

**BTR**

**FT-01**

**FT-02**

**FT-03**

**FT-04**

BTR | PRECAST PANEL EXPRESSED FRAME

BTR | BRICK FACADE

BTR | WINDOW WALL WITH ALUMINIUM SPANDREL

BTR | EXPRESSED VERTICAL FEATURE

PRECAST CONCRETE PANELS - PIGMENTED COLOURS

GLAZING - GREY WITH SOLID ALUMINIUM OPERABLES

PRECAST CONCRETE PANELS - PIGMENTED GREY

BRICK - BEIGE

GLAZING - GREY WITH SOLID ALUMINIUM OPERABLES

SOLID ALUMINIUM PANELS - CHARCOAL

GLAZING - GREY WITH SOLID ALUMINIUM OPERABLES

BRICK - BEIGE

GLAZING - GREY WITH SOLID ALUMINIUM OPERABLES

**FT-07** PRECAST CONCRETE PANELS - PIGMENTED

**SF-01** GLASS SHOP FRONT

**PBSA**

INSITU CONCRETE	CONC01	CLEAR GLAZING	GLE01
BOARD FORMED CONCRETE	CONC02	SPANDREL GLAZING	GLE02
EXPANDED MESH IN GUNMETAL GREY	MET01a	EXTRUDED FIN	
POWDERCOATED METAL IN GUNMETAL GREY	MET01b	SPANDREL GLAZING	
HOT ROLLED STEEL	MET02	SPANDREL GLAZING POP-OUT	
BRUSHED ALUMINIUM FINIS	MET03	CLEAR GLAZING POP-OUT	
PRE-FINISHED ALUMINIUM - BRONZE IN A COIL COATED PVDF COATING	MET04		
PRE-FINISHED ALUMINIUM - GREY ZINC IN A COIL COATED PVDF COATING	MET05		
HORIZONTAL SLAT BOUNDARY SCREEN IN OFF WHITE	MET06		
LOUVRE SCREEN	MET07		

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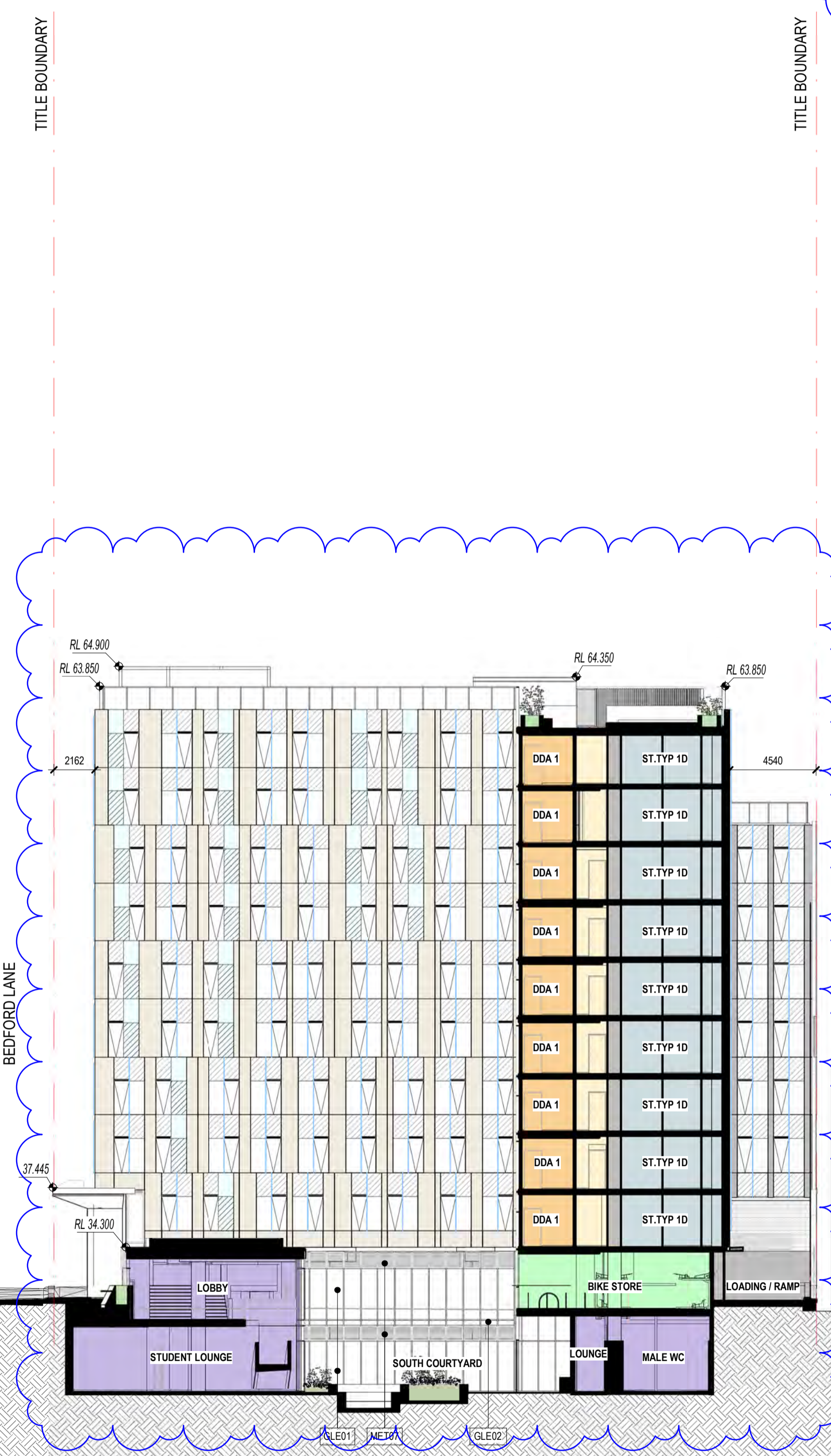
Nominated Architect  
Ray Brown, NSWARFB 6359

Do not scale drawings. Verify all dimensions on site

issue	amendment	date
-	30062014_SK0000_For Information	30/06/2014
A	Town Planning Submission	07/04/2022
B	RFI Town Planning	TBC
C	Town Planning	01/09/2022
D	Town Planning Amendment	06/09/2022
E	Town Planning Amendment	09/09/2022
F	S57A Town Planning Set	18/07/2023
G	S57A Town Planning Set	21/07/2023

**KEY PLAN**

**NOTE**  
NET LETTABLE AREA (NLA) OF UNITS SHOWN FOR STAGE 1 - PBSA  
NET LETTABLE AREA (NLA) OF UNITS SHOWN FOR STAGE 12 - BTR



1. BEDFORD_ROOF	87.800
1. BEDFORD_LEVEL 17	64.650
1. BEDFORD_POOL_SHELL	83.100
1. BEDFORD_LEVEL 16	60.650
1. BEDFORD_LEVEL 15	77.600
1. BEDFORD_LEVEL 14	73.650
1. BEDFORD_LEVEL 13	70.600
1. BEDFORD_LEVEL 12	67.650
1. BEDFORD_LEVEL 11	64.600
1. BEDFORD_LEVEL 10	61.550
1. BEDFORD_LEVEL 9	58.500
1. BEDFORD_LEVEL 8	55.450
1. BEDFORD_LEVEL 7	52.400
1. BEDFORD_LEVEL 6	49.350
1. BEDFORD_LEVEL 5	46.300
1. BEDFORD_LEVEL 4	43.250
1. BEDFORD_LEVEL 3	40.200
1. BEDFORD_LEVEL 2	37.150
1. BEDFORD_LEVEL 1	34.100
1. BEDFORD_UPPER_GROUND	32.300
1. BEDFORD_MID_LEVEL	30.500
1. BEDFORD_LOWER_GROUND	28.700

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project

5-17 Flemington Road, North Melbourne

drawing

**SECTION HH**

scale As indicated @A1 drawing no.

drawn HS/RC/MW/TS/ADJ **DA 2507**

checked HS/RC issue

project no 22020 **G**

**BTR**

**FT-01**

BTR | PRECAST PANEL EXPRESSED FRAME

■ PRECAST CONCRETE PANELS - PIGMENTED COLOURS

■ GLAZING - GREY WITH SOLID ALUMINIUM OPERABLES

■ PRECAST CONCRETE PANELS - PIGMENTED GREY

**FT-02**

BTR | BRICK FACADE

■ BRICK - BEIGE

■ GLAZING - GREY WITH SOLID ALUMINIUM OPERABLES

**FT-03**

BTR | WINDOW WALL WITH ALUMINIUM SPANDREL

■ SOLID ALUMINIUM PANELS - CHARCOAL

■ GLAZING - GREY WITH SOLID ALUMINIUM OPERABLES

**FT-04**

BTR | EXPRESSED VERTICAL FEATURE

■ BRICK - BEIGE

■ GLAZING - GREY WITH SOLID ALUMINIUM OPERABLES

**FT-07** PRECAST CONCRETE PANELS - PIGMENTED

**SF-01** GLASS SHOP FRONT

**PBSA**

INSITU CONCRETE	CONC01	CLEAR GLAZING	GLE01
BOARD FORMED CONCRETE	CONC02	SPANDREL GLAZING	GLE02
EXPANDED MESH IN GUNMETAL GREY	MET01a	EXTRUDED FIN	
POWDERCOATED METAL IN GUNMETAL GREY	MET01b	SPANDREL GLAZING	
HOT ROLLED STEEL	MET02	SPANDREL GLAZING POP-OUT	
BRUSHED ALUMINIUM FINIS	MET03	CLEAR GLAZING POP-OUT	
PRE-FINISHED ALUMINIUM - BRONZE IN A COIL COATED PVDF COATING	MET04		
PRE-FINISHED ALUMINIUM - GREY ZINC IN A COIL COATED PVDF COATING	MET05		
HORIZONTAL SLAT BOUNDARY SCREEN IN OFF WHITE	MET06		
LOUVRE SCREEN	MET07		

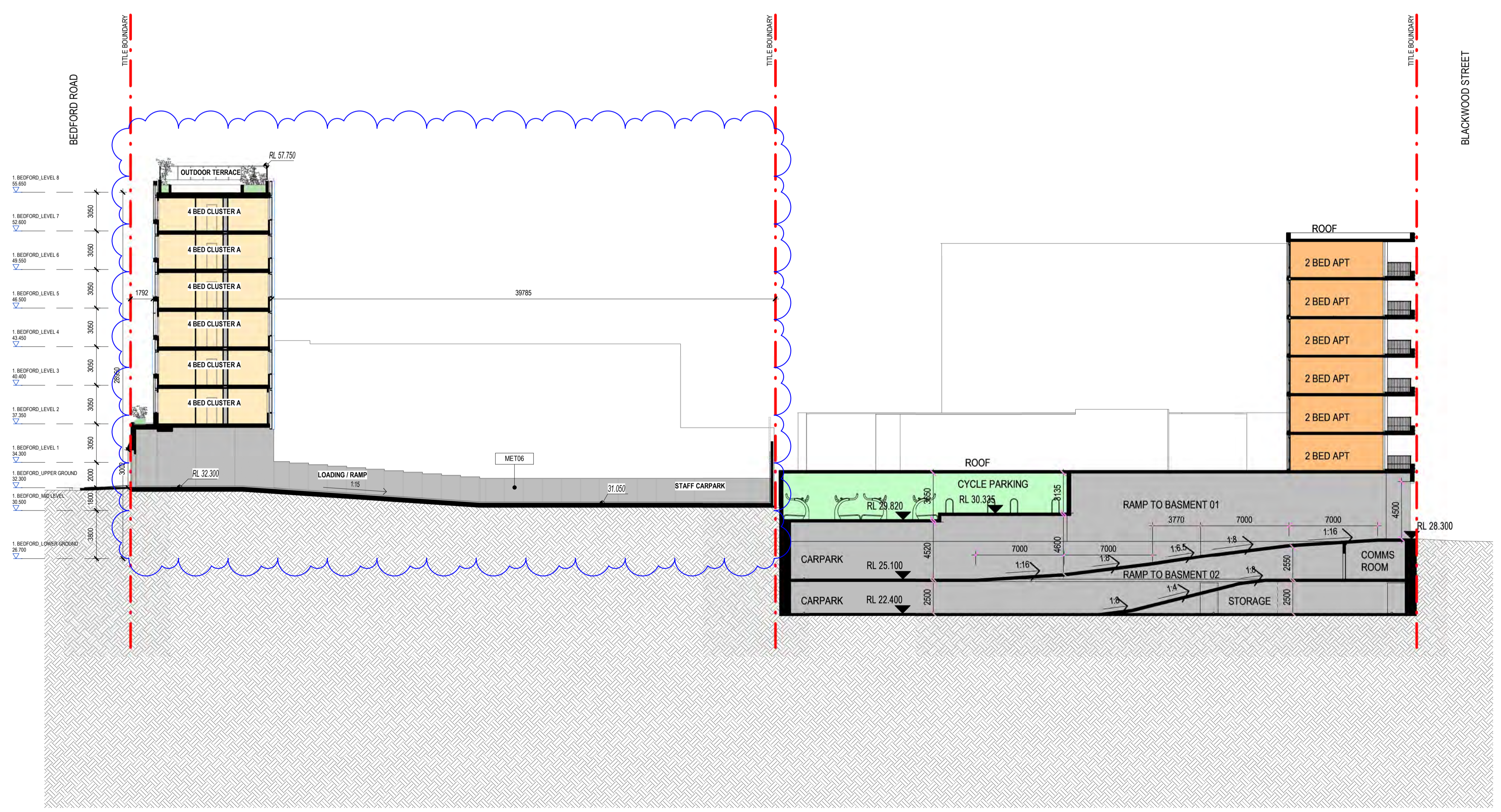
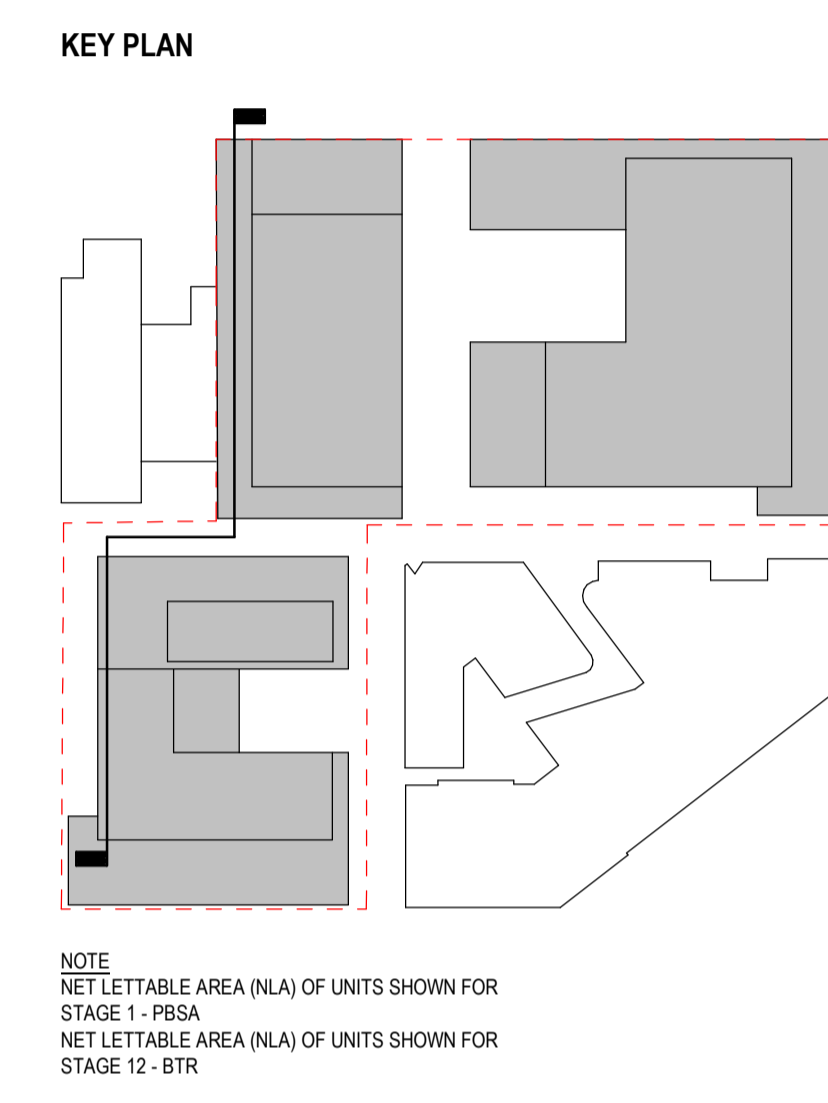
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Nominated Architect  
Ray Brown, NSWARB 6359

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-	30/06/2014_SK0000_For Information	30/06/2014
A	RFI Town Planning	TBC
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project  
5-17 Flemington Road, North Melbourne

drawing  
**SECTION II**

scale  
As indicated @A1 drawing no.  
**2508**

drawn  
HS/RC/MW/TS/ADJ

checked  
HS/RC issue

project no  
22020 **F**





5 - 17 Flemington Road, North Melbourne, 3051

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Rev. 6

Clause 58 Report

180559

Built to Rent Apartments

1/08/2022

Table with columns: LEVEL, Number, Type, Bed, Bath, D25 Functional Layout, D26 Room Depth, D27 Windows, Storage (Int), Storage (Ext), Storage (Total), D20 Storage Compliance, D27 Natural Ventilation (min-40%), D19 Private Open Space, D17 Accessibility (min 50%). Rows include Level 01 (North Tower), Level 02, Level 03-06, Level 07, Level 08, and Level 09.

Table with columns: Unit ID, Level, Type, Bed, Bath, Storage (Int), Storage (Ext), Storage (Total), D20 Storage Compliance, D27 Natural Ventilation (min-40%), D19 Private Open Space, D17 Accessibility (min 50%). Rows include Level 10-20, Level 21, Level 02-06, Level 07, Level 08-18, and a TOTALS row.

Notes: 1. Storage volume is estimate only. Figure may vary due to construction methods, services, fittings, fixtures and equipments.

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Nominated Architect Ray Brown, NSWARB 6359

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Table with columns: Issue, amendment, date. Rows include Issue for Town Planning Submission (07/04/2022) and Updated Town Planning Submission (02/08/2022).

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project 5-17 Flemington Road, North Melbourne

drawing

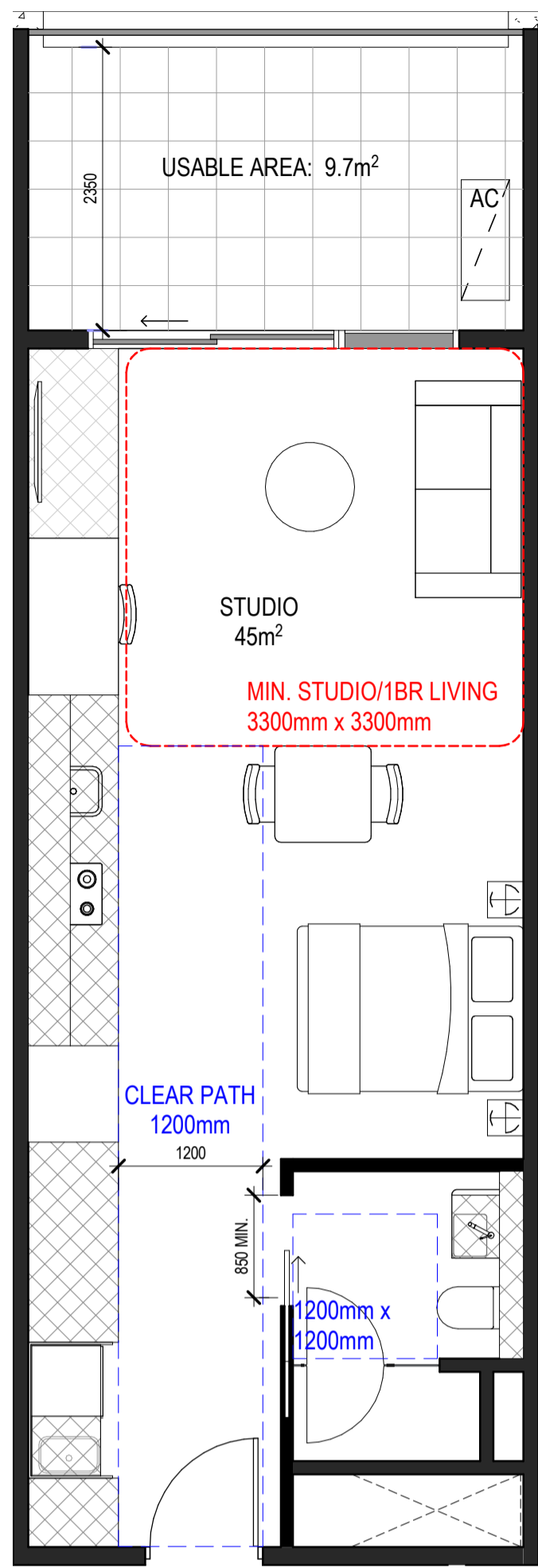
BTR - Apartment Type Schedule

scale N.T.S.@A1 drawing no.

drawn HL/CJ/SA/AK/DK DA3010

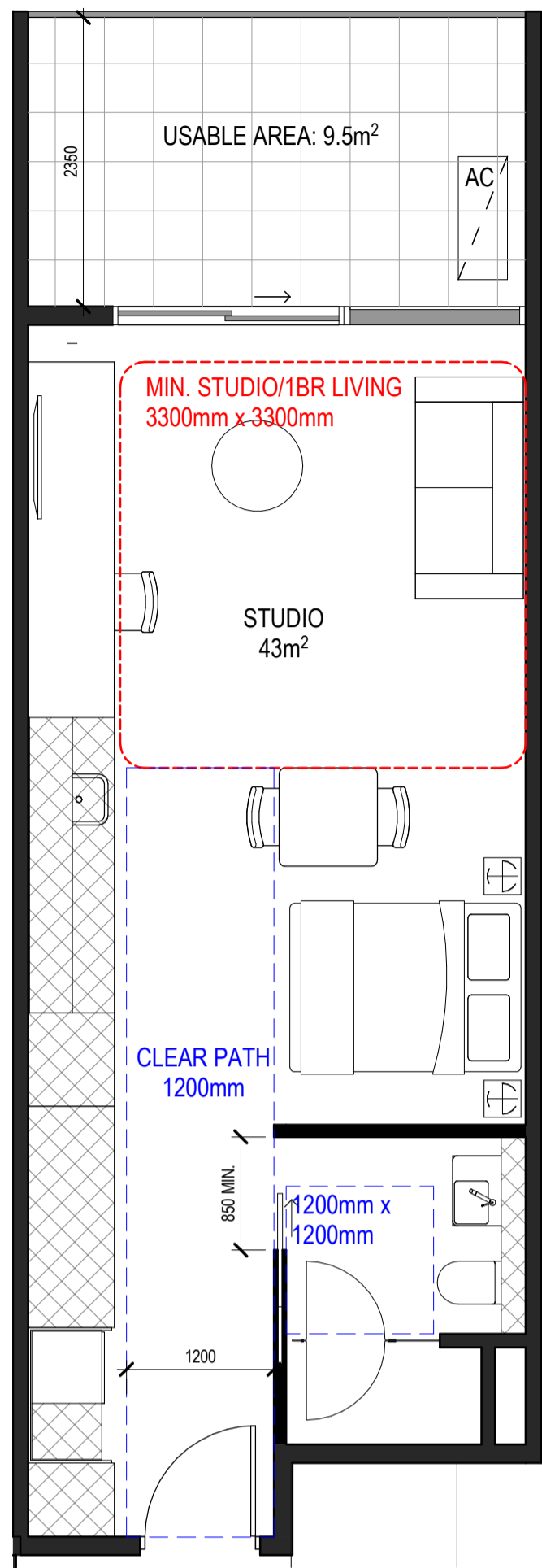
checked WL issue

project no 180559.00 B



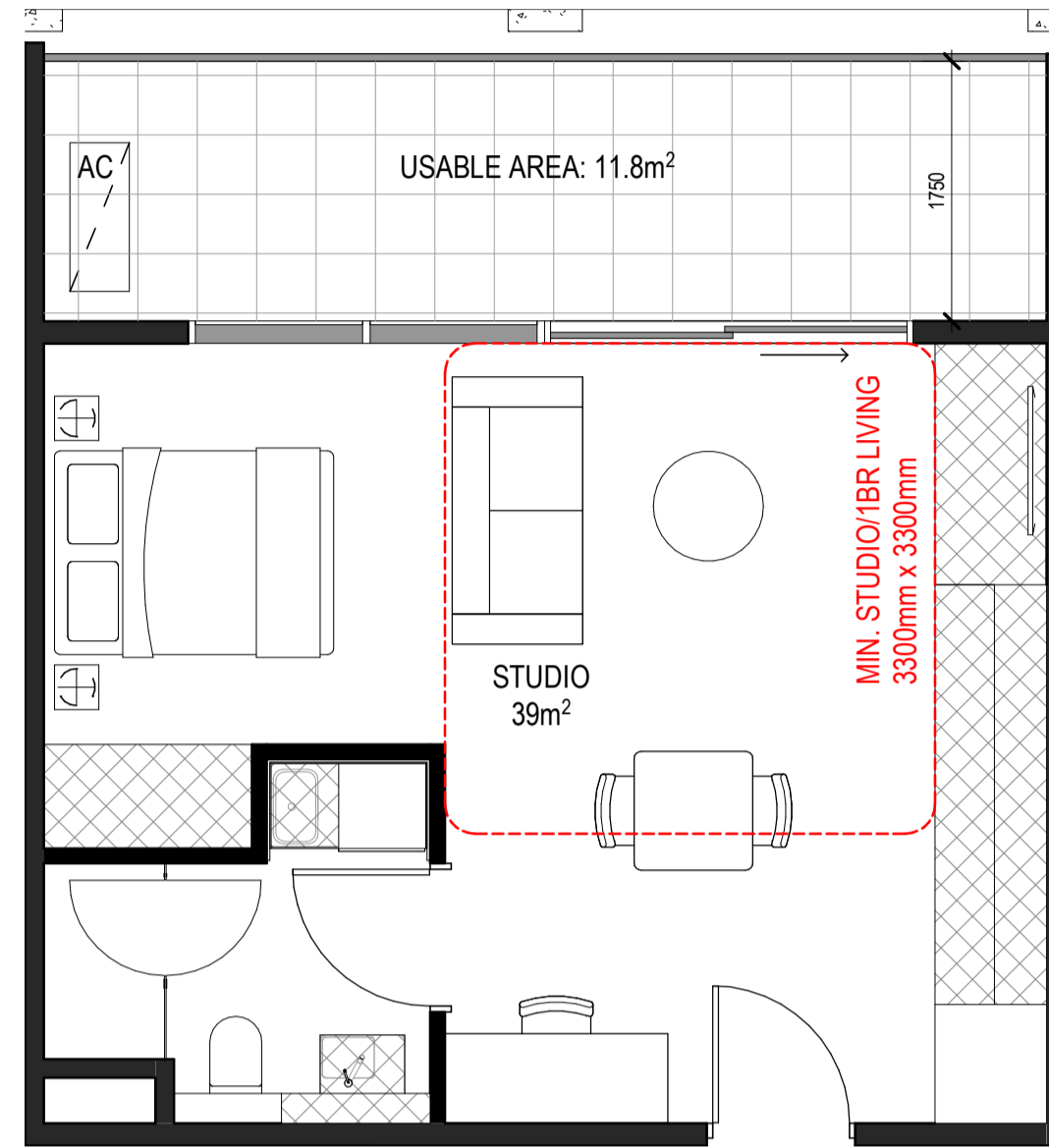
BTR North Tower - Studio (Type S-3)

