Delegate Report

PA2503893

7 Hartington Street, Northcote

VICTORIA State Government | Department of Transport and Planning

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Summary

Table 1 - Summary

Key Information	Details	
Application No:	PA2503893	
Applicant:	Ratio Consultants on behalf of the Holy Monastery of Axion Esti	
Planning Scheme:	Darebin Planning Scheme	
Land Address:	7 Hartington Street, Northcote	
Development Value:	$180 million	
Why is the Minister responsible authority?	Clause 72.01 (Responsible authority for this planning scheme) provides that the Minister for Planning is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the *Planning and Environment Act 1987 (Act)* where Clause 53.23 (Significant residential development with affordable housing) applies. This includes assessment and determination of planning permit applications. Under Clause 53.23-1, Clause 53.23 applies where an application is accompanied by written confirmation that it is eligible for assessment under the clause, is for an *Accommodation* use (subject to some exceptions) and meets the conditions corresponding to a category in Table 1 to the clause, Category 2 to Table 1 provides that a proposal for an allowed *Accommodation* use is eligible for assessment under the clause where it is funded, or partly funded, by the Commonwealth. The applicant has submitted: • A letter of eligibility from the Department of Transport and Planning's Development Facilitation team, confirming that the proposal is eligible for assessment under Clause 53.23 • Documentary evidence to demonstrate that the project benefits from a cash grant made by the Commonwealth Clause 53.23 therefore applies, making the Minister the responsible authority under Clause 72.01. It is noted that while the Commonwealth funding establishes the proposal's eligibility under Category 2, it does not remove the affordable housing requirement. Clause 53.23-4 requires the responsible authority to include a specified condition on any permit issued under the pathway that requires the permit holder to enter into an agreement under section 173 of the Act. The agreement must provide for an affordable housing contribution of either at least 10 per cent of the dwellings or an alternative contribution satisfactory to the responsible authority. While there are exceptions to the Clause 53.23-4 requirement for the specified permit condition, it is not considered that those exceptions have been met in this case.	
Why is a permit required?	**Planning Scheme Clause**	**Matter for which the permit has been granted**
Zone:	32.08-2 (General Residential Zone)	Use of land for *Residential hotel*, *Shop* (bookshop), *Place of assembly* (*Function centre* and theatre), *Art and craft centre*, *Restaurant* and *Child care centre*.
	32.08-7 (General Residential Zone)	Construction of two or more dwellings on a lot.
	32.08-10 (General Residential Zone)	Construct a building or carry out works for a Section 2 use.
Particular Provisions:	52.05-2 (Signs)	Construct or put up for display a sign.
	52.29-2 (Land adjacent to the Principal Road Network)	Creation or alteration of access to a road in the Transport 2 Zone.
	52.34-2 (Bicycle facilities)	Vary, reduce or waive any requirement of Clause 52.34-5 and Clause 52.34-6.
Delegates List:	Approval to determine under delegation received on **30 October 2026**.	

Site and surrounds

Site description

1. The site is 7 Hartington Street, Northcote. It comprises about 26,100 square metres (2.61ha) of land bounded by Hawthorn Road to the north, Hartington Street to the east and St Georges Road to the west. The south of the site has a common boundary with 112B St Georges Road, Northcote. There is a notable fall of around 15.5 metres from the north-west of the site to its south-east. The site is shown in Figure 1 below.



Figure 1. Indicative site plan. Source: Google Maps.

2. The 'Little Sisters of the Poor Home for the Aged' (former Home), a former residential aged care facility of Elizabethan style, is located on the land. The former Home was constructed in stages between 1890 and 1909, with modifications and annexes since, and is in poor condition. The building is graded as State significant on the Victorian Heritage Register and is affected by a site-specific heritage overlay. The significance of the former Home relates to its architectural and aesthetic values. The former Home is shown in Figure 2.

3. The Greek Orthodox Archdiocese acquired the site in 1997. Since then, the Archdiocese has used the site including parts of the former Home for offices, dwellings and as a place of assembly (e.g., for religious services).

4. In 1912 a high brick wall was constructed along the perimeter of the site. Most of this wall was demolished in 2001 and only a few small segments remain.

5. Other habitable buildings at the site include three annexes and a detached single-storey laundry building. These buildings are shown at Figure 2.

6. The land is in the General Residential Zone – Schedule 2 (GRZ2) under the Darebin Planning Scheme (scheme) and is affected by the Development Contributions Plan Overlay – Schedule 1 (DCPO1) and Heritage Overlay – Schedule (HO175).

7. The site is formally known as Lot 1 on Plan of Subdivision 204716J, Volume 09703 Folio 870. The site has no easements, covenants, section 173 agreements or other property law restrictions relevant to the proposal.

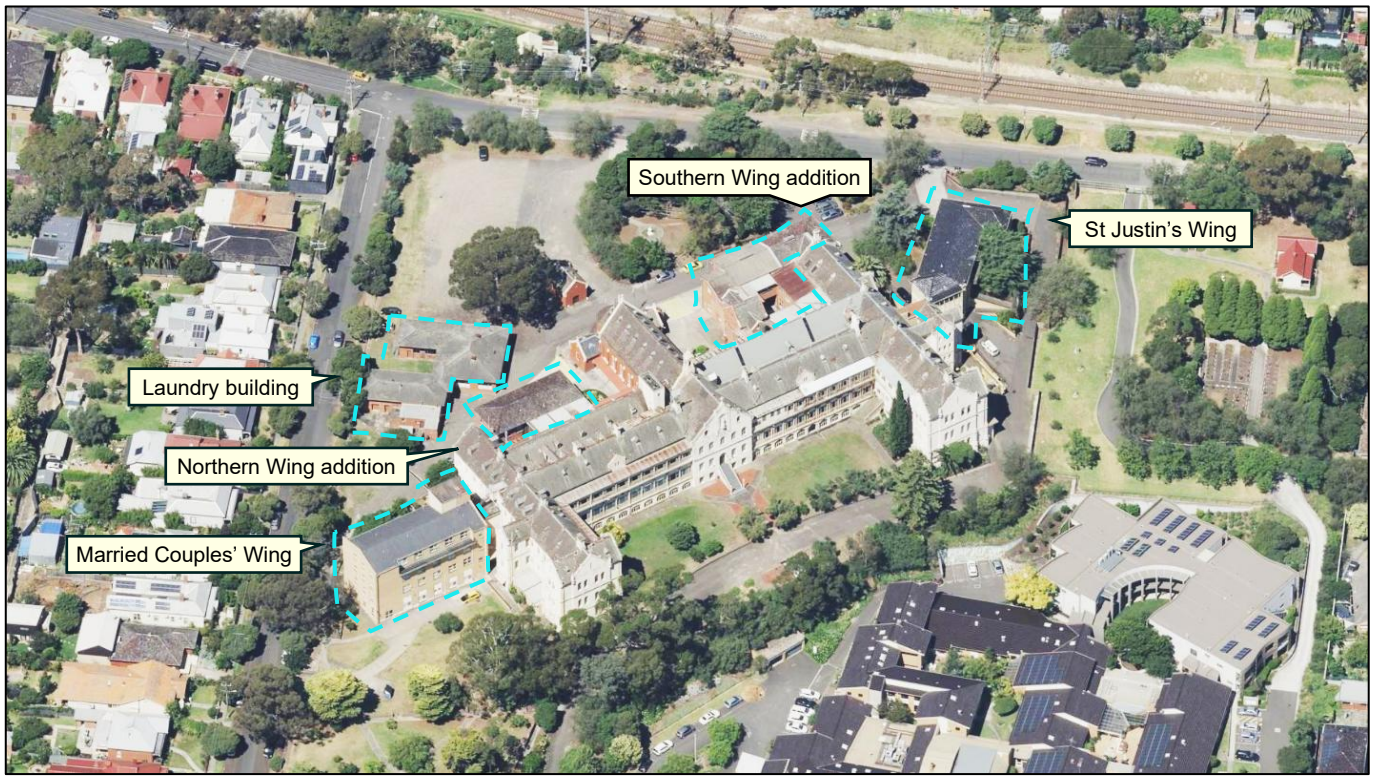


Figure 2. Aerial image of the Little Sisters of the Poor Home for the Aged. Source: ANZ Vexcel Viewer.

Site surrounds

8. Development around the site is characterised by single, detached dwellings on landscaped lots. These are interspersed with limited examples of low-rise apartment and townhouse typologies, those typically constructed to a postwar brick design.

9. North of the site is Hawthorn Road, across from which are single-storey, detached dwellings. These are predominantly weatherboard, Victorian style cottages with fenced and landscaped front setbacks.

10. East of the site is Hartington Street, opposite which is the Mernda railway line. A community garden occupies part of the railway corridor to the north-east of the site.

11. South of the site is St Joseph's Home, a residential aged care facility. The facility occupies a similarly sized allotment to the site, reflecting its historic subdivision from the former Home in 1985. The facility is two storeys and built to a mix of architectural styles.

12. West of the site is St Georges Road, which is in a Transport 2 Zone (TRZ2) under the scheme. Across St Georges Road are additional single, detached dwellings on landscaped lots. Merri Park (and beyond, Merri Creek) is south-east of the site across St Georges Road. The segment of St Georges Road adjacent to the site has a tram stop along Route 11.

13. The site is 160 metres south-west of Northcote Station, 250 metres south of Batman Park and 540 metres south of the Thornbury Activity Centre catchment (Housing Choice and Transport Zone).

Proposal

14. In summary, the proposal will:

- Redevelop and reuse the former Home for 13 apartments, a 23-room hotel, a bookstore, an art-and-craft centre (referred to in the application material as 'makerspaces'), a church, a function centre and ancillary offices.
- Restore recoverable features of the former Home and demolish or alter lower-value and unrecoverable features.
- Demolish and relocate various annexes and outbuildings on the site
- Remove vegetation across the site, including canopy trees
- Use and develop the balance of the site for:
    - Two four-storey apartment buildings, comprising 47 apartments, along Hartington Street
    - 22 two- and three-storey townhouse dwellings along Hawthorn Road
    - A maximum 430 patron indoor and outdoor theatre complex at the corner of Hawthorn Road and St Georges Road
    - A 110-place childcare centre on St Georges Road
    - A 150-patron restaurant along the site's southern boundary
    - Extensive public open space with accessible through-site links.

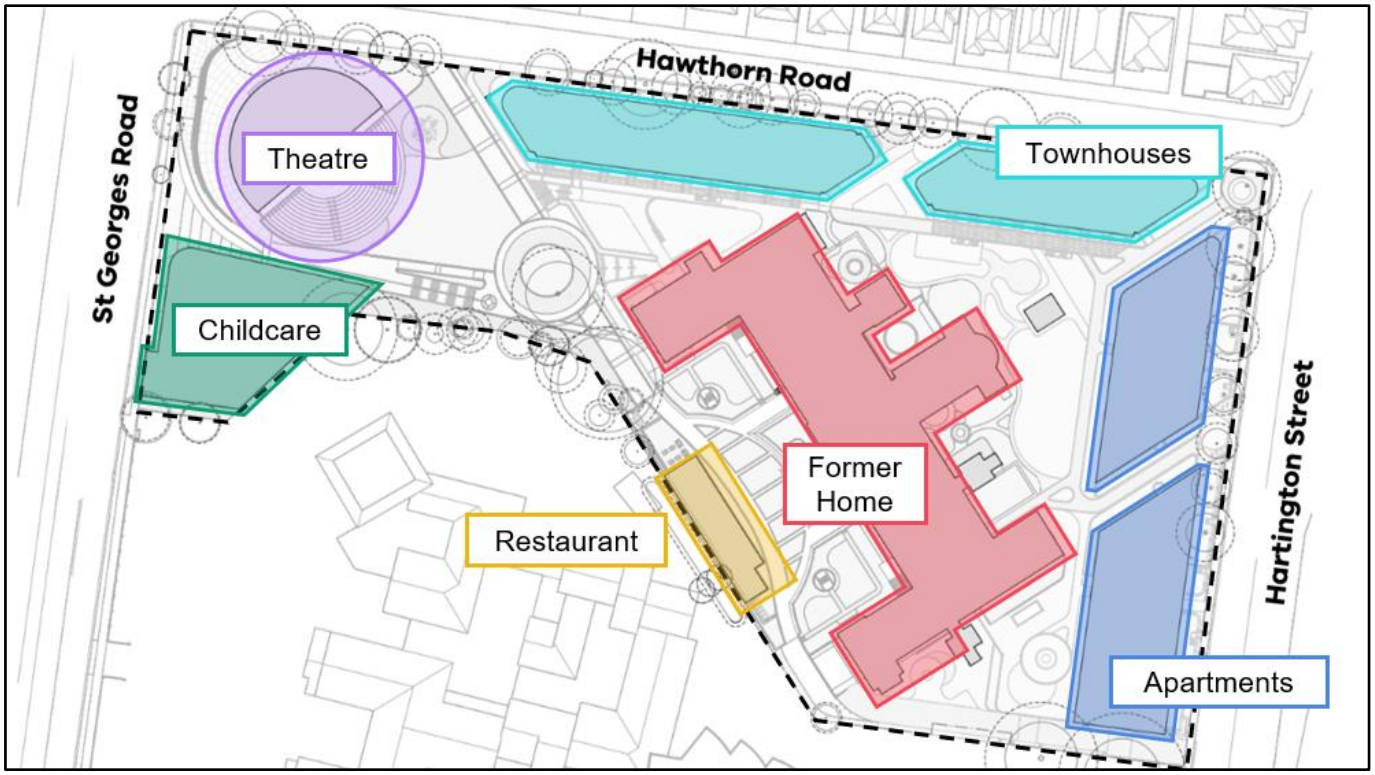


Figure 3. Proposed site layout.

15. While the proposal is wide-ranging, and a complete description of the proposal is provided below for context, planning permission is only required insofar as is outlined in Table 1 above. It is noted that planning permission is not required for the following aspects of the proposal:

- Internal alterations to and external modification of the former Home
- Demolition of parts of the former Home and any outbuildings

- Removal of any vegetation across the site
- Use of the site for *Dwelling* (at the former Home and proposed new apartment buildings and townhouses) or for *Informal outdoor recreation* (at the proposed public open space).

16. The proposal has an estimated total development cost of $180 million. The applicant has evidenced that the project has received partial funding from the Commonwealth Department of Infrastructure, Transport, Regional Development, Communications and the Arts in connection with the former Home. This partial commonwealth funding forms some of the basis for the application to proceed under Clause 53.23 (Significant residential development with affordable housing).

17. The application has gone through the following stages:

Table 2. Key application milestones.

Milestone	Date
Initial pre-application request	25 January 2024
Pre-application assessment completed	3 August 2025
Permit application lodged	22 August 2025
Request for further information (RFI)	7 October 2025
RFI response	31 March 2026
Last notice given (first round of public notice)	6 May 2026
Section 57A amendment	1 September 2026
Last notice given (second round of public notice)	28 September 2026



Figure 4. Indicative oblique render of the proposed development. Source: Operating Management Plan (Hub Property Group) 22 August 2025.

Demolition and alteration

18. A permit is not required for the proposed demolition and alteration. The following description of the proposal is for noting and context only.

19. It is proposed to demolish the laundry building, St Justin's wing, Married Couples' wing and Southern Wing addition shown in Figure 2.

20. It is proposed to demolish the following other annexes to the former Home, shown in Figure 5:

    - Single-storey addition at the southern end of the southern wing
    - Single-storey addition at the northern end of the northern wing
    - Single-storey kiosk north of the central wing (i.e. the church)
    - External central staircase on the south-western elevation
    - Verandah infills along balconies.

21. It is proposed to alter external features and paint unpainted surfaces at the former Home, including through:

    - Repairs to the brick and cement render finishes at external walls to the former Home, in particular around the Southern Wing addition shown in Figure 2.
    - Replacement of some grey slate roofing at the former Home with comparable alternative slates.
    - Replacement of some corrugated iron cladding along the roofs of verandahs at the former Home with uncoated stainless-steel cladding.
    - Replacement of gutters and downpipes at the former Home including cast-iron elements graded as significant in the HIS (pp. 89-90) with stainless steel alternatives. New gutters are proposed to be painted to match the external wall finish.
    - Replacement and repair of external dormer vents. Some later dormer vents that face into the internal roof valleys are proposed to be removed.
    - The painting of unpainted surfaces.

22. Where annexes and features connected to the former Home are removed, it is proposed to redevelop/reinstate the former Home with a mix of brick and render that matches its original colour, texture and proportions.

23. It is proposed to demolish most outbuildings and vegetation on the site. This includes all the hard landscaping on the site, including features graded as 'significant' and 'contributory' in the HIS. (The Greek War Memorial, shown in Figure 5, will be relocated rather than demolished.) This also includes most of the vegetation on the site with the notable exception of the significant peppercorn trees along Hawthorn Road, which HV have characterised as having particularly high heritage significance.

24. While internal alteration controls do not apply, internal features of the former Home will be demolished and altered. These include finishes, fittings, flooring, roofing, staircases, walls, doors, windows and fireplaces. Significant internal features and layouts such as room dimensions and corridor configurations will be retained where possible, and a very significant proportion of the former Home's original internal fabric overall will be retained.



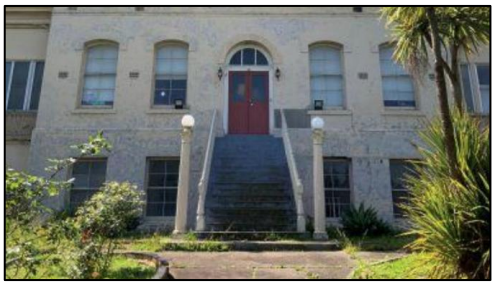
Non-original single-storey addition at the southern end of the southern wing. Source: Figure 32, HIS.



Non-original single-storey addition at the northern end of the northern wing (shown on the right). Source: Figure 34, HIS.



Non-original kiosk at the north of the church. Source: Figure 48, HIS.



External central staircase at south-western elevation of the former Home. Source: Figure 40, HIS.



Contemporary/non-original verandah infills along the southern wing of the former Home. Source: Figure 43, HIS.



Indicative images of contemporary/non-original fittings in the former Home basement. Source: Figure 49, HIS.



Original terrazzo floors at the first floor of the former Home (which will be retained). Source: Figure 96, HIS.



Original dormer vents on the roof of the former Home. Early and original dormer vents will be restored and retained. Source: Figure 109, HIS.



The Greek War Memorial at the site, graded as 'not significant' in the HIS. Source: p. 116, HIS.



An example image of the brick drains throughout the site (hard landscaping), graded as 'significant' in the HIS. Source: p. 115, HIS.

Figure 5. Example images of built features at the site.

Use and development at the former Home

25. As outlined above the existing former Home will be modified to facilitate its restoration and reuse. Figure 6 shows the proposed new ground-floor program at the former Home.

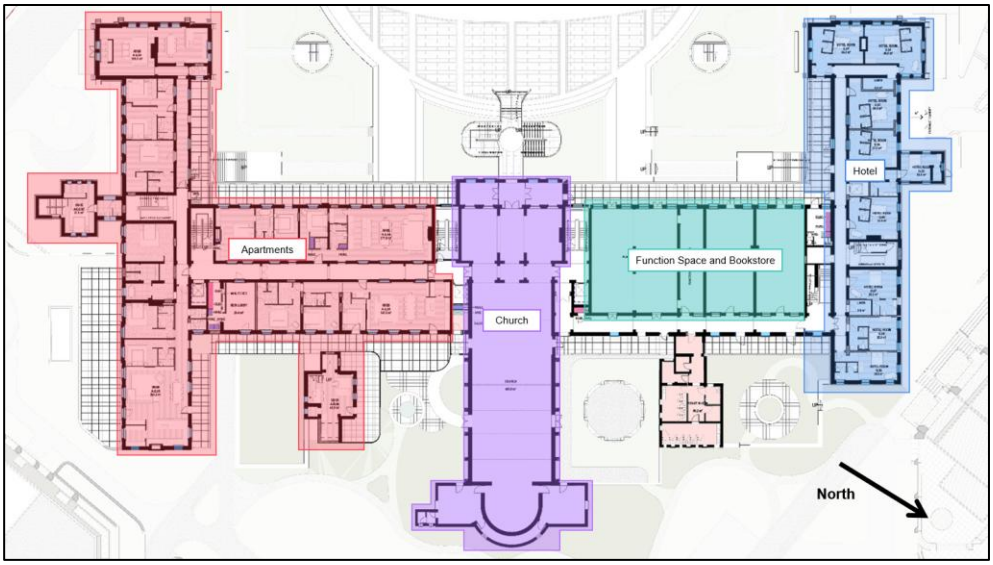


Figure 6. Proposed ground floor program. Source: Architectural Plans Part A (KUD), Sheet A-TP3 006, Rev 1 (annotations added).

Apartments

26. The proposal will convert parts of the former Home into 13 apartments. 12 apartments, comprising three one-bedroom and nine three-bedroom apartments are proposed at the southern wing. The remaining one-bedroom apartment is proposed to be centrally located above the church and accommodate a bishop who already resides at the former home.

27. A permit is required to construct the proposed apartments, however, a permit is not required for associated *Dwelling* use.

    - Clause 32.08-2 (GRZ2) identifies *Dwelling (other than Bed and breakfast)* as a Section 1 (as-of-right) use.
    - Clause 32.08-7 (GRZ2) requires a permit to construct two or more dwellings on a lot. Clause 32.08-7 further requires the proposed former Home apartments to be assessed against Clause 57 of the scheme as in force immediately before the commencement of Amendment VC300.

Residential hotel

28. Buildings and works are proposed to adapt the former Home's northern wing for a 23-room residential hotel. The hotel will be accessed from the south-eastern elevation of the building via a 147sqm foyer and reception at the lower ground floor. A 78sqm hotel bar next to the reception (ancillary use) is also proposed.

29. A permit is required to use the former Home as a *Residential hotel*, as well as for the associated buildings and works.

    - Clause 32.08-2 (GRZ2) identifies *Residential hotel* as a Section 2 (permit required) use. A separate permission is not required for the proposed bar, which is sought as an ancillary use.
    - Clause 32.08-10 requires a permit to construct a building or construct or carry out works for a Section 2 use.

30. The proposed lodging rooms will occupy the floors above at the ground, first and second floors. From the reception, guests will use internal corridors to access a single lift and staircase to access the rooms. All the proposed lodging rooms have one bed, however they vary in size between 22 and 64sqm to suit the former Home's envelope and provide a varied offering.

31. As addressed below, the applicant has provided limited operation on the proposed staffing, patron and operating arrangements for the proposed ancillary bar which forms part of the Residential Hotel.

Church

32. An existing church use is carried out at the ground and first floors of the former Home's central wing, which extends north-east from the building's midpoint (see Figure 6). A void and seating gallery are located above at the first floor (Figure 7).



Figure 7. The church nave in its current state. Source: Figures 90 and 91, HIS.

33. The proposal will retain the church in its current ground-floor location, providing 404sqm for the use. Upstairs, the existing gallery will be converted to 274sqm of ancillary offices to be used by church staff. The opening between the gallery and the nave is proposed to be filled in using translucent glazing and floor-to-ceiling balustrades.

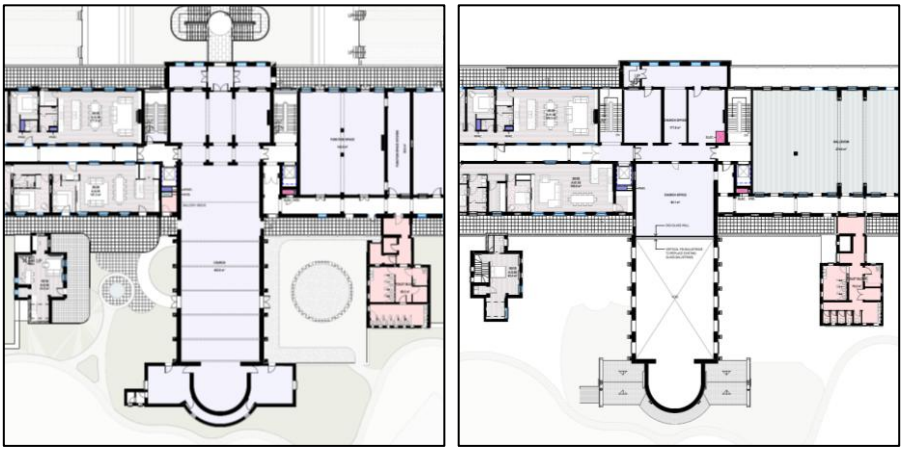


Figure 8. The proposed church space and offices above. Source: Architectural Plans d, Sheets A-TP3006 and A-TP3007, Rev 1

34. A permit is not required for the use of the former Home for a church as the permit applicant has established existing use rights.

35. Similarly, a permit is not required for the buildings and works associated with the church. The proposed church use will occupy the same space, so the required internal changes benefit from the Clause 62.02 exemption covering internal works that do not increase the gross floor area of a building.

Function space and bookstore

36. At the ground floor, west of the church space, the proposal includes a 144sqm function space, an associated 39sqm kitchen and a 164sqm bookshop (see Figure 6). While a permit is not required for any buildings and works associated with these spaces, permission is required for the proposed uses.

    - Clause 32.08-2 (GRZ2) identifies *Place of assembly* as a Section 2 use. As the proposed function space is characterised as a *Function centre*, which is nested under the term *Place of assembly*, a permit is therefore required for the use.

- While the proposed bookshop use falls under the definition of a *Shop* use, and that use would ordinarily be prohibited under the GRZ2, it is allowable in this case because Clause 53.23 (Significant residential development with affordable housing) applies to the application. Under the GRZ2, *Retail premises* associated with an application sought under this pathway are a Section 2 use. A permit is therefore required to use the land for the proposed bookshop.
- It is also noted that if the proposed *Shop* use were otherwise a Section 3 (i.e., prohibited) use, there would notwithstanding be discretion to approve it given the applicable HO175 allows prohibited uses to be carried out at the former Home where they would support the conservation of the place and not adversely affect its significance.

'Makerspaces'

37. The proposal includes the reuse of the former Home's lower-ground floor for 11 small workshop rooms/artist studios, with a combined floor area of approximately 450 square metres and a proposed maximum occupancy of 60 people. The applicant submits that potential occupants may include painters, photographers, fashion designers, weavers, writers, potters and jewellers. The studios will principally operate as private workspaces, although artists may periodically open them to the public for the display and sale of their work. The proposed operating hours are between 6:00 am and 10:00 pm on weekdays and between 8:00 am and 6:00 pm on weekends.
38. The applicant has likened their proposed operations as being similar to the small creative activities at Collingwood Yards in Collingwood and the Nicholas Building in Melbourne. The applicant has provided that large-scale manufacturing is not proposed, particularly where it would generate material noise, dust, fumes or other off-site effects. Although the applicant describes the makerspaces as part of a broader mix of uses across the site, it remains necessary to consider whether the use can operate without adversely affecting the amenity of the surrounding residential area.
39. The proposed use comfortably fits under the (not-nested) planning scheme definition of *Art and craft centre*.
40. While a permit is not required for the associated internal buildings and works, a permit is required for the proposed use.
    - *Art and craft centre* is not expressly identified as a Section 1 or Section 3 use under the GRZ2 and so is therefore Section 2 as an otherwise unlisted use. As such, permit is required for the proposed *Art and craft centre* use under Clause 32.08-2.

Apartment buildings on Hartington Street

41. The proposal includes the construction of two four-storey apartment buildings to the east of the former Home on Hartington Street. The proposed architecture adopts a contemporary Grecian style with design cues taken from the former Home. The proposed building materials include brush-hammered concrete at lower levels and natural finish, cream brick and smooth concrete at the middle levels, and dark cladding at the top level.

42. The proposed buildings will be excavated into the site with the result that they are four storeys high when viewed from Hartington Street. The elevation at Figure 11 demonstrates this relationship and the proposed basement car park, which is partially above ground at the buildings' rears.



Figure 9. Render of one of the proposed southern apartment building, facing north-west along Hartington Street. Source: p. 108, UCR.

43. Key details of the proposed apartment buildings are summarised as follows:

- The apartment buildings will provide 6 one-bedroom units, 7 two-bedroom units and 34 three-bedroom units.
- The main pedestrian entries to the buildings are via ramps onto Hartington Street with access also available via stairs from the future public open space at the rear.
- 81 car spaces, 41 over-bonnet wall-mounted bicycle spaces and 29 vertical bicycle spaces are provided for residents in a consolidated basement under both buildings, accessed from an internal road. A further 10 bicycle spaces for visitors is provided using horizontal parking devices at the ground floor.
- Each dwelling is provided with a courtyard or balcony, ranging in size from 7.8 square metres to 315.6 square metres
- Communal open space is provided at the roof of each building, including a 294 square metre terrace at the northern building and a 432 square metre terrace at the southern building.
- The northern building would have an overall maximum height of 15.31 metres (four storeys), measured to the roof parapet, from natural ground level along the Hartington Street elevation.
- The southern building would have overall maximum heights of:
    - 15.9 metres (four storeys), measured to the roof parapet, from natural ground level along the Hartington Street elevation.
    - 17.9 metres (five storeys), measured to the roof parapet, from the natural ground level along the southern elevation (internal road).



Figure 10. Elevation drawing of the proposed apartment buildings, facing west from Hartington Street. Source: Architectural Plans Part C (KUD), Sheet C-TP450, Rev 1.

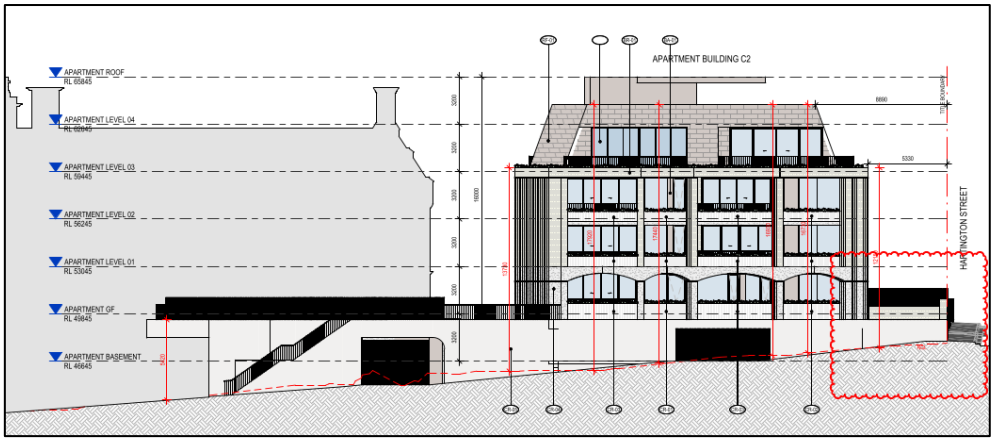


Figure 11. Elevation drawing of the proposed southern apartment building, facing north. Source: Architectural Plans Part C (KUD), Sheet C-TP451, Rev 1.

Townhouses on Hawthorn Road

44. Two blocks of attached townhouses are proposed along the site's frontage to Hawthorn Road, comprising a total of 22 three-bedroom dwellings. The eastern block will contain two two-storey and eight three-storey townhouses (10 in total), while the western block will contain two two-storey and 10 three-storey townhouses (12 in total).

45. The townhouse facades will comprise cream brick, bronze aluminium panels, fluted concrete friezes, bush-hammered concrete pilasters and glazing. At ground level, the frontage of each townhouse will include a raised terrace behind a 0.31-metre-deep planter box. The terraces will be set above a smooth concrete retaining wall. The levels of the ground-floor terraces will range from approximately 0.34 to 4.39 metres at the eastern block and from approximately 0.47 to 0.96 metres at the western block.



Figure 12. Render of the proposed western townhouse block, facing south from Hawthorn Road. Source: cover page, Architectural Plans Part B, Rev 1.

