

Assessment Officer Report

Permit No PA2503944

201-215 Queens Parade & 6-12 Dummett Crescent
Fitzroy North



Officer Assessment Report
Development Approvals & Design

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Executive Summary



Key Information		Details	
Application No:	PA2503944		
Received:	19 September 2025		
Statutory Days:	92		
Applicant:	CBE AsiaPacific Pty Ltd		
Planning Scheme:	Yarra		
Land Address:	201-215 Queens Parade & 6-12 Dummett Crescent Fitzroy North VIC 3068		
Proposal:	Demolish existing buildings, use and development of the land for the purposes of a 12-storey residential building, ground floor retail and a reduction in car parking.		
Development Value:	\$80 million		
Why is the Minister responsible?	The application is made under Clause 53.23 (Significant Residential Development with Affordable Housing). In accordance with the schedule to Clause 72.01 of the Planning Scheme, the Minister for Planning is the responsible Authority for this application because it is a matter under Division 1 of Part 4 of the Act and Clause 53.23 (Significant Residential Development with Affordable Housing) applies.		
Why is a permit required?	Clause	Control	Trigger
Zone:	Clause 32.04	Mixed Use Zone (MUZ)	To use land for a retail premises To construct two or more dwellings on a lot To construct a building or construct or carry out works associated with a section 2 use
Overlays:	Clause 43.02	Design and Development Overlay Schedule 16 (DDO16-5B)	To construct a building or construct or carry out works
	Clause 43.01	Heritage Overlay (HO330 and HO480)	To demolish or remove a building (HO330) To construct a building or carry out works (HO330) HO48 is included on the Victorian Heritage Register (VHR) – VHR ref. H2380
	Clause 45.03	Environmental Audit Overlay (EAO)	No permit trigger - Audit or certificate required prior to commencement of a sensitive land use (residential use, childcare centre etc) or before the commencement of construction or carrying out of works in conjunction with these sensitive land uses
	Clause 45.06	Development Contributions Plan Overlay – Schedule 1 (DCPO1)	No permit trigger – The proposed development is subject to a levy under the DCPO1
Heritage Victoria	The land at 205-211 Queens Parade is registered on the VHR as H2380 - Former Clifton Motor Garage. A heritage permit is required from Heritage Victoria to undertake any buildings and works on the land.		

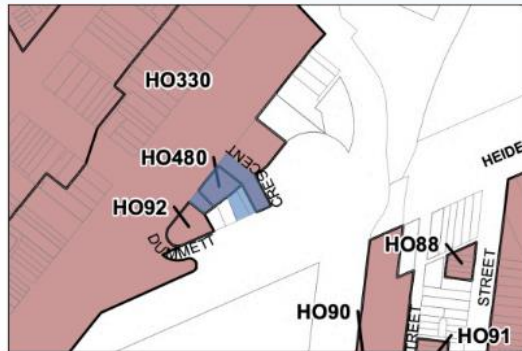


Figure 20. Heritage Overlay plan extract showing the location and extent to which the Heritage Overlay applies to the subject site (shaded blue). The registered portion of the land corresponding to 205-211 Queens Parade is subject to an individual Heritage Overlay (HO480), 201-203 and 213-215 Queens Parade and 10-12 Dummett Crescent are subject to HO330 and 6-8 Dummett Street are not subject to the Heritage Overlay.

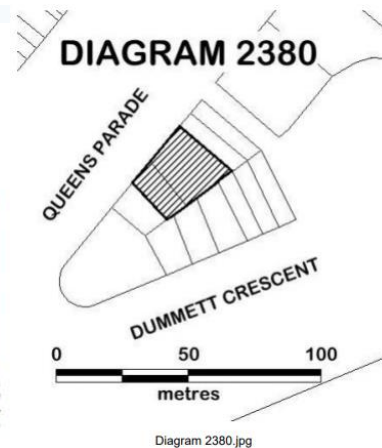


Diagram 2380.jpg

Heritage Victoria permit P36699 was issued on 8 December 2023 for 'partial demolition, reconstruction and new works, involving the construction of a five-storey multi-use development and three basement levels within the extent of the registration'.

Cultural Heritage:	N/A			
Total Site Area:	2,024	m ²		
Gross Floor Area:	16,525	m ²		
6-12 Dummett Crecent Height:	12	Storeys excluding plant		
	38.26	Metres excluding plant		
205-215 Queens Parade Height:	5	Storeys excluding plant		
	17.32	Metres excluding plant		
Land Uses:	Dwellings	Office	Retail	Other
	98	0	780sqm of ground floor retail	0
Parking:	Cars	Motorcycles	Bicycles	
	142	0	143	
Referral Authorities:	Head, Transport for Victoria (s55 – Determining)			
Advice sought:	Yarra City Council			
Public Notice:	Notice of the application was undertaken by the applicant at the direction of the Minister for Planning in the following manner:			
	<ul style="list-style-type: none"> • Sending letters to owners/occupiers of adjoining properties • Placing signs (three) on each of the site frontages. 23 objections have been received as of 16 March 2026			
Delegates List:	Approval to determine under delegation received on 11 03 2026			



Application Process

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

Milestone	Date
DFP Eligibility letter issued	29 May 2025
Application lodgement	19 September 2025
Further information requested	14 October 2025
Further information received	21 November 2025
Decision Plans	Plans prepared by CHT Architects, titled ' Jenkins House, 201-214 Queens Parade & 6-12 Dummett Crescent, Fitzroy North ' and dated 17 November 2025 .
Other Assessment Documents	<ul style="list-style-type: none"> • Planning Report prepared by ProUrban, dated 19 September 2025 • Urban Context Report prepared by CHT Architects, dated November 2025 • BADS Assessment Report, prepared by ProUrban, dated 21 November 2025 • 3D model prepared by CHT Architects, dated August 2025 • Landscape Plan prepared by Ground Landscape Studio Pty Ltd, dated August 2025 • Traffic Impact Assessment prepared by One Mile Grid (OMG), dated 12 November 2024 • Heritage Impact Assessment prepared by Bryce Raworth Pty Ltd, dated August 2025 • Sustainability Management Plan prepared by GIW, dated 15 November 2024 • Waste Management Plan prepared by One Mile Grid, dated 12 November 2024 • Wind Desktop Assessment prepared by Vipac, dated 11 October 2024 • Wind Tunnel Test Results, dated 11 October 2024 • Acoustic assessment prepared by Acoustic Logic dated 28 July 2025; and • Quantity Surveyors Report prepared by Charter Keck Cramer, • Affordable Housing Report prepared by UrbanXchange, dated November 2025

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

Proposal Summary

3. The proposal can be summarised as follows:

Key Information	Details
Proposal:	Demolition of existing buildings (noting heritage fabric at 205-211 Queens Parade is to be retained), use and development of the land for the purposes of a 12-storey residential building, ground floor retail and a reduction in car parking. The specifics of the proposal are detailed below.
Total Site Area:	2,024 m ²
Gross Floor Area:	16,525 m ²
Built Form:	<p>The proposal seeks to construct a single building that presents as two components across 201-215 Queens Parade and 6-12 Dummett Crescent. Specifically, the built form includes:</p> <ul style="list-style-type: none"> • 12-storey (maximum 38.26m) building at 6-12 Dummett Crescent. • 5-storey (maximum 17.32m) building at 205-215 Queens Parade, as approved by Heritage Victoria. .



- 1.5m setback at ground floor to widen the footpath to most of the western side of Dummett Crescent Lane.
- Level 2 setback 8m above heritage façade to Queens Parade, as approved by Heritage Victoria.
- Level 11 (top level) setback a minimum 14m from the western boundary (excluding the balcony of dwelling 1101).

Heritage:

An application for the works to the Former Clifton Motor Hill Garage was approved by Heritage Victoria on 08 December 2023.

The Heritage Victoria permit include permit no. here was approved on 08 December 2023 for:

Partial demolition, reconstruction and new works, involving the construction of a five-storey multi-use development and three basement levels within the extent of registration, generally in accordance with the following documents.

The proposal remains consistent with the approved Heritage Victoria Permit.

For works outside of the VHR extent, these are subject to Heritage Overlay - HO330 which applies to the Queens Parade Precinct, North Fitzroy/Clifton Hill.

Land Uses:

The proposal seeks to use the site for the purpose of a residential building with ground floor retail. Specifically, the development will include:

- Residential building comprising 98 dwellings (ranging from 1 to 3-bedroom dwellings at levels 1 to 11), including 851.5sqm of residential communal area.
- 780sqm of ground floor retail located within the retained heritage building.
-

Car Parking:

A total of 142 car parking spaces provided in four (4) basement level car parks. Access to the basement parking will be provided from a crossover to Dummett Crescent.

Bicycle Parking:

A total of 135 bicycle spaces.

Motorcycle Parking:

0

Loading and Waste arrangements:

Loading

A loading area is proposed on basement level one, capable of accommodating a 6.4 m rear-lift waste collection vehicle (mini-loader)

The applicant confirms that for the retail tenancies, it is expected that the majority of deliveries will occur via small vans and utility vehicles, which can utilise the loading area in basement level one or the existing on-street parking in the area.

In relation to the proposed residential development, loading facilities will only be required for occasional removalist vehicles, which may utilise the existing on-street parking along the sites frontages, or the basement car park for smaller vehicles.

Waste

A private contractor is proposed to manage waste on site.

The development proposes three separate waste storage rooms all within the first basement level of the development, including two waste rooms for residential waste, and one waste room for retail waste. The waste collection vehicle, a 6.4 m rear-lift waste collection vehicle (mini-loader), will enter the basement and prop in the loading area, from where the bins will be transferred directly to the waiting truck for emptying. The bins will be returned to the relevant bin storage area immediately following collection.

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



Figure 1: Proposal as viewed from Queens Parade, including heritage building (north west elevation)



Figure 2: Proposal as viewed from Dummett Crescent (south east elevation)



History

5. An application for the works to the Former Clifton Motor Hill Garage was submitted to Heritage Victoria in 2023.
6. Heritage Victoria permit P36699 was approved on 08 December 2023 for '*partial demolition, reconstruction and new works, involving the construction of a five-storey multi-use development and three basement levels within the extent of registration, generally in accordance with the following documents.*'
7. The proposed heritage demolition and works are as approved by Heritage Victoria, with no further changes required to facilitate the development of the broader site.
8. An extension of time was sought to the Heritage Victoria permit which was approved on 31 July 2025 which allows for works to commence no later than 8 December 2027 and be completed by 8 December 2029. This allows for planning permission to be sought, facilitating the development of the broader site.

Site Description

9. The subject site is located at 201-215 Queens Parade & 6-12 Dummett Crescent, Fitzroy North, which comprises the following property identifiers. The titles have no encumbrances, caveats or notices.
 - Lot. 1 PS434182 (201-203 Queens Parade)
 - Lots 2 & 3 LP6254 (205-211 Queens Parade)
 - Lots 1 & 2 TP580391 (213-215 Queens Parade)
 - Lot 13 LP6254 (6 Dummett Crescent)
 - Lots 1 & 2 TP687904 (8 Dummett Crescent)
 - Lots 10 & 11 LP6254 (10-12 Dummett Crescent)

Buildings and works are proposed over a sewerage easement that occupies the subject site. Report and consent will need to be sought under Regulation 130 (building over easements) of the *Building Regulations 2018*.

