



57 Haig Street, Southbank

Planning Permit Application 2012/010161

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3 Site and Surrounds

The subject site is located on the south side of Haig Street between Cecil Street to the west and Clarendon Street to the east as shown in the locality plan at Figure 1. The site is rectangular in shape with frontage to Haig Street and vehicular access via Blakeley Place. The site accommodates a two storey warehouse/office.

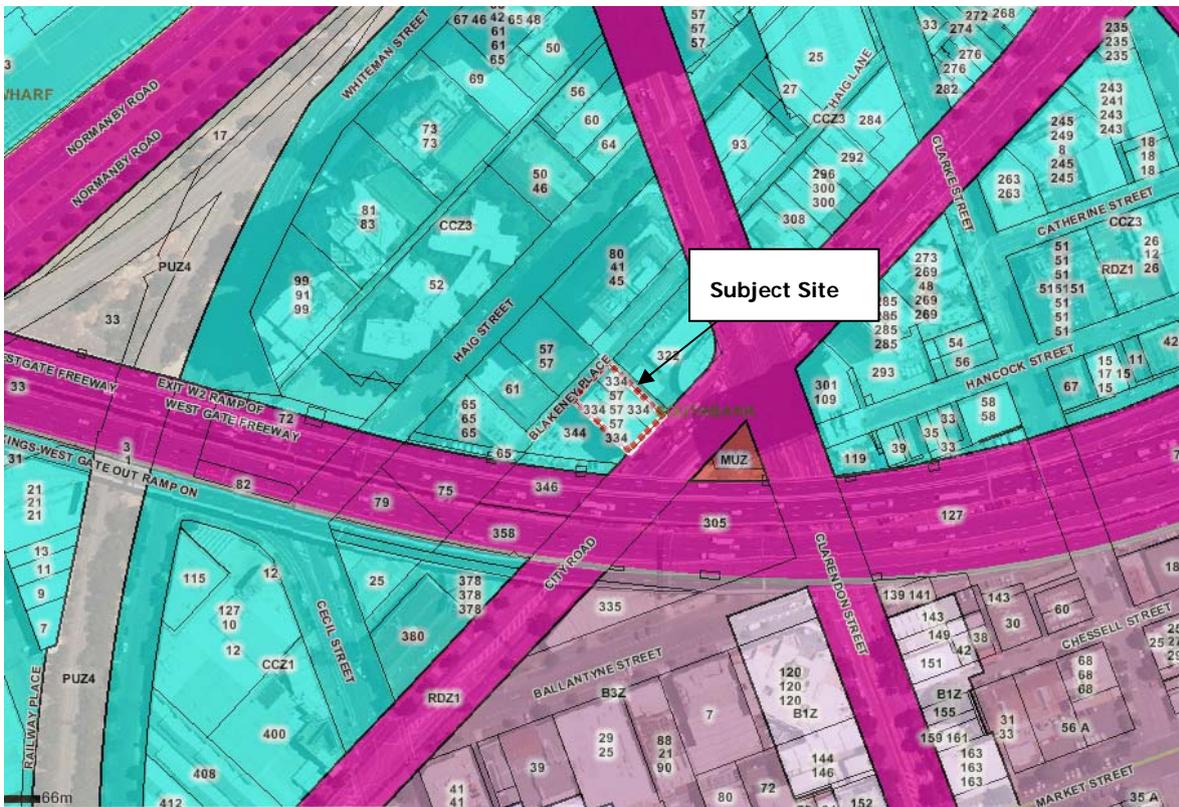
The site is currently utilised as offices with land uses immediately surrounding the site consisting of apartment towers, backpacker accommodation (Urban Central), offices, retail, rental car (Europcar), motor vehicle repairs (Triple S Motors) social support services (Hanover Welfare Services) and a BP service station located to the southeast of on Blakeney Place.

Buildings heights immediately surrounding the site vary. Clarendon Towers is the closet residential building located to the east with a height of approximately 27 storeys. The remaining buildings within Haig Street consist of 1-2 storey commercial buildings.

