

Client
Holy Monastery of Axion Esti

Date
31 March 2026

Planning

Transport

Urban Design

Waste Management

Landscape Architecture

Civil Engineering

Planning Submission

CHORA

7 Hartington Street, Northcote

ratio:

ratio.com.au

Project
CHORA

Prepared for
Holy Monastery of Axion Esti

Our reference
19797R002

Ratio Consultants Pty Ltd

This work is copyright. Apart from any use as permitted under Copyright Act 1968, no part may be reproduced without written permission of Ratio Consultants Pty Ltd.

Disclaimer: neither Ratio Consultants Pty Ltd nor any member or employee of Ratio Consultants Pty Ltd takes responsibility in anyway whatsoever to any person or organisation (other than that for which this report is being prepared) in respect of the information set out in this report, including any errors or omissions therein. Ratio Consultants Pty Ltd is not liable for errors in plans, specifications, documentation or other advice not prepared or designed by Ratio Consultants Pty Ltd.

Acknowledgement of Country

We acknowledge the Traditional Owners of the land we work, live and travel on, and appreciate the rich cultures of the Aboriginal and Torres Strait Islander Peoples and their enduring connection to country.

Table of Contents

Section	Page No.
1. Introduction	8
1.1. Instructions and Introduction	8
1.2. Accompanying documentation	8
1.3. Background	9
2. Existing Conditions	10
2.1. Subject site	10
2.2. Adjoining land	11
2.3. Broader context	13
2.4. Sustainable transport	15
3. The Proposal	16
3.1. Summary	16
3.2. Use and development	16
3.3. Demolition	21
4. Planning Context	22
4.1. Zone Control	22
4.2. Overlays	23
4.3. Municipal Planning Strategy (MPS)	24
4.4. Planning Policy Framework (PPF)	26
4.5. General and Particular Provisions	31
4.6. Other Strategies	34
5. Planning Assessment	41
5.1. Introduction / Overview	41

5.2. Is There Strategic Support for the Proposal?	41
5.3. Is the Proposed Built Form Appropriate to its Context?	45
5.4. Will the Proposal Have Acceptable Amenity Outcomes?	52
6. Conclusion	56

Appendices

Appendix A Clause 55 Assessment

Appendix B Clause 57 Assessment

Appendix C Clause 58 Assessment

Table of Figures

Figure 1: Locality map	10
Figure 2: Aerial photograph of subject site and surrounds	14
Figure 3: Render of the proposed restoration – Viewed from the southwest	16
Figure 4: Render of townhouse development (viewed from Hawthorn Road)	18
Figure 5: Render of apartment buildings (viewed from Hartington Street)	19
Figure 6: Render of Amphitheatre (viewed from St Georges Road/Hawthorn Road intersection)	20
Figure 7: Render of ELC (viewed from St Georges Road looking south)	21
Figure 8: Zoning map	22
Figure 9: Development Contributions Plan Overlay	24
Figure 10: Northcote housing profile (housing change areas)	39

Table of Tables

Table 1: Planning Policy Framework	27
------------------------------------	----

Application Summary

Site

Address of the land	7 Hartington Street, Northcote
Title Details	Lot 1 on PS 204716J, Vol: 09703 Folio: 870
Site Area	2.61 ha
Are there any covenants?	No
Are there any easements?	No
Are there any Section 173 Agreements?	No

Controls

Zone	General Residential Zone, Schedule 2 'Darebin General Residential Areas'
Overlays	Development Contributions Overlay, Schedule 1 'Darebin Development Contributions Plan' and Heritage Overlay, Schedule 175 'Former Little Sisters of the Poor Home for the Aged 104 - 112 St Georges Road, Northcote'
Particular Provisions	Clause 52.06 'Car Parking' Clause 52.17 'Native Vegetation' Clause 52.29 'Land Adjacent to the Principal Road Network' Clause 52.34 'Bicycle Facilities' Clause 55 'Two or More Dwellings on a Lot' Clause 57 'Two or More Dwellings on a Lot of Four Storeys'
Current relevant Planning Scheme Amendments	None
Bushfire prone area	No
Cultural Heritage sensitivity	No
Registered Aboriginal Party	Wurundjeri
Flood prone area	No

Application Details – Why is a permit required?

Clause 32.08	Construction of two or more dwellings on a lot Use of the land for a food and drink premises Use of the land for place of assembly Use of the land for a childcare centre Use of the land for a residential hotel
Clause 43.02	Construction of buildings and works Demolition (please note, as the site is located within the Victorian Heritage Register, Heritage Victoria will be assessing the application for demolition, buildings and works).
Clause 52.06	Reduction in car parking requirement
Clause 52.17	Removal of vegetation
Clause 52.29	Create access to a Transport Zone

1. Introduction

1.1. Instructions and Introduction

Ratio Consultants Pty Ltd has been engaged by the Holy Monastery of Axion Esti, the permit applicant, to prepare a planning report in relation to a proposal for a mixed-use development on the land located at 7 Hartington Street, Northcote.

This town planning application represents a rare and valuable opportunity to transform a site with limited public interface into a vibrant, community-focused destination. The proposal seeks to shift the site's role from a predominantly private church function to a place that actively supports social connection, accessibility, and local amenity.

By developing and restoring this remarkable heritage property, the development delivers substantial community benefit. It introduces welcoming public spaces, inclusive facilities, and services that respond to the evolving needs of the neighbourhood. In doing so, it strengthens the social fabric, encourages pedestrian activity, and contributes positively to the broader character and functionality of the area.

The proposed design prioritises openness, connectivity, and community integration, ensuring the site becomes not only a destination, but a shared asset for current and future generations.

The Holy Monastery of Axion Esti is a not-for-profit organisation and the development being proposed is necessary for the restoration of the heritage building to occur.

DEVELOPMENT FACILITATION PROGRAM (DFP) – CLAUSE 53.23 (CATEGORY 2)

The proposal includes accommodation in the form of townhouses and an apartment development, and has been partly funded by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts in relation to the restoration of the heritage listed building. As such, the proposal is eligible for consideration under the Development Facilitation Program (DFP) – Category 2.

1.2. Accompanying documentation

In support of this development application, the following documents have been prepared and accompany this application:

- Architectural drawings prepared by KUD.
- Urban Context and Design Response prepared by KUD.
- Transport Impact Assessment and Waste Management Plan prepared by Ratio Consultants.

- ESD report prepared by GIW.
- Acoustic Impact Assessment prepared by Acoustic Logic.
- Landscape Plan prepared by Acre.
- Affordable Housing report prepared by Urbanxchange.
- DDA memo prepared by Functional Access Solutions.
- A fire engineering memo by SQR1.
- A Heritage Impact Statement and Conservation Management Plan prepared by Andronas Conservation Architecture.
- An environmental wind assessment prepared by Mel Consultants

1.3. Background

This project has been through a rigorous pre-application process including six formal Design Review Panels with the Development Facilitation Program team, Heritage Victoria, Council and the Office of the Victorian Government Architect. These were held on:

- 13 May 2024
- 12 June 2024
- 4 September 2024
- 11 December 2024
- 30 April 2025
- 3 December 2025

An additional interim discussion with the project team, Heritage Victoria, Planning Facilitation and the Office of the Victorian Government Architect was held on 6 August 2024.

Following each of these review panels, the overall design has been refined to address any concerns raised. We have provided a summary of each of the comments in the accompanying cover letter.

The final package submitted reflects the input received through the Design Review Panel process.

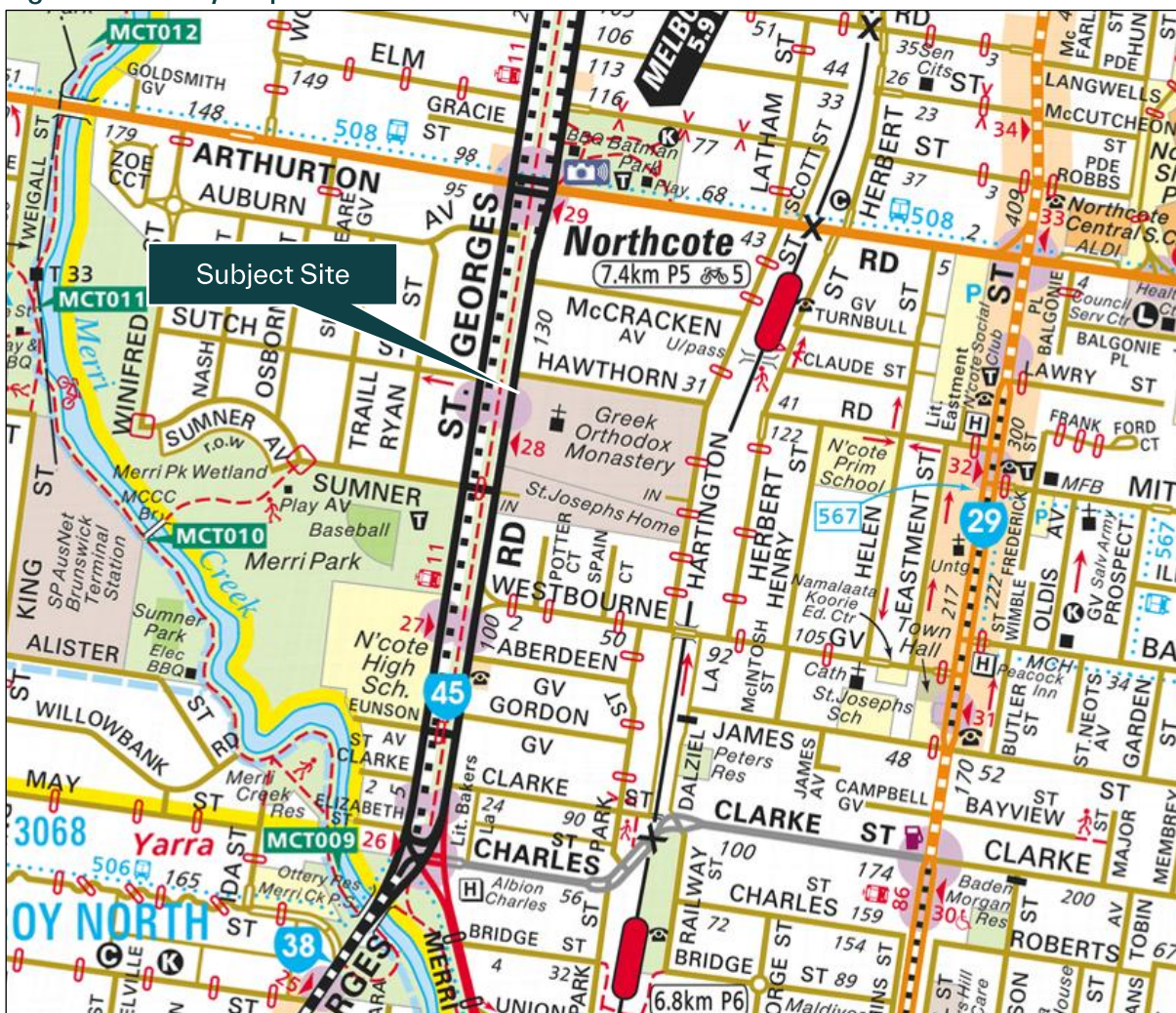
2. Existing Conditions

2.1. Subject site

The subject site is located on the western side of Hartington Street, immediately south of Hawthorn Road and immediately east of St Georges Road in Northcote.

It is an irregular shape with an overall site area of 2.61 ha. The site has road frontages to Hawthorn Road (253.9 metres) to the north, Hartington Street (141.2 metres) to the east and St Georges Road (90.2 metres) to the west.

Figure 1: Locality map



Source: <https://online.melway.com.au/melway/>

The site is currently developed with a large part two-storey, part three-storey Elizabethan style building which was previously run as the Little Sisters for the Poor Home for Aged and which is on the Victorian Heritage Register (VHR No. H1950). The building has a northwest to southeast alignment and is located in the eastern portion of the site.

There is a small building located to the north of the main building along the Hawthorn Road frontage with a gravel car park located in the northeast corner of the site. There is a small mausoleum located immediately adjacent to the main entrance on the northern side of the building.

Current uses on the site include the Greek Orthodox Archdiocesan Church of Our Lady of Axion Estin, Greek Orthodox Archdiocese of Australia Book Centre, administration offices of Aetolian College¹ and dwellings. The submitted Heritage Impact Assessment and Conservation Management Plan outline the existing and ongoing use of the land for a 'place of assembly' that includes religious services, Sunday school, various social gatherings, weddings, funerals, housing the under privileged, a gathering space for various Greek social days and has existing use rights as a shop, as the book store has been operating for decades.

Two vehicle crossovers are located along the Hartington Street frontage, with a third vehicle crossover provided along the Hawthorn Road frontage. There is no direct vehicle access provided from St Georges Road.

The site was previous surrounded by a high solid brick fence, subsequently demolished for safety reasons. The site is currently fenced with temporary cyclone wire fencing.

The site has a significant slope from east to west with the northeast corner of the site sitting approximately 15.5 metres higher than the southwest corner. There is substantial vegetation scattered throughout the site, particularly along the northern, eastern and southern boundaries.

2.2. Adjoining land

NORTH

Hawthorn Road adjoins the subject site to the north. It is a local road that runs in an east-west alignment, linking St Georges Road and Hartington Street.

It has one traffic lane in each direction with kerbside parallel parking permitted on both sides.

The southern side of Hawthorn Road has no footpath with several large trees located within the nature strip along its length. The northern side of Hawthorn Road includes a pedestrian footpath and overhead powerlines along its length. The northern side also includes several large trees within the nature strip along its length.

On the opposite side of Hawthorn Road are a series of double fronted, mainly Victorian single storey dwellings (some contain double storey additions to the rear). They have small front gardens with similar sized front setbacks. Each property has a single vehicle crossover to Hawthorn Road. Front fences are generally low height, permeable or semi-permeable although there are some examples of solid front fences.

¹ A Greek Language school that operates at several different campuses across Melbourne.

The dwellings are located within the Neighbourhood Residential Zone – Schedule 1 (Minimal Change Areas) and are also affected by a Heritage Overlay, where the schedule includes external paint controls.

EAST

Immediately east of the site is Hartington Street. It is a local road that runs in a north-south alignment between Arthurton Road and Westbourne Grove.

A footpath is provided on the western side of the road (along the site's frontage) and there are traffic calming speed humps located along its length.

In the vicinity of the site, there is kerbside parallel parking along both sides with the eastern side providing an informal gravel shoulder for car parking.

Overhead powerlines and poles are located along the eastern side of Hartington Street.

On the opposite side of Hartington Street is the rail reserve associated with the Mernda Line. Northcote Railway Station is located approximately 160 metres north of the site. The rail reserve includes informal walking tracks, the Northcote community garden and a basketball half court and ring.

SOUTH

No. 112b St Georges Road adjoins the subject site to the south. It is occupied by the Little Sisters of the Poor Aged Care facility, which is a large, aged care facility which primarily occupies the western portion of the site.

The building has a two-storey form, however, given the topography of the area, this building sits substantially lower than the heritage building on the subject site.

The land previous formed part of the subject site and was subsequently subdivided. Likewise, the land further to the south (and north of Westbourne Grove) which currently contains residential dwellings, originally formed part of the grounds associated with the convent.

This land is located within the General Residential Zone – Schedule 2 and is affected by the same Heritage Overlay as the dwellings on the northern side of Hawthorn Road.

WEST

St Georges Road is located immediately west of the site. St Georges Road is a main arterial road with a divided carriageway. It runs in a north-south alignment between Murray Road, Preston and Brunswick Street, Fitzroy North.

In the vicinity of the site, it provides for two traffic lanes in each direction, a centre-of-the-road tram line, the St Georges bike path and footpaths on both sides of the road. A clearway operates in each of the peak hours otherwise, kerbside parallel parking is permitted on both sides of the road.

Overhead powerlines are located on the eastern side of the central median and along the western side of St Georges Road.

On the opposite side of St Georges Road are several residential properties occupied by single storey dwellings. Vehicle access is provided directly from St Georges Road for each of these dwellings. The road reserve is approximately 46 metres in width and as such provides a significant separation between the subject site and these dwellings.

This land is located within the General Residential Zone – Schedule 2 and is affected by a Heritage Overlay (HO165) which applies to the Sumner Estate Area. No external paint controls apply to under this schedule.

2.3. Broader context

The subject site sits in the southwestern corner of the City of Darebin in a largely residential area. This part of Darebin includes significant transport infrastructure including the Mernda Railway line (Northcote and Merri Railway Stations), St Georges Road and High Street.

There are several non-residential uses within the surrounding local area including Northcote High School, St Joseph's School, Northcote Primary School and the aged care previously described. High Street contains a mix of retail, commercial and entertainment uses.

Merri Creek is located west of the subject site and includes areas of public open space along its banks including Merri Park. Batman Park is located north of the subject site.

Figure 2: Aerial photograph of subject site and surrounds



Source: Landchecker.com.au – Aerial Photo dated 5 January 2026

2.4. Sustainable transport

The subject site has excellent access to sustainable and active transport options. We note the site is located:

- Within the Principal Public Transport Network (PPTN).
- Within walking distance to a train station (Northcote Station) and tram stops (St Georges Road and High Street).
- With easy access to a network of walking trails and cycling paths including the St Georges Road bike path and Merri Creek Trail.
- With adequate pedestrian infrastructure and services, achieving a 'walk score' of 81 and being described as 'very walkable' where most errands can be accomplished on foot.

3. The Proposal

3.1. Summary

The proposal comprises a \$180 million redevelopment of the site at 7 Hartington Street, Northcote. In summary it seeks to retain and conserve the existing heritage building on the site (former Little Sisters of the Poor Home for the Aged) whilst removing non-contributory built form. It also seeks to provide further uses within the heritage building and construct additional uses along the St Georges Road, Hawthorn Road and Hartington Street frontages.

The development will be known as 'Chora', derived from the Greek word meaning place or space. This vision seeks to transform the site into a beacon of inclusivity, embracing diversity and fostering a sense of belonging for all who visit. The development seeks to provide an opportunity to live, work and play within a culturally designed community space.

KUD have been tasked with the conservation, restoration and reinvigoration of the heritage building and have complemented this with contemporary/high-quality architecture in the design of additional buildings on site.

Figure 3: Render of the proposed restoration - Viewed from the southwest



Key details of the proposal are summarised as follows:

3.2. Use and development

The proposal can largely be broken into its component parts as follows:

HERITAGE BUILDING (MAIN BUILDING)

- Residential hotel located in the northern wing comprising 23 rooms, hotel bar/lounge, foyer/reception and associated services over four levels.
- Function centre (located north of the Church) including ball room located over two levels including kitchen spaces.
- Book store located on the ground floor level.
- Church located centrally within the heritage building and including administrative offices on the second floor.
- Makers spaces, which will encompass local artisan workshops located on the lower ground floor.
- Ancillary office located on the upper level associated with the church.
- A total of 13 apartments located in the southern wing spread over all levels of the building.
- Associated back of house and amenities/services.
- Basement car park over three levels with parking for 120 vehicles including 3 accessible spaces and accessed via a ramp leading from the accessway along the southern boundary from Hartington Street.

RESTAURANT

A small restaurant (158.2m²) is proposed to be located immediately southwest of the heritage building within the platia area. It will include both indoor and outdoor seating.

TOWNHOUSES

The townhouse development will be located along the Hawthorn Road frontage. There are 22 townhouses arranged in two groups of 12 and 10 respectively. The group of 12 townhouses will have double garages provided within the basement car park whilst the group of 10 townhouses will have tandem garages also provided within the basement car park.

The mix of dwellings is as follows:

- 2 x double storey 3-bedroom dwelling
- 1 x triple storey 3-bedroom dwelling
- 9 x triple storey 3-bedroom + study dwellings
- 10 x triple storey 3-bedrom + 2 study dwellings

All dwellings (with the exception of TH B2.01) will be provided with ground floor private open space of minimum 25m². TH B2.01 will be provided with 12m² of useable private open space at first floor level as well as a roof deck (70m²).

Vehicle access to the townhouses will be provided via a double width (7.2m) crossover to Hawthorn Road leading to the shared basement car park for all townhouses.

Each dwelling will be provided with internal stair and lift access to the upper levels with a communal external stairwell providing access to the basement car park.