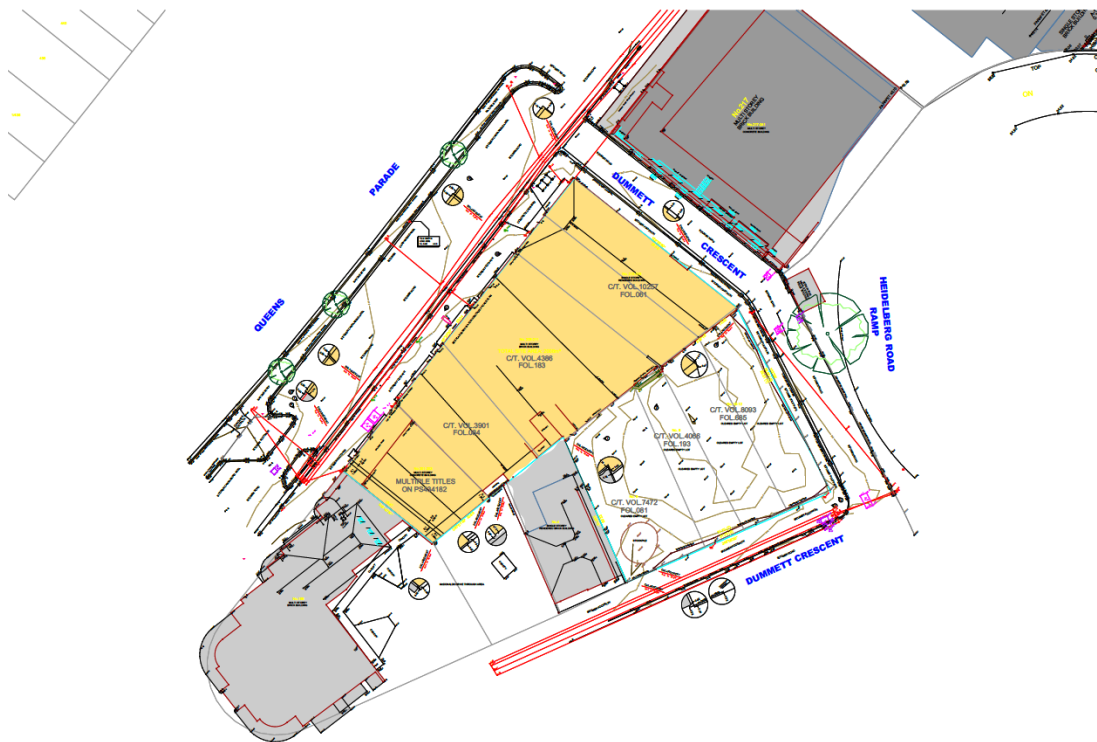


Figure 3: Subject site showing allocation of titles across the land

10. The site is an irregular rectilinear shape, has an approximate total area of 2,024 square metres, and occupies the northern portion of the island of built form created by Queens Parade and Dummett Crescent. The Queens Parade frontage is approximately 53 metres, with a total Dummett Crescent frontage of approximately 90 metres (as formed by the northern-eastern and south-western aspects).
11. The lots fronting Queens Parade are currently occupied by a series of single and double storey brick buildings with built form to the boundaries. Of these, 205-211 Queens Parade occupies the majority of the frontage and houses a retail premises within the Former Clifton Motor Hill Garage, which is included on the VHR as a place of cultural heritage significance to the State of Victoria and identified as H2380 on the VHR. 201-203 Queens Parade currently operates as an existing restaurant, while 213-215 Queens Parade also accommodates a retail premises.
12. The land known as 201-203 Queens Parade, 213-215 Queens Parade, and 10-12 Dummett Crescent forms part of the Queens Parade Heritage Precinct, North Fitzroy/Clifton Hill (HO330) with the buildings graded as non-contributory. The precinct is of aesthetic and historic significance to the City of Yarra.
13. The Dummett Crescent sites at the rear are currently vacant.
14. A single crossover over benefits the site from 213-215 Queens Parade, but does not accommodate vehicle access. A crossover also benefits 6-12 Dummett Crescent.
15. There is no notable vegetation or slope.



Figure 4: Subject sites outlined in black

Site Surrounds

16. The site is located in Fitzroy North within the Queens Parade, Fitzroy North / Clifton Hill Neighbourhood Activity Centre. The site is surrounded primarily by medium-density residential development and open spaces including Raines Reserve, Mayors Park, Coulson Reserve, and the Yarra Bend Park and Merri Creek environs. Surrounding built form includes recently constructed development on sites to the north east which increase in scale from 10-storeys to 14 storeys.
17. Significant nearby land uses include:
 - Queens Parade shopping strip approximately 100 metres south-west of the site.
 - Clifton Hill Railway Station, approximately 200 metres south-east of the site.
 - Collingwood Leisure Centre, approximately 250 metres south of the site.
 - Darling Gardens, approximately 500 metres south of the site.
 - Clifton Hill Primary School, approximately 750 metres south-west of the site.
18. Development surrounding the immediate site can be described as follows:
 - **South-east** - To the immediate south-east, the site abuts Dummett Crescent and the elevated Flyover Heidelberg Road Bridge. Mayors Park and associated recreational facilities are located farther afield. Clifton Hill railway station is accessible via a series of underpasses under Heidelberg Road and Hoddle Street.
 - **North-east** - To the immediate north-east, the site abuts Dummett Crescent. The northern side of the lots fronting Dummett Crescent interface with the elevated Heidelberg Road turnpike which encircles the Heidelberg Road Ramp Reserve, while the northern side of the lots fronting Queens Parade interface with the recently constructed



11-storey Clifton Views Residential Aged Care facility. Farther afield the lots fronting Queens Parade are mostly single-storey warehouse/showroom buildings.

- **South-west** - To the immediate south-west, on Dummett Crescent, the site abuts the Scarlet Lady adult venue in a single storey dwelling. To the immediate south-west on Queens Parade, the site abuts the Clifton Hill McDonalds. The McDonalds operates in the former United Kingdom Hotel building, which is included on the VHR as a place of cultural heritage significance to the State of Victoria. The drive-through for this venue is located on Dummett Crescent. Raines Reserve is located farther afield.
- **North-west** - To the immediate north-west, the site abuts the Queens Parade Service Road which services the four-lane Queens Parade transport corridor. The corridor contains an isolated centrally located tramline. The opposite site of Queens Parade comprises Victorian and Edwardian-era single- and double-storey residential dwellings.

19. Site photos showing the subject site and surrounds are provided at Appendix 2.



Municipal Planning Strategy

20. 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	<i>Settlement: Neighbourhood activity centres of Queens Parade, Fitzroy North/Clifton Hill, Gertrude Street, Fitzroy, Heidelberg Road, Alphington, Johnston Street, Fitzroy/Abbotsford, Nicholson Street, Fitzroy North, St Georges Road, Fitzroy North and Rathdowne Street, Carlton North, which provide access to local goods, services and employment opportunities to serve the needs of the surrounding community.</i>
02.03-3	<i>Environmental risks and amenity: Yarra will continue to help mitigate greenhouse gas emissions and increase climate resilience of the city by planning for sustainable development. A highly sustainable urban fabric, both in the public and private realm, will help preserve Yarra's vibrant and liveable places.</i>
02.03-4	<i>Built environment and heritage: A key challenge in planning for growth is the need to accommodate new development that is sensitive to the context of the area which includes heritage significance, character and scale of the surrounding area. This needs to be balanced with opportunities to allow for new built form character in major regeneration areas such as Alphington Paper Mill, the former Gasworks site in Fitzroy North and south-west Cremorne (south of Gough Street).</i>
02.03-5	<i>Housing: Yarra will continue to manage the scale, intensity and form of residential growth. This will continue to differ across the municipality depending on the capacity of sites to accommodate housing growth and the physical and strategic context of each site.</i>
02.03-6	<i>Economic Development: Yarra has capacity for employment growth and is committed to supporting this growth in its employment areas in preference to residential development in these areas. There is an identified need to manage pressure for residential conversion of employment land to protect opportunities for economic growth.</i>
02.03-7	<i>Transport: Yarra is well positioned to facilitate the use of sustainable modes of transport, however increased car use and parking demand continues to create pressure and congestion, not just for cars but for other transport modes using the road system. The competition for the limited physical space within streets is an ongoing issue.</i>
02.03-8	<i>Infrastructure: Infrastructure is required to cater for Yarra's growing population and the consequential increased demand on infrastructure.</i>
02.03-9	<i>Open space: Open spaces make a significant contribution to the distinctive character and amenity of neighbourhoods in Yarra. They provide passive and active recreation, contribute to the city's tree canopy, and possess cultural values in places of post-contact and indigenous heritage.</i>

Planning Policy Framework

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

Clause 11	Settlement
11.01-1S	<i>Settlement: To facilitate the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.</i>
11.02-1S	<i>Supply of Urban Land: To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.</i>
Clause 13	Environmental Risks and Amenity
11.01-1R	<i>Contaminated and Potentially Contaminated Land</i>
13.05-1S	<i>Noise Management: To assist the management of noise effects on sensitive land uses.</i>
13.06-1S	<i>Air Quality Management: To assist the protection and improvement of air quality.</i>
13.07-1S	<i>Land Use Compatibility: To protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.</i>
13.07-1L-01	<i>Interfaces and amenity: To provide a reasonable level of amenity to new residential development within or adjacent to land in commercial and industrial zones.</i>