INTERNAL STORAGE 8.2 m<sup>2</sup>



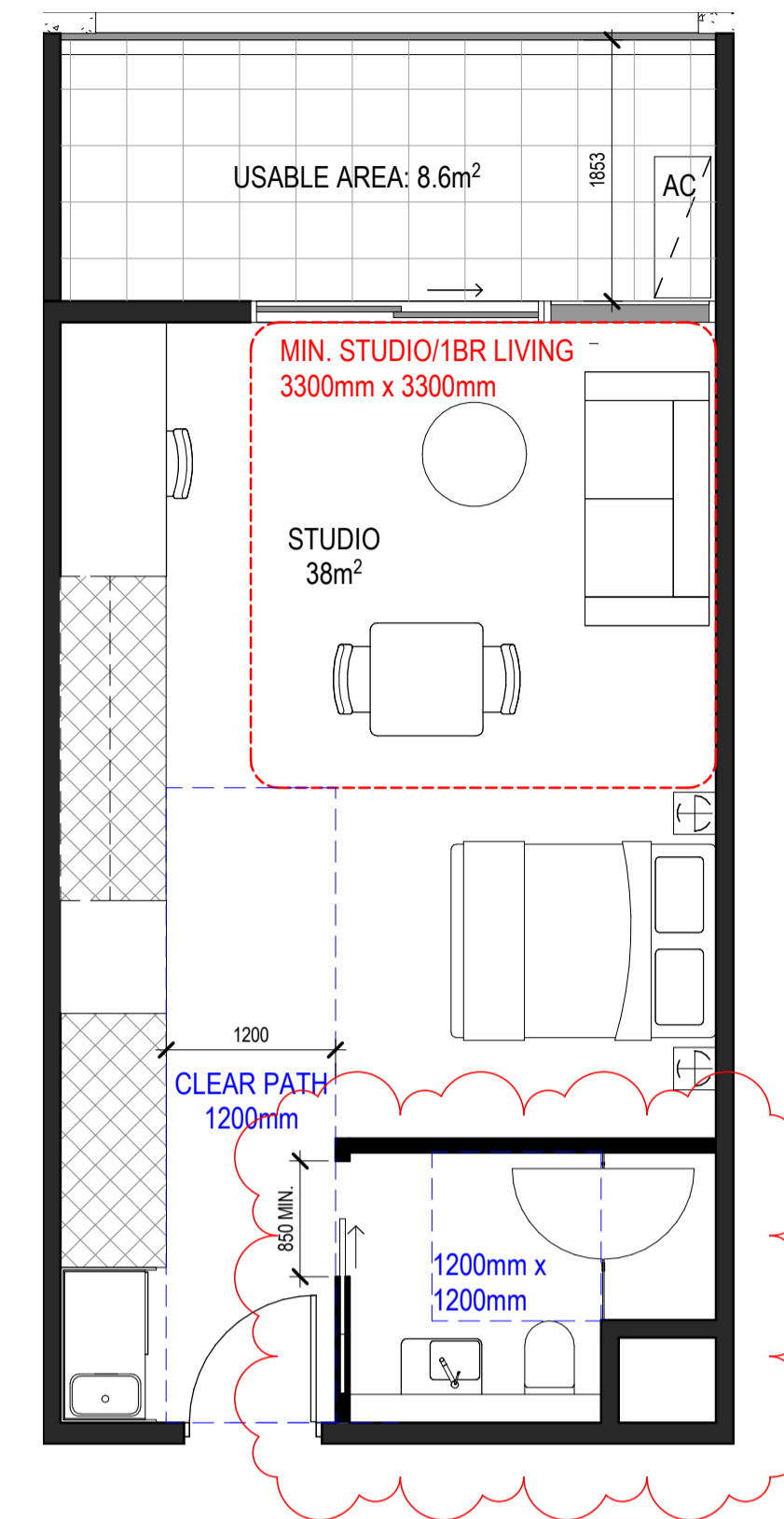
BTR North Tower - Studio (Type S-4)

INTERNAL STORAGE 8.9 m<sup>2</sup>



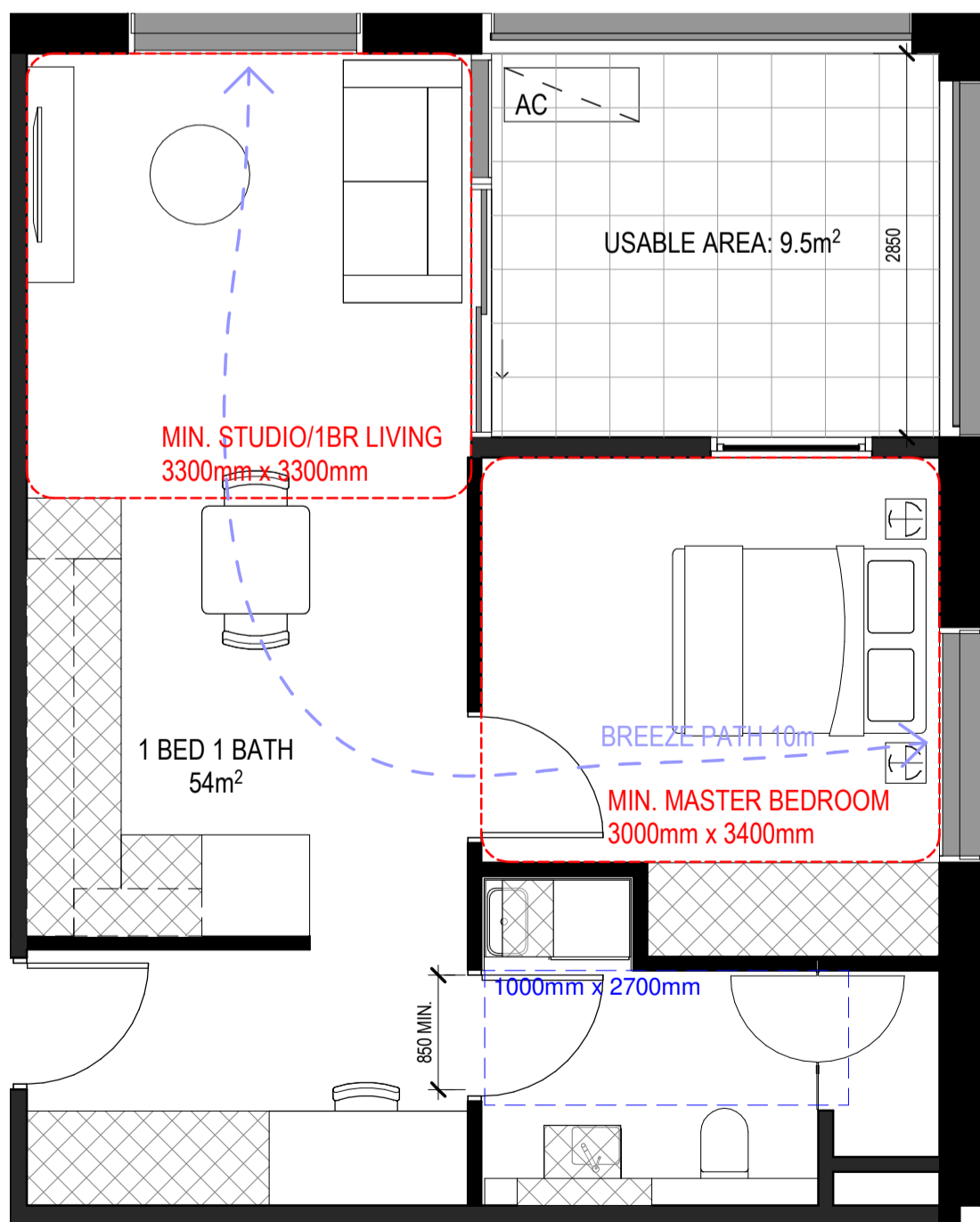
BTR North Tower - Studio (Type S-5)

INTERNAL STORAGE 6.6 m<sup>2</sup>



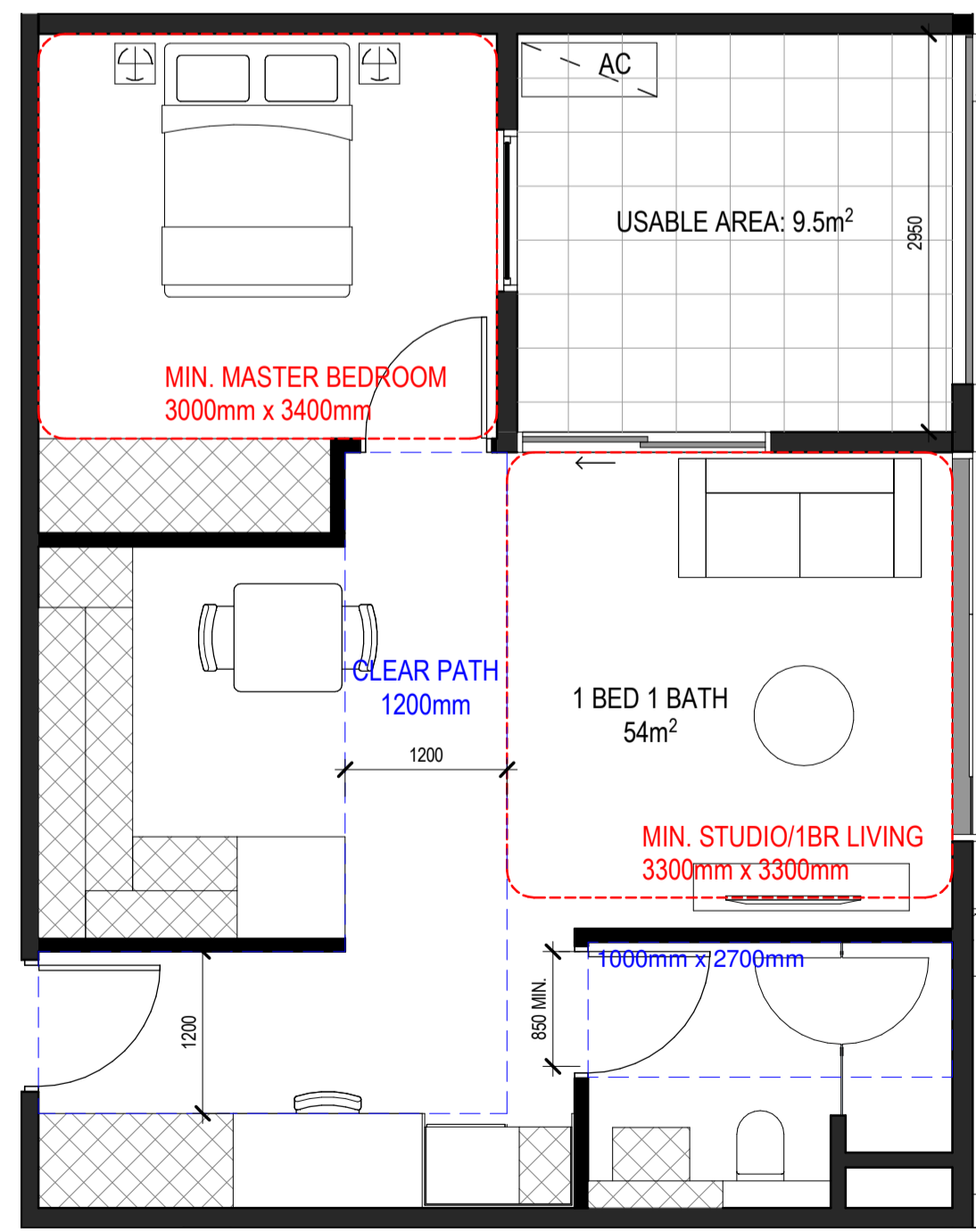
BTR North Tower - Studio (Type S-6)

INTERNAL STORAGE 5.4 m<sup>2</sup>



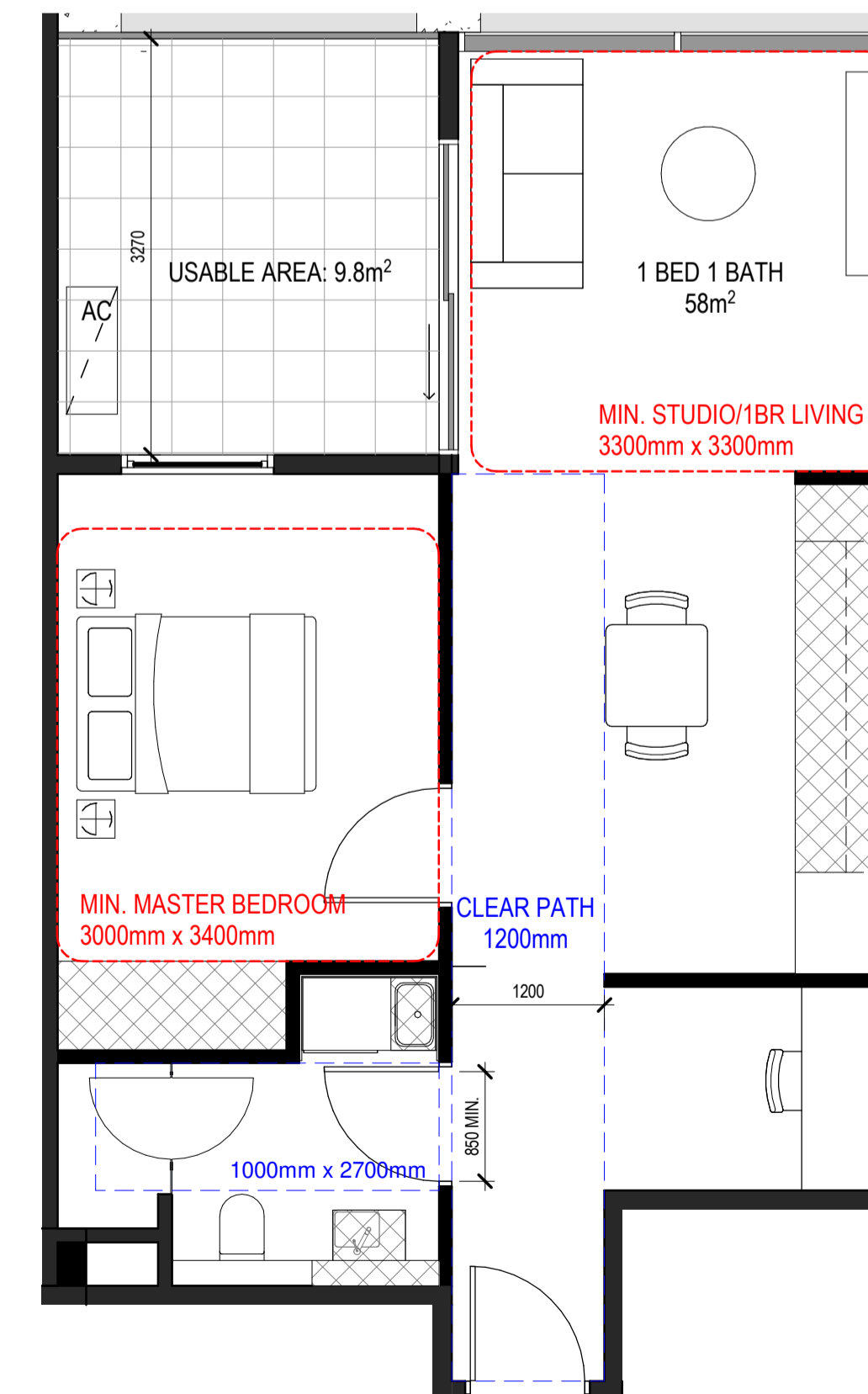
BTR North Tower - 1 Bed 1 Bath (Type 1-4)

INTERNAL STORAGE 10.7 m<sup>2</sup>



BTR North Tower - 1 Bed 1 Bath (Type 1-4A)

INTERNAL STORAGE 10.5 m<sup>2</sup>



BTR North Tower - 1 Bed 1 Bath (Type 1-5)

INTERNAL STORAGE 6.8 m<sup>2</sup>

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Nominated Architect  
Ray Brown, NSWARB 6359

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issue	amendment	date
A	Issue for Town Planning Submission	07/04/2022
B	Updated Town Planning Submission	02/08/2022

UNIT PLAN LEGEND

- STORAGE
- NATURAL VENTILATION

NOTE:  
THE PROPOSED DEVELOPMENT WILL HAVE TYPICAL CEILING HEIGHT IN LIVING / DINING AREAS OF 2700MM EXCEPT WHERE LOCALIZED BULKHEADS ARE PROVIDED BELOW BATHROOMS AND OVER KITCHENS

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project

5-17 Flemington Road, North Melbourne

drawing

BTR - Apartment Plans - Sheet 02

scale 1:50@A1 drawing no.

