

## Report to the Future Melbourne (Planning) Committee

Agenda item 6.3

**Planning Permit Application: TP-2017-461/A**  
**23-29 Victoria Street, Melbourne**

**8 December 2020**

**Presenter:** Evan Counsel, Director Planning and Building

### **Purpose and background**

1. The purpose of this report is to advise the Future Melbourne Committee of an application to amend planning permit TP-2017-461/A for the land located at 21-29 Victoria Street, Melbourne (refer Attachment 2 – Locality Plan).
2. The application seeks approval to amend the existing permit, to authorise the change in use of the land for a Residential Building (student accommodation) and associated changes to the development layout and design, while maintaining the general proportions, massing and height of the originally approved development (refer Attachment 3 – Selected Plans).
3. The applicant is Scape Australia (MacKenzie) Trust c-/ Tract. The owner is Perri Victoria Street Pty Ltd and the architect is Denton Corker Marshall.
4. The site is located within the Mixed Use Zone and is affected by the Parking Overlay (Schedule 12). A planning permit is required for the use of the land for a Residential Building (student accommodation), the construction of a new building and associated works and alterations to a road in a road zone, Category 1 (Victoria Street).
5. Public notice of the application was undertaken and 102 objections were received.

### **Key issues**

6. The key issues include whether amendment of the permit to facilitate the proposed land use and revised development is consistent with the purpose of the Mixed Use Zone, Council's Urban Design Policy, *Clause 22.17 Urban Design Outside the Capital City Zone*, and Council's Student Housing Policy, *Clause 22.24 Student Housing Policy*. Other relevant issues include the concerns raised by objectors, traffic and waste management for the site and the ESD credentials of the project.
7. It is considered that the revisions to the authorised development proposed are both acceptable, having regard to the relevant requirements of the Melbourne Planning Scheme, and an improvement over the originally approved development.
8. Notably, the removal of three levels of basement including car parking infrastructure and reprogramming of the ground floor plane to include a through-block access and greater activation will provide an enhanced pedestrian experience, which is an important outcome for the corner site at the gateway to the Hoddle Grid.
9. It is considered that the revised exterior architectural language of the tower form is acceptable and will present as a visually robust and contextually appropriate form from key vantage points along Drummond Street and Victoria Street. Through consultation, a refined podium design treatment has been achieved that will present an improved relationship between the proposed development and neighbouring heritage and urban context.

### **Recommendation from management**

10. That the Future Melbourne Committee resolves to issue a Notice of Decision to Grant a Permit subject to conditions outlined in the delegate report (refer attachment 4 of the report from management).

### **Attachments:**

1. Supporting Attachment (Page 2 of 100)
2. Locality Plan (Page 3 of 100)
3. Plans (Page 4 of 100)
4. Delegate Report (Page 50 of 100)

## Supporting Attachment

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### Legal

1. Division 1 of Part 4 of the *Planning and Environment Act 1987* (the Act) sets out the requirements in relation to applications for permits pursuant to the relevant planning scheme. Section 61 of the Act sets out that the Council (responsible authority) may decide to grant a permit, grant a permit subject to conditions or refuse to grant a permit on any ground it thinks fit.
2. As objections have been received, sections 64 and 65 of the Act provide that the responsible authority must give the applicant and each objector notice in the prescribed form of its decision to either grant a permit or refuse to grant a permit. The responsible authority must not issue a permit to the applicant until the end of the period in which an objector may apply to the VCAT for a review of the decision or, if an application for review is made, until the application is determined by the VCAT.

### Finance

3. There are no direct financial issues arising from the recommendations contained within this report.

### Conflict of interest

4. No member of Council staff, or other person engaged under a contract, involved in advising on or preparing this report has declared a material or general conflict of interest in relation to the matter of the report.

### Health and Safety

5. Relevant planning considerations such as traffic and waste management, amenity impacts and contaminated land that could impact on health and safety have been considered within the planning permit application and assessment process.

### Stakeholder consultation

6. Public notice of the application was undertaken in accordance with the Act.

### Relation to Council policy

7. Relevant Council policies are discussed in the attached delegate report (refer to Attachment 4).

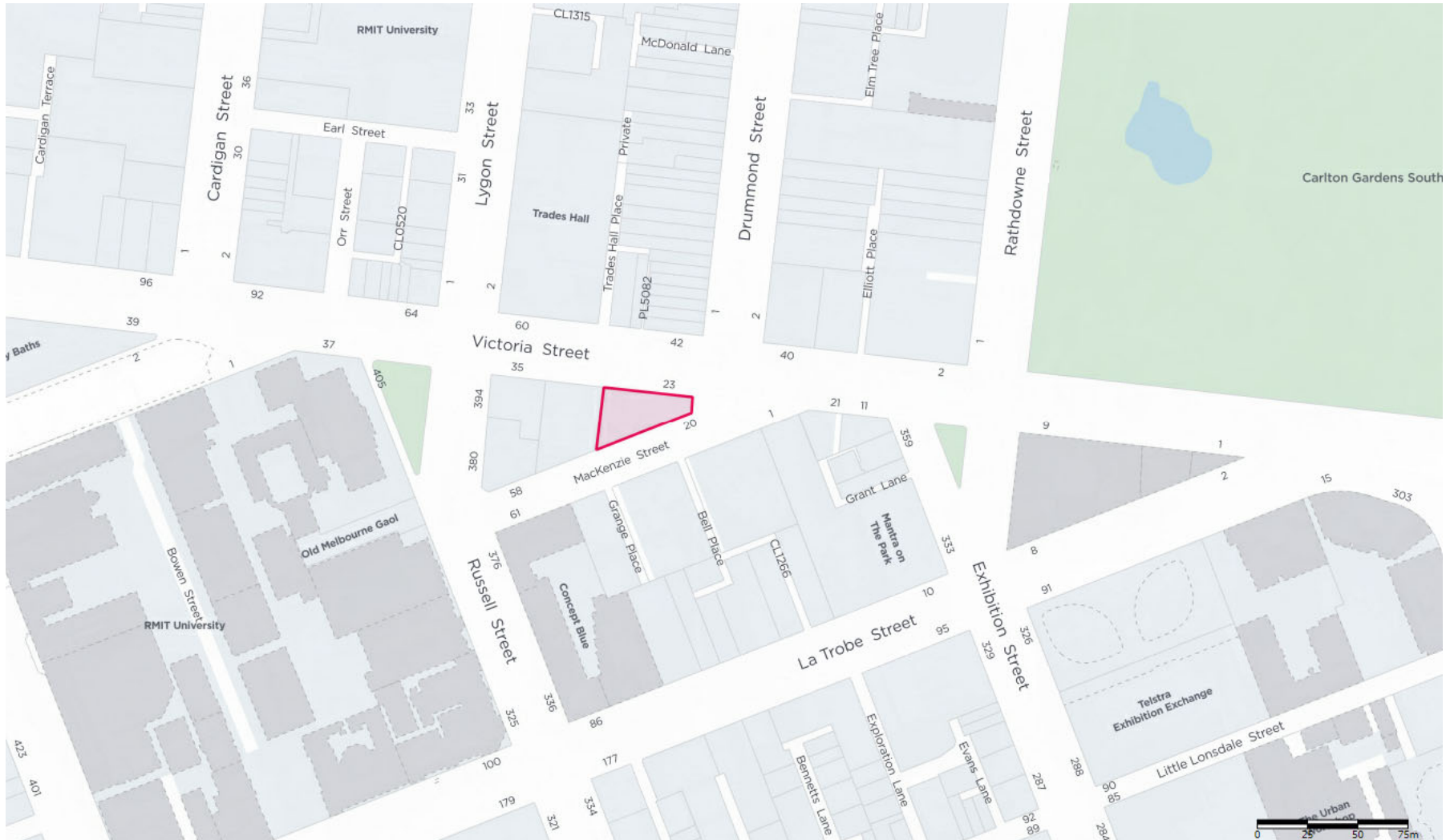
### Environmental sustainability

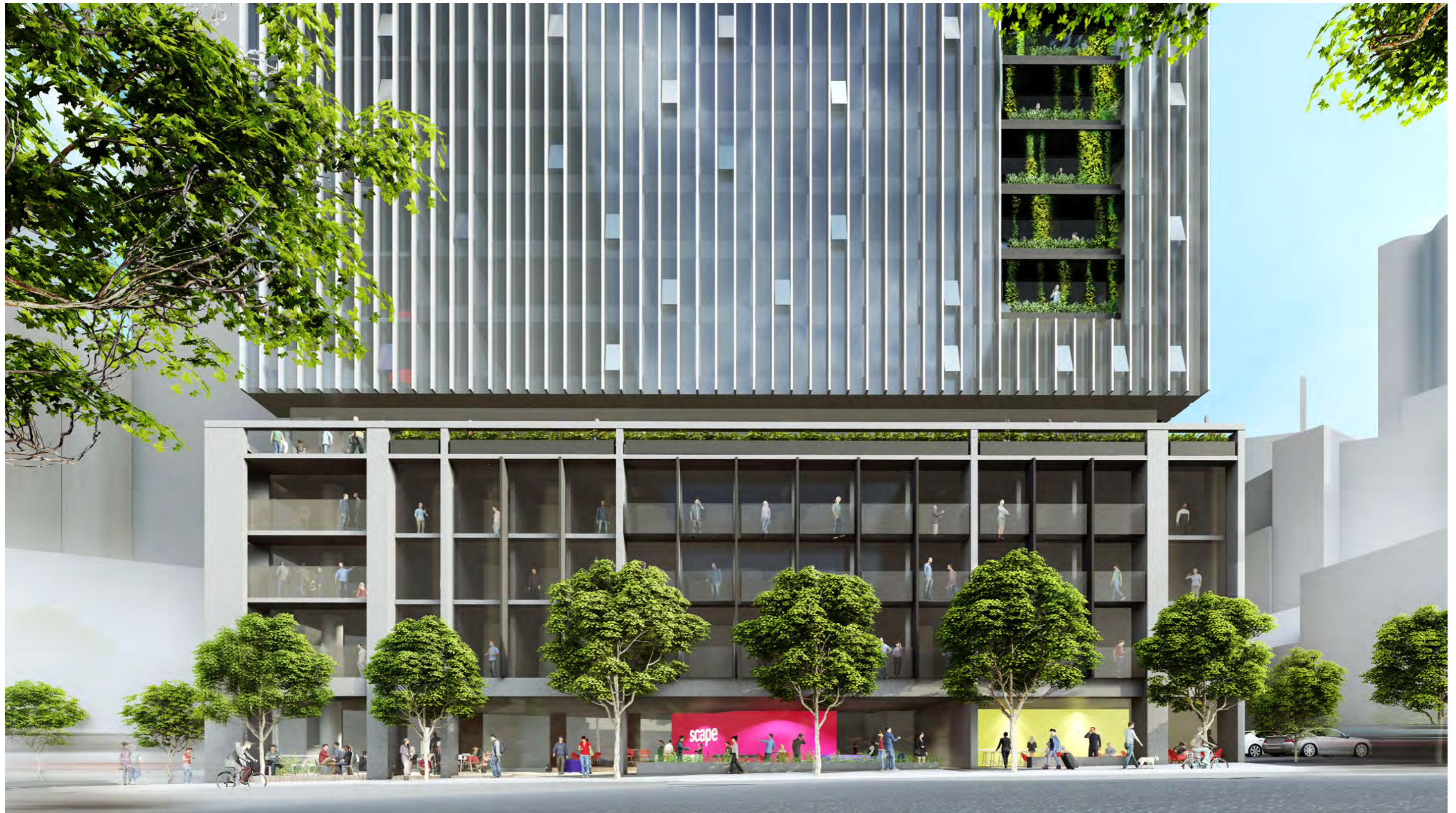
8. The Environmentally Sustainable Design (ESD) Report submitted with the application demonstrates that the development will achieve the ESD performance requirements of Clause 22.19 (Energy, Water and Waste Efficiency). Conditions have been recommended on any permit being granted to ensure the requirements of Clause 22.23 (Stormwater Management) are met.

# Locality Plan

Attachment 2  
Agenda item 6.3  
Future Melbourne Committee  
8 December 2020

## 21-29 Victoria Street, Melbourne





Close up of Victoria Street elevation. The whole length of facade is activated from within by the student residents, and from outside by the deep architectural form | Note: focal lens in image is greater than human eye to enlarge viewing ability



Close up view from Victoria Street. The building presents at the junction of the CBD and Carlton grids, defined by the 2 tower masts coming together. | Note: focal lens in image is greater than human eye to enlarge viewing ability



Close up view from Drummond Street. The top of the podium is viewed over the tree canopy, reflecting the deep recesses and grid of the Victorian terraces | Note: focal lens in image is greater than human eye to enlarge viewing ability



View towards Melbourne CBD along Drummond Street. The tower presents purposefully asymmetrical with 2 carved slots, a playful and surprising view along the gridded Carlton streets | Note: focal lens in image is greater than human eye to enlarge viewing ability



Proposed podium as viewed from corner of Victoria and Drummond Streets. The communal spaces sit at the eastern corner, animated by an external terrace | Note: focal lens in image is greater than human eye to enlarge viewing ability





Proposed podium as viewed from corner of Victoria and Mackenzie Streets. The north and south facades present with their carefully characterised architecture to each context | Note: focal lens in image is greater than human eye to enlarge viewing ability

# ARCHITECTURAL STATEMENT OF CHANGES

- 1 PODIUM (LEVELS 00-04) DESIGN, ENVELOPE AND FACADE REVISED IN TOTALITY IN LINE WITH URBAN DESIGN COMMENTS
- 2 RETAIL LAYOUT UPDATED TO REFLECT EXTERNAL FACADE UPDATE
- 3 ROOM LENGTH INCREASED TO REFLECT EXTERNAL FACADE UPDATE
- 4 SOUTH TOWER WINDOWS RECESSED AND MATERIAL REVISED TO ARTICULATE FACADE DEPTH IN LINE WITH URBAN DESIGN COMMENTS
- 5 MISSING MATERIAL CODE ADDED

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No.	Date	App	Revision or reason for issue
P1	11.09.2020	GC	ISSUE FOR PLANNING

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Project Title  
**23-29 VICTORIA STREET**

Client  
**scape**

Drawing Title  
**ARCH. STATEMENT OF CHANGES**

Drawn By  
 AN

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Project Number  
**D250**

Drawing Number  
**P10\_000**

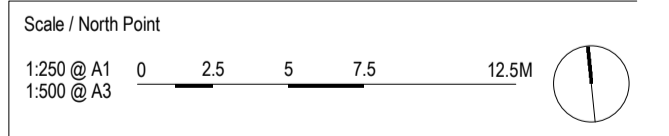
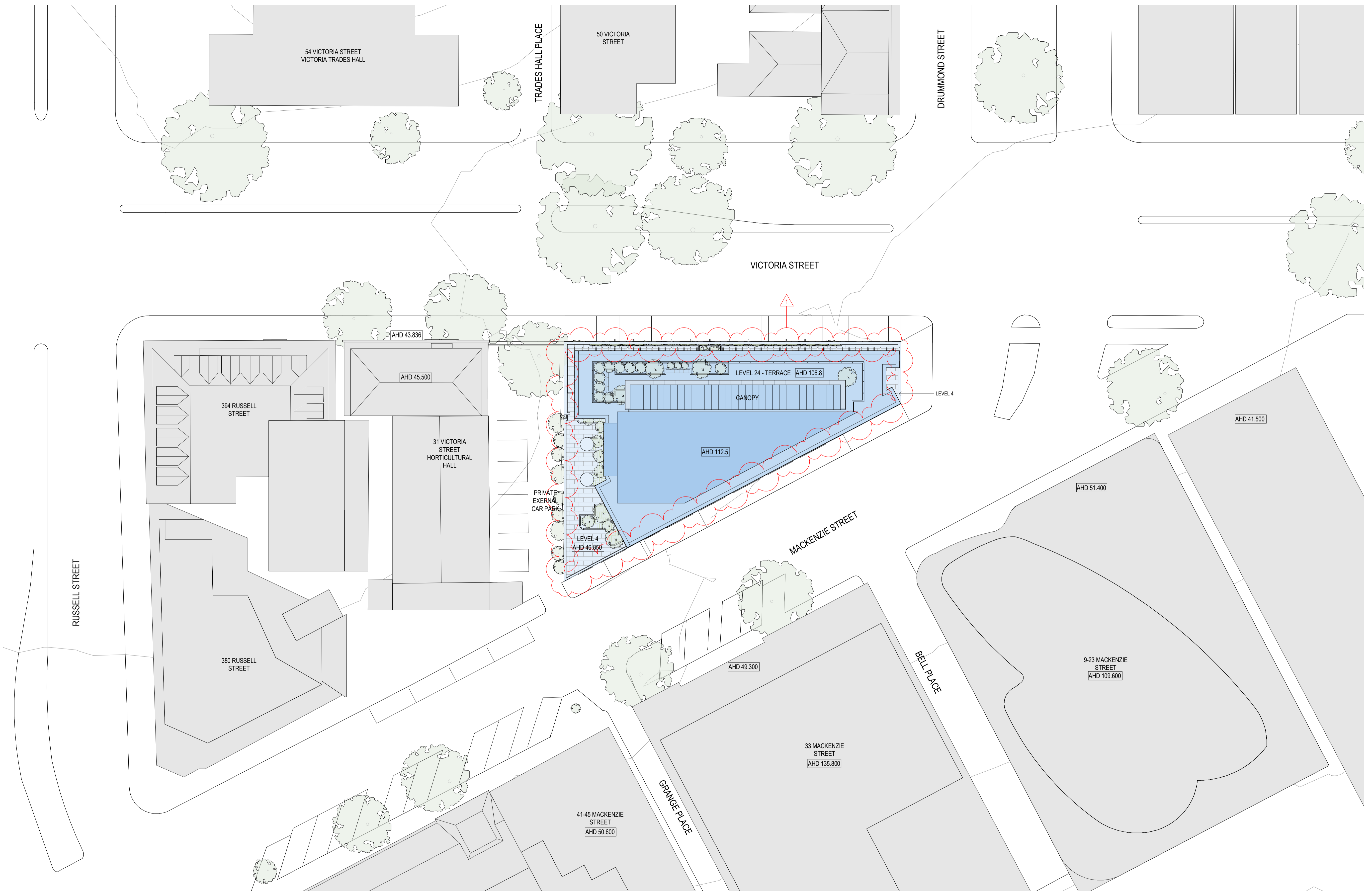
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P2	14.02.2020	GC	ISSUE FOR PLANNING
P3	13.05.2020	GC	ISSUE FOR PLANNING
P4	11.09.2020	GC	ISSUE FOR PLANNING

PODIUM (LEVELS 00-04) DESIGN, ENVELOPE AND FACADE  
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Project Title  
**23-29 VICTORIA STREET**  
 Client  
**scape**

Drawing Title		
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AN	GC	<b>P4</b>
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VICTORIA STREET



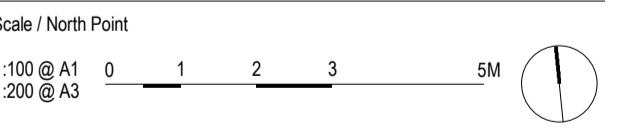
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- DDA/PREMIUM ROOM (TYPE D, E, F)
- COMMUNAL
- CIRCULATION
- TERRACE
- RETAIL
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LEGEND

- APPROVED PLANNING ENVELOPE



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No.	Date	Appr	Revision or reason for issue
P1	13.12.2019	GC	ISSUE FOR PLANNING
P2	14.02.2020	GC	ISSUE FOR PLANNING
P3	13.05.2020	GC	ISSUE FOR PLANNING
P4	11.09.2020	GC	ISSUE FOR PLANNING

PODIUM (LEVELS 00-04) DESIGN, ENVELOPE AND FACADE
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2 RETAIL LAYOUT UPDATED TO REFLECT EXTERNAL FACADE UPDATE

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Project Title  
**23-29 VICTORIA STREET**

Client  
**scape**

Drawing Title		
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Drawn By AN	Checked By GC	
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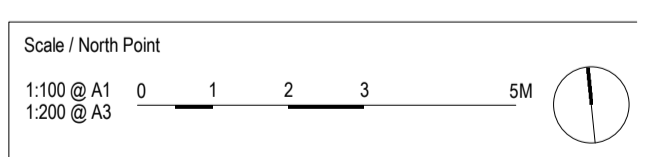


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P4	11.09.2020	GC	ISSUE FOR PLANNING

COMMENTS
1. PODIUM (LEVELS 00-04) DESIGN, ENVELOPE AND FACADE REVISED IN TOTALITY IN LINE WITH URBAN DESIGN
2. ROOM LENGTH INCREASED TO REFLECT EXTERNAL FACADE UPDATE

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Project Title  
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Drawing Title		
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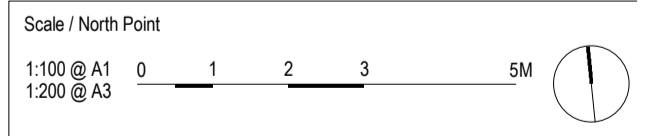


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**LEGEND**

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P2	14.02.2020	GC	ISSUE FOR PLANNING
P3	13.05.2020	GC	ISSUE FOR PLANNING
P4	11.09.2020	GC	ISSUE FOR PLANNING

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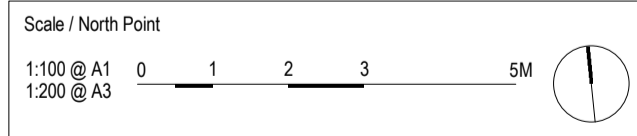
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**LEGEND**  
- - - APPROVED PLANNING ENVELOPE



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P3	13.05.2020	GC	ISSUE FOR PLANNING
P4	11.09.2020	GC	ISSUE FOR PLANNING

PODIUM (LEVELS 00-04) DESIGN, ENVELOPE AND FACADE

- REVISED IN TOTALITY IN LINE WITH URBAN DESIGN COMMENTS
- ROOM LENGTH INCREASED TO REFLECT EXTERNAL FACADE UPDATE

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Project Title  
**23-29 VICTORIA STREET**

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Drawing Title  
**LEVEL 03 FLOOR PLAN**

Project Number	Drawing Number	Revision
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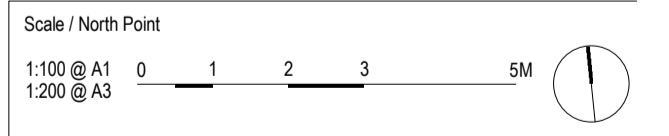
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PODIUM (LEVELS 00-04) DESIGN, ENVELOPE AND FACADE  
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Project Title  
**23-29 VICTORIA STREET**

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Drawing Title		
<b>LEVEL 04 FLOOR PLAN</b>		
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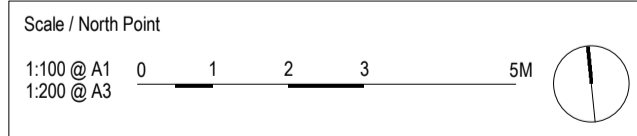




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- LEGEND**
- APPROVED PLANNING ENVELOPE
  - APPROVED PLANNING ENVELOPE (ALTERNATE LEVELS)



Drawing Status  
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Project Title  
**23-29 VICTORIA STREET**

Client  
**scape**

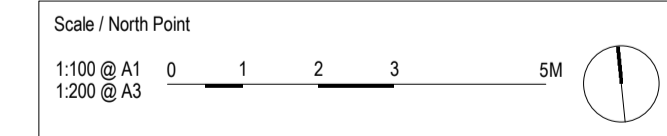
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- LEGEND**
- APPROVED PLANNING ENVELOPE
  - APPROVED PLANNING ENVELOPE (ALTERNATE LEVELS)



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Project Title  
**23-29 VICTORIA STREET**

Client  
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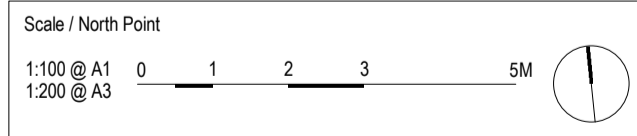
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  - BOH
  - PLANT/SERVICES/CORE

- LEGEND**
- APPROVED PLANNING ENVELOPE
  - APPROVED PLANNING ENVELOPE (ALTERNATE LEVELS)



Drawing Status  
**FOR CONSTRUCTION**

No.	Date	Appr	Revision or reason for issue
P1	13.12.2019	GC	ISSUE FOR PLANNING
P2	14.02.2020	GC	ISSUE FOR PLANNING
P3	13.05.2020	GC	ISSUE FOR PLANNING
P4	11.09.2020	GC	ISSUE FOR PLANNING

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Project Title  
**23-29 VICTORIA STREET**

Client  
**scape**

Drawing Title		
<b>LEVEL 07 FLOOR PLAN</b>		
Drawn By	Checked By	Revision
AN	GC	<b>P4</b>
Project Number	Drawing Number	Revision
<b>D250</b>	<b>P10_0007</b>	<b>P4</b>
Project File	Print Date	Issue Date
	22/09/2020 3:11:10 PM	11/09/2020

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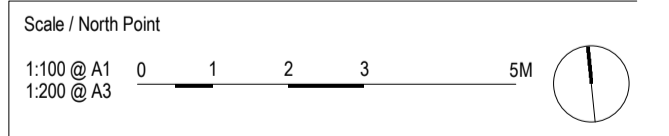


COLOUR CODES:

- BALCONY
- STUDIO ROOM (TYPE A)
- STUDIO ROOM (TYPE A LONG)
- STUDIO ROOM (TYPE B)
- STUDIO ROOM (TYPE C)
- DDA/PREMIUM ROOM (TYPE D, E, F)
- COMMUNAL
- CIRCULATION
- TERRACE
- RETAIL
- RETAIL EXTERNAL
- BOH
- PLANT/SERVICES/CORE

LEGEND

- APPROVED PLANNING ENVELOPE
- APPROVED PLANNING ENVELOPE (ALTERNATE LEVELS)



Drawing Status  
**FOR CONSTRUCTION**

No.	Date	Appr	Revision or reason for issue
P1	13.12.2019	GC	ISSUE FOR PLANNING
P2	14.02.2020	GC	ISSUE FOR PLANNING
P3	13.05.2020	GC	ISSUE FOR PLANNING
P4	11.09.2020	GC	ISSUE FOR PLANNING

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Project Title  
**23-29 VICTORIA STREET**

Client  
**scape**

Drawing Title		
<b>LEVEL 08 FLOOR PLAN</b>		
Drawn By	Checked By	Revision
AN	GC	<b>P4</b>
Project Number	Drawing Number	Revision
<b>D250</b>	<b>P10_0008</b>	<b>P4</b>
Project File	Print Date	Issue Date
	22/09/2020 3:11:24 PM	11/09/2020

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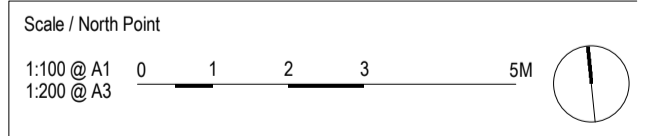


COLOUR CODES:

- BALCONY
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- STUDIO ROOM (TYPE A LONG)
- STUDIO ROOM (TYPE B)
- STUDIO ROOM (TYPE C)
- DDA/PREMIUM ROOM (TYPE D, E, F)
- COMMUNAL
- CIRCULATION
- TERRACE
- RETAIL
- RETAIL EXTERNAL
- BOH
- PLANT/SERVICES/CORE

LEGEND

- APPROVED PLANNING ENVELOPE
- APPROVED PLANNING ENVELOPE (ALTERNATE LEVELS)



Drawing Status  
**FOR CONSTRUCTION**

No.	Date	Appr	Revision or reason for issue
P1	13.12.2019	GC	ISSUE FOR PLANNING
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P3	13.05.2020	GC	ISSUE FOR PLANNING
P4	11.09.2020	GC	ISSUE FOR PLANNING

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Drawing Title		
<b>LEVEL 09 FLOOR PLAN</b>		
Drawn By	Checked By	Revision
AN	GC	<b>P4</b>
Project Number	Drawing Number	Revision
<b>D250</b>	<b>P10_0009</b>	<b>P4</b>
Project File	Print Date	Issue Date
	22/09/2020 3:11:39 PM	11/09/2020

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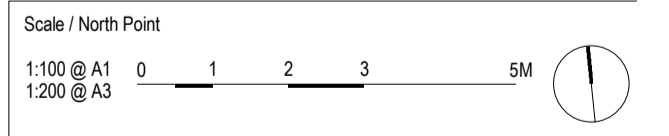


COLOUR CODES:

- BALCONY
- STUDIO ROOM (TYPE A)
- STUDIO ROOM (TYPE A LONG)
- STUDIO ROOM (TYPE B)
- STUDIO ROOM (TYPE C)
- DDA/PREMIUM ROOM (TYPE D, E, F)
- COMMUNAL
- CIRCULATION
- TERRACE
- RETAIL
- RETAIL EXTERNAL
- BOH
- PLANT/SERVICES/CORE

LEGEND

- APPROVED PLANNING ENVELOPE
- APPROVED PLANNING ENVELOPE (ALTERNATE LEVELS)



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No.	Date	Appr	Revision or reason for issue
P1	13.12.2019	GC	ISSUE FOR PLANNING
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P3	13.05.2020	GC	ISSUE FOR PLANNING
P4	11.09.2020	GC	ISSUE FOR PLANNING

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Client  
**scape**

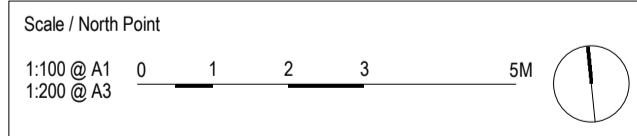
Drawing Title		
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Drawn By	Checked By	Revision
AN	GC	<b>P4</b>
Project Number	Drawing Number	Revision
<b>D250</b>	<b>P10_0010</b>	<b>P4</b>
Project File	Print Date	Issue Date
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  - STUDIO ROOM (TYPE A LONG)
  - STUDIO ROOM (TYPE B)
  - STUDIO ROOM (TYPE C)
  - DDA/PREMIUM ROOM (TYPE D, E, F)
  - COMMUNAL
  - CIRCULATION
  - TERRACE
  - RETAIL
  - RETAIL EXTERNAL
  - BOH
  - PLANT/SERVICES/CORE

