

6.1 Ministerial Planning Referral - TPMR-2025-21 - 400 Queen Street, Melbourne**Report Author:** Lachlan Orr, Principal Urban Planner**Report Presenter:** Nick McLennan, Acting Head of Statutory Planning**Executive Leader:** Evan Counsel, General Manager Strategy, Planning and Climate**Executive Summary**

1. The Department of Transport and Planning (DTP), on behalf of the Minister for Planning (Minister), has issued a formal referral to Melbourne City Council (Council) for Planning Permit Application PA2503754 at 400 Queen Street, Melbourne. The application seeks approval for the demolition of the existing building and construction of a 220.4 metre (excl. roof plant) mixed use building containing retail premises, offices, student housing and 693 build-to-sell dwellings (refer Attachment 1 – Locality Plan and Attachment 2 – Plans).
2. The applicant is Sime Darby Property (Queen Street) Development Pty Ltd c/o Urbis, the owner is Kim Lim Aust. Pty Ltd and the architect is Cox Architecture. The estimated cost of development is \$495,619,040.
3. The site is located within the Capital City Zone, Schedule 1 (Outside the Retail Core), and is affected by the Design and Development Overlay, Schedules 1 and 10 (DDO1 and DDO10) and Parking Overlay, Schedule 1.
4. The key matters for consideration in the assessment of this application include the proposed floor area uplift and public benefits, the built form having regard to the DDO1 and DDO10 and compliance with Clauses 16.01-1L (Student housing) and 58 (Apartment developments).
5. The significant mixed use building proposed is compatible with the prominent location of the site and will make a positive contribution to the skyline. The tower achieves an appropriate transition in scale between the approved towers within the adjacent Queen Victoria Market precinct and the central city. Publicly accessible spaces are provided through ground level retail arcades and colonnades, which will improve the local pedestrian experience.
6. Subject to conditions, the proposal provides acceptable amenity outcomes for future occupants through compliance with Clauses 16.01-1L and 58.
7. The proposal seeks a significant floor area uplift and requires a commensurate public benefit to be provided. The Planning Report (refer Attachment 3 – Planning Report) outlines the key outstanding matters relating to the public benefits, which are to be resolved before a permit can be granted.

Recommendation from management

8. That the Future Melbourne Committee resolves to:
 - 8.1. Advise the Department of Transport and Planning that the Melbourne City Council does not object to the application, subject to the resolution of the key outstanding matters and inclusion of conditions outlined in the planning report (refer to Attachment 3 of the report from management – Planning Report).

Purpose

9. The purpose of this report is to advise the Future Melbourne Committee (FMC) of Ministerial Planning Permit Application PA2503754 which seeks approval for the demolition of the existing building and construction of a 220.4 metre (excl. roof plant) mixed use building containing retail premises, offices, student housing and dwellings, as well as a reduction to the bicycle facilities requirements at 400 Queen Street, Melbourne (refer to Attachment 2 – Plans).

Background

10. The applicant is Sime Darby Property (Queen Street) Development Pty Ltd c/o Urbis, the owner is Kim Lim Aust. Pty Ltd and the architect is Cox Architecture. The estimated cost of development is \$495,619,040.
11. The subject site is located within the Capital City Zone, Schedule 1 (Outside the Retail Core), and is affected by the Design and Development Overlay, Schedules 1 and 10 (DDO1 and DDO10) and Parking Overlay, Schedule 1 (PO1).
12. The application seeks approval for a building that is 220.4 metres (excl. roof plant) in height, has an overall gross floor area of 92,090 square metres and a floor area ratio of 28.62:1. It includes 693 dwellings comprising 264 studio, 363 one-bedroom and 66 two-bedroom apartments. It also includes 640 student housing units containing a total of 900 beds. Communal amenities are provided for each residential use through podium level external terraces and internal areas within the building.
13. The application proposes 10,103 square metres of offices and 3,419 square metres of retail within the lower levels. A network of publicly accessible spaces and colonnades are provided across the ground level which provide access to the various occupancies within the building, as well as connectivity to existing streets. A total of 154 car parking spaces and 386 bicycle parking spaces are also provided (refer Attachment 2 – Plans).
14. DTP, on behalf of the Minister, has formally referred the application to Council pursuant to Section 55 of the *Planning and Environment Act 1987* (the Act) as a recommending referral authority.
15. The application was lodged following review at the Victorian Design Review Panel facilitated by the Office of the Victorian Government Architect (OVGA), in conjunction with pre-application discussions held with officers from DTP and Council.

Key considerations

16. The key matters for consideration are the proposed floor area uplift and public benefits, the built form having regard to the Design and Development Overlay, Schedule 1 and 10 (DDO1 and DDO10) and compliance with Clauses 16.01-1L (Student housing) and 58 (Apartment developments).
17. The proposed public benefits supporting the floor area uplift remain unresolved. This is a threshold issue that must be addressed before a permit can be issued. The planning report identifies key matters, including reducing reliance on 'office' as a strategically justified use, introducing a meaningful affordable housing component, and providing clear evidence of the value of publicly accessible spaces (see Attachment 3 – Planning Report).
18. The built form outcome is an appropriate response to the site's profile and context. The podium and tower design reflects the physical and strategic characteristics of the area, with an active, permeable ground floor and a well-resolved and articulated tower form that transitions between the Queen Victoria Market Southern Development Precinct and the central city. Publicly accessible spaces and the ground floor program will integrate positively with the public realm, activating Queen Street and A'Beckett Street frontages.
19. The proposal generally complies with Clause 16.01-1L and Clause 58 objectives and standards, subject to conditions addressing internal amenity. Key conditions require increased outdoor and overall communal space for student housing, improved dwelling diversity through three-bedroom apartments, windows to all living areas, and modifications to avoid reliance on retractable privacy curtains. Apartments

must also meet Standard D18 (Accessibility). Three variations to Clause 58 remain and are considered acceptable as the proposal demonstrates compliance with objectives and decision guidelines as outlined in the Planning Report.

Legal

20. The Minister for Planning is the Responsible Authority for any planning permit application located within the City of Melbourne where the development exceeds a gross floor area of 25,000 square metres; and is therefore the Responsible Authority for this application.
21. There are no direct legal implications as a result of the recommendation from management.

Finance

22. There are no financial implications as a result of the recommendation from management.

Conflict of interest

23. 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.

Charter of Human Rights and Responsibilities

24. The recommendation contained in this report is compatible with the *Charter of Human Rights and Responsibilities Act 2006* as it does not raise any human rights issues.

Health and Safety

25. No Occupational Health and Safety issues or opportunities have been identified in the preparation of the recommendation contained in this report.

Consultation

26. Council officers have not undertaken public notice of the application or referred this to any other external referral authorities. This is the responsibility of DTP acting on behalf of the Minister for Planning.
27. It is noted that the applicable planning controls exempt this application from public notification.

Relevance to Council Plan and Council Policies

28. Relevant Council policies are discussed in the attached report to management (refer to Attachment 3).

Social and environmental impacts

Social impacts

29. There are no social impacts as a result of the recommendation contained in this report.

Gender Impact Assessment

30. A Gender Impact Assessment is not required for the consideration of this planning application.

Environmental impacts

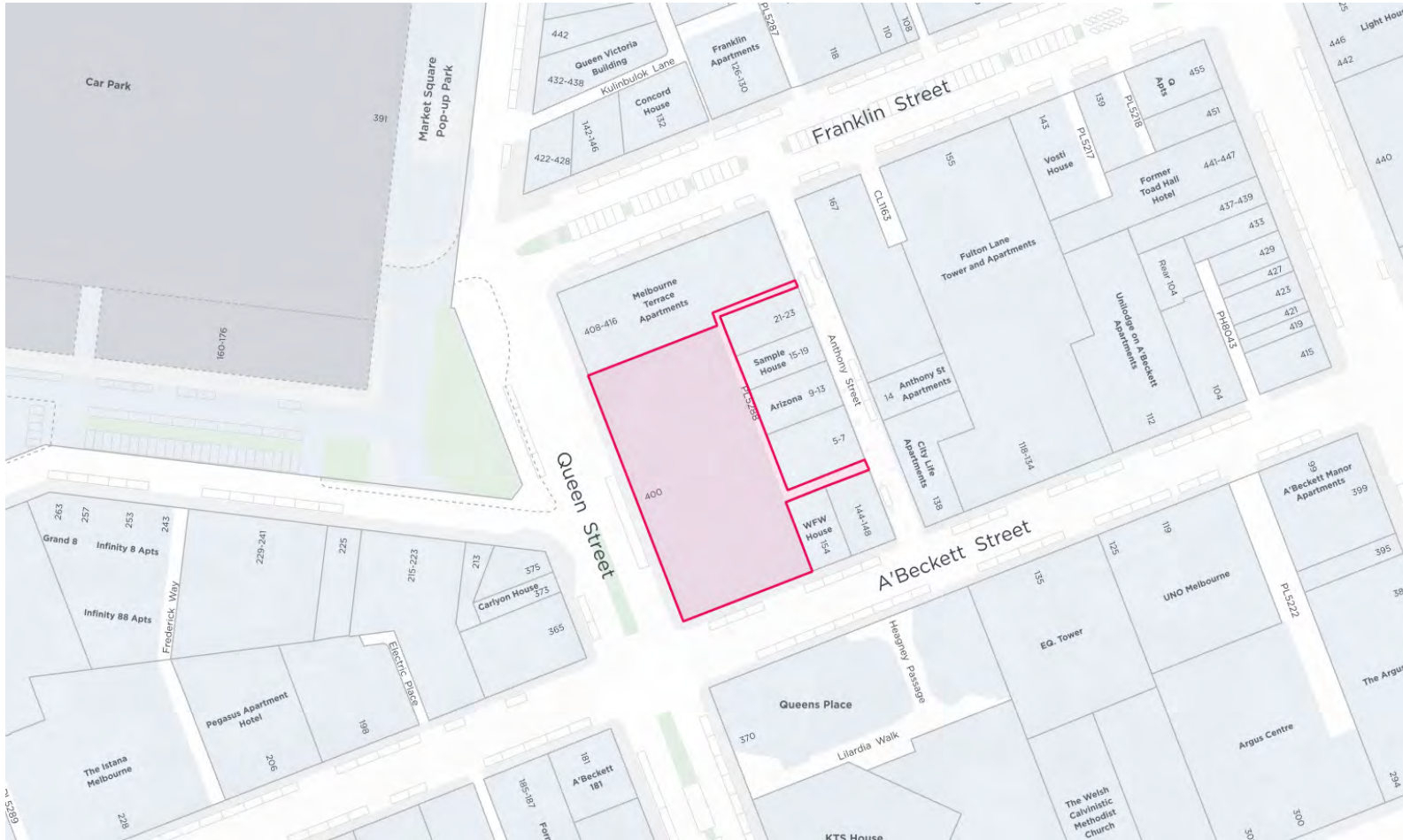
31. The sustainability management plan submitted with the application demonstrates that the development will achieve the environmentally sustainable design requirements of clause 15.01-2L-01 (Energy and resource efficiency) and Clause 19.03-3L (Stormwater management (water sensitive urban design)) of the Melbourne Planning Scheme.

32. If the Minister for Planning is of the mind to support the application, Council officers have recommended planning permit conditions requiring further details of sustainability initiatives and the implementation of the sustainability initiatives.

Attachment List

1. Locality Plan [6.1.1 - 1 page]
2. Plans [6.1.2 - 51 pages]
3. Planning Report [6.1.3 - 65 pages]

Locality Plan

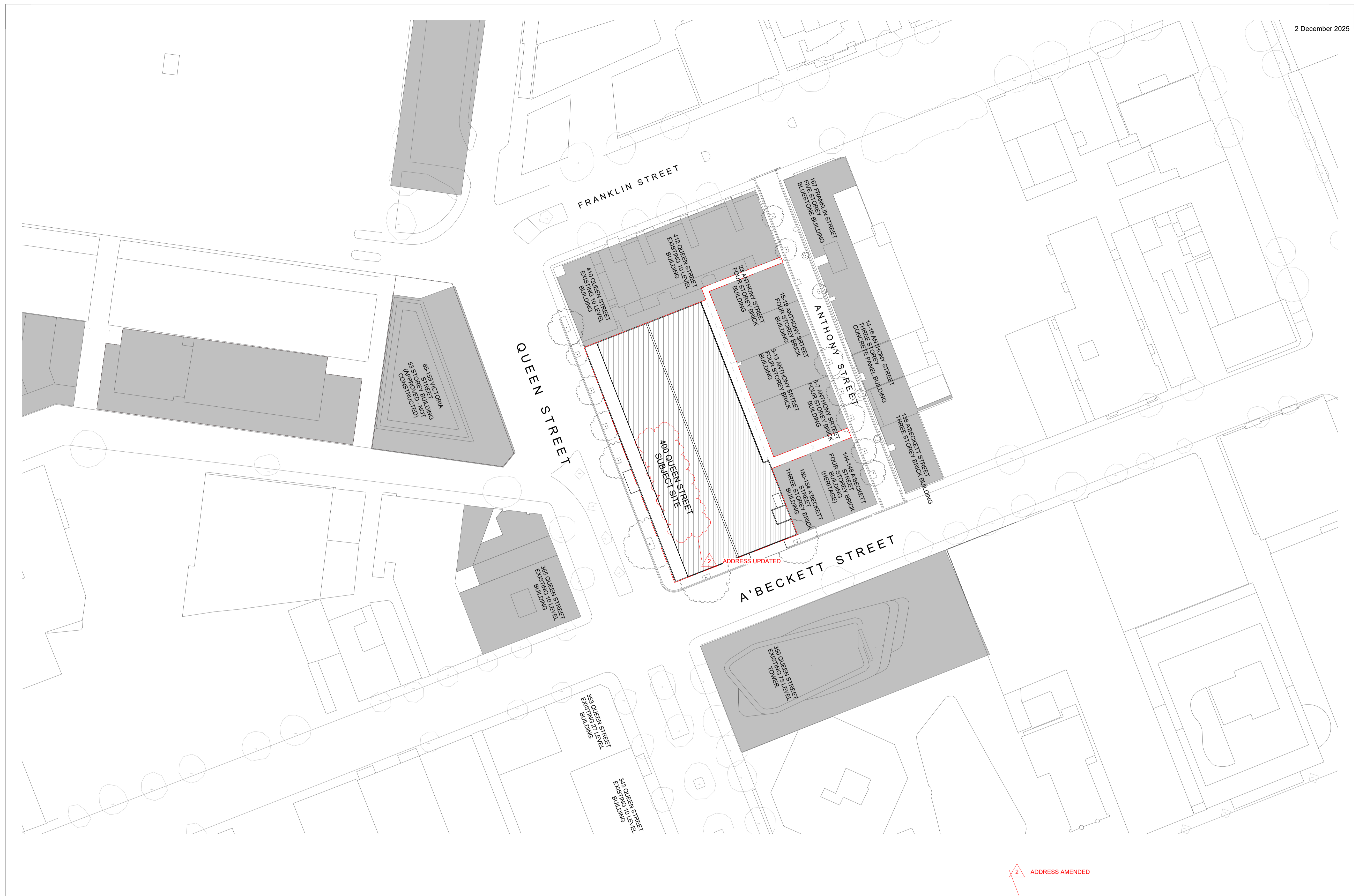


PROJECT MONARCH

400 QUEEN STREET MELBOURNE VIC. 3000



DRAWING SHEET LIST			DEVELOPMENT SUMMARY OVERVIEW	
SHEET NUMBER	SHEET NAME	CURRENT REVISION		
TP00-0000	COVER SHEET - DRAWING INDEX	3	TOTAL BUILDING GFA 92,090sqm	
TP10-1001	SITE PLAN - EXISTING CONDITIONS	2	BASEMENT LEVELS - 4	
TP10-1002	SURVEY PLAN - EXISTING CONDITIONS	2	LEVELS ABOVE GROUND - 67 (INCLUDES ROOF PLANT)	
TP10-1003	ROOF PLAN - EXISTING CONDITIONS	2	PROGRAM	
TP10-1005	ELEVATIONS - EXISTING CONDITIONS	2	RETAIL	
TP11-1001	CONTEXT PLAN	2	LEVELS - GROUND - LEVEL 1 GLAR - 3,419sqm	
TP11-1002	SITE PLAN	3	COMMERCIAL	
TP15-1001	DEMOLITION - SITE PLAN	2	LEVELS 2-7 NLA - 10,103sqm	
TP15-1002	DEMOLITION - ROOF PLAN	2	PBSA	
TP15-1003	DEMOLITION - ELEVATIONS	2	LEVELS 09-28 900 BEDS 640 UNITS 18,700sqm NLA	
TP21-0600	BASEMENT 4 PLAN	2	APARTMENTS	
TP21-0700	BASEMENT 3 PLAN	3	LEVELS 30 - 62 693 TOTAL APARTMENTS 33,297sqm NSA	
TP21-0800	BASEMENT 2 PLAN	3	APARTMENT MIX - 693 TOTAL	
TP21-0900	BASEMENT 1 PLAN	3	STUDIOS - 264	
TP21-1001	GROUND PLAN	3	1 BED - 253	
TP21-1005	MEZZANINE PLAN	3	1 BED + STUDY - 110	
TP21-1011	LEVEL 1 PLAN	3	2 BED - 55	
TP21-1021	LEVEL 2 PLAN	3	2 BED + STUDY - 11	
TP21-1031	LEVEL 3 - 5 PLAN	3	CARPARKS - 154 TOTAL	
TP21-1061	LEVEL 6 PLAN	3	B2 - 36	
TP21-1071	LEVEL 7 PLAN	3	B3 - 58	
TP21-1081	LEVEL 8 PLAN - PODIUM TOP LEVEL	3	B4 - 60	
TP21-1091	LEVEL 9 - 28 PLAN - TYPICAL PBSA LEVEL	3	MOTOR CYCLES - 28 TOTAL	
TP21-1291	LEVEL 29 PLAN - BTS AMENITIES & PLANT	2	B2 - 6	
TP21-1301	LEVEL 30 - 51 PLAN - TYPICAL BTS LOWRISE	3	B3 - 11	
TP21-1521	LEVEL 52 - 62 PLAN - TYPICAL BTS HIGHRISE	3	B4 - 11	
TP21-1631	LEVEL 63 PLAN	2	BIKE PARKS - 386 TOTAL	
TP21-1641	LEVEL 64 PLAN - ENCLOSED ROOF PLANT	2	GROUND - 30 VISITOR SPACES	
TP21-1651	LEVEL 65 PLAN - OPEN ROOF PLANT	2	B2 - 356 SECURE SPACES	
TP31-1010	WEST ELEVATION	3	3 REVISIONS AMENDED AND SHEET TP42-1015 ADDED	
TP31-1011	SOUTH & NORTH ELEVATIONS	3	3 ADDRESS AMENDED	
TP31-1012	EAST ELEVATION	3		
TP31-1020	PODIUM - WEST ELEVATION	3		
TP31-1021	PODIUM - SOUTH ELEVATION	3		
TP31-1022	PODIUM - EAST ELEVATION	3		
TP31-1023	PODIUM - NORTH ELEVATION	3		
TP41-1010	SECTION NS 01	2		
TP41-1015	SECTION NS 02	2		
TP41-1020	SECTION EW 01 & 02	2		
TP42-0100	PODIUM SECTION NS 01	2		
TP42-0105	PODIUM SECTION NS 02	2		
TP42-0110	PODIUM SECTION EW 01	2		
TP42-0115	PODIUM - ARCADE	2		
TP43-1010	OVERLOOKING DIAGRAM 01	1		
TP43-1011	OVERLOOKING DIAGRAM 02	1		
TP43-1012	OUTLOOK AND SOLAR DIAGRAM	1		
TP45-1100	DETAILED FACADE SECTIONS - GROUND FLOOR	2		
TP45-1110	DETAILED FACADE SECTIONS - PODIUM TOP	1		
TP90-0010	MATERIAL PALETTE	1		
Grand total: 49				



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Project

400 QUEEN STREET
MELBOURNE VIC. 3000

Drawing Title:

SITE PLAN - EXISTING CONDITIONS

Revision:

2

Acknowledgement

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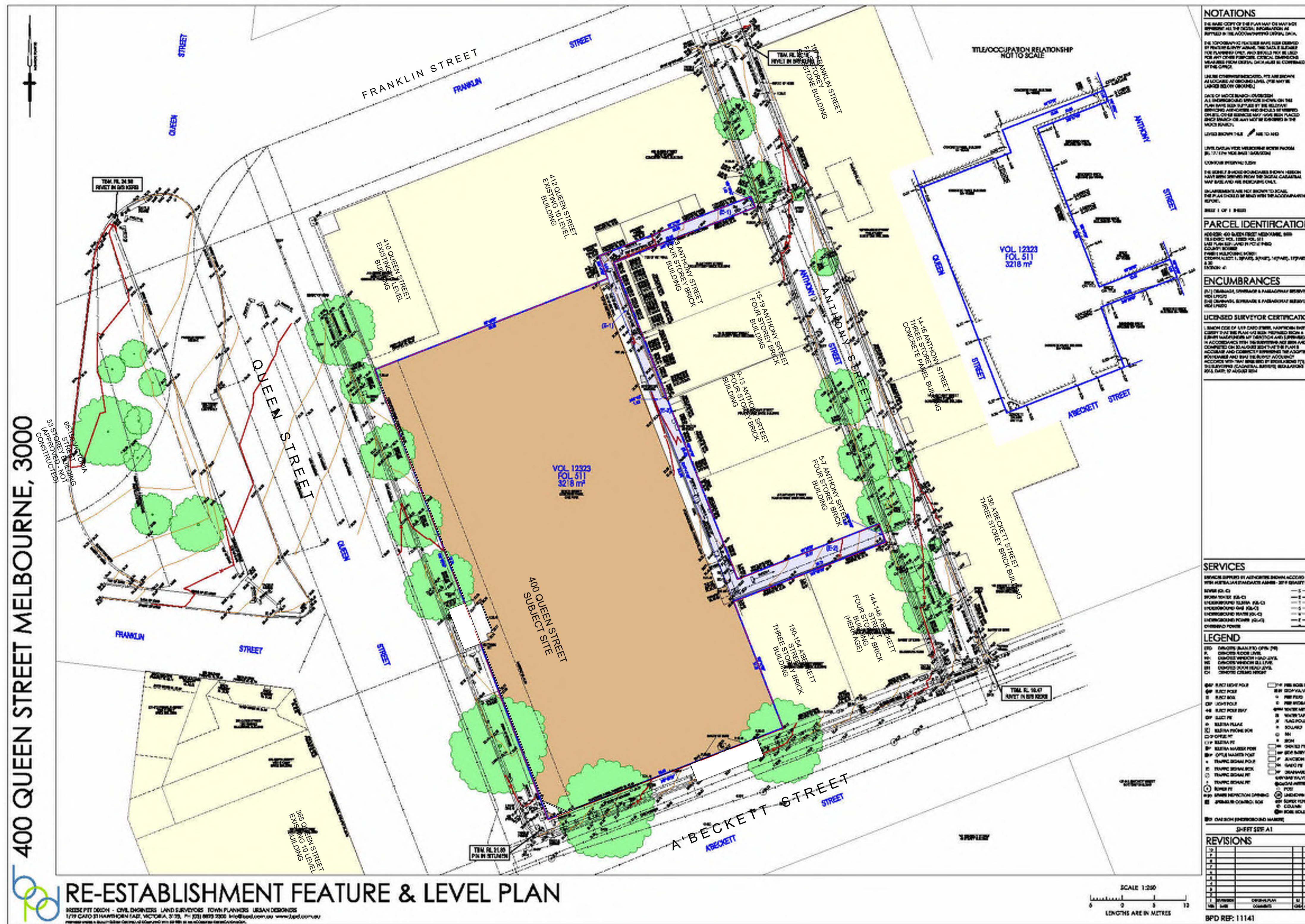
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05/06/2025

Drawing Number:

TP10-1001

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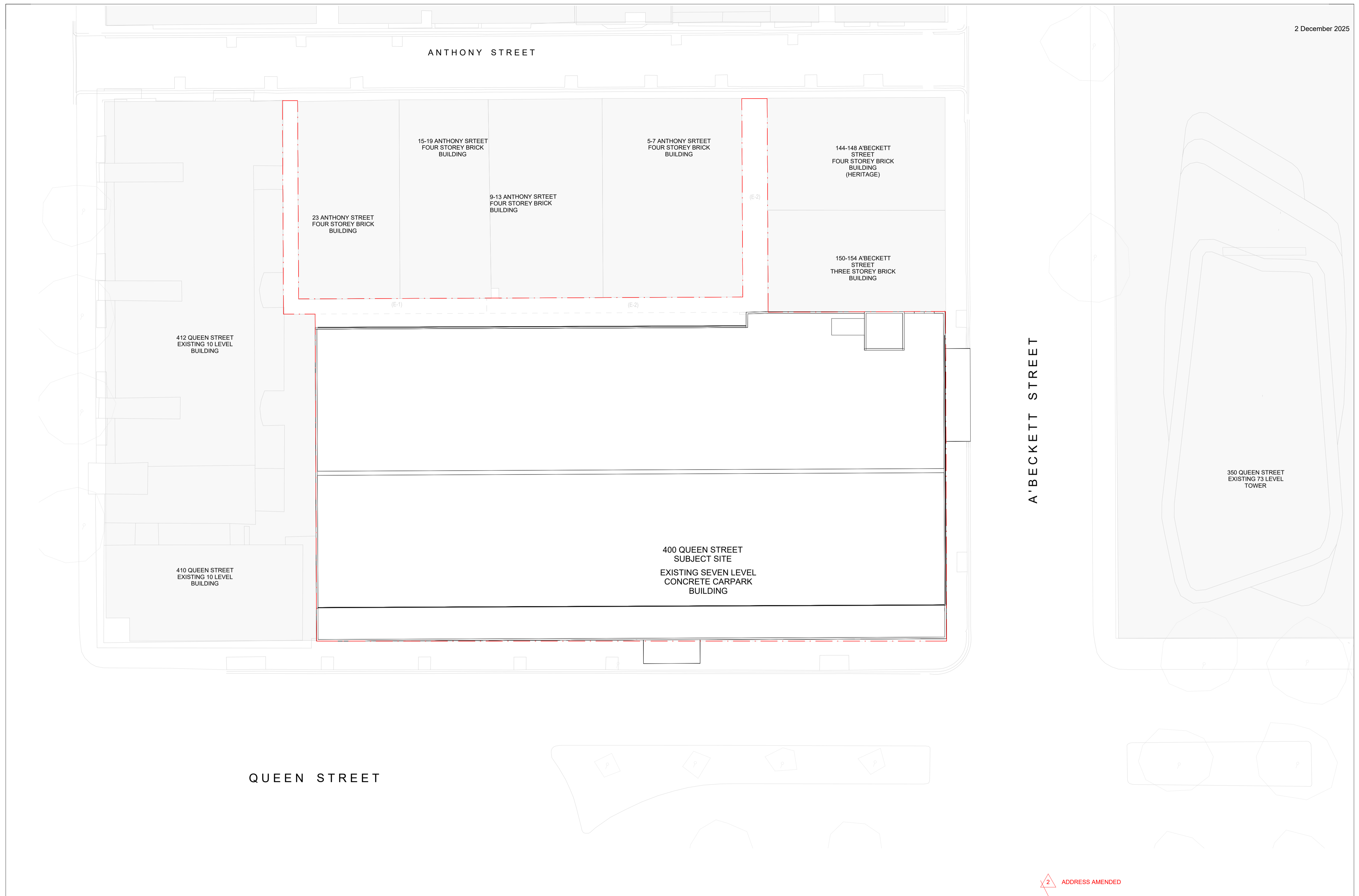
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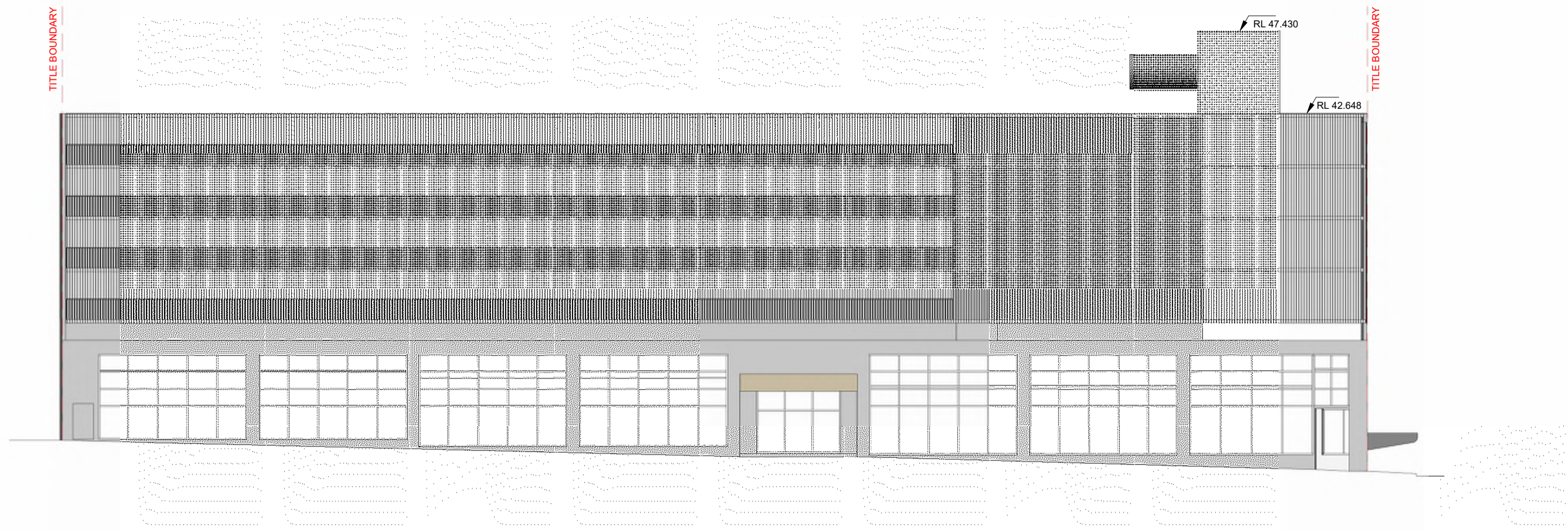
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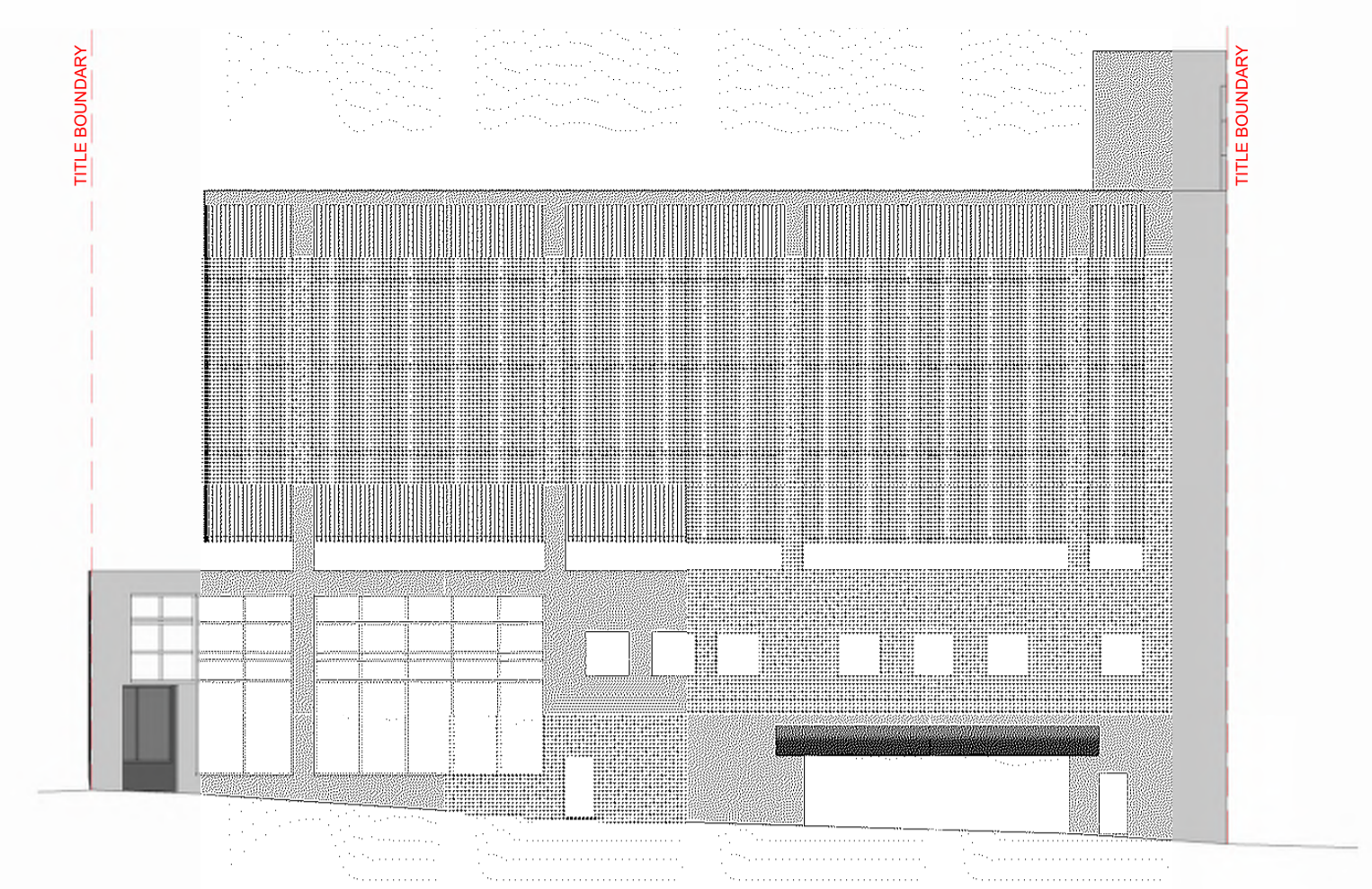
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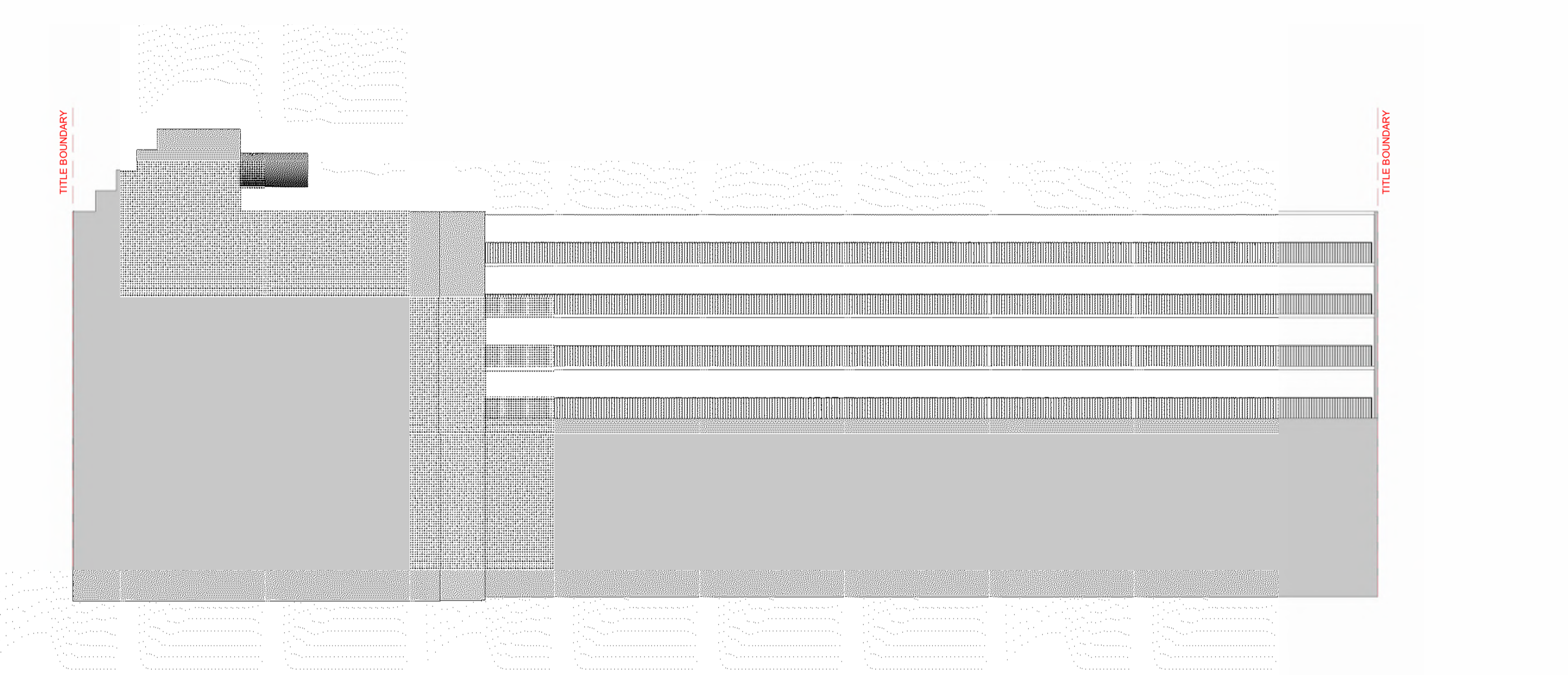
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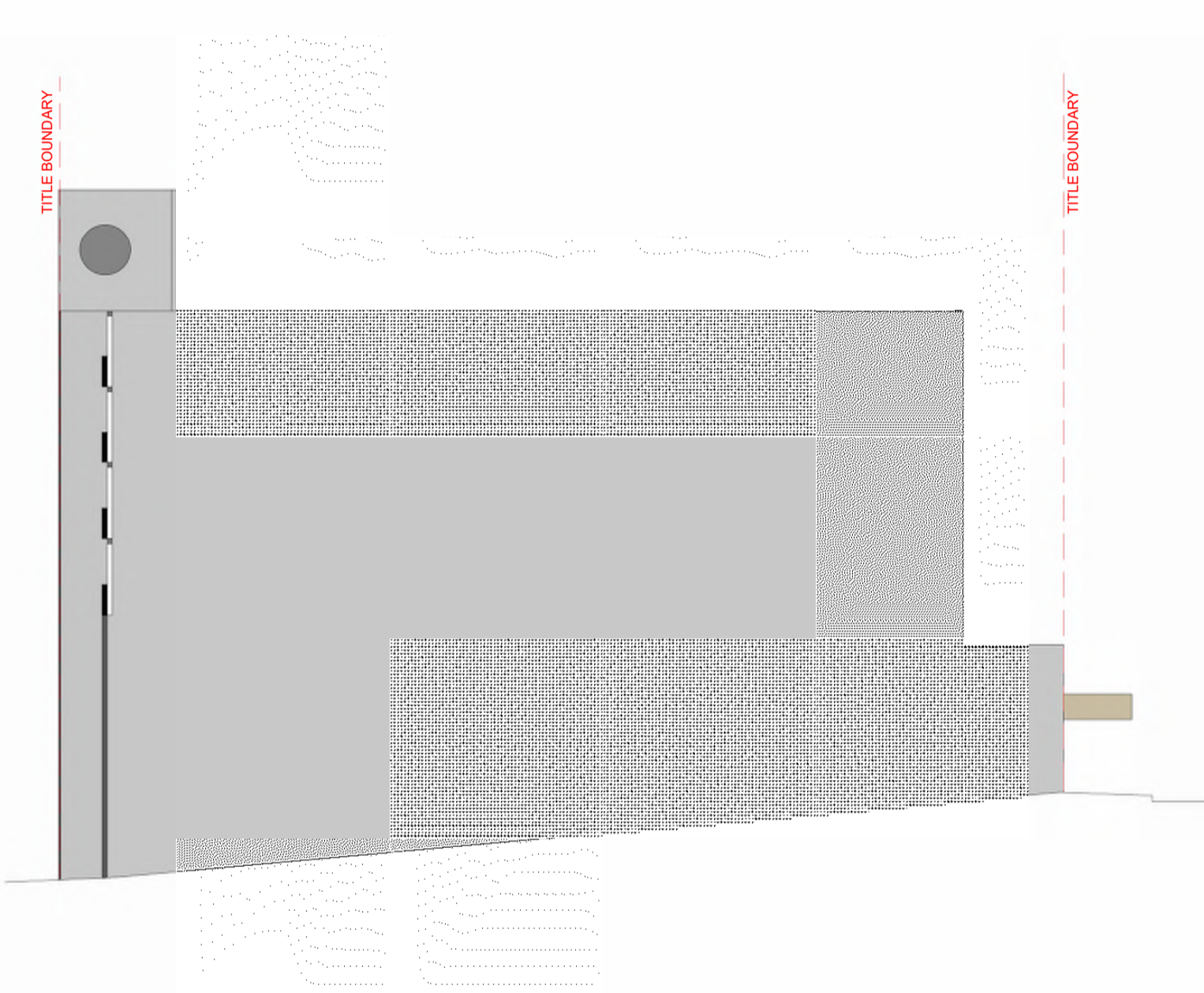
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2 EXISTING ELEVATION - SOUTH
SCALE 1:200



