre (a major activity centre) is to *Provide a broad mix of retail uses, commercial and cultural activity, employment options, administrative and civic centre functions, government investment and regional facilities and Accommodate substantial residential/mixed-use growth and change to create a new character of increased density and scale of built form.* In terms of built environment and heritage, the council seeks to improve the quality of design of housing development to ensure good amenity for residents and the public. Merri-bek is committed to an environmentally sustainable and liveable city by incorporating sustainability principles in the design of buildings. The strategic direction for Housing (Clause 02.03-5) includes facilitating a range of housing diversity including affordable housing and for Transport (Clause 02.03-7) to support sustainable transport modes.
42. Coburg Activity Centre is identified in the Activity Centre Framework Plan under Clause 02.04 – Strategic framework plans.
43. Settlement (Clause 11) seeks to *anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.* The proposal supports the outcomes in *Plan Melbourne 2017-2050* to provide housing choice in locations close to jobs and service, create a city of inclusive vibrant and healthy neighbourhoods, and a sustainable and resilient city. Coburg is identified as a major activity centre under *Plan Melbourne 2017-2050*, which is further supported under Clause 11.03-1S (Activity Centres) and Clause 11.03-1R (Activity Centres – Metropolitan Melbourne). The proposal supports the policy framework of activity centres by helping housing diversity at a higher density and provides a high level of amenity.
44. Clause 13.04-1S (Contaminated and potentially contaminated land) should be considered to ensure the use is appropriate for the land and appropriate remediation occurs if required as the land is subject to an Environmental

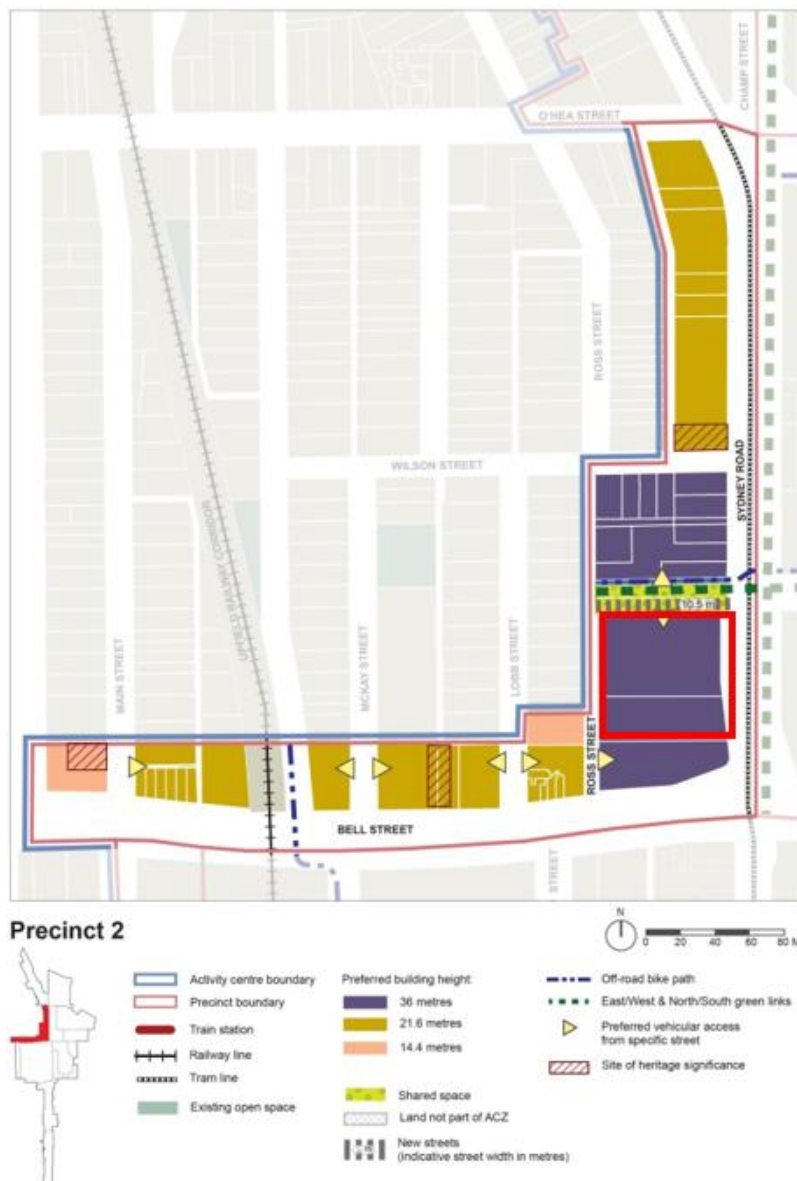


Audit Overlay. An assessment of this overlay is later in this report and it is noted that the audit conducted in 2021 found the land was supported for residential uses.

45. Clause 15 (Built Environment and Heritage) aims to ensure the role of urban design, building design, heritage and energy and resource efficiency in delivering liveable and sustainable cities, towns and neighbourhoods. Furthermore, it aims that all new land use and development appropriately responds to its landscape and character, valued built form and cultural context, and protects places and sites with significant heritage, architectural, aesthetic, natural, scientific and cultural value. Planning should promote development that is environmentally sustainable and minimise detrimental impacts on the built and natural environment.
46. Clause 15.01-1S (Urban Design) aims to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity. The objectives of Clause 15.01-2S (Building Design) seek to achieve building design outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.
47. The proposal incorporates a high quality of architectural and urban design, including by using a range of high quality materials, cohesive colours, suitable fenestration and proportionate façade design. The development enhances the public realm through street activation, passive surveillance, and public open space. Landscaping design effectively assists in reducing the urban heat island and integrated water management.
48. The proposed location of services, waste, and car parking locations adequately respond to Clause 15.01-2L-01 (building design). Further at Clause 15.01-2L-03 (Apartment developments in Merri-bek) sets out an additional assessment for apartment development of 5 or more storeys. The proposal generally complies with the requirements of Table 1 (Building Setbacks to the Side or Rear Boundary). A setback of 13m is achieved to the 16-storey front (eastern) portion of the North Tower (requirement: 12m), while an 11.8m setback is achieved to the 9-storey rear portion (requirement also 12m). This arrangement is considered acceptable in relation to off-site amenity impacts. The middle and rear portions of the South Tower do not achieve compliance with the requirements of Table 1 (Building Setbacks to the Side or Rear Boundary) to Clause 15.01-2L. The 15-storey middle portion achieves a setback of 11.5m (requirement: 12m), while the 9-storey rear portion is setback 9.3m (requirement also 12m). However, as further addressed in the ACZ1 assessment the amenity impacts of the proposal are minimal and can be addressed through permit conditions. The policy also outlines minimum light well dimensions. There are no light wells proposed.
49. The proposal has been adequately orientated and designed to maximise solar access and natural ventilation, as per Clause 15.01-2L-04 (Energy efficiency in Merri-bek) which seeks to *ensure development maximises passive energy efficiency and creates quality living and working environments*. For a further assessment please see Appendix 1 Clause 58 assessment.
50. Clause 15.01-2L-05 (Environmentally sustainable development) seeks to *achieve best practice in environmentally sustainable development from the design stage through to construction and operation*. ESD objectives are address later in this assessment, the proposal achieves best practice in ESD, subject to conditions.
51. The proposal effectively assists in addressing Clause 15.01-4S and 15.01-4R by promoting healthy lifestyles through being a part of a 20 minute neighbourhood.
52. Policies under Clause 16 include the facilitation of well-located, integrated and diverse housing that meets community needs, and promotes the delivery of affordable housing. The proposal will deliver 325 dwellings (subject to conditions) through a range of studio to 3 bedroom apartments, and of that 60% will be affordable (195 dwellings).
53. The site can be accessed by public transport with multiple bus routes within 500m walk, Coburg station is a 300m walk, and a number of bicycle and walking routes, support the strategies for sustainable transport options under Clause 18.
54. The proposed land uses of dwelling, offices, and food and drink premises is consistent with the strategic direction of the following policies at Clause 16 and Clause 17.