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

Within the wider urban context the site is located within proximity to prominent landmarks such as Crown Entertainment Complex (300m walking distance to the northeast), Melbourne Convention and Exhibition Centre (350 metres walking to the north) and South Melbourne Markets (560 metres walking distance to the southwest).

Figure 1 – Site Locality Plan



4 Proposal

The proposal seeks to demolish the existing building and construct a podium and tower building comprising dwellings and ground floor retail. The key elements of the proposal are as follows:

- Two level stepped podium and apartment tower with a maximum height of 120 metres;
- 9 Storey podium with 29 storey tower above.
- 249 apartments (116 one bedroom and 133 two bedroom), 143 car parking spaces and 82 bicycle spaces.
- Car parking spaces located over 4 basement levels and three above ground car park levels in the podium sleeved by apartments.
- Gross Floor Area of approximately 26,000 sqm.
- Primary address to Haig Street with a secondary address to Blakeney Place at the rear.
- Main entry at the ground floor (Haig Street) with a separate residential lobby and provision of a 150 sqm commercial space.
- Varied tower setbacks of 6685 metres to the north (interface with Clarendon Towers), 5 metres to the south (61 Haig Street), 6 metres to the west (Haig Street) and 2 metres to the east (Blakeney Place). These setbacks are measures to the building line at the widest point and exclude proposed balconies. Due to the angular design of the balconies the setbacks decreases to less than 5 metres depending on its location along the balcony edge.

5 Planning Policies and Controls

5.1 State Planning Policy Framework

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

The following key SPPF policies are relevant:

- Clause 15 (Built Environment and Heritage)
- Clause 17 (Economic Development)
- Clause 16 (Housing)
- Clause 18 (Transport)
- Clause 19 (Infrastructure)

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

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

5.2 Local Planning Policy Framework

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

Landscape Values, Built Environment and Heritage, Housing, Economic Development, Transport and Infrastructure. The site is located within the existing Southbank Urban Renewal Area (Local Area 2 - Figure 5) as identified under Clause 21.13 of the Melbourne Planning Scheme.

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

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

- 22.01 Urban Design within the Capital City Zone
- 22.02 Sunlight to Public Spaces
- 22.19 Energy, Water and Waste Efficiency

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

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

5.3 Statutory Controls (Permit Triggers)

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

Planning Control	Permit / Application Requirement(s)
<p><i>Capital City Zone- Schedule 3</i></p> <p><i>(Clause 37.04)</i></p>	<p>A permit is required to use the land unless specifically exempted by the schedule. A permit is also required to demolish, construct a building or construct or carry out works unless the schedule specifies otherwise.</p> <p>The table of uses specifies ‘accommodation’, ‘office’ and ‘retail premises’ (other than adult sex bookshop, department store, hotel, supermarket and tavern) are permitted as of right (Section 1 use) at Clause 1.0 of the Schedule. In relation to accommodation uses a ground floor of the building must have a floor to ceiling height of at least 4 metres for the use to be as of right.</p> <p>The proposal provides for a 5.6 metre floor to ceiling height to the entry foyer from Haig Street. Schedule 1 exempts demolition and the construction of buildings and carrying out of works from the usual notice and appeal requirements;</p>
<p><i>Design and Development Overlay- Schedule 60 (Area 3)</i></p> <p><i>(Clause 43.02)</i></p>	<p>Under Clause 43.02-2 a permit is required to construct a building or construct or carry out works unless the schedule specifies otherwise. Schedule 60 does not specifically exempt buildings and works from requiring a permit and applies a discretionary height control of 100 metres to the site. Schedule 60 exempts buildings and works from notice and appeal requirements.</p>
<p><i>Parking Overlay – Schedule 1</i></p> <p><i>(Clause 45.09)</i></p>	<p>The provisions of the parking overlay works in conjunction with Clause 52.06 of the Melbourne Planning scheme.</p> <p>Schedule 1 to the Parking Overlay requires a planning permit to provide car parking spaces in excess of the car parking rates in Clause 3.0 of the schedule.</p>