46. The ground-floor terraces will provide setbacks above the retaining walls that (excepting the pilasters) range between 3.89 and 7.02 metres deep. The first floors of the terraces will then encroach further toward Hawthorn Road, with further setbacks and balconies proposed at those with three storeys.

47. The height of the townhouses along Hawthorn Road measured to the roof parapet, from natural ground level, ranges between 7.01 and 10.46 metres at the eastern block and 7.27 and 11.63 metres at the western block.

48. The rooflines of the terraces at the western block alternate in response to the slope along Hawthorn Road. Apart from the bookending two-storey townhouses, the roofline at the western block is consistent.



Figure 13. Elevation drawing of the proposed eastern townhouse block, facing south from Hawthorn Road. Source: Architectural Plans Part B (KUD), Sheet B-TP452.



Figure 14. Elevation drawing of the proposed western townhouse block, facing south from Hawthorn Road. Source: Architectural Plans Part B (KUD), Sheet B-TP450.

49. The two blocks are separated by a proposed pedestrian walkway. Vehicle access is via a new crossover to Hawthorn Road at the western end of the western block. The westernmost townhouse will abut the proposed theatre building.

50. Pedestrian entries to the townhouses will be via landscaped, south-facing terraces accessed via an internal pedestrian path

51. 44 car parking spaces (22 double garages) and 44 resident vertical bicycle parking spaces will be provided for residents in a basement under both townhouse blocks, accessed via a crossover and basement ramp from Hawthorn Road. A further 6 bicycle spaces for visitors will be provided at the ground floor using horizontal parking devices.

52. The proposed townhouses will be provided with ground-floor terraces overlooking Hawthorn Road, ranging in size form 25.0 square metres to 86.0 square metres. Additionally:

    - The two two-storey townhouses at the western block will be provided with rooftop (third floor) terraces of between 82.00 and 102.00 square metres.
    - The three-storey townhouses at both blocks will be provided with third floor north-facing balconies of 8.00 square metres.



Figure 15. Render of the proposed pedestrian path between the eastern and western townhouse blocks, facing south-west from Hawthorn Road. Source: p.109, UCR.

Theatre at the corner of Hawthorn Road and St Georges Road

53. A circular theatre complex comprising an indoor theatre and adjoining outdoor amphitheatre is proposed at the north-western corner of the site.

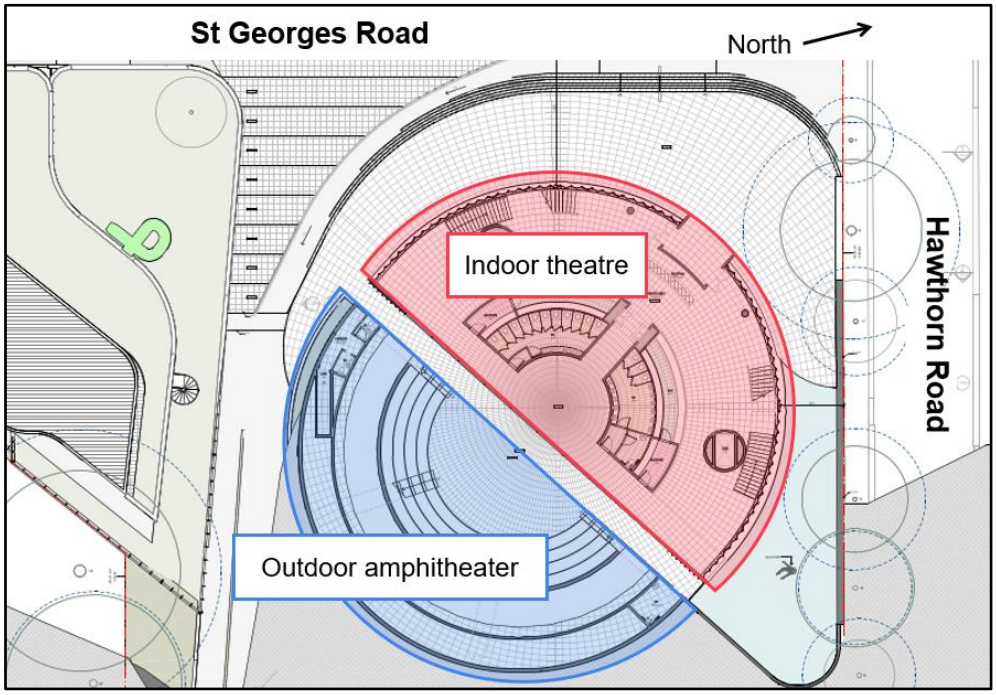


Figure 16. Proposed theatre complex. Source: Architectural Plans Part D (KUD), Sheet D-TP301, Rev 1 (annotations added).

54. The indoor theatre's north-eastern include fluted glass curtain walling and above corrugated concrete fascia. At the south-western elevation of the indoor theatre a mix of flat glazing and concrete will face the outdoor amphitheatre, and provide visual connectivity between the two performance spaces (see Figure 18 and Figure 19).

55. The proposed indoor theatre building has overall maximum heights, measured to the roof parapet from the natural ground level of approximately 8.18 metres along the Hawthorn Road frontage and 14.6 metres along the St Georges

Road frontage. The building will be set back from Hawthorn Road by 4.9 metres and St Georges Road by 12.6 metres.



Figure 17. Render of the indoor theatre entry, facing south-east from the intersection of Hawthorn Road and St Georges Road. Source: p. 119, UCR.

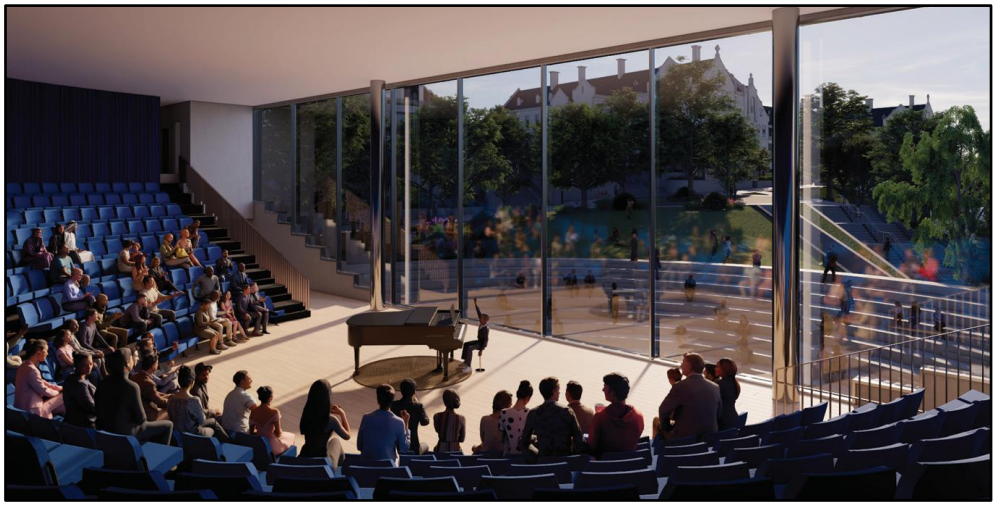


Figure 18. Render of the interior of the indoor theatre, facing east. Source: p. 121, UCR.

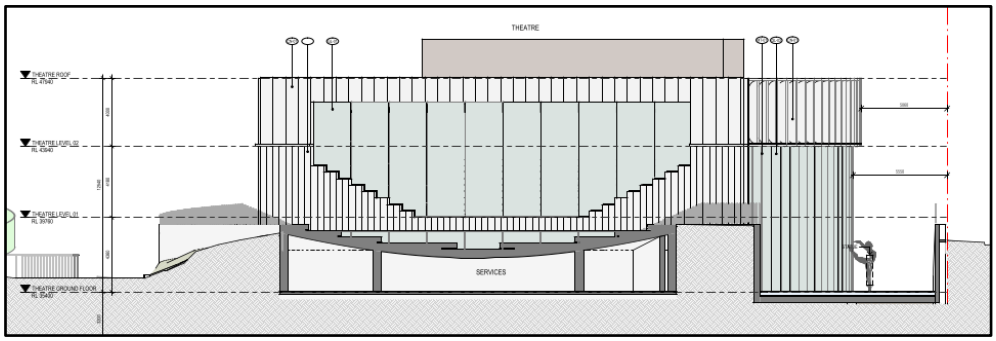


Figure 19. Elevation drawing of the indoor theatre building, facing north-west. Source: Architectural Plans Part D (KUD), Sheet D-TP451, Rev 1.

56. The amphitheatre is proposed to be cut into the land at a maximum depth of 3 to 4 metres below ground level. The upper tiers of its steps will rise to meet ground level and landscaped public open space to its south-west (see Figure 20). It is proposed that patrons will access amphitheatre either using a levelled cut at its south-western corner or by stepping down from the open space adjoining its upper rim.

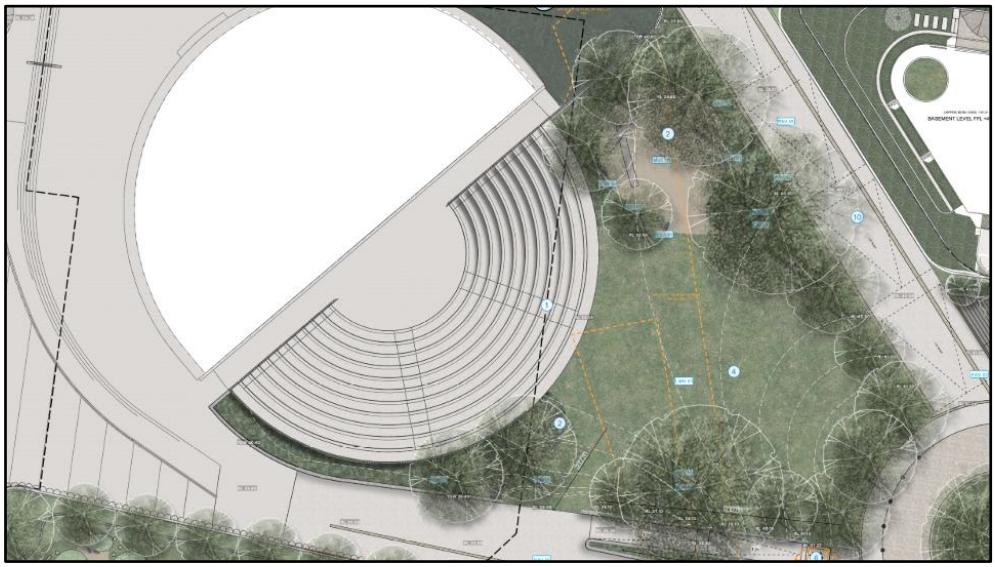


Figure 20. Plan drawing of the proposed amphitheatre and adjoining landscaped open space. Source: TP-4.04, Landscape Plans (Acre) 25 March 2026, Rev E.

57. The forecourt to the intersection of Hawthorn Road and St Georges Road is proposed to be paved, with minimal planting proposed around the stairway to the theatre complex (see Figure 17).

58. To address the significant slope along Hawthorn Road, the land around the indoor theatre will be levelled behind a concrete retaining wall (up to approximately 3.9 metres) constructed along the property boundary. The space between the retaining wall and the theatre building will contain a shallow water feature with an illuminated statue (see Figure 21). A 1.22-metre-hgih fence will be provided along the Hawthorn Road boundary to prevent falls into the space.

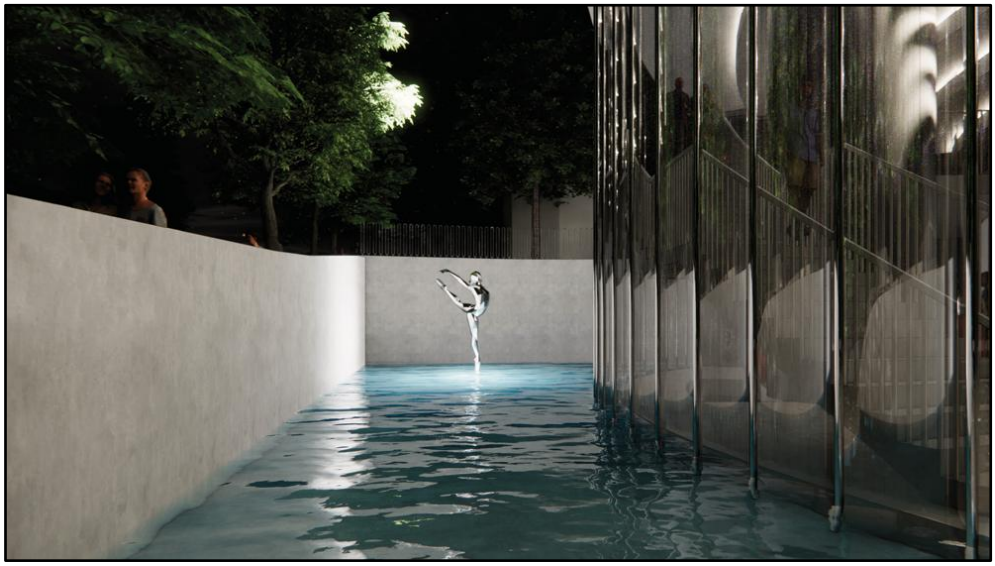


Figure 21. Render of the proposed water feature to the north of the indoor theatre, facing east. Source: p. 123, UCR.

59. It is proposed that patrons will enter the indoor theatre from Hawthorn Road and St Georges Road via a main pedestrian entrance addressing that intersection. The entry foyer will contain two bars, male and female amenities and lifts providing access to the upper levels. The enclosed theatre's foyer and amenities will also service the outdoor amphitheatre, which will be situated to the immediate south-east of the enclosed theatre and have individual bathrooms of its own.

60. The proposed theatre complex will be used by up to 430 patrons for live music and theatrical performances; presentations, ceremonies and community gatherings; and Greek cultural and community events, potentially in

association with the Greek Orthodox Archdiocese's continued use of the site for religious services. The applicant seeks permission to hold events between 8am and midnight seven days a week, with exceptions for greater attendance at special events such as Christmas or Easter services.

61. The applicant has not provided information on the proposed staffing numbers for the theatre complex.

62. The applicant proposes a 70-space basement car park to be shared between the theatre complex and childcare centre. The proposed car park would be accessed from the western elevation of the childcare building via a ramp down from St Georges Road. Stairs and lifts within the theatre are then proposed to connect it with the basement. The applicant also proposes for theatre patrons to use either the non-residential parking at the former Home's basement or port cochere beside the former home, and then the internal path network, to reach the theatre complex. The submitted *Transport Impact Assessment* (Ratio) 17 March 2026 notes that this arrangement can also be used for theatre staff and deliveries.

Childcare centre on St Georges Road

63. The proposal includes the establishment of a 110-place childcare centre within a three-storey building at the south-western corner of the site, fronting St Georges Road. The proposed built form is stepped, with different parts at one, two and three storeys. The northern part of the building is one and two storeys and has successive rooftop terraces connected by an external slide and staircase. These terraces provide open play space and landscaping, including a canopy tree at the roof of the first floor. The southern part of the building is three storeys, includes a cantilever over the western elevation and is built to align with the property's southern boundary.

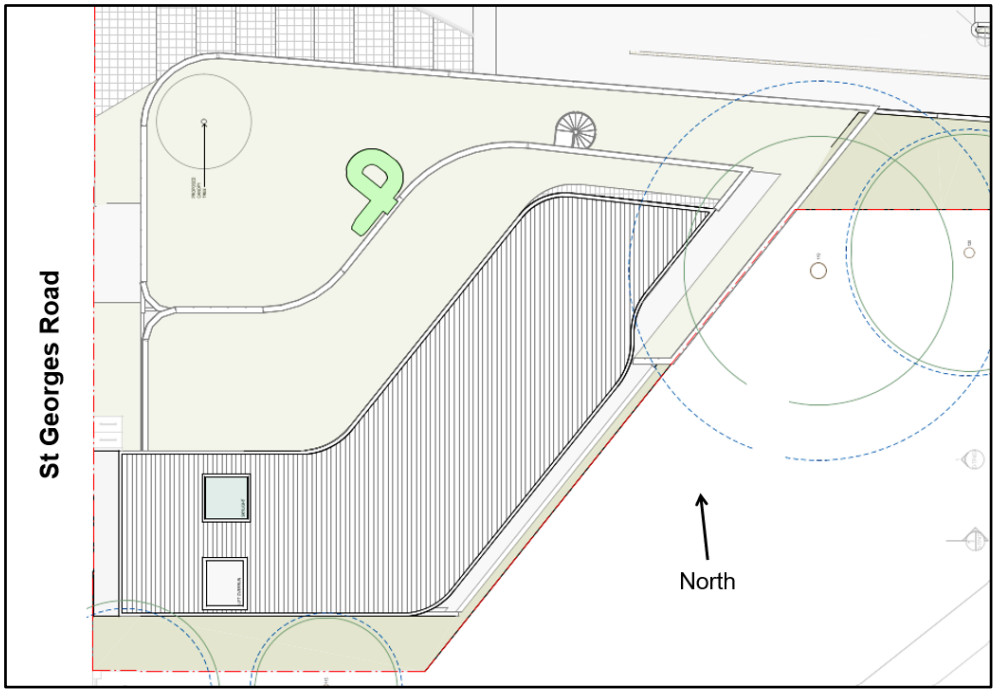


Figure 22. Plan drawing of the proposed childcare building. Source: Architectural Plans Part D (KUD).

64. It is proposed that parents, their children and staff access the site either via an internal entry from the basement car park shared with the theatre complex, or through a dedicated pedestrian entry at St Georges Road. Both lead to the same lobby and reception, with lifts and stairs to above levels, which include six children's rooms, staff offices, a kitchen, amenities and storerooms.

65. The proposed childcare building adopts a similarly subdued architecture to what is proposed throughout the balance of the site, with a facade composed primarily from smooth, unpainted concrete, metal balustrading and clear glazing.

66. In terms of built form, the proposed building has:

- An overall maximum height of approximately 9.96 metres, measured to the roof parapet, from natural ground level along the St Georges Road elevation.

- Setbacks of between 0 metres and 3.91 metres to the southern common boundary with 112B St Georges Road, Northcote.
- Setbacks of between 0 metres (at the cantilever) and 2.97 metres (along the remainder of the facade) to the western boundary with St Georges Road.

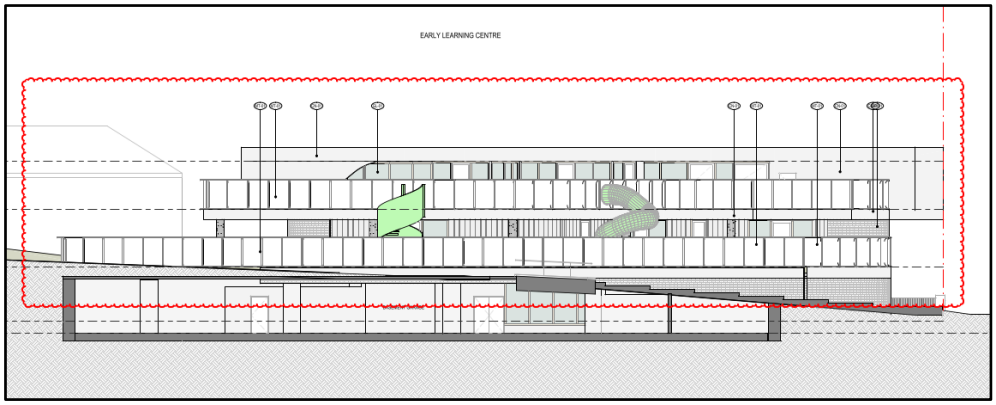


Figure 23. Elevation drawing of the childcare building, facing south. Source: Architectural Plans Part D (KUD), Sheet D-TP453, Rev 1.

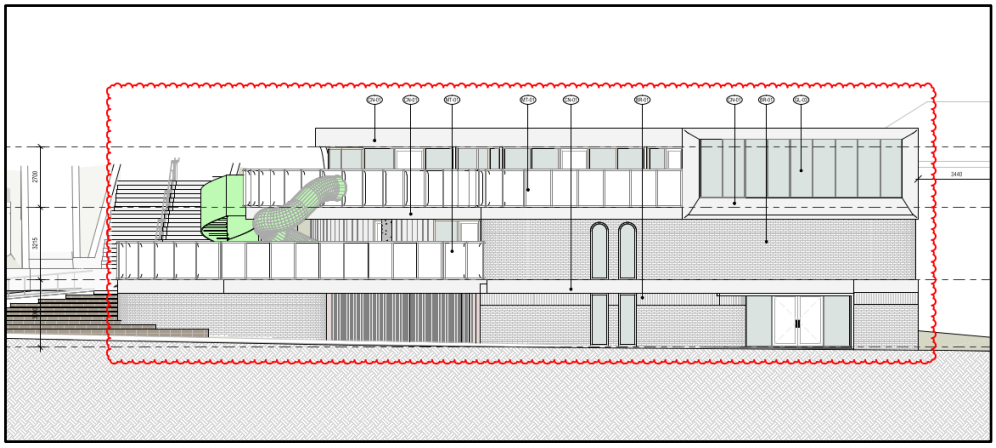


Figure 24. Elevation drawing of the childcare building, facing east from St Georges Road. Source: Architectural Plans Part D (KUD), Sheet D-TP452, Rev 1.

67. The childcare centre is proposed to accommodate children aged between 0 and 4 years. It is proposed to operate between 7am and 6pm Monday to Friday, and from 9am to 5pm on weekends. The applicant has not specified a proposed number of staff for the centre.

68. Of the 70 basement car parking spaces beneath the childcare centre proposed to be shared with the theatre complex, it is proposed that 24 of these be allocated to the childcare centre, including one accessible space. Marked pedestrian paths within the basement would then connect these spaces with the centre's ground-floor reception. A separate pedestrian entrance is also shown from St Georges Road. The submitted *Transport Impact Assessment* (Ratio) 17 March 2026 does not specify how the 24 spaces will be divided between staff parking and parent drop-off and collection.

69. The *Transport Impact Assessment* also identifies 30 bicycle spaces for the theatre complex and childcare centre, comprising 20 spaces for staff and 10 for visitors, however, does not allocate these spaces between the two uses.

70. A bin room in the shared basement is proposed to serve both uses, with waste to be collected by a private contractor using a small collection truck.

Restaurant at the south of site

71. The proposal includes the use and development of a restaurant within the site, close to its southern boundary as depicted at Figure 3. The restaurant would occupy an approximately 6.22-metre x 31.83-metre single-storey building, comprising a 21.0-square-metre kitchen and 158.2-square-metre dining area, with outdoor seating areas positioned to its north and west. The restaurant building is proposed to include a landscaped 'green roof'.

72. The submitted *Architectural Plans Part A* (KUD) 26 March 2026, however, provide only limited detail on the building. They do not provide detailed or dimensioned elevations or sections nor a materials schedule.

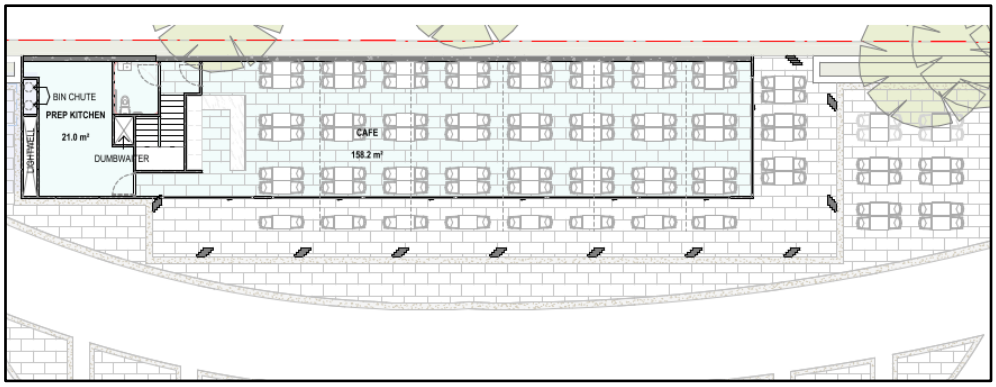


Figure 25. Plan drawing of the restaurant. Source: Architectural Plans Part A (KUD), Sheet A-TP3005, Rev 1.

73. It is proposed for the restaurant to be accessed via the accessible internal pedestrian path network, and via lifts connecting the former Home's basement car park to freestanding outdoor entrance structures at ground level. Waste from the restaurant can be deposited in the former Home's basement waste storage area via bin chutes within the kitchen.

74. The applicant submits that the restaurant will host up to 150 patrons, including 100 indoors and 50 outdoors. The applicant has requested that the use operate between 8am and 11pm seven days a week.

75. The applicant has not provided information on the proposed staffing numbers for the restaurant.



Figure 26. Render of the restaurant's outdoor eating area, facing north-east. Source: p. 81, UCR.

Open space and landscaping

76. The proposed landscaping is a significant component of the proposal and forms an extensive, connected series of public open spaces around the heritage building and between it and the new buildings. These would 'fill in the gaps'

between the various buildings, which occupy only about 39 per cent of the site's 2.61 hectares, and comprise parkland, lawns, paved spaces, smaller gardens and pedestrians paths.

77. Within the site, it is proposed that between the retained and planted trees, a canopy coverage of 5,738 square metres will be achieved, which equates to about 22 per cent of the site.

78. The landscape plan proposes approximately 15,972 plants across the site including canopy trees, shrubs, grasses, groundcovers, climbers and edible species. The proposed planting palette combines indigenous species with Mediterranean and productive planting such as olive, citrus, fig and pomegranate trees as well as rosemary, lavender and sage. Broadly, the proposed hardscaping includes natural stone and concrete paving, cobblestones, granitic sand paths, reused and new brickwork and bluestone detailing.

79. The applicant proposes that all the proposed landscaping and publicly accessible open space within the site will be established, funded and maintained by the permit holder/landowner in perpetuity. The submitted material does not include a landscape maintenance schedule, however it is expected that this will include irrigation, weeding, mulching, fertilising, pruning, replacement planting, pest and disease control, lawn care and the cleaning and repair of paving, furniture, lighting and drainage infrastructure.

80. The path network would connect the site with Hawthorn Road, Hartington Street and St Georges Road, and link the principal building entrances. The proposed key connections include paths through breaks in the townhouse frontage (north), a pedestrian entrance between the two apartment buildings (east) and a splayed stoop between the theatre complex and childcare centre (west).

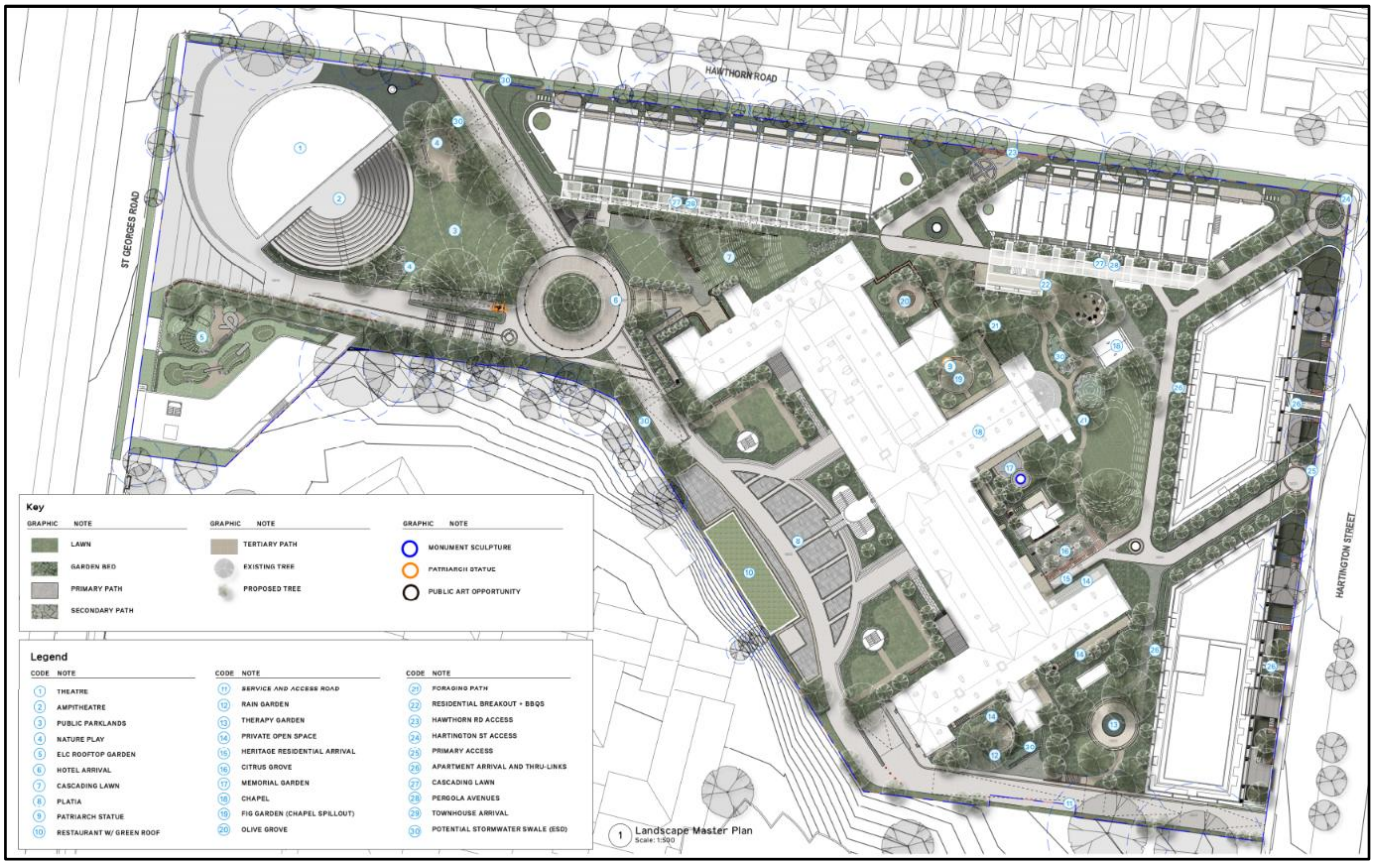


Figure 27. Plan drawing of landscape master plan. Source: TP-4.01, Landscape Plans (Acre) 25 March 2026, Rev E.

81. In the western part of the site, parkland to the east of the theatre is proposed to contain open lawn, canopy trees, planted margins and two 'nature play' areas (Figure 28). (Nature areas are play spaces that use natural features like logs, rocks and planting for children to play with.) The proposed path between the theatre and childcare centre leads toward the heritage building's northern wing (residential hotel) and its circular arrival court (Figure 29). The court is proposed to contain a planted central island with a feature tree and connects with the hotel entrance and adjoining landscaped spaces.

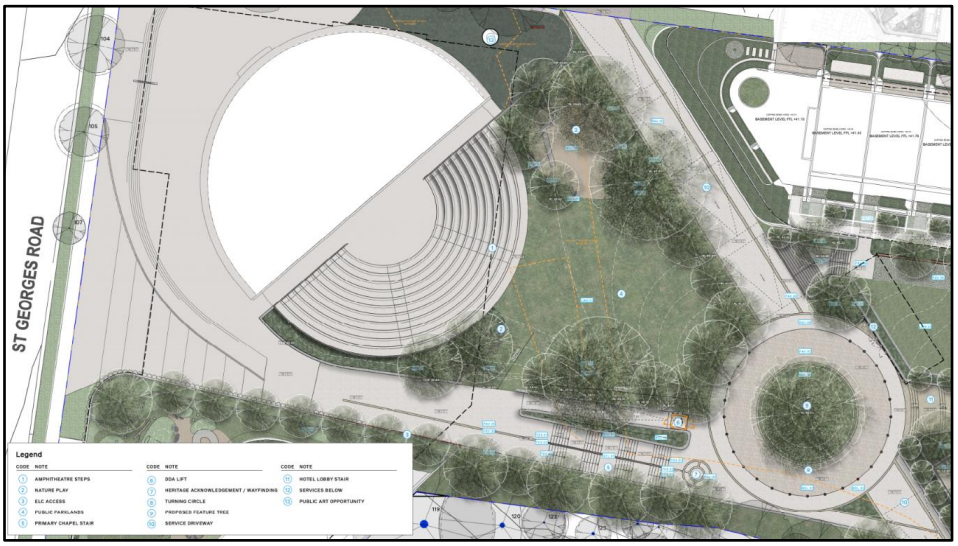


Figure 28. Plan drawing of 'amphitheatre parklands'. Source: TP-4.04, Landscape Plans (Acre) 25 March 2026, Rev E.