Buildings and Works

Activity Centre Zone Schedule 1, Precinct 2



Subject site shown in red, preferred building height 36 metres.

5.2-2 Precinct objectives

- To establish as the preferred location for retailing that is 'destination' or single purpose trip in nature, utilising the main road exposure of Bell Street and Sydney Road.
- To encourage a range of commercial uses that complement the adjacent Activity Centre core, including medical centres, business services, offices and restricted retail uses with residential at upper levels.
- To improve permeability and safety for pedestrians and cyclists at designated locations.
- To ensure development contributes to the improvement of the streetscape, pedestrian environment and safety of Ross Street.
- To create a corridor of 8-10 storey buildings along Bell Street, creating a sense of a mid rise Activity Centre.



- To protect the amenity of residential uses in the adjoining residential zone.

The proposal incorporates four offices and a food and drink premises at ground level, while the upper levels are designated for residential purposes.

To the north of the subject site is the East-West Green link providing pedestrian and bicycle access, the applicant has been working with the council to improve on their current proposal to be more integrated with the council owned street. The council has recommended a permit condition to provide a detailed East-West Green Link plan in consultation with the council, DTP officers agree that this should be included if a permit is granted.

The proposals impact to the surrounding areas including Ross Street and adjoining residential zone is detailed later in this assessment.

Design and Development (4.4 of Schedule 1)

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| <p>Built Form Buildings should enhance public spaces, provide high quality internal environments, limit off-site impacts and provide open space and landscaping (both communal and private).</p> <p>Avoid tiered 'wedding cake' built form outcomes by limiting multiple upper level setbacks other than the Civic Square Market Site and Victoria Street Mall to achieve the overshadowing standards at Table 1.</p> | <p>The proposal will enhance public spaces as it is of high design quality and positively interacts with the streetscape. The internal amenity is of high quality, sufficient landscaping and open space is provided on the subject site. The proposal also limits off-site impacts, subject to conditions. The ACZ1 and Clause 58 assessments further detail this.</p> <p>The proposal does not provide a tiered 'wedding cake' built form.</p> |
| <p>Building Envelope Precinct requirements specified in Clause 5.0 in this schedule.</p> <p>Clause 55 Standards B17, B21 and B22 for the development of land adjoining residentially zoned land outside the activity centre (including laneways) (shown as Interface with adjoining residential zone on the Precinct Maps in Clause 5.0 of this schedule). This does not apply where 'upper level setbacks' are located in the Precinct maps in Clause 5.0 of this schedule.</p> | <p>See height and setback section below for detailed assessment</p> |
| <p>Active Frontages Large expanses of blank wall, large service areas, garbage storage areas, car parking and co-located or continuous garage doors should not be created along ground floor frontages.</p> <p>Clear glazing should be provided to ground level street frontages, as follows:</p> <ul style="list-style-type: none"> • A display window and/or entrance, measuring at least 80 per cent of the width of the street frontage of each individual premise used for shop or food and drink uses. • A display window and/or entrance, measuring at least 60 per cent of the width of the street frontage of each individual premises used for other commercial uses. • Incorporate provision for visual interaction between ground-floor activity and pedestrians. <p>Individual entry doors should be provided to ground floor</p> | <p>The ground floor is dedicated to mostly windows or doors, there are no expanses blank walls, large service area, garbage storage areas, car parking access/garage doors located along the ground floor frontages.</p> <p>Individual entry doors have been provided to the dwellings with a frontage along Ross Street.</p> <p>Vehicle access is provided via Sydney Road as this is the most appropriate road for access, the application was referred to Head, Transport for Victoria who did not object to the proposal subject to conditions. No Ross Street vehicle access is proposed.</p> |



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| <p>dwellings which have frontages to a street.</p> <p>Locate all vehicle access, loading facilities and building service access in accordance with the Precinct Plans at Clause 5.0 in this schedule.</p> | |
| <p>Environmentally Sustainable Development Achieve best practice environmentally sustainable design to the satisfaction of the responsible authority. Table 2 of this schedule indicates best practice ESD performance benchmarks or the Responsible Authority may accept and equivalent. In the case of alterations and additions, the performance standards in Table 2 apply only to that part of the building which has undergone the alteration and addition.</p> <p>Residential uses – 10 or more dwellings or alterations and additions of more than 100sqm and Non-residential uses with gross floor area of more than 500sqm Green Star 4 Start Best practice stormwater treatment.</p> <p>Connect to or provide the ability for future connection to a third pipe stormwater catchment system to the satisfaction of the responsible authority, Yarra Valley Water and/or any other relevant service authority.</p> | <p>The proposal provides a 7.6 Star average NatHERS rating and 71 per cent BESS Score are considered ‘excellent’ as per the council’s Design Excellence Scorecard. Response to the council’s ESD officer’s recommended permit conditions is detailed in the assessment below.</p> |
| <p>Streetscape Improvements Include, as appropriate, the upgrading of adjacent footpaths and laneways, to the satisfaction of the responsible authority.</p> <p>Where it is not specified in Clause 5.0 of this schedule or other strategies, provide new or improved footpaths a minimum of 2.5 metres wide and provided on both sides of new streets and dedicated pedestrian links should be a minimum of 4.5 metres wide.</p> | <p>The council has recommended conditions to appropriately upgrade the footpaths of Sydney Road and Ross Street, DFP officers agree that these should be incorporated into the permit through a Public Works Plan. This plan would be in consultation with the council.</p> |
| <p>Circulation, transport and parking Locate secure car parking in basements. If located at or above ground, car parking should be concealed from view through the use of occupied tenancies (‘sleeved’ with other uses) and integrated within the overall design of the building. In all instances, car parking should be located in buildings where they will not dominate street frontages or diminish opportunities for street activity.</p> | <p>The car parking is located at ground and levels 1 and 2 and is concealed from view from the tenancies and public realm and is integrated within the overall design of the building by mostly being surrounded by dwellings and office tenancies.</p> |

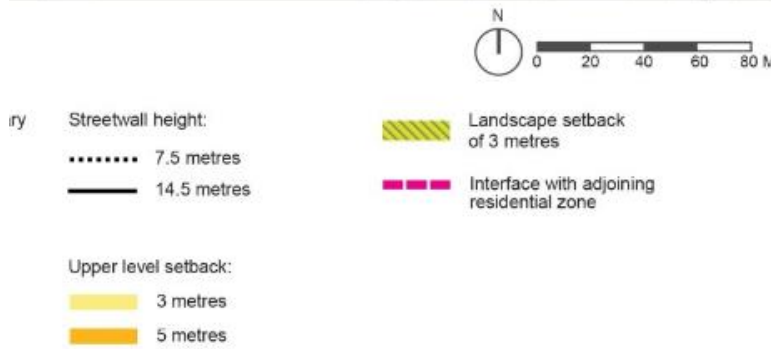
Height and Setbacks

The proposal seeks to vary the discretionary requirements set out in the Activity Centre Zone (ACZ1) relating to overall building height, street wall heights and upper-level setbacks, as summarised below:


| Design Element | ACZ Precinct 2 Preferred Control | Existing approval | Proposed | Variation |
|-----------------|----------------------------------|------------------------|--|--------------|
| Building height | 36m (~10-11-storeys). | 27.4m / eight-storeys. | Two towers of 46.7m / 15-storeys (South Tower) and 49.7m / 16-storeys (North Tower). | Up to 13.7 m |



| Design Element | ACZ Precinct 2 Preferred Control | Existing approval | Proposed | Variation |
|----------------------------------|----------------------------------|--|--|-----------|
| Street wall height to Sydney Rd | 14.5m (~four-storeys). | Approx. 23.5m / seven-storeys to the Level 6 balustrade. | 10.1m / three-storeys. | Complies |
| Street wall height to Ross St | 7.5m (~two-storeys). | 8.94m / three-storeys. | 10.6m / three-storeys. | 3.1 m |
| Upper-level setback to Sydney Rd | Minimum of 5m. | 0m (shear balcony siting) | 2m-5m from street wall (South Tower) 3m (North Tower) | Up to 3m |
| Ground-level setback to Ross St | 3m landscaped. | 0m | 3m landscaped. | Complies |