	<p>In this case, where a site is used partly for dwellings (including common areas serving the dwellings) the car spaces must not exceed 1 space per dwelling.</p> <p>For that part of the site devoted to other uses , (excluding common areas serving the dwellings) the spaces must not exceed the maximum spaces using one of two formulas included within the Schedule to the overlay.</p> <p>The maximum spaces allowable for the proposal without requiring a planning permit is 250 spaces. The proposal includes 143 car spaces, therefore no permit is required.</p> <p>A permit is therefore not triggered under the PO1.</p> <p>The schedule also specifies the provision of minimum rate of 1 motorbike space per 100 car spaces to be provided unless the responsible authority is satisfied that a lesser number is sufficient.</p> <p>The proposal includes 5 motorcycle spaces, therefore no permit is required.</p>
<i>Loading and Unloading of Vehicles (Clause 52.07)</i>	<p>Under Clause 52.07 no buildings or works may be constructed for the manufacture, servicing, storage or sale of goods or materials unless space is provided on the land for loading and unloading vehicles as specified within the table. A loading facility of 28 sqm is provided on site however its width is 3.5 metres (instead of the required 3.6 metres) therefore a permit is required to vary this requirement.</p>
<i>Bicycle Facilities (Clause 52.34)</i>	<p>Under Clause 52.34-1 a new use must not commence until the required bicycle facilities and associated signage has been provided on the land. The standard requires the provision of 73 spaces (including both resident, visitor and employee spaces). The application provides for 82 spaces and therefore a permit is not required to reduce this requirement.</p>
<i>Urban Context Report and Design Response for Residential Development of Four or More Storeys (Clause 52.35)</i>	<p>Under Clause 52.35-1 an application for a residential development of four or more storeys must be accompanied by an urban context report and design response. The application was accompanied by an urban context and design report and the applicant was advised that it was satisfactory on 17 February 2014.</p>
<i>Integrated Public Transport Planning (Clause 52.36)</i>	<p>Under Clause 52.36-1 an application must be referred in accordance with Section 55 of the Act to the Director of Public Transport (Public Transport Victoria) for a residential development comprising 60 or more dwellings or lots. On 15 January 2013 the application was referred to Public Transport Victoria for comment.</p>
<i>General Provisions (Clause 61.01)</i>	<p>The schedule to Clause 61.01 indicates that the Minister for Planning is the responsible authority for considering and determining applications in accordance with Divisions 1, 1A, 2 and 3 of Part 4 of the Planning and Environment Act 1987 for approving matters required by the scheme in relation to developments with a gross floor area exceeding 25,000 square metres.</p>
<i>Decision Guidelines (65.01)</i>	<p>Under Clause 65.01 before deciding on an application the responsible authority must consider as appropriate a number of matters, including Section 60 of the Act.</p>

<p><i>Referral and Notice Provisions (Clause 66.03)</i></p>	<p>Clause 66.03 works in conjunction with Clause 52.326 (amongst other requirements) and requires an application to be referred to the person or body specified as the referral authority. As previously mentioned, the Director of Public Transport is a specified referral body under Clause 52.36.</p>
<p><i>Relevant Reference Documents / Guidelines</i></p>	<p>Guidelines for High Density Residential Development</p> <p>The Guidelines for Higher Density Residential Development (“the Guidelines”) have been developed to assist designers and planners apply design principles to proposals for higher density residential development. The Guidelines provide ‘better practice’ design advice for higher density residential development that promotes high quality public and private amenity and good design.</p> <p>The Guidelines are structure around six elements of design consideration including:</p> <ul style="list-style-type: none"> ■ Urban Context, ■ Building Envelope, ■ Street Pattern and Street-edge quality, ■ Circulation and services, ■ Building layout and design, ■ Open space and landscape design

6 Other Strategic Matters

6.1 Amendment C171 (Southbank)

Amendment C171 was gazetted on 20 June 2013 and made various changes to local policy, zones and overlays affecting the Southbank area. It also introduced the Southbank Structure Plan 2010 as a reference document into the Melbourne Planning Scheme.