Clause 15		Built Environment and Heritage
15.01-1S	<i>Urban Design: To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.</i>	
15.01-1R	<i>Urban design – Metropolitan Melbourne: To create a distinctive and liveable city with quality design and amenity.</i>	
15.01-1L	<i>Urban Design: Relevant strategies include: Public Realm</i> <ul style="list-style-type: none"> • Wind • Weather protection • Projections over a public realm • Development adjoining land in a Heritage Overlay • Laneways • Boulevards 	
15.01-2S	<i>Building Design: To achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.</i>	
15.01-2L-01	<i>Environmentally Sustainable Development: To achieve best practice in environmentally sustainable development from the design stage through to construction and operation.</i>	
15.01-4R	<i>Healthy Neighbourhoods – Metropolitan Melbourne: Create a city of 20 minute neighbourhoods, that give people the ability to meet most of their everyday needs within a 20 minute walk, cycle or local public transport trip from their home.</i>	
15.03-1S	<i>Heritage Conservation: To ensure the conservation of places of heritage significance.</i>	
15.03-1L	<i>Heritage: To conserve and enhance Yarra's natural and cultural heritage and to preserve the scale and pattern of streetscapes in heritage places.</i>	
Clause 16		Housing
16.01-1S	<i>Housing Supply: To facilitate well-located, integrated and diverse housing that meets community needs.</i>	
16.01-1S	<i>Housing Supply – Metropolitan Melbourne: Manage the supply of new housing to meet population growth and create a sustainable city by developing housing and mixed use development opportunities in locations that are:</i> <ul style="list-style-type: none"> • In and around the Central City. • Urban-renewal precincts and sites. • Areas for residential growth. • Areas for grey field renewal, particularly through opportunities for land consolidation. • Areas designated as National Employment and Innovation Clusters. • Metropolitan activity centres and major activity centres. • Neighbourhood activity centres - especially those with good public transport connections. • Areas near existing and proposed railway stations that can support transit-oriented development. 	
16.01-1L	<i>Location of Residential Development: To encourage new housing development to locations in a major or neighbourhood activity centre or major regeneration area as shown in clause 02.04 (Strategic Framework Plan).</i>	
16.01-1L-01	<i>Housing Diversity: Support well designed apartment development in high and moderate change areas as shown in the figures in clause 16.01-1L which include:</i> <ul style="list-style-type: none"> • A diverse range of housing types. • The provision of larger dwellings suitable for families and shared households particularly on the lower levels of the building and the ground floor, with good access to well-designed communal open space. • External spaces and large common rooms that promote social interaction as well as shared break out spaces and quiet areas 	
16.01-2L	<i>Housing Affordability: To facilitate the provision of affordable housing and social housing (public and affordable community housing), including new social housing and upgrades to existing social housing.</i>	
Clause 17		Economic Development
17.01-1S	<i>Diversified Economy: To strengthen and diversify the economy.</i>	
17.01-1L	<i>Employment: Support development that provides high quality amenity for workers.</i>	
17.02.1S	<i>Business: To encourage development that meets the community's needs for retail, entertainment, office and other commercial services.</i>	
17.02.1L	<i>Retail: Encourage improvements to shop fronts and retail premises to improve the quality and appearance of the built environment in activity centres.</i>	
Clause 18		Transport

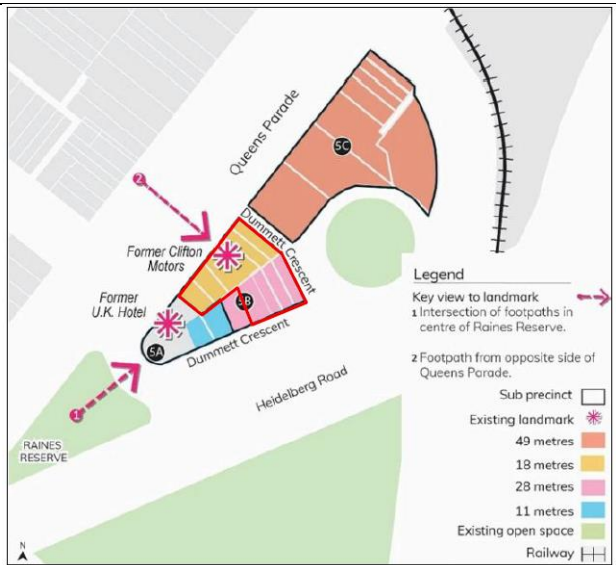


18.02-1L	<i>Walking: To improve the walking network and create high-quality pedestrian environments.</i>
18.02-2S	<i>Cycling: To facilitate an efficient and safe bicycle network and increase the proportion of trips made by cycling.</i>
18.02-2L	<i>Cycling: To improve cycling infrastructure and encourage cycling as an alternative mode of transport for people of all ages and abilities.</i>
18.02-4L-01	<i>Car Parking: To ensure car parking is supplied and managed consistent with promoting travel by sustainable modes.</i>
Clause 19	Infrastructure
19-03-3S	<i>Integrates Water Management: To sustainably manage water supply and demand, water resources, wastewater, drainage and stormwater through an integrated water management approach.</i>
19-03-3L	<i>Water Sensitive Urban Design: To achieve the best practice stormwater quality.</i>
19-03-3L	<i>Waste: Make provision for waste and recycling in new development, including separation, storage and collection facilities and facilities for composting.</i>

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

Planning Controls

Clause	Permit trigger
Zones and Overlays	
Clause 32.04 – Mixed Use Zone (MUZ)	<p><u>Permit required.</u></p> <p>Use</p> <ul style="list-style-type: none"> Pursuant to Clause 32.04-2 to use the site for a retail premises. <p>Buildings and Works</p> <ul style="list-style-type: none"> Pursuant to Clause 32.04-7 to construct two or more dwellings on a lot. Pursuant to Clause 32.04-10 to construct a building or construct or carry out works for a Section 2 use.
Clause 43.01 – Heritage Overlay (HO330 and HO480)	<p><u>Permit required.</u></p> <p>Demolition</p> <ul style="list-style-type: none"> Pursuant to Clause 43.01-1 to demolish or remove a building. <p>Buildings and works</p> <ul style="list-style-type: none"> Pursuant to Clause to 43.01-1 to construct a building or construct or carry out works. <p>HO480 refers to the Former Clifton Hill Motor Garage which is included on the VHR (VHR Ref. H2380) Pursuant to Clause 43.01-2 and 43.01-3 a planning permit is not required for a place on the VHR, with VHR places subject to the requirements of the <i>Heritage Act 2017</i>.</p>
Clause 43.02 – Design and Development Overlay – Schedule 16 (DDO16 – Precinct 5B)	<p><u>Permit required.</u></p> <p>Buildings and Works</p> <ul style="list-style-type: none"> Pursuant to Clause 43.02-2 to construct a building or construct or carry out works. <p>The subject site is located within Precinct 5B – North Eastern Precinct and is outlined red in the below precinct map.</p>



The below table includes preferred and mandatory height requirements for the subject site.

Table 5 – Street wall height, building height and setbacks for Precincts SA, SB and SC

Built form	Mandatory requirement	Preferred requirement
Precinct SB		
Maximum building height	201-215 Queens Parade - 18 metres	Elsewhere - 28 metres
Maximum street wall height	201-215 Queens Parade (including the frontage to north-east boundary to Dummett Crescent for distance of 8m) - no higher than the parapet height of the former Clifton Motor Garage and the eaves line of the former UK Hotel Beyond a distance of 8m from the corner of Queens Parade, the street wall height along the north-east boundary of 215 Queens Parade - no higher than 11m	4-10 Dummett Crescent (including the frontage to north-east boundary to Dummett Crescent) - 11 metres
Maximum street wall setback	0 metres - built to the boundary	None specified
Minimum upper level setback	201-215 Queens Parade - 8 metres from Queens Parade	Elsewhere - 6 metres
Minimum side and rear setbacks	None specified	For upper levels, where a habitable room window is proposed: <ul style="list-style-type: none"> 4.5 metres from the common boundary or from the centre line of the laneway. For upper levels, where a non-habitable room window or commercial window is proposed: <ul style="list-style-type: none"> 3 metres from the common boundary or from the centre line of the laneway.

Clause 43.05 – Environmental Audit Overlay (EAO)

No permit required.
 Both 201-215 Queens Parade and 6-12 Dummett Crescent are affected by the EAO. While no permit trigger applies to the EAO, prior to the commencement of a sensitive use (residential use, child care centre, pre-school centre or primary school) or buildings and works associated with a sensitive use, 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 made that the land is appropriate for a sensitive use.

 Remediation works have been undertaken on the land at 6-12 Dummett Crescent and confirmation provided that all contaminated soils on the site have been removed. For the properties at 201-215 Queens Parade, the applicant has requested that an environmental audit condition be included as part of any future planning permit issued on the land and before any sensitive use commences on the site.

Clause 45.06 - Development Contributions Plan Overlay – Schedule 1 (DCPO1)

No permit required.
 The proposed development would be subject to a levy under DCPO1.

Particular Provisions



<p>Clause 52.06 – Car Parking</p>	<p><u>No permit required</u> Pursuant to Clause 52.06-2, a permit is required to:</p> <ul style="list-style-type: none"> • Reduce the number of car parking spaces required under Clause 52.06-5, or in a schedule to the Parking Overlay • Provide more than the maximum parking requirement specified in clause 52.06-5 or in a schedule to the Parking Overlay. <p>As the subject site is situated within Category 4 of the <i>Car Parking Requirement Maps</i>, a maximum car parking rate applies. The statutory limit is 2 spaces per dwelling and 1 space per shop. Based on the proposal, the maximum spaces allowed for the dwellings is 196, and the maximum for the retail premises is 4. The development is proposing 142 spaces, which is within the statutory limit.</p>
<p>Clause 52.34 – Bicycle Parking</p>	<p><u>No permit required.</u> 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. A statutory requirement of 35 bicycles spaces is required in accordance with Clause 53.34-5. The development proposes 134 bicycle spaces.</p>
<p>Clause 53.18 – Stormwater Management in Urban Development</p>	<p>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.</p>
<p>Clause 53.23 - Significant Residential Development with Affordable Housing</p>	<p>The application has been submitted under Clause 53.23 (Significant Residential Development with Affordable Housing). Clause 53.23 seeks to facilitate residential development that incorporates affordable housing to meet existing and future needs.</p> <p>The proposed development was confirmed as eligible under Category 1 of Clause 53.23 of the Yarra Planning Scheme as part of the Development Facilitation Process. It is proposed to provide an affordable housing contribution in the form of 10 per cent of the total number of dwellings in the development for the purpose of affordable housing</p>
<p>Clause 58 – Apartment Developments</p>	<p>Clause 58 provisions 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 MUZ</p>



Referrals

24. The application was referred to the following groups:

Type	Provision	Organisation	Response and date received
Section 55 Referral – Determining	Clause 66.02-11 An application to subdivide land, to construct a building or to construct or carry out works for a residential development comprising 60 or more dwellings or lot.	Head, Transport for Victoria	3 November 2025 – no objection subject to conditions

Municipal Council Comments

25. The **Yarra** City Council (the council) considered the application at their committee meeting on **9 December 2025**.

26. The council determined: to object to the application for the following reasons. The Council also provided without prejudice conditions:

- *The proposed height, setbacks, massing and design of the building does not comply with the objectives and design requirements of Design and Development Overlay (Schedule 16-5) or the heritage objectives at Clauses 43.01 and Clause 15.03; and*
- *The proposal would result in poor internal amenity (daylight) outcomes to the apartments contrary to Clause 15.01 and Clause 58.*

27. The application was informally referred to Heritage Victoria, who confirmed that the proposal is generally in accordance with the Heritage Permit P36699.

Notice

28. 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:

- Clause 32.04-14 in the Mixed-Use Zone
- Clause 43.01 in the Heritage Overlay.

29. The applicant was directed to give notice by way of erecting three (3) signs on each of the site frontages and notifying adjoining property owners and occupiers.

30. 23 objections were received, raising the following issues:

- Contrary to DDO16 objectives, particularly regarding height.
- At odds with previous ministerial direction for the site and the findings of the panel appointed for planning scheme amendment C231.
- Impacts on heritage fabric, particularly the former United Kingdom Hotel and Clifton Motors Garage buildings.
- Adverse amenity impacts including overlooking, overshadowing and visual bulk.
- Impacts on street parking.

31. A full assessment of these issues is provided below. Subsequent to the findings of the panel hearing and ultimate gazettal of C231, housing delivery in well serviced locations has become a primary strategic planning policy focus as articulated in Plan for Victoria and Victoria's Housing Statement, The Decade Ahead 2024-2034.

