

Planning Officer Report

65-71 Haig Street, Southbank

Planning Permit Application 2014/60022



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Summary

The purpose of this report is to provide a detailed planning assessment of planning permit application 2014/60022. This report is provided to the Minister for Planning to assist in considering and determining the planning permit application.

Under the Schedule to Clause 61.01 of the Melbourne Planning Scheme, the Minister for Planning is the responsible authority for the applications with a gross floor area exceeding 25,000 square metres. The planning permit application is for a development of 27,315.9 m².

An application has been made to demolish the existing building on site and construct a multi-storey building comprising dwellings, ground floor retail premises, offices and associated car parking.

A permit is required to construct a building or construct or carry out works and to demolish or remove a building. Key issues for consideration include the development's strategic response to the surrounding precinct and its immediate context, its response to the built form controls affecting the site, car parking and access, wind impacts and the internal amenity of apartments.

The City of Melbourne has indicated that it has significant concerns regarding the height of the proposed building and the layout of some apartments; however, it is recommended that these matters be addressed by conditions. Other agencies including Public Transport Victoria and VicRoads support the application.

On balance, the proposal is considered to respond appropriately to its site context and should be supported. The proposal does not represent a radical departure from the built form controls which affect the site and does respond to the existing and evolving built form context of the area as envisaged by planning policy.

Recommendation

The Future Melbourne Committee has considered the matter and resolved to **provide conditional support** of the application. It is considered that the height condition would result in an unnecessary limitation, given the site context.

The recommendation to the Minister for Planning is to support the planning application and issue an **approval to grant a permit subject to conditions**.

Application Details

Key elements	Comments
Land:	65-71 Haig Street, Southbank (Certificate of Title Volume 10160 Folio 935)
Application No.:	2014/60022
Proposal:	Demolition of the existing building on site and construction of a multi-storey building comprising dwellings, ground floor retail premises (other than Adult sex bookshop, Department store, Hotel, and Tavern), offices and associated car parking.
Date lodged:	20 October 2014
Zone and Overlay controls:	Schedule 3 to the Capital City Zone (CCZ3)

	Schedule 5 to the Design and Development Overlay (Bridge Protection Area) Schedule 60 to the Design and Development Overlay (Southbank) (Area 3) Environmental Audit Overlay (EAO) Schedule 1 to the Parking Overlay (PO1)
Why is a permit required?	Schedule 3 of Clause 37.04 (CCZ3): a permit is required for demolition and to construct a building. Schedule 5 of Clause 43.02 (DDO1): a permit is required for a building or works to be demolished, removed or altered externally by structural or other similar works. Schedule 60 of Clause 43.02 (DDO60): a permit is required to construct a building or construct or carry out works.
Height Procedures for Air Navigational Services- Aircraft Operations Surface (PANS-OPS)	46 storeys, 142.2 metres in height (143.4 metres including roof plant, RL145.4 to AHD) The building at 143.4 metres in this location is below the OLS of 226-228 metres (RL to AHD)
Plot Ratio	26.93:1 (26,950m ² above ground/ 1001m ² site)
Setbacks	North: minimum tower separation of 10 metres South (West Gate freeway): 0 metres West (Haig Street): minimum 4.046 metres above podium/generally 6 metres East (Blakeney Place): minimum tower separation of 8.5 metres
Car parking and bicycle facilities	73 car parking spaces, 264 bicycle spaces and 2 motorcycle spaces
Gross floor area (GFA) and value	GFA 27,315.9m ² (including 365m ² basement) Development value \$100 million
Applicant / Developer	Sunvale Development Pty Ltd C/- Urbis Pty Ltd
Public Notification	Under DDO5 (Bridge Protection Area) an application is not exempt from third party notice and review; however, the application was not advertised as the proposal will not cause any undue impact on the safety and efficiency of the West Gate Bridge.

Figure 1 – Site plan

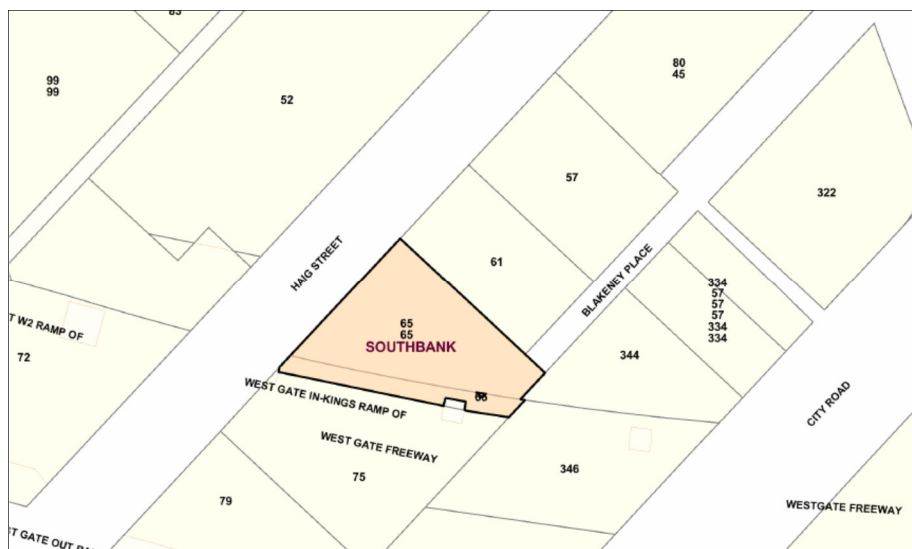




Figure 2- Perspective images of the proposal

Background

The permit application was lodged on 20 October 2014.

Further information was requested from the applicant on 14 November 2014 and a response was provided to DELWP on 25 February 2015 including a revised application form. Following further consideration, further information was requested of the applicant on 4 June 2015.

On 7 July 2015, the additional further information and amendments to the scheme were submitted including a reduction in the overall building height. Following a meeting on 19 October 2015 to discuss the recommendations from the Future Melbourne (Planning) Committee, concept plans for discussion purposes were provided by the applicant on 21 October 2015, modifying the internal layout of a number of apartments to improve the internal amenity.

Site and Surrounds

The subject site is essentially triangular in shape and located at the southern end of Haig Street, adjacent to the West Gate Freeway overpass in Southbank. The site has a frontage to Haig Street of 36.14 metres, a width of 44.44 metres to the north east, a width of 52.56 metres to the south (adjoining the Freeway) and 8.12 metres to the rear of the site (Blakeney Place). The site has an area of 1001m² and there is a negligible slope across the site.

The site is not affected by any easements or restrictive covenants.

The site is currently occupied by a two storey commercial building with an open 'at grade' car park. Vehicle access to the site is provided via Haig Street and to the rear via Blakeney Place. Blakeney Place also services the back-of house needs for surrounding buildings. Refer to Figure 1 above for a Site Plan.

Building heights immediately surrounding the site vary. Clarendon Towers is the closest residential building, located to the north east with a height of approximately twenty-seven (27) storeys. On the opposite side of Haig Street, is a residential development called Tiara Apartments with a height of approximately thirty-two (32) storeys. The adjoining site at 61-63 Haig Street, has been cleared to commence the construction of a thirty-eight (38) storeys residential tower (see below). The remaining buildings within Haig Street consist mainly of 1-2 storey commercial buildings.

The West Gate Freeway overpass adjoining the site to the south is a major feature contributing to the surrounding built form context and delineates the northern portion of Southbank from the southern area which interfaces with the newly identified Fishermans Bend Urban Renewal Area (FBURA).

The subject site is well serviced by public transport, with tram services, bus services and a night rider service operating close to the site. Within the wider urban context the site is located in close proximity to prominent landmarks such as Crown Entertainment Complex (approx. 300m walking distance to the north), Melbourne Convention and Exhibition Centre (approx. 350 metres walking distance to the north west) and Clarendon Street shopping strip and South Melbourne Market (approx. 500 metres walking distance to the south).