Figure 29. Plan drawing of 'hotel lobby and arrival' landscaping, adjoining 'amphitheatre parklands'. Source: TP-4.05, Landscape Plans (Acre) 25 March 2026, Rev E.

82. The principal outdoor gathering space, described in the plans as a paved ‘platia’, would occupy an area to the south-west of the former Home, between that building and the proposed restaurant. Its treatment would include patterned paving, tree planting and two lawns flanking an access staircase (Figure 30). Paths, steps and ramps are variously proposed to link the platia with the former Home and surrounding grounds.

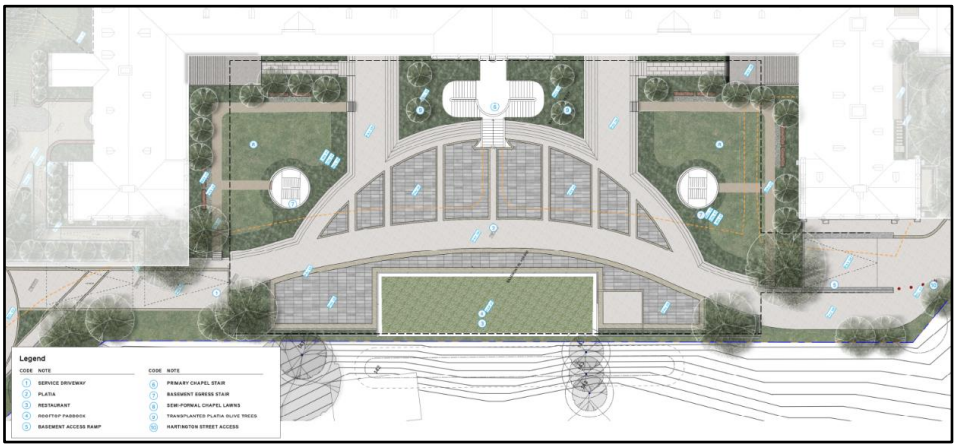


Figure 30. Plan drawing of 'platia'. Source: TP-4.06, Landscape Plans (Acre) 25 March 2026, Rev E.

83. On the north-eastern side of the former Home, public lawns and winding paths are proposed to extend towards the apartment buildings. Smaller gardens adjoining the former Home along this flank are proposed to have olive, fig, citrus and other fruit trees, together with a memorial garden (Figure 31). An existing statue and Greek Australian war memorial structure on the site is proposed to be relocated to the memorial garden. Towards the south-east of the former Home, a 'therapy garden' and rain garden would provide shaded seating, a water feature, planted terraces and a lawn (Figure 32).

84. A paved path is proposed to run along the inner side of the townhouses. An overhead pergola and raised planters would define this route, which would connect the townhouse entrances with the site's public path network. The proposed spaces to the south of the western townhouse block will contain public seating, barbecues, sloping lawns and further planting (Figure 34).

85. The proposed eastern pedestrian entrance from Hartington Street, between the apartment buildings, includes raised planting beds and public seating and connects directly with the site's path network (Figure 35).



Figure 31. 'Edible groves' at north-east of former Home. Source: TP-4.08, Landscape Plans (Acre) 25 March 2026, Rev E.

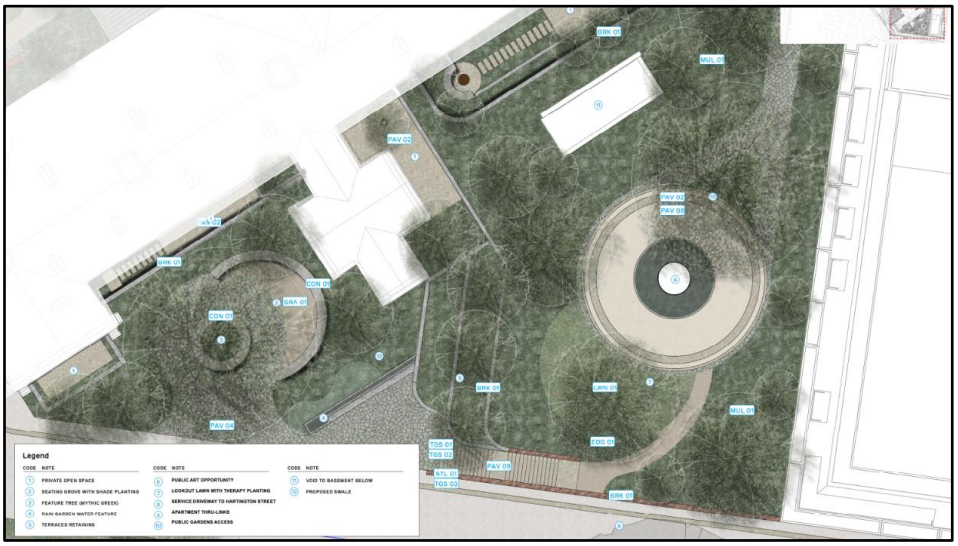


Figure 32. 'Therapy and rain garden' at the south-east of the former Home. Source: TP-4.07, Landscape Plans (Acre) 25 March 206, Rev E.



Figure 33. 'Townhouse avenue' at the southern edge of the eastern townhouse block. Source: TP-4.09, Landscape Plans (Acre) 25 March 2026, Rev E.

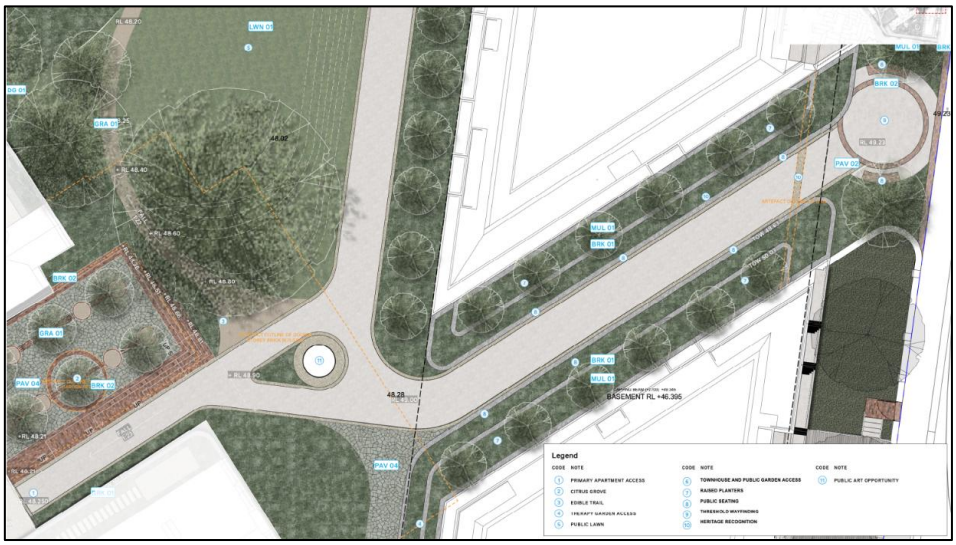


Figure 34. 'Primary access lane' between the two new apartment buildings. Source: TP-4.10, Landscape Plans (Acre) 25 March 2026, Rev E.

Transport arrangements

Car parking

86. As outlined variously above, the proposal includes 315 car parking spaces across four separate basements. These comprise:

    - 120 car parking spaces across two basement levels beneath the former home
    - 44 car parking spaces within 22 double garages in a single-level basement beneath the townhouses
    - 81 car parking spaces within a single-level basement beneath the apartment buildings
    - 70 spaces within a single-level basement beneath the childcare centre and theatre complex.

87. The 120 spaces proposed beneath the former Home will serve the apartments and hotel, church, function centre, bookstore and makerspaces, together with the restaurant to the south of the building. This car park will be accessed from Hartington Street via an internal driveway along the southern side of the apartment buildings. An entry boom gate will be located at the top of the ramp to the first basement level and an exit boom gate at the bottom, with access proposed to be controlled through number-plate recognition. Of the 120 spaces proposed, 33 are identified as residential parking. The remaining 87 spaces are not individually allocated between the aforementioned uses and will form a shared, publicly accessible supply. The submitted *Transport Impact Assessment* (Ratio) 17 March 2026 calculates the following car parking requirements for those non-residential uses, however these are statutory demand calculations, not proposed allocations:

    - Hotel: 23 car parking spaces
    - Bookstore: 5 car parking spaces
    - Makerspaces: 17 car parking spaces
    - Restaurant: 9 car parking spaces
    - Church and function centre: 129 car parking spaces (which will rely on the 87 unallocated spaces beneath the former Home and the unallocated portion of the 70-space theatre/childcare basement, after the 24 childcare spaces are accounted for).

88. The 44 townhouse car parking spaces will be contained in 22 double garages in a basement beneath the two townhouse blocks. That basement will have separate vehicle access from hawthorn Road at the western end of the townhouse frontage.

89. The 81 car parking spaces beneath the apartment building will be allocated to their 47 dwellings and accessed from the same internal driveway from Hartington Street as the basement beneath the former Home.

90. The proposed residential parking provision for the former Home, townhouses and apartment buildings meets the applicable statutory rates (pre VC277 / 18 December 2025).

91. A 70-space basement beneath the childcare and theatre complex is proposed to be accessed via a double-width crossover from St Georges Road. The spaces will be shared between those uses, with 24 spaces allocated specifically to the childcare centre.

92. Overall, 168 car parking spaces in the two basements beneath the former Home and theatre/childcare will be available to the proposed non-residential uses. It is proposed that the church, function centre and theatre complex will operate within a combined ordinary patron cap of 430 persons (excepting limited special events). Parking for those uses will be shared between the two basements according to the location, nature and attendance of an event. The applicant proposes that the detailed allocation and management of these spaces may be addressed through a Car Parking Management Plan.

93. The proposal generates a statutory requirement for a combined 354 car parking spaces under the pre-VC277 requirements of Clause 52.06 (Car parking). The proposal, in providing a total of 315 car parking spaces, therefore seeks a reduction of 39 spaces, all associated with the 168 spaces available to the existing and proposed non-residential uses. The applicant's *Transport Impact Assessment* predicts a peak demand of 152 (weekday) and 158 (weekend). This assumes full attendance under the combined 430-patron cap and relies on the different uses

generating their peak demands at different times, together with shared and multi-purpose trips between uses within the site.

94. For occasional major church services including Christmas and Easter services, the applicant proposes that attendance may exceed the ordinary combined patron cap. The proposal does not provide additional on-site car parking for these events and instead relies on their infrequent occurrence and the availability of on-street parking in Hartington Street, Hawthorn Road and St Georges Road. The submitted material does not prescribe a frequency, attendance limit or specific parking management arrangements for these larger events.

Vehicle access and circulation

95. Four vehicle access points are proposed across the site: one crossover from Hartington Street, two crossovers from Hawthorn Road and crossover from St Georges Road:

    - The Hartington Street crossover at the site's eastern boundary will access the basement parking beneath the former Home and apartment buildings.
    - The western Hawthorn Road crossover at the sites northern boundary will serve the townhouse basement, while a separate Hawthorn Road access will lead to a porte cochere adjoining the former Home's hotel use.
    - The St Georges Road crossover will serve the basement beneath the childcare centre and theatre complex.

96. All of the proposed crossovers will provide a minimum two-way width of 5.5 metres and include pedestrian visibility splays on their departure sides.

97. The proposed port cochere, which is located centrally in the site, will primarily provide passenger pick-up and drop-off for the hotel, church, function centre and theatre uses. It is proposed to accommodate passenger vehicles and minibuses, and may also be used outside peak periods by small delivery vehicles. The at-grade vehicle entrance from Hawthorn Road may additionally be used by service vehicles undertaking occasional event set-up within the open spaces. The proposed port cochere remains subject to further design assessment including swept path analysis.

98. Internal basement accessways will generally provide for two-way movement and allow for vehicles will enter and leave each basement in a forward direction. The submitted *Transport Impact Assessment* includes swept path analyses to demonstrate the achievability of these movements. The basement car parks will generally provide a minimum vertical clearance of 2.2 metres, increasing to 2.5 metres above accessible spaces.

Bicycle parking

99. A total of 244 bicycle parking spaces is proposed across the site, comprising:

    - 72 employee or resident spaces and 12 visitor spaces beneath the former Home
    - 44 resident basement resident spaces and 6 at-grade visitor spaces at the townhouses
    - 70 basement resident spaces and 10 at-grade visitor spaces at the apartment buildings
    - 20 indoor employee spaces and 10 external at-grade visitor spaces for the childcare centre and theatre complex (closer to the childcare centre).

100. Bicycle parking is proposed to be delivered through a combination of external ground-mounted horizontal hoops for visitors, and vertical racks and over-bonnet wall-mounted racks indoors and in basements for residents and workers.

Loading and waste

101. Deliveries are proposed to occur throughout the week for the various residential and non-residential uses. Residential removalist vehicles will generally load and unload from the adjoining street frontages. Other loading by vehicles may occur informally within the port cochere and its adjoining parking bays outside of peak operating periods. No separate loading bay is proposed for each individual non-residential use.

102. Waste is proposed to be separated and sored within dedicated areas in the basement car parks and collected via a private contractor. 6.4-metre-long mini rear-loaders are proposed to enter the relevant basement, stop beside the waste storage or collection area and leave the site in a forward direction. The collection points are proposed to provide at least 2.5 metres of vertical clearance to allow for bins to be lifted into the vehicle.

103. As abovementioned, it is proposed that the waste generated by the proposed restaurant will be transferred to the basement waste storage area via bin chutes in its kitchen.

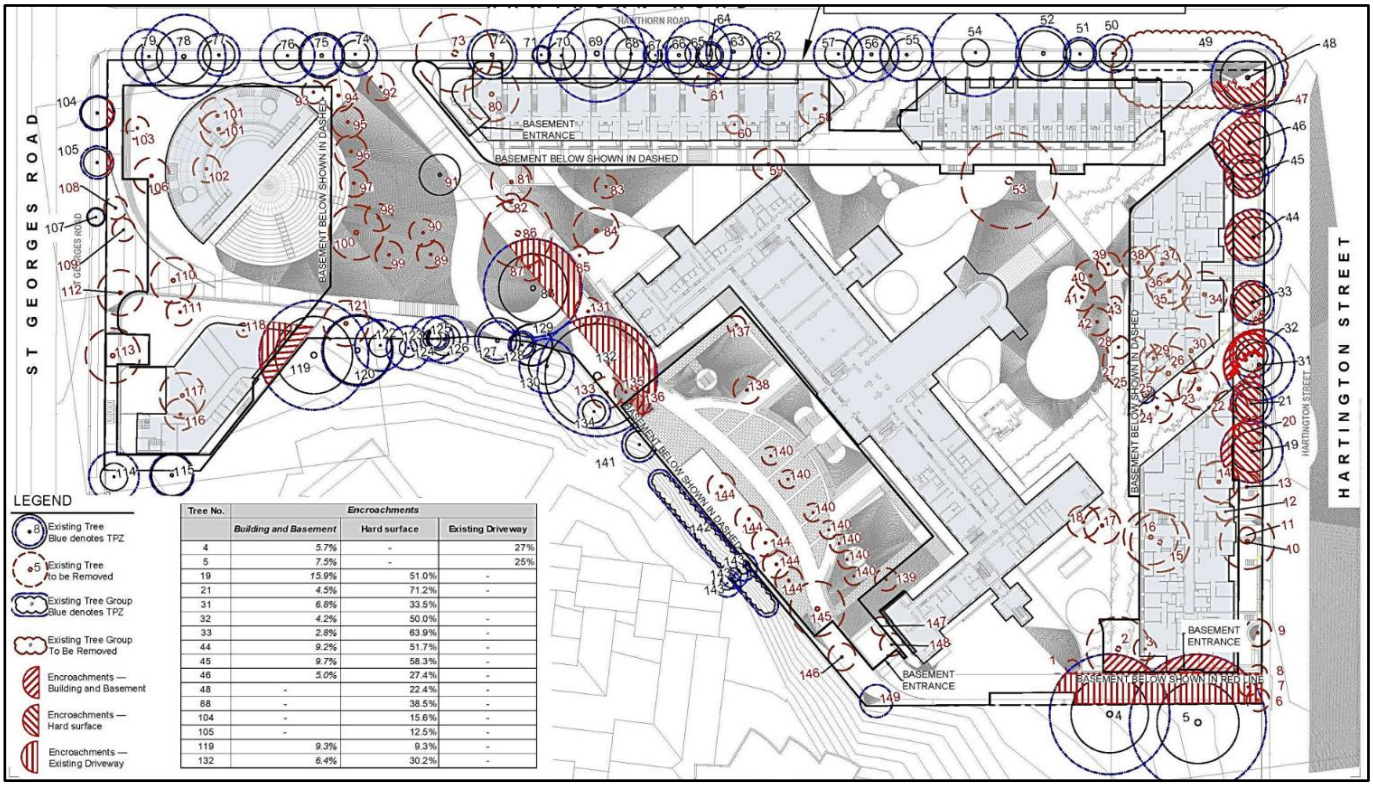
104. Waste collection is proposed to occur privately in accordance with a Waste Management Plan (proposed to be endorsed in future). The submitted *Operating Management Plan* (Hub Property Group) 22 August 2025 proposes that waste generated on the site will be placed within the designated waste and recycling storage areas, as well as separate operational controls for the restaurant, including that:

- Staff must place, rather than drop (via the bin chute), bottles and other heavy items into bins.
- Restaurant staff are not to transfer glass bottles externally before 7am or after 10pm.

Tree removal

105. The proposal includes the removal of most existing trees and other vegetation from the site. The submitted *Arboricultural Report* (John Patrick Landscape Architects) 25 July 2025 identifies the native trees proposed for removal as planted specimens and concludes that their removal benefits from the planted-vegetation exemption at Clause 52.17 (Native vegetation). On that basis, a planning permit is not required under Clause 52.17.

106. Clause 52.37 (Canopy trees) was introduced after the application was lodged and does not apply by operation of its transitional provisions. Accordingly, no separate planning permission is required under that clause for the proposed tree removal. The implications of the removal for the development's landscape response, canopy cover and neighbourhood character are considered in the assessment section further below



Tree No.	Encroachments		
	Building and Basement	Hard surface	Existing Driveway
4	5.7%	-	27%
5	7.5%	-	25%
19	15.9%	51.0%	-
21	4.5%	71.2%	-
31	6.8%	33.5%	-
32	4.2%	50.0%	-
33	2.8%	63.9%	-
44	9.2%	51.7%	-
45	9.7%	58.3%	-
46	5.0%	27.4%	-
48	-	22.4%	-
88	-	38.5%	-
104	-	15.6%	-
105	-	12.5%	-
119	9.3%	9.3%	-
132	6.4%	30.2%	-

Figure 35. Tree removal plan. Source: p. 21, Arboricultural Report (John Patrick Landscaep Architects) 25 July 2025.

Affordable housing and Clause 53.23 (Significant residential development with affordable housing)

107. The proposal includes an affordable housing contribution to be secured through an agreement under section 173 of the Act. The applicant proposes flexibility in the form of that contribution, including the provision of dwellings to a registered housing agency or Homes Victoria, or an alternative contribution of equivalent value agreed with the responsible authority.

108. The final form, value, timing and delivery of the contribution have not been settled through the application. Accordingly, the permit will include the standard condition required by Clause 53.23-4. This will require either:

- At least 10 per cent of the total number of dwellings to be provided as affordable housing for sale or lease to a registered housing agency or Homes Victoria; or
- An alternative contribution towards affordable housing, to the satisfaction of the responsible authority.

109. The applicant accepts that the details of the contribution would need to be secured via a section 173 agreement.

Permit triggers

110. Table 3 below provides a more detailed overview of the relevant permit triggers.

Table 3. Permit triggers.

Clause	Permit trigger	Notice provisions*
Zone		
Clause 32.08 (GRZ2)	Clause 32.08-2 • Use of land for a *Residential hotel*, *Shop* (bookshop), *Place of assembly* (*Function centre* and theatre), *Art and craft centre*, *Restaurant and Child* care centre.	Not exempt from notice.
	Clause 32.08-7 • Construction of two or more dwellings on a lot and construction or extension of a residential building.	Not exempt from notice.
	Clause 32.08-10 • Construction of buildings and carrying out of works associated with Section 2 uses.	Not exempt from notice.
Overlays		
Clause 43.01 (HO175)	No permit required.**	
Particular provisions		
Clause 52.06 (Car parking)	No permit required.***	Not applicable.
Clause 52.05 (Signs)	Construction and display of the proposed signs requiring permission under the applicable Category 3 sign controls.	Not exempt from notice.
Clause 52.29-2 (Land adjacent to the Principal Road Network)	Creation or alteration of access to St Georges Road, which is in the Transport Zone 2.	Exempt from notice under Clause 52.29-5.
Clause 52.34-2 (Bicycle parking)	Vary, reduce or waive any requirement of Clause 52.34-5.	Exempt from notice under Clause 52.34-3.

* The notice exemptions above concern sections 52(1)(a), (b) and (d) of the Act. Clause 53.23-5 (Significant residential development with affordable housing) exempts the application from third-party review but does not exempt it from notice.

** A permit is not required under Clause 43.01 (Heritage overlay) as the site is graded as being state-significant on the Victorian Heritage Register, with a separate HV permit application currently being assesed (refer to Clause 43.01-3).

*** Clause 52.06 (Car parking) does not apply by operation of Clause 53.23-2, and no permission is formally required under it. Its requirements have nevertheless been used as a benchmark to inform the assessment of the proposed car parking provision and design.

Referral and notice

Referrals

111. The application was referred in accordance with Table 4 below.

Table 4. Referrals

Referral type	Clause	Organisation	Response and date received
Informal	N/A	*VicTrack.* Referred because Hartington Street separates the site from an adjoining railway corridor.	Informally referred on 22 April 2026. Response received on 21 May 2026. VicTrack noted that the site is about 15 metres from railway land. Given the absence of a direct interface, VicTrack considered that railway land would not be affected and raised no objection. No permit condition is recommended in response to VicTrack's advice.
Section 55 Referral – Determining	52.29-4 (Land adjacent to the Principal Road Network) 66.02-11 (Land use and transport integration) Clause 66.05 (Referral of permit applications under state standard provisions	*Head, Transport for Victoria* Referred due to planning scheme requirement to do so.	Referred on 5 October 2025. Response received on 27 October 2025. The Head, Transport for Victoria did not object to the application subject to a condition requiring the new crossover to St Georges Road to be constructed to the satisfaction of the responsible authority and at no cost to the Head, Transport for Victoria; and all vehicles entering and leaving the site in a forward direction. A permit note was also required concerning separate consent for road works within the road reserve under the *Road Management Act 2004*. The condition and permit note are recommended for inclusion on the planning permit should it issue.

Amended application and s 57C of the Act

112. As outlined under the notice section below, the application was amended under s 57A of the Act (after the above referrals) to identify correctly the full range of planning permissions sought. The amendment did not change the plans, development layout, access arrangements or physical relationship of the proposal with adjoining transport land. It also did not modify the permission sought under Clause 52.29.

113. Section 57C requires an amended application to be given to a referral authority unless the responsible authority considers that the amendment would not adversely affect that authority's interests. Given the administrative-only nature of the s 57A amendment, and the conclusion that it would not materially impact on either of the referral authority's interests, the amended application was not re-referred to the Head, Transport for Victoria or to VicTrack.

Notice

114. The application is not exempt from the notice requirements of ss 52(1)(a), (b) and (d) of the Act. Notice was therefore required to be given in accordance with those sections, including to surrounding owners/occupants and Darebin City Council (council).

115. Notice was first given on 24 April 2026. This included direct notice to surrounding owners and occupiers via posted mail and the display of signs on the Hawthorn Road, Hartington Street and St Georges Road frontages.

116. Following this round of notice, DTP identified that the description of the application did not include all of the permissions required for the proposed use and development.

117. The applicant subsequently amended the application under s 57A of the Act and was directed to re-notify the under s 57B. The second round of notice began on 7 September 2026 and included:

- Direct notice by post to surrounding owners and occupiers (this covered the same geographical extent as the first notice process).

- Three signs displayed on the site, facing Hawthorn Road, Hartington Street and St Georges Road, for at least 14 days. The applicant has provided a statutory declaration confirming that these signs were displayed in accordance with the notice requirements.
- Notice to Darebin City Council (sent electronically) under s 52(1)(b) of the Act.
- Publication of relevant application documents online on the Ministerial permits register

118. The full set of permissions required was correctly identified in the second round of notice.

119. During the second round of notice, some submitters raised concerns about the timing and delivery of the renewed notice. In considering those concerns, regard had been given to evidence provided by the applicant that shows notices were posted, the signs were displayed on all three street frontages and the period that has elapsed since the second round of notice commenced. Submitters were also advised that submissions could continue to be made at any time before the application was determined. As at the date of this report, more than six weeks have passed since the second round of notice commenced. It is therefore considered that the second round of notice has met the relevant requirements of the Act and has provided the required persons with a reasonable opportunity to understand and respond to the proposal.

Table 5. Notice

Notice	Organisation/Group	Response
Section 52(1)(a)	Property owners and occupiers adjacent to the subject site. f	Submissions received.
Section 52(1)(b)	Council	Response received on 3 December 2025.
Section 52(1)(c)	N/A	N/A
Section 52(1)(d)	N/A	N/A

Submissions

Council response

120. Council broadly supports the renewal and adaptive reuse of the former Home and recognises the potential benefits arising from additional and affordable housing, creative workspaces and community and cultural facilities. However, it objects to the proposal in its current form and raises concerns about its aggregate scale and intensity, heritage setting, built form, tree removal, landscaping, transport, pedestrian access, ESD and stormwater responses.

121. In summary council's concerns include:

- The scale and intensity of the proposed non-residential uses in the residential context
- The operating and acoustic effects of the proposed theatre complex
- The proposed height, architectural expression and heritage relationship of the proposed apartment buildings.
- The interface between the proposed townhouses and Hawthorn Road, and the impact on and treatment of view corridors to the former Home
- The hard and insufficiently landscaped treatment of parts of each of the frontages, in particular the St Georges Road frontage
- Impacts on existing trees including street trees, and uncertainty about the viability of the trees proposed for retention
- Inconsistencies between the application documents including gaps in the submitted Environmentally Sustainable Development, Water Sensitive Urban Design, drainage and sustainability information
- The quality, security and accessibility of the proposed bicycle facilities

- Aspects of pedestrian access, vehicle circulation and access, and parking management
- The need to secure affordable housing through an appropriate agreement.

122. Council does not oppose all aspects of the proposal. Its heritage adviser raises no objection to the proposed theatre, childcare centre or restaurant on heritage grounds, and council is accepting of the broad principle of increased housing on the site and the restoration of the former Home. Council also raises no objection in-principle to the overall car parking provision or drainage arrangements, subject to further information, potential design changes and conditions.

123. Consideration of council's submission is provided throughout this report.

Other submissions

124. As at the time of writing, submissions including objections have been received from 44 persons, including organisations. Where the same person objected during both rounds of notice, that person has been counted once in this figure, although each submission made by that person has been considered.

125. Many of the submissions acknowledge that the former Home should be restored and provide in-principle support for the notion of the site's redevelopment. Matters such as additional housing, appropriate community uses and greater public access to the grounds are particular items that some submissions provide support for. Many of the submissions, however, raise concerns. The principal concerns relate to the scale, intensity and detailed form of the proposal rather than the redevelopment of the site as a matter of principle.

126. Table 6 below summarises the concerns raised in submissions, grouped together by themes, opposite high-level responses. The brevity of these responses is considered appropriate, as many of the matters raised are addressed in greater detail elsewhere in this report.

Table 6. Submissions

Issue	DTP officer assessment
Adequacy of notice and consultation. Concerns were raised that the first round did not identify all permissions sought and that some renewed notices were received late or not received.	The first notice description was incomplete and fresh notice was required. The application was amended and renewed notice commenced on 7 September 2026. Re-notification was given by post and through signs on all three street frontages. More than six weeks have since elapsed, and submissions could be made at any time before determination. The notice requirements are considered satisfied.
The overall scale and intensity of the proposal, including the number of uses and buildings proposed across the site.	It is acknowledged that the proposal is substantial. Its components have been assessed individually and as part of an integrated planning decision. The size of the site, separation between uses, transport access and broader housing, heritage and public-open-space outcomes are relevant. Conditions are recommended where limits on the scale or operation of particular uses are needed.
Non-residential uses are inappropriate in a residential zone or would establish a destination serving a wider catchment rather than local needs.	The GRZ2 allows educational, recreational, religious, community and a limited range of other non-residential uses in appropriate locations. The residential hotel, function centre, bookshop, makerspaces, theatre, childcare centre and restaurant have each been assessed against the zone and relevant policy. The uses are supported subject to operating, acoustic and management controls.
Heritage impacts, including loss of the former Home's setting, effects on views, demolition and new buildings competing with the heritage place.	Demolition and works to the registered heritage place are principally regulated under the *Heritage Act 2017*. The planning assessment considers the setting and relationship of new development with the former Home. The former Home will remain the principal building on the site, although conditions are recommended to refine the apartment buildings, architectural details, landscaping and view corridors.
Height, scale, massing and neighbourhood character, particularly the apartment buildings, townhouses and theatre.	The proposed built form represents substantial change. The apartment height and limited townhouse height exceedances are supported through the site-specific discretion available under Clause 53.23. The theatre is also supported as a purpose-designed cultural building in its particular corner and topographical setting. These conclusions are site-specific and will not establish a general expectation for comparable development elsewhere in the GRZ2.