- LEGEND**
- APPROVED PLANNING ENVELOPE
  - APPROVED PLANNING ENVELOPE (ALTERNATE LEVELS)



Drawing Status  
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No.	Date	Appr	Revision or reason for issue
P1	13.12.2019	GC	ISSUE FOR PLANNING
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P3	13.05.2020	GC	ISSUE FOR PLANNING
P4	11.09.2020	GC	ISSUE FOR PLANNING

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**23-29 VICTORIA STREET**

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Drawing Title		
<b>LEVEL 11 FLOOR PLAN</b>		
Drawn By	Checked By	Revision
AN	GC	<b>P4</b>
Project Number	Drawing Number	Revision
<b>D250</b>	<b>P10_0011</b>	<b>P4</b>
Project File	Print Date	Issue Date
	22/09/2020 3:12:07 PM	11/09/2020

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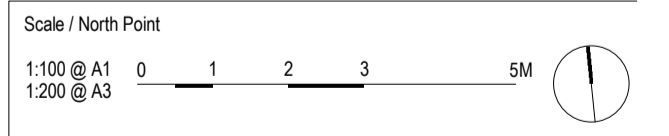


COLOUR CODES:

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- STUDIO ROOM (TYPE A LONG)
- STUDIO ROOM (TYPE B)
- STUDIO ROOM (TYPE C)
- DDA/PREMIUM ROOM (TYPE D, E, F)
- COMMUNAL
- CIRCULATION
- TERRACE
- RETAIL
- RETAIL EXTERNAL
- BOH
- PLANT/SERVICES/CORE

LEGEND

- APPROVED PLANNING ENVELOPE
- APPROVED PLANNING ENVELOPE (ALTERNATE LEVELS)



Drawing Status  
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P1	13.12.2019	GC	ISSUE FOR PLANNING
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Project Title  
**23-29 VICTORIA STREET**

Client  
**scape**

Drawing Title		
<b>LEVEL 12 FLOOR PLAN</b>		
Drawn By	Checked By	Revision
AN	GC	<b>P4</b>
Project Number	Drawing Number	Revision
<b>D250</b>	<b>P10_0012</b>	<b>P4</b>
Project File	Print Date	Issue Date
	22/09/2020 3:12:21 PM	11/09/2020

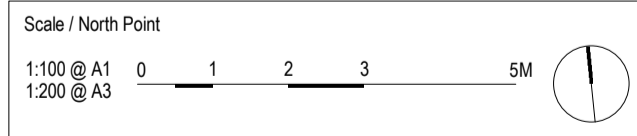




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  - STUDIO ROOM (TYPE B)
  - STUDIO ROOM (TYPE C)
  - DDA/PREMIUM ROOM (TYPE D, E, F)
  - COMMUNAL
  - CIRCULATION
  - TERRACE
  - RETAIL
  - RETAIL EXTERNAL
  - BOH
  - PLANT/SERVICES/CORE

- LEGEND**
- APPROVED PLANNING ENVELOPE
  - APPROVED PLANNING ENVELOPE (ALTERNATE LEVELS)



Drawing Status  
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No.	Date	Appr	Revision or reason for issue
P1	13.12.2019	GC	ISSUE FOR PLANNING
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P3	13.05.2020	GC	ISSUE FOR PLANNING
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Project Title  
**23-29 VICTORIA STREET**

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Drawing Title		
<b>LEVEL 13 FLOOR PLAN</b>		
Drawn By	Checked By	Revision
AN	GC	<b>P4</b>
Project Number	Drawing Number	Revision
<b>D250</b>	<b>P10_0013</b>	<b>P4</b>
Project File	Print Date	Issue Date
	22/09/2020 3:12:37 PM	11/09/2020

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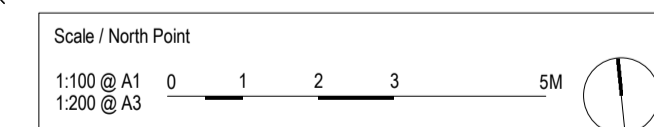


COLOUR CODES:

- BALCONY
- STUDIO ROOM (TYPE A)
- STUDIO ROOM (TYPE A LONG)
- STUDIO ROOM (TYPE B)
- STUDIO ROOM (TYPE C)
- DDA/PREMIUM ROOM (TYPE D, E, F)
- COMMUNAL
- CIRCULATION
- TERRACE
- RETAIL
- RETAIL EXTERNAL
- BOH
- PLANT/SERVICES/CORE

LEGEND

- APPROVED PLANNING ENVELOPE
- APPROVED PLANNING ENVELOPE (ALTERNATE LEVELS)



Drawing Status  
**FOR CONSTRUCTION**

No.	Date	Appr	Revision or reason for issue
P1	13.12.2019	GC	ISSUE FOR PLANNING
P2	14.02.2020	GC	ISSUE FOR PLANNING
P3	13.05.2020	GC	ISSUE FOR PLANNING
P4	11.09.2020	GC	ISSUE FOR PLANNING

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Project Title  
**23-29 VICTORIA STREET**

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**scape**

Drawing Title  
**LEVEL 14 FLOOR PLAN**

Drawn By  
 AN

Checked By  
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Project Number  
**D250**

Drawing Number  
**P10\_0014**

Revision  
**P4**

Project File

Print Date  
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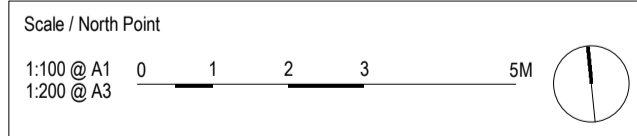
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  - STUDIO ROOM (TYPE B)
  - STUDIO ROOM (TYPE C)
  - DDA/PREMIUM ROOM (TYPE D, E, F)
  - COMMUNAL
  - CIRCULATION
  - TERRACE
  - RETAIL
  - RETAIL EXTERNAL
  - BOH
  - PLANT/SERVICES/CORE

- LEGEND**
- APPROVED PLANNING ENVELOPE
  - APPROVED PLANNING ENVELOPE (ALTERNATE LEVELS)



Drawing Status  
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No.	Date	Appr	Revision or reason for issue
P1	13.12.2019	GC	ISSUE FOR PLANNING
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P3	13.05.2020	GC	ISSUE FOR PLANNING
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Project Title  
**23-29 VICTORIA STREET**

Client  
**scape**

Drawing Title		
<b>LEVEL 15 FLOOR PLAN</b>		
Drawn By	Checked By	Revision
AN	GC	<b>P4</b>
Project Number	Drawing Number	Revision
<b>D250</b>	<b>P10_0015</b>	<b>P4</b>
Project File	Print Date	Issue Date
	22/09/2020 3:12:52 PM	11/09/2020

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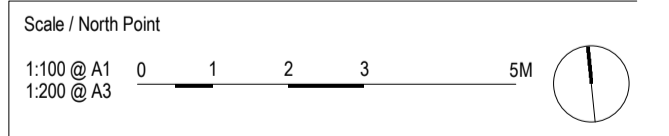


COLOUR CODES:

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- STUDIO ROOM (TYPE A LONG)
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- STUDIO ROOM (TYPE C)
- DDA/PREMIUM ROOM (TYPE D, E, F)
- COMMUNAL
- CIRCULATION
- TERRACE
- RETAIL
- RETAIL EXTERNAL
- BOH
- PLANT/SERVICES/CORE

LEGEND

- APPROVED PLANNING ENVELOPE
- APPROVED PLANNING ENVELOPE (ALTERNATE LEVELS)



Drawing Status  
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P1	13.12.2019	GC	ISSUE FOR PLANNING
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P3	13.05.2020	GC	ISSUE FOR PLANNING
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Project Title  
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**scape**

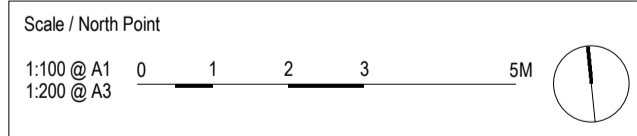
Drawing Title		
<b>LEVEL 16 FLOOR PLAN</b>		
Drawn By	Checked By	Revision
AN	GC	<b>P4</b>
Project Number	Drawing Number	Revision
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Project File	Print Date	Issue Date
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  - COMMUNAL
  - CIRCULATION
  - TERRACE
  - RETAIL
  - RETAIL EXTERNAL
  - BOH
  - PLANT/SERVICES/CORE

- LEGEND**
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  - APPROVED PLANNING ENVELOPE (ALTERNATE LEVELS)



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Project Title  
**23-29 VICTORIA STREET**

Client  
**scape**

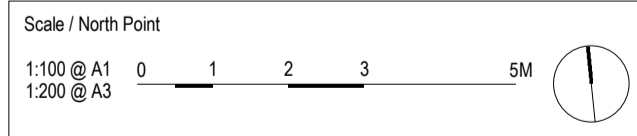
Drawing Title		
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Drawn By	Checked By	Revision
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Project Number	Drawing Number	Revision
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Project File	Print Date	Issue Date
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  - DDA/PREMIUM ROOM (TYPE D, E, F)
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  - RETAIL EXTERNAL
  - BOH
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- LEGEND**
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Project Title  
**23-29 VICTORIA STREET**

Client  
**scape**

Drawing Title		
<b>LEVEL 18 FLOOR PLAN</b>		
Drawn By	Checked By	Revision
AN	GC	
Project Number	Drawing Number	Revision
<b>D250</b>	<b>P10_0018</b>	<b>P4</b>
Project File	Print Date	Issue Date
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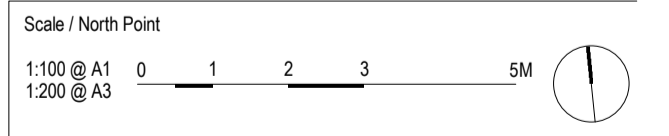
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- STUDIO ROOM (TYPE A)
- STUDIO ROOM (TYPE A LONG)
- STUDIO ROOM (TYPE B)
- STUDIO ROOM (TYPE C)
- DDA/PREMIUM ROOM (TYPE D, E, F)
- COMMUNAL
- CIRCULATION
- TERRACE
- RETAIL
- RETAIL EXTERNAL
- BOH
- PLANT/SERVICES/CORE

LEGEND

- APPROVED PLANNING ENVELOPE
- APPROVED PLANNING ENVELOPE (ALTERNATE LEVELS)



Drawing Status  
**FOR CONSTRUCTION**

No.	Date	Appr	Revision or reason for issue
P1	13.12.2019	GC	ISSUE FOR PLANNING
P2	14.02.2020	GC	ISSUE FOR PLANNING
P3	13.05.2020	GC	ISSUE FOR PLANNING
P4	11.09.2020	GC	ISSUE FOR PLANNING

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Project Title  
**23-29 VICTORIA STREET**

Client  
**scape**

Drawing Title		
<b>LEVEL 19 FLOOR PLAN</b>		
Drawn By	Checked By	Revision
AN	GC	<b>P4</b>
Project Number	Drawing Number	Revision
<b>D250</b>	<b>P10_0019</b>	<b>P4</b>
Project File	Print Date	Issue Date
	22/09/2020 3:13:49 PM	11/09/2020



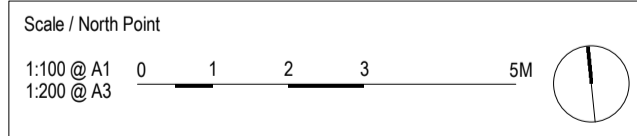
General Notes  
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- STUDIO ROOM (TYPE A LONG)
- STUDIO ROOM (TYPE B)
- STUDIO ROOM (TYPE C)
- DDA/PREMIUM ROOM (TYPE D, E, F)
- COMMUNAL
- CIRCULATION
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- RETAIL
- RETAIL EXTERNAL
- BOH
- PLANT/SERVICES/CORE

LEGEND

- APPROVED PLANNING ENVELOPE
- APPROVED PLANNING ENVELOPE (ALTERNATE LEVELS)



Drawing Status  
**FOR CONSTRUCTION**

No.	Date	Appr	Revision or reason for issue
P1	13.12.2019	GC	ISSUE FOR PLANNING
P2	14.02.2020	GC	ISSUE FOR PLANNING
P3	13.05.2020	GC	ISSUE FOR PLANNING
P4	11.09.2020	GC	ISSUE FOR PLANNING

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Project Title  
**23-29 VICTORIA STREET**

Client  
**scape**

Drawing Title		
<b>LEVEL 20 FLOOR PLAN</b>		
Drawn By	Checked By	Revision
AN	GC	<b>P4</b>
Project Number	Drawing Number	Revision
<b>D250</b>	<b>P10_0020</b>	<b>P4</b>
Project File	Print Date	Issue Date
	22/09/2020 3:14:02 PM	11/09/2020

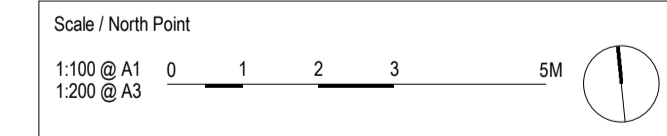




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  - STUDIO ROOM (TYPE A LONG)
  - STUDIO ROOM (TYPE B)
  - STUDIO ROOM (TYPE C)
  - DDA/PREMIUM ROOM (TYPE D, E, F)
  - COMMUNAL
  - CIRCULATION
  - TERRACE
  - RETAIL
  - RETAIL EXTERNAL
  - BOH
  - PLANT/SERVICES/CORE

- LEGEND**
- APPROVED PLANNING ENVELOPE
  - APPROVED PLANNING ENVELOPE (ALTERNATE LEVELS)



Drawing Status  
**FOR CONSTRUCTION**

No.	Date	Appr	Revision or reason for issue
P1	13.12.2019	GC	ISSUE FOR PLANNING
P2	14.02.2020	GC	ISSUE FOR PLANNING
P3	13.05.2020	GC	ISSUE FOR PLANNING
P4	11.09.2020	GC	ISSUE FOR PLANNING

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Project Title  
**23-29 VICTORIA STREET**

Client  
**scape**

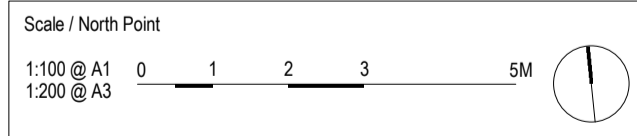
Drawing Title		
<b>LEVEL 21 FLOOR PLAN</b>		
Drawn By	Checked By	Revision
AN	GC	<b>P4</b>
Project Number	Drawing Number	Revision
<b>D250</b>	<b>P10_0021</b>	<b>P4</b>
Project File	Print Date	Issue Date
	22/09/2020 3:14:16 PM	11/09/2020



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  - STUDIO ROOM (TYPE A LONG)
  - STUDIO ROOM (TYPE B)
  - STUDIO ROOM (TYPE C)
  - DDA/PREMIUM ROOM (TYPE D, E, F)
  - COMMUNAL
  - CIRCULATION
  - TERRACE
  - RETAIL
  - RETAIL EXTERNAL
  - BOH
  - PLANT/SERVICES/CORE

- LEGEND**
- APPROVED PLANNING ENVELOPE
  - APPROVED PLANNING ENVELOPE (ALTERNATE LEVELS)



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No.	Date	Appr	Revision or reason for issue
P1	13.12.2019	GC	ISSUE FOR PLANNING
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P3	13.05.2020	GC	ISSUE FOR PLANNING
P4	11.09.2020	GC	ISSUE FOR PLANNING

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Project Title  
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Client  
**scape**

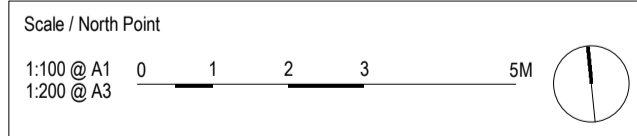
Drawing Title		
<b>LEVEL 22 FLOOR PLAN</b>		
Drawn By	Checked By	Revision
AN	GC	<b>P4</b>
Project Number	Drawing Number	Revision
<b>D250</b>	<b>P10_0022</b>	<b>P4</b>
Project File	Print Date	Issue Date
	22/09/2020 3:14:29 PM	11/09/2020



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  - STUDIO ROOM (TYPE A LONG)
  - STUDIO ROOM (TYPE B)
  - STUDIO ROOM (TYPE C)
  - DDA/PREMIUM ROOM (TYPE D, E, F)
  - COMMUNAL
  - CIRCULATION
  - TERRACE
  - RETAIL
  - RETAIL EXTERNAL
  - BOH
  - PLANT/SERVICES/CORE

- LEGEND**
- APPROVED PLANNING ENVELOPE
  - APPROVED PLANNING ENVELOPE (ALTERNATE LEVELS)



Drawing Status  
**FOR CONSTRUCTION**

No.	Date	Appr	Revision or reason for issue
P1	13.12.2019	GC	ISSUE FOR PLANNING
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P3	13.05.2020	GC	ISSUE FOR PLANNING
P4	11.09.2020	GC	ISSUE FOR PLANNING

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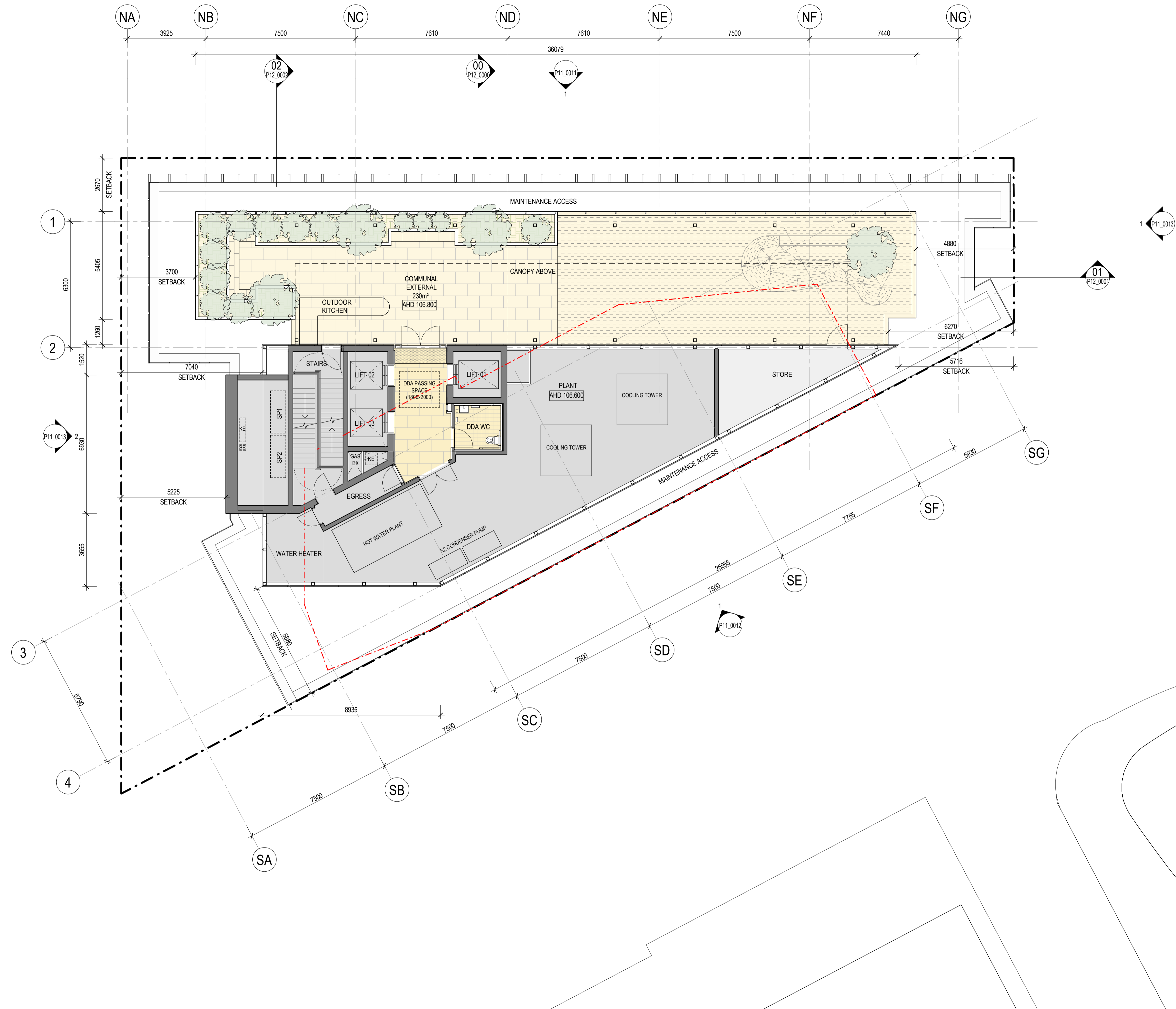
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Project Title  
**23-29 VICTORIA STREET**

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**scape**

Drawing Title		
<b>LEVEL 23 FLOOR PLAN</b>		
Drawn By	Checked By	Revision
AN	GC	<b>P4</b>
Project Number	Drawing Number	Revision
<b>D250</b>	<b>P10_0023</b>	<b>P4</b>
Project File	Print Date	Issue Date
	22/09/2020 3:14:40 PM	11/09/2020

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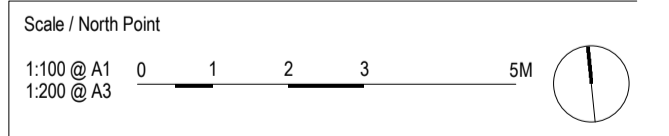


COLOUR CODES:

- BALCONY
- STUDIO ROOM (TYPE A)
- STUDIO ROOM (TYPE A LONG)
- STUDIO ROOM (TYPE B)
- STUDIO ROOM (TYPE C)
- DDA/PREMIUM ROOM (TYPE D, E, F)
- COMMUNAL
- CIRCULATION
- TERRACE
- RETAIL
- RETAIL EXTERNAL
- BOH
- PLANT/SERVICES/CORE

LEGEND

- - - APPROVED PLANNING ENVELOPE



Drawing Status  
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No.	Date	Appr	Revision or reason for issue
P1	13.12.2019	GC	ISSUE FOR PLANNING
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P3	13.05.2020	GC	ISSUE FOR PLANNING
P4	11.09.2020	GC	ISSUE FOR PLANNING

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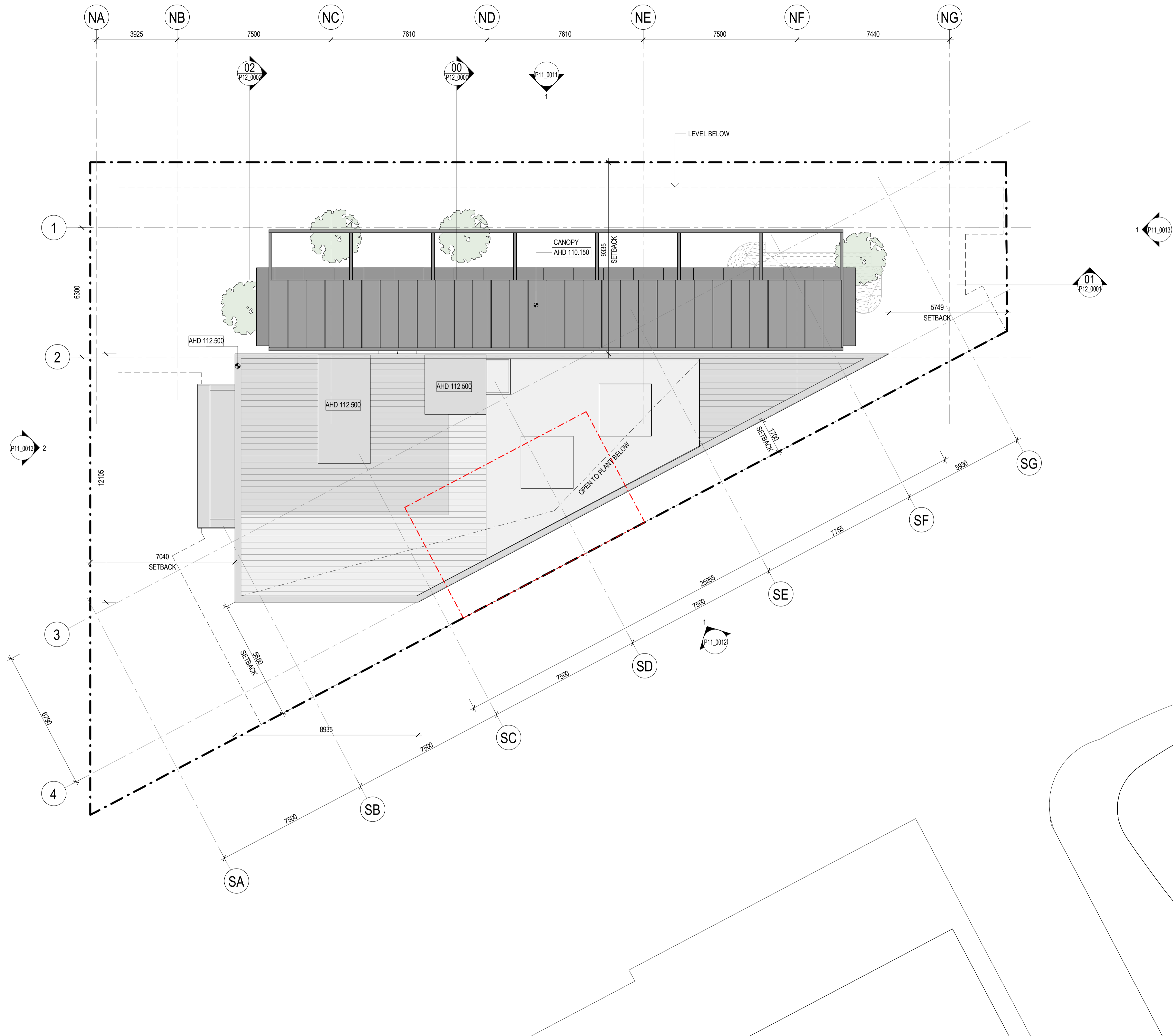
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Project Title  
**23-29 VICTORIA STREET**

Client  
**scape**

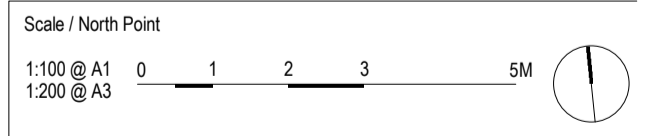
Drawing Title		
<b>LEVEL 24 FLOOR PLAN</b>		
Drawn By	Checked By	
AN	GC	
Project Number	Drawing Number	Revision
<b>D250</b>	<b>P10_0024</b>	<b>P4</b>
Project File	Print Date	Issue Date
	22/09/2020 3:14:52 PM	11/09/2020

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- BALCONY
  - STUDIO ROOM (TYPE A)
  - STUDIO ROOM (TYPE A LONG)
  - STUDIO ROOM (TYPE B)
  - STUDIO ROOM (TYPE C)
  - DDA/PREMIUM ROOM (TYPE D, E, F)
  - COMMUNAL
  - CIRCULATION
  - TERRACE
  - RETAIL
  - RETAIL EXTERNAL
  - BOH
  - PLANT/SERVICES/CORE

**LEGEND**  
 - - - APPROVED PLANNING ENVELOPE



Drawing Status  
**FOR CONSTRUCTION**

No.	Date	App.	Revision or reason for issue
P1	13.12.2019	GC	ISSUE FOR PLANNING
P2	14.02.2020	GC	ISSUE FOR PLANNING
P3	13.05.2020	GC	ISSUE FOR PLANNING
P4	11.09.2020	GC	ISSUE FOR PLANNING

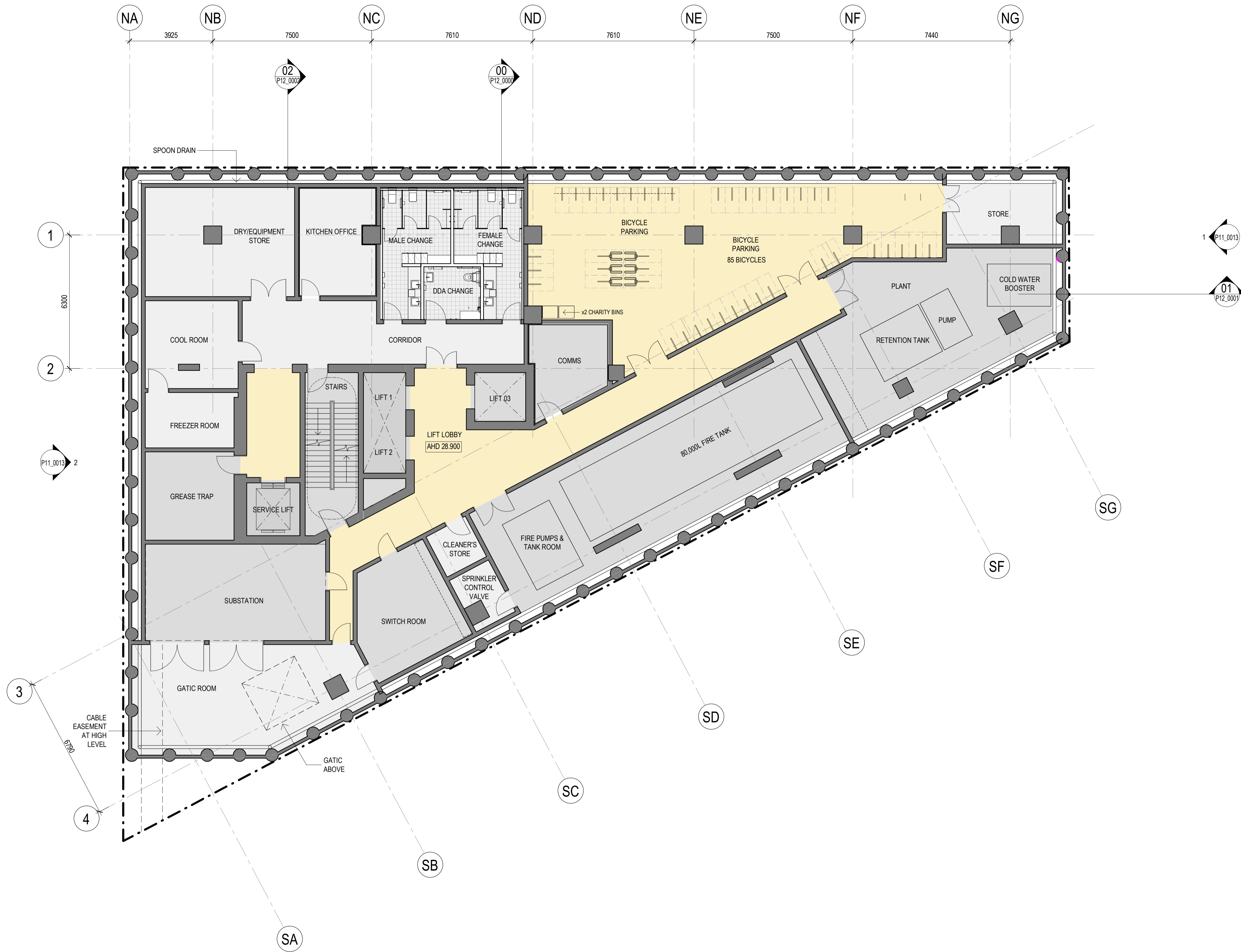
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Project Title  
**23-29 VICTORIA STREET**