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SCALE 1:200



4 EXISTING ELEVATION - NORTH
SCALE 1:200

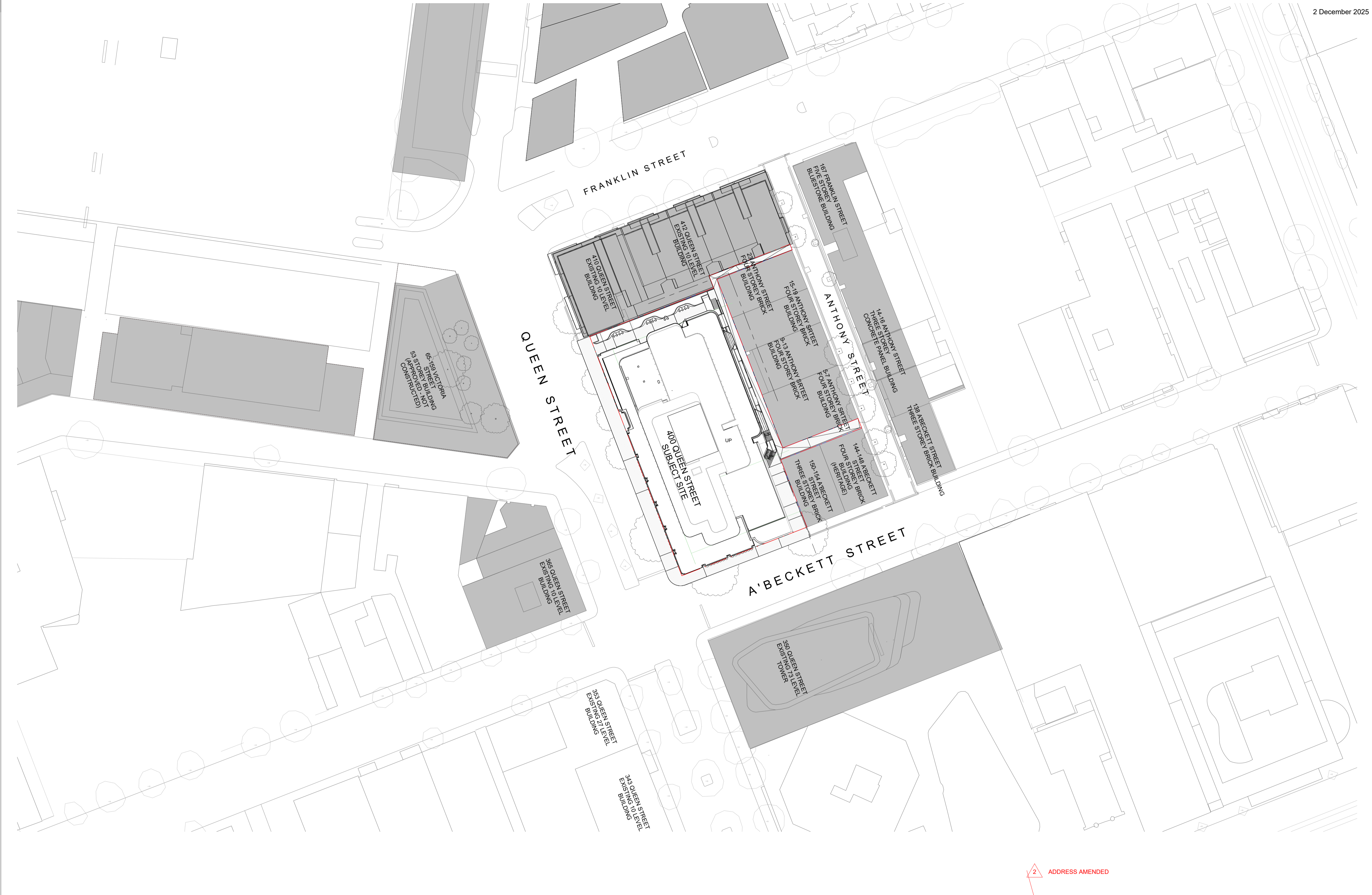


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2 ADDRESS AMENDED

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		Date:	05/06/2025		

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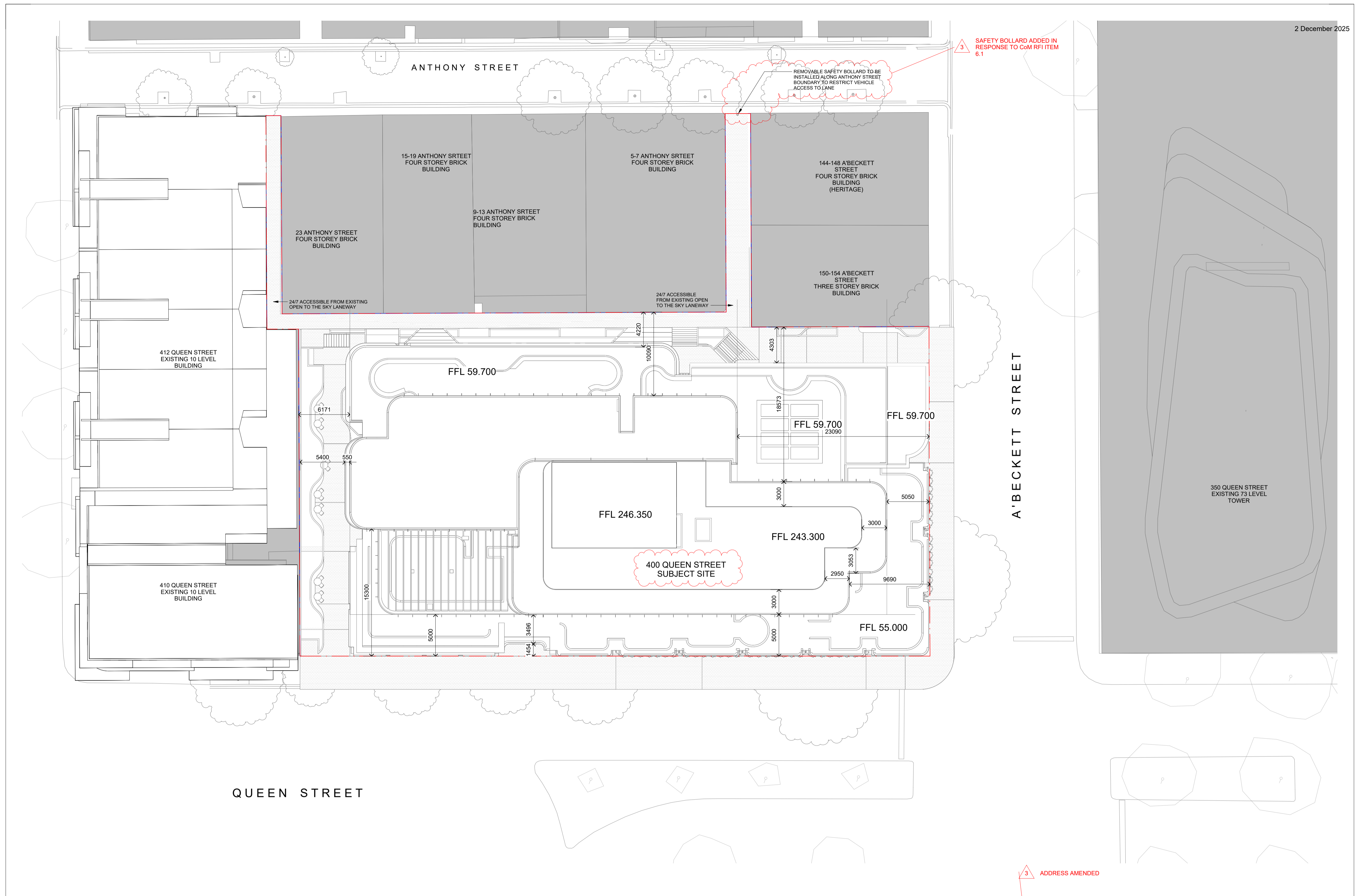
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Acknowledgement: Scale: 1:500 @ A1 Date: 05/06/2025

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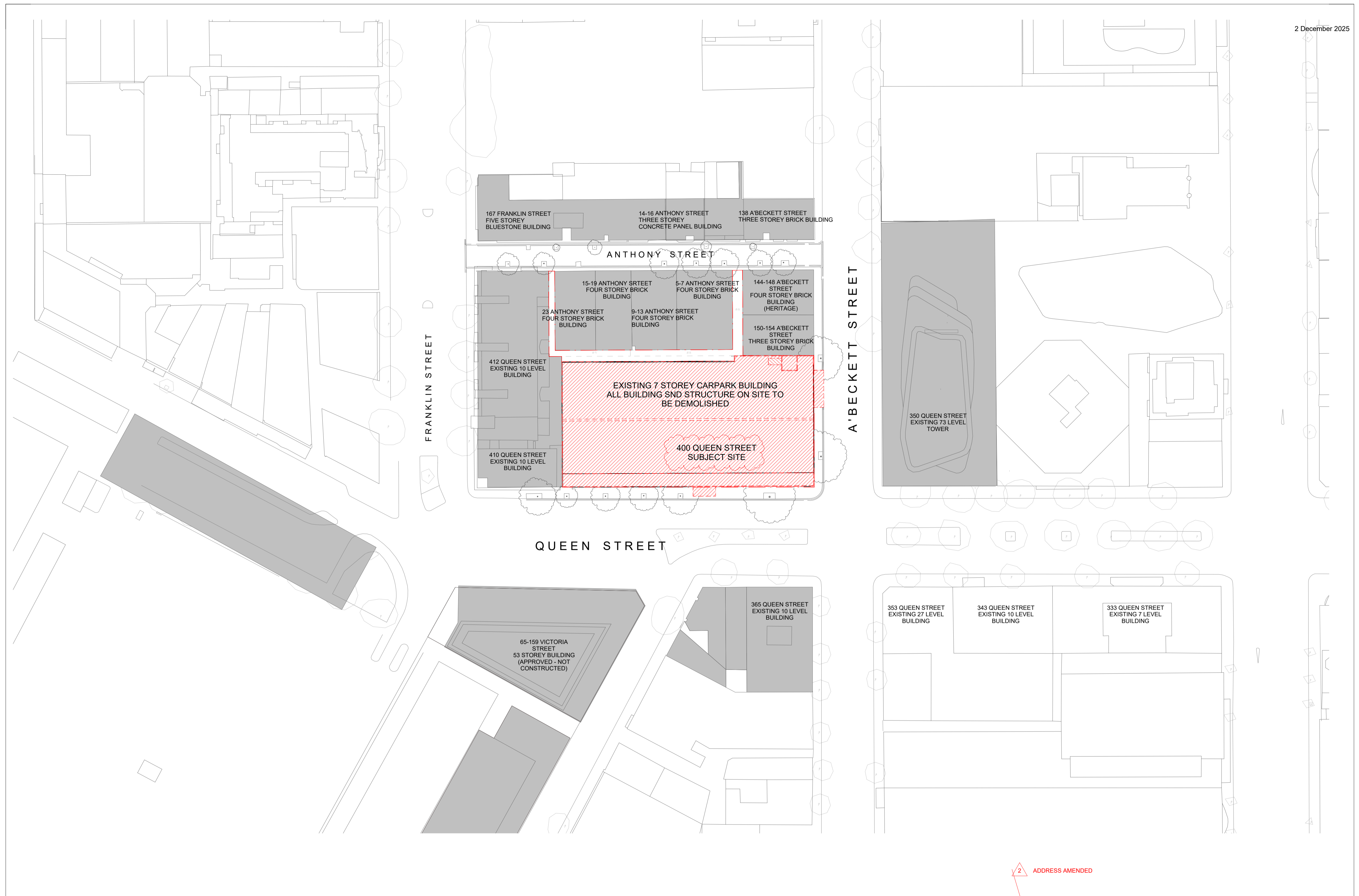
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Acknowledgement
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Date: 05/06/2025

Revision: 3
Drawing Number: TP11-1002

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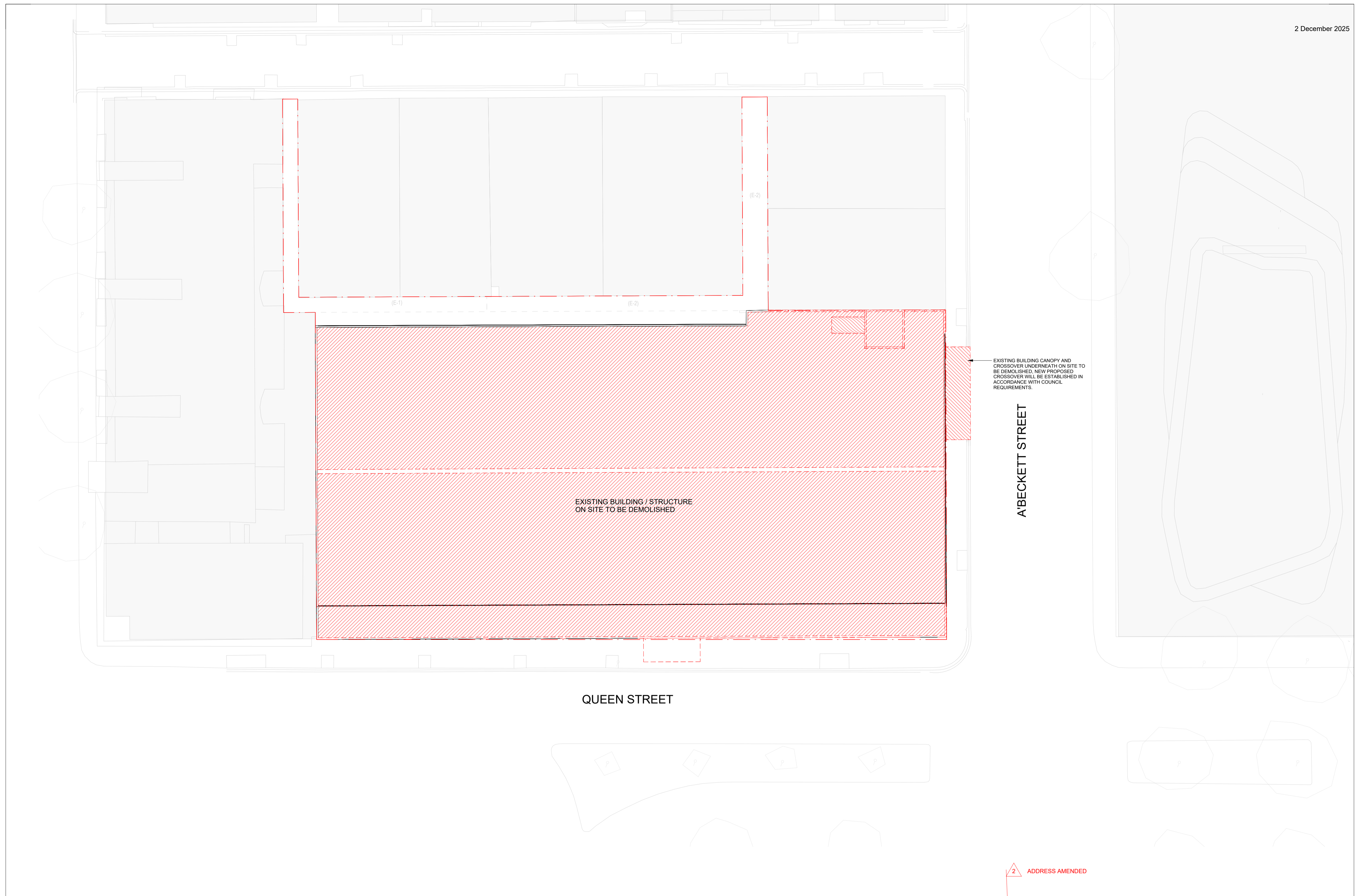
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Date: 05/06/2025

Revision: **2**

Drawing Number: **TP15-1001**



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Acknowledgement

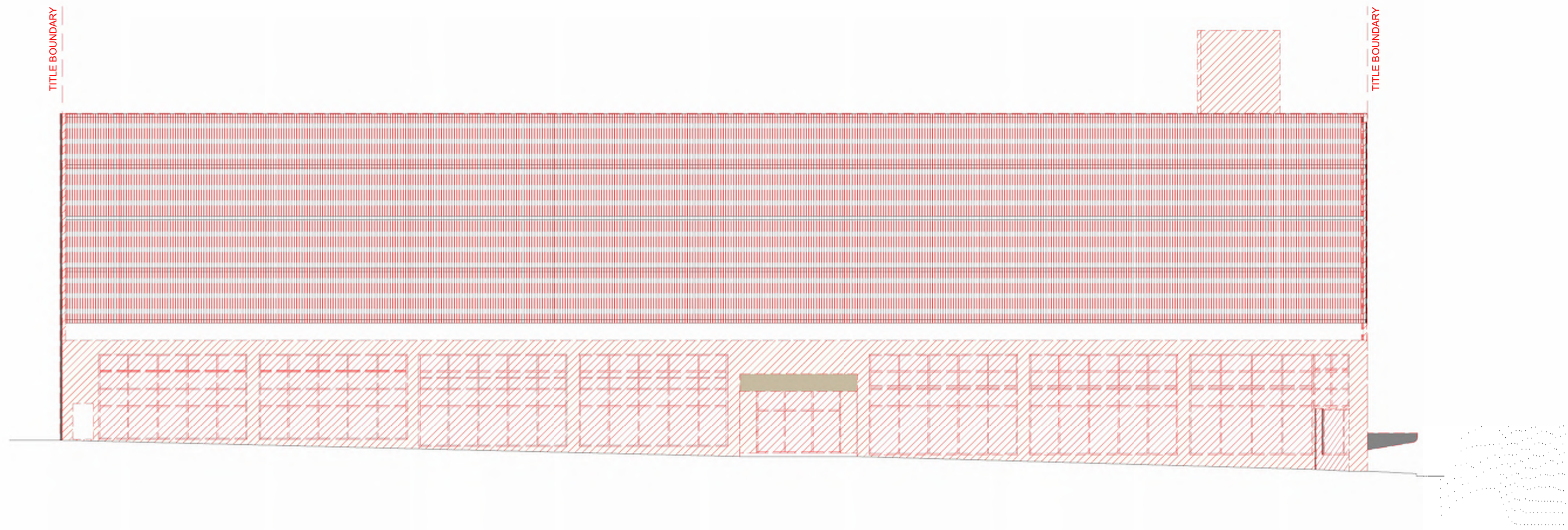
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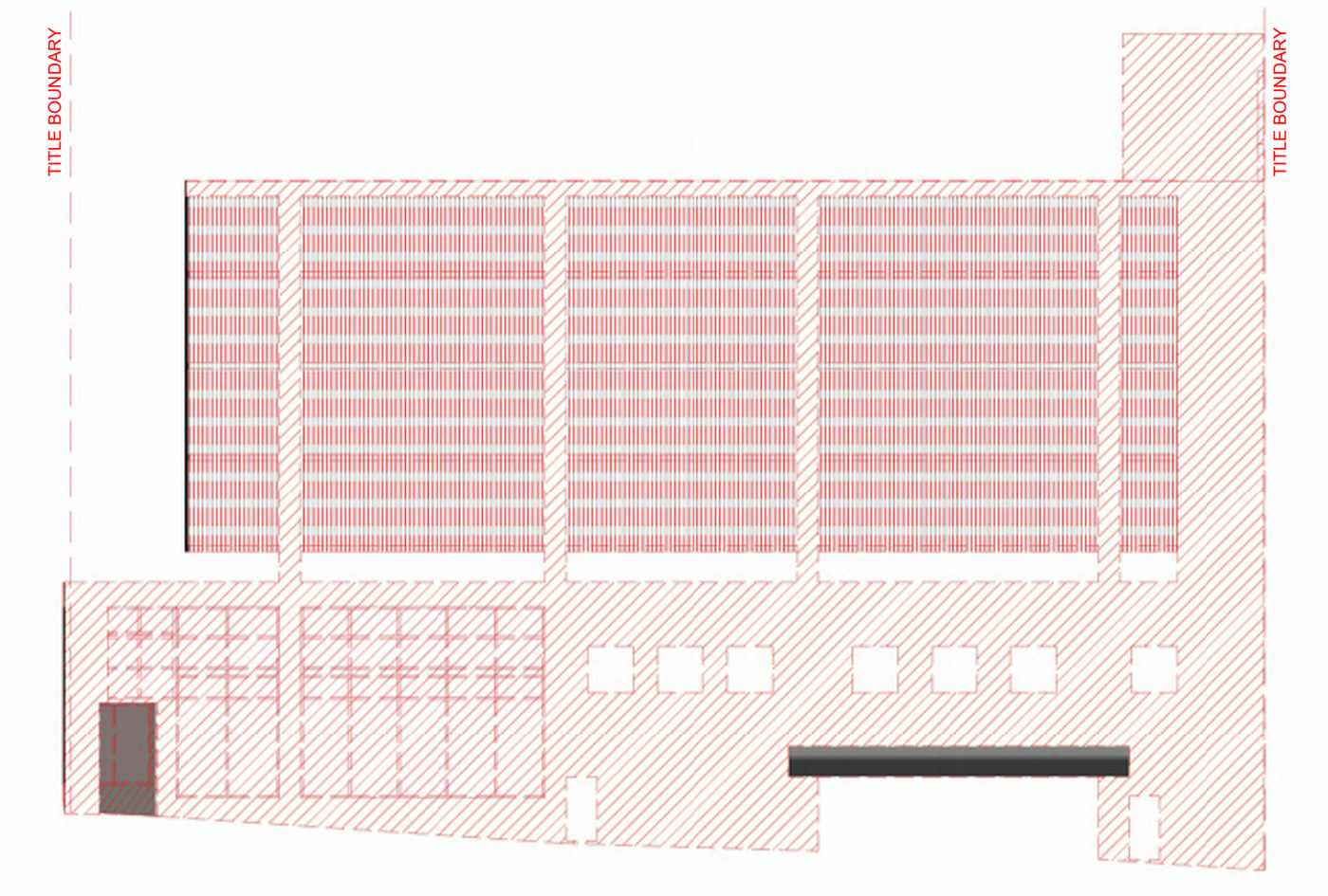
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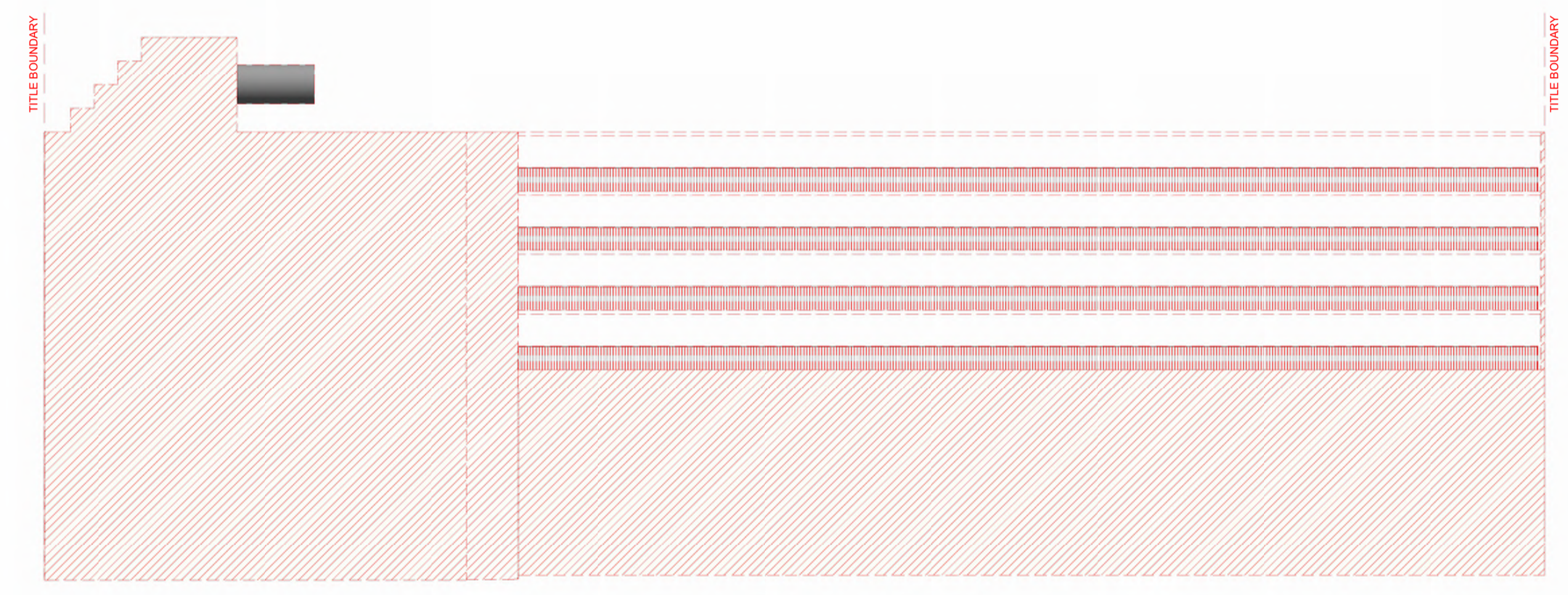
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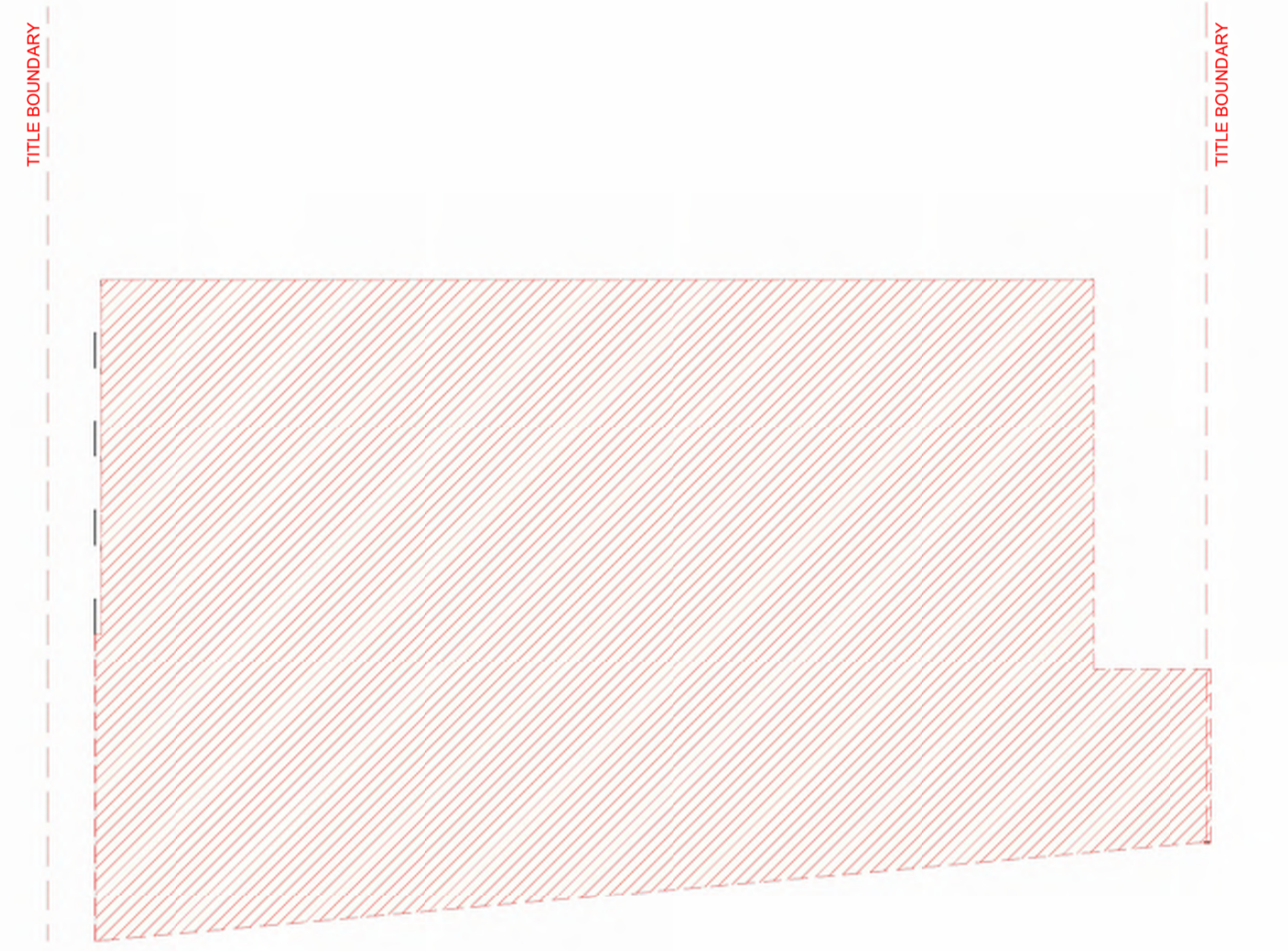
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SCALE 1 : 200



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SCALE 1 : 200



4 DEMOLITION ELEVATION - NORTH
SCALE 1 : 200

FULL EXTENT OF EXISTING
BUILDING / STRUCTURE ON
SITE TO BE DEMOLISHED



Project: 400 QUEEN STREET MELBOURNE VIC. 3000

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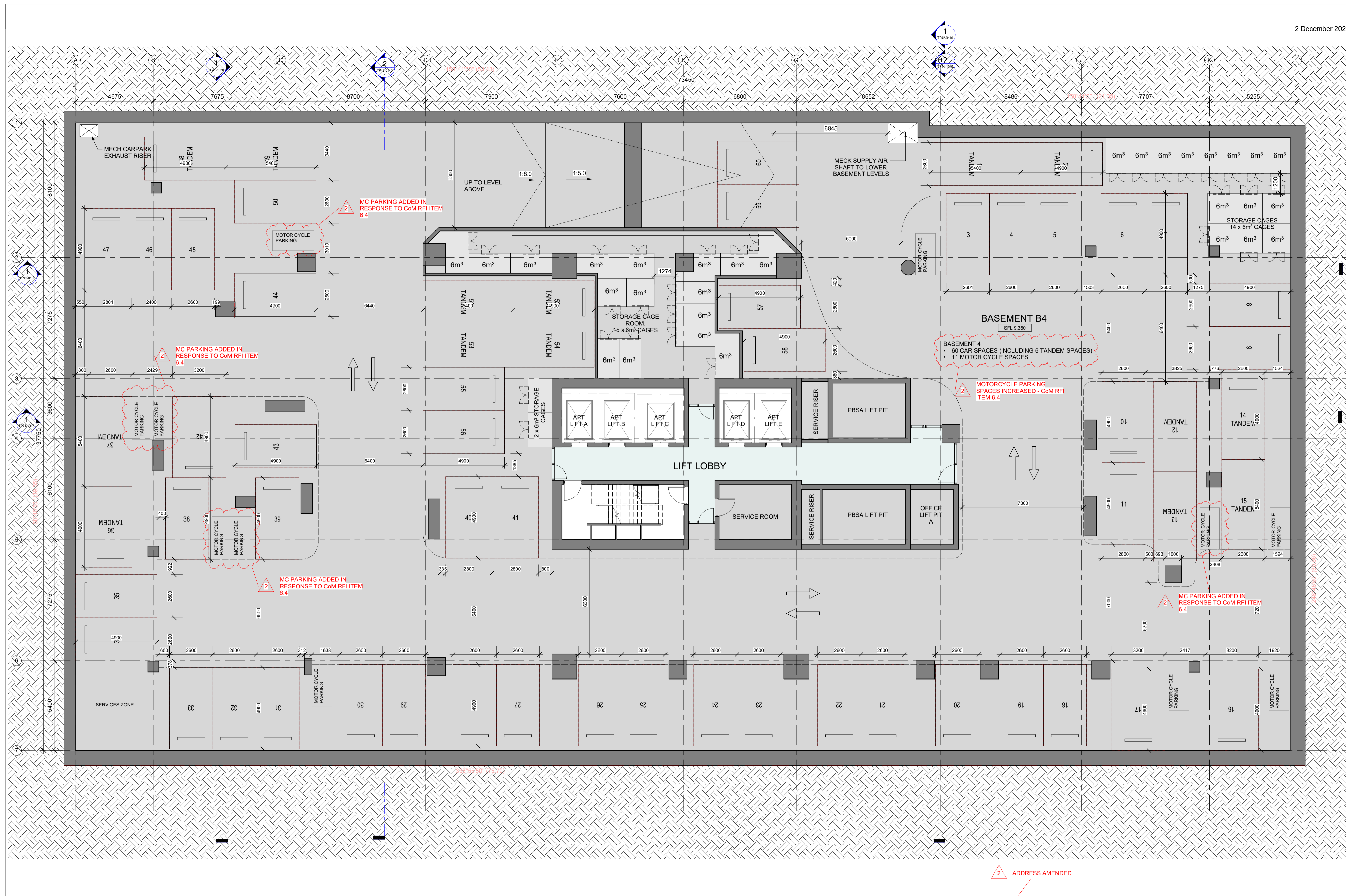
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Revision: 2

