



49-61 Coventry Street
(28-66 Dorcas Street),
Southbank

Planning Permit Application 2013/010107

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1 Application Details

Land /Address:	49 - 61 Coventry Street & (26 - 66 Dorcas Street) Southbank
Application No:	2013/010107
Proposal:	Staged redevelopment including the construction of two (2) residential towers (24 storeys/ 77 metres) above a shared podium, a waiver of car parking associated with the food and drink premises
Applicant:	Dorcas Business Park Pty Ltd C/- SJB Planning Pty Ltd
Planning Scheme:	Melbourne
Zone:	Mixed Use Zone (MUZ)
Overlay(s):	Schedule 60 to the Design and Development Overlay -Area 5A (DDO60) (DDO 1 and DDO3 affect the northern portion of the property but not the application site) Schedule 27 (DDO27) – City Link Exhaust Stack Environs Schedule 12 to the Parking Overlay (PO12)
Restrictive Covenants and/or Agreements	Not Applicable (no such encumbrance applies)
Notification	Advertising completed- 15 objections received.
Recommendation	Notice of Decision to Grant a Permit subject to conditions

1.1 [REDACTED]

[REDACTED]

NAME: [REDACTED]
2014

SIGNATURE: [REDACTED]

DATE: 1 July

Ph: [REDACTED]

2 Background

The permit application was lodged on 23 December 2013. The applicant was instructed to publicly advertise the application under the provisions of section 52 of the *Planning and Environment Act 1987* on 18 February 2014 by way of notification to owners and occupiers of neighbouring properties and by sign on the Dorcas Street frontage. The applicant confirmed on 24 February 2014 that the advertising had been completed.

The applicant formally submitted revised plans on 12 June 2014 in response to comments from the Department and the City of Melbourne. The application was amended under the provisions of section 57A of the Act. No further notice was required under section 57B as the amendments would not cause material detriment to any person. A copy of these plans were provided informally to the City of Melbourne on 8 July 2014.

The applicant informally submitted a sketch plan (revised floor plan) on 11 July 2014 in response to some detailed design matters.

3 Site and Surrounds

The property at 49-61 Coventry Street is a large 'L-shaped' shaped parcel with frontages to Dorcas Street (south), Wells Street (east) and Coventry Street (north) see Figure 1. This application only covers the south west portion of the site as per Figure 2. The application site this application has an overall frontage of 71 metres to Dorcas Street and a total site area of 3497sqm.

The site contains a number of single storey brick and corrugated iron warehouses used by a television production company for studios and associated office, storage, loading and car parking functions.

Directly to the west of the site is a 3 storey office building with an at-grade secure car park at 68 Dodds Street. Access to this office building is from Dodds Street. To the immediate east is the larger part of the consolidated land holding also used for television studios and related functions. To the north are newly the constructed Sunday Apartments –a residential apartment building of 14 storeys at 63-71 Coventry Street apartments. To the north west are a group of 3 storey apartments called Coventry Square at 77 Coventry Street. The 'Elm' and 'Guilfoyle' residential apartment developments (both 23 levels) are located on Wells Street to the east of the application site. To the south, across Dorcas Street (Port Phillip City Council area) is two early 'Central Equity' 13-level tower blocks, located 30 metres from the application site.

The site is located within close proximity to the Botanical Gardens and parklands around the Shrine of Remembrance to the east and the Arts Precinct and CBD to the north. The South Melbourne Major Activity Centre is accessible to the west. The site is accessible to a range of transport options within a five minute walk (400 metres) of the site. Numerous tram routes along St Kilda Road, Kings Way and Sturt Street offer a choice of public transport routes.

