

Planning Report

Tract



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511-537 Sydney Road, Coburg

Wurundjeri Woi Wurrung Country

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Prepared for Assemble Communities Pty Ltd, MAKE Ventures Pty Ltd atf MAKE Ventures Unit Trust, Assemble Manager A Pty Ltd, AS Residential Property Pty Ltd atf AS Residential Property Trust, Assemble SRC Development Nominee Pty Ltd, Assemble SRC Pty Ltd atf Assemble SRC Trust ('Assemble Communities')

Acknowledgement of Country

We pay our respects to the Traditional Custodians of Country throughout Australia, their Elders and ancestors, recognising their rich heritage and enduring connection to Country and acknowledging the ongoing sovereignty of all Aboriginal and Torres Strait Islander Nations.

We recognise the profound connection to land, waters, sky and community of the First Nations peoples, with continuing cultures that are among the oldest in human history. We recognise that they are skilled land shapers and place makers, with a deep and rich knowledge of this land which they have cared for, protected and balanced for millennia.

Our Country, 2022

88 x 119 cm Acrylic on canvas

Original artwork by

Alfred Carter

Gunaikurnai

Quality Assurance

Planning Report
Planning Permit Application
511-537 Sydney Road, Coburg
Wurundjeri Woi Wurrung Country

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Project Number
322-0717-00-P-02

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No.	Date	Description	Prepared By	Reviewed By	Project Principal
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02	04/03/2024	Formal DTP Lodgement	CF/PL	DS	DS
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Contents

ADVERTISED PLAN

1	Introduction	6
1.1	Purpose	6
1.2	Overview	6
1.3	Planning Permit Triggers	7
1.4	Background	7
1.5	Pre-application engagement	8
1.6	Project team	11
1.7	Report Structure	11
2	Site & Surrounds	12
2.1	The Site	12
2.2	Key Interfaces	13
2.3	Site Context	14
2.4	Streetscape and Surrounding Character	15
2.5	Development Context	16
3	Proposal	17
3.1	Overview	17
3.2	The Assemble Model	18
3.3	Design Concept	18
3.4	Built Form	19
3.5	Façade Strategy and Materiality	21
3.6	Internal Program	23
3.7	Communal Amenity and Apartment Layouts	23
3.8	Open Space, Landscaping and Public Realm	24
3.9	Environmentally Sustainable Design (ESD)	25
3.10	Circulation, Transport and Parking	25

3.11	Waste and Loading Arrangement	26
3.12	Removal of Easement	27
4	Planning Provisions	28
4.1	Municipal Planning Strategy	28
4.2	Planning Policy Framework	30
4.3	Activity Centre Zone – Schedule 1 (ACZ1) <i>Coburg Activity Centre</i>	33
4.4	Overlays	35
4.5	Particular Provisions	37
4.6	Strategic considerations	39
5	Planning Assessment	40
5.1	Overview	40
5.2	Is the proposal consistent with relevant planning policy within the <i>Merri-bek Planning Scheme</i> ?	40
5.3	Is the proposal consistent with the land use and built form outcomes sought by the ACZ1?	41
5.4	Is the revised proposal consistent with the built form outcomes sought by Clause 15.01 -2L (Apartment Developments in Merri-bek)?	54
5.5	Does the proposal deliver an appropriate level of internal amenity?	56
5.6	Will the proposal result in any unreasonable offsite amenity impacts?	57
5.7	Does the revised proposal provide for an environmentally sustainable design?	58
5.8	Are the proposed traffic, car parking, and bicycle parking arrangements appropriate?	59
5.9	Does the revised proposal provide for appropriate loading and waste management arrangements?	59
6	Conclusion	61
	Appendices	62

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1 Introduction

1.1 Purpose

This report has been prepared by Tract Consultants Pty Ltd upon the instructions of Assemble Communities Pty Ltd, MAKE Ventures Pty Ltd atf MAKE Ventures Unit Trust, Assemble Manager A Pty Ltd, AS Residential Property Pty Ltd atf AS Residential Property Trust, Assemble SRC Development Nominee Pty Ltd, Assemble SRC Pty Ltd atf Assemble SRC Trust ('Assemble Communities').

The purpose of this report is to support a planning permit application to construct a multi-storey, mixed use development at 511-537 Sydney Road, Coburg.

1.2 Overview

This development application incorporates a design scheme which delivers a contextual and high-quality design outcome to support a 'Build-to-Rent-to-Own' (BTRTO) housing model. This application involves the construction of a multi-storey and mixed-use building. Key features of the proposal include:

- Commitment to a Built-to-Rent-to-Own (BTRTO) housing model, to facilitate home ownership via renting for a diversity of households.
- A high-quality contemporary architectural response designed by Jackson Clements Burrows Architects (JCB) adopting a distinctive 'tower and breezeway' massing arrangement to respond to the Site's varied interface conditions.
- Introduction of an east-west aligned laneway terminating in a new landscaped public open space of approximately 160sqm adjacent Ross Street.
- Further public realm improvements in the form of landscaped setbacks to Sydney Road and Ross Street comprising canopy tree planting in deep soil.
- 326 dwellings in the form of one, two and three bedroom apartments of varying layouts, dimensions, orientations and sizes.
- Provision of affordable dwellings which represent 60% of the overall dwelling numbers.
- 156 car parking spaces, 562 resident bicycle spaces, 12 employee bicycle spaces and 36 visitor bicycle spaces.
- Extensive amenities for residents comprising multi-purpose pavilions, laundry facilities, bike workshop, parcel room, rooftop BBQ and social spaces.
- A food and drink premises (café) at the corner of Sydney Road and the new east-west aligned laneway of 103 square metres.
- Commercial office tenancies fronting Sydney Road and the new east-west aligned laneway comprising 1,051 square metres.
- An average NatHERS rating of at least 7.5-stars across the development.

In consideration of the locational context of the Site, the proposed design response and the technical documentation, it is the conclusion of this report that the proposal is appropriate and consistent with the land use and development expectations of the Coburg Activity Centre and is consistent with the relevant provisions of the *Merri-Bek Planning Scheme*. It follows as a recommendation of this report that a planning permit for the proposed use and development should be issued.

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1.3 Planning Permit Triggers

A planning permit is triggered under the following provisions of the *Merri-bek Planning Scheme*:

- Clause 37.08 – to construct a building and works (ACZ1).
- Clause 37.08 – to use the land for dwelling with ground floor frontage exceeding 2 metres (ACZ1).
- Clause 52.29 – to alter access to a road in a Transport Zone 2 and PAO.
- Clause 52.02 – to remove an easement.
- Clause 52.06 – to reduce the statutory car parking rate (car parking).
- Clause 52.34 – to reduce the statutory bicycle parking rate (bicycle parking).

1.4 Background

Planning permit history

MPS/2011/266/A ('the Planning Permit') was issued on 25 June 2012 in accordance with the Victorian Civil and Administrative Tribunal's Order P427/2012 (dated 12 June 2012) and subsequently amended on 11 August 2015.

The Planning Permit allows:

Construction of an eight storey (plus basement levels) building. The use of land for dwellings, shops, restaurants and offices. A carparking reduction association with dwellings, shops, restaurants and office. Alteration, and the creation of access to a road zone.

On 8 February 2023 Council granted an extension to the permit expiry dates: the development must commence no later than 28 June 2025 and be completed no later than 28 June 2027.



Figure 1 - Scheme approved under MPS/2011/266/A

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1.5 Pre-application engagement


Several pre-application meetings have been held with the Department of Transport and Planning (DTP) as well as the Office of the Victoria Government Architect (OVGA), including the following:

- 19 October 2023 – Pre-Application Meeting (DTP):
- 29 November 2023 - Victorian Design Review Panel (VDRP):

Following receipt of this feedback further design work and analysis was undertaken by the project team to respond to the matters raised, which has subsequently informed the final package of application materials.

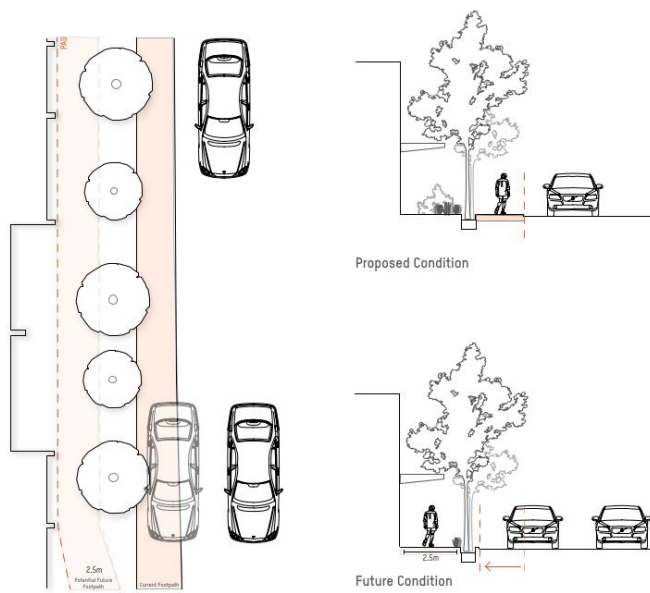
1.5.1 Response to VDRP Commentary

We provide the following response to the comments provided by the VDRP issued on 13 December 2023:

Consideration	Response
<i>Will the form and external appearance of the design improve the quality and amenity of the public realm and streetscapes</i>	<ul style="list-style-type: none">· The Panel’s comments in relation to setting a height precedent are acknowledged. It is respectfully submitted that the project delivers demonstrable public benefits consistent with the scale proposed, by way of affordable housing, public realm improvements and overall architectural quality.· The proposal incorporates revisions to the residential entrances to address the Panel’s comments, with distinct metal portal details clearly differentiating the residential entrances from commercial tenancies and providing a distinct sense of address. Further resolution of signage and lighting will be provided as the project progresses. 
	<ul style="list-style-type: none">· The UCR prepared by JCB provides a detailed summary of changes to the ground plane strategy made in response to the Panel’s comments, demonstrating that the proposed response makes allowance for both existing conditions and a circumstance where the PAO1 is acted upon. In both instances, the proposal will make a positive contribution to the public realm through canopy tree planting in deep soil, including in space provided through the centre of the frontage facilitated by an increased street setback.

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Does the design fit into local networks including pedestrian, cycle, car and service access and circulation requirements, including contributing to neighbourhood permeability

- Further analysis of the northern laneway has been undertaken and the proposal now seeks to adopt a two-lane arrangement, rather than three, allowing for an increase in the size of the pocket park at the western end of the lane, as well as further planting adjacent the footpath. We note that this arrangement will be subject to review following referral to Transport for Victoria.
- As detailed above, the proposed ground plane strategy has been designed to account for both existing conditions and the potential for the PAO1 to be implemented in future.
- The Panel's comment in relation to external access to the central podium level is acknowledged, however the project team consider that the increased setback to this element of the podium (facilitating canopy tree planting to Sydney Road) and opportunities for integrated façade planting will appropriately deliver on the intent for this element of the street wall to carry landscape into the Site. Moreover, we note that there may be management and access issues associated with providing direct access to the communal terrace from the public realm.

Are heights, street frontages and interfaces at ground level appropriate

- With respect to the podium alignment, it is submitted that this arrangement represents a nuanced response to the existing grain of the heritage shopfronts to the south of the Site, allowing a stepped transition to the increased setback required by the PAO1.

Is the building bulk, massing and modulation successful

- The Panel's comment in relation to the proposed building height is acknowledged, and the project team appreciates the need to ensure that any height above the preferred maximum outlined in the ACZ1 does not result in any unacceptable precedent being set.
- We submit that the proposal will not result in any unacceptable precedent on the basis of the demonstrable public benefit being delivered by the project, all of which is committed to in the application materials and can be appropriately confirmed by way of permit conditions.

Are there acceptable relationships with other nearby buildings in terms of separation, setbacks, amenity and urban form

- With respect to the degree of articulation to the internal-facing building facades, we note that specific consideration has been given to maximising daylight access to these apartments. While we acknowledge the Panel's suggestion to provide further projecting elements, we consider that this may worsen daylight levels for these apartments at the same time. Moreover, it is submitted that the proposal provides for well-articulated and modulated internal facades that both allow for visual connections to the podium terrace while mitigating potential for direct views to other apartments.
- As detailed in the equitable development analysis, the podium arrangement will not impact potential development scenarios on the land to the south.

Is the architectural design approach, materials and detailing appropriate

- The proposal maintains the detailing to the southern party wall as supported by the Panel.
- The proposal appropriately details overruns, plant rooms and screening of services as recommended by the Panel.

Are there environmental impacts, including sustainable design, overshadowing, visual and acoustic privacy, noise, wind and reflectivity

- We acknowledge the Panel's comments in relation to the ESD commitments and note that the project team is exploring opportunities to exceed this target. The project is committed to delivering a substantial percentage of dwellings as affordable housing which restricts the extent of further commitments that can be made without impacting project feasibility.
- A Wind Report prepared by Vipac has been submitted with this application package which demonstrates that the project achieves appropriate outcomes with respect to wind criteria in the public and communal areas. Wind amelioration measures have been sensitively integrated within the architectural and landscape responses.

Are layouts functional and accessible with enough space, storage, light, outlook, fresh air and comfort

- We acknowledge the Panel's comments in relation to the residential entrances but consider that the proposed Sydney Road entrance arrangement at 2.5m in width, with access to parcel rooms, letterboxes and glazed interfaces to adjacent tenancies will provide for an appropriate amenity outcome for residents and visitors.
- The Panel's comments in relation to internal circulation spaces are acknowledged, however it is respectfully submitted that given this arrangement is for two levels only and specifically only applies to the southern building, that the number of apartments affected is limited and represents an acceptable planning outcome.
- With respect to internal apartment layouts, we provide the following comments:
 - The three-bedroom apartment A.01.06 has been revised to a 3B1B arrangement, resulting in a more spacious and functional open-plan arrangement.
 - We accept that certain apartments are provided with only south-facing aspect but note that this is largely unavoidable due to the geometry and orientation of the Site. In instances where apartments are south-facing apartments are included these are generally provided with wider-aperture to maximise oblique views and daylight access.

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- All Level 3 apartments that front the communal terrace are provided with direct access located behind mounded planting that will avoid the need for privacy screening.
- The Panel's comments in relation to bicycle storage are acknowledged, and the plans have been revised to provide more convenient access arrangements to the Level 1 and 2 storage areas including via lifts.
- The design of Apartment A.09.01 has been further reviewed with clarification to the areas of public access provided to limit potential for privacy impacts.

Is landscape integrated into the design

- The design of the communal elevated terrace has been further resolved, with the terrace incorporating play areas, space for dogs and pets, productive garden beds and integrated seating adjacent the mounded garden beds.
 - As detailed above, further consideration has been given the proposal's public landscaped interfaces, resulting in additional landscaping to the northern pedestrian path, greater setbacks to the central portion of the Sydney Road frontage to facilitate deep soil planting, and further detail to the Sydney Road interface to ensure tree planting will not be affected by potential future variations to the road alignment.
-

1.6 Project team

The project team assembled by Assemble Communities consists of the following:

- **JCB Architecture** – Architecture.
- **Tract** – Town Planning.
- **Hip V. Hype** – ESD
- **Traffix** – Traffic and Waste Management.
- **MALA** - Landscape.
- **Vipac** – Wind.
- **Acoustic Logic** – Acoustic.

1.7 Report Structure

This report details the Site and its surrounding context (Chapter 2), describes the proposal in full (Chapter 3), identifies relevant planning policy and provisions (Chapter 4) and assesses the proposal against these (Chapter 5). Finally, conclusions and commendations are made (Chapter 6).

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2 Site & Surrounds

2.1 The Site

The Site is located at 511-537 Sydney Road, Coburg and is formally identified on Certificate of Title as follows:

- Lot 1 on Title Plan 409652N (511-517 Sydney Road).
- Land in Plan of Consolidation 364199E (519-537 Sydney Road).

The Site is subject to an agreement under Section 173 of the Planning and Environment Act 1987 (the 'Act') pursuant to Condition 7 of Planning Permit MPS/2011/266/A. The S173 agreement was entered into on 10 September 2015 by the owner of land and Council and continues to affect the land. The agreement provides for:

- *Unrestricted public pedestrian and bicycle access through the northern accessway located between the building and the Right of Way.*
- *The owners of the land to indemnify the Moreland City Council against any claims associated with use of the northern accessway and to accept liability and responsibility for the on-going maintenance of the pedestrian link.*
- *That the owner will not prevent or impede physical access from the driveway to that part of the adjoining right of way which abuts the property at 541 Sydney Road, Coburg.*

The proposed development is consistent with the requirements of the agreement.

The Site has a frontage to Sydney Road (east) of approximately 89 metres, northern interface to a Council-owned right of way (ROW) of approximately 75.27 metres, rear (west) interface to Ross Street of approximately 85.5 metres, and southern interface to a private road (laneway) of 71.4 metres with a chamfered south-west corner (approximately 4.3 metres in length). The Site has a total area of approximately 6,645sqm.

There is an easement running east-west across the Site, in favour of MMBW. It is proposed to remove this easement as part of this planning permit application.

The land falls slightly from north to south.

The lot at 511-517 Sydney Road was previously occupied by a single storey commercial building.

519-537 Sydney Road was previously occupied by a number of industrial brick buildings fronting onto Sydney Road, forming part of the manufacturing industry known as 'CDA Velura'.

The Site has been vacant for several years.

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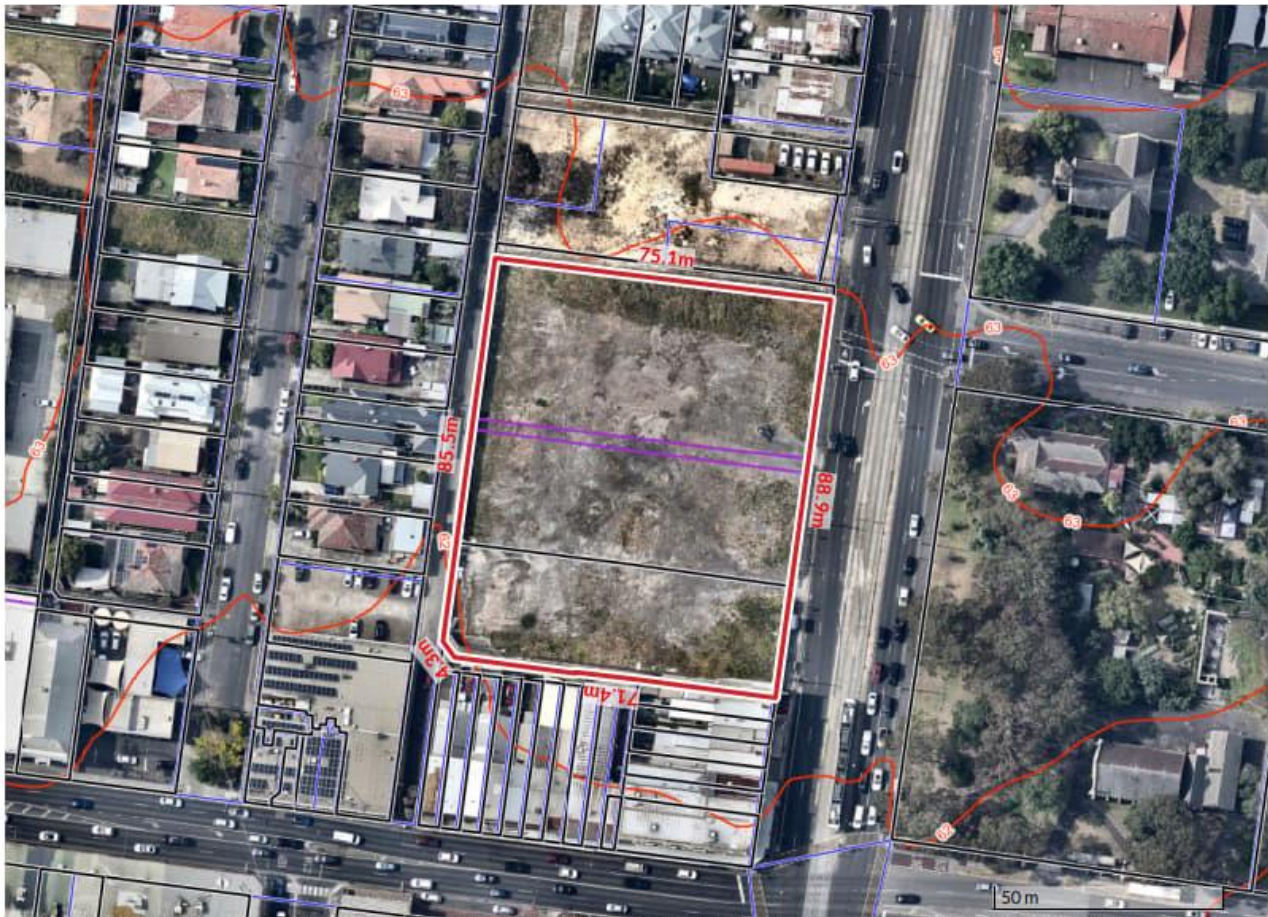


Figure 2 Aerial Plan

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2.2 Key Interfaces

The Site includes the following key interfaces:

- **North:** Immediately to the north of the Site is a Council-owned ROW, which connects Sydney Road to Ross Street and separates the Site from 541 Sydney Road. 541 Sydney Road is a large vacant site that benefits from an approval for an 11 storey development (inclusive of roof terrace) under Planning Permit MPS/2020/793. It is noted that support for a 13 storey building was provided at Council Officer level.
- **East:** Immediately to the east of the Site is Sydney Road, a main arterial road within a 30-metre-wide road reserve. Sydney Road in this location comprises asphalt footpaths, with no nature strip or street tree planting, a central tram line, multiple traffic lanes and a dedicated bicycle lane on the western side. On the eastern side of Sydney Road is Bell Street Reserve and several places of worship including the Holy Trinity Anglican Church and Uniting Church Site.
- **South:** Immediately to the south of the Site is a series of two storey retail buildings fronting Sydney Road. These are serviced by a private laneway (identified as 'road' on title), which runs north/south parallel with Sydney Road and turns to run east/west along the southern boundary of the subject site through to Ross Street. Further south of the service lane is a series of two storey buildings fronting Bell Street. These properties are all contained within the ACZ1, covered by the Heritage Overlay (HO597) and for a large portion covered by a Public Acquisition Overlay curving around the north-east corner of Sydney Road and Bell Street.
- **West:** Immediately to the west of the Site is Ross Street, which runs parallel to Sydney Road. Ross Street has a road reservation width of approximately 6 metres and provides a narrow concrete footpath along its eastern side, along the Site's west boundary. This is currently a largely utilitarian street with no nature strips or street planting evident. On the western side of Ross Street are single storey dwellings fronting Lobb Street, with one example of two storey north-west of the Site at 18 Lobb Street. These residential properties benefit from rear access via Ross Street. Aside from 2A Lobb Street (which is a single storey open air car park contained within the ACZ1), the properties are zoned GRZ1.

