

Assessment Officer Report

PA2604316, 39-47 Lithgow Street, Abbotsford

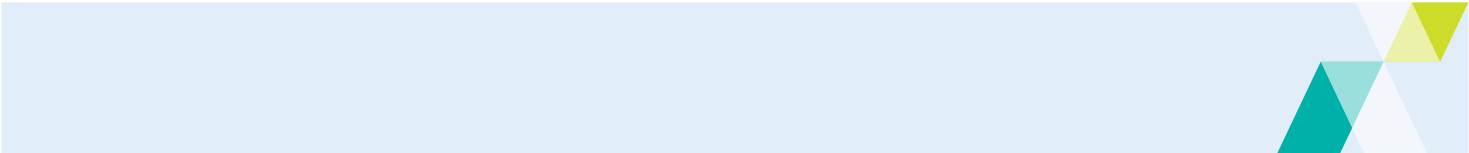


Officer Assessment Report
Development Assessment



Department
of Transport
and Planning

OFFICIAL



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Executive Summary



Key Information		Details		
Application No:	PA2604316			
Received:	31 March 2026			
Statutory Days:	87			
Applicant:	Model Australia Pty Ltd c/ Urbis			
Planning Scheme:	Yarra			
Land Address:	39-47 Lithgow Street, Abbotsford			
Proposal:	Redevelopment of parts of the site to deliver 151 dwellings across two apartment buildings, alongside the adaptive reuse of the original warehouse building at the south-eastern corner of the site for a cafe and resident amenities.			
Development Value:	\$ 75.4 m			
Why is the Minister responsible?	Category 1 of Clause 53.23-1	The proposal is considered to meet the requirements in Table 1 of Category 1 as follows: - The application includes an affordable housing report prepared by Model - Invest Victoria letter provided on 15 March 2026 - Eligibility Letter provided by Development Facilitation Team on 19 March 2026		
Why is a permit required?	Clause	Control	Trigger	
Zone:	Clause 32.04-6	Mixed Use Zone	Construct a building or construct or carry out works	
Overlays:	Clause 43.02-2	Design and Development Overlay - Schedule 22	Construct a building or construct or carry out works	
	Cause 43.01-1	Heritage Overlay – Schedule 339	- Partial Demolition - Construct a building or construct or carry out works - External alterations - External painting - Carrying out works, repairs and routine maintenance which change the appearance of a heritage building - Roadworks which change the appearance of a heritage place	
Cultural Heritage:	The site is not located within an area of mapped Aboriginal Cultural Heritage Sensitivity.			
Total Site Area:	3,096	m²		
Gross Floor Area:	10,493	m²		
Height:	6	Storeys excluding plant		
	18.7	Metres excluding plant		
Land Uses:	Dwellings	Office	Retail	Other
	151			



Parking:	Cars	Motorcycles	Bicycles
	43		94
Referral Authorities:	Head, Transport for Victoria		
Advice sought:	Yarra City Council		
Public Notice:	Notice of the application was undertaken by the applicant at the direction of DTP under delegation to the Minister for Planning by sending letters to owner/occupiers adjoining the site and placing a sign on each frontage. 16 submissions have been received at the time of writing this report.		
Delegates List:	Approval to determine under delegation received on 2 July 2026 .		



Application Process

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

Milestone	Date
Application lodgement	31 March 2026
Further information requested	N/a
Further information received	N/a
Decision Plans	Architectural Plans, prepared by Warren and Mahoney Architects, and dated 27 March 2026.
Other Assessment Documents	- Certificates of Title (purchased 30/03/2026) - Metropolitan Planning Levy Certificate, issued on 25 March 2026. - Land Survey, prepared by Breese Pitt Dixon, and dated 04 September 2024. 3D Digital Model, prepared by Warren and Mahoney. - Amended Town Planning Report prepared by Urbis dated 30 March 2026. - Urban Context and Design Response Report, prepared by Warren and Mahoney Architects, and dated March 2026. - Daylight Modelling, prepared by ARUP, and dated 02 February 2026. - Landscape Plan, prepared by Ratio, and dated 29 October 2025. - Sustainability Management Plan, prepared by ARUP, and dated 29 October 2025. - Wind Report, prepared by ViPAC, and dated 30 October 2025. - Acoustic Report, prepared by Acoustic Logic, and dated 29 October 2025. - Waste Management Plan, prepared by Traffic Group, and dated 30 October 2025. - Traffic Engineering Assessment, prepared by Traffic Group, and dated 30 March 2026. - Affordable Housing Report, prepared by Model, and dated 25 March 2026. - Quantity Surveyor Report, prepared by Slattery, and dated 04 December 2025.

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

Subject Site and Surrounds



Site Description

3. The site is 39-47 Lithgow Street, Abbotsford which is located between Lithgow Street to the east and Little Lithgow Street to the west. The site is approximately 3,096sqm in area and is formally known as land on the following titles:
 - Lot 1 on Title Plan 190219
 - Lot 1 on Title Plan 297588
 - Lot 1 on Title Plan 344636
 - Lot 1 on Title Plan 381933
 - Lot 1 on Title Plan 684290
4. The site hosts a two-storey, currently disused warehouse building known as the former 'Schweppes Cordial Factory'. The building is constructed from brickwork above a bluestone plinth. It has a pitched slate roof along its eastern and western elevations.
5. Vehicle access to the site is taken via four single width and one extra width crossovers to Lithgow Street and two single-width crossovers to Little Lithgow Street.

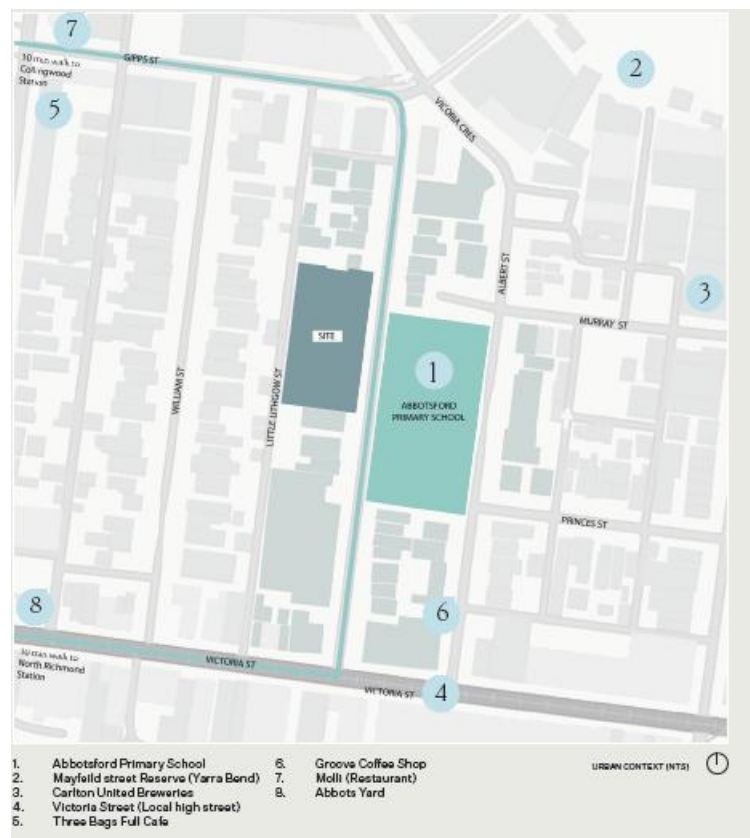


Figure 1: Subject site

Site Surrounds

6. The site is located within an established mixed-use area identified under Clause 11.03-1L as the Victoria Street Activity Centre. This activity centre is characterised by features such as relatively high building density, a fine-grained subdivision pattern, a compact orthogonal street grid, and streetscapes reflecting Victorian-era architecture. Notwithstanding these shared characteristics, the precinct accommodates a diverse mix of land uses and



- To the north: the site interfaces with a single storey Victorian style terrace dwelling at 49 Lithgow Street, Abbotsford located within the Neighbourhood Residential Zone.
- To the east: The site's primary frontage faces east to Lithgow Street. Lithgow Street is a two-lane local road. Across from Lithgow Street is Abbotsford Primary School, with the site opposite the main school building. This two storey heritage building is located within the Public Use Zone – Schedule 2 (PUZ2).
- To the south: The site has a direct interface with a single fronted Victorian style terrace building at 33 Lithgow Street at 40 Lithgow Street, located within the Mixed Use Zone.
- To the west: the site abuts Little Lithgow Street, an access laneway. Across Little Lithgow Street are the rear of dwellings that front William Street, further west of the site. William Street is predominantly residential, with a mix of dwelling types on narrow, landscaped lots. William Street is in the Neighbourhood Residential Zone.

Proposal Summary

The proposal can be summarised as follows:

- Demolition and alterations associated with the heritage building generally outlined in Figure 2

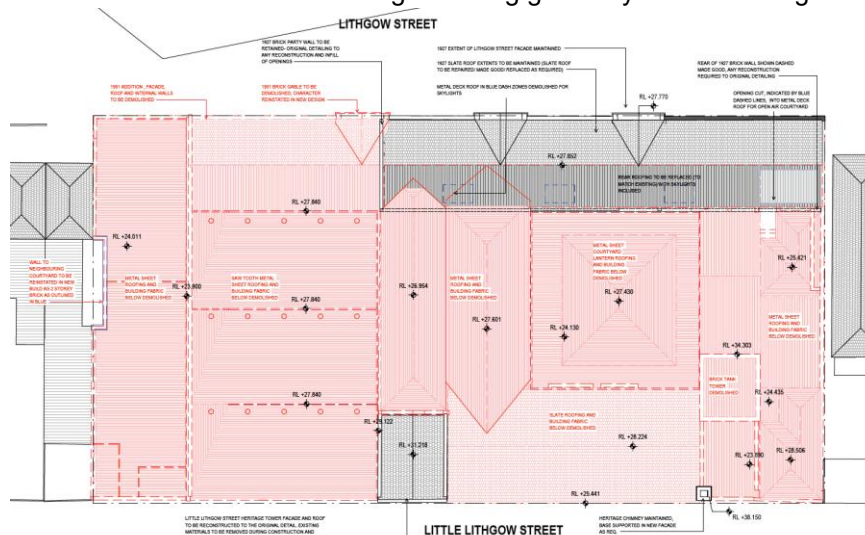


Figure 2: Extent of demolition, subject site

- Construction of a six storey (18.7m) build to rent residential building including 151 dwellings consisting of a mix of studio, one and two bedroom dwellings.
- A total of 43 car parking spaces are provided within a basement. Vehicle access to the basement is provided via Little Lithgow Street.
- 94 comprising 6 bicycle parking spaces on Lithgow Street and 88 bicycle parking spaces are provided across ground level and within the basement.
- The proposal achieves a 5 Star Green Star rating and 7 Star NatHERS minimum rating.

- Provision of 10% affordable housing via discount to rent via a Build-to-Rent model.
- A total of 1,295sqm of internal and external communal facilities are provided, including 215sm of rooftop terrace and 575 internal communal facilities.