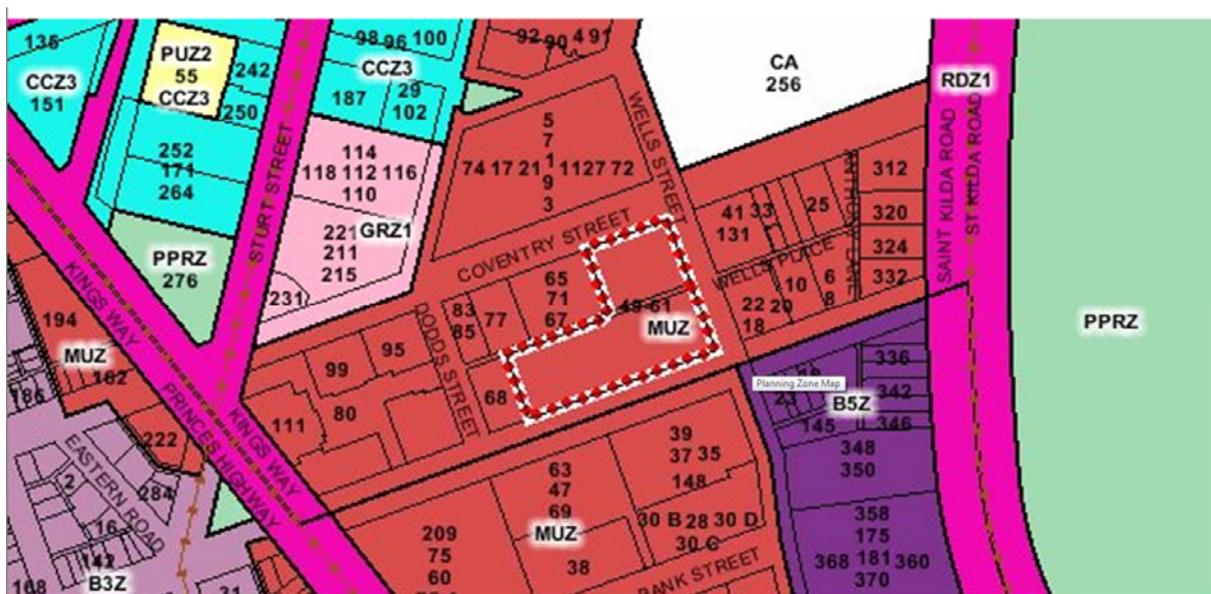


Figure 1 – Site Locality Plan



Figure 2 – Application site and proposed towers

4 Proposal

The proposal seeks to demolish the existing warehouse building and construct two towers buildings above a combined podium for 492 apartment dwellings. The total GFA is 56,054sqm. Each tower will include residential apartments at both tower and podium levels, five levels of podium car parking, a small ground floor food and drink premises tenancy and a ground floor entrance lobby. Access to the car parking levels is provided from a single point along the Dorcas Street frontage, to be delivered as part of the Stage 1 works. One new crossover is proposed to replace two existing crossovers along the Dorcas Street frontage. The consolidation of cross overs allows for the provision of two additional on-street spaces to be created. It is proposed that one of these spaces be allocated as a share car space and the other as a loading zone to cater for deliveries to the food and drink premises as well as loading and unloading associated with resident moving in and out of apartments in the development. Details are as follows:

- Stage 1 (west) tower reaches 77 metres maximum height (24 storeys). (This is the total height including the shared facilities/ plant level 23 that cannot be excluded in the height calculation due to its form.) Stage 1 will provide a total of 244 residential apartments, 162 car parking spaces, and 70 bicycle spaces (on site).
- Stage 2 (east) tower reaches 76.3 metres maximum in height to top of roof level (24 storeys). Stage 2 will provide a total of 248 residential apartments, 161 car parking spaces, and 80 bicycle spaces (on site). The layout of most levels is proposed to be similar to Stage 1.

Both Stage 1 and Stage 2 have a roof level setback from the tower edges that provides a substantial floor area devoted to building plant and services equipped to achieve high ESD features for the building. To the north end of this level are community facilities including a gymnasium, sauna, a meeting/cards room, a small cinema and a dining area and lounge with access to an external deck and outside spa, all with views towards the city. A number of photovoltaic cells are proposed on the roof.

The roof of the podium serves as a generous area of landscape communal open space for future residents, comprising children's play area, outdoor gym and different zones for passive recreation.

5 Planning Policies and Controls

5.1 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.