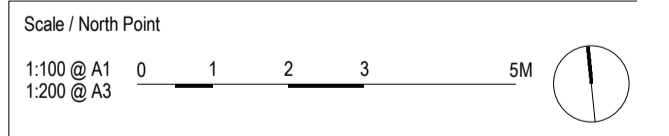
Client  
**scape**

Drawing Title		
<b>ROOF PLAN</b>		
Drawn By AN	Checked By GC	
Project Number <b>D250</b>	Drawing Number <b>P10_0025</b>	Revision <b>P4</b>
Project File	Print Date 22/09/2020 3:15:01 PM	Issue Date 11/09/2020



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  - STUDIO ROOM (TYPE A LONG)
  - STUDIO ROOM (TYPE B)
  - STUDIO ROOM (TYPE C)
  - DDA/PREMIUM ROOM (TYPE D, E, F)
  - COMMUNAL
  - CIRCULATION
  - TERRACE
  - RETAIL
  - RETAIL EXTERNAL
  - BOH
  - PLANT/SERVICES/CORE



Drawing Status  
**FOR CONSTRUCTION**

No.	Date	App.	Revision or reason for issue
P1	13.12.2019	GC	ISSUE FOR PLANNING
P2	14.02.2020	GC	ISSUE FOR PLANNING
P3	13.05.2020	GC	ISSUE FOR PLANNING
P4	11.09.2020	GC	ISSUE FOR PLANNING

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Project Title  
**23-29 VICTORIA STREET**

Client  
**scape**

Drawing Title		
<b>BASEMENT FLOOR PLAN</b>		
Drawn By AN	Checked By GC	
Project Number <b>D250</b>	Drawing Number <b>P10_-100</b>	Revision <b>P4</b>
Project File	Print Date 22/09/2020 3:15:12 PM	Issue Date 11/09/2020

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Scale / North Point  
 1:500 @ A1 0 5 10 15 25M  
 1:1000 @ A3

Drawing Status  
**FOR CONSTRUCTION**

No.	Date	App.	Revision or reason for issue
P1	13.12.2019	GC	ISSUE FOR PLANNING
P2	14.02.2020	GC	ISSUE FOR PLANNING
P3	13.05.2020	GC	ISSUE FOR PLANNING
P4	11.09.2020	GC	ISSUE FOR PLANNING

PODIUM (LEVELS 00-04) DESIGN, ENVELOPE AND FACADE  
 1 REVISED IN TOTALITY IN LINE WITH URBAN DESIGN COMMENTS

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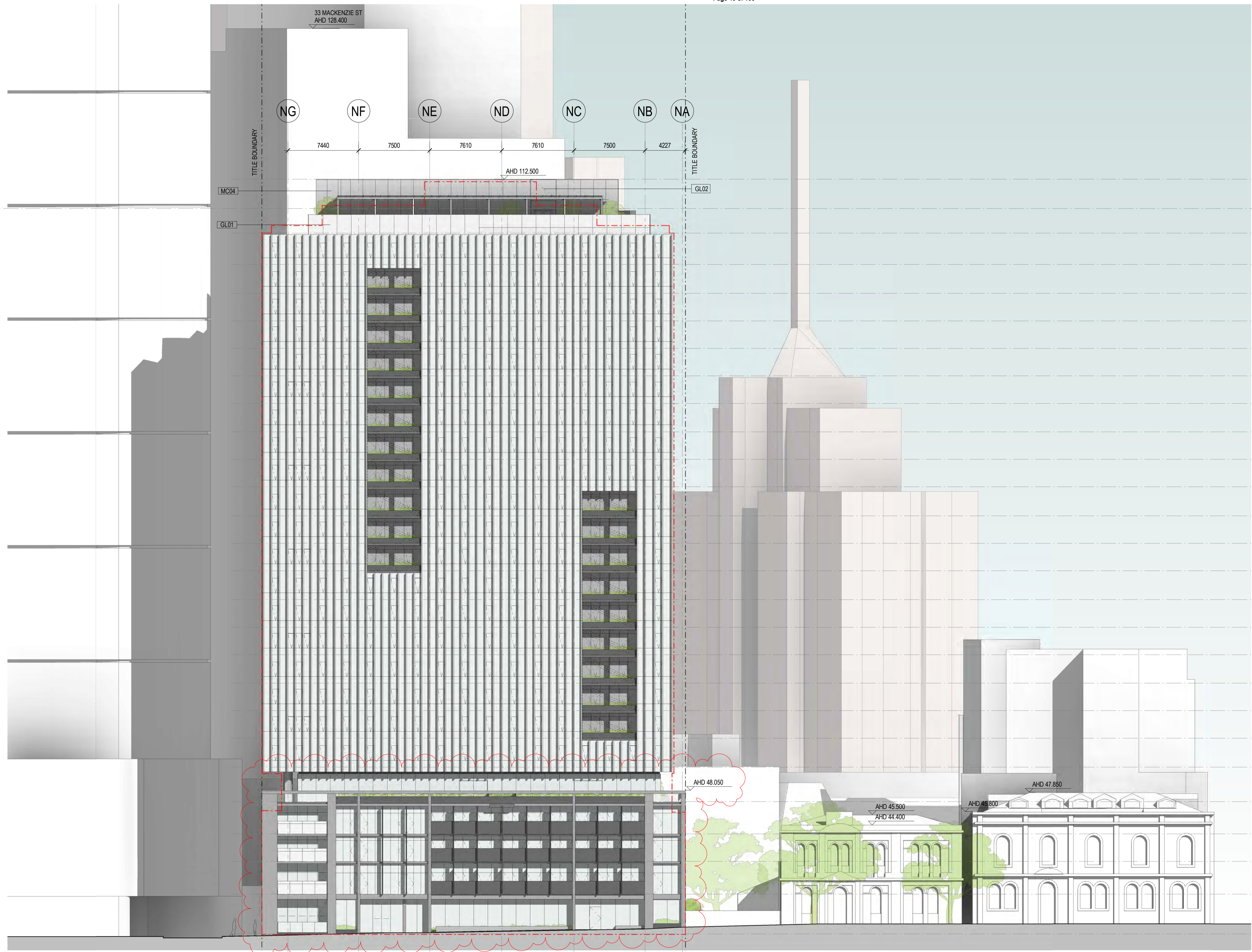
Project Title  
**23-29 VICTORIA STREET**

Client  
**scape**

Drawing Title		
<b>SITE ELEVATION - NORTH - VICTORIA ST.</b>		
Drawn By	Checked By	Revision
AN	GC	<b>P4</b>
Project Number	Drawing Number	Revision
<b>D250</b>	<b>P11_0001</b>	<b>P4</b>
Project File	Print Date	Issue Date
	22/09/2020 3:18:08 PM	11/09/2020

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UPPER ROOF	112.50
LOWER ROOF	109.40
LEVEL 24	106.80
LEVEL 23	103.50
LEVEL 22	100.45
LEVEL 21	97.55
LEVEL 20	94.65
LEVEL 19	91.75
LEVEL 18	88.85
LEVEL 17	85.85
LEVEL 16	82.95
LEVEL 15	80.05
LEVEL 14	77.00
LEVEL 13	74.10
LEVEL 12	71.20
LEVEL 11	68.15
LEVEL 10	65.25
LEVEL 09	62.35
LEVEL 08	59.35
LEVEL 07	56.45
LEVEL 06	53.55
LEVEL 05	50.50
LEVEL 04	46.85
LEVEL 03	43.45
LEVEL 02	40.55
LEVEL 01	37.10
GROUND FLOOR	32.90

Scale / North Point  
 1:200 @ A1  
 1:400 @ A3

Drawing Status  
**FOR CONSTRUCTION**

No.	Date	App.	Revision or reason for issue
P1	13.12.2019	GC	ISSUE FOR PLANNING
P2	14.02.2020	GC	ISSUE FOR PLANNING
P3	13.05.2020	GC	ISSUE FOR PLANNING
P4	11.09.2020	GC	ISSUE FOR PLANNING

PODIUM (LEVELS 00-04) DESIGN, ENVELOPE AND FACADE  
 1 REVISED IN TOTALITY IN LINE WITH URBAN DESIGN COMMENTS

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Project Title  
**23-29 VICTORIA STREET**

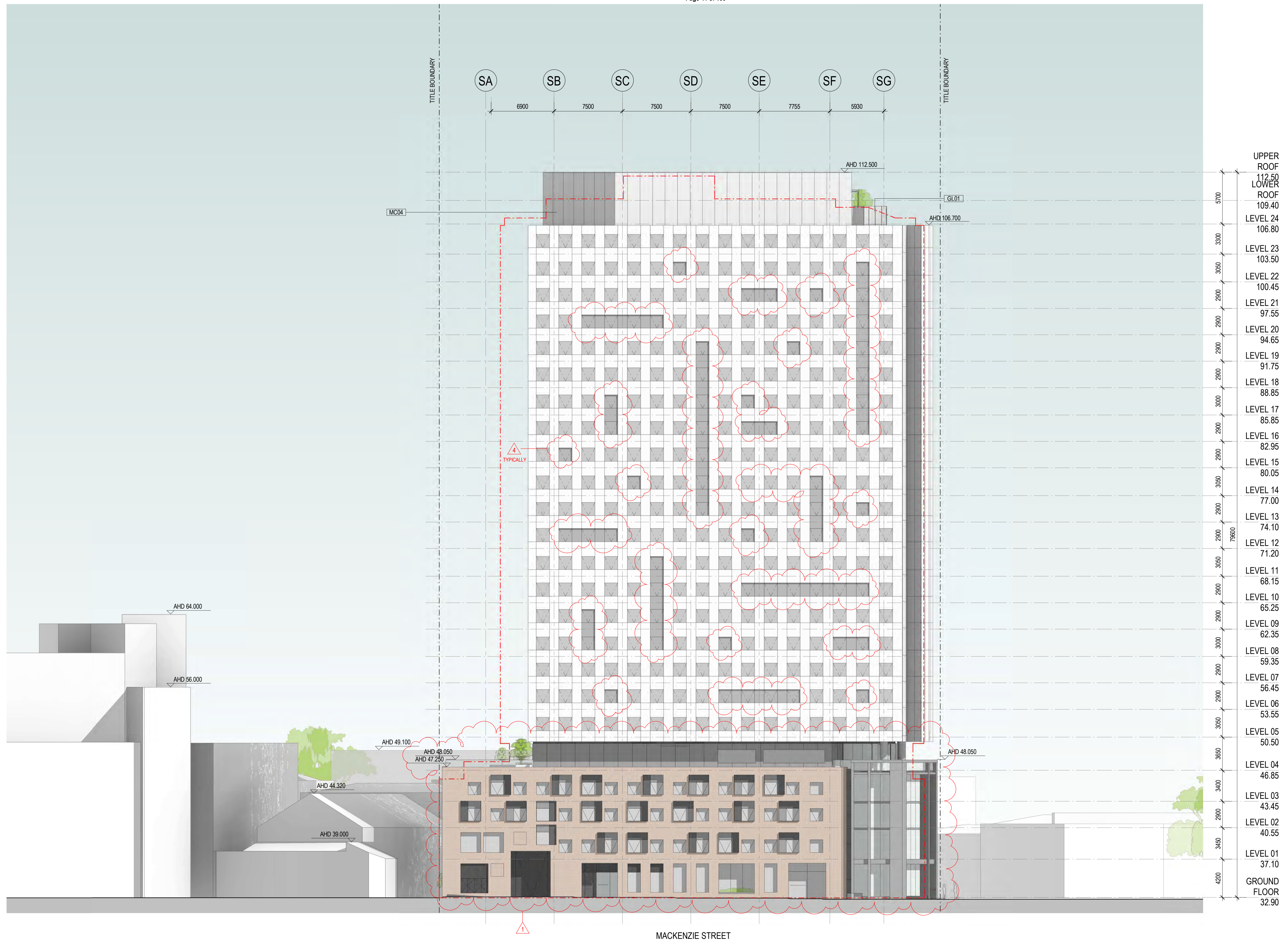
Clerk  
**scape**

Drawing Title		
<b>NORTH ELEVATION - VICTORIA STREET</b>		
Drawn By	Checked By	Revision
AN	GC	
Project Number	Drawing Number	Revision
<b>D250</b>	<b>P11_0011</b>	<b>P4</b>
Project File	Print Date	Issue Date
	22/09/2020 3:21:18 PM	11/09/2020



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LEGEND  
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UPPER ROOF	112.50
LOWER ROOF	109.40
LEVEL 24	106.80
LEVEL 23	103.50
LEVEL 22	100.45
LEVEL 21	97.55
LEVEL 20	94.65
LEVEL 19	91.75
LEVEL 18	88.85
LEVEL 17	85.85
LEVEL 16	82.95
LEVEL 15	80.05
LEVEL 14	77.00
LEVEL 13	74.10
LEVEL 12	71.20
LEVEL 11	68.15
LEVEL 10	65.25
LEVEL 09	62.35
LEVEL 08	59.35
LEVEL 07	56.45
LEVEL 06	53.55
LEVEL 05	50.50
LEVEL 04	46.85
LEVEL 03	43.45
LEVEL 02	40.55
LEVEL 01	37.10
GROUND FLOOR	32.90

Scale / North Point  
 1:200 @ A1  
 1:400 @ A3

Drawing Status  
**FOR CONSTRUCTION**

No.	Date	Appr	Revision or reason for issue
P1	13.12.2019	GC	ISSUE FOR PLANNING
P2	14.02.2020	GC	ISSUE FOR PLANNING
P3	13.05.2020	GC	ISSUE FOR PLANNING
P4	11.09.2020	GC	ISSUE FOR PLANNING

PODIUM (LEVELS 00-04) DESIGN, ENVELOPE AND FACADE  
 1 REVISED IN TOTALITY IN LINE WITH URBAN DESIGN COMMENTS  
 SOUTH TOWER WINDOWS RECESSED AND MATERIAL  
 4 REVISED TO ARTICULATE FACADE DEPTH IN LINE WITH URBAN DESIGN COMMENTS

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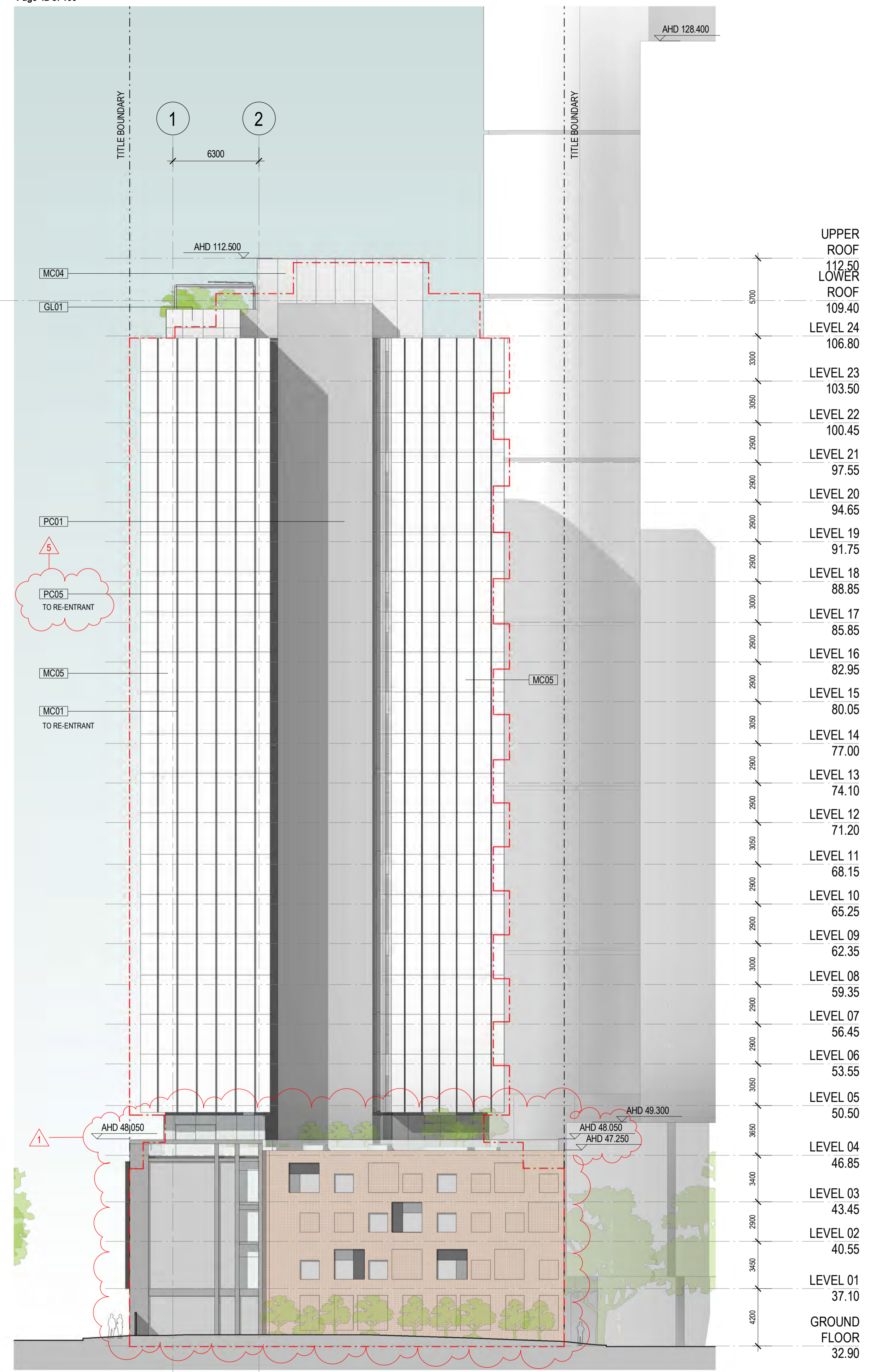
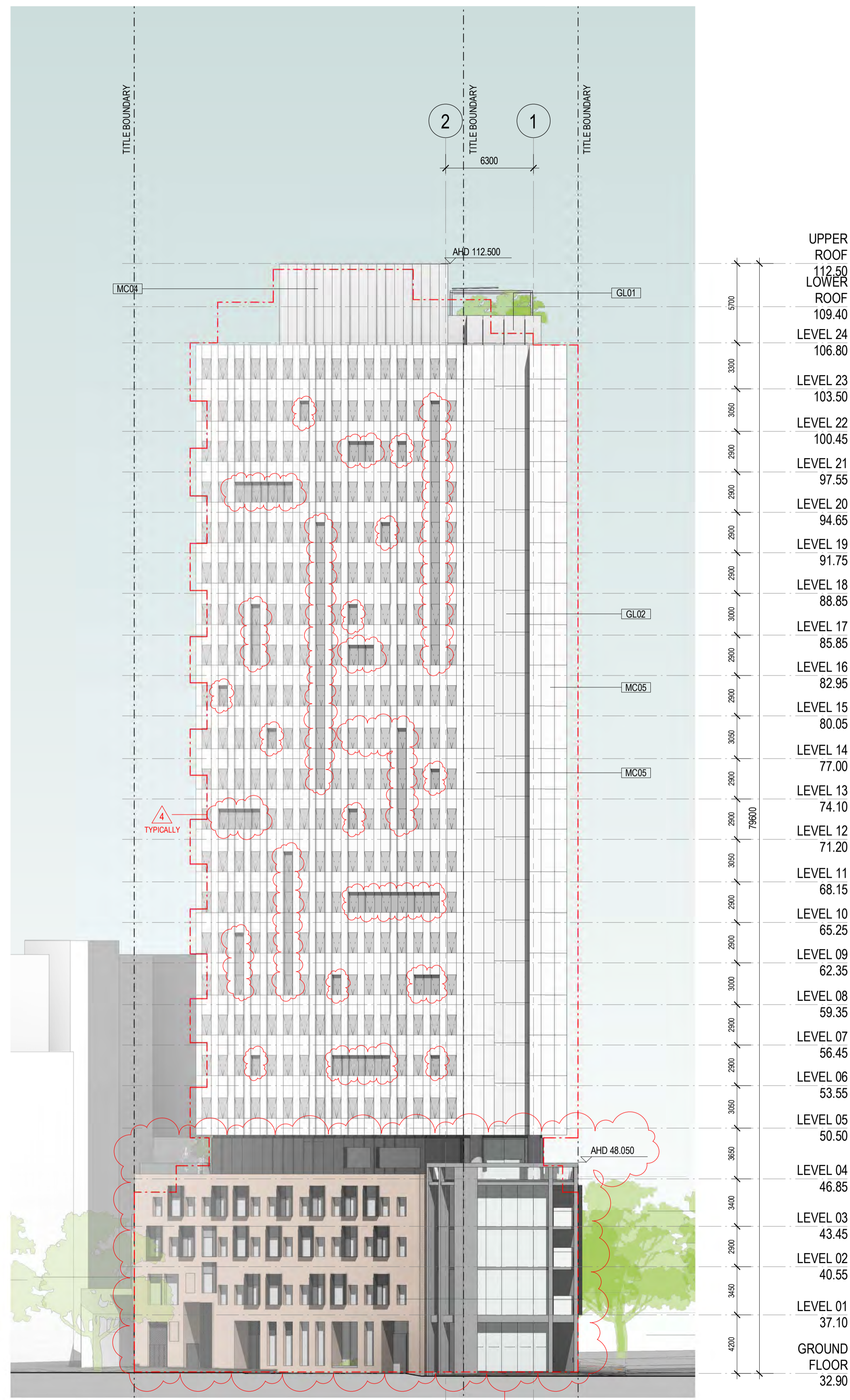
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Project Title  
**23-29 VICTORIA STREET**  
 Client  
**scape**

Drawing Title		
<b>SOUTH ELEVATION - MACKENZIE STREET</b>		
Drawn By	Checked By	Revision
AN	GC	
Project Number	Drawing Number	Revision
<b>D250</b>	<b>P11_0012</b>	<b>P4</b>
Project File	Print Date	Issue Date
	22/09/2020 3:24:41 PM	11/09/2020

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MACKENZIE STREET **1 EAST ELEVATION** (P10\_0000) SCALE 1:200 VICTORIA STREET

VICTORIA STREET **2 WEST ELEVATION** (P10\_0000) SCALE 1:200 MACKENZIE STREET

Scale / North Point  
 1:200 @ A1  
 1:400 @ A3

Drawing Status  
**FOR CONSTRUCTION**

No.	Date	Appr	Revision or reason for issue
P1	13.12.2019	GC	ISSUE FOR PLANNING
P2	14.02.2020	GC	ISSUE FOR PLANNING
P3	13.05.2020	GC	ISSUE FOR PLANNING
P4	11.09.2020	GC	ISSUE FOR PLANNING

PODIUM (LEVELS 00-04) DESIGN, ENVELOPE AND FACADE  
 1 REVISED IN TOTALITY IN LINE WITH URBAN DESIGN COMMENTS  
 SOUTH TOWER WINDOWS RECESSED AND MATERIAL REVISED TO ARTICULATE FACADE DEPTH IN LINE WITH URBAN DESIGN COMMENTS  
 5 MISSING MATERIAL CODE ADDED

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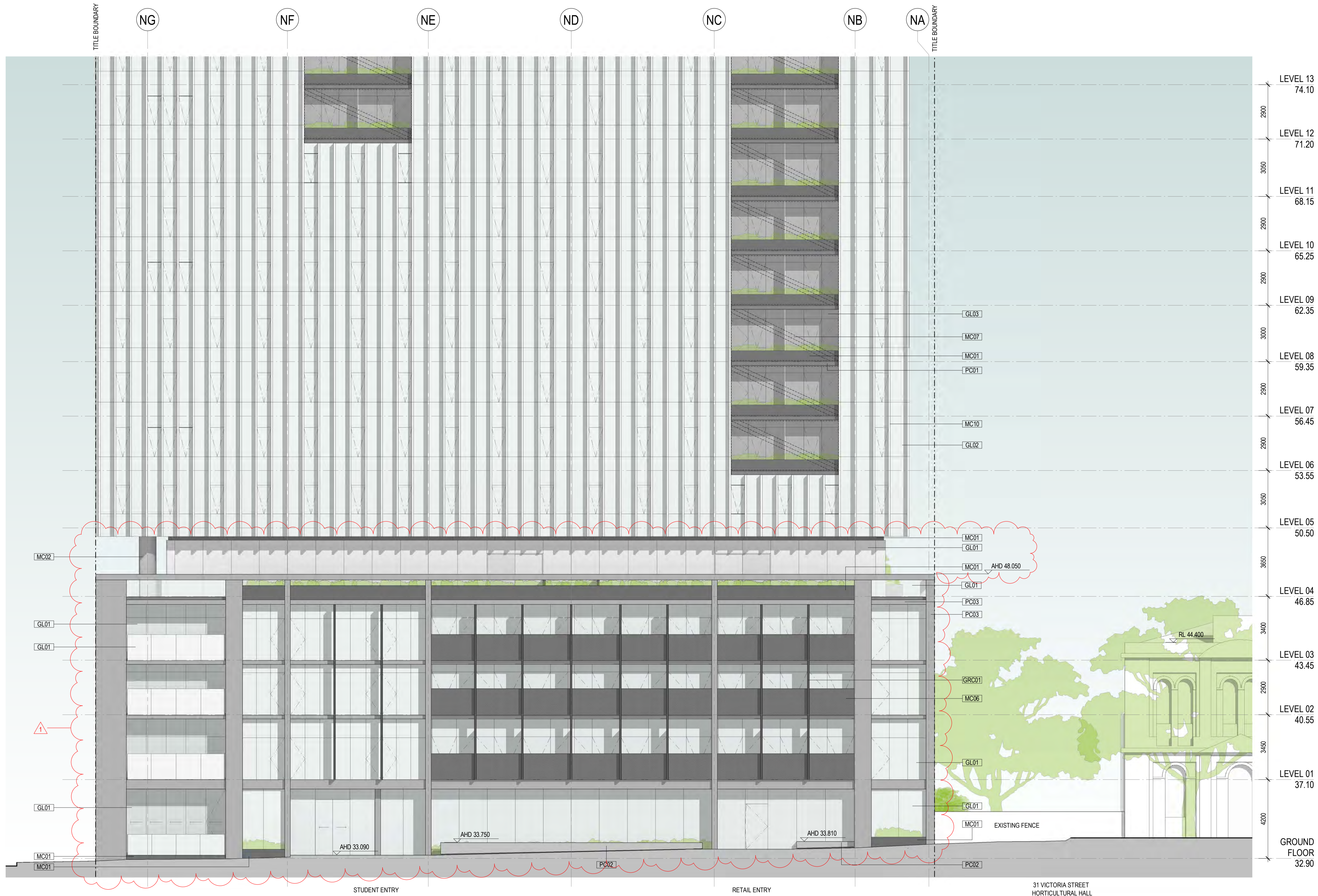
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Project Title  
**23-29 VICTORIA STREET**

Clerk  
**scape**

Drawing Title		
<b>EAST &amp; WEST ELEVATION</b>		
Drawn By AN	Checked By GC	Revision
Project Number <b>D250</b>	Drawing Number <b>P11_0013</b>	Revision <b>P4</b>
Project File	Print Date 22/09/2020 3:28:07 PM	Issue Date 11/09/2020

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LEVEL 13  
74.10  
2900

LEVEL 12  
71.20  
3050

LEVEL 11  
68.15  
2900

LEVEL 10  
65.25  
2900

LEVEL 09  
62.35  
3000

LEVEL 08  
59.35  
2900

LEVEL 07  
56.45  
2900

LEVEL 06  
53.55  
3050

LEVEL 05  
50.50  
3650

LEVEL 04  
46.85  
3400

LEVEL 03  
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2900

LEVEL 02  
40.55  
3450

LEVEL 01  
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4200

GROUND FLOOR  
32.90

Scale / North Point  
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 1:200 @ A3  
 0 1 2 3 5M

Drawing Status  
**FOR CONSTRUCTION**

No.	Date	Appr	Revision or reason for issue
P1	13.12.2019	GC	ISSUE FOR PLANNING
P2	14.02.2020	GC	ISSUE FOR PLANNING
P3	13.05.2020	GC	ISSUE FOR PLANNING
P4	11.09.2020	GC	ISSUE FOR PLANNING