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

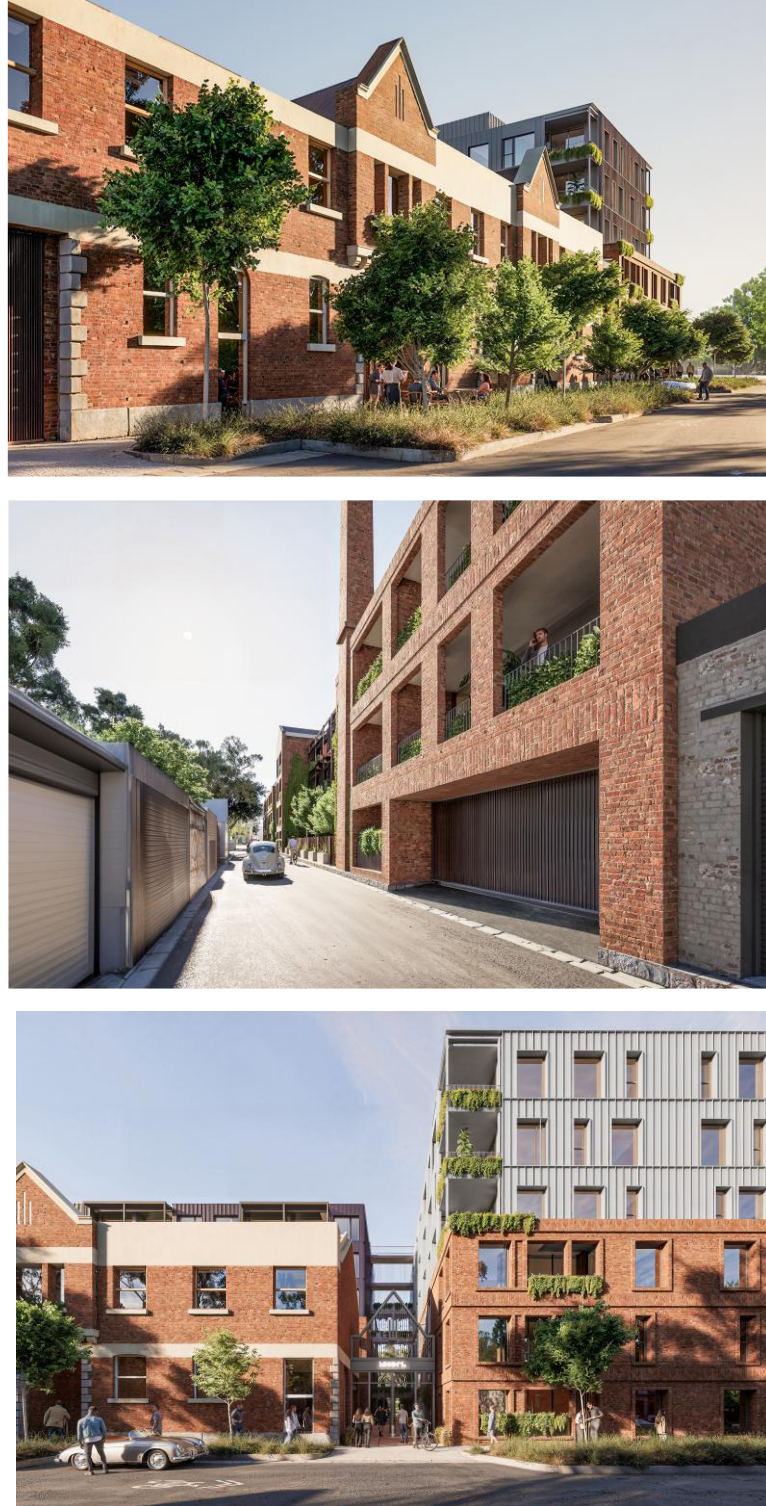


Figure 3, 4 and 5: Renders of the proposed development



Strategic Planning

10. Amendment C291yara proposes to apply permanent built form controls to Bridge Road and Victoria Street by replacing interim Design and Development Overlays (DDO21 and DDO22) with 10 new Design and Development Overlays (DDO41-50), revises a local policy and makes other consequential changes to the Yarra Planning Scheme.
11. A preferred version of Draft Amendment C291yara has been adopted by Council and it has been referred to the Minister for Planning. Consideration of the Draft Amendment for approval is now with the Minister for Planning.
12. A high-level assessment of the proposal against the proposed DDO controls is outlined below:

Built form requirements	Proposed DDO	Compliance with proposed DDO
Building heights	15m (mandatory)	No. A full assessment of the building height is provided within the body of this report.
Street wall height and setback	Retain existing street wall height for heritage buildings. 11m maximum and 8m minimum for other buildings.	Complies.
Upper level setbacks	6m for buildings >15m, the uppermost level should be setback 9m minimum	Does not comply. A full assessment of the building setbacks is provided within the body of this report.
Building separation	For building of less than or equal to 21 metres in height, upper-level development should be set back a minimum of 4.5 metres from the common boundary, where a habitable window or balcony facing the common boundary is proposed on the subject site.	Complies
Overshadowing	A permit should not be granted to construct a building or construct or carry out works that would cast additional overshadowing of the following spaces between 10am and 2pm at 22 nd September, unless the additional overshadowing would not unreasonably prejudice the amenity of the public space, to the satisfaction of the responsible authority: Lithgow Street	Complies

Municipal Planning Strategy

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

Clause	Description
02.01	Context
02.02	Vision
02.03-1	Settlement
02.03-3	Amenity, Safety, Noise



Planning Policy Framework

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

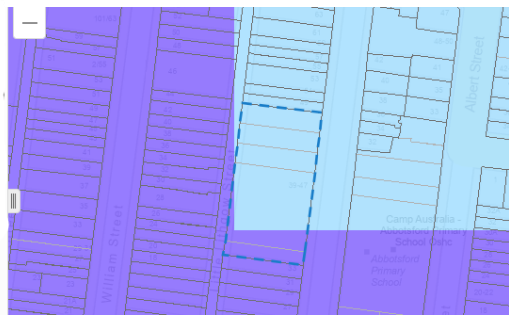
Clause 11	Settlement
11.01-1R	Settlement – Metropolitan Melbourne
Clause 13	Environmental Risks and Amenity
13.05-1S	Noise management
13.07-1S	Land use compatibility
13.07-1L-03	Interfaces and Amenity
Clause 15	Built Environment and Heritage
15.01-1S	Urban Design
15.01-1L	Urban Design
15.01-2S	Building Design
15.01-2L	Building Design
15.01-2L-01	Environmentally Sustainable Design
15.01-2L-03	Urban Art
15.01-5S	Neighbourhood character
Clause 16	Housing
16.01-1S	Housing Supply
16.01-1R	Housing supply – Metropolitan Melbourne
16.01-2S	Housing affordability
16.01-1L-01	Housing Diversity
16.01-1L-02	Location of Residential Development
16.01-2L	Affordable housing
Clause 17	Economic Development
17.01-1S	Diversified economy
Clause 18	Transport
18.01-1L-01	Land Use and Transport Integration
18.01-3L	Sustainable transport
Clause 19	Infrastructure
19.03-3S	Integrated Water Management
19.03-3L	Stormwater Management (Water Sensitive Urban Design)
19.03-5S	Waste and resource recovery

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

Statutory Planning Controls

Clause	Permit trigger
Mixed Use Zone	Permit required. Use - Pursuant to Clause 32.07-2, a dwelling and food and drink premises (with a leasable floor area of equal to or less than 150 square metres) are section 1 uses, therefore no permit is required. Buildings and Works - Pursuant to Clause 32.07-6, a permit is required to construct a building or construct or carry out works. Pursuant to Clause 32.04-11, any buildings or works constructed on a lot that abuts land which is in a General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone, or Township Zone must meet the requirements of Clauses 55.02-3, 55.02-4, 55.04-1, 55.04-3, 55.04-4 and 55.05-2 along that boundary. Pursuant to Clause 32.04-15, for two or more dwellings on a lot, dwellings on common property and residential buildings of four to six storeys, excluding a basement, the objectives, standards and decision guidelines of clause 58 apply.
Design and Development Overlay – Schedule 22	Permit required. Pursuant to 43.02-2, a permit is required to construct a building or construct or carry out works.
Environmental Audit Overlay	No Permit required. The provisions of the EAO provide that before a sensitive use (including a residential use) commences or before the construction or carrying out of buildings and works in association with these uses commences: - A preliminary risk screen assessment statement in accordance with the Environment Protection Act 2017 must be issued stating that an environmental audit is not required for the use or the proposed use; or - An environmental audit statement under Part 8.3 of the Environment Protection Act 2017 must be issued stating that the land is suitable for the use or proposed use; or - A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970; or - A statement of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970 stating that the environmental conditions of the land are suitable for the use or proposed use Conditions have been included within the recommendation to give effect to the EAO requirements.
Heritage Overlay – Schedule 339	Permit required. Pursuant to Clause 43.01-1, a permit is required for: - Partial demolition - Construction of buildings and construct and carry out works - External alterations - External painting - Carrying out works, repairs and routine maintenance which change the appearance of a heritage place - Roadworks which change the appearance of a heritage place



Development Contributions Plan Overlay – Schedule 1	No permit required. The site is affected by Development Contributions Plan Overlay – Schedule 1 (DCPO1), this refers to ‘Yarra Development Contributions Plan’. Pursuant to Clause 45.06-1, a permit granted must be consistent with the provisions of the relevant development contributions plan and, include conditions required to give effect to any contributions or levies imposed. Schedule 1 of Clause 45.01 outlines that the subject site is within Area 07-Abbotsford requiring \$2,040.56 per dwelling. A condition has been included within the recommendation to give effect to DCPO1.																								
Particular Provisions																									
52.06- Car parking	No permit required. The subject site is located partially within category 2 and category 3 as identified in the Car Parking Requirement Maps (Department of Transport and Planning, 2025) (CPR maps). Car Parking Requirement Maps Metro Category 4 Category 3 Category 2 Category 1  Pursuant to Clause 52.06-5, if land is shown in two or more categories on the CPR maps, the car parking requirements for the higher categories applies to all the land. As such, Category 3 applies to the site. The following statutory car parking rate applies to the development: <table><tr><th>Use</th><th>Size</th><th>Category 3 – minimum rate</th><th>Requirement</th><th>Category 3 – maximum rate</th><th>Requirement</th></tr><tr><td>Dwellings</td><td>151 dwellings</td><td>0 to each dwelling</td><td>0</td><td>2 to each dwelling</td><td>302</td></tr><tr><td>Food and drink premises (café)</td><td>62sqm</td><td>0 to each 100sqm</td><td>0</td><td>2 to each 100 sqm</td><td>1</td></tr><tr><td></td><td></td><td></td><td>0</td><td></td><td>303</td></tr></table> Based on the car parking rates outlined above, the proposal is required to provide a minimum of 0 car parking spaces and permits up to a maximum of 303 spaces. The development proposes a total of 43 car parking spaces, which falls well within the allowable range. Accordingly, no permit is required.	Use	Size	Category 3 – minimum rate	Requirement	Category 3 – maximum rate	Requirement	Dwellings	151 dwellings	0 to each dwelling	0	2 to each dwelling	302	Food and drink premises (café)	62sqm	0 to each 100sqm	0	2 to each 100 sqm	1				0		303
Use	Size	Category 3 – minimum rate	Requirement	Category 3 – maximum rate	Requirement																				
Dwellings	151 dwellings	0 to each dwelling	0	2 to each dwelling	302																				
Food and drink premises (café)	62sqm	0 to each 100sqm	0	2 to each 100 sqm	1																				
			0		303																				
52.34- Bicycle parking	Permit required. Pursuant to Clause 52.34-1, a new use must not commence, or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land. <table><tr><th>Use</th><th>Size</th><th>Statutory Requirement</th><th>Requirement</th></tr></table>	Use	Size	Statutory Requirement	Requirement																				
Use	Size	Statutory Requirement	Requirement																						



	Dwellings	151 dwellings	1 space per 5 dwellings for residents 1 space per 10 dwellings for visitors	30 residents 15 visitors
	Food and drink premises (café)	62sqm	1 space per 300sqm for staff 1 space per 500sqm for customers	0 staff 0 customers
	A statutory requirement of 45 bicycle spaces (30 residents and 15 visitors) is required in accordance with Clause 53.34-5. The development proposes 88 bicycle spaces and therefore a planning permit is not required under Clause 52.34.			
53.18 – Stormwater Management in Urban Development	No permit required. Pursuant to Clause 53.018-1, the provisions of Stormwater Management in Urban Development apply to an application under a provision of a zone to subdivide land, construct a building, or construct or carry out works.			
58 - Apartment Developments	No permit required. Pursuant to Clause 58, provisions in this clause apply to an application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development if the apartment development is in the Commercial 1 Zone.			



Referrals

16. The application was referred to the following groups:

	Provision / Clause	Organisation	Response and date received
Section 55 Referral – Determining	66.02 – A residential development comprising 60 or more dwellings	Head, Transport for Victoria	29 April 2026 – no objection, no conditions

Notice

17. The application is not exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the *Planning and Environment Act 1987* pursuant to the following provisions:

Notice	Organisation/Group	Response Received
Section 52(1)(a)	Owners and occupiers adjoining the subject site (refer to Map 1) and 2 signs on the site fronting Punt Road and Raleigh Street.	16 submissions were received.
Section 52(1)(b)	Yarra	Council meeting 26 May 2026
Section 52(1)(c)	N/a	N/a
Section 52(1)(d)	Na	N/a



Map 1: Map identifying properties notified of the application and sign locations.

Yarra City Council

18. Council considered the application at its Planning Decisions Committee meeting on 26 May 2026 and resolved not to support the proposal on two key grounds. These are:

- the retention of additional heritage fabric, unless it can be demonstrated to be structurally unsound; and
- a reduction in the overall building height, with compliance required with the built form controls of Schedule 22 to the Design and Development Overlay.



19. Notwithstanding this position, Council supports the redevelopment of the site where it facilitates an uplift in affordable housing that is well designed and achieves a high standard of environmental performance. Council has also provided draft conditions for consideration should a permit be granted.