6.2 Amendment C208 (Development Contributions Plan)

The Minister authorised Melbourne City Council to prepare Melbourne Planning Scheme amendment C208 on 5 August 2013.

C208 proposes a Development Contribution Plan implemented by application of the Development Contribution Plan Overlay over existing urban renewal precincts including Arden Macaulay, City North and Southbank. Council has decoupled the Arden Macaulay precinct from the amendment due to delays associated with the panel considering the Arden Macaulay Structure Plan.

C208 has undergone public exhibition with submissions closing on 16 December 2013. The submissions are being considered by Council and the amendment is yet to go before an independent panel.

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

6.3 Amendment C209 (Public Open Space)

Council is proposing to introduce Amendment C209 to Melbourne Planning Scheme which if approved will apply a 8% Public Open Space contribution for development within Southbank. Amendment C209 is undergoing a planning panel review process and is yet to be finalised and adopted by Council. The requirement for an 8% public open space contribution did not form part of their recommendation.

7 Notification

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

8 Referrals

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

City of Melbourne: The permit application was considered at Council's Future Melbourne Committee on 3 December 2013. Council resolved to support the application subject to the inclusion of recommended conditions.

Key changes related to providing a minimum 10 metre tower separation from Clarendon Towers and potential development site at 61 Haig Street. Council also seek to increase the building setback from Blakeney Place to provide a minimum 2 metres, measured from the balcony edges. Additionally, Council seek a monetary contribution in accordance with Amendment C208 despite the early stages of the amendment. As described in section 6.2 above it is inappropriate for a condition to be placed on permit requesting the payment of development contributions at this early stage.

Urban Design (DTPLI): DTPLI urban design are generally supportive of the proposal however raised issues regarding:

- Maintenance of a continuous building line at ground level;
- Additional setbacks to Blakeney Place and subsequent resolution of the interface between the proposal and the existing Urban Central.
- Improvement of the layout and amenity for lower level apartments to the west to reduce reliance on a proposed light court for natural light.

Public Transport Victoria: No objection to the proposal and did not offer any proposed permit conditions.

9 Assessment

9.1 Consistency with Planning Policy

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

SPPF

- Providing a high quality largely residential development in close proximity to infrastructure, Principal Public Transport Network (PPTN) and public open space facilities.
- Integrating with existing residential and commercial activity within Southbank.
- Improving housing choice to existing and future residents in the City of Melbourne and making better use of existing infrastructure services.
- Offering a high quality architectural design enhancing the attractiveness of Haig Street and the profile of Southbank thereby contributing positively to the public realm and immediate streetscape.
- Responding to the site's context through the provision of a built form considerate of adjacent buildings and land uses.
- Providing a building height, form and scale responding to the context of Haig Street as an area transitioning between the CBD, Southbank and the Fishermans Bend Urban Renewal Area where high rise podium and tower forms are envisaged. The combination of high quality materials and articulation will provide further visual interest.
- Providing a liveable, attractive and walkable residential environment due to its proximity to key services and infrastructure and by the design of the building providing for reasonable levels of internal amenity.
- Recognising the status of the land as a 'development site' under the Southbank Structure Plan 2010 and responding to land use and built form objectives to increase active frontage, podium and tower typology and improve environmental building performance.

MSS

- Responding to Clause 21.13-1 (Urban Renewal Areas – Southbank) through:
 - Delivering an extension to the Central City and active development offering commercial and residential uses.
 - Promoting high rise development south of the Crown Casino and the Melbourne Exhibition Centre.
 - Supporting increased level of street life and pedestrian movement within an otherwise inactive part of Haig Street

LPPF

- Responding to Clause 22.01 (Urban Design with the Capital City Zone) by delivering development within Haig Street which will contribute to a vibrant, mixed use area including a fine grain urban character (at the ground level) and contribution to a high quality public realm and passive surveillance of the public domain. Passive surveillance and crime prevention through design is particularly beneficial due to the presence of Hanover House Welfare Services directly north of the site.
- Responding to Clause 22.02 (Sunlight to Public spaces) by ensuring that the building and works allow good sun penetration to public spaces and achieving a comfortable and enjoyable street environment with the incorporation of a canopy.
- Responding to Clause 22.19 (Energy, Waster and Water) by including environmentally sustainable building initiatives within the design of the development to ensure energy and water

efficiently. A permit condition can be applied to require an assessment against the Green Star rating tool and compliance with the policy.