The following key SPPF policies are relevant:

- Clause 9 (Plan Melbourne)
- Clause 11 (Settlement)
- Clause 15 (Built Environment and Heritage)
- Clause 17 (Economic Development)
- Clause 16 (Housing)
- Clause 18 (Transport)
- Clause 19 (Infrastructure)

The thrust of the above policies is to encourage appropriate land use and development which enhances the built environment; supports economic growth, delivers diversity in housing supply to meet existing and future needs and integrate transport and infrastructure planning.

An assessment against the above policies is provided in this report.

5.2 Local Planning Policy Framework

The Municipal Strategic Statements (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. The site is located within the existing Southbank Urban Renewal Area as identified under Clause 21.13 of the Melbourne Planning Scheme.

The future directive for this area is to support Southbank's development as an extension of the Central City, providing a mix of commercial and residential land uses and a built form environment reflective of the precincts position as a natural extension to the city across the river and from the central and southern parts of Southbank.

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

- Clause 22.02 Sunlight to Public Spaces

- Clause 22.17 Urban Design outside the Capital City Zone
- Clause 22.19 Energy, Water and Waste Efficiency
- Clause 22.23 Stormwater Management

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

An assessment against the above policies is provided in section 9 of this report.

5.3 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)
<i>Mixed Use Zone (Clause 32.04)</i>	<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>Use of the land for 'Dwelling' is as of right pursuant to the MUZ; that is, the proposed use does not require a planning permit. Use of the land for a 'Food and Drink Premises' is also a section 1 use – no permit required provided the leasable floor area does not exceed 150sqm. No permit is required for the use.</p> <p>Pursuant to Clause 32.04-6, a permit is required to construct two or more dwellings on a lot.</p>
<i>Design and Development Overlay-Schedule 60 (Area 5A) (Clause 43.02)</i>	<p>Under Clause 43.02-2 a permit is required to construct a building or construct or carry out works unless the schedule specifies otherwise. Schedule 60 does not specifically exempt buildings and works from requiring a permit and applies a discretionary height control of 60 metres to the site.</p>
<i>Parking Overlay – Schedule 12 (Clause 45.09) & Clause 52.06</i>	<p>The provisions of the parking overlay works in conjunction with Clause 52.06 of the Melbourne Planning scheme.</p> <p>Schedule 12 to the Parking Overlay requires a planning permit to provide car parking spaces in excess of the car parking rates in the schedule.</p> <p>In this case, where a site is used partly for dwellings (including common areas serving the dwellings) the car spaces must not exceed 1 space per dwelling.</p> <p>The maximum spaces allowable for the proposal without requiring a planning permit is 492 spaces. The proposal includes 325 car spaces, therefore no permit is required. A permit is therefore not triggered under the PO12.</p> <p>The minimum provision for the food and drink premises is four spaces. A permit is required to waive the parking for the food and drink premises.</p>
<i>Loading and Unloading of Vehicles (Clause</i>	<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</p>

52.07)	specified within the table. A loading parking space of 13 sqm is provided on site however the provision requires 27sqm approximately therefore a permit is required to vary this requirement.
<i>Bicycle Facilities (Clause 52.34)</i>	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 151 spaces (including both resident, visitor and employee spaces). The application provides for 150 spaces on the land and therefore a permit is required to reduce this requirement.
<i>Urban Context Report and Design Response for Residential Development of Four or More Storeys (Clause 52.35)</i>	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.
<i>Integrated Public Transport Planning (Clause 52.36)</i>	Under Clause 52.36-1 an application must be referred in accordance with Section 55 of the Act to the Director of Public Transport (Public Transport Victoria) for a residential development comprising 60 or more dwellings or lots. The application was referred to Public Transport Victoria for comment.
<i>General Provisions (Clause 61.01)</i>	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 Act for approving matters required by the scheme in relation to developments with a gross floor area exceeding 25,000 square metres.
<i>Decision Guidelines (65.01)</i>	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 Act.
<i>Referral and Notice Provisions (Clause 66.03, 66.04 and 66.06)</i>	<p>Clause 66.03 requires an application to be referred to the person or body specified as the referral authority. As previously mentioned, the Director of Public Transport is a specified referral body under Clause 52.36.</p> <p>Under the provisions for the Schedule to Clause 66.06 notice of the application must be provided to EPA, Transurban and the Roads Corporation for the City Link exhaust stack (DDO27). This has been provided.</p>
<i>Relevant Reference Documents / Guidelines</i>	<p>Guidelines for High Density Residential Development</p> <p>The Guidelines for Higher Density Residential Development (“the Guidelines”) have been developed to assist designers and planners apply design principles to proposals for higher density residential development. The Guidelines provide ‘better practice’ design advice for higher density residential development that promotes high quality public and private amenity and good design.</p> <p>The Guidelines are structure around six elements of design consideration including:</p>