Key Considerations

32. The following are deemed the key considerations in assessing the acceptability of the proposal:

- Strategic direction / policy support
- Land use
- Built form including DDO16 response
 - Clause 58 compliance
- Heritage
- Car parking, bicycle facilities, loading and waste

Strategic Direction / Policy Support

33. 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-served 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.

34. 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).

35. Clause 16.01-1R seeks to deliver housing in locations within close proximity to services, jobs and public transport. The site has excellent access to public transport, including the route 86 Tram, Clifton Hill rail station, and multiple bus services. These services provide efficient access to the CBD and surrounds, while the Queens Parade Neighbourhood Activity Centre provides key services in close proximity.

36. Clause 16.01-1L Location of Residential Development seeks to encourage new housing development to locations in a major or neighbourhood activity centre or major regeneration area as shown in clause 02.04 (Strategic Framework Plan). The site is identified as **high-change area** on the Strategic Housing Framework Plan – Fitzroy North and Clifton Hill.



Figure 5: Strategic Housing Framework Plan – Fitzroy North and Clifton Hill – Subject site outlined in red



37. 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.

Land Use

38. The Planning Policy Framework encourages appropriate land use and development which enhances the built environment, supports economic growth, meets the community expectations on retail and commercial provision, delivers diversity in housing supply to meet existing and future needs, and integrates transport and infrastructure planning.
39. The proposal includes ground floor retail premises with dwellings above. Dwellings are a Section 1 use that do not require planning approval, whilst a retail premises is a Section 2 use that requires a planning permit.
40. The proposed use of the land for a retail premises meets the purpose of the MUZ, which (among other things) seeks to *provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.*

Built form including DDO16 response.

Building height

41. In accordance with the requirements for Precinct 5 at DDO16, the subject site has a mandatory maximum height of 18 metres along Queens Parade and a preferred maximum height of 28 metres along Dummett Crescent. Additionally, street wall heights along Queens Parade must align with the parapet and eaves of the former Clifton Motor Garage and former United Kingdom Hotel respectively. These heights are illustrated in Figure 6.

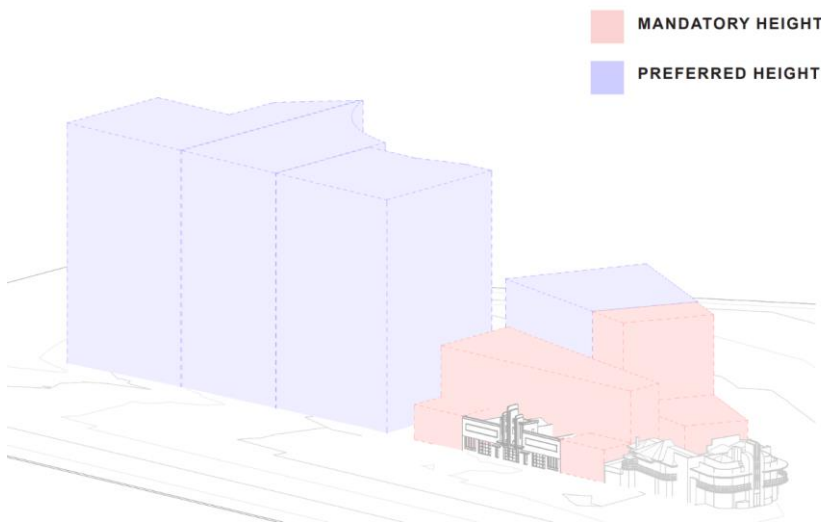


Figure 6: Mandatory and preferred heights – subject site and site to the north-east ?

42. The proposal complies with the mandatory heights along the Queens Parade frontage, while exceeding the preferred heights of 28 metres along the secondary Dummett Crescent frontages by approximately 12 metres (3 storeys plus services).
43. Additionally, the preferred street wall height for Dummett Crescent is 11 metres, which is also exceeded by 29 metres.
44. The proposed building height is considered acceptable with respect to planning policy at Clauses 15.01-2S, 15.01-5L and the decision guidelines of DDO16 as follows:

- a) As demonstrated in the applicant's Design Response, the proposal provides an appropriate transition in building height from the low scale former United Kingdom Hotel to the adjacent medium rise-built form, creating a stepped built form as shown in Figure 7.

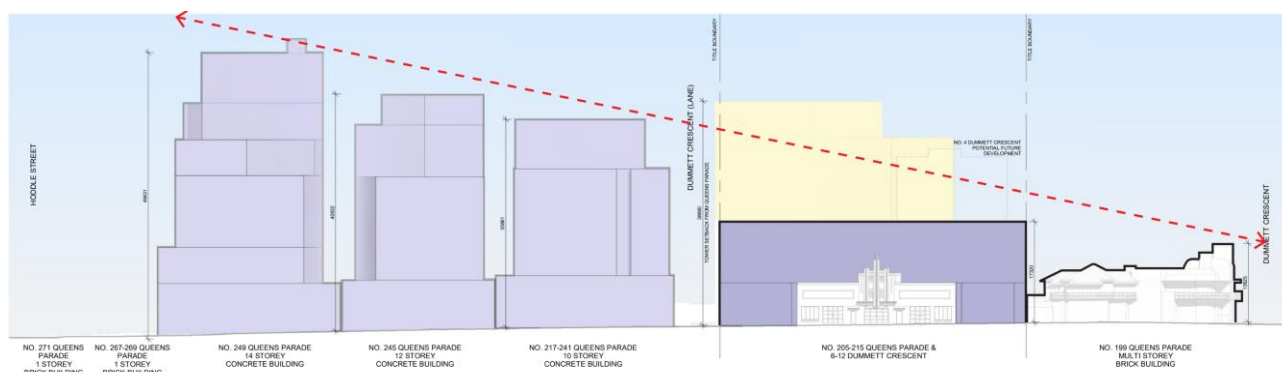


Figure 7: Contextual elevation

- b) The proposed podium feature along Queens Parade has been designed to ensure that the prominence of the former UK Hotel and the former Clifton Motors Garage is protected, with the height of the street wall matching the parapet and eave details of these heritage significant buildings, satisfying the Design Objective at Section 1 of DDO16. Additionally, the issuing of the Heritage Permit P36699 by Heritage Victoria, reinforces the appropriateness of this built form response.
- c) While the 12-storey tower exceeds the preferred height limit, it is a comparable building height to the three recently constructed buildings to the east. Furthermore, the higher building component's generous setback of approximately 20 to 28 metres from Queens Parade ensures it appears as a secondary and recessive built form. This is further achieved through the use of contrasting facade materials.
- d) Additionally, Dummett Crescent provides minimal sensitive interfaces, notably, key interfaces to the south are Heidelberg Road (elevated adjacent to the site) and Hoddle Street. This significant amount of road interface, particularly in the form of multi-lane arterial roads, and absence of any low scale residential areas, ensures limited amenity impact satisfying the design objective at Section 1 of DDO16.
- e) Mayors Park is located south of Heidelberg Road, and is over 60 metres from the subject site, which will ensure amenity impacts to the park are minimised.
- f) While the Aged Care facility at 217-241 Queens Parade is a sensitive interface, its position northeast of the subject site will limit amenity impacts (e.g. overshadowing). While outlooks to the southwest, particularly any habitable rooms in the south east corner of the Aged Care facility, will be impacted, the building separation to the Aged Care facility of approximately 9 metres are acceptable. Further, some outlook will be provided over the podium feature.
- g) For the above reasons, Yarra City Council's condition, requiring the removal of three storeys, is not deemed necessary.

Setbacks

45. DDO16 stipulates mandatory street wall heights and setbacks from Queens Parade to protect the visual prominence of the former Clifton Motor Garage and former United Kingdom Hotel. The proposal has implemented these mandatory setbacks ensuring that the significance of the heritage building is respected and the 5 storey podium appears recessive along the Queens Parade elevation as shown in **Error! Reference source not found.**

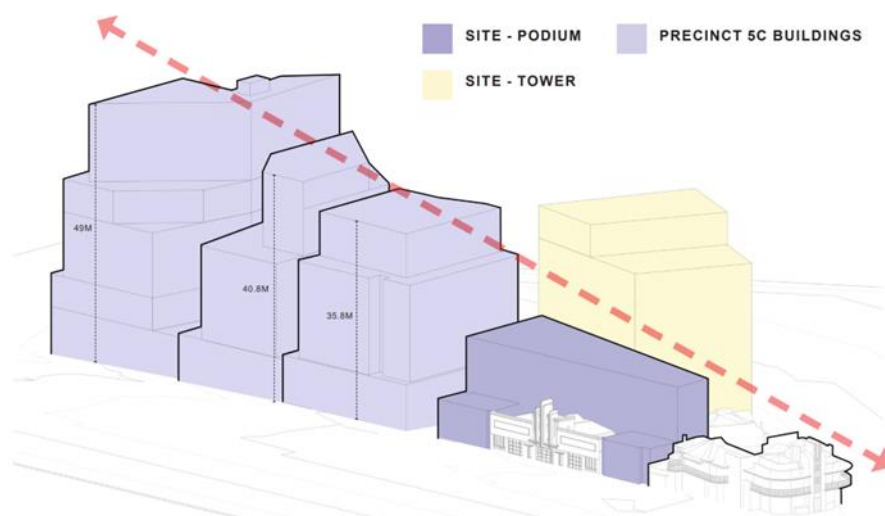


Figure 8: Proposed building envelope

46. The zero setback to Queens Parade at ground level is appropriate for the retail premises and reflects the current built form and is representative of the Queens Parade shopping strip.
47. The Queens Parade street wall has been extended around the corner onto Dummett Crescent Lane for 8 metres, before transitioning to the taller podium element, satisfying the corner site requirement at Section 2.5 of DDO16.
48. Individually, the tower and podium features have limited upper floor setbacks to ensure the development does not appear repeatedly stepped. With the two independent built forms and material selection providing for a visually recessive built form.
49. The 12 storey tower component of the development proposes no upper floor setback from Dummett Crescent. As discussed above, this built form along Dummett Crescent is considered acceptable within the context. At ground floor, along the lane section of Dummett Crescent, a 1.5m to 2m setback has been proposed to provide an improved pedestrian environment, with the built form cantilevered above.
50. While DDO16 seeks building separation which provides for equitable development of adjoining properties, the proposal has provided no setback to 4 Dummett Crescent, up to Level 8. Along with a blank walls, this provides for equitable development, allowing the narrow site at 4 Dummett Crescent to also construct to boundary, at least to the preferred precinct height of 28 metres, without impacting on the amenity of the proposed development. A condition has been included to amend Apartments 904 and 905 of Level 09 to match the setbacks of Apartments 1004 and 1005 of Level 10 improving equitable development opportunities for the adjoining site.

Detailed Design

51. The proposal is supported by a Design Response, which details how the proposal has implemented a material palette which borrows from adjacent building materiality to provide a contextual response without imitating the heritage fabric.
52. The former Clifton Motors Garage has been incorporated into the Queens Parade façade, with the distinctive vertical fin remaining a prominent freestanding element, as required by DDO16.
53. DDO16 stipulates that development should '*adopt a street wall height for new development adjacent to the former United Kingdom Hotel that respects the facade height of the former hotel,*' as discussed above, façade heights have been implemented that reflect the adjoining heritage buildings.