PODIUM (LEVELS 00-04) DESIGN, ENVELOPE AND FACADE  
 1 REVISED IN TOTALITY IN LINE WITH URBAN DESIGN COMMENTS

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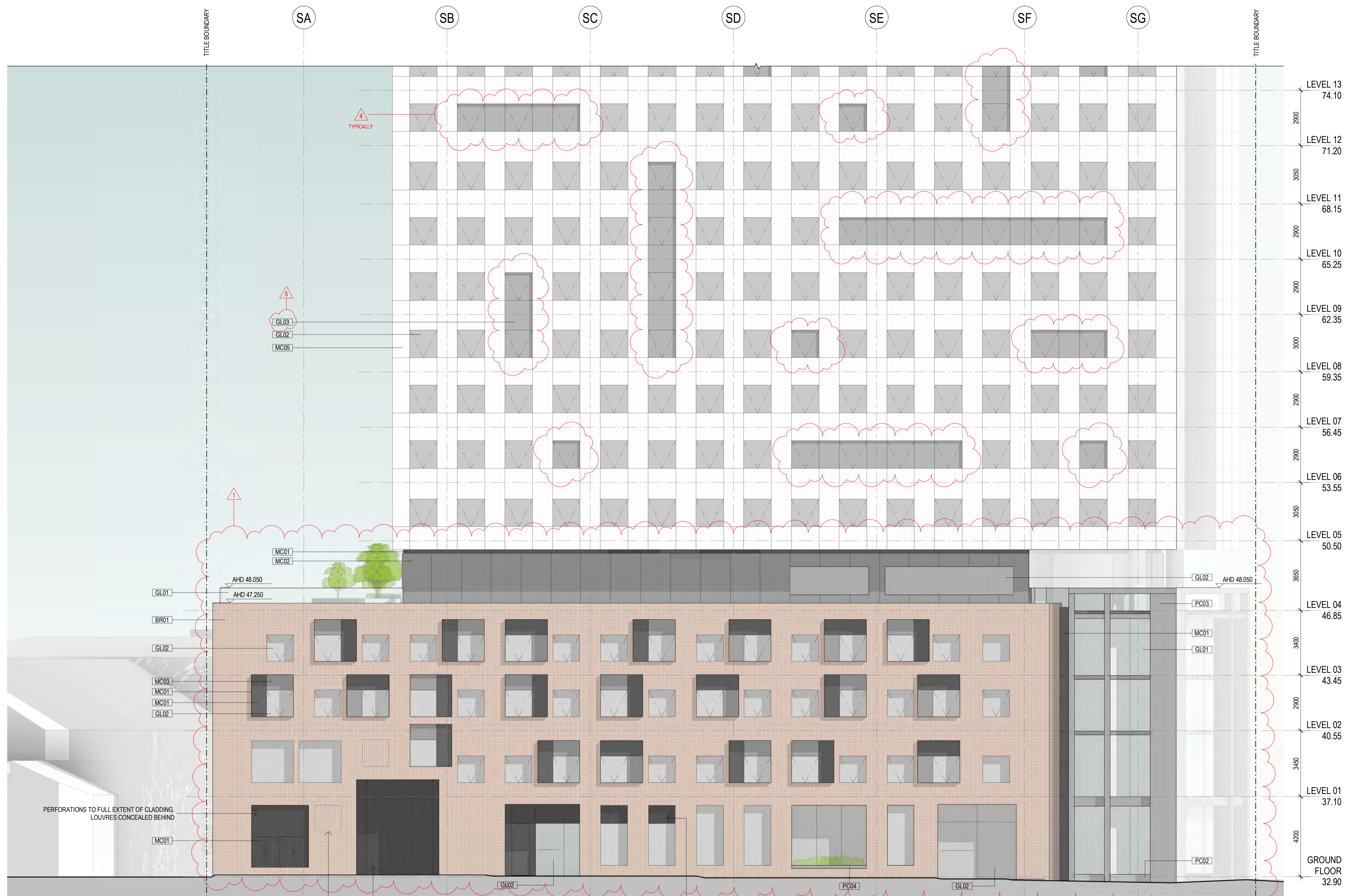
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Project Title  
**23-29 VICTORIA STREET**

Client  
**scape**

Drawing Title		
<b>DETAIL ELEVATION - NORTH - 1_100</b>		
Drawn By AN	Checked By GC	
Project Number <b>D250</b>	Drawing Number <b>P11_0021</b>	Revision <b>P4</b>
Project File	Print Date 22/09/2020 3:30:22 PM	Issue Date 11/09/2020

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Scale / North Point  
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 1:200 @ A3

Drawing Status  
**FOR CONSTRUCTION**

No.	Date	Appr	Revision or reason for issue
P1	13.12.2019	GC	ISSUE FOR PLANNING
P2	14.02.2020	GC	ISSUE FOR PLANNING
P3	13.05.2020	GC	ISSUE FOR PLANNING
P4	11.09.2020	GC	ISSUE FOR PLANNING

PODIUM (LEVELS 00-04) DESIGN, ENVELOPE AND FACADE
1 REVISED IN TOTALITY IN LINE WITH URBAN DESIGN COMMENTS
2 SOUTH TOWER WINDOWS RECESSED AND MATERIAL REVISED TO ARTICULATE FACADE DEPTH IN LINE WITH URBAN DESIGN COMMENTS
3 MISSING MATERIAL CODE ADDED

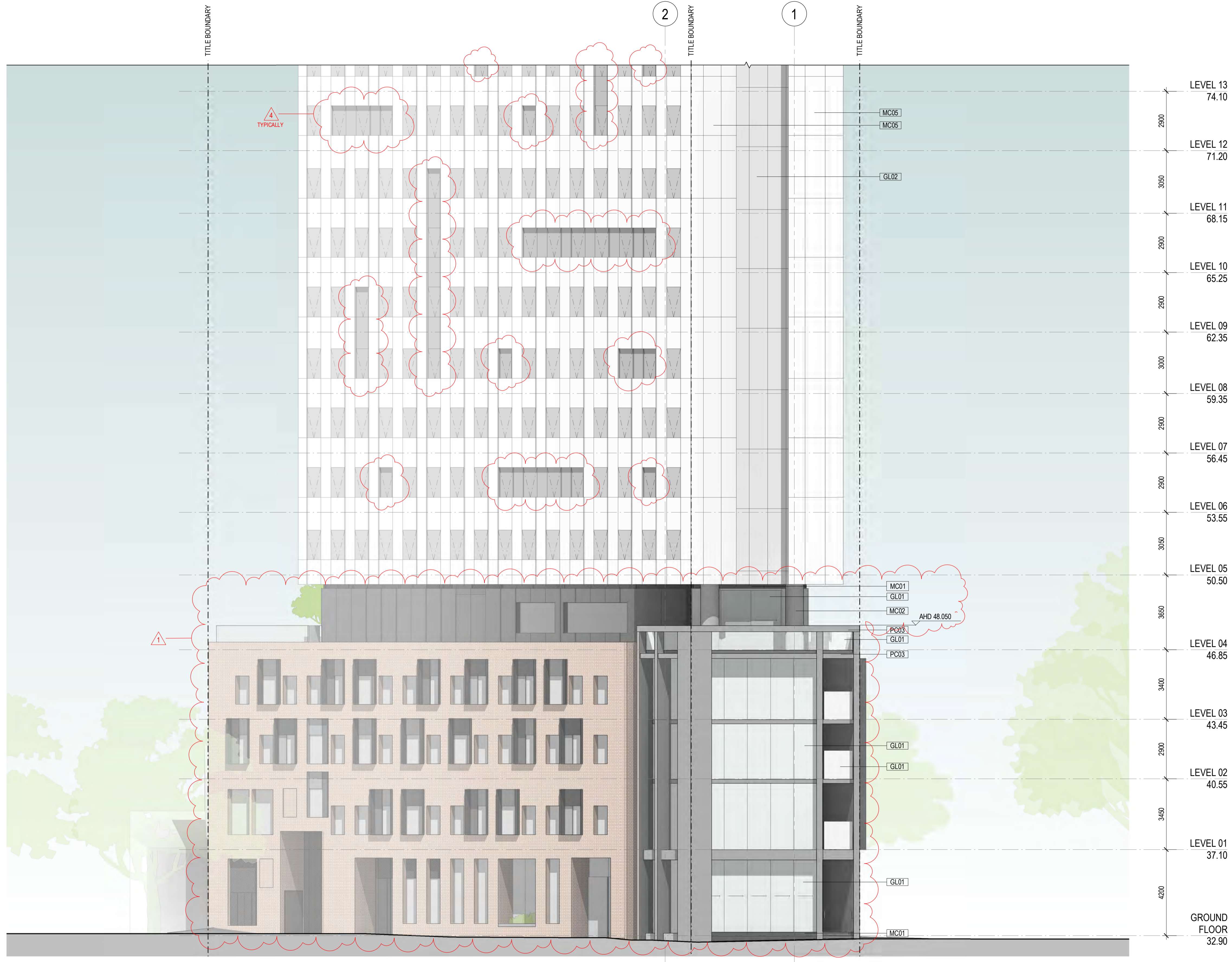
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Project Title  
**23-29 VICTORIA STREET**  
 Client  
**scape**

Drawing Title		
<b>DETAIL ELEVATION - SOUTH - 1_100</b>		
Drawn By AN	Checked By GC	Revision
Project Number <b>D250</b>	Drawing Number <b>P11_0022</b>	Revision <b>P4</b>
Project File	Print Date 22/09/2020 3:32:49 PM	Issue Date 11/09/2020

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Drawing Status  
**FOR CONSTRUCTION**

No.	Date	Appr	Revision or reason for issue
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P2	14.02.2020	GC	ISSUE FOR PLANNING
P3	13.05.2020	GC	ISSUE FOR PLANNING
P4	11.09.2020	GC	ISSUE FOR PLANNING

PODIUM (LEVELS 00-04) DESIGN, ENVELOPE AND FACADE  
 1 REVISED IN TOTALITY IN LINE WITH URBAN DESIGN COMMENTS  
 2 SOUTH TOWER WINDOWS RECESSED AND MATERIAL REVISED TO ARTICULATE FACADE DEPTH IN LINE WITH URBAN DESIGN COMMENTS

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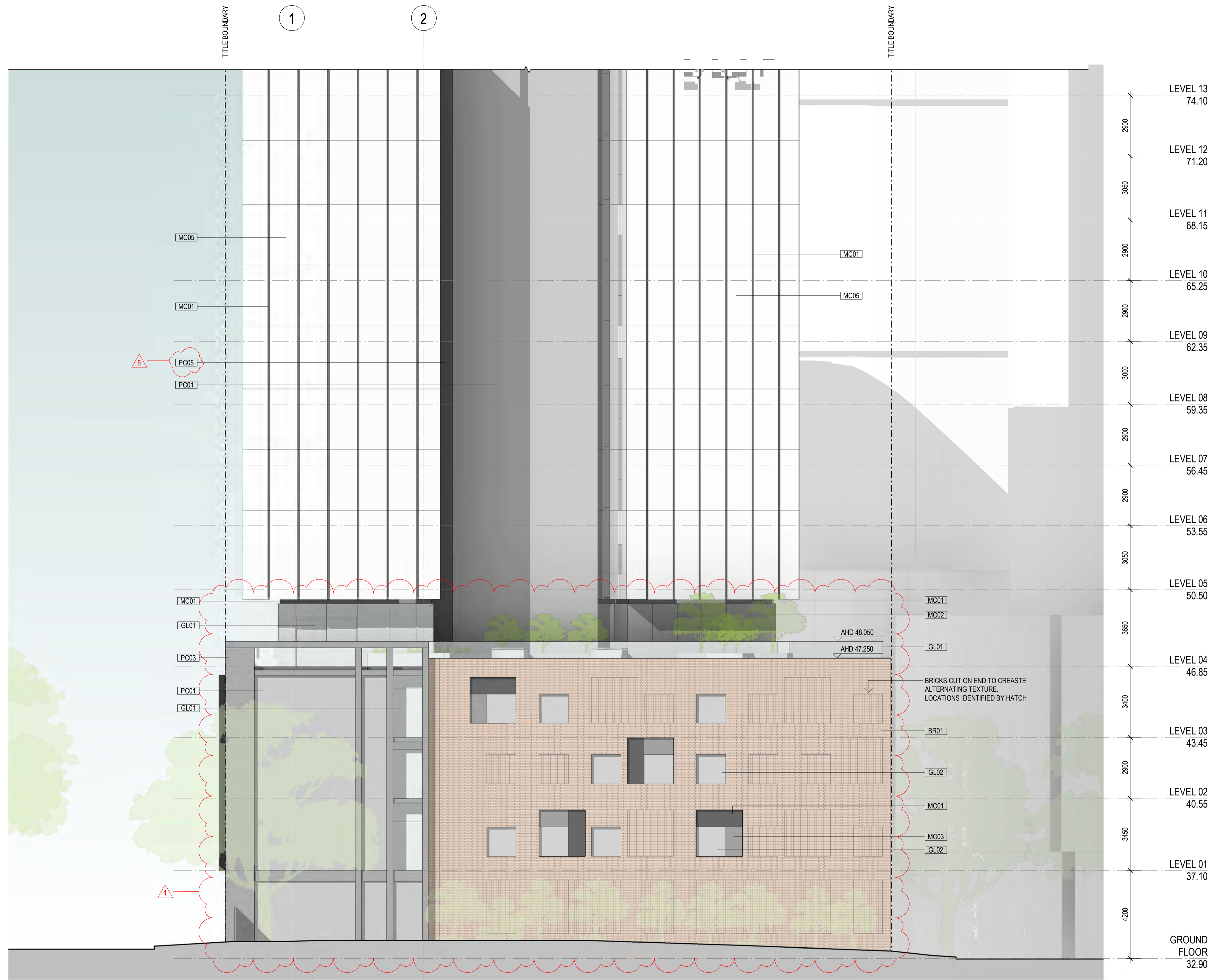
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Project Title  
**23-29 VICTORIA STREET**

Client  
**scape**

Drawing Title		
<b>DETAIL ELEVATION - EAST - 1_100</b>		
Drawn By	Checked By	Revision
AN	GC	
Project Number	Drawing Number	Revision
<b>D250</b>	<b>P11_0023</b>	<b>P4</b>
Project File	Print Date	Issue Date
	22/09/2020 3:34:29 PM	11/09/2020

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Scale / North Point  
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Drawing Status  
**FOR CONSTRUCTION**

No.	Date	App.	Revision or reason for issue
P1	13.12.2019	GC	ISSUE FOR PLANNING
P2	14.02.2020	GC	ISSUE FOR PLANNING
P3	13.05.2020	GC	ISSUE FOR PLANNING
P4	11.09.2020	GC	ISSUE FOR PLANNING

PODIUM (LEVELS 00-04) DESIGN, ENVELOPE AND FACADE  
 1 REVISED IN TOTALITY IN LINE WITH URBAN DESIGN COMMENTS  
 5 MISSING MATERIAL CODE ADDED

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Project Title  
**23-29 VICTORIA STREET**

Client  
**scape**

Drawing Title		
<b>DETAIL ELEVATION - WEST - 1_100</b>		
Drawn By	Checked By	Revision
AN	GC	
Project Number	Drawing Number	Revision
<b>D250</b>	<b>P11_0024</b>	<b>P4</b>
Project File	Print Date	Issue Date
	22/09/2020 3:36:30 PM	11/09/2020

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Scale / North Point  
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Drawing Status  
**FOR CONSTRUCTION**

No.	Date	Appr	Revision or reason for issue
P1	13.12.2019	GC	ISSUE FOR PLANNING
P2	14.02.2020	GC	ISSUE FOR PLANNING
P3	13.05.2020	GC	ISSUE FOR PLANNING
P4	11.09.2020	GC	ISSUE FOR PLANNING

PODIUM (LEVELS 00-04) DESIGN, ENVELOPE AND FACADE  
 1 REVISED IN TOTALITY IN LINE WITH URBAN DESIGN COMMENTS

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Project Title  
**23-29 VICTORIA STREET**

Client  
**scape**

Drawing Title		
<b>GA SECTIONS - SHEET 00</b>		
Drawn By	Checked By	
AN	GC	
Project Number	Drawing Number	Revision
<b>D250</b>	<b>P12_0000</b>	<b>P4</b>
Project File	Print Date	Issue Date
	22/09/2020 3:37:16 PM	11/09/2020

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Scale / North Point  
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Drawing Status  
**FOR CONSTRUCTION**

No.	Date	Appr	Revision or reason for issue
P1	13.12.2019	GC	ISSUE FOR PLANNING
P2	14.02.2020	GC	ISSUE FOR PLANNING
P3	13.05.2020	GC	ISSUE FOR PLANNING
P4	11.09.2020	GC	ISSUE FOR PLANNING

PODIUM (LEVELS 00-04) DESIGN, ENVELOPE AND FACADE  
 1 REVISED IN TOTALITY IN LINE WITH URBAN DESIGN COMMENTS  
 2 RETAIL LAYOUT UPDATED TO REFLECT EXTERNAL FACADE UPDATE

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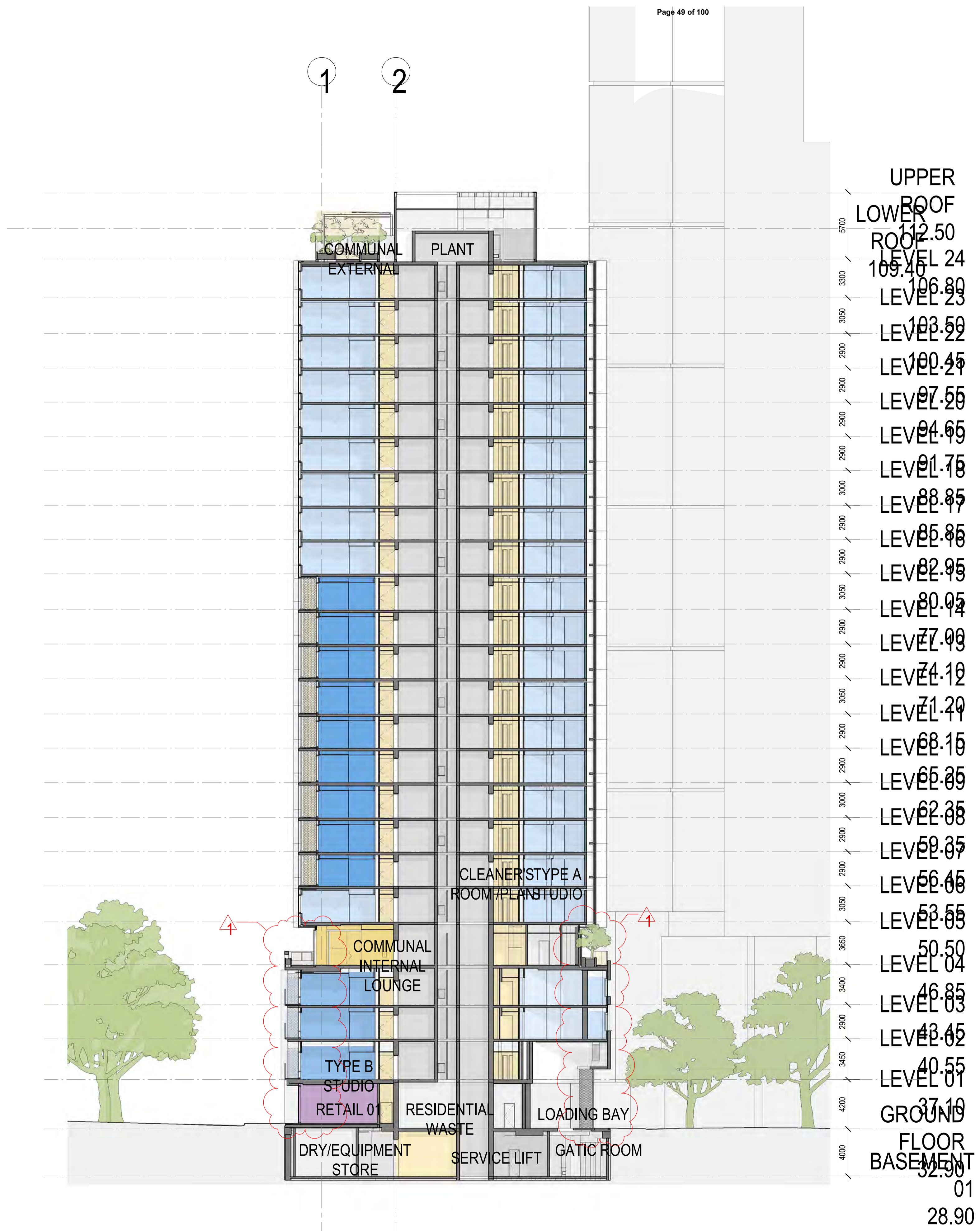
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**23-29 VICTORIA STREET**

Client  
**scape**

Drawing Title		
<b>GA SECTIONS - SHEET 01</b>		
Drawn By	Checked By	Revision
AN	GC	
Project Number	Drawing Number	Revision
<b>D250</b>	<b>P12_0001</b>	<b>P4</b>
Project File	Print Date	Issue Date
	22/09/2020 3:37:51 PM	11/09/2020



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Scale / North Point  
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Drawing Status  
**FOR CONSTRUCTION**

No.	Date	App.	Revision or reason for issue
P1	13.12.2019	GC	ISSUE FOR PLANNING
P2	14.02.2020	GC	ISSUE FOR PLANNING
P3	13.05.2020	GC	ISSUE FOR PLANNING
P4	11.09.2020	GC	ISSUE FOR PLANNING

1 PODIUM (LEVELS 00-04) DESIGN, ENVELOPE AND FACADE  
 REVISED IN TOTALITY IN LINE WITH URBAN DESIGN  
 COMMENTS

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Project Title  
**23-29 VICTORIA STREET SECTIONS - SHEET 02**

Client  
**scape**

Drawing Title		Drawing Number		Revision	
AN	GC	D250	P12_0002P4		
Project No.	Project Date	Issue Date	Issue Date	Issue Date	Issue Date
	22/09/2020 3:38:33 PM				11/09/2020

**DELEGATE REPORT****APPLICATION TO AMEND A PLANNING PERMIT**

<b>MCC APPLICATION NO:</b>	TP-2017-461/A
<b>APPLICANT:</b>	Scape Australia (Mackenzie) Trust c-/ Tract
<b>OWNER:</b>	Perri Victoria Street Pty Ltd
<b>ARCHITECT</b>	DCM
<b>ADDRESS:</b>	23-29 Victoria Street, Melbourne
<b>PROPOSAL:</b>	Amending the permit pursuant to Section 72 of the Planning and Environment Act 1987 in the following manner: <ul style="list-style-type: none"> <li>Amending the description of what the permit allows and the conditions of the permit to facilitate the change in use of the land for Residential Building (student accommodation) and associated changes to the development layout.</li> <li>Amending the plans endorsed under the permit, by making internal and external changes associated with the change in use of the building to Residential Building (student accommodation), while maintaining the general proportions, massing and height of the originally approved development.</li> </ul>
<b>COST OF WORKS:</b>	Amended development: \$62,000,000 Permitted development: \$50,000,000 Difference: +\$12,000,000
<b>DATE OF APPLICATION:</b>	19 December 2019
<b>RESPONSIBLE OFFICER:</b>	Colin Charman, Principal Urban Planner

**1 SUBJECT SITE AND SURROUNDS****1.1 Subject site**

Application TP-2017-461/A concerns the land known as 23-29 Victoria Street, Melbourne, formally described as Crown Allotment 4A Section 45A of City of Melbourne Parish of Melbourne North (Vol. 10032, Fol. 367).

The site is currently occupied by a single-storey '7-Eleven' service station, with multiple vehicle crossings serving MacKenzie Street and Victoria Street.

In the intervening period between when Planning Permit TP-2017-461 was first granted (3 May 2018) and the date of this report site preparatory works have commenced, including to enable investigation of potential contamination of the land and uncover objects of archaeological value.

Relevant details regarding the existing conditions and dimensions of the subject site are provided below.

**Table: Subject Site Details / Dimensions**

<b>Street Frontage:</b>	The site is generally triangular in shape and has the following street frontages: <ul style="list-style-type: none"> <li>• 44 metres to Victoria Street (30 metre wide dual carriageway with a central tree-lined reserve);</li> <li>• 58 metres to MacKenzie Street (20 metres wide).</li> </ul>
<b>Maximum Site Depth:</b>	31.5m
<b>Site Area:</b>	894m <sup>2</sup>
<b>Topography:</b>	The slope of the land falls by approximately 1 metre (west to east)
<b>Heritage Status:</b>	N/A – the existing '7-Eleven' service station is of no heritage significance.
<b>Adjoining Properties:</b>	Adjoining the site to the west is the Horticultural Hall at 31-33 Victoria Street, Melbourne, a two-storey building that is included on the Victorian Heritage Register (VHR No. H520). The immediate interface between the subject site and this property is characterised by an open-air parking lot and vehicle accessway that runs along the east boundary of 31-33 Victoria Street, and a ~1.8-metre-tall timber paling fence. This building is currently occupied by the Victorian Opera.

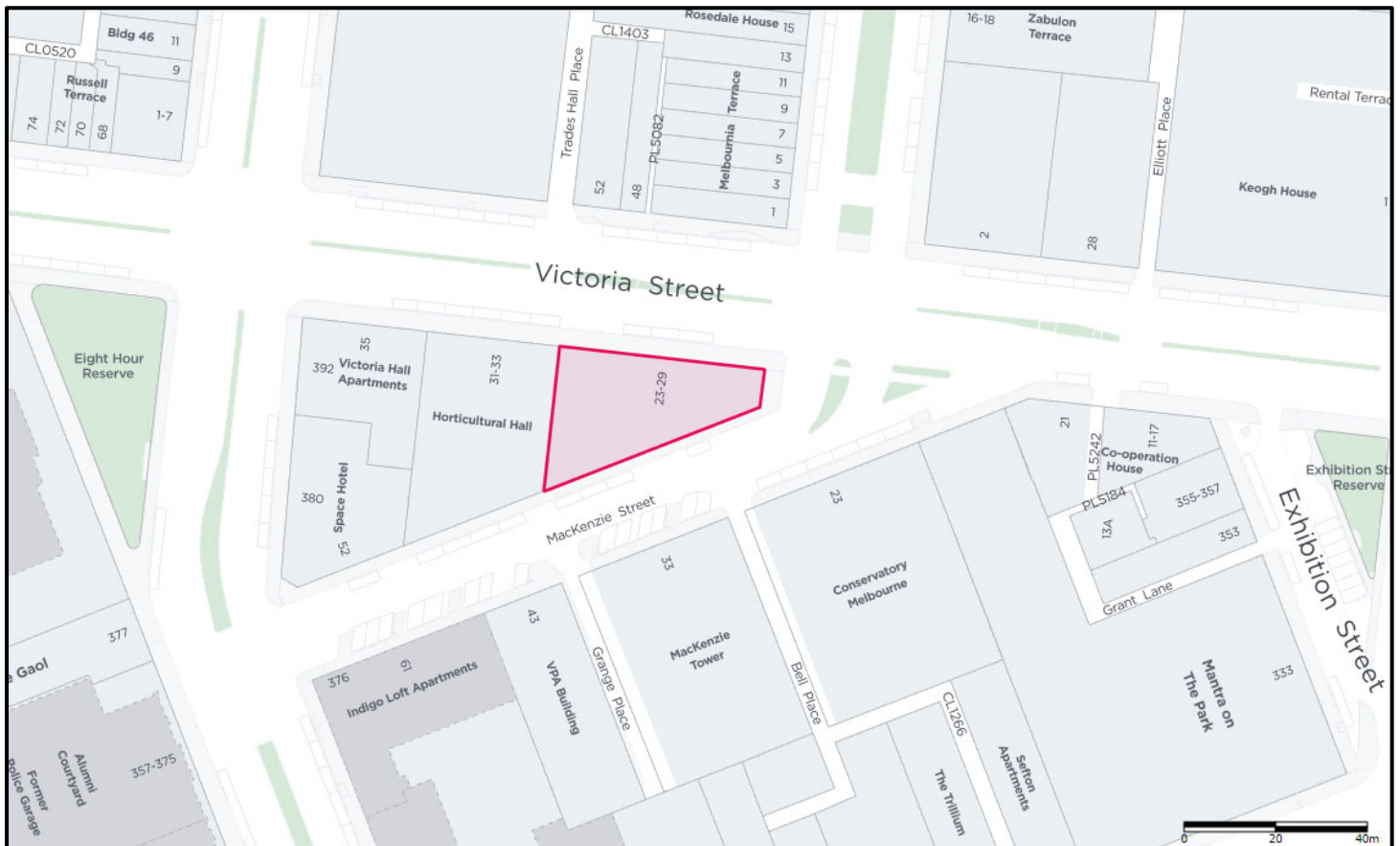


Figure 1: Plan showing location of subject site and surrounding locality



Figure 2: Aerial photograph of subject site, captured April 2020



Figure 3: Victoria Street frontage of subject site, with Horticultural Hall visible in background (captured February 2020)

## 1.2 Strategic location in the Hoddle Grid

The subject site is located within the Hoddle Grid local area.

The Municipal Strategic Statement (MSS) identifies the broader strategic priorities for this area, which emphasise the pre-eminent role of the Hoddle Grid as an employment and economic centre for Victoria.

The subject site is located outside the Retail Core abutting the boundary between the Hoddle Grid and Carlton local area

The high-level direction provided in the MSS that is relevant to the subject site includes:

Support for permanent and short term residential that accommodates a diverse population.

Ensure a clear edge between the taller built form of the Capital City Zone and the Docklands Zone and the lower form of the surrounding areas

Ensure a strong contrast in scale of development along Elizabeth Street from the lower scale areas to the north of Victoria Street and the higher scale of the Capital City Zone.

Ensure that the design of tall buildings in the Hoddle Grid promote a human scale at street level especially in narrow lanes, respects the street pattern and provides a context for heritage buildings.

Ensuring that the design of new buildings achieves relevant urban design outcomes and provides an appropriate context for heritage buildings.