Upper level setback and streetwall height requirements



Section 4.4 of Schedule 1 to the ACZ provides guidance for assessing variations from the preferred built form controls. An assessment of the proposal against these guidelines (in bold) is provided below:

The proposed development supports the vision for the Activity Centre and achieves objectives of this schedule

- The proposal is a high quality mixed use development, that incorporates retail, office and residential uses
- Achieves a high quality of environmentally sustainable development with a 7.6 Star average NatHERS rating and 71 per cent BESS Score are considered 'excellent' as per the council's Design Excellence Scorecard.
- While the affordable housing will be to facilitate people in median income groups to have affordable housing choices, the 60% affordable housing far exceeds the minimum 10% required under Clause 53.23.
- The over 300 dwellings proposed encourages a range of housing choices, with studio to 3 bedroom options.
- The three storey podium creates a consistent street wall form.
- The proposal contributes to active street frontages by creating passive surveillance, providing visual interest and design articulation, and large ground floor windows to facilitate interaction between public and private realms.
- 88% of apartments are adaptable.

The development is of an exemplary quality design that makes a positive contribution to the character of the neighbourhood

The design is high quality, including achieving good activation to the streets and use of durable materials. During the Development Facilitation Program pre-application process the preliminary design was evaluated by the Office of the Victorian Government Architect (OVGA). The OVGA encourage further refinement and consideration to the Sydney Road interface including if the PAO is enacted, the northern private vehicle accessway and the central elevated courtyard. There was also general comment that the development may create a precedent for other seeking similar height uplift within the Coburg ACZ and consideration should be given to this.

Considering the OVGA advice, the considered plans provided the following:

- The applicant provided sufficient diagrams that the landscaping along Sydney Road will be able to be retained if the PAO is enacted.
- The central podium level increased the setback to facilitate canopy tree planting to Sydney Road and provides opportunities for integrated façade planting, to better interact with the public realm. This is a considered a better outcome than the addition of a staircase to either side of the courtyard due to potential access and management issues.
- There is some further design refinement required to improve the northern accessway, and its cohesion with the East/West Green Link, and a permit condition should be included for additional landscaping and soft surfaces.
- As discussed in the next dot point, the uplift of public benefit provided by the proposal demonstrates that height is appropriate and would not set any unacceptable precedent in the area, given the design quality, affordable housing contribution and urban design amenity benefits.

The additional height or reduced setback:

- **results in specific design benefits;**
- **facilitates benefits to the community, such as excellent ESD performance, positive contributions to public open space or the public realm, or the provision of affordable housing;**

The proposal seeks to provide benefit to the community through:

- the provision of 60 per cent Affordable Housing in the Applicant's build-to-rent-to-own model. This provides renters with an opportunity to sign a long term lease while saving a deposit for the same



apartment (with rent capped at 30 per cent of household income), prior to purchasing the dwelling for a moderately capped price;

- 88 per cent of dwellings designed to be accessible/adaptable;
- a positive ESD response (Minimum average NatHERS rating of 7.6 stars and 71 per cent BESS Score);
- construction of publicly-accessible open space (160sqm) and east-west green link; and
- of a high quality building design.

These elements are considered to adequately address the six storey height increase to the preferred controls, as they are significant contributions to the community. As mentioned later in this report *Victoria's Housing Statement: The Decade Ahead 2024-2034 (Housing Statement)* outlines the need for more housing across Victoria which is mirrored in relevant policies throughout the Merri-bek planning scheme, the proposal will add an additional 325 dwellings of which 60% will be affordable. Minimal off-site amenity impacts and contribution to the public realm, discussed below, further justify the increase over the preferred height.

Under Clause 71.02-3 (Integrated decision making) planning and the responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. The above uplift and net community benefit this proposal will provide far outweighs that any non-compliance with the planning scheme the proposal may have.

- **does not have an adverse impact on the streetscape, heritage values, the public realm or the amenity of adjoining properties;**
- **does not cause an unacceptable visual impact on surrounding streets, public spaces or private open space**

Please see building height and street wall height table above for compliance and noncompliance with ACZ1.

The podium setback ranges from 2.5-3.1 metres, the podium is 10.6m in height which is a variation of 3.1 metres from the preferred streetwall height of 7.5m. As this interface is adjoining a residential zone the setbacks, building and streetwall heights should also consider Clause 55 Standards B17, B21 and B22 as pursuant to the ACZ1.

The proposal only slightly encroaches into the Standard B17 to Ross Street, the below diagram shows that a portion of Level 7 and Level 8 encroach.

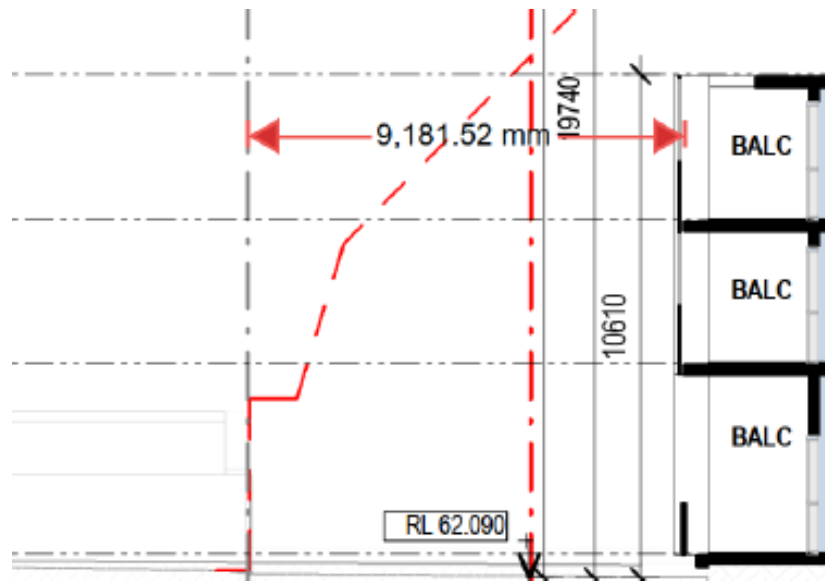


The applicant has provided additional shadow diagrams to demonstrate that if Dwelling A.08.14 (northern tower) is mostly removed and the remaining portion is consolidated into A.08-13 and the stairwell is rotated into the building footprint, the proposal would comply with Standard B21 to remove the additional shadowing created onto 2 Lobb Street. It is appropriate to remove a portion of this dwelling and consolidate the remaining into the adjoining dwelling, and to rotate the stairwell (for cohesiveness and further reduce protruding elements to Ross Street the southern tower stairwell to also be rotated), and this can be included as a permit condition.



It is considered the remaining marginal non-compliance with Standard B17 would still meet the decision guidelines and therefore the objective, as the immediate interface is the laneway, not residential properties. Overshadowing impacts will be minimal and compliance with Standard B21 is achieved and, as discussed in the building height discussion above, the proposal provides significant overall public benefit uplift.

Regarding Standard B22, the proposal meets the overlooking standard by the setbacks provided and therefore the objective is achieved. See the diagram below provided by the applicant below showing the setback from Lobb Street properties to the west:



A 3 metre landscape buffer has also been provided along Ross Street to soften the built form at street level. Furthermore, the applicant has proposed to make additional changes such as removal of tall balustrade framing, lightwells to break up the façade length and rotation of the stairs which will further soften the built form. A permit condition requiring additional changes to the west façade should be included on the permit.