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

9.2 Land Use

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

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

The land use mix and concept of redeveloping the site is not in contention. The key issues in this matter relate to design and built form, tower separation and setbacks, internal amenity and overall functionality of the site. These matters are discussed further below.

9.3 Design and Built Form

The application includes the demolition of a low scale ungraded building. The proposal includes a high density and activated development consistent with the decision guidelines of the Capital City Zone which seeks to avoid vacant sites.

The standard model for developing taller buildings in the City is based on a 35-40 metre high podium with the tower element setback from this podium level by at least 10 metres, as described in Local Policy 'Urban Design within the Capital City Zone' (Clause 22.01) and the Built Form Strategies (B1) of the Southbank Structure Plan 2010.

The purpose of tower setbacks is to provide a number of measures related to the enjoyment of the public realm and to ensure development equity. Tower setbacks assist in providing pedestrian scale, sunlight penetration, views to the sky and the deflection of wind downdrafts.

The performance measures contained within Local Policy Clause 22.01, Urban Design within the Capital City Zone, Southbank Structure Plan 2010, Guidelines for Higher Density Residential Development, Schedule 3 to the Capital City Zone (CCZ3) and Schedule 60 of the Design and Development Overlay (DDO60) set performance benchmarks for good development. Key themes of street-pattern, edge-quality, building envelope, internal amenity, architectural design and activation are common threads through each of these policy documents and controls.

9.3.1 Height / Setbacks / Tower Separation / Architectural Design

The proposed development responds appropriately to key planning policy objectives, recommendations and the requirements of the zone and overlay as follows:

- The site is located in an area of Southbank where significant residential growth can occur, supporting overall urban consolidation objectives outlined in the State and Local Planning Policy Framework.

- The application seeks approval for a 122 metre tall building within a 100 metre discretionary height control. The additional 22 metre height is permissible subject to various built form objectives being achieved including; provision of transition with adjoining areas, ensuring buildings do not dominate the streetscape scale and its effect on the pedestrian experience.
- The development proposes a 30 metre high podium which will be the visually dominate element in the streetscape with the tower form setback an average of 6 metres above. An additional 22 metres on top of the tower will be indiscernible to a pedestrian and is typical of the predominant heights within the wider Southbank precinct therefore meeting DDO built form objectives. From far distance views (where they exist) the building would be viewed in the context with other taller buildings and provide variation in the height profile as part of the city skyline.
- The podium is to be built out to all boundaries and provides an appropriate response consistent with the dominant form in the street. Where above ground car parking is provided it is sleeved with apartments along the primary Haig Street frontage providing a high level of activation and 'eyes on the street'.
- Varied tower setbacks are provided, largely due to the angled nature of the slab line for each floor creating a visually interesting building. The setbacks are as follows:
 - To the north-west (Haig Street): 6 metres to building edge (4 metres to balcony edge).
 - To the north-east (Clarendon Towers): 4metres (level 5 to 9) – 5.25 metres (level 10 to 38) to balcony edge.
 - To the south-west (61 Haig Street): 3.5 metres to 5 metres (level 10 to 38).
 - To the south-east (Blakeney Place): 2 metre setback to building edge (0 metres when measured to balcony edge).
- The proposed front, side and rear setbacks while less than the preferred 10 metre setback is a balanced response to develop-ability of the site and adjoining land. Compliance with minimum 10 metre setbacks from all title boundaries would sterilise the site with no remaining floor plate left for apartments after provision of the necessary lift core.
- The setback from Haig Street of 6 metres from the building line moderates the impact of visual bulk and differentiates podium from tower.
- The architectural response provides an activated and articulated facade treatment with varied finishes and materials and in particular the design rational of angling each floor plan provides visual interest.
- The City of Melbourne raised concern in relation to the reduced setbacks from Clarendon Tower which ranges from 4 metres to 10 metres has the building rises in height and the setback from south-western boundary as it will not enable a future minimum 10 metre tower separation from 61 Haig Street.
- DDO60 and the Southbank Structure Plan seeks to achieve 20 metre tower separation with a minimum of 10 metres generally accepted with 5 metres provided on each site. While achieving a 20 metre tower separation from the balcony edge of Clarendon Towers is the preferred policy position, in order to achieve this, a significant portion of the development would be removed and be transferred to the south-west interface (with 61 Haig Street), which also requires a minimum 10 metre tower separation from future development.
- City of Melbourne has recommended a minimum 10 metre tower setback for levels 6 to 10 from Clarendon Towers and 5 metres from the south-western title boundary which is generally supported subject to slight variation. It is recommended that an average of 5 metres from the south-west boundary be required with a minimum of 4.5 metres from the outside balcony edge providing capacity for minor encroachment into the 5 metre setback zone. This will allow for the retention of the varied balcony articulation up the facade. A permit condition can be included to address this recommendation.
- To the rear of the site, the setbacks are further reduced with a minimum of 2 metres from the building line and balconies proposed to be constructed on the title boundary. While the interface with existing development only occurs at the lower levels where the Urban Central building is built up to Blakeney Place, the result of a 0 metre setback to balcony edge will introduce a dominant form in an otherwise intimate laneway context, directly interfacing with an