	<ul style="list-style-type: none">■ Urban Context,■ Building Envelope,■ Street Pattern and Street-edge quality,■ Circulation and services,■ Building layout and design,■ Open space and landscape design
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6 Other Strategic Matters

6.1 Amendment C208 (Development Contributions Plan)

C208 proposes a Development Contribution Plan implemented by application of the Development Contribution Plan Overlay over existing urban renewal precincts including Southbank.

C208 has yet to be reviewed by an expert panel and subsequently adopted by Council. Therefore Amendment C208 is not a "seriously entertained" amendment and does not have any official status in the Planning Scheme therefore the rates applied under the proposed development contributions plan do not apply to the permit application.

6.2 Amendment C209 (Open Space)

Amendment C209 seeks to introduce a public open space contribution requirement. It applies to the whole municipality of the City of Melbourne except for some areas within Docklands. A public open space contribution rate of 8% is proposed to be applied to the subject site (being paid as either a percentage of the site value, a land contribution or a combination of both). The proposed rate reflects the anticipated growth and development in the Southbank area.

Amendment C209 has been on exhibition and is likely to be scheduled for a panel hearing in 2014.

6.3 Plan Melbourne

Plan Melbourne is the Government's long term plan to accommodate Melbourne future growth in population and employment. Two key directions of relevance 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 Southbank within an expanded central sub region. This central sub region has a target to accommodate 1 million jobs and 1 million people (Initiatives 1.4.1 to 1.4.2).

7 Notification

Under the Mixed Use Zone and the applicable DDO controls an application to construct or carry out works is not exempt from the notice requirements of Section 52 (1) (a), (b) and (d), the decision requirements of Section 64 (1), (2) and (3) and the review rights of Section 82 (1) of the Act.

The applicant was instructed to give notice of the application on 18 February 2014. This included notice to owners/ occupiers of neighbouring properties and a sign on Dorcas Street. The applicant confirmed that the notice had been carried out on 24 February 2014.

There have been 15 objections received including from the City of Melbourne (discussed in more detail below). The other objectors were mainly from [REDACTED] and raised the following issues:

- Loss of Natural Light
- Value of Apartment and rental value
- Overlooking/ privacy
- Blank walls/ no vegetation
- Setbacks
- Traffic
- Exhaust from the car park
- Loss of amenity during construction.

8 Referrals

The application was internally referred to DTPLI Urban Design Unit, notice of the application was provided to the City of Melbourne, EPA, VicRoads and Transurban Citylink and pursuant to Section 55 of the Planning and Environment Act 1987 to the Director of Public Transport. The following comments were provided:

City of Melbourne: The permit application was considered at Council's Future Melbourne Committee on 6 May 2014. A formal response was received on 17 May 2014. Council resolved:

"The Melbourne City Council objects to the application for the following reasons:

- The height of the towers exceeds the maximum building height under the Design and Development Overlay and the height is inappropriate in the context of existing surrounding buildings in both the City of Melbourne and the City of Port Phillip.
- The setback from the eastern boundary is insufficient having regard to the development potential of adjoining sites and the requirements of the Design and Development Overlay.