Figure 4: Render of townhouse development (viewed from Hawthorn Road)



APARTMENT BUILDING

A four-storey apartment building constructed over a basement car park will be located along the Hartington Street frontage. There will be two buildings separated by a 10.13-metre-wide pedestrian boulevard allowing views to the heritage building behind.

The basement car park will provide a total of 81 spaces as well as bike storage for the apartments. Services and a bin storage are also provided within the basement. There are two lift cores with stairs leading to the upper levels.

Access to the basement is provided via a new double width crossover to Hartington Street along the southern boundary of the subject site.

There will be a total of 47 apartments in the new buildings in a mixture of 1, 2 and 3 bedrooms.

All dwellings will be provided with an area of private open space (ranging in size from 7.8m² to 170.9m²) either as a courtyard at ground level or as a balcony for the upper level apartments.

Pedestrian access will be provided via a centrally located access point within both buildings via both the eastern and western elevations.

The apartment building will have a maximum building height of 17.92 metres.

Figure 5: Render of apartment buildings (viewed from Hartington Street)



AMPHITHEATRE

An amphitheatre is proposed to be located in the northwest corner of the site. It is a circular building which will be partially enclosed with tiered seating located both internally and externally.

The theatre will include a bar and lobby area at ground floor. It is proposed to cater for 498 patrons and operate between 8am to 12am Monday to Sunday.

Pedestrian access to the theatre will be provided via an entrance from the forecourt area located to the northwest of the building. Additionally access to the external amphitheatre and tiered seating will be provided from the St Georges Road side of the theatre.

Figure 6: Render of Amphitheatre (viewed from St Georges Road/Hawthorn Road intersection)



EARLY LEARNING CENTRE (ELC)

A two-storey Early Learning Centre building will be constructed in the southwest corner of the site fronting St Georges Road.

It is proposed to cater for 110 children from 0 – 4 years old.

The building has been designed to follow the southern boundary of the subject site with outdoor play areas located on the northern side of the building.

The amphitheatre and ELC will benefit from a shared basement car park providing 70 parking spaces (including 2 accessible spaces and 3 pairs of tandem spaces). Access to the basement car park is proposed via a new crossover to St Georges Road located approximately 22.6 metres north of the southern boundary.

The basement car park also includes the lobby, reception area and pram store for the ELC with direct pedestrian access provided from St Georges Road (south of the proposed crossover). The fire pump, fire tank, MDB room, bin room and bike store are all located within the basement car park.

Access to the upper levels of the ELC and amphitheatre are provided via stairs and lifts.

Figure 7: Render of ELC (viewed from St Georges Road looking south)



3.3. Demolition

The heritage building will be subject to significant works including the demolition/removal of intrusive later additions. This includes the extensions located to the northwest and southeast of the main building and the additions located along the northeastern elevation.

Internal demolition works will seek to reinstate relevant heritage features to ensure the conservation and ongoing use of the heritage place given the poor condition of the heritage building.

We refer to the HIS and Conservation Management Plan prepared by Andronas Conservation Architecture for full details of proposed demolition.

We note that any and all heritage matters will be addressed through a separate permit application process through Heritage Victoria.

4. Planning Context

4.1. Zone Control

The subject site is located within the General Residential Zone – Schedule 2 of the Darebin Planning Scheme. Schedule 2 relates to ‘Darebin General Residential Areas’.

The purpose of the zone is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To encourage development that is responsive to the neighbourhood character of the area.*
- *To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

Figure 8: Zoning map



Source: Landchecker

The proposed uses on the site are either Section 1 (as of right) or Section 2 (permit required uses) as follows, pursuant to Clause 32.08-2:

Use	Section 1 or Section 2
Dwelling	Section 1
Education centre	Section 2
Place of assembly ²	Section 2
Food and drinks premises	Section 2
Residential hotel	Section 2

Pursuant to Clause 32.08-7, a permit is required to construct two or more dwellings on a lot and construct or extend a residential building. A permit is also required under this clause to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with 2 or more dwellings on a lot or a residential building, and
- The fence exceeds the maximum height specified in Clause 55.02-8.

A development must meet the requirements of Clause 55. This does not apply to a development of four or more storeys. A development of four or more storeys, must meet the requirements of Clause 57.

Schedule 2 to the zone does not include any variations to Clause 55.

A permit is also required pursuant to Clause 32.08-10 for buildings and works associated with a Section 2 use.

Pursuant to Clause 32.08-11, a building constructed for a dwelling or residential building should not exceed a height of 12 metres (due to the slope of the land) or 3 storeys. However, a building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height or contain a greater number of storeys than the pre-existing building.

4.2. Overlays

The review site is affected by two overlays:

- Development Plan Contributions Overlay – Schedule 1 (DPCO1)
- Heritage Overlay – Schedule 175 (HO175)

DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY – SCHEDULE 1 (DPCO1)

DCPO1 relates to the ‘Darebin Development Contributions Plan’.

² Place of assembly has the following definition: Land where people congregate for religious, spiritual or cultural activities, entertainment or meetings. It includes: function centre, hall, library and place of worship. In this instance, the place of assembly incorporates the function centre, church, amphitheatre and makers spaces.

A permit must not be granted to subdivide land, construct a building or construct or carry out works until a development contributions plan has been incorporated into this scheme pursuant to Clause 45.06-1 of the Darebin Planning Scheme.

The Darebin Development Contributions Plan has been incorporated into the planning scheme.

Figure 9: Development Contributions Plan Overlay



HERITAGE OVERLAY – SCHEDULE 175 (HO175)

Schedule 175 of the Heritage Overlay relates to the *‘Former Little Sisters of the Poor Home for the Aged 104-112 St Georges Road, Northcote’*. It is included on the Victorian Heritage Register under the Heritage Act 2017 (Ref No. H1950).

Pursuant to Clause 43.01-3 no permit is required under this overlay *‘to develop a heritage place which is included in the Victorian Heritage Register, other than an application to subdivide a heritage place of which all or part is included in the Victorian Heritage Register’*.

Heritage matters will be considered separately by Heritage Victoria with an application made under Section 92 of the *Heritage Act 2017*.

4.3. Municipal Planning Strategy (MPS)

The Municipal Planning Strategy (MPS) at Clause 2 of the Darebin Planning Scheme acknowledges that the municipality is one of the most diverse communities in Victoria,

comprised of people from various backgrounds, cultures, languages, religions, ages, socio-economic status and skill sets.

The built environment reflects the early Victorian beginnings in Northcote and Preston with various early 20th century expansion and post-war development heading towards the northern part of the municipality towards Reservoir, Kingsbury and East Preston, with more recent development occurring in Bundoora and Macleod.

Council's vision is set out at Clause 02.02 with land use and development goals aligned with the Council Plan 2021-2025 as follows:

- *A 20-minute city with amenities, community services, vibrant places and accessible, sustainable transport that encourages people to live, work and play locally.*
- *Sustainable and liveable built environment, including affordable and social housing, that meets community needs and strives for zero carbon emissions, waste reduction and a local circular economy.*
- *Climate action and adaptation, resilient infrastructure and built environment, protection of natural assets, and regeneration and protection of ecosystems and biodiversity.*
- *Connection to, and preservation of, local history in the built environment, while acknowledging past harms to Aboriginal and Torres Strait Islander Peoples, and recognising their values, culture and connection to country.*
- *Business investment and growth in creative industries and the sustainability sector, as well as diverse local businesses and industries.*
- *Accessible open space and places that the community can enjoy and feel safe in, where harms associated with electronic machine gambling, alcohol and tobacco are minimised.*
- *Significant improvements in the built environment and for the community to be delivered by major developments in the City of Darebin.*

St Georges Road is nominated as a Strategic Corridor at Clause 02.03-1 and is described as a *'boulevard corridor with multiple infrastructure roles, providing transport (arterial road, tram route, regional cycling link) and metropolitan water supply and communications. It includes the Oakover Village Activity Centre as a place for mixed use renewal'*.

A relevant strategic direction for St Georges Road is:

- Encourage transition and intensification of a mix of uses, especially residential along St Georges Road.

Clause 02.03-4 addresses the built environment and heritage and notes that residential development needs to respond to the existing or preferred neighbourhood character while still allowing for housing change. Strategic directions under this clause include:

- Promote high-quality design in development, including activity centres and industrial/employment precincts.
- Balance the need to protect neighbourhood character with the need to facilitate housing for a growing population in activity centres, Substantial Change Areas and on Strategic Opportunity Sites.

- Protect and enhance places of heritage significance.
- Encourage development that is environmentally sustainable through urban form and design.

Clause 02.03-5 (Housing) recognises that housing demand in Darebin will be met through the intensification of existing urban areas due to existing land constraints and a decline in the supply of vacant land. It also recognises that there is a need to accept and accommodate some non-residential activities at an appropriate scale and format to service the needs of the local community in residential areas.

Locations for residential development have been nominated as one of three categories:

- **Substantial Housing Change Areas and Strategic Opportunity sites** allowing for greater increased densities.
- **Incremental Housing Change Areas** allowing for more moderate change.
- **Minimal Housing Change Areas** allowing for minimal housing growth and change over time.

The subject site falls into the *'incremental housing change area'*. Relevant strategic directions include:

- Encourage housing development and diversity in Incremental Housing Change Areas that is generally consistent with the character of the area and responsive to varying local conditions, allowing for moderate housing growth and diversification over time.
- Support an increase to housing diversity to better meet the needs of the local community (including elderly residents) and reflect demographic changes.

A growth in 'lifestyle' businesses including hospitality, arts and entertainment in Darebin's activity centres and retail strips and strategic corridors is acknowledged as contributing to the rejuvenation of Darebin's neighbourhoods at Clause 02.03-6. A relevant strategic direction is to *'encourage use and development that facilitates investment in retail, institutional and hospitality sectors'*.

Clause 02.03-8 (Infrastructure) includes a number of relevant strategic directions, including:

- Encourage the co-location of community facilities.
- Encourage land use and development that supports Darebin's cultural and artistic vitality.

The Strategic Framework Plans at Clause 02.04 confirm the subject sites' location within an incremental housing change area and adjacent to a strategic corridor (being St Georges Road).

4.4. Planning Policy Framework (PPF)

The following PPF provisions (some identified as 'S' State, 'R' Regional and 'L' Local) that are relevant to this proposal include:

Table 1: Planning Policy Framework

CLAUSE	STRATEGIES
Clause 11.01-1S – Settlement	Seeks to facilitate the sustainable growth and development of Victoria by directing growth into existing settlements and capitalising on opportunities for urban renewal and infill redevelopment.
Clause 11.01-1L – Urban renewal	Supports the transition of redundant industrial or other underutilised land to accommodate new uses and encourages a range of supporting commercial and residential uses in the inter-nodal areas of High Street, Plenty Road and St Georges Road Strategic Corridors between key activity centres.
Clause 11.02-1S – Supply of urban land	Identifies the need to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses. Strategies include that planning for urban growth should consider opportunities for consolidation, redevelopment and intensification of existing urban areas while balancing neighbourhood character and landscape considerations.
Clause 12.01-2S – Native vegetation management	Seeks to ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.
Clause 13.05-1S – Noise management	Seeks to manage noise effects on sensitive land uses (residential use, childcare centre, school, education centre, residential aged care centre or hospital).
Clause 13.07-1S – Land use compatibility	Seeks to protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts. Strategies include avoiding or minimising adverse off-site impacts from commercial, industrial and other uses through land use separation, siting, building design and operational measures.
Clause 13.07-1L – Amenity impacts of multi residential and mixed use	Provides detailed strategies to minimise off-site amenity impacts associated with multi residential and mixed use development. These include: – Ensure privacy screening is designed as a visually cohesive element of the building that prevents overlooking of adjoining secluded private open spaces

and provides a high level of internal amenity for the development including:

- Wall and balustrade design and building setbacks that utilise the building below to block downward views.
- Building design and orientation of windows and balconies towards the public realm or within the development site.
- Screening that obscures direct downward views but allows distance views where applicable (e.g. using deep horizontal fixed louvres or fixed planter boxes).

- Non-residential use and developments in residential zones to be designed to have minimal negative amenity impacts on the surrounding residential neighbourhood.
- Ensure mixed use development provides adequate amenity to residences on the site, minimising the need for screening and limiting unreasonable negative amenity impacts on surrounding residential uses.
- Ensure low reflectivity materials are used for external surfaces.
- Avoid locating servicing equipment that will cause a noise nuisance to adjacent properties or dwellings within the development.

Clause 13.07-3S – Live music

Seeks to encourage, create and protect opportunities for the enjoyment of live music.

Clause 15.01-1S – Urban design

Seeks to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.

Clause 15.01-1R – Urban design – Metropolitan Melbourne

Recognises that quality design and amenity are key to creating a distinctive and liveable city.

Clause 15.01-1L-01 – Urban design

Encourages distinctive, attractive and engaging places to live, visit or work and provides detailed guidance through objectives and strategies.

Clause 15.01-1L-02 – Safe urban environments

Seeks to promote safety through well-designed urban environments.

Clause 15.01-2S – Building design	Seeks to ensure that building design and siting outcomes contribute positively to the local context, enhance the public realm and support environmentally sustainable development.
Clause 15.01-2L – Building design	Facilitates residential and mixed-use developments that display a high standard of design, limit off-site amenity impacts and provide appropriate internal amenity for residents.
Clause 15.01-2L-01 – Environmentally sustainable development	Applies to residential and non-residential development where the relevant threshold is met and seeks to achieve best practice in environmentally sustainable development from the design stage to construction and operation.
Clause 15.01-4S – Healthy neighbourhoods	Aims to facilitate neighbourhoods that foster healthy and active living and community wellbeing.
Clause 15.01-4R – Healthy neighbourhoods – Metropolitan Melbourne	Encourages the creation of 20-minute neighbourhoods where people are able to meet most of their everyday needs within a 20-minute walk, cycle or public transport trip from their home.
Clause 15.01-5S – Neighbourhood character	Seeks to recognise, support and protect neighbourhood character, cultural identity and sense of place.
Clause 15.01-5L – Neighbourhood character in Darebin	Applies to applications for development in the General Residential Zone and seeks to retain and enhance the identified elements that contribute to the character of a precinct. The subject site is located in Neighbourhood Character Precinct A1. The preferred character statement and design guidelines are set out in the <i>Darebin Neighbourhood Character Study Precinct Guidelines</i> (Planisphere, 2007).
Clause 16.01-1S – Housing supply	Seeks to facilitate well-located, integrated and diverse housing that meets community needs.
Clause 16.01-1R – Housing supply – Metropolitan Melbourne	Strategies include facilitating housing in established areas to create a city of 20-minute neighbourhoods close to existing services, jobs and public transport.
Clause 16.01-1L-01 – Housing growth	Facilitates housing development that meets the needs of Darebin’s projected population at an appropriate scale and intensity.

	Encourages greater housing densities and mixed-use development along High Street, Plenty Road, St Georges Road and Bell Street.
Clause 16.01-1L-02 – Housing diversity	Seeks to ensure that housing diversity is increased to meet the needs of the local community and reflect demographic changes and encourages 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.
Clause 16.01-1L-03 – Dwelling diversity	Seeks to provide a range of dwelling sizes and types, including 3 bedroom units.
Clause 16.01-2S – Housing affordability	Seeks to deliver more affordable housing closer to jobs, transport and services.
Clause 16.01-2L – Affordable and social housing	Strategies include facilitating the provision of affordable housing in new development.
Clause 17.01-1S – Diversified economy	Aims to improve access to jobs closer to where people live to help strengthen and diversify the economy.
Clause 17.02-1S – Business	Encourages development that meets the community's needs for retail, entertainment, office and other commercial services.
Clause 17.02-1L – Commercial areas	Strategies include supporting the local retail and commercial role of the Plenty Road and St Georges Road Strategic Corridors and provide opportunities for improved function.
Clause 18.02-4L – Car parking	Strategies include minimising vehicle crossovers and providing a single point of access for multi-dwelling developments and encouraging vehicle access for multi-residential and mixed-use developments from a side or rear street.
Clause 19.02-2S – Education facilities	Seeks to integrate education and early childhood facilities with local and regional communities and locate childcare, kindergarten and primary school facilities to maximise access by public transport and safe walking and cycling routes.

Clause 19.02-3S – Cultural facilities	Seeks to develop a strong cultural environment and increase access to arts, recreation and other cultural facilities.
Clause 19.02-3L - Arts and culture	Supports cultural ‘hubs’ which attract a mix of cultural activity, services and businesses and encourages the provision of affordable artist working spaces and cooperatives, and performance spaces.
Clause 19.02-4S – Social and cultural infrastructure	Aims to achieve a fairer distribution of and access to, social and cultural infrastructure.
Clause 19.03-3S – Integrated water management	Seeks to sustainably manage water supply, water resources, wastewater, drainage and stormwater through an integrated water management approach.

4.5. General and Particular Provisions

CLAUSE 52.06 – CAR PARKING

The car parking table under Clause 52.06-5 prescribes the number of car parking spaces required having regard to the use of the land. As the site sits within the Principal Public Transport Network Area (PPTN), Column B rates apply as follows:

Use	Car parking rate and measure
Dwelling	1 space to each one- or two-bedroom dwelling, plus 2 to each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedroom)
Child care centre	0.22 spaces to each child
Place of assembly ³	0.3 spaces to each patron permitted
Food and drinks premises	3.5 spaces to each 100sqm of leasable floor area
Residential hotel	None specified – to the satisfaction of the responsible authority.

We defer to the Transport Impact Assessment prepared by Ratio Consultants and submitted with the application for further details.

³ Place of assembly has the following definition: Land where people congregate for religious, spiritual or cultural activities, entertainment or meetings. It includes: function centre, hall, library and place of worship. In this instance, the place of assembly incorporates the function centre, church, amphitheatre and makers spaces.

CLAUSE 52.17 – NATIVE VEGETATION

As the site is in excess of 4,000sqm, Clause 52.17 ‘Native Vegetation’ applies to the site with the intent to protecting natural occurring Victorian Natives which includes Indigenous vegetation. A permit is required for tree removal will require offsets in accordance with DEWLP Guidelines.

We defer to the arborist report prepared by Michael Rogers of John Patrick Landscape Architects as well as the landscape plan prepared by Acre in this regard.

CLAUSE 52.29 – LAND ADJACENT TO THE PRINCIPAL ROAD NETWORK

The provisions of Clause 52.29 apply as St George’s Road is within a Transport Zone 2 (TRZ2) and is adjacent to the subject site.

The purpose of the clause is:

- To ensure appropriate access to the Principal Road Network.
- To ensure appropriate subdivision of land adjacent to the Principal Road Network.

Clause 52.29-2 requires a permit to alter access to a road in a TRZ2. The application must be referred to the Department of Transport under Section 55 of the Planning and Environment Act 1987.

CLAUSE 52.34 – BICYCLE FACILITIES

This clause seeks to encourage cycling as a mode of transport and provide secure and convenient facilities associated with this.

Bicycle parking rates are set out in Table 1 of Clause 52.34-5 as follows:

Use	Bicycle parking rate and measure
Dwelling	In developments of four or more storeys (i.e. the apartment building), 1 space to each 5 dwellings for residents and 1 space to each 10 dwellings for visitors
Child care centre	Use not listed
Place of assembly	1 bicycle space to each 1500sqm of net floor area and 2 plus 1 bicycle space to each 1500sqm of net floor area for visitors
Food and drinks premises ⁴	1 bicycle space to each 300sqm of leasable floor area for staff and 1 bicycle space to each 500sqm of leasable floor area for visitors.
Residential hotel	Does not meet the threshold of being four or more storeys for a residential building.

⁴ The rate for retail premises is used as a food and drinks premises is nested under this use.

We defer to the Transport Impact Assessment prepared by Ratio Consultants and submitted with the application for further details.

CLAUSE 53.18 – STORMWATER MANAGEMENT IN URBAN DEVELOPMENT

This clause seeks to ensure stormwater in urban development is appropriately managed. The Sustainable Management Plan prepared by GIW and submitted with the application includes an appropriate stormwater management response, including a WSUD Strategy.