Land surrounding the site can be described as follows:

- To the **north west** of the subject site is Hanover Welfare Services and crisis accommodation centre, a two storey building providing low cost accommodation, counselling and support services. Adjoining this site is the Tiara apartment building (46-50 Haig Street) that provides 210 apartments over 32 storeys and includes 6 floors of car parking.
- To the **north east** of the site, at 61-63 Haig Street, previously comprised a double storey office building with a single storey workshop building at the rear. The buildings have been recently demolished to allow for the construction of a multi storey residential building of 120 metres (38 storeys), with construction yet to commence. Further **north east** is 57-59 Haig Street, which contains a double storey office building. Ministerial approval was granted on 27 May 2014 for a 39 storey development comprising 249 apartments. An application to amend this permit has been lodged with DELWP. Further **north east** at 45 Haig Street, is Clarendon Towers. Clarendon Towers is a 27 storey apartment complex which occupies the land bounded by Haig Street, Clarendon Street and Blakeney Place. Clarendon Towers has podium car parking and a tower setback of a minimum of five metres.
- To the **east** of the site, abutting the site at the rear is Blakeney Place. On the opposite side of Blakeney Place is the Urban Central Accommodation Building at 334-342 City Road which is six

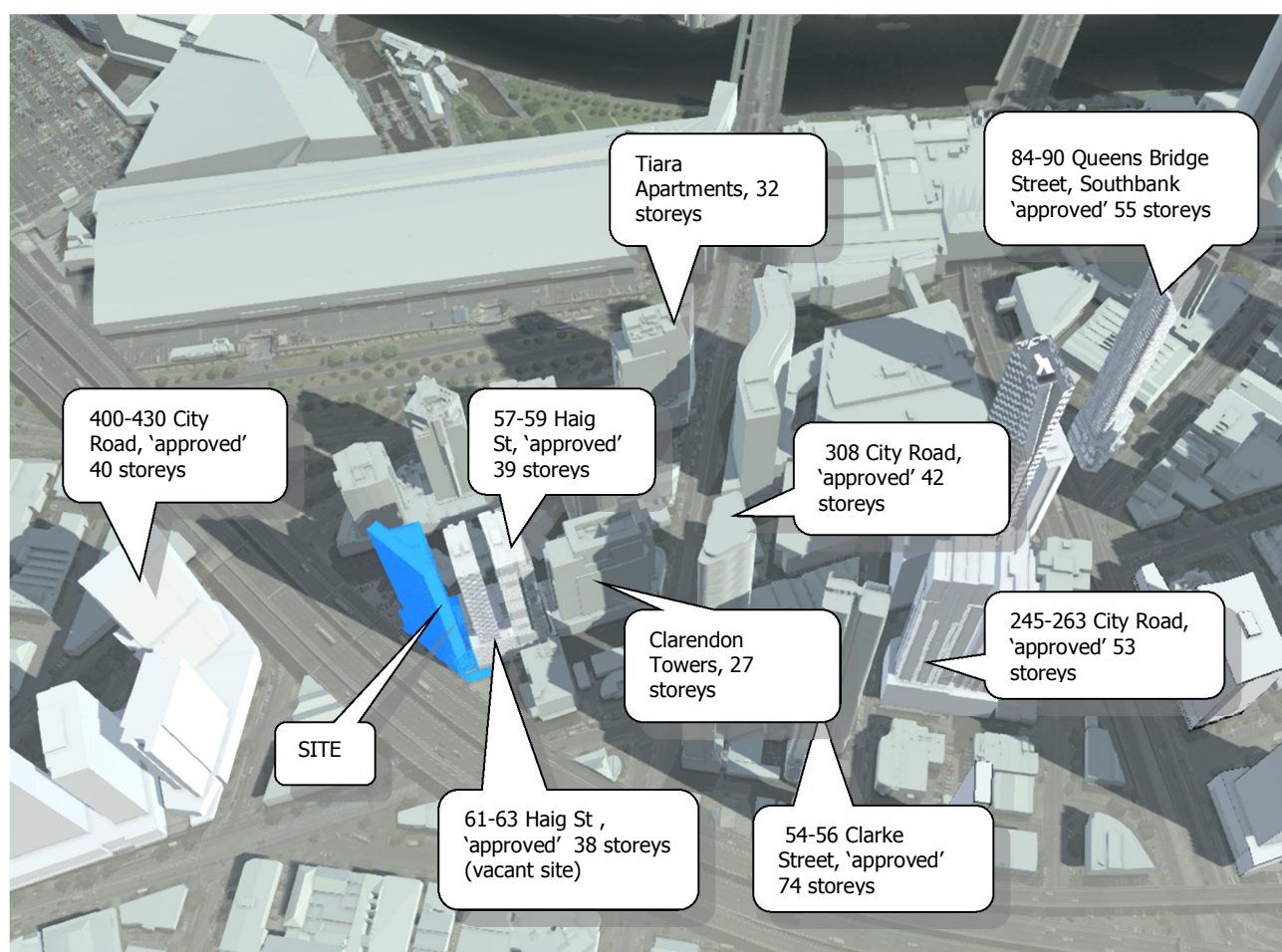
storeys in height plus a basement level. It is occupied by a hostel containing 121 rooms and a bar/games/internet room.

- To the **south**, the site is bounded by the elevated West Gate Freeway. Below the freeway, the area is currently used for at-grade car parking.

The following development activity is occurring on surrounding properties:

- 57-59 Haig Street, Southbank: DELWP approval (2012/010161) for 39 level development with 249 apartments. Current DELWP amendment application for a 44 level (144.2 metres to top of plant services) development with 248 dwellings. City of Melbourne have objected to the development.
- 61-63 Haig Street, Southbank: City of Melbourne approval for a 38 level (120 metres) development with 163 apartments.
- 344 City Road, Southbank: Current DELWP application for a 57 level (190 metres to top of plant services) development with 432 dwellings. City of Melbourne have objected to the development.

Figure 3- Approved buildings within the vicinity of the site



Proposal

The application seeks approval to demolish the existing commercial building on site and to construct a multi-storey building comprising dwellings, ground floor retail premises (other than Adult sex bookshop, Department store, Hotel, and Tavern), offices and associated car parking. The proposed building will have a gross floor area of 27,315.9m².

Details of the application are as follows:

- Demolition of the existing building;
- Construction of a triangular shaped, 46 storeys, 142.2 metres in height residential tower with 298 apartments (143.40m to the top of the parapet (RL145.40 to AHD));
- The apartment mix comprises 115 x 1 bedroom, 150 x 2 bedrooms and 33 x 2 bedrooms plus study/additional room. The height of the podium will be a maximum of 29 metres;
- Two ground floor retail/office units comprising 82m² and 91m², facing Haig Street;
- The details of the building are as follows:
 - Basement Level – Storage areas for residents and services;
 - Ground Floor – Car park entrance, residential lobby, and two retail/office units to Haig Street, visitor bicycle spaces, mail room, refuse area and loading bay to be accessed from Blakeney Place;
 - Level 1 (podium) – 4 x 1 bedroom apartments facing Haig Street, residential storage units, waiting lounge, substation and car parking ramp, car parking and turntable transfer area;
 - Levels 2-4 (podium) – 5 x 1 bedroom apartments facing Haig Street, residential storage units, bicycle spaces and car parking;
 - Levels 5-8 (podium) - 5 x 1 bedroom apartments facing Haig Street, 1 x 1 bedroom and 2 x 2 bedrooms apartments facing the West Gate Freeway, residential storage units and car parking;
 - Level 9 (podium) – Amenities area including outdoor deck/landscape area, lounge area, gym, sauna and TV room. 5 metres setback from 61 Haig Street;
 - Level 10-24 and 26-43 (tower) – 4 x 2 bedroom, 2 x 1 bedroom and 1 x 2 bedroom plus study/room apartments. 6m setback from Haig Street (except southern-most apartment setback between 4.046 metres and 7.651 metres), 5 metres setback from 61 Haig Street, 0 setback to West Gate Freeway, rear boundary and Blakeney Place setback between 2.037 metres – 5.642 metres;
 - Level 25 (tower) - 4 x 2 bedroom and 2 x 1 bedroom apartments, 109m² service area. 6m setback from Haig Street (except southern-most apartment setback between 4.046 metres and 7.651 metres), 5 metres setback from 61 Haig Street, 0 setback to West Gate Freeway, rear boundary and Blakeney Place setback between 2.037 metres – 5.642 metres;
 - Levels 44 and 45 (tower) – 3 x 2 bedrooms and 2 x 1 bedroom apartments facing the West Gate Freeway. Increased setbacks to Haig Street and 61 Haig Street; and
 - Level 46 (roof plant) – 381m² services.
- Vehicle access is proposed via a new two way crossover to Haig Street at the western boundary. A total of 73 car parking spaces will be provided in the form of an (11) eleven level fully automatic parking system. Car parking spaces will be allocated to residents only. Loading and

unloading facilities will be provided by a service area at the rear of the site with access from Blakeney Place. Waste is to be collected by a private contractor;

- Access to the storage cages for the apartments and the visitor and residents' bicycle spaces will be through the lobby from the Haig Street frontage. A total of 44 visitor bicycle spaces will be provided on the ground floor level and 222 bicycle spaces will be provided for residents on levels 2 to 4 adjacent to resident's storage areas. Two motor bike spaces are also proposed within the B1 Basement car parking level;
- Pedestrian access is proposed at ground level from the Haig Street frontage. A waiting lounge and pedestrian access is also provided for residents directly adjacent to the automatic car lift transfer area in the southern section;
- Materials and finishes include glazing (clear, silver/grey and grey spandrel), louvres (including large format screening), precast concrete (light and natural) and render (light and dark grey); and
- The submission is supported by comprehensive reports including a town planning assessment, urban context analysis and design response, wind tunnel assessment, traffic engineering report, waste management plan, Preliminary Site Investigation, Acoustic Report and ESD Report/Sustainability Management Plan.

Comparison to initial application

The key changes between the 25 February 2015 original application and the current amended application (7 July 2015) are summarised below:

- Reduction in building height 169.2 metres, comprising 55 storeys to 142.2 metres, comprising 46 storeys;
- Reduction in the total number of residential apartments (from 361 to 298), car parking (from 93 to 73) and bicycle spaces (from 268 to 264).
- Public realm improvements and extension to Blakeney Place by providing a through link at the end of the road for pedestrian and bicycle connection and access;
- Extension of the outdoor deck at level 9 to run the full length of the Haig Street frontage;
- Relocation of substation from ground floor to level 1, resulting in additional retail/office tenancy provided at ground floor;
- Addition of obscured glazing to the east corner of two bedroom apartments on levels 10-38, resulting in reducing the potential of overlooking; and
- Internal changes including modifications to the car waiting lounge, carpark entry grade ramp, internal loading bay height, residential storage configuration and services room layout.

Note: Subsequent plans were informally submitted in October 2015 to remove the 'battleaxe' bedrooms from Level 5 to the top level.

	Original application	Amended application
Tower Height	169.2 metres	142.2 metres
Podium height	29 metres	No change
Tower setbacks	North: min 10 metres	No change

	South (West Gate): 0 metres East (Blakeney Place): min 8.5 metres	
Number of apartments	361	298
Commercial floor space	118m ²	173m ²
Car parking spaces	93	73
Bicycle spaces	268	264
Gross Floor area	32,262m ²	27,315m ²

Planning Policies and Controls

State Planning Policy Framework

The State Planning Policy Framework (SPPF) provides the broad policy direction within the Victorian Planning Provisions. The planning principles set out under the SPPF are to be used to guide decision making on planning proposals across the state.

The following policies are considered relevant to this application:

- Clause 9 (Plan Melbourne)
- Clause 10.04 (Integrated Decision Making)
- Clause 11 (Settlement)
- Clause 15 (Built Environment and Heritage)
- Clause 17 (Economic Development)
- Clause 18 (Transport)
- Clause 19 (Infrastructure)

The above policies encourage appropriate land use and development which enhances the built environment; supports economic growth, delivers commercial floor area and integrates transport and infrastructure planning.

Local Planning Policy Framework

The Municipal Strategic Statement (MSS) and Local Planning Policy Framework (LPPF) within Planning Schemes across Victoria outline principal characteristics of a given municipality (municipal profile) and provide specific visions, goals, objectives, strategies and implementation plans. The MSS within the Melbourne Planning Scheme identifies seven key themes for settlement, Environment and Landscape Values, Built Environment and Heritage, Housing, Economic Development, Transport and Infrastructure.

Clause 21.02 (Municipal Profile) recognises that the City of Melbourne is the premier location for many of the State's economic, infrastructure and cultural facilities, and attracts a substantial daily population with people travelling to the city for work, leisure and shopping. In addition, the most

significant gains in resident population are expected in the Central City (and Southbank and Docklands).

Clause 21.03 (Vision) recognises the diverse roles of the city and local areas, with a vision being ‘a thriving and sustainable City that simultaneously pursues economic prosperity, social equity and environmental quality’.

Clause 21.06 (Built Environment and Heritage) identifies Melbourne’s character which is defined by its “*distinctive urban structure, historic street pattern, boulevards and parks, heritage precincts, and individually significant heritage buildings. Heritage buildings, precincts and streetscapes are a large part of Melbourne’s attraction and the conservation of identified heritage places from the impact of development is crucial*”. This Clause identifies the need to promote connectivity, provides for spacing and offset to provide access to outlook, daylight, sunlight and to minimise direct overlooking between habitable rooms, and to ensure that the scale, bulk and quality of development supports a high quality public realm.

Clause 21.07 (Housing) Seeks to encourage the most significant housing and population growth occurs in the Central City and Urban Renewal areas. It acknowledges the need to ensure residential developments in the Capital City, Docklands and Commercial Zones are designed to mitigate the amenity impacts from surrounding established and future uses, including insulation from noise.

Clause 21.09 (Transport) seeks to integrate transport and urban growth by encouraging development in locations, which can maximise the potential use of public transport. This Clause seeks to maximise access to the city through support of the provision of adequate, safe public transport, pedestrian and bicycle facilities and car parking.

Clause 21.11 (Local Areas) identifies the site as being located within one of the Urban Renewal Areas to which Clause 21.13-1 Southbank applies.

Clause 21.13 (Urban Renewal Areas) includes policies relating to the Economic Development, Built Environment and Heritage, Transport and Infrastructure, which specifically relate to Southbank (Clause 21.13-1) and seek to:

- *“Support Southbank’s development as an extension of the Central City, providing a mix of commercial and residential land uses;*
- *Promote high rise, high density development, south of the Crown Casino and the Melbourne Exhibition Centre;*
- *Encourage a mix of public and commercial uses at ground level in new developments to support street life and provide pedestrian interest;*
- *Improve the public environment of Southbank by providing public spaces, improving pedestrian facilities and upgrading streetscapes;*
- *Create a connected and permeable neighbourhood’.*

The following key local planning policies (Clause 22) are relevant to the proposal:

- Clause 22.01 Urban Design within the Capital City Zone
- Clause 22.02 Sunlight to Public Spaces
- Clause 22.19 Energy, Water and Waste Efficiency
- Clause 22.23 Stormwater Management (Water Sensitive Urban Design)

The above policies encourage high quality urban design outcomes and to ensure that development is environmentally sustainable and recognises its impact on the public realm.