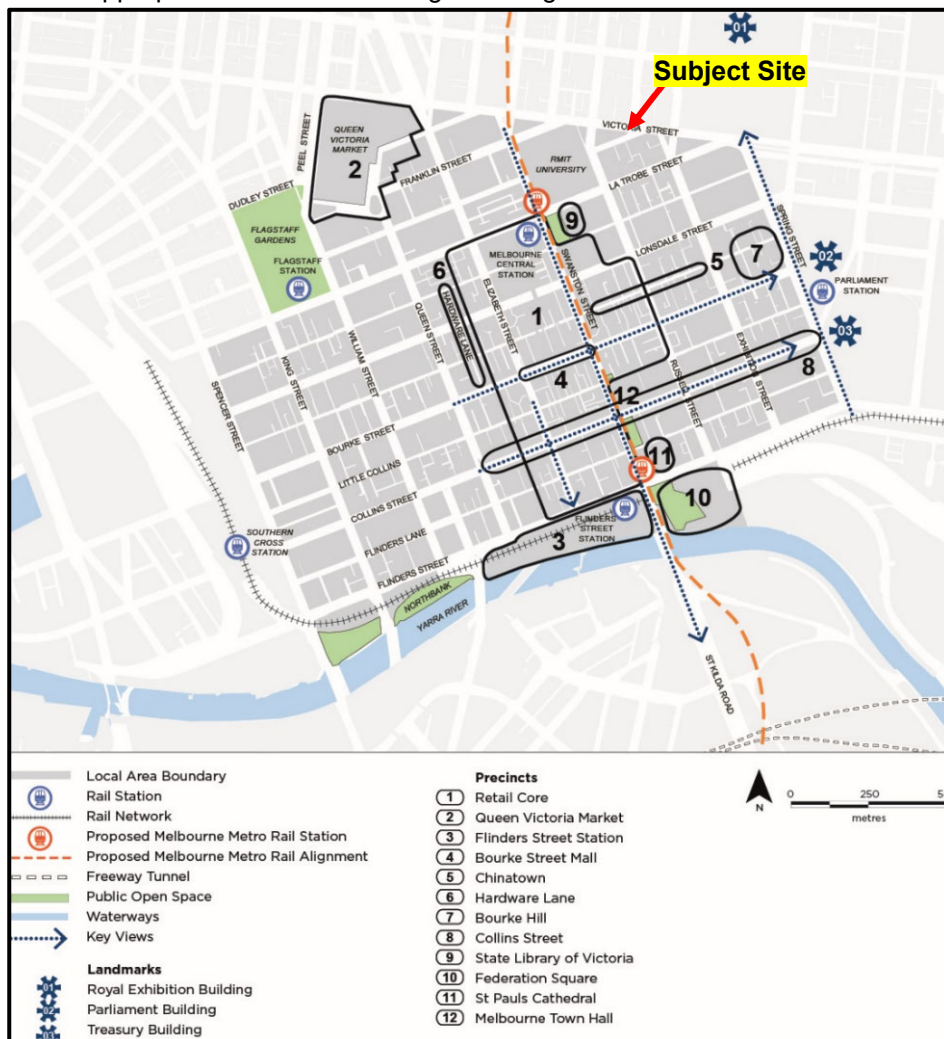


Figure 4: Excerpt from Municipal Strategic Statement (Clause 21.12 – Hoddle Grid)

### 1.3 Restrictions / Easements

The subject site comprises the following land parcels:

Crown Allotment 4A Section 45A City of Melbourne Parish of Melbourne North (Vol. 10032, Fol. 367).

It is noted that:

No restrictive covenants or S.173 Agreements burden this title.

The title is not encumbered by any easement.

### 1.4 Archaeology and Heritage Inventory

The site at 23-29 Victoria Street, Melbourne is included in the Victorian Heritage Inventory (VHI) (H7822-2163) and is therefore identified as a known historical (non-indigenous) archaeological site in Victoria.

The VHI description of the site is as follows:

*This place is included on the Victorian Heritage Inventory, for its potential to contain historical archaeological remains associated with the settlement and growth of early Melbourne. Under the terms of the Heritage Act 2017 there is protection for all historical archaeology sites and objects in the state.*

The *Heritage Act 2017* protects all significant archaeological sites – regardless of ownership.

Consent was issued in accordance with section 124(4)(a) of the *Heritage Act 2017*, authorising hard surface and overburden removal and preliminary exposure/cleaning of historical archaeological site features; removal of fuel tanks, and geotechnical and site perimeter piling work on 18 September 2020.

### 1.5 Aboriginal Cultural Heritage

The subject site is not located in an area of legislated Aboriginal cultural heritage sensitivity under Division 4 of the *Aboriginal Heritage Regulations 2018*.

A Cultural Heritage Management Plan is therefore not required before a permit can be granted for the proposed development under the *Aboriginal Heritage Act 2006*.

## 2 BACKGROUND AND HISTORY

### 2.1 Planning Permit History

#### 2.1.1 Planning Permit TP-2017-461

Planning Permit TP-2017-461 was issued on 3 May 2018, and authorises:

*Use and development of the land for a 25 storey mixed use building accommodating retail premises, office and dwelling, alterations to a Road in a Road Zone Category 1, and a reduction in the car parking requirements associated with the retail premises and office. in accordance with the endorsed plans.*

### 2.2 Endorsed Plans

Condition 1 of Planning Permit TP-2017-461 provides the following:

1. *Prior to the commencement of the development, including demolition and bulk excavation, plans drawn to scale must be submitted to the Responsible Authority generally in accordance with the plans prepared by Woods Bagot all Revision A dated 06.06.17, but amended to show:*
  - a) *The design revisions detailed in the without prejudice discussion plans TP22GF Rev C, TP2201 Rev C, TP2202 Rev B, TP2204 Rev B, TP2205 Rev B, TP2225 Rev B, TP2226 Rev B, TP3205 Rev B, TP3206 Rev B, TP3208 Rev B, TP3212 Rev B, and TP3213 Rev B all prepared by Woods Bagot and received by the City of Melbourne on 08/02/2018 which include:*

- i. Reduction in habitable building height from 86.95m to 72.9m - measured from centroid of Victoria Street boundary.*
  - ii. Podium height increased 400mm to RL+45.4 accommodating MCC waste fleet vehicle. Heritage consultant has provided a letter confirming increase is acceptable.*
  - iii. Ground floor:*
    - i. Increase in retail area by 36sqm.*
    - ii. Increase in total active frontages length by 9.5m, this includes commercial FOH stair against Mackenzie Street with a glazed section punched into the fire rated core.*
    - iii. Deletion of arcade extending from Bells Place.*
    - iv. Carpark intake moved to plantroom roof and riser within core.*
    - v. Boosters arrangement changed to vertical (subject to MFB approval) reducing street frontage by 1m and moved to McKenzie Street.*
    - vi. Refuse store increased to accommodate additional retail and commercial.*
    - vii. Building managers office and fire control room combined and set against McKenzie Street.*
    - viii. Loading bay increased to accommodate refuse loading.*
    - ix. South west corner envelope built out to boundary.*
  - iv. Substitution of Level 01 and 02 car parking (reduction of 8 parks) for additional commercial space.*
  - v. Infill of the podium eastern edge over levels 01, 02 and 03 resulting in additional commercial space over levels 01 and 02, and amenity space on level 03.*
  - vi. Double and triple height space above L03 amenities floor and L04 residents lounge substituted for NSA. Refer to L06 and L07 for amended L04 and L05 floor plans respectively.*
  - vii. Inclusion of part commercial tenancy to Level 3 amenity space.*
  - viii. Pedestrian canopy along Victoria Street extended around eastern boundary to mitigate adverse wind conditions because of podium infill.*
  - ix. Podium envelope composed as a combination of glazing, white bricks, exposed soffits, and planter boxes.*
  - x. Introduction of landscaped roof top with a combination of private and communal terrace areas.*
- b) Any further changes required by Clause 58 as a result of the modifications required by condition 1(a) above, including the provision of communal open space.*
  - c) Removal of any changes, or reference to changes, to the surrounding road network.*
  - d) The location of all plant (e.g. A/C units, Solar Panels and Solar Hot Water units), mail boxes, meter boxes and bin storage areas servicing the development.*
  - e) Incorporation of high quality materiality to car lift cabin doors, using either glass (legibility and honesty) or a high quality finish (tactility) in order to improve the presentation the pedestrian realm.*

- f) *Recess the loading door in alignment with the commercial lobby and fire exit niche in order to avoid the creation of an entrapment space.*
- g) *Provide a continuous canopy along the southern elevation of a narrow width, carrying the canopy treatment from the corner retail tenancy to help reinforce the pedestrian scale, whilst providing good weather in conjunction with the recesses to the residential and commercial lobby.*
- h) *The canopies should be designed at a minimum height of 2.7 metres above the surface pavement. All projections over the street alignment must conform to Building Regulations 2006, Part 5, Sections 505 to 514 as appropriate. Reference may be made to the City of Melbourne's Road Encroachment Operational Guidelines with respect to projections impacting on the proposed street trees and required clearances from face of kerb and surface pavement.*
- i) *A revised swept path assessment based on the existing width of the MacKenzie Street footpath.*
- j) *Redesign of the vehicle crossings with bluestone straight edges located perpendicular to the property boundary.*
- k) *Provision of 2 onsite motorcycle spaces.*
- l) *Provision of a maximum of one car parking space per dwelling in accordance with Schedule 12 of the Parking Overlay.*
- m) *A maximum of one car parking space to be provided on the site for the commercial uses.*
- n) *A 2m long section of the façade to be partially permeable at the exit from the eastern car lift & convex mirrors or a warning light system to be provided at the car park access interfaces with the MacKenzie St footpath, to manage any potential car-pedestrian conflicts.*
- o) *Any change required by the endorsed Loading Management Plan as specified by the corresponding condition below (where relevant to be shown on plans).*
- p) *Any change required by the endorsed Wind Assessment Report as specified by the corresponding condition below (where relevant to be shown on plans).*
- q) *Any changes required by the endorsed Waste Management Plan as specified by the corresponding condition below (where relevant to be shown on plans), including:*
  - i. *Confirmation that there is adequate height clearance for an MRV from the entry point up to the point of collection.*
- r) *Any changes required by the Environmentally Sustainable Design Statement as specified by the corresponding condition below (where relevant to be shown on plans).*
- s) *Any changes required by the Acoustic Report as specified by the corresponding condition below (where relevant to be shown on plans).*

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

Plans in accordance with Condition 1 of Planning Permit TP-2017-461 were endorsed on 13 June 2019.

These plans represent the current endorsed plans under the permit.

### **2.3 Permit Expiry**

Condition 40 of Planning Permit TP-2017-461 provides the following:

*40. This permit will expire if one of the following circumstances applies:*

- a) *The development is not started within three years of the date of this permit.*



b) *The development is not completed within five 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.*

The development has lawfully commenced under the permit.

The permit is therefore currently set to expire if the development is not completed by 3 May 2023.

## **2.4 Planning Scheme Amendments**

In the intervening period between when Planning Permit TP-2017-461 was issued, and the date of this application, there have been several changes to the Melbourne Planning Scheme that have altered the planning controls and policy framework relevant to the assessment of the proposed development.

A brief summary of the key planning scheme amendments gazetted in the intervening period between when Planning Permit TP-2017-461 was issued, and the date of this report, as deemed relevant to the assessment of Application TP-2017-461/A<sup>1</sup>, is provided below.

### **2.4.1 Planning Scheme Amendment VC148: Smart Planning Framework**

Amendment VC148 was prepared by the Minister for Planning and gazetted on 31 July 2018. Amendment VC148 introduced changes to the Victorian Planning Provisions in all planning schemes across Victoria.

The operation of the particular provisions has remained virtually unchanged, with the only difference being changes to the location of these provisions in the Planning Scheme (i.e. by changing the Clause number), therefore it is not a significant consideration in this assessment.

### **2.4.2 Planning Scheme Amendment VC154: Stormwater Management**

Amendment VC154 was prepared by the Minister and gazetted on 25 October 2018. Amendment VC154 introduced *Clause 53.18 Stormwater Management in Urban Development* to the Victorian Planning Provisions in all planning schemes across Victoria.

*Clause 53.18 Stormwater Management in Urban Development* broadly reflects the requirements of Local Planning Policy *Clause 22.23 Stormwater Management (Water Sensitive Urban Design)*.

### **2.4.3 Planning Scheme Amendment C308: Urban Design in the Central City and Southbank**

Melbourne Planning Scheme Amendment C308 was prepared by Council and seeks to introduce a revised urban design policy in the form of a Design and Development Overlay (DDO1) into the Melbourne Planning Scheme, with a complementary illustrative guide, the Central Melbourne Design Guide, across land in the Central City and Southbank.

The independent Panel appointed to consider Amendment C308 issued its report on 16 May 2019, and Melbourne City Council adopted Amendment C308 at a Council meeting on 26 November 2019.

Amendment C308 is therefore considered to have attained the status of a 'seriously entertained' planning scheme amendment, and serious weight must be given to the requirements that are proposed to be introduced for the subject site under Amendment C308 (which is to be included in the proposed DDO1).

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<sup>1</sup> i.e. do not include transitional provisions that fully extinguish their operation over the application.

## **2.5 Amendments to Application TP-2017-461/A during assessment**

### **2.5.1 S.50A Amendment (18 May 2020)**

On 18 May 2020, Application TP-2017-461/A was amended under S.50A of the *Planning and Environment Act 1987* to introduce minor changes to the internal floorplate layout, broadly related to refinement of interior servicing details.

### **2.5.2 S.57A Amendment (22 September 2020)**

On 22 September 2020, Application TP-2017-461/A was amended under S.57A of the *Planning and Environment Act 1987*.

The changes made as part of this amendment to the application were in direct response to feedback and commentary provided by Council's Urban Designer, involving further refinement of the podium façade strategy.

The revisions made to Application TP-2017-461/A under the S.57A Amendment received 22 September 2020 were confined to refinements to the architectural treatment to the podium and minor changes to better integrate the plant/services with the tower parapet. The application was therefore not readvertised.

Diagrams have been provided overleaf showing the original plans advertised in July 2020, and the amended plans received September 2020.

Consideration of the refinements to the tower podium has been canvassed in the assessment section of this report.



**Figure 5: Excerpt from Planning Response accompanying S.57A Amendment received 22 September 2020 showing original and revised tower design (as viewed from cnr Victoria & MacKenzie Street)**



**Figure 6: Excerpt from Planning Response accompanying S.57A Amendment received 22 September 2020 showing original and revised tower design (as viewed from Drummond Street)**

### 3 PROPOSAL

#### 3.1 Plans / Reports Considered in Assessment

<b>Table: Plans / Reports considered in assessment</b>		
<b>Plan / Report Title</b>	<b>Plan / Report Author</b>	<b>Plan / Report Date</b>
<b>Planning Report</b>	Tract	15 May 2020
Covering letter accompanying S.50A Amendment	Tract	18 May 2020
RFI response	Tract	28 February 2020
Response to public submissions	Tract	11 September 2020
Response to referral comments	Tract	11 September 2020
Track changes amended permit	Tract	27 October 2020
<b>Urban Context Report</b>	DCM	12 May 2020
<b>Response to referral comments</b>	DCM	11 September 2020
<b>Site Survey</b>	Taylors	12 August 2020
<b>Architectural Drawings (S.50A)</b>	DCM	13 May 2020
<b>Architectural Drawings (S.57A)</b>	DCM	22 September 2020
<b>Landscape Plan</b>	Tract	18 May 2020
<b>Waste Management Plan</b>	WSP	17 February 2020
<b>Traffic Report</b>	WSP	17 February 2020
<b>Acoustic Report</b>	Renzo Tonin & Associates	26 February 2020
<b>Sustainability Management Pan</b>	Sustainability Management Consultants	August 2020
<b>Wind Report</b>	Mel Consultants	13 November 2019

## 3.2 Summary of Proposed Amendment

### 3.2.1 Summary of proposed development

Amendment Application TP-2017-461/A seeks to revise the approved development from an apartment building comprising 69 dwellings, to a student housing building providing 533 beds in 533 studio units comprising of a variety of different sizes and designs, including DDA accessible units.

Amendment Application TP-2017-461/A generally retains the existing approved envelope under Planning Permit TP-2017-461 (raising the podium parapet height by approximately 1.5 metres, and maintaining the parapet height to the top of the tower, with the exception of minor alterations to plant levels), while proposing a revised exterior façade design that will alter the presentation of the approved tower.

Changes to the layout and external appearance of the approved development, which Amendment Application TP-2017-461/A proposes includes:

- Changes to the interior layout of the development, by:
  - Removing three levels of basement
  - Rearrangement of level 1 of the basement, including:
    - Introduction of additional bicycle parking.
    - Removal of storage spaces.
    - Internal reconfiguration of plant equipment.
    - Removal of car parking.
    - Locating the substation within the basement.
  - Rearrangement of the ground floor, including:
    - Removal of two vehicle crossovers, and reconfiguration of the loading bay area.
    - Provision of a through-block access and removal of the substation.
    - Addition of bicycle parking.
    - Introduction of a foyer to the student accommodation use, including common areas and airlock, and rearrangement of retail tenancies.
    - Extending the building envelope to the east.
  - Rearrangement of the podium (levels 1-3), including:
    - Introduction of student rooms, including an interconnected 3-level student communal hub with landscaped terraces.
  - Revising all dwellings and common areas to communal spaces and student housing units associated with the student accommodation land use within the tower form, including a podium roof terrace and tower roof terrace.
- Changes to the external design of the development, by:
  - Minor adjustments to the approved building envelope, including an increase in the parapet height of the podium by approximately 1.5 metres, from RL 46.5 (13.12 metres above a pavement surface level of RL33.38 at the centre of the Victoria Street frontage), to RL 48.05 (14.67 metre above the same spot level.), and an increase in the overall height of the building in the order of 500mm.
  - Changing the exterior materiality and architectural expression of the building.
  - Altering the architectural composition and materiality of the tower component from a variegated and articulated façade design, to a platonic design (i.e. a simplified tower prism) comprising light grey battens (400mm deep) to the north façade, and an aluminium / glass and curtain wall to the south façade.

### 3.3 Detailed Information: Built Form

#### 3.3.1 Site layout and GFA

Approved Scheme				Proposed Scheme			
Site Coverage		100%		Site Coverage:		100%	
Floor Area Ratio		Unknown <sup>2</sup>		Floor Area Ratio		19.44:1	
Commercial NLA		1770m <sup>2</sup>		Commercial NLA		203m <sup>2</sup>	
Residential NSA		Unknown		Residential NSA		17184m <sup>2</sup>	
Total GFA (excluding basement areas)		Unknown		Total GFA (excluding basement areas)		17387m <sup>2</sup>	
Residential Building (Apartments)				Residential Building (Student Accommodation)			
Dwellings		69		Student Bedrooms		533	
1BR	18	2BR	18				
3BR	28	4BR+	5				

#### 3.3.2 Building Height and Setbacks

Approved Scheme				Proposed Scheme			
Number of storeys above ground level:		21		Number of storeys above ground level:		24	
Number of basement levels:		4		Number of basement levels:		1	
Street Wall Height		$RL\ 46.5 - RL\ 33.38^3$ = 13.12 metres		Street Wall Height		$RL\ 48.05 - RL\ 33.38$ = 14.67 metres	
Building Height (excl. plant & archi features):		$RL\ 106.2 - RL\ 33.38$ = 72.82 metres		Building Height (excl. plant & archi features):		$RL\ 106.8 - RL\ 33.388$ = 73.42 metres	
Building Height (incl. plant & archi features):		$RL\ 112.0 - RL\ 33.38$ = 78.62 metres		Building Height (incl. plant & archi features):		$RL\ 112.5 - RL\ 33.38$ = 79.12 metres	
Minimum setbacks to tower form above waist							
North (Victoria Street)		0 metres		North (Victoria Street)		0 metres	

<sup>2</sup> A development schedule was never provided, nor approved, as part of the original application or endorsement package under Permit TP-2017-461.

<sup>3</sup> Note – RL 33.38 represents the pavement surface level at the centre of the Victoria Street frontage.

South (MacKenzie Street)	0 metres	South (MacKenzie Street)	0 metres
East (MacKenzie Street)	0 metres	East (MacKenzie Street)	0 metres
West (31-33 Victoria Street, Melbourne)	1.2 metres	West (31-33 Victoria Street, Melbourne)	1.35 metres

### 3.3.3 Access, car parking, bicycle facilities and loading / unloading

Approved Scheme		Proposed Scheme	
Car parking spaces:	79	Car parking spaces:	0
Motorcycle spaces:	2	Motorcycle spaces:	0
Bicycle spaces:	88	Bicycle spaces:	133
Bicycle facilities:	N/A	Bicycle facilities:	Changing rooms and lockers.
Vehicle access:	Via a double-crossover and car lift to MacKenzie Street	Vehicle access:	N/A
Loading / unloading:	Via a single crossover to MacKenzie Street	Loading / unloading:	Via a single crossover to MacKenzie Street.

### 3.3.4 Plan Excerpts



Figure 7: Excerpt from Planning Response accompanying S.57A Amendment received 22 September 2020 showing Drummond Street presentation



**Figure 8: Excerpt from Planning Response accompanying S.57A Amendment received 22 September 2020 showing tower presenting to MacKenzie Street and Victoria Street intersection**



**Figure 9: Excerpt from Planning Response accompanying S.57A Amendment received 22 September 2020 showing tower presenting to Drummond Street**





**Figure 10: Excerpt from Planning Response accompanying S.57A Amendment received 22 September 2020 showing podium presenting to MacKenzie Street and Victoria Street intersection**



**Figure 11: Excerpt from Planning Response accompanying S.57A Amendment received 22 September 2020 showing oblique views of podium presenting to Victoria Street**



Figure 12: Excerpt from Planning Response accompanying S.57A Amendment received 22 September 2020 showing direct views of podium presenting to Victoria Street

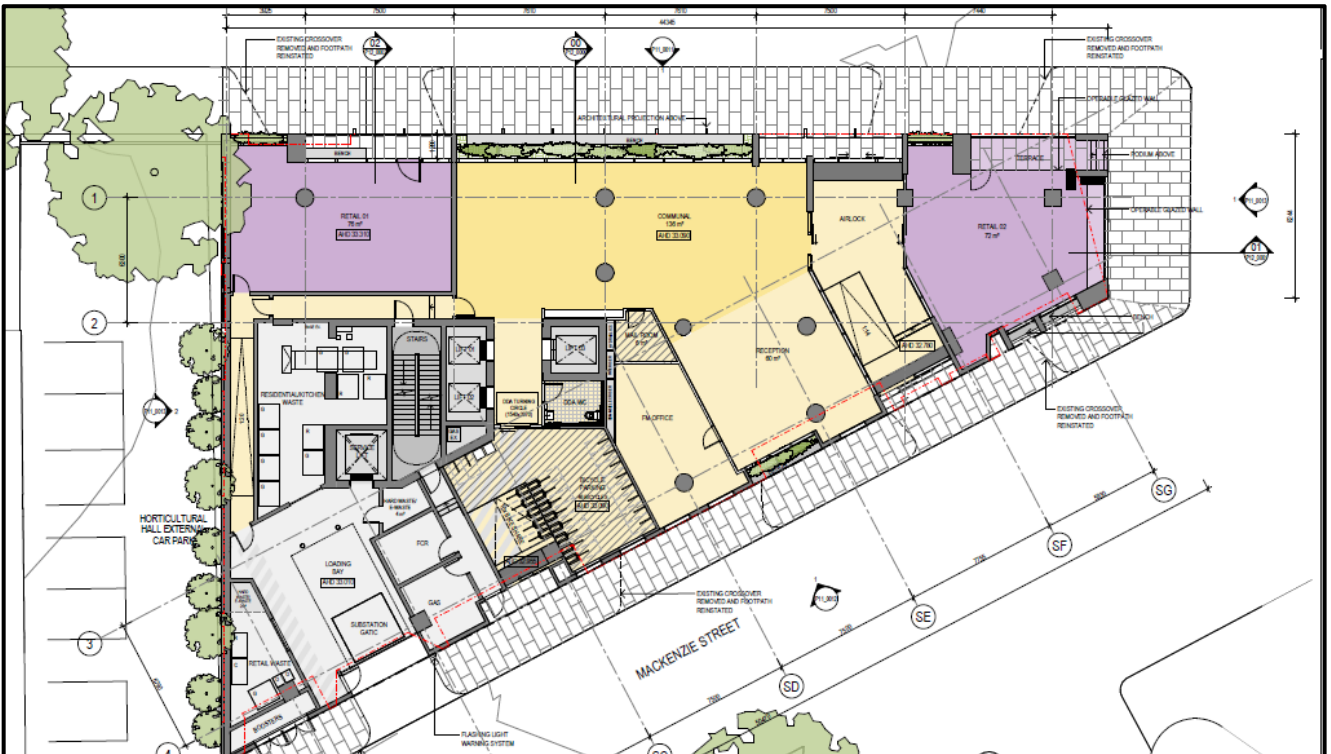


Figure 13: Excerpt from Ground Floor Plan (S.57A Amended Plans)



Figure 14: Excerpt from Level 02 Floor Plan (typical podium level) (S.57A Amended Plans)

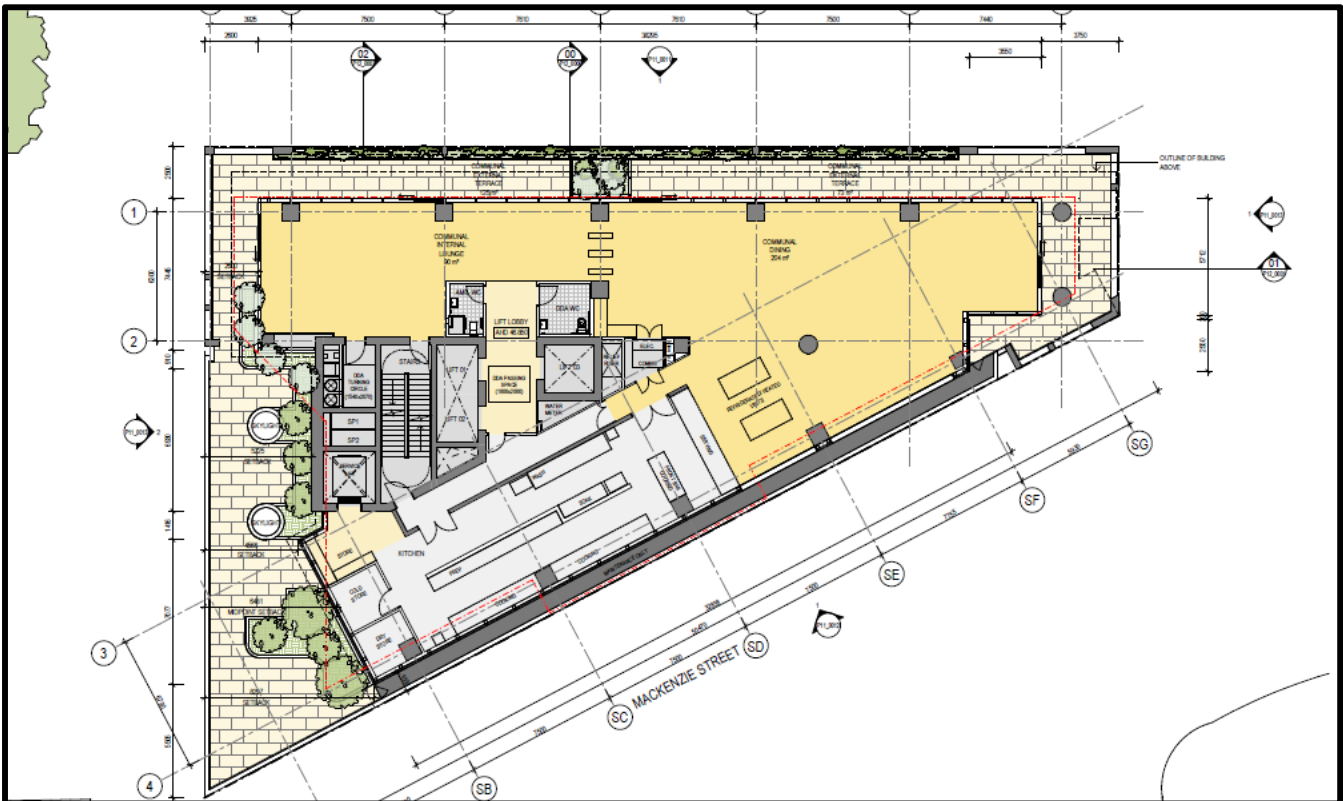


Figure 15: Excerpt from Level 04 Floor Plan (podium terrace level) (S.57A Amended Plans)