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2.3 Site Context

The Site is located within the Coburg Activity Centre within the City of Merri-bek. The Coburg Activity Centre is classified as Major Activity Centre in Merri-bek's Municipal Planning Strategy (refer to Section 4.1 of this report). The Site and surrounds are expected to experience significant growth, driven by the provisions of the ACZ1, the control that applies the strategic intent of the Coburg Activity Centre Framework Plan.

The Site benefits from being in close proximity to a variety of services and amenities, retail, open spaces and public transport options, including the recently redeveloped Coburg Train Station along the elevated Upfield Railway Corridor.

Refer to the Context Plan below.

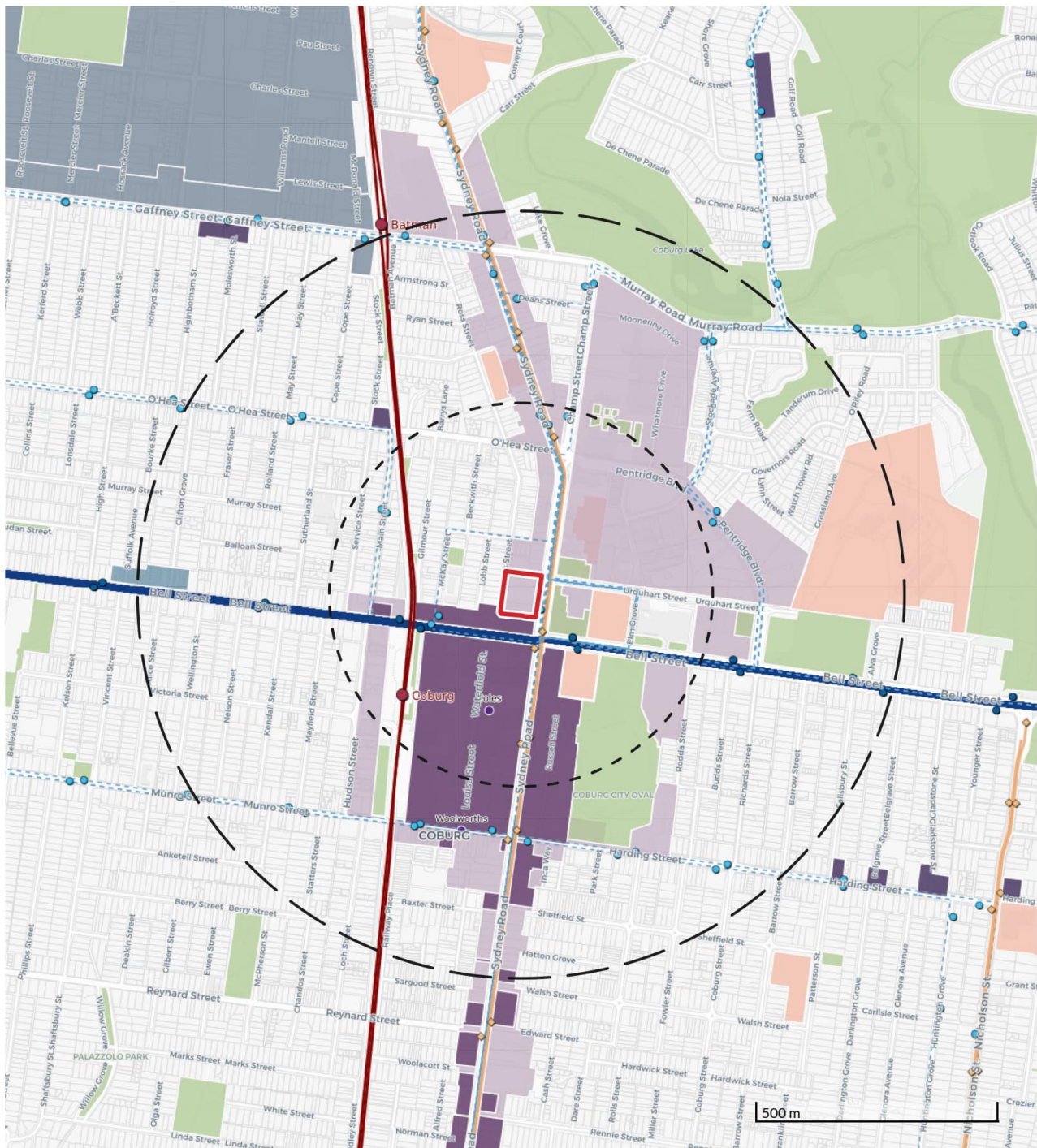


Figure 3 Context Plan

2.4 Streetscape and Surrounding Character

South of Bell Street, the Sydney Road corridor is characterised by late nineteenth century high street shops interlaced with twentieth century commercial buildings and car parks.

The Sydney Road streetscape north of Bell Street is characterised by large, former industrial and civic sites; representing a shift in character from the finer lot grain of the Sydney Road / Bell Street intersection, Sydney Road south of Bell Street and Bell Street west of Sydney Road.

The east side of Sydney Road opposite the Site, between Bell Street and Urquhart Street, is dominated by tree planting within Bell Street Reserve with buildings set back in the order of 20 metres and 48 metres.

Noting the fine grain character of the interwar shops precinct immediately to the south of the Site, the west side of Sydney Road north of the Site is largely characterised by single and double storey warehouse buildings with a zero lot setback.

Land west of the Site behind the Sydney Road and east of the Upfield Rail Corridor is zoned General Residential Zone 1 and accordingly characterised by single and double storey dwellings and three storey blocks of flats.

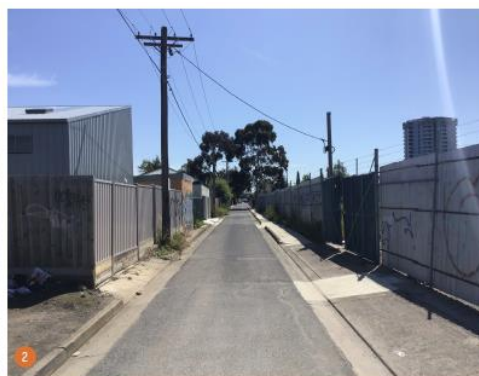
Sustained demand for affordable apartment development has seen the emergence of larger, medium density buildings within the broader context of Merri-bek's activity centres. New buildings are typically constructed on large and consolidated sites, as well as some smaller sites that preserve the mixed grain character of the local streets. Trends are observed toward improving design quality and residential amenity in response to an increasingly discerning and engaged market, and improving the pedestrian experience (particularly for larger sites through new or widened connections) in response to Council and community ambition for more walkable neighbourhoods.

As development and activation continue, the role of these secondary linkages and a pedestrian-focused public realm is likely to be strengthened throughout the surrounding context.

Context

Site Photos

- 1 Sydney Rd
- 2 Ross St
- 3 Sydney Rd
- 4 Ross St lane



Extract from UCR prepared by JCB

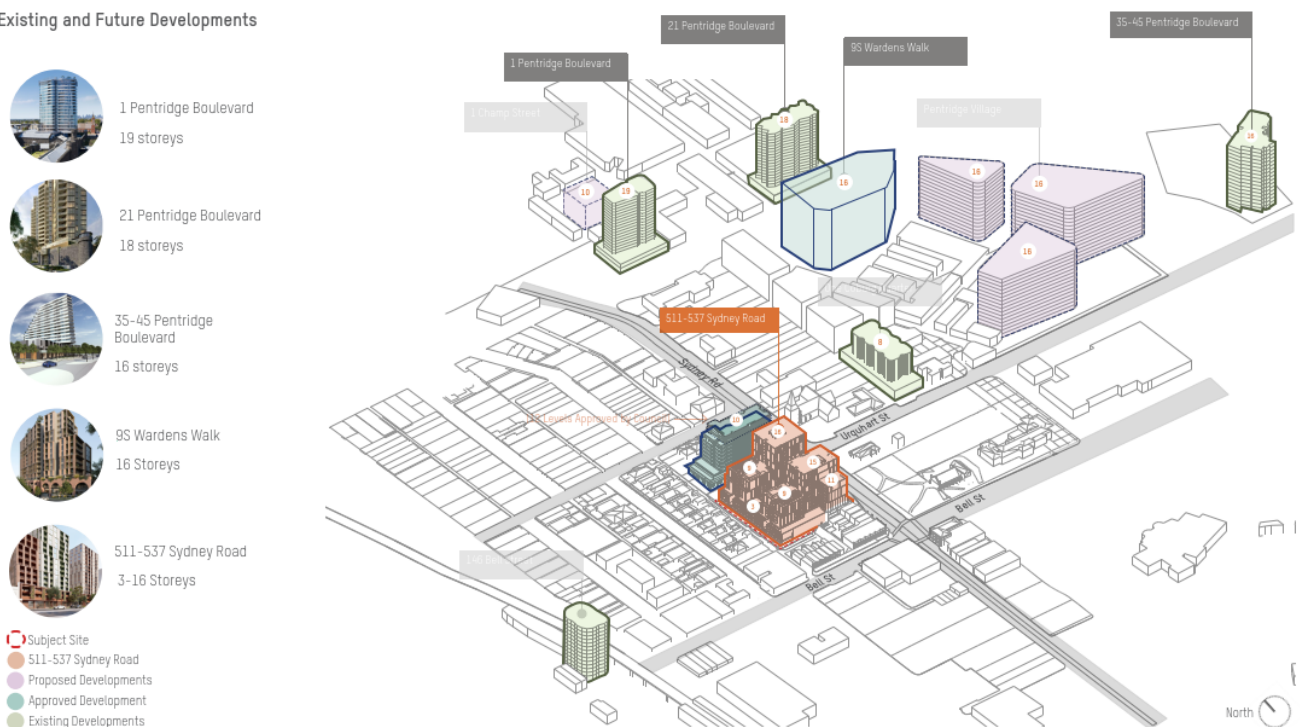
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2.5 Development Context

Notable recent development approvals include the following:

- 477 Sydney Road Coburg (MPS/2022/773) – 6 storeys.
- Barnett Foundation Mixed Use Development (541 Sydney Road, Coburg) (MPS/2020/793) – 11 storeys – site preparation in progress.
 - It is noted that support for a 13 storey building was provided at Council Officer level, with the ultimate Council decision including conditions requiring removal of two levels (levels 8 and 9).
 - It is also noted that in the Officer Report the 'interface with adjoining residential zone' requirement (B17 setback line) was taken from the opposite side (west) of the laneway when assessing setbacks from Ross Street.
- 9S Wardens Walk – 16 storeys – under construction.
- 35 Pentridge Boulevard – 16 storeys – under construction.

Existing and Future Developments



Extract from UCR prepared by JCB

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3 Proposal

This section should be read in conjunction with the Development Plans and Urban Context Report prepared by JCB, dated February 2024.

3.1 Overview

The application proposes to provide a total of 326 dwellings, comprising a diversity of apartment types in the form of studios, one bedroom, two bedroom (one bath/two bath) and three bedroom (one bath/two bath) dwellings.

The proposed dwelling mix is as follows:

- 1BC (Studio) – 26 dwellings
- 1B1B – 75 dwellings
- 2B1B – 53 dwellings
- 2B2B – 103 dwellings
- 3B1B – 40 dwellings
- 3B2B – 29 dwellings

The provision of build to rent to own housing is complemented by ground floor commercial (office and retail) floor space, totalling approximately 1,155 sqm of net leasable area (1,051sqm of Office NLA and 103.4sqm of Food and drink premises NLA).

Publicly accessible communal open space is provided in the form of the 'Assemble Garden' at ground level in the north-west corner of the Site, adjacent to Ross Street and the future green link to the north.

Above ground, further 'Assemble' spaces are provided at each end of the primary communal open space at podium level, while additional communal terraces and laundries are provided at Level 9, accessed via the point tower cores.

The proposal is supported by a transport strategy that includes provision of:

- Bicycle workshop at ground level.
- 610 bicycle parking spaces:
 - 12 x office spaces (1 x cargo space; 9 x vertical spaces, 1 x horizontal space).
 - 36 visitor spaces (including 18 horizontal).
 - 562 residential spaces (mix of stacked, vertical, and cargo).
- 156 car parking spaces (including 4 x car share, 1 x DDA and 1 x EV space), allocated as follows:
 - 143 resident spaces.
 - 13 office / retail spaces.
- Three (3) motorbike spaces.

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Figure 4 - Extract from UCR prepared by JCB: Perspective Image looking west

3.2 The Assemble Model

The proposal has been amended to support the Assemble Future BTRTO model – a new housing model that bridges the gap between renting and home ownership. Assemble Futures allows residents to lease their home for five (5) years while they save to purchase the home. Prospective residents enter a five-and-a-half-year lease (4 x 12 month and 1 x 18 month terms) and have the right but not the obligation to purchase their home for a fixed price after five-years and two months of tenure.

Under this model, it is proposed that 60% of the proposed dwellings will be delivered as affordable housing appropriate for the housing needs of moderate income households, by which the cost of rent does not exceed 30% of gross household income at time of occupation and the cost of interest and principal does not exceed 35% of gross household income forecast at time of settlement.

For the purposes of determining what is appropriate for the housing needs of “Moderate” income households, Assemble has specific regard to both Section 3AA of the Act and the respective income bands specified by the Minister for Planning by notice published in the Government Gazette annually, and those local area median incomes being not greater than 120% of the median income for the Australian Bureau Statistic geographic area in which the project is located.

3.3 Design Concept

The design concept developed by JCB focuses on mediating scale. It seeks to transition from the fine grain Sydney Road shopfronts to the south, to the larger format developments emerging to the north. It does this by adopting a podium rhythm that speaks to the adjoining existing heritage fabric and by breaking up the tower forms into a collection of smaller forms.

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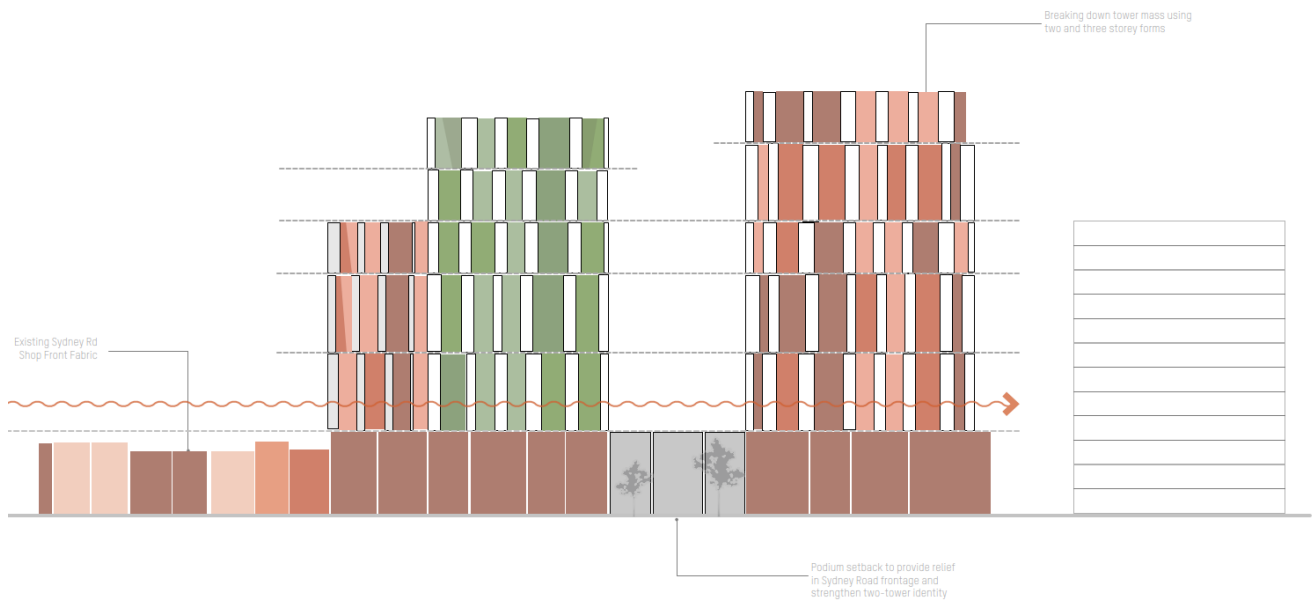


Figure 5 - Extract from UCR prepared by JCB – Mediating Scale

The broader concept follows the following principles:

Utilising landscape and orientation to minimise overlooking (real and perceived).

Capturing the sensibility of the Uniting church site.

Mediating the site conditions to maximise liveability.

Leveraging a unified precinct.



Figure 6 - Extract from UCR prepared by JCB – Design Approach

3.4 Built Form

The approach to massing adjusts the envelope generated by applying the requisite ACZ1 controls (refer to the table in section 3.5.1 below) by extruding the form into two point towers on the east side of the Site, while pulling the form back into two lower-scale breezeway buildings on the west side of the Site.

As detailed in the UCR prepared by JCB, the proposed building height has been deliberately biased towards the eastern (Sydney Road) frontage, allowing for space between built form through the centre of the Site (internal building separation) and to the western (Ross Street) interface. This separation provides the location for the development's primary communal open space and significant elevated landscape zone, visible from the public realm.

The buildings are generally oriented in an east-west direction, barring the podium fronting Sydney Road, which seeks to continue the rhythm of the shopfronts between the Site and Bell Street.

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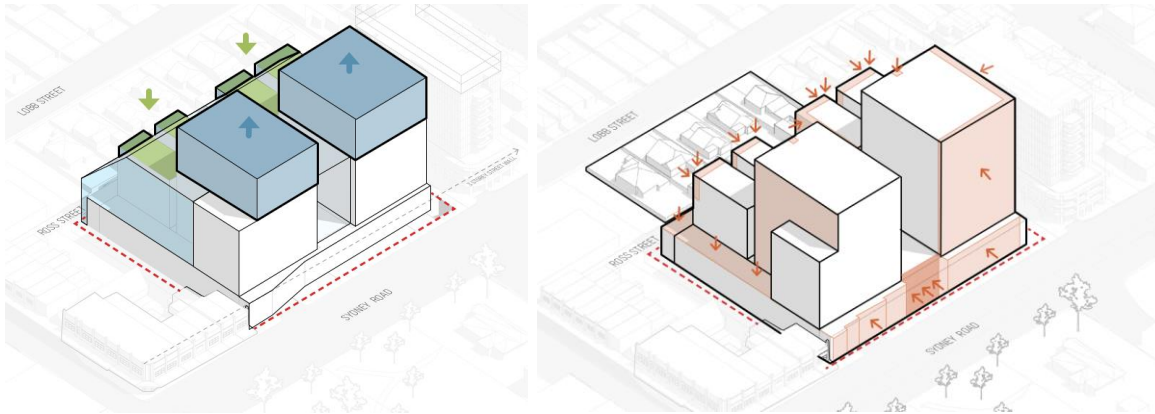


Figure 7 - Extracts from UCR prepared by JCB – Massing Strategy

Further detail of the built form response is provided below.

3.4.1 Building heights, setbacks and building separation

A summary of proposed building height, streetwall heights and setback (massing) arrangements, relative to the controls set out for the Site in the ACZ1 is provided in the table below.

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Built form element	ACZ1 control	Proposal
Maximum building height (discretionary)	36 metres	North-east tower: 49.75 metres South-east tower: 46.7 metres
Streetwall to Sydney Road (east)	14.5 metres	10.1 metres
Streetwall to Ross Street (west)	7.5 metres	10.1 metres
Streetwall to vehicular accessway / through link (north)	14.5 metres	10.1 metres
Upper Level Setback Sydney Road	5 metres	6.4m – 7.4m from east boundary (south tower/north tower) Varied setback from streetwall due to PAO (2m – 5m (south tower) and 3m (north tower))
Upper Level Setback Ross St	Landscape setback of 3 metres 'Interface with adjoining residential zone' (B17 setback line)	4.63 metres from edge of streetwall (Levels 3-5) 9.3m from boundary (Levels 3-5) 5.83m metres from edge of streetwall (Levels 6-8) 11m from boundary (level 6-9)
Upper Level Setback from north	5 metres	1.5m-2.1m from edge of podium (cantilevered balcony and canopy) to face of upper levels for point tower (east form). Zero setback (above podium) for breezeway (west form) - building typology is grounded, with

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canopy over residential bike store and bike workshop entries.