The overshadowing diagrams provided show that some overshadowing will occur onto Bell Street Reserve from 3pm in late September. This reserve is not noted as a key area of public open space within the ACZ. The extent of park overshadowing also meets the test of 'no more than 1/3 of the space to be shadow at any time between 10.30am and 2.30pm (4 hours) on 21 March/September (Equinox)'.

- **meets the overshadowing standards for key public spaces as set out in Table 1 where applicable**

Not applicable


- **does not increase overshadowing of primary pedestrian routes on 21 March / September (Equinox) between 10:30am and 2pm, particularly the southern footpath of Bell Street, Harding Street and Munro Street**

The proposal does not overshadow any primary pedestrian routes as identified in the Activity Centre Zone.

It is noted that the balconies are not included in the specified setbacks in the schedule as they make a positive contribution to the overall façade composition and do not adversely impact on street or laneway dimensions.

5.2-4 Precinct guidelines

- *Locate showroom and office uses at ground floor, with office and residential uses above.*
- *The design and siting of any development within the precinct should make provision for the following:*
 - *Vehicle access and pedestrian and bicycle permeability south of Wilson Street. Two way access from Sydney Road through to Ross Street is not required.*
 - *A 3 metre ground level setback of buildings abutting Ross Street to provide for landscaping to enhance the quality of that streetscape.*
- *On sites larger than 5000 square metres, public pedestrian links should be provided through the site to create a more permeable pedestrian environment.*
- *Avoid vehicle access from Bell Street and Sydney Road where an alternative frontage is available for vehicle access.*

- 
- *In Ross Street, vehicle ingress and egress, loading facilities and building services should be designed to ensure good quality pedestrian amenity in the street and limit potential conflicts between vehicle movements and pedestrian activity.*

The proposal complies with the precinct guidelines, as the following is provided:

- Offices and residential uses are appropriately located with offices facing Sydney Road on ground level.
- 3 metre ground level setback of buildings abutting Ross Street for landscaping.
- The site is larger than 5000sqm and provides public pedestrian links through the accessway in tandem with the East-West Green Link.
- Vehicle access is provided via Sydney Road as this is the most appropriate road for access, the application was referred to Head, Transport for Victoria who did not object to the proposal subject to conditions. No Ross Street vehicle access is proposed.

55. Buildings of similar heights have been approved and built in Coburg. The Pentridge development to the northeast has three existing buildings that range from **16-19** storeys and are located just *270-480 metres* from the subject site. 1 Pentridge Boulevard (19 storeys) is visible from the subject site.

56. Given the above assessment, the proposal is acceptable.

Design Detail

57. When considering the urban design, the built form is transitional to the residential and two storey commercial area, with massing to break up the two main towners to respond to the emerging rhythm, as well as clearly distinguishing the podium and upper tower forms. The materials and finishes are proposed to be of high quality and include perforated metal mesh, powder coated metal, precast concrete, in-situ concrete, timber, and brick. The colours range from natural concrete, red, green and grey.

58. A permit condition should be included to require further consideration to the blank southern wall and softening the western interface to Ross Street, as well as a façade strategy.

59. A planning permit condition will require that the project architects, JCB Architects, provide lead architectural oversight of the delivery of the design detail.

Amenity and Microclimate

Amenity Impacts (internal and offsite)

60. All internal and offsite amenity impacts have been appropriately managed. See 55 Standards B17, B21 and B22 assessment above in the ACZ1 section and Appendix 1 for Clause 58 assessment.

Overshadowing

61. As discussed above the proposal would not adversely overshadow other properties subject to permit conditions.

Wind

62. The applicant has provided a desktop wind impact assessment (Vipac dated 29 February 2024). The report states that *Vipac recommends a scaled wind tunnel study be conducted at the detail design stage to quantify the wind conditions and determine the proper wind control measures wherever necessary.* This study can be included as a permit condition. It is noted that the report did include that *the proposed development would be expected to have wind conditions within the safety criterion.*



Noise

63. The applicant has provided an acoustic assessment (prepared by Acoustic Logic, dated 04/04/2023). The report assessed the proposal against Standard D16 at Clause 58.04-3, which found the development is within 300m of road carrying an AADT volume >40,000. *Achieving AS2107 will inherently also result in compliance with Standard D16 from the applicable section of Bell Street. On that basis no further assessment of Standard D16 is required. The report recommended a range of construction and glazing thickness to comply with the AS2107.*
64. When it comes to plant and equipment, the report states: *To ensure that noise emissions from mechanical plant and equipment serving the development do not impact adversely on the amenity of the neighbouring residential properties specifically to the existing residential development to the west, noise emissions from the mechanical plant and equipment shall comply with Noise Protocol – Part 1.* It is recommended by the report that the mechanic plant and equipment be reviewed by a suitably qualified acoustic consultant to ensure compliance with Noise Protocol – Part 1.

Public Realm

65. The applicant has provided a groundplane strategy to demonstrate the landscaping and footpath along the Sydney Road, including an acceptable alternative arrangement if the PAO was in enacted.
66. The public will be able to easily walk from Sydney Road to Ross Street along the accessway/East West Green Link. A public open space area is located on the Ross Street side of the development. The applicant is in discussion with the council to assist in delivering the East West Green Link, a permit condition will ensure a suitable public works plan is provided.
67. A wayfinding strategy should be included as a permit condition to ensure residents, staff and visitors can easily navigate the development from the street.
68. See Clause 58 in Appendix 1 further assessment.

Landscaping

69. A landscape plan has been provided (prepared by Mala, dated 29/02/2024), see Appendix 1 Clause 58 assessment for an assessment against Standard D10. The proposal complies with the standard, and minor permit conditions including recommendation from the council and further refinement along Ross Street. The landscaping outcome has been well thought out and considers the climate and constraints of the site to achieve a cohesive design. The landscape design response provides a high level and acceptable response to the policy objectives in the planning scheme for the site.

Car and Bicycle Parking, Loading, and Other Services

Car Parking

70. The following car parking rates are relevant to the application:

| Use | No / Size | Statutory Requirement | No. Spaces Required |
|-------------------------|----------------------|---|---------------------|
| Residential Apartments | 257 | 1 car space to each 1 & 2-bed dwelling for tenants | 257 spaces |
| | 69 | 2 car spaces to each 3+ bed dwelling for tenants | 138 spaces |
| Retail (Food and Drink) | 103 m ² | 3.5 car spaces per 100 square metres of net leasable area | 3 spaces |
| Office | 1,207 m ² | 3.0 car spaces per 100 square metres of net floor area | 36 spaces |
| Total | | | 434 spaces |



71. The proposal includes a provision of 156 car spaces to be allocated as follows:

- 143 resident car spaces (including 4 car share spaces)
- 13 commercial spaces for office staff and retail staff (1 car space per 100 m2 of NLA).

72. The application therefore seeks a permit to reduce the parking provisions by 252 residential car spaces and 26 commercial retail/office spaces.

73. The council's traffic engineers held no objection to the proposed reduction noting that the following public transport options are located within a 800m walk of the subject site:

- A 300m walk of both Coburg station entrances (north-south travel);
- A 10m walk of the Route 526 bus terminus (travel to north-east);
- A 10m walk of the Route 530 bus terminus (travel to north);
- A 100m walk of the Route 534 bus terminus (travel to north-west);
- A 130m walk of the (west-bound) Route 513 bus stop (east-west travel);
- A 130m walk of the (west-bound) Route 514 bus stop (east-west travel);
- A 130m walk of the (west-bound) Route 527 bus stop (east-west travel);
- A 130m walk of the (west-bound) Route 561 bus stop (east-west travel);
- A 130m walk of the (west-bound) Route 903 bus stop (east-west travel);
- A 500m walk of the (west-bound) Route 512 bus stop (east-west travel);
- A 200m, 420m or 580m walk to the three closest car share vehicles of the same company (one membership fee); and
- Close to good bicycle routes (however, this will only apply if resident-standard bicycle parking is provided).