20. A detailed assessment of the matters raised by Council is provided in the body of this report.

Submissions

21. At the time of writing this report, a total of 16 submissions have been received from surrounding owner/occupiers including Abbotsford Primary School and the National Trust of Australia. The following key issues have been raised:

Issue	Proponent Response	DTP officer assessment
Heritage impacts and heritage response	The proposal retains and conserves the most significant heritage fabric on the site, including: ▪ The 1927 interwar factory building fronting Lithgow Street. ▪ The chimney on the Little Lithgow Street boundary. ▪ The gable-roofed tower to Little Lithgow Street, to be dismantled and reconstructed using salvaged materials. Existing built form proposed for demolition predominantly dates from the 1950s–1970s and includes additions that have either been substantially altered, deemed not integral to the significance of the place, and or are largely not visible from the public realm. Their removal enables the earlier and more significant form of the factory to be read more clearly and supports long-term conservation, consistent with Clauses 15.03-1S and 15.03-1L of the Yarra Planning Scheme.	A full assessment is provided in the body of this report.
Built form including scale height and massing	The site sits within the Victoria Street Activity Centre, where planning policy supports mid-rise housing in accessible locations. The proposed building scale and height responds to the context of the site while remaining generally compliant with the height control for the site.	A full assessment is provided in the body of this report.
Traffic, parking and congestion	The traffic impacts of the proposal have been assessed by Traffix Group, an independent and qualified traffic engineering consultant. The proposal complies with Clause 52.06 of the Yarra Planning Scheme.	A full assessment is provided in the body of this report.
Apartment mix	Neither the Planning Policy Framework nor Clause 58 prescribes a specific dwelling mix. Instead, Clause 16 promotes housing diversity across precincts and activity centres, rather than requiring each individual development to deliver a uniform mix.	A full assessment is provided in the body of this report (refer to Clause 58 assessment).
Construction impacts including on Abbotsford Primary School	The planning and building framework provides established and effective mechanisms to manage construction	A condition has been included in the recommendation requiring the preparation of a Construction

impacts. In this instance, these matters will be addressed through:

- a Construction Management Plan required as a permit condition
- building permit controls regulating hours of work, noise, vibration and site safety
- asset protection and condition survey requirements for adjoining properties, where necessary.

Management Plan (CMP). While Council sought to include specific measures within the CMP relating to the adjacent primary school, DTP considers that this is not necessary noting that the CMP will provide the same level of amenity protection to all affected neighbouring properties.

Overlooking	The proposal meets the objective and standard of Clause 55.04-4 (overlooking).	A full assessment is provided in the body of this report (refer to Clause 55 and 58 assessment).
Overshadowing	The design incorporates generous setbacks to the west and north, along with stepped upper-level forms, ensuring no unreasonable additional overshadowing of adjoining residential secluded private open space or Abbotsford Primary School's outdoor areas during school hours. While overshadowing during the June solstice has been raised by submitters, this period does not form part of the statutory assessment framework.	A full assessment is provided in the body of this report (refer to Clause 55 and 58 assessment).
Noise	The proposed café is a modest 62 square metre tenancy and is a permitted use within the Mixed Use Zone. It aligns with the strategic role and character of the activity centre and its mixed use context. The café is not expected to result in unreasonable amenity impacts and is expected to attract patrons generally from the local area which will be able to walk or cycle to the café.	A full assessment is provided in the body of this report.



Plan for Victoria

23. Victoria's Housing Statement: The Decade Ahead 2024–2034 (DPC, 2023) and Plan for Victoria (DTP, 2025) together establish the State's strategic framework for accommodating population and employment growth by significantly increasing housing supply in well-serviced locations. Both policies prioritise streamlined planning and the concentration of higher-density housing within activity centres and areas with strong access to public transport, jobs and essential services, aligning land use planning with major infrastructure investment to support liveable and sustainable communities.
24. The City of Yarra has been assigned a housing target of approximately 44,000 additional dwellings by 2051. This target reflects Yarra's role as an inner-urban municipality with high accessibility to public transport, employment and services, and is intended to be primarily delivered within activity centres, mixed-use precincts and well-serviced locations.

Yarra Planning Scheme Planning Policies

25. The Planning Policy Framework encourages appropriate land use and development which enhances the built environment, supports economic growth, meets the community expectations on retail and commercial provision, delivers diversity in housing supply to meet existing and future needs, and integrates transport and infrastructure planning.
26. Policy generally encourages intensification of development and compatible land uses in appropriate areas with proximity to key services, infrastructure, and the Principal Public Transport Network (Clause 11.01-1S- Settlement) and high-quality design that responds to the context of the surrounding area is encouraged (Clause 15 - Built Environment and Heritage).
27. The proposal comprises 151 dwellings and a ground level food and drink premises which will support investment and economic growth in the surrounding area (Clause 17.01-1S – Diversified Economy and Clause 17.02- 1S - Business)
28. The site is well served by public transport, with access to Route 12, Route 109, Route 78 trams and North Richmond and Collingwood Railway Station located within 1 kilometre. The proposal provides bicycle parking and end-of-trip facilities in excess of the statutory requirements, consistent with Clause 18.01-1S (Land use and transport integration), Clause 18.02-2S (Cycling) and Clause 18.02-2R (Cycling – Metropolitan Melbourne). The proposal also supports the creation of a 20-minute neighbourhood in accordance with Clause 15.01-4R (Healthy Neighbourhoods – Metropolitan Melbourne).
29. The proposal responds to environmentally sustainable design (ESD) initiatives with the provision of high-performance materials, energy efficient building services, bicycle facilities, sustainable waste management, and stormwater reuse and treatment measures (Clause 19.03-3L – Stormwater Management (Water Sensitive Urban Design) and Clause 19.03-5S – Water and Resource Recovery). Assessment of the ESD response is detailed below.
30. The proposed use and development is compatible with surrounding development within this precinct and has been designed (including orientation and layout) to appropriately manage environmental risks and off-site amenity impacts in accordance with Clause 13.05-1S – Noise management, Clause 13.06- 1S – Air quality management, and Clauses 13.07-1S – Land use compatibility, and Clause 13.04-1S - Contaminated and potentially contaminated land. Conditions will be included on any permit issued to ensure all relevant environmental risks and off-site amenity impacts can be appropriately managed including flooding, potentially contaminated land, noise and wind.

Detail Design

31. Council's urban design policy at Clause 15.01-1L and building design policy at Clause 15.01-2L provide general guidance with respect to built form in the City of Yarra. However, DDO22 provides more site-specific requirements

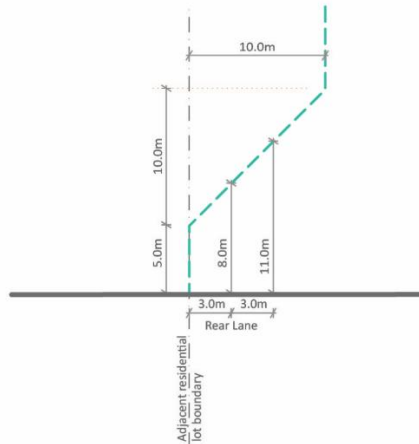


Building Height

32. Pursuant to Map 4 to Schedule 22 to the Design and Development Overlay (DDO22), the site is subject to a mandatory maximum building height of 18 metres (excluding non-structural elements that project above the building height and service equipment including plant rooms, lift overruns, structures associated with green roof areas, screens to service areas or other such equipment). As outlined previously, it is noted that the Minister is also considering an amended DDO for the site which seeks to introduce a reduced mandatory height limit of 15 metres.
33. The proposal seeks approval for a six-storey building with an overall height of 18.7 metres, which exceeds the mandatory maximum height by only 0.7 metres.
34. Notwithstanding the above, Clause 53.23-2 provides that the responsible authority may waive or vary any building height.
35. Council's Strategic Planning Unit advised that the proposal should be amended to more closely align with both the adopted and proposed planning controls, in order to achieve consistency with Council's strategic planning objectives under the current and proposed future controls.
36. In addition, whilst the OVGA commended the work achieved throughout the course of the pre-application phase to reduce the built form from 9 storeys to 6, they continued to recommend that the design team work within the mandatory height controls.
37. DTP acknowledges that the surrounding urban context is predominantly characterised by low-scale development, generally ranging between one and two storeys, with the notable exception of the five-storey apartment building located immediately to the south. Despite this prevailing context, the proposed building height is considered acceptable in response to the site and surrounds as follows:
 - a. The development provides an appropriate transitional scale across the site. In particular, the retained heritage building fronting Lithgow Street maintains a two storey presentation, while the new built form wraps around, stepping up to a maximum of six storeys. This approach assists in mediating the interface between the lower-scale streetscape and the more intensive built form located toward the interior of the site and Little Lithgow Street.
 - b. The proposal results in a minor exceedance of the mandatory building height control of 0.7 metres. Having regard to the limited extent of this variation, it is considered that the additional height does not give rise to unreasonable off-site amenity impacts, including visual bulk, overshadowing or overlooking (a full assessment is provided below).
 - c. Map 4 to DDO22 seeks to achieve an appropriate transition in building height from Victoria Street, where higher-intensity development of up to 24 metres is anticipated, to the adjoining residential areas, which are generally characterised by a preferred scale of two to three storeys. The proposal responds to this transition with a two to six storey building, with an overall height of 18.7 metres.

Setbacks

38. In accordance with Schedule 22 to the Design and Development Overlay (DDO22), buildings are required to be setback from land within a residential zone (excluding the Mixed-Use Zone). This requirement applies to the northern and western interface of the site.



Northern interface

39. The architectural plans include an assessment against DDO22, which identifies that Levels 3 to 6 do not comply with the prescribed setback requirements (refer to Drawing TP30.01). Notwithstanding this non-compliance, the built form outcome is considered acceptable. Having regard to the site orientation, the proposal will not result in additional overshadowing to the dwelling at No. 49 Lithgow Street. Furthermore, the adjoining property is primarily oriented to the east and west, and these primary outlooks are maintained by the proposed development.

Western interface (Little Lithgow Street)

40. The proposal achieves full compliance with the western interface setback requirements (as outlined in Drawing TP30.03) with the exception of the retained heritage tower. Noting that this is an existing condition, this part of the existing building is being reinstated, the current setback conditions are maintained and no additional built form or impacts are introduced.

Eastern interface (Lithgow Street)

41. Map 4 to DDO22 seeks to retain the heritage frontage to Lithgow Street or an 11 metre Street Wall height where there is no heritage frontage, with a 6 metre mandatory setback above the street wall height.
42. Above the retained warehouse building, the western apartment building is setback approximately 15.035 metres, while the northern building provides a 1.5 metre setback above the street wall.
43. Clause 53.23-2 provides that the responsible authority may waive or vary any building setback.
44. The proposed setback variation is considered acceptable given the generous setbacks associated with the western apartment building. While the northern building is located adjacent to the heritage structure, the proposed building separation, setbacks, and material treatment ensure the heritage building remains visually prominent and is not overwhelmed. Furthermore, the reduced setback will not result in unreasonable off-site amenity impacts.

Southern interface

45. Given the southern interface adjoins land within the Mixed-Use Zone, DDO22 requires that where development shares a common boundary, upper levels must be set back a minimum of 4.5m where a habitable window or balcony is proposed.
46. No changes are proposed to the existing heritage building setback along the southern interface, and this will not result in any additional amenity impacts.
47. The western building is constructed to the southern boundary for the first three storeys, with upper levels set back progressively by approximately 3 metres per level as follows:



Level	Setback	Complies with 4.5m requirement?
Level 3	3.055m	No.
Level 4	6.175m	Yes
Level 5	8.98m	Yes
Level 6	8.98m	Yes

48. In this context, the 3.055 metre setback at Level 3 along the southern boundary is considered appropriate and represents only a minor variation to the standard. At this level, three windows are oriented to the south, of which only one window (a bedroom) provides the primary outlook for a habitable room. Given that the adjoining property to the south is within a Heritage Overlay, it is unlikely to undergo significant redevelopment that would compromise the outlook from this habitable room.

Upper level setbacks

49. As the subject site is located within a Heritage Overlay, DDO22 requires that no more than one quarter of the vertical angle of the building is visible when viewed from a sightline taken at 1.7 metres above the footpath on the opposite side of the street.
50. The architectural drawings (refer to Sheet TP30.02) demonstrate that DDO22 permits up to one-quarter visibility of the building behind the heritage street wall. The proposed design achieves a visibility of approximately 1/17, which is well below the maximum allowable limit.

Design Detail

51. The proposal is supported by an Urban Context Report, which describes the built form as a careful response to the significance of the heritage building by *retaining and celebrating three defining elements: the Lithgow Street façade and factory building, the original chimney, and the pitched-roof tower on Little Lithgow Street. These are expressed in the round, with new and old elements woven together through a cohesive architectural and landscape response that honours the site's industrial history while enabling contemporary living.*
52. The application was considered by the OVGA in August 2025. Overall, the OVGA concluded that the three separate buildings, lead to a convincing collection of forms, separated by lanes, reminiscent of factory buildings across the site.
53. Furthermore, the architectural plans include a material schedule which demonstrates a robust material palette comprising of metal cladding, brick and glazing. The OVGA strongly supported the use of brickwork for the building base, with the cladding to upper floors providing a good reference for re-visioning in an industrial heritage context.
54. Overall, the proposal provides an appropriate response to Clause 15.01-2L, which seeks to encourage the use of a simple palette of durable materials that positively contribute to the character of the streetscape through their type, colour, finish and contrast. To ensure an acceptable design outcome, a permit condition has been included requiring the preparation of a detailed façade strategy for endorsement.
55. Clause 15.01-2L also seeks to avoid adverse impacts on nearby properties arising from the use of highly reflective materials. In response, a permit condition has been included requiring the submission of a glare assessment to demonstrate that the proposed materials will not result in unreasonable amenity impacts to surrounding properties or the public realm.