Drawing Number: TP15-1003



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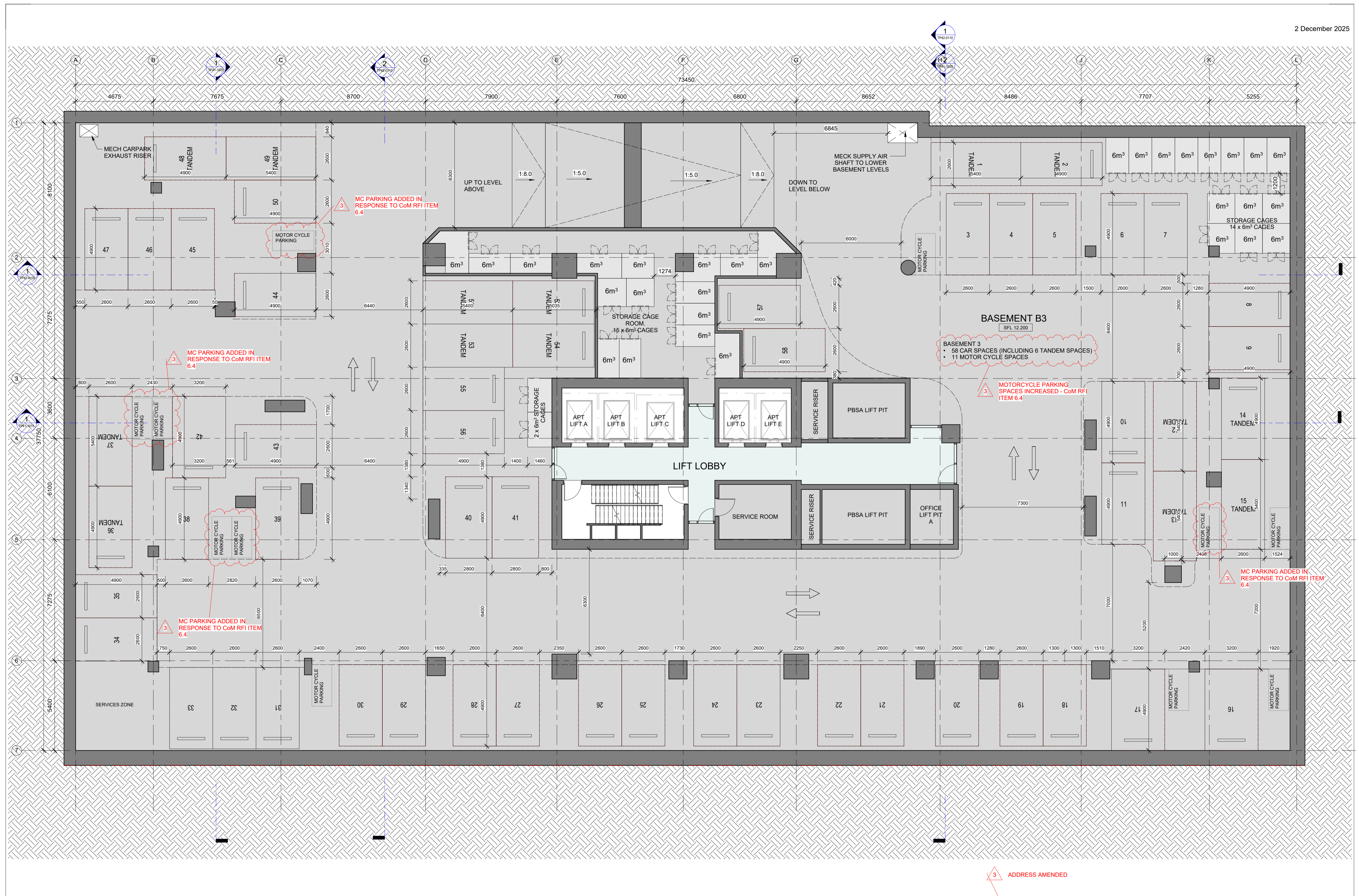
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Revision: **2**

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Project: 400 QUEEN STREET
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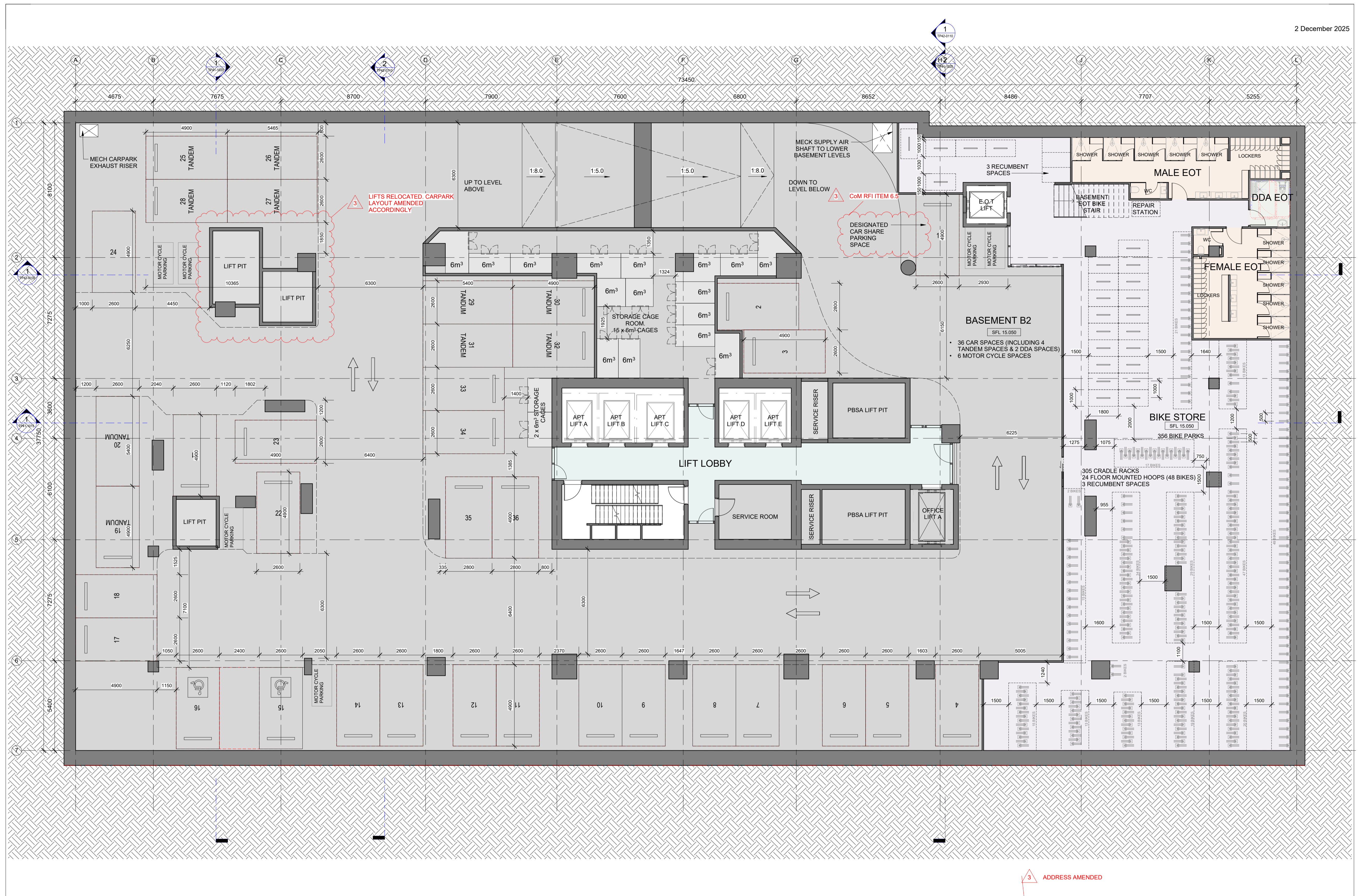
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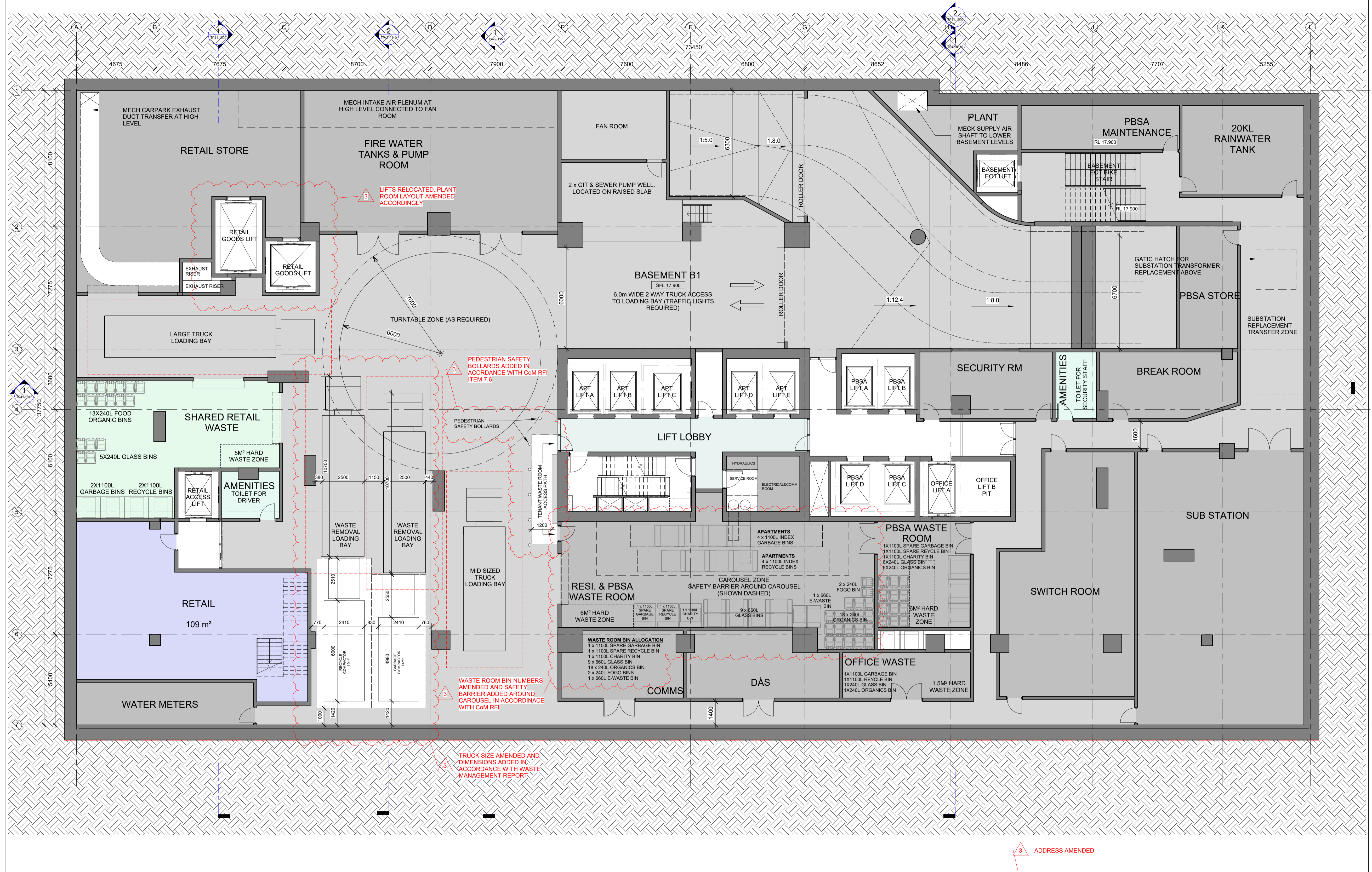


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Drawing Title:
BASEMENT 2 PLAN

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Date: 05/06/2025



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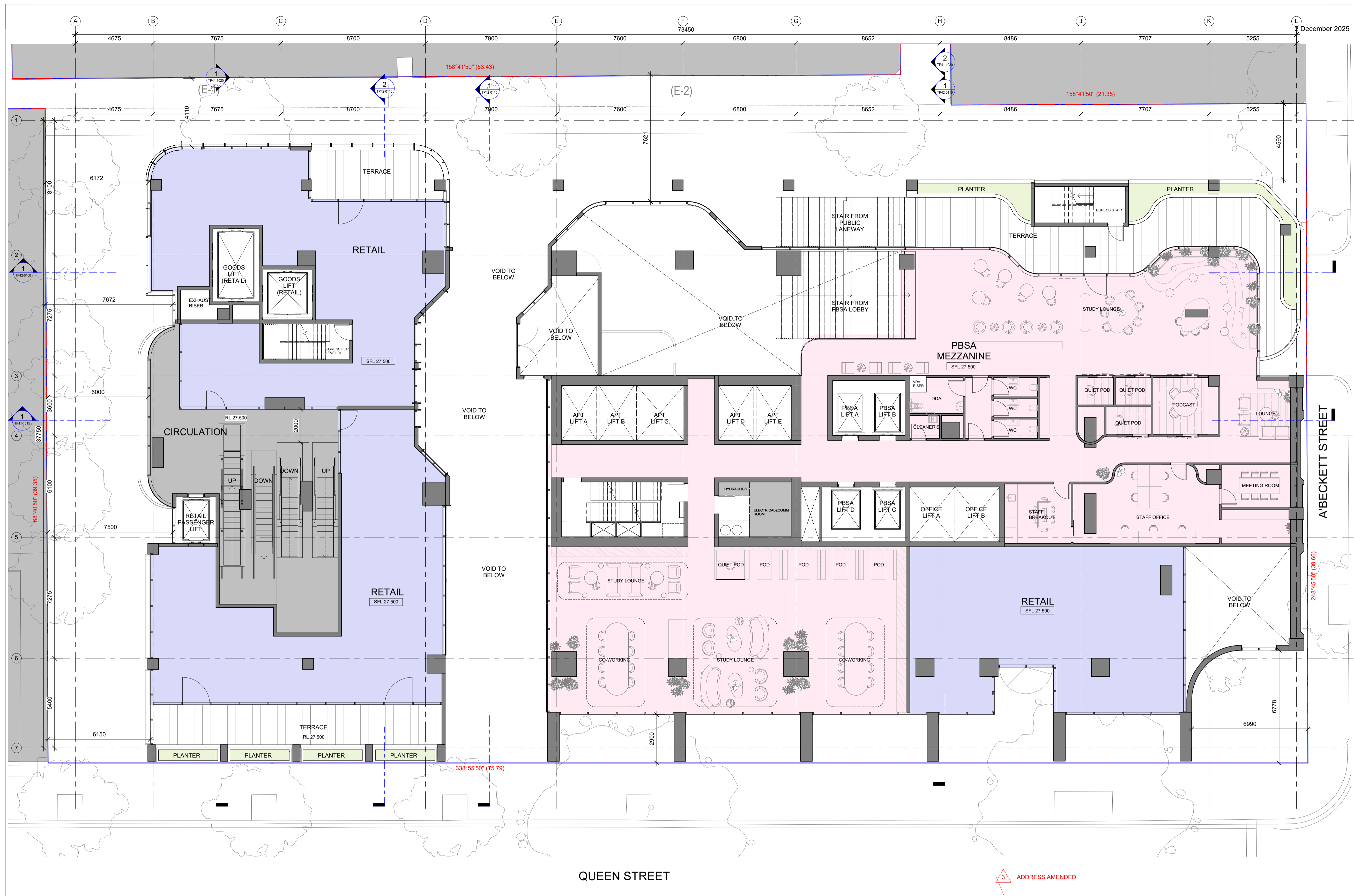


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Drawing Title: BASEMENT 1 PLAN

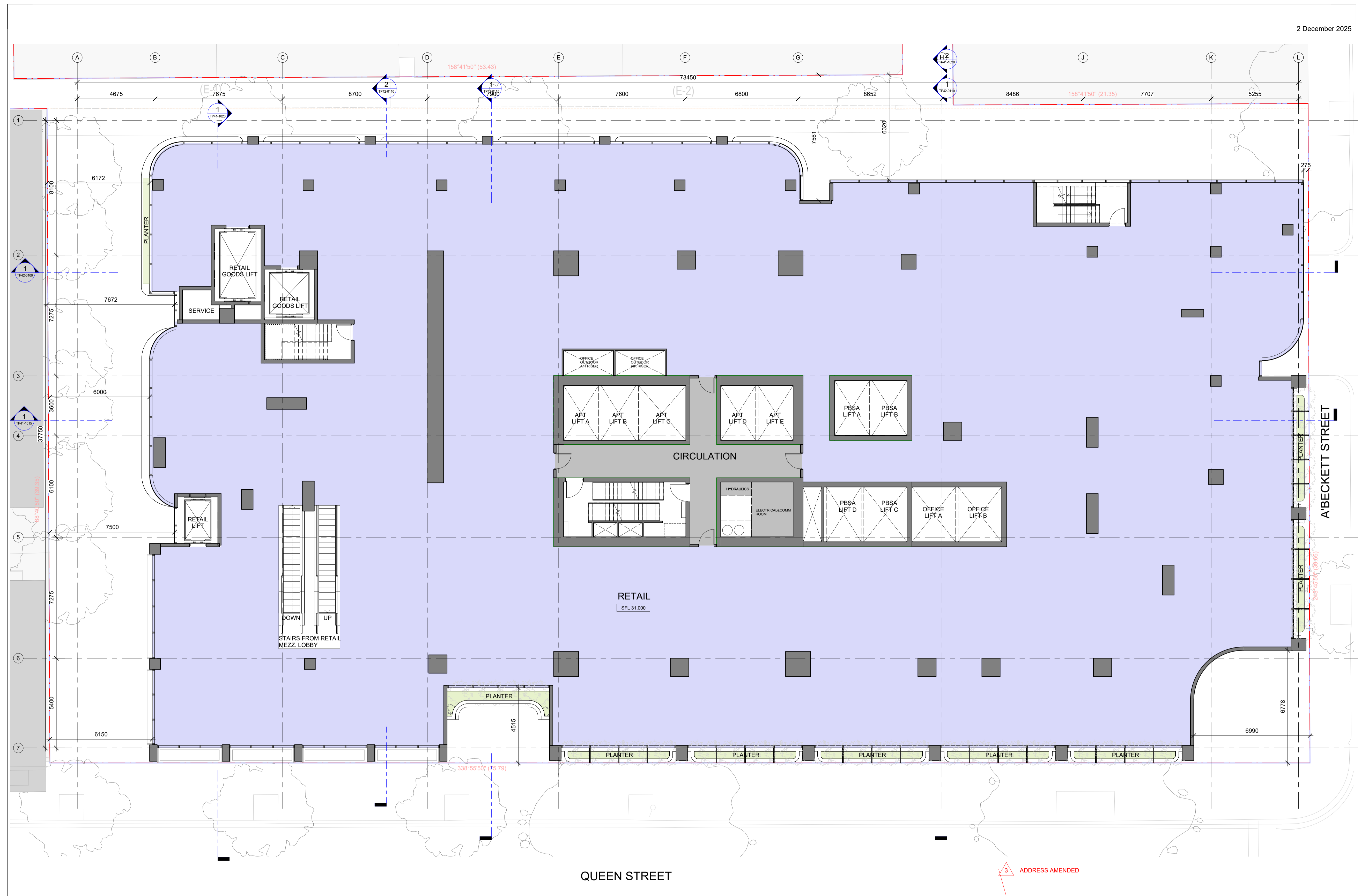
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Date: 05/06/2025



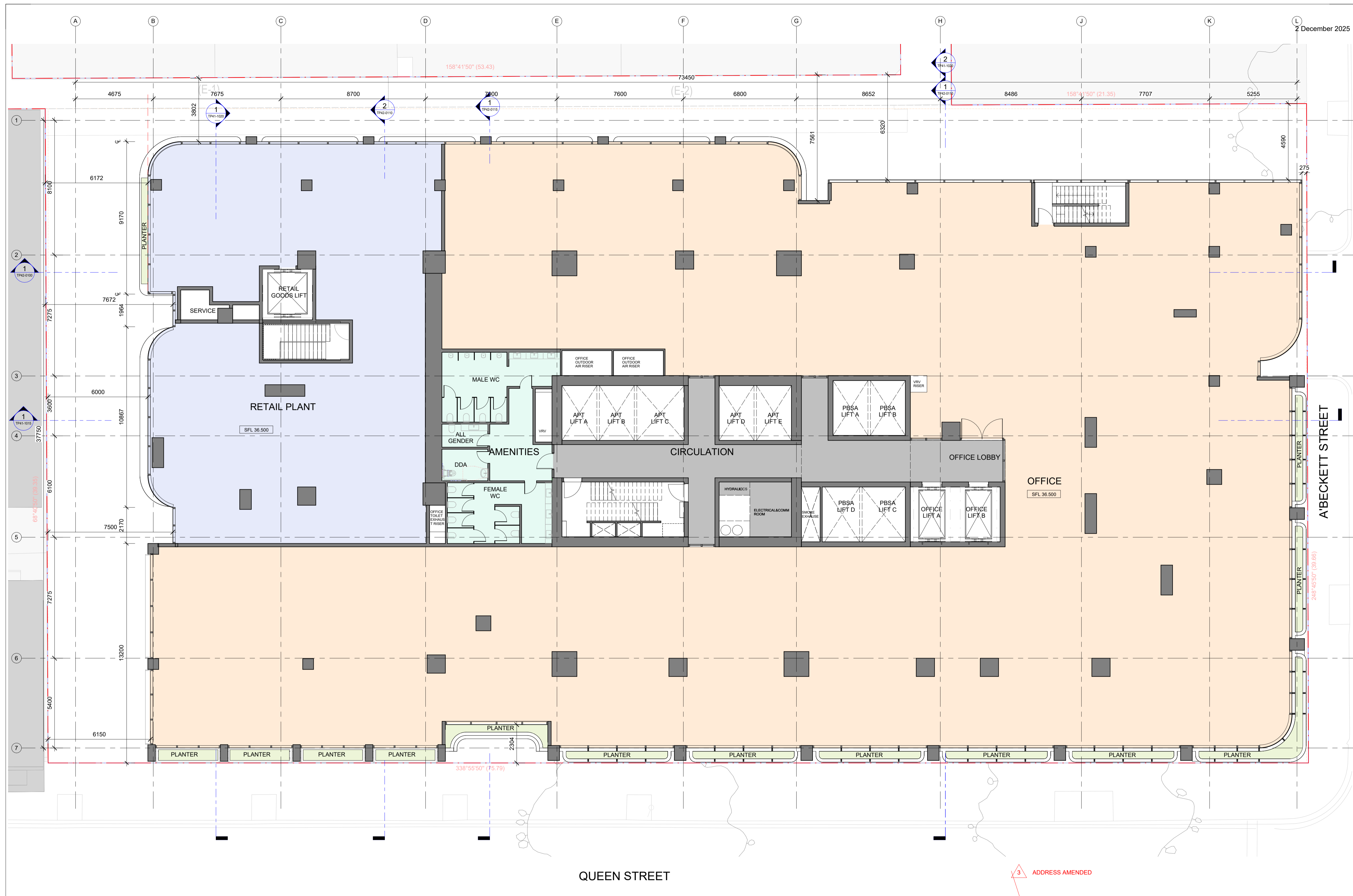
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			Date:	05/06/2025		



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	Acknowledgement	MELBOURNE VIC. 3000	Scale:	1:100 @ A1	Drawing Number:	TP21-1011
			Date:	05/06/2025		



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Project
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Drawing Title:
LEVEL 2 PLAN

Acknowledgement
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Date: 05/06/2025

Revision: 3
Drawing Number: TP21-1021



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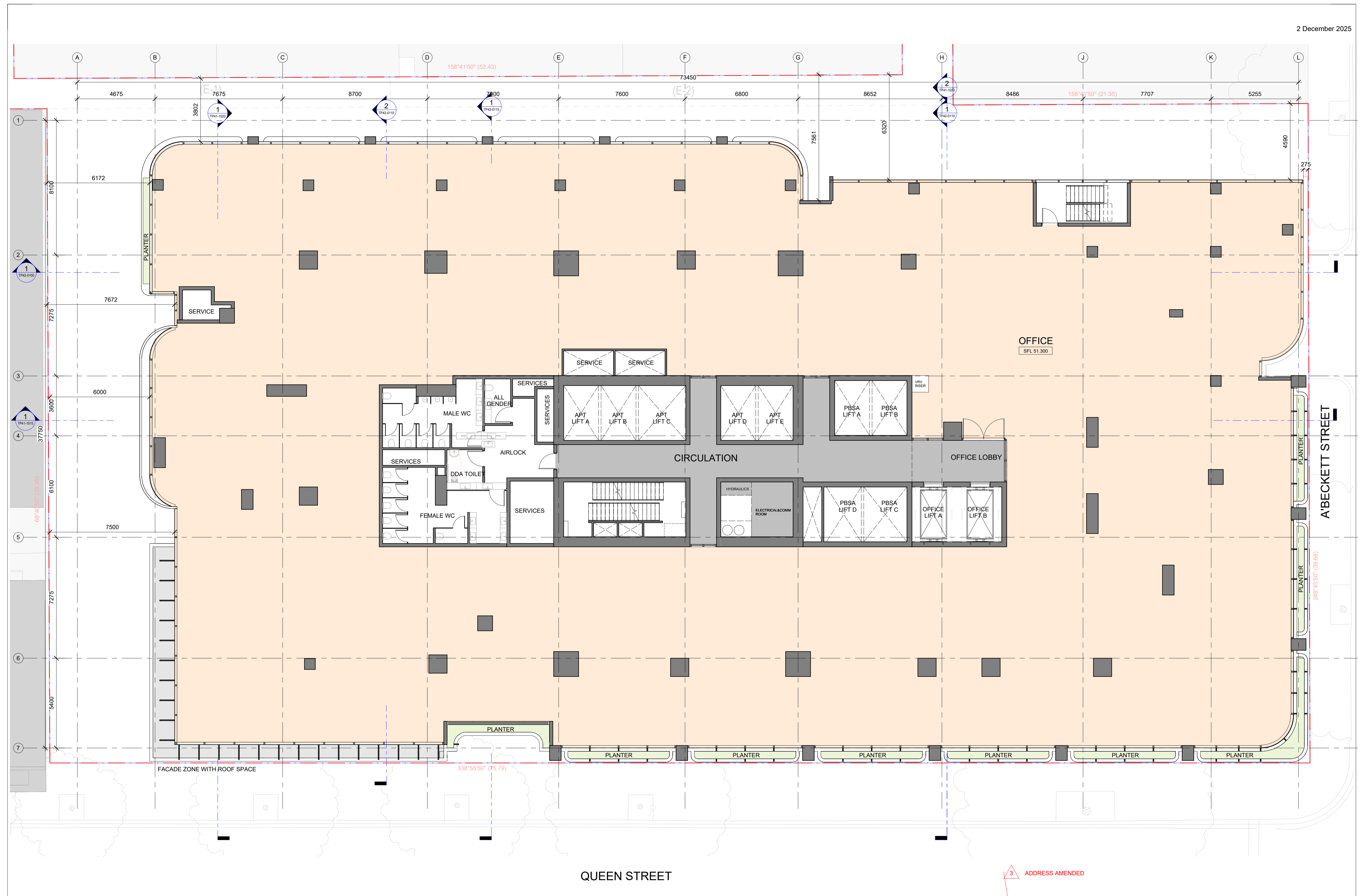


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400 QUEEN STREET
MELBOURNE VIC. 3000

Drawing Title:
LEVEL 3 - 5 PLAN

Acknowledgement
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Date: 05/06/2025

Revision: 3
Drawing Number: TP21-1031



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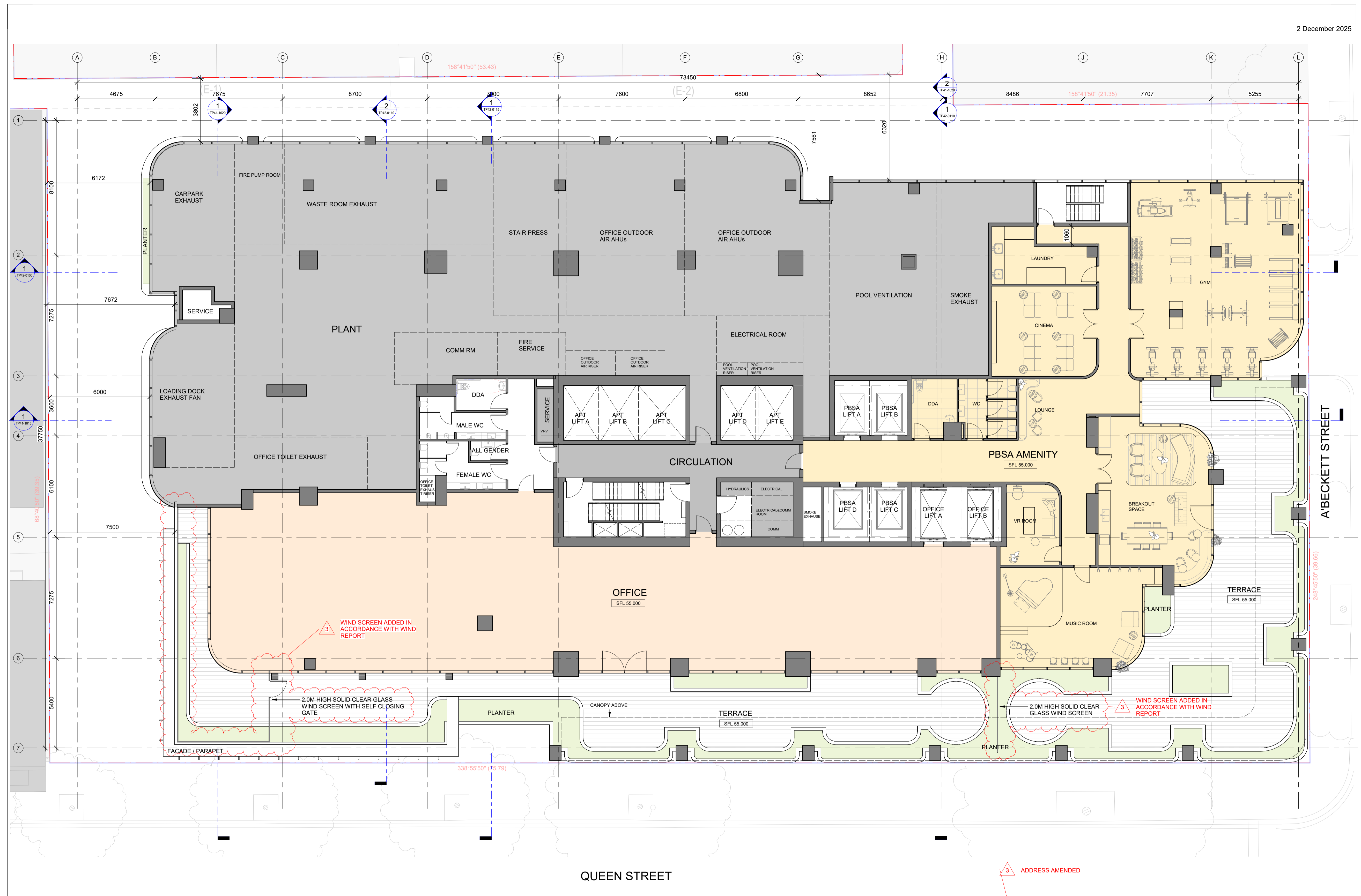


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400 QUEEN STREET
MELBOURNE VIC. 3000

Drawing Title:
LEVEL 6 PLAN

Acknowledgement
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Date: 05/06/2025

Revision: 3
Drawing Number: TP21-1061



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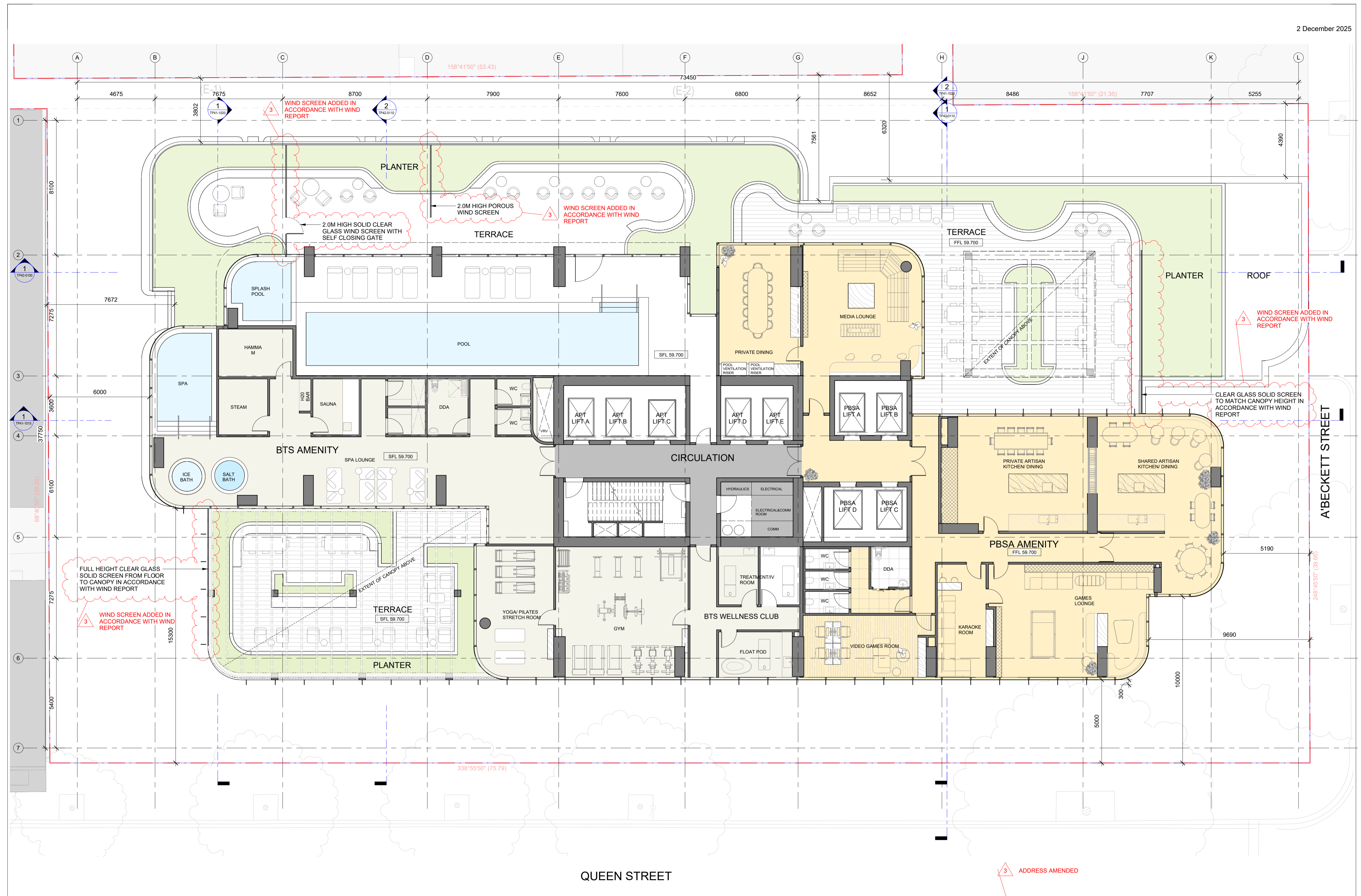
Project
400 QUEEN STREET
MELBOURNE VIC. 3000

Drawing Title:
LEVEL 7 PLAN

Acknowledgement
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Date: 05/06/2025

Revision: 3
Drawing Number: TP21-1071

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Project: **400 QUEEN STREET**
 MELBOURNE VIC. 3000

Drawing Title: **LEVEL 8 PLAN - PODIUM TOP LEVEL**

Revision: **3**

Drawing Number: **TP21-1081**

Acknowledgement: _____

Scale: **1:100 @ A1**

Date: **05/06/2025**



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Project: **400 QUEEN STREET**
 MELBOURNE VIC. 3000

Drawing Title: **LEVEL 9 - 28 PLAN - TYPICAL PBSA LEVEL**

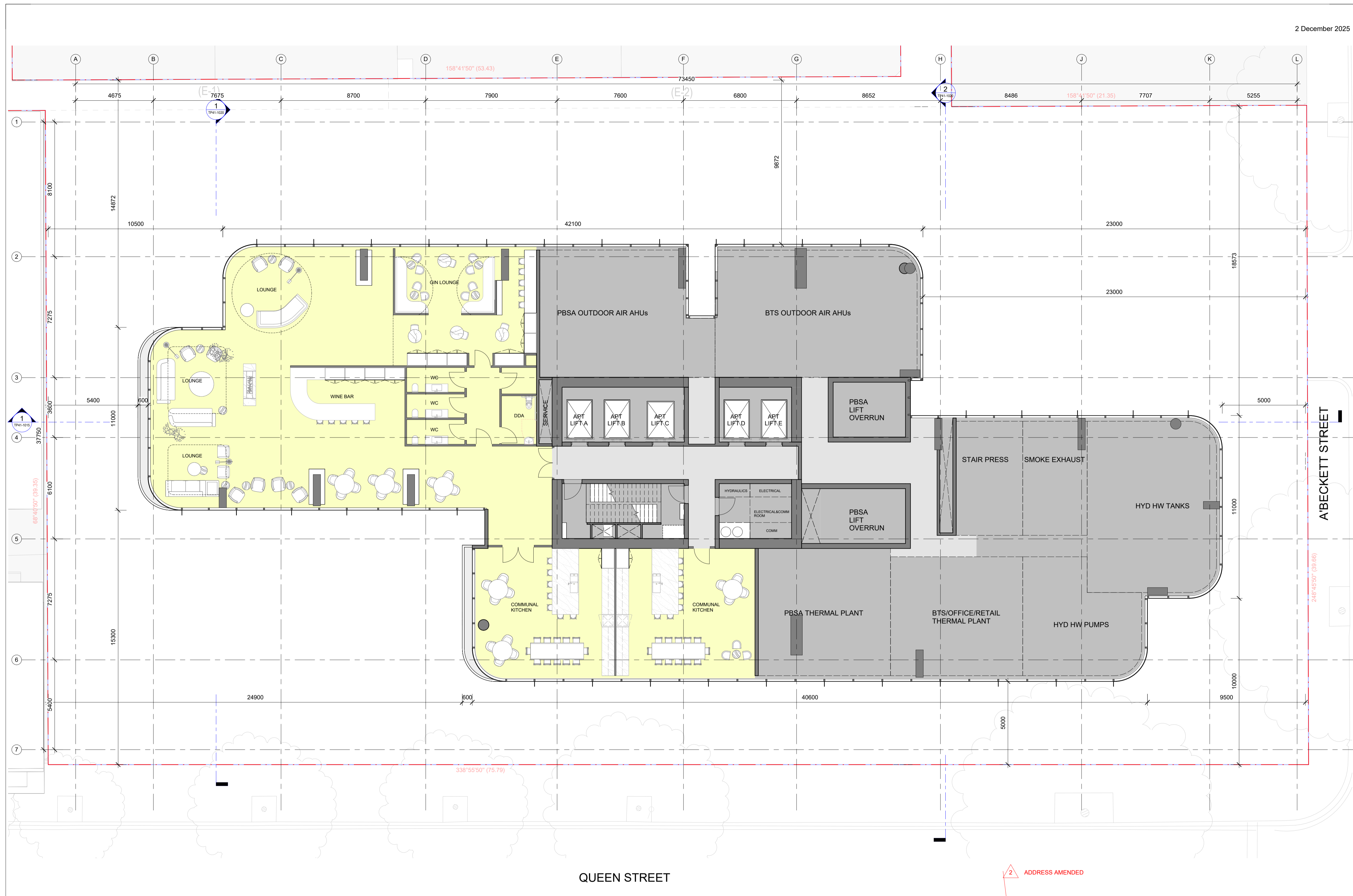
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Date: **05/06/2025**