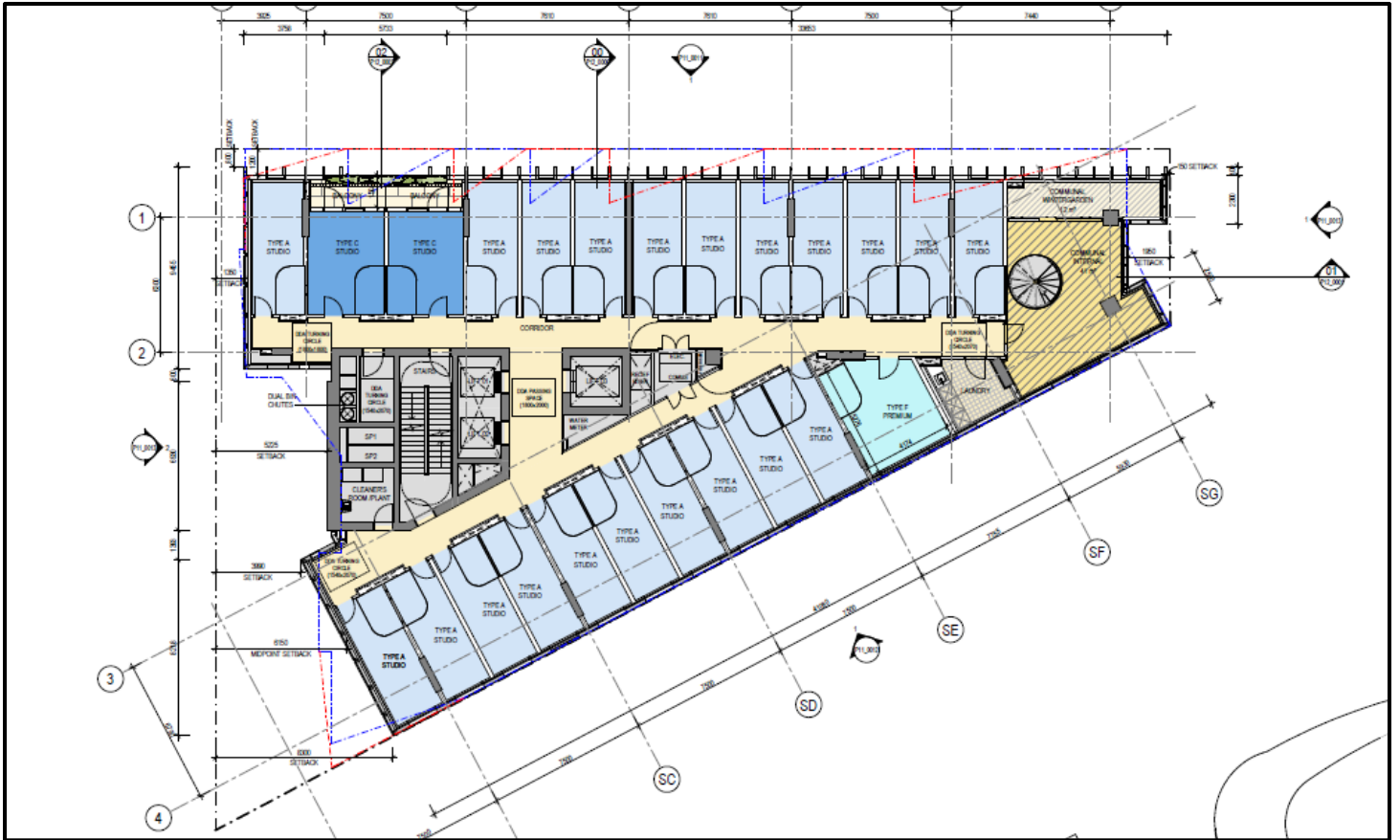


Figure 16: Excerpt from Level 06 Floor Plan (podium tower level) (S.57A Amended Plans)

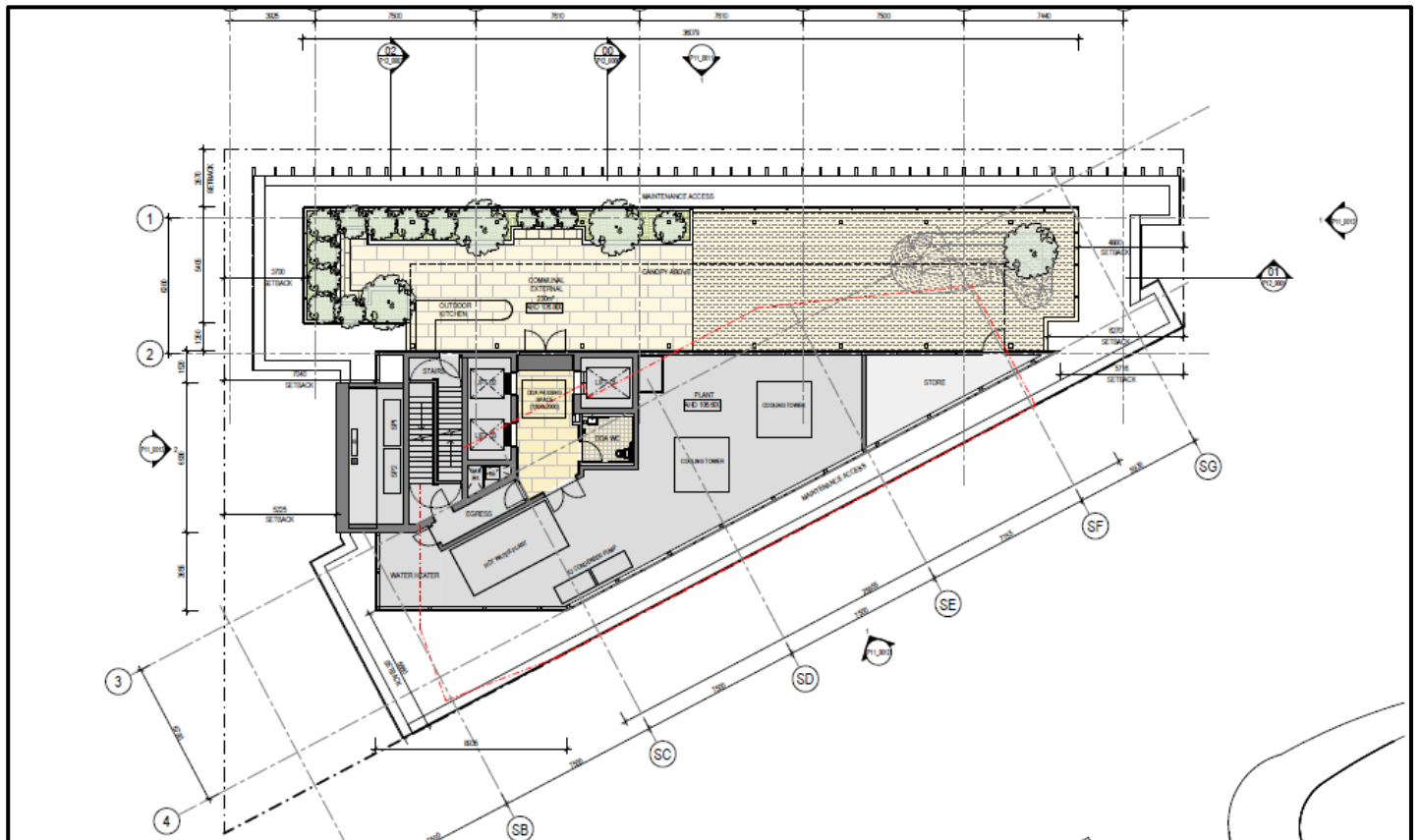


Figure 17: Excerpt from Level 24 Floor Plan (roof-top terrace level) (S.57A Amended Plans)

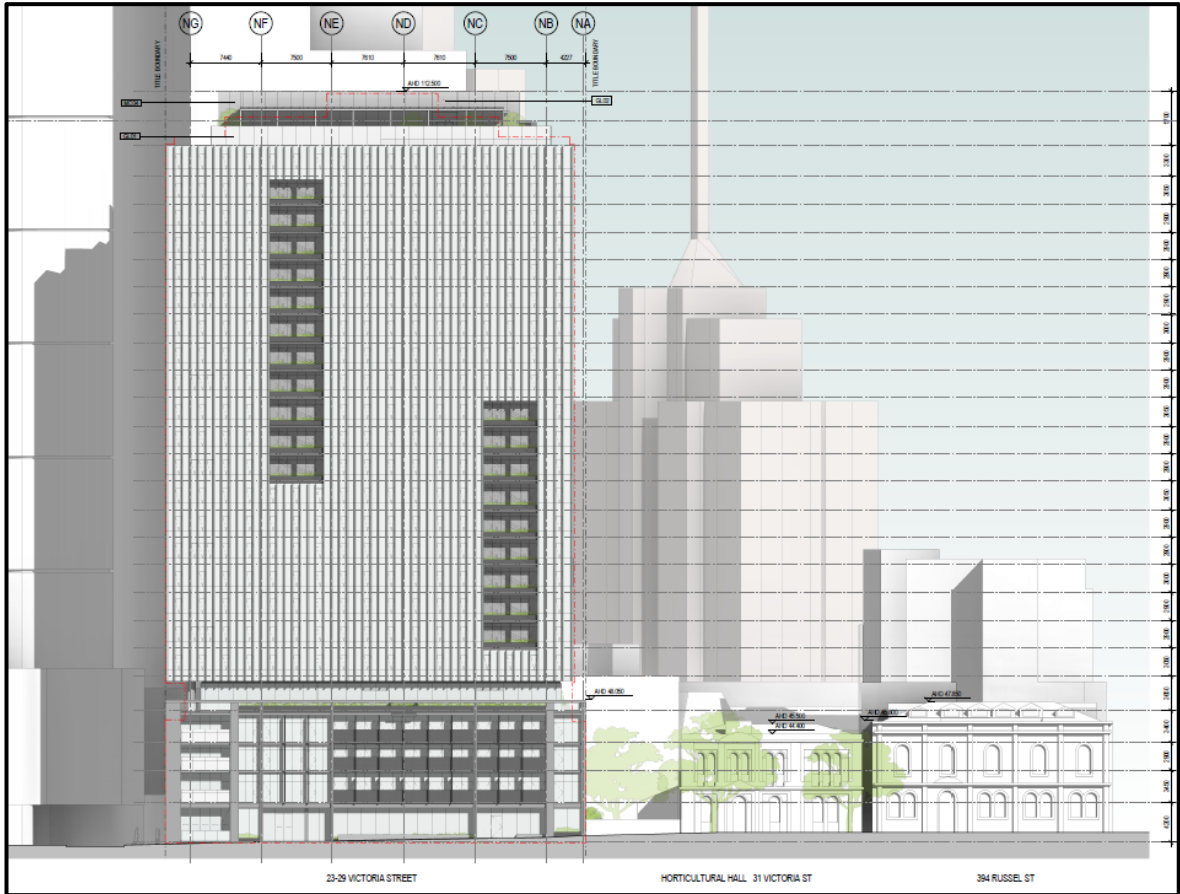


Figure 18: Excerpt from North Elevation (Victoria Street) (S.57A Amended Plans)

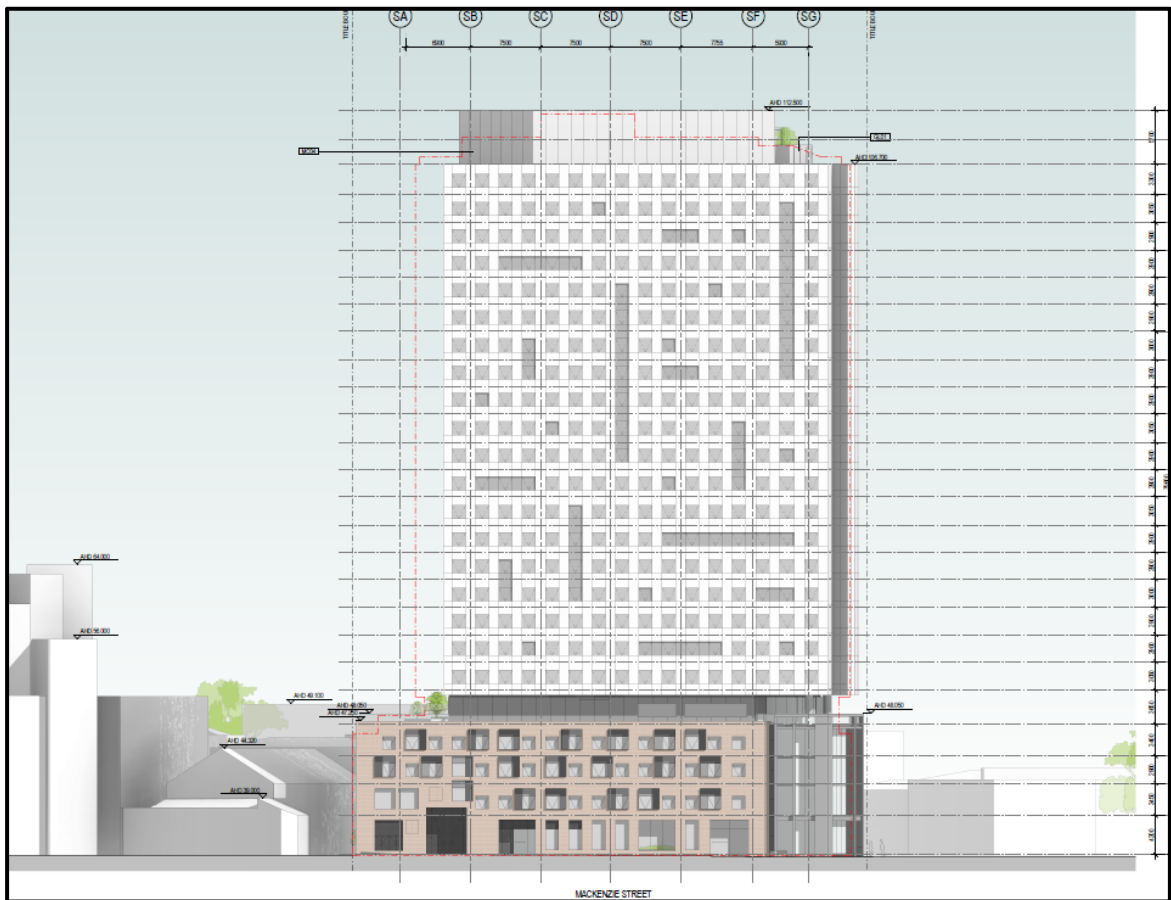


Figure 19: Excerpt from South Elevation (MacKenzie Street) (S.57A Amended Plans)

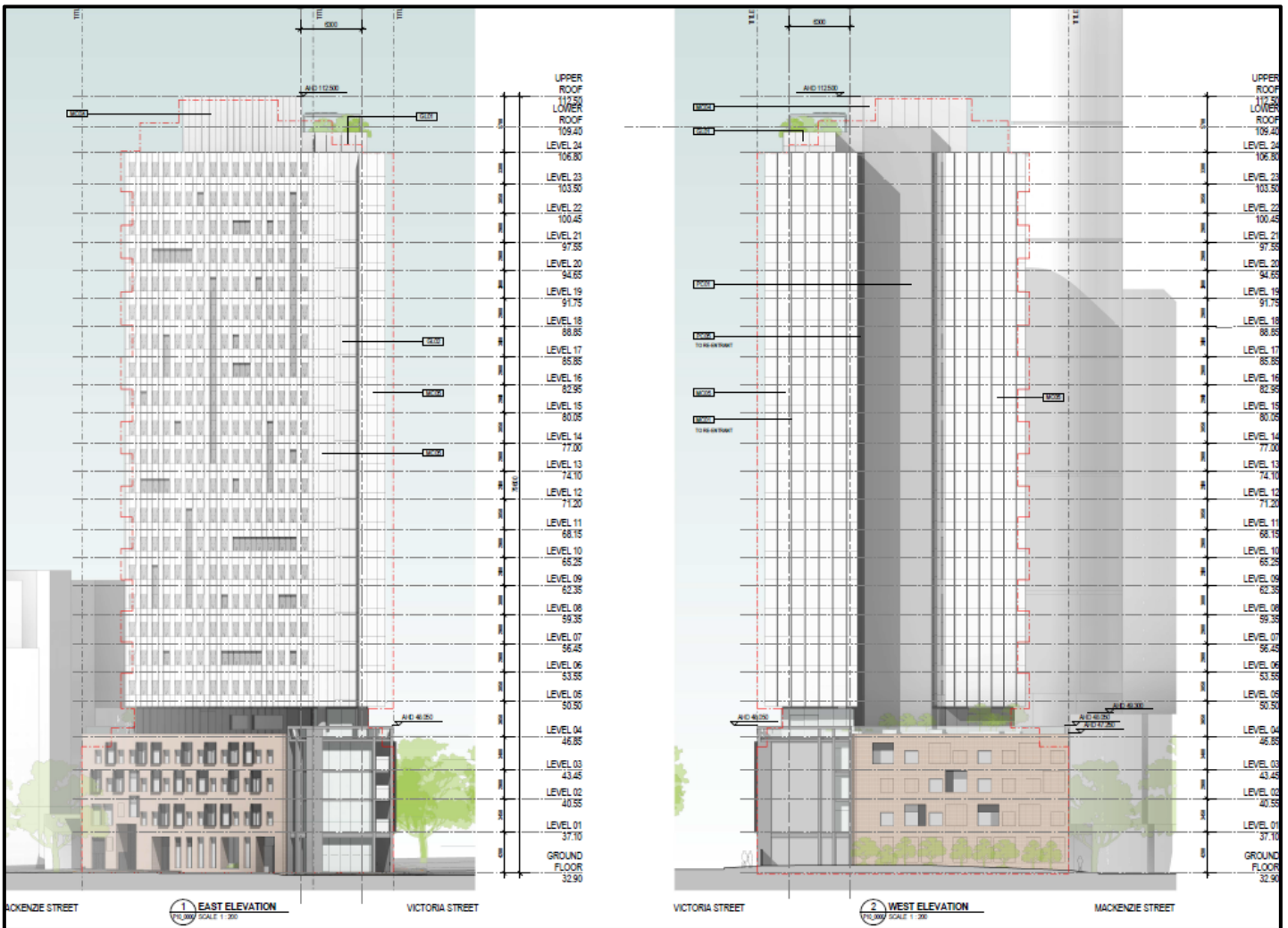


Figure 20: Excerpt from East (Victoria Street and MacKenzie Street intersection) and West (31-33 Victoria Street) Elevation (S.57A Amended Plans)

#### 4 STATUTORY CONTROLS

Amendment Application TP-2017-461/A requires the following planning permissions under the Melbourne Planning Scheme:

- Mixed Use Zone (**MUZ**)
  - Use of land for the ‘Section 2 – permit required’ land use; Residential Building (student accommodation) in the MUZ.
  - Buildings and works associated with a ‘Section 2 – permit required’ land use in the MUZ.
- Clause 52.29 (Land adjacent to a Road Zone, Category 1)
  - A permit is required to alter access to a road in a Road Zone, Category 1.

In addition to the above new permit requirements introduced by Amendment Application TP-2017-461/A, car parking must be provided to the proposed new land use (Residential Building (student accommodation)), to the satisfaction of the responsible authority under Clause 52.06-6.

## 4.1 Table of Planning Controls

Zone	
<p><b>Clause 32.04</b></p> <p><b>Mixed Use Zone (MUZ)</b></p>	<p><b>Land Use – permit required</b></p> <p>Under Clause 32.04-2 of the MUZ, use of land for Accommodation (other than Community care accommodation, Dependent person’s unit, Dwelling, Residential aged care facility and Rooming house) is a Section 2 – permit required land use.</p> <p>A permit is therefore required for the proposed use of the land for Residential Building (student accommodation) under Amendment Application TP-2017-461/A.</p> <p><b>Buildings and Works – permit required</b></p> <p>Under Clause 32.04-9 of the MUZ, a permit is required to construct a building or construct or carry out works for a use in Section 2 of the MUZ.</p>
Overlays	
<p><b>Clause 45.09</b></p> <p><b>Parking Overlay</b></p> <p><b>Schedule 12: Residential Development in Specific Inner City Areas (PO12)</b></p>	<p><b>Car Parking – not applicable</b></p> <p>Schedule 12 to the Parking Overlay applies where a residential development application seeks to provide more than the specified car parking rate for dwellings.</p> <p>As Amendment Application TP-2017-461/A does proposed dwellings, the requirements of the PO12 are not applicable to the proposed development.</p>

## 4.2 Particular Provisions

The following notes are made with respect to the relevant particular provisions:

- **Clause 52.05 Signs**

Amendment Application TP-2017-461/A has not sought permission to construct or put up for display advertising signs associated with the proposed development.

Permission can be sought separately for advertising signage under a future planning permit application if the landowner seeks to alter their advertising signage to suit the revised façade design.

- **Clause 52.06 Car Parking**

Under Clause 52.06-6, car parking must be provided to the proposed new land use (Residential Building (student accommodation)) to the satisfaction of the responsible authority.

It is noted that Planning Permit TP-2017-461 authorises a reduction of the car parking requirement in relation to the commercial tenancies provided at ground level.

- **Clause 53.18 Stormwater Management in Urban Development**

Clause 53.18 Stormwater Management in Urban Development applies to Application TP-2017-461/A.

Council's Principal Engineer Infrastructure has recommended permit conditions that will ensure appropriate stormwater and drainage connections will be constructed for the proposed development.

- **Clause 52.29 Land adjacent to a Road Zone, Category 1**

Under Clause 52.29-2, a permit is required to create or alter access to a road in a Road Zone, Category 1.

As Amendment Application TP-2017-461/A seeks to revise access to the site, which adjoins Victoria Street (a road in a Road Zone, Category 1), a permit is required under this provision.

The application has been referred to VicRoads as the relevant road management authority for Victoria Street.

- **Clause 52.34 Bicycle Facilities**

As Amendment Application TP-2017-461/A seeks to introduce a new use, the requirements of Clause 52.34 Bicycle Facilities apply to the proposal.

Detailed consideration of the requirements of Clause 52.34 as bearing on the proposal is set out below.

#### 4.2.1 Clause 52.34 Bicycle Facilities

Amendment TP-2017-461/A complies with the following requirements of *Clause 52.34 Bicycle Facilities*:

The minimum bicycle parking spaces requirement.

The shower requirements for end of trip facilities where bicycle parking is provided.

The change room requirements for end of trip facilities where bicycle parking is provided.

A planning permit is therefore not required under *Clause 52.34 Bicycle Facilities*.

#### **Minimum bicycle parking spaces requirement:**

*Clause 52.34 Bicycle Facilities* sets out the following bicycle parking rate as bearing on the proposed use / development under Application TP-2017-461/A:

Use	Employee / Resident	Visitor / Shopper / Student
<b>Residential building other than specified in this table</b>	In developments of four or more storeys, 1 to each 10 lodging rooms.	In developments of four or more storeys, 1 to each 10 lodging rooms.

Accordingly the required number of bicycle spaces for the 'Residential building' use within the development is:

$$1 \left( \frac{533}{10} \right) + 1 \left( \frac{533}{10} \right) = 106.6 \text{ bicycle spaces}$$

The total required number of bicycle spaces is therefore: 106 bicycle spaces.

Amendment TP-2017-461/A includes 133 bicycle spaces and therefore complies with the minimum bicycle spaces requirement under *Clause 52.34 Bicycle Facilities*.

#### **Shower requirement:**

*Clause 52.34 Bicycle Facilities* sets out the following shower requirement as bearing on the proposed use / development under Amendment TP-2017-461/A:

Use	Employee / Resident	Visitor / Shopper / Student
<b>Any use listed in Table 1</b>	If 5 or more employee bicycle spaces are required, 1 shower for the first 5 employee bicycle spaces, plus 1 to each 10 employee bicycle spaces thereafter.	None

Details of the maximum number of employees that will be on the premises during normal operations have not been provided with the application.



However, adopting the statutory employee bicycle space rate for the purpose of determining the required number of shower facilities would result in the following requirement:

$$1 + 1 \left( \frac{53 - 5}{10} \right) = 5.8 \text{ showers}$$

Amendment TP-2017-461/A includes provision of changing rooms with wet areas, in compliance with the above requirement.

#### Changing room requirement:

*Clause 52.34 Bicycle Facilities* sets out the following changing room requirement as bearing on the proposed use / development under Amendment TP-2017-461/A:

Use	Employee / Resident	Visitor / Shopper / Student
Any use listed in Table 1	1 change room or direct access to a communal change room to each shower. The change room may be a combined shower and change room.	None

Amendment TP-2017-461/A includes provision of changing rooms with wet areas, in compliance with the above requirement.

## 5 STRATEGIC FRAMEWORK

A list of the relevant policies in the Planning Policy Framework (PPF), Municipal Strategic Statement (MSS) and Local Planning Policy Framework have been set out in Attachment 1 to this report.

Regard has been given to key policies relevant to the proposed development under Amendment TP-2017-461/A in Section 8 of this report.

## 6 PUBLIC NOTICE

### 6.1 Advertisement

Notice was given in accordance with S.52(1)(a)&(d) of the *Planning and Environment Act 1987* in the manner set out below.

#### 6.1.1 Notice of S.50A Amended Application (1 July 2020 to 16 July 2020)

The following notice was given in accordance with S.52(1)(a) & (d) of the *Planning and Environment Act 1987* of the S.50A Amended Application received on 18 May 2020:

- By mail to the owners and occupiers of adjoining and nearby surrounding land and other affected properties.
- By directing the applicant to erect the following public notice signs on the site:
  - One sign to the MacKenzie Street frontage (south).
  - One sign to the MacKenzie Street and Victoria Street intersection (east).
  - One sign to the Victoria Street frontage (north).

A signed statutory declaration was returned to Council on 17 July 2020, confirming that the above public notice signs were posted on the land on 2 July 2020, and maintained in good order and condition for a period of 14 days from that date.

#### 6.1.2 Notice of S.57A Amended Application

Notice of the S.57A Amended Application received on 22 September 2020 was not given under S.57B of the *Planning and Environment Act 1987*, as the changes made to the application under the S.57A Amendment received 22 September 2020:

- Do not seek to alter the height, setbacks or other elements of the tower design that would have the effect of increasing the perception of visual bulk from this component of the development.

- Include aesthetic changes to the architectural expression and materiality of the podium design, while retaining its general proportions and massing.
- Do not make changes to the height or overall length of the boundary wall shared with the 31-33 Victoria Street, Melbourne (occupied by the Victorian Opera), in a manner that would introduce the potential for new material detriment to be caused.

## 6.2 Objections

To-date, Council has received 102 objections in relation to Amendment Application TP-2017-461/A.

The areas of concern raised in these submissions have been summarised below:

- Building height and scale
- Amenity impacts: outlook and light, overlooking, views
- Negative personal economic impacts
- The impacts of the current COVID-19 pandemic on the planned layout of the development
- Inadequate on-site car parking and traffic considerations
- Construction noise
- Behaviour of students
- Removal of the existing petrol station.

Section 8 (Assessment) of this report includes consideration of the above concerns, where these concerns have not been canvassed in relation to the relevant policies against which Amendment Application TP-2017-461/A has been assessed.

## 7 REFERRALS

### 7.1 External (Statutory) Referrals

#### 7.1.1 Transport for Victoria (Determining Referral Authority)

Under *Clause 66.02-11 (Integrated Public Transport Planning)*, an application to subdivide land, to construct a building or to construct or carry out works for a residential building comprising 60 or more lodging rooms must be referred to the Head, Transport for Victoria.

The Department of Transport, acting in its capacity on behalf of Public Transport for Victoria, advised on 28 July 2020 that it did not object to the grant of an amended application.

#### 7.1.2 VicRoads (Determining Referral Authority)

Under *Clause 66.03 (Referral of Permit Applications under Other State Standard Provisions)*, an application to create or alter access to a road in a Road Zone, Category 1, must be referred to VicRoads.

The Department of Transport, acting in its capacity on behalf of VicRoads, advised on 28 July 2020 that it did not object to the grant of an amended application.

### 7.2 Internal (Council) Referrals

#### 7.2.1 Urban Design

Council's Urban Designer provided advice on Amendment Application TP-2017-461/A on 22 June 2020.

A summary of the key themes and issues raised in Council's Urban Design advice is provided below, including the Planner's consideration and response.

#### **Building height and massing**

- Concerns were raised in relation to the overall height and massing of the development, and the need for an appropriate façade strategy to mitigate these concerns.

### *Consideration*

- Planning Permit TP-2017-461 authorises a podium/tower development ~72.8 metres in height with variable setbacks, but with built form generally extending to the North, South and East boundaries. Plans have been endorsed under this permit, and the development has lawfully commenced under the permit.

The changes to the authorised development sought by Amendment Application TP-2017-461/A:

- Nominally increase the height of the development (in the order of 500mm);
- Alter the tower floorplate from an angular design with varied setbacks to a platonic prism (with little variation in setbacks);
- Revise the façade strategy to integrate with, and respond to, the newly adopted tower prism form.

These are the changes that fall within the remit of Council's consideration. While it is open to Council to consider whether these changes are of consequence to the original decision to grant the permit, the appropriateness of the overall height and general massing are not matters that can be reopened for interrogation.

Section 8.3 of this report addresses relevant policy at *Clause 22.17 Urban Design outside the Capital City Zone* and includes an assessment of the changes sought under Amendment Application TP-2017-461/A against this policy.

### **Ground Plane**

- Support was expressed for the incorporation of a through-block access at the ground level, and the way it has been activated by programming of the ground floor. Additional information has been requested in relation to this aspect of the development.
- Support was expressed for the proposed site-layout and general programming of the ground floor.
- Additional detail has been requested in relation to the detailed design of individual shopfronts presenting to Victoria Street and MazKenzie Street (i.e. the provision of plinths, seating elements, operable sash and bi0fold windows at street level and the inclusion of prominent framing elements).

### *Consideration*

- As discussed in Section 8.3 of this report, Amendment Application TP-2017-461/A seeks to make a number of changes to the ground plane layout of the authorised development that will make a positive contribution to the public realm.

The additional information requested by Council's Urban Designer is canvassed by Condition 6 (Façade Strategy) of the permit, which is not sought to be altered by Amendment Application TP-2017-461/A and can be addressed post-issue.

### **Building Services / Public Realm**

- Concerns were raised in relation to the impact of the relatively blank west façade (facing 31-33 Victoria Street).
- It was recommended that back of house facilities and building services be designed as an integrated design element.

### *Consideration*

- The S.57A Amendment Application includes revised materiality and architectural finishes for all facades, including an enhanced response to the west façade facing 31-33 Victoria Street, Melbourne (with minor revisions to the window layout), representing an enhanced proposition for the public realm.
- Amendment Application TP-2017-461/A seeks changes to the layout of building services at the ground flood level that will make an appreciable improvement to the presentation and interface between these services and the public realm. Notably, the

revisions to the ground floor layout will effectively half the authorised width of vehicle crossings and pedestrian conflict zones.

### **Podium Design and Materiality**

- Concerns were raised in relation to the horizontal banding of the podium design, as expressed in the original S.50A Amendment Application material, which was said to exacerbate the perception of width and bulk of the podium. The following specific recommendations were made in relation to the podium design:

*We recommend breaking down this facade expression with vertical pilasters at frequent intervals drawing from the rhythm of adjacent heritage facades, and require these columns to be of a robust, tactile, and visually interesting material, equivalent to the brickwork of the endorsed proposal. These pilasters should extend to the ground plane to provide a greater sense of façade depth at key street level interfaces. We require a distinct vertical separation at the podium level, to better achieve a level of fine grain appropriate to the context.*

- Concerns were raised in relation to the quality of materials employed in the podium façade's treatment, and additional information has been requested to require further clarity in relation to what materials will be used.