Public Realm

56. The proposal incorporates a range of public realm improvements along Lithgow Street, including new street tree planting facilitated by the conversion of existing loading zones, areas for outdoor dining (subject to separate Council approval), and additional bicycle parking facilities.
57. Council recommended a standard Public Realm Plan condition to guide the detailed design of the proposed upgrades to Lithgow Street and to ensure a coordinated and high-quality interface with the public domain. DTP has



adopted this condition as part of its recommendation. While Council also recommended separate monetary contributions for replacement street tree planting, DTP has instead incorporated replacement street tree planting into the Public Realm Plan requirements, with all associated works to be delivered at the permit holder's expense.

58. Council does not support the inclusion of any reference to drop-off bays along Lithgow Street, noting that it is the responsible road authority for on-street parking restrictions within the local street network, notwithstanding that the bays currently exist. Council has not proposed any alternative permit conditions requiring the applicant to accommodate loading activities within the subject site. Accordingly, DTP has incorporated Council's recommendation to remove references to the loading bays to avoid prejudicing any future determination regarding their ongoing provision.
59. In addition, Council's GIS mapping indicates that parts of Lithgow Street and Little Lithgow Street may be affected by flooding during a 1% AEP (100-year ARI) flood event. Accordingly, a flood risk assessment and appropriate design responses are required. Council also recommended the removal of proposed kerb extensions, traffic islands and street trees from the development plans pending separate consideration. DTP has adopted Council's flooding-related requirements and street/public realm works through the Public Realm Plan condition.
60. Subject to the above conditions, the proposal is considered to provide an appropriate response to Clause 15.01-1L (Urban Design), which seeks to support development that delivers new and enhanced public spaces for the benefit of residents, workers, traders and visitors.

Heritage

61. The site forms part of the William Street Heritage Precinct (HO339) and contains individually significant industrial heritage fabric associated with the former Schweppes Cordial Factory complex. The former Schweppes Cordial Factory at 35–45 Lithgow Street, Abbotsford, is of heritage significance for its association with Melbourne's industrial development and the growth of the Schweppes cordial manufacturing enterprise. The complex retains a number of landmark industrial elements that contribute to its heritage significance and its recognition within the broader heritage precinct.
62. The proposal seeks approval for the partial demolition of later additions to the former Schweppes Cordial Factory complex, while retaining and conserving the most significant heritage fabric on the site. The demolition works primarily relate to additions constructed between the 1950s and 1970s, which are considered to be of lesser heritage significance than the original c.1927 factory buildings. Specifically, the proposal includes the removal of northern extensions, later additions located to the west of the principal warehouse building (excluding the retained chimney and tower elements), the south-western brick tank tower, sections of the roof including lanterns and hipped roof forms, and a range of non-original elements such as signage, roller doors, security bars and mesh screens. The proposal also includes the dismantling and reconstruction of the gable-roofed tower using salvaged materials, with modifications required to facilitate its adaptive reuse as part of the residential development. Limited alterations to the retained roof form, including the introduction of skylights and a roof terrace, are also proposed.
63. The retained heritage building comprises the original c.1927 warehouse fronting Lithgow Street, identified as the most significant component of the former factory complex. A comprehensive program of conservation works is proposed to stabilise, repair and restore the building, with a particular focus on the presentation and integrity of the eastern façade. These works include the removal of paint coatings to reveal original bluestone, brick and rendered finishes, repairs to masonry and decorative rendered detailing, refurbishment of existing timber-framed windows with upgraded glazing, removal of unsympathetic security treatments and non-original signage, and the replacement of deteriorated windows with new timber-framed double-glazed units. Collectively, these measures seek to enhance the presentation, functionality and long-term conservation of the heritage building while maintaining its industrial character and significance.
64. The National Trust objected to the application, generally raising concerns with the extent of demolition proposed. While supporting adaptive reuse of the heritage buildings on the site, the submission argued that insufficient justification had been provided for the demolition of the 1951 buildings and the Little Lithgow Street façade, and that the proposal would diminish the site's heritage significance and legibility. The National Trust requested greater



retention and reuse of heritage fabric, including heritage bricks, and raised concerns regarding the lack of public access to the Heritage Impact Statement referenced in the application.

65. Clause 15.03-1L (Heritage), Design and Development Overlay Schedule 22 (DDO22) and the Heritage Overlay (HO339) seek to ensure that development responds appropriately to the significance of heritage places through the retention and conservation of those elements that contribute to their cultural heritage value. These provisions encourage development that respects the form, scale, setting and significance of heritage places, while ensuring that new additions are carefully integrated and do not diminish the ability to appreciate the heritage fabric. Importantly, the planning framework also recognises the need to facilitate the adaptive reuse of heritage buildings where their original industrial function is no longer viable, acknowledging that sensitive redevelopment can provide a sustainable mechanism for the ongoing conservation, maintenance and activation of heritage assets. Accordingly, the assessment of heritage outcomes must strike an appropriate balance between the retention of significant heritage fabric and the delivery of a viable redevelopment outcome that secures the long-term future of the heritage place.
66. Having regard to the relevant heritage policies and controls, the proposal is considered to provide an acceptable heritage outcome for the following reasons:

- a. The built form proposed for demolition predominantly comprises additions dating from the 1950s to the 1970s, many of which have been substantially altered over time, are not integral to the heritage significance of the place, or have limited visibility from the public realm. The removal of these elements enables the retention and celebration of the most significant heritage fabric on the site. This approach is consistent with heritage policy which seeks to ensure that demolition does not adversely affect the significance of a heritage place. A key point of contention in this regard is the treatment of the existing water tower.
- b. Council concluded that the water tower remains an important and visually prominent component of the former factory complex, noting that it was a distinctive element of the original 1927 development and continues to be visible from the public realm. Clause 15.03-1L seeks to conserve and enhance roof forms and associated structures that contribute to the significance of a heritage building, particularly those that are publicly visible. The policy also encourages the retention of prominent industrial features, including towers, tanks, chimneys and other landmark elements that contribute to the site's industrial character and identity.

While the tower remains visible from the public realm, it is centrally located within the site and is not a defining streetscape element. In this context, its removal is considered an acceptable heritage outcome when balanced against the broader strategic objectives of DDO22 and the Housing Statement, which support increased housing density in appropriate locations. On balance, the proposal retains the heritage fabric that most strongly contributes to the significance and legibility of the former Schweppes Factory complex, while facilitating a redevelopment outcome that delivers substantial housing opportunities and secures the ongoing conservation of the site's most significant heritage elements.

- c. The proposed new development has been deliberately arranged into three distinct built forms, with appropriate setbacks and an internal laneway, to ensure that the retained heritage buildings remain the primary focus of the site. This approach provides visual separation between the retained heritage fabric and the new development, allowing the significance and legibility of the former Schweppes Factory complex to be clearly appreciated.
- d. The architectural response further reinforces this outcome through the use of face brick materials that reference the industrial character of the site and surrounding heritage context, while upper-level additions adopt a more contemporary material palette and are designed to appear visually recessive. As a result, the new development is clearly distinguishable from the retained heritage fabric, consistent with accepted heritage conservation principles.
- e. The Office of the Victorian Government Architect (OVGA) expressed strong support for the heritage strategy, noting the *"the judicial retention of select heritage fabric, notably the original 1927 F.L & Klingender Architects factory which fronts Lithgow Street, and the remnant chimney. The approach ensures the most significant heritage on the site is retained, celebrated and 'partnered' by contemporary companion buildings. We agree with the design team that the additions dating from 1951-1960 (and beyond) are less significant and their demolition allows for a stronger overall site response"*.

- f. Council's heritage adviser also supported the proposed heritage works and redevelopment approach, subject to the following conditions.

Suggested Condition	DTP response
That a comprehensive visual record of the heritage place must be professionally prepared and submitted to Council prior to the commencement of any demolition works. The record must be prepared in accordance with the standards set by Heritage Victoria.	DTP has adopted this condition within the recommendation.
That a plan detailing how the existing factory chimney will be safeguarded during works, including propping/stabilisation to prevent collapse must be submitted prior to the commencement of works.	Council's condition requiring a protection plan/ structural report has been included within the recommendation.
That the existing pitched roof tower on Little Lithgow Street must be retained or accurately reconstructed.	DTP has not sought to adopt this recommendation, noting that the reconstruction allows for the adaptive reuse of the building for the purposes of the residential development.
That the former water tower must be retained or accurately reconstructed	DTP has not accepted the condition. See assessment above.
That all refurbished door openings in the façade of the main building fronting Lithgow Street must be constructed of timber and of matching industrial character and appearance.	DTP has adopted this condition within the recommendation within the Conservation Management Plan condition.
That all replacement window frames in the façade of the main building fronting Lithgow Street must be constructed of timber and must matching appearance and dimensions of the existing window frames.	DTP has adopted this condition within the recommendation within the Conservation Management Plan condition.
That the existing slate roofing on the main building fronting Lithgow Street must be repaired and only replaced as a last resort using new slates that must match the original in profile, size, colour, texture, and finish.	DTP has not adopted this condition, noting that the permit applicant proposes a like-for-like replacement of the roof fabric to facilitate the incorporation of new insulation. This approach appropriately balances the objectives of improving environmental sustainability performance while retaining the heritage character and significance of the building, and is therefore considered an acceptable outcome.
That the non-original external paint on the main building fronting Lithgow Street must be removed using appropriate methods that must be submitted and approved by Council	DTP has adopted this condition within the recommendation within the Conservation Management Plan condition.
That the proposed balcony adjacent to the factory chimney at floor level 03 must be setback at least 1m from the factory chimney flue, or else deleted.	DTP has adopted this condition within the recommendation to be shown on amended plans.
That full details of the proposed cleaning processes and repairs for the factory chimney must be submitted and approved by Council	DTP has adopted this condition within the recommendation within the Conservation Management Plan condition which will be submitted to the responsible authority in consultation with Council.
That the upper floors of the new development located behind the retained heritage building on Lithgow Street must be further setback to minimise the impact of the taller building.	DTP has not adopted this condition, refer to upper-level setback assessment as per DDO22.
That the height of the proposed northern boundary wall of the new development must be no greater than the existing boundary wall.	DTP has not adopted this condition, refer to wall on boundary assessment below.

That the proposed colouring of external brickwork for the lower floor levels of the new multistorey buildings must generally match the colouring of the original unpainted brickwork on the heritage building fronting Lithgow Street.	DTP has adopted this condition and included within the Façade Strategy condition.
That a full schedule of all proposed external materials and colours for new building works (including images or samples) must be submitted and approved by Council	DTP has adopted this condition and included within the Façade Strategy condition.
Once approved, the CMP must be incorporated into the Body Corporate/Owners Corporation Rules to ensure all current and future lot owners are legally bound by its conservation policies.	The proposal is for a Built to Rent development and therefore there will be no owners corporation. DTP has not adopted this condition within the recommendation.

Clause 55

67. The proposed development is located within the Mixed-Use Zone. In accordance with Clause 32.04-11, where land in this zone adjoins land zoned General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone, or Township Zone, consideration must be given to Clauses 55.02-3 (Side and Rear Setbacks), 55.02-4 (Walls on Boundary), 55.04-1 (Daylight to existing windows), 55.04-3 (Overshadowing Secluded open space), 55.04-4 (Overlooking) and 55.05-2 (Overshadowing domestic solar energy systems objective) along that boundary.
68. The subject site is adjacent to residentially zoned land (NRZ1) to the north and west; noting Little Lithgow Street forms the immediate western interface. The site also partially adjoins residentially zoned land to the east. The development has been designed to respond appropriately to the site and its surroundings, with measures incorporated to limit external amenity impacts on neighbouring residential properties.

Clause 55.02-3 (Side and Rear Setbacks)

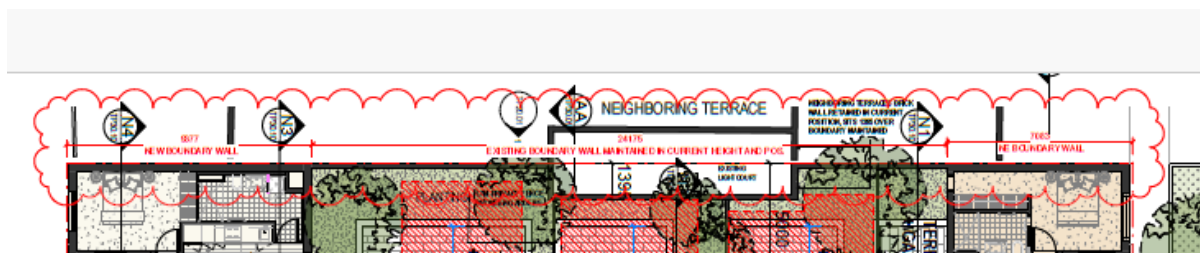
69. Standard B23 requires that where a new building is not constructed on or within 200 millimetres of a boundary, it must be setback from side and rear boundaries in accordance with either Standard B23.1 or B23.2. The proposal has been assessed against Standard B23.2, which specifies a minimum setback of 3 metres for building heights up to 11 metres, and 4.5 metres for any portion of the building exceeding 11 metres in height.
70. Along the northern boundary, adjoining 49 Lithgow Street, a 5 metre setback is provided within the internal portion of the site where the building is not constructed to the boundary. This setback accommodates a light court and terrace garden areas and is maintained for the full height of the building, thereby exceeding the minimum requirements of the standard.
71. At the north-east and north-west corners, the building is setback by 5 metres (above the wall on boundary), which complies with the relevant standard.