CLAUSE 53.23 – SIGNIFICANT RESIDENTIAL DEVELOPMENT WITH AFFORDABLE HOUSING

This particular provision applies to Significant Residential Development with Affordable Housing developments. The purpose of this provision is:

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

Under Clause 53.23-1, the proposal falls into Category 2 which has the following conditions:

- The proposed use or development of land for accommodation (other than camping and caravan park, group accommodation, residential hotel and small second dwelling) will be:
 - Carried out by or on behalf of, or jointly or in partnership with, the State of Victoria or a public authority; or
 - Funded, or partly funded by the State of Victoria, the Commonwealth or a public authority; or
 - Carried out on Crown land.
- If the application is made by or on behalf of the Chief Executive Officer, Homes Victoria, the proposed development includes at least 10 dwellings.

As the project is partly funded by the Department of Infrastructure, Transport, Regional Development, Communication and the Arts, it is suitable for consideration under Category 2 of Clause 53.23-1.

The Development Facilitation Program (DFP) is “*an accelerated assessment pathway*” for eligible projects, that inject investment into the Victorian economy. All DFP applications are determined by the Minister for Planning or DTP under delegation.

Under the provisions, the Minister for Planning can:

- Waive or vary mandatory planning scheme requirements relating to building height, setbacks and garden area.
- Waive or vary a condition opposite a use in Section 2 in a zone or a schedule to a zone for an application made under Clause 53.23.
- Waive any application requirement if it is determined irrelevant to the assessment of the application.

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

Before deciding on an application, the responsible authority must consider, as appropriate:

- The purpose of the clause.
- The views of the Office of the Victorian Government Architect.

CLAUSE 55 – TWO OR MORE DWELLINGS ON A LOT AND RESIDENTIAL BUILDINGS

This clause applies to any application to construct or extend two or more dwellings on a lot or a residential building in the General Residential Zone.

An assessment against the requirements of Clause 55 is included at Appendix A.

CLAUSE 57 – TWO OR MORE DWELLINGS ON A LOT RESIDENTIAL BUILDINGS OF FOUR STOREYS

This clause applies to any application to construct or extend two or more dwellings on a lot or a residential building of four storeys in the General Residential Zone.

An assessment against the requirements of Clause 57 is included at Appendix B.

CLAUSE 65.01 – APPROVAL OF AN APPLICATION OR PLAN

This policy states that before deciding on an application or approval of a plan, consideration should be given to a series of matters including the purpose of the zone, overlay or other provision, the orderly planning of the area, and the effect on the amenity of the area.

CLAUSE 71.02-3 – INTEGRATED DECISION MAKING

This policy states that, planning should endeavour to integrate the range of planning policies and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.

4.6. Other Strategies

VICTORIA'S HOUSING STATEMENT: THE DECADE AHEAD 2024-2034

The Housing Statement was released by the Victorian Government on 20 September 2023 and recognises the State's population is now expected to reach 10.3 million by 2051.

Melbourne is set to become Australia's biggest city by the end of the decade, with the population estimated to grow by another 3.5 million people over the next 28 years.

The Housing Statement represents a whole-of-government focus on increasing the availability of housing to meet the different household needs, including marginalised Australians. This includes implementing different policy instruments, including many outside of planning, to allow people to access housing and enjoy security of tenure.

Amongst other things, the Housing Statement seeks to provide more social housing and recognises that there is increasing demand for social housing in Victoria. The introduction of the Big Housing Build project is aiming to deliver more than 12,000 social and affordable homes across metropolitan and regional Victorian. This will provide a significant boost to the housing stock to meet the growing needs of local communities.

It specifies five key areas to tackle housing supply and affordability in Victoria and aims to deliver 80,000 new homes each year across the state.

The five key areas include:

- **Good decisions, made faster.** This includes reforming the planning system to boost housing supply across the state by clearing the backlog and giving builders, buyers and renovators certainty about how long approvals will take.

A key feature of this is the expansion of the Development Facilitation Program which makes the Minister for Planning the decision maker for significant residential developments that include affordable housing.

- **Cheaper housing, closer to where you work.** Seeks to unlock new spaces to building including in established suburbs to boost supply and stop urban sprawl by going up and out – not just out.

Identifies priority precincts which are expected to deliver around 150,000 homes. These are identified as: Arden, Docklands, Fishermans Bend, Footscray, National Employment and Innovation Clusters, Parkville, Sunshine, Richmond to Flinders Street corridor and Precincts.

- **Protecting renters' rights.** This will close loopholes that drive up the cost of living for renters giving them more certainty and security over their leases, living standards and finances.
- **More social housing.** Further enshrines the agenda of the Big Housing Build to deliver 12,000 new homes across metropolitan and regional Victoria over a four-year period, comprising 9,300 social housing homes and 2,900 new affordable and low-cost homes built to help low-to-moderate income earners.

Specifically, the program seeks to replace the existing high rise public housing towers with more modern fit for purpose dwellings. It is expected that the redeveloped sites will be able to accommodate approximately 10 per cent more residents. It also seeks to build up to 769 new social housing homes across Victoria.

- **A long-term housing plan.** Seeks to update *Plan Melbourne* and expand it to cover the whole state. It expects that the new plan will focus on delivering more homes near transport, job opportunities and essential services in vibrant, liveable, and sustainable neighbourhoods.

The new plan for Victoria is expected to more closely align with the targets of 70 per cent of new homes to be built in established areas, with the remaining 30 per cent to be delivered in growth areas.

PLAN FOR VICTORIA

The Victorian State Government released 'Plan for Victoria' on 28 February 2025. This plan serves as a big-picture vision for the state's future and replaces existing strategies such as 'Plan Melbourne 2017-2050' and other regional growth plans.

The Plan sets out five key pillars for action as follows:

- **PILLAR 1: Housing for all Victorians** – *providing all Victorians with a choice of well-designed homes at an affordable price and close to daily needs.*
- **PILLAR 2: Accessible jobs and services** – *enabling you to connect to jobs, education, healthcare, shops and the services you need to live a productive and prosperous life.*
- **PILLAR 3: Great places, suburbs and towns** – *ensuring Victoria's suburbs, towns and neighbourhoods are vibrant, resilient and inclusive to support strong communities.*
- **PILLAR 4: Sustainable environments** – *protecting our environment, agricultural land and natural resources for a sustainable and healthy future.*
- **PILLAR 5: Self-determination and caring for Country** – *all our actions have implications for self-determination and caring for Country.*

Under Pillar 1, the Plan sets out how to further improve housing affordability and choice through to 2050 as the population is expected to exceed 10 million and will establish targets for local government areas for where and how many homes need to be built.

Overall, it is estimated that Victoria needs to build 2.24 million homes by 2051. Melbourne's growth areas⁵ have an overall housing target of 542,000 new homes by 2051⁶. The housing target for Darebin is 69,000.

The Plan specifies that the fairest and most sensible way to work out where new homes should be located was to:

- Prioritise locations well-provided with jobs, shops, public transport and community facilities and services.
- Channel some growth away from Melbourne to provide the benefits of growth to communities in regional cities and towns.
- Protect natural values and Traditional Owners' culture and values.
- Understand and manage environmental risks (such as flooding, rising sea levels and bushfires).
- Maintain our agricultural areas.

DAREBIN NEIGHBOURHOOD CHARACTER STUDY

The Darebin Neighbourhood Character Study (2007) sets out the background and policy support for the different character types found within the municipality.

This study informed the Neighbourhood Character Precinct Statements. The subject site sits within Precinct A1 which is characterised by predominantly Victorian and Edwardian

⁵ This includes the Melton, Wyndham, Casey, Hume, Whittlesea, Mitchell and Cardinia LGAs.

⁶ Of which 410,000 is expected to occur in greenfield development.

dwellings, however, there are a number of infill developments within the precinct ranging from the 1960s to the present era.

The preferred character statement for Precinct A1 is as follows:

Victorian and Edwardian dwellings will continue to be set behind established gardens that match the era of development and make the most of limited front setbacks. These two architectural styles will dominate the housing type in the Precinct. Infill buildings will acknowledge the form, scale, siting and materials of surrounding Victorian or Edwardian era buildings. Low or transparent front fences will contribute to the openness of streetscapes and allow views to front gardens and dwellings.

This will be achieved by:

- *Encouraging retention of Victorian and Edwardian dwellings, where located within the Heritage Overlay or where these dwellings contribute to the valued character of the area.*
- *Designing new dwellings that interpret the defining elements of Victorian or Edwardian eras in a contemporary manner, while respecting existing period architecture.*
- *Maintaining the predominant single storey scale of building frontages.*
- *Keeping front fences low and preferably transparent.*
- *Ensuring that front gardens are not dominated by car parking spaces or structures.*
- *Encouraging additional planting in all gardens across the precinct. In smaller gardens, selecting species that are appropriate to small planting areas.*

An assessment against the design guidelines for the A1 Character Precinct is included at Section 5.3 of this report.

DAREBIN HOUSING STRATEGY 2013

The Darebin Housing Strategy was initially prepared in 2013 and then further revised in 2015. It anticipated that an additional 30,300 new residents would be living in Darebin by 2031 which would contribute to a change in demographics and placing increased pressure on existing housing.

The strategy set out six goals and their respective objectives to achieve in the following 20 years:

- **Plan for population growth:** Provide clear strategic direction to accommodate population growth and facilitate future housing development in Darebin.
- **Address changing demographics and diverse housing needs:** Encourage a diverse range of housing stock to satisfy the needs and preferences of the community.
- **Address housing affordability concerns:** Support and facilitate affordable housing in appropriate locations, to meet the needs of the community.
- **Acknowledge a changing economy:** Ensure that residential development contributes to local economic resilience and supports the functioning of Darebin's retail and employment centres.

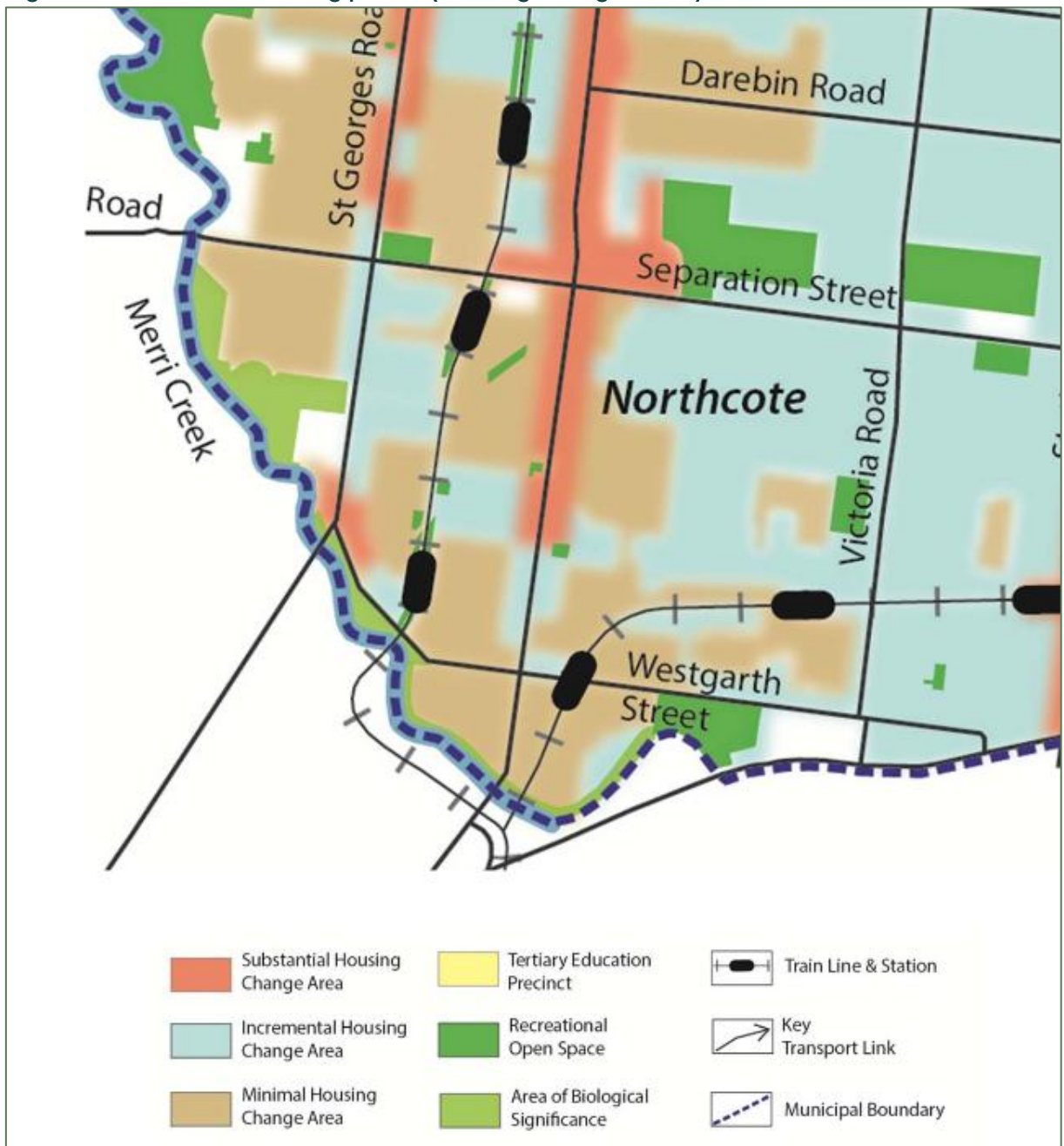
- **Respond to environmental constraints and climate change:** Support and facilitate residential developments that respond to best practice environmental design guidelines and promote more intensive housing development in sites that exhibit good access to public transport infrastructure.
- **Respect heritage, character and quality design and amenity outcomes:** Protect areas of recognised building character and heritage value and promote high quality residential design and amenity outcomes.

Amongst other matters, the strategy set out the criteria for each of the three identified housing change areas:

- Minimal change areas: applies to 36% of land that permits residential uses. These areas are generally less accessible to key services and facilities and less well serviced by public transport; and/or areas of heritage, special character or landscape features.
- Incremental change areas: applies to 59% of land that permits residential uses. These areas possess a reasonable level of accessibility to key services, facilities, public transport and employment; and/or may possess some special character or landscape features.
- Substantial change areas: applies to 5% of land that permits residential uses. These areas possess superior accessibility to key services, facilities, public transport, employment centres and activity areas; exhibit an evolving and transitional residential character; areas are generally free from planning and environmental constraints.

This strategy confirms that the subject site sits within the incremental change area.

Figure 10: Northcote housing profile (housing change areas)



URBAN DESIGN FRAMEWORK 2015 – ST GEORGES ROAD AND PLENTY ROAD CORRIDORS

This Urban Design Framework Plan was developed to provide a clear direction for residential and mixed-use growth along the St Georges Road and Plenty Road corridors. These corridors have been identified as being able to accommodate higher residential density, with a mix of smaller scale non-residential uses and more intensive built form. The framework was incorporated into the Darebin Planning Scheme as a background document through Amendment C137.

The St Georges Road corridor has been broken into eight precincts, with the subject site sitting in Precinct 2 – Sumner Estate and Little Sisters. Both the subject site and the aged care site located immediately south are nominated as strategic sites within the framework plan.

Whilst there is no nominated height for the subject site or the aged care site, the remainder of properties adjoining St Georges Road have a nominated maximum building height of three storeys.

The framework acknowledges that the long-term redevelopment of the subject site could be achieved through a negotiated design outcome that is responsive to its site and heritage context. It also anticipates a certain level of increased density in the precinct which is supported.

5. Planning Assessment

5.1. Introduction / Overview

Clause 71.02-3 of the PPF promotes the ‘balancing’ of sometimes conflicting policies in favour of sustainable development and ‘net community benefit’.

In this case, the ‘balancing act’ needs to assess matters such as the value of repurposing and reinvigorating a heritage listed building and providing a mixed-use development including affordable housing on the site against other matters such as built form, amenity and traffic/parking considerations.

The site exhibits characteristics of a strategic redevelopment site given its size, location on a main road corridor, proximity to public transport and the Northcote Activity Centre, however, its inclusion on the Victorian Heritage Register precludes it from being developed *carte blanche*.

Through the DFP process, the redevelopment of the site has undergone extensive consultation with Heritage Victoria, the OVGAs and Council to produce a development that appropriately responds to the significance of the heritage building whilst restoring and repurposing the building for the wider benefit of the local community.

We consider that the proposal poses the following key questions:

- Is there strategic support for the proposal?
- Is the proposed built form appropriate to its context?
- Will the proposal have acceptable amenity outcomes?
- Is the proposal appropriate having regard to traffic, parking and waste?

5.2. Is There Strategic Support for the Proposal?

The proposal seeks to accommodate a range of uses on the site including dwellings, childcare centre, place of assembly, food and drinks premises and residential hotel. With the exception of dwellings (which are as of right), all the proposed uses are discretionary under the General Residential Zone.

Planning decision-making under the Darebin Planning Scheme requires the responsible authority to balance competing policy considerations in order to determine whether a proposal delivers an overall net community benefit.

This balancing exercise is consistent with the objectives of planning in Victoria established under the Planning and Environment Act 1987, which seek to:

- provide for the fair, orderly, economic and sustainable use of land.

- balance environmental, social and economic interests.
- facilitate development that benefits the present and future community.

Where proposals introduce non-residential uses within residential zones, the key planning question is not simply whether the use differs from the surrounding residential context, but rather whether the strategic, social and economic benefits outweigh any potential impacts.

The proposal introduces several uses that generate local economic activity, including:

- hospitality (restaurant and function centre).
- visitor accommodation (residential hotel).
- Amphitheatre.
- childcare services.

Collectively these uses will create employment opportunities, support local suppliers and service providers and increase visitation to the surrounding area.

Visitor accommodation in established suburbs can also support nearby businesses and commercial areas by increasing local spending.

The subject site has operated for decades as a place of assembly, establishing a longstanding precedent community gathering, cultural activity and a functioning Church.

This historical pattern is strategically significant because it demonstrates the land has functioned outside a conventional residential role for a prolonged period.

Planning policy and Tribunal decisions alike consistently recognise that longstanding lawful land use patterns are a legitimate planning consideration when evaluating redevelopment.

The proposed development can therefore be understood as a continuation and evolution of the site's established role, rather than a fundamentally new planning outcome.

Given the discretion afforded by the Planning Scheme, it reasonably follows that the Scheme's provisions anticipate that there will be circumstances when these uses will be acceptable in the General Residential Zone. If this were not the case, the uses would be prohibited.

Importantly, the 'purposes' of the GRZ specifically acknowledge the potential for a range of non-residential uses that will serve the needs of the local community. This is an acknowledgement that local needs, whether it is for education, worship, health or childcare, should be met within the community these uses serve, and these uses can sit comfortably within a residential context where the location is deemed appropriate.

Often, there are non-residential uses that are not best located within commercial centres, perhaps due to the size of land required, or the need for lower land prices make such services affordable. Certainly, Council's MPS and PPF recognise the role of residential areas in meeting such needs.

It is acknowledged that local policy may not have specifically anticipated redevelopment of this site.

However, planning decisions must be guided by the broader policy framework, which encourages:

- adaptive reuse of sites.

- provision of community facilities.
- mixed-use development where appropriate.

The absence of site-specific policy does not preclude redevelopment, particularly where the proposal aligns with broader strategic objectives.

CHILDCARE CENTRE

More specifically, we note that the PPF seeks to ensure that education facilities (of which childcare centres are included) are integrated into communities and are located to maximise access by public transport and safe walking and cycling routes (Clause 19.02). It is a town planning challenge to meet this community need in convenient and accessible locations, and in a manner that does not unreasonably impact upon the character and amenity of a locale.

The provision of small-scale education facilities is also encouraged through Clause 15.01-4 which seeks to create 20-minute neighbourhoods where residents can readily access everyday needs within a 20-minute walk, cycle or public transport trip.

Additionally, Clause 16.01-1L-01 encourages both higher density of residential development (as of right uses) and mixed-use development along the St Georges Road strategic corridor, noting much of this land sits in a residential zone.

Further, the childcare centre will provide early childhood education services, support working families in the surrounding area and contribute to the supply of childcare facilities within the municipality

Access to childcare is widely recognised in planning policy as essential community infrastructure that supports liveable neighbourhoods and local employment participation.

PLACE OF ASSEMBLY

There are several components of the 'place of assembly' as proposed on the site, including function centre, church, amphitheatre and makers spaces. There is strong strategic support for the type of uses proposed under the umbrella term of 'place of assembly' including at Clause 02.03-8 of the MPS which recognises that there is ongoing demand for adequate space to accommodate cultural activities such as live music, theatre and visual art creation and exhibition. The MPS also encourages the co-location of community facilities to take advantage of multi-purpose trips and support public transport use.