drawn HL/CJ/SA/AK/DK DA3012

checked WL issue

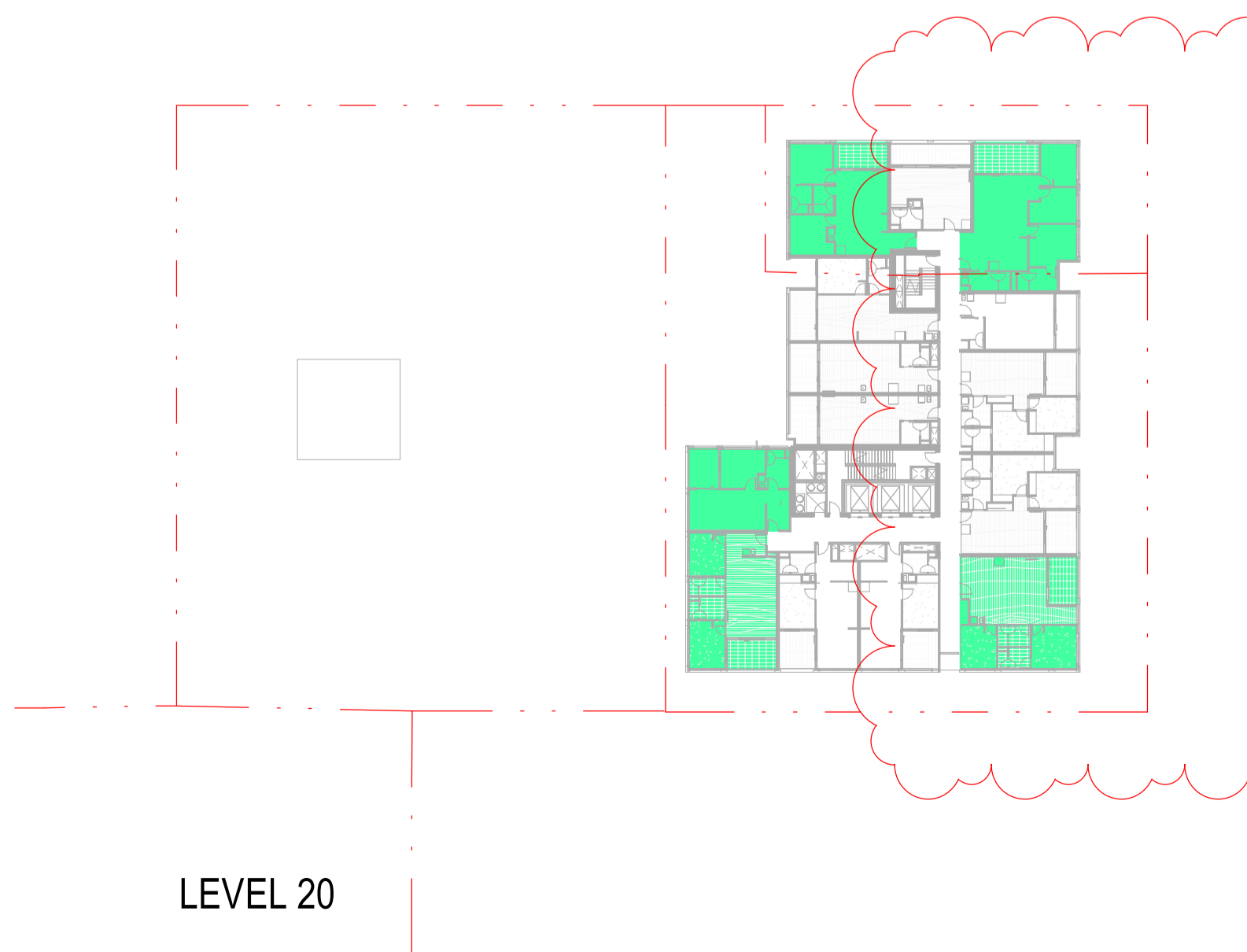
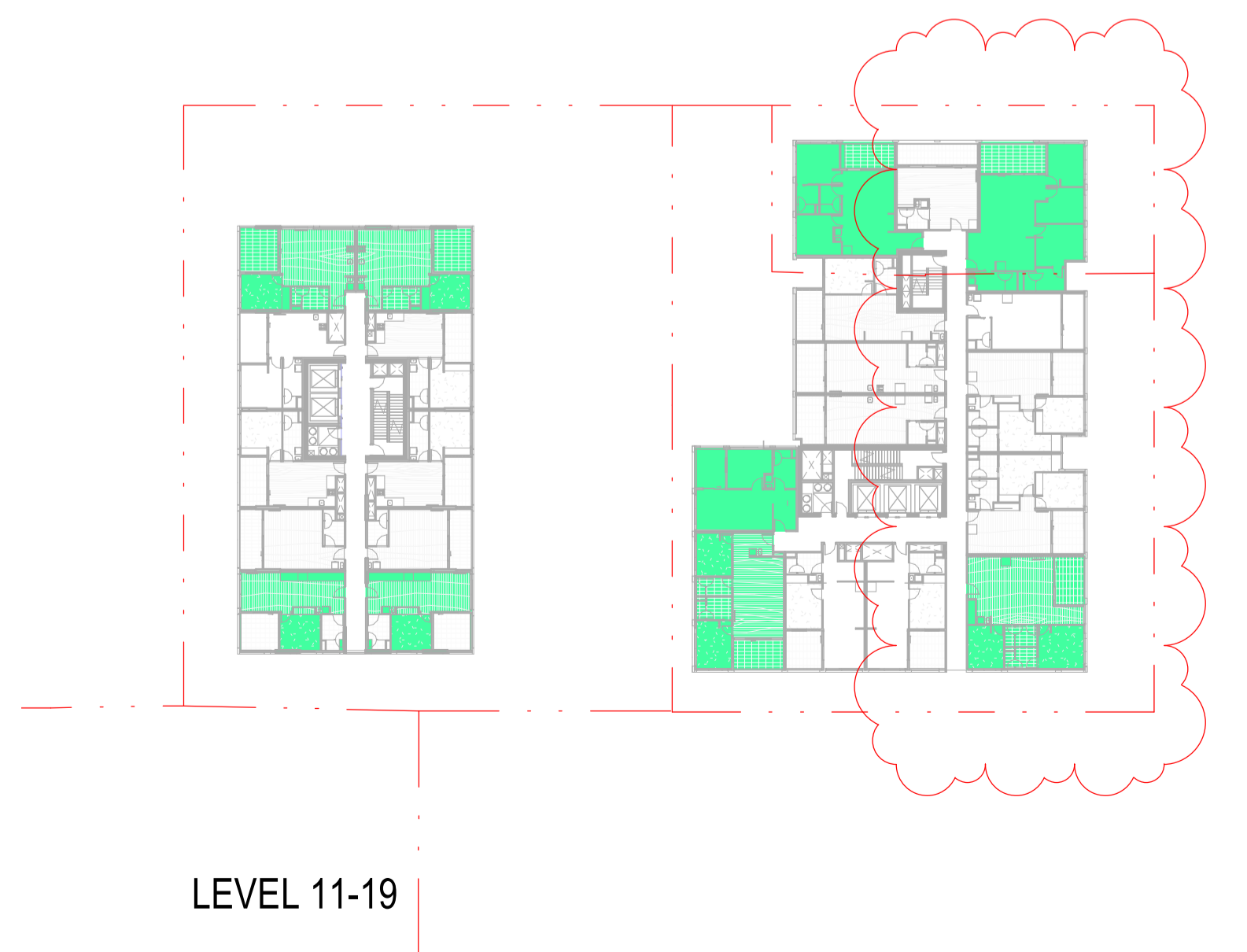
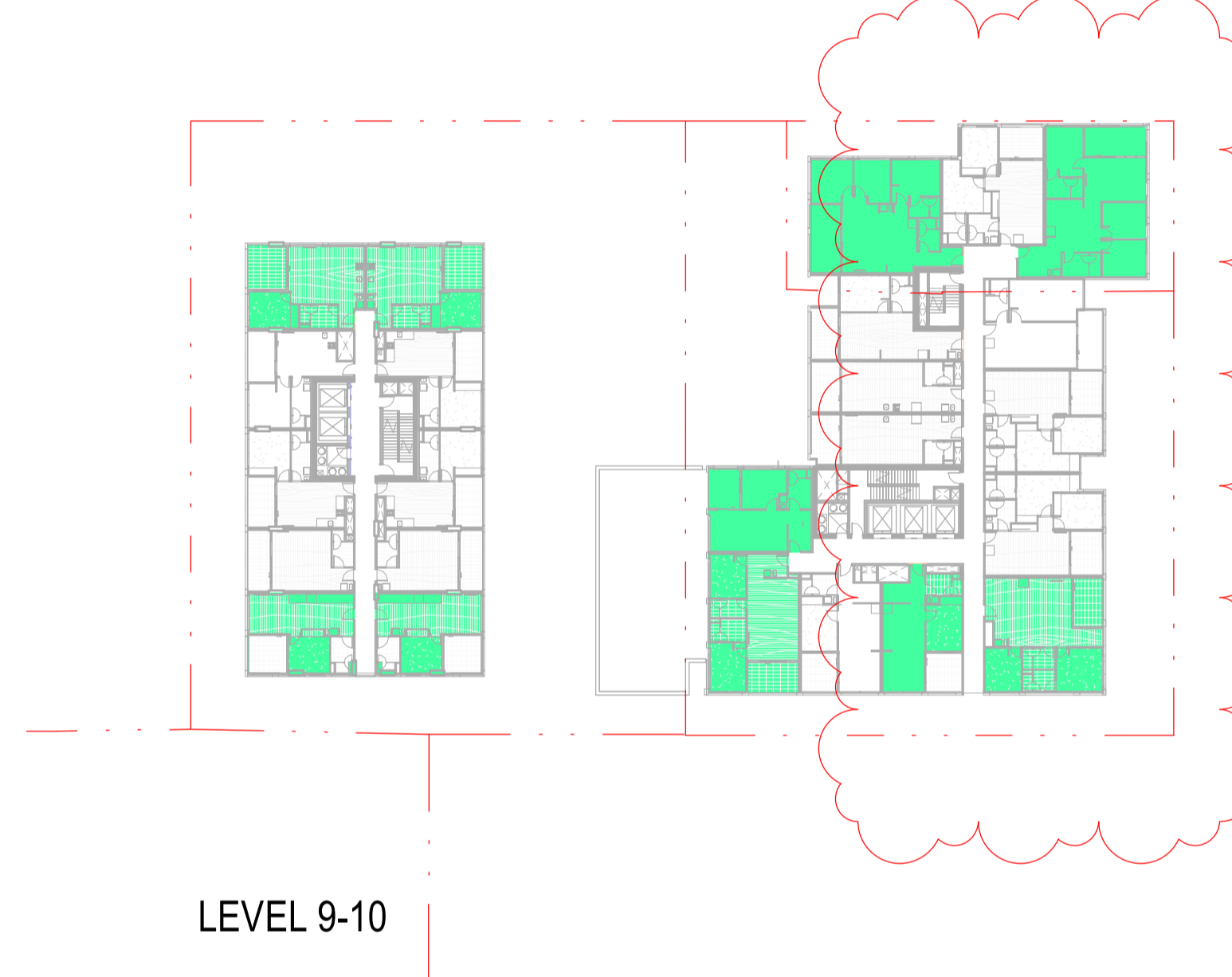
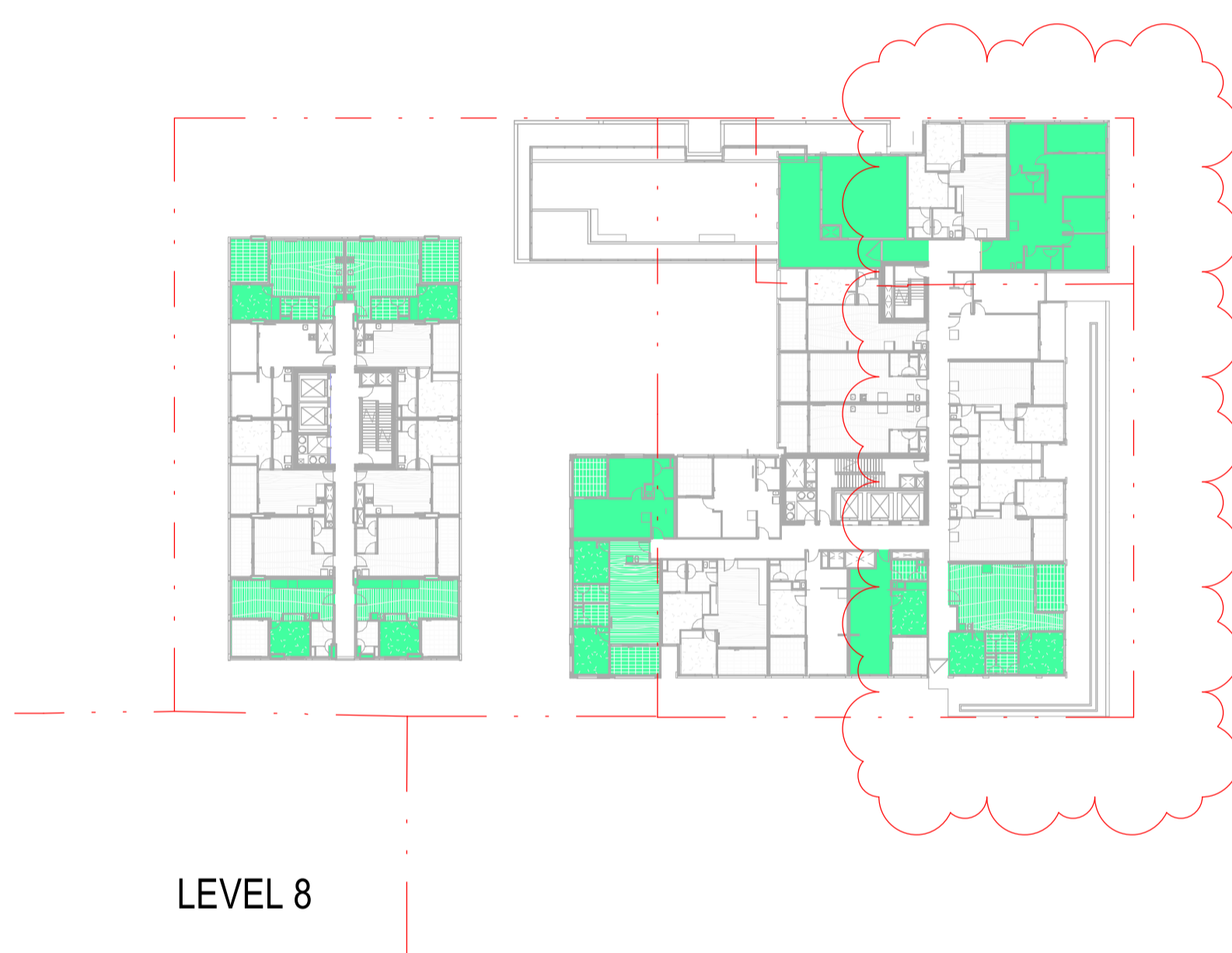
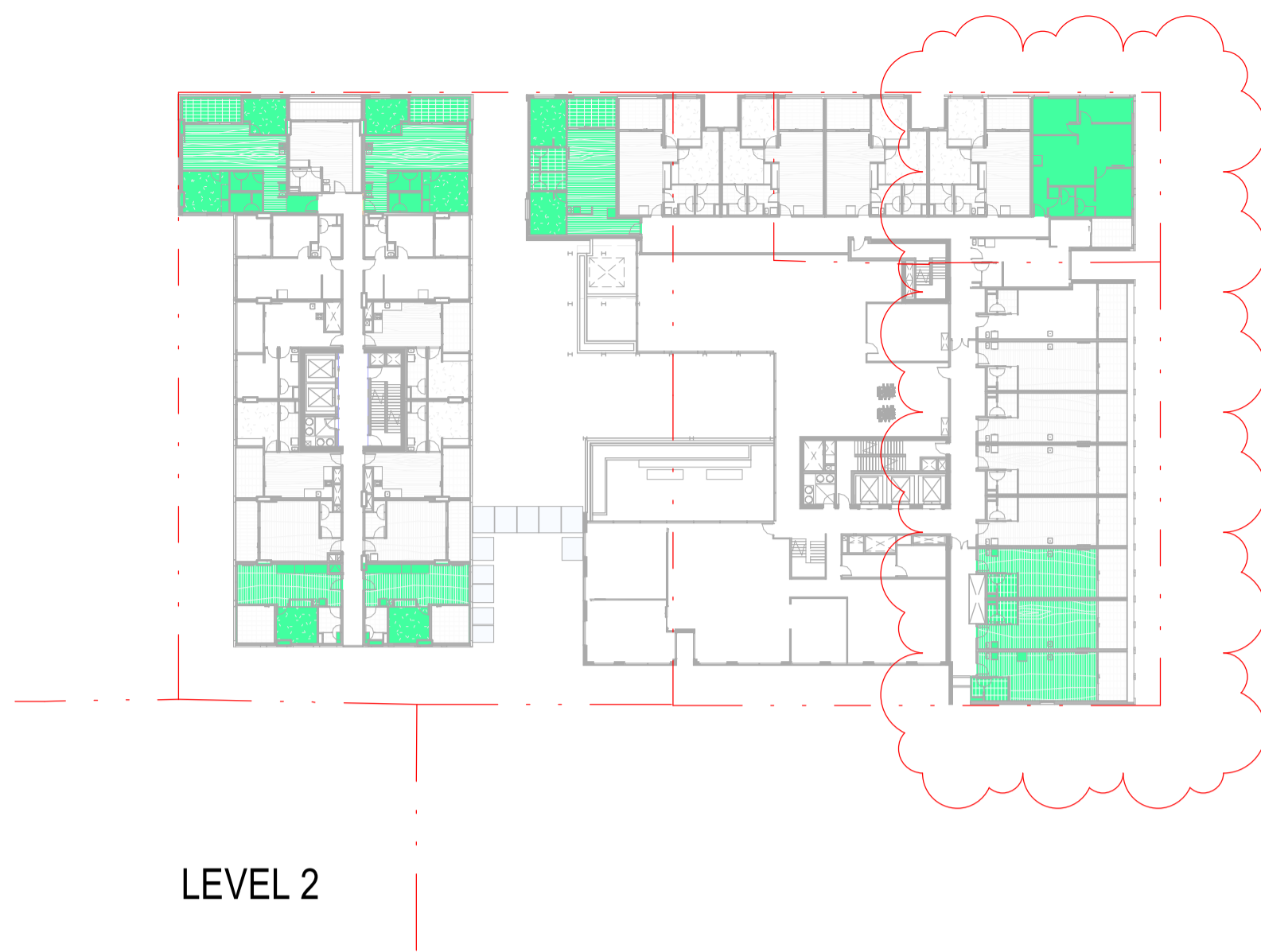
project no 180559.00 B











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Nominated Architect  
Ray Brown, NSWARB 6359

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issue	amendment	date
A	Issue for Town Planning Submission	07/04/2022
B	Updated Town Planning Submission	02/08/2022

**LEGEND**

APARTMENTS COMPLYING WITH CLAUSE 58 D27 IN REGARDS TO NATURAL VENTILATION

TOTAL OF 210 OUT OF 544 APARTMENTS (39%)

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project

5-17 Flemington Road, North Melbourne

drawing

BTR - BADS Cross Ventilation Diagram

scale 1:500@A1 drawing no.

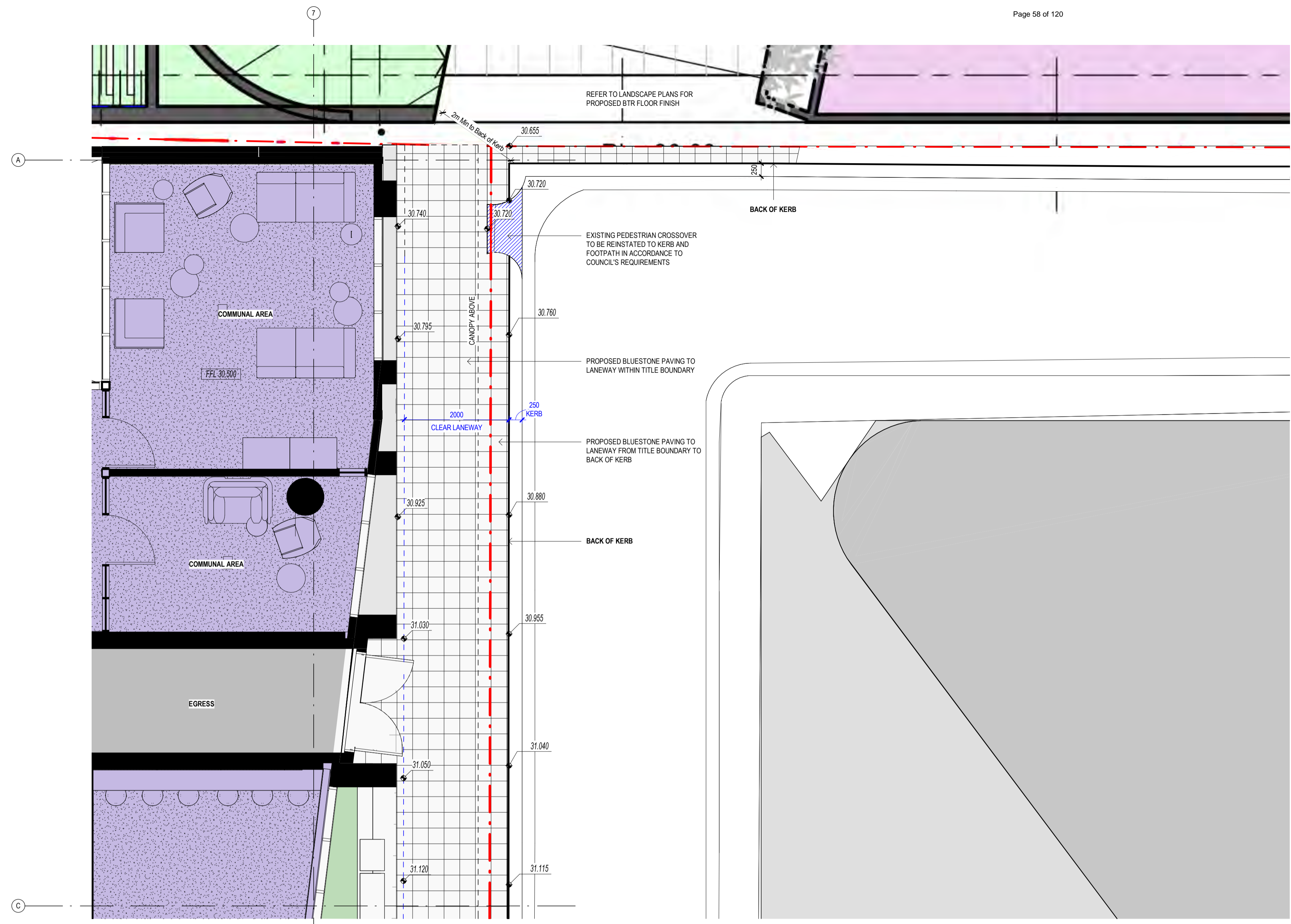
drawn HL/CJ/SA/AK/DK **DA3016**

checked WL issue

project no 180559.00 **B**







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issue	amendment	date
-	S5TA Town Planning Set	02/08/2023

1  
2001  
NOMINATED WORKS FROM TITLE BOUNDARY TO BACK OF KERB - BEDFORD PLACE

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ABN 90 131 245 684

project  
5-17 Flemington Road, North Melbourne

drawing  
NOMINATED WORKS FROM TITLE BOUNDARY TO BACK OF KERB - BEDFORD PLACE

scale 1:50 @A1  
drawing no. DA 5351  
drawn MW/RC  
checked RC  
project no. 22020

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Ray Brown, NSWARB 6359

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issue	amendment	date
-	TP Drawing Set	NA
A	Town Planning Submission	07/04/2022
B	RFI Town Planning	TBC
C	S57A Town Planning Set	18/07/2023
D	S57A Town Planning Set	02/08/2023



Winter Equinox - 21st June - 9am



Winter Equinox - 21st June - 10am



Winter Equinox - 21st June - 11am



Winter Equinox - 21st June - 12pm



Winter Equinox - 21st June - 1pm



Winter Equinox - 21st June - 2pm



Winter Equinox - 21st June - 3pm

**METIER**

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project

5-17 Flemington Road, North Melbourne

drawing

**Shadow Diagrams**

scale	1:2000 @A1	drawing no.	DA9300
drawn	HS/AJ/TS/MW		
checked	HS	issue	
project no	22020	D	



## MINISTERIAL PLANNING REFERRAL DELEGATE REPORT

<b>Application no:</b>	TPM-2022-10 (PA2201602)
<b>Applicant:</b>	Urban Planning Collective
<b>Owner:</b>	Centurion Australia Investments
<b>Architect:</b>	Architectus and Metier3
<b>Address:</b>	5-17 Flemington Road, North Melbourne (RMIT Village)
<b>Proposal:</b>	Use of the land for retail premises, medical centre and accommodation (student housing), to construct a building and construct or carry out works, a reduction in car parking requirements and alteration of access to a road in a Transport Zone 2
<b>Cost of works:</b>	\$264,330,000
<b>Date received:</b>	26 April 2022
<b>Date amended:</b>	7 August 2023
<b>Responsible officer:</b>	Lachlan Orr, Principal Urban Planner

### 1 SUBJECT SITE AND SURROUNDS

#### 1.1 Subject site

The subject site, currently known as RMIT Village, is a large site located to the west of Haymarket Roundabout, opposite the Victorian Comprehensive Cancer Centre. The site is irregular in shape with an area of approximately 6,198 square metres.

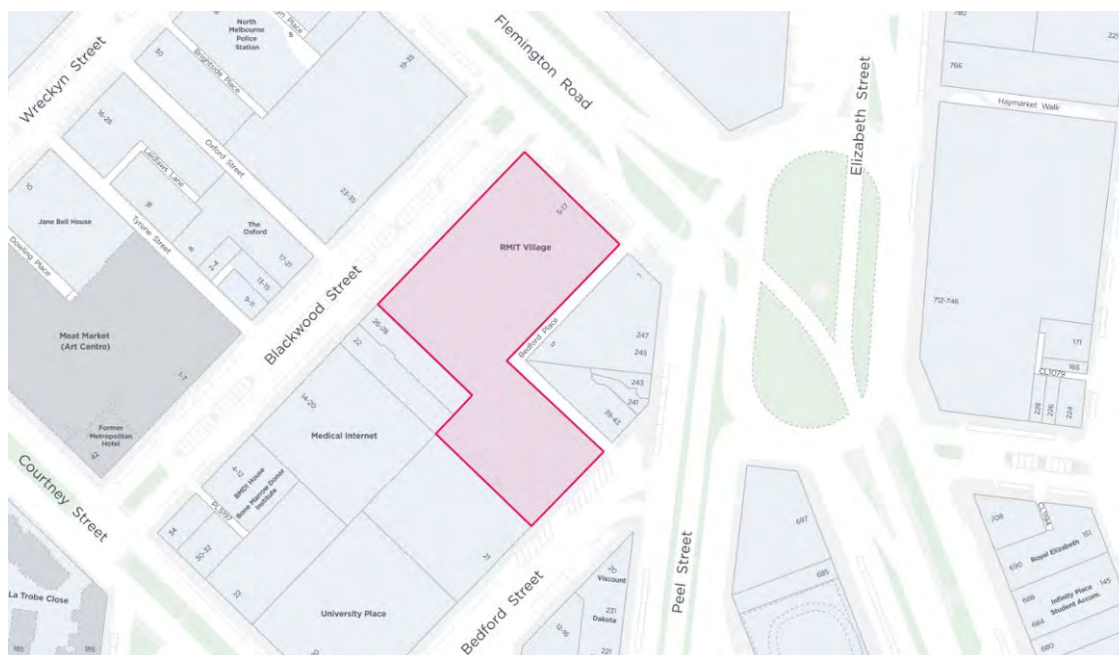
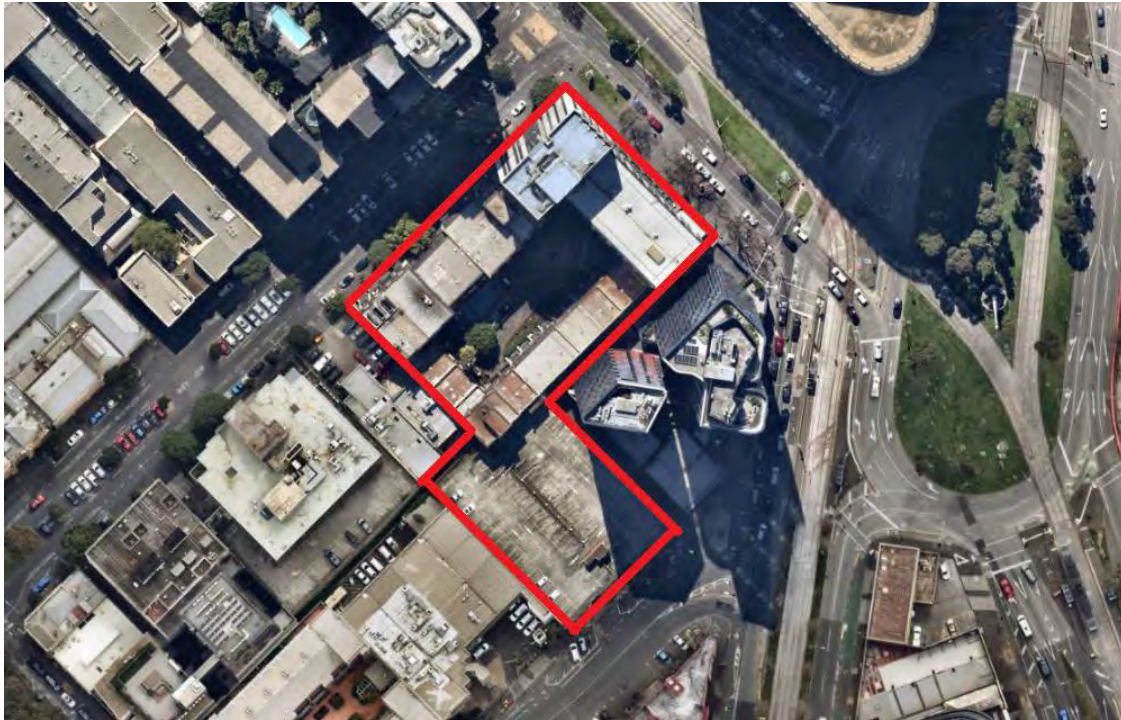


Figure 1: Locality map of subject site and surrounds





**Figure 2: Aerial photograph of subject site and surrounds**

The site has its primary frontage to Flemington Road, with secondary interfaces to Blackwood Street to the north-west, Bedford Street to the south-east and Bedford Place along its eastern boundary. The site consists of several individual parcels of land. Each title is encumbered by Agreement AR309079T pursuant to Section 173 of the *Planning and Environment Act 1987* relating to the use of the land for student accommodation under the historical planning permits described in Section 2 of this report. The land is not affected by any other restrictions, covenants or easements.



**Figure 3: Subject site viewed from Flemington Road**

The site is separated into two sections. The larger part of the site facing Flemington Road and Blackwood Street features multi storey buildings used for student

accommodation. Originally a hotel, the buildings were converted to student housing for 456 students under planning permit TP-2004-1116. Alterations and extensions were subsequently undertaken under planning permit TP-2015-1204 (and its subsequent amendments), increasing the student capacity to 616 primarily through a ten storey addition on the corner of Flemington Road and Blackwood Street.



**Figure 4: Subject site viewed from Blackwood Street**

The second part of the site is developed with a commercial car park within a single storey masonry structure accessed from Bedford Street.



**Figure 4: Subject site viewed from Bedford Street**

A public laneway known as Bedford Place adjoins the eastern boundary of the site, providing access between Bedford Street and Flemington Road. It is primarily used for vehicle and pedestrian access to properties on the opposite side of the lane, with only pedestrian access doors provided to the subject site.

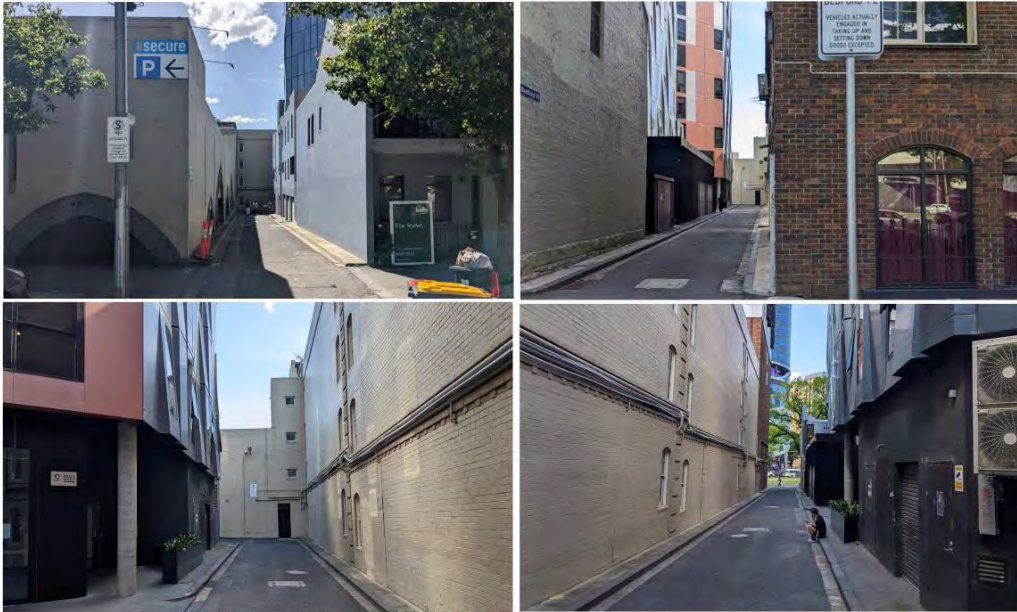


Figure 5: Views along Bedford Place

## 1.2 Surrounds

The site is located within the City North urban renewal area which is characterised by medical and educational institutions alongside high density mixed use development. The land is also characterised by its location within the growing cluster of large building forms around Haymarket Roundabout, which is the gateway to the central city from the north and north-west of greater Melbourne.

The surrounding interfaces are described as follows:

- To the north, on the opposite side of Flemington Road, is the Victorian Comprehensive Cancer Centre. The Royal Melbourne Hospital and Royal Women’s Hospital are located further to the north and north-west.



Figure 6: Surrounding built form viewed from the northern site interface

- To the south, at 13-21 Bedford Street, is a three storey office building with a glazed curtain wall façade. Residential development is located further to the south toward Courtney Street, along with the Bedford Street reserve.