Clause 55.02-4 (Walls on Boundary)

72. Standard B2-4 requires that a new wall constructed on or within 200 mm of a side or rear boundary, or a carport constructed on or within 1 m of a side or rear boundary, must not exceed the permitted boundary length. The maximum allowable length is the greater of either 10 m plus 25% of the remaining length of the adjoining boundary, or the length of any existing or simultaneously constructed boundary walls or carports on the adjoining lot.
73. The existing development on the subject site includes a two storey wall extending along the northern boundary, with a setback corresponding to the light court serving the dwelling at 49 Lithgow Street. The proposal seeks to retain and reinstate approximately 24.175 m of the existing boundary wall and construct two additional wall sections measuring 7.083 m and 9.377 m in length at the eastern and western ends of the northern boundary respectively.
74. Standard B2-4 also specifies that a wall constructed on or within 200 mm of a side or rear boundary must not exceed an average height of 3.2 m or a maximum height of 3.6 m, unless it abuts a higher existing or simultaneously

constructed wall. The proposed northern boundary wall will reach a height of approximately 9.5 m, representing an increase of 2.2 m above the existing wall on the boundary. Accordingly, the proposal seeks variations to both the maximum length and height requirements of Standard B2-4.

75. The proposed variation is considered acceptable; the development largely replaces and partly extends upon an existing wall-on-boundary arrangement in the same location. While the dwelling at 49 Lithgow Street contains a south-facing light-well oriented towards the subject site, the proposed wall on boundary is maintained in the current position and height in this location. On balance, the proposed wall is not considered to result in any unreasonable additional amenity impacts on the adjoining property to the north.



Clause 55.04-1 (Daylight to existing windows)

76. In accordance with Standard B4-1, buildings opposite an existing habitable room window provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. As outlined above, the proposal retains the existing light court arrangement which has a minimum setback of 1.395m and provides approximately 25sqm of secluded private open space for the dwelling at 49 Lithgow Street, Abbotsford. As such, the proposal is considered to provide adequate daylight into existing habitable room windows noting no change to the existing condition.

Clause 55.04-3 (Overshadowing secluded open space objective)

77. The shadow diagrams confirm that the proposed development does not result in any additional overshadowing of the secluded private open space of adjoining properties in the NRZ1 surrounding the site.

Clause 55.04-4 (Overlooking Objective)

78. Sheet TP30.10, TP30.11 and TP30.12 includes overlooking diagrams which demonstrate the proposal complies with the objective and standard of Clause 55.04-4.

Clause 55.05-2 (Overshadowing domestic solar energy systems objective)

79. As shown on the shadow analysis plans, the nearest domestic solar energy systems are located at 27 Lithgow Street, Abbotsford; 14 William Street, Abbotsford; and 16 William Street, Abbotsford. The proposed development does not result in any overshadowing of these properties or their solar energy systems.

Clause 58

80. The assessment against Clauses 58 confirms that the proposed development is able to meet all relevant objectives and most of the standards, other than those outlined in detail below.

Standard D10 (Landscaping Objectives)

81. The proposal includes a landscape concept plan prepared by Ratio. The proposal seeks the following variations to Standard D10:

	Requirement	Proposal
Canopy Cover	474sqm	159sqm
Deep Soil	468sqm	248.3sqm



Tree Type	Include at least 2 Type B trees or 1 Type C tree	14 Type A
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82. As outlined in the table above, the proposal seeks a variation to the deep soil and canopy cover requirements. This variation is considered acceptable in the context of the site constraints, particularly the retention and adaptive reuse of heritage buildings, which limit opportunities for extensive deep soil areas and large canopy tree planting. In addition, the site is located within a Mixed Use Zone characterised by a highly urbanised streetscape with minimal existing canopy cover. In this context, the proposal represents a reasonable and balanced outcome that responds to both the heritage significance of the site and the prevailing urban character, while still incorporating meaningful landscaping outcomes where feasible.
83. Overall, the proposed landscaping response is considered to meet the objective of Clause 58.03-5 (Landscaping Objectives) which seeks to ensure that landscaping aligns with the existing or desired character, softens the visual impact of the buildings, expands on tree canopy and is climate responsive.

Standard D20 (Private Open Space)

84. Standard D20 seeks to ensure that dwellings are provided with adequate private open space to meet the reasonable recreation and service needs of residents. In accordance with Table D8, the proposal includes 61 apartments (40% of the total dwellings) that do not fully comply with the private open space requirements of the standard.
85. Nineteen of the ground-floor apartments do not achieve the minimum requirement of 25 sqm of private open space. The private open space provided to all ground floor dwellings ranges from 7 sqm to 54 sqm. Notwithstanding this, all ground-floor apartments satisfy the minimum balcony requirement of 8 sqm, with the exception of the following:
- Apartments G.02 and G.28 are not provided with any private open space. Sketch plans submitted by the applicant demonstrate that private open space areas of approximately 5 sqm and 15 sqm respectively can be incorporated. A permit condition is recommended to require these spaces to be provided.
 - Apartments G.19 and G.20 are provided with only 6 sqm of private open space due to constraints associated with the retained heritage chimney and a fire escape. Given the constraints imposed by the existing heritage building, the private open space is considered acceptable.
86. Eight studio apartments are provided with balconies that do not meet the minimum area and dimensional requirements of Standard D20. These generally comprise Studio Types 1, 3 (3.168 sqm), 4 (7.425 sqm) and 8 (8.59 sqm), which are predominantly located within the south-western portion of the development. Whilst Studio Types 4 and 8 are considered to provide an adequate level of private open space, the following recommendations are provided:
- The private open space dimensions for Studio Type 1 vary and refer to the overall plans, adequate dimensions have not been clearly provided. A condition is therefore recommended requiring all private open space areas to be appropriately dimensioned on the plans.
 - The private open space provided for Studio 3 is considered to be inadequate to meet the reasonable needs of future residents, as such, conditions have been included to require compliance with Standard D20.
87. Twenty-four studio apartments (Studio Types 1, 6 and 7) are proposed with Juliette balconies in lieu of conventional balconies. The submitted plans indicate that these Juliette balconies provide access to approximately 6 sqm of private open space. On balance, this outcome is considered acceptable given the extensive communal facilities proposed within the development. Nevertheless, a condition is recommended to ensure that all private open space areas are accurately dimensioned on the amended plans.
88. Ten apartments are currently proposed without any private open space. These dwellings generally comprise Studio Types 2, 9 and 10. The plans indicate that each of these studio apartments is located adjacent to a one-bedroom



apartment and could be reconfigured to create larger two-bedroom dwellings with compliant private open space. Council has recommended a condition requiring an increase in the number of two-bedroom apartments to 30 through the consolidation of selected studio apartments, without altering the approved building envelope. Council recommended a condition requiring the number of two-bedroom apartments to be increased to 30 through the consolidation of selected studio apartments, without any changes to the approved building envelope. While Council's recommended condition has not been adopted in its proposed form, DTP supports the amalgamation of the identified studio and one-bedroom apartments or an alternate design outcome to achieve compliant private open space outcomes. Accordingly, a condition has been included to facilitate this outcome and enhance the overall residential amenity of the development.

89. Overall, the recommendations above seek to ensure that all apartments (which do not have heritage constraints) are provided within a minimum of 6sqm of private open space. As a result, the proposal is considered to provide adequate private open space to meet the reasonable recreation and service needs of residents.

Standard D26 (Functional Layout)

90. With the exception of Apartment Type 2B-01, all apartments are designed with functional layouts and appropriately dimensioned rooms that comply with the requirements of Standard D26. Apartment Type 2B-01 does not fully satisfy the minimum requirements for living room area and width. The proposed living room measures 3.2m by 2.8m, resulting in a total area of 8.9sqm. This represents a minor shortfall relative to the standard, equating to a deficiency of approximately 3.1sqm in overall area and 0.4m in minimum width.
91. Notwithstanding this variation, only three apartments of this type are included across the development. It is considered that the impact of this non-compliance is limited and does not materially affect the overall quality of the housing offering. Furthermore, Apartment Type 2B-01 continues to satisfy the underlying objective of Standard D26, which is to provide functional living spaces that meet the needs of residents. In this instance, the apartment incorporates a distinct dining and kitchen area that is separate from the living room, thereby supporting a practical and usable internal layout despite the reduced living room dimensions.

Standard D29 (Natural Ventilation)

92. A total of 33 apartments (22%) achieve effective cross ventilation, which falls short of the 40% benchmark specified by the Standard. The decision guidelines of Standard D29 allow consideration of the design response, including the size, orientation, slope, and wind exposure of the site; the extent to which building orientation and dwelling layout maximise opportunities for cross ventilation; and whether an alternative design meets the relevant objectives, having regard to dwelling amenity and the site context.
93. As such, the variation is considered acceptable, recognising that the outcome is largely attributable to the constrained shape and size of the site, together with heritage considerations and as the proposal continues to meet the underlying objective of encouraging natural ventilation and enabling occupants to effectively manage ventilation within dwellings by:
- a. incorporating a Heat Recovery Ventilation (HRV) system that supplies continuous fresh air, improves indoor air quality, and enhances energy efficiency, resulting in more stable indoor conditions and improved occupant comfort and wellbeing.

Amenity and Microclimate

Wind

94. The application is supported by a wind impact assessment which concludes that:
- a. Wind conditions in the ground level footpath areas and access ways would be expected to be within the walking comfort criterion
 - b. Wind conditions in front of building entrances would be expected to be within the standing comfort criterion



- c. The private balconies/gardens would be expected to be within the recommended walking comfort criterion
 - d. The rooftop communal terrace is expected to have wind conditions within the recommended standing/walking comfort criterion within the recommendations
 - e. The gust winds are expected to fulfil safety criterion.
95. The wind assessment was prepared based on an earlier iteration of the architectural drawings dated October 2025, rather than the decision plans dated March 2026. Accordingly, the assessment requires updating to reflect the current design and to incorporate any revised recommendations, to be verified through wind tunnel testing.
96. Council's position is that all balconies and terraces should, at a minimum, achieve a standing comfort criterion in relation to wind impacts. DTP considers that the application satisfies the requirements of the planning scheme, specifically Standard D17, in achieving a safe outcome with respect to wind conditions. Accordingly, Council's condition has not been included in the recommendation.

Acoustic

97. The application is supported by an Acoustic Report, which concludes that the development can achieve acceptable noise outcomes, subject to the recommended acoustic treatments. These generally require that noise emissions from mechanical plant and equipment comply with the EPA *Noise Protocol – Part I* criteria, as set out in Table 6 of the report. The report also recommends that any lightweight roofing be reviewed by a suitably qualified acoustic consultant to ensure compliance with the internal traffic noise criteria detailed in Table 4 of the report. In addition, all ceiling penetrations are to be sealed gap-free with a flexible sealant, and any ventilation openings are to be acoustically treated to maintain the overall performance of the roof and ceiling construction.
98. Council recommended conditions to require an amended noise report to consider whether any adjustments are necessary to achieve adequate noise levels inside apartments from the commercial operation of the ground floor café; and noise and vibration impacts from the vehicle entrance gate to the basement.
99. DTP has adopted Council's recommendation in relation to the acoustic report.

Landscaping

100. The submitted Landscape Plan seeks to deliver a well-considered mix of public-facing, communal and private open spaces, incorporating a combination of new canopy planting, and layered understory vegetation.
101. Council supports the overall landscaping outcome as contributing positively to the design vision. However, it recommends that conditions be imposed requiring further detailed documentation to demonstrate that all planted areas provide adequate depth, drainage and irrigation. Additional details are also sought for built landscape elements, including furniture and planters, and to confirm how balcony garden beds located outside balustrades will be safely accessed and maintained.
102. Council also recommended a condition requiring a monetary contribution toward street tree planting. This condition has not been adopted, as the permit applicant will be responsible for delivering all public realm works, including street tree planting, as part of the development. Accordingly, conditions requiring the provision and replacement of street trees have been incorporated within the public realm works, to be undertaken to Council's satisfaction.
103. Subject to the conditions outlined above, the landscaping response is considered to enhance the built form, create safe and attractive spaces and support cooling and greening of urban areas consistent with Clause 15.01-2S (Building Design).



Car and Bicycle Parking, Loading, and Other Services

Car Parking

104. As previously outlined, the proposal is required to provide a minimum of 0 car parking spaces and up to a maximum of 303 spaces. The development proposes a total of 43 car parking spaces, which falls well within the allowable range.
105. The Traffic Report confirms that the proposed car parking layout and access arrangements comply with Clause 52.06-8 (Design Standards for Car Parking) and the relevant Australian Standards. Council raised no objection to the car parking provision, subject to a condition requiring all spaces to be electrically wired to be 'EV ready'. While DTP supports the provision of electric vehicle infrastructure in accordance with Clause 18.02-4L-01, the condition has been amended to require the 'future proofing' of car parking spaces for EV infrastructure.