### **Consideration**

- Discussions (including a meeting) were held following the receipt of Council's Urban Designer's advice, to discuss their concerns relating to the podium design. At the last of these meetings, the project architect advanced a number of potential solutions to address the outstanding concerns related to this element of the development.
- A preferred option was identified at these meetings, and on 22 September 2020 Amendment Application TP-2017-461/A was amended pursuant to S.57A of the *Planning and Environment Act 1987* to formally update the podium design to adopt the preferred option.

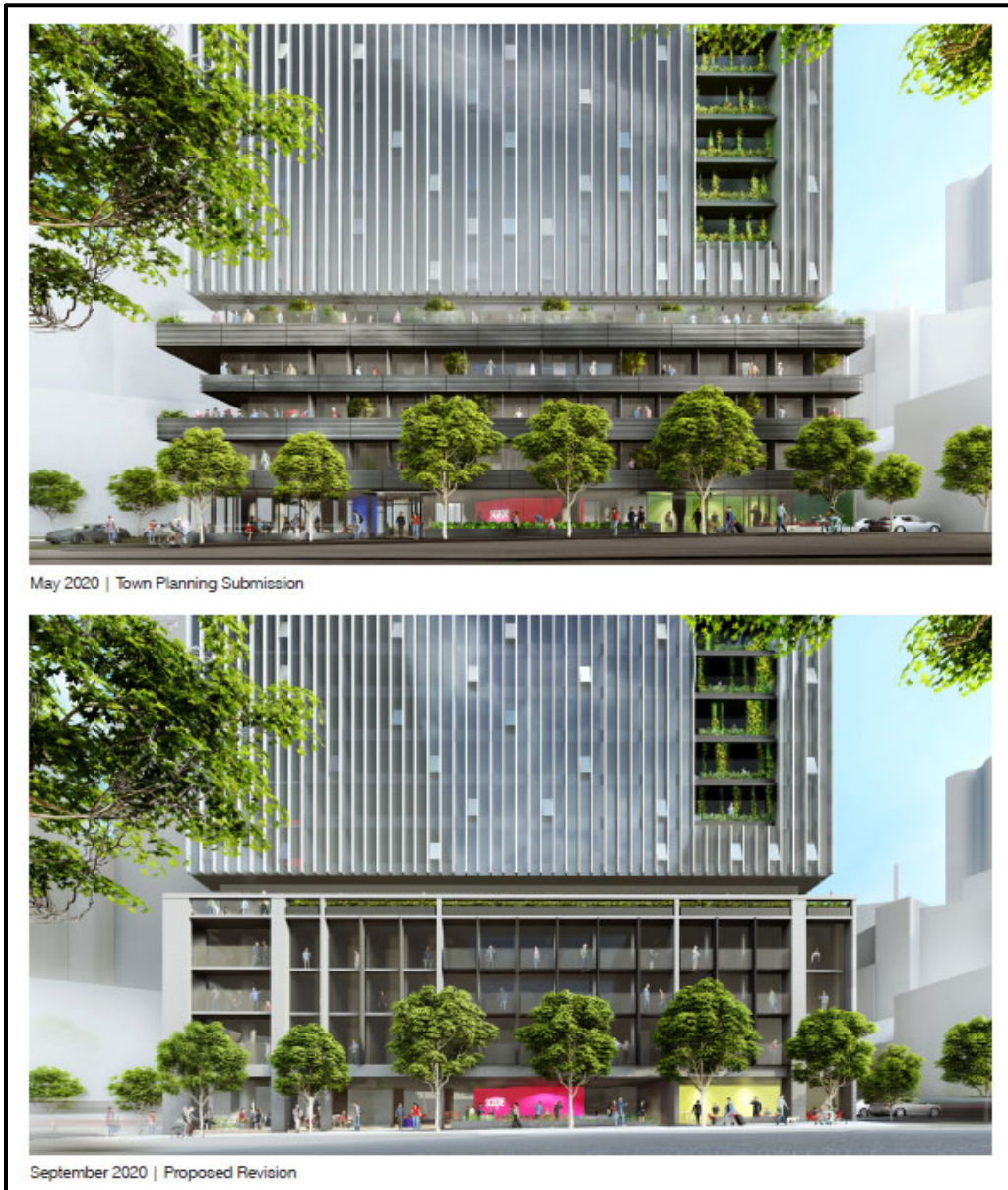


Figure 21: Excerpt from Planning Response accompanying S.57A Amendment received 22 September 2020 showing original and revised podium design

***Tower Design and Materiality***

- Concerns were raised in relation to the composition of the tower design, use of materials, and the potential for the tower to reinforce the building's visual prominence (particularly in relation to its interface with the sensitive heritage place at 31-33 Victoria Street, Melbourne).

The following (paraphrased) recommendations were made in relation to each façade:

- **North (Victoria Street):** Concerns in relation to the loss of visual interest and articulation (leading to a 'monolithic' design). Reintroduction of the expressed concrete floor slab and consolidation of the vertical fins across the façade frontage. Continuation of balconies to extend over the entire height of the tower, to provide distinct vertical articulation of the wide tower façade.
- **South (MacKenzie Street):** Concerns in relation to the loss of visual interest and articulation (leading to a 'monolithic' design). Additional refinement of the MacKenzie Street façade, consistent with the refinements to the Victoria Street façade.

- **West (31-33 Victoria Street):** Further refinement of the Victoria Street façade (e.g via a textured naturally finished concrete), to avoid a completely blank façade.
- **East (MacKenzie Street & Victoria Street intersection):** Concerns in relation to the loss of visual interest and articulation (leading to a 'monolithic' design). Additional refinement of this façade, consistent with the refinements to the Victoria Street façade.

#### *Consideration*

- Discussions (including a meeting) were held following the receipt of Council's Urban Designer's advice, to discuss their concerns relating to the tower design. At the last of these meetings, the project architect advanced a number of potential solutions to address the outstanding concerns related to this element of the development.

None of these options was identified as addressing the fundamental concerns raised by Council's Urban Designer, which are broadly related to the revised tower floorplate and proposed 'prism' tower form under Amendment Application TP-2017-461/A, and alteration from the angular and varied setbacks of the authorised development.

For the reasons set out in Section 8.3 of this report, it is considered that the original tower design is appropriate, having regard to the policy expectations set out in *Clause 22.17 Urban Design outside the Capital City Zone*.

It is further noted that Condition 6 (Façade Strategy) of the permit, which is not sought to be altered by Amendment Application TP-2017-461/A and can be addressed post-issue, will ensure clarity is provided in relation to all materials in use (which appear to be generally clearly shown on the plans).

#### **Student Accommodation**

- The diversity and quantum of communal facilities is generally supported.
- Additional information was requested by Council's Urban Designer related to the layout of student lodging rooms.

#### *Consideration*

- Sufficient detail has been provided in the documentation accompanying Application TP-2017-461/A to enable assessment of the adequacy of the student lodging rooms, and for the reasons set out in Section 8.4 of this report, it is considered that Application TP-2017-461/A complies with the requirements of *Clause 22.24 Student Housing Policy*.

#### **7.2.2 Traffic Engineering**

Council's Traffic Engineer provided comments on Amendment Application TP-2017-461/A on 24 June 2020.

A summary of Council's Traffic Engineer's advice is provided below:

- No objection to the absence of car parking in the revised use/development, noting that:
  - There are excellent public transport provisions in the area.
  - As no car parking will be provided, the development will attract students who don't own cars and will either rely on sustainable transport models including public transport, walking, cycling and motorcycling, or park in the commercial car parks.
  - The students will not have access to resident parking permits and given the short-term restrictions applicable to the on-street parking in the surrounding streets, there will be limited opportunity for them to park on the street.
- Encouragement for additional bicycle facilities to be provided within the development (at least 276 bicycle spaces), in excess of the requirement under *Clause 52.34*

*Bicycle Facilities*, to better align with the requirements of *Clause 22.24 Student Housing Policy*.

- Encouragement of the provision of motorcycle parking in excess of the requirements of the Melbourne Planning Scheme (noting that no requirement for motorcycle parking to be provided exists in the Planning Scheme).
- Recommendation that the Loading Management Plan (LMP) be revised to avoid an outcome where a loading vehicle would need to reverse into the site (creating safety concerns for pedestrians etc.), and that a formal road safety audit be performed.

Council's Traffic Engineer also recommended the inclusion of a number of standard notes and requirements on any amended permit being granted.

The following notes are made in relation to the advice of Council's Traffic Engineer:

- On the basis of Council's Traffic Engineer's advice relating to the lack of provision of car parking, it is considered that the proposed car parking arrangements are to the satisfaction of the responsible authority,
- For the reasons set out in in the assessment of Amendment Application TP-2017-461/A against the requirements of *Clause 22.24 Student Housing Policy*, it is considered that the provision of bicycle facilities is acceptable (noting that a bicycle sharing scheme will be employed in addition to the provision of 123 private bicycle spaces).
- No statutory requirement exists for the provision of motorcycle facilities for the proposed use/development under Amendment Application TP-2017-461/A, and as the applicant has not volunteered the provision of a motorcycle space, this expectation cannot be satisfied.
- Conditions on the existing permit requiring the provision of an LMP and formal road safety audit will be maintained, enabling issues related to potential vehicle and pedestrian conflicts on MacKenzie Street to be resolved.

### 7.2.3 Civil Engineering

Council's Principal Engineer (Infrastructure) provided comments on Amendment Application TP-2017-461/A on 21 July 2020, recommending the inclusion of a number of standard permit conditions on any amended permit being granted.

It is noted that all of the conditions recommended for inclusion on the amended permit by Council's Principal Engineer (Infrastructure) already appear on Planning Permit TP-2017-461, and are not sought to be altered by Amendment Application TP-2017-461/A.

### 7.2.4 Urban Services Engineering (Waste)

Council's Waste Engineer provided comments on Amendment Application TP-2017-461/A on 29 June 2020 and advised that the submitted Waste Management Plan prepared by WSP dated 17 February 2020 was acceptable, subject to the Council's Traffic Engineer's approval of the loading requirements and access changes.

Existing conditions appearing on Permit TP-2017-461 (and which are to be maintained), requiring the provision of an LMP and formal road safety audit will ensure that further opportunity is provided to resolve Council's Traffic Engineer's concerns in relation to this element of the development, and modifications and updates can be made to the WMP at this stage if required.

### 7.2.5 Environmentally Sustainable Design

Council's ESD Officer provided comments on Amendment Application TP-2017-461/A on 2 July 2020, advising that the development generally has acceptable ESD targets to satisfy the requirements of *Clause 22.19 Energy, Waste, Water* of the Melbourne Planning Scheme, identifying that the overall Green Star approached is well considered and the ESD aspirations of the project are acceptable, and supported by the accompanying documentation.

Notwithstanding general support for the ESD credentials of the project, Council's ESD Officer has recommended that the submitted Environmentally Sustainable Design (ESD) Statement prepared by Sustainable Development Consultants dated 28 February 2020 be updated to:

- Remove ineligible credits under the proposed Green Star pathway;
- Target additional points in other categories to offset the reliance on Innovation category points (to achieve a standard industry best practice of a 10% buffer).

An updated ESD Statement prepared by Sustainable Development Consultants dated August 2020 was submitted by the applicant to accompany the S.57A Amendment to Application TP-2017-461/A, and now includes the Green Building Council Australia (GBCA) registration number for the project<sup>4</sup>, which the applicant contends brings into legitimacy the credits claimed under the ESD statement that Council's ESD officer has raised concerns with.

The existing conditions included on Permit TP-2017-461 will be amended to reflect the updated ESD Statement prepared by Sustainable Development Consultants.

#### **7.2.6 Urban Forestry**

Council's Urban Forestry Team provided comments on Amendment Application TP-2017-461/A on 8 July 2020, expressing support for the proposed landscaping treatment and canopy tree planting within the road reservations for Victoria Street and MacKenzie Street, but identifying that existing services within the road reservation may prevent some (or all) of the proposed street tree plots from being fully realised.

In response to the advice of Council's Urban Forestry Team, the applicant has undertaken a survey of these road reservations and has identified the existence of servicing to MacKenzie Street, which may need to be removed / altered to facilitate future street tree plots.

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<sup>4</sup> GS-5292DA



## 8 ASSESSMENT

### 8.1 Key Issues

The key issues for consideration in the assessment of Amendment Application TP-2017-461/A include whether the proposed use/development:

- Is consistent with the purpose and decision guidelines of the Mixed Use Zone.
- Complies with Council's Urban Design Policy for areas outside the Capital City Zone, *Clause 22.17 Urban Design Outside the Capital City Zone*.
- Complies with Council's Student Housing Policy, *Clause 22.24 Student Housing Policy*.
- Is appropriate, having regard to the concerns raised in objections received by Council.

Other relevant matters that have been considered include the traffic impacts posed by the development, provision of bicycle facilities, and environmentally sustainable design.

### 8.2 Mixed Use Zone

#### 8.2.1 Purpose

The purpose of the Mixed Use Zone is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.*
- *To provide for housing at higher densities.*
- *To encourage development that responds to the existing or preferred neighbourhood character of the area.*
- *To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone.*

The proposed land use and development, comprising a mix residential and commercial uses (with the dominant use being for a Residential Building (student accommodation), is consistent with the purpose of the Mixed Use Zone, providing for temporary accommodation for students away from their primary place of residence at a higher density, and in a manner that is considerate to the established urban and built form context of the central city.

#### 8.2.2 Decision Guidelines

The Mixed Use Zone sets out the following decision guidelines relevant to Amendment Application TP-2017-461/A:

*General - Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:*

- *The Municipal Planning Strategy and the Planning Policy Framework. The objectives set out in a schedule to this zone.*
- *Any other decision guidelines specified in a schedule to this zone.*
- *The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a Mixed Use Zone or Residential Growth Zone.*

For the reasons set out in Section 8.3 and 8.4 of this report it is considered that the proposed use/development under Amendment Application TP-2017-461/A has satisfactorily responded to the relevant policies of the Melbourne Planning Scheme, and it is further noted that revisions to the endorsed building envelope under Permit TP-2017-461 will not contribute to any additional impact on existing rooftop solar energy systems for neighbouring development.

### 8.3 Built Form and Urban Design

Clause 22.17 Urban Design outside the Capital City Zone provides the policy basis for exercising discretion in relation to any changes to the development authorised by Permit TP-2017-461 proposed under Amendment Application TP-2017-461/A.

Amendment Application TP-2017-461/A has been assessed against the key built form themes addressed by Clause 22.17 Urban Design in the Capital City Zone, in addition to the expectations set out in Clause 22.02 Sunlight to Public Spaces below:

#### 8.3.1 Scale, Context, Building Height and Bulk (Mass)

Amendment Application TP-2017-461/A seeks to make minor alterations to the building envelope authorised by Permit TP-2017-461, generally limited to straightening out the tower floorplate and modifying the exterior architectural language and materiality of both the podium and tower.

Diagrams have been provided below to demonstrate the similarity between the presentation of the authorised and proposed tower forms, and the altered tower floorplate layout sought by Application TP-2017-461/A.

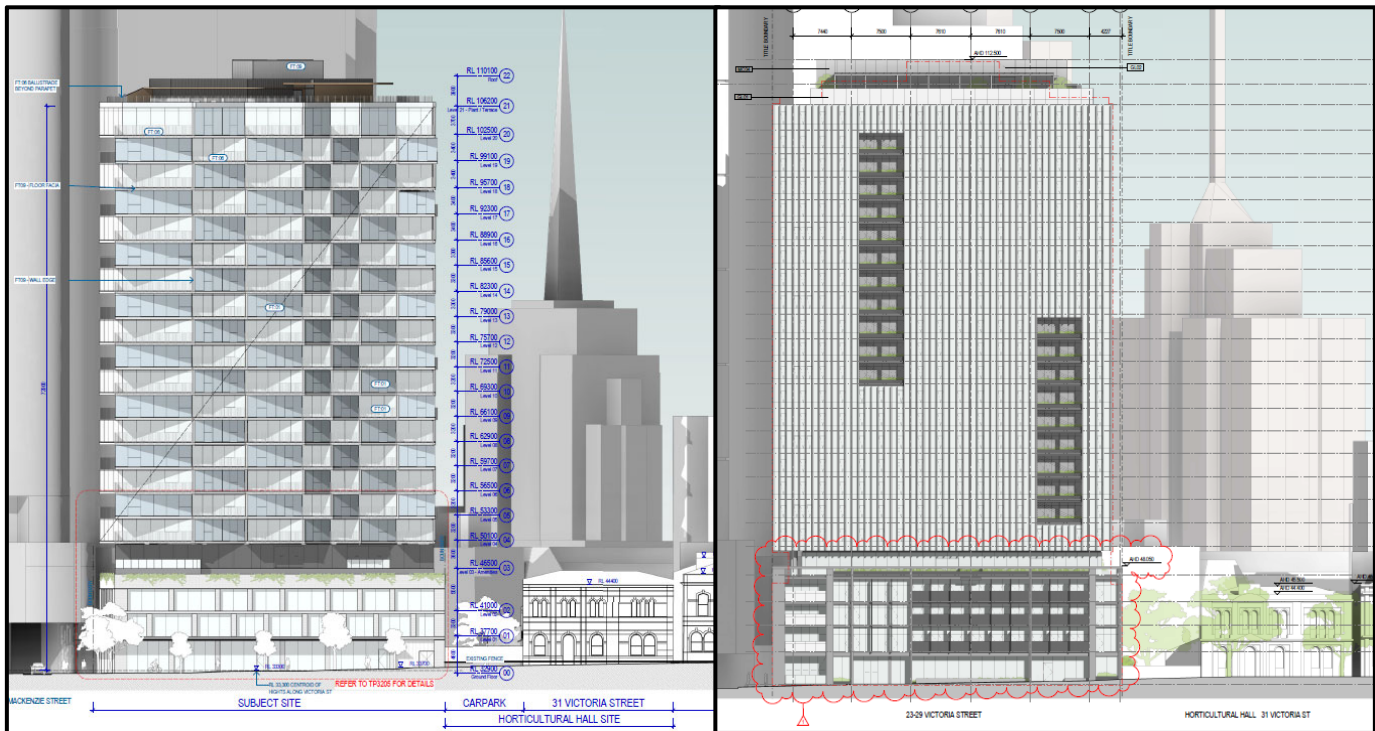


Figure 22: Excerpt from endorsed plans (left) and from S.57A amended plans (right) showing Victoria Street elevation

It is not considered that the changes sought to scale, height and mass of the development authorised by Permit TP-2017-461/A are of consequence, having regard to requirements of Clause 22.17 Urban Design outside the Capital City Zone.

#### 8.3.2 Large and Prominent Sites

The subject site, 23-29 Victoria Street Melbourne, is a prominent site at the corner of MacKenzie Street and Victoria Street, a gateway intersection that lies at the boundary between the Hoddle Grid and Carlton local areas.

Urban design policy for large and prominent sites outside the Capital City Zone encourages the use of building design to acknowledge this prominence. The revised architectural language proposed under Amendment Application TP-2017-461/A is considered to present a visually robust and coherent design that acknowledges the prominent location of the site and its visibility as an entry point to the Hoddle Grid.

Further serving this policy, the revised development under Amendment Application TP-2017-461/A incorporates a through-block access that will enhance activation of this important corner site in the city, even though it is largely private in nature.

### **8.3.3 Street Level Frontages and Fronts and Backs of Buildings**

The revised ground plane layout has been designed to contribute additional activate frontage to the public realm, removing a large dual vehicle crossing authorised by Permit TP-2017-461 that would have served basement car parking.

The revisions proposed under Amendment Application TP-2017-461/A are considered to enhance the ground plane and represent an improvement over the authorised development.

### **8.3.4 Building Tops**

Roof elements proposed under Amendment Application TP-2017-461/A have been designed in a manner that will integrate these structures with the overall tower form.

### **8.3.5 Visible Facades and Blank Walls**

All visible façades of the revised development under Amendment Application TP-2017-461/A have been designed to incorporate architectural techniques to articulate and create visual interest.

It is noted that the S.57A Amended Application has responded to Council's Urban Designer's concerns in relation to the west (31-33 Victoria Street, Melbourne) façade, by revising the material palette and composition of the wall on this boundary.

Conditions will be included on any amended permit being granted to require a S.173 Agreement to be entered into, to close any openings on the boundary in the event that the adjoining property is developed in a manner that impacts on these openings.

### **8.3.6 Pedestrian Connection and Vehicle Access**

The ground plane for the revised development under Amendment Application TP-2017-461/A does not create any alcoves or places of public entrapment and will contribute additional sightlines and activation to enhance pedestrian safety.

Further contributing to the safety of pedestrians is the proposed removal of a dual vehicle crossing as part of the revised development layout, limiting vehicle access points and potential pedestrian conflict zones on the site.

### **8.3.7 Building Projections**

Application TP-2017-461/A does not include any building projections. Standard conditions appearing on the existing permit relating to building projections will be maintained on any amended permit being granted.

### **8.3.8 Protection from Wind and Rain**

Application TP-2017-461/A has not sought to introduce any new canopy structure to the street frontages, noting that the existing authorised development under Permit TP-2017-461 did not seek to introduce any weather protection.

A supplementary letter prepared by Mel Consultants (which conducted a wind tunnel test of the originally authorised development) reports that the revisions to the authorised building envelope proposed by Application TP-2017-461/A are unlikely to result in altered wind conditions.

### **8.3.9 Landscape**

A landscape plan prepared by Tract Pty Ltd to accompany Application TP-2017-461/A documents indicative street tree plots for future landscaping opportunities of Victoria Street and MacKenzie Street, and landscaping of terraces and shared communal spaces open to the sky.

The landscaping proposition documented in these plans generally accords with the character of landscaping for larger developments of this type.

### 8.3.10 Sunlight to Public Spaces

Clause 22.02 *Sunlight to Public Spaces* sets out the following objectives for public open space in the city:

- *To achieve a comfortable and enjoyable public realm.*
- *To ensure new buildings and works allow good sunlight access to public spaces.*
- *To ensure that overshadowing from new buildings or works does not result in significant loss*
- *of sunlight and diminish the enjoyment of public spaces for pedestrians.*
- *To protect, and where possible increase the level of sunlight to public spaces during the times*
- *of the year when the intensity of use is at its highest.*
- *To create and enhance public spaces to provide sanctuary, visual pleasure and a range of*
- *recreation and leisure opportunities.*

The subject site is located within close proximity to Carlton Gardens, and the revised envelope proposed by Application TP-2017-461/A will not cast any additional shadow over these gardens, by virtue of the distance of the site and its southern orientation to this public open space.

## 8.4 Student Housing Policy

The revised Residential Building (student accommodation) development under Amendment TP-2017-461/A has been assessed against the key policies provided in *Clause 22.24 Student Housing Policy* is set out below.

### 8.4.1 Bicycle, Motorcycle, Scooter and Car Parking, and Loading and Unloading

Bicycle, loading and unloading facilities for the development are generally acceptable having regard to the requirements of *Clause 22.24 Student Housing Policy*, subject to conditions, noting the following:

- Whilst it is not desirable that the proposed development fails to provide one bicycle space per bed, it is acknowledged that the provision of 133 bicycle parking spaces exceeds the statutory requirement under *Clause 52.34 Bicycle Facilities* for 106 spaces. Furthermore, ten of these spaces have been committed to a bike share scheme, which will ensure that bicycles will be readily available for students that have an immediate need.

The subject site is also located within the Hoddle Grid and within close proximity to an agglomeration of tertiary education facilities and readily accessible multi modal public transport.

Subject to a condition being included on any amended permit being granted requiring a Green Travel Plan (GTP) to be prepared and made available to students, documenting available public transport and on-site and nearby bicycle facilities.

- The development does not seek to provide car parking, which is supported by the statutory parking control applying to the subject site and broader strategic direction provided by policies for the Hoddle Grid, which encourage students to adopt alternative forms of transportation to the automobile.
- Council's Urban Services Engineer has confirmed that the Waste Management Plan accompanying Amendment TP-2017-461/A is acceptable, and subject to the submission of a Loading Management Plan and Road Safety Audit to satisfy the existing conditions of permit, it is considered that the concerns raised by Council's Traffic Engineer will have been satisfactorily addressed.

### 8.4.2 Layout, Students' rooms and Shared Spaces

The layout of students' rooms and shared spaces within the development is generally acceptable, noting the following:

- The student lodging rooms provided within the development are self-contained, each providing private bathrooms, showers, wash basins and meal preparation areas.
- Shared laundry facilities are to be provided throughout the development within the shared communal areas.

### 8.4.3 Students' Rooms

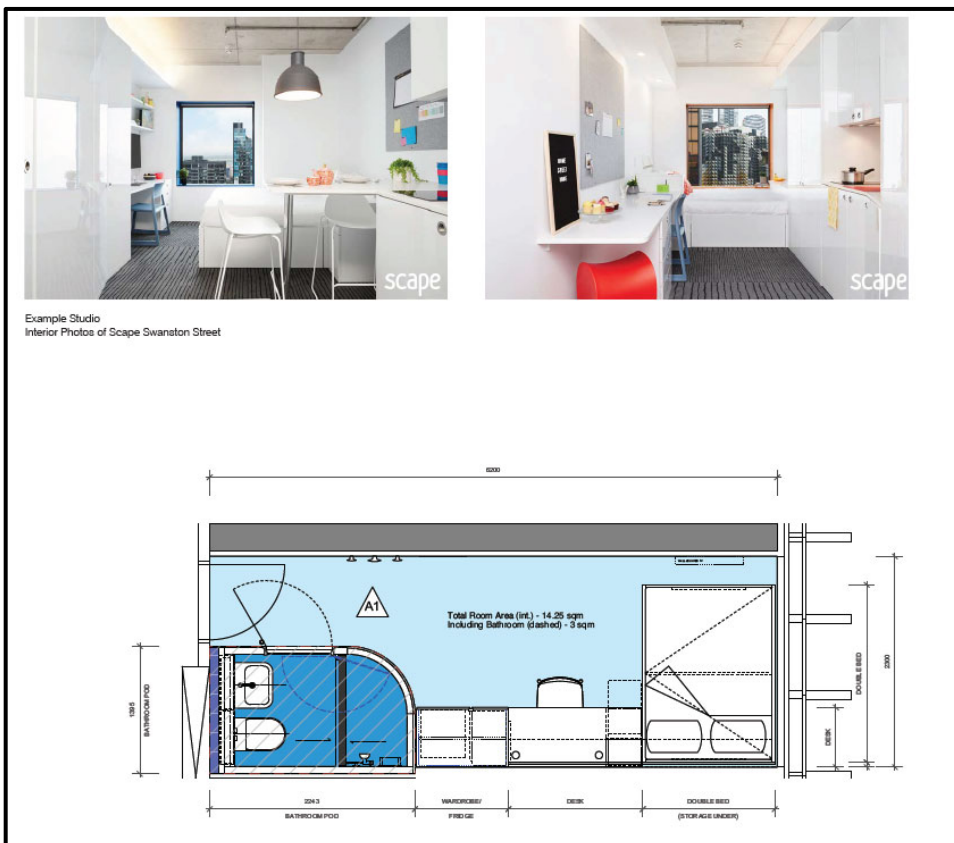
The interior layout and location of students' rooms is generally acceptable, noting the following:

- Individual unit typology diagrams have been provided to accompany the architectural plans, which demonstrate that units will generally provide the amenities required by *Clause 22.24 Student Housing Policy*, with the exception of cooking areas, and be configured in a manner that supports the policy objectives of providing a safe, healthy, secure and well managed living environment.

Notably, all student lodging rooms being of a studio configuration with excellent access to outlook, light and ventilation and will include an internal area that exceeds the minimum required room area under *Clause 22.24 Student Housing Policy* (10.8m<sup>2</sup>).

- While private kitchen facilities will not be provided in each student room, commensurate provision has been made for a catered student housing model that will ensure students retain options for dining within the development.
- Rooms are generally located to limit excessive noise disruption from pedestrian or vehicle traffic outside the complex (e.g. no rooms are provided at ground level, with floorplates providing student apartments commencing level 1).
- Planning Permit TP-2017-461/A includes conditions to limit internal noise levels within bedrooms to a maximum of 40dB(A).

This is an appropriate measure to adopt for the purpose of ensuring future student lodging rooms will be provided with an acceptable level of noise insulation from external noise sources.



**Figure 23:**  
Excerpt from  
Urban Context  
Report showing  
typical room  
layout

8.4.4 Shared Facilities

It is considered that Amendment Application TP-2017-461/A complies with the shared facilities requirements of *Clause 22.24 Student Housing Policy* for the following reasons:

- The quantum and quality of the amenity provided by the shared facilities, including their accessibility to student lodging rooms, is acceptable. Specifically, shared facilities have been provided throughout the development, ensuring their direct accessibility to student occupants.