Statutory Controls (Permit Triggers)

The following controls apply to the site, with planning permit triggers and requirements described below:

Planning Control	Permit / Application Requirement(s) / Decision Guidelines
<p>Capital City Zone (Clause 37.04)</p> <p>Schedule 3 (Southbank)</p>	<p>A permit is required to use the land unless specifically exempted by the schedule. A permit is also required to demolish, construct a building or construct or carry out works unless the schedule specifies otherwise.</p> <p>Schedule 3:</p> <ul style="list-style-type: none"> • Specifies that no permit is required for ‘accommodation’ (other than Corrective institution), ‘office’ and ‘retail premises’ (other than Adult sex bookshop, Department store, hotel, Supermarket and Tavern) and as such the uses are permitted as of right (Section 1 use) at Clause 1.0 of the Schedule. • Specifies that a permit is required to demolish or remove a building, and to construct a building or construct and carry out works. • Exempts the application from notice and appeal requirements. • Decision guidelines are contained in Schedule 3.
<p>Design and Development Overlay (DDO) (Clause 43.02)</p> <p>Schedule 5 (Bridge Protection Area)</p> <p>Schedule 60 (Southbank Central Interface) (Area 3)</p>	<p>Under Clause 43.02-1 a permit is required to construct a building or construct or carry out works unless the schedule specifies otherwise.</p> <p>Schedule 5:</p> <ul style="list-style-type: none"> • Specifies a permit is required for a building or works to be demolished, removed or altered externally by structural or other similar works. <p>Schedule 60:</p> <ul style="list-style-type: none"> • Specifies that a permit is required to construct a building or construct or carry out works. • Specifies a preferred maximum height and minimum building setback of: 100 metres height, podium of 30 metres, tower setbacks of a least 10 metres from front, side and rear boundaries and a minimum setback of 10 metres from an adjoining tower. • Specifies that the ground floor of a building should have a floor to ceiling height of at least 4 metres. • Exempts the application from notice and review. <p>Decision guidelines are contained at Clause 43.02-5 and at Clause 65.</p>

<p>Environmental Audit Overlay (EAO) (Clause 45.03)</p>	<p>Under Clause 45.03-1, 'before a sensitive use (residential use, child care centre, pre-school centre or primary school) commences or before the construction or carrying out of buildings and works in association with a sensitive use commences, either:</p> <ul style="list-style-type: none"> • A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970, or • An environmental auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.
<p>Parking Overlay – Schedule 1 (Clause 45.09) and Car Parking (Clause 52.06)</p>	<p>The provisions of the parking overlay work in conjunction with Clause 52.06 of the Melbourne Planning scheme.</p> <p>Under Clause 45.09-3, a schedule to this overlay may specify that a permit must not be granted to provide more than the maximum car parking provision specified in a schedule to this overlay.</p> <p>Schedule 1 of the Parking Overlay specifies a maximum number of car parking spaces (calculated as a ratio of 1 space per dwelling and for commercial uses using two equations) and the provision of 1 motorbike space per 100 car parking spaces.</p> <p>The limitation policy allows for 300 spaces. The provision of car spaces on site is below the maximum allowed under the clause, therefore no permit is required under this clause.</p> <p>Decision guidelines are contained under Section 4.0 of Schedule 1, Clause 52.06 and at Clause 65.</p>
<p>Loading and Unloading of Vehicles (Clause 52.07)</p>	<p>Under Clause 52.07 no buildings or works may be constructed for the manufacture, servicing, storage or sale of goods or materials unless space is provided on the land for loading and unloading vehicles as specified within the table.</p> <p>The proposed retail premises will require a loading bay with the minimum loading bay dimension. The proposal does include an appropriately dimensioned loading bay, therefore no permit is required under this clause.</p>
<p>Lands adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road (Clause 52.29)</p>	<p>A permit is required to create or alter access to a road in a Road Zone, Category 1.</p> <p>As the proposal does not involve creating or altering the access to the Freeway, no permit is required under this clause. However, the application was referred to VicRoads due to the proximity of the development to the Westgate freeway.</p>
<p>Bicycle Facilities (Clause 52.34)</p>	<p>Under Clause 52.34-1 a new use must not commence until the required bicycle facilities and associated signage has been provided on the land. The standard requires the provision of 92 spaces (60 resident and 30 visitor spaces, 1 retail employee space and 1</p>

	visitor/shopper space). The application provides for 264 spaces, therefore no permit is required under this provision.
Urban Context Report and Design Response for Residential Development of Four or More Storeys (Clause 52.35)	Under Clause 52.35-1 an application for a residential development of four or more storeys must be accompanied by an urban context report and design response. The application was accompanied by an urban context and design report. The Department confirmed receipt of this information with the applicant.
Integrated Public Transport Planning (Clause 52.36)	Under Clause 52.36-1 an application must be referred in accordance with Section 55 of the <i>Planning and Environment Act 1987</i> to the Director of Public Transport Victoria for a residential development comprising 60 or more dwellings or lots. On 14 November 2014, the application was referred to the Public Transport Victoria.
General Provisions (Clause 61.01)	The schedule to Clause 61.01 indicates that the Minister for Planning is the responsible authority for considering and determining applications in accordance with Divisions 1, 1A, 2 and 3 of Part 4 of the <i>Planning and Environment Act 1987</i> approving matters required by the scheme in relation to developments with a gross floor area exceeding 25,000 square metres.
Decision Guidelines (65.01)	Under Clause 65.01 before deciding on an application the responsible authority must consider as appropriate a number of matters, including Section 60 of the <i>Planning and Environment Act 1987</i> .
Referral and Notice Provisions (Clause 66.03)	Under Clause 66.03 an application must be referred to the person or body specified as the referral authority; Clause 52.36 (Public Transport Victoria).

Other Strategic Matters

Planning Scheme Amendment C262

Planning Scheme Amendment C262 was gazetted on 4 September 2015 to provide interim built form controls (for a period of 12 months) for a majority of sites within the Capital City Zone including the subject site. The amendment includes a new Schedule 10 to the Design and Development Overlay (Clause 43.02) resulting in the introduction of mandatory built form controls, a discretionary plot ratio and makes City of Melbourne a recommending Referral Authority at Clause 66.04.

Section 4.0 of Schedule 10 to the Design and Development Overlay contains transitional arrangements which excludes any application which was submitted prior to the commencement of Amendment C262, and therefore the requirements of this amendment are not applicable to this application (as it was submitted in October 2014).

Plan Melbourne

Plan Melbourne was gazetted on 30 May 2014 (referenced at Clause 11.04) and outlines the long term plan to accommodate future growth in population and employment in Melbourne. Two key directions of relevance to this application are:

- Key Direction 1.4 outlines the plan for the expanded central city to become Australia's largest commercial and residential centre by 2040.
- Key Direction 2.2 outlines the requirement to reduce the cost of living by increasing housing supply near services and public transport.

Plan Melbourne identifies the Expanded Central City as an existing renewal area within the expanded central region. Southbank (including the subject site) is identified as an existing part of the Expanded Central City which includes a target to accommodate 1 million jobs and 1 million people. The Central subregion has the potential to grow from 700,000 jobs today to close to 1 million by 2031 and well beyond this by 2050 (Initiatives 1.4.1 to 1.4.2).

Southbank Structure Plan 2010

Southbank Structure Plan 2010 (referenced at Clause 21.17 and at Schedule 60 to the Design and Development Overlay) provides a vision and strategy for the future development of Southbank as an integral part of the central city. It identifies built form recommendations relating to building heights and density so as to create appropriate streetscape scales that do not contribute to dark, shady and windy environments at ground level and to prioritise the delivery of a vibrant street life through the establishment of active ground uses and upper floors that provide for natural surveillance of the street.