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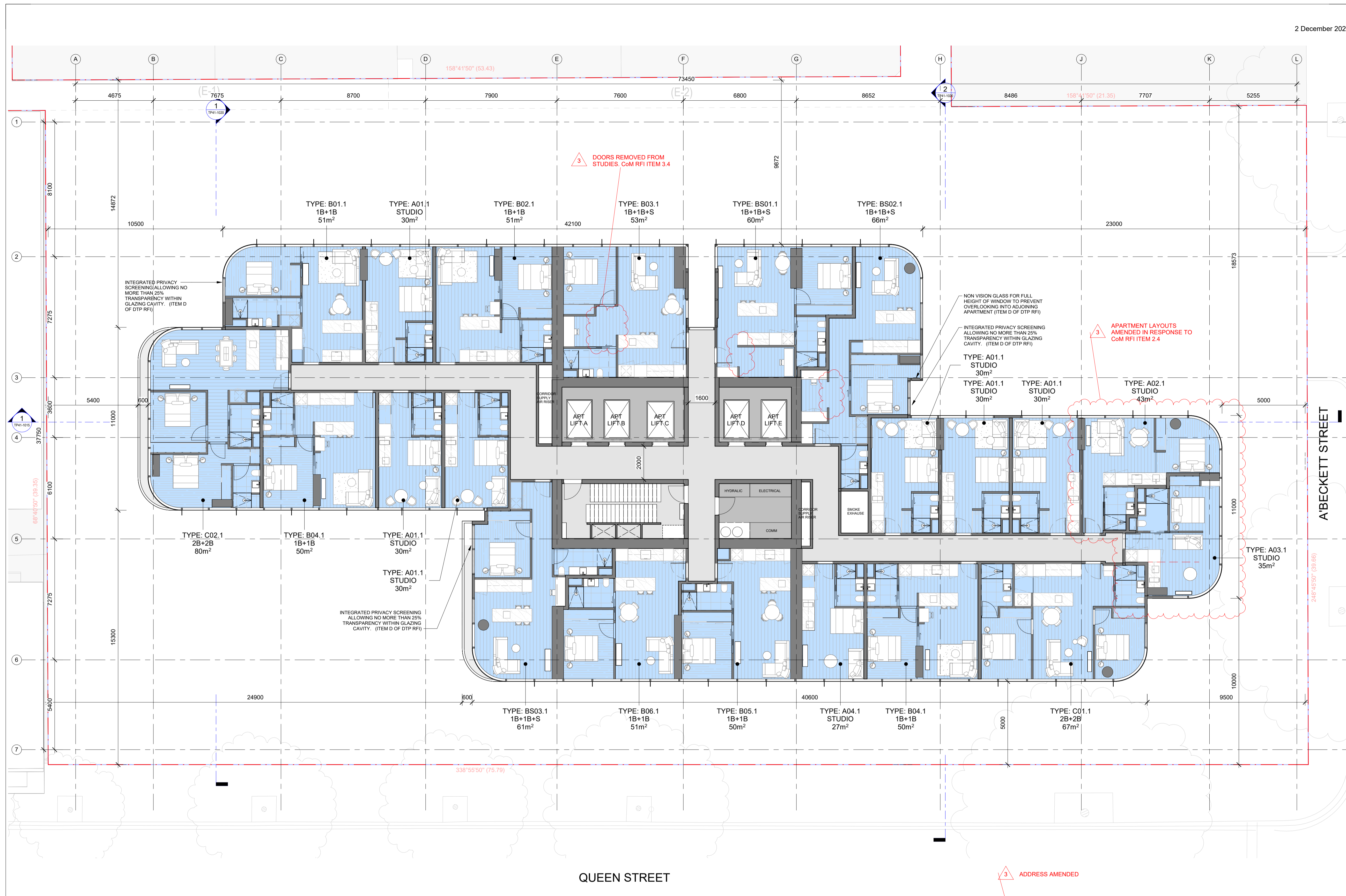


Project
400 QUEEN STREET
MELBOURNE VIC. 3000

Drawing Title: **LEVEL 29 PLAN - BTS AMENITIES & PLANT**
Scale: 1:100 @ A1
Date: 05/06/2025

Revision: 2
Drawing Number: TP21-1291

PLOT STAMP DATE: 20/06/2025 2:58:09 PM



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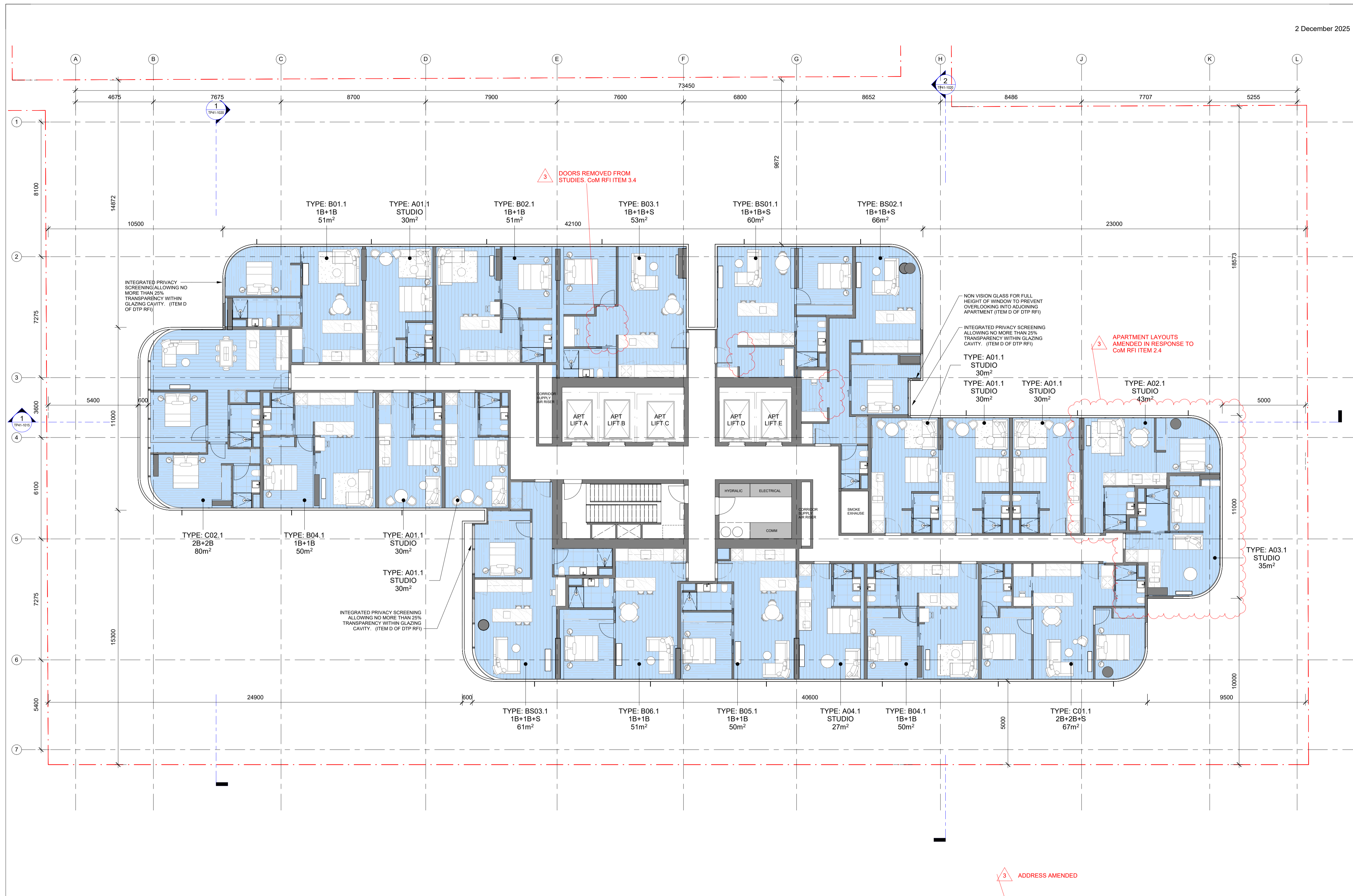


Project
400 QUEEN STREET
MELBOURNE VIC. 3000

Drawing Title: **LEVEL 30 - 51 PLAN - TYPICAL BTS LOWRISE**

Revision: **3**
Drawing Number: **TP21-1301**

Acknowledgement
Scale: 1:100 @ A1
Date: 05/06/2025



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Project
400 QUEEN STREET
MELBOURNE VIC. 3000

Drawing Title: **LEVEL 52 - 62 PLAN - TYPICAL BTS HIGHRISE**

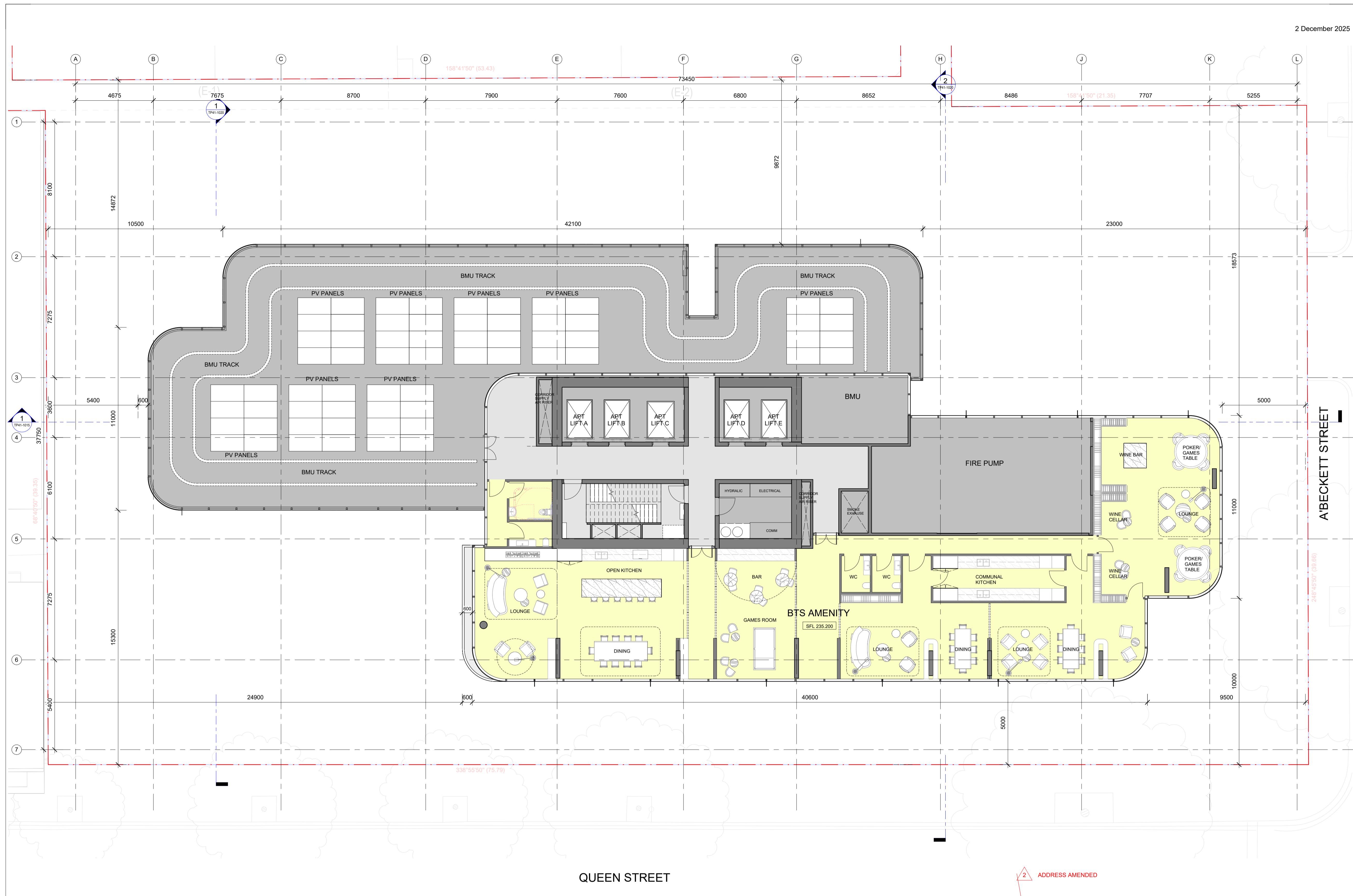
Revision: **3**
Drawing Number: **TP21-1521**

Acknowledgement

Scale: 1:100 @ A1

Date: 05/06/2025

PLOT STAMP DATE: 20/06/2025 3:38:17 PM



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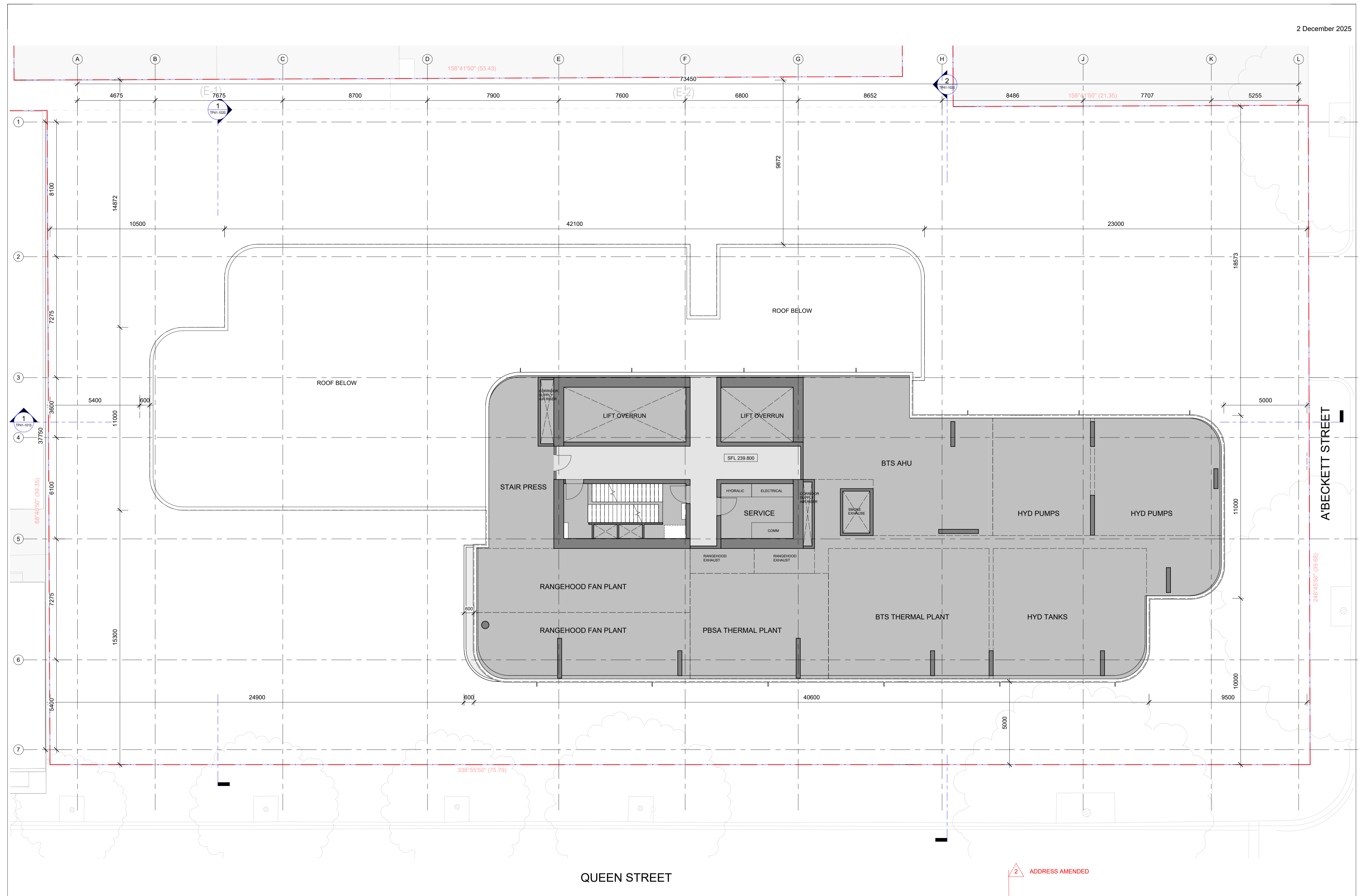
Project
400 QUEEN STREET
MELBOURNE VIC. 3000

Drawing Title:
LEVEL 63 PLAN

Revision: **2**
Drawing Number: **TP21-1631**

Acknowledgement
Scale: 1:100 @ A1
Date: 05/06/2025

2 ADDRESS AMENDED



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Project
400 QUEEN STREET
MELBOURNE VIC. 3000

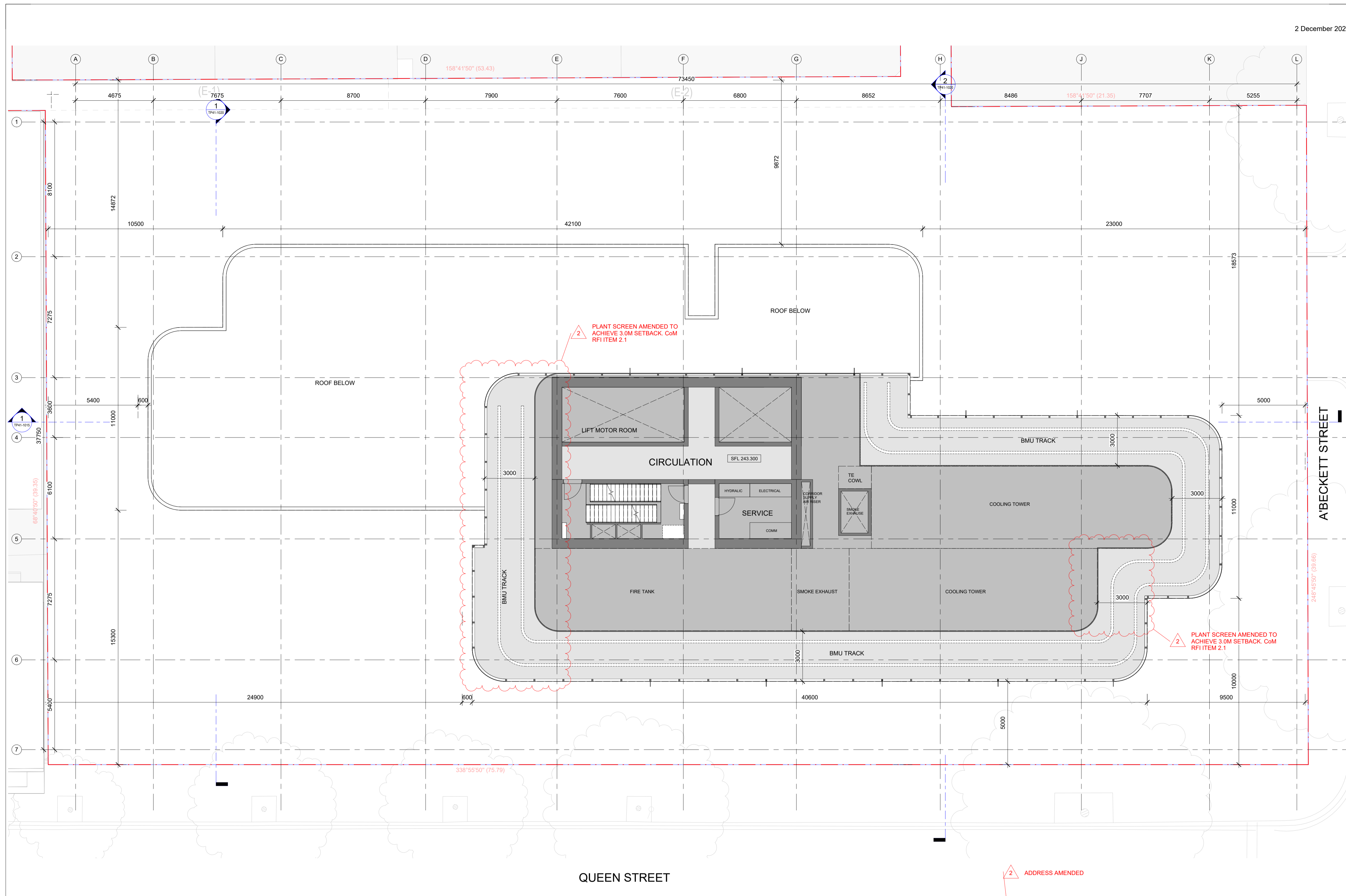
Drawing Title:
LEVEL 64 PLAN - ENCLOSED ROOF PLANT

Revision:
2

Acknowledgement
Scale: 1:100 @ A1
Date: 05/06/2025

Drawing Number:
TP21-1641

PLOT STAMP DATE: 20/06/2025 2:10:25 PM



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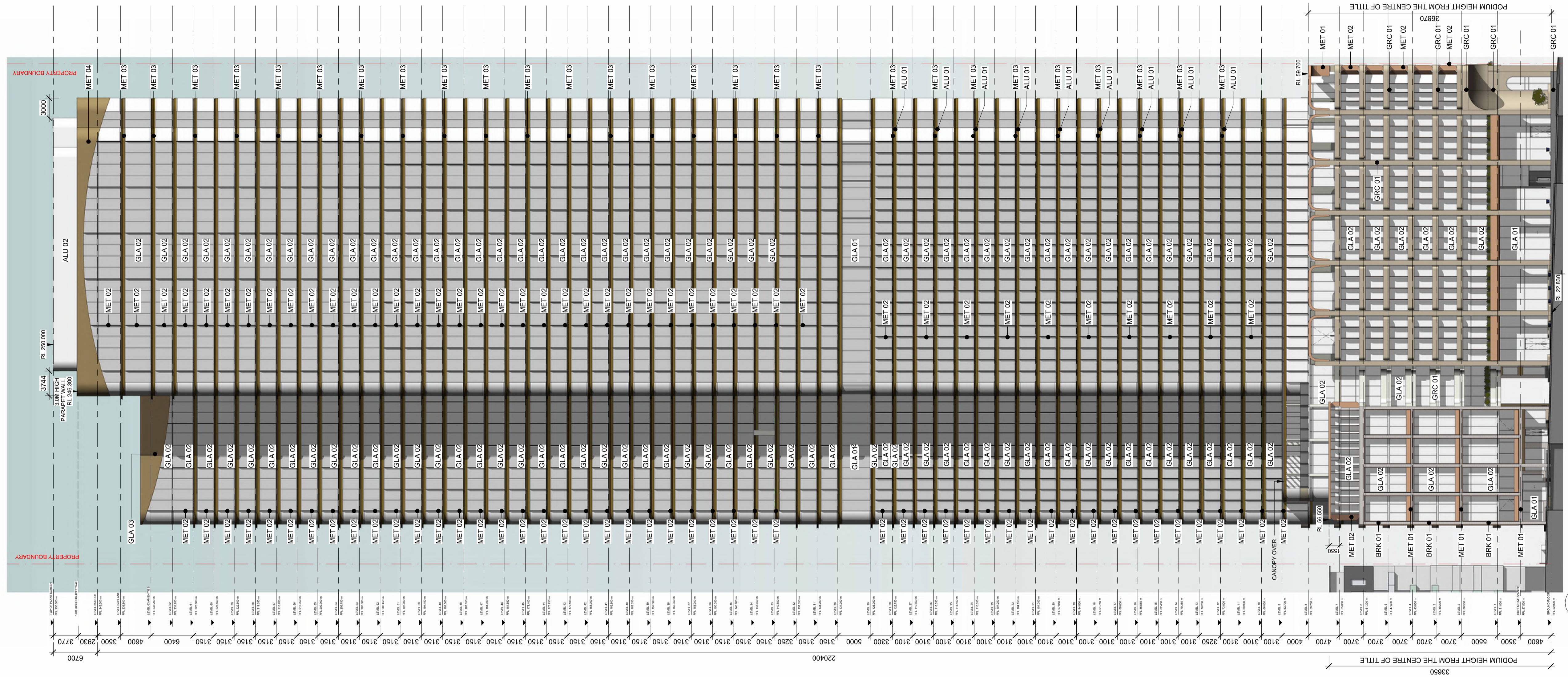
Project
400 QUEEN STREET
MELBOURNE VIC. 3000

Drawing Title: **LEVEL 65 PLAN - OPEN ROOF PLANT**

Revision: **2**
Drawing Number: **TP21-1651**

Acknowledgement
Scale: 1:100 @ A1
Date: 05/06/2025

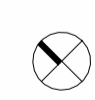
MATERIALS	
BRK 01	Beige Cream Concrete (Mixture of Bricks)
GLA 01	Clear Low-E Single-pane and Amenity Glass
GLA 02	Reflective Silver Tinted Low-E Glass
GLA 03	Reflective Mid Bronze Tinted Low-E Glass
GRC 01	GRC Travertine-look Lining Solid Wall Cladding and Plaster Boxes
ALU 01	Dark Bronze Aluminium Horizontal Facade Louvers
ALU 02	Mid Bronze Aluminium Vertical Chevron Plant Screen Louvers
MET 01	Mid Bronze Window Surrounds, Frames & Panel Boxes
MET 02	Mid Bronze Vertical Feature Fin
MET 03	Dark Bronze Horizontal Feature Fin
MET 04	Mid Bronze Feature Metal Mesh
MET 05	Mid Grey Customised Perforated Metal Panel



1 TOWER - WEST ELEVATION
SCALE 1:300



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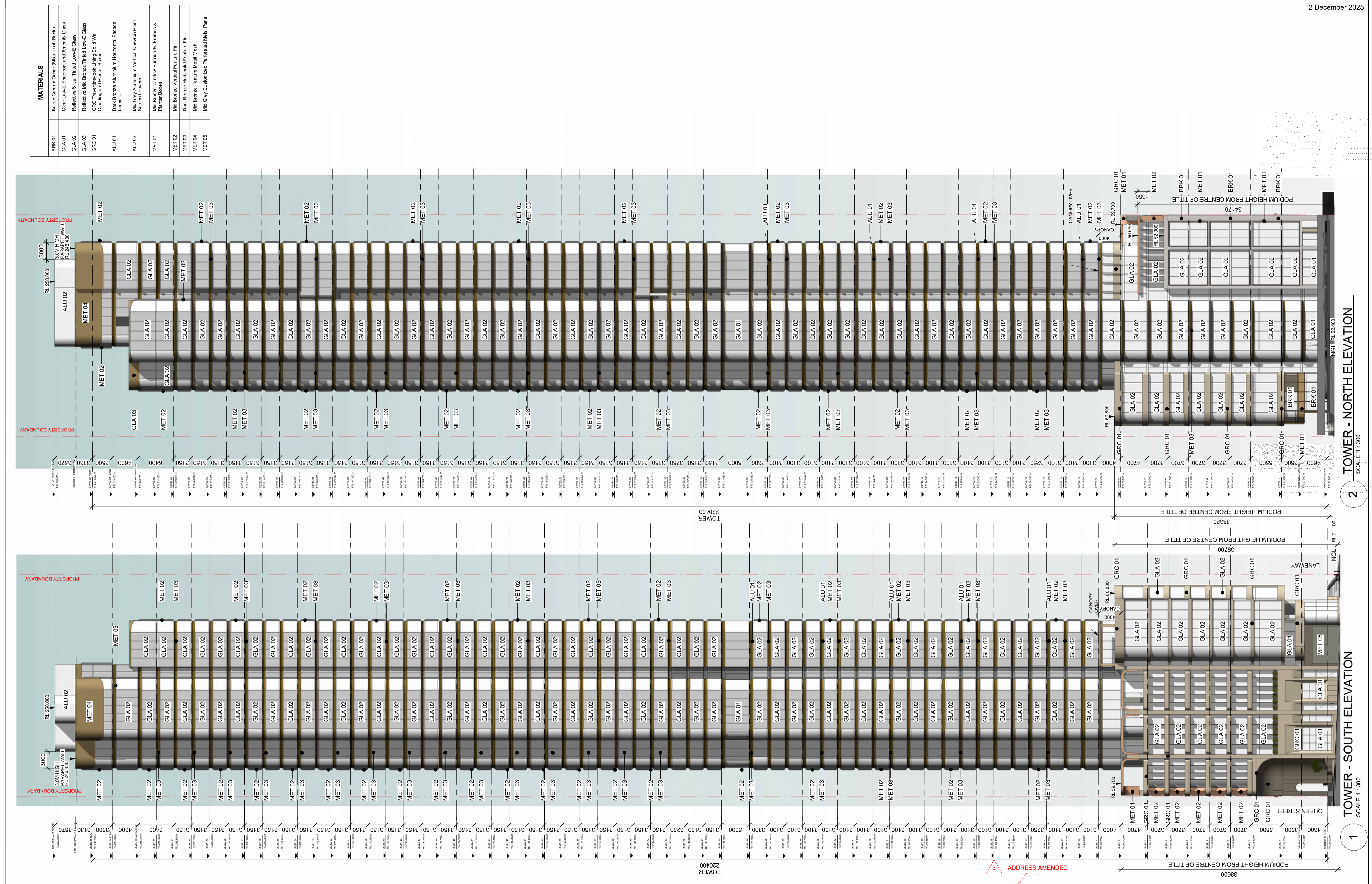
Project
400 QUEEN STREET
MELBOURNE VIC. 3000

3 ADDRESS AMENDED

Drawing Title:
WEST ELEVATION
Scale:
As indicated @ A1
Date:
05/06/2025

Revision:
3
Drawing Number:
TP31-1010

PLOT STAMP DATE: 20/06/2025 2:17:02 PM



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Project
400 QUEEN STREET
MELBOURNE VIC. 3000

Drawing Title:
SOUTH & NORTH ELEVATIONS

Revision:
3

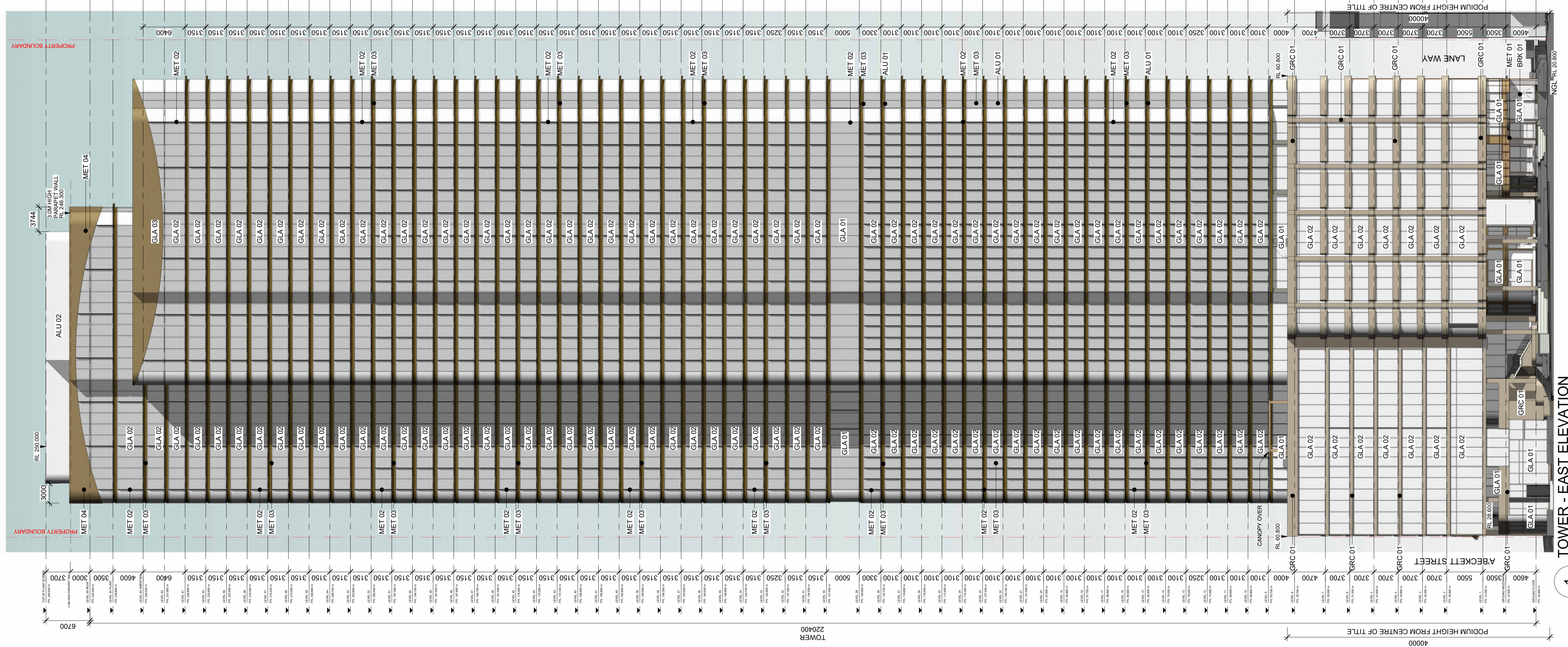
Acknowledgement
As indicated @ A1

Scale:
As indicated @ A1

Date:
05/06/2025

Drawing Number:
TP31-1011

MATERIALS	
BRK 01	Beige Cream Concrete (Mixture of Bricks)
GLA 01	Clear Low-E Single-pane and Amenity Glass
GLA 02	Reflective Silver Tinted Low-E Glass
GLA 03	Reflective Mid Bronze Tinted Low-E Glass
GRC 01	GRC Travertine-look Lining Solid Wall Cladding and Plaster Boxes
ALU 01	Dark Bronze Aluminium Horizontal Fins/Louvers
ALU 02	Mid Grey Aluminium Vertical Chevron Plant Screen Louvers
MET 01	Mid Bronze Window Surrounds Frames & Panel Boxes
MET 02	Mid Bronze Vertical Feature Fin
MET 03	Dark Bronze Horizontal Feature Fin
MET 04	Mid Bronze Feature Metal Mesh
MET 05	Mid Grey Customised Perforated Metal Panel



1 TOWER - EAST ELEVATION
SCALE 1:300



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Project

400 QUEEN STREET
MELBOURNE VIC. 3000

Acknowledgement

Drawing Title:

EAST ELEVATION

Scale:

As indicated @ A1

Date:

05/06/2025

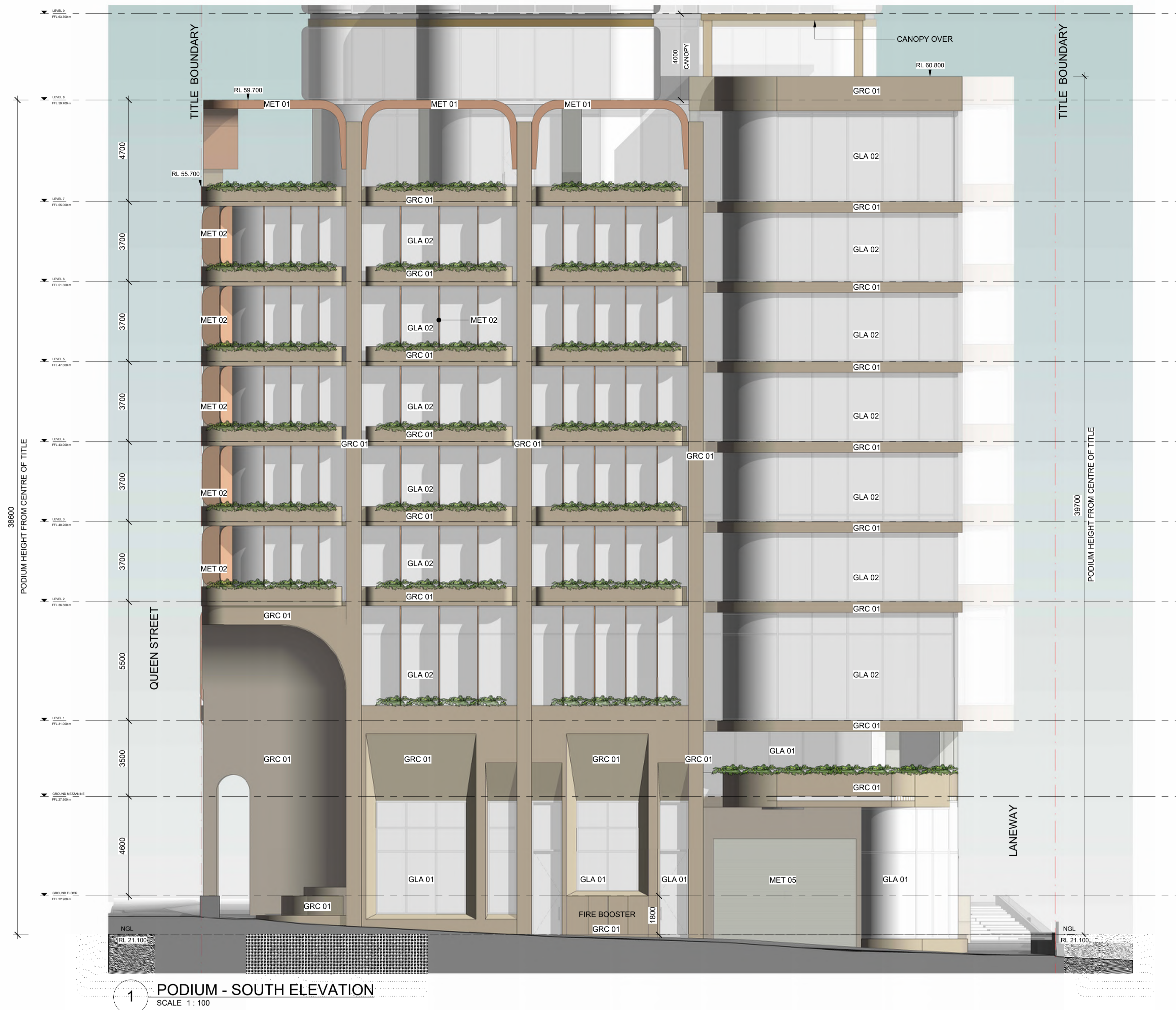
Revision:

3

Drawing Number:

TP31-1012

PLOT STAMP DATE: 20/06/2025 2:28:14 PM



MATERIALS	
BRK 01	Beige/ Cream/ Ochre (Mixture of) Bricks
GLA 01	Clear Low-E Shopfront and Amenity Glass
GLA 02	Reflective Silver Tinted Low-E Glass
GLA 03	Reflective Mid Bronze Tinted Low-E Glass
GRC 01	GRC Travertine-look Lining Solid Wall Cladding and Planter Boxes
ALU 01	Dark Bronze Aluminium Horizontal Facade Louvers
ALU 02	Mid Grey Aluminium Vertical Chevron Plant Screen Louvers
MET 01	Mid Bronze Window Surrounds/ Frames & Planter Boxes
MET 02	Mid Bronze Vertical Feature Fin
MET 03	Dark Bronze Horizontal Feature Fin
MET 04	Mid Bronze Feature Metal Mesh
MET 05	Mid Grey Customized Perforated Metal Panel

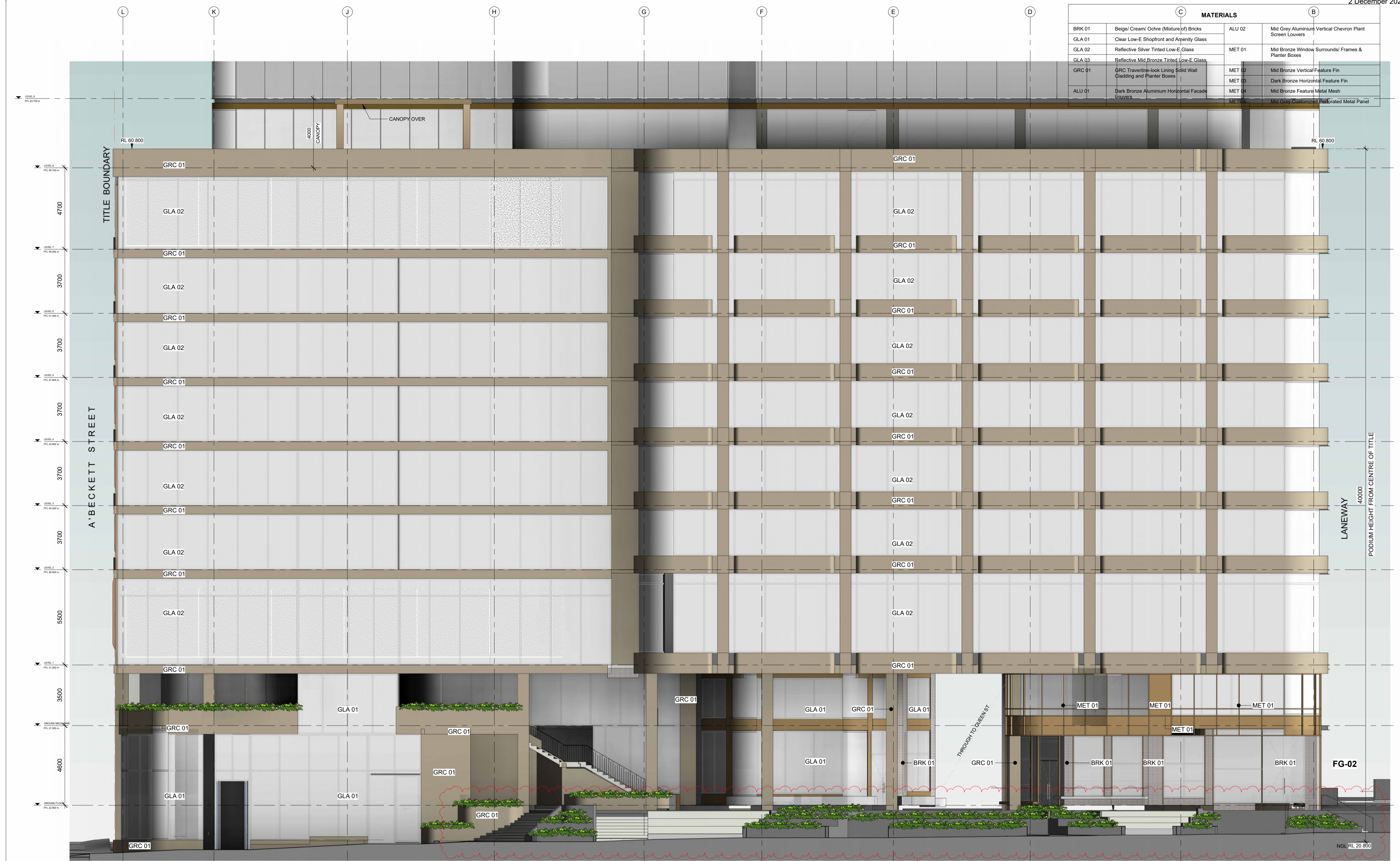
1 PODIUM - SOUTH ELEVATION
SCALE 1 : 100

3 ADDRESS AMENDED



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Project	400 QUEEN STREET MELBOURNE VIC. 3000	Drawing Title:	PODIUM - SOUTH ELEVATION	Revision:	3
Acknowledgement		Scale:	1 : 100 @ A1	Drawing Number:	TP31-1021
		Date:	05/06/2025		



1 PODIUM - EAST ELEVATION
SCALE 1 : 100

LEVELS AMENDED IN RESPONSE TO COM RPI ITEMS 1.4C & D, AND 6.7

ADDRESS AMENDED



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Project
400 QUEEN STREET
MELBOURNE VIC. 3000

Drawing Title:
PODIUM - EAST ELEVATION

Revision:
3
Drawing Number:
TP31-1022

Acknowledgement
Scale: 1 : 100 @ A1
Date: 05/06/2025

MATERIALS	
BRK 01	Beige/ Cream/ Ochre (Mature) of Bricks
GLA 01	Clear Low-E Shopfront and Amenity Glass
GLA 02	Reflective Silver Tinted Low-E Glass
GLA 03	Reflective Mid Bronze Tinted Low-E Glass
GRC 01	GRC Travertine-look Lining Solid Wall Cladding and Planter Boxes
ALU 01	Dark Bronze Aluminium Horizontal Facade Louvers
ALU 02	Mid Grey Aluminium Vertical Chevron Plant Screen Louvers
MET 01	Mid Bronze Window Surrounds/ Frames & Planter Boxes
MET 02	Mid Bronze Vertical Feature Fin
MET 03	Dark Bronze Horizontal Feature Fin
MET 04	Mid Bronze Feature Metal Mesh
MET 05	Mid Grey Customized Perforated Metal Panel



1 PODIUM - NORTH ELEVATION
SCALE 1:100

LEVELS AMENDED IN RESPONSE TO CAM RFI ITEMS 1.4C & D, AND 6.7

ADDRESS AMENDED



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Project: **400 QUEEN STREET**
MELBOURNE VIC. 3000

Drawing Title: **PODIUM - NORTH ELEVATION**

Acknowledgement: _____

Scale: 1:100 @ A1

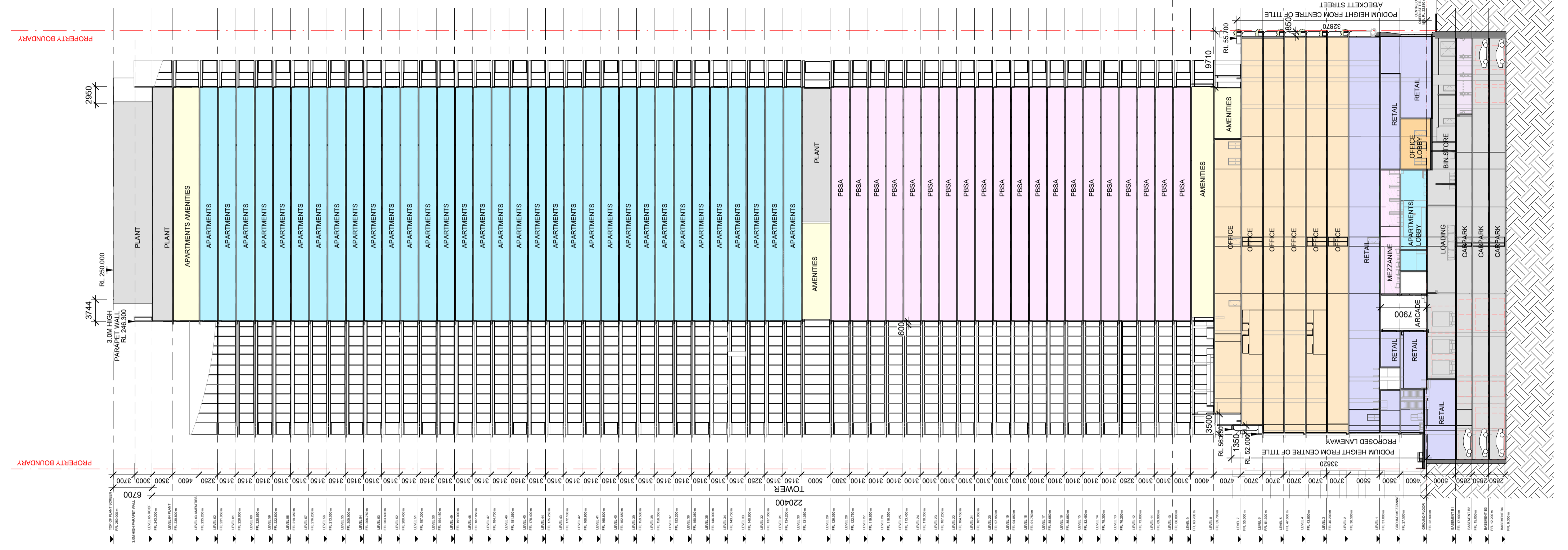
Date: 05/06/2025

Revision: **3**

Drawing Number: **TP31-1023**

LEGEND:

- RETAIL
- BTS
- BTS AMENITY
- OFFICE
- OFFICE AMENITY
- PBSA
- PBSA AMENITY
- PLANT/SERVICE



1 SECTION
ASK-010 SCALE 1:400



2 ADDRESS AMENDED

400 QUEEN STREET
MELBOURNE VIC. 3000

Project 400 QUEEN STREET
Acknowledgement

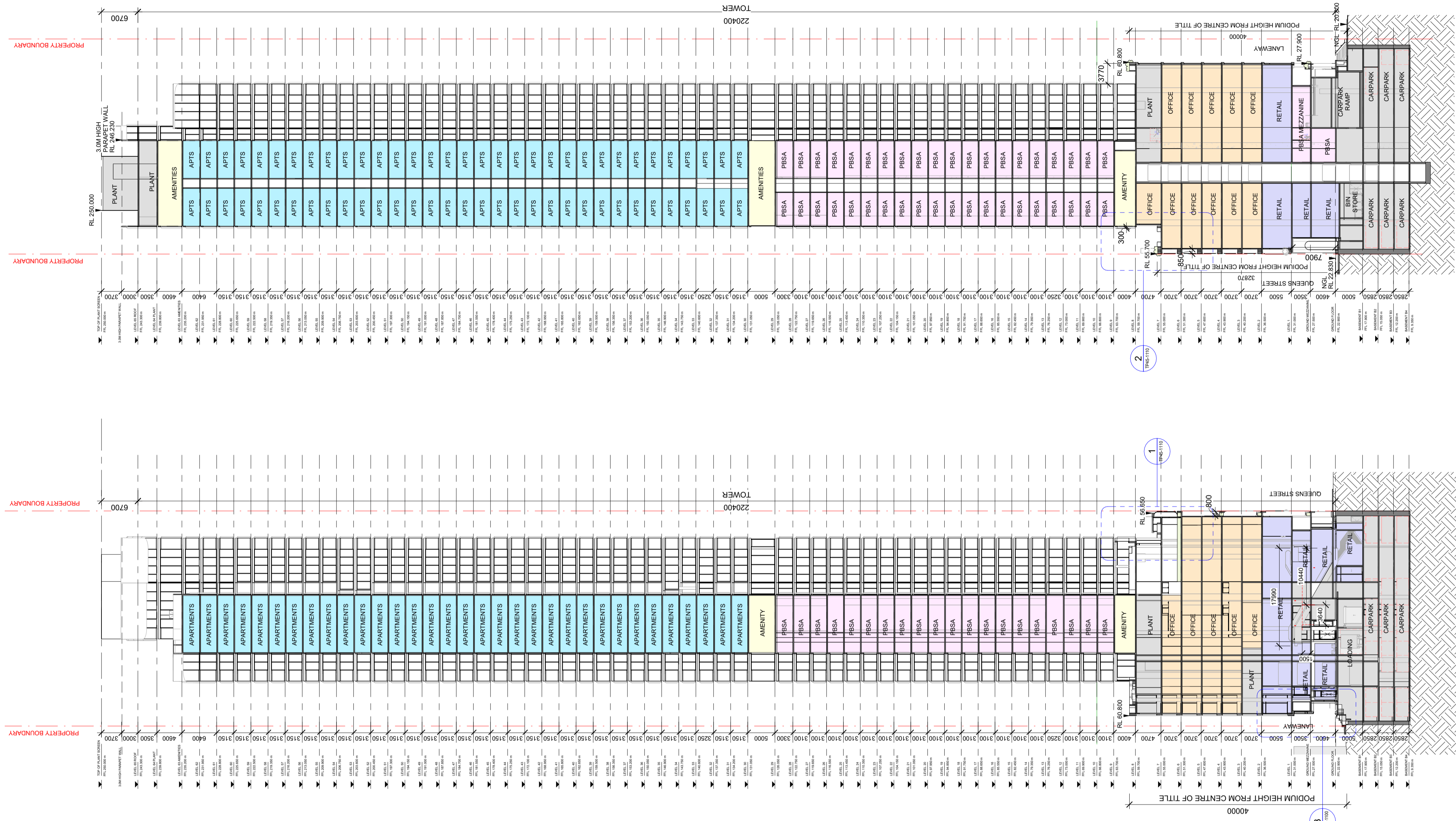
Drawing Title: SECTION NS 01
Scale: As indicated @ A1
Date: 05/06/2025

Revision: 2
Drawing Number: TP41-1010

PLOT STAMP DATE: 20/06/2025 2:44:36 PM

LEGEND:

- RETAIL
- BTS
- BTS AMENITY
- OFFICE
- OFFICE AMENITY
- PBSA
- PBSA AMENITY
- PLANT/SERVICE



1 SECTION EW 01
A21-1000 SCALE 1:400

2 SECTION EW 02
A21-1000 SCALE 1:400



Project: **400 QUEEN STREET**
MELBOURNE VIC. 3000

Address Amended: **2 ADDRESS AMENDED**

Drawing Title: **SECTION EW 01 & 02**

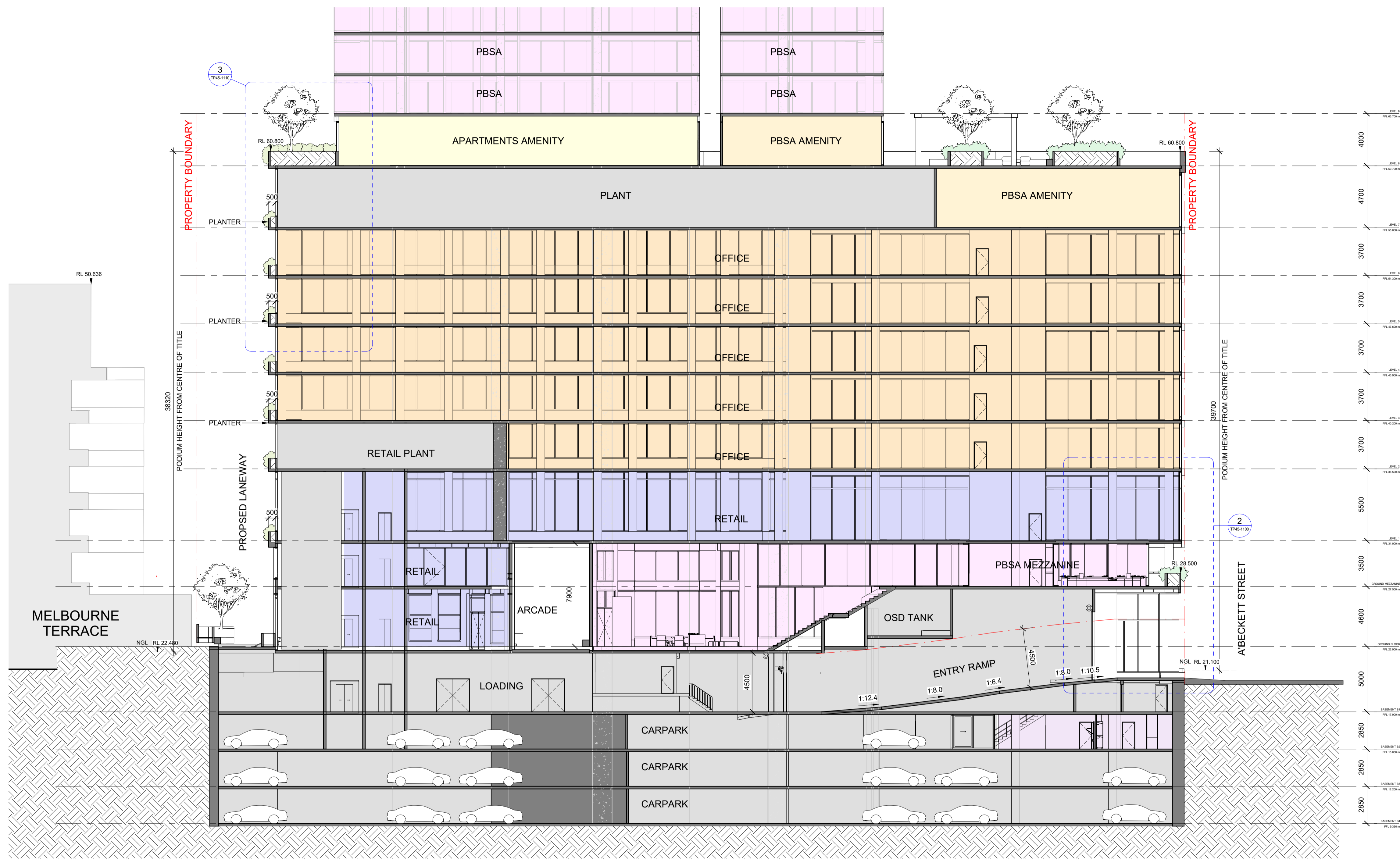
Revision: **2**

Drawing Number: **TP41-1020**

Acknowledgement: **As indicated @ A1**

Scale: **As indicated @ A1**

Date: **05/06/2025**



1 PODIUM SECTION NS 01
#TP21-100 SCALE 1:150



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Project
400 QUEEN STREET
MELBOURNE VIC. 3000

Drawing Title:
PODIUM SECTION NS 01

Acknowledgement

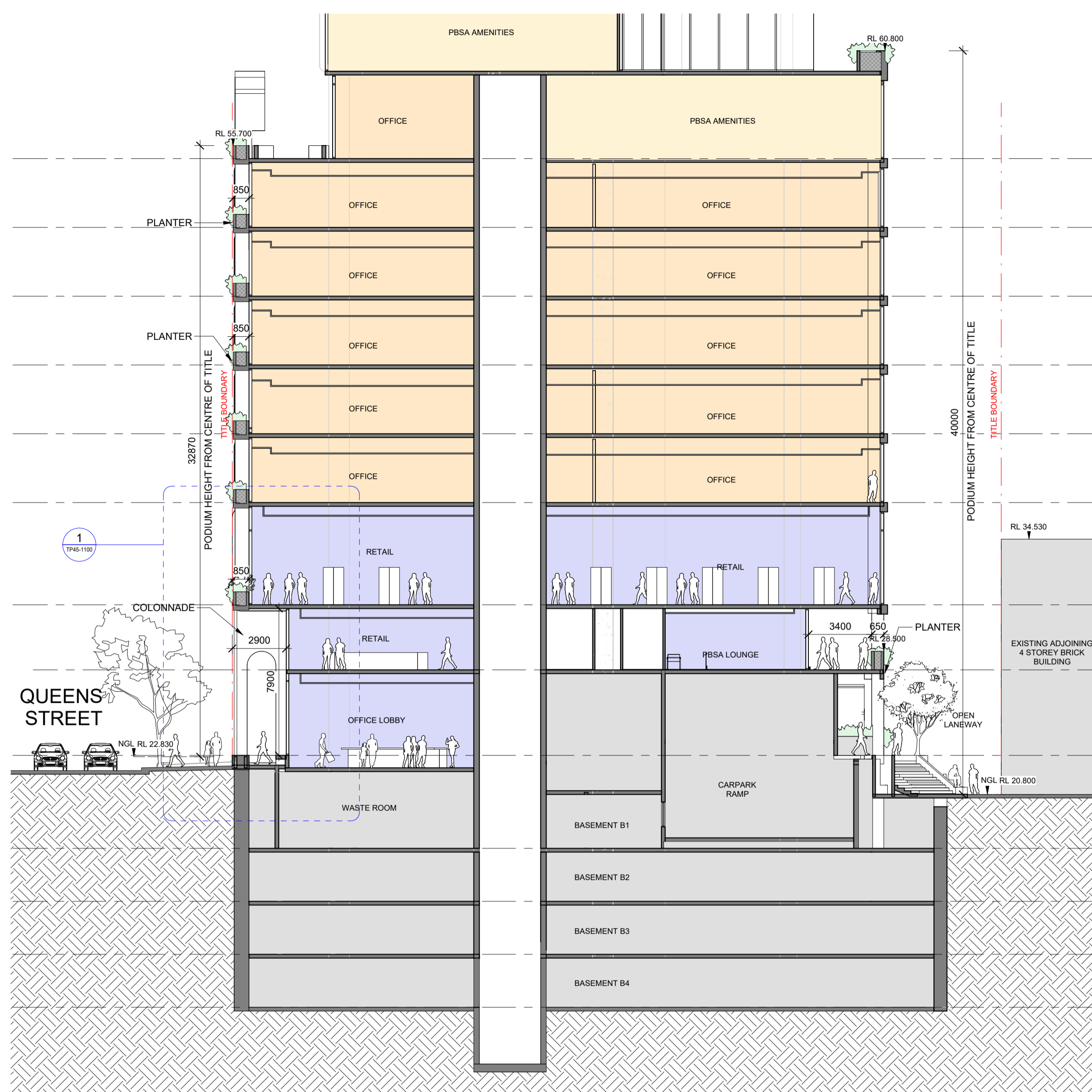
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Date:
05/06/2025

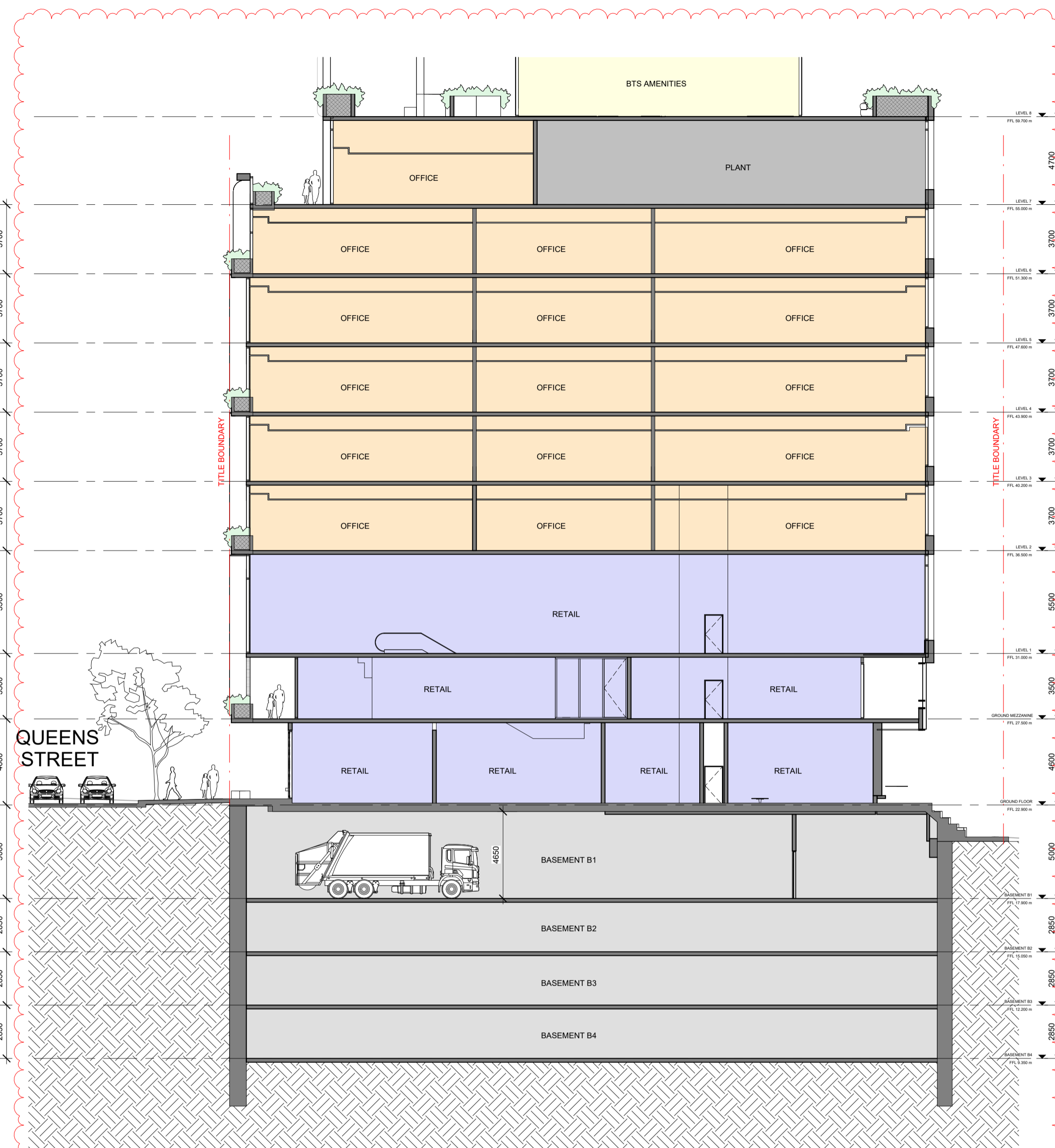
Revision:
2

Drawing Number:
TP42-0100

PLANT STAMP DATE: 20/06/2025 09:05 PM



1 PODIUM SECTION EW 01
SCALE 1 : 150



2 PODIUM SECTION EW 02
SCALE 1 : 150

2 SECTION ADDED TO CONFIRM BASEMENT B1 LOADING BAY INTERNAL CLEARANCE HEIGHT

2 ADDRESS AMENDED



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Project
400 QUEEN STREET
MELBOURNE VIC. 3000

Drawing Title:
PODIUM SECTION EW 01

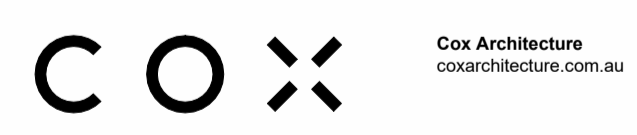
Revision:
2
Drawing Number:
TP42-0110

Acknowledgement
Scale:
1 : 150 @ A1
Date:
05/06/2025

MATERIALS	
BRK 01	Beige/ Cream/ Ochre (Mixture of Bricks)
GLA 01	Clear Low-E Shopfront and Amenity Glass
GLA 02	Reflective Silver Tinted Low-E Glass
GLA 03	Reflective Mid Bronze Tinted Low-E Glass
GRC 01	GRC Travertine-look Lining Solid Wall Cladding and Planter Boxes
ALU 01	Dark Bronze Aluminium Horizontal Facade Louvers
ALU 02	Mid Grey Aluminium Vertical Chevron Plant Screen Louvers
MET 01	Mid Bronze Window Surrounds/ Frames & Planter Boxes
MET 02	Mid Bronze Vertical Feature Fin
MET 03	Dark Bronze Horizontal Feature Fin
MET 04	Mid Bronze Feature Metal Mesh
MET 05	Mid Grey Customized Perforated Metal Panel