The theatre and amphitheatre, including their size, operating hours, amplified music, patron behaviour and compatibility with nearby dwellings.	The theatre is the most intensive non-residential use and requires significant controls. The permit will impose patron and operating limits, require an endorsed acoustic assessment and operating management plan, regulate amplified sound and patron dispersal, and limit organised events in the outdoor amphitheatre. Post-commencement acoustic testing and complaint-management procedures will also be required.
Cumulative effects from concurrent uses and events.	The permit will establish an ordinary combined limit of 430 patrons across the church, function centre and theatre and require coordinated bookings. The endorsed acoustic assessment and operating management plan will consider concurrent events and other noise-generating uses across the site.
Restaurant, hotel bar and theatre bars, including evening activity, alcohol service and the possibility of hospitality uses operating independently.	The restaurant will be subject to patron and operating-hour limits, with outdoor activity ceasing earlier than indoor operation. The hotel and theatre bars will be limited to ancillary operation by the relevant hotel or theatre operator and will not be permitted to operate as independent venues.
Traffic generation, congestion and road safety.	The submitted modelling indicates that nearby intersections can continue to operate satisfactorily. The Head, Transport for Victoria has not objected subject to conditions. The amended Transport Impact Assessment and Operating Management Plan will address the final uses, operating hours, patron numbers, traffic management and major events.
Insufficient parking and overflow into surrounding streets.	The proposal provides 315 spaces, including 168 shared spaces for non-residential uses. The submitted traffic assessment predicts a peak demand below that supply, but relies on shared use and the 430-patron limit. An amended transport impact assessment will verify demand using the final approved operations and provide parking-management recommendations. Special-event arrangements must also be documented and endorsed.
Pedestrian access and safety, including the absence of additional footpaths and the steepness of the site.	The proposal includes an extensive internal pedestrian network. A condition will require an endorsed DDA access plan demonstrating continuous accessible paths through the site. Additional southern Hawthorn Road and eastern Hartington Street footpaths are not considered necessary given their limited utility, existing alternative routes and the site's gradients.
Inadequate bicycle parking, including insecure basement spaces, poor accessibility and insufficient end-of-trip facilities.	The submitted calculation and layout are not accepted without further work. Conditions will require verified staff numbers, a revised Clause 52.34 calculation, secure resident and employee facilities, convenient visitor rails, end-of-trip facilities, signage, access paths and an endorsed Green Travel Plan.
Removal of established trees, loss of canopy cover and urban-heat effects.	The proposal removes most existing trees, but retains important trees and provides extensive replacement planting expected to achieve approximately 22 per cent canopy cover at maturity. The removal is acceptable having regard to the condition and arboricultural value of affected trees, the constraints on redevelopment and the replacement landscape response. Conditions will protect trees shown for retention.
The quality and genuine public accessibility of the proposed open space.	The proposal includes an extensive connected network of gardens, lawns, paths and gathering spaces. Public access will be secured in perpetuity through a section 173 agreement, with maintenance remaining the landowner's responsibility. Detailed landscape plans and maintenance conditions will apply.
Environmental sustainability, stormwater and drainage, including incomplete modelling, hard surfaces and uncertainty about rainwater tanks and raingardens.	The submitted SMP and MUSIC model establish a reasonable basis for approval but require further work. Conditions will require an amended SMP and BESS assessment, coordinated civil, architectural and landscape documentation, confirmation of rainwater storage and treatment measures, updated modelling where necessary and consultation with council and Melbourne Water.
Affordable housing, including the amount, form and enforceability of the contribution.	The standard condition required by Clause 53.23-4 will require a section 173 agreement securing either at least 10 per cent of dwellings as affordable housing or an alternative contribution satisfactory to the responsible authority. The condition provides an enforceable mechanism while allowing the final delivery model to be settled through the agreement.
Effects on St Joseph's Home and other sensitive neighbouring uses, including	The interfaces with St Joseph's Home and surrounding dwellings have been considered in the land-use, built-form, acoustic, traffic and landscape assessments. The childcare building's outdoor play areas face into the site, and

noise, visual effects, overshadowing and activity.	relevant acoustic and architectural controls will apply. The proposal is not expected to cause unreasonable overshadowing or visual impacts.
Errors, omissions and inconsistencies in the submitted material.	It is acknowledged that the application material contains gaps and inconsistencies. These do not prevent approval because the proposal's essential elements are sufficiently established, but they are behind the extensive conditions requiring amended plans, technical reports and operating controls.
Alternative development concepts, including fewer buildings or uses, retention of more landscape and removal of the theatre, amphitheatre, childcare centre or restaurant.	These suggestions have been considered as part of the submissions. However, the responsible authority must determine the application as submitted. The relevant question is whether the proposal produces an acceptable outcome, not whether an alternative proposal could also be acceptable or preferable.

Assessment

127. Further to the information provided above, the proposal is significant in breadth and depth. It involves the comprehensive renewal of a large and prominent site in an established residential area. There is a great deal to consider, and some elements are more readily supported than others requiring a balancing of competing interests.

128. The site is large enough to accommodate and provide separation between its various components and adjoining land uses, and there is a significant public benefit to restoring the deteriorating former Home, opening much its grounds to the public and providing affordable housing alongside cultural and community uses.

129. It should also be acknowledged that the application material is not as coordinated or complete as expected for a proposal of this scale. Several important operating, design and technical matters remain unclear or are inconsistent across the submitted material. Approval remains open because these matters can be resolved without changing the proposal fundamentally, but it depends on a substantial and carefully framed suite of permit conditions. This explains why a relatively extensive set of conditions is recommended throughout this report.

130. Given the extensive nature of proposal, the following assessment engages with a large proportion of the policy framework, and involves the balancing of numerous competing policy considerations.

131. Overall, the proposal is considered to achieve an acceptable planning outcome having regard to the housing, heritage conservation, affordable housing, cultural infrastructure and public open space benefits provided, subject to the recommended permit conditions. This is detailed below.

Municipal Planning Strategy

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

Table 7. Municipal Planning Strategy.

Clause	Description
02.02	Vision
02.03-1	Settlement
02.03-2	Environmental and landscape values
02.03-3	Environmental risks and amenity
02.03-4	Built environment and heritage
02.03-5	Housing
02.03-6	Economic development
02.03-7	Transport
02.03-8	Infrastructure
02.04-1	Strategic framework plan
02.04-2	Strategic housing framework plan
02.04-3	Strategic economic development plan

Planning Policy Framework

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

Table 8. Planning policy framework

Clause 11	Settlement
11.01-1S	Settlement

11.01-1R	Settlement – Metropolitan Melbourne
11.01-1L	Urban renewal
Clause 12	**Environmental and Landscape Values**
12.01-1S	Protection of biodiversity
12.01-1L	Biodiversity
12.01-2S	Native Vegetation Management
12.05-2S	Landscapes
12.06-1S	Urban forests
Clause 13	**Environmental Risks and Amenity**
13.01-1S	Natural hazards and climate change
13.01-2S	Urban heat
13.05-1S	Noise management
13.07-1S	Land use compatibility
13.07-1L	Amenity impacts of multi residential and mixed music
13.07-3S	Live music
Clause 15	**Built environment and heritage**
15.01-1S	Urban Design
15.01-1R	Urban Design – Metropolitan Melbourne
15.01-1L-01	Urban design
15.01-1L-02	Safe urban environments
15.01-1L-03	Signs
15.01-2S	Building Design
15.01-2L	Building design
15.01-2L-01	Environmentally sustainable development
15.04-4S	Healthy Neighbourhoods
15.01-5S	Neighbourhood Character
15.01-25L	Neighbourhood character in Darebin
15.03-1S	Heritage conservation
15.03-1L	Heritage
Clause 16	**Housing**
16.01-1S	Housing supply
16.01-1R	Housing supply – Metropolitan Melbourne
16.01-1L-01	Housing growth
16.01-1L-02	Housing diversity
16.01-1L-03	Dwelling diversity
16.02-2S	Housing Affordability
16.01-2L	Affordable and social housing
Clause 17	**Economic Development**

17.01-1S	Diversified economy
17.01-1R	Diversified economy – Metropolitan Melbourne
17.01-1L	Diverse economy
17.01-2S	Innovation and research
17.02-1S	Business
17.02-1L	Commercial areas
17.02-2S	Out-of-centre development
17.04-1S	Facilitating tourism
17.04-1R	Tourism in Metropolitan Melbourne
Clause 18	**Transport**
18.01-1S	Land use and transport integration
18.01-3S	Sustainable and safe transport
18.01-3R	Sustainable and safe transport – Metropolitan Melbourne
18.01-3L	Accessible transport
18.02-1S	Walking
18.02-4L	Car parking
Clause 19	**Infrastructure**
19.02-2S	Education facilities
19.02-3S	Cultural facilities
19.02-3R	Cultural facilities – Metropolitan Melbourne
19.02-3L	Arts and culture
19.02-4S	Social and cultural infrastructure
19.02-6S	Open space
19.02-6R	Open space – Metropolitan Melbourne
19.02-6L	Open space
19.03-2S	Infrastructure design and provision
19.03-3S	Integrated Water Management
19.03-5S	Waste and resource recovery

Land use

Proposed uses within the former Home

134. As described above, the former Home is proposed to accommodate accommodation, place of assembly and commercial uses. The planning discretion differs between those uses.

135. Many objectors consider that the proposed non-residential uses in the former Home are inappropriate in the residential context and will adversely impact on surrounding residential amenity. Council's response similarly raises the concern that the aggregate scale and intensity of the proposed non-residential uses were not commensurate with the site's residential and out-of-centre context, and could generate noise and transport impacts. However, council's submission does note that the proposed 'makerspaces' may contribute positively to local creative activity.

136. The applicant submits that the proposed non-residential uses at the former Home would continue its longstanding role as a place of community, cultural and religious activity; support its restoration; and provide benefits through the provision of employment, visitor accommodation and creative spaces.

137. The scope of the required land-use assessment differs between the proposed uses. The *Dwelling* use sought is as-of-right under the GRZ2 so there is no discretion to consider its appropriateness. The applicant has also established existing use rights for the church use, meaning that the merits of continuing that use is not a matter for determination in this application. The proposed *Residential hotel, Function centre*, *Shop* and *Art and craft centre* uses are all Section 2 (i.e., permit-required) uses under the applicable GRZ2. It is noted that the proposed bar at the hotel does not require a discrete planning permission, as it is intended to operate on an ancillary basis to the primary *Residential hotel* use.

138. The applicable GRZ2 does not confine land to residential use and it is well established (and often beneficial) for a range of uses to be carried out on residentially zoned land. The zone has an express purpose *to allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations* (Clause 32.08). Having said that, the scheme is explicit at Clause 71.03-2 (Operation of zones) that just:

- *Because a use is in Section 2 does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the Municipal Planning Strategy, the Planning Policy Framework, the purpose and decision guidelines of the zone and any of the other decision guidelines*

139. For non-residential use and development, Clause 32.08-14 specifically requires consideration of the following decision guidelines (selected):

- *Whether the use or development is compatible with residential use.*
- *Whether the use generally serves local community needs.*
- *The scale and intensity of the use and development.*
- *The safety, efficiency and amenity effects of traffic to be generated by the proposal.*

140. The requirements for land-use applications under the zone at Clause 32.08-12 also require consideration of:

- *The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of goods and materials, hours of operation and light spill, solar access and glare.*

141. The policy framework generally requires appropriate non-residential uses to be facilitated without compromising residential amenity. Clause 13.07-1S (Land use compatibility) requires compatibility with nearby sensitive uses and seeks to avoid and minimise adverse off-site effects through separation and siting, building design, and operational measures. Local policy at Clause 13.07-1L (Amenity, impacts of multi residential and mixed use) provides the more specific strategy for:

- *Non-residential use and developments in residential zones to be designed to have minimal negative amenity impacts on the surrounding residential neighbourhood.*

142. At the same time, local strategic directions encourage investment in hospitality and institutional uses and short-term accommodation near cultural attractions, cultural and artistic activity, affordable artist workspaces and the adaptive reuse of heritage buildings (Clauses 02.03-4, 02.03-6, 02.03-8, 15.03-1S, 17.04-1S and 19.02-3L).

143. While some commercial and entertainment uses would ordinarily be expected within an activity centre, the proposal is intrinsically linked to the adaptive reuse of the former Home. The uses are not proposed as a standalone commercial destination but as components of an integrated reuse project that supports heritage conservation, affordable housing and public access outcomes.

144. Broadly, it is noted that the proposed new uses at the former Home are modest in the context of the building's scale and the size of the site as a whole and will be substantially separated from the existing dwellings in the surrounds.

145.

Residential hotel

146. The proposed 23-room *Residential hotel* use is considered an appropriate use of the former Home. A *Residential hotel* is a form of accommodation, that, depending on its scale and associated activities, can operate compatibly in a residential setting. This is recognised by its inclusion as a Section 2 use, rather than a prohibited use, under the GRZ2. The Tribunal has similarly recognised that a *Residential hotel* can be a relatively benign use in a residential area because its principal function is to provide accommodation, although noting that its acceptability ultimately depends on the combination, scale and operation of the activities it contains (e.g., *Flinders Hotel Property Pty Ltd v Mornington Peninsula SC [2021] VCAT 524* and *East Melbourne Group Inc v Melbourne CC [2023] VCAT 77*).

147. Additionally, there is strategic support for visitor accommodation in this location. Clause 02.03-6 (Economic development) provides a strategic direction to *Support a diverse range of short-term tourist accommodation in the city, particularly within walking distance of key cultural attractors* (emphasis added). More generally, Clause 17.04-1S includes strategies to:

- *Encourage the development of a range of well-designed and sited tourist facilities, including integrated resorts, accommodation, host farm, bed and breakfast and retail opportunities.*
- *Promote tourism facilities that preserve, are compatible with and build on the assets and qualities of surrounding activities and attractions.*

148. The proposed *Residential hotel* use will also support the restoration and continuing occupation of the former Home. This outcome is supported by policies that encourage the adaptive reuse of heritage places where their former use has become unviable, such as Clauses 15.03-1S (Heritage conservation) and 15.03-1L (Heritage), the latter of which has a strategy to *encourage uses of heritage places which respect the heritage significance*. In this case, the proposed use is for an accommodation use, which reflects the original purpose of the heritage place.

149. As noted above the scale of the proposed use is relatively modest and will be substantially separated from existing sensitive uses, with its principal entrance and port cochere enclosed within the site. This scale and arrangement distinguish the proposal from a *Residential hotel* use on a small residential lot with immediate dwelling interfaces, and provide scope for any impacts to be absorbed within the site.

150. It is not considered that the proposed hotel bar alters the conclusion that the use is an appropriate one, provided it operates as an ancillary component. There is a logical relationship between a residential hotel and a bar made available for its guests.

151. In the above-mentioned *East Melbourne Group Inc* decision the Tribunal considered an application for a *Residential hotel* use in the Neighbourhood Residential Zone and, specifically, the question of whether a proposed restaurant was ancillary to the hotel use. In answering that question, the Tribunal had regard to the *Cascone* principles and matters including the restaurant's relative scale, physical location and access arrangements. It found that a facility capable of operating independently or serving the general public could constitute a separate use.

152. In this case, the proposed 78-square-metre bar is located within the former Home and immediately next to the hotel reception and is limited in a size proportionate to the 23-room hotel. Those physical characteristics support is proposed ancillary status, however, the application material does not specify its patron capacity, operating hours, staffing arrangements or whether access would be limited to hotel guests and their visitors. These are material omissions. Accordingly, conditions are recommended to:

- Require the bar to be operated exclusively by the hotel's operator, rather than as an independent venue
- Limit its patron capacity to a number informed by the expected occupancy of the hotel, to discourage it becoming a destination in its own right
- Limit its hours to between 10am and 11pm daily.

153. There is also lacking information on the proposed staffing and reception arrangements, and the management of guest arrivals and departures. These gaps do not undermine the acceptability of the proposed use but will need to be addressed through the requirements of an *Operating Management Plan* (via condition).

154. Subject to those conditions, and the further consideration of car parking, access and loading below, it is considered that the likely effects of the proposed *Residential hotel* and ancillary bar are capable of being acceptably managed. The uses will provide appropriately located visitor accommodation, support the adaptive reuse of the former Home and contribute to employment and tourism without introducing a scale or intensity of activity that is incompatible with its surrounds.

Function centre

155. The proposed *Function centre* is also considered an acceptable use of the former Home, subject to conditions controlling its scale and operation. The *Function centre* use is nested under *Place of assembly*, which is a Section 2 use under the applicable GRZ2.

156. The proposed use would occupy an existing 144-square-metre room and associated 39-square-metre kitchen at the ground floor of the former Home. It will therefore be relatively limited in scale.

157. It is considered that a *Function centre* use is well suited to the site; the former Home was constructed as a large institutional building and has an established history of accommodating communal activity. The use will continue this role and provide a space for community, cultural and religious gatherings associated with the Greek Archdiocese and wider community. It will also help return the former Home to an active use and supporting its conservation, consistent with the shared aims of Clauses 15.03-1S (Heritage conservation) and 15.03-1L (Heritage).

158. The function centre will be substantially separated from existing sensitive uses outside the site. Patron access, parking and pick-up and drop-off activity will be accommodated within the site, including through the centrally located porte cochere and basement car parks. And the use's location within the former Home will allow activities to occur predominantly indoors, rather than within a purpose-built venue presenting directly to a residential street. The circumstances of the site's size, substantial separation from sensitive uses and internalised access arrangements provide a sufficient capacity to accommodate the use and contain its effects.

159. Despite this, the potential amenity effects of a function centre will depend less on its designation than on how it is operated, particularly its patron numbers, hours, amplified music and management of patron arrival and dispersal. So, the permit will be conditioned to:

- Implement an ordinary, site-wide combined patron limit of 430 people that excepts special events.
- Require the endorsed Operating Management Plan to specify operating hours and address bookings, staffing, patron arrival and dispersal, noise complaints and coordination with the church and theatre. Any live or amplified music will also be required to comply with the endorsed acoustic assessment.

160. Subject to these controls and given the circumstances outlined above, it is considered that the function centre will provide a relatively small indoor venue for community, cultural and religious gatherings in a building and on a site capable of accommodating that activity. It will support the ongoing occupation and adaptive reuse of the former Home and serve community needs without introducing a scale or intensity of activity incompatible with the residential setting (Clauses 13.07-1S, 13.07-1L and 32.08-14).

Bookshop (Shop)

161. The proposed 164-square-metre Shop use, in the form of a bookshop, is considered appropriate. A Shop would ordinarily be a Section 3 use in the GRZ2. However, because Clause 53.23 (Significant residential development with affordable housing) applies to the proposal, Shop becomes a Section 2 use. It is also noted that HO175 allows a prohibited use to be considered where it would provide a conservation benefit and would not adversely affect the significance of the heritage place. The permissibility of the proposed Shop use demonstrates that the scheme

contemplates a limited retail use in the present circumstances, subject to an assessment of its strategic merits and any impacts arising from the use.

162. The bookshop will occupy an existing ground-floor space and form a modest component of the range of uses within the former Home. It is understood that the bookshop will principally sell religious texts and related material, complementing the continuing church use. However, it is proposed as a separate Shop use rather than an activity ancillary to the church. It will not present as a conventional stand-alone retail premises within the surrounding residential area. Its limited size and nature are not expected to generate significant noise, deliveries, vehicle movements or late-night activity. These characteristics, together with the site's size and separation from surrounding dwellings, will limit its operational presence and amenity effects (Clauses 13.07-1S, 13.07-1L and 32.08-14).

163. Although the application does not specify the bookshop's operating hours or staffing arrangements, these matters can be addressed through the endorsed Operating Management Plan required as a condition of permit. Subject to reasonable operating hours, the bookshop will be compatible with residential use and represents an appropriate exercise of the discretion provided by HO175, the GRZ2 and Clause 53.23.

'Makerspaces' (Art and craft centre)

164. The proposed Art and craft centre use is considered appropriate. It will comprise 11 small artist studios occupying approximately 450 square metres of the former Home, with a combined maximum occupancy of 60 people. The applicant has submitted that potential occupants include painters, photographers, designers, iconographers, weavers, writers, filmmakers, potters and jewellery makers. The applicant has also proposed that the studios occasionally be open to the public for the display and sale of works. All of these activities sit comfortably within the definition of *Art and craft centre*.

165. There is local strategic support for this proposed use. Clause 02.03-8 (Infrastructure) recognises demand for spaces supporting visual-art creation and exhibition, while Clause 19.02-3L (Cultural facilities) supports cultural hubs and the provision of artist working spaces. The clustering of small studios will also provide opportunities for collaboration and accommodate small and emerging creative enterprises, consistent with Clause 17.01-2S (Innovation and research).

166. In addition, it is considered that the *Art and craft use* responds directly to the purpose of the GRZ2 to allow community and a limited range of other non-residential uses that serve local community needs in appropriate locations.

167. The proposed scale of the use is modest in the context of the former Home and the site, and the studios will be contained within the building's lower ground floor, substantially separated from surrounding sensitive uses and the future dwellings at the site. Given this, and that the proposed activities are small-scale and do not include large-scale manufacturing processes likely to generate significant noise, dust, fumes or other external effects, it is reasonable for the broad operating arrangements to be addressed through the endorsed Operating Management Plan. On this basis, the proposed use is supported and is expected support cultural and creative activity without introducing a scale or intensity incompatible with residential use (Clauses 13.07-1S, 13.07-1L and 32.08-14).

Theatre complex (*Place of assembly*)

168. The proposed theatre complex is supportable, subject to conditions that clearly define the permitted scale and operation of the use and secure measures to mitigate adverse impacts (such as noise and patron management) to a degree that is commensurate with its sensitive residential context.

169. The proposed theatre use falls under the land use term, *Place of assembly*, which is a Section 2 use under the GRZ2. The permissibility of the use fits with the zone's purpose to allow certain non-residential uses to serve a local need; however, there are valid questions about whether the theatre is proportionate to the local need, compatible with its surrounds and appropriately scaled to suited to the site.

170. To start with, there is substantial policy support for the cultural function of the proposal. The Municipal Planning Strategy recognises an ongoing demand in Darebin for spaces for live music, theatre and other cultural activities, and encourages development that supports the municipality's cultural and artistic vitality (Clause 02.03-8). Clause 19.02-3L (Arts and culture) more specifically supports cultural hubs, performance spaces and other facilities capable of staging art forms. Clause 13.07-3S (Live music) also requires the social, economic and cultural benefits of new live-music venues to be considered alongside the measures required for their coexistence with nearby residential uses. The proposed theatre uses respond to these directions:

- The complex will provide purpose-built indoor and outdoor spaces capable of accommodating live music, theatrical performances, presentations, ceremonies and Greek cultural and community events.
- The complex's multi-purpose character means that it will serve a broader community function than a venue designed around a single form of entertainment.
- While the application material does not evidence an unmet demand for a theatre of this particular capacity, the scheme itself identifies an ongoing need for cultural and performance spaces in Darebin, and the proposal will make a substantial and accessible addition to that infrastructure.

171. It is considered that these benefits remain relevant despite the site's location in a residential zone. While Clause 19.02-3S encourages arts, cultural and entertainment facilities at metropolitan activity centres, and Clause 17.02-2S discourages major out-of-centre entertainment facilities (unless they are highly accessible and provide a net community benefit), the proposed theatre is not a metropolitan, state or nationally significant entertainment facility; despite its relatively large size in its immediate context, its capacity is characteristic of a smaller, community-scale theatres, and falls materially under the patronage and size associated with a major venue. The site is also close to the Northcote Activity Centre and highly accessible. It is approximately 160 metres from Northcote Station, directly adjoins the St Georges Road tram corridor and will be linked with the surrounding street network through publicly accessible pedestrian routes. The site, therefore, provides a suitably accessible out-of-centre location for a community and cultural facility (Clauses 17.02-2S, 18.01-1S and 19.02-3S).

172. The physical characteristics of the site further support the proposed theatre use. At 2.61 hectares, the site is extraordinarily larger than an ordinary residential allotment, and the theatre's principal frontage will address St Georges Road, a significant traffic corridor. The site's expansiveness will allow patron gathering, queuing and circulation to be concentrated within the site (and in accordance with an endorsed Operating Management Plan). The site's frontage to St Georges Road will also provide a relatively insensitive main arrival point and a substantial existing setback to the west-adjoining sensitive uses. This arrangement will provide meaningful separation and management opportunities that would not normally be available to a venue of this capacity on a typical residential allotment.

173. The surrounding residential context cannot, however, be disregarded. The theatre will introduce organised gatherings, amplified music and evening activity near existing dwellings along Hawthorn Road, as well as the proposed dwellings at the site. Moreover, a capacity of 430 patrons is substantial, irrespective of the overall size of the land and its relative smallness compared with major theatre venues, and patron arrivals and departures will be concentrated around event times. As such, while the application seeks the operation of the theatre between 8am and midnight seven days a week, this is considered excessive and unreasonable given the context, despite the applicant's submission that events are unlikely to occur daily.

174. Another issue is the uncertainty in the application material. The submitted documentation variously refers to capacities of 498 and 430 patrons and does not give an acceptable level of information on the capacities or operating arrangements of the indoor theatre and outdoor amphitheatre. For example the submitted (not endorsed) *Operating Management Plan* (Hub Property Group) 22 August 2025 refers to live or amplified music in the external performance area, while its acoustic recommendations appear to prohibit external amplification other than for emergencies. Nowhere in the application material is the anticipated frequency or duration of outdoor events specified. These matters are fundamental to the scale and effects of the use and cannot be left unresolved.

175. In response to the above three issues concerning operating hours, insufficient information and patron caps, it is recommended that any permit (should one issue) be conditioned to:

- As above mentioned, establish an ordinary combined limit of 430 patrons across the church, function centre and theatre uses (the lowest of the proposed figures).
- Confine the use of the theatre to between 8am and 10pm on Monday to Saturday, and between 9am and 8.30pm on Sundays, with events required to end at least half an hour before the required closing time.
- Require the endorsed Operating Management Plan to distinguish between the indoor theatre and outdoor amphitheatre, identify the individual capacity of each space and explain how simultaneous use will be controlled within that overall limit. It will also coordinate bookings so that the maximum attendance is not exceeded. This will provide a firm ceiling on the permitted intensity while allowing the different assembly spaces to be used flexibly.

176. While these conditions will bring the proposed use closer into alignment with the aims of Clauses 13.05-1S (Noise management), 13.07-1S (Land use compatibility) and 32.08 (GRZ2), noise impacts during operation is the main amenity consideration and requires closer consideration.

177. The proposed bars within the theatre foyer are also acceptable as ancillary components of the theatre use. Consistent with the assessment of the ancillary hotel bar above, their location within the internal theatre building and purpose of serving patrons attending performances support their characterisation as ancillary uses. Conditions will require the bars to be operated by the theatre operator and prevent their operation as independent venues. Their operation will also be confined by the permitted theatre hours.

178. The submitted Acoustic Assessment (Acoustic Logic) 7 August 2025 provides a preliminary basis from which to conclude that the enclosed theatre can operate acceptably through design and operational measures. However, the assessment predates the latest architectural drawings, is inconsistent with the submitted Operating Management Plan and, critically, does not assess the potential impacts of using the external amphitheatre, or from patron noise or concurrent activity. Should a permit issue, an additional condition is therefore recommended to require an amended and endorsed acoustic assessment that, before any non-residential use begins:

- Examines the indoor theatre and external amphitheatre separately
- Responds to the aims and requirements of Clause 53.06 (Live music entertainment venues)
- Considers any potential impacts associated with patrons queuing, congregating and dispersing,
- Specifies recommended restrictions on hours, frequency, capacity, amplification and operating levels needed to protect existing and proposed dwellings.

179. Additionally, in response to the lacking information, it is also recommended that conditions be implemented to:

- Prohibit amplified sound at the external amphitheatre unless the amended and endorsed acoustic assessment demonstrates that it can comply with relevant requirements and the necessary limits and equipment are secured.
- Require any endorsed architectural plans to nominate the design measures.
- Require an endorsed noise implementation plan before any non-residential use starts that:
    - Provides for the installation, maintenance and ongoing calibration of permanent monitoring and noise-limiting equipment should in accordance with the endorsed acoustic assessment.
    - Requires independent acoustic testing during representative indoor and outdoor events within the first 12 months of operation, followed by a report to the responsible authority that addresses compliance, complaints received and any corrective acoustic or management measures required.
- Require the endorsed operating management plan to provide adequate information on any required operational measures, prior to any non-residential use starting.

180. Further to these conditions, given the absence of acoustic assessment on the proposed outdoor amphitheatre, and the structure's inability to contain noise within an enclosed built form, a significantly more restrictive treatment should be implemented via conditions. It is, therefore, also recommended that any endorsed operating management plan establish a limited annual program of outdoor events, with their hours, duration, capacity and permitted activities informed by the amended acoustic assessment. Absent of any evidence supporting a more intensive program, a limit of 12 organised outdoor performance events in any calendar year, concluding by 8.30pm, will provide a reasonable starting point (with scope for informal/passive community use of the space to be unregulated).

181. Whilst it is recommended that the amphitheatre be subject to strict noise-limiting conditions, it is considered that the late-evening operation of the indoor theatre building can be accepted subject to the above conditions. This is because evening performances are a normal and necessary part of a theatre's function.

182. The Operating Management Plan will remain capable of amendment with the responsible authority's approval as the venue's operating experience develops. This provides a practical means of refining operational matters without weakening the fixed patron, event and acoustic limits imposed by the permit conditions.

183. Subject to these controls, the theatre complex represents an appropriate Place of assembly use. It will deliver a substantial community and cultural asset in a highly accessible location, respond to an identified strategic demand

for performance space and provide a flexible venue serving cultural, religious and community activities. The site's size, internal layout and relationship with St Georges Road give it a relatively good capacity to accommodate the use within a residential zone. It is acknowledged that the proposal will generate noticeable activity and requires firmer operational controls than the applicant has presently offered, however, with those acceptable limits established by conditions, it is also considered that the use will serve community needs at a scale and intensity that is compatible with its physical location the relevant requirements of the planning scheme (Clauses 13.05-1S, 13.07-1S, 13.07-3S, 19.02-3L and 32.08-14).

184. Further to the above assessment, it is noted that support for the theatre is specific to the circumstances of this particular site and the proposal as a whole. While 430 patrons is a substantial attendance level in the context of the surrounding residential area, the capacity is moderated by the size of the site, the separation from adjoining dwellings, the integrated parking supply, proximity to public transport and the proposed management and acoustic controls.

185. This assessment is based on the particular circumstances of the subject site and proposal and should not be readily extrapolated to other applications involving significant changes of use in sensitive locations. Key considerations include the scale of the site, its limited residential interfaces, and the clear nexus between the proposed theatre and the site's established place of assembly function. Significant weight is also given to the proposal's public benefits, namely the delivery of affordable housing, the adaptive reuse and ongoing conservation of a State-significant heritage asset, and the creation of substantial publicly accessible open space. Collectively, these factors justify support for the proposal, subject to conditions that appropriately manage amenity impacts arising from the theatre use.

Childcare centre

186. The proposed 110-place *Child care centre* use is considered appropriate. Childcare centres are not uncommon in residential areas and are included as a Section 2 use under the GRZ2. This reflects their close relationship with the communities they serve, while allowing their capacity, layout, hours and amenity effects to be considered. The proposed use is consistent with the purpose of the zone to allow educational and community uses that serve local community needs in appropriate locations (Clause 32.08).

187. At a high level, there is policy support for early childhood facilities that are integrated with established and growing residential communities. Clause 19.02-2S (Education facilities) seeks to assist the integration of education and early childhood facilities with local and regional communities. Its strategies include locating childcare facilities to maximise access by public transport and safe walking and cycling routes, providing safe vehicular drop-off areas, and considering the existing and future transport network. The centre would serve an established residential area as well as the new households proposed on the site. It would also be readily accessible from the St Georges Road tram corridor, Northcote Station and the surrounding pedestrian and bicycle network.

188. The application does not establish a quantified shortage of childcare places or demonstrate a specific need for a 110-place centre, however, childcares have a direct relationship with residential life and the proposed use would provide a service available to households within the surrounding area. It is considered that its location within walking distance of public transport and alongside a significant new residential development provides a reasonable strategic basis for the use.

189. A centre accommodating 110 children is nevertheless a substantial use. It is reasonable to expect that it will generate concentrated vehicle movements at the beginning and end of the day, staff activity, deliveries and noise from outdoor play. Its acceptability therefore depends on more than the general desirability of a childcare service. Relevant considerations here include the placement and capacity of the outdoor play areas, their relationship with surrounding sensitive uses, the proposed operating hours and the arrangements for access and drop-off (Clauses 13.05-1S, 13.07-1S and 32.08-14).

190. The site provides a reasonable setting for a childcare centre of the proposed size. The building will occupy the south-western corner of the land and address St Georges Road, rather than being located within the quieter residential streets to the north and east. It would not have a direct interface with a conventional residential property, and while the adjoining land to the south contains St Joseph's Home (a residential aged care facility), the proposed outdoor play areas are oriented into the subject land, and the third storey of the building will provide an acceptable degree of separation between those areas and the common boundary.

191. The proposed access arrangements also support the use. Parents, children and staff will be able to enter from St Georges Road or directly from the basement car park. Twenty-four basement spaces are proposed to be allocated to

the centre, with the detailed operation of parking and pick-up and drop-off arrangements to be addressed through the endorsed Transport Impact Assessment and Operating Management Plan. It is noted that the Head, Transport for Victoria was referred the application and did not object to the proposed access via St Georges Road (a declared arterial road) subject to conditions. The centre's St Georges Road frontage and basement access will reduce the need for pick-up and drop-off activity within nearby residential streets. The adequacy of this arrangement is considered further in the transport assessment further below.