accommodation use within 5 metres. This reduced setback has impact on both the existing Urban Central and that of the future residential within the proposed development.

- It is the common practice for constrained sites' adjoining a laneway to provide a minimum of 5 metre tower setback from the centre line of the laneway. This ensures that a minimum of 10 metre tower separation is achieved if and when the Urban Central site is redeveloped making sure of long term development equity and reasonable separation from the existing lodging rooms within Urban Central. A permit condition is recommended to provide for this outcome and is supported by the City of Melbourne.

The Southbank Structure Plan 2010 identifies a possible future through-block link within vicinity of the site linking Blakeney Place to Haig Street and continuing north across the Hanover Welfare Services site and through the existing high rise Centurion Apartment complex onto Whiteman Street. The link shows a possible connection across the existing Urban Central site and adjacent car park onto City Road.

The concept of delivering a through-block link as part of a redevelopment proposal while having merit should be supported in circumstances where such a link has a possibility of being fully realised. Given the existence of the Centurion Apartments it is highly unlikely that there will be any future link from Haig Street to Whiteman Street notwithstanding the need to redevelop the Hanover Welfare Services site. A link to the south while possible would not provide any net community benefit or deliver commercially viable land capable of being activated.

The preferred solution in this case is to activate the frontage of the site and continue this pattern along Haig Street thereby encouraging further activation on both sides of the street should redevelopment occur. Additionally if a link was provided at the ground level in order for it to have any chance of success it would need to be open to the sky and require tower setbacks above the podium thereby significantly impacting the develop-ability of the site for any form of high rise development.

The City of Melbourne have not requested the link be provided as part of the project and it is noted that should a proposal be considered by Council at the adjacent site (61 Haig Street) the possibility and desire for a can be reviewed further.

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

9.4 Street Level Activation and Pedestrian Safety

The development incorporates a highly glazed commercial floor space and a residential lobby at ground floor with apartments located in the podium overlooking Haig Street. The inclusion of these uses increase pedestrian movement, overall activation and perception of safety. Following advice from DTPLI officers the building line was brought out to the street to create a clean edge line and reduce the possibility of concealment spaces.

Entrances will be highly visible and well lit and the proposal will increase the number and perception of 'eyes on the street' improving public safety.

9.5 Microclimate (Wind, Weather Protection, Overshadowing) & Internal Amenity

Wind

The application was accompanied by a wind tunnel test report and an updated letter provided following the introduction of the Capital City Zone Schedule 3. In summary the assessment found

that the wind conditions along Haig Street and Blakeney Place will be either within or on the walking criterion for all wind directions which is an acceptable outcome having regard to the street frontage and trafficable areas will likely be used as a thoroughfare for the life of the development. The wind conditions of podium roof tops within Clarendon Towers were shown to be improved due to the significant shield provided by the development.