The buildings are set back 12-13 metres from the northern site boundary due to the angle of the boundary.

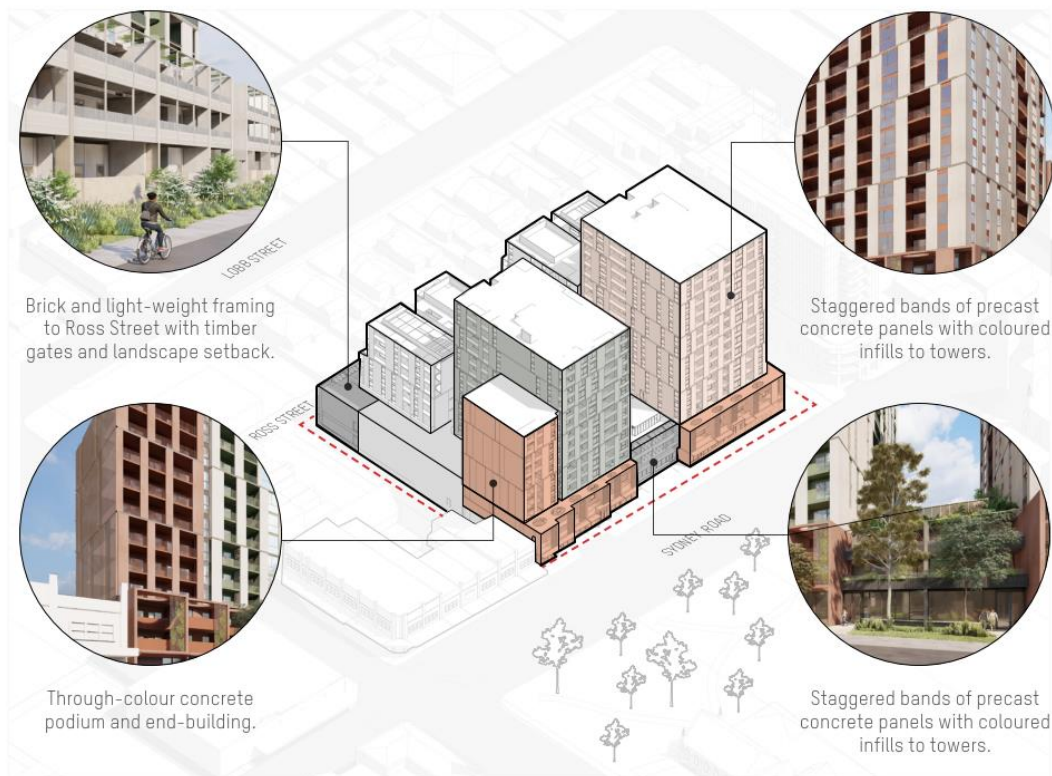
Setback from north	Not applicable / not identified	Breezeway building – 9.326 metres from boundary Point tower – 11.563 metres from boundary / wall on boundary
Internal building separation	Not applicable / not identified	15.98 metres between towers 17.79 metres between breezeways

3.5 Façade Strategy and Materiality

The façade strategy furthers the mediating of scale through horizontal datums and varied colour treatments to separate the massing into a collection of smaller forms.

The proposed palette includes a variety of tactile and robust materials as follows:

- Precast concrete (natural, ochre)
- In-situ concrete (natural)
- Brick
- Folded metal (galvanised)
- Perforated metal mesh (natural, red and green)
- Powdercoated window and door frames
- Hardwood timber





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3.6 Internal Program

The internal program of the development is set out below.

Level

Ground	1051.4sqm Commercial (Office) NLA; 103.4sqm Retail (Food and drink premises) NLA; 187.5sqm communal amenities; seven (7) x dwellings; car parking and bicycle parking.
Level 1	12.1sqm communal amenities; 23 x dwellings; car parking and bicycle parking
Level 2	12.1sqm communal amenities; 23 x dwellings; car parking and bicycle parking
Level 3	130.6sqm communal amenities; 868sqm Communal Terrace; 30 dwellings
Level 4	29 x dwellings
Level 5	29 x dwellings
Level 6	29 x dwellings
Level 7	29 x dwellings
Level 8	29 x dwellings
Level 9	327.1sqm Communal Terrace; 17 x dwellings
Level 10	17 x dwellings
Level 11	14 x dwellings
Level 12	14 x dwellings
Level 13	14 x dwellings
Level 14	14 x dwellings
Level 15	Eight (8) x dwellings

3.7 Communal Amenity and Apartment Layouts

In accordance with the Assemble Model, the development includes a carefully programmed suite of communal space and amenity across the building, including:

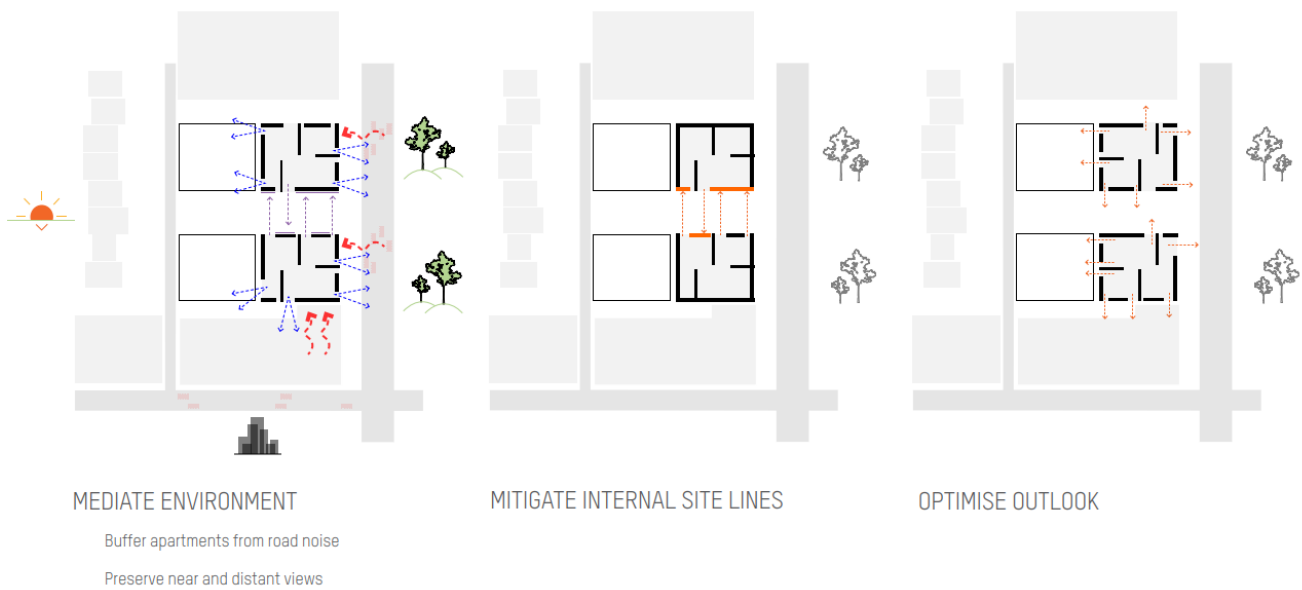
- Assemble garden at ground level.
- Bike workshop at ground level.
- Communal terrace and assemble spaces at podium level (Level 3).
- Communal terraces and laundries at Level 9 (above each breezeway building).

The communal amenity provides opportunities for residents of the building to interact with one another, while complementing the private amenity afforded through cleverly configured dwellings.

Several typologies are proposed, offering varied apartment sizes and layouts for residents. Floorplates have been designed to allow for as many apartments as possible to have outlook to the east (over Sydney Road) and west (over

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the lower scale residential zoned land), with apartments facing internally to the communal terrace designed and offset to allow for privacy and outlook.



3.8 Open Space, Landscaping and Public Realm

The proposal includes a high quality landscape response prepared by MALA between buildings and within the public realm. The presence of the PAO allows for landscaping within the setback to Sydney Road. A deeper recess has been provided central to the podium to allow for deep planting to be retained in the event the PAO is acted upon. Above this recess, landscaping from the podium-level communal terrace is visible around the eastern Assemble Pavilion.

At ground level, the public link to the north is treated with tree planting adjacent to the retail tenancy and at the western end, through a publicly accessible community garden – the Assemble Garden, which allows for timber bench seats, vertical climbers, and a large feature tree.

To Ross Street, the 3m ground floor setback is landscaped is lined with native trees of varied species to provide dappled light an shade to apartments, with feature trees at key entry points.



Figure 8 - Sydney Road frontage and view to communal terrace (extract from UCR prepared by JCB).

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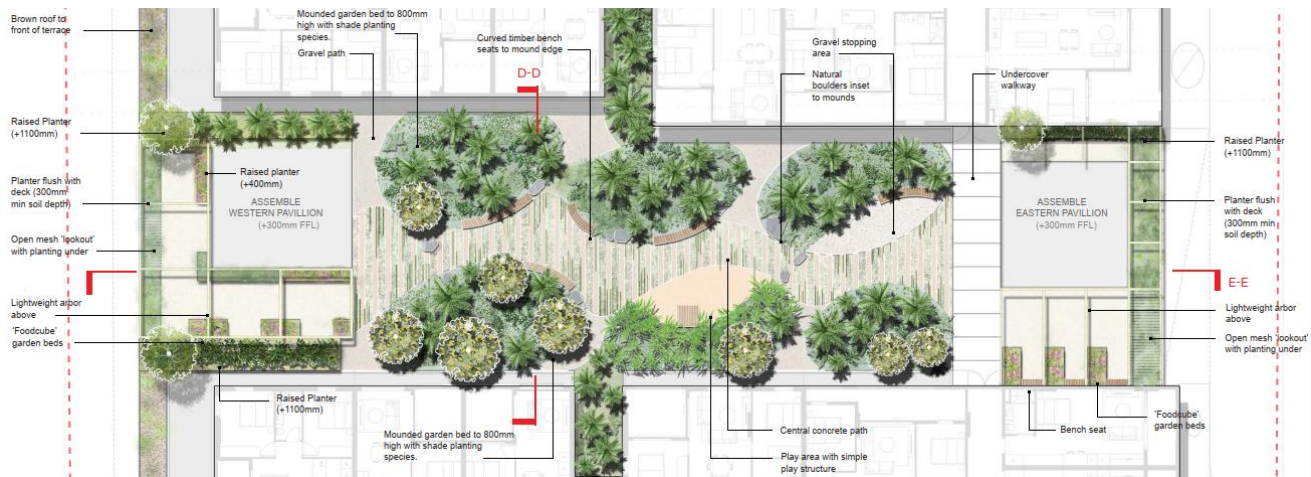


Figure 9 - Communal Terrace (extract from Landscape Plan prepared by MALA).

3.9 Environmentally Sustainable Design (ESD)

The approach to sustainability led by Hip V. Hype is to 'embed sustainability into the design, construction and operation of the site as a mixed-use residential precinct', with the aim of realising a high-performing building for people, place, and planet. Key sustainable design initiatives (as detailed in the executive summary of the Sustainability Management Plan prepared by Hip V. Hype) include the following:

- *Passive design to target a minimum average NatHERS rating of at least 7.5-Stars, minimising the need for active energy systems.*
- *No fossil fuels including natural gas. 100% all-electric building supplied with renewable energy through an embedded network.*
- *Maintain comfortable internal temperatures passively, using little or no energy, providing comfortable living spaces year round and protecting inhabitants from extreme weather events.*
- *Create healthy homes, including reduction in the use of harmful VOCs in glues, sealants and paints, and protection from dust and other external airborne pollutants.*
- *Cost effective design that provides a sustainable outcome, avoiding over engineering and providing for simple maintenance over time.*
- *Minimise consumption of natural resources, including water and raw materials.*
- *Minimise environmental impacts through operation, including energy consumption, waste creation and discharge of pollutants.*

The SMP is supported by a BESS Assessment demonstrating a score of 70 percent, which represents ESD excellence. Please refer to the SMP for more information.

3.10 Circulation, Transport and Parking

A detailed Transport Impact Assessment (TIA) has been prepared by Traffix Group.

With respect to pedestrian and bicycle access, the TIA states:

Primary pedestrian access for staff and visitors to the site is proposed via two points along the Sydney Road frontage. A further four access points are provided along Ross Street and a new private accessway which is intended to operate along the northern boundary of the site from Sydney Road.

The existing Right of Way (RoW) that runs along the southern boundary of the site is retained and not being altered. The site will setback at ground level to provide for a fire escape path.

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A widened footpath is proposed along the site's frontage to Sydney Road (allowing for the existing Public Acquisition Overlay) Bicycle access can be taken from the pedestrian routes as well as via the vehicle access at the north of the site.

With respect to vehicle access, the TIA states:

The proposal provides a setback to the northern boundary to provide a new private access road as a new western leg to the existing Sydney Road/Urquhart Street intersection, consistent with the existing permit.

This new road serves the on-site car parking and loading/waste collection.

This accessway also provides access to a pocket park to the west and pedestrian access to Ross Street.

No vehicle access is provided to Ross Street or the Right of Way (RoW).

With respect to bicycle parking, the TIA states:

The application proposes the provision of 610 bicycle spaces, currently allocated as follows:

- 562 resident spaces (492 stacker spaces, 66 vertical spaces, and 4 cargo spaces) across ground, level 1 and level 2.*
- 36 visitor spaces (18 double sided horizontal hoops) within the public realm.*
- 12 office staff spaces (10 vertical spaces and 2 cargo spaces) at the ground floor.*

End of Trip facilities are proposed on-site for staff, inclusive of 2 showers and changerooms with sufficient lockers provided for commercial staff located adjacent the staff bicycle parking area on the ground floor.

Access to bicycle parking is available via pedestrian entrances to Sydney Road and Ross Street as well as the private vehicle accessway to the north of the site.

With respect to car parking, the TIA states:

A total of 156 car parking spaces are proposed which are intended to be allocated as:

- 139 car spaces for residents (inc. 14 tandem spaces at level 2),*
- 13 car spaces for commercial uses (inc. 2 DDA spaces at ground level),*
- 4 car share spaces.*

A Build-to-Rent-to-Own model is proposed for the residential component which allows for parking to be managed by Assemble and leased on a per demand basis.

The intention is that the 4 car share spaces will be managed by Assemble (but may be contracted to a commercial provider if there is demand).

3 motorcycle parking spaces are provided at the level 2 carpark.

3.11 Waste and Loading Arrangement

A detailed Waste Management Plan (WMP) has been prepared by Traffix Group. The waste management approach comprises the following key elements:

- *Waste collection shall be undertaken within the ground floor via 6.4m long mini rear loader private waste collection vehicle consistent with the current permit arrangements.*
- *The waste management systems of the proposed development comprise of the following components:*
 - *Immediate smaller bins within individual dwellings for temporary storage of garbage and recyclable, organics, and glass waste.*
 - *Immediate smaller bins within the office and retail for temporary storage of garbage, recycling, and paper & cardboard.*
 - *Mobile garbage bins within the residential and commercial waste storage areas for each waste stream at the ground level car park.*
 - *Dual chutes within the upper levels for transfer of residential garbage and recyclable waste between the residential floors and the residential bin store on the ground level.*

- *Residential waste generated in a particular building is to be disposed of in the corresponding waste room, and commercial waste to be disposed of to a dedicated waste room.*

With respect loading, the TIA states that:

Loading is proposed on site from the private accessway via the dedicated loading bay/drop-off bays provision for the loading vehicles to turnaround on-site.

Waste collection is proposed within the ground floor car park off the private accessway via private contractor.

Refer to the Waste Management Plan prepared by Traffix for further information.

3.12 Removal of Easement

It is proposed to remove the existing easement in favour of MMBW as part of this planning permit application.

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4 Planning Provisions

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The following provisions of the *Merri-bek Planning Scheme* are considered relevant to the Site and the proposal.

4.1 Municipal Planning Strategy

The Municipal Planning Strategy sets out the vision for the municipality and key strategic directions under a range of themes (such as settlement, housing, built environment and heritage, economic development and transport) to guide planning within the municipality. Relevant clauses are set out below.

Clause 02.01 Context provides an overview / description of the municipality's key characteristics including the following:

- *Merri-bek is home to a diverse population – with a wide range of cultures, household types, tenures, incomes, skills and occupations. 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.*
- *Adapting and building resilience to climate change and reducing and responding to the urban heat island effect are key concerns for Council given their threat to liveability and sustainable neighbourhoods. Shifting towards zero net carbon emissions is part of creating a prosperous and resilient future for Merri-bek.*

Clause 02.02 Vision outlines the vision for Merri-bek City Council as follows:

Merri-bek City 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.

In planning for sustainable neighbourhoods, Merri-bek City Council's goal is that all neighbourhoods will generally include a mix of the following key elements, proportionate to the suburb scale:

- *Shops and services.*
- *Community facilities such as schools, neighbourhood houses, recreation, libraries, etc.*
- *Housing choices.*
- *Employment choices.*
- *Public transport options.*
- *A network of different types of open spaces for leisure and recreation*

Clause 02.03 Strategic Directions establishes a range of strategic directions for the development of Merri-bek, as they relate to (relevant to the Site) *growth, activity centres, built environment and heritage, environmentally sustainable design, housing and transport*. The relevant objectives and strategies of each of these sections are outlined below:

Growth

It is outlined that Merri-bek is experiencing strong population growth, with an additional 38,00 dwellings required by 2036 (1920 a year) to cater to an expected population of over 250,00 by 2036. New housing opportunities will be provided by densification of existing residential areas and within activity centres.

Council will seek to manage this growth by directing it towards areas with good access to shops, services and public transport, whilst seeking to reflect the principles of a '20 minute city'.

Activity Centres

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Council seeks to ensure that the majority of households in Merri-bek are within walking distance (approximately 400m) to an activity centre. The Site is located within the Coburg Major Activity Centre, which has a role and function as follows:

- *Provide a broad mix of retail uses, commercial and cultural activity, employment options, administrative and civic centre functions, government investment and regional facilities.*
- *Accommodate substantial residential/mixed-use growth and change to create a new character of increased density and scale of built form.*

Built environment and heritage

It is policy to ensure that the design of new built form is of a high architectural and urban design quality, in order to ensure good amenity for future residents, as well as good health and safety outcomes.

Strategies outlined as part of this direction include (as relevant to the Site):

- *Encouraging development that is designed to respond to and contribute to its context and any relevant heritage significance.*
- *Encouraging development that is designed to integrate with landscape design to improve aesthetic quality and amenity for occupants and the public domain.*
- *Improving the quality of design of housing development.*

Environmentally sustainable design

It is outlined that Merri-bek is committed to becoming an environmentally sustainable and liveable city. It is encouraged that design implements sustainability principles into building design, including:

- *Reducing living costs associated with housing, such as energy costs.*
- *Improved amenity and liveability.*
- *Reduced greenhouse gas emissions.*
- *Greater resilience to the impacts of climate change.*

Housing

This largely notes that there is an increasing shift in Merri-bek to smaller households and more dense housing stock. It encourages the provision of a diverse range of housing in the municipality, including more affordable housing options, housing that meets the different needs of the community and designed to meet changing needs of occupants over their lifetimes.

Transport

This outlines that Merri-bek is seeking to achieve a greater mode share of trips to sustainable transport modes, rather than motor vehicle use.

As such, relevant strategies include:

- *Integrating transport and land use planning decisions that maximise people's opportunities to walk, cycle and use public transport.*
- *Planning for car, bike and vehicle access and parking that:*
 - *Creates better places within Merri-bek.*
 - *Supports the likely demand and nature of the locality.*
 - *Encourages the use of sustainable transport.*

Clause 02.04 Strategic Framework Plans provides a range of framework plans to guide the development of Merri-bek. As relevant to the Site, these include:

- *Activity Centre Framework Plan. The Site is identified as being within the Coburg Activity Centre.*
- *Housing Framework Plan. The Site is identified as being within a Significant Change Area.*
- *Transport Framework Plan. The Site is located adjacent to the Sydney Road Tram Corridor, the Upfield Rail Corridor and Upfield Bike Route and east-west running bus routes.*

4.2 Planning Policy Framework

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

Settlement

Clause 11 (Settlement) seeks to anticipate and respond to the needs of existing and future communities through the provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.

Clause 11.03-1S (Activity Centres) seeks 'to encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community'.

Built Environment and Heritage

Clause 15 (Built Environment and Heritage) seeks to ensure all new land uses and development appropriately responds to its landscape, valued built form and cultural context, and protect places and sites with significant heritage, architectural, aesthetic, scientific and cultural value.

Clause 15.01-1S (Urban Design) aims to create safe and functional urban environments which are good quality and which display a sense of place and cultural identity.

Clause 15.01-1R (Urban Design – Metropolitan Melbourne) seeks 'to create a distinctive and liveable city with quality design and amenity'.