1 PODIUM SECTION ARCADE - NORTH
 A21-1000 SCALE 1 : 100



2 ADDRESS AMENDED

Project: **400 QUEEN STREET**
 MELBOURNE VIC. 3000

Drawing Title: **PODIUM - ARCADE**

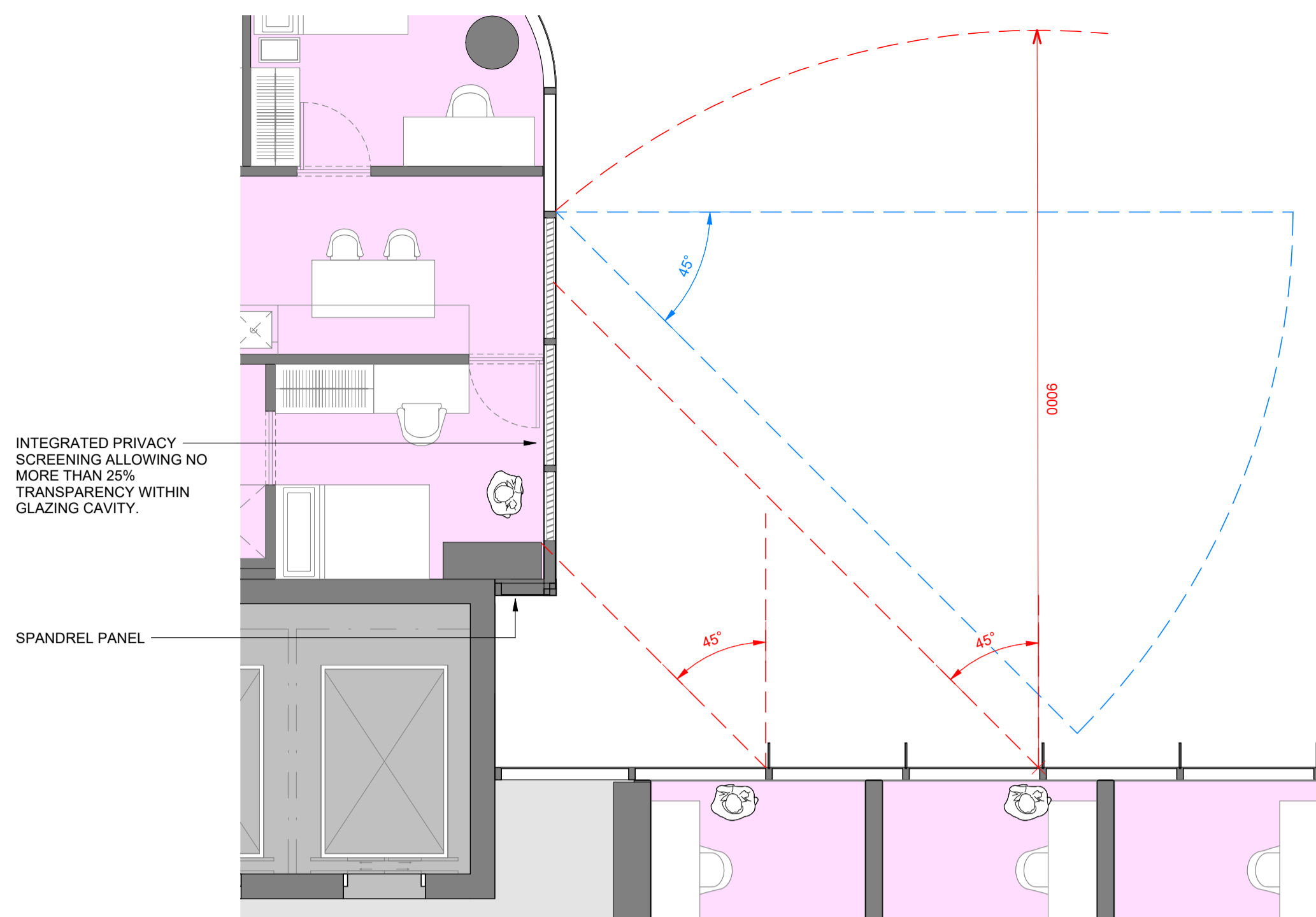
Acknowledgement: _____

Scale: 1 : 100 @ A1

Date: 05/06/2025

Revision: **2**

Drawing Number: **TP42-0115**



1 PBSA - SOUTH EAST SIDE - OVERLOOKING DIAGRAM
SCALE 1 : 50

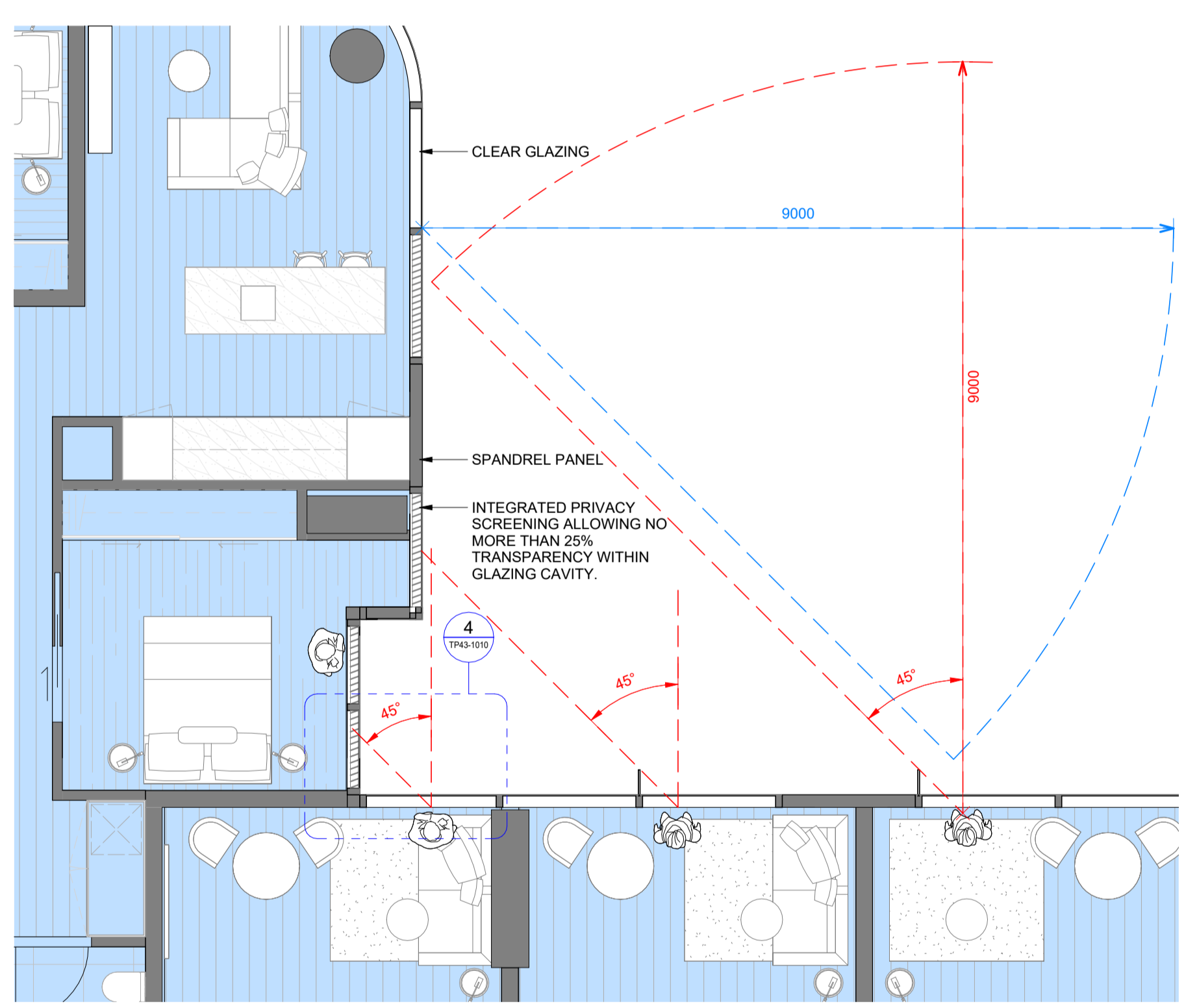


INTERNAL VIEW LOOKING AT UNIT WITH PRIVACY SCREEN

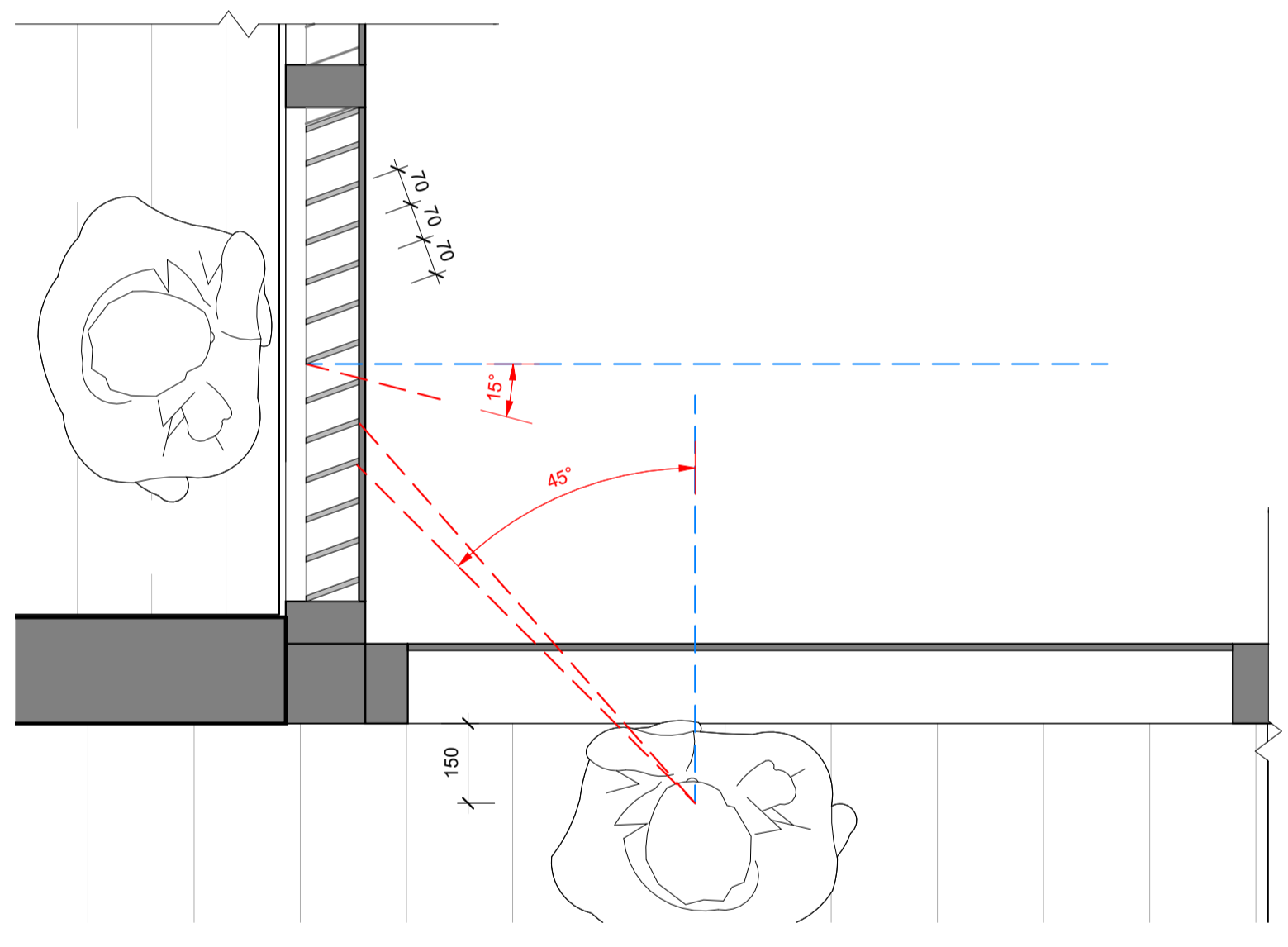


INTERNAL VIEW OF UNIT WITH PRIVACY SCREEN

3 3D RENDERS - PBSA UNIT PRIVACY SCREEN



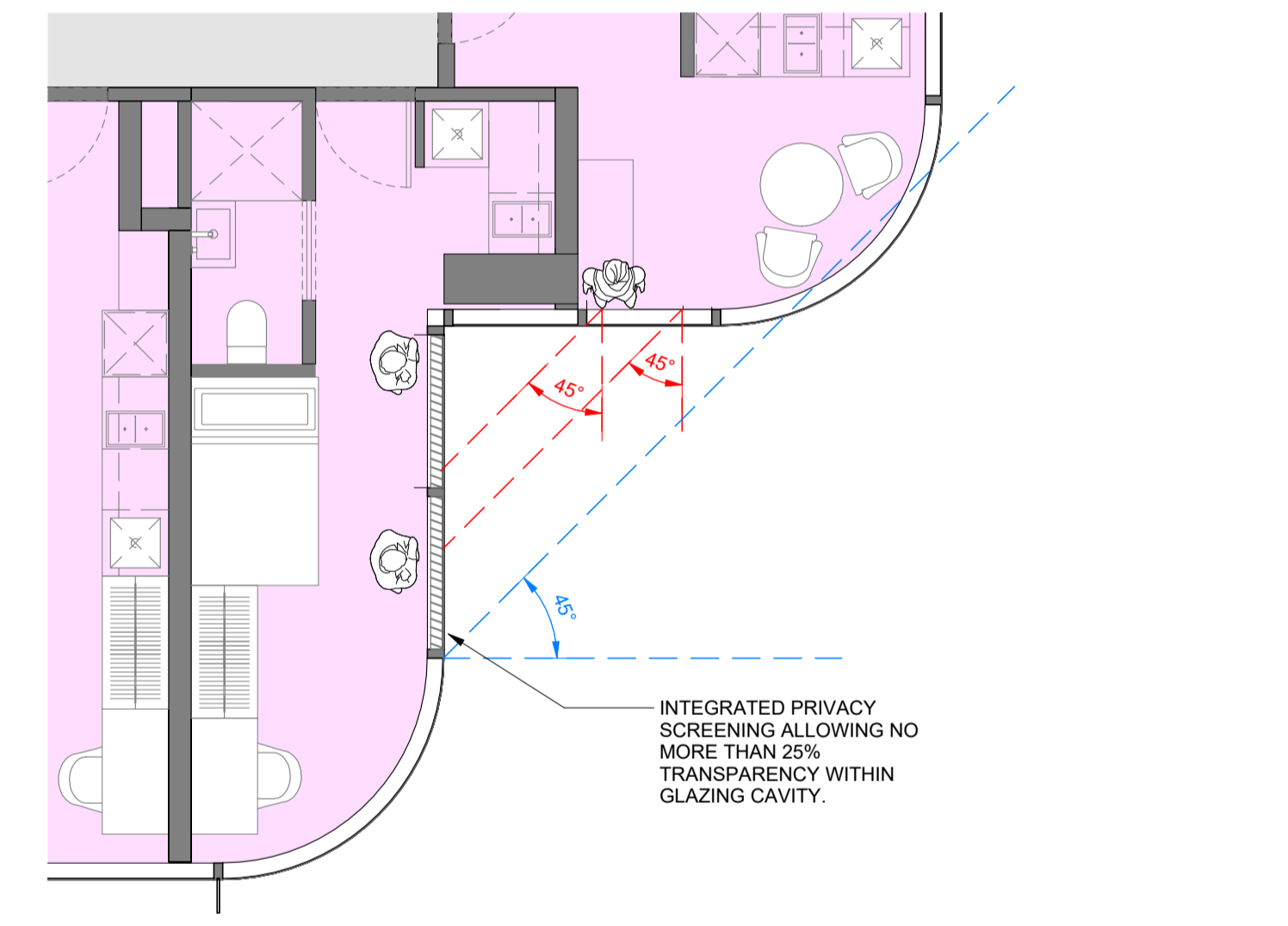
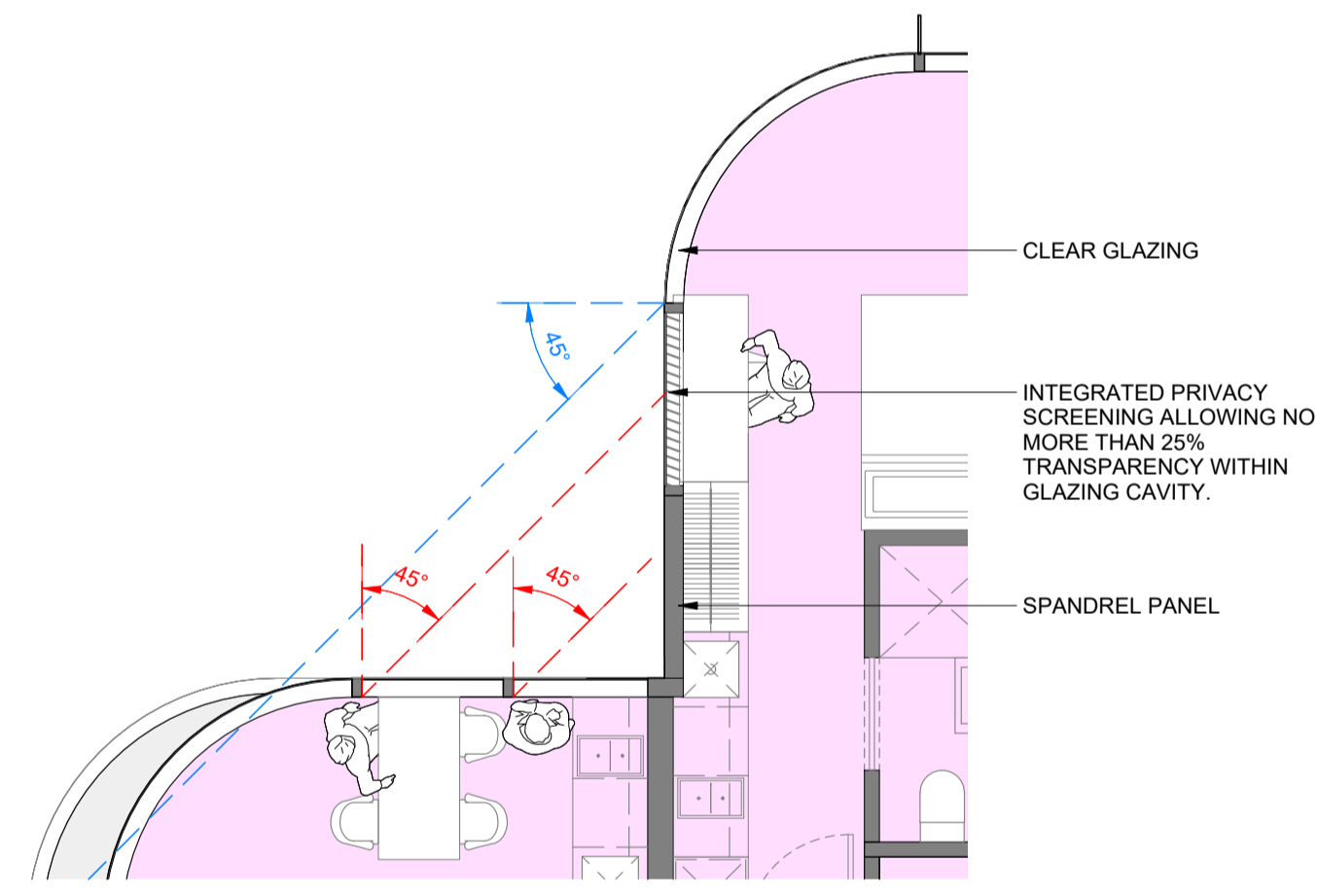
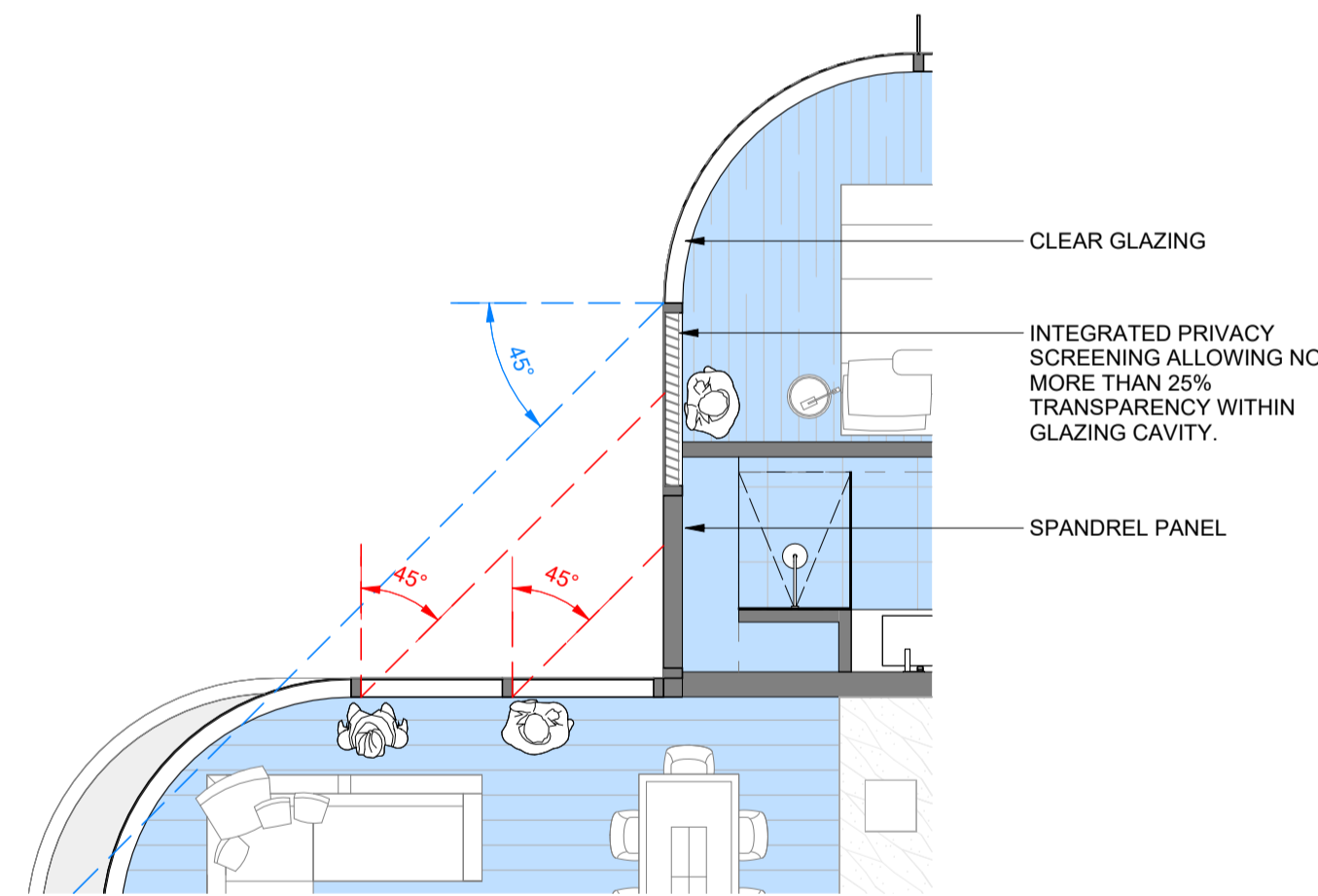
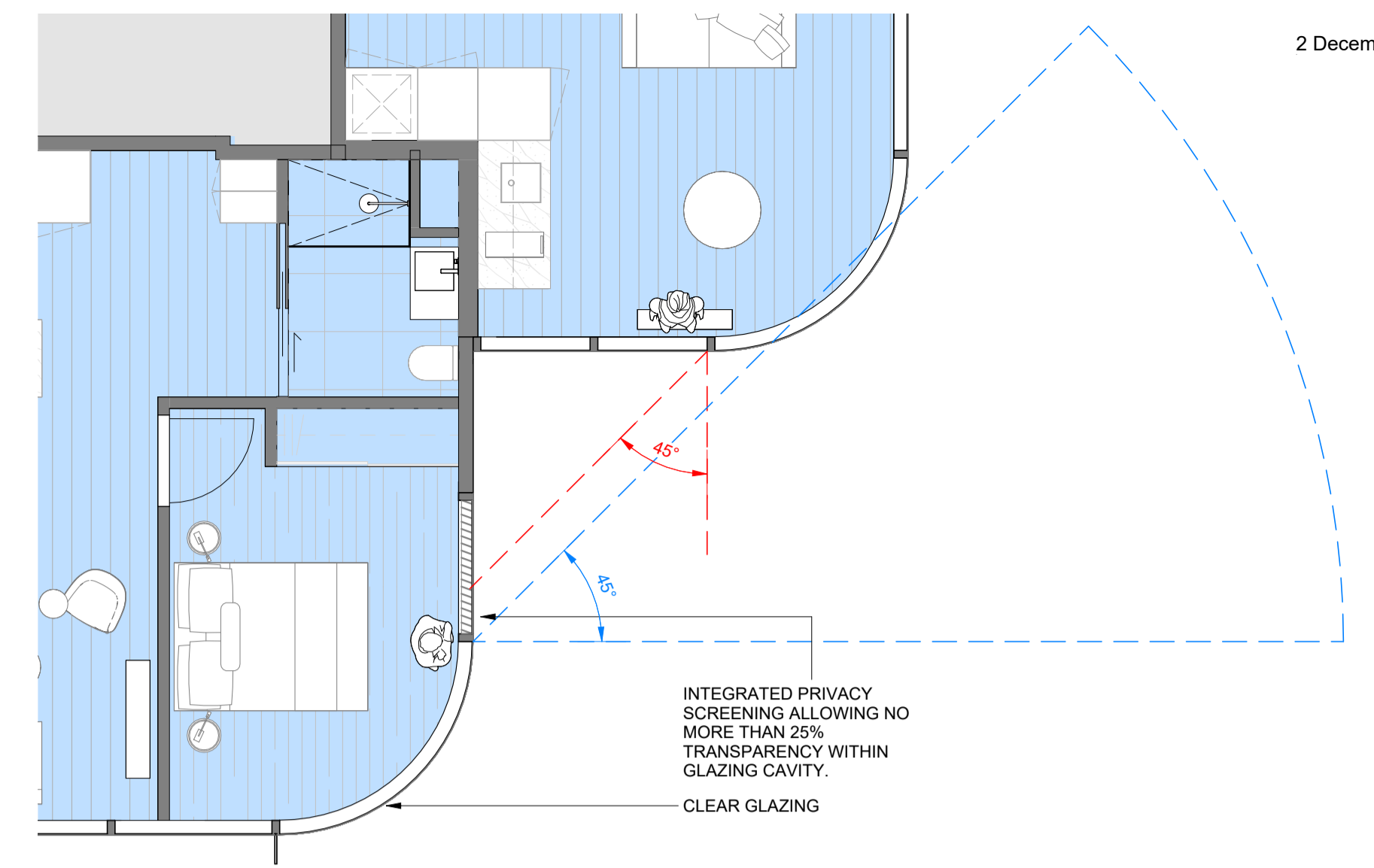
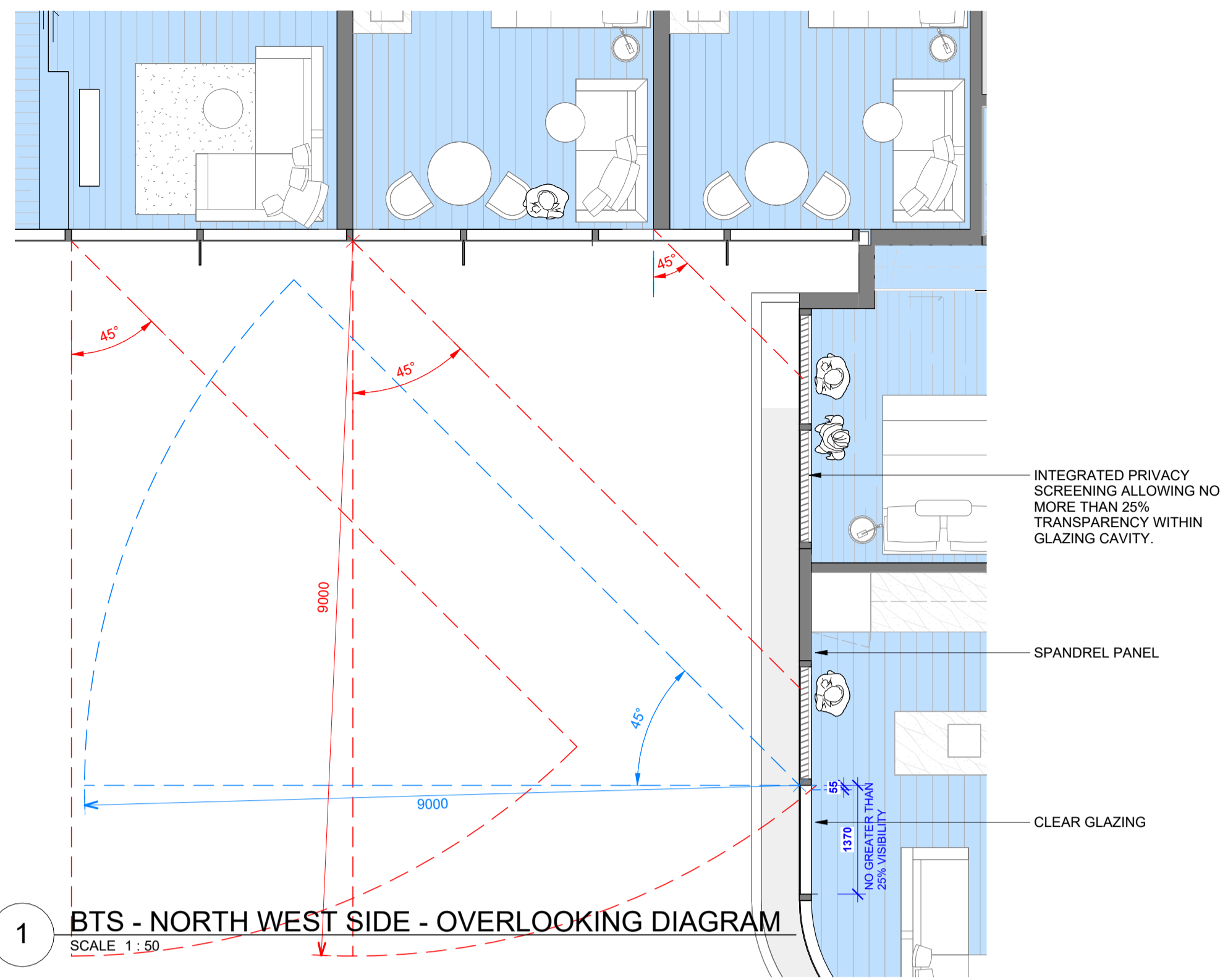
2 BTS - SOUTH EAST SIDE - OVERLOOKING DIAGRAM
SCALE 1 : 50



4 DETAIL - INTEGRATED PRIVACY SCREENING
SCALE 1 : 10



Project	400 QUEEN STREET MELBOURNE VIC. 3000	Drawing Title: OVERLOOKING DIAGRAM 01	Revision: 2
	Acknowledgement		Drawing Number: TP43-1010
Scale: As indicated @ A1		Date: 06/05/2025	



Project: **400 QUEEN STREET** ADDRESS AMENDED
MELBOURNE VIC. 3000

Drawing Title: **OVERLOOKING DIAGRAM 02**

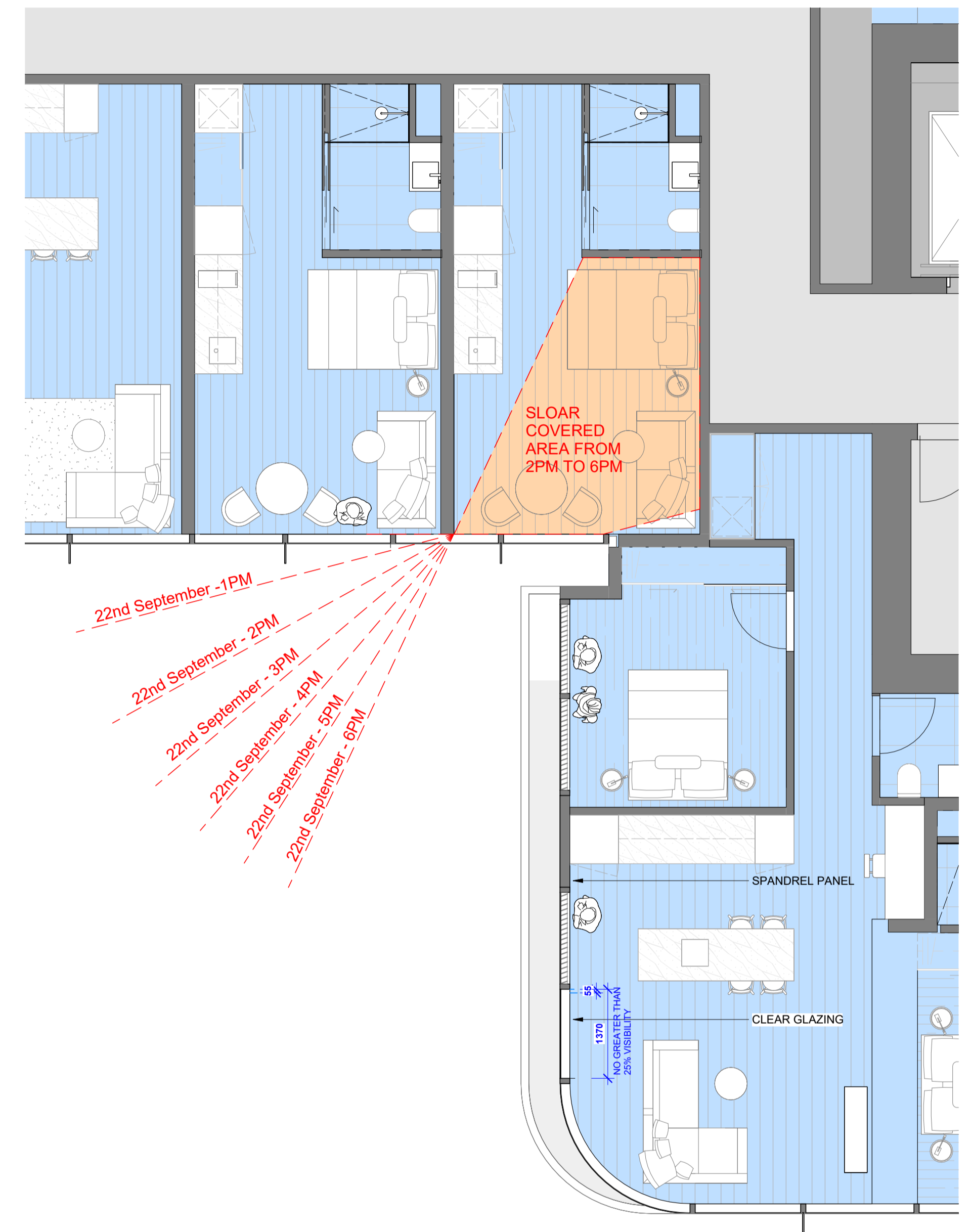
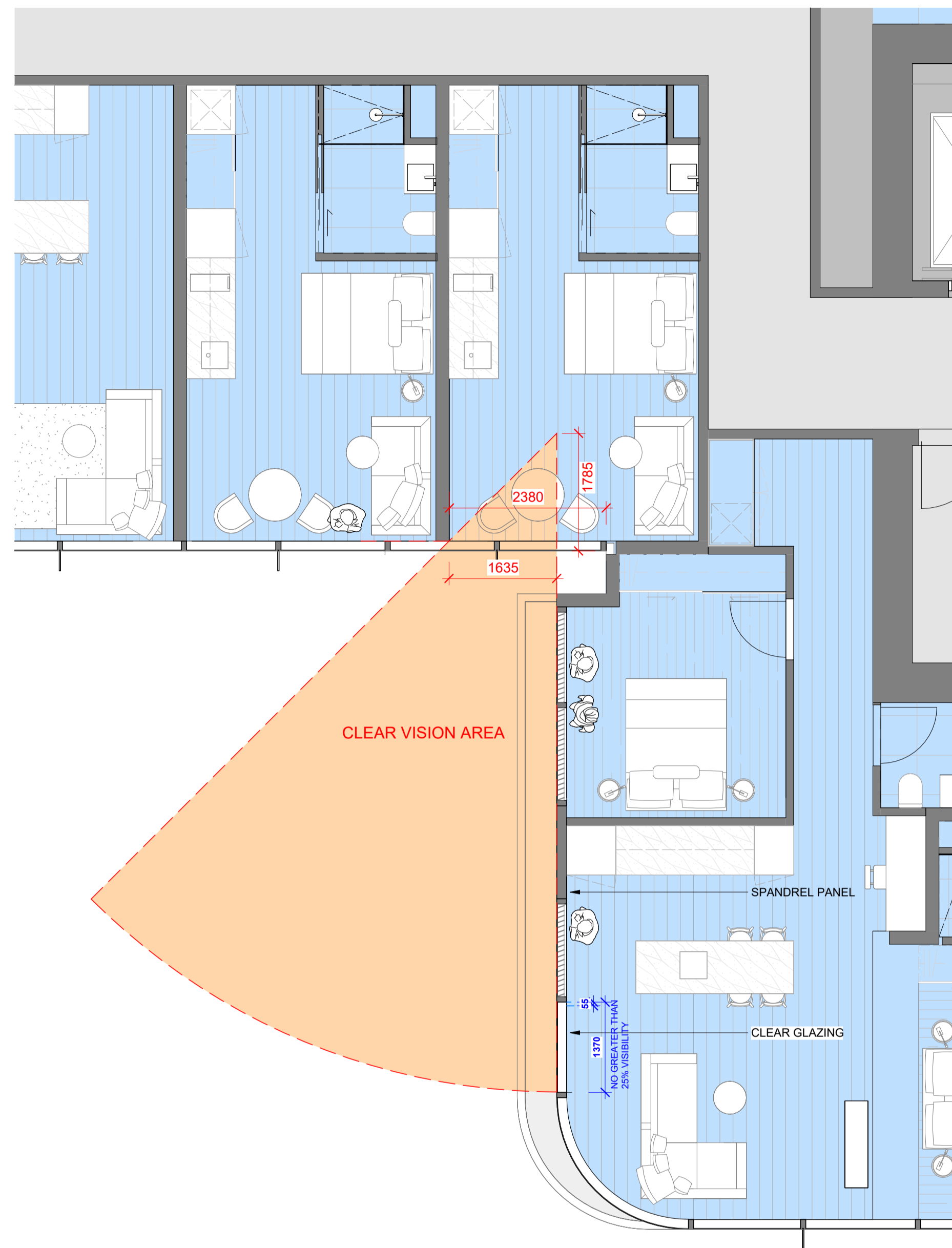
Revision: **2**

Drawing Number: **TP43-1011**

Acknowledgement: _____

Scale: **1:50 @ A1**

Date: **05/06/2025**



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Project
400 QUEEN STREET
MELBOURNE VIC. 3000

2 ADDRESS AMENDED

Drawing Title: **OUTLOOK AND SOLAR DIAGRAM**

Acknowledgement

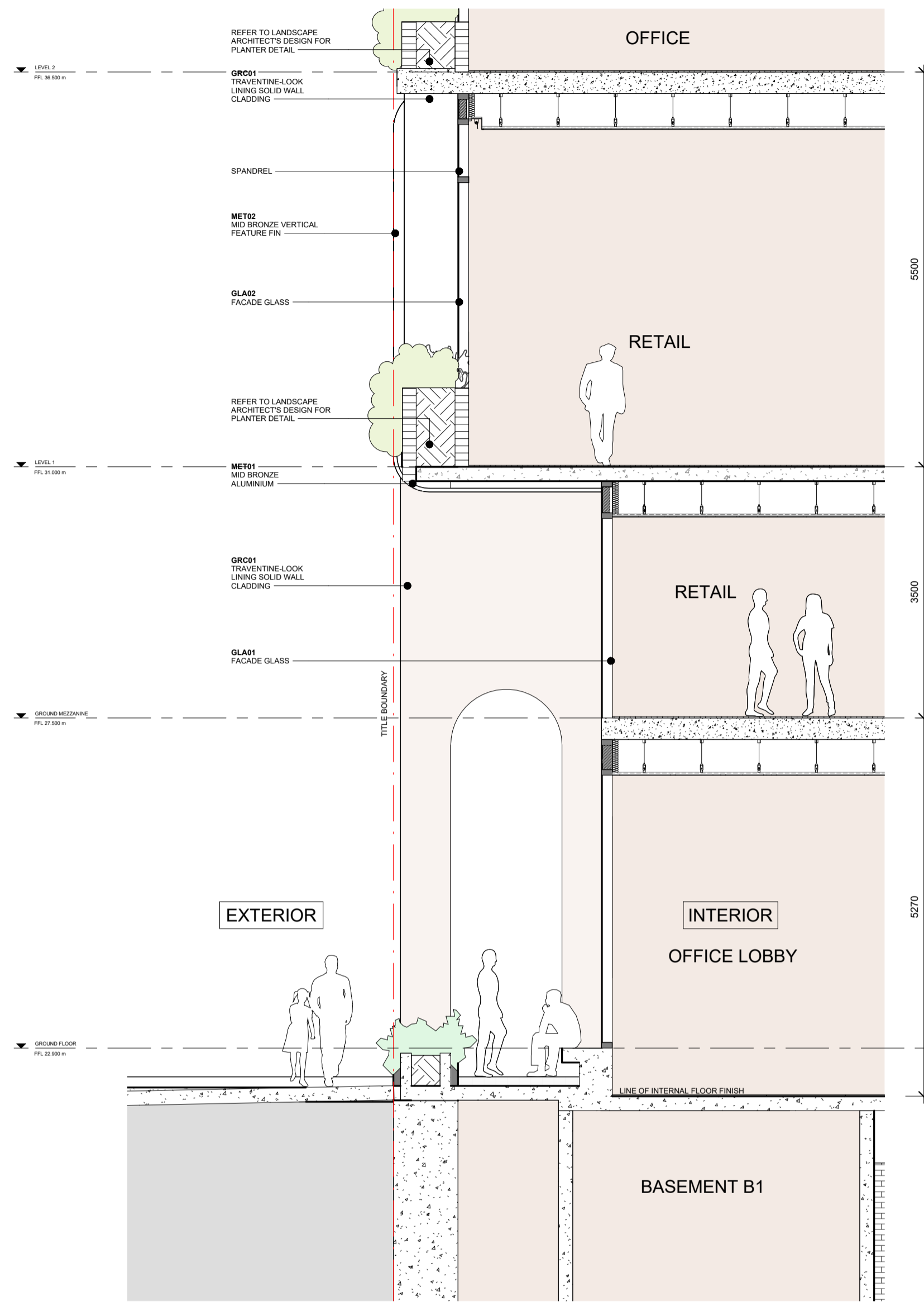
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Date: 06/05/2025