**Figure 7: Surrounding built form and Bedford Street reserve as viewed from the southern site interface**

- To the east, at 1-3 Flemington Road, on the opposite side of Bedford Place, are buildings up to a height of 20 storeys used for student housing as well as a row of two storey Victorian terraces and contemporary three storey townhouses on Bedford Place with individual garage access. Further to the east is the 17 storey CSL office building. An existing automotive repair centre to the east is the subject of a Ministerial Permit (TPM-2019-5) granted for a 19 storey office building.



**Figure 8: Surrounding built form as viewed from the eastern site interface**

- To the west, at 19-35 Flemington, on the opposite side of Blackwood Street, is a 20 storey mixed use building facing Flemington Road, reducing to a lower podium form as it transitions to the three to four storey forms further south. To the immediate south-west at 22-28 Blackwood Street is a two storey concrete office building with open car park, and a nine-storey office building.



Figure 9: Surrounding built form as viewed from the western site interface

## 2 BACKGROUND

### 2.1 Planning application history

The following historical planning permit applications are of relevance to the site:

TP number	Description of Proposal	Decision
TP-2004-1116	Construction of alterations and additions to the existing buildings, use of part of the site as student accommodation and a reduction in the car parking requirement associated with the use.	Permit issued 3 November 2004  (Note - Conversion of original hotel to student accommodation for 456 students, imposed requirement for the existing Section 173 Agreement)
TP-2004-1116/A	Section 72 Amendment to Condition 2 requirement for Section 173 Agreement	Permit amended 7 July 2005
TP-2015-1204	Construction of a building and carrying out of alterations and additions for use as residential buildings (student accommodation) to provide additional student beds and	Permit issued 1 August 2016  (Note - Additions at the corner of Flemington Road and Blackwood Street to accommodate an additional

	retail tenancies (excluding hotel or tavern), with a reduction in the bicycle parking requirement	147 students)
TP-2015-1204/A	Section 72 Amendment to modify the approved development and increase the number of additional students from 147 to 160 (616 total)	Permit amended 22 December 2017
TP-2015-1204/B	Section 72 Amendment to amend Conditions 5 (Section 173 Agreement) and 6 (Management Plan)	Permit amended 12 June 2018
TP-2015-1204/C	Section 72 Amendment to modify the approved development by increasing the parapet height and revising external materials	Permit amended 23 November 2018
TP-2015-1204/D	Section 72 Amendment to modify Condition 5 (Section 173 Agreement) and the endorsed Condition 6 Management Plan	Permit amended 9 June 2021 ( <u>Note</u> – secondary consent amendment approved on 2 June 2023 to relocate all student facilities within the main accommodation buildings and outside of the Bedford Street car park, to enable the demolition and development of the car park building as Stage 1 of this application)

## 2.2 Pre-application meeting

A pre-application meeting was facilitated by DTP on 15 December 2021, attended by the permit applicant and Council Officers.

Discussion focused on massing in relation to the site context and DDO61, ensuring no overshadowing of Bedford Reserve, the public realm and an adequate width for the proposed through link, student housing amenity and design detail.

## 2.3 Melbourne Design Review Panel (MDRP)

In March 2023, during the preparation of a formal amendment to the application relating to the Stage 1 Student Housing building, the project was considered by the City of Melbourne's Design Review Panel (MDRP).

The advice from the MDRP raised concern with the 'commercial' façade expression of the revised design and provided a number of recommendations to improve its contextual response. A more respectful approach responding to the fine-grain character of North Melbourne was encouraged through consideration of façade composition, depth, grain, materiality and entry layout.

The Section 57A amended application incorporated design changes responding to the advice provided by the MDRP, including:

- Deletion of the ‘floating’ flex-brick feature cladding at ground level, replaced with an off-form concrete colonnade and canopy with integrated planters above facing Bedford Street and Bedford Place.
- Increased solidity and grain through the podium and tower forms through the use of Equitone and aluminium cladding.
- Revised entry layout to Bedford Street and simplified, straight pathway provided along Bedford Place with levels matching those within the existing lane.



**Figure 10: Comparison of MDRP (left) and formally amended (right) Stage 1 design**

The key recommendations made by the MDRP have been meaningfully adopted within the proposed development, improving its response to the public realm and urban context as discussed further in the assessment section of this report.

### 3 PROPOSAL

#### 3.1 Documents considered in assessment

The plans and supporting documentation which have been considered in this assessment are identified in the following table:

Documents considered in assessment		
Document	Author	Date
Architectural Plans	Architectus and Metier3	2 August 2023
Urban Context Report	Architectus	13 April 2022
Town Planning Report	Urban Planning Collective	July 2023
Landscape Report	Tract	1 August 2023
Traffic Impact Assessment	One Mile Grid	25 July 2023
Wind Assessment	Vipac	26 July 2023
Waste Management Plan	One Mile Grid	25 July 2023
Sustainability Management Plan	Wrap Engineering	7 July 2023
Acoustic Report	Renzo Tonin & Associates	25 July 2023

Aviation Assessment	Thompson GCS	24 March 2022
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### 3.2 Proposal details

The application seeks permission for use of the land for retail premises, medical centre and accommodation (student housing), to construct a building and construct or carry out works, a reduction in car parking requirements and alteration of access to a road in a Transport Zone 2.

Key features of the proposal are summarised below:

- A staged redevelopment of the land, comprising student housing in a 19 storey building facing Bedford Street (Stage 1) and built-to-rent apartments over two buildings of 19 to 22 storeys facing Flemington Road and Blackwood Street (Stage 2).
- Ground level retail premises and a medical centre will be provided along Flemington Road and Blackwood Street as part of Stage 2. A small retail premises will be provided within the Stage 1 student housing.
- Primary pedestrian access to each building will be provided from their respective street frontages. Vehicle access is provided to Stage 1 via Bedford Street to a small parking, loading and waste collection area. Stage 2 is provided with vehicle access from Blackwood Street leading to two levels of basement car parking, with loading and waste collection undertaken at basement level 1.
- A 2m wide pedestrian pathway will be provided along the north-eastern boundary of Stage 1, carrying through Stage 2 to provide a through-link between Bedford Place and Blackwood Street.
- External materials and finishes include off form concrete, bronze and zinc metal cladding with wire mesh cladding to the central courtyard and connecting corridors for Stage 1. The Stage 2 apartments will be constructed in light brown brickwork at the lower levels and natural concrete panels and dark grey metal cladding above.
- With regard to staging, it is intended that the existing student accommodation will remain operational while Stage 1 (student accommodation) is constructed. The students will then be relocated for Stage 2 (built-to rent dwellings) to be constructed. The through link from Bedford Place to Blackwood Street will be delivered in Stage 2.

Specific details of the proposal are summarised in the following table:

	Stage 1	Stage 2
<b>Maximum height</b>	54.49 metres	69.8 metres
<b>Storeys</b>	19	19 to 22
<b>Basement Levels</b>	1	2
<b>Street wall heights</b>	8 to 10 storeys	7 to 9 storeys



<b>Tower Setbacks</b>	8.2 to 26.67 metres to Bedford Street 0.76 to 3.4 metres to Bedford Place 4.53 metres to south-western boundary 4.92 metres to north-western boundary Internal tower separation from Stage 2 of 9.42 metre	2 to 5.8 metres to Flemington Road 3.05 to 10.1 metres to Blackwood Street 3.35 to 4.79 metres to Bedford Place 4.55 metres to south-western boundary Internal podium separation of 4.47 to 4.62 metres Internal tower separation of 9.38 to 27.13 metres
<b>Gross Floor Area</b>	19,420 square metres	54,688 square metres
<b>Number of student rooms/dwellings</b>	644 student rooms (481 studio, 38 4-bed cluster, 11 DDA)	538 apartments (389 1-bed and studio, 134 2-bed and 15 3-bed)
<b>Communal areas</b>	1,294 square metres outdoor 1,910 square metres indoor	700 square metres outdoor 1,562 square metres indoor
<b>Retail leasable floor area</b>	84 square metres	949 square metres
<b>Medical centre leasable floor area</b>	-	501 square metres
<b>Car Parking Spaces</b>	4	242, including: <ul style="list-style-type: none"> <li>• 214 spaces for residents</li> <li>• 28 spaces allocated to the medical centre and retail premises</li> </ul>
<b>Bicycle Parking Spaces</b>	164	324, including: <ul style="list-style-type: none"> <li>• 310 for residents and visitors of dwellings</li> <li>• 14 for employees and visitors of the medical centre and retail premises</li> </ul>

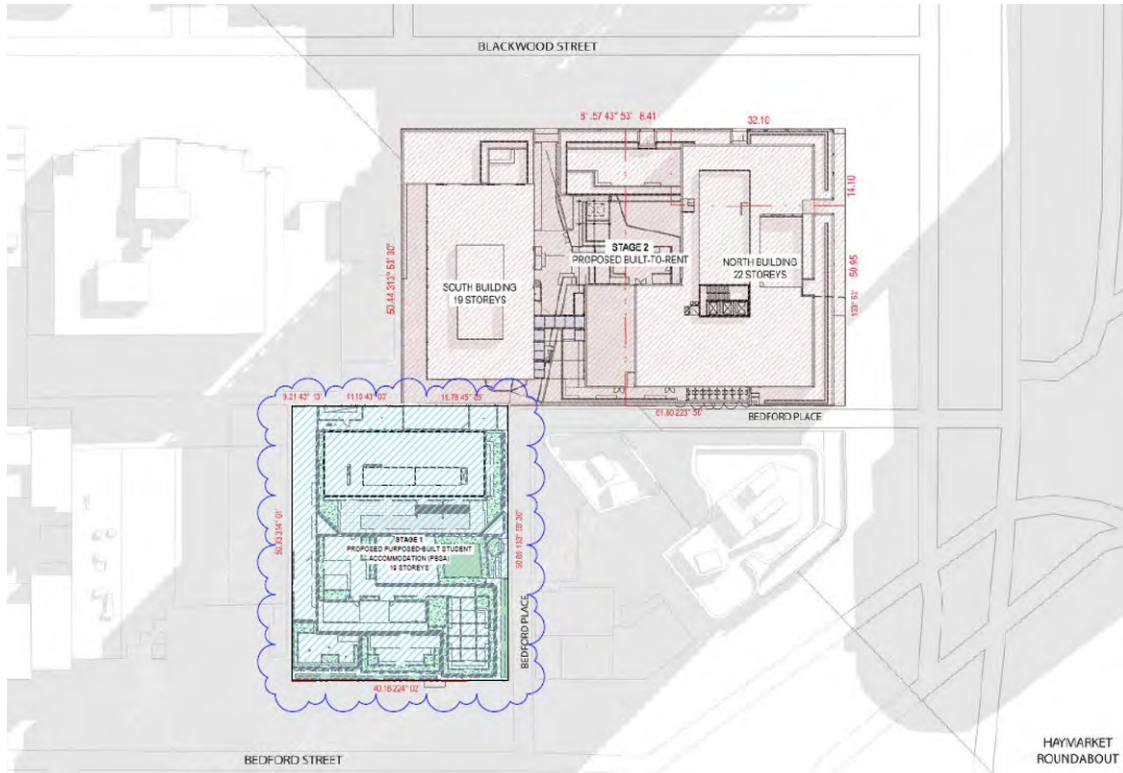


Figure 11: Indicative staging plan showing Stage 1 hatched blue and Stage 2 hatched red



Figure 12: Perspective views of Stage 1 student housing from Bedford Street and Bedford Place



Figure 13: Perspective views of Stage 2 build-to-rent apartments from Flemington Road and Blackwood Street

### 3.3 Amendment during application

The application was formally amended under Section 57A of the *Planning and Environment Act 1987* on 7 August 2023.

The amendments to the application are summarised as follows:

- Increase in the number of students from 636 to 644 in Stage 1.
- Reduced retail tenancy from 153 to 84 square metres in Stage 1.
- Deletion of the ‘floating’ flex-brick feature cladding at the ground level, replaced with an off-form concrete colonnade and canopy with integrated planters above facing Bedford Street and Bedford Place.
- Increased solidity and grain through the podium and tower forms through the use of Equitone and aluminium cladding.
- Revised entry layout to Bedford Street and simplified, straight pathway provided along Bedford Place with levels matching those within the existing lane.
- Provision of a swimming pool to the communal terrace on Level 17.
- Modification to rooftop plant services.
- Internal reconfigurations to the Stage 2 apartment building including the deletion of the void and airlock areas to Flemington Road, and resolution of the Bedford Place interface to remove potential entrapment areas.




Figure 14: North-east perspective of Stage 1 facing Bedford Place under Section 57A plans

## 4 PLANNING POLICY FRAMEWORK, CONTROLS AND PROVISIONS

The following policies, controls and provisions of the Melbourne Planning Scheme are relevant to the application:

Policy Framework	
Purpose and Vision	Clause 02.02 – Vision Clause 02.03 – Strategic Directions Clause 02.04 – Strategic Framework Plans

<p>Planning Policy Framework</p>	<p>Clause 11 – Settlement                  Clause 13 – Environmental Risks and Amenity                  Clause 15 – Built Environment and Heritage                  Clause 16 – Housing                  Clause 17 – Economic Development                  Clause 18 – Transport                  Clause 19 – Infrastructure</p>
<p><b>Controls</b></p>	
<p>Clause 32.04                  Mixed Use Zone</p>	<p><u>Use</u></p> <p>The use of land for dwellings is a ‘Section 1 – Permit not required’ land use.</p> <p>The use of land for ‘Accommodation’ (other than Dwelling), ‘Retail premises’ is a ‘Section 2 – Permit required’ land use. A ‘Medical centre’ exceeding 250 square metres leasable floor area is also a Section 2 use. As such, a <b>permit is required</b>.</p> <p><u>Buildings and works</u></p> <p>Pursuant to Clause 32.04-8, a <b>permit is required</b> to construct two or more dwellings on a lot. An apartment development of five or more storeys must meet the requirements of Clause 58.</p> <p>Pursuant to Clause 32.04-9, a <b>permit is required</b> to construct a building or construct or carry out works associated with a Section 2 use.</p>
<p>Clause 43.02                  Design and Development Overlay</p> <p>Schedule 61, Areas 2 and 5 (General Development Area - Built Form)</p>	<p>Pursuant to Clause 43.02-2, a permit is required to construct a building or construct or carry out works unless a schedule to the overlay specifies otherwise. Schedule 61 does not include any specific exemptions and as such, a <b>permit is required</b>.</p>  <p><b>Figure 15: Map showing DDO61 sub-precinct boundaries</b></p> <p>The site is located in Area A5 which has a preferred maximum height of 60 metres, and area A2 which has a preferred maximum height of 24 metres along with preferred setbacks and built form</p>

	outcomes as set out within the assessment section of this report.
<p>Clause 43.02 Design and Development Overlay</p> <p>Schedule 66 (Hospital Emergency Medical Services Helicopter Flight Path Protection – Outer Area)</p>	<p>A <b>permit is required</b> to construct a building or construct or carry out works as the maximum height of the works is above the referral height for the Royal Melbourne (62.4m AHD) and Royal Children's (67.3m AHD) Hospitals specified in Table 1 of DDO66.</p> <p>Applications of the kind listed in Clauses 66.01, 66.02, 66.03 and 66.04 must be referred to the person or body specified as a referral authority in accordance with section 55 of the Act.</p> <p>Notice of an application of the kind listed in Clauses 66.05 and 66.06 must be given in accordance with section 52(1)(c) of the Act to the person or body specified as a person or body to be notified.</p> <p>DTP are responsible for referring and giving notice of the application.</p>
<p>Clause 45.09 Parking Overlay</p> <p>Schedule 12 (Residential Development in Specific Inner City Areas)</p>	<p>The overlay sets out the following maximum rate for the provision of on-site parking:</p> <ul style="list-style-type: none"> <li>• <i>One space per dwelling.</i></li> </ul> <p>The proposal provides a total of 214 on-site car spaces for dwellings which is less than the 538 maximum allowed under the overlay. A permit is therefore not required.</p>
<b>Particular Provisions</b>	
<p>Clause 52.06 - Car Parking</p>	<p>The requirements for the provision of on-site car parking for dwellings are contained in the Parking Overlay (Schedule 1) that applies to the land, outlined above.</p> <p>In relation to the remaining uses, the use of land for student housing (accommodation) does not have a statutory rate at Clause 52.06-5 and parking provision is therefore to the satisfaction of the responsible authority.</p> <p>There is a requirement to provide 2 spaces for the retail component of Stage 1 and a total of 4 spaces is provided, satisfying the requirement.</p> <p>There is a total requirement of 49 spaces for the commercial (retail and medical) components of Stage 2. A total of 28 parking spaces is provided for these uses. Therefore a <b>permit is required</b> for a reduction of 21 spaces associated with these uses.</p> <p>The access and car parking arrangement is required to be assessed against the design standards at Clause 52.06-9.</p>
<p>Clause 52.29 – Land Adjacent to the Principal Road Network</p>	<p>A <b>permit is required</b> to create or alter access to a road in the Transport Zone 2, relating to the removal of an existing access point to Flemington Road.</p>
<p>Clause 52.34 - Bicycle Facilities</p>	<p>Pursuant to Clause 52.34-1, a new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land.</p>

	<p>In relation to the proposed development, Clause 52.34 requires the following number of bicycle parking spaces:</p> <ul style="list-style-type: none"> <li>• Residential building (644 lodging rooms) = 64 spaces</li> <li>• Dwellings (538) = 164 spaces</li> <li>• Medical centre = 4 spaces</li> <li>• Retail (Stage 2) = 5 spaces</li> <li>• Total = 299 spaces</li> </ul> <p>The proposal includes total of 488 spaces provided at ground and basement levels, with 164 provided for the Stage 1 student housing and 324 spaces within Stage 2.</p> <p>The proposal satisfies the requirement for end of trip facilities under Clause 52.34-5 by providing one shower, change room and locker facilities for the non-residential uses at ground floor level for each stage.</p> <p>Therefore, a permit is not required.</p>
Clause 53.18 – Stormwater Management in Urban Development	The requirements of Clause 53.18 are applicable, which seek to ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits. The application provided a Water Sensitive Urban Design response which has been assessed in conjunction with Clause 19.03-3L (Stormwater management – Water sensitive urban design)
<b>General and Operational Provisions</b>	
Clause 65 - Decision Guidelines	Clause 65.01 (Approval of an application or plan) outlines the matters which must be considered by the Responsible Authority prior to deciding on an application or approval of a plan.
Clause 72.01 - Responsible Authority for this Planning Scheme	<p>The Minister for Planning is the responsible authority for this application as the gross floor area (GFA) of the development exceeds 25,000 m<sup>2</sup>.</p> <p>The Minister for Planning has referred the application to the City of Melbourne in accordance with Clause 66.04.</p>

## 5 PUBLIC NOTIFICATION

Public notification of the application is the responsibility of DTP on behalf of the Minister for Planning.

Council received notice the application under section 52(1) of the *Planning and Environment Act 1987* on 26 April 2022, and of the amended application on 9 August 2023.

## 6 INTERNAL REFERRALS

### 6.1.1 City Design

The original application was referred to City Design, who raised the following key issues:

- *Reconsideration of massing envelope of the student accommodation building to avoid any additional overshadowing from 10am and 3pm on June 21 to Bedford Park Reserve, and to provide a more appropriate height transition down to the predominantly low-rise context to the south-west.*
- *Removal of obstructions to Bedford Place pedestrian paths, and investigation of a shared street proposal to the roadway to prioritise pedestrian safety within this link.*
- *Design measures to facilitate the public use of the 'public realm' forecourt to the student accommodation function.*
- *Design of measures to enhance visual and physical connection between the proposed laneway and activating tenancies.*
- *Provide an additional grain of detail to street and laneway frontages, demonstrated through the provision of 1:20 street level elevations. All proposed finishes should be annotated.*
- *Provision of further detail to overall building elevations, annotating all materials and variants depicted.*
- *Provision of a detailed material palette with all materials proposed, including all textural and pigment variations. The palette should include detailed specification information and accurate imagery. Additional information requested within this report should be provided.*

The application went through a period of revision due to changes sought by the applicant in relation to Stage 1, and the advice provided by City Design and later MDRP. Discussion plans were provided to City Design for review, with their advice summarised as follows:

*The latest concept design presentation has built upon the improvements shown and discussed at the most recent meeting. We offer our general support and further comments as set out below.*

#### *Design detail & materials*

- *We are pleased to see that the design direction is proceeding in line with earlier advice. The design of the lower street wall responds to the precinct character and provides a human scaled pedestrian experience at the public realm interface.*
- *We note highly robust and visually interesting materials and finishes to lower levels, and effective integration of wayfinding signage on the lower street wall.*
- *We support the open circulation with expanded mesh between buildings at Bedford Place interface.*
- *The level of depth and articulation to upper level façades is positive. The combination of the deep windows and the fins provide sufficient shadow on the façade.*
- *Either of the two options for finishes to the upper street wall (bronze or cream) could be supported, provided that the finish is textured and visually interesting. We request clarification on the proposed finish of the aluminium. Anodised aluminium is recommended to ensure a textured, robust and natural appearance.*

#### *Public interfaces (Bedford Place)*

- *The solid concrete base achieves a more contextual presentation to the public realm, and improves the legibility of the building program at the ground level.*
- *While we support the provision of greenery and the inviting sitting spaces at the Bedford Place interface, there are currently no active frontages proposed. We encourage the exploration of additional active uses – particularly at the corner on the approach to the laneway – to future proof pedestrian activation along this key public interface. In particular, there is concern with the blank wall spanning two structural bays alongside the entry lobby and lift, as well as the arrangement of ‘quiet’ study areas along the majority of the laneway.*
- *We also query the ability to achieve meaningful planting within the planter boxes shown along Bedford Place, which should be detailed in future through amended landscape plans.*
- *We note that the width of the pedestrian pathway to Bedford Place within the subject site is shown at approximately 1.7m. It remains our position that this width within the site boundaries should be a minimum of 2m for the entire length of the path.*
- *The clearance height of the northern canopy section appears very low at the mid-point of the Bedford Place interface (see images below). As part of a future 57A submission, we request a section cutting through the entire pathway illustrating the canopy at its lowest point (fully labelled with dimensions) to ensure the areas are safe and useable.*

The amended plans forming part of the Section 57A amendment were developed in response to this advice.

The amended (decision) plans were provided to City Design for further review and were found to have resolved the majority of the above comments, with key outstanding issues summarised below:

- *Design measures to enhance visual and physical connection between the proposed laneway and tenancies, including reduction of planter width, seating edges, shopfront details etc.*
- *Provide an additional grain of detail to street and laneway frontages, demonstrated through the provision of 1:20 street level elevations. All proposed finishes should be annotated.*
- *Provision of further detail to overall building elevations, annotating all materials and variants depicted.*
- *Provision of a detailed material palette with all materials proposed, including all textural and pigment variations. The palette should include detailed specification information and accurate imagery.*

#### Officer comment

Following multiple, detailed reviews and advice provided by the City Design team in conjunction with the MDRP, the proposal has incorporated meaningful amendments to its architectural language and public realm presentation, particularly within Stage 1 which has undergone the majority of change. Overshadowing impacts to Bedford Street Reserve have been addressed as detailed in Section 7.2.3 of this report.

A recommended permit condition will address the outstanding concerns listed above through the endorsement of a Façade Strategy.



### 6.1.2 Land Survey

The application was referred to Council's Land Survey team, with their key recommendations summarised as follows:

- Prior to the commencement of works, excluding demolition, Registered Agreement AR309079T associated with the existing student housing must be removed from all titles affected by the Agreement to the satisfaction of the Responsible Authority.

The applicant has suggested that this be required through the following mechanisms:

- Stage 1 pre-commencement condition to update agreement to relate to the Stage 2 land only, which houses existing student accommodation.
  - Stage 1 pre-occupation standard condition for a Section 173 Agreement for new student housing.
  - Stage 2 pre-commencement condition for Agreement AR309079T to be removed.
- Prior to the commencement of works, excluding demolition, all the land contained within certificates of title Volume 11487 Folio 965 (Lots 3 and 4 on TP836180V), 11487 964 & Volume 11487 Folio 963 (Lot 1 TP836184M) for the proposed development must be consolidated onto the one certificate of title to the satisfaction of the Responsible Authority.

If the land to be consolidated falls within Stage 2 of the development then there are no objections from a Land Tenure perspective that the proposed condition be amended to prior to the commencement of the Stage 2 works.

- The proposed projections/canopies over and into a Council Managed Road/Lane must comply with Council's projections Guidelines and referred to Infrastructure and Assets for comment.

#### Officer comment

The approach to resolving the existing Section 173 Agreement for student accommodation proposed by the applicant is considered a reasonable one, as it would enable the existing student housing on the Stage 2 land to remain occupied and operational through the construction of Stage 1.

The recently approved secondary consent amendment to the existing permit for that site removed an overlap (bicycle parking) with the Stage 1 land, which is now no longer an impediment to this approach. As such, conditions will be included in the recommendation to require the staged removal of the existing 173 Agreement as described above.

Standard conditions will address projections as required by City Infrastructure, as well as the consolidation of the Stage 2 land prior to commencement of Stage 2.

### 6.1.3 Green Infrastructure and Environmentally Sustainable Design

The application was referred to Council's Senior Green Infrastructure and Environmentally Sustainable Design Officer, with their comments summarised as follows:

- The development commits to a level of sustainability that meets the objectives of Clause 15.01-2L-01 and Clause 19.03-3L.
- Additional evidence is required to demonstrate that the proposal achieves the 5 star Green Star benchmark and associated credits.

- Permit conditions are recommended to endorse and implement the Sustainability Management Plan, and to require the provision of a Green Infrastructure Landscape Plan for detailed landscape and green infrastructure design.

#### Officer comment

Conditions are recommended for the endorsement and implementation of an amended Sustainability Management Plan. The request for the provision of a Green Infrastructure Landscape Plan, inclusive of Landscape Maintenance Plan, is also recommended.