FOOD AND DRINKS PREMISES

As mentioned previously, a food and drink premises such as that proposed is a discretionary use in the General Residential Zone. It does not include any conditions unlike a convenience restaurant or take away food premises which indicates that the proposed café is an appropriate use in the zone.

It will provide a complementary facility to the mix of uses on the site and is commonplace in larger mixed used developments. The restaurant provides both employment opportunities as well as a local dining option for residents and employees within the site.

RESIDENTIAL HOTEL

The MPS recognises that tourism plays a small role in Darebin's economy, however, there is a need to support a diverse range of short-term tourist accommodation, particularly within walking distance to key cultural assets of which the Merri Creek and the Northcote Activity Centre are included at Clause 02.03-6.

The provision of the residential hotel within the existing heritage building capitalises on an opportunity for urban renewal (Clause 11.01-1S) noting that the proposal seeks to revitalise the heritage listed building and provides increased employment opportunities close to where people live (Clauses 11.01-1R & 17.01-1S).

LOCATIONAL CONTEXT

Preferred locations for facilities such as those proposed include on main roads that carry an element of non-local traffic and can absorb any additional traffic generated by the use; sites that are proximate to other non-residential uses, and locations that can absorb potential changes to the existing built form.

In this instance, we note the site has the following attributes which make it a suitable candidate for the proposed mixed-use development:

- It has a frontage to a main arterial road (Transport Zone 2) with appropriate vehicular access arrangements.
- It is a substantially sized site sitting at 2.61ha.
- The site is proximate to other non-residential uses including Northcote High School and St Joseph's Home aged care.
- It has historically been used for non-residential purposes including most recently as a church with other ancillary uses.
- It has excellent access to public transport and walking and cycling routes including the tram line and cycling path along St Georges Road and Northcote Train Station.
- It is at the periphery of the Northcote Activity Centre and within the St Georges Road strategic corridor.
- There are limited sensitive interfaces including its abuttal to the railway line to the east and St Georges Road to the west.
- The retention, restoration and repurposing of the heritage listed building will ensure the longevity of the heritage character within the neighbourhood.
- The location and form of the new buildings appropriately respond to the heritage building and the locational context and interfaces.

The site exhibits all the characteristics of a strategic development site, however, its inclusion on the Victorian Heritage Register is a significant barrier and reason for it not being nominated as such.

Through the DFP process, Heritage Victoria have provided in-principle support for the proposal and all heritage matters will be addressed through a separate but parallel application process.

Having regard to the policy framework within the Darebin Planning Scheme, the proposed development delivers a clear net community benefit as the proposal:

- continues the site's longstanding role as a community destination.
- provides important social infrastructure and services.
- contributes to local economic activity and employment.
- represents an efficient and productive use of urban land.

Accordingly, when assessed in accordance with the objectives of the Planning and Environment Act 1987, the proposal represents a positive planning outcome that justifies approval.

5.3. Is the Proposed Built Form Appropriate to its Context?

There are various policies within the planning scheme that seek to ensure new development is compatible with the preferred future character of an area. Specific matters that are relevant in this regard include Clause 15.01-1L-01 (Urban design) and Clause 15.01-2L (Building design) and the neighbourhood character precinct statements referenced at Clause 15.01-5L (Neighbourhood character in Darebin).

We have prepared an assessment against the relevant strategies set out in these clauses below. This review indicates that the proposed built form of the development provides a suitable response to the urban design policy, mindful of the fact that the existing conditions of the site must be given weight in assessing the suitability of the proposal.

We consider the proposal has a high degree of compliance with Clause 15.01-1L-01 as follows:

- The proposal includes several separate buildings which have been appropriately massed to reduce any impact on the streetscape and pedestrian experience. In particular, we note that the eastern and western interfaces provide a wide open streetscape which can accommodate additional massing, whilst there is no pedestrian footpath along the northern boundary with any pedestrians utilising the northern side of Hawthorn Road, which further limits any impact of the proposed townhouse development.
- New buildings have been appropriately massed having regard to their locational context. We note that there are no adjoining parks or open spaces.
- All new residential components of the development provide both street facing and rear facing views ensuring a high level of internal amenity and reducing negative offsite impacts.
- Given the site is so large and has interfaces to two major transport corridors (St Georges Rd and the rail corridor), the key pattern of development relates to the existing heritage building on the site. The new buildings have been oriented to match the alignment of the heritage building and to allow views through the site towards the heritage building.
- The northwest corner of the site, interfacing with St Georges Road will comprise the amphitheatre which will provide a prominent, visually interesting built form.

- The circular form of the amphitheatre will ensure that there are open sightlines for pedestrians both externally to the site and from within the site.
- There is a good level of glazing provided to the façade of all new buildings which will ensure there is good passive surveillance of public spaces and internal passageways.
- The proposed buildings have been designed to minimise visual bulk through the provision of larger footprints at ground and first level with a recessed upper level and large areas of glazing and articulation to break up the built form.
- The large site is capable of accommodating substantial built form in the form of the townhouses along Hawthorn Road and Hartington Street. In particular, the four storeys apartment building fronting Hartington Street has been designed to take advantage of the non-sensitive interface to the railway line and adjoining streetscape.
- The ground level of all proposed buildings will provide an active frontage with glazing to allow passive surveillance and interaction whilst also ensuring good visibility and accessibility.
- There is a high level of pedestrian visibility through the site with key pedestrian corridors provided from Hawthorn Road and Hartington Street as well as through the provision of a patia (plaza) area which will encourage pedestrian activity through the site.
- All external public and communal areas will be provided with adequate lighting.
- Mail boxes are located proximate to the pedestrian entry to dwellings.
- The concept landscape plan provides for deep root planting within the front setbacks.

There is some crossover in policy guidance between the Clause 15.01-1L-01 and Clause 15.01-2L and we consider that the proposal also has a high degree of compliance with the latter for the following reasons:

- The proposed land uses and development have been through a vigorous design process as part of the pre-application stage and has been appropriately integrated and responds to the heritage building on site.
- There will be no unreasonable overshadowing or overlooking of residential development.
- All habitable rooms and bedrooms will be provided with good levels of natural light and ventilation.
- All windows to apartments are clear to the sky.
- There are no apartments with rooms that rely upon borrowed light.
- Upper levels that overhang private open space will provide weather protection for these areas and ensure a visually cohesive building design.
- There are strong horizontal building elements which will help distinguish between levels.
- Buildings include a high level of articulation which includes structural elements and design features which will modulate the façade.
- Dwellings will be provided with a sense of address through individual entrances for townhouses and a central lobby entrance associated with the apartment building.

We have prepared an assessment against the preferred character guidelines for Precinct A1 below. This assessment indicates that the proposed built form of the development provides a suitable response to the preferred neighbourhood character including the design objectives.

Table 2: Precinct A1 Design Guidelines

Design Objective	Design Response	Avoid
<i>To encourage the retention of older dwellings that contribute to the valued character of the area in the design of development proposals.</i>	In streets that contain intact groups of Victorian and Edwardian dwellings, consider retaining and/or adapting those buildings that are in good condition, particularly the front section, wherever possible in new development.	Loss of intact streetscapes and new development that is out of scale and character with the existing Victorian/Edwardian dwellings.
COMMENT: The subject site does not contain any existing dwellings and therefore the redevelopment does not constitute a loss of valued character. The retention and re-use of the heritage listed building will contribute to the overall character of the area.		
<i>To maintain and strengthen the garden settings of the dwellings and the presence of trees in the streetscape.</i>	Applications for new development should be accompanied by a landscape concept plan that includes retention of trees and shrubs wherever possible, and provides for the planting of new vegetation. Buildings should be sited and designed to retain large, established trees where present and to incorporate space for the planting of substantial vegetation, such as canopy trees, on larger sites.	Lack of landscaping and substantial vegetation. Large areas of impervious surfaces. Removal of large, established healthy trees, and the location of buildings on top of the root zone of trees. Dwellings that do not provide sufficient setbacks to accommodate trees.
COMMENT: A landscape concept masterplan has been prepared for the site which includes substantial areas of landscaping throughout the entire site including adjacent to internal accessways (both vehicular and pedestrian). It also anticipates the retention of street trees where possible and the establishment of public parklands within the site.		
<i>To provide space for front gardens.</i>	Buildings should be set back from the front boundary a sufficient distance to accommodate a front garden.	Loss of front garden space.

COMMENT: The proposal has been designed to incorporate planter boxes and landscaping to assist in softening the building and providing small front gardens to both the townhouse development and apartment building.

<p><i>To maintain and reinforce the existing rhythm of spacing between dwellings.</i></p>	<p>In streets with predominantly attached terrace style housing, new dwellings should reflect the lack of side setbacks.</p>	<p>Boundary to boundary development in streetscapes where a detached style predominates.</p>
	<p>In streets with predominantly detached style housing, new dwellings should be set back from at least one side boundary for a distance in accordance with the predominant setback pattern in the street.</p>	
	<p>Where a new development is proposed to be sited on one side boundary in streetscapes with detached buildings, the section of the dwelling on the boundary should be recessed from the facade of the dwelling to create the appearance of space between buildings.</p>	

COMMENT: The development has had consideration of the existing heritage listed building which will sit behind the proposed townhouses and apartment building. The breaks between the building and orientation of these visual breaks reinforce the existing rhythm of spacing between dwellings in the surrounding locale.

<p><i>To minimise the loss of front garden space and the dominance of car parking structures.</i></p>	<p>Locate garages and carports behind the line of the dwelling.</p>	<p>Car parking structures that dominate the façade or view of the dwelling.</p>
	<p>Minimise paving in front garden areas including driveways and crossovers.</p>	<p>Creation of new crossovers in streets that do not have crossovers.</p>
	<p>Use permeable driveway materials.</p>	<p>Creation of wide driveways or crossovers.</p>

Provide vehicular access from a rear laneway if available.

Front setbacks dominated by impervious surfaces.

Where rear access is not available and crossovers are common, one crossover per site may be provided.

COMMENT: The townhouses and the apartment building are provided with a single crossover from Hawthorn Road and Hartington Street respectively. Car parking is provided in a basement car park which will ensure that there is no car parking along each of these street frontages.

To ensure that buildings and extensions respect the predominant height and form of buildings in the streetscape.

In streets with mostly single storey buildings, upper levels should be set back a substantial distance from the front façade (e.g. the distance of one room) or accommodated within roof spaces.

Buildings that are out of scale with adjoining buildings or that appear to dominate the streetscape.

In streets where pitched roofs dominate, provide a pitched roof form for the part of the building visible from the street.

Buildings that do not incorporate pitched roof forms where dominant in the street.

COMMENT: The subject site provides an opportunity to create a new streetscape given the size and current under utilisation of the site. The buildings have been designed to complement the heritage building and take advantage of the site context which allows for a more robust built form given the adjacency to the major arterial road (St Georges Road) and the railway line.

To ensure that the use of new materials and design detail in new development complements that of the predominant building styles in the street.

In streets with many Victorian or Edwardian dwellings, new development should interpret the defining elements of these styles in a contemporary way.

Large expanses of poorly articulated wall surfaces of one material only.

Reproduction of styles and detailing in Heritage Overlay areas.

In predominantly timber or weatherboard streetscapes, new dwellings should incorporate timber or other non-masonry materials.

COMMENT: The mix of materials and finishes within the development will complement the existing heritage building on site whilst not reproducing any styles or details.

To encourage buildings that contribute positively to the streetscape through the use of innovative architectural responses and by presenting visually interesting facades to the street.

Articulate the form and façades of buildings through the use of different colours and materials, through the composition of openings and setbacks and through variations in wall surfaces.

Large, bulky buildings with unarticulated wall surfaces.

COMMENT: The proposed buildings provide a high level of articulation and form and will create visual interest through building separation, openings and setbacks as well as changes in materiality and glazing.

To maintain the openness of the streetscape and views to established gardens and dwellings.

Front fences should be appropriate to the building era (e.g. picket, low brick or wire) or reflect the typical fencing height and style of the street.

High, solid front fencing.

Provide a front fence that allows views through or over the fence into the front garden and to the building.

COMMENT: The front fences to the townhouses and apartments comprise a solid fence with metal pickets above which will provide for views through or over the fence and passive surveillance of the street.

Further, the proposed development is designed to achieve a comfortable degree of 'fit' with the various requirements of Clause 55 and Clause 57, noting that whilst there are some variations required, that these are considered appropriate in the context of the subject site as follows:

- Whilst the height of the building exceeds the maximum building height under the General Residential Zone, we consider that the site context allows for a more robust built form outcome that has been appropriately designed to ensure there are limited off-site amenity impacts.
- Side and rear setbacks appropriately correspond to the site context and there are no walls on boundaries proposed.
- The proposed site coverage sits at 38.8% which sits significantly below the allowable 65% in the GRZ.
- Permeability sits at 21.9% which exceeds the requirements under Standard B5-1.
- The new landscape design will bolster the established front garden landscape character along the northern side of Hawthorn Road whilst adding additional landscape opportunities throughout the site.

Based on the above, we consider that the proposed built form is acceptable in the context of the site.

5.4. Will the Proposal Have Acceptable Amenity Outcomes?

Clause 13.07-1L seeks to ensure that multi-residential and mixed-use developments do not detract from the amenity of the area.

The policy is primarily aimed at external amenity impacts resulting from new development, although there is reference to ensuring that there is a high level of internal amenity for new developments.

Overall, we consider that amenity impacts for this proposal can be split into two categories based on built form and use with each of these having both internal and external amenity considerations.

We address the built form amenity impacts first.

OVERLOOKING

There are limited opportunities for overlooking into adjoining residential properties as they are in excess of 9 metres from the subject site.

OVERSHADOWING

We refer to the shadow diagrams prepared by KUD and note that there will be no additional overshadowing to adjoining private open space as a result of this application. This is largely due to the size of the site and the location of the buildings.

DAYLIGHT/SOLAR ACCESS

There are no habitable room windows that will be impacted by the proposed development given the separation distances between the subject site and existing dwellings.

We note that the apartment building is setback in excess of 8 metres from the existing heritage building on the site, ensuring that any existing habitable room windows associated with the apartments within this building will not have their daylight/solar access impacted by the proposal.

VISUAL BULK

The relevant standards which are typically relied upon to determine whether a proposed building is suitable with regards to visual bulk are in relation to the side and rear setbacks and walls on boundaries.

In this instance, we note that the proposal does not include any walls on boundaries, however, there is a small non-compliance with the side setbacks as it relates to the apartment building and the side boundary to the south.

However, it is important to consider the context of the subject site and the interface.

In this instance, the southern side boundary of the apartment building has an interface with a largely undeveloped site that comprises a small cemetery and is unlikely to be developed in the future. We also note that there is no unreasonable overshadowing of this space as a result of the minor encroachment to the side setback.

Due to this context, we do not consider that the proposed variation/non-compliance in this location creates an unacceptable visual bulk outcome.

INTERNAL AMENITY

The proposal will facilitate excellent internal amenity for all dwellings. In particular, we note:

- There is no reliance on borrowed light to any habitable room.
- All townhouses are provided with generous sized private open space (most within ground floor courtyards) with secondary private open space provided at upper levels. Apartments are provided with an area of private open space commensurate to the size of the apartment and with direct access from a living area, dining area or kitchen.
- Dwelling entrances are well defined and legible from the internal shared footpath along the southern boundary of the townhouse development. The apartments have a shared entry which is well defined from Hartington Street.
- All dwellings are provided with generous sized living/dining room areas.
- The internal layout of each dwelling is functional and spacious.
- Appropriate car parking provision is provided for residents within a shared basement car park (separate basement car parking is provided for the townhouse development and the apartment development).
- Adequate space for waste and storage is provided for each dwelling.

- There will be no unreasonable internal overlooking between balconies.
- All site services are provided for on-site.

LAND USE

Key strategies of Clause 13.07-1L is for *'non-residential use and development in residential zones to be designed to have minimal negative amenity impacts on the surrounding residential neighbourhood'* and to *'ensure mixed use development provides adequate amenity to residences on the site, minimising the need for screening and limiting unreasonable amenity impacts on surrounding residential uses'*.

Potential off-site amenity impacts associated with the proposed uses include:

- Noise
- Traffic and car parking
- Lighting

We address these below:

NOISE

There are a number of uses throughout the site that are expected to be a source of noise including the outdoor play area for the early learning centre, the amphitheatre, the function centre/ballroom and the restaurant.

The site's location sandwiched between a busy arterial road and a railway line means that traffic, road and train noise already has a substantial influence on the amenity of the area.

Nevertheless, Acoustic Logic have prepared an Acoustic Assessment and recommended acoustic treatments to ensure that the level of noise emanating from the site falls within acceptable parameters.

These mitigation measures include:

- 1.5m – 1.7m high solid imperforate screen to the external play areas of the early learning centre.
- Acoustic screening to the rooftop plant equipment to be at least 200mm higher than the height of the highest equipment.
- Any amplified music associated with the restaurant limited to background music only and to comply with EPA Publication 1826.4 – Part 2 requirements (only played within the premises).
- Glass bottles not to be emptied or transferred externally before 7am or after 10pm.
- Minimum glazing thickness to apartment and townhouse windows in accordance with Appendix 1 Façade Markup.
- Amplified or live music played within the function room and ballroom be limited by 1/1 octave band noise limiter.

We note that the Acoustic Assessment does not provide detailed information regarding the impacts on the existing/new residential apartments within the heritage building as this will be subject to further detailed design considerations (subject to Heritage Victoria approval). However, it does state that compliance is likely achievable with the use of standard / medium-weight glazing configurations.

Additionally, an Operation Management Plan has been prepared which assists in ensuring both operators and patrons are aware of the surrounding residential uses and that they are appropriately managed to ensure limited noise impacts on adjoining dwellings.

TRAFFIC AND CAR PARKING

We defer to the Transport Impact Assessment prepared by Ratio Consultants which provides a detailed assessment of the design aspects of the proposed access and car parking.

The provision of car parking onsite is expected to meet the demands created by the proposal and therefore it is not expected there will be any overspill from the proposed development onto the surrounding residential streets.

The proposed access arrangements and traffic generated from the development can be readily accommodated within the surrounding road network with surrounding key intersections expected to generally operate within acceptable conditions under post-development modelling scenarios.

LIGHTING

Whilst not explicitly nominated on the architectural drawings, we consider that an appropriate condition of permit can require that appropriate lighting is nominated and that it coincides with operational hours and be baffled to avoid unreasonable overspill onto adjoining properties where relevant.

6. Conclusion

This proposal represents a transformative and highly considered development that balances heritage preservation with contemporary community needs. By restoring and reactivating a state-significant heritage building, the project not only safeguards a valuable piece of our shared history, but breathes new life into it through uses that are inclusive, accessible, and future-focused.

The integration of an early learning centre, cultural hub, function centre, church, and publicly accessible open space ensures the site becomes a place of connection, learning, celebration, and reflection. It will serve as a vibrant civic anchor that delivers genuine and lasting benefits to the local and wider community.

In achieving these outcomes, the development demonstrates strong alignment with local and state planning policy, contributes positively to the built environment, and secures a sustainable and community-driven future for this important site.