Clause 15.01-1L (Urban Design in Merri-bek) includes relevant strategies such as:

- Ensure site design, building frontages, design articulation and internal layout achieve a good interface with and surveillance of the public realm, including maximising opportunities for active frontages.
- Design development to contribute to a fine grain urban structure reflecting an appropriate balance of open space to built-form.
- Design development to contribute to a fine grain architectural expression with detailed street frontages.
- Ensure large sites provide a network of public streets, footpaths and lanes connecting through the site into the surrounding street and pedestrian network.
- Encourage development to contribute to the upgrade of existing streets adjoining the site and undergrounding of powerlines and other utilities.
- Design development adjacent to public open space to provide a clear separation between public and private land.
- Design and site development to not unreasonably overshadow public open space.
- Design development to provide a sense of safety by maximising interaction, passive surveillance and incidental lighting of open spaces.
- Ensure landscape design improves aesthetic quality and amenity for occupants and the public realm by:
 - Integrating development with the surrounding environment.
 - Providing for summer shading of buildings and private open spaces and allows for access to winter sun.
 - Contributing to reduction of the urban heat island effect.
 - Incorporating integrated water management and water sensitive urban design.

Clause 15.01-2S (Building Design) aims to achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.

Clause 15.01-2L (Building Design in Merri-bek) includes numerous strategies, including:

- Encourage good-quality contemporary architecture.
- Ensure service infrastructure and waste storage facilities:
 - Are well concealed and/or screened from the street or; integrated into building design.
 - Enable the provision of green infrastructure.

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- Ensure development maximises the retention of existing vegetation and large trees and provides sufficient space and conditions for planting of new canopy and screening trees.

Clause 15.01-2L (Apartment Developments in Merri-bek) applies to all applications for an apartment development of five or more storeys. The objectives of the policy are to design buildings to:

- Allow adequate daylight to living rooms and bedrooms.
- Provide opportunities for open space and landscaping areas.
- Reduce overlooking into habitable rooms and private open space areas through location and design.
- Provide a reasonable outlook from living areas.
- Enable the reasonable future development opportunities of adjoining sites.
- Manage the amenity impacts to adjoining sites.
- Achieve a greater level of privacy and higher levels of daylight compared to bedrooms.

There are numerous requirements within the policy in relation to building separation, daylight provision and the like. Of relevance are the following setback and lightwell requirements, which apply from the first level of residential use.

Table 1 Building setbacks to the side or rear boundary

Building height	Living room or Main balcony outlook to boundary	Bedroom outlook to boundary
Up to 4 storeys or 12 metres	6 metres	3 metres
5-8 storeys or up to 25 metres	9 metres	4.5 metres
9 or more storeys or over 25 metres	12 metres	6 metres

Table 2 Building setbacks to a lane

Building height	Living room or Main balcony outlook	Bedroom outlook
2 storeys or 9 metres	0 metres (from boundary)	0 metres (from boundary)
3-8 storeys or up to 25 metres	6 metres (from lane centre line)	3 metres (from lane centre line)
9 or more storeys or over 25 metres	9 metres (from lane centre line)	6 metres (from lane centre line)

Table 4 Light well dimensions

	Minimum width	Minimum area
Up to 4 storeys or 12 metres	2 metres	9 sqm
5-8 storeys or up to 25 metres	4.5 metres	29 sqm
9 or more storeys or over 25 metres	6 metres	51 sqm

The policy also seeks to consider, where relevant, the reasonable future development opportunities for adjoining sites (if the above requirements are not achieved). Likewise, if an existing residential development does not meet the distances specified in the tables (relevant to setbacks but not light wells), there is a requirement to achieve a comparable adequate setback (from a minimum of one metre and maximum of three metres).

Clause 15.01-2L-04 (Energy efficiency in Merri-bek) seeks to ensure development maximises passive energy efficiency and creates quality living and working environments.

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.

Clause 15.01-4S (Healthy Neighbourhoods) aims 'to achieve neighbourhoods that foster healthy and active living and community wellbeing'.

Clause 15.01-4R (Healthy Neighbourhoods) aims to create a city of 20 minute neighbourhoods that give people the ability to meet most of their everyday needs within a 20 minute walk, cycle or public transport trip.

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Clause 15.01-5S (Neighbourhood character) aims to recognise and protect cultural identity, neighbourhood character and sense of place.

Housing

Clause 16 (Housing) states that planning should provide for housing diversity and ensure the long term sustainability of new housing, including access to services, walkability to activity centres, public transport, schools and open space. Further, planning should include the provision of land for affordable housing.

Clause 16.01-1S (Housing supply) seeks 'to facilitate well-located, integrated and diverse housing that meets community needs.'

Clause 16.01-1R (Housing supply – Metropolitan Melbourne) seeks amongst other things to 'provide certainty about the scale of growth by prescribing appropriate height and site coverage provisions for different areas'.

Clause 16.01-1L (Homes in Merri-bek) includes a range of strategies, with the strategy relevant to the Site being to *encourage increased density housing in the form of apartments and townhouses in areas identified as 'Significant Housing Growth'* on the Strategic Framework Plan: Housing at Clause 02.04.

Clause 16.01-1L (Housing for people with limited mobility) includes a strategy that seeks to:

- *Encourage the provision of housing that can be lived in by people with limited mobility (or easily adapted to be lived in) by incorporating the following design features:*
 - *An accessible path from the street and car park areas to a level entry.*
 - *A clear path of travel from the accessible entry to a living area and toilet.*
 - *A bedroom, living area, kitchen, private open space, bathroom and toilet for people with limited mobility on entry level.*

Clause 16.01-2S (Housing affordability) seeks to deliver more affordable housing closer to jobs, transport and services.

Clause 16.01-2L (Housing affordability Merri-bek) includes the following strategies:

- Encourage developments to include affordable housing to be owned and managed by a registered housing association, registered housing provider or the Director of Housing.
- Encourage public landowners to use surplus land for the provision of social and affordable housing.

Economic Development

Clause 17 (Economic Development) seeks to provide for a strong and innovative economy, where all sectors of the economy are critical to economic prosperity.

Clause 17.01-1S (Diversified economy) seeks to strengthen and diversify the economy by improving access to jobs closer to where people live.

Transport

Clause 18 (Transport) seeks to ensure an integrated and sustainable transport system that provides access to social and economic opportunities, facilitate economic prosperity, contributes to environmental sustainability, coordinates reliable movements of people and goods, and is safe.

Clause 18.01-3S (Sustainable and safe transport) aims to facilitate an environmentally sustainable transport system that is safe and supports health and wellbeing.

Clause 18.02-1L (Sustainable and safe transport – Metropolitan Melbourne) outlines the following strategy to achieve the above objective: to improve local travel options for walking and cycling to support 20 minute neighbourhoods.

Infrastructure

Clause 19 (Infrastructure) aims for strategic planning to facilitate efficient use of existing infrastructure and human services. Providers of infrastructure, whether public or private bodies, are to be guided by planning policies and should assist strategic land use planning.

4.3 Activity Centre Zone – Schedule 1 (ACZ1) Coburg Activity Centre

The Site is now located in the Activity Centre Zone (ACZ), which seeks:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To encourage a mixture of uses and the intensive development of the activity centre:*
 - *As a focus for business, shopping, working, housing, leisure, transport and community facilities.*
 - *To support sustainable urban outcomes that maximise the use of infrastructure and public transport.*
- *To deliver a diversity of housing at higher densities to make optimum use of the facilities and services.*
- *To create through good urban design an attractive, pleasant, walkable, safe and stimulating environment.*
- *To facilitate use and development of land in accordance with the Development Framework for the activity centre.*

Specifically, Schedule 1 to the ACZ, which comprises the Development Framework for the Coburg Activity Centre, applies to the Site.

The ACZ1 contains a series 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.'

The land use and development objectives (subclause 2.0 of the ACZ1) are set out in full at Section 5.3 of this report.

The Site is located in Precinct 2 – Bell Street North.

Land use

To use land for 'Dwelling' with a frontage at ground floor exceeding 2 metres is a 'Section 2 – Permit required' land use in Precinct 2. Retail and Office uses are 'Section 1 – Permit not required' land uses for land in Precinct 2.

Buildings and works

A permit is required to construct a building or construct or carry out works unless the schedule to this zone specifies otherwise. Subclause 4.4 of the ACZ1 sets out design and development requirements that apply to an application to construct a building or construct or carry out works. These are set out in full at Section 5.3 of this report.

Precinct objectives

Precinct 2 has the following 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.*

Precinct guidelines

The following precinct guidelines apply:

- *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.

Precinct requirements

The following controls apply to the Site as identified in the precinct map and precinct requirements map (see below).

- 36 metre preferred maximum building height.
- 10 metre wide new street and east/west green link and off road bike path (located north of the Site).
- Preferred 14 metre streetwall height to the north interface and east (Sydney Road) interface with upper levels set back 5 metres.
- Landscape setback of 3 metres to the west interface; 7.5 metre streetwall beyond this and setbacks aligning with the 'interface with adjoining residential zone' requirement.
 - It is understood that the 'interface with adjoining residential zone' requirement (B17 setback line) should be taken from the opposite (west) side of the laneway, consistent with the interpretation set out in the Officer Report for 541 Sydney Road, Coburg (MPS/2020/793).



Figure 10 - Precinct 2 Map

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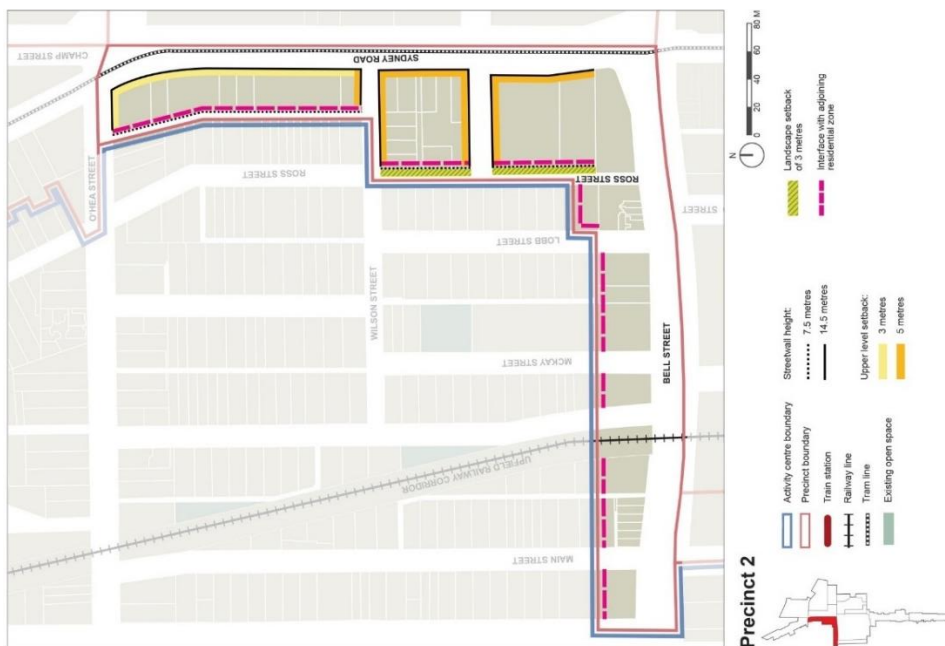


Figure 11 - Precinct 2 requirements Map

Bicycle spaces

Table 3 Bicycle spaces supersedes the required bicycle facilities specified at Clause 52.34 as they apply for dwelling, office and shop uses within this schedule.

Table 3. Bicycle Spaces

Use	Bicycle spaces
Dwelling	<p>1 space per studio and 1 bedroom dwelling</p> <p>2 spaces per 2+ bedroom dwelling</p> <p>(Studies or studios that are separate rooms must be counted as bedrooms.)</p>
Office	<p>1 employee space per 200 sqm gross floor area.</p> <p>1 visitor space per 750 sqm over 1000 sqm.</p>
Shop	<p>1 employee space per 300 sqm gross floor area.</p> <p>1 visitor space per 500 sqm over 1000 sqm.</p>

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4.4 Overlays

The Site is covered by the following overlays:

- Public Acquisition Overlay (PAO).
- Environmental Audit Overlay (EAO).
- Development Contributions Plan Overlay, Schedule 1 (DCPO1).
- Parking Overlay, Schedule 1 (PO1).

4.4.1 Clause 45.01 - Public Acquisition Overlay (PAO)

The PAO seeks:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify land which is proposed to be acquired by a Minister, public authority or municipal council.*
- *To reserve land for a public purpose and to ensure that changes to the use or development of the land do not prejudice the purpose for which the land is to be acquired.*
- *To designate a Minister, public authority or municipal council as an acquiring authority for land reserved for a public purpose.*

The purpose of acquisition for PAO1 is 'road'.

There are no buildings and works proposed on the land affected by the PAO1. All landscape and public realm improvements have been designed in a manner that would not be affected were the land to be acquired for the purpose of a road.

4.4.2 Clause 45.03 - Environmental Audit Overlay (EAO)

The EAO seeks:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To ensure that potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination.*

4.4.3 Clause 45.06 - Development Contributions Plan Overlay, Schedule 1 (DCPO1) *Merri-bek Development Contributions Plan Overlay*

The Site is subject to the Development Contributions Plan Overlay, which aims to implement the MPS and PPF and 'to identify areas which require the preparation of a development contributions plan for the purpose of levying contributions for the provision of works, services and facilities before development can commence.

4.4.4 Clause 45.09 - Parking Overlay, Schedule 1 (PO1)

The Site is subject to the Parking Overlay and is located within Precinct 1.

The purpose of the Parking Overlay is as follows:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To facilitate an appropriate provision of car parking spaces in an area.*
- *To identify areas and uses where local car parking rates apply.*
- *To identify areas where financial contributions are to be made for the provision of shared car parking.*

PO1 outlines the following car parking objective:

- *To identify appropriate car parking rates for land uses in the Mixed Use Zone, Residential Growth Zone, Commercial 1 Zone, Commercial 2 Zone and Activity Centre Zone.*

Pursuant to subclause 2.0, for all uses listed in Table 1 of Clause 52.06-5, the number of car parking spaces required for a use is calculated using the Rate in Column B of that Table. Refer to the Overlay Plan below.

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Figure 12 - Overlay Plan

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4.5 Particular Provisions

4.5.1 Clause 52.06 – Car Parking

The purpose of Clause 52.06 is as follows:

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

Pursuant to Clause 52.06, a permit is required to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay. As the Site is located in the Principal Public Transport Network Area (PPTN), Column B rates would have applied regardless of the Parking Overlay.

As it stands, the provisions of the Parking Overlay would prevail.

4.5.2 Clause 52.29 – Land Adjacent to the Principal Road Network

The purpose of Clause 52.29 is:

- *To ensure appropriate access to the Principal Road Network or land planned to form part of the Principal Road Network.*
- *To ensure appropriate subdivision of land adjacent to Principal Road Network or land planned to form part of the Principal Road Network.*

The Site is located adjacent to land in the Transport Zone 2 (Sydney Road) and covered by the PAO along its Sydney Road frontage.

A permit is required to alter access to a road in a 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.

4.5.3 Clause 52.34 – Bicycle Facilities

The purpose of Clause 52.34 is as follows:

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

Pursuant to Clause 52.34-1, a new use must not commence until the required bicycle facilities and associated signage has been provided on the land.

Pursuant to Clause 52.34-2, a permit may be granted to vary, reduce or waive any requirement of Clause 52.34-5 and Clause 52.34-6.

As outlined in Section 4.3, the rates set out in Table 3 of the ACZ1 (Bicycle spaces) supersede the required bicycle facilities specified at Clause 52.34 as they apply for dwelling, office and shop.

4.5.4 Clause 53.18 – Stormwater Management in Urban Development

The purpose of Clause 53.18 is:

- *'To ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.'*

Pursuant to Clause 53.18-3 an application to construct a building or construct or carry out works:

- *'Must meet all of the objectives of Clause 53.18-5 and 53.18-6'*
- *'Should meet all of the standards of Clause 53.18-5 and 53.18-6.'*

This matter is addressed in the Sustainability Management Plan prepared by Hip V. Hype.

4.5.5 Clause 53.23 – Significant Residential Development with Affordable Housing

Clause 53.23 applies to application includes the use or development of land for accommodation that meet the requirements of a category of Table 1. The purpose of this clause is:

- *To facilitate residential development that includes affordable housing to meet existing and future needs.*
- *To facilitate the redevelopment and renewal of public housing stock to meet existing and future needs.*
- *To facilitate residential development carried out by the State of Victoria or jointly or in partnership with the private sector, including via innovative funding, investment and partnership approaches.*
- *To facilitate residential development with high quality urban design, architecture and landscape architecture.*
- *To provide opportunities for non-residential use and development in association with residential development.*

Pursuant to Category 1 of Table 1, an application in Metropolitan Melbourne with a development cost greater than \$50m that provides at least 10% affordable housing is eligible for consideration under the Clause.

Pursuant to Clause 53.23-2, the responsible authority may waive or vary any of the following:

- A minimum garden area requirement.
- Any building height or setback requirement.
- A condition opposite a use in Section 2 in a zone or a schedule to a zone.

Pursuant to Clause 53.23-5, an application under any provision of this planning scheme is exempt from the decision requirements of sections 64(1), (2) and (3), and the review rights of sections 82(1) of the Act

Pursuant to Clause 72.01-1, the Minister for Planning is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and endorsement of, approval of or being satisfied with matters required by a permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority, in relation to the use and development of land for a use or development to which Clause 53.23 applies.

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4.5.6 Clause 58 – Apartment Developments

The purpose of Clause 58 includes the following:

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

4.6 Strategic considerations

4.6.1 Plan Melbourne 2017-2050

Plan Melbourne 2017-2050 is the Victorian Government's metropolitan planning strategy that will guide the city's growth to 2050. Plan Melbourne provides background statements which frame and provide insight into the challenges for Melbourne's future growth. It is structured around 9 principles which underpin a long-term vision, 7 outcomes, 32 directions and 90 policies.

The plan identifies Coburg as a 'Metropolitan Activity Centre' with the following purpose, 'to provide a diverse range of jobs, activities and housing for regional catchments that are well served by public transport',... 'these centres will play a major service delivery role, including government, health, justice and education services, as well as retail and commercial opportunities.'

4.6.2 Victoria's Housing Statement

Victoria's Housing Statement was released on 20 September 2023. It sets out a series of reforms that aim to deliver greater housing availability and affordability through facilitating the delivery of 80,000 homes per year (including social and affordable housing) and a 're-focus' of residential growth to achieve a greater proportion of dwellings in established urban areas.

The reform includes the expansion of the eligibility criteria for the *Development Facilitation Program* (DFP) which will apply to residential projects with a development cost of at least \$50m in Metro Melbourne that provide at least 10% affordable housing.

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5 Planning Assessment

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5.1 Overview

This chapter provides an assessment of the revised proposal against the relevant policy and provisions of the *Merri-bek Planning Scheme*. The assessment has raised the following key questions.

- Is the proposal consistent with relevant planning policy within the Merri-bek Planning Scheme?
- Is the proposal consistent with the land use and built form outcomes sought by the ACZ1?
- Is the proposal consistent with the built form outcomes sought by Clause 15.01-2L (Apartment Developments in Merri-bek)?
- Does the proposal provide appropriate internal amenity?
- Does the proposal result in any unreasonable offsite amenity impacts?
- Does the proposal provide for an environmentally sustainable design?
- Does the proposal provide appropriate bicycle parking and car parking arrangements?
- Does the proposal provide appropriate waste management and loading arrangements?

A detailed response to each of these issues is provided below.

5.2 Is the proposal consistent with relevant planning policy within the *Merri-bek Planning Scheme*?

The proposal is consistent with various policy provisions outlined in the *Merri-bek Planning Scheme*, including the Municipal Planning Strategy, Planning Policy Framework and Plan Melbourne 2017-2050.

More particularly, it is noted that:

- The proposal provides a mix of active non-residential uses within the ground floor, including a retail tenancy at the north-east corner of the Site sited to front both Sydney Road and the new laneway and to capture morning sun from the east. The balance of the Site's frontage to Sydney Road comprises a series of three mid-sized commercial tenancies which will assist in providing local employment opportunities and reinforce the strategic role of the Activity Centre while recognising the varied streetscape and retail function of Sydney Road to the north of Bell Street, with the Site's location considered to represent a more appropriate location for commercial office and professional services-type uses rather than specialised retail offerings. A further commercial tenancy is located to front the new northern laneway, facilitated by an integrated servicing strategy that internalises servicing requirements allowing the building's public interfaces to present an active and visually permeable condition. In this sense, the proposal is consistent with the municipality's strategic directions for Activity Centres, Built Environment and Heritage and Economic Development (Clause 02.03) and Clauses 15.01-1S, 15.01-1R, 15.01-1L, 15.01-2S, 15.01-2L, 15.01-4S, 15.01-4R, 17.02-1S and 17.02-2S.
- The proposal delivers new housing at an increased density that is proportionate to the Site's role within the Coburg Activity Centre and consistent with strategic directions contained within Merri-bek's Municipal Planning Strategy. Significant growth is sought within the Activity Centre, specifically increased housing densities in the form of apartments, and it is acknowledged that a new character of increased density and scale of built form will be created (Clause 02.03-1).

The 326 dwellings delivered through the Assemble Futures model provide an increase in housing stock that meets a diverse range of community needs. Importantly, the proposal contributes additional choice and supplements current market availability through the commitment to providing 60% of dwellings at a price that is affordable to moderate income earners, consistent with the definition of the *Act* and with the requirements of Clause 53.23. The proposed dwellings have been designed in a range of distinctive typologies that seek to maximise access to daylight, natural ventilation and outlook while presenting flexible and efficient internal arrangements that support a range of living situations and lifestyles. In this regard, the proposal is also consistent with Clauses 02.03, 11.03-1S, 11.03-1R, 16.01-1S, 16.01-1R, 16.01-1L and 16.01-2S.