192. The proposed operating hours of 7am to 6pm Monday to Friday are typical of a child care centre use and confine the principal activity to less-sensitive daytime hours. The proposed weekend operation between 9am and 5pm is less usual, but will occur over a shorter period and begin later in the morning.

193. The submitted *Acoustic Assessment* (Acoustic Logic) 7 August 2025 predicts that outdoor play can meet its adopted criterion at the assessed residential receivers. That modelling assumes up to 66 children in the Level 1 play area and 36 children in the Level 2 play area, together with solid acoustic screens around those spaces. These assumptions provide a reasonable basis for accepting ordinary outdoor play during the proposed operating hours, and the permit will be conditioned to implement these recommendations.

194. There are some gaps in the submitted information, including the proposed number of staff, however, it is considered that these matters can be resolved without altering the basic nature or scale of the use. The Operating Management Plan will (upon endorsement) identify staffing and attendance numbers, regulate the use of the parking and drop-off areas and incorporate the operational requirements of the endorsed acoustic assessment. The permit will also be conditioned to require the incorporation of the recommended acoustic mitigation measures into the architectural plans.

195. Subject to those requirements, it is considered that the proposed *Child care centre* use will provide an accessible community service in a suitable location. Its capacity will produce noticeable activity, but the St Georges Road frontage, limited sensitive interfaces, and proposed building programming provide a reasonable basis for accommodating that activity. The proposed use will therefore serve local community needs at a scale and intensity compatible with its location and the direction of Clauses 19.02-2S (Education facilities) and 32.08-14 (General Residential Zone).

Proposed restaurant

196. The proposed *Restaurant* use is considered acceptable. It will occupy a small, single-storey building beside the 'platia'. This scale, as well as its location within the site provide a reasonable basis for accommodating the use under the GRZ2 (Clauses 13.07-1S, 13.07-1L and 32.08-14).

197. The proposed capacity of 150 patrons, comprising 100 indoors and 50 outdoors, however, represents a reasonably substantial operation – though it is noted that most patrons will be contained within the building, access, parking and waste collection will be managed internally as part of the broader development. The main amenity consideration is the outdoor seating, particularly during the evening.

198. It is therefore recommended that the permit be conditioned to limit the restaurant to 150 patrons, including no more than 50 outdoors; and to restrict its operation to between 8am and 10pm daily, with outdoor dining required to cease by 10pm. It is also recommended that conditions be used to require the endorsed acoustic assessment and operating management plan to provide further operational controls.

199. Subject to these measures, it is concluded that the restaurant will complement the proposed platia and contribute to the use and informal surveillance of the publicly accessible open space. Its location, scale and controlled operation are also considered compatible with the surrounding residential context.

Buildings and works

Former Home

200. The former Home is included in the Victorian Heritage Register and is subject to a separate permit application that is currently on foot and being administered by Heritage Victoria under the *Heritage Act 2017*. The demolition and removal of fabric from the registered place therefore does not require a planning permit under the Heritage Overlay (see Clause 43.01-3 (Heritage Overlay), with those matters instead regulated via the state heritage approval process. Accordingly, there is no discretion for this assessment to consider the acceptability of the proposed demolition on heritage grounds.

201. Planning permission is, however, required for the limited external buildings and works associated with the proposed uses under the GRZ2 as outlined in the *Proposal* section of this report. There is therefore some small overlap between the matters relevant to this application and those considered by Heritage Victoria. However, in this case, it is considered that significant weight can be given to Heritage Victoria's assessment of those relatively minor buildings and works, which are not of themselves considered to have material planning significance.

202. Regardless, the proposed external works are supported. They will principally facilitate the repair, adaptation and continued use of the former Home, which the *Heritage Impact Statement* (Andronas Conservation Architecture) March 2026 (submitted as part of the HV permit application) evidences as being in poor condition. The buildings and works (subject to planning discretion) will retain the principal form and presentation of the building, remove later and lower-value additions, and reinstate affected elevations using materials and detailing intended to respond to the original fabric. Overall, the proposed buildings and works to the former Home are therefore considered to be consistent with the broader policy direction for the site subject to their approval by Heritage Victoria.

203. It is also noted that the proposed apartments in the former Home have also been assessed against Clause 57, with the detailed assessment provided at Appendix B.

- At the time of lodgement, Clause 57 was called *Two or more dwellings on a lot and residential buildings of four storeys*, rather than its current name, *Two or more dwellings on a lot and residential buildings of four to six storeys*. According to the transitional provisions at Clause 32.08-7 (GRZ2), the provisions of Clause 57 at the time of lodgement are what applies to the application.
- The proposal broadly achieves the applicable objectives of the applicable version of Clause 57, although some significant departures from the standards are unavoidable because the dwellings must be accommodated within the retained heritage fabric. As expanded on in Appendix B departures are considered acceptable having regard to the constraints of the existing building, the substantial communal open space available within the wider site and the overall benefits of adapting the former Home for residential use.

Proposed apartment buildings

204. The proposed built form of the apartment buildings requires consideration, in particular because their four and five-storey form exceeds the mandatory three-storey height control set under the GRZ2, which in this case may be varied due to the application being assessed under Clause 53.23 (Significant residential development with affordable housing). (The clause enables the responsible authority to waive mandatory height and setback controls.) There is, therefore, a question as to whether the proposed height produces an acceptable site-specific outcome.

205. Strategically, the proposal has support from general policies that seek increased housing supply in established areas with good access to services and public transport (Clauses 11.01-1S, 16.01-1S, 16.01-1R and 16.01-1L-02). However, this support must be balanced against the site's location in an Incremental Housing Change Area, to which policy directs *moderate change* (Clauses 02.03-5 and 02.04-2). Other relevant local policies include:

- Clause 02.03-1 (Settlement), which identifies St Georges Road as a *strategic corridor* that should *play a significant role in serving the commercial, social and residential needs of the community*.
- Clause 16.01-1L-01, which is *to facilitate housing development that meets the needs of Darebin's projected population at an appropriate scale and intensity*, throughs strategies (selected) to:
    - *Encourage low scale medium density housing development that respects existing neighbourhood character in Incremental Housing Change Areas, particularly in areas that are in proximity to shops, facilities, services and transport*

- *Encourage greater housing densities and mixed-use development along High Street, Plenty Road, St Georges Road and Bell Street.*
- *Encourage multi-level, mixed use development that contributes to the distinctiveness and positive image of Darebin through:*
  - *Contemporary design*
  - *Interesting architectural form*
  - *Creative urban design responses.*
- *Consider…Strategic Opportunity Sites, as sites suitable for residential and/or mixed use redevelopment at increased densities, to comprise sites that possess the following characteristics:*
  - *Over 1000 square metres in lot size*
  - *In a zone that permits residential use*
  - *Not constrained by a heritage overlay*
  - *Displaying one or more of the following favourable locational criteria: Within 500 metres of train station; Within 400 metres of tram route; Fronting a strategic corridor (High Street, Bell Street, Plenty Road, Street Georges Road* [sic]*); Within a designated activity centre.*

- Clause 16.01-1L-02 (Housing diversity), which is to *ensure that housing diversity is increased to meet the needs of the local community* through strategies (selected) to:
  - *Encourage new residential apartment developments to include a mix of one, two and three bedroom dwellings in a variety of configurations to cater for a variety of household sizes and types*
  - Encourage a variety of medium density housing types, including villa style housing, townhouses and low scale apartment developments.
- Clause 16.01-1L-03 (Dwelling diversity), which is to *provide a range of dwelling sizes and types, including 3 bedroom units*.
- Clause 16.01-2S (Housing affordability), which is *to deliver affordable housing in areas with good access to opportunities and services* by, among other things, *promoting good housing and urban design* and *encouraging a significant proportion of new development to be affordable for households on very low to moderate incomes*.

206. The proposal has a striking degree of alignment with these policies. In particular:

- The site is substantially larger than the 1,000-square-metre threshold used to identify potential Strategic Opportunity Sites and meets its locational criteria by being within 500 metres of Northcote Station, within 400 metres of the St Georges Road tram route, and strategic corridor and tram route. Greater housing densities are expressly encouraged at locations that meet these criteria.
  - The HO175 on the land and its location is the one characteristic that prevents the site from answering the policy description of a Strategic Opportunity Site. Even so, the proposal seeks to retain and restore the heritage place, rather than its removal.
- The proposed apartment development adopts the contemporary, multi-level and architecturally distinctive form encouraged for medium and higher density development.
- The proposal is for 47 new dwellings including six one-bedroom, seven two-bedroom and 34 three-bedroom dwellings, making a material contribution to both housing supply and dwelling diversity.
- The proposal will provide a significant contribution to affordable housing in an area with good access to transport, services and opportunities.

207. The proposed height remains a departure from the ordinary expectation for the zone, however, so cannot be justified on housing policy alone. Regard must be had to the proposal's physical and locational characteristics. Along this line, the proposed built form is considered to be satisfactory based on the following:

- Most of both buildings will present as four storeys to Hartington Street, with the five-storey presentation arising within the site, from the exposure of the basement and lower level as the land falls towards the centre of the site.
- The buildings will face Hartington Street and the adjoining railway corridor rather than an established residential frontage, so there are no existing buildings from which to define an existing height. This interface is also comparatively insensitive interface so reduces the potential for the apartment development to overwhelm adjoining residential properties or establish a direct precedent for development of similar height on adjoining land.
- It is considered that the apartment development will be understood more in the context of the former Home than by comparison with the smaller dwellings in the wider neighbourhood. The development's height in this sense broadly corresponds with the scale and prominence of the former Home.
- The division of the apartment development into two separate forms and the approximately 10-metre-wide pedestrian opening between breaks up the massing and avoids a continuous built form.
- The proposed architecture is (apart from the top floors) of a high quality and has been developed through multiple formal Victorian Design Review Panels involving the OVGA. This process does not obviate the current assessment but does provide some assurance that the overall siting, massing and architectural relationship with the former Home have undergone a rigorous design review.

208. The proposed height and massing of the apartment buildings also needs to be considered in view of the proposal's public benefit proposition and assessment under Clause 53.23, rather than as an isolated departure from the GRZ2. The apartment buildings will include affordable housing, enable the restoration and ongoing use of the deteriorating state-significant heritage place, and substantial landscaped open space will be made publicly accessible and maintained at the permit holder's cost. These benefits do not entitle the application to additional height but they are relevant to the integrated decision making required by Clause 71.02-3 and the purpose of Clause 53.23 to facilitate affordable housing.

209. The apartment buildings are subject to Clause 58 (rather than Clause 57) due to the transitional provisions applying to the application under Clause 32.08-7. At the time the application was lodged, Clause 58 applied to apartment developments of five or more storeys, excluding a basement. Although the buildings present as four storeys from Hartington Street and the lower level is partly underground, it is exposed above natural ground level along part of the southern elevation, and so determinative in the building being five storeys for the purposes of the applicable residential development provisions (refer to Figure 11).

210. A detailed assessment against Clause 58 is provided at Appendix C. In summary, the apartment development achieves broad compliance with the applicable objectives and standards. The proposal provides a mix of dwelling sizes, functional internal layouts, external windows to habitable rooms, private open space, basement parking and bicycle storage. Additionally, the siting and separation of the proposed two buildings will limit overlooking, overshadowing and daylight effects, while the site's broader open-space network and rooftop terraces provide substantial communal amenity. Notwithstanding, it is recommended that conditions be placed on any permit to require the clarification of internal dwelling storage, to improve the landscape treatment and functionality of the rooftop terraces, and to ensure that the final architectural plans incorporate any required acoustic and sustainability measures.

211. With respect to the apartment buildings, the key unresolved built-form issue is the uppermost level:

- In consultation with the Development Assessment team's urban designers, it is considered that current mansard form and dark-brown façade give the top floor greater visual weight than is desirable and causes it to compete with, rather than remain subordinate to, the former Home.
- The issue is not that an upper level cannot be accommodated, but that its present design requires limited refinement. Development Assessment's urban designers are supportive of a lighter and more recessive treatment being required – one that adopts a lighter palette, similar to what is proposed at the top levels of the nearby townhouses. A condition is therefore recommended to require a revised top-floor design through changes to massing, facade and architectural expression.
- This change is sufficiently confined to be resolved by condition because they refine the expression of an otherwise acceptable building envelope, rather than requiring the apartment buildings to be substantially redesigned.

212. Further to the above assessment, additional conditions are recommended:

- Provide a detailed eastern elevation showing the ground-level materials and fencing, with reasonably transparent fencing to improve passive surveillance of Hartington Street
- Clarify the proposal in relation to signage, storage, balcony services and rooftop terrace landscaping and furniture
- Incorporate any changes required by Heritage Victoria relating to the peppercorn trees along the apartment buildings' landscaped ground-floor setbacks to Hartington Street
- Require an endorsed facade strategy that to provide for greater information on and control over the facade's design, quality and durability.

213. Subject to these changes, the apartment buildings, including their height, are considered acceptable. It is recognised that the proposed height is greater than what is ordinarily anticipated in the GRZ2, the conclusion reached in this case should not be treated as establishing a new expectation for similar development in the surrounding area. It is the unique circumstances of this case, those being the railway interface, substantial site area, relationship with the former Home, limited off-site amenity effects and delivery of housing and broader public benefits, that taken together provide a sound basis for the variation sought under Clause 53.23 (Significant residential development with affordable housing).

Proposed townhouses

214. The 22 three-bedroom, family-sized dwellings are considered to benefit from the same strategic support for housing at the site discussed above (Clauses 16.01-1L-01, 16.01-1L-02 and 16.01-1L-03). It is also noted that their proposed two and three-storey scale is more moderate in the context of the site than that the apartment buildings, and more consistent with the type of built form contemplated under the GRZ2. Despite this, the proposed townhouse blocks will introduce a new built-form character to Hawthorn Road, so require a built-form assessment that considers the road's existing character and the relevant provisions of the scheme.

215. Broadly, the proposed massing is considered acceptable. The perception of bulk is broken up by the division of the attached townhouses into discrete blocks, the 'stepping down' at both their ends with two-storey dwellings, and changing roof levels along the western block. Varied setbacks at each level, as well as extruding pilasters, will also help to articulate the northern frontage to Hawthorn Road, and reflect a grain that is more typical of general residential areas.

216. Further to the information provided above, the proposed townhouses will have a maximum height (measured from natural ground level to the roof parapet) of 10.46 metres at the eastern block and 11.63 metres at the western block. The taller part of the townhouses will therefore exceed the GRZ2's mandatory 11-metre height control by up to 0.63 metres (though much of that block will fall below this limit).

217. As established above, this application's assessment under Clause 53.23 (Significant residential development with affordable housing) means that this control can be varied where the resulting built form produces an acceptable outcome with regard to the site's context, proposed design and the relevant provisions of the scheme. In this case, the proposed exceedance of the height control is considered acceptable (in these site- and proposal-specific circumstances) because:

- The exceedance results partly from the significant slope along Hawthorn Road, which also results in the proposed stepped roofline
- The townhouses will present principally as three storeys, not four or more
- The stepped massing provides for articulation that will help to moderate the apparent height and bulk of the western block
- Townhouses form part of a broader proposal with substantial strategic merit, including the delivery of affordable housing, the renewal of a significant heritage place and the creation of publicly accessible open space.

218. The detailed design is also considered satisfactory. The elevations will mainly be expressed using cream brick, with bronze aluminium panels, fluted concrete friezes and bush-hammered concrete pilasters used to distinguish individual townhouse bays and provide depth and variation. The restrained and subdued material palette and limited ornamentation will give the townhouses a contemporary character that avoids competition with the more elaborate

architecture of the former Home (which will remain visible through the pedestrian paths around and between the two blocks). Planter boxes along the terraces will also help to soften the appearance retaining walls and built form over time.

219. Within the townhouses, the orientation living areas, bedrooms, terraces and balconies to the north will provide access to daylight and winter sun and allow passive surveillance of Hawthorn Road. Direct pedestrian entries to each townhouse will also provide for convenient access.

220. In terms of the treatment to Hawthorn Road, it is noted that a footpath is not proposed along the road's southern side, despite this being a council-requested item. This shortcoming is considered acceptable on balance because:

- Such a path would terminate at the site's eastern boundary, so would have no clear utility as it would not provide a continuous route beyond the site and would be required to access the townhouses.
- A footpath is already available along the northern side of Hawthorn Road, providing suitable pedestrian access along the street
- The steep gradient would make a new southern footpath difficult to construct to accessible standards, and the proposed internal path network will provide a more useful and universally accessible route.

221. The retaining wall above the basement entrance at the western end of the western block is the most challenging aspect of the proposed townhouses as it will present a relatively large blank surface to Hawthorn Road. However, the wall responds to the substantial level change and is necessary to accommodate the consolidated basement access. It occupies only a small segment of the overall townhouse frontage and will be viewed in the context of the more articulated and landscaped development adjoining it. As such, while it is acknowledged that its visual effect is not of itself aligned with the relevant policies and decision guidance, the effect is considered acceptable.

222. A detailed assessment against Clause 55 is provided at Appendix A, however, in summary, the townhouses broadly satisfy the applicable objectives and provide a good standard of internal and external amenity.

223. Similar to the apartment developments, the proposed townhouses have also been reviewed by the Office of the Victorian Government Architect and DTP's urban-design advisers who provided in-principle support. Subject to the recommended conditions, the proposed townhouse development is supported.

224. While there is support for the proposed townhouses, conditions are recommended to resolve the detailed matters, such as the nomination of dwelling storage areas and basement bicycle-parking devices on plans, the inclusion of taps and floor wastes to be provided at balconies and terraces, and an endorsed facade strategy for the buildings' facades. These conditions will refine an otherwise acceptable proposal and do not require any material change to the townhouses' siting, scale or design.

225. Overall, based on the above, it is considered that the proposed townhouses will provide an acceptable medium-density residential response to Hawthorn Road, subject to the recommended conditions.

Proposed theatre

226. The proposed theatre is a substantial and deliberately distinctive building that will establish a strong presence at the corner of Hawthorn Road and St Georges Road. This is a marked departure from the surrounding residential built form and what is ordinarily contemplated in a residential zone, but its acceptability depends on how its scale and architectural expression respond to the site's particular context, rather than whether it resembles nearby dwellings.

227. The proposed indoor theatre building may be characterised a relatively substantial circular structure with maximum heights of about 8.18 metres at Hawthorn Road and 14.6 metres at St Georges Road. While the mandatory height control at Clause 32.08-11 does not apply to non-residential buildings, its height and massing must notwithstanding be assessed against the zone's purposes and decision guidelines and the broader policy framework.

228. The surrounding residential streets contain buildings that are substantially smaller than the proposed complex, and that character is a relevant consideration. However, the site is not an ordinary residential allotment. It is a large former institutional property with a substantial state-significant heritage building, extensive grounds and a pronounced fall towards St Georges Road. Its western frontage also addresses a broad traffic and tram corridor.

229. Against that context, it is considered that it is neither necessary nor desirable for the theatre to adopt a conventional residential form.

- The GRZ2 expressly contemplates recreational and community uses in appropriate locations, while the scheme recognises a need for spaces supporting live music, theatre and other cultural activities (Clauses 02.03-8 and 19.02-3L). In this context, the theatre may reasonably present as an identifiable public and cultural building, provided that its scale and design remain responsive to the site and surrounding area.
- The circular form provides an appropriate response to that function and the prominent corner of Hawthorn Road and St Georges Road. It gives the theatre a clear public identity, allows its entrance to address both frontages and establishes a direct relationship between the internal theatre, foyer and adjoining amphitheatre.

230. The proposed circular form is also effective in moderating the building's presentation. The curved elevations will also recede from most viewpoints and avoid presenting a long rectangular wall to either street. These qualities are consistent with the local policy support at Clause 15.01-1L-01 (Urban design) for prominent forms at street corners (although the corner location does not make prominence an end in itself).

231. The building's height also needs to be understood in the context of the site's topography. While it reaches nearly 15 metres when measured from natural ground level at St Georges Road, it presents at a height closer to 9 metres at Hawthorn Road. The greater height will therefore be experienced principally from St Georges Road, where the building is set back approximately 12.6 metres from a broad arterial road and tram corridor. Accordingly, when viewed from Hawthorn Road, the building will be experienced as having a lower apparent height that relates proportionally with the western end of the townhouse frontage. Additionally, fluted glass curtain walling and a corrugated concrete fascia will provide depth and views into the building's activities (rather than a blank institutional frontage), and the north-facing path between the theatre and townhouses will preserve views and connectivity into the site.

232. The St Georges Road frontage is better able to accommodate the building's height and civic expression. The setback to this road provides space for an ample forecourt, while the extensive frontage width is sufficient to carry a building of the proposed scale. The visible entrance and glazing will, similar to as at the Hawthorn Road frontage, provide a clear views to and from the forecourt.

233. Having said this, it is also considered that the forecourt includes an unreasonable extent of hard paving. A condition is therefore recommended to require additional deep-soil planting along St Georges Road and at the site's north-western corner. These changes would improve the pedestrian and landscape response without diminishing the legibility of the entrance (Clauses 15.01-1S and 15.01-2S).

234. With respect to heritage considerations, it is also considered that the theatre will remain visually distinct from the former Home. The distinction should be obvious given the buildings' different ages, architectural styles and substantial physical separation, though is an important outcome to achieve nonetheless. That the former Home will remain the principal heritage building and organising element within the wider site is a positive outcome, in accordance with Clause 15.03-1S (Heritage conservation).

235. The amphitheatre is also considered to be appropriate, particularly as it is a logical response to the site's significant slope. The space will be cut approximately 3 to 4 metres into the land, with its upper tiers rising to meet the adjoining parkland. This form will limit its apparent scale and allow it to stich into the surrounding landscape, rather than present as another freestanding building on a site where numerous are proposed. The amphitheatre's position beside the enclosed theatre is also a logical placement given the intrinsic relationship between the two.

236. The amphitheatre is not resolved to the same level as the enclosed theatre, however. The plans provide insufficient detail on the proposed materials and finishes to be used at the space. Accessible routes, ground levels, lighting, drainage and any permanent performance infrastructure also require clearer evidencing. It is therefore recommended that conditions be placed on permit (should one issue) to address these matters.

237. Across the two buildings, the proposed material palette provides a sound basis for a restrained contemporary building, but the material descriptions and visualisations are not entirely consistent. A facade strategy should therefore also be a conditioned requirement, to provide further granularity on the design outcome.

238. The proposed basement is acceptable from a design perspective, too. It will be concealed beneath the complex, so will not add to the theatre's visible bulk. Locating the car parking below ground as is proposed will also allow the surrounding spaces to be landscaped.

239. Last, as discussed under the proposed theatre's use assessment above, it is recommended that the permit be conditioned to require the endorsed architectural plans to illustrate or notate any physical treatments required by the endorsed acoustic assessment.

240. Overall, given the assessment above, the proposed theatre's built form is supportable subject to the recommended conditions. Its scale and architecture will differ markedly from the residential forms ordinarily found in the GRZ2, however that difference is justified given its public and cultural function and reasonably accommodated by the site's area, topography, corner position, frontage with St Georges Road and relationship with the former Home.

Proposed childcare centre

241. The proposed childcare centre is considered to provide an acceptable built-form response. Although it is a substantial three-storey building, its purpose-designed form is functional for the proposed use and appropriate for the site's physical conditions. As above mentioned, the proposed building comprises stepped one, two and three-storey elements and will present at a maximum height of approximately 9.96 metres to St Georges Road.

242. It is considered that the St Georges Road frontage is capable of accommodating this scale and the proposed contemporary design. The projecting upper element will identify the entrance, while the cantilever, glazing and changes in height will break up the elevation. The entrance from St Georges Road and the basement will lead to the same lobby and reception area accessed via the basement, providing clear and practical circulation for children, parents and staff.

243. The stepped form will also respond reasonably to the centre's internal arrangement. The principal outdoor play spaces will be located on the northern side of the building and directly adjoin the children's rooms. The terraces will also be connected by an external stair and slide, giving the internal elevation greater variation and activity, and their northern orientation will provide good access to daylight.

244. The southern elevation is the more sensitive interface; it is comparatively extensive and solid, and parts of the building will be constructed on or close to the common boundary with St Joseph's Home where it will be. The proposal will therefore introduce a stronger built presence along that boundary. However, there is separation between the proposed building and the occupied buildings at St Joseph's Home and the outdoor play areas are directed away from the boundary. While the overshadowing diagrams in the submitted *Architectural Plans Part D* (KUD) 26 March 2026 demonstrate some limited overshadowing would be caused to the grounds of St Joseph's Home, it is considered that the proposed response to the southern boundary is acceptable.

245. It is also noted that the submitted *Arboricultural Report* (John Patrick Landscape Architects) 25 July 2025 determines that a significant spotted gum (Tree no. 119) at St Joseph's home, close to the common boundary, can be retained with the development of the childcare centre.

246. The proposed materials include smooth unpainted concrete, light-coloured brick, glazing and metalwork. This restrained palette will allow the childcare centre to relate to the adjoining theatre while remaining identifiable as a separate building. However, there are inconsistencies between the drawings, schedules and visualisations, and so a permit condition is recommended to require these to be resolved through the endorsement of amended plans and a facade strategy.

247. The acoustic barriers around the play areas will also form a noticeable part of the building. The acoustic assessment recommends solid barriers of up to 1.7 metres around the lower play area and 1.5 metres around the upper play area, however the plans contain some differing annotations. It is therefore recommended that the permit be conditioned to require the endorsed elevations to confirm their locations, heights and materials. The condition should require the barriers to achieve the required acoustic and safety outcomes without causing the terraces to appear unnecessarily heavy (insofar as is practicable).

248. The proposed elevated play areas will include landscaping including a canopy tree at the first-floor play area, however no detail is provided on how the tree (or the surrounding proposed natural lawn) will be supported or viable in this location. Another condition is therefore recommended to require the endorsed architectural and landscape plans to show and dimension the planter beds that support this tree and the proposed grass planting at Levels 1 and 2. Further detail will also be provided through the endorsed landscape plans.

249. The proposed shared basement is also acceptable for the reasons mentioned in the theatre's built-form assessment above. Further, while the crossover and entry will be visible, the opening will remain secondary to the building's overall form.

250. Further to the above, it is also recommended that the endorsed architectural plans show:

- Any relevant physical measures arising from the endorsed acoustic and sustainability assessments

- Consistent with council's requests to do so:
    - Additional windows along the southern elevation
    - A direct pedestrian access between the bicycle parking room (which sits north of the reception) from St Georges Road
    - Operable windows to children's rooms
    - Solar panels on the building's roof
    - Additional external shading devices.

251. On review and given the above conditions, it is considered that the proposed three-storey form and substantial footprint of the proposed building will strengthen and respond proportionally to St Georges Road. It is also considered, for the reasons outlined above, that it will interface acceptably with the former Home to its north-east and St Joseph's home to its south. While conditions on permit are recommended, these will refine an otherwise acceptable building and do not require a material change to its siting, scale or overall architectural approach.

Proposed restaurant

252. The restaurant building is acceptable having regard to its modest scale, location beside the platia and relationship with the former Home. Its low, single-storey form will remain subordinate to the substantially taller heritage building, while the separation between them will allow the former Home's façade to remain clearly visible.

253. The building will also provide a defined edge to the platia. Its colonnade and recessed glazing will create a sheltered transition between the restaurant and adjoining outdoor seating. The repeated arches will break up the elongated frontage and have a reasonable relationship with the arched openings and verandah rhythm of the former Home, while remaining identifiable as a contemporary addition.

254. Despite these positives, the submitted *Architectural Plans Part A* (KUD) 26 March 2026 lack detailed information on the restaurant building. They do not provide detailed or dimensioned elevations or sections, nor a materials schedule. It is therefore recommended that a condition on permit require the endorsed architectural plans to include this information.

255. The proposed green roof will soften the building when viewed from higher parts of the site and help integrate it with the surrounding landscaping. A condition will require a section through the building showing the depth and dimensions of the rooftop planting area and how it will be accessed for maintenance. The landscape plans will also be required to provide the associated planting details. The permit will prevent unapproved plant, equipment or services from being added above the roof and detracting from its low profile.

256. Overall, the restaurant will provide an appropriately scaled edge to the platia without overwhelming the open space or competing with the former Home. Subject to the required green-roof details and coordinated landscape plans, its built form is supported.

Proposed landscaping and vegetation removal

257. The proposed landscaping will connect the development together through a series of gardens, lawns, paths and gathering spaces. It will provide separation between buildings, maintain clear approaches to the former Home and support safe and efficient movement through the site.

258. The proposed extensive planting is expected to soften the buildings and provides shade, while paved areas will accommodate access and gathering. It is considered that, at a high level, this arrangement responds positively to the strategies under Clauses 15.01-1S (Urban design), 15.01-1L-02 (Safe urban environments) and 15.01-2S (Building design) by providing attractive, functional spaces and landscaping that is suited to the site and proposed new development.

259. The planting palette is also considered to be appropriate. The proposed mix of native, exotic ornamental and productive species reflects the site's garden history and cultural setting. Planting along the boundaries of and between buildings will provide a garden setting, consistent with the neighbourhood character objectives of Clause 15.01-5L. The inclusion of native species also responds well to the biodiversity policy at Clause 12.01-1L.

260. The proposal will remove most existing trees from the site. The submitted arboricultural report concludes that the native trees proposed for removal were planted and benefit from the planted-vegetation exemption at Clause 52.17. Clause 52.37 (Canopy trees) also does not apply by operation of its transitional provisions.

261. The proposed tree removal does not therefore require separate planning permission under either provision. Nevertheless, its effect on the landscape character and canopy of the site remains relevant to the broader assessment. While the loss of established vegetation is substantial, it is considered acceptable having regard to the condition and arboricultural value of the affected trees, the constraints their retention would place on the approved site layout, the retention of the most significant trees and the extensive replacement planting proposed.

262. In this respect, the canopy plan in submitted *Landscape Plans* (Acre) 25 March 2026, Rev E. identifies approximately 22 per cent canopy site coverage once planting matures. Although below the overall 30 per cent urban canopy target in Clause 12.06-1S, that target does not impose a minimum coverage on every site, and the proposed coverage is acceptable in the context of the retained heritage building, the development assessed above and the need for open lawns, gathering spaces and clear views through the grounds. Trees are located in practical places through the principal open spaces and along pedestrian routes, where they will provide shade and reduce the visual impact of buildings.

263. The submitted *Landscape Plans* also provide a reasonable basis for successful establishment. They identify soil depths, distinguish planting in natural ground from planting above structures, and provide details for planters, drainage and irrigation. The planting palette responds to these different growing conditions, so it is considered that the practical requirements for planting have therefore been addressed sufficiently for approval.

264. Based on the above, the proposed landscaping and vegetation removal is acceptable subject to the recommended conditions that will require the ongoing maintenance of the site's landscaping, including replacement of failed or damaged plants.

Transport and parking

265. The proposal includes substantial on-site parking and distributes vehicles storage and access across Hartington Street, Hawthorn Road and St Georges Road. This is a practical arrangement for a large site with several residential and non-residential components. On review, the proposed transport response is supportable subject to the proposed operating limits and conditions resolving the remaining parking, access and servicing details.

Car parking

266. The submitted *Transport Impact Assessment* (Ratio) 17 March 2026 calculates a requirement for 354 car spaces and proposes 315 spaces, resulting in a reduction of 39 spaces under Clause 52.06-3, as it existed pre-VC277 / December 2025. The calculation applies the Column B rates relied upon by the applicant and adopts a conservative rate of one space per room for the residential hotel, for which Clause 52.06 does not prescribe a rate.

267. The proposed residential provision satisfies the rates calculated in the *Transport Impact Assessment*. The proposed reduction therefore relates to the shared parking serving the non-residential uses, rather than parking allocated to the dwellings. In total, 168 spaces in the basements beneath the former Home, theatre and childcare complex will be available to the non-residential uses.