This development will have convenient access to:

- public transport (both north-south & east west).
- Access to multiple car-share vehicles of the same company.
- Resident-standard bike parking.

74. The council traffic assessment is supported and the proposed carparking arrangements are acceptable on balance.

Design Standards for Car Parking

75. The car parking proposed meets the design standards pursuant to Clause 52.06-9.

Access, Traffic Movement and Circulation

76. A turning area has been provided so cars can both enter and egress the road travelling in a forward direction. The application was referred to the road managers, Head, Transport for Victoria who held no objection, subject to conditions. These proposed conditions are included on the permit.

Loading / Unloading

77. Loading is provided along the accessway, the traffic report has demonstrated that this is an acceptable location and meets criteria under Clause 65.01.

Waste

78. A waste management plan has been provided. The council has stated the plan is generally acceptable subject to permit conditions to amend the plan to include glass recycling bins adjacent to garbage chutes and provide food and organics collection.

Easement

79. The application proposes removal of a historic Melbourne and Metropolitan Board of Works easement which is now a sewerage easement owned by Yarra Valley Water. YVW and Melbourne Water held no objection to granting of a permit to remove this easement. Considering the interests of affected parties, (YVW and MW) the removal of the easement is appropriate.

Environmental Risks

Environmental Risks

80. The subject land is in an EAO. It is noted that an audit was undertaken in September 2021, that raised no concerns with the land, and it was suitable for Sensitive Use (High density) - High density residential use. However, as this is a legislative requirement, it is suitable to place standard planning permit conditions requested an PRSA or Environmental Audit be carried out before any works are taken out. If the current audit meets the requirement, the conditions will be met.

Sustainability

Environmentally Sustainable Design (ESD)

81. The proposal achieves a 7.6 Star average NatHERS rating and 71 per cent BESS Score which is considered 'excellent' as per Council's Design Excellence Scorecard. However, the council did raise concerns with the daylight modelling provided and the water sensitive urban design (WSUD). DTP officers agree that daylight modelling and a revised WSUD strategy should be submitted however the recommended conditions by the council were too specific and similar outcomes can be achieved by allowing the applicant more flexibility. It is also noted that the council requested that the development does not rely on proprietary stormwater treatment systems, there is no policy to support this, and they are commonly accepted in developments in other council areas.
82. Subject to the above conditions, the proposal will result in appropriate stormwater and ESD outcomes.

Other Matters

Victoria's Housing Statement

83. The Department of Premier and Cabinet released *Victoria's Housing Statement: The Decade Ahead 2024-2034 (Housing Statement)* in September 2023 which aims to increase housing supply in Victoria. The Housing Statement sets a target of building 800,000 homes in Victoria over the next decade with 70% of new homes to be built in established area. The Housing Statement also aims to build more social and affordable housing for the Victorians who need it most. The granting of this permit will contribute to objectives of the Housing Statement through the delivery of new housing in an established area well served by infrastructure. Additionally, the applicant proposes a 60% affordable housing provision which will be tied into a Section 173 agreement as a condition on the planning permit.



84. The proposal is generally consistent on balance with the relevant planning policies of the Merri-bek Planning Scheme and will contribute to the provision of **housing, including affordable housing**, within the **Coburg** area.
85. The proposal is generally supported by the various referral agencies and while the council does not support the overall built form, this assessment demonstrates that the uplift provided creates an acceptable outcome for the overall building height and design. Many of the requested conditions of the council are supported and included within the planning permit.
86. A range of conditions are included to address the amenity impact concerns of adjoining residents, related to overlooking, overshadowing, general amenity and presentation. These conditions provide an acceptable balance, as the character of this activity centre location evolves over time.
87. It is recommended that Planning Permit No. **PA2402798** for the **Use and development of the land for a mixed-use development comprising of 326 dwellings, offices and food and drink premises, reduction in car parking requirements, remove an easement and alteration to access to a road in a Transport Zone 2 and Public Acquisition Overlay** at **511-537 SYDNEY ROAD COBURG VIC 3058**, be issued subject to conditions.
88. It is **recommended** that the applicant, the council and objectors be notified of the above in writing.



Prepared by:

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

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

| | | | |
|--------|------------|---------|------------|
| Name: | [Redacted] | Signed: | [Redacted] |
| Title: | [Redacted] | Dated: | 17/07/2024 |
| Phone: | [Redacted] | | |

Reviewed / Approved by:

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

- No Conflict**
- Conflict and have therefore undertaken the following actions:
 - Completed the **Statutory Planning Services declaration of Conflict/Interest form.**
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| Name: | [Redacted] | Signed: | [Redacted] |
| Title: | [Redacted] | Dated: | 18/07/2024 |
| Phone: | [Redacted] | | |

Appendix 1: Clause 58 Assessment



Application requirements

| Clause 58.01-1 | Assessment |
|--|---|
| <ul style="list-style-type: none">• <i>An application must be accompanied by:</i><ul style="list-style-type: none">○ <i>An urban context report.</i>○ <i>A design response.</i> | <p>The application has been accompanied by:</p> <ul style="list-style-type: none">- Urban Context Report, prepared by Jackson Clements Burrows Architects dated 29/02/2024- Planning Report prepared by Tract, dated 04/04/2024 |

Urban context report

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

Design response

| Clause 58.01-3 | Assessment |
|---|---|
| <ul style="list-style-type: none">• <i>The design response must explain how the proposed design:</i><ul style="list-style-type: none">○ <i>Responds to any relevant planning provision that applies to the land.</i>○ <i>Meets the objectives of Clause 58.</i>○ <i>Responds to any relevant housing, urban design and landscape plan, strategy or policy set out in this scheme.</i>○ <i>Derives from and responds to the urban context report.</i>• <i>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</i> | <p>The application has addressed the relevant strategies and policies in the planning scheme. Street elevations and photographs have also been provided.</p> <p>The application requirements are met.</p> |

waive or reduce the requirement.

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. | MET <p>The design responds to the existing urban context and contributes to the preferred future development of the area. The assessment within this report confirms that the proposed high density mixed use development responds to the site, and its immediately surrounding area, as well as the preferred development intended under the ACZ1 while also respecting the existing urban context through setbacks, built form and landscaping.</p> |
| 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. | COMPLIES <p>As addressed above the design response is appropriate to the urban context and the site, as well as respecting the existing and preferred urban context.</p> |

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. | MET <p>The development provides a higher density of housing product in an area with excellent access to public transport, community infrastructure, services and amenity on a location that is suited to accommodating this scale of residential built form.</p> |
| 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 <p>The application has been accompanied by a written statement as per the standard.</p> |

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 | MET <p>Objective is achieved as a range of dwellings sizes and types are proposed.</p> |
| 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 <p>The proposal provides a total of 326 dwellings (325 after permit conditions), comprising a mix of studios, one-bedroom, two-bedroom and three-bedroom dwellings (with a range of one-two bathrooms), with different sizes and types.</p> <p>The housing choices are also diverse through Assemble's built-to-rent-to-own model and 60% of affordable housing.</p> |



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. | MET <p>The objectives are met.</p> |
| 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 <p>The proposed development is in a built up area and will have access to existing services and there is no evidence to suggest that such services are at capacity.</p> <p>It is noted that this application includes the proposed removal of a MMBW easement which is now a sewerage easement owned by Yarra Valley Water. YVW and Melbourne Water held no objection to granting of a permit to remove this easement.</p> |

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. | MET <p>The objective is met.</p> |
| 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 proposal is orientated towards Sydney Road and Ross Street, as well as an interface with the East West Green Link which will provide pedestrian links and public open space.</p> <p>The proposed street wall to Sydney Road, wrapping around to the north, continues the rhythm of the existing commercial shops on the corner of Sydney Road/Bell Street. The ground floor incorporates a high level of glazing to the ground floor frontage, with landscaping along the street and the balconies above providing further integration with the street.</p> <p>There is a 3 metre setback for landscaping on Ross Street and apartments fronting this street at ground level are provided with individual entryways. This helps integrates the public and private realms.</p> <p>There are internal private pedestrian links for residents and visitors to seamlessly travel between Sydney Road and Ross Street.</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 | MET <p>The objectives are met.</p> |



- energy use and make appropriate use of daylight and solar energy.
- To ensure dwellings achieve adequate thermal efficiency.