54. The built form is broken into two distinct building elements, the podium and the tower, each with varied heights, massing and materials. This approach allows the overall mass to be visually articulated, while still maintaining a cohesive and orderly architectural expression across the development.
55. DDO16 seeks to ensure that equipment and services are not visually intrusive. The ground floor substation has been treated with the same façade detailing as the basement entry to assist it blend into the façade. Air conditioning units are either screened on balconies or confined to the top floor, setback to limit direct views.
56. DDO16 discourages the introduction of vehicle crossovers to Queens Parade, seeking vehicle access be provided from side streets or laneways. The proposal satisfies this objective, with access being provided from Dummett Crescent. Furthermore, vehicle access has been designed to limit the potential for conflict between vehicles and pedestrians. A condition has been included requiring the plans be amended with sight triangles to ensure pedestrian safety.
57. The ground floor entrances and retail spaces are oriented to the street providing for passive surveillance opportunities, improving the public realm.
58. The proposal was reviewed by DTP's urban design team, who recommended that:
- a) The extent of floor to ceiling glazing to Dummett Crescent be reduced
 - b) The Dummett Crescent interfaces deliver a visually rich and engaging pedestrian experience, which may involve incorporating elements like stall-risers, pilasters, window mullions, integrated planting, etc
- The applicant submitted revised plans as part of their RFI response that show reduced floor to ceiling glazing and additional detailing to improve these interfaces.
59. A condition has been included on the permit to improve the blank walls of the south-west elevation, reduce perceived bulk and improve visual interest (e.g. through the use of fluted/patterned panels, panel shapes, murals or similar).

Clause 58

60. The assessment against Clause 58, detailed at Appendix A, confirms that the proposed development is able to meet all relevant objectives and most standards other than those outlined in detail below:

Standard D10 (Landscaping objectives)

61. Standard D10 requires a total canopy cover of 258m² and 204m² of deep soil. The proposal provides no deep soil plantings with a nominal 55.1sqm of canopy cover proposed. Within the context and given site constraints, particularly the heritage fabric that must be retained and responded to, and the siting of street walls along the secondary frontages, the lack of deep soil planting is acceptable. While minimal, the proposed landscaping within the development will provide some greening.

Given the lack of landscaping within the site, a condition requested by Yarra City Council to provide street trees (at the applicant's expense) has been included.

Standard D14 (Building setback objectives)

62. Standard D14 has been assessed as being complied with. However, Yarra City Council requested a condition be included to require overlooking sectional diagrams be provided to demonstrate views into 217-241 Queens Parade are not unreasonable. DTP has determined that this condition is not warranted, noting that the setback from these windows is approximately 9 metres over Dummett Crescent Lane and is partly obscured by the building façade of 217-241 Queens Parade (see Figure 9).



Figure 9: 217-241 Queens Parade

Standard D15 (Internal views)

63. Dwellings 107 and 508 are subject to overlooking from the dwellings above, with greater than 50% of the balconies within view. The balconies are generous in size at 137m² and 49m² respectively. Given that only two dwellings are impacted, and with these dwellings still enjoying an area greater than the minimum balcony size not impacted by overlooking, the variation is acceptable.

Heritage

Demolition

64. The subject site is affected by two heritage overlays, HO330 and HO480 (see Figure 10), the latter of which is included on the VHR, and includes the former Clifton Motors Garage building. Heritage Victoria issued permit P36699 on 8 December 2025 for *partial demolition, reconstruction and new works, involving the construction of a four-storey multi-use development and three basement levels within the extent of registration*. The Heritage Victoria plans and permit are generally consistent with the proposal.



Figure 10: Heritage Overlays extents



65. HO330 refers to the Queens Parade Heritage Precinct and includes the land known as 201-203 Queens Parade, 213-215 Queens Parade and 10-12 Dummett Crescent. The proposal includes the complete demolition of the buildings on Queens Parade in HO330, while 10-12 Dummett Crescent is currently vacant. This land and the accompanying buildings are graded as non-contributory, and the proposed demolition is supported by policy at Clauses 15.03-1S and 15.03-1L which seeks to protect significant and contributory buildings, with demolition of non-contributory buildings, accompanied by an appropriate development proposal, potentially being supported.

Buildings and works

66. The proposed buildings and works have been designed to complement and retain the visual prominence of the former Clifton Motors Garage and adjacent former United Kingdom Hotel building. While these buildings are included on the VHR, and don't form part of HO330, the built form response to these building assists in assessing the proposal, given the absence of any other contributory/significant buildings within the adjacent area.
67. Street wall heights along the Queens Parade frontage align with the parapet and eave heights of Clifton Motors Garage and adjacent former United Kingdom Hotel building, retaining the existing street wall appearance. Furthermore, material selection for this frontage is a neutral grey, which will help the built form appear recessive, compared to adjacent heritage fabric.
68. The Queens Parade podium has an 8m setback above the street wall, before extending up to 5 storeys (see Figure 11). This setback and limited height will further assist in making the built form appear recessive to the adjacent heritage fabric.

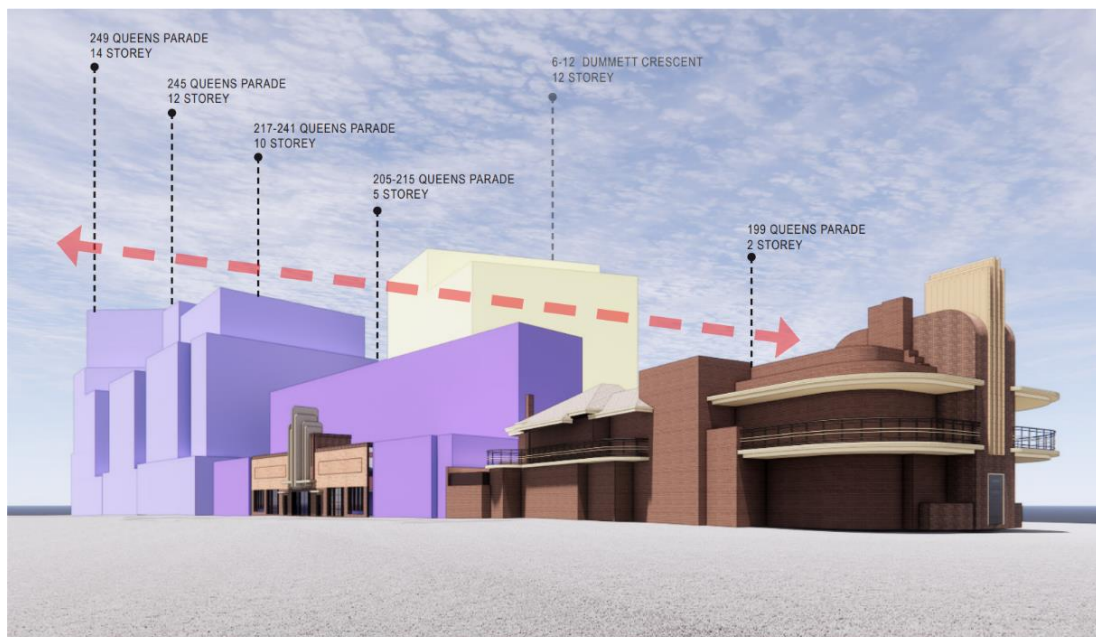


Figure 11: Proposed podium (deep purple) and tower (yellow) in the context of VHR places.

69. The proposed 12 storey tower sits behind the podium, with frontages to streets that are not within the heritage precinct. This positioning helps to ensure it appears as being within an existing high-rise context, rather than a heritage context.
70. The application is supported by a Heritage Impact Statement, prepared by Bryce Raworth. The report found that:

The proposed works at 201-203 and 213-215 Queens Parade and 6-12 Dummett Street have been prepared with appropriate regard for the historic and aesthetic significance of the Queens Parade Precinct, HO330. The scheme provides respectful new infill interfaces to Queens Parade flanking the registered former Clifton Motor Garage and United Kingdom Hotel, and to the corner return to Dummett Crescent Lane, as reflected in Heritage Victoria's permit decision P36699. The upper level portions of

the development located behind incorporate the recommended setbacks of the DDO, and otherwise provided a well resolved, visually neutral and compatible backdrop to the retained heritage elements. The proposed new built form as a whole represents a considered and balanced outcome having consideration for the objectives and design guidelines of Clause 43.01, and the associated heritage policies provided within Clause 15.03 of the Yarra Planning Scheme, as well as broader urban planning considerations.

71. While this application must be assessed on its own merits, the issuing of the Heritage Victoria permit demonstrates that the proposal, insofar as it relates to the HO, provides an appropriate response to the VHR places.

Car and Bicycle Parking, Loading, and Other Services

Car Parking

72. VC277 was gazetted 18 December 2025 and introduced amended car parking requirements to align car parking rates with demand and reduce the number of car parks required in locations well-served by public transport. These locations are identified via four categories on the Car Parking Requirement Maps. The subject site is located within Category 4, which imposes a maximum car parking rate.
73. The following car parking rates are relevant to the application:

Use	Rate	Maximum amount allowed	Amount Provided
Dwelling	Maximum 2 spaces to each dwelling	196	The development proposes 142 car spaces, which is within the statutory limit.
Retail Premises	Maximum 1 space to each 100m ² of leasable floor area	7	

Design Standards for Car Parking

74. The TIA concludes that the car parking spaces comply with Design Standard 2. A condition has been included on the permit to ensure that there is DDA compliant access from the disabled car parking spaces to the lift cores.
75. Yarra City Council requested a condition be included requiring the endorsement of a parking management plan to ensure all parking facilities are allocated and managed appropriately. This condition is considered appropriate to ensure this outcome, and has been included on the permit.

Access, Traffic Movement and Circulation

76. The proposal includes vehicle access to the proposed basement levels via Dummett Crescent. The TIA concludes that the parking layout and vehicle access arrangements accord with the requirements of the Yarra Planning Scheme, Australian Standards (where relevant) and current practice. Yarra City Council's requested condition stipulating the required gradient of the ramps and headroom clearance has been included on the permit.

Bicycle Facilities

77. Clause 52.34-1 of the Yarra Planning Scheme requires bicycle parking facilities as follows:

Proposed Use	Purpose	Bicycle Parking Rate	No. of Spaces Required	No. of Spaces Provided
Dwelling	Resident	1 space / 5 dwellings	20	122
	Visitor	1 space / 10 dwellings	10	22*



Shop	Employee	1 space to each 300m ² of leasable floor area	3	12
	Customer	1 space to each 500m ² of leasable floor area	2	22*
Total			35	134

* 22 on street bicycle spaces proposed to be shared between visitors and customers.