#### **6.1.4 City Infrastructure**

The application was referred to City Infrastructure, with their comments summarised as follows:

- City Infrastructure recommends that that pedestrian access between Stage 1 and Stage 2 must be along a designated private footpath and must not assume pedestrian use of the Bedford Place road surface.
- Development plans show a proposed pedestrian pathway to link the proposed buildings. The path narrows and disconnects at the Bedford Place bend. This pathway and road interface is unresolved and further information regarding access and DDA compliance shall be provided to Transport Engineering and Planning for assessment and approval.
- The Traffic Report indicates that Bedford Place will be converted to a shared zone providing access to both the BTR (Build to Rent) and PBSA (Purpose Built Student Accommodation) buildings. It is recommended to impose a permit condition in relation to this process and timing of the proposed conversion in consultation with the relevant areas.
- Development plans indicate the development access is provided on both lower ground and upper ground levels as the subject land is on a slope. All proposed Finish Floor Levels must match the adjacent existing footpath levels. Any discrepancies shall be identified and addressed via internal ramps/stairs. Council does not allow any changes to the existing street levels in roads adjoining the site for the purpose of constructing new vehicle crossings or pedestrian entrances.
- The proposed vehicle crossing in Bedford Street conflicts with a street power pole, tree and seat and the proposed vehicle crossing in Blackwood St conflicts with a street tree. Comments and approval regarding the required removal/modifications shall be sought from the relevant responsible authorities i.e. Urban Forest and Ecology Team and Jemena.
- All projections over the street alignment must conform to Building Regulations 2018, Part 6, Sections 98 to 110 as appropriate. Reference can be made to the City of Melbourne's Road Encroachment Operational Guidelines with respect to projections impacting on street trees and clearances from face/back of kerb.
- The proposed development has impacts on wall-mounted street lights attached to the existing building in Bedford Place. The design of the building shall allow the installation of power conduits and street lights on the external walls of the building to the satisfaction of the responsible authorities.
- Otherwise, standard Civil Infrastructure conditions are recommended.

#### Officer comment

A recommended condition for a Road Safety Audit will address the comments above in relation to the detailed design of the pedestrian link, and the potential conversion of Bedford Place to a shared zone subject to separate processes and Department of Transport and Planning (Transport) approval. It is noted that the conversion to a shared zone is not a necessary outcome for the development to occur, but rather offers potential benefits for the pedestrian amenity of the laneway.

Otherwise, the above matters are addressed through permit conditions and notes in the recommendation.

### **6.1.5 Traffic Engineering**

The application was referred to Traffic Engineering, with their comments summarised as follows:

- Car parking:
  - No objection to the amount of car parking being provided.
  - Requested car share facilities incorporated into Stage 1, should be included in Stage 2 by condition (for a Parking Management Plan).
  - Car parking and access facilities have been designed generally in accordance with the Melbourne Planning Scheme, AS/NZS 2890.1:2004 or other relevant Australian Standards.
- Traffic generation:
  - No objection in relation to traffic impacts on the existing road network.
- Access and layout:
  - A Road Safety Audit will be required as a condition of permit.
  - The designation of Bedford Place as a Shared Zone is supported, subject to Department of Transport and Planning (Transport) approval. Any changes to the parking signage/restrictions in the laneway will require Council approval.
- Loading and waste:
  - Recommended condition for a Loading Management Plan.
- Bicycle facilities:
  - No objection to the proposed bicycle parking provision.
  - Design/dimensions of bicycle parking has been designed generally in accordance with the relevant Australian Standards and Bicycle Network guidelines.
- Motorcycle parking:
  - Provision of motorcycle parking in excess of the planning scheme requirement has been included as requested.

#### Officer comment

Outstanding matters above are capable of being addressed through recommended permit conditions, including conditions requiring the endorsement of a Parking Management Plan, Road Safety Audit and a Loading Management Plan.

### **6.1.6 Waste Services**

The application was referred to Waste Services, with their comments summarised as follows:

- Separate Waste Management Plans will be required for each stage in the event that Stage 1 is occupied before Stage 2 is completed and the interim waste management for Stage 1 is different to the final arrangement.
- The proposed chutes are not designed for or safe to be used for glass only. The WMP should be adjusted to a 3 chute system, with adequate and accessible glass bins for residents and students.

Floor area / Calculations / tables:

- Table 1 says 84m<sup>2</sup> for the PBSA café whilst Tables 5, 6, 7 & 8 say 153 m<sup>2</sup>. This discrepancy may have caused some of the calculation errors listed below. Please confirm the correct floor area for the PBSA café and then adjust / check Tables 5, 6, 7 and 8 accordingly.
- Calculations below to be confirmed and figures adjusted accordingly:
  - Table 5:
    - Subtotal for BTR residential southern tower garbage should be 11880L.
    - Subtotal for BTR commercial garbage should be 12971L
    - PBSA café total garbage per week should be 2570L, and so the sub total for PBSA garbage should be 21890L
  - Table 6:
    - PBSA café recycling per week should be 2056L, and so the sub total for PBSA recycling should be 20088L
  - Table 7:
    - PBSA café organics per week should be 643L, and so the sub total for PBSA organics should be 7083L
  - Table 8:
    - BTR café glass per week = 363L, so the subtotal for BTR commercial is 363L
    - PBSA café glass per week should be 86L, and so the sub total for PBSA glass should be 7814L
    - Please adjust bin provision where required
  - Table 12:
    - BTR recycling (no glass) total is incorrect (8610L). Table 6 says 10054L (which is correct).
    - Contrary to the remarks in Table 16, a 660L organics bin is still included in both the written plan and plan drawings. Please amend to 240L bins as the maximum size for organics.
  - Table 14: may need to be adjusted according to correct floor area (84m<sup>2</sup> or 153m<sup>2</sup>)

Other:

- Hard waste: Separate communal hard waste storage required for student accommodation and commercial tenants.

- E-waste: developers must provide for the storage and disposal of e-waste. Please show where this storage will be for the student accommodation and for the commercial tenants.
- Residents need to access bin stores to dispose of waste that cannot go in the chutes, including large cardboard, hard waste, e-waste and charity donations. Please indicate clearly on plan drawings that carousels, bin feeders and chute exits will be fully enclosed or fenced off to prevent a safety risk.
- Students must not have access to the commercial bins whilst disposing of large cardboard. Likewise, commercial tenants must not have access to the spare recycling bin intended for students. Please indicate how this will be achieved. (Ideally, students should not be entering the commercial bin store).
- Section 6.2: Only Council approved compostable liners are allowed in organics waste stream. Please remove reference to “similar” bags (which may not be adequately compostable).
- Please provide a copy of the information advising a 3 monthly cleaning schedule for the organic waste chute.

NB: It is a chute manufacturer’s recommendation that chutes used for organic waste be cleaned as needed by a specialised chute cleaning service provider.

#### Plan drawings and swept path diagrams

Please provide:

- Swept path diagrams that show the same waste collection locations as those described and shown in the WMP. (There does not appear to be a swept path diagram showing collection from the BTR commercial bin store on the upper ground floor).
- A scale plan drawing showing the individual BTR northern tower bins in their temporary holding area adjacent to the southern tower bin store. Show the waste truck in its collection position with at least 2m clearance at the rear as well as space to manoeuvre bins out of the southern bin store.
- A plan drawing showing the waste truck parked in its collection position outside the PBSA bin store, with adequate clearance for manoeuvring 1100L bins from bin store to the rear of the truck, and accounting for the 1:15 ramp.
- A plan drawing of the waste truck in its collection position in the loading bay outside the BTR commercial bin store, showing adequate clearance at the rear of the truck to manoeuvre 1100L bins
- Plan drawings that show:
  - Safe transfer pathways for residents of the northern tower to access the southern tower bin store (for depositing charity, e-waste and hard waste).
  - Internal transfer pathways for commercial tenants to access relevant bin store from their business.
- Labels for the clear zones required around the linear track and carousel systems.
- A typical residential and student accommodation floor plan showing location of chute rooms.
- Elevation diagrams, including hanging services, to show height clearance for waste trucks entering and exiting buildings.

### Officer comment

A recommended permit condition will require the amendment and endorsement of the Waste Management Plan, along with any necessary updates to the development plans.

### **6.1.7 Urban Forest and Ecology**

The application was referred to Council's Urban Forest and Ecology team in relation to potential impacts on the public trees surrounding the site, which recommended the approval of an Arboricultural Impact Assessment prior to commencement in addition to a Tree Protection Plan condition and associated standard conditions.

### Officer comment

These will be included as part of any recommended permit conditions.

## **7 ASSESSMENT**

The key issues in the assessment of the application are:

- Land use
- Built Form
- Stage 1 – Compliance with Clause 16.01-1L (Student Housing)
- Stage 2 – Compliance with Clause 58 (Apartment Developments)
- Design and Development Overlay, Schedule 65 (Hospital Helicopter Flight Path – Inner Area)
- Environmentally Sustainable Design
- Car Parking and Access, Bicycle Facilities and Waste
- Staging

### **7.1 Land use**

The application seeks permission for the use of land for retail premises and a medical centre contained in Stage 2.

These uses are consistent with the purpose of the Mixed Use Zone and are appropriate having regard to the decision guidelines of the zone, noting the following:

- The land uses proposed are a series of smaller, individual tenancies associated with a predominantly residential development, which aligns with the purpose of the Mixed Use Zone, the Municipal Planning Strategy and Planning Policy Framework.
- The provision of business and commercial services will support the future occupants of the development, nearby institutional and residential uses, and the wider City North precinct.
- Given the scale of the uses and the high level of activity in the immediate surrounds, conditions regulating hours of operation have not been recommended for inclusion on the permit.
- Conditions have been recommended for inclusion on any permit being granted to require a Loading Management Plan and to give force and effect to the assessed WMP, which will ensure that traffic generation and emissions (i.e. waste) from all land uses will be appropriately managed on-site.

The application also seeks permission for the use of land for accommodation (student housing), which is considered in greater detail against the requirements of Clause 16.01-1L further within this report.

## **7.2 Built form**

The proposal is considered to achieve a positive built form response to the opportunities and constraints of the site, having regard to the immediate and wider context. Specific built form guidance for the development of the land is provided within the:

- Mixed Use Zone, including the relevant Planning Policy Framework; and
- Design and Development Overlay, Schedule 61.

The proposed built form is also considered in relation to overshadowing of public spaces, equitable development principles and potential amenity impacts as set out below.

### **7.2.1 Mixed Use Zone and Planning Policy Framework**

A permit is required under the Mixed Use Zone to construct a building or carry out works.

The purposes of the zone include to provide a variety of uses to complement the mixed-use function of the locality, to provide for housing at higher densities and to encourage development which responds to the existing and preferred character of the area. The applicable decision guidelines for buildings and works require consideration of relevant planning policy framework, particularly those under Clause 15.01 (Built Environment) as well as those relating to transport, economic development, infrastructure and amenity.

The policy objectives framework applicable to City North seeks a level of growth and intensification which will strengthen its role as a mixed use extension of the central city and an internationally renowned knowledge district, characterised by its range of educational and medical institutions. It also seeks to encourage a range of uses which complement this function and serve the needs of residents, workers, students and visitors.

The proposal is generally consistent with these objectives, will contribute development of local significance and achieve a high standard of design. The proposal would further consolidate the vision for the zone and precinct by providing high density apartment housing within a highly serviced locality, increasing quantum of student housing in close proximity to the University of Melbourne and the central city, and providing complementary retail and medical uses at the ground floor.

The proposal accords with the relevant guidelines specific to buildings and works and the built environment. The building is of an appropriate scale and mass having regard to the strategic and urban context of the site, and will achieve the desired transition from the higher forms along Flemington Road to the lower scale context further to the south within North Melbourne.

The layout of the development achieves an acceptable outcome as it presents to its street interfaces in terms of its form, scale and program. The provision of retail tenancies to each street will increase activation, vibrancy and offer employment opportunities to strengthen the mixed use role of the precinct. Central entry points are provided in a well-resolved, legible arrangement with good levels of passive surveillance alongside communal ground floor spaces which will enhance the safety and amenity of the public realm. The pedestrian amenity of Bedford Place will be enhanced with a widened footpath and pedestrian link to Blackwood Street through Stage 2.

The proposed development also aligns with transport policy by providing safe access and egress for the public, relying on the use of existing roads for pedestrian and cyclist access. The site is afforded with excellent access to sustainable, alternative modes of transport, and the provision of an appropriate amount of on-site car parking accords with transport policy seeking a modal shift to sustainable alternatives.



**Figure 16: Massing diagram illustrating proposed development in surrounding context**

Overall it is considered that the proposal is an acceptable outcome having regard to the zone and relevant policy framework

### **7.2.2 Design and Development Overlay, Schedule 61 (DDO61)**

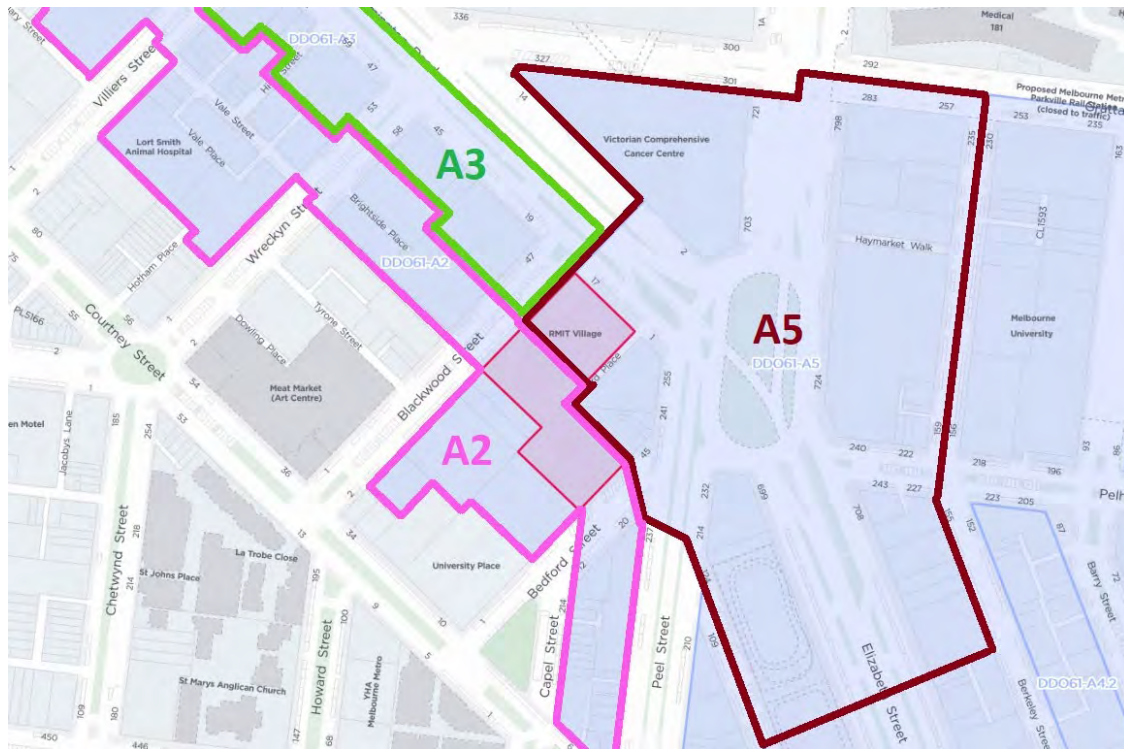
The appropriateness of the built form outcome is guided by the requirements of Schedule 61 to the Design and Development Overlay.

Clause 5.0 of DDO61 provides that before deciding on an application, the responsible authority must consider, as appropriate:

- *Whether the proposal achieves the design objectives in Part 1.0 of this Schedule.*
- *Whether the proposal achieves the built form outcomes contained in Table 1.*
- *Whether the proposal achieves the design requirements contained in Table 2.*
- *Whether the development maintains and enhances the character and amenity of the streetscape.*
- *The wind effect at ground level as demonstrated by wind effects studies as necessary.*

The subject site is partially located within the Area 5 and Area 2 sub-precincts of DDO61, as illustrated below.





**Figure 17: DDO61 sub-precinct boundaries in surrounding context**

The application has been assessed against the built form outcomes and the design objectives and design requirements of the overlay as set out below.

Built Form Outcomes (Table 1)

Clause 7.0 of DDO61 sets out the relevant preferred built form outcomes in Table 1, which are assessed below:

DDO Area	Building Height	Street edge height and upper level setback	Built Form Outcome
5	60 metres	<p><b>Buildings facing Blackwood Street:</b></p> <ul style="list-style-type: none"> <li>40 metre street edge height</li> <li>Any part of the building above 40 metres setback 10 metres from the street.</li> </ul>	<p>Development that:</p> <ul style="list-style-type: none"> <li>Reinforces Elizabeth Street as a civic spine and facilitates the enhancement of its landscape character</li> <li>Creates stronger definition to the streetscape.</li> <li>Complements the existing character established by the university, research and medical buildings.</li> <li>Ensures sunlight reaches the lower floors of new developments.</li> <li>Delivers a scale of development that provides a high level of pedestrian</li> </ul>

			<p>amenity, having regard to access to sunlight, sky views and a pedestrian friendly scale.</p> <ul style="list-style-type: none"> <li>Provides a street edge height that integrates new development with lower scale heritage buildings.</li> </ul>
2	24 metres	<p><b>Buildings facing all other streets:</b></p> <ul style="list-style-type: none"> <li>24 metre street edge height</li> <li>Any part of the building above 24 metres setback from the street behind a 45 degree line.</li> </ul>	<p>Development that:</p> <ul style="list-style-type: none"> <li>Delivers an appropriate transition in scale of development from the lower scale built form in Courtney Street to the higher scale built form in Flemington Road.</li> <li>Limits amenity impacts of excessive building bulk, overlooking and overshadowing on existing buildings in DDO 32</li> </ul>

## Assessment

### Building Height:

The proposed development has an overall building height of 69.8 metres, which exceeds the preferred maximum height of 60 metres for Area 5. The maximum height of the Stage 1 building and the southern apartment tower also exceed the preferred maximum height of 24 metres for Area 2. A variation to the 45 degree setback is sought for the southern apartment building in Stage 2, whilst the Stage 1 building is substantially set back to comply with this envelope with minor encroachments.

These variations are considered to be an appropriate outcome having regard to the design objectives and built form outcomes of the overlay, for the following reasons:

- The site is located within the Haymarket roundabout and has multiple street frontages, as evidenced by its location in multiple sub-precincts of DDO61. The proposal includes a cluster of three towers which respond to this context and supports the gateway role of the Haymarket.

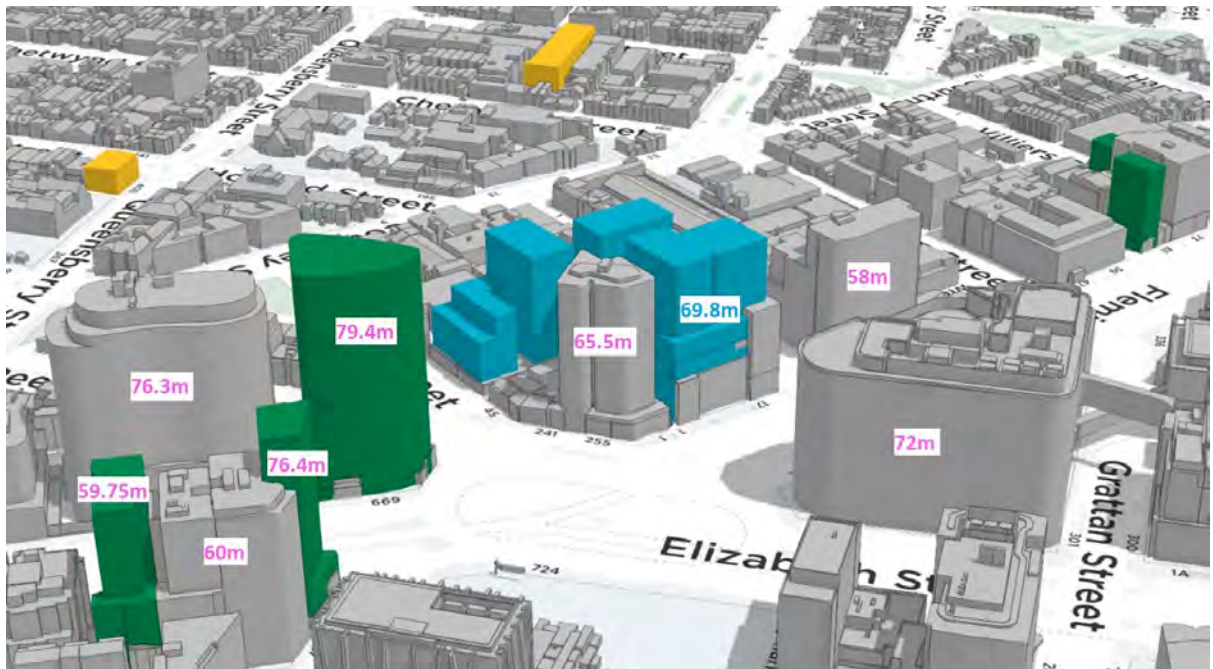
The northern apartment tower presents the tallest building height to Flemington Road within Area 5, which is characterised by prominent built form up to and exceeding the preferred maximum of 60 metres as illustrated below. The southern apartment tower facing Blackwood Street and the student housing building facing Bedford Street step down in height, and are also provided with increased setbacks and lower street walls.

Therefore, the proposal is both compatible with the prominent scale of form within Area 5 while also achieving a suitable graduation in height to the lower scale built form sought for as it transitions to the west on Flemington Road within neighbouring Area 3 and further south within Area 2 along Blackwood and Bedford Streets toward Courtney Street.

- It is noted that the height of the northern apartment tower exceeds the height of the recently completed building immediately to the south-east at 1-3 Flemington Road, as illustrated in the image below. However, this exceedance is not considered to be

unreasonable and can be supported.

The height of the building is generally consistent with existing and approved buildings around the Haymarket roundabout, which range from 58 to 79.4 metres in height. The additional height within the northern tower would not introduce a discordant visual element within this context and would be substantially concealed by existing built form, particularly when read from key vantages around the site and the Haymarket roundabout. This will maintain the consistent streetscape built form integrating Elizabeth Street with Flemington Road as sought by the built form outcomes.



**Figure 18: Existing and emerging built form context of surrounding area with selected heights annotated (proposed blue, approved green, under construction yellow and existing grey)**

- The overall visual composition of the various forms within the building serves to break up the impression of a singular, tall tower form in a manner which complements and contributes to the character of the surrounding built form.

The visual impact from the height of the development is filtered by the staggered, modular forms which compose the tower and street walls below. The highest point of the building is appropriately centralised while the edges are stepped down in height and treated with varied external finishes, articulated with physical recesses and framing elements.

- The site is situated to the south-east of the Haymarket roundabout and will not unreasonably overshadow any planned future public open space at this location due to its height and the setbacks provided. The development would also not result in unreasonable impacts on the amenity of the private or public realm, as detailed through compliance with the relevant overshadowing and amenity assessment criteria further below.

It is also noted that the proposal will contribute a substantial amount of apartment housing into the locality which aligns with the purpose of the Mixed Use Zone, and will complement recent office and institutional developments that have occurred around the Haymarket roundabout. This is a beneficial outcome for the mixed use role of the precinct which is considered to justify the additional built form beyond the preferred requirements.

Overall, it is considered that the relevant built form outcomes are satisfied and the

exceedance above the preferred maximum height can be supported.

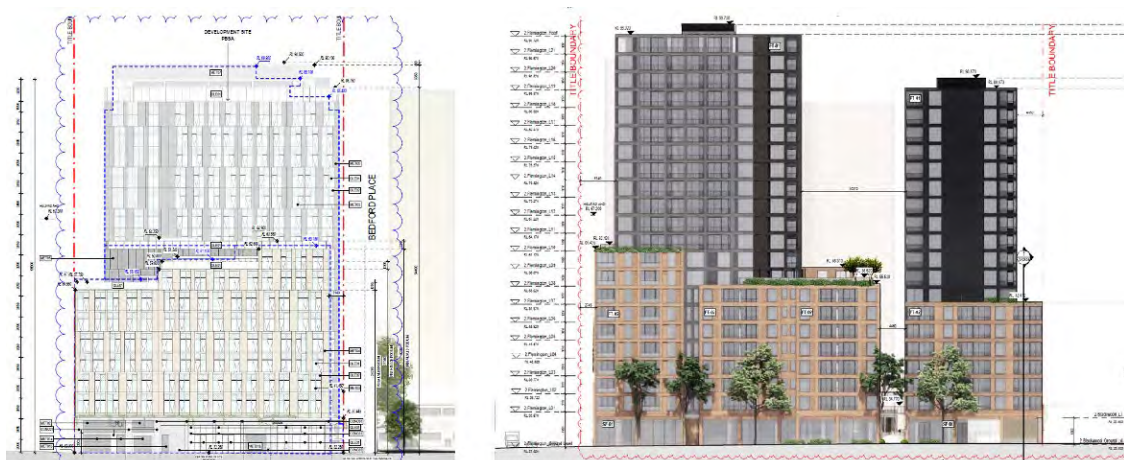
**Street edge height and upper level setback:**

The proposal adopts a varied approach to street edge heights and upper level setbacks, primarily in response to the varied characteristics and built form exhibited on each respective street interface.

Within the section of the site located in Area 5, the proposed Stage 2 buildings have street wall heights up to 34 metres at the north-western corner which transition to a lower height of 25 metres on Flemington Road and 24.19 metres on Blackwood Street, which is located in Area 2. Above the street wall, the northern apartment tower has a setback of 3.05 metres and the southern tower has a setback of 10.1 metres.

This approach does not strictly conform to the DDO61 envelope, requiring either a 10m setback (Area 5) or 45 degree line above the street wall, but is an appropriate response to the transitional location of the site and the built form outcomes listed above. The massing of the street wall and upper level setbacks provide an appropriate response to the corner context and the significant building forms which characterise Flemington Road. Additionally, the lowering street wall heights and increased front and side setbacks provided to the tower forms ensures a meaningful internal separation and visual relief is provided to the public realm.

The Stage 1 building is located entirely in Area 2 and has a staggered street wall height ranging from 24.29 metres to 30.39 metres. Above the street wall, the tower has a setback of 26.67 metres to Bedford Street. This generally accords with the 45 degree setback line. The sections of street wall exceeding 24 metres generally accord with the 1:1 building height at street edge to street width ratio on Bedford Street (30m wide), which is contained within the design objectives for DDO61.



**Figure 19: Streetscape elevation illustrating varied street wall heights along Bedford Street (left) and Blackwood Street (right)**

The proposed massing and setbacks to each street achieve an appropriate, contextual response to the characteristics of the site and its surrounding context. As called for in the built form outcomes, the proposal has achieved a street edge which respects and integrates with the scale of existing buildings and transitions to the lower scale forms away from Flemington Road. This is achieved through the staggered height of the street walls and their segmentation into distinct vertical elements across each frontage which, with varying heights, establishes a lower scale rhythm and legible definition to each streetscape.