Standard D6

- Buildings should be:
 - Oriented to make appropriate use of solar energy.
 - Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.
- Living areas and private open space should be located on the north side of the development, if practicable.
- Developments should be designed so that solar access to north-facing windows is optimised.
- Dwellings located in a climate zone identified in Table D1 should not exceed the maximum NatHERS annual cooling load specified in the following table.

| 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).

COMPLIES

The Sustainability management prepared by Hip V. Hype confirms that no apartments exceed a cooling load cap of 22MJ/m² per annum, as such the proposal is compliant with the standard.

Daylight received to the 'bridge' bedrooms flagged, memorandum was prepared by Hip V. Hype dated 08/05/2024, which stated while the bedrooms meet the requirements, the glazing extent can be increased to improve the daylight outcome to this bedrooms. This can be included as a permit conditions.

Communal open space objective

Clause 58.03-2

Objectives

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

Assessment

MET

The objectives are met.

Standard D7

- A development of 10 or more dwellings should provide a minimum area of communal outdoor open space of 30 square metres.
- If a development contains 13 or more dwellings, the development should also provide an additional minimum area of communal open space of 2.5 square metres per dwelling or 220 square metres, whichever is the lesser. This additional area may be indoors or outdoors and may consist of multiple separate areas of communal open space.
- Each area of communal open space should be:
 - Accessible to all residents.

COMPLIES

The proposal incorporates the following communal open spaces:

- Primary communal landscaped terrace at Level 3 (868sqm) including the eastern and western 'Assemble' pavilions (61 sqm and 70sqm).
- Building A communal terrace at Level 9



- A useable size, shape and dimension.
- Capable of efficient management.
- Located to:
 - Provide passive surveillance opportunities, where appropriate.
 - Provide outlook for as many dwellings as practicable.
 - Avoid overlooking into habitable rooms and private open space of new dwellings.
 - Minimise noise impacts to new and existing dwellings.
- Any area of communal outdoor open space should be landscaped and include canopy cover and trees.

(177sqm) including communal terrace (121sqm), laundry (22sqm) and drying area (34sqm).

- Building B communal terrace at Level 9 (151sqm) including communal terrace (82sqm), laundry (19sqm) and drying area (55sqm).

The proposal therefore substantially exceeds the requirements of the standard.

These spaces are accessible to all residents, of useable size and shape, capable of management, located so they can passively surveillance, and the landscape plan provided shows that they are appropriately landscaped.

Solar access to communal outdoor open space objective

| Clause 58-03-3 | Assessment |
|---|---|
| Objective <ul style="list-style-type: none"> • To allow solar access into communal outdoor open space | MET The objective is met, due to the additional open space provided and constricts of the site's orientation. |
| 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. | Variation required Due to the Site's east-west orientation, the primary central communal terrace will be largely affected by shadow throughout the day on 21 June. Given this, the landscaping proposed is suited to low-sun conditions and the communal pavilions are sited at east end of the terrace to benefit from morning and evening sun. However, in additional to this, each building is provided with a rooftop terrace of at least 132sqm that will maintain excellent solar access and views to the north and south throughout the year. On the basis of the above the proposal requires a variation to the standard and complies with the objective. |

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 | MET The objective is met |
| 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 proposal complies with the standard as follows: <ul style="list-style-type: none"> • All building entrances and dwelling entrances are clearly identified and not obscured or isolated. • Landscaping and planting contributes to high amenity public and communal areas and does not obstruct visibility. • All internal car parking and circulation areas provide good lighting, visibility and |



surveillance of car parks and internal accessways.

- All private and communal areas are clearly differentiated and protected from public thoroughfares.

A permit condition should require a wayfinding strategy to further assist in navigating of the development.

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. | MET The objectives are met. |

| | |
|--|--|
| 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. ○ 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. | COMPLIES The application includes a landscape plan prepared by MALA dated 29/02/2024, which incorporates a wide range of planting, canopy cover and soft infrastructure. It is noted that the site is currently vacant of any vegetation (and has been since at least 2009). With respect to the requirements of the standard, the proposal delivers the following: <ul style="list-style-type: none"> • 1480sqm of tree canopy cover, comprising 36 x Type A trees and 6 x Type 8 trees. This exceeds the requirements of the standard, being 1179sqm of canopy cover and at least 2 x Type 8 trees or 1 x Type C tree. <ul style="list-style-type: none"> ○ It is noted that the pergolas in the pocket park, Level 03 and Level 09 terraces will provide additional 'arbor canopy' at maturity. • 776sqm of 'true' deep soil area, comprising 636sqm of deep soil in garden beds and 140sqm of deep soil below permeable paving. While this equates to approximately 12% of the site area (where the standard specifies 15%), additional soil in planters capable of supporting Type A trees is provided at the Level 03 central courtyard. • The proposal provides substantial new planting, climbers and integrated planting adjacent to the public realm to Sydney Road, Ross Street and the new public laneway. • The proposed landscape scheme specifies appropriate irrigation, drainage, paving types and other relevant details to support the long-term viability of the planting. • The proposed landscape scheme clearly identifies a planting palette and theme that is |
|--|--|

Table D2 Canopy cover and deep soil requirements

| Site area (sqm) | Canopy cover | Deep soil |
|-----------------|--------------|-----------|
|-----------------|--------------|-----------|



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

Table D3 Soil requirements for trees

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

Note:

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

Table D4 Tree types

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

explicitly tailored to the Site's conditions, specifically having regard to the shaded quality of the central communal terrace.

It is noted that the council has recommended minor changes to the landscape plan. Recommended conditions appropriate and should be included on the permit.

Access objectives

Clause 58.03-6

Objectives

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

Assessment

MET

The objectives are met.



Standard D11

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

COMPLIES

The proposal complies with the standard as follows:

- Vehicle crossings have been minimised to one and complies with the ACZ1 to provide one crossover and to provide access to the East West Green Link.
- The vehicular entry to minimised in size and is well integrated within the façade and recessed from the Site's primary eastern frontage.
- Pedestrian and cycling access are clearly delineated from vehicle access.
- There are no on-street car parking spaces or street trees in the vicinity of the site that are affected by the proposed crossover location.
- The proposal appropriately considers servicing, emergency and delivery vehicles through the siting of vehicle access, loading areas and the location of waste and service rooms within the podium level.

Parking location objectives

| Clause 58.03-7 | Assessment |
|---|--|
| <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>MET</p> <p>The objectives are met.</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 proposal complies with the standard as follows:</p> <ul style="list-style-type: none"> • The proposed car parking facilities are both close and convenient to dwellings, secure, and well ventilated. • Window sills are at least 1.4m above vehicular accessways. |

Integrated water and stormwater management objectives

| Clause 58.03-8 | Assessment |
|---|--|
| <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>MET</p> <p>The objectives are met.</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 -</i> | <p>COMPLIES</p> <p>A detailed response to the requirements of the standard and objective is provided in the SMP prepared by Hip V. Hype. The proposal includes rainwater tanks and WSUD measure. The proposal complies with the standard.</p> |



Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999).