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- Having been through an iterative design process, the building adopts a massing arrangement and façade treatment that responds to the emerging character of the Bell Street North precinct in addressing deficiencies in the existing approved design. The proposal adopts a hybrid podium-tower arrangement that biases height to the Site's primary Sydney Road frontage in the form of two slender tower elements, transitioning to a mid-rise breezeway typology to the Site's west. The proposal's architectural language seeks to transition from the fine grain Sydney Road shopfronts to the south to the larger developments north of Bell Street, with a podium that talks to the neighbouring existing fabric of expressed vertical proportions and a tower façade system that descales the buildings' height through an assemblage of shifting stacked horizontal volumes. The proposal will deliver new public realm landscaping along its three public interfaces, including new canopy tree planting to Sydney Road facilitated by a recessed podium arrangement. The design has been informed by feedback from the OVGA's VDRP through a workshop and written correspondence. As such, the proposal is consistent with Clauses 15.01-1S, 15.01-1R, 15.01-1L, 15.01-2S and 15.01-2L. The design response in heritage terms is further discussed at Section 5.3.
- The location of the development close to high-quality public transport routes, proposed reduction to the statutory car parking requirements, and substantial provision of resident and visitor bicycle parking will promote sustainable transport options including walking, cycling and public transport use through a reduced reliance on the private car. Moreover, the proposal incorporates a communal bicycle workshop to further support the shift towards active modes of transport. The proposal is entirely consistent with the provisions set out in Clauses 18.02-1S, 18.02-1L and 18.02-2S, 18.02-2L, 18.02-3S, 18.02-4L.
- The proposal has been designed to achieve a holistic ESD response for the Site, as demonstrated within the Sustainable Management Plan prepared by Hip V. Hype. In this regard the proposal is consistent with Clauses 15.01-2L-04 and 15.01-2L-06.

On this basis the proposal wholly aligns the planning outcomes and objectives sought by the *Merri-bek Planning Scheme*.

5.3 Is the proposal consistent with the land use and built form outcomes sought by the ACZ1?

As detailed earlier in this report, the Site is located in the core of the Coburg Activity Centre, one of Merri-bek's three Major Activity Centres (MAC). The proposed mixed use development demonstrates consistency with the objectives sought for Precinct 2 – Bell Street North, as well as the broader strategic objectives for the MAC to become a vibrant, high density precinct and the primary destination for living, shopping and employment in Merri-bek.

5.3.1 Land use

The development triggers a permit to use the land for 'dwelling' with ground floor frontage in excess of 2 metres.

The majority of the Sydney Road frontage is accommodated by commercial tenancies and a food and drink premises with small portions allocated to residential entries (2.5m in width) at the southern and northern ends of the frontage. The development's active frontage wraps around to the north with the Assemble Café and Commercial Tenancy No. 4 interfacing with the northern accessway and pedestrian path.

To the east, dwellings are proposed at ground level which responds to the lower scale residential character of Ross Street and the adjoining General Residential Zone. As such, the proposed ground floor interfaces associated with these dwellings are considered appropriate in their response to both the intent of the ACZ1 and the site context.

The proposed retail and office uses are as-of-right land uses and together with the residential use, will contribute to the development of Coburg MAC as a 'high density mixed use centre' as sought by the land use and development objectives at subclause 2.0.

5.3.2 Built form

The development triggers a permit to construct a building and carry out works. A response to the applicable design and development requirements set out at subclause 4.4. of the ACZ1 is set out below.

Built Form requirement	Response
Buildings should enhance public spaces, provide high quality internal environments, limit off-site impacts and	The proposed building will enhance public spaces along Sydney Road, Ross Street and the new northern link. To Sydney Road, the provision of a greater setback than would typically be required in the centre of the Site allows for a deep

provide open space and landscaping (both communal and private).

soil zone for the planting of two canopy trees (which will remain regardless of whether the PAO is acted upon) and provides a sense of address to the commercial tenancies. Several more trees and permeable paving are proposed along this frontage, as well as to the northern link. At the western end of the northern link, the Assemble Garden creates a new public space. The landscaping (native trees of varied species) within the setback to Ross Street and lower scale form of the building at this interface will enhance the pedestrian experience within the public realm.

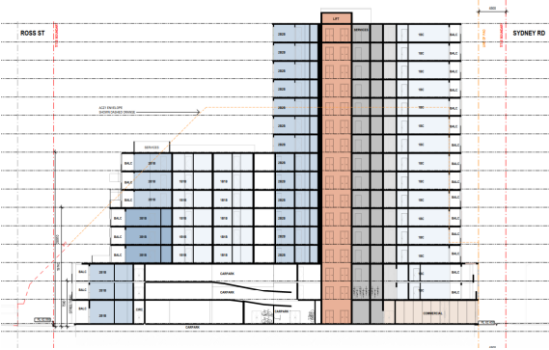
Off-site amenity impacts by way of shadow and visual bulk are limited through the design response which has located height to the east side of the Site and via the orientation of the breezeways in an east-west direction. The massing of the breezeways has been reverse engineered to limit shadows to rear private open spaces of Lobb Street dwellings. With regard to visual bulk, the buildings are broken up by way of their breezeway typology with lightweight balustrades and curved external stairs adding visual interest to the western elevation.

Extensive communal landscaping is proposed, with residents able to engage in their own landscaping of their private balconies through the provision of tap and drain.

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.

The buildings have been designed to avoid ‘wedding cake’ setbacks with a maximum of three steps from the rear (Ross Street) interface. The massing approach instead consolidates some of the built form from a hypothetical ACZ1 massing envelope to the east side of the Site, within the point towers.

Refer to section below from the Plans prepared by JCB.



Give visual prominence to corners.

While the Site is not on a corner, the future northern link / accessway will afford it a corner condition. As such, the building has been designed in the round, with a particular focus on wrapping the Sydney Road podium condition around to the north through the provision of a canopy / cantilevered balconies to activate the ground plane and hold the corner.

Refer to perspective image below from UCR prepared by JCB (view looking south-west toward the north-east corner of the Site).

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Building envelope

The application seeks to vary the preferred building heights, street wall heights and upper level setbacks applicable to the Site.

Pursuant to subclause 4.4 (Design and Development) of the ACZ, 'where an application proposes a building that exceeds the maximum building height or does not meet the minimum setbacks, or street wall height, the urban context report must demonstrate how the proposed development achieves the relevant standard, objectives and guidelines at Clauses 2.0 and 5.0 in this schedule.'

These are responded to in turn below.

Clause 2.0 Land use and development objectives to be achieved

A response to each of the land use and development objectives set out at Subclause 2.0 of the ACZ1 are set out in the tables below.

Overarching objectives	Response
To develop the Coburg Principal Activity Centre into a vibrant and diverse pedestrian oriented high density mixed use centre.	The proposal introduces a level of density commensurate with what is sought for an activity centre of this scale, within a community minded development that has been designed with a highly activity ground plane and visible generosity from the public realm. The proposal aligns entirely with this primary objective of the ACZ1.
For the Activity Centre to function as the prime shopping, living, employment and activity precinct in Merri-bek.	The proposal will be a catalyst for the Coburg MAC fulfilling its function as 'the prime shopping, living, employment and activity precinct in Merri-bek' through the introduction of 326 dwellings in the core of the centre, complemented by employment generating office and retail floor space.
To encourage environmentally sustainable development outcomes in the design, construction and operation of the urban form, buildings and places.	The sustainability strategy developed by HVH will see an exceptional ESD outcome for the buildings not only in their design but in their construction and operation. Refer to Section 5.7 for more information.
To develop Precincts 9 and 10 in accordance with the Pentridge Coburg Masterplan February 2014 and Pentridge Village Design Guidelines and Masterplan 2009.	N/A

To encourage a range of housing choices, including high density housing.

The proposal provides a genuine mix of apartment choice through the provision of studios, two and three bedroom typologies within a high density housing development.

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Land use objectives

Response

To develop the core of the Activity Centre (Precincts 1, 2, 3, 4) as the focus for retail, office, civic and entertainment uses, with restricted retail and neighbourhood scale retail uses outside the core.

The application proposes approximately 1150sqm of commercial and retail floor area within Precinct 2 which will support local employment opportunities – primarily within the professional services industries – while maintaining the focus on Precinct 1 as the retail core of the Activity Centre.

To reinforce Precinct 5: Civic and Community as a local government and institutional hub providing complementary services to the Activity Centre.

N/A

To develop Precincts 9: Pentridge Coburg and Precinct 10: Pentridge Village as mixed-use and tourism-focused precincts that complement the core retail function of Precincts 1, 2, 3, 4, Coburg Station and Sydney Road.

N/A

To encourage commercial and other employment generating uses in Precincts 6, 7, 8 which complement the core of the Activity Centre, with residential and office uses above ground floor provided the retail uses do not impact on the viability of employment generating uses in the core of the Activity Centre.

N/A

To encourage and facilitate the provision of affordable housing choices for people in the lowest 40% of income groups.

The application proposes a minimum of 60 percent of dwellings by number which are appropriate for the housing needs of moderate income households, by which the cost of rent does not exceed 30% of gross household income at time of occupation and the cost of interest and principal does not exceed 35% of gross household income forecast at time of settlement.

To redevelop land, including existing open lot car park sites with integrated mixed use developments.

The proposal is for a mixed use development including residential, commercial and retail uses.

Built form objectives

Response

To encourage the redevelopment of Coburg Central as a mid rise centre with buildings ranging from 6-10 storeys (except for Precincts 9 and 10) with lower built form at the

The proposal includes built form elements ranging from 3 storeys to 16 storeys, which is considered appropriate across a site of this size, and a response that will not compromise the objective to encourage buildings ranging from 6 to 10 storeys across Coburg Central. It is further noted that the residential nature of the development (with lower floor to floor heights than is typical for commercial development) results in the maximum

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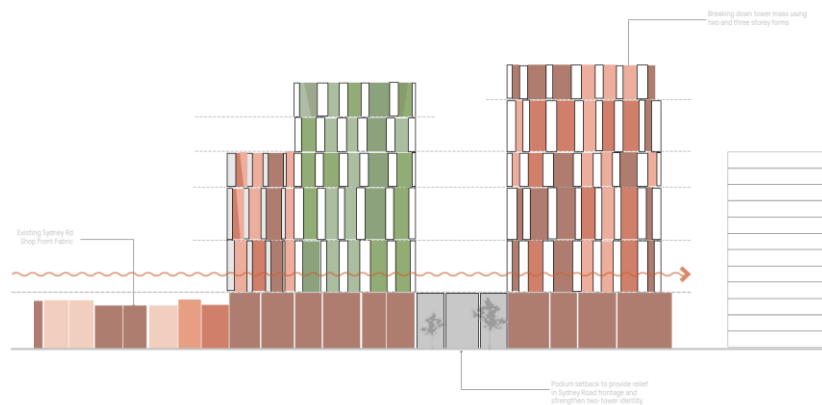
While the variation from the preferred maximum building height is acknowledged, it is submitted that the proposed building height represents an appropriate planning outcome that successfully responds to the site's context, delivers a high-quality architectural response, and facilitate much-needed supply of affordable housing.

The Site's specific locational characteristics and dimensions make it a highly suited for a higher-density built form outcome of the scale proposed. While the Site is subject to a preferred height limit of 36 metres, the proposed height of built form across the site is the result of a first principles analysis that sees building height prejudiced towards the Sydney Road frontage. At 30 metres wide, the road reserve is one that can accommodate a higher order of built form without unreasonable amenity impacts to the public realm, by way of shadow or visual bulk. Moreover, the presence of the PAO and the Bell Street reserve immediately opposite the Site further support the position that the Site is in an unusually robust and open streetscape location that can accommodate a taller building without affecting the overall sense of enclosure or having this element feel in any way overbearing.

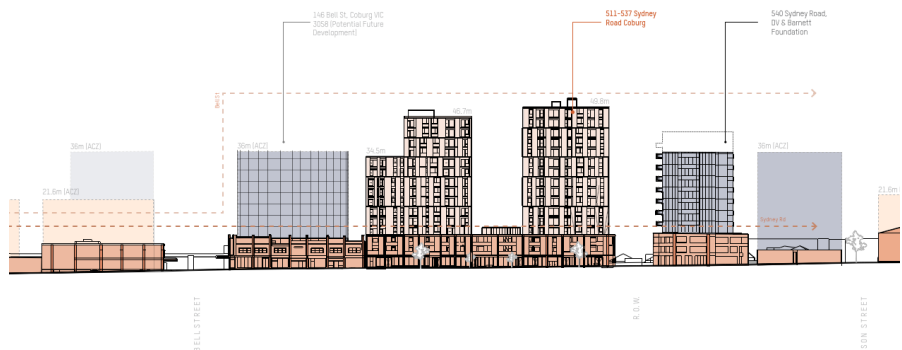
Architectural section drawing showing the proposed building (140 Sydney Road) and its relationship to the existing building (140 Sydney Road) and the surrounding context. The drawing includes labels for the proposed building, the existing building, and the surrounding context. The proposed building is shown with a red outline and a red roof. The existing building is shown with a grey outline and a grey roof. The surrounding context includes the Bell Street Reserve, the Coburg United Church, and the Sydney Road. The drawing also shows the proposed building's relationship to the existing building and the surrounding context. The proposed building is shown with a red outline and a red roof. The existing building is shown with a grey outline and a grey roof. The surrounding context includes the Bell Street Reserve, the Coburg United Church, and the Sydney Road. The drawing also shows the proposed building's relationship to the existing building and the surrounding context.

- There is clear strategic support for variations in height above the preferred 36m limit. The Planning Panel for Amendment specifically noted that C123 that additional height (up to two storeys, or circa 7.2m at commercial floor levels) could be accommodated. While we appreciate that the proposal exceeds this recommendation, we submit that the context of the Housing Statement and the provisions of Clause 53.23 provide clear support for more intensive residential development where this delivers affordable housing.
- As required by the ACZ1, the additional height results in specific design benefits through improving the proportionality of the tower elements, the width of which has specific regard to the requirements of the Moreland Apartment Design Code and ensure an appropriate internal amenity outcome for residents having regard to daylight access, aspect and privacy.

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- The proposed building height does not result in any amenity impacts to the public or private realm as a result of its height. The height is biased to the robust Sydney Road interface to shift the primary mass away from the more sensitive residential interface to the west, and does not result in any overshadowing to the primary pedestrian routes or public open spaces identified in the ACZ1. Similarly, as addressed above the towers' slender proportions and façade strategy are designed to de-scale the buildings and minimise potential for the perception of visual bulk.
- With respect to character considerations, we submit that the proposed development will not unreasonably disrupt or prejudice the preferred future character of the area, particularly given both the existing emerging scale (including the immediately adjacent approval at 541 Sydney Road) and capacity for future development within the ACZ1 to achieve heights at or above ten storeys should certain public benefit be demonstrated. When viewed from key vantage points in the surrounding area, it is evident that the proposal will have limited visual impact or otherwise attract from the legibility and appreciation of a precinct where the mid-rise scale is the primary element, with the taller buildings acting as isolated points of punctuation.



- Finally, the additional scale of the development is directly linked to increasing the supply of affordable housing. Based on the current proposed affordable housing contribution of 60%, the additional building height above the preferred 36m height limit will deliver 38 affordable dwellings.

On the basis of the above, we submit that the proposed building height and design response is both contextually responsive and strategically supported, and therefore represents an appropriate planning outcome for the Site.

To create consistent street wall forms to define street edges.

Achieving a consistent street wall form to Sydney Road is challenged by the presence of the curved PAO along the Site's frontage. Notwithstanding this, the streetwall has been designed to respond to the rhythm of the shops to the south of the Site, with a consistent streetwall height that wraps around the north-east corner of the building. A consistent three storey streetwall is achieved to Ross Street.

To encourage all retail space with abuttal to public squares and spaces to provide active frontages and visual engagement with those spaces.

The commercial and retail frontages are glazed for a substantial portion of the frontage to allow for activation and visual connection to the street. Several entrances, landscaping and the provision of on-street bicycle parking further activates the frontages.

To ensure that development contributes to active street frontages to:

- foster the passive surveillance of adjacent public spaces, particularly at ground and first floor;
- provide visual interest and design articulation at ground and upper levels; – facilitate visual interaction between people on streets and users of the building at ground level.

Design of ground and first floors through glazing and presence of balconies will foster the passive surveillance of the streets and integrate the public and private realms.

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To ensure built form enhances and creates visual and physical links to new and existing adjoining streets, public transport and community facilities.

The northern link achieves visual and physical connection between Sydney Road and Ross Street and the publicly accessible garden.

To encourage development to respond to the character of significant heritage buildings in the Heritage Overlay.

N/A – the buildings to the south in HO597 are graded contributory and the streetwall to Sydney Road has been designed to respond to the rhythm and finer grain nature of these buildings.

To retain and activate heritage buildings and to complement the retained existing fabric with contemporary architecture in a dense urban setting.

N/A – no heritage fabric on-site.

To provide a pedestrian oriented environment with improved links and an attractive and safe system of streets, laneways and other public spaces.

The proposal introduces a new east-west pedestrian link along to the north in accordance with the ACZ1, with a landscaped garden (public space) designed by MALA. The link will be attractive and safe for pedestrians, with a path separated from the vehicle accessway and with ground floor uses (retail, bike workshop, etc.) facilitating activity and passive surveillance.

To provide for any future grade separation of the Coburg Train Station and railway line in the design of new development.

N/A

To maximise solar access to public spaces and key pedestrian links and spines, relative to the role and function of the space.

The new public space (garden) and link is located to the north of the built form; potential for shadow by the building to the public space and link is limited.

To ensure a high quality internal amenity of buildings, with particular emphasis on daylight access and natural ventilation.	The proposal has been designed to achieve daylight access and natural ventilation, supported by an SMP prepared by Hip V. Hype. Please refer to the Clause 58 Assessment (Appendix A) for further information.
To encourage the provision of adaptable and visitable housing designed in accordance with the requirements of AS4299.	The proposal has been designed to be universally accessible. Please refer to the Clause 58 Assessment (Appendix A) for further information.
To provide an appropriate level of acoustic protection for both the occupants of new and existing development through building design and construction methods.	The proposal has been designed with appropriate acoustic attenuation measures. Please refer to the Clause 58 Assessment (Appendix A) for further information.
To protect the amenity of properties adjoining the ACZ that are in a residential zone, including from the impact of unacceptable overshadowing and overlooking.	The amenity of properties adjoining the ACZ to the west of the Site has been protected in terms of limiting overshadowing to the rear SPOS of Lobb Street dwellings and mitigating any unreasonable opportunities for overlooking by virtue of separation distances between habitable rooms/ balconies and the rear boundaries of these properties (approximately 10m). Please refer to the discussion at Section 5.6 of this report for further information.

ESD objectives	Response
<p>To ensure all buildings are designed to meet best practice standards for Environmentally Sustainable Design (ESD).</p> <p>For the purposes of this schedule, ESD best practice is:</p> <p><i>‘A combination of commercially proven techniques, methodologies and systems, appropriate to the scale of development and site specific opportunities and constraints, which are demonstrated and locally available and have already let to optimum ESD outcomes. Best practice in the built environment encompasses the full life of the build.’</i></p>	<p>The buildings have been designed in collaboration with Hip V. Hype’s Better Buildings team to achieve best practice standards for ESD through a range of commercially proven techniques, methodologies and systems, appropriate to the scale of the mixed use development and site specific opportunities. As indicated in the SMP prepared by Hip V Hype, the approach is to embed sustainability into the design, construction and operation of the site (encompassing the full life of the build per the definition of best practice in the ACZ1).</p>
To ensure the efficient use of energy and to reduce total greenhouse gas emissions, through passive design, renewable and low embodied energy materials, efficient services and energy generation, in that order of priority.	Passive design is a key initiative to target 7.5-Stars NatHERS rating, no fossil fuels are used and energy is supplied all-electric including through solar PV panels. Maintaining comfortable internal temperatures passively, using little to no energy is key. The project prioritises use of low embodied carbon materials.
To ensure the efficient use of water and to reduce potable water use by maximising the use and reuse of alternative water sources such as stormwater and grey water.	<p>As detailed on p. 8 of the SMP (HV.H): the rainwater and stormwater management project response is as follows:</p> <ul style="list-style-type: none"> - A total capacity of 40kL rainwater tanks will be installed for capturing rainwater for use in occupant toilet flushing and ground level irrigation

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- Trafficable terraces and landscaped areas will be directed to and end of line treatment device prior to discharge to LPOD
- A STORM score of 100% has been achieved by the project, which meets the minimum requirement, along with a MUSIC assessment demonstrating best practice outcomes

To reduce impact of stormwater runoff and improve the quality of stormwater runoff.

Stormwater will be treated using SQID devices. Refer to Appendix B: WSUD of SMP.

To maximise the adaptability of buildings for a range of uses.

The development primarily provides a residential use through provision of 326 dwellings, to aid the response to Victoria's housing crisis. The ground floor is adaptable however to various commercial uses over time.

Public realm objectives

Response

To improve existing publicly accessible spaces and create new vibrant public spaces with active edges throughout the Activity Centre.

A new vibrant publicly accessible space is provided through the Assemble Garden.