Physical recesses and rebates are provided across each façade which support the modulated tower forms, and successfully break up the continuous building mass to each street. The external detailing, location of building entry points, retail spaces and communal terraces further contribute to a visually engaging and responsive built form to each street

edge.

Overall, the approach is considered to be acceptable having regard to the opportunities and constraints of the site, the high level of articulation and design quality achieved.

DDO Area	Building Height	Street edge height and upper level setback	Built Form Outcome
1-5		On the street edge of laneway frontages, any part of the building above 10.5 metres should be setback 4 metres.	Development that ensures laneways have appropriate access to daylight and sunlight.

### Assessment

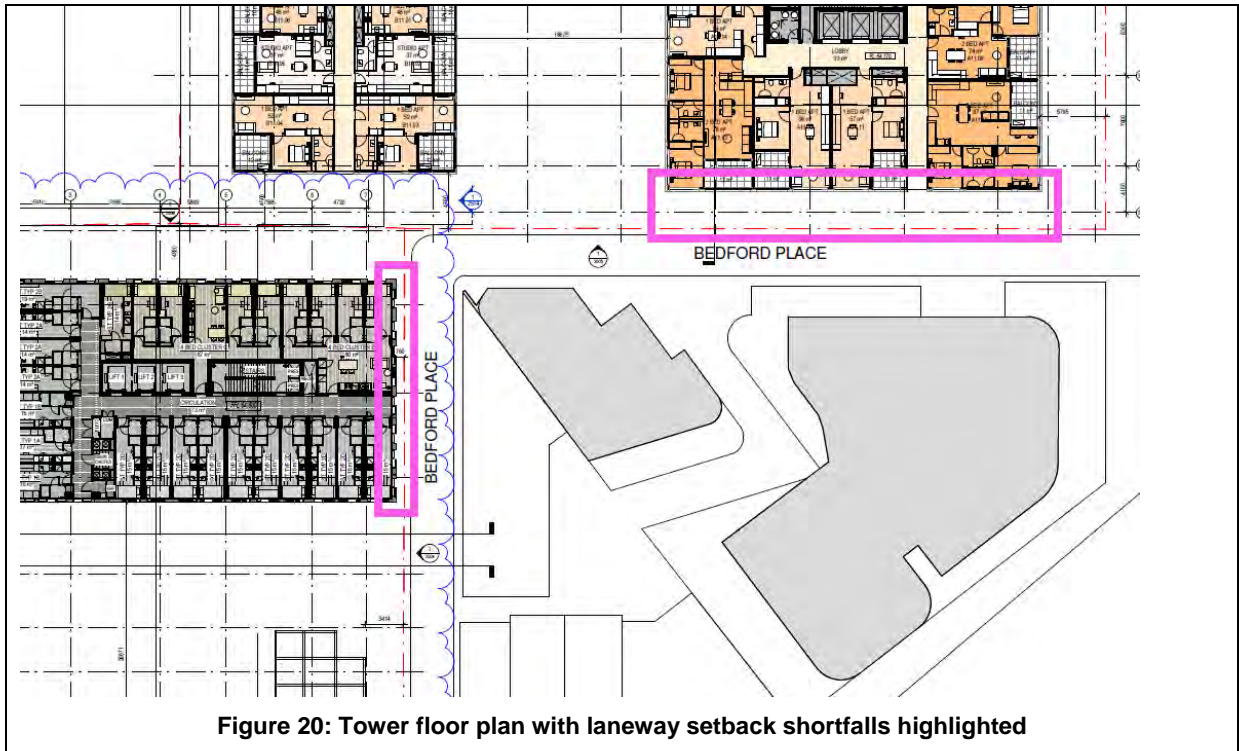
To the north-east, facing Bedford Place, the Stage 1 building is set back 0.76 to 2.15 which falls short of the preferred laneway setback of 4 metres above 10.5 metres in height. A shortfall is acceptable to this interface, having regard to the length of wall proposed along this interface, its location toward the rear of the site and the internal setback and void area which will provide a high degree of visual relief to this interface in addition to the 2 metre widened pathway along the boundary with Bedford Place. It is also noted that the amount of sunlight to the laneway would not be impacted by the Stage 2 buildings due to its orientation and shadow cast by existing built form.

To the south-east, facing Bedford Place, the Stage 2 buildings are set back 3.35 to 4.79 metres above 4 metres in height. This exceeds the minimum requirement up to 10.5 metres in height, and partially falls short of the preferred laneway setback of 4 metres above 10.5 metres in height. This excludes the northern-most section of the northern apartment building, which is constructed on the north-eastern boundary up to a height of 33 metres, before being set back 3.35 metres to the remainder of the tower.

The orientation of the site and surrounding properties around the bend of Bedford Place contributes to an enclosed environment. The existing three and four storey walls of the subject site sit opposite the three storey townhouses at 1 Bedford Place and the 53 metre high wall of 3-5 Bedford Place student accommodation, all of which have no setback to the laneway. The 65.5m high tower of the building at 1-3 Flemington Road has a setback of 3 metres from Bedford Place. In this context, the shortfalls are considered to be acceptable as they would not unreasonably reduce access to daylight and sunlight nor will they have an appreciable impact on bulk as experienced within the lane.

The shortfalls will also not unreasonably impact the equitable development of adjoining properties. Setbacks of over 9 metres are provided to the south-east facing apartments of the northern apartment tower from to the recently completed student housing tower at 1-3 Flemington Road, whilst the north-east facing student rooms of the Stage 1 student housing are provided with dual aspects ensuring they are not reliant on their outlook over Bedford Place, the three storey townhouses at 1-5/1 Bedford Place and the recently constructed student housing building at 3-5 Bedford Place.

Finally, a similar level of architectural detailing and articulation to that achieved to the primary street frontages is provided to the laneways, both through the use of solid masonry finishes at the building base along with the articulated detailing of the tower levels. The proposal will result in a well resolved, contextual built form response to both the laneway and wider area.



Design Requirements (Table 2)

Clause 7.0 of Schedule 61 to the Design and Development Overlay sets out the following design objectives and design requirements (as deemed relevant to the proposed development) in Table 2, which are assessed below:

Design Objective	Design Requirement
<p><b>Building Heights, Scale and Setbacks</b></p> <p>To ensure that the height of new buildings reinforces the built form character of specific areas as defined in Table 1 in this Schedule.</p> <p>To ensure appropriate building scale, height and setbacks at interfaces with established residential areas having regard to existing character, context and amenity.</p> <p>To ensure appropriate building scale on the side and rear boundaries of new buildings and works that respects the scale of existing adjoining buildings.</p> <p>To avoid exposed blank walls.</p> <p>To assist in limiting visual impact and adverse amenity on adjacent development sites.</p> <p>To promote articulated rooflines with architectural interest and variation.</p> <p>To establish a generally consistent built form to the street edge that</p>	<p>Deliver a scale of development at the street edge in accordance with Table 1 of this Schedule.</p> <p>Buildings should be constructed to the street boundary of the site.</p> <p>Upper levels above the maximum street wall heights should be visually recessive and more diminutive than the building's base.</p> <p>Buildings should have a minimum ground floor to floor height of 4 metres at ground floor and a minimum floor to floor height of 3.2 metres in levels above the ground floor.</p>

<p>creates a strong sense of definition and place.</p> <p>To ensure that the scale of built form provides an urban environment that is comfortable for pedestrians.</p> <p>To ensure equitable and good access to sunlight / daylight for occupants of buildings and in public places.</p> <p>To ensure that new development is adaptable over the long term to a range of alternate uses.</p>	
<p>To ensure that new buildings and works adjoining individually significant heritage buildings or buildings within a heritage precinct respects the character, form, massing and scale of the heritage buildings.</p>	<p>The design of new buildings should respect the character, height, scale, rhythm and proportions of the heritage buildings.</p> <p>New buildings should step down in height to adjoining lower scale heritage buildings.</p> <p>New buildings should consider retaining the traditional heritage street wall (as opposed to defining a new higher street wall) where appropriate.</p>
<p><b>Assessment</b></p> <p>As discussed above, the proposed development is an appropriate response that does not unreasonably detract or dominate surrounding built form and is respectful of the surrounding streetscape. The overall design response, including its height and setbacks, are generally compliant with the above preferred built form outcomes. The proposed setbacks have adequately considered the equitable development and amenity of neighbouring lots, as discussed in greater detail in the following section.</p> <p>The ground level floor to floor heights range from 4.2 to 5.3 metres which exceeds the 4 metres recommended by this design requirement. The upper levels have floor to floor heights of between 3 to 3.2 metres, which generally align with the preferred requirement for 3.2 metres. The floors where there are reduced heights of 3 or 3.05 metres would not detract from the presentation of the overall building and provide an acceptable level of internal amenity.</p>	
<p><b>Building Facades and Street Frontages</b></p> <p>To ensure that buildings are well designed and enhance the amenity of City North.</p> <p>To deliver a fine grain built form with architectural variety and interest.</p> <p>To encourage high quality facade and architectural detailing.</p>	<p><b>Addressing the Street</b></p> <p>The articulation of building facades should express a fine grain. Expressing the vertical elements is encouraged to minimise the dominance of wide building frontages.</p> <p>Multiple doors / entrances to buildings and windows should be provided off the street to improve activation of the street.</p> <p>The facades of buildings should maintain the continuity, and traditional characteristic vertical rhythm of streetscapes.</p> <p>All visible sides of a building should be fully designed and appropriately articulated and provide visual interest.</p> <p>Blank building walls that are visible from</p>

	<p>streets and public spaces should be avoided.</p> <p>Buildings on corner sites should address both street frontages.</p> <p><b>Service areas</b></p> <p>Service areas (plant, exhaust, intake vents and other technical equipment and other utility requirements) should be treated as an integral part of the overall building design and visually screened from public areas.</p> <p>Buildings should be designed to integrate attachments (including antennae) without disrupting the appearance of the building.</p> <p><b>Building Projections</b></p> <p>Building projections outside the property boundary should accord with Council's Road Encroachment Guidelines.</p>
<p><b>Assessment</b></p> <p>The proposed building is well articulated through the use of masonry finishes and its architectural language, achieving a high level of visual interest and variation to the public realm. As mentioned above, the street edge of the building adopts staggered heights and segmented street walls which establish a fine-grained rhythm that respects the built form in the surrounding area.</p> <p>The building appropriately holds the corner to Flemington Road and Blackwood Street, with the 34 metre high street wall visually emphasising the corner before transitioning to the lowered street wall segments along each streetscape. This achieves a well-resolved presentation to each interface and a legible transition to neighbouring building forms.</p> <p>The building is activated at ground level with the inclusion of retail premises to each street frontage, as well as defined building entry points. Each tenancy is provided with entry doors which achieve a sense of address and shelter around these transitional spaces. Landscaping is integrated into the pedestrian pathways and through link including a submerged planting area within the student housing building, which are designed to complement the pedestrian experience at street level while also enhancing the amenity of the buildings.</p> <p>Building projections are limited to the entry canopy on Bedford Street, which will conditionally comply with Council's Road Encroachment Guidelines.</p>	
<p><b>Active and Safe Street Frontages</b></p> <p>To create safe streets.</p> <p>To ensure all streets are pedestrian oriented and contribute to pedestrian safety.</p> <p>To ensure development presents welcoming, engaging and active edges to streets and other public spaces at ground floor and the street frontages of lower storeys.</p> <p>To ensure development contributes to passive surveillance of the public domain.</p>	<p>Ground floor frontages should contribute to city safety by providing lighting and activity.</p> <p>At least the first five levels of a building should provide windows and balconies, fronting the street or lane.</p> <p>Access to car parking and service areas should minimise impact on street frontages and pedestrian movement.</p> <p>Car parking should not be located at ground floor and should not occupy more than 20% of the length of the street frontage above ground floor.</p> <p>Facades at ground level should not have</p>



	alcoves and spaces that cannot be observed by pedestrians.
To ensure ground floor frontages to major pedestrian areas add interest and vitality.	<p>Buildings with ground-level street frontages to Elizabeth Street, Peel Street, Grattan Street, Swanston Street and Queensberry Street as shown on <b>Map 1</b> should present an attractive pedestrian oriented frontage to the satisfaction of the responsible authority by providing:</p> <ul style="list-style-type: none"> <li>• At least 5 metres or 80% of the street frontages (whichever is the greater) as: <ul style="list-style-type: none"> <li>• An entry or display window to a shop and / or a food and drink premises; or</li> <li>• As any other uses, customer service areas and facilities, which provide pedestrian interest or interaction.</li> </ul> </li> <li>• Clear glazing (security grilles must be transparent).</li> </ul>
<p><b>Assessment</b></p> <p>It is noted that the site is not located along a designated ground-level street frontage on Map 1 in DDO61.</p> <p>The proposed development provides active retail tenancies at ground floor level with glazed windows and entries directly from the street allowing for passive surveillance and interaction with the public realm, particularly within Stage 2 which features multiple tenancies across Flemington Road and Blackwood Street. The functional layout and open glazing provided to communal spaces for the Student Housing building at ground level will enable an appropriate level of activation to Bedford Street and Bedford Place.</p> <p>Service vehicle access is appropriately minimised and located from the primary street frontages.</p>	
<p><b>Provision of Public Places</b></p> <p>To encourage the provision of well-designed and publicly accessible spaces.</p>	The opportunity for the inclusion of public spaces should be promoted.
<p><b>Assessment: Complies</b></p> <p>Given the physical characteristics of the site and its role within the wider precinct, it is considered reasonable that there be no provision for publicly accessible open space.</p>	
<p><b>Sunlight to Public Places</b></p> <p>To ensure that new buildings allow daylight and sunlight penetration to public spaces, and open space throughout the year.</p> <p>To protect sunlight to public spaces.</p> <p>To ensure that overshadowing of public spaces by new buildings or works does not result in significant loss of sunlight.</p>	<p>Buildings and works should not cast a shadow between 11am and 2pm on 22 March and 22 September over public space, public parks and gardens, public squares, major pedestrian routes including streets and lanes, and privately owned plazas open to the public. A permit may only be granted if the overshadowing will not prejudice the amenity of those areas.</p> <p>Maximise the extent of the northerly aspect</p>

	<p>of public open spaces.</p> <p>Ensures sunlight reaches the lower floors of new developments.</p>
<p><b>Assessment</b></p> <p>The proposal will not unreasonably overshadow any public space, public park or garden, public square, major pedestrian route, including streets and lanes, or privately owned plazas open to the public between 11am and 2pm on 22 March and 22 September.</p> <p>Overshadowing impacts on the nearby Bedford Street reserve are discussed in greater detail below.</p>	
<p><b>Pedestrian Links</b></p> <p>To accommodate vehicular and service access to developments.</p>	<p><b>Buildings and works adjoining lanes</b></p> <p>The design and management of access and loading areas along lanes should not impede pedestrian movement.</p> <p>New development should respond to the fine grain pattern, vertical articulation and division of building frontages where this forms part of the laneway character.</p> <p>New development along lanes should provide highly articulated and well detailed facades that create visual interest particularly at the lower levels.</p>
<p><b>Assessment</b></p> <p>A widened pedestrian pathway will be provided along Bedford Place as part of Stage 1, which will be continued in a pedestrian through link within Stage 2 providing pedestrian access between Bedford Place and Blackwood Street. This will deliver benefits to pedestrian connectivity and improved amenity for pedestrians accessing the site and wider area.</p> <p>The proposal provides a well-resolved response to its laneway interface through the continuation of the concrete and brick building base around the ground levels of each stage as well as the articulated tower forms which would be visible from wider vantages beyond the laneway.</p>	
<p><b>Weather Protection</b></p> <p>To promote pedestrian amenity.</p> <p>To ensure built form does not increase the level of wind at ground level and that buildings are designed to minimise any adverse effect on pedestrian comfort.</p>	<p>The design of the building should minimise the potential for ground-level wind and any adverse effect on pedestrian comfort as follows:</p> <ul style="list-style-type: none"> <li>• In the proposed activity nodes shown on Map 1 the peak gust speed during the hourly average with a probability of exceedance of 0.1% in any 22.5° wind direction sector should not exceed 10 ms-1. This speed is generally acceptable for stationary, long term exposure (&gt;15 minutes); for instance, outdoor restaurants / cafes, theatres.</li> <li>• Along major pedestrian areas shown on Map 1 the peak gust speed during the hourly average with a probability of exceedance of 0.1% in any 22.5° wind direction sector should not exceed 13</li> </ul>

	<p>ms-1. This speed is generally acceptable for stationary, short term exposure (&lt;15 minutes); for instance, window shopping, standing or sitting in plazas.</p> <ul style="list-style-type: none"> <li>• Along all other streets the peak gust speed during the hourly average with a probability of exceedance of 0.1% in any 22.5° wind direction sector should not exceed 16 ms-1 (which results in half the wind pressure of a 23ms-1 gust) which is generally acceptable for walking in urban and suburban areas.</li> </ul> <p>Landscaping within the public realm should not be relied on to mitigate wind.</p>
<p>To protect pedestrians from the elements by providing shelter from the rain and sun, without causing detriment to building or streetscape integrity.</p>	<p>Buildings should include protection from the weather in the form of canopies, verandas and awnings.</p> <p>The design, height, scale and detail of canopies, verandas and awnings:</p> <ul style="list-style-type: none"> <li>• Should be compatible with nearby buildings, streetscape and precinct character.</li> <li>• May be partly or fully transparent to allow light penetration to the footpath and views back up the building façade.</li> <li>• Should be setback to accommodate existing street trees.</li> <li>• Should be located so that veranda support posts are at least 2 metres from tree pits.</li> </ul> <p>Protection need not be provided where it would interfere with the integrity or character of heritage buildings, heritage precincts or streetscapes and lanes.</p>
<p><b>Assessment</b></p> <p>The Wind Assessment including wind tunnel testing, prepared by Vipac, considered the effects of the proposed development having regard to the above wind comfort level criteria in addition to those contained in Clause 58. It was concluded that the proposal achieves compliance by complying with these criteria, including through maintaining existing wind speed conditions in some areas. Recommended wind amelioration measures have generally been incorporated into the Section 57A amended plans. A condition of permit is recommended to require an updated Wind Assessment report which reflects the amended proposal, and incorporates any further mitigation measures.</p> <p>The proposal includes weather protection along the street edges via individual canopies above each building entry point, including through inset ground level entry areas around Stage 2 to Flemington Road and Blackwood Street, which avoids the need for canopies projecting above the existing footpaths. These are considered appropriate to the scale of the development as well as the character of the area and nearby buildings.</p>	

**7.2.3 Overshadowing**

In addition to the overshadowing requirements of DDO61 above Clause 15.01-1L-03 (Sunlight to public spaces) seeks to protect and, where possible, increase the level of sunlight to public spaces and ensure development does not unreasonably diminish existing sunlight. A policy guideline relevant to achieving this objective is to discourage overshadowing of public spaces between 11.00 am and 2.00 pm on 22 September.

Also relevant to this matter is Planning Scheme Amendment C415 (formerly C278, which is a seriously entertained Planning Scheme amendment that seeks to apply the Design and Development Overlay, Schedule 8 (DDO8) to the site and surrounds. The DDO8 seeks to introduce built form requirements for the site and surrounding area ensuring sunlight to parks, noting that Bedford Street Reserve, situated approximately 60 metres to the south of the subject site, is a 'Type 2' park for the purposes of applying the below requirements of the proposed DDO8:

Existing shadow is defined by the proposed DDO8 as follows:

'...any shadow cast by existing buildings and works.'

Allowable shadow is defined by the proposed DDO8 as follows:

'Allowable shadow means the shadow that would be cast on the park between 10am and 3pm:

- By street walls built to the street wall height on land near a park.
- If no street wall height requirement applies, buildings built to the maximum building height requirement on land near the park.

<b>Park type on Maps 1-10</b>	<b>Hours and date</b>
<b>1</b>	Buildings and works must not cast additional shadow onto the park between 10am and 3pm, on June 21 beyond the existing shadow.
<b>2</b>	Buildings and works must not cast additional shadow onto the park between 10am and 3pm on June 21 beyond the existing shadow or allowable shadow or the combination of the existing shadow and allowable shadow (whichever is the greatest).
<b>3 East</b>	Buildings and works must not cast additional shadow onto the park between 10am and 2pm, June 21 beyond the existing shadow.
<b>3 West</b>	Buildings and works must not cast additional shadow onto the park between 12 noon and 3pm, June 21 beyond the existing shadow.

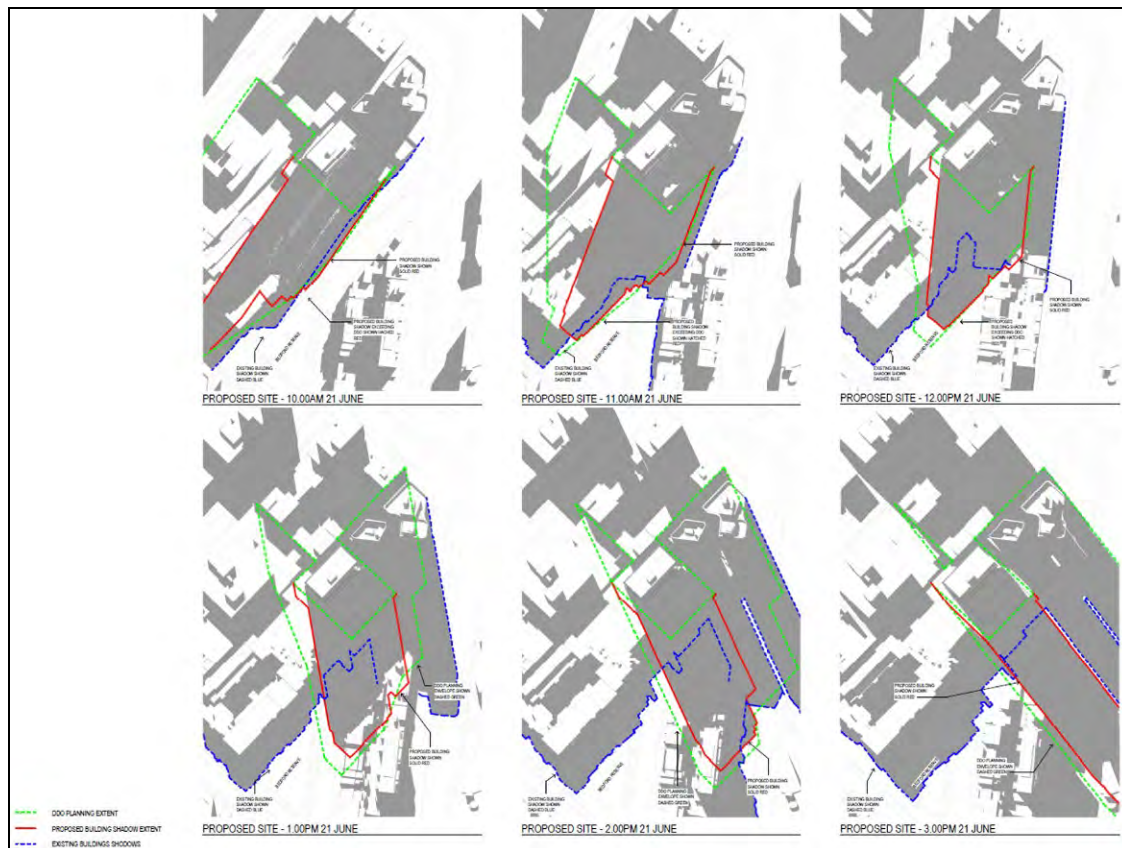
**Figure 21: Extract from the Adopted Version of DDO8, as submitted to the Minister for Planning**

The adjacent sites along Bedford Street located to the south-west of the site and directly to the north of the Bedford Street reserve, are also located in the DDO61 Area A2 which has a preferred maximum street wall height of 24 metres. As such, the 'allowable shadow' from these properties and on the subject site accounts for the majority of shadow cast by the proposed building, as illustrated in the shadow diagrams provided above.

The shadow from the additional built form proposed above the maximum preferred height of 24 metres is mitigated through a combination of this 'allowable shadow' and the increased setbacks provided.

Having regard to these factors, the extent of shadow cast by the proposal would comply with the requirements of the proposed DDO8 under Amendment C415 as it

does not exceed the 'existing' or 'allowable' shadow cast on Bedford Street Reserve on June 21 between 10am and 3pm. A condition of permit will require the provision of updated shadow diagrams with plans submitted for endorsement to ensure this outcome is maintained.



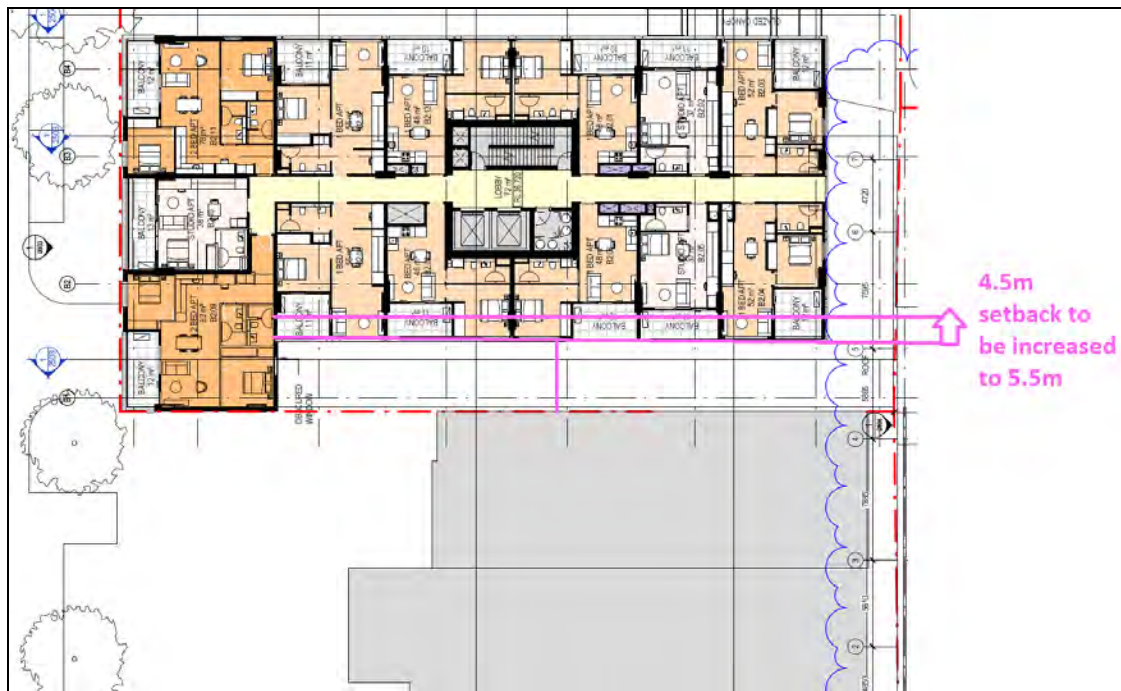
**Figure 22: Shadow analysis on 21 June showing existing shadow (blue), proposed shadow (red) and allowable shadow (green) in relation to Bedford Street Reserve**

#### 7.2.4 Equitable Development

Equitable development is a relevant matter due to the scale of development proposed, and the relationship between the site and the adjoining property to the south-west along Blackwood Street. An equitable development outcome in this context would need to ensure that the shared interface (50.44m) is provided with sufficient separation to ensure appropriate light, air and outlook is provided in the event the adjoining property is also developed. Having regard to the much greater size of the subject site compared to the south-western neighbour, the proposed development should not impose unreasonably on the expectations and amenity of the site.