Section 4 "Built Form" identifies that the City Road West Precinct of Southbank (bounded by Kings Way, the West Gate Freeway and Haig Street/Lane) provides unique opportunities to contribute positively to the future development of Southbank. It further notes that it will be important that the redevelopment of this area does not erode the fine grain urban character of this precinct through the consolidation of site ownership and the development of larger footprint buildings.

Also, the area below the elevated West Gate freeway (Westgate Freeway Undercroft) (adjoining the subject site) has been identified as a planned park project in the Southbank Structure Plan 2010.

Design Guidelines for Higher Density Residential Development

Design Guidelines for Higher Density Residential Development (Department of Sustainability and Environment, 2004) (referenced at Clause 15.01-2). These guidelines seek to ensure higher standards for higher density housing developments and cover elements such as height, neighbourhood character, street setback, open space, overlooking and overshadowing.

Homes For People: City of Melbourne Housing Strategy

The *Homes for People: Housing Strategy* (21 January 2015) looks at ways that the Council can improve the affordability and design of housing to meet the diverse needs of residents. Council has indicated that by 2031, it is estimated that an additional 42,000 homes will be built within the

municipality for an additional 80,000 people. This growth will mostly occur within the city's urban renewal areas, including Southbank.

Notification

Under Schedule 3 of the Capital City Zone an application to demolish a building and construct or carry out works, under Schedule 60 of the Design and Development Overlay an application to construct or carry out works, is exempt from the notice requirements of Section 52 (1) (a), (b) and (d), the decision requirements of Section 64 (1), (2) and (3) and the review rights of Section 82 (1) of the Act.

Under Schedule 5 of the Design and Development Overlay (Bridge Protection Area) an application for buildings and works is not exempt from third party notice and review. The purpose of this policy is to protect the safety and efficiency of the West Gate Bridge.

Justification for not notifying third parties of the application is as follows:

- The proposal will not cause any undue impact on the safety and efficiency of the West Gate Bridge nor will access to the bridge structure for maintenance be obstructed due to the proposed works associated with the demolition and construction of a building.

Therefore the application was not advertised.

Referrals

The application was referred to the Department's Urban Design Unit, the City of Melbourne and referred under Section 55 of the Act to Public Transport Victoria and notification was given under Section 52(1)(c) to VicRoads. The following comments were provided:

Urban Design (DELWP): Generally support the proposal subject to conditions/additional information. Concerns are raised regarding (i) whether Blakeney Place can support the number of vehicle movements generated by the proposal and the cumulative impacts and the potential for conflict on Blakeney Place as result of recent development proposals; (ii) the saddleback arrangement of a number of bedrooms facing Haig Street (placement of cupboards within the 'throat'); and (iii) wind conditions achieved by the proposal. Further wind testing is required to demonstrate that suitable wind criteria can be achieved; (iv) further details of the building elevation viewed from Blakeney Place are also required, in order to assess the treatment, materials and finishes on this façade.

City of Melbourne: has provided conditional support of the application (letter dated 7 October 2015). The Council has advised that they have significant concerns regarding the height of the proposed building and the layout of some apartments; however, these matters could be addressed by conditions. The two specific conditions relating to these concerns require:

- (a) A reduction in overall height to a maximum height of 125 metres above the natural ground level.
- (b) Revised floor layout to the western most 2 bedroom apartment fronting the freeway from level 5 to the top level demonstrating improved internal amenity by way of a reduction in the length and narrowness of the space providing borrowed light to the bedroom.

- (c) Other matters raised include the design of the through-link to Blakeney Place (removal of column), impact on street trees and provision details regarding the ESD performance of the retail premises.

Public Transport Victoria (PTV): offered no objection to the proposal and did not specify any conditions to be included on any permit issued (letter dated 23 December 2014).

VicRoads: the views of VicRoads were sought due to Schedule 5 to the Design and Development Overlay (Bridge Protection Area) and the developments proximity to the Westgate Freeway bridge. VicRoads offered no objection to the development in its current form. VicRoads suggested that following note be added to any permit issued (letter dated 3 December 2014):

“Separate consent is required from VicRoads under the Road Management Act 2004 for all buildings and works undertaken outside the title boundary within a Road Zone Category 1”.

Assessment

Consistency with Planning Policy

All planning policies whether they be included within the planning scheme, or referenced, provide guidance for development and are not intended to be interpreted as prescriptive mandatory controls. A guidance based approach encourages innovative development solutions to respond to specific constraints and opportunities whilst still having regard to the intent of the policy and the requirements of the relevant zone and overlays.

The proposal is broadly compliant with State and Local policy objectives with particular regard to providing higher density residential development in close proximity to existing infrastructure, services and amenities. The proposed uses and built form outcomes are considered to contribute positively to the on-going revitalisation of the Southbank Precinct and are considered to be consistent with the strategic vision identified under the Southbank Structure Plan 2010. The proposal achieves State and Local policy objectives by:

SPPF

- Achieving a high quality, urban design and architectural outcome, which will contribute positively to the character of the area, having minimal detrimental impact on any surrounding sites.
- Integrating with existing residential and commercial activity within Southbank.
- Improving housing choice and making better use of existing infrastructure.
- Providing a liveable and walkable residential environment due to its proximity to key services and infrastructure and by the design of the building providing for reasonable levels of internal amenity.
- Recognising the status of the land as a potential development site within five to fifteen years under the Southbank Structure Plan 2010 and responding to land use and built form objectives to increase active frontage, provide a podium and tower typology and improve environmental building performance.
- Responding to the site’s context by providing a form and scale appropriate to the context of the surrounding area as an area where mid-rise podium and high-rise tower forms are envisaged and are establishing. Although high-rise tower forms are supported in this area, the height of

the proposed building (42.2 metres over the 100 metres discretionary height limit) is considered to be excessive and not commensurate with the heights of buildings being approved and under construction in the area.

MSS

- Responding to Clause 21.13-1 (Urban Renewal Areas – Southbank) through:
 - Supporting a mix of uses, including residential development, with ground floor retail and small scale business uses.
 - Promoting high rise, high density development, south of the Crown Casino and the Melbourne Exhibition Centre.
 - Creating a high quality pedestrian environment which positively enhances the area’s public realm.

LPPF

- The development is sited and designed to respond to the physical constraints of the site and the future residential land uses to the north east and south east of the site. It is also consistent with the objectives of Schedule 3 to the Capital City Zone.
- The redevelopment of the site will contribute to the urban renewal of the Southbank area (Clause 22.01).
- Responds appropriately to Clause 22.02 (Sunlight to Public Spaces) by ensuring that the building and works allow good sun penetration to public spaces and achieving a comfortable and enjoyable street environment. The relevant control period for the policy is between 11am and 2pm on 22 September. During this control period, the development will not overshadow any significant public open spaces. This is discussed further in the body of the report.
- Consistent with Clause 22.19, Energy, Water and Waste Efficiency, and Clause 22.23, Stormwater Management (Water Sensitive Urban Design), by including environmentally sustainable building initiatives within the design of the development to ensure energy and water efficiency.
- The proposal has the potential to achieve a 5 star rating under the current version of Green Star for multi-unit residential development. A permit condition can be applied to require an assessment for the retail/office component of the proposal against the applicable Green Star rating tool prior to the commencement of the development.

Land Use

The proposed residential and office/retail uses will regenerate an underutilised site which is identified in the Southbank Structure Plan 2010 as an area where the anticipated increase in residential population can be accommodated. The proposal is considered to be consistent with the objectives of various planning policies at State and Local level as it will deliver a mix of residential and commercial uses within a well designed building. As such it would be entirely consistent with the broad strategic intent for mixed uses as outlined in the State Planning Policy Framework, Local Planning Policy Framework, including the Municipal Strategic Statement (MSS) and the purpose of the zoning control.