268. There is a logical basis for sharing this supply as the existing and proposed non-residential uses will not generate their highest demands at the same time. Childcare parking will be busiest around morning drop-off and afternoon collection, while theatre and function activity will generally peak ad hoc around event times. Some visits will also serve more than one purpose, particularly where a person attends a church or function event and then uses the hotel, restaurant or other facilities at the site. These characteristics are relevant under Clause 52.06-7, which expressly allows the responsible authority to consider variations in demand over time and the likelihood of multipurpose trips.

269. The site also has good access to transport alternatives. The Route 11 tram stop is next to the site, Northcote Station is within convenient walking distance about 160 metres away, and the St Georges Road shared path connects with the wider bicycle network. These circumstances will reduce reliance on private vehicles for some residents, staff and visitors, although car travel will remain important for childcare users, hotel guests, people with limited mobility and patrons attending events.

270. The ‘temporal’ assessment in the *Transport Impact Assessment* predicts a peak shared demand of 158 spaces, which sits comfortably under the proposed 168 shared spaces available. This provides another reasonable basis for the proposed 39-space reduction, although the margin is limited to 10 spaces at the higher predicted peak. The result also depends on the ordinary combined limit of 430 patrons across the church, function centre and theatre, rather than fully on the premise that each use will at its separate maximum at the same time (this cap is recommended to be conditioned on permit). The proposed patron cap and coordination of bookings through the Operating Management Plan are therefore central to concluding that the proposed car parking supply and arrangement is appropriate.

271. Another matter is that the demand model provided in the *Transport Impact Assessment* does not fully align with the uses now proposed. It treats the food premises principally as a daytime cafe (despite evening hours being sought) and assumes that the childcare centre will generate no weekend demand (despite weekend hours being sought); the applicant’s figures are therefore not accepted without qualification. It is therefore recommended that the permit be conditioned to require an amended *Transport Impact Assessment* that more accurately assesses the capacities, staffing levels and operating hours set out in the post-decision documentation (such as the operating management plan), and reassess the adequacy of the parking supply on that basis.

272. While the Transport Impact Assessment provides a useful basis for assessing the proposal, uncertainty remains regarding the extent of parking demand associated with certain uses, particularly having regard to the operating hours and capacities now proposed. Rather than requiring further modelling, it is recommended that the permit require the preparation and ongoing implementation of a Car Parking and Traffic Management Plan. The plan should establish measures to monitor and manage parking demand, vehicle movements, staff parking, peak-period operations, and any traffic impacts arising from the approved use.

273. The Car Parking and Traffic Management Plan should also include a review of parking demand once the various uses are established and operating and identify any additional management measures necessary to address demonstrated parking or traffic issues. This approach recognises the shared-parking nature of the development and

provides an effective mechanism to respond to operational conditions as they arise, without requiring further pre-development justification of the overall parking supply.

274. Separately, it is noted that the proponent has sought permission for occasional special events (e.g., Christmas, Easter and other major church services) to exceed the ordinary 430-patron limit, and it is considered that this is a reasonable concession to grant given the natures of the uses sought. It would not be reasonable to design the permanent parking supply around these infrequent events, however, approval should not rely on an unrestricted assumption that surrounding street parking will always be available. The permit should therefore also be conditioned to require the Operating Management Plan to identify these services and specify the traffic, parking, pedestrian and event-management measures that would apply to them.

Vehicle access, circulation and traffic

275. Four vehicle access points are proposed: one from Hartington Street, two from Hawthorn Road and one from St Georges Road. While transport policy generally favours limiting crossovers, the number is acceptable given the scale of the site and the proposed separation of the car parking into four separate basements and several distinct uses. The proposed arrangement will separate residential movements from much of the non-residential ones and avoid the need for an extensive internal road system throughout the proposed landscaped grounds.

276. The submitted swept paths demonstrate that passenger vehicles can generally enter and leave the basement car parks in a forward direction and that opposing vehicles can pass along the principal accessways. The basement parking spaces, aisles, ramps and clearances are more broadly, also considered to be generally in accordance with the design standards at Clause 52.06-9.

277. Some details remain, however, unresolved:

- The boom gates serving the apartment buildings' basement are shown without a median island, meaning that conventional card readers/other access control devices may not operate safely from both directions. It is therefore recommended that the endorsed plans and *transport impact assessment* demonstrate a workable arrangement, likely involving number-plate recognition, or otherwise reconfigure the access.
- The permit should also be conditioned to require further detailed design of the proposed porte cochere. The submitted swept paths show that it can accommodate vehicles up to a 25-seat minibus, however the layout lacks a defined pick-up and drop-off area clear of the principal circulation path. The permit should also conditioned to require:
    - The endorsed architectural plans to reflect any consequential changes (such as a widened port cochere)
    - The endorsed operating management plan to consider how minibuses, deliveries and occasional event set-up will be dealt with.
- The basement beneath the theatre and childcare centre contains a blind aisle extending past more than six spaces. The submitted *Transport Impact Assessment* recommends that the spaces at its end be allocated to staff or that a turning area be provided, however this is not reflected on the submitted *Architectural Plans Part D* (KUD) 26 March 2026. The *Transport Impact Assessment* also identifies a slightly reduced shared-zone length beside the childcare accessible space. These are confined design matters capable of being resolved through a post-decision assessment and the permit should be conditioned to require their resolution. This can be included as part of the Car Parking Management Plan.

278. The proposal is forecast to generate approximately 122 vehicle movements during the weekday morning peak and 160 during the afternoon peak. SIDRA modelling in the *Transport Impact Assessment* provides that the adjacent intersections will continue to operate satisfactorily, with generally minor changes from existing conditions. Event traffic may be more concentrated than the weekday network modelling suggests, but the proposed measures relating to patron limits, booking coordination and access to two public basements are expected to reasonably mitigate any potential effects during those periods. Additionally, the Head, Transport for Victoria was referred the application and did not object on any traffic-congestion related grounds.

279. The new crossover to St Georges Road requires permission under Clause 52.29. Again, the Head, Transport for Victoria has not objected to this, subject to the crossover being constructed to its satisfaction and all vehicles entering and leaving in a forward direction. The *Transport Impact Assessment* demonstrates that this is achievable and the recommended permit will give effect to that requirement.

280. Subject to the identified refinements, the proposed access and traffic arrangements are considered acceptable for the reasons outlined above, and are not expected to unreasonably affect the safety or operation of the proposed uses on the site or the surrounding road network.

Pedestrian access

281. The proposal includes an internal pedestrian network that connects Hawthorn Road, Hartington Street and St Georges Road with the former Home, proposed new buildings, basement car parks and open spaces. The submitted *DDA Access Memorandum* (Functional Access Solutions) 31 July 2025 indicates that continuous accessible paths will be provided throughout the site, with key connections to accessible parking spaces and building entrances. The paths are proposed to be at least 1.8 metres wide, with passing areas where narrower, and to include accessible seating and resting points along longer routes.

282. The internal network is important given the site's substantial fall and the range of proposed uses. It will provide a more direct and accessible means of moving between buildings than relying solely on the surrounding footpaths. The theatre and childcare centre will also have accessible connections from their shared basement, while the former Home will rely on lifts, accessible routes and wayfinding measures adapted to the constraints of the heritage fabric.

283. The access memorandum is preliminary and does not confirm compliance, but provides a reasonable design basis for further development through the building-approval process. It is recommended that a condition on permit (should one issue) require a detailed DDA access plan to be endorsed before development starts. This plan will need to demonstrate that the path network throughout the site can be provided in a manner that is universally accessible, having regard to the site's levels and gradients and the path design and materials used.

284. Subject to that condition, the proposed pedestrian network is considered to acceptably provide for the safe and legible access through the site and to connect well with the surrounding transport network, consistent with the aims of Clauses 18.01-3S and 18.02-1S.

Bicycle facilities

285. Clause 52.34 (Bicycle facilities) requires bicycle parking and associated end-of-trip facilities and signage to be provided before a new use starts. Its purpose is not only to secure a sufficient number of spaces, but to ensure that bicycle parking is secure, accessible and convenient. In particular, employee and resident spaces must be provided in bicycle lockers or at bicycle rails within lockable compounds, while visitor spaces must be provided at bicycle rails.

286. The submitted Transport Impact Assessment calculates a requirement for 38 bicycle spaces and identifies a proposed supply of 244 spaces, comprising 206 resident or employee spaces and 38 visitor spaces. There is little value in that numerical surplus, however, unless the underlying calculation is accurate and the spaces are provided in a usable form. The current assessment is not reliable for the following reasons:

- The calculation relies on staff numbers that are not given elsewhere in the application material and does not explain the basis on which they were derived. Additionally, the required figure for staff bicycle spaces of only 21 seems unreasonably low, particularly given the proposed scale of the non-residential uses. It is therefore not possible to validate the employee requirement. Further substantiation is required.
- The restaurant does not appear to have been assessed using the applicable rate and floor area available to the public.
- The detailed bicycle schedule totals 244 spaces, while the conclusion of the Transport Impact Assessment refers to 212 spaces.
- The report does not calculate the associated shower and change-room requirements or identify how they will be met.
- The plans and report do not adequately address the signage and wayfinding needed to direct cyclists to the facilities.
- Many of the resident and all the employee spaces are shown 'loosely' in basements rather than within lockable/controlled access compounds, and therefore do not meet the security requirement of Clause 52.34. (A basement location is not, by itself, a secure bicycle-parking facility)

287. These shortcomings, however, do not establish that the development cannot provide suitable bicycle facilities. If anything, the overall number of proposed spaces is substantial and demonstrates that there is enough space to accommodate any revised provision in properly designed facilities.

288. It is therefore recommended that should a permit issue, that it be conditioned to require that the following information in the Car Parking and Traffic Plan:

- Provides further information on the proposed staff numbers (consistent with any other endorsed documents)
- Recalculates the bicycle facility requirements as required, including any shower and change-room requirements
- Makes recommendations on the location, security, access and signage of the facilities.

289. Relatedly, it is recommended that conditions require:

- Endorsed architectural plans that show the final number and type of spaces, secure lockers or lockable compounds for residents and employees, visitor rails near the relevant entrances, access aisles and paths, end-of-trip facilities and directional signage.
- An endorsed Green Travel Plan that must be implemented and maintained. It will identify practical measures to encourage walking, cycling and public transport use by residents, employees and visitors and explain how users will be informed of the bicycle parking and end-of-trip facilities.

290. Subject to these conditions and on balance, it is considered that the proposal is capable of providing an acceptable bicycle-parking response.

Loading

291. The proposal relies on shared loading arrangements rather than separate loading areas for every use. This is reasonable given that most deliveries will be intermittent and undertaken by vans or courier vehicles. The porte cochere may also accommodate vehicles up to the size of a 25-seat minibus outside peak pick-up and drop-off periods.

292. The submitted material does not clearly establish the largest service vehicle required for theatre equipment, events, the restaurant or hotel deliveries, or the precise location at which these vehicles will stop and unload. The amended *Transport Impact Assessment* should identify the service vehicles to be accommodated, their loading locations, swept paths and the routes by which goods will reach the relevant buildings.

293. The permit already requires loading and unloading to occur within designated loading areas without disrupting vehicle circulation or parking. The Operating Management Plan will also regulate childcare pick-up and drop-off, deliveries and occasional event set-up. Subject to the amended assessment confirming a workable arrangement for the necessary service vehicles, loading is acceptable.

Waste collection

294. Waste will be stored within designated basement areas and collected privately using a 6.4-metre mini rear-loader. The submitted swept paths demonstrate that the nominated vehicle can access the relevant basement areas and leave the site in a forward direction. A minimum operational clearance of 2.5 metres will be required at collection points to allow bins to be lifted.

295. The submitted documents are not entirely consistent about the collection arrangement serving the former Home. The Waste Management Plan identifies collection within Building A, while the later *Transport Impact Assessment* refers to a shared collection area with Building B. This inconsistency should be resolved through the amended Waste Management Plan already required by the permit. That plan must reflect the endorsed architectural plans and confirm the collection points, bin-transfer routes, vehicle access, clearances and management responsibilities.

296. Subject to that update, the waste arrangements are acceptable and will avoid reliance on placing substantial numbers of bins on the surrounding street frontages.

Environment and sustainability

Environmentally Sustainable Design (ESD)

297. The application is supported by a *Sustainability Management Plan* (GIW Environmental Solutions) 8 August 2025, which assesses the proposal using the Built Environment Sustainability Scorecard (BESS). According to this document, the proposal achieves an overall BESS score of 70 per cent, which indicates a best-practice result. However, that score depends on a number of assumptions and commitments that are not yet fully reflected in the plans or supported by completed modelling.

298. The *Sustainability Management Plan* assesses the residential buildings in greater detail than the non-residential parts of the development:

- The apartments and townhouses are expected to achieve an average NatHERS rating of 7.5 stars and will include insulation, double glazing, external shading and efficient lighting and water fittings.
- Solar panels are proposed across the townhouses and apartment buildings, while electric hot-water systems are proposed throughout most of the development.
- Other measures include individual metering, efficient basement ventilation, low-emission internal finishes, provision for future electric-vehicle charging and a Building User's Guide.

299. These measures establish a reasonable basis for supporting the residential components. However, the BESS dwelling schedule appears to include 59 apartments rather than the 60 proposed across the former Home and new apartment buildings.

300. The assessment of the non-residential buildings is less complete. Placeholder energy figures have been used for several buildings, and the submitted material does not demonstrate an improvement over the reference case for the theatre, restaurant and other non-residential spaces. Only the childcare centre has received a preliminary building-fabric assessment. This does not mean that the remaining buildings will perform poorly, but it does mean that their performance has not yet been adequately demonstrated. This issue is particularly important as it relates to the proposed indoor theatre, which has a large west-facing glazed elevation and the capacity to accommodate substantial numbers of people. The glazing, shading, insulation, ventilation and mechanical systems at this building will need to be assessed together to establish that the building can operate efficiently and provide acceptable thermal comfort.

301. The SMP also makes commitments about daylight and natural ventilation that require further evidence. It reports good daylight access to dwellings and nominated non-residential spaces, but does not provide enough modelling, calculations or references to the architectural plans to verify those results. Similarly, it states that at least 60 per cent of regularly occupied non-residential areas will be naturally ventilated, without clearly identifying those areas or explaining how the target will be achieved.

302. There is also an inconsistency with respect to gas. The SMP describes the development as all-electric but elsewhere allows gas to be used for commercial cooking, and the BESS assessment records both electricity and natural gas. Any permit, however, must be conditioned to prevent the proposed *Dwelling* uses from being connected to a reticulated gas service, pursuant to Clause 53.03 (Residential reticulated gas service connection).

303. Additionally, many of the sustainability commitments that are relied on in the SMP to achieve the 70 per cent BESS score are not evidenced on the submitted architectural plans. These include clothes-drying areas, food-production areas, solar panels on the childcare centre, rainwater tanks, a digital ESD noticeboard and indoor-environment monitoring devices.

304. A permit condition is therefore recommended to require a revised BESS assessment (as part of an endorsed sustainability management plan) and updated endorsed plans that show any committed items.

305. Subject to these requirements, the proposal is considered to achieve an acceptable ESD outcome under Clauses 15.01-2S (Building design) and 15.01-2L-01 (Environmentally sustainable development).

Stormwater and Water-Sensitive Urban Design (WSUD)

306. The proposal includes measures to reduce potable-water use and improve the quality of stormwater discharged from the site. These measures are set out in the submitted *Sustainability Management Plan* and assessed through a MUSIC model.

307. The MUSIC model predicts that the proposed system will meet the relevant targets for water management and treatment. This is positive, however the submitted material does not demonstrate that all the treatment measures relied upon in the model can be delivered. In particular,

- The proposed rainwater-harvesting system has a combined storage capacity of 180,000 litres. However, the submitted material inconsistently describes this as three 60,000-litre systems and six linked 30,000-litre tanks. Rainwater from the townhouse, apartment, childcare and theatre roofs is proposed to be reused for toilet flushing and landscape irrigation. (The roof of the former Home is excluded from the system, which is reasonable given the heritage constraints and practical difficulty of altering its historic drainage arrangements.) Accordingly, a permit condition is recommended to require the endorsed sustainability management plan and architectural and landscape plans to confirm the number, capacity and location of the tanks, the catchments connected to each system, the proposed reuse arrangements and access for inspection and maintenance.
- The stormwater treatment response also relies on at least 247 square metres of raingardens. These are intended to treat runoff from terraces, landscaped roofs and approximately 10,000 square metres of impervious ground surfaces. Whilst the submitted *Landscape Plans* (Acre) 25 March 2026 nominate raingardens, these do not correspond with the submitted *Sustainability Management Plan*, and so another condition is recommended to resolve this discrepancy.
- Additionally, given the lacking detail on stormwater management in the *Sustainability Management Plan* (this was in particular a concern of council's), it is recommended that the permit be conditioned to:
    - Require coordinated architectural, civil and landscape information showing the treatment measures, contributing catchments, levels, drainage routes, inlets, outlets, overflows and maintenance access.
    - Demonstrate drainage to the legal point of discharge by gravity, unless another arrangement is accepted by the relevant drainage authority.
    - Require any updated MUSIC modelling and Clause 53.18 (Stormwater management in urban development) as part of an endorsed sustainability management plan.
    - Require the responsible authority to consult with Melbourne Water and council before endorsing a sustainability management plan.
    - Require the construction and operation and maintenance of the stormwater system in accordance with the endorsed sustainability management plan.

308. Subject to these conditions, the proposed stormwater and WSUD response is considered acceptable under Clauses 19.03-3S (Integrated water management) and 53.18 (Stormwater management in urban development).

Clauses 55, 57 and 58

309. The application was lodged on 22 August 2025 and benefits from the transitional provisions in Clause 32.08-7. These preserve Clauses 32.08-7, 57 and 58 as they applied immediately before Amendment VC300 commenced on 16 April 2026. The earlier division therefore remains applicable: Clause 55 applies to development of three storeys or less, Clause 57 to four-storey development, and Clause 58 to apartment development of five or more storeys, excluding basements. Consistent with the above, the appendices assessment considers the townhouses under Clause 55, the residential conversion of the heritage building under Clause 57 and the new apartment buildings under Clause 58.

310. Clause 55 is subject to a separate transition. The application was lodged after the approval of Amendment VC267 on 6 March 2025, so the earlier version of Clause 55 preserved for applications lodged before that date does not apply. However, the application predates Amendment VC315, which commenced on 24 September 2026. Clause 55 therefore applies in its form immediately before VC315, retaining the Townhouse and Low-Rise Code introduced in 2025 without the subsequent VC315 changes.

311. The assessments in Appendices A–C of the planning report demonstrate broad compliance with the applicable objectives and standards. Most standards are met, with identified departures concerning matters including setbacks, height, dwelling diversity, private open space, accessibility and wind. Those departures require consideration against the relevant objectives and decision guidelines, together with any applicable discretion under Clause 53.23. Read with the detailed assessments above, the appendices support the conclusion that the residential development broadly achieves the intended design and amenity outcomes, subject to the identified variations and relevant permit conditions.

Affordable housing

312. The proposal includes an affordable housing contribution in accordance with Clause 53.23 (Significant residential development with affordable housing). The applicant has indicated an openness to provide the contribution in different forms, including through the transfer or discounted sale of dwellings to a registered housing agency or Homes Victoria, or an alternative contribution of equivalent value.

313. Clause 53.23-4 expressly allows the contribution to take the form of either at least 10 per cent of the approved dwellings being provided as affordable housing or an alternative contribution to the satisfaction of the responsible authority. The applicant's proposed flexibility is therefore consistent with the options available under the clause.

314. While the final affordable housing contribution has not yet been determined, the permit condition required by Clause 53.23 provides an appropriate mechanism to secure either dwelling delivery or an alternative contribution prior to development proceeding. This outcome is considered to provide an appropriate and enforceable means of securing the affordable housing outcome. It will also support the provision of affordable housing in a location with good access to public transport, services and community facilities, consistent with Clause 16.01-2S (Housing affordability).

Overall Planning Balance

315. The proposal would result in substantial change to a large heritage site within an established residential area. It introduces a range of residential, community, cultural and commercial uses and includes built form that exceeds the outcomes ordinarily anticipated by the General Residential Zone.

316. These impacts have been carefully assessed against the planning policy framework, the purpose and decision guidelines of the zone, and Clause 53.23.

317. While concerns remain regarding built form, theatre operations, parking demand, traffic generation, tree removal and residential amenity, it is considered that these matters can be appropriately addressed through permit conditions.

318. On balance, the proposal provides significant public benefits as detailed throughout the report. Having regard to these benefits and the proposed conditions, the proposal is considered to achieve an acceptable planning outcome.

Recommendation

319. As outlined in the body of the report, the proposal is generally consistent with the relevant planning policies of the Darebin Planning Scheme and will positively contribute to the provision of housing, childcare services and cultural facilities within the Northcote and surrounding area.

- **It is recommended that Planning Permit No. PA2503893 for 7 Hartington Street, Northcote be issued subject to conditions.**

Prepared by:

[redacted]

Approved by:

[redacted]

Appendix 1 – Clause 55 assessment (proposed townhouses)

Street setback objective

Clause 55.02-1		
Objective	**Standard B2-1**	**Assessment**
To ensure that the setbacks of buildings from a street respond to the existing or preferred neighbourhood character and make efficient use of the site.	*Walls of buildings are set back from streets:* *At least the distance specified in a schedule to the zone if the distance specified in the schedule is less than distance specified in Table B2-1; or* *If no distance is specified in a schedule to the zone, the distance specified in Table B2-1.* *Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.*	**Objective met.** Treating Hawthorn Road as the front street, the townhouses generally maintain a setback of about 4 m, with some architectural elements closer. The varied wall line, recessed upper floors and front gardens provide an acceptable streetscape response.

Building height objective

Clause 55.02-2		
Objective	**Standard B2-2**	**Assessment**
To ensure that the height of buildings respond to the existing or preferred neighbourhood character.	*The maximum building height does not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.* *If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height does not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height does not exceed 10 metres.*	**Objective met.** As outlined in the detailed assessment above, the proposed townhouse height is an acceptable built form outcome that balances the strategic support for housing on the site with the applicable urban design guidance.

Side and rear setbacks objective

Clause 55.02-3		
Objective	**Standard B2-3**	**Assessment**
To ensure that the height and setback of a building from a boundary responds to the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings or small second dwellings.	*A new building not on or within 200mm of a boundary is set back from side or rear boundaries in accordance with either B2-3.1 or B2-3.2.* *Standard B2-3 is met if the building is setback in accordance with either B2-3.1 or B2-3.2, rather than needing to comply with both of these provisions:* *B2-3.1:* *The building is setback at least 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.* *B2-3.2:*	**Not applicable/standard met.** The townhouse rows are well separated from the site's external side and rear boundaries.

Clause 55.02-3		
Objective	**Standard B2-3**	**Assessment**
	If the boundary is not to the south of the building, the building is setback at least 3 metres up to a height not exceeding 11 metres and at least 4.5 metres for a height over 11 metres. If the boundary is to the south of the building, the building is setback at least 6 metres up to a height not exceeding 11 metres and at least 9 metres for a height over 11 metres between south 30 degrees west to south 30 degrees east. *Sunblinds, verandahs, porches, eaves, facias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the side and rear setbacks.* *Landings that have an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the side and rear setbacks.*	

Walls on boundaries objective

Clause 55.02-4		
Objective	**Standard B2-4**	**Assessment**
To ensure that the location, length and height of a wall on a boundary responds to the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings and small second dwellings.	*A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of a lot does not abut the boundary for a length that exceeds the greater of the following distances:* *10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or* *The length of existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot.* *A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.* *A building on a boundary includes a building set back up to 200mm from a boundary.* *The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary does not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.*	**Not applicable.** No townhouse wall is proposed on an external side or rear boundary of the site. The shared walls between adjoining townhouses do not create a boundary-wall impact on neighbouring land. No variation is required.

Site coverage objective

Clause 55.02-5		
Objective	**Standard B2-5**	**Assessment**
To ensure that the site coverage responds to the existing or preferred neighbourhood character and responds to the features of the site.	*The site area covered by buildings does not exceed:* *The maximum site coverage specified in a schedule to the zone; or* *If no maximum site coverage is specified in a schedule to the zone, the percentage specified in Table B2-5.* *If the maximum site coverage is specified in a schedule to a zone, it must be greater than the percentage specified in Table B2-5.* *NRZ & TZ - 60%* *GRZ – 65%* *RGZ, MUZ & HCTZ – 70%*	**Standard met.** Buildings cover about 10,150 sqm of the 26,150 sqm site, or 39 per cent. This is below the 65 per cent limit and leaves substantial areas outside the building footprints for landscaping, paths and open space. The standard is met.

Access objective

Clause 55.02-6		
Objective	**Standard B2-6**	**Assessment**
To ensure the number and design of vehicle crossovers responds to the neighbourhood character.	*The width of accessways or car spaces (other than to a rear lane) does not exceed:* *33 per cent of the street frontage; or* *40 per cent of the street frontage if the width of the street frontage is less than 20 metres.* *The number of access points to a road in a Transport Zone 2 or a Transport Zone 3 is not increased.* *The location of a vehicle crossover or accessway does not encroach the tree protection zone of an existing tree, that is proposed to be retained in a road by more than 10 per cent.*	**Standard met.** Townhouse vehicle access is consolidated at one Hawthorn Road crossover, with a redundant crossover removed and the footpath reinstated. Its reported 6.5 m width occupies only a small part of the approximately 255 m frontage. The arrangement is acceptable, subject to confirming the crossover's effect on retained street-tree protection zones. As outlined above, this matter is appropriate to defer via permit conditions.

Tree canopy objectives

Clause 55.02-7		
Objectives	**Standard B2-7**	**Assessment**
To provide tree canopy that responds to the neighbourhood character 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.*	*Provide a minimum canopy cover as specified in Table B2-7.1.* *Site Area — Canopy Cover* *1000sqm or less — 10% of site area* *More than 1000sqm — 20% of site area* *Existing trees to be retained meet all of the following:* *Has a height of at least 5 metres,* *Has a trunk circumference of 0.5 metres or greater at 1.4 metres above ground level,*	**Standard met.** The landscape plan provides approximately 22 per cent tree-canopy coverage, exceeding the 20 per cent site benchmark. Retained and proposed trees are distributed around the buildings and frontage. The proposed soil, irrigation and drainage arrangements support this outcome. A permit condition is recommended to secure the planting and confirmation that each tree's soil or planter

Clause 55.02-7		
Objectives	**Standard B2-7**	**Assessment**
To ensure new canopy trees are climate responsive, support biodiversity, wellbeing and amenity, and help reduce urban heat.	*Has a trunk that is located at least 4 metres from proposed buildings.* *The minimum canopy cover is met using any combination of trees specified in Table B2-7.2. Existing trees that are retained can be used in calculating canopy cover.* *Provide at least one new or retained tree in the front setback and the rear setback.* *Trees are located in either:* *An area of deep soil as specified in Table B2-7.2; or* *A planter as specified in Table B2-7.2.* *Any tree required to be planted under this standard must be of species to the satisfaction of the responsible authority, having regard to the location and relevant geographic factors.*	allocation meets the applicable size requirements.

Front fences objective

Clause 55.02-8		
Objective	**Standard B2-8**	**Assessment**
To encourage front fence design that responds to the existing or preferred neighbourhood character.	*A front fence within 3 metres of a street is:* *The maximum height specified in a schedule to the zone, or* *If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B2-8.*	**Standard met.** While many of the street-facing fences will sit above a retaining wall, the proposed brick and metal-picket front fence has a maximum height of 1.5 m. Its low, partly open form allows views of the front gardens and dwellings and avoids a continuous high enclosure along Hawthorn Road. The front-fence standard is met, with fence heights to be measured from the adjoining ground level.

Dwelling diversity objective

Clause 55.03-1		
Objective	**Standard B3-1**	**Assessment**
To encourage a range of dwelling sizes and types in developments of ten or more dwellings.	*Developments include at least:* *One dwelling that contains a kitchen, bath or shower, bedroom and a toilet and wash basin at ground floor level for every 10 dwellings.* *One dwelling that includes no more and no less than 2 bedrooms for every 10 dwellings.* *One dwelling that includes no more and no less than 3 bedrooms for every 10 dwellings.*	**Objective met.** The townhouse component does not provide the prescribed bedroom mix or demonstrate the required complete ground-floor living suites. A variation is nevertheless reasonable when the range of dwelling sizes and single-level apartments across the development is considered.

Parking location objective

Clause 55.03-2		
Objective	**Standard B3-2**	**Assessment**
To minimise the impact of vehicular noise within developments on residents.	*Habitable room windows with sill heights of less than 3 metres above ground level are setback from accessways and car parks by at least:* *1.5 metres; or* *If there is a solid fence with a height of at least 1.5 metres between the accessway or car park and the window, 1 metre; or* *1 metre where window sills are at least 1.5 metres above ground level.* *This standard is met if an accessway or relevant car parking space is used exclusively by the resident of the building with the habitable room.*	**Standard met.** Parking is below the dwellings. The applicant's submission identifies more than 3 m between the relevant B1.01 ground-floor habitable-room window and the shared accessway, exceeding the required separation. The ramp's lower position further limits its effect on the living accommodation. The parking-location response is acceptable.

Street integration objective

Clause 55.03-3		
Objective	**Standard B3-3**	**Assessment**
To integrate the layout of development with the street to support the safety and amenity of residents.	*Where a development fronts a street, a vehicle accessway or abuts public open space:* *Passive surveillance is provided by a direct view from a balcony or a habitable room window to each street, vehicle accessway and public open space.* *The total cumulative width of all site services to be located within 3 metres of a street, do not take up more than 20 per cent of the width of the frontage and are screened from view from the street or located behind a fence. Screens or fences are to provide no more than 25 per cent transparency.* *Lighting is provided to all external accessways and paths.* *Mailboxes are provided for each dwelling and can be communally located.*	**Objective met.** Living-room windows, gardens and balconies overlook Hawthorn Road, while the individual southern entries address the internal pedestrian route. This arrangement supports surveillance and a clear connection to the public realm. A permit condition will require a lighting strategy that addresses path lighting.

Entry objectives

Clause 55.03-4		
Objectives	**Standard B3-4**	**Assessment**
To provide each dwelling, apartment development or residential building with its own sense of identity. *To provide entries with weather protection, safe*	*Dwellings (other than a dwelling in or forming part of an apartment development) and residential buildings* *Each dwelling and each residential building has a ground level entry door that:* *Has a direct line of sight from a street, accessway or shared walkway.*	**Objective met.** Each townhouse has an identifiable pedestrian entry from the common southern walkway, with a direct view to that route and access independent of its garage. The recessed porches provide weather protection.

Clause 55.03-4		
Objectives	**Standard B3-4**	**Assessment**
design, natural light and ventilation.	*Is not accessed through a garage.* *Has an external covered area of at least 1.44 square metres with a minimum dimension of least 1.2 metres over the entry door.* *Apartment development and residential building with a shared entry* *An apartment development and each residential building has:* *A ground level entry door, gate or walkway with a direct line of sight from a street, accessway or shared walkway.* *An external covered area of at least 1.44 square metres with a minimum dimension of least 1.2 metres over the entry door to the building.* *Shared corridors and common areas have at least one source of natural light and natural ventilation.*	A condition on permit will require further information on alignment with the standard.