Appendix A Clause 55 Assessment

Clause 55 Assessment – Two or More Dwellings on a Lot and Residential Buildings

Provision	Objective	Complies?	Standard	Complies?	
Clause 55.02 - Neighbourhood Character					
Standard B2-1 of Clause 55.02-1 'Street Setback Objectives	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.	✓	<p>Walls of buildings are set back from streets:</p> <ul style="list-style-type: none"> – 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. <p>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.</p>	*	<p>VARIATION REQUIRED</p> <p>There are no buildings on adjoining allotments facing Hawthorn Road and the site is on a corner, as such a 6-metre minimum setback is required.</p> <p>The proposal includes varied setbacks to the Hawthorn Road frontage ranging from 2.98 metres (to the architectural pillar) to 5.82 metres.</p> <p>For the majority of the Hawthorn Road frontage, the minimum setback of 4 metres has been achieved.</p>

Provision	Objective	Complies?	Standard	Complies?	
Standard B2-2 of Clause 55.02-2 'Building height objective'	To ensure that the height of buildings respond to the existing or preferred neighbourhood character.	✓	<p>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.</p> <p>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.</p>	*	<p>VARIATION REQUIRED</p> <p>The slope of the site allows a maximum building height of 10 metres.</p> <p>The proposed townhouses will have a maximum height of 11.63 metres (associated with TH B1.02) above NGL.</p> <p>The proposed three storey height is appropriate in the context of the site which due to its size and proximity to St Georges Road allows for a more robust built form.</p> <p>The proposed townhouses have been designed to follow the slope of the land down to St Georges Road and will not sit above the adjoining heritage building nor will they have an imposing visual impact when viewed from the street.</p>
Standard B2-3 of Clause 55.02-3 'Side and rear setbacks objectives'	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.	✓	<p>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.</p> <p>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:</p> <p>B2-3.1:</p> <ul style="list-style-type: none"> – 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 	✓	<p>Due to the spacing on the site and location of buildings, the setbacks set out at Standard B2-3.1 are easily met.</p>

Provision	Objective	Complies?	Standard	Complies?	
			<p>for every metre of height over 6.9 metres.</p> <p>B2-3.2:</p> <ul style="list-style-type: none"> – 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. <p>Sunblinds, verandahs, porches, eaves, fascias, 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.</p> <p>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.</p>		

Provision	Objective	Complies?	Standard	Complies?	
Standard B2-4 of Clause 55.02-4 'Walls on boundaries objectives'	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.	N/A	<p>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:</p> <ul style="list-style-type: none"> – 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. <p>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.</p> <p>A building on a boundary includes a building set back up to 200mm from a boundary.</p> <p>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</p>	N/A	There are no walls on boundaries proposed.

Provision	Objective	Complies?	Standard	Complies?	
			higher existing or simultaneously constructed wall.		
Standard B2-5 of Clause 55.02-5 'Site coverage objective'	To ensure that the site coverage responds to the existing or preferred neighbourhood character and responds to the features of the site.	✓	<p>The site area covered by buildings does not exceed:</p> <ul style="list-style-type: none"> – 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. <p>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.</p> <ul style="list-style-type: none"> – NRZ & TZ - 60% – GRZ - 65% – RGZ, MUZ & HCTZ - 70% 	✓	Site coverage sits at 38.8% which meets the requirements of Standard B2-5.

Provision	Objective	Complies?	Standard	Complies?							
Standard B2-6 of Clause 55.02-6 'Access objective'	To ensure the number and design of vehicle crossovers responds to the neighbourhood character.	✓	<p>The width of accessways or car spaces (other than to a rear lane) does not exceed:</p> <ul style="list-style-type: none"> – 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. <p>The number of access points to a road in a Transport Zone 2 or a Transport Zone 3 is not increased.</p> <p>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.</p>	✓	<p>The proposed townhouses will have one vehicle access point providing direct access to the basement car park.</p> <p>The vehicle crossover will have a width of 6.5 metres which represents a minor percentage of the Hawthorn Road frontage (which is in excess of 250 metres).</p>						
Standard B2-7 of Clause 55.02-7 'Tree canopy objectives'	<p>To provide tree canopy that responds to the neighbourhood character of the area and reduces the visual impact of buildings on the streetscape.</p> <p>To preserve existing canopy cover and support the provision of new canopy cover.</p> <p>To ensure new canopy trees are climate responsive, support biodiversity, wellbeing and amenity, and help reduce urban heat.</p>	✓	<p>Provide a minimum canopy cover as specified in Table B2-7.1.</p> <table border="1" data-bbox="936 911 1339 1157"> <thead> <tr> <th>Site Area</th> <th>Canopy Cover</th> </tr> </thead> <tbody> <tr> <td>1000sqm or less</td> <td>10% of site area</td> </tr> <tr> <td>More than 1000sqm</td> <td>20% of site area</td> </tr> </tbody> </table> <p>Existing trees to be retained meet all of the following:</p>	Site Area	Canopy Cover	1000sqm or less	10% of site area	More than 1000sqm	20% of site area	✓	<p>The landscape concept plan prepared by Acre provides for a new landscape design throughout the site.</p> <p>Canopy trees can be provided throughout the site to ensure the appropriate level of canopy coverage can be met.</p>
Site Area	Canopy Cover										
1000sqm or less	10% of site area										
More than 1000sqm	20% of site area										

Provision	Objective	Complies?	Standard	Complies?	
			<ul style="list-style-type: none"> – 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, – Has a trunk that is located at least 4 metres from proposed buildings. <p>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.</p> <p>Provide at least one new or retained tree in the front setback and the rear setback.</p> <p>Trees are located in either:</p> <ul style="list-style-type: none"> – An area of deep soil as specified in Table B2-7.2; or – A planter as specified in Table B2-7.2. <p>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.</p>		

Provision	Objective	Complies?	Standard	Complies?	
Standard B2-8 of Clause 55.02-8 'Front fences objective'	To encourage front fence design that responds to the existing or preferred neighbourhood character.	✓	A front fence within 3 metres of a street is: <ul style="list-style-type: none"> – 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. 	✓	The townhouses will have a brick and metal picket fence along the Hawthorn Road frontage with a maximum height of 1.5 metres which meets Standard B2-8.
Clause 55.03 – Liveability					
Standard B3-1 of Clause 55.03-1 'Dwelling diversity objective'	To encourage a range of dwelling sizes and types in developments of ten or more dwellings.	✓	Developments include at least: <ul style="list-style-type: none"> – 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. 	*	VARIATION REQUIRED The proposal includes 22 x 3-bedroom townhouses. Whilst there are variations in the size and layout of the townhouses including provision of studies, bedrooms on the ground floor etc, they are all 3-bedroom dwellings. We consider that this is an appropriate provision in this context, given the other dwelling typologies to be provided on the site within the heritage building and within the apartment building.
Standard B3-2 of Clause 55.03-2 'Parking location objective'	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: <ul style="list-style-type: none"> – 1.5 metres; or 	✓	Townhouse B1.01 immediately abuts the common accessway to the basement car park. We note that the habitable room window on the ground floor of this dwelling is set back in excess of 5 metres from the accessway which exceeds Standard B3-2.

Provision	Objective	Complies?	Standard	Complies?	
			<ul style="list-style-type: none"> – 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. <p>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.</p>		
Standard B3-3 of Clause 55.03-3 'Street integration objective'	To integrate the layout of development with the street to support the safety and amenity of residents.	✓	<p>Where a development fronts a street, a vehicle accessway or abuts public open space:</p> <ul style="list-style-type: none"> – 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. 	✓	The proposed townhouses front Hawthorn Road and will provide passive surveillance to the public realm through the provision of private open space and balconies as well as habitable room windows which all face Hawthorn Road.

Provision	Objective	Complies?	Standard	Complies?	
			<p>Lighting is provided to all external accessways and paths.</p> <p>Mailboxes are provided for each dwelling and can be communally located.</p>		
<p>Standard B3-4 of Clause 55.03-4 'Entry objectives</p>	<p>To provide each dwelling, apartment development or residential building with its own sense of identity.</p> <p>To provide entries with weather protection, safe design, natural light and ventilation.</p>	✓	<p>Dwellings (other than a dwelling in or forming part of an apartment development) and residential buildings</p> <p>Each dwelling and each residential building has a ground level entry door that:</p> <ul style="list-style-type: none"> – 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. <p>Apartment development and residential building with a shared entry</p> <p>An apartment development and each residential building has:</p> <ul style="list-style-type: none"> – A ground level entry door, gate or walkway with a direct line of sight from a street, accessway or shared walkway. 	✓	<p>All townhouse dwellings will have a ground level entry that is accessed from the common walkway located along the southern side of the townhouse development.</p> <p>Each entry has a direct line of site from the pedestrian accessway.</p> <p>The entry to each dwelling has an external covered area which meets the requirements of Standard B3-4.</p>

Provision	Objective	Complies?	Standard	Complies?	
			<ul style="list-style-type: none"> – 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. 		
Standard B3-5 of Clause 55.03-5 'Private open space objectives'	To provide adequate private open space for the reasonable recreation and service needs of residents.	✓	<p>A dwelling or residential building has private open space of an area and dimensions specified in a schedule to the zone.</p> <p>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:</p> <ul style="list-style-type: none"> – 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 	✓	<p>All dwellings are provided with an area of private open space that meets the requirements of Standard B3-5.</p> <p>This includes ground level private open space with an area of at least 25 sqm and minimum width of 3 metres or a balcony with a minimum area of 8 sqm and minimum dimension of 1.7 metres.</p> <p>Most dwellings are also provided with secondary areas of private open space on upper-level balconies or roof top terraces.</p>

Provision	Objective	Complies?	Standard	Complies?	
			<p>– An area on a roof of at least 10 square metres, with a minimum dimension of 2 metres width.</p> <p>If the area and dimensions of the private open space or secluded private open space is specified in a schedule to the zone;</p> <p>– The area and dimensions specified in the schedule must be 25 square metres or less; and</p> <p>– 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.</p> <p>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.</p> <p>Where ground level private open space is provided an area for clothes drying is provided.</p>		
Standard B3-6 of Clause 55.03-6 'Solar access to open space objective'	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.	✓	All secluded private open space will have adequate solar access with a northern orientation.

Provision	Objective	Complies?	Standard	Complies?	
Standard B3-7 of Clause 55.03-7 'Functional layout objective'	To ensure dwellings provide functional areas that meet the needs of residents.	✓	<p>Bedrooms:</p> <ul style="list-style-type: none"> – 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. <p>Living areas (excluding dining and kitchen areas) meet the minimum internal room dimensions specified in Table B3-7.2.</p>	✓	All dwellings have bedrooms and living areas which meet the specified dimensions of Standard B3-7.
Standard B3-8 of Clause 55.03-8 'Room depth objective'	To allow adequate daylight into single aspect habitable rooms.	✓	<p>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.</p> <p>The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:</p> <ul style="list-style-type: none"> – The room combines the living area, dining area and kitchen; and – 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 	*	<p>VARIATION REQUIRED</p> <p>Type B townhouse (of which there are nine dwellings) have a single aspect habitable room with a maximum room depth of 9.14 metres which exceeds the maximum room depth of 9 metres by 140mm.</p> <p>We consider that this is an appropriate variation as:</p> <ul style="list-style-type: none"> - The room combines the living room, dining room and kitchen with the kitchen being located at the furthest point from the window. - The ceiling height is 2.7 metres. - There is an overhang of no more than 1.81 metres. - The single aspect window is north facing. - The variation is minor.

Provision	Objective	Complies?	Standard	Complies?	
			<p>services are provided above the kitchen; and</p> <ul style="list-style-type: none"> – An over hang extends no more than 2m beyond the window of the single aspect habitable room. <p>In Clause 55.03-8 a single aspect habitable room is a habitable room with windows on only one wall.</p>		
Standard B3-9 of Clause 55.03-9 'Daylight to new windows objective'	To allow adequate daylight into new habitable room windows.	✓	<p>Dwelling (other than a dwelling in or forming part of an apartment development)</p> <p>A window in an external wall of the building is provided to all habitable rooms.</p> <p>Habitable rooms in a dwelling have a window that faces:</p> <ul style="list-style-type: none"> – 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. 	✓	All habitable rooms have a window in an external wall and do not rely on borrowed light.

Provision	Objective	Complies?	Standard	Complies?	
			<p>Dwelling in or forming part of an apartment development</p> <p>A window in an external wall of the building is provided to all habitable rooms.</p> <p>Where daylight to a bedroom is provided from a smaller secondary area within the bedroom, the secondary area is to have:</p> <ul style="list-style-type: none"> – A minimum width of 1.2 metres. – A maximum depth of 1.5 times the width, measured from the external surface of the window. – A window clear to the sky. 		
Standard B3-10 of Clause 55.03-10 'Natural ventilation objectives'	<p>To encourage natural ventilation of dwellings.</p> <p>To allow occupants to effectively manage natural ventilation of dwellings</p>	✓	<p>Dwelling (other than a dwelling in or forming part of an apartment development)</p> <p>Dwellings have openable windows, doors or other ventilation devices in external walls of the building that provide:</p> <ul style="list-style-type: none"> – A maximum breeze path through the dwelling of 18 metres. – A minimum breeze path through the dwelling of 5 metres. – Ventilation openings with approximately the same size. <p>The breeze path is measured between the ventilation openings</p>	✓	All dwellings are provided with openable windows and doors that provide the minimum and maximum breeze paths as specified in Standard B3-10.

Provision	Objective	Complies?	Standard	Complies?	
			<p>on different orientations of the dwelling.</p> <p>Dwelling in or forming part of an apartment development</p> <p>At least 40 per cent of dwellings have openable windows, doors or other ventilation devices in external walls of the building that provide:</p> <ul style="list-style-type: none"> – A maximum breeze path through the dwelling of 18 metres. – A minimum breeze path through the dwelling of 5 metres. – Ventilation openings with approximately the same size. <p>The breeze path is measured between the ventilation openings on different orientations of the dwelling.</p>		
Standard B3-11 of Clause 55.03-11 'Storage objective'	To provide adequate storage facilities for each dwelling.	✓	<p>Dwelling (other than a dwelling in or forming part of an apartment development)</p> <p>Each dwelling has exclusive access to at least 6 cubic metres of externally accessible storage space.</p> <p>Dwelling in or forming part of an apartment development</p>	✓	Each dwelling is provided with a minimum of 6 cubic metres of externally accessible storage space within the basement.

Provision	Objective	Complies?	Standard	Complies?	
			Each dwelling has exclusive access to storage at least the total minimum storage volume that is specified in Table B3-11.		
Standard B3-12 of Clause 55.03-12 'Accessibility for apartment developments objective'	To ensure the design of dwellings meets the needs of people with limited mobility.	N/A	<p>At least 50 per cent of dwellings in or forming part of an apartment development have:</p> <ul style="list-style-type: none"> – A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom. – A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area. – A main bedroom with access to an adaptable bathroom. – At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table B3-12. 	N/A	This standard does not apply to a townhouse development.
Clause 55.04 - External Amenity					
Standard B4-1 of Clause 55.04-1 'Daylight to existing windows objective'	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	✓	There are no existing habitable rooms windows within 3 metres of the proposed townhouses.

Provision	Objective	Complies?	Standard	Complies?	
			<p>may include land on the abutting lot.</p> <p>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.</p> <p>Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.</p>		
Standard B4-2 of Clause 55.04-2 'Existing north-facing windows objective'	To allow adequate solar access to existing north-facing habitable room windows.	✓	<p>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:</p> <ul style="list-style-type: none"> – 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 distance of at least 3 metres from the edge of each side of the window. 	✓	There are no existing north-facing habitable room windows within 3 metres of the proposed townhouses.

Provision	Objective	Complies?	Standard	Complies?	
			<p>– 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.</p> <p>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.</p>		
Standard B4-3 of Clause 55.04-3 'Overshadowing secluded open space objective'	To ensure buildings do not significantly overshadow existing secluded private open space.	✓	<p>The area of secluded private open space that is not overshadowed by the new development is greater than:</p> <ul style="list-style-type: none"> – 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. <p>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</p>	✓	The proposal will not result in overshadowing of any adjoining properties POS areas due to the location of the townhouses and the size of the site.

Provision	Objective	Complies?	Standard	Complies?	
			sunlight will not be further reduced.		
Standard B4-4 of Clause 55.04-4 'Overlooking objective'	To limit views into existing secluded private open space and habitable room windows.	✓	<p>In Clause 55.04-4 a habitable room does not include a bedroom.</p> <p>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.</p> <p>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:</p> <ul style="list-style-type: none"> – Is offset a minimum of 1.5 metres from the edge of one 	✓	There are no habitable rooms windows or private open space areas within 9 metres of the proposed development.

Provision	Objective	Complies?	Standard	Complies?	
			<p>window to the edge of the other; or</p> <ul style="list-style-type: none"> – 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. <p>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.</p> <p>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.</p>		

Provision	Objective	Complies?	Standard	Complies?	
Standard B4-5 of Clause 55.04-5 'Internal views objective'	To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.	✓	<p>In Clause 55.04-5 a habitable room does not include a bedroom.</p> <p>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:</p> <ul style="list-style-type: none"> – 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. <p>Direct views are measured at a height of 1.7 metres above floor level and within:</p> <ul style="list-style-type: none"> – A 45 degree horizontal angle from the edge of the new window or balcony. 	✓	Internal views have been appropriately managed within the development.

Provision	Objective	Complies?	Standard	Complies?	
			<p>– A 45 degree angle in the downward direction.</p> <p>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.</p>		
Clause 55.05 – Sustainability					
<p>Standard B5-1 of Clause 55.05-1 'Permeability and stormwater management objective'</p>	<p>To reduce the impact of increased stormwater run-off on the drainage system and downstream waterways.</p> <p>To facilitate on-site stormwater infiltration.</p> <p>To encourage stormwater management that maximises the retention and reuse of stormwater.</p> <p>To contribute to urban cooling.</p>	✓	<p>The site area covered by the pervious surfaces is at least 20 percent of the site.</p> <p>The development includes a stormwater management system designed to:</p> <p>Meet the best practice quantitative performance objectives for stormwater quality specified in the Urban stormwater management guidance (EPA Publication 1739.1, 2021) of:</p> <ul style="list-style-type: none"> – 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. <p>Direct flows of stormwater into treatment areas, garden areas,</p>	✓	<p>The proposal has a permeable area of 21.9%.</p> <p>The rainwater tank is to be connected to all Building B, C (1 and 2) and D toilets and landscape irrigation.</p> <p>A Sustainability Management Plan has been prepared that details the WSUD measures for the development.</p>

Provision	Objective	Complies?	Standard	Complies?	
			tree pits and permeable surfaces, with drainage of residual flows to the legal point of discharge.		
Standard B5-2 of Clause 55.05-2 'Overshadowing domestic solar energy systems objective'	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.	✓	<p>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.</p> <p>This standard applies to an existing building in a Township Zone, General Residential Zone or Neighbourhood Residential Zone.</p> <p>In Clause 55.05-2 domestic solar energy system means a domestic solar energy system that existed at the date the application was lodged.</p>	✓	<p>There are several domestic solar energy systems on dwellings located along the northern side of Hawthorn Road.</p> <p>The proposal will not overshadow any of these systems and therefore meets Standard B5-2.</p>
Standard B5-3 of Clause 55.05-3 'Rooftop solar energy generation area objective'	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	*	<p>VARIATION REQUIRED</p> <p>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.</p>

Provision	Objective	Complies?	Standard	Complies?	
			<p>rooftop solar energy area for each dwelling which:</p> <ul style="list-style-type: none"> – 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. <p>Obstructions located south of all points of the rooftop solar energy area are not subject to the horizontal distance requirements.</p> <p>This standard does not apply to apartments and residential buildings.</p>		The proposed solar energy systems are designed in accordance with the requirements of Standard B5-3.
Standard B5-4 of Clause 55.05-4 'Solar protection to new north-	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	✓	North facing windows will be appropriately shaded by eaves or upper level balconies.

Provision	Objective	Complies?	Standard	Complies?	
facing windows objective			minimum horizontal depth of 0.25 times the window height.		
Standard B5-5 of Clause 55.05-5 'Waste and recycling objectives'	<p>To ensure dwellings are designed to facilitate waste recycling.</p> <p>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.</p> <p>To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity.</p>	✓	<p>Dwelling (other than a dwelling in or forming part of an apartment development)</p> <p>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.</p> <p>If the development includes a shared bin storage area:</p> <ul style="list-style-type: none"> – The shared bin storage area: <ul style="list-style-type: none"> •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. <p>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.</p> <p>Each dwelling includes an internal waste and recycling storage space of at least 0.07 cubic metres with</p>	✓	Please refer to submitted waste management plan.

Provision	Objective	Complies?	Standard	Complies?	
			<p>a minimum depth of 250 millimetres.</p> <p>Dwelling in or forming part of an apartment development</p> <p>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.</p> <p>Enclosed bin storage areas are ventilated by:</p> <ul style="list-style-type: none"> – 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. <p>A tap and drain is provided to wash bins.</p> <p>A continuous path of travel is provided from each dwelling to bin storage areas.</p> <p>Each dwelling includes an internal waste and recycling storage space of at least 0.07 cubic metres with a minimum depth of 250 millimetres.</p>		
Standard B5-6 of Clause 55.05-6	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	✓	Any lift facilities that are located adjacent to bedrooms are provided with a solid wall to

Provision	Objective	Complies?	Standard	Complies?	
'Noise impact objective'			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.		reduce any noise impacts associated with their use.
Standard B5-7 of Clause 55.05-7 'Energy efficiency for apartment developments objectives'	To achieve energy efficient dwellings and buildings. To ensure dwellings achieve adequate thermal efficiency.	N/A	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.	N/A	This standard does not apply to a townhouse development.