The development will also likely enjoy significant shielding from construction of high rise buildings to the south west at 400 City Road once constructed.

The most susceptible area to the impact of wind downdrafts is along Blakeney Place within and around the gap between the site and the existing six level Urban Central building. While it is expected that this area will meet walking criteria there is potential for it to exceed walking comfort.

It is noted that this area is the rear loading access for the site and adjacent land is not intended to be a highly pedestrian environment. Notwithstanding this the required additional setback of the tower from Blakeney Place will improve wind conditions at the ground level and given the use of the lane this outcome is considered acceptable.

Weather Protection

A 2.3 metre wide canopy is provided along the site's frontage providing weather protection for pedestrians and assisting with any potential wind downdrafts. The canopy will extend above the ground floor and Council has requested further plans showing the location and construction details of the canopy.

Overshadowing

The development is well resolved in relation to overshadowing. The development will not significantly overshadow key public open spaces or high quality public areas as demonstrated by the submitted shadow plans. This is largely due to the site's orientation and location north of the Westgate Freeway. The greatest impact occurs across the Urban Central development with shadow cast from 12noon to 3pm. Given the transitory nature of occupants within Urban Central coupled with the majority of impact experienced within Blakeney lane it is considered that on balance the impact will not unreasonably impact nearby land.

Internal and Interface Amenity

The amenity of the proposed apartments will be of an acceptable standard. All apartments have either a winter garden type indoor/outdoor area or a terrace with a minimum dimension of 8 square metres. All apartments and habitable room windows are oriented to provide for access to natural light through all sides of the building where possible.

DTPLI Urban design has raised concern about relying on a light court for lower level apartments on the south-western edge of the site. This is of particular concern given that 61 Haig Street is recognised as a development site. City of Melbourne is currently considering a permit application for its redevelopment. Council has not identified any specific issues regarding the light court and it is noted that should the City of Melbourne grant a permit for 61 Haig Street the ability of natural day light to penetrate into lower level podium apartments at 57 Haig Street will be compromised. Therefore a permit condition is recommended to delete and redesign the light court space requiring a revised apartment layout with the objective being to orient habitable rooms towards an unencumbered natural light source.

Additionally, in relation to issues of overlooking and interface amenity it is noted that the tower is setback at least 10 metres to the building line edge from Clarendon Towers with the angled balconies partially encroaching into this setback. A 5 metre setback from the south western boundary to the building line is achieved, again with the angled balconies encroaching into this setback. The provision of this 5 metre setback ensures appropriate tower separation from future development at 61 Haig Street. It noted that the permit application plans for 61 Haig Street do not provide balconies interfacing with 57 Haig Street site, however, windows are provided for bedrooms, living rooms

(southern end) and study rooms with a view towards 57 Haig Street. The City of Melbourne planning officers have not raised concerns regarding overlooking between the two site's and given the building separation proposed and lack of balconies on 61 Haig Street, interface amenity for either development is considered reasonable.

At the time of writing this report the permit application for 61 Haig Street is understood to be on hold until further information and amended plans are provided by the permit applicant. Should a permit be granted for redevelopment of 61 Haig Street it is conceivable that this will occur after the determination of 57 Haig Street and to this end any permit conditions mitigating overlooking should be applied by the City of Melbourne using the permit for 57 Haig Street a basis for assessing future built form context. It is recommended that this advice be provided to the City of Melbourne upon issuance of the permit.

The City of Melbourne have however raised issues regarding overlooking of communal space and the usability of the communal terrace given its aspect towards Clarendon Towers. Overlooking of a communal space is not considered to be a concern however the quality of the level 5 terrace is compromised due to its location and therefore Council's recommendation for its relocation is supported. A permit condition can be included requiring a communal terrace on level 10 podium.