Design and Built Form

The key issues in this application relate to design and built form, tower separation and setbacks, ground level activation and the overall functionality of the site. These matters are discussed further below.

The planning objectives and performance measures contained within Local Policy Clause 22.01 (Urban Design within the Capital City Zone), Southbank Structure Plan 2010, Guidelines for Higher Density Residential Development, and Schedule 60 of the Design and Development Overlay (DDO60) set performance benchmarks for good development. Key themes of street-pattern, edge-quality, building envelope, internal amenity, architectural design and activation are common to each of these policies and controls.

Height / Form

The application seeks approval for the construction of a 142.2 metre tall building with a podium height of 29 metres and a floor to ceiling height of 5 metres at ground level. The Design and Development Overlay (DDO60) specifies (i) a preferred maximum height of 100 metres, (ii) podium height of a maximum of 30 metres and (iii) a preferred ground floor building floor to ceiling height of a least 4 metres.

The design objectives of DDO60 include:

- *To ensure that the suitability of each development to its context takes precedence over the individual merit of the building.*
- *To ensure that new buildings respect the future development potential of adjacent sites and allow for an equitable spread of development potential on these sites.*
- *To ensure that new buildings respect the potential of future development on adjacent sites to access privacy, sunlight, daylight and an outlook from habitable interiors*
- *To ensure the height of new buildings does not overwhelm the public domain.*
- *To allow daylight and sunlight to penetrate to the street and lower building levels.*
- *To ensure development supports high levels of pedestrian amenity in relation to daylight, sky views, wind and sunlight.*
- *To maintain the visual dominance and views to the Arts Centre Spire as a civic skyline landmark.*
- *To ensure that development provides a high level of amenity for building occupants.*
- *To ensure that advertising signs interfacing with or visible from the Shrine of Remembrance do not adversely affect the significance of the Shrine of Remembrance.*
- *To ensure that the scale and design of new buildings preserve the significance of the Shrine of Remembrance as a historic and cultural landmark and place of reverence.*

The design objectives for Area 3 (Southbank Interface) include:

- *To avoid detriment to the public domain from the impacts of buildings.*
- *To ensure that development has a pedestrian scale at the street level.*
- *To provide for appropriate spacing between buildings so as to maximise light, air and outlook for occupants.*

The development meets the preferred ground floor building floor to ceiling height and podium height. Whilst it does not meet the preferred maximum height and built form outcome, the proposal is considered to respond appropriately to the design objectives of DDO60 as follows:

- The site is located in an area of Southbank identified in policy where significant residential growth and high rise residential development can occur, supporting overall urban consolidation objectives outlined in the State and Local Planning Policy Frameworks and Metropolitan Planning Strategy.
- The site's location on the edge of the Southbank Precinct and adjacent to the West Gate Freeway overpass provides a unique opportunity for a taller building as there is no adjoining site to the south which this proposal will impact upon.

- A high density, high rise building in this location will not dominate or overwhelm the public domain and will allow daylight and sunlight to penetrate to the street and lower building levels.
- Given the irregular shape of the site, the architectural response is considered to be well resolved and designed to a high quality. The activated and articulated facade treatment will contribute to the character of the streets.
- The proposed height of the podium creates a sense of visual interest and a human scale to Haig Street. This is also achieved with the 5 metre floor to ceiling height proposed at ground level. Surrounding podium heights are also largely consistent with the preferred maximum podium height specified in DDO60.

The proposal is not considered to respond appropriately to the following objective:

- The overall building height of the proposal at 142.2 metres (46 storeys) is not considered to be contextually appropriate and consistent with the emerging character of the area.
- The proposed height at 142.2 metres is not considered to provide an appropriate transition to development in adjoining areas, both within the City of Melbourne and within the City of Port Phillip. Further, it is also noted that the development is not commensurate with the heights of buildings previously approved and under construction in the surrounding precinct, including 40 storey residential towers in the FBURA, to the immediate west of Cecil Street, Southbank.

As advised under the Referral section, City of Melbourne have concerns with the height of the proposed building and have recommended that a condition be attached to any permit issued requiring 'a reduction in the overall height of the building to a maximum height of 125 metres above the natural ground level'. The reasoning behind the recommendation is that the Council consider that the development will not provide an appropriate transition to the development in adjoining areas and it will dominate urban form on adjoining sites.

Further to the comments provided above, the proposed building will exceed the discretionary height limit of 100m outlined for Area 3 – Southbank Central interface in Schedule 60 of the Melbourne Planning Scheme. Although high density, high rise residential buildings is considered to be the emerging built form of the precinct and is encouraged by the MSS and the Southbank Structure Plan, there is no justification for exceeding the discretionary height by 42.2 metres. The proposed height is not considered to be acceptable in this instance, as it is not commensurate with the heights of buildings approved and under construction in the surrounding precinct. Therefore, the condition recommended by the City of Melbourne should be applied in this instance requiring the height of the building to be reduced to 125 metres.

Setbacks (front and sides)

The Design and Development Overlay (DDO60) specifies a preferred tower separation of 20 metres (10 metres at a minimum), and setbacks above a podium of 10 metres to front, side and rear boundaries.

The purpose of tower setbacks is to protect the quality and enjoyment of the public realm, ensure development equity and ensure a reasonable level of internal amenity. Tower setbacks assist in providing pedestrian scale, sunlight penetration, views to the sky, the deflection of wind downdrafts and light and ventilation to buildings.

The proposal provides a tower separation to 61-63 Haig Street of mostly 10 metres, which is considered to be appropriate and consistent with the setbacks provided by other developments. Although towards the rear of the site, the tower setback is reduced to approximately 8.5 metres, this is considered to be acceptable in this instance as there will be no direct views from this area into

surrounding habitable rooms windows (due to obscured glazing) and sufficient separation exists for equitable access to daylight and outlook to be maintained.

The above podium setback from Haig Street will be mostly 6 metres from the boundary with a further reduction towards the west side of the frontage (towards the West Gate Bridge). Although this setback does not comply with the 10 metres minimum requirement, the front setback is comparable with the front setbacks approved in the surrounding area and is therefore considered acceptable.

The proposal provides zero setback to the southern boundary which abuts the West Gate Freeway overpass (3 metres to the bottom edge of the Freeway). Given that this boundary is not shared with a site that could be redeveloped in future, the lack of setback is considered acceptable, as there will be no direct views from another residential properties into the proposed habitable room windows of the development. The tower separation to the proposed development at 334-344 City Road, will exceed 12 metres and is consistent with the minimum tower separation requirement of Design and Development Overlay- Schedule 60.

Street Level Activation and Pedestrian Safety

Clause 22.01 of the Melbourne Planning Scheme requires developments to contribute to a high quality public realm and to passive surveillance of the public domain. Developments should also improve the experience of the area for pedestrians. In accordance with policy, the ground floor will be activated as a result of the inclusion of two retail/office units and the apartment entry lobby facing Haig Street. The ground floor interface with the public realm is an improvement on existing conditions as it will provide an increase in street level activation to Haig Street, by adding interest and passive surveillance of the public realm. The proposed 5 metre floor to ceiling height at ground floor also exceeds the minimum requirements identified in DDO60.

With regard to the site's southern interface, adjoining the West Gate Freeway undercroft, this area is identified in the Southbank Structure Plan 2010 as requiring revitalisation and activation. In accordance with the Plan, the proposal has attempted to improve the connectivity and relationship between the site boundary and the freeway undercroft. This has been achieved through the inclusion of a pedestrian access point via Blakeney Place to the laneway and additionally, the visitor bike parking area will have an interface at ground level along this frontage to the freeway undercroft.