A setback of 4.5 metres is provided from the southern apartment tower to this interface, which suggests a reciprocal setback of 4.5 metre on the neighbouring property to achieve a combined 9 metre separation to limit cross-views. Whilst this approach has merit, it is considered that the comparatively limited size of the neighbouring site suggests that it should provide a lesser setback than the subject site.

The permit applicant has responded to this with an offer of an additional 1 metre setback from the south-western boundary, taking the overall setback of the southern apartment tower to 5.5m. Returning to the reciprocal setback approach, this would result in a 3.5 metre setback being provided on the south-western neighbour. This outcome is considered to achieve an improved equitable development for both sites and will be addressed through a recommended condition.



**Figure 23: Marked up plan illustrating additional setback from south-western boundary**

Otherwise, the setbacks provided to the development are considered to adequately cater for the equitable development of adjoining sites.

### **7.3 Stage 1 – Compliance with Clause 16.01-1L (Student Housing)**

As noted above, the proposal requires permission under the Mixed Use Zone for the use of the land for accommodation.

The use of the land for accommodation in this location is considered generally consistent with the purposes of the zone, which seek to:

- Provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.
- Provide for housing at higher densities.

The use of the land for purpose built residential accommodation for students is compatible with both the purpose of the zone and the broader vision for the City North precinct. The site is within walking distance to the University of Melbourne Campus located 250 metres to the north-west, and has direct connection to the central city. The proposal includes an appropriate level of activity through retail tenancies and communal space at the ground level to each frontage, which will contribute to the mixed use objectives for the area.

Clause 16.01-1L (Student housing) provides policy guidance for the use and development of land for student housing, with the objective of providing affordable, safe, healthy, well designed and managed student housing in locations with good access to public transport, services and tertiary education facilities. An assessment of the proposal against the relevant strategies and policy guidelines of this clause is provided below:

#### **7.3.1 Student rooms layout**

- The proposal includes a variety of room types in sizes ranging from 14 to 26 square metres for single rooms, and 81 to 81 square metres for four bedroom clusters. The student room typologies and layouts are considered to be liveable, functional and would comfortably accommodate the needs of students, as required

by Clause 16.01-1. It is noted that the student room sizes would have satisfied the requirement of the former local policy Clause 22.24 (10.8 square metres).



**Figure 24: Typical student room layouts**

- Each student room is provided with access to a bed from its side, a study area with a desk and a bookshelf, robe / drawer units with storage space for personal items, desk space for a computer and TV and a separate table or bench for meals.
- Private kitchen facilities within each room are accompanied by adequate space for a microwave, stove top cooker, fridge, clear bench space and sink, in addition to storage for food and utensils.
- Each student room will have direct access to daylight and ventilation via an external wall open to the sky.
- No rooms will be unreasonably overlooked by another room within the development. The placement of windows and location of living rooms minimises potential cross-views between bedrooms around the central 'elbows' of the tower.
- Rooms would generally be located and designed to limit excessive noise disruption from pedestrian or vehicle traffic outside the building, as outlined within the Acoustic Report. The report outlines a maximum of 35-45dB designed sound level for student rooms. A recommended condition of permit will require the endorsement of this report and incorporation of its findings.
- Rooms are provided with adequate space to accommodate the long-term storage needs of students.

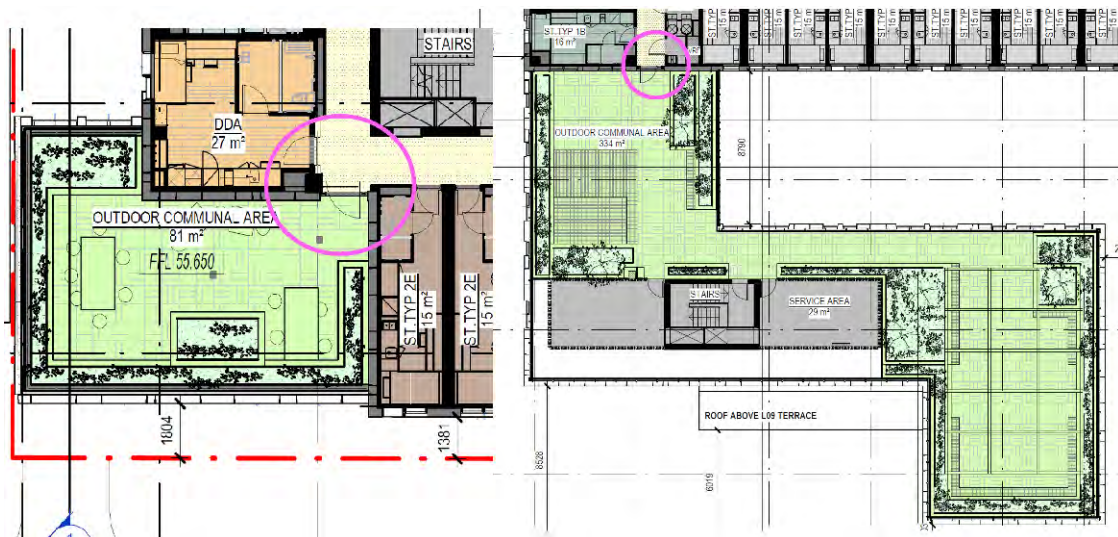
### **7.3.2 Shared facilities**

- Shared laundry, cooking and dining areas are provided and are located in a safe and accessible location at the semi-basement level of the development, which will receive adequate access to daylight and ventilation via the northern and central courtyard and void.
- Shared study, library and lounge spaces are provided at the ground level facing Bedford Street and Bedford Place, alongside the main entry areas and building reception.
- Shared bathroom and toilet facilities are provided in proximity to the large communal spaces at the ground and basement levels, as well as to the large roof terrace communal space.
- Supplementary storage spaces are located within the ground level, providing for equipment associated with the building management and maintenance.

- Adequate waste management facilities are provided for the building, subject to the endorsement of an amended Waste Management Plan. A communal bin storage area and waste collection bay are located at the ground level accessed via Bedford Street.
- Corridors, stairways and other shared spaces are designed to be safe, accessible and provided with adequate natural light and ventilation. Opportunities for incidental student interaction are facilitated through informal lounge and study spaces in communal circulation spaces across the building.

**7.3.3 Communal areas**

- The proposed development includes a total of 1,910 square metres of internal communal spaces throughout the building, which exceeds the 805 square metres encouraged by the policy (15 square metres for every 12 students).
- The proposed development includes a total of 1,294 square metres of communal outdoor open space, including a 334 square metre terrace on level 10, 169 square metre roof terrace and supplementary spaces at semi-basement level, Levels 8 and 9.
- While falling short of the total of 1,610 square metres (2.5 square metres per student) encouraged by the policy guideline, the communal outdoor space provision is considered to adequately meet the recreational needs of students. Additionally, the surrounding area includes a number of public open space areas including University Square (300 metres east), Lincoln Square (500 metres east), Bedford Street Reserve (60 metres south) and Royal Park (650 metres north-west) which are readily accessible to future occupants.
- Where communal outdoor space is provided, it will generally have an appropriate interface with internal common areas. This is not the case for the south-east terraces at levels 8 and 10, facing Bedford Street, which are accessed by a single width doorway located between a single and twin student room. A condition of permit will require the provision of a lounge or similar communal space which will have a direct interface to the external terraces and achieve an adequate level of function, safety and passive surveillance.



**Figure 25: Level 8 and 10 terraces and roof terrace where conditions are recommended to enhance functionality**

- Otherwise, the layout and location of the common areas will be open-plan, providing adequate passive natural surveillance, natural daylight access and



ventilation, which will enhance the functionality and safety of these spaces for students.

#### **7.3.4 Transport**

- The proposed development does not provide one bicycle space per bed as encouraged by the policy however, it does provide a total of 164 spaces which exceeds the minimum of 64 spaces required by Clause 52.34.
- The subject site is located within the City North precinct which is characterised as a knowledge precinct with tertiary education facilities located throughout, and excellent access to public transport. It is noted that the subject site is located within 250m of the University of Melbourne campus, and is within convenient walking distance of multiple tram routes running along Royal Parade, Flemington Road and Elizabeth Street.
- The amended location of bicycle parking at the ground level provides convenient internal access and external access directly to Bedford Street. The layout and design of the proposed bicycle facilities provided for within the development demonstrates compliance with the requirements of Clause 52.34-4 (Design of Bicycle Spaces), which has been confirmed by Council's Traffic Engineers.
- The development provides four on site car spaces, with two allocated to the 84 square metre retail premises and the remaining two allocated as car share spaces. This minimal provision of car parking is supported by this policy as well as broader transport policy directives discouraging private vehicle use and encouraging sustainable modes of transport.
- Adequate areas are provided for on-site loading and waste collection within the designated bay at the rear of the ground floor from Bedford Street. The operation of this space will be managed through conditions requiring an amended Waste Management Plan and a Loading Management Plan.

Overall, the proposal is compliant with the objectives, strategies and guidelines of Clause 16.01-1L. Conditions will be included on any permit being granted requiring the provision of an Operational Management Plan for the building, as well as a Section 173 Agreement giving effect to the Management Plan and ensuring the land used for the accommodation of students only.

#### **7.4 Stage 2 – Compliance with Clause 58 (Apartment Developments)**

The proposal has been generally designed to comply with Clause 58 – Better Apartment Design Standards including functional layouts, room depths, window locations, storage, natural ventilation, private open space, accessibility and circulation.

Where a Clause 58 Standard is not met, an assessment is provided below:

##### **7.4.1 Landscaping – Clause 58.03-5**

The proposal does not include areas for deep soil planting, which falls short of the 15% deep soil area and associated canopy tree planting sought under Standard D10. Having regard to the landscape character of the surrounding context and the amount of planting provided within the development, it is considered appropriate to vary the requirements of this standard in relation to deep soil areas and planting.

The proposal includes integrated landscaping throughout the buildings at ground level around the proposed through link and communal open space areas, which feature planter beds for both tree planting and low shrubs which will enhance the landscape setting of the area. Landscaping is integrated to the upper level outdoor terraces to each building which will contribute to the urban landscape and improve amenity for future occupants. The proposal will also provide for the retention of street trees on

adjacent streets, as well as replacement tree plantings for a street tree to be removed on Bedford Street using species which will be approved by Council’s Urban Forest and Ecology team.

When viewed as a whole, the development contributes to an increase in canopy tree cover and enhances the landscape character of the area. A variation is therefore considered acceptable.



Figure 26: Landscape site plan and perspective images of planting to Stage 1 along Bedford Place

#### 7.4.2 Private Open Space – Clause 58.05-3

The majority of balconies and terraces to each dwelling achieve compliance with the requirements of Standard D19 in relation to their area, minimum dimensions and layout. However, there is one studio apartment on Levels 1 to 7 of the northern apartment tower which falls short of the standard. A total area of 9 square metres is provided, falling short of the 9.5 square metres required by the standard due to the accommodation of the heating/cooling unit. A variation is considered acceptable as the 0.5 square metre shortfall will not unreasonably detract from the recreation and service needs of future residents.

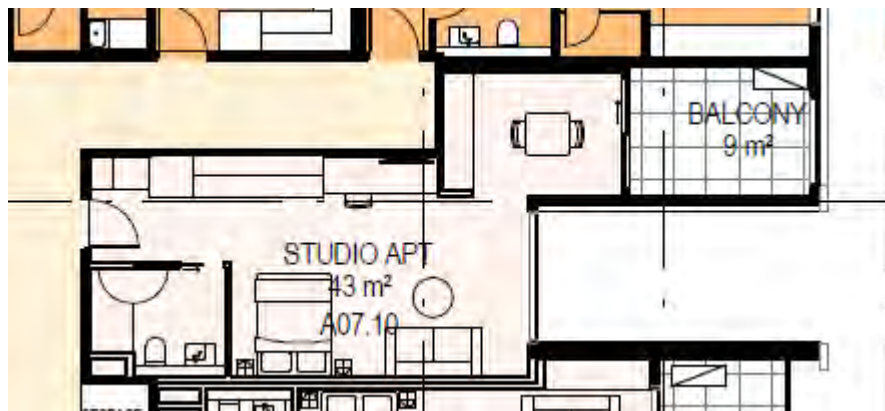


Figure 27: Studio apartment balcony requiring a variation to Standard D19

#### 7.4.3 Natural Ventilation – Clause 58.07-4

The proposal provides for a total of 198 dwellings with maximum breeze paths of 18 metres and minimum breeze paths of 5 metres as per the requirements of this clause, which accounts for 37% of the 538 total apartments. This falls short of the minimum of 40% required by Standard D27.

A variation is considered acceptable as the shortfall is relatively minor. Whilst there is a high number of single aspect apartments, they are appropriately oriented around

each tower to take benefit of the open street outlook to Flemington Road and Blackwood Street, or the significant internal setbacks between each tower around the internal communal spaces.

## **7.5 Design and Development Overlay, Schedule 65 (Hospital Helicopter Flight Path – Inner Area)**

The land is affected by the Design and Development Overlay, Schedule 65, which identifies land within a hospital helicopter flight path area. A planning permit is required under this overlay, as the height of the building exceeds the referral thresholds for the Royal Melbourne Hospital and Royal Childrens Hospital. The required referral to the Department of Health is the responsibility of the Minister for Planning.

## **7.6 Environmentally Sustainable Design**

The proposal is capable of achieving an appropriate response when assessed against Clause 15.01-2L-01, Clause 19.03-3L and Clause 53.18 through the submission of a Sustainability Management Plan, inclusive of Water Sensitive Urban Design assessments, outlining sustainable design measures to be implemented within the development.

The endorsement of an amended Sustainability Management Plan is recommended as a condition of permit to reflect the amended design response and ensure the ESD commitments within the design are deliverable. A condition is also recommended for a report on completion of the development to ensure all ESD commitments are implemented within the finished building.

## **7.7 Car parking and access, bicycle facilities and waste**

### **7.7.1 Car parking and access**

In relation to the statutory requirements for car parking provision, the development provides less than the maximum amount of spaces for dwellings pursuant to Schedule 12 to the Parking Overlay, with 216 spaces proposed below the maximum of 538 spaces. A permit is therefore not required in relation to the provision of parking for apartments within Stage 2.

The car parking requirements for the remainder of the development are contained in Clause 52.06. Two spaces are provided to the retail premises of Stage 1 which satisfies the requirement for the 84 square metre tenancy. Two additional car share spaces are provided in association with the student housing building, for which there is no specified rate in Clause 52.06-5 and as such parking is to the satisfaction of the Responsible Authority. A partial reduction to the minimum parking rates of Clause 52.06-5 is required in relation to the medical centre and retail premises within Stage 2, with 28 spaces proposed falling short of 49 spaces required.

The provision of reduced on-site car parking is supported by transport policy at Clause 18.01-3S, seeking to encourage a modal shift away from private vehicle ownership and towards sustainable transport options such as public transit, cycling and walking.

The site is well located in relation to public transport with tram routes located along Royal Parade, Elizabeth Street and Peel Street. The Parkville Railway station is currently under construction to the north-east which will form part of the Melbourne Metro Tunnel Project, providing a future rail connection within 250 metres of the site.

Whilst parking is generally restricted nearby, there is on-street parking available in the surrounding area which is considered adequate for visitor car parking demand associated with the proposal. It is also noted that there is a high likelihood of visitors

and patrons to the site undertaking multi-purpose trips from the medical institutions in the immediate area.

Council's Traffic Engineers had no objection to the proposal on grounds of parking supply and demand, traffic volume, waste collection and loading arrangements. The potential for converting Bedford Place laneway into a shared zone has in principle support however, requires a separate process and approval from the Department of Transport and Planning (Transport) given the impacts on the broader road network including Flemington Road, which is located in a Transport Zone 2.

Recommended permit conditions include the provision of a Road Safety Audit, Parking Management Plan and a Loading Management Plan prior to the commencement of works.

It is noted that a permit is required to create or alter access to a road in a Transport Zone 2, in relation to the removal of an existing access point to Flemington Road. This aspect of the application requires the approval of the Head, Transport for Victoria and is the responsibility of the Minister for Planning as the responsible authority for this application.

### **7.7.2 Bicycle facilities**

As set out under Section 4 of this report, the proposal exceeds the statutory requirement of 299 spaces by providing a total of 488 bicycle spaces. This includes 164 provided for the Stage 1 student housing and 324 spaces within Stage 2 for dwellings, visitors and the commercial uses at ground level.

Bicycle facilities have been designed to comply with the design requirements, as confirmed by Council's Traffic Engineers. End of trip facilities are also provided across the development as required by Clause 52.34.

### **7.7.3 Waste**

A Waste Management Plan for the proposed development has been submitted to and reviewed by Council's Waste team as discussed above in Section 6 of this report, with outstanding matters capable of being addressed through permit conditions requiring an amended Waste Management Plan.

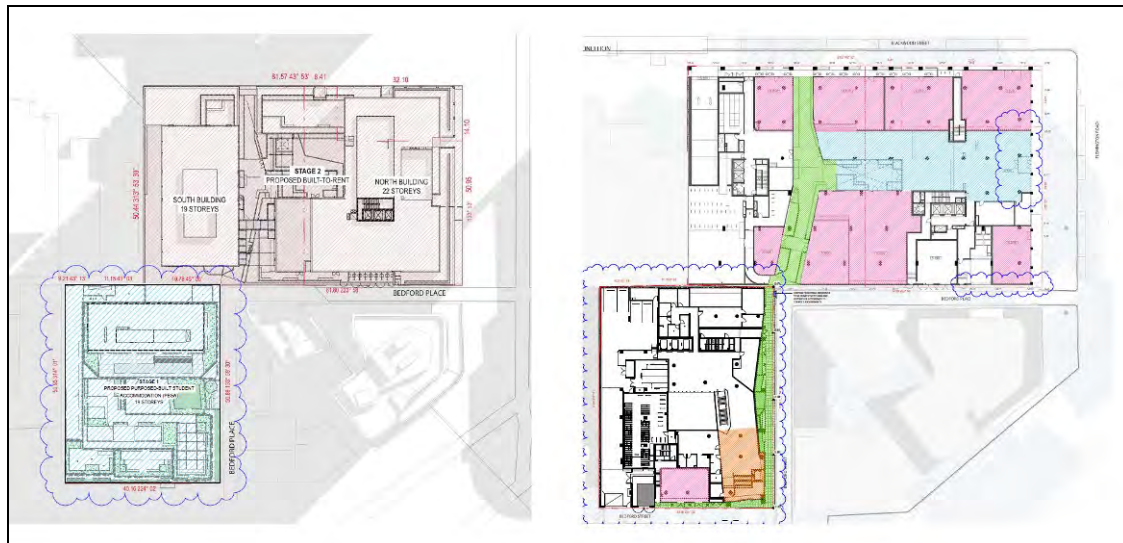
## **7.8 Staging**

The application has been lodged in a staged arrangement as described above, with Stage 1 including the student housing building to Bedford Street and Stage 2 including the remainder associated with the two built-to-rent apartment towers on Flemington Road and Blackwood Street.

This staged approach has been proposed by the permit applicant, and does not originate from any requirement to develop the site in a staged manner under the planning scheme. The sequencing of the development is self-explanatory and there are no significant links or public benefit obligations to be secured through the sequencing of works. Interim treatments are not indicated and it is considered that these are unlikely to be required, given the relatively independent nature of each stage.

Managing the existing student housing uses, and associated Section 173 Agreements, on the Stage 2 site is of relevance to both the interim and completed development outcome and is recommended to be addressed through permit conditions relating to these agreements as discussed under the Land Survey comments in Section 6 above. Through the recent amendment of the plans associated with TP-2015-1024, there is no conflict or reliance on land within Stage 1 for the existing student accommodation use to continue.

A permit condition is recommended which will require the approval of a Staging Plan prior to the commencement of works. Any Staging Plan approved under the permit would be capable of being refined or amended as required through the development of each stage. A condition will also be recommended for a Section 173 Agreement to ensure the completion of each stage of the permitted development.



**Figure 28: Indicative staging plan (left) and completed access plan (right) showing the Stage 2 proposed pedestrian through link in light green**

## 7.9 Conclusion

For the reasons discussed in this report, it is considered that the proposal achieves an acceptable outcome having regard to the relevant provisions of the Melbourne Planning Scheme. It is considered that the proposal should be supported subject to conditions.

## 8 RECOMMENDATION

That the Future Melbourne Committee resolves to advise the Department of Transport and Planning that the City of Melbourne does not object to the planning permit application, subject to conditions set out below:

### Amended Plans

1. Prior to the commencement of the development (excluding demolition and bulk excavation), an electronic set of plans drawn to scale, must be submitted to the Responsible Authority in consultation with Melbourne City Council, generally in accordance with the plans prepared by Architectus and Metier3 Architects, Sheets DA0000 to DA9401, Revision K dated 2 August 2023 but amended to show:
  - a) The southern apartment building in Stage 2 provided with a minimum 5.5 metre setback from the south-western boundary whilst maintaining other side, rear and internal building setbacks and the location of the pedestrian through-link.
  - b) An internal lounge or similar communal area integrated with the entrances to the external communal terraces on Levels 8 and 10 of the student housing building (Stage 1).
  - c) Updated shadow diagrams demonstrating no additional shadow is cast on Bedford Street Reserve on June 21 between 10am and 3pm beyond the allowable shadow of the maximum street wall requirement under Schedule 61

of the Design and Development Overlay, along with any required modifications to the development.

- d) Any changes as a result of the Façade Strategy required by Condition 4 of this permit.
- e) Any changes as a result of the Sustainability Management Plan required by Condition 5 of this permit.
- f) Annotations to accord with the Wind Assessment required by Condition 9 of this permit.
- g) Any changes as a result of the Road Safety Audit required by Condition 10 of this permit.
- h) Any changes as a result of the Loading Management Plan required by Condition 12 of this permit.
- i) Any changes as a result of the Waste Management Plan required by Condition 13 of this permit.
- j) Annotations to accord with the Acoustic Assessment required by Condition 14 of this permit
- k) Annotations to accord with the Reflected Glare Assessment required by Condition 15 of this permit.

These amended plans must be to the satisfaction of the Responsible Authority and when approved shall be the endorsed plans of this permit.

#### **Endorsed plans**

- 2. The development as shown on the endorsed plans must not be altered or modified unless with the prior written consent of the Responsible Authority.

#### **Staging Plan**

- 3. Prior to the commencement of the development, a Staging Plan must be submitted to and be approved to the satisfaction of the Responsible Authority in consultation with Melbourne City Council. The Staging Plan must include, but is not limited to, plans and information detailing associated public realm works, proposed temporary and/or interim treatment of land associated with the development. The development must proceed in the order of the stages as shown on the endorsed plans, unless otherwise agreed to in writing by the Responsible Authority.

#### **Façade Strategy**

- 4. Concurrent with the endorsement of plans pursuant to Condition 1, a Façade Strategy must be submitted to and be approved by the Responsible Authority in consultation with Melbourne City Council. All materials, finishes and colours must be in conformity with the approved Façade Strategy to the satisfaction of the Responsible Authority in consultation with Melbourne City Council. The Façade Strategy must be generally in accordance with the development plans and must detail:
  - a) A concise description by the architect of the building design concept and how the façade works to achieve this.
  - b) Elevation details generally at a scale of 1:50 illustrating typical lower level details, balcony niches, entries, lobbies and doors, utilities and structural columns, as well as typical tower details, key junctures and any special features which are important to the building's presentation.

- c) Street level elevations at a scale of 1:20 (or similar) for all public interfaces. These elevations should include plinths, canopies, integrated seating, window framing, operable windows, awnings over entries, integrated planters and the use of robust and fine-grained materials to different elements (columns, plinths, bench seats etc.). All proposed materials at the street wall level should be robust and of high quality, and should be annotated on these drawings.
- d) Cross sections or another method of demonstrating the façade systems, including fixing details indicating junctions between materials and significant changes in form and / or material.
- e) Information about how the façade will be accessed and maintained and cleaned, including any planting.
- f) Example prototypes and / or precedents that demonstrate the intended design outcome as indicated on plans and perspective images, to produce a high quality built outcome in accordance with the design concept.
- g) A schedule of colours, materials and finishes, including the colour, type and quality of materials showing their application and appearance. Materials and finishes must be of a high quality, contextually appropriate, durable and fit for purpose. This can be demonstrated in coloured elevations or renders from key viewpoints, to show the materials and finishes linking them to a physical sample board with coding.
- h) The drawings and supporting information contained within the Façade Strategy must also address the following:
  - i. Specification of a highly robust and textured concrete finish to the lower levels of Stage 1 to add visual interest and grain to the public realm.
  - ii. Specification of a highly transparent glazing at the street level to maximise visibility and connection to the street and laneway.
  - iii. The use of creative wayfinding methods throughout the development, particularly Stage 1, reinforcing the student city character of the precinct.

A Façade Strategy submitted for approval can be separated as required in accordance with the Staging Plan approved under Condition 3 of this permit to the satisfaction of the Responsible Authority in consultation with Melbourne City Council.

The Façade Strategy must be to the satisfaction of the Responsible Authority and when approved shall form a part of the endorsed plans of this permit.