78. Bicycle parking facilities for residents and employees are provided in two locations at ground floor, and exceed the statutory requirement as detailed above. Visitor/customer parking is proposed to be accommodated along each street frontage, in four separate locations.
79. The bicycle parking allocated to the retail premises is accessible from a back of house entry off Dummett Crescent, with direct access to the main lobby. Bicycle parking allocated to residents is accessible from the second entry from Dummett Crescent with direct access to the main lobby. Yarra City Council requested a condition be included to relocate the ground floor resident/employee bicycle parking to a more accessible location, the current location is considered appropriate as detailed above, and this condition is not warranted.
80. Clause 52.34 does not require the provision of end of trip facilities as less than 5 employee spaces are required under Clause 52.34-1.

Waste

81. A waste management plan has been provided. Overall, it is proposed to utilise a private contractor to manage the collection and disposal of all waste streams associated with the development. The proposal includes:
- Three separate waste storage rooms all within the first basement levels of the development, including two waste rooms for residential waste and one waste room for retail waste.
 - The basement has been designed to accommodate a 6.4m rea-life ?? waste collection vehicle (mini loader).
 - Waste chutes located on each floor of the development, and smaller bins to accommodate glass and organics waste in the waste chute rooms. The Owner's Corporation/a building manager will be responsible for rotating bins within the bin storage room to ensure the bins do not overflow.
 - Smaller bins will be placed throughout the retail tenancies to ensure the separation of garbage and recyclables at the time of disposal. Staff or the appointed cleaning contractor will be responsible for emptying these bins into the larger bins at the collection location.

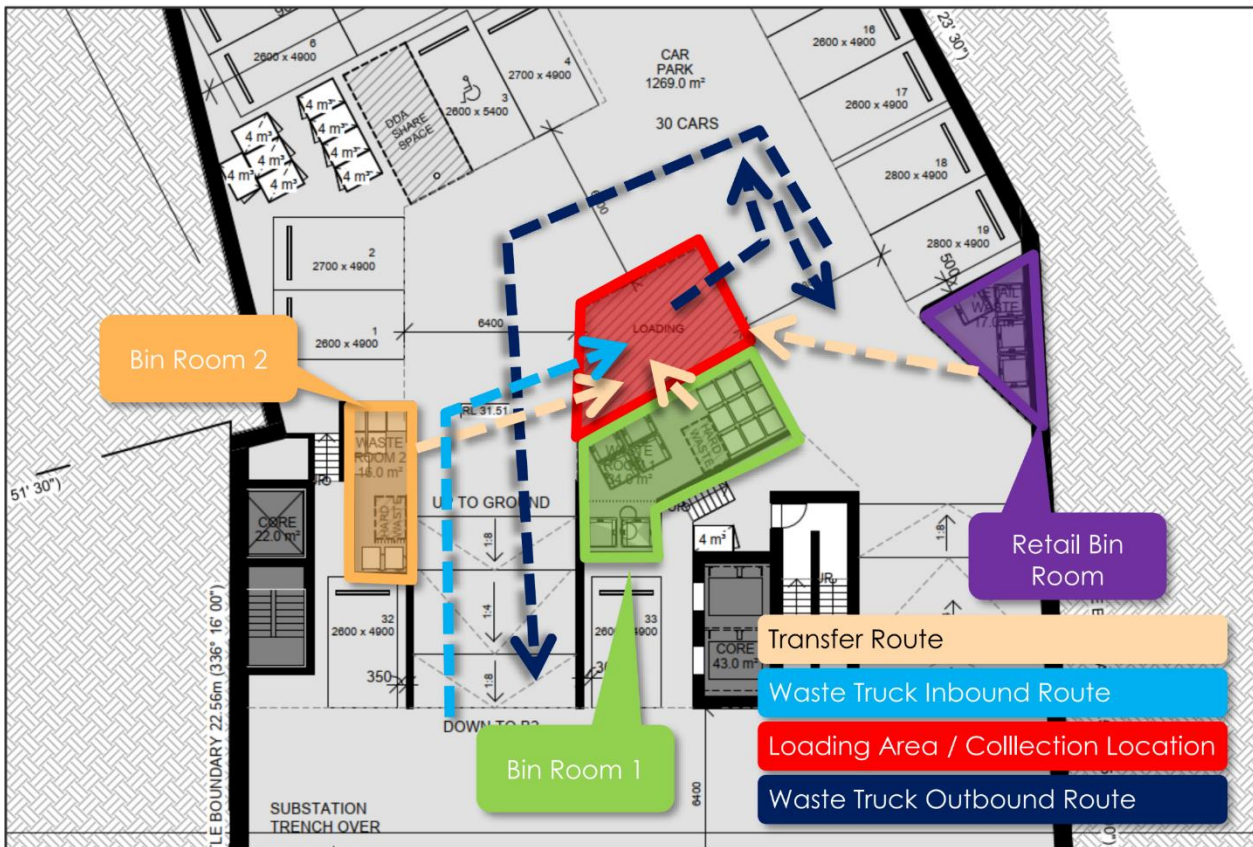


Figure 12: Waste storage/collection configuration

82. Both Council and DTP are satisfied with the proposed waste management arrangements are in accordance with Clause 19.03-5L and Clause 58.06-3. As a result, standard conditions have been included within the recommendation to require the endorsement of the waste management plan consistent with the Condition 1 plans and the mandatory collection of waste by a private contractor will be included within the condition. Also all waste should be stored and collected on-site.

Amenity and Microclimate

Noise

83. The application is supported by an acoustic report prepared by Acoustic Logic, dated 28 July 2025. The report provides a necessary assessment against the relevant EPA guidelines and makes recommendations and conclusions with respect to acoustic treatments, including suitable noise barriers around rooftop mechanical services platforms and external terraces. A condition has been recommended requiring the implementation of the recommendations from the report.

Wind

84. The application was supported by a Wind Impact Assessment prepared by Vipac Engineers and Scientists Limited, dated 11 October 2024. A request was made for this assessment to be supported by wind tunnel modelling. A Pedestrian Level Winds – Wind Tunnel Test report, prepared by Vipac Engineers and Scientists, dated 30 January 2026. The supplementary wind modelling tests found that the conditions within the development would be within walking and standing comfort levels. No wind mitigation recommendations were made.

Public Realm

Public interfaces

85. The proposal includes a ground floor setback from Dummett Crescent Lane of 1.5 metres to improve the pedestrian environment. Yarra City Council recommended that a condition be included to extend this setback to Queens Parade, this requires altering the ground floor retail premises on the northeast corner. DTP officers agree with this condition, which will improve pedestrian functionality and safety with the removal of an obscured corner.
86. A condition has been recommended by Yarra City Council to provide a public lighting plan to ensure appropriate lighting along Dummett Crescent and building entrances. DTP officers have included this condition.
87. A condition has been recommended by Yarra City Council to provide a public realm plan to ensure all interfaces with the public realm are appropriately treated, public seating be installed and street trees planted. This condition is considered acceptable to ensure works are undertaken to an appropriate standard, and the planting of street trees help to offset the lack of deep soil planting and canopy trees on site.

Landscaping

88. The application is supported by a landscape plan prepared by Ground Landscape Studio, dated 27 August 2025. The plan includes communal and private landscaping treatments to provide resident amenity and soften the built form. As detailed above, while landscaping is limited, with minimal canopy cover proposed, the response is acceptable given the constraints of the site.
89. Yarra City Council have requested a landscaping condition be included, which among other things, requires vertical landscaping treatments be implemented along Dummett Crescent Lane, and street trees planted along all road frontages. DTP accepts that street trees can be implemented along the Queens Parade frontage and the Dummett Crescent frontage and as detail above assists in offsetting the lack of deep soil planting and canopy cover on site. However, landscaping treatments and street tree plantings along Dummett Crescent Lane are not considered to be viable as it would impact on pedestrian movement, given the minimal space along this street. The condition has been modified to reflect this.

Environmental Risks

Environmental Audit Overlay (EAO)

90. Clause 13.04-1S seeks to ensure that potentially contaminated land is used and developed safely prior to the commencement of any sensitive use or development and that responsible authorities consider as relevant the potential for contamination to impact the proposed use or development through an assessment that is proportionate to the risk.
91. Prior to the commencement of a sensitive use (residential use, child care centre, pre-school centre or primary school) or buildings and works associated with a sensitive use, 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 made that the land is appropriate for a sensitive use.
92. The applicant has stated that a preliminary site investigation has been undertaken for the property at 205-211 Queens Parade with an environmental audit and remediation works undertaken on the land at 6-12 Dummett Crescent which confirms that all contaminated soils on that site have been removed. Conditions have been included on the permit to ensure all environmental risks are managed appropriately prior to the commencement of the development.

Sustainability

Environmentally Sustainable Design (ESD)

93. The application was supported by a Sustainable Management Plan (SMP) prepared by GIW consulting, dated 15 November 2025. The report concludes that the proposal will achieve a BESS score of 56% and, the development is to achieve a 7.0 Star average of NatHERS Energy Rating.

94. Despite this, Council concluded that the proposal would result in poor internal amenity (daylight) outcomes to some apartments contrary to Clause 15.01 and Clause 58. The SMP provided an assessment on daylight which generally concludes that:

The development has been assessed, and it has been determined that 86% of living areas and 84% of bedrooms will achieve the daylight factors as prescribed under BESS and therefore the development will meet the BESS IEQ guidelines for daylight.

95. In addition, Council recommended a condition requiring an amended SMP be provided which provided mechanical fresh air supply and return to single aspect apartments with room depths in excess of 5m, average thermal energy rating of 8 Star Nat HERS, 100% green power for all residual electricity use on site, installation of larger PV array and provision of energy storage batteries.

96. Whilst DTP appreciate Council's ESD aspirations for the proposal, DTP is satisfied that the proposal commits to a level of sustainability that meets the objectives of Clause 15.01-2L-02 (Environmentally Sustainable Development) and have therefore not sought to include Council's conditions in relation to the SMP. A condition has been included within the recommendation requiring the SMP to be endorsed in alignment with the endorsed plans.

97. 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)

98. The SMP includes a WSUD response which includes MUSIC modelling with the following WSUD initiatives:

- Rainwater is to be collected from non- trafficable roof areas and directed into a 50,000-litre rainwater tank.
- Rainwater collected from terrace areas is to be directed through a Gross Pollutant Trap (GPT) for primary treatment prior to being directed into the second 10,000-litre rainwater tank. This tank will be connected to 150m² landscape irrigation.

99. Council raised no concerns with the proposed WSUD. DTP are therefore satisfied that the proposal meets the standards and guidelines for stormwater at Clauses 14.02-2S (Water Quality), 19.03-3L (Stormwater Management) and 53.18 (Stormwater Management in Urban Development).

Other Matters

Development Contributions

100. The subject site is located within the DCPO1 area. Accordingly, a condition has been included in the recommendation to give effect to the requirements of DCPO1 and to ensure that the relevant development contributions are provided in accordance with the applicable Development Contributions Plan.