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

Building setback objectives

| Clause 58.04-1 | Assessment |
|---|--|
| Objectives <ul style="list-style-type: none"> • <i>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.</i> • <i>To allow adequate daylight into new dwellings.</i> • <i>To limit views into habitable room windows and private open space of new and existing dwellings.</i> • <i>To provide a reasonable outlook from new dwellings.</i> • <i>To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents.</i> | MET The objectives are met. |
| Standard D14 <ul style="list-style-type: none"> • <i>The built form of the development must respect the existing or preferred urban context and respond to the features of the site.</i> • <i>Buildings should be set back from side and rear boundaries, and other buildings within the site to:</i> <ul style="list-style-type: none"> ○ <i>Ensure adequate daylight into new habitable room windows.</i> ○ <i>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.</i> ○ <i>Provide an outlook from dwellings that creates a reasonable visual connection to the external environment.</i> ○ <i>Ensure the dwellings are designed to meet the objectives of Clause 58.</i> | COMPLIES A comprehensive assessment of the building setbacks has been considered in the report in the ACZ1 and Clause 15.01-2L assessment. The proposal meets the standard. |

Internal views objective

| Clause 58.04-2 | Assessment |
|---|---|
| Objective <ul style="list-style-type: none"> • <i>To limit views into the private open space and habitable room windows of dwellings within a development.</i> | MET The objective is met. |
| Standard D15 <ul style="list-style-type: none"> • <i>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.</i> | COMPLIES The windows and balconies have been designed to prevent overlooking of more than 50% of the private open space of a lower-level dwelling. The proposal complies with the standard. |

Noise impacts objectives

| Clause 58.04-3 | Assessment |
|---|---|
| Objectives <ul style="list-style-type: none"> • <i>To contain noise sources in developments that may affect existing dwellings.</i> • <i>To protect residents from external and internal noise sources.</i> | MET The objective is met. |
| Standard D16 <ul style="list-style-type: none"> • <i>Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.</i> • <i>The layout of new dwellings and buildings should minimise noise transmission within the site.</i> • <i>Noise sensitive rooms (such as living areas and bedrooms) should be</i> | COMPLIES Please see noise assessment in the above report, the proposal complies with the standard (subject to permit conditions). |



located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.

- New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.
- Buildings within a noise influence area specified in Table D3 should be designed and constructed to achieve the following noise levels:
 - Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
 - Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.
- Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.
- Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.

Table D5 Noise influence area

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

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

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. | MET The objective is met. |
| 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. | COMPLIES Please see wind assessment in the above report, the proposal complies with the standard (subject to permit conditions including conducting a wind tunnel study). |



- *Trees and landscaping should not be used to mitigate wind impacts. This does not apply to sitting areas, where trees and landscaping may be used to supplement fixed wind mitigation elements.*
- *Wind mitigation elements, such as awnings and screens should be located within the site boundary, unless consistent with the existing urban context or preferred future development of the area.*

Table D6 Wind conditions

| Unsafe | Comfortable |
|--|---|
| 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. | 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: <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"> • <i>To ensure the design of dwellings meets the needs of people with limited mobility.</i> | <p>MET</p> <p>The objective is met.</p> | | | | | | | | | | | | |
| <p>Standard D18</p> <ul style="list-style-type: none"> • <i>At least 50 per cent of dwellings should have:</i> <ul style="list-style-type: none"> ○ <i>A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.</i> ○ <i>A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.</i> ○ <i>A main bedroom with access to an adaptable bathroom.</i> ○ <i>At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table D7.</i> <p>Table D7 Bathroom design:</p> <table border="1"> <thead> <tr> <th></th> <th>Design option A</th> <th>Design option B</th> </tr> </thead> <tbody> <tr> <td>Door opening</td> <td>A clear 850mm wide door opening</td> <td>A clear 820mm wide door opening located opposite the shower</td> </tr> <tr> <td>Door Design</td> <td>Either: <ul style="list-style-type: none"> • A slide door, or • A door that opens outwards, or • A door that opens inwards that is clear of the circulation area and has readily removable hinges. </td> <td>Either: <ul style="list-style-type: none"> • A slide door, or • A door that opens outwards, or • A door that opens inwards and has readily removable hinges. </td> </tr> <tr> <td>Circulation area</td> <td>A clear 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, </td> <td>A clear 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 </td> </tr> </tbody> </table> | | Design option A | Design option B | Door opening | A clear 850mm wide door opening | A clear 820mm wide door opening located opposite the shower | Door Design | Either: <ul style="list-style-type: none"> • A slide door, or • A door that opens outwards, or • A door that opens inwards that is clear of the circulation area and has readily removable hinges. | Either: <ul style="list-style-type: none"> • A slide door, or • A door that opens outwards, or • A door that opens inwards and has readily removable hinges. | Circulation area | A clear circulation area that is: <ul style="list-style-type: none"> • A minimum area of 1.2 metres by 1.2 metres. • Located in front of the shower and the toilet. • Clear of the toilet, | A clear 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 | <p>COMPLIES</p> <p>The proposal provides 88% of apartments that are compliant with the requirements of the standard inclusive of either Design Option A or B bathrooms.</p> <p>Dwelling types that meet accessibility includes: Studio Type A, B and D 1B1B Type A, B, C, D, E, F, G, I and J 2B1B Type A, B, C, E and I 2B2B Type A, B, C, D, E, G, H, I, K and L 3B1B Type A, C, D, and E 3B2B Type A, B, C and D</p> |
| | Design option A | Design option B | | | | | | | | | | | |
| Door opening | A clear 850mm wide door opening | A clear 820mm wide door opening located opposite the shower | | | | | | | | | | | |
| Door Design | Either: <ul style="list-style-type: none"> • A slide door, or • A door that opens outwards, or • A door that opens inwards that is clear of the circulation area and has readily removable hinges. | Either: <ul style="list-style-type: none"> • A slide door, or • A door that opens outwards, or • A door that opens inwards and has readily removable hinges. | | | | | | | | | | | |
| Circulation area | A clear circulation area that is: <ul style="list-style-type: none"> • A minimum area of 1.2 metres by 1.2 metres. • Located in front of the shower and the toilet. • Clear of the toilet, | A clear 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 | | | | | | | | | | | |



| | | |
|--------------------------|---|--|
| | basin and the door swing. The circulation area for the toilet and shower can overlap. | and basin. The circulation area can include a shower area. |
| Path to circulation area | A clear path with a minimum width of 900mm from the door opening to the circulation area. | Not applicable |
| Shower | A hobless (step-free) shower. | A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening. |
| Toilet | A toilet located in the corner of the room. | A toilet located closest to the door opening and clear of the circulation area. |

Building entry and circulation objectives

| Clause 58.05-2 | Assessment |
|--|--|
| Objectives <ul style="list-style-type: none"> To provide each dwelling and building with its own sense of identity. To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents. To ensure internal communal areas provide adequate access to daylight and natural ventilation. | MET The objectives are met. |
| Standard D19 <ul style="list-style-type: none"> Entries to dwellings and buildings should: <ul style="list-style-type: none"> Be visible and easily identifiable. Provide shelter, a sense of personal address and a transitional space around the entry. The layout and design of buildings should: <ul style="list-style-type: none"> Clearly distinguish entrances to residential and non-residential areas. Provide windows to building entrances and lift areas. Provide visible, safe and attractive stairs from the entry level to encourage use by residents. Provide common areas and corridors that: <ul style="list-style-type: none"> Include at least one source of natural light and natural ventilation. Avoid obstruction from building services. Maintain clear sight lines. | VARIATION REQUIRED The entries to dwellings and the building are visible and easily identifiable, they provide a transitional space and a sense of personal address. The development clearly distinguishes from residential and non-residential areas, with a fob system being able to be logically located. Windows have been provided to the entrances and lift areas, as well as stairs being apart of a breezeway to create a sense of openness. Common areas and corridors have access to natural light and ventilation, through the breezeway system. It is noted that Level 1 and 2 corridors to the east facing apartments do not provide a source of daylight, however as this is limited and required due to the layout of the development, this is acceptable. A wayfinding strategy should be included as a permit condition to ensure residents, staff and visitors can easily navigate the development from the street. |

Private open space objective

| Clause 58.05-3 | Assessment |
|----------------|------------|
|----------------|------------|



Objective

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

MET

The objective is met.