### **Sustainability Management Plan**

- 5. Prior to the commencement of the development (excluding demolition and bulk excavation), an amended Sustainability Management Plan (SMP) report prepared by a suitable qualified person must be submitted to and approved by the Responsible Authority in consultation with Melbourne City Council. When approved, the amended SMP report will be endorsed and form party of this permit. The amended SMP report must be generally in accordance with the SMP report prepared by Wrap Engineering dated 7 July 2023, but modified to include or show:
  - a) Further detail and evidence that the development can achieve the minimum requirements (buildings up front carbon emissions are 10% less than those of a reference building). Preliminary modelling or calculations via the Upfront Emissions Calculator should be provided.

- b) Provide preliminary energy modelling for non-residential components including Class 3 that demonstrate the development can achieve a 10% improvement on minimum standards. Provide evidence via a completed Upfront Carbon Emissions Calculator.
- c) Provide further detail of the 6 points claimed and how they will be achieved. Provide a brief scope of the Zero Carbon Action Plan for the building indicating how and when the project intends to operate as fossil fuel free, indicating 100% of the buildings electricity will come from renewable sources and 100% of the buildings energy comes from renewables
- d) Provide adequate information that demonstrates the whole site can achieve a 40% reduction in average annual stormwater discharge (ML/yr)
- e) Provide a signed copy of a maintenance contract for the stormwater proprietary products

A SMP submitted for approval can be separated as required in accordance with the Staging Plan approved under Condition 3 of this permit to the satisfaction of the Responsible Authority in consultation with Melbourne City Council.

The SMP must be to the satisfaction of the Responsible Authority and when approved shall form a part of the endorsed plans of this permit.

#### **Implementation of Sustainability Management Plan**

6. Prior to the occupation of any building approved under this permit, a report from the author of the endorsed SMP, or similarly qualified persons or companies, outlining how the performance outcomes specified in the endorsed SMP have been implemented must be submitted to the Responsible Authority in consultation with Melbourne City Council. The report must be to the satisfaction of the Responsible Authority and must confirm and provide sufficient evidence that all measures specified in the endorsed SMP have been implemented in accordance with the relevant approved plans. The report must include all final calculations and modelling reports, commissioning and testing reports, building user guides and other supplementary materials etc. that have been produced to demonstrate compliance with the relevant targets included in the endorsed SMP.

Within 12 months of occupation of the building, certification must be submitted to the satisfaction of the responsible authority, that demonstrates that the building has achieved a minimum 5 Star Green Star Buildings V1 rating (or equivalent).

#### **Landscape Plans and Landscape Maintenance**

7. Prior to the commencement of the development (excluding demolition and bulk excavation), an amended landscape plan prepared by a suitably qualified landscape architect must be submitted to and approved by the Responsible Authority in consultation with the Melbourne City Council. The landscape plan must be generally in accordance with the Landscape Plans prepared by Tract, dated 1 August 2023, but amended as follows:
  - a) Include any changes required by Condition 1 of this permit.
  - b) Modifications in accordance with the approved ESD report.
  - c) An amended planting to include the location of plants, as well as:
    - i. The use of an alternative species to *Eucalyptus caesia* as a rooftop tree planting.
    - ii. The use of an alternative species to *Brachychiton acerifolius* as a lower level planting.



- iii. The use of an alternative species to *Hymenosporum flavum*.
- iv. Synthetic turf replaced with an environmentally friendly alternative.
- d) Details of proposed green infrastructure and planters (including volume of planter soil/media and depths) and mulch specifications.
- e) Annotated cross-sectional details for green infrastructure and planters including materials, waterproofing, drainage, dimensions, support structures and tree anchors.
- f) Irrigation systems demonstrating use of alternative water sources such as rainwater, stormwater and recycled water.
- g) Include a Green Infrastructure Maintenance Plan, detailing:
  - i. Plant establishment maintenance schedule and period.
  - ii. Ongoing vegetation maintenance schedule after the 52-week period including monitoring of plants, weeding, re-mulching, pest management, fertilising, re-planting and re-planting timeframes for poorly performing plant stock.
  - iii. Maintenance schedule for green infrastructure structures.
  - iv. Maintenance access requirements and sample agreements.

A Landscape Plan submitted for approval can be separated as required in accordance with the Staging Plan approved under Condition 3 of this permit to the satisfaction of the Responsible Authority in consultation with Melbourne City Council.

The landscape plan must be to the satisfaction of the Responsible Authority and when approved shall form a part of the endorsed plans of this permit.

8. Prior to the occupation of the development, landscape works as shown on the endorsed plans must be completed and be maintained to the satisfaction of the Responsible Authority.

#### **Wind Assessment**

9. Prior to the commencement of the development (excluding demolition and bulk excavation), the Wind Assessment prepared by Vipac dated 26 July 2023 must be updated as required by Condition 1 of this permit and submitted to the satisfaction of and be endorsed by the Responsible Authority in consultation with Melbourne City Council.

The recommendations contained within the endorsed Wind Assessment must be implemented at no cost to and be to the satisfaction of the Responsible Authority.

#### **Road Safety Audit**

10. Prior to the commencement of the development (excluding demolition and bulk excavation), a formal independent Road Safety Audit must be undertaken and submitted to the Responsible Authority in consultation with Melbourne City Council. The Road Safety Audit must include an assessment of:
- a) Internal layout.
  - b) Access arrangements.
  - c) Loading arrangements.
  - d) Pedestrian and bicycle access and movements within the site and in the public realm.

- e) Potential conflicts between vehicles / pedestrians / cyclists, having regard to the existing access arrangements for other properties utilising Bedford Place.
- f) Road safety issues affecting all road users.
- g) The potential conversion of Bedford Place to a shared zone.

The findings of the Audit should be incorporated into the design at the developer's expense to the satisfaction of the Responsible Authority in consultation with Melbourne City Council.

### **Parking Management Plan**

11. Prior to the commencement of the development (excluding demolition and bulk excavation), a Parking Management Plan must be submitted to and approved by the Responsible Authority. The plan must detail the means by which the on-site car parking and bicycle parking facilities approved under this permit will be operated, allocated, maintained and managed. The plan should provide for electric vehicle infrastructure and car share facilities within the development to the satisfaction of the Responsible Authority in consultation with Melbourne City Council.

A Parking Management Plan submitted for approval can be separated as required in accordance with the Staging Plan approved under Condition 3 of this permit to the satisfaction of the Responsible Authority in consultation with Melbourne City Council.

When approved, the plan will be endorsed and will then form part of the permit. Management of the car and bicycle parking provided in association with the permitted development must be in accordance with the approved plan, to the satisfaction of the Responsible Authority.

### **Loading Management Plan**

12. Prior to the commencement of the development (excluding demolition and bulk excavation), a Loading Management Plan must be submitted to and approved and submitted to the Responsible Authority in consultation with Melbourne City Council. The Loading Management Plan must specify how the access / egress of loading vehicles is to be managed and ensuring that:
- a) The delivery needs of the uses within the development are accommodated.
  - b) Any potential conflicts between vehicles and other road users are satisfactorily addressed.
  - c) There are no obstructions in the path of the vehicles (kerbs, walls, etc.) and appropriate height clearances are provided for all required vehicles / manoeuvres.
  - d) A Loading Dock Manager or Building Manager is appointed, with the following responsibilities:
    - i. Present on site when deliveries are undertaken.
    - ii. Act as a spotter for any reversing movements into the loading bay.
    - iii. Act as informal traffic controller to discourage pedestrian movements when vehicles reverse.
    - iv. Ensure conflicts do not occur between loading / other vehicles.
    - v. Ensure that space used for vehicle manoeuvring is kept clear of other vehicles / obstructions at all times.

A Loading Management Plan submitted for approval can be separated as required in accordance with the Staging Plan approved under Condition 3 of this permit to the satisfaction of the Responsible Authority in consultation with Melbourne City Council.

Once approved, the Loading Management Plan will be endorsed to form part of the permit.

### **Waste Management Plan**

13. Prior to the commencement of the development (excluding demolition and bulk excavation), an amended Waste Management Plan (WMP) must be submitted to the satisfaction of and be endorsed by the Responsible Authority in consultation with Melbourne City Council. The amended WMP must be generally in accordance with the WMP prepared by One Mile Grid dated 25 July 2023, but amended as follows:
- a) Any changes required by Condition 1 of this permit.
  - b) Any changes required by the Loading Management Plan required under this permit.
  - c) Calculations within Tables 5, 6, 7, 8 and 12 to be corrected and correspond with the updated tenancy capacities with bin provision and collection frequency adjusted as necessary.
  - d) Provision for storage and disposal of e-waste for each component and tenancy.
  - e) Confirmation that students do not have access to commercial bins and commercial tenants do not have access to student bins, with associated management arrangements.
  - f) Bin stores for disposal of waste that cannot go in the chutes, including large cardboard, hard waste, e-waste and charity donations. Indicate clearly on plan drawings that carousels, bin feeders and chute exits (and the like) will be suitably enclosed to minimise safety risks.
  - g) The provision of adequate safety measures and management arrangements for the glass waste chute, or alternatively the glass waste chute deleted and replaced with adequate and accessible glass bins for residents and students.
  - h) Confirm cleaning schedule for organic waste chute.
  - i) Section 6.2 – confirm Council approved compostable liners used in organic waste, remove reference to ‘similar’ bags.
  - j) Show safe transfer pathways for residents to waste bin store areas, and internal transfer pathways for commercial tenants to access their respective bin stores.
  - k) Show typical residential and student accommodation floor plans showing location of chute rooms.
  - l) Show clear zones required around the linear track and carousel systems.
  - m) Include swept path diagrams showing collection movements for all waste locations, including separate commercial bin stores.
  - n) Show where bins can be placed for collection in temporary holding areas.
  - o) Include elevation drawings showing clearance for waste trucks entering and existing the development, including any overhanging services.

A WMP submitted for approval can be separated as required in accordance with the Staging Plan approved under Condition 3 of this permit to the satisfaction of the Responsible Authority in consultation with Melbourne City Council.

Once approved, the WMP will be endorsed to form part of the permit. Waste storage and collection arrangements must not be altered without prior consent of Melbourne City Council – Waste Services.

### **Acoustic Report**

14. Prior to the commencement of the development (excluding demolition and bulk excavation), the Acoustic Report prepared by Renzo Tonin & Associates dated 25 July 2023 must be updated as required by Condition 1 of this permit and submitted to the satisfaction of and be endorsed by the Responsible Authority.

The recommendations contained within the endorsed Acoustic Report must be implemented at no cost to and be to the satisfaction of the Responsible Authority.

### **Reflected Glare Assessment**

15. Prior to the commencement of the development (excluding demolition and bulk excavation), a reflected glare assessment of external building materials and finishes, utilising an appropriate methodology prepared by a suitably qualified person, must be prepared and submitted to the satisfaction of the Responsible Authority.
16. External building materials and finishes must not result in hazardous or uncomfortable glare to pedestrians, public transport operators and commuters, motorists, aircraft, or occupants of surrounding buildings and public spaces, to the satisfaction of the Responsible Authority.
17. Specular light reflectance from external materials and finishes must be less than 15% to the satisfaction of and unless otherwise approved by the Responsible Authority.

### **3D Model**

18. Prior to the occupation of the development, or as otherwise agreed with the Responsible Authority, a 3D digital model of the development must be submitted to and must be to the satisfaction of the Responsible Authority in consultation with Melbourne City Council. In the event that substantial modifications are made to the building envelope and design, a revised 3D digital model must be submitted to and be to the satisfaction of the Responsible Authority in consultation with Melbourne City Council, before these modifications are approved.

### **Arboricultural Impact Assessment**

19. Prior to the commencement of the development, including demolition and bulk excavation, an Arboricultural Impact Assessment prepared by a suitably qualified person must be prepared and submitted to the satisfaction of the Responsible Authority in consultation with Melbourne City Council. The Arboricultural Impact Assessment must detail the impacts of the proposed development on adjacent street trees in accordance with AS 4970-2009 and provide any necessary recommendations, including protection measures and an appropriate methodology to form part of any future Tree Protection Plan.

Once approved, the Arboricultural Impact Assessment will be endorsed to form part of the permit and its recommendations and findings must be implemented to the satisfaction of the Responsible Authority.

### **Construction Management and Tree Protection**

20. Prior to the commencement of the development, including demolition and bulk excavation, a detailed Construction Management Plan must be submitted to and be approved by the City of Melbourne – Construction Management Group. This Construction Management Plan must be prepared in accordance with the City of Melbourne - Construction Management Plan Guidelines and is to consider the following:
- a) Public safety, amenity and site security.
  - b) Operating hours, noise and vibration controls.
  - c) Air and dust management.
  - d) Stormwater and sediment control.
  - e) Waste and materials reuse.
  - f) Traffic management.
  - g) A Tree Protection Plan (TPP) must be provided to the satisfaction of the Responsible Authority (City of Melbourne Urban Forestry & Ecology). The TPP must identify all impacts to public trees, be in accordance with AS 4970-2009 – Protection of trees on development sites and include:
    - i. City of Melbourne asset numbers for the subject trees (found at <http://melbourneurbanforestvisual.com.au>).
    - ii. Reference to the finalised Construction Management Plan, including any public protection gantries, loading zones and machinery locations.
    - iii. Site specific details of the temporary tree protection fencing to be used to isolate public trees from the demolition and construction activities or details of any other tree protection measures considered necessary and appropriate to the works.
    - iv. Specific details of any special construction methodologies to be used within the Tree Protection Zone of any public trees. These must be provided for any utility connections or civil engineering works.
    - v. Full specifications of any pruning required to public trees with reference to marked images.
    - vi. Any special arrangements required to allow ongoing maintenance of public trees for the duration of the development.
    - vii. Details of the frequency of the Project Arborist monitoring visits, interim reporting periods and final completion report (necessary for bond release)
  - h) Details of the frequency of the Project Arborist monitoring visits, interim reporting periods and final completion report (necessary for bond release).

A Construction Management Plan submitted for approval can be separated as required in accordance with the Staging Plan approved under Condition 3 of this permit to the satisfaction of the Responsible Authority in consultation with Melbourne City Council

Once approved, the Construction Management Plan will be endorsed to form part of the permit.

21. All works, including demolition, within the Tree Protection Zone of public trees must be undertaken in accordance with the endorsed Tree Protection Plan and supervised by a suitably qualified Arborist where identified in the report, except with the further written consent of the Responsible Authority.

22. In the event that public trees are proposed for removal at any stage of the development, the applicant must make a separate application to Melbourne City Council and submit plans for the approval showing replacement and/or additional tree plots of equal or larger size and soil volume than currently exists in the street frontages adjacent to the development.

### **Operational Management Plan**

23. Prior to the occupation of the development associated with Stage 1 of the permitted development, a Management Plan for the student housing must be submitted to and approved by the Responsible Authority in consultation with Melbourne City Council. When approved, the plan will be endorsed and will then form part of the permit. The Management Plan must establish a set of 'house rules' for the use, to be followed thereafter to the satisfaction of the Responsible Authority. The Management Plan must ensure that a suitably qualified full time manager with responsibility to oversee students is either on-site during general business hours or contactable off-site after hours by both professionally trained staff and residents. The Management Plan must also detail the maintenance, cleaning, garbage storage and collection, supervision and security of the site.

### **Legal Agreement - Student Housing**

24. Prior to the commencement of the development (excluding demolition and bulk excavation), the owner of the land must enter into an agreement with Melbourne City Council pursuant to Section 173 of the Planning and Environment Act 1987 for the land identified as Stage 1 of the permitted development. The agreement must provide the following:
- a) The accommodation provided on the subject land is to be used for the exclusive accommodation of students enrolled full time at a secondary or tertiary level educational institution and to be vacated within six months of completion of full time or part time studies or teaching.
  - b) The building to operate at all times in accordance with the Management Plan as required this permit to the satisfaction of the Responsible Authority. The Management Plan must establish a set of 'house rules' for the use, to be followed thereafter, to the satisfaction of the Responsible Authority. The plan must ensure a suitably qualified full time manager with responsibility to oversee the management of the facility must be available at all times and must detail the maintenance, cleaning, garbage storage and collection, supervision and security of the site.
  - c) Any on-site facilities, including bicycle parking spaces, approved under this permit must at all times be managed in accordance with this permit to the satisfaction of the Responsible Authority. The on-site facilities are only permitted to be used by the occupants / employees of the student housing, in accordance with the endorsed plans, and such facilities must not be subdivided, leased or sold separate from the facility for any reason without the prior written consent of the Responsible Authority.
  - d) The requirements contained in the agreement shall form part of any lease of the premises which the owner of the land under this permit may enter into with another party.

The owner of the land must pay all of Melbourne City Council's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.

### **Existing Legal Agreement**

25. Prior to the commencement of works associated with Stage 1 of the permitted development, Registered Agreement AR309079T must be:
- a) Removed from all titles associated with Stage 1 of the permitted development; and
  - b) Modified so that it relates only to all titles associated with Stage 2, to the satisfaction of the Responsible Authority.
26. Prior to the commencement of works associated with Stage 2 of the permitted development, Registered Agreement AR309079T must be removed from all titles affected by the Agreement to the satisfaction of the Responsible Authority.

### **Legal Agreement – Completion of Development**

27. Prior to the commencement of the development (excluding demolition and bulk excavation), the owner of the land must enter into an agreement with the Responsible Authority pursuant to Section 173 of the Planning and Environment Act 1987. The agreement must provide the following:
- a) The owner must only develop that part of the Land comprised in Lots 1 to 4 on TP836180V, Lot 1 on TP836184M and Crown Allotments 12 and 13, Section 10 at North Melbourne Parish of Jika Jika, shown on TP487543C, in the following ways:
    - i. Generally in accordance with the plans and Staging Plan endorsed by the Responsible Authority under Planning Permit PA2201602 or any subsequent approved amendment to the planning permit; or
    - ii. Generally in accordance with any planning permit that may be issued by the Responsible Authority as a result of any planning permit application that relates solely to that part of the land comprised in Lots 1 to 4 on TP836180V, Lot 1 on TP836184M and Crown Allotments 12 and 13, Section 10 at North Melbourne Parish of Jika Jika, shown on TP487543C.

The owner of the land must pay all of the Responsible Authority's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.

### **Consolidation**

28. Prior to the commencement of works associated with Stage 2 of the permitted development, all the land contained within certificates of title Volume 11487 Folio 965 (Lots 3 and 4 on TP836180V), 11847 964 & Volume 11487 Folio 963 (Lot 1 TP836184M) must be consolidated onto the one certificate of title to the satisfaction of the Responsible Authority.

### **Delivery of Link**

29. The delivery of the internal pedestrian through link from Bedford Place to Blackwood Street must be secured and delivered with Stage 2 of development of the site to the satisfaction of the Responsible Authority.

### **Drainage of projections**

30. All projections over the street alignment must be drained to a legal point of discharge in accordance with plans and specifications first approved by the Melbourne City Council – City Infrastructure.

### **Drainage connection underground**

31. Prior to the commencement of the development, a stormwater drainage system, incorporating integrated water management design principles, must be submitted to and approved by the Melbourne City Council – City Infrastructure. This system must be constructed prior to the occupation of the development and provision made to connect this system to the Melbourne City Council underground stormwater drainage system

### **Groundwater management**

32. All groundwater and water that seeps from the ground adjoining the building basement (seepage water) and any overflow from a reuse system which collects groundwater or seepage water must not be discharged to the Council's drainage network. All contaminated water must be treated via a suitable treatment system and fully reused on site or discharged into a sewerage network under a relevant trade waste agreement with the responsible service authority.

### **Demolish and construct access**

33. Prior to the occupation of the development, all necessary vehicle crossings must be constructed and all unnecessary vehicle crossings must be demolished and the footpath, kerb and channel reconstructed, in accordance with plans and specifications first approved by Melbourne City Council – City Infrastructure.

### **Construct and maintain access**

34. All pedestrian paths and access lanes shown on the endorsed plans must be constructed and maintained to the satisfaction of the Melbourne City Council – City Infrastructure.

### **Works abutting Council laneway**

35. The title boundaries for the property may not exactly agree with the road alignments of the abutting the Melbourne City Council laneway (Bedford Place). The approved works must not result in structures that encroach onto the Melbourne City Council laneway.

### **Roads**

36. All portions of roads and laneways affected by the building related activities of the subject land must be reconstructed together with associated works including the reconstruction or relocation of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by the Melbourne City Council – City Infrastructure.

Bedford Place must be reconstructed together with associated works, including the modification of services as necessary and the provision of public lighting, pavement marking, signage and upgrade to asphalt footpath and sawn bluestone, or as otherwise approved by Melbourne City Council – City Infrastructure, and kerb and channel at the cost of the developer, in accordance with plans and specifications first approved by the Melbourne City Council – City Infrastructure.

### **Footpaths**

37. The footpath adjoining the site along Flemington Road must be reconstructed in sawn bluestone, or as otherwise approved by Melbourne City Council – City Infrastructure, together with associated works including the renewal of kerb and channel and modification of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by the Melbourne City Council – City Infrastructure.



38. The footpath adjoining the site along Blackwood Stand Bedford Street must be reconstructed together with associated works including the renewal of kerb and channel and modification of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by the Melbourne City Council – City Infrastructure.

**Street levels not to be altered**

39. Existing street levels in roads adjoining the site must not be altered for the purpose of constructing new vehicle crossings or pedestrian entrances without first obtaining approval from the Melbourne City Council – City Infrastructure.

**Street furniture**

40. All street furniture such as street litter bins recycling bins, seats and bicycle rails must be supplied and installed on footpaths outside the proposed building to plans and specifications first approved by the Melbourne City Council – City Infrastructure.
41. Existing street furniture must not be removed or relocated without first obtaining the written approval of the Melbourne City Council – City Infrastructure.

**Public lighting**

42. Prior to the commencement of the development, excluding preliminary site works, demolition and any clean up works, or as may otherwise be agreed with the City of Melbourne, a lighting plan must be prepared to the satisfaction of the Responsible Authority – City Infrastructure. The lighting plan should be generally consistent with Council's Lighting Strategy, and include the provision of public lighting in the surrounding streets of the subject land. The lighting works must be undertaken prior to the commencement of the use / occupation of the development, in accordance with plans and specifications first approved by the Melbourne City Council – City Infrastructure.
43. All street lighting assets temporarily removed or altered to facilitate construction works shall be reinstated once the need for removal or alteration has been ceased. Existing public street lighting must not be altered without first obtaining the written approval of the Melbourne City Council – City Infrastructure.

**Building appurtenances and structures above roof level**

44. All building plant and equipment are to be concealed to the satisfaction of the Responsible Authority. The construction of any additional plant machinery equipment, including but not limited to air-conditioning equipment, ducts, flues, all exhausts including car parking and communications equipment, shall be to the satisfaction of the Responsible Authority.
45. Any satellite dishes, antennae or similar structures associated with the development must be designed and located at a single point in the development to the satisfaction of the Responsible Authority.
46. No architectural features, plant and equipment or services other than those shown on the endorsed plans are permitted above roof level, unless with the prior written consent of the Responsible Authority.

**Expiry**

47. This permit will expire if one of the following circumstances applies:
- a) The development associated with Stage 1 is not started within three years of the date of this permit.

- b) The development associated with Stage 1 is not completed and the associated use has not commenced within five years of the date of this permit.
- c) The development associated with Stage 2 is not started within six years of the date of this permit.
- d) The development associated with Stage 2 is not completed and the associated uses have not commenced within eight years of the date of this permit.

The Responsible Authority may extend the permit if a request is made in writing before the permit expires, or within six months afterwards. The Responsible Authority may extend the time for completion of the development if a request is made in writing within 12 months after the permit expires and the development started lawfully before the permit expired.

## **PERMIT NOTES**

### **Building approval required**

- This permit does not authorise the commencement of any demolition or construction on the land. Before any demolition or construction may commence, the applicant must apply for and obtain appropriate building approval from a Registered Building Surveyor.

### **Building works to accord with Planning Permit**

- The applicant / owner will provide a copy of this planning permit and endorsed plans to any appointed Building Surveyor. It is the responsibility of the applicant / owner and the relevant Building Surveyor to ensure that all building (development) works approved by any building permit are consistent with this planning permit.

### **Drainage point and method of discharge**

- The legal point of stormwater discharge for the proposal must be to the satisfaction of the responsible authority. Engineering construction plans for the satisfactory drainage and discharge of stormwater from the site must be submitted to and approved by the Responsible Authority prior to the commencement of any buildings or works.

### **Other approvals may be required**

- This Planning Permit does not represent the approval of other departments of City of Melbourne or other statutory authorities. Such approvals may be required and may be assessed on different criteria from that adopted for the approval of this Planning Permit.

### **Civil Design**

- All necessary approvals and permits are to be first obtained from the City of Melbourne and the works performed to the satisfaction of the responsible authority – City Infrastructure Branch.
- All projections over future street alignment must conform to Building Regulations 2018, Part 6, Sections 98 to 110 as appropriate. Reference can be made to the City of Melbourne's Road Encroachment Operational Guidelines with respect to projections impacting on street trees and clearances from face / back of kerb.

### **Urban Forest and Ecology**

- In accordance with the Tree Retention and Removal Policy a bank guarantee must be:

1. Issued to City of Melbourne, ABN: 55 370 219 287.
  2. From a recognised Australian bank.
  3. Unconditional (i.e. no end date)
  4. Executed (i.e. signed and dated with the bank stamp)
- Please note that insurance bonds are not accepted by the City Of Melbourne. An acceptable bank guarantee is to be supplied to Council House 2, to a representative from Council's Urban Forest and Ecology Team. Please email [trees@melbourne.vic.gov.au](mailto:trees@melbourne.vic.gov.au) to arrange a suitable time for the bank guarantee to be received. A receipt will be provided at this time.
  - At the time of lodgement of the bank guarantee the completed Project Arborist Confirmation Form must be provided. On completion of the works the bank guarantee will only be released when evidence is provided of Project Arborist supervision throughout the works and a final completion report confirms that the health of the subject public trees has not been compromised.
  - Approval for any tree removal is subject to the Tree Retention and Removal Policy, Council's Delegations Policy and requirements for public notification, and a briefing paper to councillors. It should be noted that certain tree removals including but not limited to significant or controversial tree removals, may be subject to decision by Council or a Committee of Council.
  - All costs in connection with the removal and replacement of public trees, including any payment for the amenity and ecological services value of trees to be removed, must be met by the applicant / developer / owner of the site. The costs of these works will be provided and must be agreed to before council remove the subject trees.