Public Benefits

Affordable Housing

101. The application is made under Clause 53.23 (Significant Residential Development with Affordable Housing) which amongst other matters, seeks to facilitate residential development that includes affordable housing to meet existing and future needs.
102. Clause 16.01-2S (Housing Affordability) seeks to deliver affordable housing in areas with good access to facilities and services. It also seeks to encourage a significant proportion of new development to be affordable for households on very low to moderate incomes.
103. The application is supported by an Affordable Housing Report. The report is an application requirement of Clause 53.23 and to qualify for the 53.23 pathway, a 10% affordable housing contribution must be incorporated in the proposal.
104. The report confirms an affordable housing contribution that will achieve the mandatory requirements by providing for 10% of all dwellings to be sold at a 30% discount to a registered housing agency. The mandatory condition outlined in Clause 53.23 has been included within the recommendation to secure the affordable housing contribution.
105. The proposed contribution, along with the inherent benefits that come with an increase in supply of dwellings, is welcomed and is responsive to the purpose of Clause 53.23 and the strategies of Clause 16.01-2S (Housing Affordability).



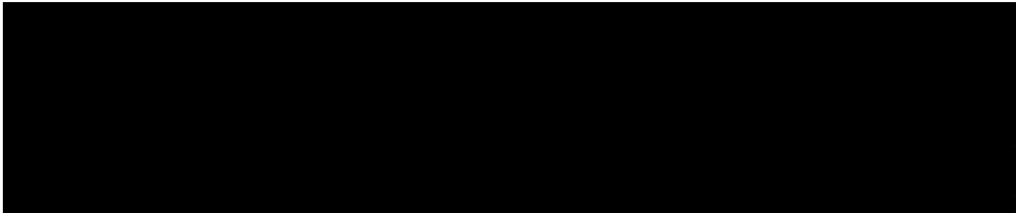
106. The proposal is generally consistent with the relevant planning provisions of the Yarra Planning Scheme and will contribute to the provision of housing within the Fitzroy North area.
107. Yarra City Council did not support the proposal, noting that it did not satisfy the provisions of the DDO16, respond appropriately to the heritage precinct, and would result in poor internal apartment amenity. The assessment responds to the issues raised by the council (and also by submitters).
108. The proposal is supported by Head, Transport for Victoria, subject to conditions.
109. It is recommended that Planning Permit No. PA2503944 for the demolition of existing buildings, development of the land for the purposes of a 12-storey residential building, ground floor retail use at 201-215 Queens Parade & 6-12 Dummett Crescent Fitzroy North VIC 3068 be issued subject to conditions.
110. It is recommended that the applicant, Yarra City Council, Head Transport for Victoria 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:

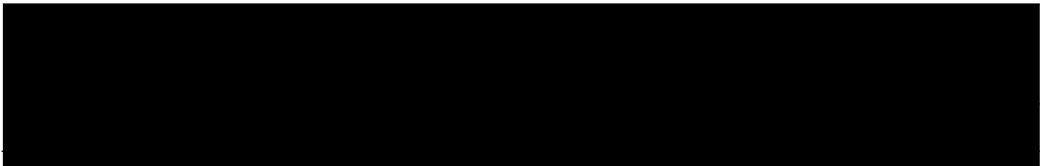
- No Conflict**
- Conflict and have therefore undertaken the following actions:
 - Completed the **Statutory Planning Services declaration of Conflict/Interest form.**
 - Attached the Statutory Planning Services declaration of Conflict/Interest form on to the hardcopy file.
 - Attached the Statutory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



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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 - Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.



Clause 58.01 Urban Context Report and Design Response

Clause 58.01 Urban Context Report and Design Response	
<p><u>58.01-1 Application requirements</u> An application must be accompanied by:</p> <ul style="list-style-type: none"> • An urban context report. • A design response. 	<p>Complies. A sufficiently detailed Design Response and Urban Context Report, prepared by CHT Architects, was submitted with the application.</p>
<p><u>58.01-2 Urban Context Report</u> The urban context report may use a site plan, photographs or other techniques and must include: An accurate description of:</p> <ul style="list-style-type: none"> • Site shape, size, orientation and easements. • Levels and contours of the site and the difference in levels between the site and surrounding properties. • The location and height of existing buildings on the site and surrounding properties. • The use of surrounding buildings. • The location of private open space of surrounding properties and the location of trees, fences and other landscape elements. • Solar access to the site and to surrounding properties. • Views to and from the site. • Street frontage features such as poles, street trees and kerb crossovers. • The location of local shops, public transport services and public open spaces within walking distance. • Movement systems through and around the site. • Any other notable feature or characteristic of the site. <p>An assessment of the characteristics of the area including:</p> <ul style="list-style-type: none"> • Any environmental features such as vegetation, topography and significant views. • The pattern of subdivision. • Street design and landscape. • The pattern of development. • Building form, scale and rhythm. • Connection to the public realm. • Architectural style, building details and materials. • Off-site noise sources. • The relevant NatHERS climate zones (as identified in Clause 58.03-1). • Social and economic activity. • Any other notable or cultural characteristics of the area. 	<p>Complies. A sufficiently detailed Design Response and Urban Context Report, prepared by CHT Architects, was submitted with the application.</p>
<p><u>58.01-3 Design response</u> The design response must explain how the proposed design:</p> <ul style="list-style-type: none"> • Responds to any relevant planning provision that applies to the land. • Meets the objectives of Clause 58. • Responds to any relevant housing, urban design and landscape plan, strategy or policy set out in this scheme. • Selects materials and finishes for the external walls. • Derives from and responds to the urban context report. 	<p>Complies. A sufficiently detailed Design Response and Urban Context Report, prepared by CHT Architects, was submitted with the application. Additionally, assessment of how the policy responds to the PPF, Clause 58, relevant housing, urban design and landscape policy has been provided in the Planning Report prepared by ProUrban.</p>



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.

Clause 58.02 Urban Context

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 proposal responds to the preferred built form context.

While part of the development exceeds the preferred height limit, it is appropriate within the context and given the site constraints.

Refer to the built form assessment section of the report for further details.

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 ProUrban

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 a total of 98 dwellings, comprising the following mix:

- Studio = 8
- 1 bed and 1 bath = 18
- 1 bed and 1 bath plus study = 16
- 2 bed and 1 bath = 10
- 2 bed and 2 bath = 29
- 3 bed and 2 bath = 14
- 3 bed and 3 bath = 3

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

Complies.

The proposed development will be located within an urban area which is well serviced and has connections to appropriate utility services and infrastructure.



	<p>capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.</p>	
<p>58.02-5 Integration with the street objective To integrate the layout of development with the street. To support development that activates street frontage.</p>	<p>Standard D5 Development should be oriented to front existing and proposed streets.</p> <p>Along Street frontage the development should:</p> <ul style="list-style-type: none"> • Incorporate pedestrian entries, windows, balconies or other active spaces. • Limit blank walls. • Limit high front fencing, unless consistent with the existing urban context. • Provide low and visually permeable front fences, where proposed. • Conceal car parking and internal waste collection areas from the street. <p>Development next to existing public open space should be designed to complement the open space and facilitate passive surveillance.</p>	<p>Complies. The subject site fronts Queens Parade and Dummett Crescent (including Dummett Crescent Lane).</p> <p>The ground floor has been designed with a primary frontage to Queens Parade and utilises the existing heritage façade to ensure integration. Ground floor retail tenancies with generous glazing provide for street activation.</p> <p>Dummett Crecent and Dummett Crescent Lane include generous ground floor glazing and pedestrian entrances to activate these secondary frontages.</p> <p>Vehicle access and the substation have been collocated on the secondary frontage to Dummett Crescent, limiting visual impacts. Bin storage is concealed within the development.</p> <p>At upper levels, the dwellings are provided with balconies that provide for outlook, contributing to passive surveillance opportunities to the streets.</p>

Clause 58.03 Site Layout

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

Complies via condition.

Dwellings have been oriented to have predominately northern, eastern or western aspects where possible. A central lightwell has been provided to improve solar access for dwellings and rooms with southern aspects.

Where appropriate, living spaces have been orientated north and daylight modelling demonstrates that the majority of dwellings will enjoy good daylight access.

The SMP, prepared by GIW



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.

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

Environmental Solutions, dated 15 November 2024, indicates that the proposed dwellings will achieve an average cooling load of 32MJ/m². A condition has been recommended to require the average cooling load be reduced to 30MJ/m², thus complying with the standard.

58.03-2 Communal open space objective

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

Complies.

A total of 186sqm of communal outdoor open space is provided, split across three areas as follows:

- A 22sqm courtyard at ground floor.
- A 33sqm seating area on the first floor.
- A 131sqm lounge and bbq area on the first floor.

Additionally, a total of 764sqm of communal open space is provided across the ground and first floors, including the following:

- Communal lounge
- Gym
- Communal co-working
- Cinema
- Entertainment area
- Gallery
- Meeting room

The proposed open space exceeds the 275sqm required by the standard.

The open spaces are orientated to provide outlook while not introducing any overlooking concerns. The spaces are generally positioned away from dwellings to limit noise impacts.

A condition has been recommended to flip the games/bar/entertainment area with the communal co-working



	<p>new and existing dwellings.</p> <ul style="list-style-type: none"> Any area of communal outdoor open space should be landscaped and include canopy cover and trees. 	<p>area to limit amenity impacts to the adjacent dwelling.</p>
<p>58.03-3 Solar access to communal outdoor open space objective To allow solar access into communal outdoor open space.</p>	<p>Standard D8</p> <ul style="list-style-type: none"> The communal outdoor open space should be located on the north side of a building, if appropriate. At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June 	<p>Complies. The bulk of the communal outdoor open space is located on the north side of the building. A minimum 85 sqm of the communal outdoor open space will receive two hours of sunlight between 11am and 12 noon.</p>
<p>58.03-4 Safety objective To ensure the layout of development provides for the safety and security of residents and property</p>	<p>Standard D9</p> <ul style="list-style-type: none"> Entrances to dwellings should not be obscured or isolated from the street and internal accessways. Planting which creates unsafe spaces along streets and accessways should be avoided. Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways. Private spaces within developments should be protected from inappropriate use as public thoroughfares. 	<p>Complies.</p> <ul style="list-style-type: none"> Entrances to dwellings are not obscured or isolated from the street, there is primary access provided from the Queens Parade service road and a secondary entrance from Dummett Crescent. No ground floor planting is proposed along the street frontages. Car parking is provided within the basement. The development will be appropriately visible and lit to provide surveillance to these areas. Private communal areas are not able to be used as thoroughfares, and given the sites frontages and shape of the broader block, would provide limited benefits.
<p>58.03-5 Landscaping objectives 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.</p>	<p>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: <ul style="list-style-type: none"> Provide the canopy cover and deep soil areas specified in Table D2. Existing trees can be used to meet the canopy cover requirements of Table D2. Provide canopy cover through canopy trees that are: <ul style="list-style-type: none"> Located in an area of deep soil specified in Table D3. Where deep soil cannot be provided </p>	<p>Variation. The standard requires a total canopy cover of 258sqm and 204sqm of deep soil. The Landscape Plan prepared by Ground Landscape Studio, dated 27 August 2025 indicates 241.46sqm of deep soil. This calculation accounts for 800mm deep planters. Deep soil is defined as an area of natural ground, unimpeded by a structure above or below. Therefore, it is considered that the site provides no deep soil plantings. A nominal 55.1sqm of canopy covered has been proposed. While there is a lack of deep soil and canopy plantings are minimal, the landscape plan provides an appropriate response within the</p>



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.

constraints of the site. The proposed landscape treatments are well positioned on the north elevation, assisting in ongoing viability. Once mature, the vegetation should help to soften built form elements.