This objection could be considered to be withdrawn if the overall height of the development is reduced to 60 metres excluding plant and the setbacks to the eastern boundary are increased to a minimum of eight metres. This may result in a higher podium and a lesser tower setback to Dorcas Street. The conditions set out in the Delegate Report (refer Attachment 4) are recommended for inclusion on any permit issued."

Urban Design (DTPLI): DTPLI urban design is fully supportive of the proposal. They raised some design issues relating to improving the differentiation between the design of the two stages through materials minor issues relating to internal amenity and overlooking. The applicant has responded positively to the suggestions made and provided altered plans.

Public Transport Victoria: No objection to the proposal (letter dated 15 July 2014) and did not offer any proposed permit conditions.

VicRoads/City Link: VicRoads provided an initial request for further information regarding air quality; the applicant provided a response on 27 March 2014. VicRoads (in consultation with City Link) provided a letter on 12 May 2014 confirming that they have no objection to the proposal and no conditions were suggested.

EPA: Were provided a copy of the application but did not respond.

9 Assessment

9.1 Consistency with Planning Policy

The proposal is a well resolved scheme consistent with the characteristics of the area and its strategic vision identified under the Southbank Structure Plan 2010. The proposal achieves State and Local policy objectives by:

SPPF

- Providing a high quality largely residential development in close proximity to infrastructure, Principal Public Transport Network (PPTN) and public open space facilities.
- Integrating with existing residential and commercial activity within Southbank.
- Improving housing choice to existing and future residents in the City of Melbourne and making better use of existing infrastructure services.
- Offering a high quality architectural design enhancing the attractiveness of Dorcas Street and the profile of Southbank thereby contributing positively to the public realm and immediate streetscape.
- Responding to the site's context through the provision of a built form considerate of adjacent buildings and land uses.
- Providing a building height, form and scale responding to the context of the surrounding area as an area where mid rise podium and tower forms are envisaged. The combination of high quality materials and articulation will provide further visual interest.
- Providing a liveable, attractive 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 15 years under the Southbank Structure Plan 2010 and responding to land use and built form objectives to increase active frontage, podium and tower typology and improve environmental building performance.

MSS

- Responding to Clause 21.13-1 (Urban Renewal Areas – Southbank) through:
 - Encourage medium scale development in the Arts Precinct and the areas to the east of Moore Street and to the south of City Link.
 - Ensure that the scale and design of buildings south of Coventry Street preserve the setting and significance of the Shrine of Remembrance as a historic and cultural landmark and place of reverence.
 - Ensure all new development creates a high quality pedestrian environment and positively enhances the area's public realm.

LPPF

- Responding 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. A 'block' style development with a higher podium as outlined in DDO60 - and advocated by the City of Melbourne - results in reduced quality of sunlight penetration to the street.
- Responding to Clause 22.17 (Urban Design outside the Capital City Zone) by delivering development that responds to the emerging residential settlement pattern of the area. It takes maximum advantage of an opportunity to realise the strategic objectives of planning policy to encourage high quality development at higher density locations in strategic locations such as

Southbank. The building is sited and designed to respond to the physical constraints of the site, neighbouring residential land uses to the north and the development potential of the site immediately to the west and the balance of the subject site to the east. It also makes efficient use of the land to ensure that a meaningful contribution is made to the realisation of planning aspirations for the growth in housing stock and diversity in the Southbank area.

- Responding to Clause 22.19 (Energy, Waster and Water) by including environmentally sustainable building initiatives within the design of the development to ensure energy and water efficiently. The applicant has stated that they are able to achieve somewhere between 4-5 star performance. A permit condition can be applied to require an assessment against the Green Star rating tool and compliance with the policy objectives.

All planning policies whether they be included within the planning scheme, or not, 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 having regard to the requirements of the relevant zone and overlay.

9.2 Land Use

The proposed uses replace and reinvigorate an underutilised and otherwise inactive site which makes limited contribution to the area. The proposal is consistent with many policy directions as it will increase the residential population, provide high quality residential and commercial space and contribute to the on-going revitalisation of a 24-hour Central Activities District.

The development provides higher density housing complemented by commercial uses at ground level and responds to the broad strategic intent for housing as outlined in the State Planning Policy Framework, Local Planning Policy Framework, including the Municipal Strategic Statement (MSS) and the zoning control.