Access, Traffic Movement and Circulation

106. The proposal includes vehicle access to the proposed basement level via Little Lithgow Street. The TIA included as part of the application concluded that the level of traffic generated as a result of the proposal, including restriction of the site access to right in/out movements only (being northbound only movements on Little Lithgow Street) is acceptable.
107. Council concluded that the proposal can be supported without unacceptable impacts on the surrounding road network, noting that the traffic generation is low and the proposed access arrangements to/from Little Lithgow Street is considered appropriate. Despite this, Council considered several matters should be resolved including clarification of key dimensions (headroom, ramps, kerb width and bay clearance), confirmation of vehicle access ground clearance for a B99 design vehicle and ensuring public realm interfaces are appropriately managed.
108. Furthermore, Council recommended several engineering conditions relating to civil works, road asset protection, and construction management, impacts of assets on the proposed development, reinstatement of redundant vehicle crossings and modification to car parking signage
109. The proposal is considered to provide an appropriate response to DDO22 which seeks to ensure that development provides vehicle access from rear lanes, reinstate the kerb/line marking etc for redundant vehicle access and locate pedestrian access from a street or shared zone. As a result, DTP have no concerns with the access arrangements for the site, acknowledging that Head, Transport for Victoria also offered no objection to the proposal. Council's conditions relating to detail design of the access/basement and standard engineering conditions have been included within the recommendation.

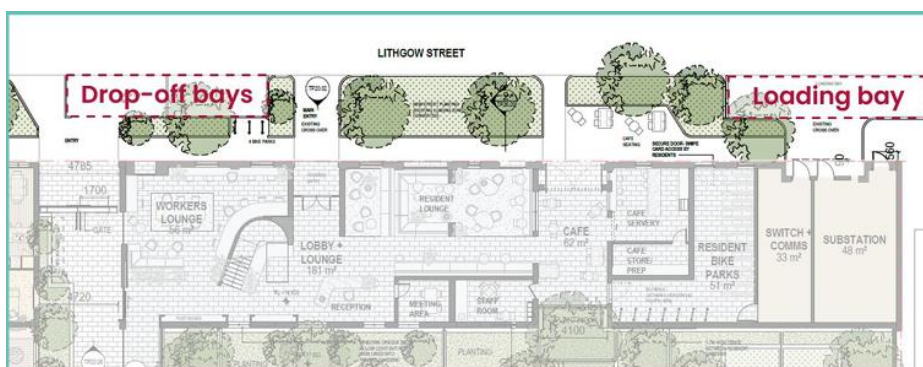
Bicycle Facilities

110. A statutory requirement of 45 bicycle spaces (30 resident and 15 visitor) is required in accordance with Clause 53.34-5. 88 bicycle spaces are proposed as part of this development comprising 6 visitor spaces on Lithgow Street, 48 spaces in ground floor locked room and 40 spaces in locked room basement
111. As outlined above, the proposed development exhibits a technical non-compliance with the visitor parking requirements. Notwithstanding this, the variation is considered acceptable in this instance. In particular, the proposal exceeds the statutory bicycle parking requirements, thereby promoting and encouraging sustainable transport outcomes.
112. Despite this, Council recommended a minimum of 151 resident bicycle spaces and 35 visitor spaces. DTP consider this to be excessive and have not included Council's recommended conditions.
113. Council recommended a number of conditions relating to design standards of bicycle parking including bicycle parking for cargo bikes and bikes with trailers, access aisle width's and electric bicycle charging points. DTP have sought to include a standard condition requiring the bicycle spaces to be provided in accordance with Clause 52.34-6 (Design of bicycle spaces) and 52.34-7 (Bicycle Signage).

114. While DTP supports the inclusion of a Green Travel Plan in accordance with Clause 15.01-2L-01, it has sought to include a standardised condition. This approach reflects that a number of the requirements identified by Council are either addressed through other permit conditions or are not considered necessary in this instance.

Loading / Unloading

115. Clause 65.01 states that consideration must be given to the adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.
116. The current frontage of the site (western side of Lithgow Street) is a loading zone subject to '15 minute 7:30am-4:30pm Monday-Friday and 15 minute 7:30am-12:30pm Saturday' time based restrictions. There are considered to be three existing loading zone spaces fronting the site.
117. The proposal provides four on-street spaces within the Lithgow Street road reserve, comprising two general parking spaces and two loading bays. This results in a net increase of one on-street parking space compared to existing conditions and a loss of one loading bay



118. As outlined above, Council does not support the references to loading arrangements on Lithgow Street being shown on the plans. Whilst DTP support the intent of Council's condition, it has been amended to make the requirements of the condition clear. In addition, Council considered that requirements for loading during construction being included within the Construction Management Plan including having regard to Abbotsford Primary School drop off and pick up times to avoid any conflict during this period. The CMP condition will require loading during construction to be addressed as a general requirement, without any specific requirement considered necessary.

Waste

119. The submitted Waste Management Plan outlines the proposed waste storage and collection arrangements for the development in accordance with Clause 19.03-5L (Waste). The proposal incorporates waste chutes within the building, discharging to a secure basement waste area accessible to authorised personnel only. Swept path diagrams have also been provided, demonstrating that a 6.4-metre waste collection vehicle can safely access and manoeuvre within the basement to service the development.
120. Council's waste engineering team reviewed the WMP and concluded that it was satisfactory for endorsement. A condition has therefore been included within the recommendation requiring the endorsement of the WMP.

Sustainability

Environmentally Sustainable Design (ESD)

121. The application was supported by a Sustainable Management Plan prepared by ARUP in accordance with 15.02-2L-02 (Environmentally Sustainable Development). The report provides the following overall assessment of the proposal:
- 6 Star Green Star and 9 Star NatHERS average or equivalent

- 70 kW solar PV array
- Low carbon materials with at least 20% reduction in upfront carbon
- Passivhaus Classic Certification

122. DTP, OVGA and Council support the ESD ambitions for the project. Despite this, Council's ESD advisor has indicated that it does not yet meet Council's ESD documentation standards and currently lacks key evidence required to confirm performance outcomes. As such, Council's ESD officers have recommended that a condition be included within the recommendation to require an amended SMP to provide preliminary NatHERS ratings and MUSIC report to remonstrate the proposed stormwater management strategy will meet the Yarra Planning Scheme requirements for pollution and flow reduction.
123. DTP support the conditions recommended by Council in relation to ESD outcomes which have been included within the recommendation. As a result, DTP is satisfied that the proposal commits to a level of sustainability that meets the objectives of Clause 15.02-2L-02.
124. In addition, a standard condition has also been included within the recommendation in accordance with Clause 53.03 to ensure that the development is not connected to a reticulated gas service.

Water Sensitive Urban Design (WSUD)

125. Clause 19.03-3L (Stormwater Management (Water Sensitive Urban Design)) seeks to achieve best practice water quality performance objectives set out in the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999 (or as amended). Clause 53.18 (Stormwater Management in Urban Development) includes objectives and standards in relation to stormwater management, management of stormwater during construction, and cooling and local habitat improvements.
126. Water Sensitive Urban Design (WSUD) measures have been considered as part of the submitted Stormwater Management Plan (SMP). The SMP confirms that the development will incorporate a combined 20kL rainwater tank to capture and reuse stormwater for non-potable purposes, including irrigation and toilet flushing. These measures will contribute to improved stormwater quality outcomes and reduced reliance on potable water, consistent with WSUD principles.
127. DTP is satisfied that, subject to appropriate permit conditions (outlined above) to implement the SMP, the proposed WSUD response will be adequately addressed and will achieve an acceptable environmental performance outcome.

Affordable Housing

128. The proposal included an Affordable Housing Strategy prepared by Model. The proposal commits to 10% affordable housing by providing on-site discount to rental dwellings.
129. Whilst Council supports the in-principle delivery of affordable housing, they recommended conditions to require an affordable housing report and, recommended that affordability be secured in perpetuity or otherwise for an increased minimum term (at least 25 years). DTP will include the mandatory condition for affordable housing in accordance with Clause 53.23-4, to secure the affordable housing via a s173 Agreement.

Recommendation



130. The proposal is generally consistent with the relevant planning policies of the Yarra Planning Scheme and will contribute to the provision of housing within the area.
131. The proposal is generally supported by the various referral agencies.
132. It is recommended that Planning Permit No. PA2604316, be issued subject to conditions.
133. It is **recommended** that the applicant, relevant agencies and submitters be notified of the above in writing.

Prepared by:

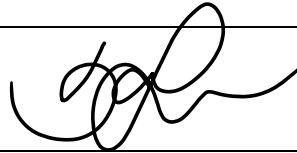
I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

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

Name: Danielle Foster

Title: Senior Planner, Development Approvals and Design

Signed:



Phone: (03) 5172 2344

Dated: 6 July 2026

Reviewed / Approved by:

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

- ☒ **No Conflict**
- ☐ Conflict and have therefore undertaken the following actions:
- ☐ Completed the **Statutory Planning Services declaration of Conflict/Interest form**.
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Name: Sue Wood

Title: Manager, Development Approvals and Design

Signed:



Phone: 0423 391 062

Dated: 17 July 2026

Appendix 1: Clause 58 Assessment (Better Apartments Design Standards)

Clause 58.01 Urban Context Report and Design Response	
58.01-1 Application requirements An application must be accompanied by: • An urban context report. • A design response.	Complies. The application is supported by an Architectural Plan prepared by Warren and Mahoney and Town Planning Report prepared by Urbis.
58.01-2 Urban Context Report The urban context report may use a site plan, photographs or other techniques and must include: An accurate description of: • Site shape, size, orientation and easements. • Levels and contours of the site and the difference in levels between the site and surrounding properties. • The location and height of existing buildings on the site and surrounding properties. • The use of surrounding buildings. • The location of private open space of surrounding properties and the location of trees, fences and other landscape elements. • Solar access to the site and to surrounding properties. • Views to and from the site. • Street frontage features such as poles, street trees and kerb crossovers. • The location of local shops, public transport services and public open spaces within walking distance. • Movement systems through and around the site. • Any other notable feature or characteristic of the site. An assessment of the characteristics of the area including: • Any environmental features such as vegetation, topography and significant views. • The pattern of subdivision. • Street design and landscape. • The pattern of development. • Building form, scale and rhythm. • Connection to the public realm. • Architectural style, building details and materials. • Off-site noise sources. • The relevant NatHERS climate zones (as identified in Clause 58.03-1). • Social and economic activity. • Any other notable or cultural characteristics of the area.	Complies. The application is supported by an Architectural Plan prepared by Warren and Mahoney and Town Planning Report prepared by Urbis.
58.01-3 Design response The design response must explain how the proposed design: • Responds to any relevant planning provision that applies to the land. • Meets the objectives of Clause 58. • Responds to any relevant housing, urban design and landscape plan, strategy or policy set out in this scheme. • Selects materials and finishes for the external walls. • Derives from and responds to the urban context report.	Complies. A satisfactory assessment of how the policy responds to the PPF, Clause 58, relevant housing, urban design and landscape policy has been provided in the urban context report and design response prepared by Urbis.



The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.	
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Clause 58.02 Urban Context		
58.02-1 Urban context 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.	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. The proposed design of the built form is considered to respond to the preferred context of the surrounding area, refer to assessment within the report above.
58.02-2 Residential Policy 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.	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. A satisfactory assessment of how the policy responds to the PPF, Clause 58, relevant housing, urban design and landscape policy has been provided in the Town Planning Report prepared by Urbis.
58.02-3 Dwelling Density objectives To encourage a range of dwelling sizes and types in developments of ten or more dwellings.	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. The proposed development provides for a total of 151 dwellings, comprising of the following mix: • 54 studios (35%) • 77 one bedroom (50%) • 20 two bedroom (15%)
58.02-4 Infrastructure 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.	Standard D4 • Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available. • Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads. In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.	Complies. The proposed development will be located within an urban area which is well serviced and has connections to appropriate utility services and infrastructure.



58.02-5 Integration with the street objective To integrate the layout of development with the street. To support development that activates street frontage.	Standard D5 • Development should be oriented to front existing and proposed streets. • 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. The subject site is located between Lithgow and Little Lithgow Street. the ground floor has been designed to ensure that the development is oriented to each frontage with pedestrian entrances, windows and landscaping ensuring activation on each frontage. At upper levels, the dwellings are provided with balconies that provide for outlook which provide additional passive surveillance to the street.
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Clause 58.03 Site Layout		
58.03-1 Energy Efficiency 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	Standard D6 • Buildings should be: ◦ Oriented to make appropriate use of solar energy. ◦ Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced. • Living areas and private open space should be located on the north side of the development, if practicable. • Developments should be designed so that solar access to north-facing windows is optimised. • Dwellings located in a climate zone identified in Table D1 should not exceed the maximum NatHERS annual cooling load specified in the following table. Table D1 Cooling load	Complies. Dwellings have been oriented to have predominately northern, eastern or western aspects where practicable The development has been designed to achieve energy efficient dwellings through passive design measures, such as maximising the number of apartments oriented north to make appropriate use of daylight and solar energy. Furthermore, the placement of windows and layout of living areas and private open spaces have been designed to provide residents with optimal solar access. The maximum cooling load of 30MJ/m2 for Climate Zone 21 (Melbourne) is not exceeded by any dwelling as part of this development as per the submitted SMP.