Private open space objective

Clause 55.03-5		
Objective	**Standard B3-5**	**Assessment**
To provide adequate private open space for the reasonable recreation and service needs of residents.	*A dwelling or residential building has private open space of an area and dimensions specified in a schedule to the zone.* *If no area or dimension is specified in a schedule to the zone, a dwelling or residential building has private open space with direct access from a living area, dining area or kitchen consisting of:* *An area of 25 square metres of secluded private open space, with a minimum dimension of 3 metres width; or* *A balcony with at least the area and dimensions specified in Table B3-5; or* *An area on a podium or similar of at least 15 square metres, with a minimum dimension of 3 metres width; or* *An area on a roof of at least 10 square metres, with a minimum dimension of 2 metres width.* *If the area and dimensions of the private open space or secluded private open space is specified in a schedule to the zone;* *The area and dimensions specified in the schedule must be 25 square metres or less; and* *The area and dimensions specified for a podium, balcony or an area on a roof must be less than the area and dimensions specified in this standard.* *If a cooling or heating unit is located in the secluded private open space or private open space the required area is increased by 1.5 square metres.*	**Not applicable/standard met.** Clause 53.23-2 supplies the applicable private-open-space requirements. The townhouse plans provide ground-level courtyards or upper-level open space, with additional balconies or roof terraces in many cases. The principal areas shown meet the relevant alternatives and offer useful outdoor space linked to the dwellings. The smaller secondary balconies do not need to satisfy the requirement independently.

Clause 55.03-5		
Objective	**Standard B3-5**	**Assessment**
	Where ground level private open space is provided an area for clothes drying is provided.	

Solar access to open space objective

Clause 55.03-6		
Objective	**Standard B3-6**	**Assessment**
To allow solar access into the secluded private open space of new dwellings and residential buildings.	*The southern boundary of secluded private open space is set back from any wall on the north of the space at least (2 + 0.9h) metres, where 'h' is the height of the wall.*	**Objective met.** The principal townhouse courtyards face north, with the main dwelling walls behind them to the south. This arrangement provides access to sunlight rather than placing a tall building wall immediately north of the open space. The solar-access objective is met, with final fencing and planting to maintain that access.

Functional layout objective

Clause 55.03-7		
Objective	**Standard B3-7**	**Assessment**
To ensure dwellings provide functional areas that meet the needs of residents.	*Bedrooms:* *Meet the minimum internal room dimensions specified in Table B3-7.1; and* *Provide an additional area of at least 0.8 square metres to accommodate a wardrobe.* *Living areas (excluding dining and kitchen areas) meet the minimum internal room dimensions specified in Table B3-7.2.*	**Objective met.** The townhouse type plans identify the required bedroom dimensions, separate wardrobe space and living areas meeting the 3.6 m width and 12 sqm benchmark for dwellings with two or more bedrooms. The layouts provide usable furnished rooms. The standard is met on the dimensioned plans, with those clear areas to be retained in the final design.

Room depth objective

Clause 55.03-8		
Objective	**Standard B3-8**	**Assessment**
To allow adequate daylight into single aspect habitable rooms.	*The depth of a single aspect habitable room does not exceed 2.5 times the ceiling height measured from the external surface of the habitable room window to the rear wall of the room.* *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; and*	**Objective met.** The Type B living, dining and kitchen space is dimensioned at 9.21 m, exceeding the 9 m benchmark by 210 mm. The limited excess, north-facing glazing and rear kitchen support an acceptable daylight outcome. The variation sought is reasonable and apart from this, the standard is otherwise met.

Clause 55.03-8		
Objective	**Standard B3-8**	**Assessment**
	The kitchen is located furthest from the window; and *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; and* *An over hang extends no more than 2m beyond the window of the single aspect habitable room.* *In Clause 55.03-8 a single aspect habitable room is a habitable room with windows on only one wall.*	

Daylight to new windows objective

Clause 55.03-9		
Objective	**Standard B3-9**	**Assessment**
To allow adequate daylight into new habitable room windows.	*Dwelling (other than a dwelling in or forming part of an apartment development)* *A window in an external wall of the building is provided to all habitable rooms.* *Habitable rooms in a dwelling have a window that faces:* *An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot; or* *A verandah provided it is open for at least one third of its perimeter; or* *A carport provided it has two or more open sides and is open for at least one third of its perimeter.* *Dwelling in or forming part of an apartment development* *A window in an external wall of the building is provided to all habitable rooms.* *Where daylight to a bedroom is provided from a smaller secondary area within the bedroom, the secondary area is to have:* *A minimum width of 1.2 metres.* *A maximum depth of 1.5 times the width, measured from the external surface of the window.* *A window clear to the sky.*	**Standard met.** Habitable rooms have windows in external walls facing the front courtyards, rear walkway or open balcony areas. No bedroom relies on borrowed light through another room. These outward-facing layouts provide an acceptable daylight response.

Natural ventilation objectives

Clause 55.03-10		
Objectives	**Standard B3-10**	**Assessment**
To encourage natural ventilation of dwellings. *To allow occupants to effectively manage natural ventilation of dwellings*	*Dwelling (other than a dwelling in or forming part of an apartment development)* *Dwellings have openable windows, doors or other ventilation devices in external walls of the building that provide:* *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 size.* *The breeze path is measured between the ventilation openings on different orientations of the dwelling.* *Dwelling in or forming part of an apartment development* *At least 40 per cent of dwellings have openable windows, doors or other ventilation devices in external walls of the building that provide:* *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 size.* *The breeze path is measured between the ventilation openings on different orientations of the dwelling.*	**Objective met.** The townhouse layouts provide openings on different orientations and show breeze paths within the required 5–18 m range. This supports effective natural ventilation.

Storage objective

Clause 55.03-11		
Objective	**Standard B3-11**	**Assessment**
To provide adequate storage facilities for each dwelling.	*Dwelling (other than a dwelling in or forming part of an apartment development)* *Each dwelling has exclusive access to at least 6 cubic metres of externally accessible storage space.* *Dwelling in or forming part of an apartment development* *Each dwelling has exclusive access to storage at least the total minimum storage volume that is specified in Table B3-11.*	**Standard met.** Each townhouse has dedicated externally accessible basement storage of at least 6 m³, separate from the internal cupboards and wardrobes. The type schedules show provision between 6 m³ and 12.4 m³. The storage standard is met, with these dedicated spaces to remain available for residents' use.

Accessibility for apartment developments objective

Clause 55.03-12		
Objective	**Standard B3-12**	**Assessment**
To ensure the design of dwellings meets the needs of people with limited mobility.	*At least 50 per cent of dwellings in or forming part of an apartment development 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.* *Amain 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 B3-12.*	**Not applicable.** Standard B3-12 applies to dwellings in apartment developments and does not apply to the proposed townhouses.

Daylight to existing windows objective

Clause 55.04-1		
Objective	**Standard B4-1**	**Assessment**
To allow adequate daylight into existing habitable room windows.	*Buildings opposite an existing habitable room window provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.* *Walls or carports more than 3 metres in height opposite an existing habitable room window are set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.* *Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.*	**Not applicable** There are no existing habitable rooms windows within 3 metres of the proposed townhouses. This separation avoids enclosing existing habitable-room windows and maintains their access to daylight.

Existing north-facing windows objective

Clause 55.04-2		
Objective	**Standard B4-2**	**Assessment**
To allow adequate solar access to existing north-facing habitable room windows.	*Where a north-facing habitable room window of a neighbouring dwelling or small second dwelling is within 3 metres of a boundary on an abutting lot:* *A new building is to be set back from the boundary by at least 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres. This setback is to be provided for a*	**Not applicable.** There are no existing north-facing habitable room windows within 3 metres of the proposed townhouses.

Clause 55.04-2		
Objective	**Standard B4-2**	**Assessment**
	distance of at least 3 metres from the edge of each side of the window. *For new buildings that meet the Standard B2-3.2 setback, the building is setback at least 6 metres up to a height not exceeding 11 metres and at least 9 metres for a height over 11 metres between south 30 degrees west to south 30 degrees east. This setback is to be provided for a distance of at least 3 metres from the edge of each side of the window.* *For this standard a north-facing window is a window with an axis perpendicular to its surface oriented from north 20 degrees west to north 30 degrees east.*	

Overshadowing secluded open space objective

Clause 55.04-3		
Objective	**Standard B4-3**	**Assessment**
To ensure buildings do not significantly overshadow existing secluded private open space.	*The area of secluded private open space that is not overshadowed by the new development is greater than:* *50 per cent, or* *25 square metres with a minimum dimension of 3 metres, whichever is the lesser area, for a minimum of five hours between 9 am and 3 pm on 22 September.* *If existing sunlight to the secluded private open space of an existing dwelling or small second dwelling is less than the requirements of this standard, the amount of sunlight will not be further reduced.*	**Standard met.** The townhouses occupy the northern part of the site and cast their main shadows into the development. The supplied hourly diagrams indicate no material loss of sunlight to existing off-site secluded private open space.

Overlooking objective

Clause 55.04-4		
Objective	**Standard B4-4**	**Assessment**
To limit views into existing secluded private open space and habitable room windows.	*In Clause 55.04-4 a habitable room does not include a bedroom.* *A habitable room window, balcony, podium, terrace, deck or patio is located and designed to avoid direct views into the secluded private open space of an existing dwelling or small second dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views are measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.*	**Not applicable.** Hawthorn Road and the surrounding setbacks separate the townhouse windows and balconies from existing dwellings to the north. The other existing residential interfaces are also well removed from the townhouse rows. No direct overlooking relationship within the standard's 9 m assessment distance is possible for existing off-site habitable rooms or secluded private open space.

Clause 55.04-4		
Objective	**Standard B4-4**	**Assessment**
	A habitable room window, balcony, terrace, deck or patio that is located with a direct view into a habitable room window of an existing dwelling or small second dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio: *Is offset a minimum of 1.5 metres from the edge of one window to the edge of the other; or* *Has sill heights of at least 1.7 metres above floor level; or* *Has fixed, obscure glazing in any part of the window below 1.7 metre above floor level; or* *Has permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent; or* *Has fixed elements that prevent the direct view, such as horizontal ledges or vertical fins.* *Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.* *This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.*	

Internal views objective

Clause 55.04-5		
Objective	**Standard B4-5**	**Assessment**
To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.	*In Clause 55.04-5 a habitable room does not include a bedroom.* *Within the development, a habitable room window, balcony, terrace, deck or patio that is located with a direct view into the secluded private open space of another dwelling:* *Is offset a minimum of 1.5 metres from the edge of the secluded private open space; or* *Has a sill height of at least 1.7 metres above floor level; or* *Has a fixed, visually obscure balustrade to at least 1.7 metre above floor level; or* *Has permanently fixed external screens to at least 1.7 metres above floor level; or.* *Has fixed elements that prevent the direct view, such as horizontal ledges or vertical fins.* *Direct views are measured at a height of 1.7 metres above floor level and within:*	**Standard met.** Shared walls and projecting building elements effectively preclude views between adjoining dwellings.

Clause 55.04-5		
Objective	**Standard B4-5**	**Assessment**
	A 45 degree horizontal angle from the edge of the new window or balcony. *A 45 degree angle in the downward direction.* *Screens provided for overlooking are no more than 25 per cent transparent. Screens may be openable provided that this does not allow direct views as specified in this standard.*	

Permeability and stormwater management objectives

Clause 55.05-1		
Objectives	**Standard B5-1**	**Assessment**
To reduce the impact of increased stormwater run-off on the drainage system and downstream waterways. *To facilitate on-site stormwater infiltration.* *To encourage stormwater management that maximises the retention and reuse of stormwater.* *To contribute to urban cooling.*	*The site area covered by the pervious surfaces is at least 20 percent of the site.* *The development includes a stormwater management system designed to:* *Meet the best practice quantitative performance objectives for stormwater quality specified in the Urban stormwater management guidance (EPA Publication 1739.1, 2021) of:* *Suspended solids 80% reduction in mean annual load.* *Total phosphorus and Total Nitrogen 45% reduction in mean annual load.* *Litter 70% reduction of mean annual load.* *Direct flows of stormwater into treatment areas, garden areas, tree pits and permeable surfaces, with drainage of residual flows to the legal point of discharge.*	**Objective met.** The plans identify 21.9 per cent permeable area, exceeding the 20 per cent benchmark. Rainwater reuse and distributed landscape treatment provide a reasonable strategy. The proposed stormwater response can be supported subject to permit conditions to require coordinated updates to the submitted architectural, civil, landscape and sustainability documents and an updated MUSIC model demonstrating that the revised treatment areas achieve the required pollutant reductions.

Overshadowing domestic solar energy systems objective

Clause 55.05-2		
Objective	**Standard B5-2**	**Assessment**
To ensure that the height and setback of a building from a boundary allows reasonable solar access to existing domestic solar energy systems on the roofs of buildings.	*Any part of a new building that will reduce the sunlight at any time between 9am and 4 pm on 22 September to an existing domestic solar energy system on the roof of a building on an adjoining lot be set back from the boundary to that lot by at least 1 metre at 3.6 metres above ground level, plus 0.3 metres for every metre of building height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.* *This standard applies to an existing building in a Township Zone, General Residential Zone or Neighbourhood Residential Zone.*	**Standard met.** The townhouse shadows fall away from the existing roof-mounted systems north of Hawthorn Road. No adverse effect on a relevant domestic solar energy system is possible.

Clause 55.05-2		
Objective	**Standard B5-2**	**Assessment**
	In Clause 55.05-2 domestic solar energy system means a domestic solar energy system that existed at the date the application was lodged.	

Rooftop solar energy generation area objective

Clause 55.05-3		
Objective	**Standard B5-3**	**Assessment**
To support the future installation of appropriately sited rooftop solar energy systems for a dwelling.	*In Clause 55.05-3 rooftop solar energy area means an area provided on the roof of a dwelling to enable the future installation of a solar energy system. An area on the roof is capable of siting a rooftop solar energy area for each dwelling which:* *Has a minimum dimension of 1.7 metres.* *Has a minimum area in accordance with Table B5-3.* *Is oriented to the north, west or east.* *Is positioned on the top two thirds of a pitched roof.* *Can be a contiguous area or multiple smaller areas.* *Is free of obstructions on the roof of the dwelling within twice the height of each obstruction (H), measured horizontally (D) from the centre point of the base of the obstruction to the nearest point of the rooftop solar energy area.* *Obstructions located south of all points of the rooftop solar energy area are not subject to the horizontal distance requirements.* *This standard does not apply to apartments and residential buildings.*	**Objective met.** The proposal includes a 3.6kW solar energy system on the roof of all townhouses with the exception of THB1.01, THB1.12, THB2.01 and THB2.10. The main townhouse roofs have regular rectangular proportions, providing usable width and depth for solar arrays. Their northern exposure towards Hawthorn Road offers a favourable aspect for solar generation, while their relatively flat form allows panels to be angled to take advantage of that exposure. Where terraces reduce the available roof area, the drawings still identify space for solar systems. These characteristics provide a practical basis for rooftop solar generation and, on balance, the objective is considered met.

Solar protection to new north-facing windows objective

Clause 55.05-4		
Objective	**Standard B5-4**	**Assessment**
To encourage external shading of north facing windows to minimise summer heat gain.	*North facing windows are shaded by eaves, fixed horizontal shading devices or fixed awnings with a minimum horizontal depth of 0.25 times the window height.*	**Objective met.** Projecting floors, balconies and eaves provide fixed shading to the north-facing windows. This is an appropriate response to summer heat gain.

Waste and recycling objectives

Clause 55.05-5		
Objectives	**Standard B5-5**	**Assessment**
To ensure dwellings are designed to facilitate waste recycling. *To ensure that waste and recycling facilities are accessible and are of sufficient size to manage organic and general waste, and mixed and glass recycling.* *To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity.*	*Dwelling (other than a dwelling in or forming part of an apartment development)* *The development includes an individual bin storage area for each dwelling, or a shared bin storage area for use by each dwelling, of at least the applicable area, depth and height specified in Table B5-5.1.* *If the development includes a shared bin storage area:* *The shared bin storage area:* *Is located within 40 metres of a kerbside collection point.* *Includes a tap for bin washing.* *There is a continuous path of travel free of steps and obstructions from dwellings to the bin storage area.* *Where access is provided for private bin collection on the land the design of access ways must allow the vehicle to enter and exit in a forward direction.* *Each dwelling includes an internal waste and recycling storage space of at least 0.07 cubic metres with a minimum depth of 250 millimetres.* *Dwelling in or forming part of an apartment development* *The development includes a shared bin storage area for use by each dwelling of at least the applicable area, depth and height specified in Table B5-5.2.* *Enclosed bin storage areas are ventilated by:* *Natural ventilation openings to the external air with an area of at least 5 per cent of the area for bin storage area; or* *A mechanical exhaust ventilation system.* *A tap and drain is provided to wash bins.* *A continuous path of travel is provided from each dwelling to bin storage areas.* *Each dwelling includes an internal waste and recycling storage space of at least 0.07 cubic metres with a minimum depth of 250 millimetres.*	**Objective met.** Objective met. The proposed arrangements provide adequate and accessible facilities for separating, storing and collecting the main waste and recycling streams. The facilities are suitably integrated into the development and can operate without unreasonably affecting residential amenity.

Noise impact objective

Clause 55.05-6		
Objective	**Standard B5-6**	**Assessment**
To minimise the impact of mechanical plant noise located in the development.	*Mechanical plant, including mechanical car storage and lift facilities are not located immediately adjacent to bedrooms of new or existing dwellings or small second dwellings, unless a solid barrier is*	**Standard met.** Mechanical plant and lift facilities are separated from nearby bedrooms by solid building elements, limiting the direct

Clause 55.05-6		
Objective	**Standard B5-6**	**Assessment**
	in place to provide a line of sight barrier to transmission of noise and the location of all relevant bedrooms.	transmission of noise. The overall arrangement provides an appropriate basis for protecting the acoustic amenity of new and existing dwellings.

Energy efficiency for apartment developments objectives

Clause 55.05-7		
Objectives	**Standard B5-7**	**Assessment**
To achieve energy efficient dwellings and buildings. *To ensure dwellings achieve adequate thermal efficiency.*	*Dwellings in or forming part of an apartment development located in a climate zone identified in Table B5-7 do not exceed the maximum NatHERS annual cooling load.*	**Not applicable.** Standard B5-7 does not apply to the proposed townhouses.

Appendix 2 – Clause 57 assessment (proposed dwellings in former Home)

Street setback objective

Clause 57.02-1		
Objective	**Standard E2-1**	**Assessment**
To ensure that the setbacks of buildings from a street respond to the existing or preferred neighbourhood character and make efficient use of the site.	*Walls of buildings should be set back from streets the distance specified in Table E2-1.* *Porches, pergolas and verandahs that are less than 3.6 metres high and eaves should not encroach more than 2.5 metres into the setbacks of this standard.*	**Standard met.** The apartments occupy the retained heritage building and do not move its principal facades towards the streets. Its established setbacks and landscaped approaches remain legible. The residential conversion therefore provides an appropriate response to the street setback objective.

Building height objective

Clause 57.02-2		
Objective	**Standard E2-2**	**Assessment**
To ensure that the height of buildings respond to the existing or preferred neighbourhood character.	*The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.* *If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.*	**Objective met.** The residential conversion retains the heritage building's established height and roof form. It does not introduce additional residential storeys or a taller building envelope. Retaining that form respects the heritage place and does not add to its existing visual bulk.

Side and rear setbacks objective

Clause 57.02-3		
Objective	**Standard E2-3**	**Assessment**
To ensure that the height and setback of a building from a boundary responds to the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings or small second dwellings.	*A new building not on or within 200mm of a boundary should be set back from side or rear boundaries in accordance with either E2-3.1 or E2-3.2.* *Either standard E2-3.1 or E2-3.2 should apply rather than applying both in full or part:* *E2-3.1:* *The building is setback at least 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.* *E2-3.2:*	**Not applicable**. No new building is proposed close to a site boundary.

Clause 57.02-3		
Objective	**Standard E2-3**	**Assessment**
	If the boundary is not to the south of the building, the building is setback at least 3 metres up to a height not exceeding 11 metres and at least 4.5 metres for a height over 11 metres. *If the boundary is to the south of the building, the building is setback at least 6 metres up to a height not exceeding 11 metres and at least 9 metres for a height over 11 metres between south 30 degrees west to south 30 degrees east.* *Sunblinds, verandahs, porches, eaves, facias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services should not encroach more than 0.5 metres into the side and rear setbacks.* *Landings that have an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the side and rear setbacks*	

Walls on boundaries objective

Clause 57.02-4		
Objective	**Standard E2-4**	**Assessment**
To ensure that the location, length and height of a wall on a boundary responds to the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings and small second dwellings.	*A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of a lot should not abut the boundary for a length that exceeds the greater of the following distances:* *10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or* *The length of existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot.* *A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.* *A building on a boundary includes a building set back up to 200mm from a boundary.* *The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.*	**Not applicable.** The heritage apartment conversion does not introduce a new residential wall on a site boundary.

Site coverage objective

Clause 57.02-5		
Objective	**Standard E2-5**	**Assessment**
To ensure that the site coverage responds to the existing or preferred neighbourhood character and responds to the features of the site.	*The site area covered by buildings should not exceed the percentage specified in Table E2-5.* *NRZ & TZ - 60%* *GRZ – 65%* *RGZ, MUZ & HCTZ – 70%*	**Standard met.** The site-wide coverage plan identifies 38.8% coverage across the development site, below the 65% benchmark for the General Residential Zone. The retained heritage building sits within that overall provision, with substantial open areas remaining between it and the new buildings.

Access objective

Clause 57.02-6		
Objective	**Standard E2-6**	**Assessment**
To ensure the number and design of vehicle crossovers responds to the neighbourhood character.	*The width of accessways or car spaces (other than to a rear lane) should not exceed:* *33 per cent of the street frontage; or* *40 per cent of the street frontage if the width of the street frontage is less than 20 metres.* *The number of access points to a road in a Transport Zone 2 or a Transport Zone 3 is not increased.* *The location of a vehicle crossover or accessway does not encroach the tree protection zone of an existing tree, that is proposed to be retained in a road by more than 10 per cent.*	**Objective met.** The heritage apartments share the Hartington Street vehicle access with the new apartment buildings. The proposed crossover occupies a small part of that frontage and consolidates vehicle access. The arrangement responds appropriately to the access objective.

Tree canopy objectives

Clause 57.02-7		
Objectives	**Standard E2-7**	**Assessment**
To provide tree canopy that responds to the neighbourhood character 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 new canopy trees are climate responsive, support*	*A minimum canopy cover as specified in Table E2-7.1 should be provided.* *Site Area: 1000sqm or less; Canopy Cover: 10% of site area.* *Site Area: More than 1000sqm; Canopy Cover: 20% of site area.* *Existing trees to be retained meet all of the following:* *Have a height of at least 5 metres,* *Has a trunk circumference of 0.5 metres or greater at 1.4 metres above ground level,* *Has a trunk that is located at least 4 metres from proposed buildings.*	**Objective met.** The landscape proposal identifies approximately 22% mature canopy cover across the site, exceeding the 20% benchmark. Trees are distributed around the heritage building and within the shared grounds. Conditions on permit will require further information on the planted tree sizing.

Clause 57.02-7		
Objectives	**Standard E2-7**	**Assessment**
biodiversity, wellbeing and amenity, and help reduce urban heat.	*The minimum canopy cover is met using any combination of trees specified in Table E2-7.2. Existing trees that are retained can be used in calculating canopy cover.* *Provide at least one new or retained tree in the front setback and the rear setback.* *Trees are located in either:* *An area of deep soil as specified in Table E2-7.2; or* *A planter as specified in Table E2-7.2.* *Any tree required to be planted under this standard must be of species to the satisfaction of the responsible authority, having regard to the location and relevant geographic factors.*	

Front fences objective

Clause 57.02-8		
Objective	**Standard E2-8**	**Assessment**
To encourage front fence design that responds to the existing or preferred neighbourhood character.	*A front fence within 3 metres of a street should not exceed the maximum height specified in Table E2-8.*	**Not applicable/standard met.** No new street-front fence is proposed specifically for the heritage apartment conversion. The building remains within the shared landscaped grounds.

Dwelling diversity objective

Clause 57.03-1		
Objective	**Standard E3-1**	**Assessment**
To encourage a range of dwelling sizes and types in developments of ten or more dwellings.	*Developments include at least:* *One dwelling that contains a kitchen, bath or shower, bedroom and a toilet and wash basin at ground floor level for every 10 dwellings.* *One dwelling that includes no more and no less than 2 bedrooms for every 10 dwellings.* *One dwelling that includes no more and no less than 3 bedrooms for every 10 dwellings.*	**Objective met.** The heritage building provides one- and three-bedroom apartments. The lack of a two-bedroom dwelling is a departure from the standard, but is acceptable in the context of retaining the existing room arrangements and the two-bedroom apartments elsewhere in the development. The proposal provides a useful range of dwelling sizes overall.

Parking location objective

Clause 57.03-2		
Objective	**Standard E3-2**	**Assessment**
To minimise the impact of vehicular noise within developments on residents.	*Habitable room windows with sill heights of less than 3 metres above ground level are setback from accessways and car parks by at least:* *1.5 metres; or* *If there is a solid fence with a height of at least 1.5 metres between the accessway or car park and the window, 1 metre; or* *1 metre where window sills are at least 1.5 metres above ground level.* *This standard is met if an accessway or relevant car parking space is used exclusively by the resident of the building with the habitable room.*	**Standard met.** Resident parking is accommodated below ground, with vehicle access separated from the principal apartment frontages. The layout does not show an obvious conflict between a low habitable-room window and the parking accessway.

Street integration objective

Clause 57.03-3		
Objective	**Standard E3-3**	**Assessment**
To integrate the layout of development with the street to support the safety and amenity of residents.	*Where a development fronts a street, a vehicle accessway or abuts public open space:* *Passive surveillance is provided by a direct view from a balcony or a habitable room window to each street, vehicle accessway and public open space.* *The total cumulative width of all site services to be located within 3 metres of a street, do not take up more than 20 per cent of the width of the frontage and are screened from view from the street or located behind a fence. Screens or fences are to provide no more than 25 per cent transparency.* *Lighting is provided to all external accessways and paths.* *Mailboxes are provided for each dwelling and can be communally located.*	**Objective met.** Although the heritage building is set back from the streets, its windows and entries face the shared paths and courtyards. Mailboxes are identified on the ground-floor plan. The conversion supports activity and passive surveillance within the site, with path lighting and service screening able to be resolved through permit conditions requiring final landscape and services details.

Entry objectives

Clause 57.03-4		
Objectives	**Standard E3-4**	**Assessment**
To provide each dwelling, apartment development or residential building with its own sense of identity.	*Dwellings (other than a dwelling in or forming part of an apartment development) and residential buildings* *Each dwelling and each residential building has a ground level entry door that:*	**Objective met.** The circulation plans identify separate residential routes within the retained building, linked to the shared site paths and verandahs. These provide legible apartment

Clause 57.03-4		
Objectives	**Standard E3-4**	**Assessment**
To provide entries with weather protection, safe design, natural light and ventilation.	*Has a direct line of sight from a street, accessway or shared walkway.* *Is not accessed through a garage.* *Has an external covered area of at least 1.44 square metres with a minimum dimension of least 1.2 metres over the entry door.* *Apartment development and residential building with a shared entry* *An apartment development and each residential building has:* *A ground level entry door, gate or walkway with a direct line of sight from a street, accessway or shared walkway.* *An external covered area of at least 1.44 square metres with a minimum dimension of least 1.2 metres over the entry door to the building.* *Shared corridors and common areas have at least one source of natural light and natural ventilation.*	access while retaining the heritage layout. Covered entries are integrated with the existing form.

Private open space objective

Clause 57.03-5		
Objective	**Standard E3-5**	**Assessment**
To provide adequate private open space for the reasonable recreation and service needs of residents.	*A dwelling or residential building should have private open space with direct access from a living area, dining area or kitchen consisting of:* *An area of 25 square metres of secluded private open space, with a minimum dimension of 3 metres width; or* *An area on a podium or similar of at least 15 square metres, with a minimum dimension of 3 metres width; or* *A balcony with at least the area and dimensions specified in Table E3-5; or* *An area on a roof of at least 10 square metres, with a minimum dimension of 2 metres width.* *If a cooling or heating unit is located in the secluded private open space or private open space the required area should increase by 1.5 square metres.* *Where ground level private open space is provided an area for clothes drying should be provided.*	**Objective met.** The variation is acceptable given the constraints of retaining and restoring the heritage building. Residents' access to the former Home's balconies and extensive landscaped grounds provides reasonable opportunities for outdoor relaxation and recreation, reducing the need for each dwelling to have a separate outdoor area. This balances residents' amenity with the conservation of the building's heritage fabric and layout.

Solar access to open space objective

Clause 57.03-6		
Objective	**Standard E3-6**	**Assessment**
To allow solar access into the secluded private open space of new dwellings and residential buildings.	*The southern boundary of secluded private open space is set back from any wall on the north of the space at least (2 + 0.9h) metres, where 'h' is the height of the wall.*	**Objective met.** Retained walls and verandahs limit sunlight to some of the former Home's balconies, with limited scope for change without affecting the building's heritage fabric. As discussed above, the extensive landscaped grounds provide residents with alternative outdoor settings and opportunities to enjoy sunlight beyond the building's immediate shade. In this context, the constrained solar access to individual spaces is acceptable and achieves a reasonable balance between residential amenity and heritage conservation.

Functional layout objective

Clause 57.03-7		
Objective	**Standard E3-7**	**Assessment**
To ensure dwellings provide functional areas that meet the needs of residents.	*Bedrooms should:* *Meet the minimum internal room dimensions specified in Table E3-7.1; and* *Provide an additional area of at least 0.8 square metres to accommodate a wardrobe.* *Living areas (excluding dining and kitchen areas) meet the minimum internal room dimensions specified in Table E3-7.2.*	**Objective met.** The detailed apartment plans show the required bedroom and living-area dimensions, with wardrobes provided separately. The retained rooms generally provide generous space around those minimum areas. The layouts support functional use and furnishing while retaining the building's principal heritage room arrangements. A condition on permit will require further information on alignment with the standard.

Room depth objective

Clause 57.03-8		
Objective	**Standard E3-8**	**Assessment**
To allow adequate daylight into single aspect habitable rooms.	*The depth of a single aspect habitable room does not exceed 2.5 times the ceiling height measured from the external surface of the habitable room window to the rear wall of the room.* *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; and*	**Objective met.** The proposed single-aspect room depths are reasonable relative to the generally generous heritage ceiling heights, with external windows providing direct access to daylight. These proportions support daylight reaching into the rooms and limit the extent of deep internal areas. The proposed layouts therefore provide an acceptable daylight

Clause 57.03-8		
Objective	**Standard E3-8**	**Assessment**
	The kitchen is located furthest from the window; and *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; and* *An over hang extends no more than 2m beyond the window of the single aspect habitable room.* *In Clause 57.03-8 a single aspect habitable room is a habitable room with windows on only one wall.*	outcome while retaining the building's heritage fabric and arrangement. A condition on permit will require further information on alignment with the standard.

Daylight to new windows objective

Clause 57.03-9		
Objective	**Standard E3-9**	**Assessment**
To allow adequate daylight into new habitable room windows.	*Dwelling (other than a dwelling in or forming part of an apartment development)* *A window in an external wall of the building is provided to all habitable rooms.* *Habitable rooms in a dwelling have a window that faces:* *An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot; or* *A verandah provided it is open for at least one third of its perimeter; or* *A carport provided it has two or more open sides and is open for at least one third of its perimeter.* *Dwelling in or forming part of an apartment development* *A window in an external wall of the building is provided to all habitable rooms.* *Where daylight to a bedroom is provided from a smaller secondary area within the bedroom, the secondary area is to have:* *A minimum width of 1.2 metres.* *A maximum depth of 1.5 times the width, measured from the external surface of the window.* *A window clear to the sky.*	**Objective met.** All habitable rooms have external windows, providing direct access to daylight without relying on light borrowed through adjoining rooms. Together with the room proportions discussed above, this supports adequate daylight while making use of the building's existing openings and retaining its heritage facades. A condition on permit will require further information on alignment with the standard.