To encourage artwork as part of new development to contribute to creating a distinctive sense of identity, where appropriate.

Artwork can be incorporated if appropriate through detailed design, but is not presently proposed.

To ensure signage is coordinated and designed with regard to the character of buildings and public spaces and does not create visual clutter.

Signage can be coordinated and designed through detailed design and we would respectfully submit that this could readily be addressed via permit condition.

Circulation, transport and parking objectives

Response

To provide a range of transport options to access and travel around the Activity Centre.

A range of transport options are facilitated by the development including walking, cycling, public transport, motor cycle, car and car share.

To prioritise emergency vehicles, pedestrians, cyclists, public transport, delivery vehicles and private vehicles, in that order.

Emergency vehicles will be able to access the Site via the vehicle accessway to the north.

To better integrate Bridges Reserve and City Oval with the core of the Activity Centre through improved pedestrian pathways and unhindered access.

N/A

To improve connections within the Activity centre and to surrounding parklands through the creation of:

N/A

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- a pedestrian spine to the Pentridge redevelopment via Bridges Reserve;
- a north-south green link to Coburg Lake Reserve;
- an east-west green link to McDonald Reserve and Merri Creek Regional Linear Park.

To manage and improve circulation throughout the Activity Centre and to adjoining parkland by creating new streets and public links.

The new street / link to the north is proposed as part of this development consistent with the requirements of the ACZ1 map.

To ensure a connected and well signed network of laneways, streets and public spaces, that are publicly accessible at all times.

The new street / link will be publicly accessible at all times.

To provide adequate bicycle parking and end of trip facilities.

The provision of bicycle parking and end of trip facilities within the development have been designed by JCB in collaboration with Traffix to ensure adequate provision. Please refer to the Traffic Engineering Assessment for further information.

To facilitate the flexible use of car parking spaces, particularly after normal business hours and on weekends.

A Build-to-Rent-to-Own model is proposed for the residential component which allows for parking to be managed by Assemble and leased on a per demand basis.

Open space and landscaping objectives

Response

To increase and improve landscaping throughout the Activity Centre.

The landscape response designed by MALA increases provision of landscaping to Ross Street, Sydney Road, including in the long term if the PAO is acted upon, and to the north-west corner of the Site through the Assemble Garden.

To create tree lined streets and boulevards with high quality and appropriate long-term planting.

As above, the Sydney Road frontage and Ross Street will be tree lined including in the long term through the recess of the centre of the podium to Sydney Road and deep soil zone.

To utilise landscaping to improve stormwater quality, reduce the urban heat island effect and improve microclimatic conditions and contribute to biodiversity.

A key component of MALA's landscape plan is the level 3 'shade garden' which will assist in reducing the urban heat island and improving microclimate conditions, as will the landscaping proposed to Ross Street, Sydney Road, and the northern link and Assemble Garden. A variety of species including indigenous species are proposed to contribute to biodiversity.

To encourage innovative landscaping techniques as part of new development including vertical green walls, balcony planting and roof top gardens.

The approach to landscape particularly on the level 3 podium is innovative in the sense that it is a rooftop garden and proposes plants that will thrive in low light conditions: a 'shade garden'.

To incorporate landscaping during early planning and design stages of development.

The Landscape Plan is evidence that landscaping has been incorporated in the early planning and design stages.

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Figure 13 - Landscape Artist Impression of Level 3 garden (MALA)

Clause 5.2 (Bell Street North) Precinct objectives

Precinct 2 objectives	Response
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.	The proposed retail use 'assemble café' on the Sydney Road / north-east corner of the ground floor utilises main road exposure of Sydney Road and will assist in continuing the retail character of Sydney Road north of Bell Street.
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.	The proposal for four commercial tenancies on the ground floor provides the opportunity for a range of commercial uses to locate in the development, with residential at upper levels.
To improve permeability and safety for pedestrians and cyclists at designated locations.	The permeability and safety of pedestrians and cyclists is improved through the northern link.
To ensure development contributes to the improvement of the streetscape, pedestrian environment and safety of Ross Street.	The development adopts a 3m landscaped setback to Ross Street, as encouraged by the ACZ1, and introduces a community garden also fronting Ross Street. The inclusion of four entry points to the Site along Ross Street with visitor bicycle parking is expected to activate this frontage, increasing feelings of safety.

To create a corridor of 8-10 storey buildings along Bell Street, creating a sense of a mid rise Activity Centre.	The proposal is not located on Bell Street, and as such the 8-10 storey corridor provision is not technically relevant. We would respectfully submit that the proposed buildings on the Site represent an appropriate built form outcome having regard to the relevant provisions of the Scheme and, as individual buildings within the MAC, will not compromise the intent of a mid-rise Activity Centre.
--	--

To protect the amenity of residential uses in the adjoining residential zone.	Amenity of residential uses in the adjoining zone to the west is protected by way of the development being designed having regard to limiting shadows and visual bulk. The proposed uses are compatible with residential use.
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Clause 5.2 (Bell Street North) Precinct guidelines

Precinct 2 guidelines	Response
Locate showroom and office uses at ground floor, with office and residential uses above.	Commercial uses are located at ground floor with residential above.
<p>The design and siting of any development within the precinct should make provision for the following:</p> <ul style="list-style-type: none"> 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. 	<p>Vehicle access is provided from Sydney Road to the northern link. Pedestrian and cycle access only is provided through to Ross Street from the link.</p> <p>A 3 metre landscaped ground level setback is provided per the guideline.</p>
On sites larger than 5000 square metres, public pedestrian links should be provided through the site to create a more permeable pedestrian environment.	A public pedestrian link is provided through the Site to the north, as encouraged by the ACZ1.
Avoid vehicle access from Bell Street and Sydney Road where an alternative frontage is available for vehicle access.	Vehicle access is proposed as encouraged by the ACZ1 from Sydney Road via the northern link.
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 development does not propose vehicle access through Ross Street.

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Also pursuant to subclause 4.4, 'the applicant should demonstrate, to the satisfaction of the responsible authority, that the following will be achieved' (refer to column 1 of the below table).

ACZ1 test

Response

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

The proposed development supports the vision for the Coburg Activity Centre through its provision of 326 dwellings targeted at renters on moderate incomes under the Assemble Model of 'built to rent to buy', contributing to the range of housing choice in Coburg and more broadly in Merri-bek. The proposal will facilitate walking, cycling and public transport as modes of travel around and out of the centre, while the landscaped treatments of the northern link, Assemble Garden and Ross Street will contribute to linking Coburg through a network of green space.

The development achieves each relevant objective of the schedule at subclause 2.0 and 5.0 (precinct 2), as reflected in the responses to objectives outlined above.

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

The proposed development designed by JCB (an award winning architectural practice) is the result of an iterative design process that has approached the siting and design of built form from a first principles analysis of the Site and its context. The articulation of the massing and façade detailing, including adoption of a range of robust and tactile materials, descals potential bulk while adding visual interest to the development. Proposed landscaping to the public realm as well as podium terrace, visible from the public realm, further assist the design of the development in making a positive contribution to the neighbourhood.

The additional height or reduced setback:

- results in specific design benefits;

The additional height to the point towers (in the order of 13m to the north-east tower and 10m to the south-east tower, above the preferred 36m) allows for the mass to be consolidated in these locations, away from the more sensitive residential interface to Ross Street, where greater setbacks are proposed relative to the B17 setback line at levels 4-6. Similarly, the reduced setback (encroachment into the B17 setback line) at Level 7-9 of the breezeway buildings, allows for void space above the breezeways where mass would be located in a hypothetical ACZ1-compliant form.

The above approach allow for more efficient stacking of floorplates and a consistent façade line (structural and thermal efficiency) and reduced potential for visual bulk to Lobb Street properties.

- 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 additional height and reduced setbacks facilitate an increased provision of dwellings offered to renters on moderate incomes (affordable housing), and allows the development to be generous in other ways in terms of its ESD performance (ESD excellence per a 70 percent BESS Score), and landscape response to the public realm.

- does not have an adverse impact on the streetscape, heritage values, the public realm or the amenity of adjoining properties;

The height of the point towers and the height of breezeways sees massing biased toward the north-east of portion of the Site due to minimum potential for offsite impact in this location.

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

N/A

- 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; and

N/A

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- | | |
|---|---|
| · does not cause an unacceptable visual impact on surrounding streets, public spaces or private open space. | As demonstrated in renders prepared by JCB, the additional height and reduced setbacks will not result in unacceptable visual impact on surrounding streets, public spaces or private open space. |
|---|---|

Having regard to the above, the proposal is consistent with the land use and built form outcomes sought by the ACZ1.

5.4 Is the revised proposal consistent with the built form outcomes sought by Clause 15.01 -2L (Apartment Developments in Merri-bek)?

Clause 15.01-2L applies to applications for apartment development of five or more storeys and seeks to ensure that apartment buildings are designed to provide daylight, privacy and outlook to living rooms and bedrooms, enable the reasonable development opportunities of adjoining sites, and prioritise opportunities for ground level landscaping and open space. The clause provides building separation distance requirements that vary dependent on the type of interface and the height of the building.

The proposal is consistent with the building design and separation strategies as follows:

- The massing arrangement has been designed to allow appropriate daylight into living rooms and bedrooms, with apartment typologies arranged to minimise apartments with only southern aspect (or otherwise maximise their aperture) and have living spaces projected closest to the building line in order to maximise daylight.
- The development provides substantial opportunities for landscaping and open spaces between buildings, primarily through the extensive landscaped terrace above the podium level.
- The proposal sites and orients balconies and living spaces to both minimise direct views and maximise oblique outlooks towards the laneways and plazas.
- The proposal is cognisant of maintaining equitable development opportunities for the land to the south of the Site. This is addressed in detail in the UCR prepared by JCB and summarised at Section 5.4.1 below.
- The Site does not have any immediate residential abutments that would be subject to amenity impacts. With respect to the land to the west of the Site on the opposite side of Ross Street, amenity considerations to these dwellings are addressed at Section 5.6 below, noting that the proposal comfortably exceeds the 'building setback to a lane' requirements of the Clause.

5.4.1 Building setbacks to the side or rear boundary

Given its varied interface conditions, the Site presents one 'side' boundary along its southern edge. With respect to the land to the north it is submitted that this interface represents a street interface given the requirement for a new laneway to be provided with specific street wall and upper level setback requirements (discussed in detail at Section 5.3).

The adjoining land to the south is characterised by its fragmented ownership structure, narrow lot width, frontages to Sydney Road and Bell Street, and perpendicular orientation. Critically, the land to the south is collectively affected by the PAO1, which substantially inhibits potential development outcomes.

JCB has modelled and tested potential development outcomes on land to the south (which is also subject to a preferred 36 metre maximum building height control under the ACZ1 but with no setback above the street identified in the Section 5.2-3 of the ACZ1). Based on these scenarios, it is considered that the most likely outcome is that the land to the south will develop in orientation aligned to the current lots. Given the presence of the PAO1, it is expected that in the event this is acted upon land would be consolidated into a single development parcel. Should the land not be consolidated then it

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is considered the development opportunities associated with any single parcel are limited, particularly in light of the presence of the heritage overlay.

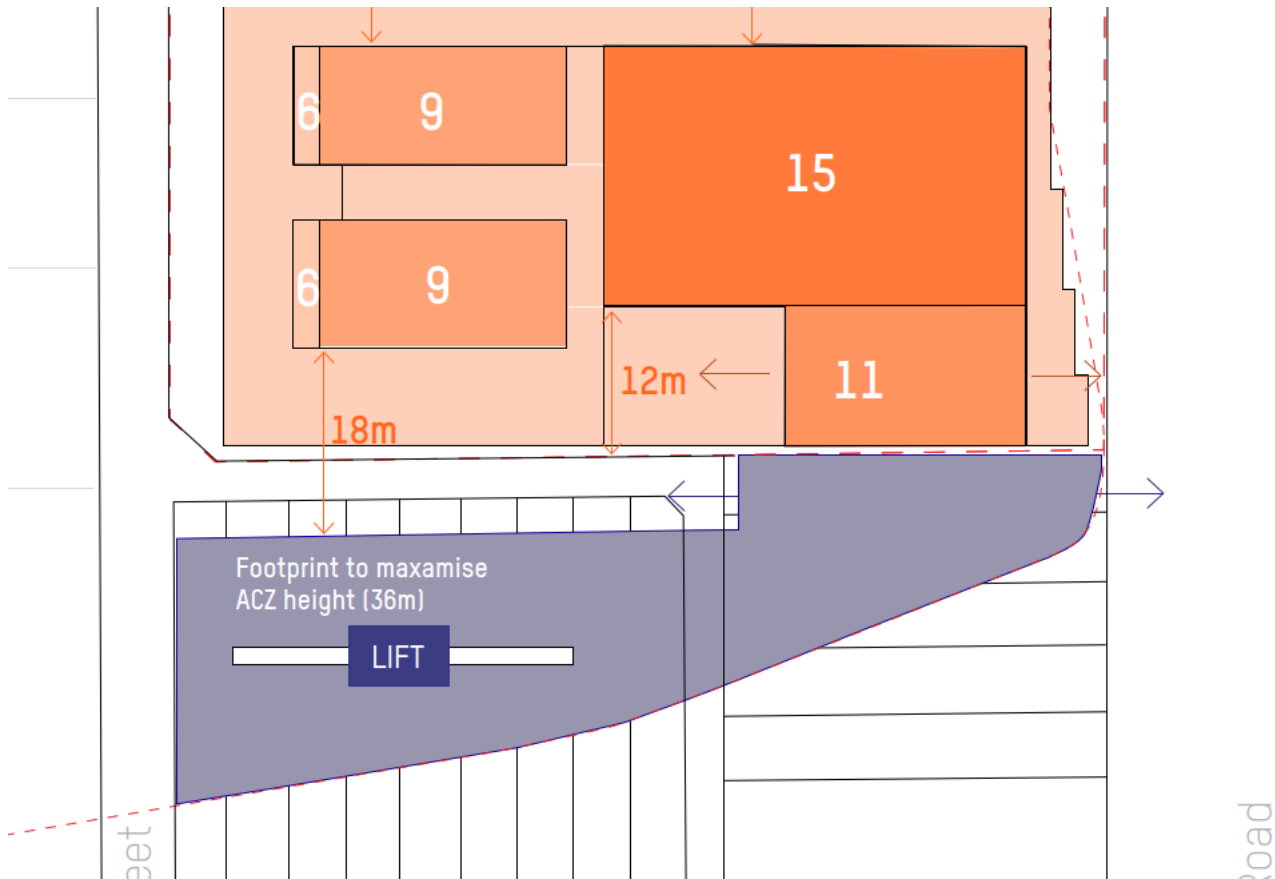


Figure 14 - Excerpt UCR identifying equitable development scenarios under a consolidated parcel arrangement (JCB)

With respect to the proposal:

- The proposed siting and massing of the south-east tower as a result adopts a wall on boundary for 11 storeys, which will allow land to the immediate south to mirror this wall on boundary condition. The 15-storey portion of the tower is then setback approximately 11.9m from the shared boundary, effectively consistent with the requirements of Table 1.
- The proposed breezeway wing (south-west building) is set back 9 metres to allow for sufficient separation from future development to the south and for outlook and daylight for these dwellings. Given this element has a height of six storeys above a three-storey podium, this is consistent with the 9m setback requirement of Table 1.

As such the proposal complies with the requirements of the Clause.

5.4.2 Building separation from another building within a site

With respect to internal separation distances, the proposal presents two conditions:

1. Separation between the two breezeway buildings at the west of the Site.
2. Separation between the two point towers at the eastern end of the Site.

These are addressed as follows.

Breezeway separation

The two breezeway buildings have a height of six storeys above the podium and an internal separation distance of 17.8m, compared to a requirement of 18m. While it is accepted that the proposal seeks a modest variation to the requirement (of approximately 20cm), we would respectfully submit that the proposal represents an appropriate design response on the basis of:

- Window and balcony placement and orientation to minimise direct views.

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- Immediate visual connection to the extensively landscaped podium terrace.
- Only four apartments per level that have direct primary to primary views, minimising the extent of any non-compliance.
- These apartments being in a breezeway arrangement, providing an additional source of natural light and ventilation.

Tower separation

The two 'point towers' have a height of 12 and 13 storeys respectively above the podium and an internal separation distance of 15.9m, compared to a requirement of 24m given the presence of off-set primary to primary outlooks. As above, noting the variation to the requirement, the proposed response represents an acceptable outcome on the basis that:

- The tower floor plates have been designed to ensure that there is only one apartment per level with primary orientation towards the opposite tower, with all other apartments have dual aspect and oblique views to the east and west.
- These two central apartments are in wider typologies (circa 10m wide) to maximise opportunities for daylight and oblique views. Moreover, the apartment layouts are effectively 'flipped', ensuring that while the balconies stretch the full width of the apartment, primary living spaces are offset towards the opposite bedroom areas.
- The tower separation will be clearly read from the public realm, providing a clear visual distinction between the two tower elements from oblique angles on Sydney Road and from the Bell Street Reserve opposite the proposal. This separation also allows for substantial podium level landscape treatments.

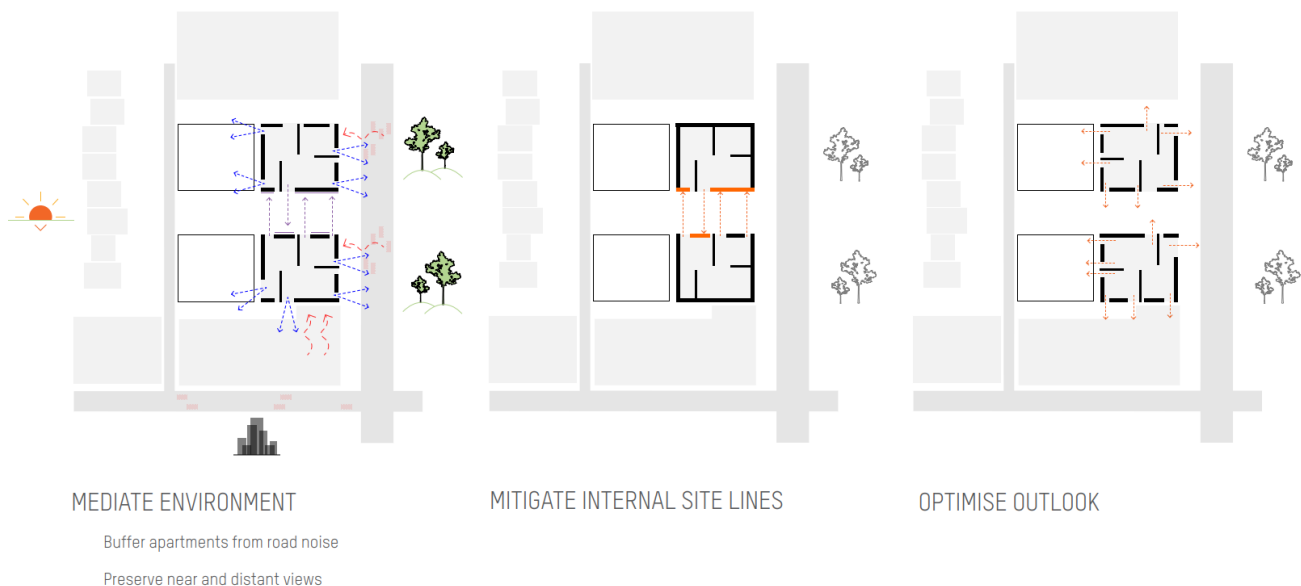


Figure 15 - Excerpt UCR detailing tower facade strategy to optimise outlook while minimising direct view lines (JCB)

5.5 Does the proposal deliver an appropriate level of internal amenity?

The provision of a high level of amenity within apartments and through a variety of communal spaces is a core aspect of the proposal. Notably, the development demonstrates a high level of compliance with the requirements of Clause 58 of which the following key aspects are noted:

- Each apartment enjoys intuitive and spacious internal and external functional layouts with considerable daylight access, views, privacy and storage provision.
- Substantial resident bicycle facilities including bike storage and workshop.
- Multiple outdoor terraces comprising a primary Level 3 rooftop terrace of 880sqm including play areas, extensive landscaped treatments and active pavilion areas to the east and west, as well as additional rooftop terraces to each building at Level 09 provided with productive gardens, BBQ and seating areas and integrated planting.

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- Communal resident facilities in the form of multi-purpose communal pavilions, rooftop laundry facilities, a bicycle workshops and resident meeting room.

As demonstrated above, the proposal provides for a high level of internal amenity.

Refer to **Error! Reference source not found.** – Clause 58 Assessment for details.

5.6 Will the proposal result in any unreasonable offsite amenity impacts?

Potential amenity impacts associated with any development of this nature would typically relate to visual bulk, overshadowing and overlooking. These are addressed in turn below.

5.6.1 Visual Bulk

Visual bulk is a somewhat amorphous concept. It can relate to a combination of factors including building height, boundary setbacks, the presence of walls on boundaries, site coverage, materiality, the presence of blank or unarticulated walls, and even to some extent the potential for (or lack of) landscaping.

Given the Site's interface to Sydney Road (which is a main arterial road) and its location within the Coburg MAC, it is respectfully submitted that amenity expectations in relation to the scale and form of buildings on the site need to be tempered by the anticipated future character of the activity centre.

Notwithstanding this, the potential for any 'bulk' impacts would principally arise with respect to the largely residential land to west (i.e. the properties located within the GRZ1), particularly in terms of views to the Site from rear yard of dwellings on Lobb Street.