Standard D20

- A dwelling should have private open space consisting of at least one of the following:
 - An area at ground level of at least 25 square metres, with a minimum dimension of 3 metres and convenient access from a living room.
 - A balcony with at least the area and dimensions specified in Table D8 and convenient access from a living room.
 - An area on a podium or other similar base of at least 15 square metres, with a minimum dimension of 3 metres and convenient access from a living room.
 - An area on a roof of 10 square metres, with a minimum dimension of 2 metres and convenient access from a living room.
- If a cooling or heating unit is located on a balcony, the minimum balcony area specified in Table D8 should be increased by at least 1.5 square metres.
- If the finished floor level of a dwelling is 40 metres or more above ground level, the requirements of Table D8 do not apply if at least the area specified in Table D9 is provided as living area or bedroom area in addition to the minimum area specified in Table D11 or Table D12 in Standard D25.

Table D8 Balcony size

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

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 |

VARIATION REQUIRED

All dwellings are provided with appropriately sized balconies, except for the following dwellings: 1818 Type A; 2828 Type A; 2828 Type C; 3818 Type C.

This variation is acceptable as it is a small number of dwellings, and the proposal provides a substantial amount of communal open space for residents to enjoy.

The communal open space includes at podium and rooftop level, as well as the public open space (160sqm) at ground level, and other indoor communal amenities such as rooftop laundry area.

Where AC units are included on balconies, an additional 1.5sqm minimum has been included in the balcony areas.

Storage objective

Clause 58.05-4

Objective

- To provide adequate storage facilities for each dwelling

Assessment

MET

The objective is met.

Standard D21

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

COMPLIES

All dwellings meet the standard requirements of internal and external storage where required.

A summary table has been provided with the development plans that demonstrate the compliance.



Table D10 Storage

| 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

Objectives

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

Standard D22

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

Assessment

MET

The objectives are met.

COMPLIES

The proposal complies with the objective as follows:

- All public, private and communal areas are clearly delineated and identified throughout the development.
- All areas of common property are capable of efficient management, including roof top services.

Site services objectives

Clause 58.06-2

Objectives

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

Standard D23

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

Assessment

MET

The objectives are met.

COMPLIES

The proposal complies with the objective as follows:

- Site services have been appropriately integrated within the façade and internal areas of the building. These services will be able to be maintained efficiently and economically.
- Mailboxes and parcel rooms are integrated at primary entrance points for each building and appropriately sized to account for the scale of the development.

Waste and recycling objectives

Clause 58.06-3

Objectives

Assessment

MET



| | |
|--|---|
| <ul style="list-style-type: none"> To ensure dwellings are designed to encourage waste recycling. To ensure that waste and recycling facilities are accessible, adequate and attractive. To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm. | <p>The objectives are met.</p> |
| <p>Standard D24</p> <ul style="list-style-type: none"> Developments should include dedicated areas for: <ul style="list-style-type: none"> Waste and recycling enclosures which are: <ul style="list-style-type: none"> Adequate in size, durable, waterproof and blend in with the development. Adequately ventilated. Located and designed for convenient access by residents and made easily accessible to people with limited mobility. Adequate facilities for bin washing. These areas should be adequately ventilated. Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate. Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing. Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing. Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate. Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and: <ul style="list-style-type: none"> Be designed to meet the best practice waste and recycling management guidelines for residential development adopted by Sustainability Victoria. Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements. | <p>COMPLIES</p> <p>A detailed response to this standard is provided in the Waste Management Plan prepared by Traffix Group. The council has requested minor changes to the WMP, which DTP officers agree are appropriate changes and permit conditions should be included to make these changes.</p> |

External walls and materials objective

| | |
|--|--|
| <p>Clause 58.06-4</p> | <p>Assessment</p> |
| <p>Objectives</p> <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. | <p>MET</p> <p>The objectives are met.</p> |
| <p>Standard D25</p> <ul style="list-style-type: none"> External walls should be finished with materials that: <ul style="list-style-type: none"> Do not easily deteriorate or stain. Weather well over time. Are resilient to the wear and tear from their intended use. External wall design should facilitate safe and convenient access for maintenance. | <p>COMPLIES</p> <p>The materials proposed are materials that will not easily deteriorate or stain, will weather well over time, and are resilient to the wear and tear. These materials include a range of tonal pre-cast and textured concrete elements, perforated and folded metal treatments, mesh and tensile wires, powdercoated metal, and timber.</p> |

Functional layout objective

| | |
|------------------------------|--------------------------|
| <p>Clause 58.07-1</p> | <p>Assessment</p> |
| <p>Objective</p> | <p>MET</p> |



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

The objective is met.

Standard D26

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

Table D11 Bedroom dimensions

| 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 |

VARIATION REQUIRED

All apartment typologies comply with the requirements of the standard with the exception of the living areas to Type D 1B1B (3 instances), Type A 2B1B (6 instances), Type I 2B1B (6 instances), Type B 2B2B (6 instances), Type J 2B2B (10 instances) and Type B 3B1B (3 instances).

This is a total of 34 dwellings out of a proposed 326 dwellings, a small portion of the overall number of dwellings. While it is acknowledged that these dwellings do not comply with the standard, the non-compliance is with respect to the minimum width requirements, while the minimum area requirements are achieved. These apartments are still functional and will meet the needs of residents including most incorporating terraces that are more than the minimum dimensions. The objective is met.

Room depth objective

Clause 58.07-2

Assessment

Objective

- To allow adequate daylight into single aspect habitable rooms

MET

The objective is met.

Standard D27

- Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.
- The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:
 - The room combines the living area, dining area and kitchen.
 - The kitchen is located furthest from the window.
 - The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen.
- The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.

VARIATION REQUIRED

The proposal has been designed to provide an appropriate level of daylight into all apartments. Consistent with the daylight modelling prepared by Hip V Hype, over 87.1% of living and 93.4% of bedroom areas receive high levels of daylight.

All apartments are provided ceiling heights that exceed the 2.7m requirements.

There are some circumstances that the maximum depth exceeds 9m for single aspect habitable rooms, but these are minimal and do not contribute to any unacceptable outcomes.

The objective is met.

Windows objective

Clause 58.07-3

Assessment

Objective

- To allow adequate daylight into new habitable room windows.

MET

The objective is met.

Standard D28

- Habitable rooms should have a window in an external wall of the building.
- A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky.
- The secondary area should be:
 - A minimum width of 1.2 metres.
 - A maximum depth of 1.5 times the width, measured from the external surface of the window.

COMPLIES

All habitable rooms are provided with windows on an external wall of a building that is clear to sky. The proposal does not include any apartments that rely on secondary areas.



Natural ventilation objectives

| Clause 58.07-4 | Assessment |
|---|---|
| Objectives <ul style="list-style-type: none"><i>To encourage natural ventilation of dwellings.</i><i>To allow occupants to effectively manage natural ventilation of dwellings.</i> | MET <p>The objectives are met.</p> |
| Standard D29 <ul style="list-style-type: none"><i>The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.</i><i>At least 40 per cent of dwellings should provide effective cross ventilation that has:</i><ul style="list-style-type: none"><i>A maximum breeze path through the dwelling of 18 metres.</i><i>A minimum breeze path through the dwelling of 5 metres.</i><i>Ventilation openings with approximately the same area.</i><i>The breeze path is measured between the ventilation openings on different orientations of the dwelling.</i> | COMPLIES <p>The proposal provides for 46.32% of its apartments that achieve the natural ventilation requirements and therefore complies with the standard.</p> |