Natural ventilation objectives

Clause 57.03-10		
Objectives	**Standard E3-10**	**Assessment**
To encourage natural ventilation of dwellings. *To allow occupants to effectively manage natural ventilation of dwellings*	*Dwelling (other than a dwelling in or forming part of an apartment development)* *Dwellings have openable windows, doors or other ventilation devices in external walls of the building that provide:* *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 size.* *The breeze path is measured between the ventilation openings on different orientations of the dwelling.* *Dwelling in or forming part of an apartment development* *At least 40 per cent of dwellings have openable windows, doors or other ventilation devices in external walls of the building that provide:* *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 size.* *The breeze path is measured between the ventilation openings on different orientations of the dwelling.*	**Objective met.** The retained external openings give residents a practical means of admitting fresh air and controlling ventilation. Several dual-aspect layouts also provide opportunities for airflow between different sides of the apartments. This is a reasonable response within the heritage constraints, although compliance with the standard's specific cross-ventilation requirements has not been demonstrated.

Storage objective

Clause 57.03-11		
Objective	**Standard E3-11**	**Assessment**
To provide adequate storage facilities for each dwelling.	*Dwelling (other than a dwelling in or forming part of an apartment development)* *Each dwelling has exclusive access to at least 6 cubic metres of externally accessible storage space.* *Dwelling in or forming part of an apartment development* *Each dwelling has exclusive access to storage at least the total minimum storage volume that is specified in Table E3-11.*	**Standard met.** The detailed plans identify internal storage exceeding the applicable volume requirements for the apartments. Providing this storage within each dwelling gives residents convenient, exclusive access and accommodates everyday storage needs without relying on additional basement storage. A condition on permit should require the storage areas to be nominated on the plans.

Accessibility for apartment developments objective

Clause 57.03-12		
Objective	**Standard E3-12**	**Assessment**
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 E3-12.*	**Objective met.** Four of the 13 apartments are identified as providing the specified accessibility features, compared with the seven required by the standard. These apartments provide housing options for people with limited mobility. A variation is acceptable given the constraints on altering significant heritage fabric and the opportunity to provide accessible accommodation within the retained building.

Daylight to existing windows objective

Clause 57.04-1		
Objective	**Standard E4-1**	**Assessment**
To allow adequate daylight into existing habitable room windows.	*Buildings opposite an existing habitable room window provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.* *Walls or carports more than 3 metres in height opposite an existing habitable room window are set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.* *Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.*	**Objective met.** The conversion retains the principal heritage envelope and removes later additions. It does not introduce additional building bulk that would obstruct daylight to neighbouring habitable room windows. Existing daylight access is therefore maintained by this component of the development.

Existing north-facing windows objective

Clause 57.04-2		
Objective	**Standard E4-2**	**Assessment**
To allow adequate solar access to existing north-facing habitable room windows.	*Where a north-facing habitable room window of a neighbouring dwelling or small second dwelling is within 3 metres of a boundary on an abutting lot:* *A new building is to be set back from the boundary by at least 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9*	**Not applicable/standard met.** The submitted assessment identifies no qualifying north-facing windows within 3 metres of an abutting boundary.

Clause 57.04-2		
Objective	**Standard E4-2**	**Assessment**
	metres. This setback is to be provided for a distance of at least 3 metres from the edge of each side of the window. *For new buildings that meet the Standard E2-3.2 setback, the building should be setback at least 6 metres up to a height not exceeding 11 metres and at least 9 metres for a height over 11 metres between south 30 degrees west to south 30 degrees east. This setback is to be provided for a distance of at least 3 metres from the edge of each side of the window.* *For this standard a north-facing window is a window with an axis perpendicular to its surface oriented from north 20 degrees west to north 30 degrees east.*	

Overshadowing secluded open space objective

Clause 57.04-3		
Objective	**Standard E4-3**	**Assessment**
To ensure buildings do not significantly overshadow existing secluded private open space.	*The area of secluded private open space that is not overshadowed by the new development should be greater than:* *50 per cent, or* *25 square metres with a minimum dimension of 3 metres, whichever is the lesser area, for a minimum of five hours between 9 am and 3 pm on 22 September.* *If existing sunlight to the secluded private open space of an existing dwelling or small second dwelling is less than the requirements of this standard, the amount of sunlight will not be further reduced.*	**Standard met.** The heritage conversion retains the principal building form and removes later additions, without introducing additional bulk that would increase overshadowing of neighbouring secluded private open space. Existing sunlight is therefore maintained, including where it may already be below the standard's minimum provision.

Overlooking objective

Clause 57.04-4		
Objective	**Standard E4-4**	**Assessment**
To limit views into existing secluded private open space and habitable room windows.	*In Clause 57.04-4 a habitable room does not include a bedroom.* *A habitable room window, balcony, podium, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling or small second dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views are*	**Standard met.** Neighbouring habitable room windows and private open spaces are outside the 9-metre overlooking assessment distance from the heritage apartments. The intervening grounds and street interfaces provide substantial separation, protecting neighbouring privacy

Clause 57.04-4		
Objective	**Standard E4-4**	**Assessment**
	measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level. *A habitable room window, balcony, terrace, deck or patio that should be located with a direct view into a habitable room window of an existing dwelling or small second dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio:* *Is offset a minimum of 1.5 metres from the edge of one window to the edge of the other; or* *Has sill heights of at least 1.7 metres above floor level; or* *Has fixed, obscure glazing in any part of the window below 1.7 metre above floor level; or* *Has permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent; or* *Has fixed elements that prevent the direct view, such as horizontal ledges or vertical fins.* *Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.* *This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.*	without requiring additional screening of the heritage façades.

Internal views objective

Clause 57.04-5		
Objective	**Standard E4-5**	**Assessment**
To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.	*In Clause 57.04-5 a habitable room does not include a bedroom.* *Within the development, a habitable room window, balcony, terrace, deck or patio that is located with a direct view into the secluded private open space of another dwelling should:* *Be offset a minimum of 1.5 metres from the edge of the secluded private open space; or* *Have a sill height of at least 1.7 metres above floor level; or* *Have a fixed, visually obscure balustrade to at least 1.7 metre above floor level; or*	**Objective met.** The heritage building's retained walls and room arrangement provide separation between apartments, with windows and outdoor areas distributed across different parts of the building. This supports privacy between dwellings while allowing the verandahs to remain open and serve their established access function. The resulting arrangement provides reasonable residential privacy and is appropriate for the adaptive reuse of the heritage building.

Clause 57.04-5		
Objective	**Standard E4-5**	**Assessment**
	Have permanently fixed external screens to at least 1.7 metres above floor level; or. *Have fixed elements that prevent the direct view, such as horizontal ledges or vertical fins.* *Direct views are measured at a height of 1.7 metres above floor level and within:* *A 45 degree horizontal angle from the edge of the new window or balcony.* *A 45 degree angle in the downward direction.* *Screens provided for overlooking are no more than 25 per cent transparent. Screens may be openable provided that this does not allow direct views as specified in this standard.*	

Permeability and stormwater management objectives

Clause 57.05-1		
Objectives	**Standard E5-1**	**Assessment**
To reduce the impact of increased stormwater run-off on the drainage system and downstream waterways. *To facilitate on-site stormwater infiltration.* *To encourage stormwater management that maximises the retention and reuse of stormwater.* *To contribute to urban cooling.*	*The site area covered by the pervious surfaces is at least 20 percent of the site.* *The development includes a stormwater management system designed to:* *Meet the best practice quantitative performance objectives for stormwater quality specified in the Urban stormwater management guidance (EPA Publication 1739.1, 2021) of:* *Suspended solids 80% reduction in mean annual load.* *Total phosphorus and Total Nitrogen 45% reduction in mean annual load.* *Litter 70% reduction of mean annual load.* *Direct flows of stormwater into treatment areas, garden areas, tree pits and permeable surfaces, with drainage of residual flows to the legal point of discharge.*	**Objective met.** The proposed 21.9% permeability exceeds the 20% requirement. Permit conditions will require the stormwater system to meet the applicable treatment requirements, supported by a coordinated final design and updated modelling.

Overshadowing domestic solar energy systems objective

Clause 57.05-2		
Objective	**Standard E5-2**	**Assessment**
To ensure that the height and setback of a building from a boundary allows reasonable solar access to existing domestic solar energy	*Any part of a new building that will reduce the sunlight at any time between 9am and 4 pm on 22 September to an existing domestic solar energy system on the roof of a building on an adjoining lot should be set back from the boundary to that lot by at least 1 metre at 3.6 metres above ground level,*	**Not applicable/standard met.** The residential conversion does not increase the heritage building's above-ground envelope. It therefore does not introduce additional overshadowing of an existing

Clause 57.05-2		
Objective	**Standard E5-2**	**Assessment**
systems on the roofs of buildings.	*plus 0.3 metres for every metre of building height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.* *This standard applies to an existing building in a Township Zone, General Residential Zone or Neighbourhood Residential Zone.* *In Clause 57.05-2 domestic solar energy system means a domestic solar energy system that existed at the date the application was lodged.*	domestic solar energy system on adjoining land. The objective is satisfied for this component.

Rooftop solar energy generation area objective

Clause 57.05-3		
Objective	**Standard E5-3**	**Assessment**
To support the future installation of appropriately sited rooftop solar energy systems for a dwelling.	*An area on the roof is capable of siting a rooftop solar energy area for each dwelling should be provided and:* *Has a minimum dimension of 1.7 metres.* *Has a minimum area in accordance with Table E5-3.* *Is oriented to the north, west or east.* *Is positioned on the top two thirds of a pitched roof.* *Can be a contiguous area or multiple smaller areas.* *Is free of obstructions on the roof of the dwelling within twice the height of each obstruction (H), measured horizontally (D) from the centre point of the base of the obstruction to the nearest point of the rooftop solar energy area.* *Obstructions located south of all points of the rooftop solar energy area are not subject to the horizontal distance requirements.* *In Clause 57.05-3 rooftop solar energy area means an area provided on the roof of a dwelling to enable the future installation of a solar energy system.* *This standard does not apply to apartments and residential buildings.*	**Not applicable.** The provision expressly excludes apartments and residential buildings. Separate rooftop solar areas are therefore not required for the heritage apartments under this provision.

Solar protection to new north-facing windows objective

Clause 57.05-4		
Objective	**Standard E5-4**	**Assessment**
To encourage external shading of north facing	*North facing windows are shaded by eaves, fixed horizontal shading devices or fixed awnings with a*	**Objective met.**

Clause 57.05-4		
Objective	**Standard E5-4**	**Assessment**
windows to minimise summer heat gain.	*minimum horizontal depth of 0.25 times the window height.*	The retained verandahs shade parts of the heritage building, limiting direct sunlight and summer heat gain through those windows. This provides solar protection through the building's existing architecture. A variation to the prescribed shading dimensions is acceptable given the constraints on introducing additional shading to significant heritage façades.

Waste and recycling objectives

Clause 57.05-5		
Objectives	**Standard E5-5**	**Assessment**
To ensure dwellings are designed to facilitate waste recycling. *To ensure that waste and recycling facilities are accessible and are of sufficient size to manage organic and general waste, and mixed and glass recycling.* *To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity.*	*Dwelling (other than a dwelling in or forming part of an apartment development)* *The development should include an individual bin storage area for each dwelling, or a shared bin storage area for use by each dwelling, of at least the applicable area, depth and height specified in Table E5-5.1.* *If the development includes a shared bin storage area:* *The shared bin storage area should be:* *Located within 40 metres of a kerbside collection point.* *Include a tap for bin washing.* *A continuous path of travel free of steps and obstructions from dwellings to the bin storage area.* *Where access is provided for private bin collection on the land the design of access ways should allow the vehicle to enter and exit in a forward direction.* *Each dwelling includes an internal waste and recycling storage space of at least 0.07 cubic metres with a minimum depth of 250 millimetres.* *Dwelling in or forming part of an apartment development* *The development should include a shared bin storage area for use by each dwelling of at least the applicable area, depth and height specified in Table E5-5.2.* *Enclosed bin storage areas should be ventilated by:* *Natural ventilation openings to the external air with an area of at least 5 per cent of the area for bin storage area; or* *A mechanical exhaust ventilation system.* *A tap and drain is provided to wash bins.*	**Objective met.** The 28.2 sqm waste room comfortably exceeds the 9.1 sqm area requirement for the 13 apartments. Its capacity and separate general waste, organics, recycling and glass streams make waste separation practical for residents. The dedicated room and organised collection arrangements also limit clutter and servicing impacts on residential areas.

Clause 57.05-5		
Objectives	**Standard E5-5**	**Assessment**
	A continuous path of travel is provided from each dwelling to bin storage areas. *Each dwelling should include an internal waste and recycling storage space of at least 0.07 cubic metres with a minimum depth of 250 millimetres.*	

Noise impact objective

Clause 57.05-6		
Objective	**Standard E5-6**	**Assessment**
To minimise the impact of mechanical plant noise located in the development.	*Mechanical plant, including mechanical car storage and lift facilities should not be located immediately adjacent to bedrooms of new or existing dwellings or small second dwellings, unless a solid barrier is in place to provide a line of sight barrier to transmission of noise and the location of all relevant bedrooms.*	**Standard met.** Mechanical plant equipment will be provided on the roof whilst lift facilities are appropriately designed to limit the transmission of noise to any dwellings. The acoustic assessment identifies screening and noise controls for the rooftop plant and lifts that address sound transmission to nearby bedrooms. These measures provide a practical means of accommodating the building services while protecting residents from unreasonable mechanical noise. The arrangement is acceptable on that basis.

Energy efficiency for apartment developments objectives

Clause 57.05-7		
Objectives	**Standard E5-7**	**Assessment**
To achieve energy efficient dwellings and buildings. *To ensure dwellings achieve adequate thermal efficiency.*	*Dwellings located in a climate zone identified in Table E5-7 should not exceed the maximum NatHERS annual cooling load.*	**Objective met.** The adaptive reuse of the heritage building conserves existing fabric and provides opportunities to improve energy performance through sensitive upgrades. Permit conditions will require an updated SMP demonstrating adequate thermal performance for the heritage apartments and identifying compatible insulation, glazing and shading measures. This allows energy efficiency to be addressed while respecting the constraints on altering significant heritage fabric.

Appendix 3 – Clause 58 assessment (proposed new apartment buildings)

Urban context objectives

Clause 58.02-1		
Objectives	**Standard D1**	**Assessment**
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.*	*The design response must be appropriate to the neighbourhood and the site.* *The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.*	**Standard met.** The two separate buildings, landscaped gaps and recessed upper levels break up the development's bulk and retain a setting for the heritage building. Locating the larger forms along the eastern edge responds to the rail interface while moderating their presentation to surrounding housing.

Residential policy objectives

Clause 58.02-2		
Objectives	**Standard D2**	**Assessment**
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.*	*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.*	**Standard met.** The submitted planning report addresses the relevant housing policies. The 47 apartments provide additional housing near public transport and established services, making use of the site's redevelopment potential. Building separation, setbacks and landscaping balance this housing contribution with the protection of heritage and surrounding residential amenity.

Dwelling diversity objective

Clause 58.02-3		
Objective	**Standard D3**	**Assessment**
To encourage a range of dwelling sizes and types in developments of ten or more dwellings.	*Developments of ten or more dwellings should provide a range of dwelling sizes and types, including dwellings with a different number of bedrooms.*	**Standard met.** The mix of six one-bedroom, seven two-bedroom and 34 three-bedroom apartments accommodates different household sizes. The substantial provision of larger apartments, including four with studies, provides options for families and residents

Clause 58.02-3		
Objective	**Standard D3**	**Assessment**
		needing additional space, alongside smaller dwellings.

Infrastructure objectives

Clause 58.02-4		
Objectives	**Standard D4**	**Assessment**
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.*	*Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.* *Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.* *In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.*	**Standard met.** The site is in established urban land and has access to the required infrastructure. Dedicated service areas provide for connections to established utility networks.

Integration with the street objectives

Clause 58.02-5		
Objectives	**Standard D5**	**Assessment**
To integrate the layout of development with the street. *To support development that activates street frontage*	*Development should be oriented to front existing and proposed streets.* *Along street frontage, development should:* *Incorporate pedestrian entries, windows, balconies or other active spaces.* *Limit blank walls.* *Limit high front fencing, unless consistent with the existing urban context.* *Provide low and visually permeable front fences, where proposed.* *Conceal car parking and internal waste collection areas from the street.* *Development next to existing public open space should be designed to complement the open space and facilitate passive surveillance.*	**Standard met.** Windows, balconies and landscaped courtyards address Hartington Street, while the principal pedestrian entries connect the buildings to the street. The brick and metal-picket boundary treatment permits views through the frontage, and basement parking limits its visual presence. These features provide a suitable relationship with the street.

Energy efficiency objectives

Clause 58.03-1		
Objectives	**Standard D6**	**Assessment**
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.*	*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 dwelling, if practicable.* *Developments should be designed so that solar access to north-facing windows is optimized.* *Dwellings located in a climate zone identified in Table D1 should not exceed the maximum NatHERS annual cooling load specified in the Table D1.* *Note: Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy).*	**Objective met.** Preliminary apartment modelling shows a 7.6-star sample average and cooling loads below the applicable benchmark, supporting the proposed thermal response. A condition on permit will require further information on alignment with the standard.

Communal open space objectives

Clause 58.03-2		
Objectives	**Standard D7**	**Assessment**
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.*	*A development of 10 or more dwellings should provide a minimum area of communal outdoor open space of 30 square metres.* *If a development contains 13 or more dwellings, the development should also provide an additional minimum area of communal open space of 2.5 square metres per dwelling or 220 square metres, whichever is the lesser. This additional area may be indoors or outdoors and may consist of multiple separate areas of communal open space.* *Each area of communal open space should be:* *Accessible to all residents.* *A useable size, shape and dimension.* *Capable of efficient management.* *Located to:* *Provide passive surveillance opportunities, where appropriate.* *Provide outlook for as many dwellings as practicable.* *Avoid overlooking into habitable rooms and private open space of new dwellings.* *Minimise noise impacts to new and existing dwellings.* *Any area of communal outdoor open space should be landscaped and include canopy cover and trees*	**Standard met.** The rooftop terraces and shared landscaped grounds provide communal space exceeding the 117.5 sqm required for the 47 apartments, including the minimum 30 sqm outdoors. Residents can access a range of usable spaces for gathering, recreation and quiet relaxation. Their integration with the buildings, garden planting and shared paths provides convenient access, attractive outlooks and opportunities for informal surveillance.

Solar access to communal outdoor open space objective

Clause 58.03-3		
Objective	**Standard D8**	**Assessment**
To allow solar access into communal outdoor open space.	*The communal outdoor open space should be located on the north side of a building, if appropriate.* *At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.*	**Standard met.** Locating communal terraces at roof level reduces obstruction from surrounding buildings and provides exposure to winter sunlight. The primary communal outdoor space achieves the required two hours of sunlight between 9 am and 3 pm on 21 June over at least 50 per cent of its area, or 125 sqm, whichever is less. This provides sunlit outdoor space for residents during winter.

Safety objective

Clause 58.03-4		
Objective	**Standard D9**	**Assessment**
To ensure the layout of development provides for the safety and security of residents and property.	*Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal access ways.* *Planting which creates unsafe spaces along streets and access ways should be avoided.* *Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal access ways.* *Private spaces within developments should be protected from inappropriate use as public thoroughfares.*	**Standard met.** Building entrances are identifiable from the street and internal paths, with surrounding windows and balconies providing opportunities to overlook these approaches. Lighting and landscaping maintain visibility around entrances and shared routes. Public paths are distinguished from private courtyards, allowing movement through the site without directing people through residents' private spaces.

Landscaping objectives

Clause 58.03-5		
Objectives	**Standard D10**	**Assessment**
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,*	*Development should retain existing trees and canopy cover.* *Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.* *Development should:* *Provide the canopy cover and deep soil areas specified in Table D2. Existing trees can be used to meet the canopy cover requirements of Table D2.* *Provide canopy cover through canopy trees that are:* *Located in an area of deep soil specified in Table D3. Where deep soil cannot be provided*	**Standard met.** Assessed across the site, the landscape scheme provides approximately 5,737.7 sqm of canopy cover, equivalent to 21.95 per cent of the site. Canopy trees and garden planting are distributed through the shared grounds and frontages, supplemented by upper-level planters. The specified soil, planter and irrigation arrangements support healthy growth, while the planting provides summer shade, softens the buildings and maintains a substantial landscape setting.

Clause 58.03-5		
Objectives	**Standard D10**	**Assessment**
wellbeing and amenity and reduces urban heat.	*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.*	

Access objectives

Clause 58.03-6		
Objectives	**Standard D11**	**Assessment**
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.*	*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.*	**Standard met.** Vehicle access is consolidated into a single basement entrance at the southern end of the Hartington Street frontage, minimising crossovers and the frontage occupied by vehicle access. Separate pedestrian paths connect to each building's lobby, while bicycle access is provided through the internal laneway. These clearly distinguished routes reduce conflicts between vehicles, pedestrians and cyclists and limit the visual impact of the basement entrance.

Parking location objectives

Clause 58.03-7		
Objectives	**Standard D12**	**Assessment**
To provide convenient parking for resident and visitor vehicles. *To protect residents from vehicular noise within developments.*	*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 access way.*	**Standard met.** The basement provides secure, ventilated parking conveniently connected to both apartment buildings by lifts and stairs. Locating parking below the residential levels separates vehicle storage and circulation from habitable-room windows and the principal outdoor areas. This provides convenient access to dwellings while protecting residents from vehicle noise within the development.

Integrated water and stormwater management objectives

Clause 58.03-8		
Objectives	**Standard D13**	**Assessment**
To encourage the use of alternative water sources such as rainwater, stormwater and recycled water. *To facilitate stormwater collection, utilisation and infiltration within the development.* *To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.*	*Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use.* *Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.* *The stormwater management system should be:* *Designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater – Best Practice Environmental Management Guidelines (Victorian Stormwater Committee 1999) as amended.* *Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.*	**Objective met.** Two 30KL rainwater tanks are provided under the basement car park. These will collect rainwater from both apartment buildings with the tanks connected to toilets and landscape irrigation. A condition on permit will require further information on alignment with the standard.

Building setback objectives

Clause 58.04-1		
Objectives	**Standard D14**	**Assessment**
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.	*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.*	**Standard met.** The separation between the apartment buildings and their setbacks from the heritage building allow daylight to reach windows, provide reasonable outlooks and accommodate landscaping. Recessed upper levels reduce the visual bulk presented to surrounding properties and the heritage building. The closer southern setback is

Clause 58.04-1		
Objectives	**Standard D14**	**Assessment**
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.*	*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.*	appropriate, where it does not create the same privacy and amenity concerns as an interface with adjoining dwellings.

Internal views objective

Clause 58.04-2		
Objective	**Standard D15**	**Assessment**
To limit views into the private open space and habitable room windows of dwellings within a development.	*Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the private open space of a lower-level dwelling directly below and within the same development.*	**Standard met.** The stacked balconies and projecting floor slabs interrupt downward views into private outdoor areas below. Together with the positioning of windows and intervening building elements, this limits direct overlooking between apartments and provides privacy to lower-level courtyards and balconies while retaining daylight and outlook.

Noise impacts objectives

Clause 58.04-3		
Objectives	**Standard D16**	**Assessment**
To contain noise sources in developments that may affect existing dwellings. *To protect residents from external and internal noise sources.*	*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.*	**Standard met.** The acoustic assessment specifies glazing, seals and façade treatments to achieve the required internal noise levels, including protection from railway noise. These measures, together with acoustic treatment of plant, lifts and services, protect residents from external noise and noise generated within the development. Conditions will secure their incorporation into the final design and the acoustic requirements for mechanical equipment.

Clause 58.04-3		
Objectives	**Standard D16**	**Assessment**
	Buildings within a noise influence area specified in Table D5 should be designed and constructed to achieve the following noise levels: *Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.* *Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.* *Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.* *Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.*	

Wind impacts objective

Clause 58.04-4		
Objective	**Standard D17**	**Assessment**
To ensure the built form, design and layout of development does not generate unacceptable wind impacts within the site or on surrounding land.	*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.*	**Objective met.** The submitted wind assessment demonstrates that the proposed development will support pedestrian safety and generally acceptable conditions around the buildings.

Accessibility objective

Clause 58.05-1		
Objective	**Standard D18**	**Assessment**
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.*	**Standard met.** Thirty of the 47 apartments, approximately 64 per cent, are designed to meet the accessibility requirements, exceeding the 50 per cent minimum. The nominated layouts provide the required doorway widths, clear circulation paths and adaptable bathrooms. Lift access to both buildings complements these internal arrangements and allows residents with limited mobility to reach their homes conveniently.

Building entry and circulation objectives

Clause 58.05-2		
Objectives	**Standard D19**	**Assessment**
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.*	*Entries to dwellings and buildings should:* *Be visible and easily identifiable.* *Provide shelter, a sense of personal address and a transitional space around the entry.* *The layout and design of buildings should:* *Clearly distinguish entrances to residential and non-residential areas.* *Provide windows to building entrances and lift areas.* *Provide visible, safe and attractive stairs from the entry level to encourage use by residents.* *Provide common areas and corridors that:* *Include at least one source of natural light and natural ventilation.* *Avoid obstruction from building services.* *Maintain clear sight lines.*	**Standard met.** Each building has an identifiable, sheltered entrance and its own lobby, providing a clear transition from the shared grounds to the apartments. Separate circulation cores and visible apartment entrances make routes easy to follow. The proposed natural light and ventilation improve the amenity of common corridors, while clear sightlines and unobstructed circulation support safe and convenient movement.

Private open space objective

Clause 58.05-3		
Objective	**Standard D20**	**Assessment**
To provide adequate private open space for the reasonable recreation and service needs of residents.	*A dwelling should have private open space consisting of at least one of the following:* *An area at ground level of at least 25 square metres, with a minimum dimension of 3 metres and convenient access from a living room.*	**Not applicable.** Clause 58.05-3 does not apply through Clause 53.23-2 on the Commonwealth funding basis identified in the planning report. Each apartment nevertheless has directly accessible private outdoor space. The

Clause 58.05-3		
Objective	**Standard D20**	**Assessment**
	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.*	courtyards and balconies provide space for everyday outdoor use, with the smaller western courtyards supplemented by the extensive shared gardens and rooftop terraces.

Storage objective

Clause 58.05-4		
Objective	**Standard D21**	**Assessment**
To provide adequate storage facilities for each dwelling.	*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.*	**Standard met.** The two- and three-bedroom apartments provide the required storage within their layouts. Each one-bedroom apartment has at least 6 cubic metres of internal storage, supplemented by an allocated basement store to achieve the required 10 cubic metres overall. These arrangements provide convenient storage for everyday belongings and secure space for larger items without taking up living space.

Common property objectives

Clause 58.06-1		
Objectives	**Standard D22**	**Assessment**
To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. *To avoid future management difficulties*	*Developments should clearly delineate public, communal and private areas.* *Common property, where provided, should be functional and capable of efficient management.*	**Standard met.** Private apartments and courtyards are clearly distinguished from shared corridors, parking and recreational areas. This makes the extent and function of common areas readily understood and allows cleaning, maintenance and access to be managed without intruding into private dwellings. The

Clause 58.06-1		
Objectives	**Standard D22**	**Assessment**
in areas of common ownership.		arrangement also accommodates residents' use of the shared grounds alongside the site's public activities.

Site services objectives

Clause 58.06-2		
Objectives	**Standard D23**	**Assessment**
To ensure that site services are accessible and can be installed and maintained. *To ensure that site services and facilities are visually integrated into the building design or landscape.*	*Development should provide adequate space (including easements where required) for site services to be installed and maintained efficiently and economically.* *Meters and utility services should be designed as an integrated component of the building or landscape.* *Mailboxes and other site facilities should be adequate in size, durable, water-protected, located for convenient access and integrated into the overall design of the development.*	**Objective met.** Dedicated service rooms, risers and rooftop plant areas provide space for services within the building layout. Grouping services in these locations makes installation and maintenance practical and limits their visual impact on the residential frontage and landscaped grounds. The arrangement allows services to be accommodated without compromising the main residential circulation areas.

Waste and recycling objectives

Clause 58.06-3		
Objectives	**Standard D24**	**Assessment**
To ensure dwellings are designed to encourage waste recycling. *To ensure that waste and recycling facilities are accessible, adequate and attractive.* *To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.*	*Developments should include dedicated areas for:* *Waste and recycling enclosures which are:* *Adequate in size, durable, waterproof and blend in with the development.* *Adequately ventilated.* *Located and designed for convenient access by residents and made easily accessible to people with limited mobility.* *Adequate facilities for bin washing. These areas should be adequately ventilated.* *Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.* *Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.* *Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.*	**Standard met.** The two ventilated basement waste rooms provide 63 sqm of dedicated storage, supported by internal apartment storage and private collection. The Waste Management Plan provides for separate general waste, recycling, food organics and glass streams, making waste separation practical for residents. Conditions will implement the collection arrangements with that plan and regulate the ongoing operation of the facilities.

Clause 58.06-3		
Objectives	**Standard D24**	**Assessment**
	Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate. *Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and:* *Be designed to meet the better practice design options specified in Waste Management and Recycling in Multi-unit Developments (Sustainability Victoria, 2019).* *Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.*	

External walls and materials objectives

Clause 58.06-4		
Objectives	**Standard D25**	**Assessment**
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.*	*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.*	**Standard met.** The proposed brick, concrete, aluminium and glass provide durable external finishes suited to the buildings' form and exposure. These materials withstand ordinary weathering and wear and can be maintained through established cleaning and repair methods. Their use supports the long-term appearance of the buildings, with safe maintenance access addressed through detailed façade design.

Functional layout objective

Clause 58.07-1		
Objective	**Standard D26**	**Assessment**
To ensure dwellings provide functional areas that meet the needs of residents.	*Bedrooms should:* *Meet the minimum internal room dimensions specified in Table D11.* *Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.* *Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table D12.*	**Objective met.** The three C1 living rooms measuring 10.7 sqm fall below the 12 sqm standard, but their 4.63-metre frontage, furniture arrangements and connection to adjoining dining areas provide functional space for everyday use. The remaining layouts generally accommodate practical bedrooms and living areas.

Room depth objective

Clause 58.07-2		
Objective	**Standard D27**	**Assessment**
To allow adequate daylight into single aspect habitable rooms.	*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.*	**Standard met.** The dimensioned layouts provide appropriately proportioned single-aspect rooms, with deeper open-plan rooms using the allowance for rear kitchens and ceilings of at least 2.7 metres. This places living and dining areas closer to the windows, where they benefit most from daylight. The deeper living area in C2-3.4 receives light from more than one external aspect and is therefore outside the single-aspect depth test.

Windows objective

Clause 58.07-3		
Objective	**Standard D28**	**Assessment**
To allow adequate daylight into new habitable room windows.	*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.*	**Standard met.** All habitable rooms have windows in external walls, giving bedrooms and living areas their own source of daylight. Arranging these rooms around the building perimeter provides direct access to natural light and an external outlook, without relying on light borrowed through adjoining rooms.

Natural ventilation objectives

Clause 58.07-4		
Objectives	**Standard D29**	**Assessment**
To encourage natural ventilation of dwellings. *To allow occupants to effectively manage natural ventilation of dwellings.*	*The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.* *At least 40 per cent of dwellings should provide effective cross ventilation that has:* *A maximum breeze path through the dwelling of 18 metres.* *A minimum breeze path through the dwelling of 5 metres.* *Ventilation openings with approximately the same area.* *The breeze path is measured between the ventilation openings on different orientations of the dwelling.*	**Objective met.** Twenty-seven of the 47 apartments, or 57.4 per cent, provide cross-ventilation paths within the required 5–18 metre range, exceeding the 40 per cent requirement. Openings on different orientations allow air to pass through these apartments, while openable windows allow residents to control airflow. These layouts support effective natural ventilation through a substantial proportion of the development.


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