9.3 Design and Built Form

The key design issues in this application relate to height/ form, setbacks to eastern boundary, interface to the 'Sunday Apartments' to the north and detailed design/services. These matters are discussed further below.

The performance measures contained within Local Policy Clause 22.17, Urban Design outside 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 threads through each of these policy documents and controls.

9.3.1 Height / Form

The application seeks approval for two 77 metre tall buildings (maximum total height) with the height up to the top of the communal roof level facility of 73.8 metres (total height excluding plant and shared facilities level). This includes a podium frontage to Dorcas street that varies in height from 17m to 24 metres. The Design and Development Overlay (DDO60) specifies a 60 metre discretionary height control and a 30 metre podium height. The City of Melbourne has stated that they would withdraw their objection if the height was reduced to 60 metres, which may result in an increase in podium height and reduction in setback to the street.

It is not necessary to reduce the height of the proposal as the development responds appropriately to key planning policy objectives, recommendations and the requirements of the zone and overlay as follows:

- The site is located in an area of Southbank where significant residential growth can occur, supporting overall urban consolidation objectives outlined in the State and Local Planning Policy Framework and Plan Melbourne.
- The built form outcomes of DDO60 are met. The mid-rise scale of development is maintained; the building form is considered mid-rise at a height of 77 metres and the height difference from a 60 metre structure is unlikely to be discernable to those at street level. The provision of an appropriate transition to development to the north and south of Area 5A is provided- the development represents a mid rise development as is common in buildings to the north and south of the site. Indeed there are significantly taller examples of development to the south of the site, along Wells Street and St Kilda Road, and to the north in the Southbank Central precinct.
- The objectives of DDO60 are met. The height of new buildings will not overwhelm the public domain and will allow daylight and sunlight to penetrate to the street and lower building levels.
- Increasing the podium height and reducing the setback of the building to Dorcas Street (as suggested by Council) is likely to increase the effect of the building on the public realm and reduce the sunlight and daylight to the street. An increase in podium may also result in a poorer amenity outcome for some residents of the Sunday Apartments.
- There is precedence for development above the suggested height of 60 metres in the immediate vicinity. The 'Elm' and 'Guilfoyle' residential apartment developments are located 100 metres to the east and are both 24 levels and approximately 72 metres. The subject site has a lower natural ground level than the Elm and the Guilfoyle) and will therefore be viewed at a generally similar level.
- The scale and design of new buildings will preserve the significance of the Shrine of Remembrance as a historic and cultural landmark and place of reverence. The recently completed planning impact study for the Shrine (*The Shrine of Remembrance: Managing the significance of the Shrine*) indicates a general height guidance of between 70-150 metres AHD transitioning away from Wells Street for this area.
- The 'two tower' architectural response and an activated and articulated facade treatment with varied finishes and materials will reduce the impact on street levels.
- The proposed height of the podium is varied to create a sense of visual interest and human scale to Dorcas Street. In all locations the podium is significantly lower than the preferred maximum height specified in DDO60, which will help to create a more active and inviting public realm within this part of Dorcas Street.

9.3.2 Setbacks (Front and Sides)

The proposed setbacks to the property at 68-70 Dorcas Street immediately to the west provide for the reasonable future development potential of that land. Likewise, the design response material demonstrates that the balance of the subject site is able to be logically redeveloped at a later stage to achieve appropriate tower separation commensurate with the separation distances between the towers in Stage 1 and 2.

Council has suggested an 8 metre setback to the eastern boundary in lieu of the proposed 4.4metres. This in order to achieve a 16 metre gap between future towers, which the Council confirmed appropriate. As the applicant owns the land to the east and it has not been subdivided they have proposed a section 173 agreement on title, which will ensure a 16 metre building separation. This has been added to the notice of decision. The Council would be responsible authority for executing the section 173 agreement and a copy of the proposed condition was provided to them on 9 July 2014.

The front setbacks of between 5- 8 metres are considered appropriate and will ensure that buildings do not dominate the urban form at ground level.