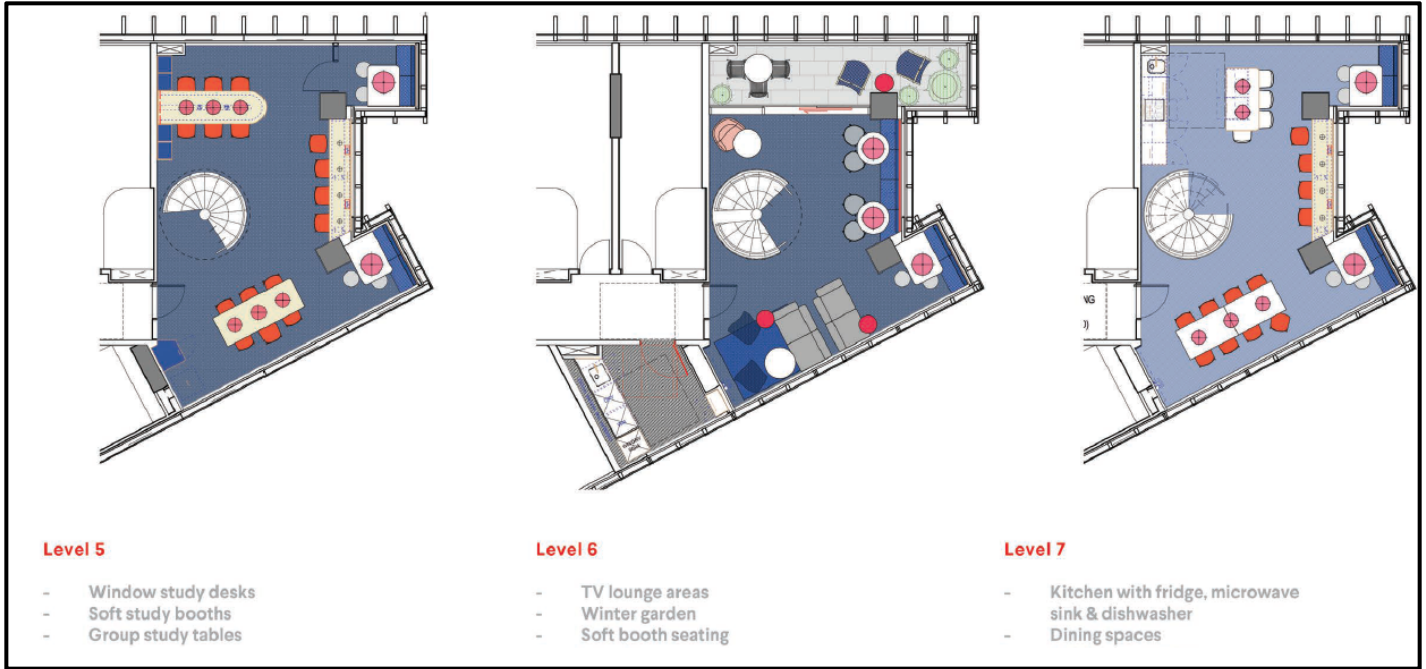


Figure 24: Excerpt from Urban Context Report showing typical shared communal facilities

8.4.5 Communal Outdoor Spaces and Internal Common Areas

It is considered that Amendment Application TP-2017-461/A complies with the outdoor and indoor communal open space requirements of *Clause 22.24 Student Housing Policy* for the following reasons:

- Clause 22.24 Student Housing Policy* provides the required outdoor and indoor communal open space requirements for the development as set out in the below table, on the basis of **533** students being accommodated within the development:

Table: Communal open space rates		
Communal Open Space Type	Rate per student	Total Floor Area
Req. Indoor Communal Open Space	1.25m <sup>2</sup> / student	666.25m <sup>2</sup>
Proposed	3.14m <sup>2</sup> / student	1674m <sup>2</sup>
<b>Deficit / Supplement</b>	<b>1.89m<sup>2</sup> / student</b>	<b>1008m<sup>2</sup></b>
Req. Outdoor Communal Open Space	2.5m <sup>2</sup> / student	1,332.5m <sup>2</sup>
Proposed	1m <sup>2</sup> / student	531m <sup>2</sup>
<b>Deficit / Supplement</b>	<b>1.5m<sup>2</sup> / student</b>	<b>802m<sup>2</sup></b>
Req. Combined Communal Open Space	3.75m <sup>2</sup> / student	1,999m <sup>2</sup>
Proposed	1.98m <sup>2</sup> / student	2,205m <sup>2</sup>
<b>Deficit / Supplement</b>	<b>4.14m<sup>2</sup> / student</b>	<b>206m<sup>2</sup></b>

- As demonstrated in the calculations provided in the above table, while the proposed development under Amendment Application TP-2017-461/A falls short of the requirements for external communal open space, commensurate floor area has been committed to internal communal open space to ensure that each student is provided with a generous area of communal open space to share.

It is considered that this is an appropriate outcome given the inner-city context of the subject site, and close proximity of large, high quality, public open space (in particular, the site is within 3 minutes walking distance off Carlton Gardens).

#### **8.4.6 Ongoing Management and Restriction on Use**

A condition can be included on any amended permit being granted requiring the provision of a Student Management Plan demonstrating compliance with *Clause 22.24 Student Housing Policy*.

Subject to this condition being included on any amended permit being granted, it is considered that the proposed student accommodation development can be suitably managed to minimise any risk posed by the proposed land use on the amenity of nearby sensitive uses, in addition to any future tenants.

A further condition can give effect to this Student Management Plan, by requiring registration of a Section 173 Agreement on title.

### **8.5 Consideration of concerns raised in objections**

*Clause 22.17 Urban Design outside the Capital City Zone* provides that before deciding on a permit application under this schedule, the responsible authority must consider, as appropriate, the following decision guidelines related external amenity:

- *The existing and future use and amenity of the land and the locality.*
- *The effect of the proposed works on solar access to existing open spaces and public places.*
- *The impact on the amenity of any existing dwellings on adjacent sites.*

It is considered that the proposed development will not unreasonably impact on the amenity of any nearby or adjacent dwelling, by way of overlooking, overshadowing, loss of outlook or through noise emissions, on the basis of the assessment undertaken below, which has considered the concerns raised by objectors.

#### **8.5.1 Building height and scale**

Many of the objections received by Council have raised concerns in relation to the height and scale of the development proposed under Amendment Application TP-2017-461/A.

As discussed elsewhere in this report, it must be noted that the building envelope proposed under Amendment Application TP-2017-461/A generally conforms to the building envelope authorised by Planning Permit TP-2017-461. Plans have been endorsed under Permit TP-2017-461 and site preparatory works have lawfully commenced under the permit.

It would not be appropriate to re-open for investigation matters related to the overall height of the building, where this is authorised by the existing permit.

#### **8.5.2 Amenity impacts: outlook and light, overshadowing, overlooking, views**

As noted above, the proposed revisions under Amendment Application TP-2017-461/A generally conform to the building envelope authorised under Permit TP-2017-461/A.

The changes to the exterior architectural strategy and façade design (including minor modifications to the variegated, angular tower floorplate design), will not result in a meaningful difference in the way the tower presents to surrounding land and existing apartment buildings, including in relation to the potential loss of views or shadows cast by the development.

With respect to overlooking, notwithstanding that the tower is well separated from any nearby sensitive residential uses and is therefore not considered to result in unacceptable levels of overlooking, the proposed development generally maintains a similar use and window layout to that authorised by the existing permit.

### 8.5.3 Negative personal economic impacts

This is not a matter that falls within the remit of Council's assessment of Amendment Application TP-2017-461/A under the *Planning and Environment Act 1987*.

### 8.5.4 The impacts of the current COVID-19 pandemic on the planned layout of the development

This is not a matter that falls within the remit of Council's assessment of Amendment Application TP-2017-461/A under the *Planning and Environment Act 1987*.

### 8.5.5 Inadequate on-site car parking and traffic considerations

The proposed development is located within the Hoddle Grid, with excellent access to public transport and cycling infrastructure.

Council's Traffic Engineer has reviewed the proposal, and is of the view that the provision of no car parking spaces is an acceptable proposition for a student accommodation development in this location.

### 8.5.6 Construction noise

Planning Permit TP-2017-461 includes a condition requiring a construction management plan to be submitted to the satisfaction of the Responsible Authority, which 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.

This condition will be maintained in any amended permit being granted, ensuring regulation of construction processes undertaken on the site in accordance with relevant local laws.

### 8.5.7 Behaviour of students

A condition will be included on any amended permit being granted requiring a management plan to be prepared setting out 'house rules' for the student accommodation development, to ensure student behaviours are monitored and managed to limit potential amenity impacts. This management plan, when prepared to the satisfaction of the responsible authority, will be registered as a covenant on title as part of a Section 173 Agreement.

### 8.5.8 Removal of the existing petrol station

The subject site is located in the Mixed Use Zone. The purpose of this zone is to facilitate residential uses primarily (but with an appropriate mixture of uses to serve the community etc.), a permit has been granted which authorises the redevelopment of the land for this purpose (including removal of the petrol station) and Application TP-2017-461/A seeks to vary this permit. Whether the existing petrol station should be removed or not is not a matter that is open to Council to consider with Amendment Application TP-2017-461/A.

## 8.6 Traffic

As discussed above, Council's Traffic Engineer has assessed the proposed development against the requirements of the Planning Scheme and has raised concerns in relation to the loading arrangements for the development.

Subject to the existing permit conditions requiring a Loading Management Plan and Road Safety Audit being maintained on any amended permit being granted, it is considered that that appropriate opportunity will be provided to test the proposed loading arrangements for the development and certify that these arrangements are safe and comply with relevant Australian and NZ Standards.



## 8.7 Sustainability

### 8.7.1 Energy, Water and Waste Efficiency

*Clause 22.19 Energy, Water and Waste Efficiency* provides that it is policy to encourage buildings that:

*Minimise greenhouse gas emissions and maximise energy efficiency.*

*Minimise mains potable water consumption and encourage the use of alternative water sources, such as rainwater and grey water.*

*Provide the facilities that will enable building users and occupants to reduce waste sent to landfill, maximise the recycling and reuse of materials and support the municipality's progress towards becoming a resource and material-efficient city.*

As discussed above, Council's ESD officer is generally supportive of ESD initiatives proposed in the Environmentally Sustainable Design (ESD) Statement submitted to accompany the application.

Planning Permit TP-2017-461/A includes conditions to give force and effect to the existing ESD Statement corresponding to the authorised development, and these conditions will be updated to reflect the most up-to-date ESD Statement submitted to support Amendment Application TP-2017-461/A. a

Further, conditions have been recommended for inclusion on any permit being granted to ensure that waste storage, processing and collection arrangements are consistent with the documentation submitted with Amendment Application TP-2017-461/A, reflect the final architectural drawings and are consistent with City of Melbourne's applicable Guidelines for preparing a Waste Management Plan.

It is therefore considered that the proposed development will meet the relevant requirements of *Clause 22.19 Energy, Water and Waste Efficiency*.

### 8.7.2 Stormwater Management (Water Sensitive Urban Design)

*Clause 22.23 Stormwater Management (Water Sensitive Urban Design)* sets out the following objectives:

To achieve the best practice water quality performance objectives set out in the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999 (or as amended).

To promote the use of water sensitive urban design, including stormwater re-use.

Subject to a condition being included on any permit being granted requiring a stormwater drainage system for the development incorporating best practice integrated water management design principles to be submitted to Melbourne City Council's Drainage Engineer for approval it is considered that the requirements of *Clause 22.23 Stormwater Management (Water Sensitive Urban Design)* and *Clause 53.18 Stormwater Management in Urban Development* will be met.

## 8.8 Contamination

Clause 13.04-1S provides objectives, strategies and policy guidelines that direct the Responsible Authority to require investigation into potentially contaminated land, in addition to requiring remediation of this land so that the land is fit for the proposed future land use if the land is found to be contaminated.

The subject site has a documented history of being used for industrial land uses, and it is possible that sources of potential contaminants exist on the site, which should be sensitively managed as part of any authorised redevelopment of the site to ensure that the land is suitable for the intended use and development under Amendment Application TP-2017-461/A.

Planning Permit TP-2017-461 includes such conditions, and these will be maintained on any amended permit being granted.

## 9 CONCLUSION

It is considered that the revisions to the authorised development proposed under Amendment Application TP-2017-461/A are both acceptable, having regard to the relevant requirements of the Melbourne Planning Scheme, and an improvement.

Notably, the removal of 3 levels of basement, including car parking infrastructure, and reprogramming of the ground floor plane to include through-block access and greater activation, will provide an enhanced pedestrian experience, which is an important outcome for the corner site at the gateway to the Hoddle Grid.

Through consultation with Council's Urban Designer, a refined podium design treatment has been achieved that will present an improved relationship between the proposed development and neighbouring heritage and urban context. While it is acknowledged that Council's Urban Design team maintain concerns with the tower design, on balance, it is considered that the revised exterior architectural language of the tower form is acceptable.

Conditions will be maintained on the amended permit to enable further documentation to be submitted to clarify detailed design elements of the façade strategy at the street, podium and tower levels.

## 10 RECOMMENDATION

For the reasons discussed in Section 8 (Assessment) of this report it is recommended that a Notice of Decision to Grant an Amended Permit be issued subject to the following:

### Permit Preamble

Use of land for a Residential Building (student accommodation), development of the land for a multi storey mixed use building, alteration to a Road in a Road Zone Category 1, and a reduction of the car parking requirements in accordance with the endorsed plans.

### Permit Conditions

#### Amended Plans

- 1 Prior to the commencement of the development, excluding demolition, bulk excavation and site preparation works, plans drawn to scale must be submitted to the Responsible Authority, generally in accordance with the plans prepared by DCM Architects dated 11 September 2020, but amended to show:
  - (a) Any changes required by the endorsed Loading Management Plan as specified by the corresponding condition below (where relevant to be shown on plans).
  - (b) Any changes required by the endorsed Wind Assessment Report as specified by the corresponding condition below (where relevant to be shown on plans).
  - (c) Any changes required by the endorsed Waste Management Plan as specified by the corresponding condition below (where relevant to be shown on plans), including:
  - (d) Confirmation that there is adequate height clearance for an MRV from the entry point up to the point of collection.
  - (e) Any changes required by the Environmentally Sustainable Design Statement as specified by the corresponding condition below (where relevant to be shown on plans).

- (f) Any changes required by the Acoustic Report as specified by the corresponding condition below (where relevant to be shown on plans).

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

**Layout not altered and satisfactory completion**

- 2 The use and development as shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
- 3 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.
- 4 Prior to the occupation of the development, all buildings and works required by this permit must be completed to the satisfaction of the Responsible Authority.

**Use of Ground Floor Retail Tenancy**

- 5 The ground floor retail tenancies are not to be used for Adult sex bookshop, Hotel or Tavern, except with a further permit from the Responsible Authority.

**Façade Strategy**

- 6 Before the development starts, excluding demolition, bulk excavation and site preparation works, a Façade Strategy must be submitted to and be to the satisfaction of the Responsible Authority. When approved this will form part of the endorsed plans. All materials, finishes and colours must be in conformity with the approved Façade Strategy to the satisfaction of the Responsible Authority.
  - (a) A concise description by the architect of the building design concept and how the façade works to achieve this.
  - (b) A schedule of colours, materials and finishes, including the colour, type and quality of materials showing their application and appearance. 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 clear coding.
  - (c) Elevation details generally at a scale of 1:50 illustrating typical podium details, entries and doors, typical privacy screening and utilities, typical tower detail, and any special features which are important to the building's presentation.
  - (d) Cross sections or other 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 planting where proposed.
  - (f) Example prototypes and/or precedents that demonstrate the intended design outcome indicated plans and perspective images to produce a high quality built outcome in accordance with the design concept.

### **Materials and Finishes**

- 7 Prior to the commencement of the development, excluding demolition, bulk excavation and site preparation works, a schedule and samples of all external materials, colours and finishes must be submitted to the satisfaction of the Responsible Authority. The schedule must show the materials, colours and finishes of all external walls, roof, fascias, window frames, glazing types, doors, balustrades and paving. When approved, the schedule will be endorsed and will then form part of the permit. All finishes and surfaces of all external buildings and works, including materials and colours, must be in conformity with the approved schedule to the satisfaction of the Responsible Authority.
- 8 Glazing materials used on all external walls must be of a type that does not reflect more than 15% of visible light when measured at an angle of 90 degrees to the glass surface, to the satisfaction of the Responsible Authority.

### **Building Appurtenances and Services**

- 9 All building plant and equipment on the roofs, balcony areas and common areas 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.
- 10 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, unless otherwise approved to the satisfaction of the Responsible Authority.
- 11 All service pipes, apart from roof down pipes, must be concealed from the view of a person at ground level within common areas, public thoroughfares and adjoining properties.

### **Wind Mitigation**

- 12 Concurrent with the submission of plans for endorsement under Condition 1, a Wind Impact Assessment report must be prepared by a suitably qualified engineering consultant. The Wind Impact Assessment must be submitted to and be to the satisfaction of the Responsible Authority. When approved, the report will be endorsed and will then form part of the permit. The report must be generally in accordance with the letter prepared by Mel Consultants but further modified to address all changes required under Condition 1 of this permit.  
Any further modifications required to the development in order to ensure acceptable wind conditions to the surrounding streets and public areas must be carefully developed as an integrated high quality solution with the architectural and landscape design and not rely on street trees to the satisfaction of the Responsible Authority.
- 13 The recommendations and requirements of the endorsed Wind Assessment Report must be implemented at no cost to and be to the satisfaction of the Responsible Authority.

### **Waste Management**

- 14 Concurrent with the submission of plans for endorsement under Condition 1, an amended Waste Management Plan (WMP) must be prepared and submitted to Melbourne City Council – Engineering Services. The WMP should detail waste storage and collection arrangements and be prepared with reference to the City of Melbourne Guidelines for Preparing a Waste Management Plan 2015. Waste storage and collection arrangements must not be altered without prior consent of Melbourne City Council – Engineering Services.
- 15 No garbage bin or waste materials generated by the development may be deposited or stored outside the site and bins must be returned to the garbage storage area as soon as practical after garbage collection, to the satisfaction of the Responsible Authority.

### **Environmentally Sustainable Design**

- 16 Prior to the commencement of the development, excluding demolition, bulk excavation and site preparation works, an amended Sustainability Management Plan (SMP) must be submitted to the Responsible Authority. When approved, the report will be endorsed and will then form part of the permit. The report must be generally in accordance with the report prepared by Sustainable Development Consultants, dated August 2020.
- 17 The performance outcomes specified in the endorsed SMP must be implemented prior to occupancy at no cost to the Responsible Authority and must be to the satisfaction of the Responsible Authority. Any change during design or alters the attainment of the performance outcomes specified in the endorsed SMP must be documented by the author of the endorsed SMP in an addendum to this report, which must be provided to the satisfaction of the Responsible Authority prior to the commencement of construction.

### **Construction Management Plan**

- 18 Prior to the commencement of the development, excluding demolition, bulk excavation and site preparation works, a detailed construction and demolition management plan must be submitted to and be approved by the Responsible Authority – 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) protection of street trees.

### **Loading Management Plan**

- 19 Concurrent with the submission of plans for endorsement under Condition 1, a Loading Management Plan (LMP) plan must be prepared by a suitably qualified professional and submitted to the City of Melbourne - Engineering Services Branch. The Management Plan must:
- (a) Detail how the access / egress of loading vehicles is to be managed, so that any potential conflicts with pedestrians are satisfactorily addressed;
  - (b) Consider (as appropriate) the need for a turntable and/or Dock Manager (responsible for controlling the operation of the loading bay and unloading of goods), a signalling system to alert other road users when loading vehicles are entering / egressing the loading bay and signage / warning lights to warn pedestrians when a vehicle is manoeuvring.

When provided to the satisfaction of the Responsible Authority, and in consultation with City of Melbourne – Engineering Services, the LMP will be endorsed to form part of this permit.

- 20 Loading and unloading arrangements as shown in the endorsed Loading Management Plan (LMP) must not be altered without the prior consent of the City of Melbourne - Engineering Services.
- 21 The areas set aside for the loading and unloading of vehicles and delivery of goods must at all times be made available for these purposes to the satisfaction of the Responsible Authority.

### **Road Safety Audit**

- 22 Prior to the occupation of the development, a Road Safety Audit must be undertaken, which should assess the access arrangements into/from the loading dock. The findings of the Audit must be submitted to, and be to the satisfaction of, the City of Melbourne - Engineering Services, and must be incorporated into the design at the developer's expense.

### **VicRoads**

- 23 All disused or redundant vehicle crossings (along Victoria Street) must be removed and the area reinstated to kerb, channel and footpath to the satisfaction of and at no cost to VicRoads prior to the occupation of the building hereby approved.

### **Noise Attenuation**

- 24 Prior to the commencement of the development, excluding demolition and bulk excavation and site preparation works, an acoustic report prepared by a suitably qualified acoustic consultant must be submitted to the Responsible Authority, certifying that new dwellings within the development have been designed to achieve the following noise levels:
- Not greater than 40dB(A) for bedrooms, assessed as an LAeq, 8h from 10pm to 6am.

- Not greater than 45dB(A) for living areas, assessed as an LAeq, 16h from 6am to 10pm.

Noise levels must be assessed in rooms suitably furnished ready for occupation with windows closed.

When provided to the satisfaction of the Responsible Authority, this report will be endorsed to form part of this permit.

- 25 Prior to the occupation of the development, the recommendations in the endorsed acoustic report referenced in the above condition must be implemented at no cost to the Responsible Authority, to the satisfaction of the Responsible Authority.

### **Landscape Plan and Management**

- 26 Prior to the commencement of the development, excluding demolition, bulk excavation and site preparation works, a landscape plan must be submitted to the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and must show:
- (a) A planting schedule of all proposed trees, shrubs and ground covers including botanical names, common names, pot sizes, sizes at maturity and the quantities of each plant.
  - (b) Details of the proposed maintenance schedule including irrigation.
  - (c) Revised indicative future street tree plot planting locations, in the event that existing services and/or modifications to services associated with the authorised use/development prevent street tree plots from being realised in nominated locations.
- 27 Before the development is occupied, landscaping as shown on the endorsed landscape plan must be carried out and completed to the satisfaction of the Responsible Authority.
- 28 All landscaping works shown on the endorsed landscape plan must be maintained and any dead, diseased or damaged plants replaced, all to the satisfaction of the Responsible Authority.

### **3D Digital Model**

- 29 Prior to the occupation of the development, a 3D digital model of the development and its immediate surrounds, as appropriate, must be submitted to the Responsible Authority and be to the satisfaction of the Responsible Authority. The model should be prepared having regard to the Melbourne City Council Advisory Note – 3D Digital Modelling. Digital models provided to the Melbourne City Council may be shared with other government organisations for planning purposes. The Melbourne City Council may also derive a representation of the model which is suitable for viewing and use within its own 3D modelling environment. In the event that substantial modifications are made to the building envelope a revised 3D digital model must be submitted to, and be to the satisfaction of the Responsible Authority.

### **Engineering**

- 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 Melbourne City Council – Engineering Services
- 31 Prior to the commencement of the development, excluding demolition, bulk excavation and site preparation works, or as otherwise agreed to with the Responsible Authority, a stormwater drainage system, incorporating integrated water management design principles, must be submitted to and approved by Melbourne City Council – Engineering Services. This system must be constructed prior to the occupation of the development and provision made to connect this system to Melbourne City Council’s underground stormwater drainage system.
- 32 Prior to the commencement of the use/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 the Responsible Authority – Engineering Services.
- 33 The footpaths adjoining the site along Victoria Street and MacKenzie Street must be reconstructed in sawn bluestone together with associated works including the renewal of kerb and channel, the provision of street trees and reconstruction or relocation of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by the Responsible Authority – Engineering Services.
- 34 Existing street levels in Victoria Street and MacKenzie Street must not be altered for the purpose of constructing new vehicle crossings or pedestrian entrances without first obtaining approval from the Responsible Authority – Engineering Services
- 35 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 Melbourne City Council – Engineering Services.
- 36 Existing street furniture must not be removed or relocated without first obtaining the written approval of Melbourne City Council – Engineering Services.
- 37 All street furniture such as street litter bins recycling bins, seats and bicycle rails must be supplied and upgraded on Victoria Street and/or Mackenzie Street footpaths outside the proposed building to plans and specifications first approved by Melbourne City Council – Engineering Services.

**Potentially Contaminated Land and Remediation**

- 38 Prior to the occupation of the development, either:
  - (a) A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environmental Protection Act 1970, or
  - (b) An Environmental Auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.



Where a Statement of Environmental Audit is provided, all the conditions of this Statement must be complied with to the satisfaction of the Responsible Authority and prior to the occupation of the building. Written confirmation of compliance must be provided by an Environmental Auditor appointed under the Environment Protection Act 1970. In addition, the signing off of the Statement must be in accordance with any requirements in it regarding the verification of works.

If there are conditions on the Statement that the Responsible Authority consider requires significant ongoing maintenance and/or monitoring, the applicant must enter into a legal agreement in accordance with Section 173 of the Planning and Environment Act 1987 with the Responsible Authority. This Agreement must be executed on title prior to the occupation of the building. The owner of the site must meet all costs associated with the drafting and execution of this agreement including those incurred by the Responsible Authority.

### **Student Accommodation**

- 39 Prior to the occupation of the development, a Student Management Plan in accordance with Clause 22.24-4 of the Melbourne Planning Scheme must be submitted to and approved by the responsible authority.
- 40 Prior to the occupation of the development, the owner of the land must enter into an agreement pursuant to Section 173 of the Planning and Environment Act 1987. The agreement must provide the following:
  - (a) The accommodation provided on the land is to be used for the exclusive accommodation of students enrolled at a secondary or tertiary level educational institution and to be vacated within three months of completion of studies.
  - (b) The building to operate at all times in accordance with the Management Plan as required by Condition 39 of 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 that a suitably qualified full time manager with responsibility to oversee student behaviour permanently resides on the site and must detail the maintenance, cleaning, garbage storage and collection, supervision and security of the site.
  - (c) 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 the City of Melbourne's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.

### **Windows on Boundaries**

- 41 Prior to the occupation of the development, the owner of the land must enter into an agreement pursuant to Section 173 of the Planning and Environment Act 1987. The agreement must provide for the following:

- (a) The removal of windows/openings on the boundaries when the adjoining properties are further developed in a manner that would affect these windows/openings, to the satisfaction of the responsible authority.

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

### **Green Travel Plan**

42 Prior to the occupation of the development, a Green Travel Plan (GTP) must be prepared by a suitably qualified person to the satisfaction of the Responsible Authority. The GTP must:

- (a) Describe the location in the context of alternative modes of transport and objectives of the GTP.
- (b) Outline GTP measures for the building including:
- (c) Employee and student welcome packs to include public transport information.
- (d) Other incentives for employees and students (ie provision of public transport ticket discounts if available)
- (e) Bicycle parking and facilities available
- (f) GTP management
- (g) Monitoring and review.

Once approved the GTP will form part of the planning permit or any on-going management plan for the site to ensure the GTP continues to be implemented by the owners/management of the development to the satisfaction of the Responsible Authority.

### **Permit Expiry**

43 This permit will expire if one of the following circumstances applies:

- (a) The development is not started within three years of the date of this permit.
- (b) The development is not completed within five years of the date of this permit.
- (c) The use has not commenced within two years of the completion of the development.

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.

## **ATTACHMENT 1: PLANNING POLICY**

### **Planning Policy Framework**

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

The PPF provides broad support for the development proposed under Amendment TP-2017-461/A.

The following PPF clauses are considered relevant to Amendment TP-2017-461/A:

#### Clause 11 – Settlement

- Clause 11.01-1R – Settlement – Metropolitan Melbourne
- Clause 11.03-1S – Activity Centres
- Clause 11.03-1R – Activity Centres – Metropolitan Melbourne

#### Clause 13 – Environmental Risks and Amenity

- Clause 13.01 – Climate Change Impacts
  - Clause 13.01-1S – Natural hazards and climate change
- Clause 13.04 – Soil Degradation
  - Clause 13.04-1S – Contaminated and potentially contaminated land
- Clause 13.05 – Noise
  - Clause 13.05-1S – Noise Abatement
- Clause 13.06 – Air Quality
  - Clause 13.06-1S – Air Quality Management
- Clause 13.07 – Amenity and Safety
  - Clause 13.07-1S – Land Use Compatibility

#### Clause 15 – Built Environment and Heritage

- Clause 15.01 – Built Environment
  - Clause 15.01-1S – Urban Design
  - Clause 15.01-1R – Urban Design – Metropolitan Melbourne
  - Clause 15.01-2S – Building Design
  - Clause 15.01-4R – Healthy Neighbourhoods – Metropolitan Melbourne
  - Clause 15.01-5S – Neighbourhood Character
- Clause 15.02 – Sustainable Development
  - Clause 15.02-1S – Energy and Resource Efficiency
- Clause 15.03 – Heritage
  - Clause 15.03-1S – Heritage Conservation

#### Clause 17 – Economic Development

- Clause 17.01 - Employment
  - Clause 17.01-1S – Diversified Economy
  - Clause 17.01-1R – Diversified Economy – Metropolitan Melbourne
- Clause 17.02 - Commercial
  - Clause 17.02-1S – Business

Clause 18 – Transport

- Clause 18.01 – Integrated Transport
  - Clause 18.01-1S – Land Use and Transport Planning
- Clause 18.02 – Movement Networks
  - Clause 18.02-1S – Sustainable Personal Transport
  - Clause 18.02-2S – Public Transport
  - Clause 18.02-4S – Car Parking

Clause 19 - Infrastructure

- Clause 19.03 – Development Infrastructure
  - Clause 19.03-3S Integrated Water Management

**Municipal Strategic Statement**

The Municipal Strategic Statement (MSS) is a concise statement of the key strategic planning, land use and development objectives for the municipality and the strategies and actions for achieving the objectives.

The MSS furthers the objectives of planning in Victoria to the extent that the State Planning Policy Framework is applicable to the municipality and local issues, and provides the strategic basis for the application of the zones, overlays and particular provisions in the planning scheme and decision making by the responsible authority.

The following clauses of the MSS in the Melbourne Planning Scheme are considered relevant to Amendment TP-2017-461/A

Clause 22.02 – Municipal Profile

Clause 21.03 – Vision

Clause 21.04 – Settlement

Clause 21.06 – Built Environment and Heritage

Clause 21.08 – Economic Development

Clause 21.09 – Transport

Clause 21.10 – Infrastructure

Clause 21.12 – Hoddle Grid

**Local Planning Policy Framework**

A Local Planning Policy (LPP) is a policy statement of intent or expectation. It states what the responsible authority will do in specified circumstances or the responsible authority's expectation of what should happen. LPP's provide the responsible authority an opportunity to state its view of a planning issue and its intentions for an area, and provides guidance to decision making on a day to day basis.

The following LPP's in the Melbourne Planning Scheme are considered relevant to Amendment TP-2017-461/A:

Clause 22.01 – Urban Design within the Capital City Zone

Clause 22.02 – Sunlight to Public Spaces

Clause 22.19 – Energy, Water and Waste Efficiency

Clause 22.23 – Stormwater Management

Clause 22.24 – Student Housing Policy