	<table><tr><th>NatHERS climate zone</th><th>NatHERS maximum cooling load MJ/M² per annum</th></tr><tr><td>Climate zone 21 Melbourne</td><td>30</td></tr><tr><td>Climate zone 22 East Sale</td><td>22</td></tr><tr><td>Climate zone 27 Mildura</td><td>69</td></tr><tr><td>Climate zone 60 Tullamarine</td><td>22</td></tr><tr><td>Climate zone 62 Moorabbin</td><td>21</td></tr><tr><td>Climate zone 63 Warrambrook</td><td>21</td></tr><tr><td>Climate zone 64 Cape Otway</td><td>19</td></tr><tr><td>Climate zone 66 Ballarat</td><td>23</td></tr></table> Note: Refer to NatHERS zone maps, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy).	NatHERS climate zone	NatHERS maximum cooling load MJ/M ² per annum	Climate zone 21 Melbourne	30	Climate zone 22 East Sale	22	Climate zone 27 Mildura	69	Climate zone 60 Tullamarine	22	Climate zone 62 Moorabbin	21	Climate zone 63 Warrambrook	21	Climate zone 64 Cape Otway	19	Climate zone 66 Ballarat	23	
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<u>58.03-2 Communal open space objective</u> To provide communal open space that meets the recreation and amenity needs of residents. To ensure that communal open space is accessible, practical, attractive, easily maintained. To ensure that communal open space is integrated with the layout of the development and enhances resident amenity.	Standard D7 • A development of 10 or more dwellings should provide a minimum area of communal outdoor open space of 30 square metres. • If a development contains 13 or more dwellings, the development should also provide an additional minimum area of communal open space of 2.5 square metres per dwelling or 220 square metres, whichever is the lesser. This additional area may be indoors or outdoors and may consist of multiple separate areas of communal open space. • Each area of communal open space should be: ○ Accessible to all residents. ○ A useable size, shape and dimension. ○ Capable of efficient management. ○ Located to: ➤ Provide passive surveillance opportunities, where appropriate. ➤ Provide outlook for as many dwellings as practicable. ➤ Avoid overlooking into habitable rooms and private open space of new dwellings. ➤ Minimise noise impacts to new and existing dwellings. Any area of communal outdoor open space should be landscaped and include canopy cover and trees.	Complies. A total of 1,295sqm of internal and external communal facilities are provided, 720 sqm of external communal facilities including 215sm of rooftop terrace and 575 internal communal facilities. These spaces generously exceed the required amount of 250m2 in servicing the 151 dwellings. In addition, the proposed open space is accessible to all residents, appropriately sized and configured to support a range of activities, and designed for efficient ongoing management. Its location provides opportunities for passive surveillance and outlook from surrounding dwellings, while careful design and landscaping minimise overlooking and potential privacy impacts. The communal open space is also positioned and designed to minimise noise impacts on both existing and future residents.																		
<u>58.03-3 Solar access to communal outdoor open space objective</u>	Standard D8	Complies. Given the location of the communal open space within the rooftop of the building, the area benefits from																		



To allow solar access into communal outdoor open space.	• 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	unobstructed sunlight with no impacts from shadowing. As such, the communal open space receives 2 hours of sunlight between 9am and 3pm on 21 June.
<u>58.03-4 Safety objective</u> To ensure the layout of development provides for the safety and security of residents and property	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. • Entrances to dwellings are not obscured or isolated from the street, there is primary access provided from Lithgow Street. • The proposed landscaping does not create unsafe spaces along streets or the proposed internal accessway. See assessment of landscaping. • Car parking is provided within the basement. The development will be appropriately visible to provide surveillance to these areas. • Private communal areas will not be able to be used as public thoroughfares given they have fencing/gates. Standard conditions have been included within the recommendation (in line with Council's recommendation) requiring lighting throughout the development and within the public realm to ensure that safety is enhanced.
<u>58.03-5 Landscaping objectives</u> To provide landscaping that supports the existing or preferred urban context of the area and reduces the visual impact of buildings on the streetscape. To preserve existing canopy cover and support the provision of new canopy cover. To ensure landscaping is climate responsive, supports biodiversity, wellbeing and amenity and reduces urban heat.	Standard D10 Development should retain existing trees and canopy cover. Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made. Development should: • 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.	Variation. A full assessment is provided in the body of this report.



- 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.

Table D3 Canopy cover and deep soil requirements		
Site area	Canopy cover	Deep soil
1000 square metres or less	5% of site area Include at least 1 Type A tree	5% of site area or 12 square metres whichever is the greater
1001 - 1500 square metres	50 square metres plus 20% of site area above 1000 square metres Include at least 1 Type B tree	75% of site area
1501 - 2500 square metres	150 square metres plus 20% of site area above 1500 square metres Include at least 2 Type B trees or 1 Type C tree	10% of site area
2500 square metres or more	350 square metres plus 20% of site area above 2500 square metres Include at least 2 Type B trees or 1 Type C tree	15% of site area



	<table><tr><th colspan="4">Table D3 Soil requirements for trees</th></tr><tr><th>Tree type</th><th>Tree in deep soil Area of deep soil</th><th>Tree in planter Volume of planter soil</th><th>Depth of planter soil</th></tr><tr><td>A</td><td>12 square metres (min. plan dimension 2.5 metres)</td><td>12 cubic metres (min. plan dimension of 2.5 metres)</td><td>0.8 metre</td></tr><tr><td>B</td><td>49 square metres (min. plan dimension 4.5 metres)</td><td>28 cubic metres (min. plan dimension of 4.5 metres)</td><td>1 metre</td></tr><tr><td>C</td><td>121 square metres (min. plan dimension 6.5 metres)</td><td>64 cubic metres (min. plan dimension of 6.5 metres)</td><td>1.5 metre</td></tr></table> Note: Where multiple trees share the same section of soil the total required amount of soil can be reduced by 5% for every additional tree, up to a maximum reduction of 25%. <table><tr><th colspan="3">Table D4 Tree type</th></tr><tr><th>Tree type</th><th>Minimum canopy diameter at maturity</th><th>Minimum height at maturity</th></tr><tr><td>A</td><td>4 metres</td><td>6 metres</td></tr><tr><td>B</td><td>8 metres</td><td>8 metres</td></tr><tr><td>C</td><td>12 metres</td><td>12 metres</td></tr></table>	Table D3 Soil requirements for trees				Tree type	Tree in deep soil Area of deep soil	Tree in planter Volume of planter soil	Depth of planter soil	A	12 square metres (min. plan dimension 2.5 metres)	12 cubic metres (min. plan dimension of 2.5 metres)	0.8 metre	B	49 square metres (min. plan dimension 4.5 metres)	28 cubic metres (min. plan dimension of 4.5 metres)	1 metre	C	121 square metres (min. plan dimension 6.5 metres)	64 cubic metres (min. plan dimension of 6.5 metres)	1.5 metre	Table D4 Tree type			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	
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58.03-6 Access objective 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.	Standard D11 • Vehicle crossovers should be minimised. • Car parking entries should be consolidated, minimised in size, integrated with the façade and where practicable located at the side or rear of the building. • Pedestrian and cyclist access should be clearly delineated from vehicle access. • The location of crossovers should maximise pedestrian safety and the retention of on-street car parking spaces and street trees. Developments must provide for access for service, emergency and delivery vehicles.	Complies. The existing conditions include five crossovers along Lithgow Street. The proposal seeks to consolidate and minimise vehicle crossovers on site by providing a single vehicle access point to the basement via Little Lithgow Street. The proposed vehicle access has been well integrated into the overall design to ensure that it is recessed from the frontage and will not visually detract from the street façade. In addition, the proposal ensures that there is no conflict between pedestrian and cyclists. Standard conditions have been included within the recommendations (in line with Council’s recommendation) to ensure all redundant vehicle crossovers are appropriately removed and new crossovers and constructed to the appropriate standard.																																			
58.03-7 Parking Location objectives To provide convenient parking for resident and visitor vehicles. To protect residents from vehicular noise within developments.	Standard D12 Car parking facilities should: ○ Be reasonably close and convenient to dwellings. ○ Be secure. ○ Be well ventilated if enclosed. Shared accessways or car parks of other dwellings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or	Complies. Car parking has been provided within the basement of the building, lifts have been provided to ensure that car parking is conveniently accessed. The car parking is secure and well ventilated.																																			



	where window sills are at least 1.4 metres above the accessway.	
<u>58.03-8 Integrated water and stormwater management objectives</u> 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.	Standard D13 - Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use. - Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority. - The stormwater management system should be: - Designed to meet the current best practice performance objectives for stormwater quality as contained in the <i>Urban Stormwater - Best Practice Environmental Management Guidelines</i> (Victorian Stormwater Committee, 1999). Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.	Complies. The proposal was supported by Stormwater Management initiatives addressed in the accompanying Sustainability Management Plan. Overall, the proposal includes a 20kL rainwater tank within the basement and will achieve best practice objectives. A full assessment is provided above.

Clause 58.04 Amenity Impacts		
<u>58.04-1 Building setback objectives</u> To ensure the setback of a building from a boundary appropriately responds to the existing urban context or contributes to the preferred future development of the area. To allow adequate daylight into new dwellings. To limit views into habitable room windows and private open space of new and existing dwellings. To provide a reasonable outlook from new dwellings. To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents.	Standard D14 - The built form of the development must respect the existing or preferred urban context and respond to the features of the site. - Buildings should be set back from side and rear boundaries, and other buildings within the site to: - Ensure adequate daylight into new habitable room windows. - Avoid direct views into habitable room windows and private open space of new and existing dwellings. Developments should avoid relying on screening to reduce views. - Provide an outlook from dwellings that creates a reasonable visual connection to the external environment. - Ensure the dwellings are designed to meet the objectives of Clause 58.	Complies. The development has been designed to respond to the DDO22 that applies to the site. A full assessment is provided in the officer report. There are no views into habitable room windows and private open spaces of new and existing dwellings All dwellings have a reasonable outlook given the location of the central communal open space between the buildings.
<u>58.04-2 Internal views objective</u>	Standard D15	Complies.



To limit views into the private open space and habitable room windows of dwellings within a development.	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.	The proposal is designed to protect the private open spaces (balconies) and habitable rooms from overlooking. The layout of the dwellings and siting of habitable room windows is such that no habitable room windows and or balconies overlook into each other. Where balconies are located adjacent to each other, walls are provided between them.																		
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.	Standard D16 • Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings. • The layout of new dwellings and buildings should minimise noise transmission within the site. • Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings. • New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources. • Buildings within a noise influence area specified in Table D3 should be designed and constructed to achieve the following noise levels: ○ Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am. ○ Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm. • Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements. • Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed. <table><caption>Table D3 Noise influence area</caption><thead><tr><th>Noise source</th><th>Noise influence area</th></tr></thead><tbody><tr><td>Zone interface</td><td></td></tr><tr><td>Industry</td><td>300 metres from the industrial 1, 2 and 3 zone boundary</td></tr><tr><td>Roads</td><td></td></tr><tr><td>Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume</td><td>300 metres from the nearest trafficable lane</td></tr><tr><td>Railways</td><td></td></tr><tr><td>Railway servicing passengers in Victoria</td><td>80 metres from the centre of the nearest track</td></tr><tr><td>Railway servicing freight outside Metropolitan Melbourne</td><td>80 metres from the centre of the nearest track</td></tr><tr><td>Railway servicing freight in Metropolitan Melbourne</td><td>135 metres from the centre of the nearest track</td></tr></tbody></table>	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	Complies. The proposal was supported by an Acoustic Assessment. The report provides a necessary assessment against the relevant EPA guidelines and makes recommendations and conclusions with respect acoustic treatments, including suitable noise barriers around rooftop mechanical services platforms and glazing. A condition on the permit will require the provisions of the acoustic report to be implemented.
Noise source	Noise influence area																			
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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																			



58.04-3 Wind impacts objectives To ensure the built form, design and layout of development does not generate unacceptable wind impacts within the site or on surrounding land.	Standard D17 • Development of five or more storeys, excluding a basement should: ○ not cause unsafe wind conditions specified in Table D6 in public land, publicly accessible areas on private land, private open space and communal open space; and ○ achieve comfortable wind conditions specified in Table D6 in public land and publicly accessible areas on private land • within a distance of half the greatest length of the building, or half the total height of the building measured outwards on the horizontal plane from the ground floor building façade, whichever is greater. • Trees and landscaping should not be used to mitigate wind impacts. This does not apply to sitting areas, where trees and landscaping may be used to supplement fixed wind mitigation elements. • Wind mitigation elements, such as awnings and screens should be located within the site boundary, unless consistent with the existing urban context or preferred future development of the area. <table><tr><th colspan="2">Table D6 Wind conditions</th></tr><tr><th>Unsafe</th><th>Comfortable</th></tr><tr><td>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.</td><td>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: • 3 metres per second for sitting areas, • 4 metres per second for standing areas, • 5 metres per second for walking areas. </td></tr></table>	Table D6 Wind conditions		Unsafe	Comfortable	Annual maximum 3 second gust wind speed exceeding 20 metres per second with a probability of exceedance of 0.1% considering at least 16 wind directions.	Hourly mean wind speed or gust equivalent mean speed (3 second gust wind speed divided by 1.85), from all wind directions combined with probability of exceedance less than 20% of the time, equal to or less than: • 3 metres per second for sitting areas, • 4 metres per second for standing areas, • 5 metres per second for walking areas.	Complies. A Wind Report has been supplied. The report confirms that the wind conditions in the ground level footpath areas and communal areas are expected to be suitable for their intended use. A condition on the permit will require the recommendations of this report be implemented.
Table D6 Wind conditions								
Unsafe	Comfortable							
Annual maximum 3 second gust wind speed exceeding 20 metres per second with a probability of exceedance of 0.1% considering at least 16 wind directions.	Hourly mean wind speed or gust equivalent mean speed (3 second gust wind speed divided by 1.85), from all wind directions combined with probability of exceedance less than 20% of the time, equal to or less than: • 3 metres per second for sitting areas, • 4 metres per second for standing areas, • 5 metres per second for walking areas.							