Appendix B Clause 57 Assessment

Clause 57 Assessment – Two or More Dwellings on a Lot Residential Buildings of Four Storeys

Provision	Objective	Complies?	Standard	Complies?	
Clause 57.02 - Neighbourhood Character					
Standard E2-1 of Clause 57.02-1 'Street Setback Objectives'	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.	✓	The apartments will be provided within the existing heritage building which is being refurbished. The building is located centrally within the subject site and there is no change to the street setback.
Standard E2-2 of Clause 57.02-2 'Building height objective'	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.	✓	There is no change to the existing building height as the building is being refurbished.

Provision	Objective	Complies?	Standard	Complies?	
Standard E2-3 of Clause 57.02-3 'Side and rear setbacks objectives'	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.	✓	<p>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.</p> <p>Either standard E2-3.1 or E2-3.2 should apply rather than applying both in full or part:</p> <p>E2-3.1:</p> <ul style="list-style-type: none"> – 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. <p>E2-3.2:</p> <ul style="list-style-type: none"> – 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. <p>Sunblinds, verandahs, porches, eaves, facias, gutters, masonry</p>	✓	No new building is proposed with the overall building footprint being reduced (through the removal of non-contributory parts of the heritage building).

Provision	Objective	Complies?	Standard	Complies?	
			<p>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.</p> <p>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</p>		
Standard E2-4 of Clause 57.02-4 'Walls on boundaries objectives'	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.	N/A	<p>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:</p> <ul style="list-style-type: none"> – 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. <p>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</p>	N/A	No walls on boundary are proposed.

Provision	Objective	Complies?	Standard	Complies?	
			<p>than 2 metres on the abutting property boundary.</p> <p>A building on a boundary includes a building set back up to 200mm from a boundary.</p> <p>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.</p>		
Standard E2-5 of Clause 57.02-5 'Site coverage objective'	To ensure that the site coverage responds to the existing or preferred neighbourhood character and responds to the features of the site.	✓	<p>The site area covered by buildings should not exceed the percentage specified in Table E2-5.</p> <ul style="list-style-type: none"> – NRZ & TZ - 60% – GRZ - 65% – RGZ, MUZ & HCTZ - 70% 	✓	The site coverage sits at 38.8% which is significantly below the allowable 65% in the GRZ.

Provision	Objective	Complies?	Standard	Complies?							
Standard E2-6 of Clause 57.02-6 'Access objective'	To ensure the number and design of vehicle crossovers responds to the neighbourhood character.	✓	<p>The width of accessways or car spaces (other than to a rear lane) should not exceed:</p> <ul style="list-style-type: none"> – 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. <p>The number of access points to a road in a Transport Zone 2 or a Transport Zone 3 is not increased.</p> <p>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.</p>	✓	<p>The building will share vehicle access with the apartment development fronting Hartington Street. This includes a double width (5.5m) crossover provided along the Hartington Street frontage with a shared driveway running along the southern boundary.</p> <p>This easily meets the requirements of Standard E2-6 which would allow an accessway up to 46.5 metres.</p>						
Standard E2-7 of Clause 57.02-7 'Tree canopy objectives'	<p>To provide tree canopy that responds to the neighbourhood character of the area and reduces the visual impact of buildings on the streetscape.</p> <p>To preserve existing canopy cover and support the provision of new canopy cover.</p> <p>To ensure new canopy trees are climate responsive, support biodiversity, wellbeing and amenity, and help reduce urban heat.</p>	✓	<p>A minimum canopy cover as specified in Table E2-7.1 should be provided.</p> <table border="1"> <thead> <tr> <th>Site Area</th> <th>Canopy Cover</th> </tr> </thead> <tbody> <tr> <td>1000sqm or less</td> <td>10% of site area</td> </tr> <tr> <td>More than 1000sqm</td> <td>20% of site area</td> </tr> </tbody> </table>	Site Area	Canopy Cover	1000sqm or less	10% of site area	More than 1000sqm	20% of site area	✓	<p>The landscape concept plan prepared by Acre provides for a new landscape design throughout the site.</p> <p>Canopy trees can be provided throughout the site to ensure the appropriate level of canopy coverage can be met.</p>
Site Area	Canopy Cover										
1000sqm or less	10% of site area										
More than 1000sqm	20% of site area										

Provision	Objective	Complies?	Standard	Complies?	
			<p>Existing trees to be retained meet all of the following:</p> <ul style="list-style-type: none"> – 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. <p>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.</p> <p>Provide at least one new or retained tree in the front setback and the rear setback.</p> <p>Trees are located in either:</p> <ul style="list-style-type: none"> – An area of deep soil as specified in Table E2-7.2; or – A planter as specified in Table E2-7.2. <p>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.</p>		

Provision	Objective	Complies?	Standard	Complies?	
Standard E2-8 of Clause 57.02-8 'Front fences objective'	To encourage front fence design that responds to the existing or preferred neighbourhood character.	N/A	A front fence within 3 metres of a street should not exceed the maximum height specified in Table E2-8.	N/A	There is no front fence provided to the heritage building.
Clause 57.03 - Liveability					
Standard E3-1 of Clause 57.03-1 'Dwelling diversity objective'	To encourage a range of dwelling sizes and types in developments of ten or more dwellings.	✓	<p>Developments include at least:</p> <ul style="list-style-type: none"> – 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. 	✓	<p>VARIATION REQUIRED</p> <p>Whilst there are no two bedroom dwellings provided within the heritage building, this is largely a result of the implications of heritage features.</p> <p>We note that the overall development does include a range of dwelling sizes including 2-bedroom dwellings.</p>
Standard E3-2 of Clause 57.03-2 'Parking location objective'	To minimise the impact of vehicular noise within developments on residents.	✓	<p>Habitable room windows with sill heights of less than 3 metres above ground level are setback from accessways and car parks by at least:</p> <ul style="list-style-type: none"> – 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 	✓	There are no habitable room windows with sill heights less than 3 metres above ground located adjacent to the accessway.

Provision	Objective	Complies?	Standard	Complies?	
			<ul style="list-style-type: none"> – 1 metre where window sills are at least 1.5 metres above ground level. <p>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.</p>		
Standard E3-3 of Clause 57.03-3 'Street integration objective'	To integrate the layout of development with the street to support the safety and amenity of residents.	N/A	<p>Where a development fronts a street, a vehicle accessway or abuts public open space:</p> <ul style="list-style-type: none"> – 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. <p>Lighting is provided to all external accessways and paths.</p> <p>Mailboxes are provided for each dwelling and can be communally located.</p>	N/A	The heritage building does not front the street as it is located centrally within the overall site.

Provision	Objective	Complies?	Standard	Complies?	
Standard E3-4 of Clause 57.03-4 'Entry objectives	<p>To provide each dwelling, apartment development or residential building with its own sense of identity.</p> <p>To provide entries with weather protection, safe design, natural light and ventilation.</p>	✓	<p>Dwellings (other than a dwelling in or forming part of an apartment development) and residential buildings</p> <p>Each dwelling and each residential building has a ground level entry door that:</p> <ul style="list-style-type: none"> – 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. <p>Apartment development and residential building with a shared entry</p> <p>An apartment development and each residential building has:</p> <ul style="list-style-type: none"> – 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 	✓	<p>The main pedestrian access to the heritage building will be provided from the platia which has a direct line of site from the public realm.</p>

Provision	Objective	Complies?	Standard	Complies?	
			of natural light and natural ventilation.		
Standard E3-5 of Clause 57.03-5 'Private open space objectives'	To provide adequate private open space for the reasonable recreation and service needs of residents.	✓	<p>A dwelling or residential building should have private open space with direct access from a living area, dining area or kitchen consisting of:</p> <ul style="list-style-type: none"> – 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. <p>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.</p> <p>Where ground level private open space is provided an area for clothes drying should be provided.</p>	*	<p>VARIATION REQUIRED</p> <p>Dwellings have not been provided with private open space due to the requirements related to the preservation/restoration of the heritage listed building.</p> <p>However, residents will be provided with access to an external balcony as well as communal open space within the grounds of the development site.</p>
Standard E3-6 of Clause 57.03-6	To allow solar access into the secluded private open space of	N/A	The southern boundary of secluded private open space is set	N/A	No secluded private open space is provided.

Provision	Objective	Complies?	Standard	Complies?	
'Solar access to open space objective'	new dwellings and residential buildings.		back from any wall on the north of the space at least $(2 + 0.9h)$ metres, where 'h' is the height of the wall.		
Standard E3-7 of Clause 57.03-7 'Functional layout objective'	To ensure dwellings provide functional areas that meet the needs of residents.	✓	Bedrooms should: <ul style="list-style-type: none"> – 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.	✓	Each dwelling is provided with internal room dimensions that meet the requirements of Standard E3-7.
Standard E3-8 of Clause 57.03-8 'Room depth objective'	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: <ul style="list-style-type: none"> – The room combines the living area, dining area and kitchen; and 	✓	Dwellings with single aspect habitable rooms are appropriately dimensioned.

Provision	Objective	Complies?	Standard	Complies?	
			<ul style="list-style-type: none"> – 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. <p>In Clause 57.03-8 a single aspect habitable room is a habitable room with windows on only one wall.</p>		
Standard E3-9 of Clause 57.03-9 'Daylight to new windows objective'	To allow adequate daylight into new habitable room windows.	✓	<p>Dwelling (other than a dwelling in or forming part of an apartment development)</p> <p>A window in an external wall of the building is provided to all habitable rooms.</p> <p>Habitable rooms in a dwelling have a window that faces:</p> <ul style="list-style-type: none"> – 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 	✓	<p>All habitable rooms have a window in an external all allowing adequate daylight into each room.</p> <p>No habitable rooms rely on borrowed light.</p>

Provision	Objective	Complies?	Standard	Complies?	
			<ul style="list-style-type: none"> – 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. <p>Dwelling in or forming part of an apartment development</p> <p>A window in an external wall of the building is provided to all habitable rooms.</p> <p>Where daylight to a bedroom is provided from a smaller secondary area within the bedroom, the secondary area is to have:</p> <ul style="list-style-type: none"> – A minimum width of 1.2 metres. – A maximum depth of 1.5 times the width, measured from the external surface of the window. – A window clear to the sky. 		
Standard E3-10 of Clause 57.03-10 'Natural ventilation objectives'	<p>To encourage natural ventilation of dwellings.</p> <p>To allow occupants to effectively manage natural ventilation of dwellings</p>	✓	<p>Dwelling (other than a dwelling in or forming part of an apartment development)</p> <p>Dwellings have openable windows, doors or other ventilation devices in external walls of the building that provide:</p>	✓	All dwellings are provided with appropriate natural ventilation.

Provision	Objective	Complies?	Standard	Complies?	
			<ul style="list-style-type: none"> – A maximum breeze path through the dwelling of 18 metres. – A minimum breeze path through the dwelling of 5 metres. – Ventilation openings with approximately the same size. <p>The breeze path is measured between the ventilation openings on different orientations of the dwelling.</p> <p>Dwelling in or forming part of an apartment development</p> <p>At least 40 per cent of dwellings have openable windows, doors or other ventilation devices in external walls of the building that provide:</p> <ul style="list-style-type: none"> – A maximum breeze path through the dwelling of 18 metres. – A minimum breeze path through the dwelling of 5 metres. – Ventilation openings with approximately the same size. <p>The breeze path is measured between the ventilation openings on different orientations of the dwelling.</p>		

Provision	Objective	Complies?	Standard	Complies?	
Standard E3-11 of Clause 57.03-11 'Storage objective'	To provide adequate storage facilities for each dwelling.	✓	<p>Dwelling (other than a dwelling in or forming part of an apartment development)</p> <p>Each dwelling has exclusive access to at least 6 cubic metres of externally accessible storage space.</p> <p>Dwelling in or forming part of an apartment development</p> <p>Each dwelling has exclusive access to storage at least the total minimum storage volume that is specified in Table E3-11.</p>	✓	External storage can be provided in the basement car park that meets the requirements of Standard E3-11.
Standard E3-12 of Clause 57.03-12 'Accessibility for apartment developments objective'	To ensure the design of dwellings meets the needs of people with limited mobility.	✓	<p>At least 50 per cent of dwellings should have:</p> <ul style="list-style-type: none"> – A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom. – A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area. – A main bedroom with access to an adaptable bathroom. – At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table E3-12. 	*	<p>VARIATION REQUIRED</p> <p>The ability to provide a total of six (50%) dwellings that meet all the requirements of Standard E3-12 is limited due to the requirements of Heritage Victoria for any internal changes.</p> <p>The plans show a total of 4 dwellings that meet the requirements of Standard E3-12.</p>

Provision	Objective	Complies?	Standard	Complies?	
Clause 57.04 - External Amenity					
Standard E4-1 of Clause 57.04-1 'Daylight to existing windows objective'	To allow adequate daylight into existing habitable room windows.	✓	<p>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.</p> <p>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.</p> <p>Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.</p>	✓	There will be no impact to daylight to existing windows due to the repurposing of the existing heritage building and reduction in building footprint.
Standard E4-2 of Clause 57.04-2 'Existing north-facing windows objective'	To allow adequate solar access to existing north-facing habitable room windows.	N/A	<p>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:</p> <p>– A new building is to be set back from the boundary by at least 1</p>	N/A	There are no north facing windows within 3 metres of the boundary on an abutting lot.

Provision	Objective	Complies?	Standard	Complies?	
			<p>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 distance of at least 3 metres from the edge of each side of the window.</p> <p>– 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.</p> <p>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.</p>		
Standard E4-3 of Clause 57.04-3 'Overshadowing secluded open space objective'	To ensure buildings do not significantly overshadow existing secluded private open space.	✓	<p>The area of secluded private open space that is not overshadowed by the new development should be greater than:</p> <ul style="list-style-type: none"> – 50 per cent, or – 25 square metres with a minimum dimension of 3 metres, whichever is the lesser 	✓	The proposal will not result in overshadowing of any adjoining properties POS areas due to the location of the heritage building and the size of the site.

Provision	Objective	Complies?	Standard	Complies?	
			<p>area, for a minimum of five hours between 9 am and 3 pm on 22 September.</p> <p>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.</p>		
<p>Standard E4-4 of Clause 57.04-4 'Overlooking objective'</p>	<p>To limit views into existing secluded private open space and habitable room windows.</p>	<p>✓</p>	<p>In Clause 57.04-4 a habitable room does not include a bedroom.</p> <p>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 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.</p> <p>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</p>	<p>✓</p>	<p>There are no habitable rooms windows or private open space areas within 9 metres of the proposed development.</p>

Provision	Objective	Complies?	Standard	Complies?	
			<p>small second dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio:</p> <ul style="list-style-type: none"> – 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. <p>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.</p> <p>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</p>		

Provision	Objective	Complies?	Standard	Complies?	
			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.		
Standard E4-5 of Clause 57.04-5 'Internal views objective'	To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.	✓	<p>In Clause 57.04-5 a habitable room does not include a bedroom.</p> <p>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:</p> <ul style="list-style-type: none"> – 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 – 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. 	✓	Internal views have been appropriately managed within the development.

Provision	Objective	Complies?	Standard	Complies?	
			<p>Direct views are measured at a height of 1.7 metres above floor level and within:</p> <ul style="list-style-type: none"> – A 45 degree horizontal angle from the edge of the new window or balcony. – A 45 degree angle in the downward direction. <p>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.</p>		
Clause 57.05 – Sustainability					
<p>Standard E5-1 of Clause 57.05-1 'Permeability and stormwater management objective'</p>	<p>To reduce the impact of increased stormwater run-off on the drainage system and downstream waterways.</p> <p>To facilitate on-site stormwater infiltration.</p> <p>To encourage stormwater management that maximises the retention and reuse of stormwater.</p> <p>To contribute to urban cooling.</p>	✓	<p>The site area covered by the pervious surfaces is at least 20 percent of the site.</p> <p>The development includes a stormwater management system designed to:</p> <p>Meet the best practice quantitative performance objectives for stormwater quality specified in the Urban stormwater management guidance (EPA Publication 1739.1, 2021) of:</p> <ul style="list-style-type: none"> – Suspended solids 80% reduction in mean annual load. 	✓	<p>Permeability sits at 21.9% which meets the requirements of Standard E5-1.</p> <p>A 25KL rainwater tank is provided under the basement car park.</p> <p>This will collect rainwater from the roof of the heritage building and the tank will be connected to toilets and landscape irrigation.</p>

Provision	Objective	Complies?	Standard	Complies?	
			<ul style="list-style-type: none"> – Total phosphorus and Total Nitrogen 45% reduction in mean annual load. – Litter 70% reduction of mean annual load. <p>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.</p>		
Standard E5-2 of Clause 57.05-2 'Overshadowing domestic solar energy systems objective'	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.	✓	<p>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, 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.</p> <p>This standard applies to an existing building in a Township Zone, General Residential Zone or Neighbourhood Residential Zone.</p> <p>In Clause 57.05-2 domestic solar energy system means a domestic solar energy system that existed at the date the application was lodged.</p>	✓	There are no domestic solar energy systems within proximity of the proposed building.

Provision	Objective	Complies?	Standard	Complies?	
Standard E5-3 of Clause 57.05-3 'Rooftop solar energy generation area objective	To support the future installation of appropriately sited rooftop solar energy systems for a dwelling.	N/A	<p>An area on the roof is capable of siting a rooftop solar energy area for each dwelling should be provided and:</p> <ul style="list-style-type: none"> – 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. <p>Obstructions located south of all points of the rooftop solar energy area are not subject to the horizontal distance requirements.</p> <p>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.</p>	N/A	This standard does not apply to apartment developments.

Provision	Objective	Complies?	Standard	Complies?	
			This standard does not apply to apartments and residential buildings.		
Standard E5-4 of Clause 57.05-4 'Solar protection to new north-facing windows objective	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.	✓	North facing windows will be appropriately shaded by verandahs.
Standard E5-5 of Clause 57.05-5 'Waste and recycling objectives'	<p>To ensure dwellings are designed to facilitate waste recycling.</p> <p>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.</p> <p>To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity.</p>	✓	<p>Dwelling (other than a dwelling in or forming part of an apartment development)</p> <p>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.</p> <p>If the development includes a shared bin storage area:</p> <ul style="list-style-type: none"> – The shared bin storage area should be: <ul style="list-style-type: none"> • 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. 	✓	<p>A dedicated waste room is provided on the lower ground floor for the apartments within the heritage building.</p> <p>With a total of 12 dwellings, the required area for a shared bin store is 8.4 square metres. The bin storage area is 28.2 square metres.</p> <p>Appropriate ventilation is provided to the bin store areas and each dwelling is provided with an internal waste and recycling storage space.</p>

Provision	Objective	Complies?	Standard	Complies?	
			<p>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.</p> <p>Each dwelling includes an internal waste and recycling storage space of at least 0.07 cubic metres with a minimum depth of 250 millimetres.</p> <p>Dwelling in or forming part of an apartment development</p> <p>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.</p> <p>Enclosed bin storage areas should be ventilated by:</p> <ul style="list-style-type: none"> – 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. <p>A tap and drain is provided to wash bins.</p> <p>A continuous path of travel is provided from each dwelling to bin storage areas.</p> <p>Each dwelling should include an internal waste and recycling</p>		

Provision	Objective	Complies?	Standard	Complies?	
			storage space of at least 0.07 cubic metres with a minimum depth of 250 millimetres.		
Standard E5-6 of Clause 57.05-6 'Noise impact objective'	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.	✓	Mechanical plant equipment will be provided on the roof whilst lift facilities are appropriately designed to limit the transmission of noise to any dwellings.
Standard E5-7 of Clause 57.05-7 'Energy efficiency for apartment developments objectives'	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.	✓	Please refer to submitted Sustainable Management Plan prepared by GIW.