Acoustic

Developments for new and refurbished residential uses should incorporate design measures to attenuate against noise associated with the operation of other businesses and activities associated with a vital 24-hour capital city. The decision guidelines of the Capital City Zone specify that 'habitable rooms of new dwellings adjacent to high levels of external noise should be designed to limit internal noise levels to a maximum of 45 dB in accordance with the relevant Australian Standards for acoustic control'.

The application was accompanied by an Acoustic Report date stamped 23 September 2013 compiled by Acoustic Logic. Section 6 of this report details appropriate construction materials for the glazing, roof/ceiling and the external walls of the development to ensure compliance with the relevant Australian Standards. It is recommended that compliance with this report is included on a permit via condition.

9.6 Environmental Sustainable Development (ESD)

A Sustainable Management Plan compiled by F2 Design was submitted with the permit application. The documents include an assessment against STEPS which is an assessment tool designed for Single Dwellings. A follow up letter was submitted stating that the level of performance in STEPS is in excess of the benchmarks and the applicant submits that this would come close to constituting an equivalent performance to 5 stars using the GreenStar tool rating.

The STEPS tool is not considered to be an equivalent tool to the GreenStar tool in the instance of the development of a tower reaching 122 metres in height and containing 249 apartments.

Clause 22.19 requires the following for Accommodation:

- • A 5 star rating under a current version of Green Star - Multi Unit Residential rating tool or equivalent, and
- • 1 point for Wat-1 credit under a current version of the Green Building Council of Australia's Green Star— Multi Unit Residential rating tool or equivalent.

It is recommended that a condition be placed on the planning permit to request the appropriate assessments be undertaken.

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

The maximum spaces allowable for the proposal without requiring a planning permit is 250 spaces. The proposal includes 143 car spaces, therefore **no permit is required** under the PO1.

The Schedule also specifies the provision of minimum rate of 1 motorbike space per 100 car spaces to be provided unless the responsible authority is satisfied that a lesser number is sufficient. The proposal includes 5 motorcycle spaces which exceeds the requirement.

City of Melbourne Engineering Services has raised concern about the lack of traffic measures at Blakeney Place. Therefore a planning permit condition will require traffic management measures to be provided at the basement ramp and Blakeney Street interface to mitigate any potential pedestrian/vehicle conflict.

The Traffix Group assessment indicates that there will be a negligible difference between the development's traffic generation (25 in the AM and 20 in the PM) and the existing site activity (estimated to be 16 trips in each peak hour) at the Blakeney Place/Clarendon Street intersection. It is noted that the residential trips will occur in the opposite tidal direction of the staff trips currently generated by the Office use. City of Melbourne (Engineering Services) is satisfied that there will be no significant impact to the surrounding road network as a result of this proposal.

The ground floor plan provides for a loading bay accessed from the rear off Blakeney Place. The loading bay is dimensioned as 3.5 metres wide which is less than the statutory requirement. A permit condition is recommended to require compliance.

The application was accompanied by a Waste Management Plan (WMP) prepared by Leigh Design Pty Ltd. The WMP identified that residential waste shall be serviced by Council and is accessed via Blakeney Place. The commercial waste will be managed by a private contractor as municipal services are insufficient for the size of tenancy proposed. The City of Melbourne has recommended a permit conditions be used to implement the submitted WMP.

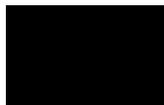
Clause 52.34 requires bicycle parking to be provided at a rate of 1 resident space per 5 dwellings and visitor parking at a rate of 1 space per 10 dwellings. Under Clause 52.34-1 a new use must not commence until the required bicycle facilities and associated signage has been provided on the land. The standard requires the provision of 73 spaces (including both resident, visitor and employee spaces). The application provides for 82 spaces and therefore a permit is not required to reduce this requirement. Nevertheless it is recommended that a permit condition require the provision of bicycle facilities in accordance with Clause 52.34 of the Melbourne Planning Scheme to ensure compliance.

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

10 Recommendation

That planning permit 2012/010161 for demolition of the existing building and construction of a multi-storey mixed use tower be issued subject to conditions.

Prepared by:



Name:

Title:

Phone:

Date: 12 March 2014

Approved by:



Name:

Title:

Phone:

Date: 17 March 2014

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