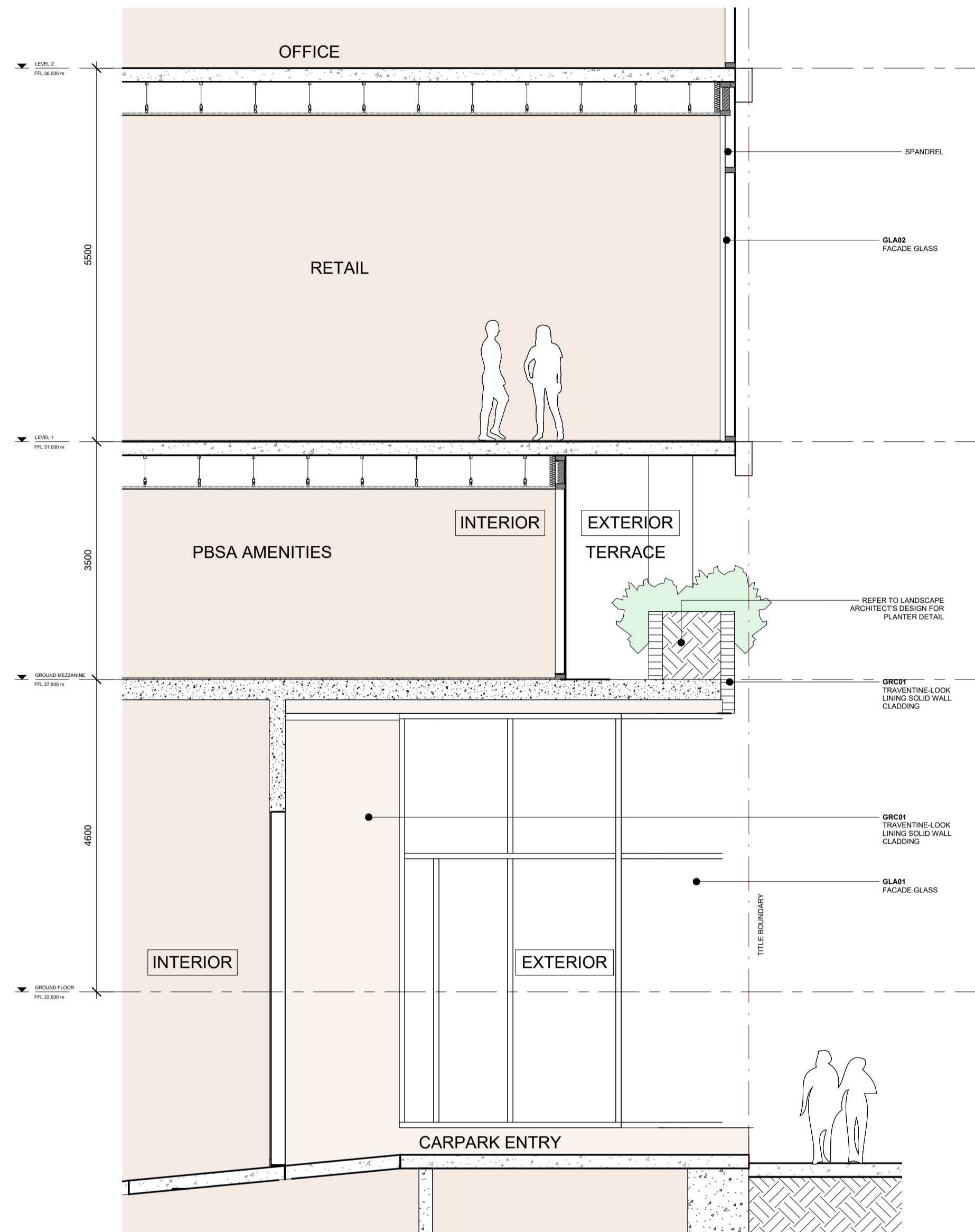
Revision: 2

Drawing Number: TP43-1012

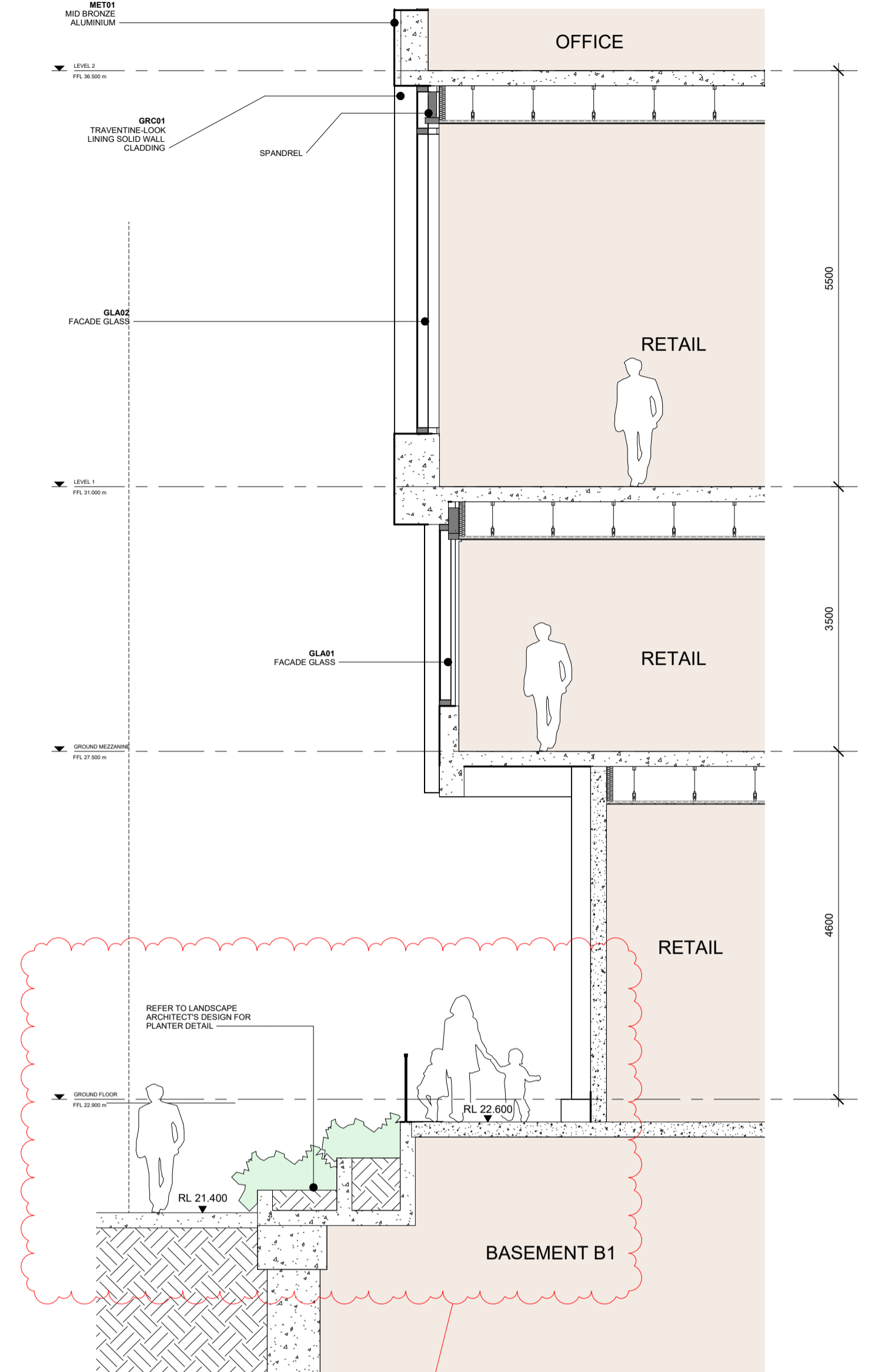
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1 QUEEN STREET GROUND FLOOR SECTION
 TP42-0110 SCALE 1:50



2 A'BECKETT STREET CARPARK ENTRANCE SECTION
 TP42-0100 SCALE 1:50



3 EAST GROUND FLOOR PUBLIC REALM SECTION
 TP41-1020 SCALE 1:50

LEVELS AMENDED IN RESPONSE TO CDM RFI ITEMS 1.4C & D, AND 6.7



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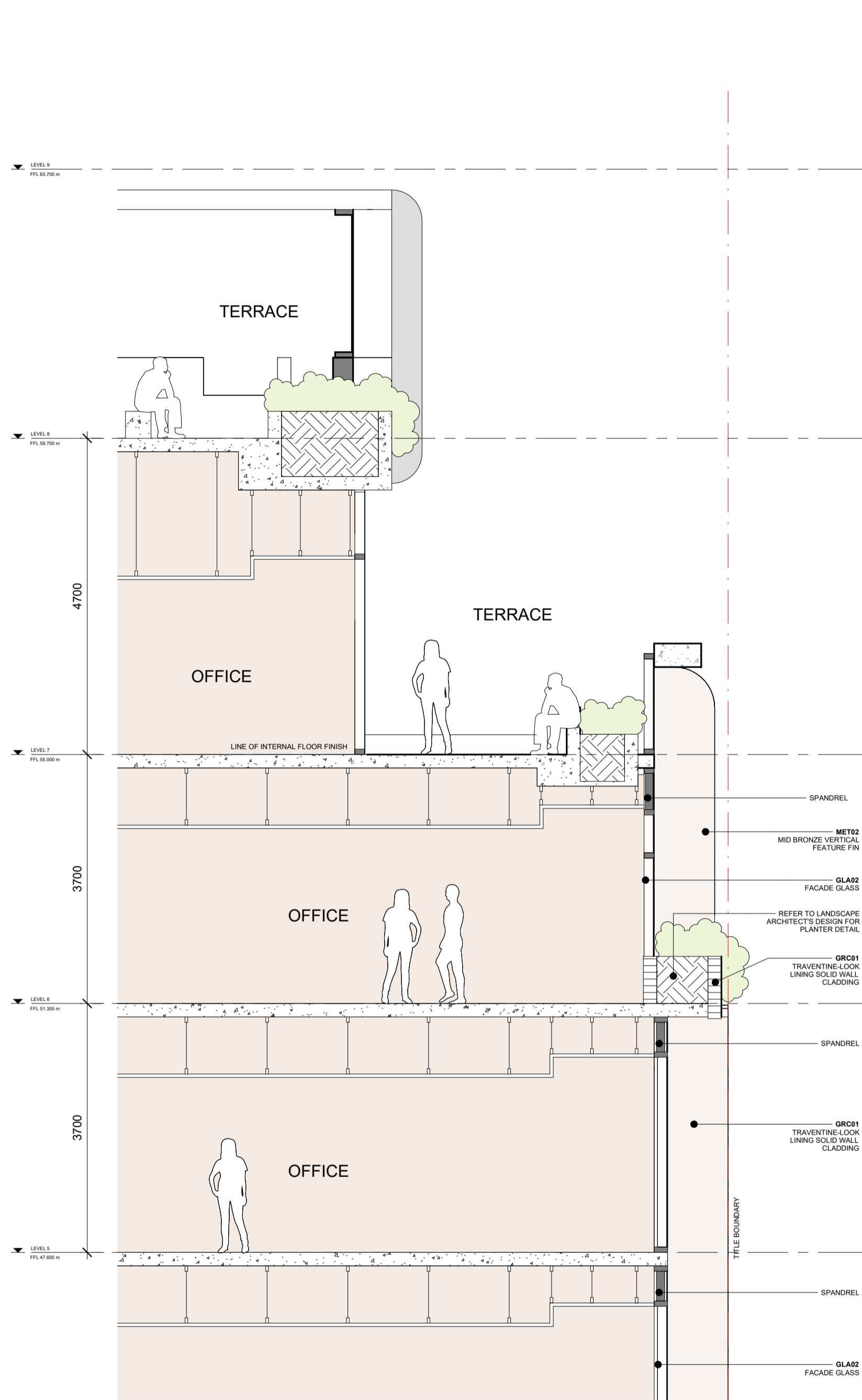
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 MELBOURNE VIC. 3000

Drawing Title: **DETAILED FACADE SECTIONS - GROUND FLOOR**

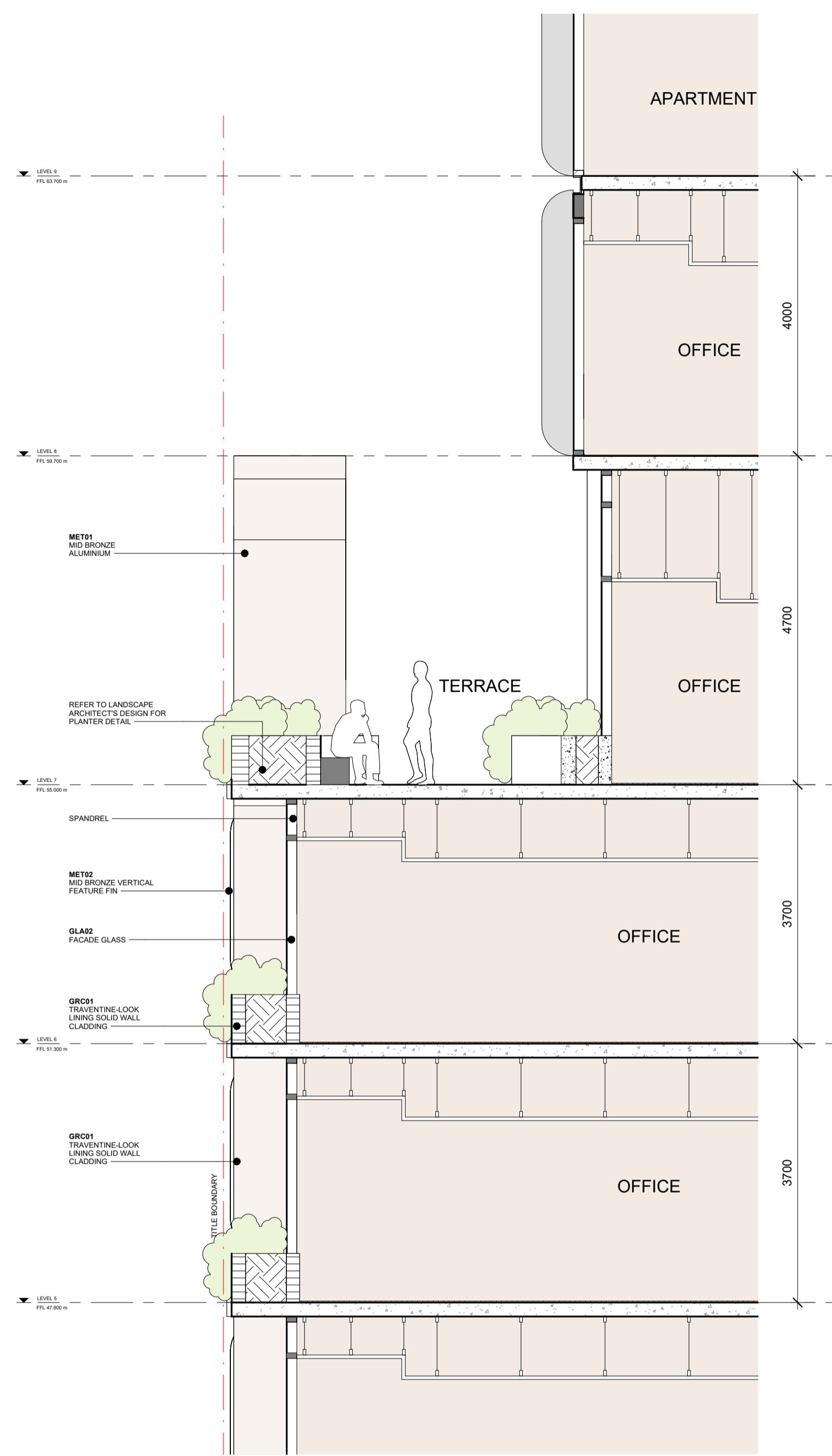
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Acknowledgement: _____
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 Date: **05/06/2025**

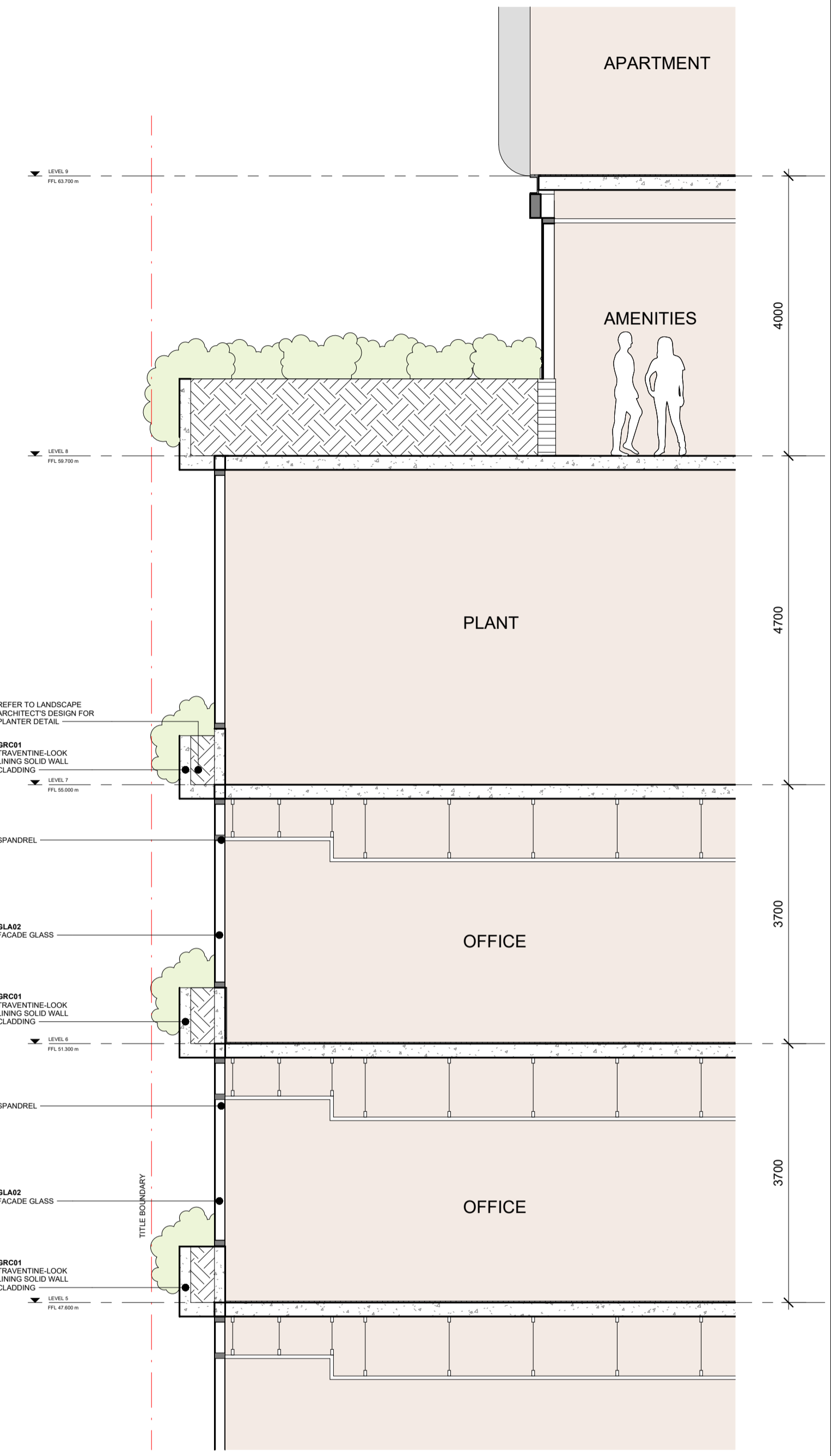
ADDRESS AMENDED



1
 TP41-1020
 LEVEL 8 AMENITIES WEST FAÇADE SECTION
 SCALE 1 : 50



2
 TP41-1020
 LEVEL 7 AMENITIES WEST FAÇADE SECTION
 SCALE 1 : 50



3
 TP42-0100
 LEVEL 8 PODIUM TOP NORTH FAÇADE SECTION
 SCALE 1 : 50



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Project
 400 QUEEN STREET
 MELBOURNE VIC. 3000

2 ADDRESS AMENDED

Drawing Title: DETAILED FAÇADE SECTIONS - PODIUM TOP

Acknowledgement

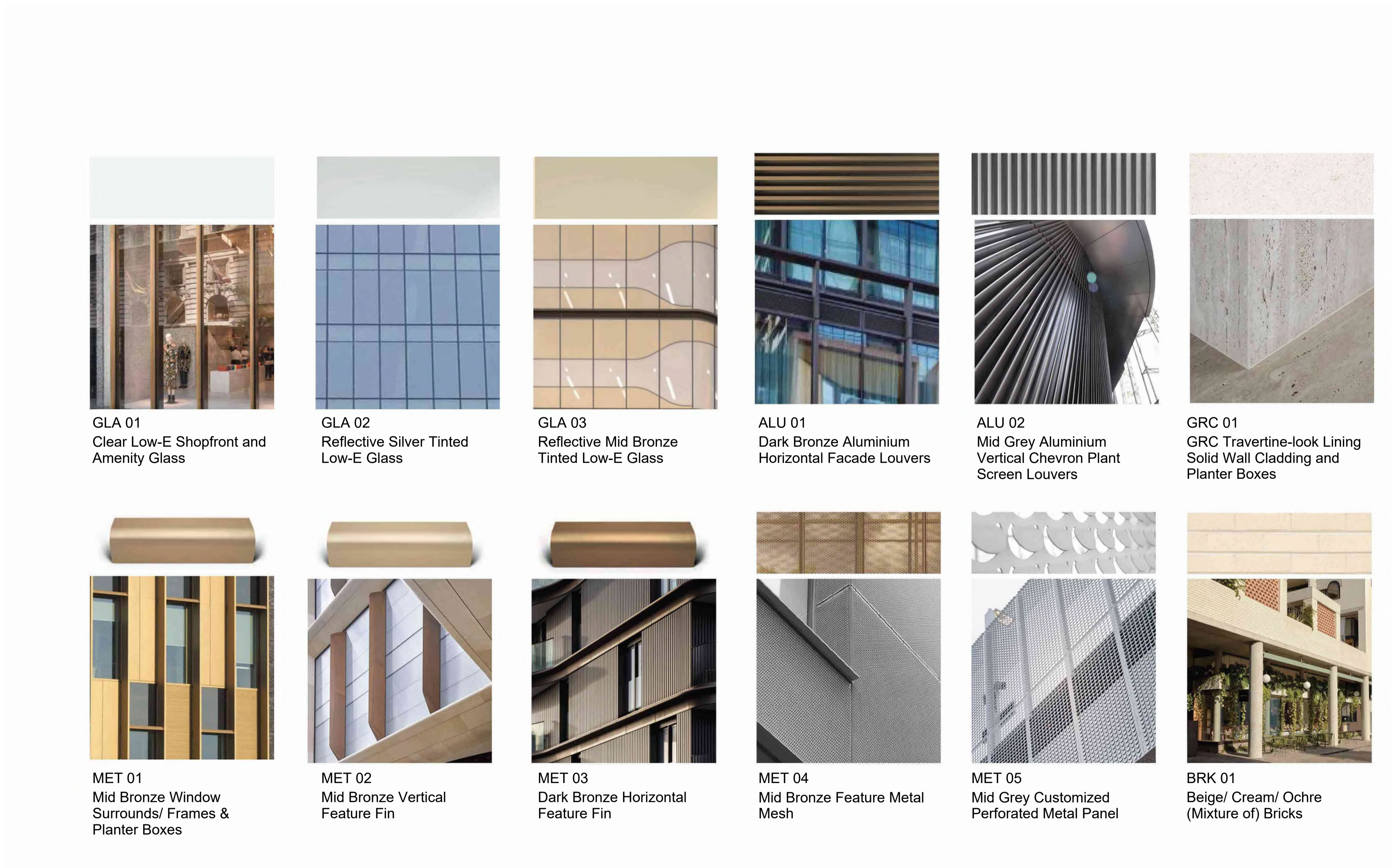
Scale: 1 : 50 @ A1

Date: 05/06/2025

Revision: 2

Drawing Number: TP45-1110

PLOT STAMP DATE: 20/06/2025 3:54:08 PM



GLA 01
Clear Low-E Shopfront and
Amenity Glass

GLA 02
Reflective Silver Tinted
Low-E Glass

GLA 03
Reflective Mid Bronze
Tinted Low-E Glass

ALU 01
Dark Bronze Aluminium
Horizontal Facade Louvers

ALU 02
Mid Grey Aluminium
Vertical Chevron Plant
Screen Louvers

GRC 01
GRC Travertine-look Lining
Solid Wall Cladding and
Planter Boxes

MET 01
Mid Bronze Window
Surrounds/ Frames &
Planter Boxes

MET 02
Mid Bronze Vertical
Feature Fin

MET 03
Dark Bronze Horizontal
Feature Fin

MET 04
Mid Bronze Feature Metal
Mesh

MET 05
Mid Grey Customized
Perforated Metal Panel

BRK 01
Beige/ Cream/ Ochre
(Mixture of) Bricks

5.0 DESIGN RESPONSE

5.13 Shadow Diagrams

Shadows - Proposed
to Flagstaff Gardens on 22 June



11:00

- Shadow Cast by Existing
- Shadow Cast by Proposed QVM Development
- Shadow Cast by Proposed 388 William Street
- Shadow Cast by Proposed 380 Queen Street



12:00





5.0 DESIGN RESPONSE

5.13 Shadow Diagrams

Shadows - Proposed
to Flagstaff Gardens on 22 June



13:00

-  Shadow Cast by Existing
-  Shadow Cast by Proposed QVM Development
-  Shadow Cast by Proposed 388 William Street
-  Shadow Cast by Proposed 380 Queen Street



14:00

PLANNING OFFICER REPORT

TPMR-2025-21

400 Queen Street, Melbourne

**Ministerial application for Planning Permit PA2503754 –
Demolition of the existing building, construction of a
building and a reduction in the bicycle facilities
requirements**



Acknowledgement of Traditional Owners

The City of Melbourne respectfully acknowledges the Traditional Owners of the land we govern, the Wurundjeri Woi-wurrung and Bunurong / Boon Wurrung peoples of the Kulin Nation and pays respect to their Elders past and present. We acknowledge and honour the unbroken spiritual, cultural and political connection they have maintained to this unique place for more than 2,000 generations.

We accept the invitation in the Uluru Statement from the Heart and are committed to walking together to build a better future.

1.	Application Details	4
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11.	Key outstanding matters	50
12.	Conditions	51

1. Application Details

Melbourne City Council reference	TPMR-2025-21
Department of Transport and Planning reference	PA2503754
Address	400 Queen Street, Melbourne
Applicant	Sime Darby Property (Queen Street) Development Pty Ltd
Owner	Kim Lim Aust. Pty Ltd
Architect	Cox Architecture
Proposal	Demolition of the existing building, construction of a building and a reduction in the bicycle facilities requirements
Approximate cost of development	\$495,619,040
Planning controls	Capital City Zone, Schedule 1 Design and Development Overlay, Schedule 1 Design and Development Overlay, Schedule 10 Parking Overlay, Schedule 1
Permit requirements	Demolition and to construct a building or construct or carry out works in the Capital City Zone, Schedule 1 Construct a building or construct or carry out works in the Design and Development Overlay, Schedules 1 and 10 Reduce the bicycle facilities requirements pursuant to Clause 52.34-2 (Bicycle facilities)
Consultation	Public notification and referrals are the responsibility of the Minister for Planning
Restrictions on title	Easements E1 and E2 – Carriageway (partial), drainage and sewerage easements affecting sections of land adjoining properties facing Anthony Street Agreement L929335J – Operation of car park Agreement AC278000J – Monitoring of car park occupancy
Reason for Future Melbourne Committee referral	The application must be referred to a Future Melbourne Committee in accordance with Section 2.4.2 of Melbourne City Council's Delegation Policy for Planning Applications, as it is a Ministerial Application with a gross floor area exceeding 25,000 square metres
Recommendation	No objection subject to resolution of key outstanding matters
Planning officer	Lachlan Orr, Principal Urban Planner

2. Executive Summary

- A planning permit application has been lodged with the Minister for Planning seeking approval for a multi-storey building containing retail premises, offices, 640 student accommodation units with a total of 900 beds and 693 build to sell dwellings with a maximum building height of 220.4 metres and a floor area ratio of 28.62:1.

- The key matters for consideration are the proposed uplift and public benefits, the built form having regard to the Design and Development Overlay, Schedule 1 and 10 (DDO1 and DDO10) and compliance with Clauses 16.01-1L (Student housing) and 58 (Apartment developments).
- The proposed public benefits supporting the proposed floor area uplift are yet to be resolved. The reliance on 'office' as a strategically justified use forming a public benefit is not supported, and there is ongoing concern with the proposed 'laneways' or 'publicly accessible spaces' which make up the public benefit offering. These matters must be resolved before a permit can be issued by the Minister for Planning and this report makes recommendations to that effect.
- Otherwise, the built form outcome aligns with policy and meets the relevant objectives and built form outcomes sought by DDO1 and DDO10. The provision of a substantial tower form is an appropriate response to the physical and strategic characteristics of the site. The building provides an active and permeable ground floor to the public realm, and the slipped tower form will provide a suitable transition between the adjacent Queen Victoria Market Southern Development Precinct and the central city.
- The proposed student housing and apartments are generally compliant with the policy guidelines at Clause 16.01-1L (Student housing) as well as the objectives and standards of Clause 58 (Apartment developments). Conditions are recommended to increase the amount of communal spaces provided for the student housing, as well as to remedy internal amenity issues with some student units. Conditions are also recommended to improve dwelling diversity by including three-bedroom dwellings, as well as to ensure compliance is achieved with Standard D18 of Clause 55.07-1 (Accessibility). Minor variations are sought to three other Clause 58 standards (Landscaping, Private Open Space and Functional Layout), which are considered acceptable.
- Subject to the resolution of the public benefits, it is recommended that the Department of Transport and Planning be advised that Melbourne City Council does not object to the proposal.

3. Subject Site and Surrounds

3.1. Site

The proposal relates to land at 400 Queen Street, Melbourne (site), which is a broad corner site located on the eastern side of Queen Street and with a southern interface to A'Beckett Street.

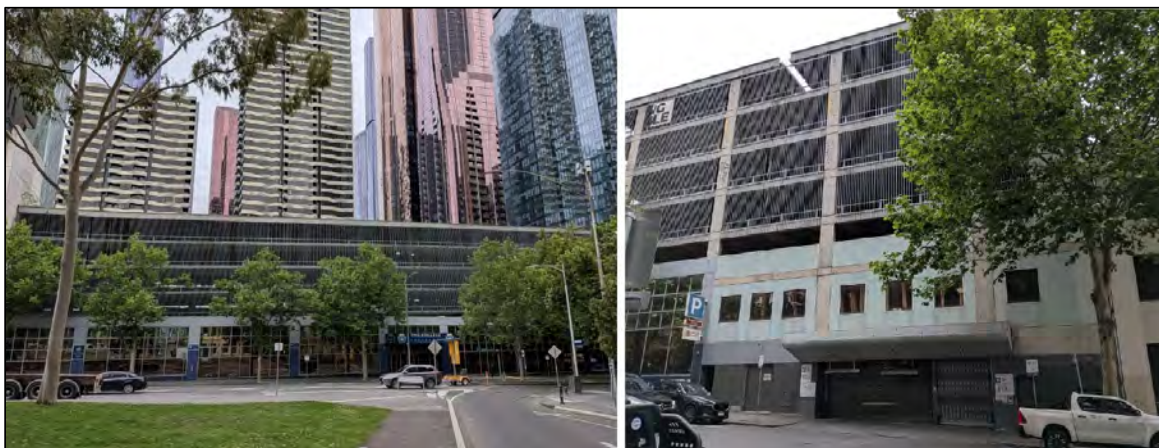


Figure 1 – Subject site viewed from Queen Street (L) and A'Beckett Street (R) (Source: Planning Officer dated November 2025)

The site is generally rectangular in shape and includes narrow sections of land which extend to Anthony Street to the east, which are encumbered by easements for carriageway, drainage and sewerage. The site has frontages to Queen Street of 75.79 metres and A'Beckett Street of 39.66 metres, and has a total area of 3,218 square metres.

It is currently developed with a seven storey building used as a commercial car park with an education centre occupying the ground and mezzanine levels facing the street. Access to the site is provided by a triple width crossover to A'Beckett Street near the south-eastern corner of the site.

The site is formally described as Land in Plan of Consolidation 161945Q. The site is affected by the following easements and restrictions:

- Easement E1 – Drainage and sewerage
- Easement E2 – Carriageway, drainage and sewerage
- Agreement L929335J – Operation of car park
- Agreement AC278000J – Monitoring of car park occupancy

The proposal is not affected by these easements and restrictions.

3.2. Surrounds

The site is located at the northern edge of the Hoddle Grid where it transitions into the Queen Victoria Market precinct, and further to the lower scale areas of North Melbourne in the north-west. The area features a mix of uses including residential, commercial and education facilities. The prominent feature of the area is the Queen Victoria Market, which is a place of national heritage significance and subject to the Development Plan Overlay, Schedule 11 (Queen Victoria Market Precinct).



Figure 2 – Aerial photograph of subject site and surrounds (Source: NearMap dated October 2025)

The key interfaces of the site are outlined below:

North

- To the north is the ten-storey Melbourne Terrace Apartments located on the corner of Queen Street and Franklin Street, which is a locally significant graded heritage place (Heritage Overlay, Schedule 1160).

- Further to the north, beyond Franklin Street, is land located within the *Queen Victoria Market Precinct Framework Plan 2017* as per the Development Plan Overlay, Schedule 11. This includes the recently completed Munro development located on the corner of Therry Street and Queen Street, with building heights of up to 125 metres and containing dwellings, retail premises and narm ngarrgu library. A Ministerial planning permit has been granted for a development of up to 67 metres at the land on the corner of Franklin Street and Queen Street (PA2000875).

West

- To the west is Queen Street and the southern development precinct of the *Queen Victoria Market Precinct Framework Plan 2017*, identified as Parcel D. The land is listed on the Victorian Heritage Register (VH734) and National Heritage Register (106277).
- The redevelopment of Parcel D is to be carried out in accordance with the *Queen Victoria Market Southern Precinct Development Plan, Volume 1* endorsed by the Minister for Planning on 28 June 2024. Ministerial planning permits PA2302374 and PA2302581-1 have been granted for the development of three mixed use towers at heights of 125 metres (Tower 1), 162 metres (Tower 2) and 183 metres (Tower 3) respectively. Tower 3 is situated closest to the site, on the opposite side of Queen Street.
- The road has recently been reconfigured in preparation for the redevelopment of the land in accordance with the *Queen Victoria Market Precinct Framework Plan 2017*.
- Existing development on the western side of Queen Street includes a two storey building on the corner of Franklin Street, which is a significant heritage place identified by the Heritage Overlay, Schedule 735 (*Bank of New South Wales, 375 Queen Street, Melbourne*). The western corners of the intersection between Queen Street and A'Beckett Street feature a 45 metre tall commercial building and a 90 metre tall apartment building.



Figure 3 – Surrounding properties viewed from Queen Street (Source: Planning Officer dated November 2025)

South

- To the south is A'Beckett Street, which features buildings ranging in height from two to ten storeys as well as a number of tower developments completed in recent years.
- Immediately to the south is the mixed use development known as Queens Place approved under Ministerial planning permit 201527732-9, with the first tower completed in 2021 at a height of 249 metres (79 storeys). The second tower, approved to a similar height and situated on La Trobe Street, has not yet commenced.

East

- To the east are properties which face Anthony Street, which is public laneway classified as a Class 2 under Clause 15.01-1L-01 (CBD Lanes). These buildings are 3 to 4 storeys in scale, used for predominantly residential purposes and are not subject to any heritage protection.
- Further to the east is the development known as Fulton Lane, approved by Ministerial planning permit 2010027863, which includes two mixed use towers of 89 metres and 149 metres in height completed in 2015.



Figure 4 – Adjacent land along A'Beckett Street (Source: Planning Officer dated November 2025)

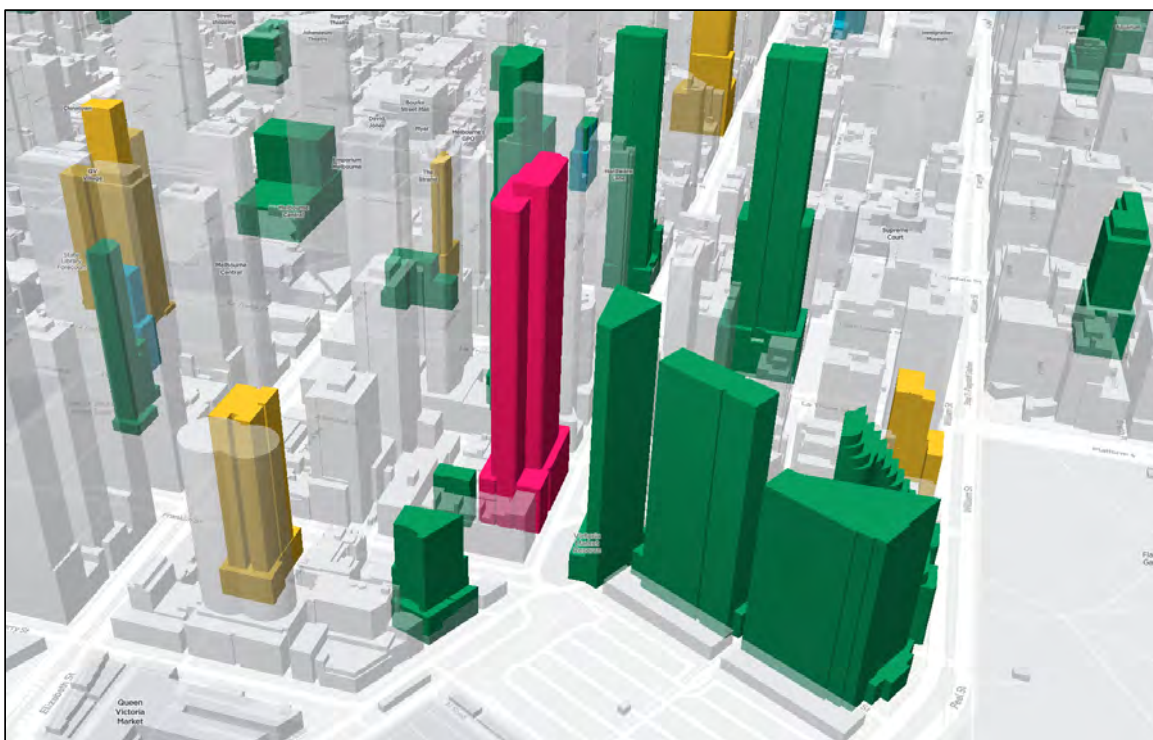


Figure 5 – Surrounding development context (Source: City of Melbourne Development Assessment Model, November 2025)

3.3. Aboriginal Cultural Heritage

This site is situated on the traditional lands of the Wurundjeri Woi-wurrung.

The site is not located in an area of legislated Cultural Heritage Sensitivity.

4. Background

4.1. Site history

There are no historical planning permits or applications of direct relevance to the current application.

4.2. Pre-application discussions

A pre-application meeting was held on 4 December 2024, and a design review panel was facilitated by the Office of the Victorian Government Architect (OVGA) on 9 April 2025. Both meetings were attended by officers from DTP and Melbourne City Council, and the applicant.

The following key matters were discussed:

- Public benefits, with specific concern raised with:
 - The reliance on 'office' as a strategically justified use.
 - The lack of affordable housing.
 - The benefit and valuation of the proposed 'laneways'.
- Design of the proposed laneways / public links and the ground plane.
- Building height, transition between QVM and central city.
- Refinement of the tower form.
- Resolution of the street wall response to each street, and Melbourne Terrace building.
- Compliance with the built form requirements of the DDO10.
- Appropriateness of a potential supermarket use.

4.3. Amendments to the application

The application was amended pursuant to Section 50 of the Act on 30 September 2025 in response to requests for information and preliminary comments from DTP and Melbourne City Council officers, including internal referral advice from Council.

5. Proposal

5.1. Proposal Summary

The proposal is for a mixed-use tower development. It provides a podium and tower arrangement with a permeable ground level, an articulated podium to each street and a slipped tower form.

Key components of the proposal are summarised below:

- The construction of a 220.4 metre / RL 243.3 (67 storey) building containing retail premises, offices, student housing (900 beds), dwellings (693 apartments) as well as car parking, storage, and bicycle parking (incl. end of trip facilities) provided over four basement levels.
- Retail premises are provided from ground to level 1, as well as one tenancy which extends to the basement. Offices are provided from levels 2 to 7 within the podium. Student housing is provided from levels 9 to 28. Apartments are provided from levels 30 to 62.
- Shared amenities for the student housing are provided at levels 7 and 8, while apartment amenities are provided at levels 8, 29 and 63.