Appendix C Clause 58 Assessment

Clause 58 Assessment – Apartment Developments

Clause 58.02 – Urban Context

Standard D1 of Clause 58.02-1 'Urban Context'	<p>To ensure that the design responds to the existing urban context or contributes to the preferred future development of the area.</p> <p>To ensure that development responds to the features of the site and the surrounding area.</p>	✓	<p>The design response must be appropriate to the neighbourhood and the site.</p> <p>The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.</p>	✓	<p>Refer to the body of the report.</p>
Standard D2 of Clause 58.02-2 'Residential Policy'	<p>To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.</p> <p>To support higher density residential development where development can take advantage of public and community infrastructure and services.</p>	✓	<p>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.</p>	✓	<p>Refer to the body of the report.</p>
Standard D3 of Clause 58.02-3 'Dwelling diversity'	<p>To encourage a range of dwelling sizes and types in developments of ten or more dwellings.</p>	✓	<p>Developments of ten or more dwellings should provide a range of dwelling sizes and types, including dwellings with a different number of bedrooms.</p>	✓	<p>The proposed apartment development comprises a mix of dwelling sizes including:</p> <ul style="list-style-type: none"> - 6 x 1-bedroom dwellings - 7 x 2-bedroom dwellings - 34 x 3-bedroom dwellings
Standard D4 of Clause 58.02-4 'Infrastructure'	<p>To ensure development is provided with appropriate utility services and infrastructure.</p> <p>To ensure development does not unreasonably overload the capacity of utility services and infrastructure.</p>	✓	<p>Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.</p> <p>Development should not unreasonably exceed the capacity of utility services and</p>	✓	<p>The development will not unreasonably overload existing infrastructure and is provided with appropriate utility services.</p>

			<p>infrastructure, including reticulated services and roads.</p> <p>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.</p>		
<p>Standard D5 of Clause 58.02-5 'Integration with the street objective'</p>	<p>To integrate the layout of development with the street.</p> <p>To support development that activates street frontage</p>	✓	<p>Development should be oriented to front existing and proposed streets.</p> <p>Along street frontage, development should:</p> <ul style="list-style-type: none"> - Incorporate pedestrian entries, windows, balconies or other active spaces. - Limit blank walls. - Limit high front fencing, unless consistent with the existing urban context. - Provide low and visually permeable front fences, where proposed. - Conceal car parking and internal waste collection areas from the street. <p>Development next to existing public open space should be designed to complement the open space and facilitate passive surveillance.</p>	✓	<p>The development has been designed to front Hartington Street, with private open space and balconies facing the street.</p> <p>The main pedestrian entry is also located along Hartington Street.</p> <p>The enclosed courtyards facing Hartington Street are provided with a brick and picket fence allowing views into and out of the development providing passive surveillance and activation along the street frontage.</p>

Clause 58.03 – Site Layout

<p>Standard D6 of Clause 58.03-1 'Energy efficiency'</p>	<p>To achieve and protect energy efficient dwellings and buildings.</p> <p>To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.</p>	✓	<p>Buildings should be:</p> <ul style="list-style-type: none"> - Oriented to make appropriate use of solar energy. - Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced. 	✓	<p>The SMP prepared by GIW indicates that the apartments will achieve a 7.3 star average rating for energy efficiency which exceeds the requirements of the NCC.</p>
---	---	---	---	---	--

To ensure dwellings achieve adequate thermal efficiency.

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).

Standard D7 of Clause 58.03-2 'Communal open space'

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:
 - o Provide passive surveillance opportunities, where appropriate.

Whilst there is no formal communal open space provided within the apartment development, the residents will have the benefit of access to an expansive area of communal open space as part of the overall development.

This includes the platia and landscaped areas throughout the site. We refer to the landscape concept plan which includes a shade garden, therapeutic/sensory garden, bbq area, olive grove, fruit grove and citrus grove.

			<ul style="list-style-type: none"> ○ Provide outlook for as many dwellings as practicable. ○ Avoid overlooking into habitable rooms and private open space of new dwellings. ○ Minimise noise impacts to new and existing dwellings. <p>Any area of communal outdoor open space should be landscaped and include canopy cover and trees</p>	
Standard D8 of Clause 58.03-3 'Solar access to communal outdoor open space'	To allow solar access into communal outdoor open space.	✓	<p>The communal outdoor open space should be located on the north side of a building, if appropriate.</p> <p>At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.</p>	<p>✓</p> <p>The communal outdoor space will have adequate solar access.</p>
Standard D9 of Clause 58.03-4 'Safety'	To ensure the layout of development provides for the safety and security of residents and property.	✓	<p>Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal access ways.</p> <p>Planting which creates unsafe spaces along streets and access ways should be avoided.</p> <p>Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal access ways.</p> <p>Private spaces within developments should be protected from inappropriate use as public thoroughfares.</p>	<p>✓</p> <p>The development has been appropriately designed to ensure no unsafe spaces are created. Landscaping and lighting is provided at ground floor to enhance security for residents.</p> <p>Public thoroughfares have been provided to ensure that no private spaces are used for this purpose.</p>
Standard D10 of Clause 58.03-5 'Landscaping objectives.'	To provide landscaping that supports the existing or preferred urban context of the area and reduces the visual impact of buildings on the streetscape.	✓	<p>Development should retain existing trees and canopy cover.</p> <p>Development should provide for the replacement of any significant trees that have</p>	<p>✓</p> <p>The landscape concept plan prepared by Acre provides for a new landscape design throughout the site.</p> <p>Specifically for the apartment building this includes external landscaping at ground level including the provision of</p>

To preserve existing canopy cover and support the provision of new canopy cover.

To ensure landscaping is climate responsive, supports biodiversity, wellbeing and amenity and reduces urban heat.

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:
 - o Located in an area of deep soil specified in Table D3. Where deep soil cannot be provided trees should be provided in planters specified in Table D3.
 - o Consistent with the canopy diameter and height at maturity specified in Table D4.
 - o 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.

canopy trees and planter boxes at upper levels providing landscaping to balconies.

- 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.

<p>Standard D11 of Clause 58.03-6 'Access'</p>	<p>To ensure that vehicle crossovers are designed and located to provide safe access for pedestrians, cyclists and other vehicles.</p> <p>To ensure the vehicle crossovers are designed and located to minimise visual impact.</p>	<p>✓</p>	<p>Vehicle crossovers should be minimised.</p> <p>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.</p> <p>Pedestrian and cyclist access should be clearly delineated from vehicle access.</p> <p>The location of crossovers should maximise pedestrian safety and the retention of on-street car parking spaces and street trees.</p> <p>Developments must provide for access for service, emergency and delivery vehicles.</p>	<p>✓</p>	<p>Vehicle access has been limited to a single double width crossover located in the southeast corner of the site and provides access to the basement car parking.</p> <p>Pedestrian access is clearly delineated through the pedestrian path to the central lobby for each building whilst bicycle access is provided through the internal laneway between the two buildings.</p>
<p>Standard D12 of Clause 58.03-7 'Parking location'</p>	<p>To provide convenient parking for resident and visitor vehicles.</p> <p>To protect residents from vehicular noise within developments.</p>	<p>✓</p>	<p>Car parking facilities should:</p> <ul style="list-style-type: none"> - Be reasonably close and convenient to dwellings. - Be secure. - Be well ventilated if enclosed. <p>Shared accessways or car parks of other dwellings should be located at least 1.5 metres</p>	<p>✓</p>	<p>All car parking is provided within the basement car park which is conveniently accessed from Hartington Street.</p> <p>Residents will have secure access to the basement, with both stair and lift access to upper levels.</p>

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 D13 of Clause 58.03-8 'Integrated water and stormwater management'

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.

✓

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.

Clause 58.04 – Amenity Impacts

Standard D14 of Clause 58.04-1 'Building setback'

To ensure the setback of a building from a boundary appropriately responds to the existing urban context or contributes to the preferred future development of the area.

To allow adequate daylight into new dwellings.

✓

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.

✓

The buildings have been appropriately designed with sufficient setbacks and articulation that will allow for adequate daylight, avoid overlooking into habitable rooms windows and private open space, provide new dwellings with a reasonable outlook and provide a high level of internal amenity.

	<p>To limit views into habitable room windows and private open space of new and existing dwellings.</p> <p>To provide a reasonable outlook from new dwellings.</p> <p>To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents.</p>		<ul style="list-style-type: none"> - 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. 		<p>This is discussed further in the body of the report.</p>
<p>Standard D15 of Clause 58.04-2 'Internal views'</p>	<p>To limit views into the private open space and habitable room windows of dwellings within a development.</p>	✓	<p>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.</p>	✓	<p>Internal views have been appropriately managed within the development.</p>
<p>Standard D16 of Clause 58.04-3 'Noise impacts'</p>	<p>To contain noise sources in developments that may affect existing dwellings.</p> <p>To protect residents from external and internal noise sources.</p>	✓	<p>Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.</p> <p>The layout of new dwellings and buildings should minimise noise transmission within the site.</p> <p>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.</p> <p>New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.</p> <p>Buildings within a noise influence area specified in Table D5 should be designed and constructed to achieve the following noise levels:</p>	✓	<p>Mechanical plant equipment will be provided on the roof whilst lift facilities are appropriately designed to limit the transmission of noise to any dwellings.</p> <p>An Acoustic Assessment has been prepared by Acoustic Logic which sets out appropriate construction materials etc to mitigate any noise impacts.</p>

			<ul style="list-style-type: none"> - Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am. - Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm. <p>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.</p> <p>Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.</p>	
<p>Standard D17 of Clause 58.04-4 'Wind impacts objective'</p>	<p>To ensure the built form, design and layout of development does not generate unacceptable wind impacts within the site or on surrounding land.</p>	<p>✓</p>	<p>Development of five or more storeys, excluding a basement should:</p> <ul style="list-style-type: none"> - not cause unsafe wind conditions specified in Table D6 in public land, publicly accessible areas on private land, private open space and communal open space; and - achieve comfortable wind conditions specified in Table D6 in public land and publicly accessible areas on private land <p>within a distance of half the greatest length of the building, or half the total height of the building measured outwards on the horizontal plane from the ground floor building façade, whichever is greater.</p> <p>Trees and landscaping should not be used to mitigate wind impacts. This does not apply to sitting areas, where trees and landscaping may be used to supplement fixed wind mitigation elements.</p>	<p>* VARIATION REQUIRED</p> <p>Whilst the building is technically five storeys due to the height of the basement, the slope of the sight means that only a small portion of one of the buildings sits at five storeys. As such, we do not consider that there will unreasonable wind impacts associated with the development given the spacing of the buildings and the size of the site.</p>

Wind mitigation elements, such as awnings and screens should be located within the site boundary, unless consistent with the existing urban context or preferred future development of the area.

Clause 58.05 – On-site Amenity and Facilities

<p>Standard D18 of Clause 58.05-1 'Accessibility objective'</p>	<p>To ensure the design of dwellings meets the needs of people with limited mobility.</p>	<p>✓</p>	<p>At least 50 per cent of dwellings should have:</p> <ul style="list-style-type: none"> - A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom. - A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area. - A main bedroom with access to an adaptable bathroom. - At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table D7. 	<p>✓</p>	<p>The plans show a total of 30 dwellings that meet the requirements of Standard D18. This equates to 64% of dwellings within the apartment building.</p>
<p>Standard D19 of Clause 58.05-2 'Building entry and circulation'</p>	<p>To provide each dwelling and building with its own sense of identity.</p> <p>To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.</p> <p>To ensure internal communal areas provide adequate access to daylight and natural ventilation.</p>	<p>✓</p>	<p>Entries to dwellings and buildings should:</p> <ul style="list-style-type: none"> - Be visible and easily identifiable. - Provide shelter, a sense of personal address and a transitional space around the entry. <p>The layout and design of buildings should:</p> <ul style="list-style-type: none"> - Clearly distinguish entrances to residential and non-residential areas. - Provide windows to building entrances and lift areas. 	<p>✓</p>	<p>The main entry to each building is clearly visible and identifiable and provides shelter and a sense of personal address and transition around the lobby.</p> <p>Natural light and ventilation is provided to each of the corridors with each apartment having a clear and visible entry.</p>

- Provide visible, safe and attractive stairs from the entry level to encourage use by residents.
- Provide common areas and corridors that:
 - o Include at least one source of natural light and natural ventilation.
 - o Avoid obstruction from building services.
 - o Maintain clear sight lines.

Standard D20 of Clause 58.05-3 'Private open space'

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.
- 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

*

VARIATION REQUIRED

Each dwelling will be provided with an area of secluded private open space with direct access from a living area, dining area or kitchen.

Ground level dwellings on the eastern side of the development have an area more than 25 square metres with a minimum width of 3 metres.

Those ground level dwellings on the western side of the development are provided with smaller courtyards ranging in size between 8m² to 13m². These courtyards meet the required size and dimension for balconies relative to the size of the dwelling.

All other dwellings are provided with balconies that meet the requirements of Standard D20.

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.

Standard D21 of Clause 58.05-4 'Storage'	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.	✓	Each 2- and 3-bedroom dwelling is provided with internal storage that meets the total storage requirements of Standard D21. Additionally, each 1-bedroom dwelling is provided with a minimum 6 cubic metres of internal storage and further external storage (provided within the basement car park) which meets the total storage requirements of 10 cubic metres. Several 2- and 3-bedroom dwellings are also provided with additional external storage within the basement car park.
---	---	---	---	---	---

Clause 58.06 - Detailed Design

Standard D22 of Clause 58.06-1 'Common Property'	To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. To avoid future management difficulties in areas of common ownership.	✓	Developments should clearly delineate public, communal and private areas. Common property, where provided, should be functional and capable of efficient management.	✓	Communal areas are appropriately delineated within the development and functional / capable of efficient management.
Standard D23 of Clause 58.06-2 'Site services'	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,	✓	All site services are able to be provided within the development and sited appropriately.

			located for convenient access and integrated into the overall design of the development.	
<p>Standard D24 of Clause 58.06-3 'Waste and recycling'</p>	<p>To ensure dwellings are designed to encourage waste recycling.</p> <p>To ensure that waste and recycling facilities are accessible, adequate and attractive.</p> <p>To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.</p>	✓	<p>Developments should include dedicated areas for:</p> <ul style="list-style-type: none"> - Waste and recycling enclosures which are: <ul style="list-style-type: none"> o Adequate in size, durable, waterproof and blend in with the development. o Adequately ventilated. o Located and designed for convenient access by residents and made easily accessible to people with limited mobility. - Adequate facilities for bin washing. These areas should be adequately ventilated. - Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate. - Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing. - Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing. - Adequate internal storage space within each dwelling to enable the 	<p>✓</p> <p>The proposal includes two shared bin storage areas located within the basement car park.</p> <p>With a total of 47 dwellings, the required area for a shared bin store is 28.5 square metres. The total bin storage area is 63 square metres (28 sqm and 35 sqm).</p> <p>Appropriate ventilation is provided to the bin store areas and each dwelling is provided with an internal waste and recycling storage space.</p> <p>A rubbish chute is provided from the upper levels to the communal bin store area.</p> <p>A Waste Management Plan has been prepared by Ratio Consultants and submitted with the application.</p>

			<p>separation of waste, recyclables and food waste where appropriate.</p> <p>Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and:</p> <ul style="list-style-type: none"> - Be designed to meet the better practice design options specified in 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. 	
--	--	--	--	--

<p>Standard D25 of Clause 58.06-4 'External walls and materials objective'</p>	<p>To ensure external walls use materials appropriate to the existing urban context or preferred future development of the area.</p> <p>To ensure external walls endure and retain their attractiveness.</p>	✓	<p>External walls should be finished with materials that:</p> <ul style="list-style-type: none"> - Do not easily deteriorate or stain. - Weather well over time. - Are resilient to the wear and tear from their intended use. <p>External wall design should facilitate safe and convenient access for maintenance.</p>	✓	<p>Material selection comprises high quality materials which are able to be readily maintained and not deteriorate / poorly weather over time.</p>
---	--	---	---	---	--

Clause 58.07 – Internal Amenity

<p>Standard D26 of Clause 58.07-1 'Functional layout objective'</p>	<p>To ensure dwellings provide functional areas that meet the needs of residents.</p>	✓	<p>Bedrooms should:</p> <ul style="list-style-type: none"> - Meet the minimum internal room dimensions specified in Table D11. - Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe. 	✓	<p>Each dwelling is provided with internal room dimensions that meet the requirements of Standard D26.</p>
--	---	---	---	---	--

			Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table D12.		
Standard D27 of Clause 58.07-2 'Room Depth objective'	To allow adequate daylight into single aspect habitable rooms.	✓	<p>Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.</p> <p>The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:</p> <ul style="list-style-type: none"> - The room combines the living area, dining area and kitchen. - The kitchen is located furthest from the window. - The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen. <p>The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.</p>	✓	Dwellings with single aspect habitable rooms are appropriately dimensioned.
Standard D28 of Clause 58.07-3 'Windows objective'	To allow adequate daylight into new habitable room windows.	✓	<p>Habitable rooms should have a window in an external wall of the building.</p> <p>A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky.</p> <p>The secondary area should be:</p> <ul style="list-style-type: none"> - A minimum width of 1.2 metres. - A maximum depth of 1.5 times the width, measured from the external surface of the window. 	✓	<p>All habitable rooms have a window in an external wall allowing adequate daylight into each room.</p> <p>No habitable rooms rely on borrowed light.</p>
Standard D29 of Clause 58.07-4	To encourage natural ventilation of dwellings.	✓	The design and layout of dwellings should maximise openable windows, doors or other	✓	A total of 27 dwellings are provided with a breeze path that meets the minimum and maximum lengths. This represents

'Natural ventilation objectives'

To allow occupants to effectively manage natural ventilation of dwellings.

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.

57.4% of total dwellings within the development and therefore meets the requirements of Standard D29.

31 March 2026

Ms. Danielle Foster
Senior Planner, Development Assessment
Department of Transport and Planning
GPO Box 2392
Melbourne Vic 3001
Via online portal

Request for Further Information Response
Permit Application No. PA2503893
CHORA - 7 Hartington Street, Northcote

Dear Danielle,

We continue to act for the Holy Monastery of Axion Esti, the permit applicant in this matter.

Reference is made to your correspondence dated 7 October 2025 requesting further information pursuant to Section 54(1) of the Planning and Environment Act 1987.

In response to this request, we provide the following:

1. Evidence of the existing use rights and the ongoing operation of the site as a place of assembly can be found within the Heritage Impact Statement and Conservation Management Plan, which has been provided as part of this response. However, we accept that the use is intensifying and are willing to amend the application to include a place of assembly use. We have provided an expanded assessment within the revised town planning report that expands on the planning permits of the application.
2. Appendix A, below, sets out a summary of the comments made by the OVGA Design Review Panel. We note there have been countless revisions and amendments made to the plans over the last two years to respond to the Design Review Panel comments. We note the key amendments to the development in response to comments include (inter alia):
 - A reduction in height of the apartment buildings by 1 storey;
 - The removal of an apartment building adjacent to the southern boundary;
 - A redesign of the Platia;
 - The introduction of a restaurant to the Platia;
 - A completely new landscape concept prepared by a new landscape architect;
 - A reduction in the number of townhouses to facilitate greater visibility of the heritage building from Hawthorn Road;
 - Amendments to the ELC and Amphitheatre forecourt and landscaping;
 - Amendments to the materials and finishes of the ELC;
 - The introduction of a porte cochere to enable pick up and drop off from Hawthorn Road;

- An amendment to basement car parking arrangement to improve pedestrian and child safety;
 - Various amendments to the townhouse design;
 - Improvements to the internal amenity of the apartments;
 - Further root investigations and amendments to the design to ensure the retention of the Peppercorn tress adjacent to Hartington Street; and
 - Improved DDA accessibility across the site.
3. We submit the Heritage Impact Assessment (HIS), dated March 2026 and Conservation Management Plan, prepared by Andronas Conservation Architecture. These documents have been submitted, along with additional accompanying information to Heritage Victoria, which provides the required assessment under the Heritage Act 2017.
 4. We have not provided a Green Travel Plan at this stage. We respectfully request that any planning permit that issues contain the requirement for a Green Travel Plan (GTP) to be prepared prior to the relevant uses commencing. Allowing the various occupants to prepare the GTP ensures that the operators of the various uses are able to tailor the GTP to the specific operation.
 5. We enclose a letter from the Department of Infrastructure, Transport, Regional Development, Communications, Sports and Arts confirming the extension of the funding agreement.
 6. Amended plans showing:
 - Sheet A-TP3001, Rev. A provides a site plan that includes setbacks between buildings and boundaries.
 - Sheet B-TP052 Rev. A shows that each of the townhouses is provided with a minimum of 25 square metres of private open space, in accordance with Clause 55.03-5.
 7. Sheets B-TP600 Rev. A through to B-TP608 Rev. A provide details in relation to the storage of each of the proposed dwellings and confirms compliance with Clause 55, 57 and 58.
 8. We enclose an amended town planning report, which includes further assessment of the place of assembly use. As mentioned above, the HIS and Conservation Management Plan outlines the historical and ongoing use of the site as a place of assembly to hold religious services, Sunday school, various social gatherings, weddings, funerals, housing the under privileged, hospital for returned services, a gathering space for various Greek social days and has existing use rights as a shop, as the book store has been operating as such for decades.
 9. We enclose a detailed landscape package prepared by Acre. The landscape plan outlines:
 - The tree canopy cover calculation at TP9.12 of the revised landscape plan prepared by Acre, which indicates compliance with Standard D10 of Clause 58.03-5.
 - The landscape plans also outline the tree types and the areas of deep soil planting as outlined by Acre provided at TP6.03.
 10. We submit that a Planning Permit is not required under Clause 52.37 as the application was submitted prior to the gazettal date of the Clause. A transitional provision of Clause 52.37-9 states:
The requirement of Clause 52.37 do not apply to:

...