Microclimate (Wind, Weather Protection, Light and Shade and Overshadowing)

Clauses 22.01 and 22.02 of the Melbourne Planning Scheme are applicable when considering the microclimate conditions on streets and other public places. Clause 22.01 Urban Design within the Capital City Zone policy recommends that towers should be appropriately set back from all streets at the podium to assist in deflecting wind downdraft from penetrating to street level. In line with the recommended design standard, the proposal includes tower setbacks ranging between 3.43 metres and 5 metres from the north east boundary, between 4.05 metres and 7.65 metres from Haig Street and between 2.04 metres and 5.64 metres from the rear boundary (Blakeney Place) above the 29 metres high podium. These setbacks will assist with wind deflection. Although no setback is provided to the boundary adjoining the West Gate freeway, the elevated freeway will also assist with deflecting wind from allowing it to penetrate the street level.

Further guidance on acceptable wind exposure levels is provided at Schedule 3 to the Capital City Zone, which requires proposals to be designed to be generally acceptable for short term wind exposure. However, if it can be demonstrated that the street frontage or trafficable area is only likely to be used as a thoroughfare for the life of the development, the building interface should be designed to be generally acceptable for walking. Both Haig Street and Blakeney Place are considered to be likely to be used as a thoroughfare for the life of the development.

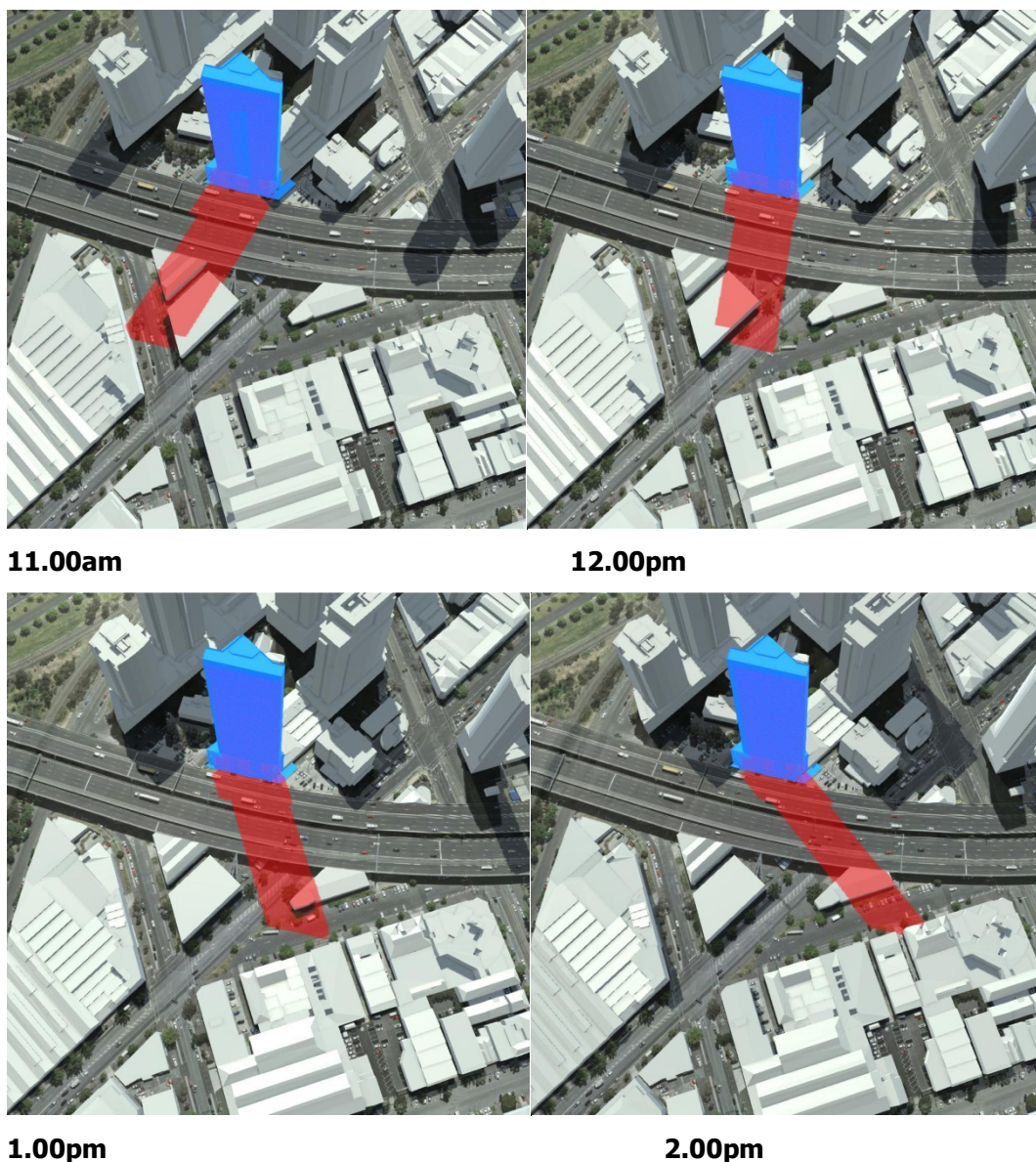
The Environmental Wind Speed Measurements prepared by MEL Consultants, dated September 2014, conclude that the proposal will result in wind conditions along Haig Street which will be on or within the criterion of walking comfort for all directions with the exception of the north east corner of the development. The findings recommend that the wind conditions could be improved through using different combinations of 70% porous openings to the car stacker system including through the top of the stacker. The wind conditions along Blakeney Street have been shown to be either on or within the criterion for walking comfort for all wind directions.

It is noted that the wind conditions likely to be experienced at the main building entry on Haig Street, do not appear to have been tested. The proposal should meet the 'short term stationary criteria' at building entry. A condition on any permit issued will require additional testing to be carried out in this location (Condition 16). Subject to any modification required as a result of the additional testing and the recommendations listed above being incorporated into the design, the walking conditions along Haig Street should be acceptable.

With regard to the podium rooftop level of the development, the results revealed that the wind conditions would be well above the criterion for walking comfort for some wind directions and in some instances approaching or above the unacceptable criterion. As the report did not include any recommendations about how the wind exposure on the podium roof top of the development could be improved or mitigated it is considered that further details should be required as a condition on any permit issued (Condition 16).

Clause 22.02 'Sunlight to Public Spaces' requires that development should not reduce the amenity of public spaces by casting any additional shadows on public parks and gardens, public squares, major pedestrian routes including streets and lanes (including all streets within the retail core of the Capital City Zone), and privately owned plazas accessible to the public between 11.00am and 2.00pm on 22 September. The shadow diagrams were tested by the Department and it was found that some overshadowing will occur to City Road, Ballantyne Street and Cecil Street. The shadows are not considered to be significant nor would they reduce the amenity of these spaces and are therefore considered to be acceptable.

Figure 2- Overshadowing diagrams (22 September)



Internal Amenity

DDO60 seeks to ensure that future occupants of new buildings benefit from a high level of amenity. In order to attain high levels of amenity, appropriate access to sunlight, daylight, privacy and outlook from habitable rooms is required. It also considers the future development potential of adjoining sites and if an adjoining site is likely to be developed, what the impact may be for future residents of both sites.

Further guidance on internal amenity is provided in *The Design Guidelines for Higher Density Housing* DSE 2004 which seeks to ensure that residents can live comfortably with one another and with appropriate levels of internal and external amenity, including provision of storage.