In the first instance, we note that the design response has specifically sought to bias building height towards the east of the Site, substantially setback from the western interface.

Where there is built form proposed closer to the western interface, the proposal has been designed to comply with the intent of the relevant setback provisions set out in the ACZ, albeit with greater setbacks at the lower levels (levels 3-6) and lesser setbacks at the upper levels (levels 7-8). This approach has been adopted to avoid a 'wedding cake' design response and, where this varies from the requirement, is consistent with the approach that was approved on the property immediately to the north of the Site.

The building presentation to the west is well modulated and articulated as a consequence of the breezeway components, the provision of balconies, fenestration detail and material palette.

It is submitted that the slender east-west breezeway forms, coupled with the generous setbacks to the north and south and the wide central break between the buildings, results in an appropriate built form response that will have no unreasonable impacts by way of visual bulk on the properties to the west.

In addition, the landscaping proposed by MALA will provide an appropriate landscaped interface to Ross Street (both in a linear form running north-south along the western boundary, via the proposed public open space at the north-west corner of the site, and via the large landscaped central courtyard. This landscaping will assist in further softening the nature of the interface with the properties to the west.

5.6.2 Overshadowing

The proposal has been carefully crafted and designed to minimise shadow impact on the rear yards of the residential properties fronting Lobb Street to the west.

More particularly we note the following:

- At 9am the proposal will cast additional shadow to properties as follows:
 - 2b Lobb Street (12sqm additional shadow)
 - 2 Lobb Street (68sqm additional shadow)
 - 4 Lobb Street (2sqm additional shadow)
 - 4A Lobb Street (13sqm additional shadow)
 - 6 Lobb Street (50sqm additional shadow; which leaves 45sqm of SPOS with solar access at this time).
- At 10am the proposal will cast no additional shadow on any of the SPOS of the residential properties to the west of the Site fronting Lobb Street with the exception of:

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- 2 Lobb Street (16sqm of additional shadow, which leaves 64sqm of SPOS with solar access at this time)..
- 2B Lobb Street (1.5sqm of additional shadow to POS (not SPOS area with minimum 3m dimension), having no impact to the 19sqm of SPOS currently achieving solar access at this time. It is respectfully submitted that this increase in shadow is negligible having regard to the nature of the POS area and location of the additional shadow, between the outbuilding and rear fence.

· From 11am onwards the proposal casts no additional shadow on any of the properties to the west of the site.

While full compliance with Standard B21 isn't achieved for 2B Lobb Street, 4 and 4A Lobb Street, as existing sunlight to the SPOS of these dwellings is less than the requirements of the standard), the non compliance is driven by the limited area of SPOS provided by the recent subdivision (of 4 Lobb Street) and presence of a large shed / outbuilding within the rear yard of 2B Lobb Street. It is noted that full compliance with the standard is not required having regard to the residential interface provision of the ACZ1 and the objective – to ensure buildings do not significantly overshadow existing SPOS – is considered to be met, as they only real impact of the development occurs for a period of 1 hour between 9am and 10am.

This is in line with the Council Officer's supportive assessment of shadow cast by the development at 541 Sydney Road, which proposed a similar extent of overshadowing to the SPOS of properties at 6, 8, 10 and 12 Lobb Street.

Having regard to the above it is submitted that the proposal will not result in an unreasonable level of overshadowing and appropriately balances the amenity expectations against the strategic objectives for the Coburg Activity Centre.

5.6.3 Overlooking

The only sensitive interfaces in terms of the potential overlooking are to the north (to the approved apartment development) and to the rear yards of residential properties fronting Lobb Street to the west.

To the north, the building, including any north facing balconies / windows, are setback a minimum of 11m (being the setback between the boundary and the north facing balconies at level 1) which is well in excess of the 9m provision that is typically considered reasonable in a residential context.

To the west, the balconies (and windows) of the podium level apartments to Ross Street at levels 1 and 2 are setback around 9.5m (again, greater than 9m typical provision) from the property boundary by virtue of the separation afforded by Ross Street and the built form setback on the Site, with the intervening space landscaped to further mitigate any 'perception' of overlooking.

Upper levels apartments are setback significantly further again.

Having regard to the above, the proposal does not result in any opportunities for unreasonable overlooking.

5.7 Does the revised proposal provide for an environmentally sustainable design?

The approach to sustainability led by Hip V. Hype is to 'embed sustainability into the design, construction and operation of the site as a mixed-use residential precinct', with the aim of realising a high-performing building for people, place, and planet. Key sustainable design initiatives (as detailed in the executive summary of the Sustainability Management Plan prepared by Hip V. Hype) include the following:

- *Passive design to target a minimum average NatHERS rating of at least 7.5-Stars, minimising the need for active energy systems.*
- *No fossil fuels including natural gas. 100% all-electric building supplied with renewable energy through an embedded network.*
- *Maintain comfortable internal temperatures passively, using little or no energy, providing comfortable living spaces year round and protecting inhabitants from extreme weather events.*
- *Create healthy homes, including reduction in the use of harmful VOCs in glues, sealants and paints, and protection from dust and other external airborne pollutants.*
- *Cost effective design that provides a sustainable outcome, avoiding over engineering and providing for simple maintenance over time.*
- *Minimise consumption of natural resources, including water and raw materials.*
- *Minimise environmental impacts through operation, including energy consumption, waste creation and discharge of pollutants.*

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The SMP is supported by a BESS Assessment demonstrating a score of 70 percent, which represents ESD excellence. For these reasons, the proposal provides for an environmentally sustainable design in accordance with ESD outcomes sought by the Merri-bek Planning Scheme

5.8 Are the proposed traffic, car parking, and bicycle parking arrangements appropriate?

A detailed Traffic Impact Assessment (TIA) has been prepared by Traffix which is relied on in responding to this question.

With respect to traffic generation, the TIA states that

The level of traffic generated is a reduction when compared to the approved scheme and will not have a material impact on the surrounding road network and the analysis demonstrates that the proposed access design will appropriately integrate with the existing signals at Sydney Road/Urquhart Street.

On this basis the proposed traffic generation is appropriate.

With respect to the anticipated demand for car parking, the TIA finds that the proposed reduction in parking under Clause 52.06-6 is supportable on the following grounds:

- i) The site is located within the Coburg Major Activity Centre and is excellently served by public transport and alternative transport modes,*
- ii) ABS data and case study data shows there is demand for apartments without parking in this area,*
- iii) The Built-To-Rent-To-Own model allows for more efficient parking management that can assist in reducing parking demands,*
- iv) The application is committed to sustainable transport initiatives, such as the preparation of a Green Travel Plan, generous bicycle parking provisions, and incorporating Car Share spaces on-site,*
- v) For staff and residents who do not have an on-site parking space, parking on-street will be impractical and they will be forced to make a mode shift to more sustainable transport to access the site.*
- vi) There is strong State and Local Strategic support to reduce parking demands through suppressing supply, and this site is appropriately located to do so.*

On this basis the proposed provision of car parking is appropriate.

5.8.1 Bicycle Parking

With respect to the provision of bicycle parking, the TIA states that:

These above noted provisions exceed the minimum requirements under Clause 52.34 but are just shy of the Activity Centre Zoning requirements for residents. Given the size of the development, and proximity of the site to other transport modes, we are comfortable that this provision is appropriate.

The layout of the proposed bicycle parking has been provided in accordance with AS2890.3-2015 with a mix of vertical and horizontal rails.

All access to bike corridors has been designed generally been designed with a minimum width of 1.5 metres which accords with the requirements of AS 2890.3. All staff and resident bicycle areas are intended to be secured with the provision of sliding doors.

The proposed bicycle parking arrangements and facilities are therefore considered appropriate.

On this basis the proposed provision of bicycle parking and bicycle facilities is considered appropriate.

5.9 Does the revised proposal provide for appropriate loading and waste management arrangements?

The detailed TIA and WMP prepared by Traffix are relied on in responding to this question.

With respect to loading, the TIA concludes that:

Loading activities associated with the proposal are to be accommodated within a dedicated loading bay located within the private vehicular accessway. Outside of loading hours these parking spaces would be used for drop-off/pick-up.

The loading bay will accommodate loading vehicles up to an 8.8 metre long medium rigid vehicle (MRV).

These arrangements are generally consistent with the approved scheme.

With respect to waste, the TIA concludes that:

Individual building refuse stores are identified within the ground floor car park and waste collection is to occur within the ground floor car park by a private contractor utilising a Hino mini rear loader waste vehicle (nominal 6.4 metre length, 2.1 metre height).

A minimum 2.5 metres height clearance is provided at the waste collection point which is considered to be acceptable.

The waste vehicle can satisfactorily enter/exit the site in a forward facing direction via the private vehicular accessway and enter the ground floor car park using the proposed residential bump-in/bump-out space.

Swept path diagrams that demonstrate satisfactory waste vehicle movements are attached at Appendix A.

These arrangements are generally consistent with the approved scheme.

On this basis, we are satisfied that suitable waste collection arrangements can be accommodated.

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6 Conclusion

This report supports a planning permit application for the use and development of land at 511-537 Sydney Road, Coburg facilitated by the provisions of Clause 52.23.

The development application incorporates a design scheme which delivers a contextual and high-quality design outcome to support a 'Build-to-Rent-to-Own' (BTRTO) housing model. This application involves the construction of a multi-storey and mixed-use building. Key features of the proposal include:

- Commitment to a Built-to-Rent-to-Own (BTRTO) housing model, to facilitate home ownership via renting for a diversity of households.
- A high-quality contemporary architectural response designed by Jackson Clements Burrows Architects (JCB) adopting a distinctive 'tower and breezeway' massing arrangement to respond to the Site's varied interface conditions.
- Introduction of an east-west aligned laneway terminating in a new landscaped public open space of approximately 160sqm adjacent Ross Street.
- Further public realm improvements in the form of landscaped setbacks to Sydney Road and Ross Street comprising canopy tree planting in deep soil.
- 326 dwellings in the form of one, two and three bedroom apartments of varying layouts, dimensions, orientations and sizes.
- Provision of affordable dwellings which represent 60% of the overall dwelling numbers.
- 156 car parking spaces, 562 resident bicycle spaces, 12 employee bicycle spaces and 36 visitor bicycle spaces.
- Extensive amenities for residents comprising multi-purpose pavilions, laundry facilities, bike workshop, parcel room, rooftop BBQ and social spaces.
- A retail premises at the corner of Sydney Road and the new east-west aligned laneway of 103 square metres.
- Commercial office tenancies fronting Sydney Road and the new east-west aligned laneway comprising 1,051 square metres.
- An average NatHERS rating of at least 7.5-stars across the development.

The proposal represents a high-quality development outcome that is supported by the provisions of the Merri-Bek Planning Scheme and will support the overarching planning objectives of the Coburg Activity Centre in an engaging and contextually responsive architectural form.

On the basis of the above, the proposal represents a well-considered and appropriate proposal that merits the issuing of a planning permit to facilitate its delivery.

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Appendices

Appendix A [Clause_58 Assessment](#)

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Clause 58

Better Apartment Design Standards

1.1 Purpose

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

1.2 Requirements

A development:

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

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

For Clause 58.04-1 (Building setback):

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

1.3 Definition

An Apartment is defined in Clause 73.01 as:

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

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Clause 58.02 – Neighbourhood Character and Infrastructure

Clause 58.02-1 – Urban Context Objectives

Objectives	To ensure that the design responds to the existing urban context or contributes to the preferred future development of the area.
	To ensure that development responds to the features of the site and the surrounding area.
Achieved	
Standard D1	The design response must be appropriate to the urban context and the site.
	The proposed design must respect the existing or preferred urban context and respond to the features of the site.
Complies with the standard	

Clause 58.02-1 – Urban Context Objectives Assessment

The proposal represents a considered design response to the Site and its immediate context as well as broader emerging context and intended development of the Coburg Major Activity Centre. The proposal responds to the built form, density and land use outcomes sought by the ACZ1 by introducing 326 dwellings, with a minimum of 60 percent, affordable for people with moderate incomes, within a considered arrangement of built form elements ranging from three (3) to 16 storeys.

The design by JCB cleverly mediates scale through the breaking up of tower elements into smaller forms, and separation of built form when viewed from the east and west of the Site. The lower scale three storey portion of the development fronting Ross Street responds to the character of the residential-zoned land outside of the Activity Centre to the west.

The landscape response by MALA complements the built form, enhances the public realm and makes evident the generosity of the proposal when viewed from surrounding streets.

The robust and tactile material palette will further assist the building to sit comfortably in its context.

With regard to site context, the proposal responds to its surrounding street network by providing a publicly accessible garden within the pedestrian link to the north.

Please refer to the Planning Report prepared by Tract for further clarification.

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Clause 58.02-2 – Residential Policy Objectives

Objectives	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.
	Achieved
Standard D2	An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.
	Complies with the standard

Clause 58.02-2 – Residential Policy Objectives Assessment

Chapter 5 of the Planning Report (Tract) outlines the compliance of the proposal with the provisions relating to housing set out in the Merri-bek Planning Scheme. In summary, the proposal provides a higher density housing product in an area with excellent access to public transport, community infrastructure, services and amenity in a location that is suited to accommodating this scale of residential built form.

Refer to Planning Report prepared by Tract (February 2024) for further clarification.

Clause 58.02-3 – Dwelling Diversity Objectives

Objectives	To encourage a range of dwelling sizes and types in developments of ten or more dwellings.
	Achieved
Standard D3	Developments of ten or more dwellings should provide a range of dwelling sizes and types, including dwellings with a different number of bedrooms.
	Complies with the standard

Clause 58.02-3 – Dwelling Diversity Objectives Assessment

The proposal provides for a total of 326 dwellings comprising a mix of studios, one-bedroom, two-bedroom one bath, two bedroom two bath, three bedroom one bath and three bedroom two bath dwellings, all ranging in size and type. Importantly, the proposal offers a diversity of housing choice, through the Assemble build to rent to buy model, in the context of the broader residential offering in the City of Merri-bek.

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Clause 58.02-4 – Infrastructure Objectives

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

Achieved

Standard D4 Development should be connected to reticulated services, including reticulated sewerage, drainage and electricity, if available. Connection to a reticulated gas service is optional.
Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.
In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.

Complies with the standard

Clause 58.02-4 – Infrastructure Objectives Assessment

The proposal will be connected to existing services and there is no evidence to suggest that such services are at capacity. The development will generate some of its own energy through the provision of solar panels on-site.

Clause 58.02-5 – Integration with the Street Objectives

Objectives To integrate the layout of development with the street.
To support development that activates street frontage.

Achieved

Standard D5 Development should be oriented to front existing and proposed streets.
Along street frontage, development should:

- Incorporate pedestrian entries, windows, balconies or other active spaces.
- Limit blank walls.
- Limit high front fencing, unless consistent with the existing urban context.
- Provide low and visually permeable front fences, where proposed.
- Conceal car parking and internal waste collection areas from the street.

Development next to existing public open space should be designed to complement the open space and facilitate passive surveillance.

Complies with the standard

Clause 58.02-5 – Integration with the Street Objectives Assessment

The proposal has been designed to be integrated with Sydney Road, the northern link and Ross Street.

The proposed streetwall to Sydney Road, wrapping around to the north, continues the height and rhythm of the existing interwar shops located to the south of the Site. A high level of glazing is applied to ground floor frontages, with landscaping in the PAO setback and balconies above providing further interaction and integration of the building with the street.

Notably, the development provides a new pedestrian link and public garden to its north. The landscape response to Ross Street similarly integrates the public and private realms.

Apartments are oriented with outlook to Sydney Road, Ross Street, and the northern link. Communal space at the podium level including the Assemble Pavilions further integrate the development with Sydney Road and Ross Street.

For the above reasons, the proposal achieves Standard D5.

Clause 58.03 – Site Layout

Clause 58.03-1 – Energy Efficiency Objectives

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

Standard D6	Buildings should be: <ul style="list-style-type: none">Oriented to make appropriate use of solar energy.Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced. Living areas and private open space should be located on the north side of the development, if practicable. Developments should be designed so that solar access to north-facing windows is optimised. A dwelling located in a climate zone identified in Table D1 should not exceed the specified maximum NatHERS annual cooling load specified in the following table
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NatHERS Climate Zone	NatHERS Maximum Cooling Load (MJ/ M² per annum)
Climate Zone 21 Melbourne	30
Climate Zone 22 East Sale	22
Climate Zone 27 Mildura	69
Climate Zone 60 Tullamarine	22
Climate Zone 62 Moorabbin	21
Climate Zone 63 Warrnambool	21
Climate Zone 64 Cape Otway	19
Climate Zone 66 Ballarat	23

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

Complies with the standard

Clause 58.03-1 – Energy Efficiency Objectives Assessment

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

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Clause 58.03-2 – Communal Open Space Objective

Objectives	<p>To provide communal open space that meets the recreation and amenity needs of residents.</p> <p>To ensure that communal open space is accessible, practical, attractive, easily maintained.</p> <p>To ensure that communal open space is integrated with the layout of the development and enhances resident amenity.</p>
Achieved	
Standard D7	<p>A development of 10 or more dwellings should provide a minimum area of communal outdoor open space of 30 square metres.</p> <p>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.</p> <p>Each area of communal open space should be:</p> <ul style="list-style-type: none">• Accessible to all residents.• A useable size, shape and dimension.• Capable of efficient management• Located to:<ul style="list-style-type: none">◦ Provide passive surveillance opportunities, where appropriate.◦ Provide outlook for as many dwellings as practicable.◦ Avoid overlooking into habitable rooms and private open space of new dwellings.◦ Minimise noise impacts to new and existing dwellings. <p>Any area of communal outdoor open space should be landscaped and include canopy cover and trees</p>
Complies with the standard	

Clause 58.03-2 – Communal Open Space Objective Assessment

<p>The proposal incorporates the following communal open spaces:</p> <ul style="list-style-type: none">• Primary communal landscaped terrace at Level 3 (868sqm) including the eastern and western ‘Assemble’ pavilions (61sqm and 70sqm).• Building A communal terrace at Level 9 (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). <p>The proposal therefore substantially exceeds the requirements of the standard.</p>	
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Clause 58.03-3 – Solar Access to Communal Outdoor Open Space Objective

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

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

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. To ameliorate this, the landscape theme prioritises species that are suited to low-sun conditions, creating a calming and versant landscaped zone. Moreover, activated communal pavilions are sited at east end of the terrace to benefit from morning and evening sun.

In addition, 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 it is submitted that the proposal complies with the objective.

Clause 58.03-4 – Safety Objective

Objectives	To ensure the layout of development provides for the safety and security of residents and property.
	Achieved
Standard D9	Entrances to dwellings should not be obscured or isolated from the street and internal accessways. Planting which creates unsafe spaces along streets and accessways should be avoided. Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways. Private spaces within developments should be protected from inappropriate use as public thoroughfares.
	Complies with the standard

Clause 58.03-4 – Safety Objective Assessment

The proposal complies with the standard as follows:

- 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 are appropriately lit and visible and avoid hidden entrapment spaces.
- All private and communal areas are clearly differentiated and demarcated from public thoroughfares.

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Clause 58.03-5 – Landscaping Objectives

Objectives	<p>To provide landscaping that supports the existing or preferred urban context of the area and reduces the visual impact of buildings on the streetscape.</p> <p>To preserve existing canopy cover and support the provision of new canopy cover.</p> <p>To ensure landscaping is climate responsive, supports biodiversity, wellbeing and amenity and reduces urban heat.</p>
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Achieved

Standard D10	<p>Development should retain existing trees and canopy cover</p> <p>Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.</p>
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Development should:

- 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:
 - 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.

Site Area	Canopy cover	Deep soil
1000 square meters 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 meters	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 meters	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

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2500 square meters 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 D2 Canopy cover and deep soil requirements

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

Table D3 Soil requirements for trees

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%

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

Table D4 Tree types

Complies with the objective

Clause 58.03-5 – Landscaping Objectives Assessment

The proposal provides for a verdant and contextually responsive landscape outcome that will substantially increase the extent of planting, canopy cover and soft infrastructure within the public realm, as well as provide relaxing and verdant communal spaces for future occupants. Designed by MALA, the proposed landscape response will support biodiversity, wellbeing and amenity, and reduce urban heat.

With respect to the requirements of the standard, the proposal delivers the following:

- 1,480sqm of tree canopy cover, comprising 36 x Type A trees and 6 x Type B trees. This exceeds the requirements of the standard, being 1,179sqm of canopy cover and at least 2 x Type B trees or 1 x Type C tree.
 - 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 explicitly tailored to the Site’s conditions, specifically having regard to the shaded quality of the central communal terrace.

Based on the above, the proposal comfortably meets the objective, including through a response that exceeds the requirements for canopy cover and supplements the minor variation to preferred deep soil area with soil volume in planters above ground.

Clause 58.03-6 – Access Objective

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.
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Achieved

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.
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Complies with the standard

Clause 58.03-6 – Access Objective Assessment

The proposal complies with the standard as follows:

- The proposal provides for one vehicle crossover as required by the ACZ1 to provide access to the new east-west aligned laneway.
- The proposal provides for a single discrete vehicular entrance to the northern laneway that 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. Moreover, the location of the crossover is a requirement of the ACZ1.
- 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.