- *The removal, destruction or lopping of a canopy tree associated with the construction of a building or the construction or carrying out works in accordance with a permit if the application for that permit was made before the approval date of Amendment VC289.*

...

This application was submitted on 9 September 2025. The newly created Clause 52.37 was gazetted on 15 September 2025.

Given the above, we submit that the transitional provisions exempt the need for a planning permit under this clause.

11. We enclose an environmental wind assessment prepared by Mel Consultants, which assesses the application against Standard D17 of Clause 58.03-4.

Further to the information requested, we also provide the following documents:

- Amended plans prepared by KUD that address Heritage Victoria’s concerns in relation to the design of the early learning centre.
- Amended landscape plan prepared by Acre.
- Amended Traffic Impact Assessment dated 17 March 2026. The amended report further expands on pedestrian safety and connectivity.
- Amended arboricultural assessment prepared by John Patrick landscape Architects, which provides a detailed assessment of the existing trees and also provides root investigation results for the existing trees to be retained. The arboricultural report also addresses concerns raised by Council in relation to existing trees.
- A functional layout assessment prepared by Functional Access Solutions.
- A structural integrity review prepared by Bot Engineering Pty Ltd.
- A response to Council’s queries in relation to water sensitive design prepared by Bot Engineering Pty Ltd.

We now trust the information as provided reasonably meets with your requirements and look forward to advertising of the application at your earliest convenience. However, should you require additional details, we hereby request an extension to the lapse date by which information must be provided and ask for this to be confirmed in writing.

If you have any further queries, please do not hesitate to contact the undersigned on 0413 866 878 or by email at samd@ratio.com.au.

Yours sincerely,



Sam D’Amico
Director:Planning

Appendix A

Summary of OVGA Design Review Panel Comments

Summary of first Design Review Panel held on 13 May 2024 as taken from Memorandum from the Development Facilitation Team dated 29 May 2024:

Summary of Advice

We are supportive of the general proposal to refurbish the existing heritage building, demolish non-significant fabric, and additional development to the perimeter of the site. However, the siting, heritage response, heights, setback, and uses require review, refinement, and justification.

Next steps: We recommend a design workshop is undertaken to work through these key issues to help establish an appropriate outcome to this significant site. DFP will co-ordinate with the proponent to convene a workshop session attended by DFP, HV, OVGA and VDRP panellists. Alongside presentation of the current scheme, the design team are requested to also present a preliminary design response to the key issues raised within this Memorandum of Advice.

Planning

Development Facilitation is broadly supportive of the proposed redevelopment of the land for mixed use purposes. The proposal represents an opportunity to revitalise the site, conserve heritage, introduce affordable and diverse housing proximate to Northcote train station as well as introduce a limited range of non-residential community and commercial uses that will serve local needs.

Subject to meeting the conditions in Table 1 to Clause 53.23, the application appears to be eligible to apply for a planning permit pursuant to Clause 53.23 Significant Residential Development through the Development Facilitation Program.

Key planning considerations and requirements are outlined in the body of this memo.

Heritage

Heritage Victoria is supportive of the proposed conservation and adaptive reuse of the heritage building and accepts that some form of development at the heritage place is required. Location of new built form around the perimeter of the place is considered appropriate however the proposal requires further consideration to ensure that the cultural heritage significance of the place is retained. This includes:

- Increased views to the heritage building from external and internal vantage points.
- Landscape design which references the historic setting including retention/reconstruction of the berm.
- Reconfiguring of built form to increase breathing space and appreciation of the heritage building.
- Considering a design and materiality which references, respects and responds to the heritage place without mimicking it.

Design

This is an exciting project with the potential to add value and long-term legacy to its neighbourhood and community. The general intent is supported and there are several appropriate strategic moves already established. However, the heritage of the place, the landscape possibilities of the site as a precinct, and the potential to re-vision existing streetscapes are not given enough design consideration or value.

- The refurbishment and reuse of the heritage building is strongly supported.
- Neither the landscape nor the new built form response in relation to the CMP is convincing and this requires far greater clarity.
- We consider the lack of landscape is a fundamental gap in the project vision at this concept stage.
- The location of basement carpark under the perimeter-built form and under the forecourt is generally supported, it maintains significant site area for deep soil planting.

Summary of second Design Review Panel held on 12 June 2024 as taken from Memorandum from the Development Facilitation Team dated 4 July 2024:

Summary of Advice

We are supportive of the general proposal to refurbish the existing heritage building, demolish non-significant fabric, and provide additional development to the perimeter of the site. However, the siting, heritage response, heights, setback, and uses require review, refinement, and justification.

Next steps: We recommend the consultant team respond to the matters raised within this Memorandum of Advice and should be presented for review at a second design review workshop session.

Planning

Planning Facilitation continues to broadly support the proposal, subject to the comments contained in this memo. We reiterate Planning's key comments and recommendations:

- Provision of additional housing, including affordable housing, on this strategic site is supported by State planning policy, key directions of Plan Melbourne, and Victoria's Housing Statement.
- Provision of a select range of non-residential uses that will serve local needs is also considered to be a positive element of the proposal.
- Further technical information is required to understand how all non-residential uses will operate and demonstrate residential amenity, traffic impacts, and orderly land use of the immediate area is protected and maintained.
- Opportunities to reconsider the siting and form of new development at the site's perimeter, as generally suggested by the OVGA, are encouraged.
- Further detail around building and urban design, transport and traffic impacts, internal residential amenity, acoustic impacts, waste management, landscaping, environmentally sustainable design and event management, will be required to allow a full Planning assessment in due course.

Heritage

Heritage Victoria is supportive of the proposed conservation and adaptive reuse of the heritage building and accepts that some form of development at the heritage place is required. Location of new built form around the perimeter of the place is considered appropriate however the proposal requires further consideration to ensure that the cultural heritage significance of the place is retained. This includes:

- Increased views to the heritage building from external and internal vantage points.
- Landscape design which references the historic setting including retention/reconstruction of the berm.
- Reconfiguring of built form to increase breathing space and appreciation of the heritage building.
- Consideration of design and materiality which references, respects and responds to the heritage place without mimicking it, both in relation to new built form and landscaping.

Design

We commend the design team and client for their work to date on this significant heritage site. Whilst many of the key design moves are supported, within this Memo we have identified 10 key opportunities where further high-level design testing could reveal improvements to the scheme. We strongly encourage this analysis to be presented for review at a second design review workshop session. Generally, consider:

- Adopting a landscape-led approach which reinforces the site's historical rural landscape qualities.
- Explore consolidating building mass to a higher built-form along Hartington Street which may unlock opportunities.
- The platia has the potential to provide significant community benefit. Ensure it offers high quality year-round amenity and can be programmed for various uses.
- Further analysis of back-of-house and servicing is needed to confirm the functionality of key spaces.
- Changes to site entries, including built form, landscape and vehicle entries, could improve the entry experience and enhance viewlines to heritage.
- A new footpath along Hawthorn Road is strongly encouraged.

Summary of third Design Review Panel held on 4 September 2024 as taken from Memorandum from the Development Facilitation Team dated 20 September 2024:

Executive Summary

The project is progressing positively and we are generally supportive of design refinements made in response to previous advice provided by DFP, HV, and OVGA. However, we have identified elements of the heritage response, heights, setbacks, landscape, pedestrian networks and servicing which require further design consideration. We request additional information be provided at the next review to allow detailed consideration of the proposed architectural expression for each elevation, internal planning, building sections, relationship to landscape, and materiality.

Next steps: we recommend the design team continues to refine their concept, acknowledging, responding to and resolving the matters raised within this Design Review Report. We look forward to seeing a refined scheme, including architectural proposals for each building, for review at a third workshop session.

Development Facilitation Program

DFP continues to broadly support the proposal, subject to the comments contained in this memo and the previous memo dated 4 July 2024. We reiterate Planning's key comments and recommendations:

- Provision of additional housing, including affordable housing, on this strategic site is supported by State planning policy, key directions of Plan Melbourne, and Victoria's Housing Statement.
- Provision of a select range of non-residential uses that will serve local needs is also considered to be a positive element of the proposal.
- Further technical information is required to understand how all non-residential uses will operate and demonstrate residential amenity, traffic impacts, and orderly land use of the immediate area is protected and maintained.
- Opportunities to reconsider the siting and form of new development at the site's perimeter, as generally suggested by the OVGA, are encouraged.

Further detail around building and urban design, transport and traffic impacts, internal residential amenity, acoustic impacts, waste management, landscaping, environmentally sustainable design and event management, will be required to allow a full Planning assessment in due course.

Heritage Victoria

Heritage Victoria is generally supportive of the way in which the proposal is progressing. We acknowledge that substantial changes have been made in response to feedback and that this has contributed to an improved heritage outcome. There are still a number of areas where further consideration is required as outlined in our feedback below.

OVGA Design Facilitation

We thank the design team for their considered efforts to respond to previous design advice issued. We generally support many of the key design revisions and strongly support the project team's ambition for this to be a legacy project. Within this Design Review Report, we have identified opportunities where we consider further revision to heights, setbacks, landscape, pedestrian networks, and servicing would benefit the scheme. We strongly encourage further design testing and analysis on built form composition, architectural expression and materiality for future review. Generally, consider the following:

- The Hartington Street / Hawthorn Road through-link needs to present as a high-quality, pedestrianised shared zone.
- We strongly encourage deletion of the east-west 'return' to the southern apartment building.
- The heritage building needs to be treated as a building in the round, surrounded by landscape and pedestrian access.
- A 5-storey form to Hartington Street is not supported. A lower 3 / 4 storey form with an 'occupiable' roof is encouraged.
- Each new building needs to be a high-quality companion to the heritage building; prepare elevations of each façade which explores its interface with the heritage / landscape / pedestrian network / surrounds.
- Further analysis on back-of-house / waste collection is needed for the townhouses, ELC and heritage building.
- Develop a whole of site strategy for managing visitor and resident access and present for further design review.

Summary of fourth Design Review Panel held on 11 December 2024 as taken from Memorandum from the Development Facilitation Team dated 11 February 2025:

Executive Summary

We generally support the iterative design development of the project including site configuration revisions made in response to previous advice provided by DFP, HV, and OVGA. We are encouraged by the ongoing response of the proponent to the design review process advice, which continues to lead to improved project outcomes.

While the height and mass of the residential buildings are acceptable, we are concerned their expression is overscaled for the context. We recommend the design team now focus on refining the detailed architectural expression. More design consideration is needed to ensure the residential components of the design appropriately and positively contribute to the surrounding finer grain residential character of the area.

Now that the siting of the buildings and mass are generally supported, further work is required on the landscape design. The site has a number of heritage landscape elements which still require further resolution. Equally, the landscape spaces throughout the site will play a significant role in the success of the project and these spaces require attention.

We strongly recommend the project returns for another design review workshop and does not submit for planning until the main elements of the project are supported. We suggest a premature submission for heritage approval could result in a more protracted planning process (noting that clarifications and design resolution will need to be addressed through more formal processes).

Planning Facilitation

Planning Facilitation continues to have broad support for the proposal, subject to the comments contained in this memo and previous memos dated 4 July 2024 and 20 September 2024.

We recommend further work is undertaken to respond to OVGA and Heritage Victoria's advice contained in this memo before the project is formally submitted.

Further technical information is required to understand how all non-residential uses will operate and demonstrate residential amenity, traffic impacts, and orderly land use of the immediate area is protected and maintained. These matters should be resolved after gaining OVGA and Heritage Victoria's in-principal support on the overall design approach.

Heritage Victoria

Heritage Victoria continues to be supportive of the proposed conservation and adaptive reuse of the heritage building and accepts that some form of development at the heritage place is required. Some areas of the proposal have progressed substantially, but others require further consideration. This includes:

- Further refinement of the design, materiality and scalar detail of the residences to ensure a 'lighter' approach which acts more convincingly as a bridge between the large scale of the heritage building and the small scale of residences on Hawthorn Road.
- Completion of architectural paint research to determine an appropriate colour scheme for the heritage building, which will inform the colour schemes of the new built form, hard landscaping and the like.
- Resolution of the new built form in the southeast corner to ensure that sufficient breathing space is left to appreciate the heritage building. This includes landscape features on the raised platform above the carpark, the terraced section and the stairs. Carefully select tree types to ensure they do not cause harm to the heritage building in the future.

OVGA Design Facilitation

The OVGA generally supports many of the design revisions made to date and strongly support the team's ambition for this to be a legacy project. This Design Review Report identifies various areas for further design refinement. In summary, these include:

- The expression / scale of new residential buildings needs to more sensitively reflect the finer grain residential context
- Reconsider the landscape approach to SE loading dock / green roof / carpark entry / retaining wall / ground plane
- Refine the scale and batter form of perimeter courtyard walls so these positively contribute to ground plane and street
- Review the entry sequence to theatre, potentially test placing entry to SW off main entry pathway through the site
- Engage an arborist to confirm suitability of approach to peppercorn trees to ensure trees are not negatively impacted

Summary of fifth Design Review Panel held on 30 April 2025 as taken from Memorandum from the Development Facilitation Team dated 28 May 2025:

Executive Summary

We would like to acknowledge the good spirit these reviews have been undertaken in and the design improvements that have been achieved throughout. This presentation was limited in scope, primarily addressing recommendations from the third design review workshop to do with expression of built form to the townhouses and apartment buildings. As agreed prior to this workshop, the landscape design was not presented and had not been updated since the third workshop.

It was generally considered that the overall built form responses across the site has been adequately progressed for planning, subject to technical report compliance (traffic, waste, apartment design compliance, ESD etc).

There was a lack of documentation provided prior to the workshop (floor plans for each level of each building) and this was unfortunate. We note, there has been limited review of the Early Learning Centre (ELC) throughout the workshop process and this is an area that requires careful development with an operator to ensure it is fit for purpose.

Landscape resolution remains a key planning element to resolve. It was recommended that the landscape solution should refer and integrate heritage aspects of the site, rather than overlay a formal contemporary residential landscape solution a civic heritage solution was sought. We recommend a revised landscape design is produced and reviewed via workshop.

Further, as the design team prepare all the relevant technical reports for planning, should there be any significant change to the design (e.g. as a result of traffic or waste management requirements) we request these design modifications are provided to this full State review team (DTP planning, HV, and OVGA) for consideration.

DTP Planning Facilitation

Planning Facilitation continues to have broad support for the proposal, subject to the comments contained in this memo and previous memos dated 4 July 2024, 20 September 2024 and 11 February 2025.

We recommend further work is undertaken to respond to OVGA and HV's advice contained in this memo before the project is formally submitted.

Further technical information is required to understand how all non-residential uses will operate and demonstrate residential amenity, traffic impacts, and orderly land use of the immediate area is protected and maintained. These matters should be resolved after gaining OVGA and Heritage Victoria's in-principal support on the overall design approach. Similarly, other planning matters, including internal amenity and assessment against Clause 55 and Clause 57 should be resolved through detailed drawings once the overall design is settled.

Heritage Victoria

As previously advised, Heritage Victoria is generally supportive of the conservation and adaptive reuse of the heritage building and accepts that some form of development at the heritage place is required. Location of new built form around the perimeter of the place is considered appropriate. Heritage Victoria acknowledges the improvements to the design of the new built form but considers that further refinement of detailing would ensure that the heritage buildings retain their primacy. The landscape design remains an important part of this proposal and it was unfortunate that it was not presented at this workshop to allow for consideration in the context of the new built form.

OVGA Design Facilitation

Project has progressed well and has been considerate of previous advice.

- Consistency of detailing and distillation of concept into a repeated articulated rebate is successful
- Landscape format of residential buildings is successful (tripartite expression with consistent horizontal datums)
- Heritage wall remains unresolved – are new courtyard walls the fence, or should the fence line be expressed?
- Colouration for entire development requires further clarification – preference for warmer tones
- Landscape remains a key area for design resolution.

Summary of sixth Design Review Panel held on 3 December 2025 as taken from Memorandum from the Development Facilitation Team dated 16 January 2026:

Executive Summary

We would like to acknowledge the good spirit these reviews have been undertaken in, and the iterative improvement in the quality of the concept that has been achieved over the period of workshops / reviews. This Design Review Report is based on a limited presentation, focusing on a revised landscape and public realm design after appointment of a new landscape architect. Previous reports noted that the landscape concept appeared unresolved, and we appreciate this opportunity to focus on how a more convincing landscape solution can successfully integrate with the heritage aspects and challenging topography of the site.

Generally, we consider that the revised landscape response is a more convincing design that better navigates the complexities of the large site with its multifaceted program. However, there are several matters where we suggest more detailed interrogation is needed to give confidence that proposed interventions work with the existing conditions and topography. For example, drawings lack site specific spot levels to confirm existing trees can be retained – this is a critical issue linked to the value of mature trees. Also, we are concerned that the landscape architect's scope is limited to areas defined as 'non-private open space' which means that trees on critical interfaces, such as Hartington Street, fall outside the area of consideration. In summary:

- We generally support the revised concept response from the Landscape Architect.
- We recommend a 'heritage-first' landscape approach is embedded into the design commitment, giving real regard and status to the value of retained / referenced landscape elements.
- We recommend that the compelling precedent images included by the Landscape Architect are developed into convincing site-specific commitments.
- We recommend the project is further reviewed via a workshop to ensure all elements of architecture, landscape architecture and urban design are integrated into an exciting, coordinated whole.
- We require a supportable design approach, endorsed by an arborist, that ensures that the peppercorn trees along Hartington Street will not be negatively impacted by the development. The trees are to be retained and protected.

As the design team prepares all relevant technical reports for planning, should there be any significant change to the design (for example as a result of traffic or waste management requirements), we recommend that design modifications are provided to the State (DFP Planning, HV, and OVGA) for review and consideration.

DFP Planning Facilitation

DTP will not be providing additional comments. Noting advice has already been provided via RFI to the applicant separately to address planning matters

Heritage Victoria

As previously advised, the landscape design remains an important aspect of this proposal. Heritage Victoria welcomes the engagement of Acre in further developing the landscape response; however, considers that a more balanced approach is required between the proposed contemporary landscape elements and the historical significance of the place. It is unfortunate that the landscape response was not presented at earlier as this would have enabled consideration alongside the new built form proposed by the masterplan, or prior to the lodgement of the heritage permit application.

OVGA Design Facilitation

We consider the landscape response to this site is critical in delivering a successful planning outcome. Generally, we consider that the revised landscape response is a more convincing design than the previous concept – it better navigates the complexities of the large site with its multifaceted program. However, we propose it is critical that the landscape architects are provided the brief and latitude to reimagine key 'heritage-led' aspects of the site's landscape. For example, the design response on Hartington Street relegates the peppercorn trees to the private realm, and we propose an alternative approach might ensure that these trees are protected and encouraged to thrive. Observations and recommendations include:

- 'Landscape-led heritage' analysis is lacking – consider how the design concept responds to support and enhance heritage outcomes
- The concept is missing clear details of site levels, grading, retaining and hence convincing retention of trees
- Sectional analysis is required – the current landscape design is plan-centric
- Remain concerned with Hartington response and, approach to remnant heritage boundary wall and peppercorn trees