The proposal includes 298 apartments throughout the building which are largely orientated towards the street frontage of Haig Street (north west) and towards the West Gate freeway (south) and so it is considered that there is a good mixture of north and south facing apartments. All the apartments include an open plan kitchen, living and dining areas and amenities. 35% of the apartments include

balconies, facing Haig Street and there is also the provision of 160 storage cages. Minimum apartment sizes include: 42m² (1-bedroom), 55m² (2-bedroom) and 91m² (2-bedroom plus study/bedroom) which is consistent with the minimum sizes of other apartments approved in the area and is considered to provide for good sized apartments that would be functional and liveable.

The proposal provides communal facilities for the residents at Level 9. The communal space offers residents access to open space and recreational opportunities that will further enhance their residential amenity.

With regard to internal amenity, the City of Melbourne has noted that 'all the dwellings have access to natural ventilation and daylight; however, some bedrooms rely on long and narrow internal spaces between the windows and the beds. It is considered that the long, narrow space providing borrowed light to one of the two bedroom apartments from levels 5 to 45 (41 in total) fronting the freeway would not provide sufficient access to light and so is not acceptable. Therefore, the City of Melbourne has recommended that a condition be attached to any permit issued, requiring the submission of revised floor layouts to the western most 2 bedroom apartments fronting the freeway, from level 5 to the top level, to demonstrate improved internal amenity'. Following the recommendations from the Future Melbourne (Planning) Committee, the Applicant submitted concept plans for discussion showing amendments to the internal layout of these apartments resulting in both bedrooms on each level receiving full access to natural light and so it is considered that this can be dealt with via a condition.

Further to the apartments above, it is considered that the saddleback arrangement proposed for the one bedroom podium level apartments fronting Haig Street (14 in total) is not acceptable in this instance, given that there is only one bedroom to each of these apartments and the 'throat' is being utilised for storage/robes, reducing significantly the access to any light. In order to improve the amenity of these bedrooms, it is considered that the saddleback arrangement of these apartments should be removed. It is considered that this matter could be dealt with via a condition (Condition 1b).

Overlooking between the site and the adjoining approved developments has been minimised due to the orientation and room layout of the apartments which means that views from habitable rooms are directed away from future apartments. There is only one apartment on each level with views facing 61-63 Haig Street. It is considered that with the proposed tower separation of 10 metres, the impact resulting from the potential overlooking would be minimal and is therefore satisfactory.

Noise

Schedule 3 to the Capital City Zone requires an application to be accompanied by an Acoustic Report, showing that habitable rooms of new dwellings adjacent to high levels of external noise will be designed to limit internal noise levels to a maximum of 45dB in accordance with relevant Australian Standards for acoustic control. The report prepared by Acoustic Logic dated 2 October 2014 confirms that noise from the traffic on the West Gate Freeway is the dominant local noise source. In order to meet the Australian Standards for acoustic control, the report recommends materials for glazing and roof/ceiling and external walls and that any penetration in walls and ventilation openings should be acoustically treated to maintain the acoustic performance of the external wall construction. It is considered that compliance with the recommendations outlined in the report could be secured via a condition on any permit issued (Condition 30).

Environmental Issues

ESD & Stormwater

An ESD report has been prepared by CUNDALL and submitted with the application in response to Clause 22.19 and Clause 22.23 of the Melbourne Planning Scheme.

In accordance with Clause 22.19-5 the applicable performance measures are as follows:

- For 'accommodation' with a gross floor area of more than 5,000 square metres, the proposal is required to demonstrate that it can achieve a 5 star rating under a current version of Green Star – Multi Unit Residential rating tool or equivalent and 1 point for Wat-1 credit under a current version of the Green Building Council of Australia's Green Star-Multi Unit Residential rating tool or equivalent and a Waste Management Plan prepared in accordance with the current version of the City of Melbourne's *Guidelines for Waste Management Plans*.
- For 'office' or 'retail premises' up to 2000 square metres gross floor, the proposal is required to achieve 5 points (retail) or 3 points (office) for Wat-1 credit under a current version of the Green Building Council of Australia's Green Star- Retail/Office rating tool or equivalent and a Waste Management Plan prepared in accordance with the current version of the City of Melbourne's *Guidelines for Waste Management Plans*.

The report outlines the strategies and initiatives needed to be adopted and integrated within the design response to meet the performance measures for the residential use. It is considered that compliance with the recommendations of the report could be secured via a condition on any permit issued (Condition 19).

The report does not provide any reference to the retail/office component of the proposal. It is considered that this component of the assessment could be addressed via the inclusion of a condition on any permit issued (Condition 18).

Clause 22.23 Stormwater Management (Water Sensitive Urban Design) seeks to achieve the best practice water quality performance objectives set out in the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999 (or as amended). The Stormwater rating report has been reviewed by the City of Melbourne and confirmed that the report adequately addresses the requirements of Clause 22.23 of the Scheme. It is considered that compliance with the recommendations of the report could be secured via a condition on any permit issued (Condition 19).

Contamination

A Preliminary Site Investigation has been carried out by Prensa Pty Ltd. Prensa have concluded that based on the information obtained through a site history review, it is considered that potential exists for fill and localised contamination as well as the potential for an off site source of contamination. Therefore, as the site is located within an Environmental Audit Overlay (EAO) and the initial findings of the site investigation assessment have shown that there is potential for contamination to be present onsite, further investigation is warranted. The requirement to carry out further investigation could be secured via a condition on any permit issued (Condition 14).

Car Parking, Bicycle Facilities, Loading and Waste Collection

The level of car parking provided on site is supported, which is under the maximum limitation policy, and commensurate with the site's level of access to public transport and facilities. Bicycle parking is also provided on site, which will encourage cycling both within the local area and to the City.

The application provides 73 car parking spaces and 2 motorcycle spaces, with car parking well under the maximum limitation and motorcycle parking over the minimum required (Clauses 45.09 and 52.06). Although the provision of motorcycle parking is in accordance with policy, the City of Melbourne is seeking for the provision of motorcycle parking in excess of the Planning Scheme and has recommended a provision of 4 motorcycle parking spaces be provided. The Applicant has confirmed that the additional spaces can be accommodated on site and therefore, a condition on any permit issued will require provision of a total of four motorcycle spaces (Condition 1c). The proposal provides bicycle parking spaces in excess of the requirements (Clause 52.34) and provides appropriate loading and unloading facilities on site (Clause 52.07).

With regard to 'traffic generation', the City of Melbourne has confirmed that based on the potential number of vehicle movements per dwelling per day, the level of traffic is low and is not expected to impact on the surrounding road network, even taking account of surrounding future development.

City of Melbourne in their response has raised some detailed matters for further resolution regarding parking including access design and line marking and signage for the transfer cabin. These matters could be secured via a condition on any permit issued (Condition 20).

The application was accompanied by a Waste Management Plan (WMP) prepared by Leigh Design Pty Ltd. The WMP complies with Council's 2014 guidelines and is satisfactory.

In summary, the functional layout of the proposal is well resolved subject to minor improvements to ensure compliance with Council's detailed requirements by way of conditions on permit.

Conclusion and Recommendation

The development meets the objectives of Schedule 3 to the Capital City Zone and the relevant overlays by contributing to the provision of dwellings within a built form response that reinforces the existing and emerging scale, built form and density of development within this precinct of Southbank.

The proposal has adequately responded to the opportunities and constraints of the site and will deliver a high quality residential development supported by ground level commercial activity and responds appropriately to existing planning policies and guidelines, except for the excessive height which is addressed via a condition.

It is recommended that planning permit 2014/60022 is granted for the construction of a multi-storey building comprising dwellings, ground floor retail premises, offices and associated parking, subject to conditions, including some of the requirements of the City of Melbourne and all of the requirements of the referral agencies (PTV and VicRoads).

Prepared [REDACTED]

Date: 14 December 2015

[REDACTED]

Date: 14 December 2015