It is noted that the site is currently void of any trees.

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 1,000 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 1,500 square metres Include at least 2 Type B trees or 1 Type C tree	10% of site area
2500 square metres or more	350 square metres plus 20% of site area above 2,500 square metres Include at least 2 Type B trees or 1 Type C tree	15% of site area

Tree type	Tree in deep soil	Tree in planter	Depth of planter soil
	Area of deep soil	Volume 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

Note:



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

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

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.

A single double width crossover is proposed on Dummett Crescent. The vehicle access is well delineated from the adjacent pedestrian access and bicycle store.
The exit lane has good visibility in both directions with the secondary pedestrian exit acting as a visibility splay.

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 where window sills are at least 1.4 metres above the accessway.

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.

58.03-8 Integrated water and stormwater management objectives

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

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:

Complies.

The SMP, prepared by GIW Environmental Solutions, dated 15 November 2024, and accompanying WSUD strategy and MUSIC model demonstrates that the development will meet best practice stormwater objectives.
The development will result in reduction in total suspended solids, total phosphorus and total nitrogen



<p>stormwater prior to discharge from the site.</p>	<ul style="list-style-type: none"> ○ Designed to meet the current best practice performance objectives for stormwater quality as contained in the <i>Urban Stormwater - Best Practice Environmental Management Guidelines</i> (Victorian Stormwater Committee, 1999). ○ Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas. 	<p>loads.</p> <p>The proposal includes a total of 60,000litres of rainwater tank capacity. A 50,000litre tank will service all toilets within the development, while a 10,000litre tank will be used for irrigation.</p>
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Clause 58.04 Amenity Impacts

Clause 58.04 Amenity Impacts

58.04-1 Building setback objectives

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 DDO16 and the preferred urban context. A full assessment can be found in the body of this report.

Due to site context, there is limited opportunities for views into habitable rooms of new and existing dwellings. Overlooking measures have been proposed between balconies to limit views into new dwellings. There is potential overlooking between the proposed development (along the north-east elevation) and the aged care facility at 217-241 Queens Parade. However, setbacks and design elements will help to filter and limit these views.

The dwellings largely have a reasonable outlook. Dwellings 108, 212, 321 and 412 which face Dummett Crescent Lane have a compromised outlook. However, this is considered acceptable within the context.

58.04-2 Internal views objective

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

Standard D15

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

Variation.

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 largely no habitable room windows and or balconies overlook into each other. Exceptions to this are the balconies of dwellings 107 and 508. However, given the generous size of these balconies, this is



		<p>considered acceptable.</p> <p>Setbacks, offsets and architectural elements have been utilised to limit views between dwellings adjacent the central lightwell.</p>
<p><u>58.04-3 Noise impacts objectives</u></p> <p>To contain noise sources in developments that may affect existing dwellings.</p> <p>To protect residents from external and internal noise sources.</p>	<p>Standard D16</p> <ul style="list-style-type: none">• Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.• The layout of new dwellings and buildings should minimise noise transmission within the site.• Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.• New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.• Buildings within a noise influence area specified in Table D3 should be designed and constructed to achieve the following noise levels:<ul style="list-style-type: none">○ Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.○ Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.• Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.• Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.	<p>Complies.</p> <p>The application is supported by an acoustic report prepared by Acoustic Logic, dated 28 July 2025. The report provides a necessary assessment against the relevant EPA guidelines and makes recommendations and conclusions with respect to acoustic treatments, including suitable noise barriers around rooftop mechanical services platforms and external terraces. A condition has been recommended requiring the implementation of the recommendations from the report.</p>



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

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.

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

Complies.

The application is supported by a Wind Impact Assessment prepared by Vipac Engineers and Scientists Limited, dated 11 October 2024. The impact assessment found that the conditions within the development would be within walking and standing comfort levels. No wind mitigation recommendations were made.

Clause 58.05 On-Site Amenity and Facilities

Clause 58.05 On-Site Amenity and Facilities

58.05-1 Accessibility objective

Standard D18

Complies.



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

- 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.

	Design option A	Design option B
Door opening	A clear 850mm wide door opening.	A clear 820mm wide door opening located opposite the shower.
Door design	Either: <ul style="list-style-type: none"> ▪ A slide door, or ▪ A door that opens outwards, or ▪ A door that opens inwards that is clear of the circulation area and has readily removable hinges. 	Either: <ul style="list-style-type: none"> ▪ A slide door, or ▪ A door that opens outwards, or ▪ A door that opens inwards and has readily removable hinges.
Circulation area	A clear circulation area that is: <ul style="list-style-type: none"> ▪ A minimum area of 1.2 metres by 1.2 metres. ▪ Located in front of the shower and the toilet. ▪ Clear of the toilet, basin and the door swing. The circulation area for the toilet and shower can overlap.	A clear circulation area that is: <ul style="list-style-type: none"> ▪ A minimum width of 1 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.

The plans specify that 52% of the dwellings satisfy this standard, as detailed on Drawing TP4.13

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

Complies.

Separate entrances are provided to the residential and commercial components of the building. The main entrance is well defined, being centred within the heritage building and providing a undercover lobby.

Similarly, the secondary entrance from Dummett Crescent is well defined with undercover circulation space.

Building services are located away from communal areas, being in a separate location on the ground floor or on the roof.



	<p>building services.</p> <ul style="list-style-type: none"> – Maintain clear sight lines. 																							
<p>58.05-3 Private open space objective</p> <p>To provide adequate private open space for the reasonable recreation and service needs of residents</p>	<p>Standard D20</p> <ul style="list-style-type: none"> • A dwelling should have private open space consisting of at least one of the following: <ul style="list-style-type: none"> ○ An area 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 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 border="1" data-bbox="539 1579 970 1825"> <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>	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	<p>Complies.</p> <p>The plans show that all dwellings meet this standard, with drawings TP4.01 to TP4.11 demonstrating compliance.</p>
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																					



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

<p>58.05-4 Storage objective</p> <p>To provide adequate storage facilities for each dwelling</p>	<p>Standard D21</p> <ul style="list-style-type: none"> Each dwelling should have convenient access to usable and secure storage space. The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table D10. <p><small>Table D10 Storage</small></p> <table border="1"> <thead> <tr> <th>Dwelling type</th> <th>Total minimum storage volume</th> <th>Minimum storage volume within the dwelling</th> </tr> </thead> <tbody> <tr> <td>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	<p>Complies.</p> <p>The plans show that all dwellings meet this standard, with drawings TP4.01 to TP4.11 demonstrating compliance.</p>
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															

Clause 58.06 Detailed Design

Clause 58.06 Detailed Design

<p>58.06-1 Common property objectives</p> <p>To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.</p> <p>To avoid future management difficulties in areas of common ownership.</p>	<p>Standard D22</p> <ul style="list-style-type: none"> Developments should clearly delineate public, communal and private areas. Common property, where provided, should be functional and capable of efficient management. 	<p>Complies.</p> <p>The communal and public spaces are clearly distinguishable from private areas through the nature of security features associated with apartment developments.</p> <p>Communal areas are laid out in a largely functional and easily maintainable. The proposed condition to comply with Standard D7 will also improve functionality.</p> <p>A condition has been recommended stipulating that DDA compliant access to the level 1 communal areas be provided.</p>
<p>58.06-2 Site services objectives</p> <p>To ensure that site services are accessible and can be installed and maintained.</p> <p>To ensure that site services and</p>	<p>Standard D23</p> <ul style="list-style-type: none"> Development should provide adequate space (including easements where required) for site services to be installed and 	<p>Complies.</p> <p>The proposal has been designed to ensure that site services can be installed and easily maintained within accessible locations</p>



<p>facilities are visually integrated into the building design or landscape.</p>	<p>maintained efficiently and economically.</p> <ul style="list-style-type: none">• 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.	<p>throughout the development.</p> <p>Mailboxes have been located internally within the ground level lobby area and are easily accessed via the Queens Parade entrance.</p> <p>The substation has been located on the Dummett Crescent frontage adjacent the vehicle access and is well-integrated into the façade.</p>
<p>58.06-3 Waste and recycling objectives</p> <p>To ensure dwellings are designed to encourage waste recycling.</p> <p>To ensure that waste and recycling facilities are accessible, adequate and attractive.</p> <p>To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.</p>	<p>Standard D24</p> <ul style="list-style-type: none">• Developments should include dedicated areas for:<ul style="list-style-type: none">○ Waste and recycling enclosures which are:<ul style="list-style-type: none">– Adequate in size, durable, waterproof and blend in with the development.– Adequately ventilated, located and designed for convenient access by residents and made easily accessible to people with limited mobility.○ Adequate facilities for bin washing. These areas should be adequately ventilated.○ Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.○ Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.○ Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.○ Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.	<p>Complies</p> <p>Waste facilities have been included within level 1 of the basement. Three areas have been provided, two for servicing the dwellings and one area for the retail premises. Bin chutes are proposed on each floor of the building, with a chute for rubbish and recycling.</p> <p>A Waste Management Plan was prepared by Onemilegrid, dated 12 November 2024. The plan demonstrates that adequate facilities have been provided for the required bins, including commingled recycling, garbage, organics and glass recycling. Turning diagrams were also provided to demonstrate that the bin rooms could be serviced by an appropriately sized waste collection vehicle.</p> <p>A condition has been recommended requiring the endorsement of, and compliance with, the waste management plan.</p>



- 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 detailed in the material schedule, the external walls comprise durable materials, such as brick, concrete, metal and glass. These materials will weather well over time to maintain the appearance of the development.

Clause 58.07 Internal Amenity

Clause 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.

Bedroom type	Minimum width	Minimum depth
Main bedroom	3 metres	3.4 metres
All other bedrooms	3 metres	3 metres

Complies

The plans show that all bedrooms and living areas meet this standard, with drawings TP4.01 to TP4.11 demonstrating compliance.



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

58.07-2 Room depth objective

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.

The plans show that all rooms meet this standard, with drawings TP4.01 to TP4.11 demonstrating compliance.

58.07-3 Windows objective

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

Complies.

All windows are to an external wall of the building and provide for direct daylight access.

Each floor contains some dwellings with bedrooms that have windows in small secondary areas. Each of these areas satisfies the required dimensions and ratio.

58.07-4 Natural ventilation objectives

To encourage natural ventilation of dwellings.

Standard D29

- The design and layout of dwellings should maximise operable windows, doors or other ventilation devices in

Complies.

All dwellings are provided with operable windows which allow for occupants to effectively manage



To allow occupants to effectively manage natural ventilation of dwellings.

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.

natural ventilation.

The plans show that 40% of dwellings provide for cross ventilation, as demonstrated on drawings TP4.01 to TP4.11.



Figure 13: Subject Site as viewed from Queens Parade (north-west elevation)



Figure 14: Subject site as viewed from Queens Parade (looking east)



Figure 15: Subject site as viewed from Queens Parade (looking west)



Figure 16: Looking south down Dummett Crescent (lane) from Queens Parade



Figure 17: Subject site as viewed from Dummett Crescent (south-east elevation)



Figure 18: Looking north east from Dummett Crescent across the Subject Site