58.05 On-Site Amenity and Facilities 58.05-1 Accessibility objective To ensure the design of dwellings meets the needs of people with limited mobility.	Standard D18 At least 50 per cent of dwellings should have: • A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom. • A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area. • A main bedroom with access to an adaptable bathroom. • At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table D7.	Complies. 530% are considered accessible, as they are provided with minimum 850mm opening widths, a clear path of 1.2m in width that connects the dwelling entrance to the main bedroom, adaptable bathroom and living area, and are provided with an adaptable bathroom that meets the requirements of either Design Option A or B .
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	Table D7 Bathroom design <table> <tr> <th></th><th>Design option A</th><th>Design option B</th></tr> <tr> <td>Door opening</td><td>A clear 850mm wide door opening.</td><td>A clear 820mm wide door opening located opposite the shower.</td></tr> <tr> <td>Door design</td><td>Either: • A slide door, or • A door that opens outwards, or • A door that opens inwards that is clear of the circulation area and has readily removable hinges. </td><td>Either: • A slide door, or • A door that opens outwards, or • A door that opens inwards and has readily removable hinges. </td></tr> <tr> <td>Circulation area</td><td>A clear circulation area that is: • A minimum area of 12 metres by 12 metres. • 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. </td><td>A clear circulation area that is: • A minimum width of 1 metre. • The full length of the bathroom and a minimum length of 2.7 metres. • Clear of the toilet and basin. The circulation area can include a shower area. </td></tr> <tr> <td>Path to circulation</td><td>A clear path with a minimum width of</td><td>Not applicable.</td></tr> </table>		Design option A	Design option B	Door opening	A clear 850mm wide door opening.	A clear 820mm wide door opening located opposite the shower.	Door design	Either: • 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: • 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: • A minimum area of 12 metres by 12 metres. • 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: • A minimum width of 1 metre. • The full length of the bathroom and a minimum length of 2.7 metres. • Clear of the toilet and basin. The circulation area can include a shower area.	Path to circulation	A clear path with a minimum width of	Not applicable.	
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Path to circulation	A clear path with a minimum width of	Not applicable.															
58.05-2 Building entry and circulation objectives To provide each dwelling and building with its own sense of identity. To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents. To ensure internal communal areas provide adequate access to daylight and natural ventilation.	Standard D19 • Entries to dwellings and buildings should: ○ Be visible and easily identifiable. ○ Provide shelter, a sense of personal address and a transitional space around the entry. • The layout and design of buildings should: ○ Clearly distinguish entrances to residential and non-residential areas. ○ Provide windows to building entrances and lift areas. ○ Provide visible, safe and attractive stairs from the entry level to encourage use by residents. ○ Provide common areas and corridors that: ➢ Include at least one source of natural light and natural ventilation. ➢ Avoid obstruction from building services. ➢ Maintain clear sight lines.	Complies. Separate entrances are provided to the residential and commercial components of the building at ground level. The residential component of the building is clearly defined through ground floor entrances which are visually distinctive from other ground floor uses in terms of form and materiality. Building services are located away from communal areas, being located in a separate location on the ground floor or on the roof.															
58.05-3 Private open space objective To provide adequate private open space for the reasonable recreation and service needs of residents	Standard D20 • A dwelling should have private open space consisting of at least one of the following: ○ An area of 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	Variation. Discussed in detail above.															



	area specified in Table D8 should be increased by at least 1.5 square metres. • If the finished floor level of a dwelling is 40 metres or more above ground level, the requirements of Table D8 do not apply if at least the area specified in Table D9 is provided as living area or bedroom area in addition to the minimum area specified in Table D11 or Table D12 in Standard D25. <table><caption>Table D8 Balcony size</caption><thead><tr><th>Orientation of dwelling</th><th>Dwelling type</th><th>Minimum area</th><th>Minimum dimension</th></tr></thead><tbody><tr><td>North (between north 30 degrees west to north 30 degrees east)</td><td>All</td><td>8 square metres</td><td>1.7 metres</td></tr><tr><td>South (between south 30 degrees west to south 30 degrees east)</td><td>All</td><td>8 square metres</td><td>1.2 metres</td></tr><tr><td rowspan="3">Any other orientation</td><td>Studio or 1 bedroom dwelling</td><td>8 square metres</td><td>1.8 metres</td></tr><tr><td>2 bedroom dwelling</td><td>8 square metres</td><td>2 metres</td></tr><tr><td>3 or more bedroom dwelling</td><td>12 square metres</td><td>2.4 metres</td></tr></tbody></table> <table><caption>Table D9 Additional living area or bedroom area</caption><thead><tr><th>Dwelling type</th><th>Additional area</th></tr></thead><tbody><tr><td>Studio or 1 bedroom dwelling</td><td>8 square metres</td></tr><tr><td>2 bedroom dwelling</td><td>8 square metres</td></tr><tr><td>3 or more bedroom dwelling</td><td>12 square metres</td></tr></tbody></table>	Orientation of dwelling	Dwelling type	Minimum area	Minimum dimension	North (between north 30 degrees west to north 30 degrees east)	All	8 square metres	1.7 metres	South (between south 30 degrees west to south 30 degrees east)	All	8 square metres	1.2 metres	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	Dwelling type	Additional area	Studio or 1 bedroom dwelling	8 square metres	2 bedroom dwelling	8 square metres	3 or more bedroom dwelling	12 square metres	
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2 bedroom dwelling	8 square metres																															
3 or more bedroom dwelling	12 square metres																															
58.05-4 Storage objective To provide adequate storage facilities for each dwelling	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. <table><caption>Table D10 Storage</caption><thead><tr><th>Dwelling type</th><th>Total minimum storage volume</th><th>Minimum storage volume within the dwelling</th></tr></thead><tbody><tr><td>Studio</td><td>8 cubic metres</td><td>5 cubic metres</td></tr><tr><td>1 bedroom dwelling</td><td>10 cubic metres</td><td>6 cubic metres</td></tr><tr><td>2 bedroom dwelling</td><td>14 cubic metres</td><td>9 cubic metres</td></tr><tr><td>3 or more bedroom dwelling</td><td>18 cubic metres</td><td>12 cubic metres</td></tr></tbody></table>	Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling	Studio	8 cubic metres	5 cubic metres	1 bedroom dwelling	10 cubic metres	6 cubic metres	2 bedroom dwelling	14 cubic metres	9 cubic metres	3 or more bedroom dwelling	18 cubic metres	12 cubic metres	Complies. The BADS assessment provided with the Architectural Design package (Sheet TP60) confirms that each dwellings has the appropriate amount of storage in accordance with Table D10.															
Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling																														
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58.06 Detailed Design		
58.06-1 Common property objectives To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. To avoid future management difficulties in areas of common ownership.	Standard D22 Developments should clearly delineate public, communal and private areas. Common property, where provided, should be functional and capable of efficient management.	Complies. The communal spaces, as well as service areas, will be operated by building management and are designed to be easily maintained. Public, communal and private areas are clearly defined by the building program, internal layout and access arrangements. The proposal complies with the requirements of Standard D21.



58.06-2 Site services objectives To ensure that site services are accessible and can be installed and maintained. To ensure that site services and facilities are visually integrated into the building design or landscape.	Standard D23 • Development should provide adequate space (including easements where required) for site services to be installed and maintained efficiently and economically. • Meters and utility services should be designed as an integrated component of the building or landscape. Mailboxes and other site facilities should be adequate in size, durable, water-protected, located for convenient access and integrated into the overall design of the development.	Complies. The proposal has been designed to ensure that site services can be installed and easily maintained within accessible locations throughout the development. Mailboxes are integrated with the building design as they are located within the ground level lobby area and are easily accessed via the Lithgow Street entrance. Site services for the building have been sited within the Lithgow frontage including a switch room and substation which have all been consolidated into the one area and well-integrated into the façade.
58.06-3 Waste and recycling objectives To ensure dwellings are designed to encourage waste recycling. To ensure that waste and recycling facilities are accessible, adequate and attractive. To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.	Standard D24 • Developments should include dedicated areas for: ○ Waste and recycling enclosures which are: ➢ Adequate in size, durable, waterproof and blend in with the development. ➢ Adequately ventilated, located and designed for convenient access by residents and made easily accessible to people with limited mobility. ○ Adequate facilities for bin washing. These areas should be adequately ventilated. ○ Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate. ○ Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing. ○ Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing. ○ Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.	Complies The proposal has been designed to ensure that waste and recycling facilities are accessible, adequate and attractive. Waste and recycling facilities have been designed to be managed to minimise impacts on residential/ commercial user amenity. A Waste Management Plan discusses the adequacy, appropriateness and efficiency of the bin room and outlines waste arrangement details. The proposal complies with the requirements of Standard D22.



	- Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and: - Be designed to meet the best practice waste and recycling management guidelines for residential development adopted by Sustainability Victoria. - Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.	
58.06-4 External walls and materials objective - To ensure external walls use materials appropriate to the existing urban context or preferred future development of the area. - To ensure external walls endure and retain their attractiveness.	Standard D25 - External walls should be finished with materials that: - Do not easily deteriorate or stain. - Weather well over time. - Are resilient to the wear and tear from their intended use. - External wall design should facilitate safe and convenient access for maintenance.	Complies. As set out in the Architectural Drawings the external walls comprise durable materials and finishes which will weather well over time and maintain the appearance of the development. In addition, the OVGA raised no concerns with the proposed materials.
58.07 Internal Amenity		
58.07-1 Functional layout objective To ensure dwellings provide functional areas that meet the needs of residents	Standard D26 - Bedrooms should: - Meet the minimum internal room dimensions and area specified in Table D11. - Provide an area in addition to the minimum internal room dimensions and area to accommodate a wardrobe. - Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table D12.	Variation A full assessment is provided above.



	<table><tr><th colspan="2">Table D11 Bedroom dimensions</th></tr><tr><th>Bedroom type</th><th>Minimum width</th></tr><tr><td>Main bedroom</td><td>3 metres</td></tr><tr><td>All other bedrooms</td><td>3 metres</td></tr></table> <table><tr><th colspan="2">Table D12 Living area</th></tr><tr><th>Dwelling type</th><th>Minimum width</th></tr><tr><td>Studio and 1 bedroom dwelling</td><td>3.3 metres</td></tr><tr><td>2 or more bedroom dwelling</td><td>3.6 metres</td></tr></table>	Table D11 Bedroom dimensions		Bedroom type	Minimum width	Main bedroom	3 metres	All other bedrooms	3 metres	Table D12 Living area		Dwelling type	Minimum width	Studio and 1 bedroom dwelling	3.3 metres	2 or more bedroom dwelling	3.6 metres	
Table D11 Bedroom dimensions																		
Bedroom type	Minimum width																	
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2 or more bedroom dwelling	3.6 metres																	
<u>58.07-2 Room depth objective</u> To allow adequate daylight into single aspect habitable rooms	Standard D27 - Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height. - The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met: - The room combines the living area, dining area and kitchen. - The kitchen is located furthest from the window. - The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen. - The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.	Complies. All single aspect habitable rooms do not exceed a room depth of 9m ensuring that they meet Standard D27.																
<u>58.07-3 Windows objective</u> To allow adequate daylight into new habitable room windows.	Standard D28 - Habitable rooms should have a window in an external wall of the building. - A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky. - The secondary area should be: - A minimum width of 1.2 metres.	Complies. All windows are to an external wall of the building and provide for direct daylight access. The proposal complies with the requirements of Standard D27.																



	A maximum depth of 1.5 times the width, measured from the external surface of the window.	
<u>58.07-4 Natural ventilation objectives</u> To encourage natural ventilation of dwellings. To allow occupants to effectively manage natural ventilation of dwellings.	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: ○ 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.	Variation. Full assessment provided above.