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Clause 58.03-7 – Parking Location Objectives

Objectives	To provide convenient parking for resident and visitor vehicles. To protect residents from vehicular noise within developments.
Achieved	
Standard D12	Car parking facilities should: <ul style="list-style-type: none">• Be reasonably close and convenient to dwellings.• Be secure.• Be well ventilated if enclosed. Shared accessways or car parks of other dwellings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.
Complies with the standard	

Clause 58.03-7 – Parking Location Objectives Assessment

The proposal complies with the standard as follows:	
<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.	

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Clause 58.03-8 – Integrated Water and Stormwater Management Objectives

Objectives	To encourage the use of alternative water sources such as rainwater, stormwater and recycled water. To facilitate stormwater collection, utilisation and infiltration within the development. To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.
Achieved	
Standard D13	Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use. Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority. The stormwater management system should be: <ul style="list-style-type: none">Designed to meet the current best practice performance objectives for stormwater quality as contained in the <i>Urban Stormwater – Best Practice Environmental Management Guidelines</i> (Victorian Stormwater Committee 1999) as amended.Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.
Complies with the standard	

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

A detailed response to the requirements of the standard and objective is provided in the SMP prepared by Hip V. Hype.

In summary, the proposal provides the following STORM rating and reduction in typical urban loads:

STORM RATING					
TN (%)	TP (%)	TSS (%)	GP (%)	FLOW REDUCTIONS (%)	
123.1	134.6	101.1	142.9	36.2	

OVERALL REDUCTION					
	TN (%)	TP (%)	TSS (%)	GP (%)	FLOW (%)
ACHIEVED REDUCTION	55.6	73.6	84.8	100.0	14.1
TARGET REDUCTION	45	45	80	70	N/A

The proposal incorporates the following WSUD and rainwater reusage measures:

- Collection from non-trafficable roof area of 2,978m²
- Storage in 2x20kL rainwater tanks.
- The rainwater collected from these surfaces require enhanced treatment before re-use.
- The rainwater collected will be reused for toilet flushing in the residential component of the building along with ground level landscape irrigation.
- Any overflow from the rainwater tank during extreme rainfall events will be diverted to an additional on-site detention tank.

On this basis the proposal complies with the standard.

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Clause 58.04 – Amenity Impacts

Clause 58.04-1 – Building Setback Objectives

Objectives	<p>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.</p> <p>To allow adequate daylight into new dwellings.</p> <p>To limit views into habitable room windows and private open space of new and existing dwellings.</p> <p>To provide a reasonable outlook from new dwellings.</p> <p>To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents.</p>
	<hr/> Achieved <hr/>
Standard D14	<p>The built form of the development must respect the existing or preferred urban context and respond to the features of the site.</p> <p>Buildings should be set back from side and rear boundaries, and other buildings within the site to:</p> <ul style="list-style-type: none">• Ensure adequate daylight into new habitable room windows.• Avoid direct views into habitable room windows and private open space of new and existing dwellings. Developments should avoid relying on screening to reduce views.• Provide an outlook from dwellings that creates a reasonable visual connection to the external environment.• Ensure the dwellings are designed to meet the objectives of Clause 58.
	<hr/> Complies with the standard <hr/>

Clause 58.04-1 – Building Setback Objectives Assessment

<p>A detailed assessment of the proposed building setback arrangements against the requirements of the ACZ1 and Clause 15.01-2L is provided in Section 5 of the Planning Report.</p> <p>In summary, the proposed massing arrangement:</p> <ul style="list-style-type: none">• Provides appropriate levels of daylight to new habitable rooms.• Avoids direct views and requires no privacy screening to be incorporated.• Provides appropriate opportunities for outlook and visual connection to the street, sky and terrace areas.• Ensures full compliance with the objectives of Clause 58 with respect to internal amenity considerations.	
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Clause 58.04-2 – Internal Views Objective

Objectives	To limit views into the private open space and habitable room windows of dwellings within a development.
Achieved	
Standard D15	Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the private open space of a lower-level dwelling directly below and within the same development.
Complies with the standard	

Clause 58.04-2 – Internal Views Objective Assessment

The proposed apartments have been sited and oriented to minimise direct views into the private open space and habitable rooms of other dwellings within the development. Specifically, this has ensured that all windows and balconies are designed to prevent overlooking of more than 50 per cent of the private open space of a lower-level dwelling directly below. Where there is potential for downward views to podium level balconies, at least 50 percent of the minimum required area is protected from overlooking.

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Clause 58.04-3 – Noise Impacts

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

Standard D16	Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings. The layout of new dwellings and buildings should minimise noise transmission within the site. Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings. New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources. Buildings within a noise influence area specified in Table D3 should be designed and constructed to achieve the following noise levels: <ul style="list-style-type: none">• Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.• Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm. Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements. Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed. Note: The noise influence area should be measured from the closest part of the building to the noise source.
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Noise Source	Noise Influence Area
Zone Interface	
Industry	300 metres from the Industrial 1, 2 and 3 zone boundary
Roads	
Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume	300 metres from the nearest trafficable lane
Railways	
Railway servicing passengers in Victoria	80 metres from the centre of the nearest track
Railway servicing freight outside Metropolitan Melbourne	80 metres from the centre of the nearest track
Railway servicing freight in Metropolitan Melbourne	135 metres from the centre of the nearest track

Table D3 Noise Influence Area

Complies with the standard

Clause 58.04-3 – Noise Impacts Assessment

The Site is within one of the noise influence areas specified in Table D5, being within 300 metres from the nearest trafficable lane for a road carrying over 40,000 Annual Average Daily Traffic (AADT) Volume. As outlined in the Acoustic Report prepared by Acoustic Logic 'a section of Bell Street to the east of Elm Grove carries an AADT volume > 40,000 at approximately 42,000 vehicles. Only traffic from this portion of Bell Street to the east of Elm Street (200m to the east of site) is required to comply with this criteria.' The Acoustic Report makes recommendations for glazing thickness and wall construction to achieve the requisite noise levels for bedrooms and living areas.

Clause 58.04-4 – Wind Impacts Objective

Objectives	To ensure the built form, design and layout of development does not generate unacceptable wind impacts within the site or on surrounding land.	
	Achieved	
Standard D17	<p>Development of five or more storeys, excluding a basement should:</p> <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; andachieve comfortable wind conditions specified in Table D6 in public land and publicly accessible areas on private land <p>within a distance of half the greatest length of the building, or half the total height of the building measured outwards on the horizontal plane from the ground floor building façade, whichever is greater. Trees and landscaping should not be used to mitigate wind impacts. This does not apply to sitting areas, where trees and landscaping may be used to supplement fixed wind mitigation elements.</p> <p>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.</p>	
	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
	Complies with the standard	

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Table D6 Wind Conditions

Clause 58.04-4 – Wind Impacts Objective Assessment

A detailed Wind Report has been prepared by Vipac to accompany this application. The Report concludes that:	
	<ul style="list-style-type: none">Wind conditions in the ground level footpath areas and access ways would be expected to be within the walking comfort criterion;Wind conditions at the main entrances would be expected to be within the standing comfort criterion;Wind conditions in the Level 3 courtyard would be expected to be within the standing comfort criterion with the recommendations;Wind conditions at the Level 9 communal terraces are expected to be within the recommended walking / standing comfort criteria with the recommendations;

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- *Wind conditions at the terraces and balconies would be expected to be within the recommended walking comfort criterion; and*
 - *the proposed development is expected to generate the wind conditions within safety criterion.*

On this basis the proposal complies with the standard.

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Clause 58.05-1 – Accessibility Objective

Objectives	To ensure the design of dwellings meets the needs of people with limited mobility.	
Achieved		
Standard D18	At least 50 per cent of dwellings should have: <ul style="list-style-type: none">• A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.• A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.• A main bedroom with access to an adaptable bathroom.• At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table D7.	
	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 meters by 1.2 meters• Located in front of the shower and the toilet• Clear of the toilet, basin and the door swing The circulation area for the toilet and shower can overlap	A clear circulation area that is: <ul style="list-style-type: none">• A minimum width of 1 meter• The full length of the bathroom and a minimum length of 2.7 meters• Clear of the toilet 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
Table D7 Bathroom Design		
Complies with the standard		

Clause 58.05-1 – Accessibility Objective Assessment

The proposal provides 88% of apartments that are compliant with the requirements of the standard inclusive of either Design Option A or B bathrooms.

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Clause 58.05-2 – Building Entry and Circulation Objectives

Objectives	<p>To provide each dwelling and building with its own sense of identity.</p> <p>To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.</p> <p>To ensure internal communal areas provide adequate access to daylight and natural ventilation.</p>
Achieved	
Standard D19	<p>Entries to dwellings and buildings should:</p> <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. <p>The layout and design of buildings should:</p> <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.
Complies with the objective	

Clause 58.05-2 – Dwelling Entry Objectives Assessment

<p>The proposal complies with the objective as follows:</p> <ul style="list-style-type: none">• Dwelling and building entries are visible and identifiable and provide a sense of transition and arrival, both to Sydney Road via the expressed metal treatments, and to Ross Street through the external staircases and integrated landscaping.• The internal arrangement of the building:<ul style="list-style-type: none">◦ Clearly demarcates residential and non-residential areas using doors and Fob systems.◦ Provides windows to building entrances and lift areas at the ground floor.◦ Provides for visible and attractive stairs to encourage resident use, specifically in the form of externally expressed stairs at the western end of the breezeway buildings.◦ Provides attractive common areas and corridors that prioritise access to natural light and ventilation through the adoption of breezeway typologies. It is noted that the Level 1 and 2 corridors to the eastern facing apartments do not provide a source of daylight, however noting the limited number of apartments affected by this condition (generally restricted to the south-eastern zone given the presence of the breezeway to the west of Building A) this arrangement is acceptable.	
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Clause 58.05-3 – Private Open Space Objective

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

Achieved

Standard 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.

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

Table D8 Balcony Size

Dwelling Type	Additional area
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Studio or 1 bedroom dwelling	8 square metres
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2 bedroom dwelling	8 square metres
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3 or more bedroom dwelling	12 square metres
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Table D9 Additional living area or bedroom area

Complies with objective

Clause 58.05-3 – Private Open Space Objective Assessment

The proposed development provides apartment typologies with terraces that are efficiently laid out and accessed, with direct connections to living spaces for all typologies. It is noted that in some typologies the proposal presents minor variations from the requirements of the standard, however this is considered to be acceptable on the basis that:

- The number and extent of variations is limited (to 1B1B Type A; 2B2B Type A; 2B2B Type C; 3B1B Type C).
- The proposal provides a substantial amount of communal open space at the podium and rooftop levels, in addition to a new parklet (160sqm) and further indoor communal amenities. As such, residents will be able to fulfill further recreational and service needs (i.e. washing drying in the rooftop laundry areas) in high-amenity and landscaped areas that are easily accessed and facilitative of communal connections.

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

Clause 58.05-4 – Storage Objective

Objectives	To provide adequate storage facilities for each dwelling.		
	Achieved		
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.		
	Dwelling Type	Total Minimum Storage Volume	Minimum Storage Volume within the Dwelling
	Studio	8 cubic metres	5 cubic metres
	1 bedroom dwelling	10 cubic metres	6 cubic metres
	2 bedroom dwelling	14 cubic metres	9 cubic metres
	3 or more bedroom dwelling	18 cubic metres	12 cubic metres
	Table D10 Storage		
	Complies with standard		

Clause 58.05-4 – Storage Objective Assessment

All apartment typologies are provided with an appropriate quantum of internal storage within the apartment layouts and allocated external storage to meet the total volume where required.

Please refer to the BADS Summary table prepared by JCB for further clarification.

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Clause 58.06 – Detailed Design

Clause 58.06-1 – Common Property Objectives

Objectives	To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.
	To avoid future management difficulties in areas of common ownership.
	Achieved
Standard D22	Developments should clearly delineate public, communal and private areas.
	Common property, where provided, should be functional and capable of efficient management.
Complies with the standard	

Clause 58.06-1 – Common Property Objectives Assessment

The proposal complies with the objective as follows:

- All public, private and communal areas are clearly delineated and identified, while maintaining appropriate transitional spaces between these areas through the development.
 - All areas of common property are capable of efficient management, including through rooftop access to brown roof areas.
-

Clause 58.06-2 – Site Services Objectives

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.
	Achieved
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.
Complies with the standard	

Clause 58.06-2 – Site Services Objectives Assessment

The proposal complies with the objective as follows:

- Site services have been appropriately integrated within the façade and internal areas of the building, providing for convenient access while minimising their impact on the public realm and streetscape.
 - Mailboxes and parcel rooms are integrated at primary entrance points for each building and appropriately sized to account for the scale of the development.
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Clause 58.06-3 – Waste and Recycling Objectives

Objectives	<p>To ensure dwellings are designed to encourage waste recycling.</p> <p>To ensure that waste and recycling facilities are accessible, adequate and attractive.</p> <p>To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.</p>
Achieved	
Standard D24	<p>Developments should include dedicated areas for:</p> <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. <p>Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and:</p> <ul style="list-style-type: none">Be designed to meet the better practice design options specified in <i>Waste Management and Recycling in Multi-unit Developments</i> (Sustainability Victoria, 2019).Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.
Complies with the standard	

Clause 58.06-3 – Waste and Recycling Objectives Assessment

A detailed response to this item is provided in the Waste Management Plan prepared by Traffix Group.

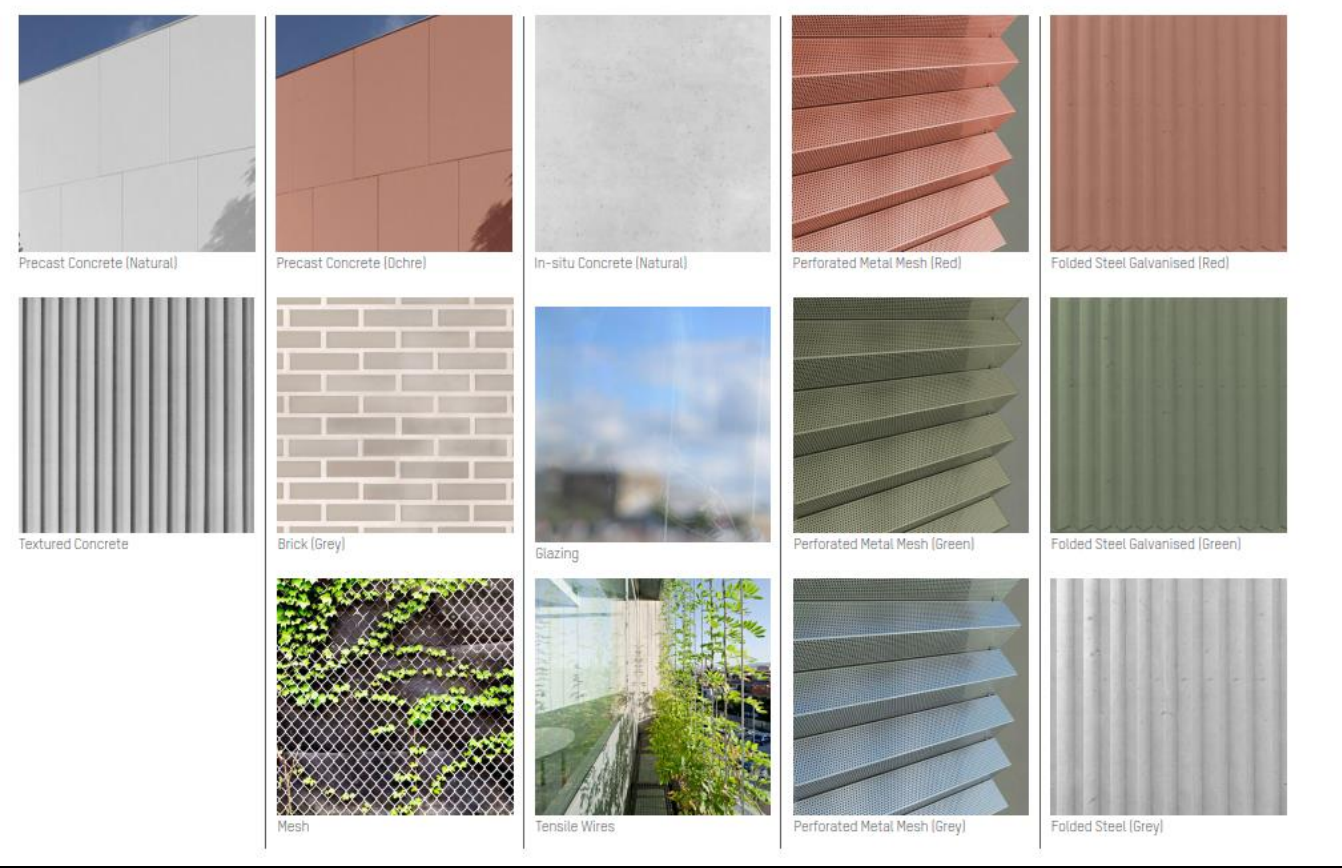
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Clause 58.06-4 – External Walls and Materials Objectives

Objectives	<p>To ensure external walls use materials appropriate to the existing urban context or preferred future development of the area.</p> <p>To ensure external walls endure and retain their attractiveness.</p>
Achieved	
Standard D25	<p>External walls should be finished with materials that:</p> <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. <p>External wall design should facilitate safe and convenient access for maintenance</p>
Complies with the standard	

Clause 58.06-4 – External Walls and Materials Objectives Assessment

The design response prioritises hardy and attractive materials that will weather well over time rather than deteriorate. These include a range of tonal pre-cast and textured concrete elements, perforated and folded metal treatments, mesh and tensile wires, powdercoated metal, and timber.



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Clause 58.07 – Internal Amenity

Clause 58.07-1 – Functional Layout Objective

Objectives	To ensure dwellings provide functional areas that meet the needs of residents.											
Achieved												
Standard D26	Bedrooms should: <ul style="list-style-type: none">• 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><tr><th>Dwelling Type</th><th>Minimum Width</th><th>Minimum Depth</th></tr><tr><td>Main bedroom</td><td>3 metres</td><td>3.4 metres</td></tr><tr><td>All other bedrooms</td><td>3 metres</td><td>3 metres</td></tr></table>				Dwelling Type	Minimum Width	Minimum Depth	Main bedroom	3 metres	3.4 metres	All other bedrooms	3 metres	3 metres
Dwelling Type	Minimum Width	Minimum Depth										
Main bedroom	3 metres	3.4 metres										
All other bedrooms	3 metres	3 metres										
Table D11 Bedroom Dimensions												
Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table D12.												
<table><tr><th>Dwelling Type</th><th>Minimum Width</th><th>Minimum Area</th></tr><tr><td>Studio and 1 bedroom dwelling</td><td>3.3 metres</td><td>10 square metres</td></tr><tr><td>2 or more bedroom dwelling</td><td>3.6 metres</td><td>12 square metres</td></tr></table>				Dwelling Type	Minimum Width	Minimum Area	Studio and 1 bedroom dwelling	3.3 metres	10 square metres	2 or more bedroom dwelling	3.6 metres	12 square metres
Dwelling Type	Minimum Width	Minimum Area										
Studio and 1 bedroom dwelling	3.3 metres	10 square metres										
2 or more bedroom dwelling	3.6 metres	12 square metres										
Table D12 Living Area Dimensions												
Complies with objective												

Clause 58.07-1 – Functional Layout Objective Assessment

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).

While it is acknowledged that these apartments present slightly constrained primary living areas with respect to the minimum width requirements, in all instances the minimum area requirements are achieved. Moreover, it is submitted that the apartment layouts are functional and well thought out, often including terraces in excess of minimum dimensions, which more than offset this arrangement and will result in a positive amenity outcome that complies with the Functional Layout objective.

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Clause 58.07-2 – Room Depth Objective

Objectives	To allow adequate daylight into single aspect habitable rooms.
	Achieved
Standard D27	<p>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:</p> <ul style="list-style-type: none">• The room combines the living area, dining area and kitchen.• The kitchen is located furthest from the window.• The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen. <p>The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.</p>
	Complies with objective

Clause 58.07-2 – Room Depth Objective Assessment

The proposal complies with the objective as follows:

- 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.
- All apartments are provided with open plan living and dining areas with access to outlook and daylight. Noting in certain instances single aspect rooms marginally exceed the 9m maximum depth, these variations are limited and do not contribute to any unacceptable amenity outcomes. Similarly, apartment typologies have been arranged to maximise the number of dual aspect living areas to maximise their access to daylight.

Clause 58.07-3 – Windows Objective

Objectives	To allow adequate daylight into new habitable room windows.
	Achieved
Standard D28	<p>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:</p> <ul style="list-style-type: none">• A minimum width of 1.2 metres.• A maximum depth of 1.5 times the width, measured from the external surface of the window.
	Complies with the standard

Clause 58.07-3 – Windows Objective Assessment

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.

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Clause 58.07-4 – Natural Ventilation Objectives

Objectives	To encourage natural ventilation of dwellings.
	To allow occupants to effectively manage natural ventilation of dwellings.
Achieved	
Standard D29	The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.
	At least 40 per cent of dwellings should provide effective cross ventilation that has: <ul style="list-style-type: none">• A maximum breeze path through the dwelling of 18 metres.• A minimum breeze path through the dwelling of 5 metres.• Ventilation openings with approximately the same area. The breeze path is measured between the ventilation openings on different orientations of the dwelling.
Complies with standard	

Clause 58.07-4 – Natural Ventilation Objectives Assessment

The proposal provides for 46.32% of its apartments that achieve the natural ventilation requirements and therefore complies with the standard.

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