9.3.3 Interface with Sunday Apartments/ Coventry Square Apartments

The separation distance between the buildings (rear setbacks) will be 10 metres approximately, which meets the minimum requirement and objectives of DDO60. The separation and orientation of towers will allow for outlook between towers for the Sunday apartments. The current design allows a greater level of outlook than if the towers were located in an east/west formation or if the podium was higher. The apartments have been designed to face in an east/ west direction predominantly. Conditions have been added to the notice of decision to ensure the reasonable amenity of the residential properties to the north particularly in relation to overlooking and possible light spill from the car park.

9.3.4 Detailed Design

The proposal provides a combination of one and two bedroom developments, responding to the market demand in the Southbank area. Many of the apartments have flexible layouts including study areas designed to suit a number of different household types. All dwellings have well-considered layouts which can adapt to the needs of occupants. All have living areas with direct access to either terraces or balconies. The internal dining rooms/ studies will be removed by way of condition to the notice of decision to ensure they are part of the main living room and cannot be used for bedrooms. Internal overlooking between the two towers is prevented through the design of apartments such that views from living rooms are directed away from opposite apartments.

The building contains communal roof areas at top of podium and top of tower locations, offering residents access to additional open space and recreational opportunities that will enhance their residential amenity.

The podium frontage to Dorcas Street has been activated with apartments which will improve street level activity and pedestrian safety.

Wind tunnel testing of the proposal has been undertaken and the results concluded that the wind conditions resulting from realisation of Stage 1 and 2 were shown to be well within the criterion for walking comfort for all wind directions with most wind directions within the criterion for short term stationary activities.

9.4 Environmental Issues

9.4.1 ESD

An ESD report and supplementary letter (both from Arc Resources) were provided with the application indicating the stages will achieve 4 star Green Star rating and meet the objectives of Clause 22.19. A 5 star objective is overly onerous at this stage for this site and the intent of the policy (as discussed at the Panel for Amendment C187) was to allow discretion. A condition has been added to target 5-star at the time of construction but allow for discretion.

9.4.2 Stormwater

The stormwater management local policy (Clause 22.23) was introduced after the lodgement of the application. However it is still applicable and a condition has been added to ensure the objectives of the local policy are considered.

9.4.3 Contamination

The applicant submitted a preliminary environmental plan indicating a statement or environmental audit was required. This has been added as a permit condition.

9.5 Car Parking, Loading and Unloading of Vehicles, Waste Collection and Bicycle Facilities

The development contains less than 1 space per apartment therefore no permit is required under the PO12. It is appropriate to waive the minimum four spaces required for the food and drink premises.

The on-site bicycle parking numbers and layout is considered appropriate - the variation of one on-site space is considered minor.

The application was accompanied by a Waste Management Plan (WMP) prepared by Leigh Design Pty Ltd. This has not been approved by the City of Melbourne. A development of this size with waste, servicing and loading for apartments and retail requires an on site loading bay. A condition has been added to the notice of decision requiring a loading area for each stage, which could be shared.

In summary, the functional layout of the proposal is well resolved subject to minor improvements to ensure compliance with the planning scheme by way of conditions.

9.6 Objections

In total 15 objections have been received. The comments and issues raised in the objections have been noted and considered.

10 Conclusion/ Recommendation

The development meets the objectives of the Mixed Use Zone and relevant overlays by contributing to the provision of dwellings within a built form response that reinforces the existing and emerging pattern, scale and siting of development within this section of Southbank.

The proposal has adequately responded to the opportunities and constraints of the land will deliver a high quality residential development supported by ground level commercial activity and adopts good practice urban design derived from exiting planning policies and current guidelines.

It is recommended that a notice of decision to grant planning permit 2013/010107 for the staged redevelopment including the construction of two (2) residential towers above a shared podium, a waiver of car parking associated with the food and drink premises be issued.

Prepared by: [REDACTED]
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Title: [REDACTED]
Phone: [REDACTED]
Date: 21 July 2014

Approved by:
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Name: [REDACTED]
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