- The ground level features a network of publicly accessible spaces which are identified interchangeably as laneways and arcades, and would encompass a total of 1,314 square metres of the site area. Of this, 720 square metres would be open to the sky and 594 square metres would be covered by the proposed building. The spaces would connect to Anthony Street to the east via the existing easement areas, located within the title boundaries.

Details of the proposal can be summarised, as per Table 1, as follows:

Table 1: Proposal Details	
Gross Floor Area (GFA)	92,090 square metres
Floor Area Ratio (FAR)	28.62:1
Building Height	220.4 metres (excluding 3 metre high architectural features and roof plant set back 3 metres from façades)
Street Wall Heights	Queen Street: 33.65 to 36.87 metres A'Beckett Street: 38.6 to 39.7 metres
Tower Setbacks	Queen Street: 5 to 15.3 metres A'Beckett Street: 5 to 23 metres Northern boundary: 6 to 25.5 metres Eastern boundary: 9.6 to 18.1 metres
Dwellings	693 apartments, including: <ul style="list-style-type: none"> • 264 x studio • 363 x 1-bed • 66 x 2-bed
Student housing	900 beds, including: <ul style="list-style-type: none"> • 520 x studio rooms • 40 x 2-bed cluster units • 60 x 3-bed cluster units • 20 x 6-bed cluster units
Office	10,103 square metres (net leasable area)
Retail	3,419 square metres (net leasable area)
Communal Areas	Dwellings: 1,980 square metres Student housing: 2,393 square metres Ground floor publicly accessible areas: 1,134 square metres
Car Parking	154 spaces at basement levels
Bicycle Parking	386 spaces, including 30 spaces at ground level and 356 at basement level 2
Access and Loading	Double crossover to A'Beckett Street Loading and waste collection at basement level 1

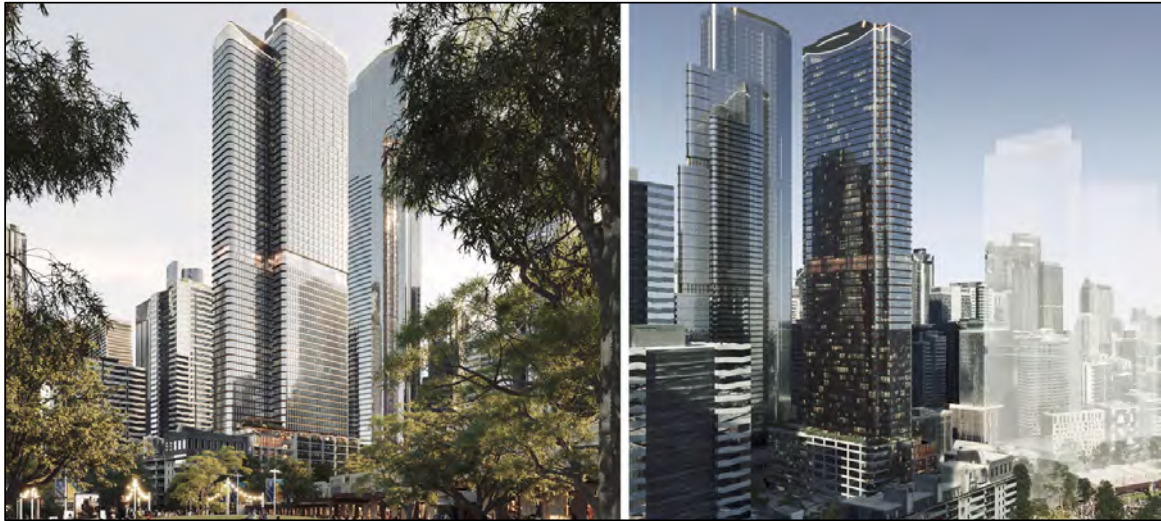


Figure 6 – Render images of the proposed development from the north-west and north-east (Source: Applicant dated June 2025)



Figure 7 – Render images of the proposed street wall from Queen Street and A'Beckett Street (Source: Applicant dated June 2025)

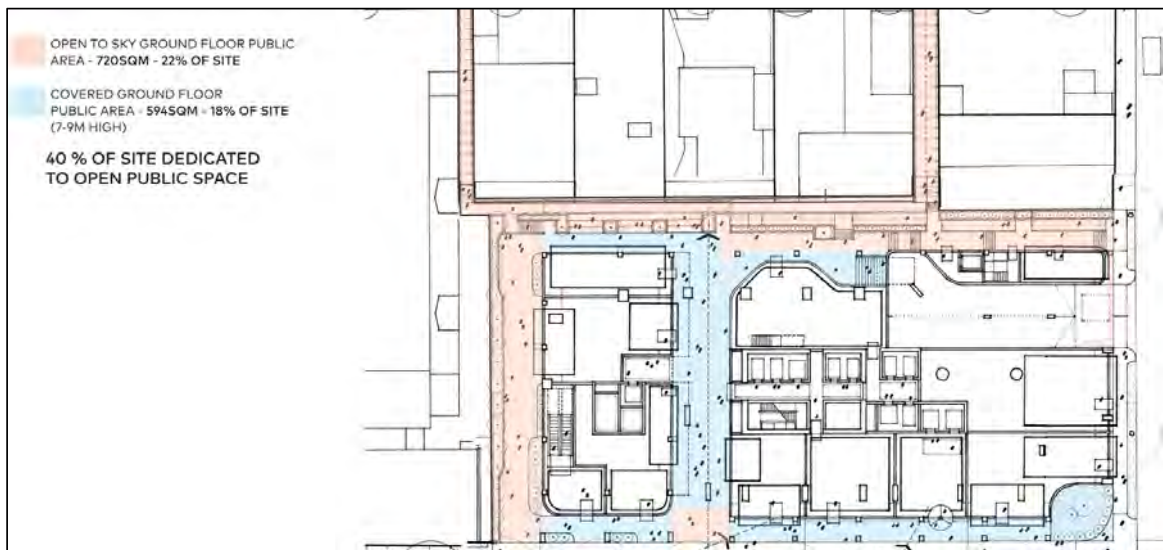


Figure 8 – Layout of publicly accessible spaces and connections (Source: Applicant dated June 2025)

5.2. Documents considered in assessment

The documents which have been considered in this assessment are identified in Table 2 below:

Table 2: Documents Considered in Assessment		
Document	Author	Date
Town Planning Report	Urbis	6 June 2025
Public Benefit Assessment	Urbis	6 June 2025
Floor Area Ratio Calculation	WTP Australia Pty Ltd	6 June 2025
Urban Context Report	Cox Architecture	6 June 2025
Architectural Plans	Cox Architecture	29 September 2025
Landscape Plans	Tract Consultants	6 June 2025
Traffic Impact Assessment	Traffix	25 September 2025
Sustainability Management Plan	Stantec	6 June 2025
Stormwater Management Plan	Webber Design Pty Ltd	6 June 2025
Environmental Wind Conditions Study	MEL Consultants	18 August 2025
Waste Management Plan	Leigh Design	1 October 2025
Acoustic Report	Acoustic Logic	6 June 2025

6. Planning Policies and Controls

The following provisions of the Melbourne Planning Scheme are most relevant to the application.

6.1. Policy Framework and Controls

Sections	Policies/Controls
Municipal Planning Strategy	<ul style="list-style-type: none"> • Clause 2.02: Vision • Clause 2.03: Strategic Directions • Clause 2.04: Strategic Framework Plans
Planning Policy Framework	<ul style="list-style-type: none"> • Clause 11: Settlement <ul style="list-style-type: none"> ○ Clause 11.02: Managing Growth ○ Clause 11.03: Planning for Places ○ Clause 11.03-6L-09: Hoddle Grid • Clause 13: Environmental Risks and Amenity <ul style="list-style-type: none"> ○ Clause 13.05: Noise ○ Clause 13.07: Amenity, Human Health and Safety • Clause 15: Built Environment and Heritage <ul style="list-style-type: none"> ○ Clause 15.01: Built Environment ○ Clause 15.01-1S: Urban Design ○ Clause 15.01-1R: Urban Design – Metropolitan Melbourne ○ Clause 15.01-1L-01: CBD Lanes

Sections	Policies/Controls
	<ul style="list-style-type: none"> ○ Clause 15.01-1L-04: Urban Design ○ Clause 15.01-2S: Building Design ○ Clause 15.01-2L-01: Energy and resource efficiency ○ Clause 15.01-2L-02: Floor area uplift and delivery of public benefits • Clause 16: Housing <ul style="list-style-type: none"> ○ Clause 16.01: Residential Development ○ Clause 16.01-1L: Student housing • Clause 17: Economic Development <ul style="list-style-type: none"> ○ Clause 17.01: Employment ○ Clause 17.02: Commercial • Clause 18: Transport <ul style="list-style-type: none"> ○ Clause 18.01: Land Use and Transport ○ Clause 18.02: Movement Networks • Clause 19: Infrastructure <ul style="list-style-type: none"> ○ Clause 19.02: Community Infrastructure ○ Clause 19.03: Development Infrastructure ○ Clause 19.03-3L: Stormwater management
<p>Capital City Zone – Schedule 1 (Outside the Retail Core)</p>	<p>Use – No Permit Required</p> <p>The use of the land for accommodation, offices and retail premises fall under Section 1, and do not require a permit.</p> <p>Buildings and Works and Demolition – Permit Required</p> <p>Pursuant to Schedule 1 of Clause 37.04, a permit is required to construct a building or construct or carry out works, and to demolish or remove a building.</p>
<p>Design and Development Overlay – Schedule 1 (Urban Design in Central Melbourne)</p>	<p>Buildings and Works – Permit Required</p> <p>Pursuant to Schedule 1 of Clause 43.02, a permit is required to construct a building or carry out works.</p>
<p>Design and Development Overlay – Schedule 10 (General Development Area – Built Form)</p>	<p>Buildings and Works – Permit Required</p> <p>Pursuant to Schedule 10 of Clause 43.02, a permit is required to construct a building or construct or carry out works.</p>
<p>Parking Overlay – Schedule 1 (Capital City Zone – Outside the Retail Core)</p>	<p>No Permit Required</p> <p>Pursuant to Schedule 1 of Clause 45.09, a permit is required to provide car parking spaces in excess of the car parking rates in Clause 3.0.</p> <p>The proposed development generates a maximum parking requirement of 853 spaces. The proposal provides a total of 154 car parking spaces on</p>

Sections	Policies/Controls
	site, which is less than the maximum requirement. As such, permit is not required.
Particular Provision – Clause 52.06 (Car Parking)	<p>No Permit Required</p> <p>The requirements for the provision of on-site car parking for dwellings are outlined in the PO1 above.</p> <p>The design of the access and car parking arrangement is required to be assessed against Clauses 52.06-9 and 52.06-10.</p>
Particular Provision – Clause 52.34 (Bicycle Facilities)	<p>Reduce the bicycle facilities requirements – Permit Required</p> <p>Pursuant to Clause 52.34-1, a new use must not commence, or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage have been provided on the land.</p> <p>The proposal is required to provide a total of 443 spaces (229 resident parking, 153 residential visitor, 44 employee and 17 customer). A total of 5 showers are required to be provided, as well as access to change rooms or direct access to a communal change room.</p> <p>A total of 354 bicycle spaces (326 resident and employee spaces and 30 for visitors / customers) are proposed along with end of trip facilities at basement level 2 (37 lockers, 11 showers in 3 communal change rooms).</p> <p>Therefore, a permit is required to reduce the total number of bicycle spaces required by this clause.</p>
Particular Provision – Clause 53.03 (Residential Reticulated Gas Service Connection)	This clause includes mandatory conditions to prohibit gas connections to new dwellings.
Particular Provision – Clause 53.18 (Stormwater Management in Urban Development)	This clause seeks to ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits. It contains objectives and standards for buildings and works, and site management, that are relevant to the application.
Particular Provision – Clause 58 (Apartment Developments)	The provisions in this clause apply to an application to construct an apartment development within the Capital City Zone.
General Provision – Clause 65 (Decision Guidelines)	Clause 65.01 (Approval of an application or plan) outlines the matters which must be considered by the Responsible Authority prior to deciding on the approval of an application, including the matters set out in Section 60 of the <i>Planning and Environment Act 1987</i> .
General Provision – Clause 66.04	Pursuant to the schedule to Clause 66.04, this application has been referred to Melbourne City Council as a recommending referral authority as it is an application for development with a gross floor area exceeding 25,000 square metres in the Capital City Zone, Schedule 1.

Sections	Policies/Controls
(Referral of Permit Applications under Local Provisions)	
Operational Provision – Clause 72.01	
(Responsible Authority for this Planning Scheme)	

Pursuant to the Schedule to Clause 72.01-2, the Minister for Planning is the responsible authority for this planning permit application as the total gross floor area of the development exceeds 25,000 square metres.

6.2. Relevant Planning Scheme Amendments

6.1.1 Amendment C376melb – Sustainable Building Design

Proposed Planning Scheme Amendment C376 (Sustainable Building Design) to the Melbourne Planning Scheme was adopted by Council on 29 July 2025 and was submitted to the Minister for Planning for approval on 15 August 2025.

Amendment C376 seeks to introduce new best-practice standards into the Melbourne Planning Scheme to ensure that new buildings respond to climate change impacts and align with Council’s target of net zero emissions by 2040. It also introduces the Green Factor tool which was designed by the City of Melbourne to promote and optimise the design of green infrastructure and external landscapes.

To achieve this, the Design and Development Overlay Schedule 73 (DDO73) is proposed to apply to all land in the municipality and would apply new ESD application requirements, standards and assessment criteria. It is noted the proposed DDO73 includes transitional arrangements and would not apply to permit applications, or applications to amend a permit, made before the commencement of Amendment C376 in the planning scheme.

Specific to the land affected by this application, Amendment C376 proposes to amend the Capital City Zone, Schedule 1 to include new requirements for bicycle, motorcycle and car parking.

The application is considered to generally align with the proposed requirements of Amendment C376 through the submission of a Sustainable Management Plan (which includes a green factor scorecard), which is acceptable subject to conditions discussed Sections 8.2 and 9.5 of this report.

7. Public Notice and Objections

Public notification is the responsibility of Minister for Planning as the Responsible Authority for this application. It is noted that the applicable planning controls exempt this application from public notification.

8. Referrals

8.1. External referrals

External referrals are the responsibility of the Minister for Planning as the Responsible Authority for this application.

8.2. Internal referrals

The table below summarises the advice received from the relevant internal departments together with corresponding Planning Officer comments.

Table 3: Internal Referral Comments

City Design

The City Design team were generally supportive of the proposal however, raised concern with the following matters:

- We do not see public benefit in the public connections east to Anthony Street in the configuration proposed. This is particularly the case with the northern link which we see as potentially hazardous and would recommend it is discontinued.
- While the design intent is kept intact responding to permeability and urban structure, accessibility and publicness remains a significant concern. Stepped transition and significant level difference creates party wall condition and hazardous line of sight issues at rear laneway resulting in poor and disintegrated public realm relationship.
- We support the approach to the façade design but recommend greater variation in depth and tactility on the central form / northern podium to reinforce the variation in the distinct parts of the lower form.
- Noting the apartment units facing South are going to be in shade, additional light well or articulation within the façade is recommended to enhance access to light for improved liveability and amenity.
- The communal space servicing dual studio units on level 9 - level 28 are completely restricted of light. We recommend providing direct access and generosity for a considered and improved internal amenity

Additionally, the following comments were provided on the landscape response:

- Ground floor and North Public Open Space link
 - The current design with a 2.3 m high wall and balustrade is quite inhospitable from the laneway. It does not connect the development to the ground plane but creates a buffer. Activation from the laneway should also be considered.
 - The terraced seating edge and steps, and tall planter boxes do not support a permeable view and access to the property.
 - A DDA access from the northern most part of the development should be considered to allow direct access Queen Street.
 - As per site analysis, this area will have a very limited solar exposure throughout the year, consider the height of the structure and the species the climbers on wire as it will have a hard time thriving here.
 - The raised planter and climbers on the ground floor does not support permeability to the property, reconsider the introduction of a narrow-raised planter box in this location.
 - Refer to City of Melbourne Design and Construction standards to ensure this POS/Laneway integrates to the City's character.
- Queen Street interface - Ensure the planter and seating edges comply to CoM's standards. Small and narrow planting beds staggered along the stretch of Queen Street façade should be revisited.
- Canopy cover – Species and sun exposure should be considered when computing for the canopy cover and Green Factor particularly on the ground floor.
- Plant Species - Anigozanthos and Grevilleas are generally not shade loving and should not be considered for use in Ground floor. Consider the use of shade tolerant plants versus shade loving plants.

Officer comments:

The recommendations are addressed as follows:

- A recommended condition will require the northern easement area to be restricted from public access, which will alleviate potential safety and entrapment risks in this narrow, enclosed space. Otherwise, the revised layout of steps, landscaping and retaining walls provide a more suitable pedestrian experience within the publicly accessible areas and will enable adequate sight lines and integration with the public realm.
- A façade strategy will be recommended as a permit condition which will incorporate the recommended treatments to the northern elevation to reinforce the variation in the distinct parts of the lower form.
- The revised plans demonstrate adequate solar access to south-facing apartments through internal reconfigurations which reduce the deeper internal areas of the open plan living spaces and reorienting them to face external windows.
- A recommended condition will address the student housing unit which has no daylight access to the living area to improve amenity to these rooms.
- Recommended conditions for a landscape plan and landscape maintenance plan will address the remaining recommendations through the detailed landscape design.

City Infrastructure

The City Infrastructure team recommended standard permit conditions and notes relating to drainage and road infrastructure, as well as public lighting. In relation to the proposed pedestrian connections, it was advised that:

“The internal roads should remain the responsibility of the landowner(s) in perpetuity. The City of Melbourne is unlikely to agree to the internal roads being made public”

Officer comments:

The standard conditions are recommended to form part of the permit. A recommended condition requires a Section 173 Agreement associated with the publicly accessible pedestrian spaces, ensuring they remain under the care and management of the landowner(s).

Environmentally Sustainable Design (ESD)

The ESD officer advised that the proposal generally commits to a level of sustainability that meets the objectives of the Melbourne Planning Scheme, and recommended conditions to ensure the development will achieve its aspirations. Recommended conditions were also provided in relation to landscaping.

Officer comments:

The recommendation can be addressed through conditions requiring the endorsement and implementation of an amended Sustainable Management Plan, which includes a series of requirements that have been recommended following discussions with the applicant. Recommended conditions will also require an amended Landscape Plan and a Landscape Maintenance Plan.

Land Tenure

The subdivision team reviewed the application and made the following recommendations / comments:

- Registered Agreement L929335J (if no longer relevant) must be ended prior to the commencement of works.

-
- Registered Agreement AC278000J (if no longer relevant) must be ended prior to the commencement of works.
 - The property has been incorrectly referred to on the Architectural plans as 380 Queen Street Melbourne. The address does not match the known address of 400 Queen Street. All references to 380 Queen Street must be deleted from the Architectural plans and replaced with 400 Queen Street Melbourne.
 - Prior to occupation all internal and external accessways must be named to provide for appropriate addressing of the ground floor tenancies. This will require a condition along the following lines to be included on the permit:
 - Prior to occupation, all internal and external accessways must be named in accordance with the Geographic Place Names Act 1998 to provide appropriate street addressing for the retail tenancies. Any proposed road name must comply with the Naming rules for places in Victoria 2022 - Statutory requirements for naming roads, features and localities (the naming rules), and the Geographic Place Names Act 1998.
-

Officer comments:

The above matters will be addressed through recommended permit conditions.

The address of the land on the plans was updated to 400 Queen Street.

Transport Engineering

The Transport Engineering team provided the following comments / recommendations:

- It is recommended that the location of the bollard in Private Lane PL5288 be suitably located to maintain any access requirements, while also providing adequate protection of users within the open space area.
 - It is noted that the crossover is now proposed to be 7.3 m wide and is less than the width in our policy requiring a pedestrian refuge.
 - The provision of car parking and motorcycle parking is satisfactory. In relation to drop-off and pick-up activity associated with the proposed use it is accepted that a Sustainable Transport Plan could be prepared for the development as a condition of Permit that specifically considers the management of drop-off and pick-up activities.
 - It is noted that one car share space is proposed to be provided on-site. This allocation should be included as a condition of permit.
 - The provision of bicycle parking is considered satisfactory and there is no objection to the waiver being sought. The design / dimensions of the bicycle parking should comply with the relevant Australian Standards or Bicycle Network guidelines.
 - A Car Parking Management Plan, Loading Management Plan, Sustainable Transport Plan and Road Safety Audit are required as permit conditions.
-

Officer comments:

These requirements will be addressed through recommended permit conditions.

The recommendation relating to the length of the proposed crossover does not require a condition, as the reduced width proposed does not necessitate a refuge space and there is an improved outcome for the footpath when compared to existing conditions.

Urban Forestry and Ecology

The Urban Forestry and Ecology team recommended standard conditions to protect street trees from the impacts of demolition and construction.

Officer comments:

The recommended conditions form part of the recommendation.

Waste and Recycling

The Waste and Recycling team reviewed the WMP and recommended the following matters be addressed:

- The elevation drawing below shows a 4000 mm clearance under the roller door, which would be adequate if there was no change in gradient of the flooring. However, the change in gradient will result in the waste vehicle being on a slope as it passes under the roller door and warrants additional clearance. A sequence diagram showing the waste vehicle passing under the roller door needs to be provided to ensure there is adequate clearance as the vehicle passes under the door.

Officer comments:

The above matter can be addressed by recommended permit conditions for an amended Waste Management Plan and associated changes to the development plans.

9. Assessment

The key issues for consideration in the assessment of the application, having regard to the relevant planning controls affecting the site, include:

- Floor area uplift and public benefit
- Demolition
- Built form
- Clause 16.01-1L (Student Housing)
- Clause 58 (Apartment Developments)
- Environmentally Sustainable Design
- Traffic and parking, bicycle facilities and waste.

9.1. Floor area uplift and public benefit

A public benefit is required as the proposed FAR is 28.62:1 and the Floor Area Uplift (FAU) is 34,166 square metres of GFA.

Clause 15.01-2L-02 (Floor area uplift and delivery of public benefits) seeks to ensure that development delivers public benefits of an equal or greater value to the FAU, where a floor area ratio over 18:1 is proposed. The key policy document to consider is the *How to Calculate Floor Area Uplifts and Public Benefits* (Department of Environment, Land, Water and Planning, 2016) (Uplift Document). The Uplift Document provides guidance on undertaking a calculation of the value of the public benefit. The calculation shown in the below table requires an assessment of the difference in gross realisation value (GRV) between the proposed residential use within the additional levels sought by the uplift.

It is noted that the site sits outside any of the designated GRV precincts identified in the Uplift Document, sitting adjacent to the northern boundary of the Flagstaff Precinct which indicates a \$7,500 GRV for residential uses. The submitted Public Benefit Assessment has acknowledged this and assumed a more

contemporary GRV of \$10,000 for the residential uses which seek the proposed uplift. This assumption is reflected in the assessment below.

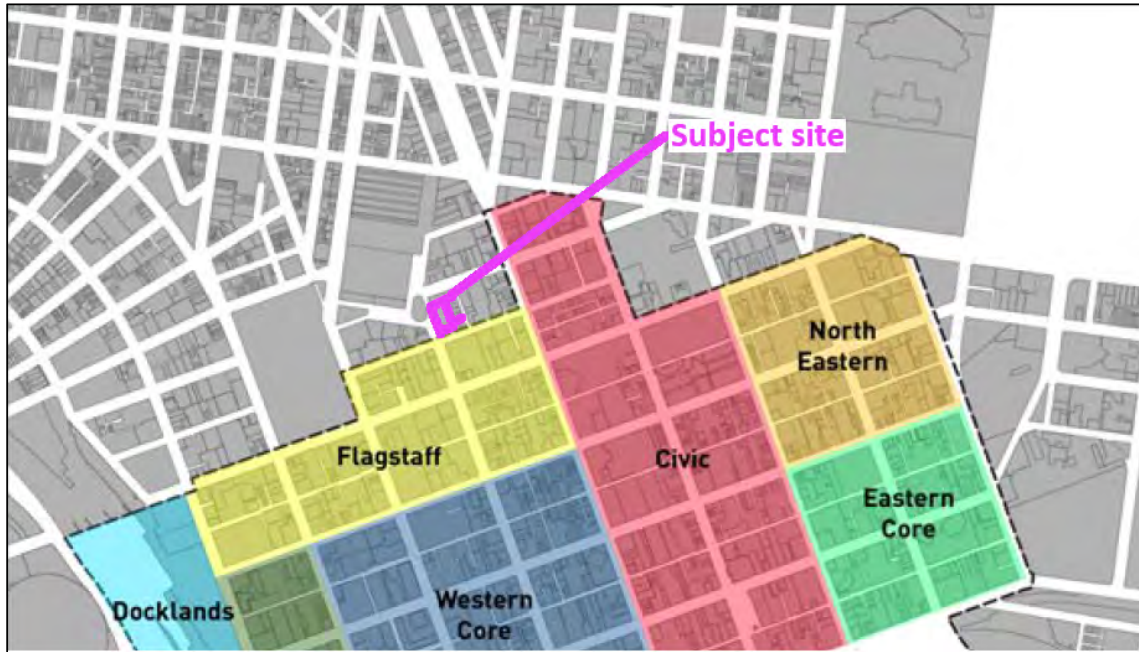


Figure 9 – Extract of GRV Precinct Map from the Uplift Document (Source: DELWP dated November 2016) with annotation added

The table below provides a breakdown of the FAU calculation for the proposal:

Table 4: Floor Area Uplift (FAU) Calculation	
Description	Calculation
Site Area	3,218 square metres
Allowable gross floor area (18:1)	57,924 square metres
Proposed gross floor area	92,090 square metres
Proposed floor area ratio	28.62:1
Floor area above 18:1 (FAU)	34,166 square metres
Base data for valuing FAU (GRV/m2)	\$10,000 for residential
Value of each m2 of FAU (10% of GRV)	\$10,000 / square metres x 10% = \$1000 per square metre of FAU
Total value of FAU	\$34,166,000

The application proposes public benefits which include two components: 'Strategic Use – Office' and 'Laneway Credit'. The application was accompanied by Public Benefit Assessment which breaks down the calculation of these public benefits, summarised in the table below:

Table 5: Public Benefit Methodology provided by Applicant (Source: Urbis)			
Public Benefit Component	Area	Public Benefit Category (Uplift Document)	Valuation (Applicant)
Strategic Use – Office	10,103 m ²	Strategically justified uses including Office on site or within the proposed building	\$25,257,500 (10,103 m ² at an adopted GRV of \$2,500 per m ²)
Laneway Credit	1,314 m ²	Publicly accessible open areas on the site	\$23,553,000

Table 5: Public Benefit Methodology provided by Applicant (Source: Urbis)

	(720 m ² of open to sky areas at an adopted GRV of \$17,000 per m ² , plus 594 m ² of enclosed areas at an adopted GRV of \$15,000 per m ²)
Total value of proposed benefits	\$48,810,500

Based on the calculations provided by the applicant, it submits the proposal will provide public benefits which exceed the total value of the FAU sought by \$14,644,500.

In considering whether an appropriate and commensurate public benefit is provided in support of a FAU, Clause 15.01-2L-02 outlines the following policy guidelines:

- *In consultation with the receiving agency of the proposed public benefit(s), whether the Floor Area uplift is appropriately matched by the public benefit(s) to be provided, by considering the following:*
 - *The public benefit(s) is consistent with state and local policy, strategic initiatives and relevant guidelines.*
 - *The quantity and value of the floor area uplift being appropriately calculated and the proposed public benefit(s) being of a matching value.*
 - *The proposed public benefit(s) being realistically capable of being delivered and secured by a suitable legal agreement.*
 - *The proposed public benefit being supported by the proposed receiving agency and capable of being maintained for a reasonable period of time.*

Officers do not consider the proposed public benefits to be consistent with state and local policy for the following reasons:

- The reliance on 'office' as a strategically justified use is not supported. While the Uplift Document does suggest office as an *example* of a strategically justified use, it must be acknowledged that this document was published in 2016 and has not been reviewed or updated in the intervening period. The classification of office as a strategic use is not compatible with contemporary strategic planning imperatives facing the City of Melbourne in 2025. These changing priorities are most notably emphasised through the implementation of housing targets across the state of Victoria through Amendment VC283 and *Plan for Victoria*.
- The public benefit proposal fails to incorporate any affordable housing. With a total of 693 build-to-sell apartments and 640 student units proposed within the development, and having regard to policy directives for increased housing affordability, it is considered that any public benefit proposal for this project should be led by a meaningful element of affordable housing.
- While there is merit for the provision of publicly accessible spaces, the proposed 'laneways' are ambiguous in their role and function as a public benefit, having regard to their encumbrance above and below ground as well as their evident purpose being the provision of access to the proposed development. Further evidence and justification is also required as to their assumed value. The spaces primarily serve as access to internal areas within the proposed development, evidenced by their layout, the absence of any key connection to major pedestrian areas or desire routes (noting Anthony Street is a class 2 lane under Clause 15.01-1L-01 (CBD Lanes)) and the block not being identified as having an average length of more than 100 metres in the Appendix to the Central Melbourne Design Guide as per the DDO1.

The proposed 'laneways' are interrupted by level changes, are not fully open to the sky and do not deliver significantly beneficial connectivity within the existing network, which would give rise to their classification as a substantial public benefit. They are also largely encumbered below ground, which prevents their delivery as genuine laneways and raises question as to whether this is factored into their claimed values in the proposed Public Benefit Assessment (\$15,000 and

\$17,000 per square metre). It is noted that the City Infrastructure team confirmed that the spaces would not be accepted as laneways under the care and management of Council, and must stay in the ownership and management of the developer.

The pedestrian connections extending to Anthony Street are narrow spaces which are enclosed by adjoining built form, while one of the connections to Anthony Street is recommended to be removed due to safety and entrapment risks.

Concerns have been consistently raised with the proposed public benefits by DTP and Council officers, as well as by the OVGA. While most areas of the proposal have meaningfully responded to feedback provided, the public benefit component has not changed and remains a threshold issue. The public benefits are fundamental to the entire development proposition and must be resolved before a permit can be granted.

Once the public benefits are resolved, a permit condition will be required for an agreement under Section 173 of the Act to be registered on title requiring the public benefit to be secured.

9.2. Demolition

The application proposes to fully demolish the existing building.

Under the CCZ1, a planning permit and approved development is required in order to demolish a building. Noting the site is not affected by the Heritage Overlay, complete demolition of the building is acceptable on the basis of concurrent support for the proposed redevelopment.

The CCZ1 requires consideration of the construction of a temporary use (such as a park or a commercial use) should the site remain vacant for six months after the completion of demolition, or if construction activity ceases for six months. It is recommended that a condition requiring a Section 173 Agreement to this effect be included.

9.3. Built form

The proposal responds to the following specific built form guidance for the development of the land contained within the following policies and built form controls of the Planning Scheme:

- Capital City Zone - Schedule 1, and the Planning Policy Framework
- Design and Development Overlay - Schedule 1
- Design and Development Overlay - Schedule 10

The built form outcomes provided by the proposal are discussed in relation to these provisions below.

9.3.1. Capital City Zone and the Planning Policy Framework

Having regard to the purpose of the CCZ1 and relevant policy framework, the proposal is considered to have strategic policy support, as follows:

- The proposal will contribute to the purpose of the CCZ1 which is to provide for a range of financial, legal, administrative, cultural, recreational, tourist, entertainment and other uses that complement the capital city function of the locality. The proposal would deliver a significant mixed use development containing retail, offices and accommodation uses, which is strategically aligned with policy objectives in this context.
- The proposal will incorporate high-quality architecture, design, and materials that will respond to and enhance the character of the area and positively contribute to the public realm, in accordance with Clauses 11 and 15. The design of the building and setbacks from each boundary will deliver a cohesive built form response that will be read in the round from all approaches.
- The proposal aligns with policy relating to the Queen Victoria Market at Clause 11.03-6L-09 (Hoddle Grid) which seeks to support the market as a retail and tourist destination, ensure development around the market does not detract from its amenity or 24 hour function, and to ensure development form and scale in the area south of the Queen Victoria Market Precinct

achieves built form, urban design and public realm amenity outcomes consistent with those sought for the Hoddle Grid.

As shown in the figure below, the height of the tower will provide a legible transition in scale between the approved towers in the southern development precinct of the market and the existing tower forms immediately to the south.

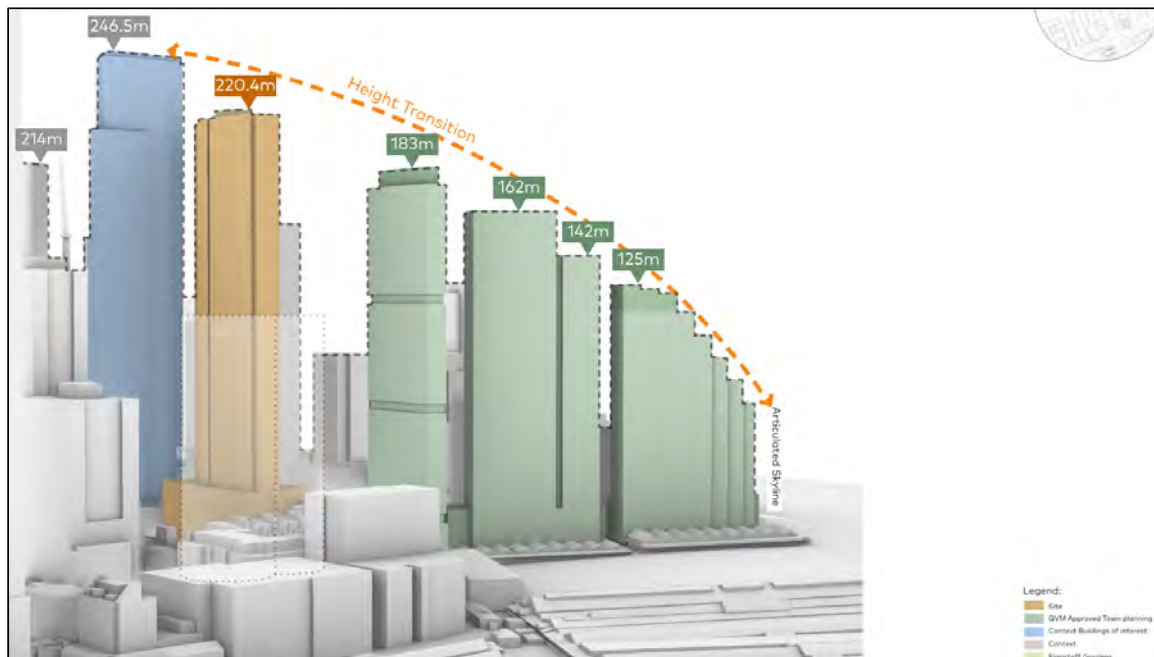


Figure 10 – Massing diagram illustrating proposed height in relation to QVM and surrounding built form (Source: Applicant dated June 2025)

- The proposal will provide increased housing choice and density in an area that is well positioned in relation to jobs, services and public transport as sought by Clause 16.
- The proposed retail and office occupancies within the development will contribute to economic growth and employment opportunities, aligning with relevant policy at Clause 17.
- The proposal advances Clause 18 by providing less than the maximum car parking rate of the PO1, contributing to a reduction in private car dependency. The proposed building is well serviced by shops, public open space and cycling and public transport infrastructure.

9.3.2. Design and Development Overlay - Schedule 1

The DDO1 seeks to ensure that all development achieves high quality urban design, architecture, and landscape architecture. A number of requirements determine whether an application achieves the design objectives of this overlay. The requirements operate in the following manner:

Buildings and works:

- *Must meet the Design objectives specified in this schedule.*
- *Must satisfy the Design outcomes specified for each relevant Design element.*

A permit may be granted to vary a discretionary Design requirement expressed with the term 'should'.

A permit cannot be granted to vary a Design requirement expressed with the term 'must'.

A permit cannot be amended (unless the amendment does not increase the extent of non-compliance) for buildings and works that do not meet a Design requirement expressed with the term 'must'.

An application that does not meet a Design requirement must demonstrate how the development will achieve the relevant Design outcomes.

The proposal conditionally complies with the requirements of the DDO1, as detailed below:

Urban Structure

Urban Structure relates to the network of main streets, streets, laneways and open spaces which define the size and shape of urban blocks.

Design outcome	Design requirements
<p>An urban block structure that:</p> <ul style="list-style-type: none"> Is sufficiently fine grained to support walking as the primary mode of transport. 	<p>Where the average urban block length is greater than 100 metres, development should provide a new through-block pedestrian connection. In Southbank these pedestrian connections should be open to the sky.</p> <p><i>Note: Urban blocks with an average length of more than 100 metres are identified on Map 1 to the Appendix of the Central Melbourne Design Guide.</i></p> <p>Within 200 metres of a rail station, more frequent pedestrian connections should be provided to manage high pedestrian volumes.</p> <p>Where possible, pedestrian connections should be located less than 70 metres from the next intersection or pedestrian connection.</p> <p>Development with an abuttal to two or more streets or laneways should provide a pedestrian connection between those abuttals where this improves the walkability of the urban block.</p>

Assessment:

Map 1 of the Appendix to the *Central Melbourne Design Guide* identifies urban blocks which have an average block length of over 100 metres, which would benefit from new connections to reduce this length for pedestrians. The site is not located on a block identified in Map 1.

The site has abuttal to two streets and the proposal includes new pedestrian connections which will connect between Queen Street and A'Beckett Street, as well as Anthony Street to the east via the existing easement areas forming part of the land. These connections encompass a total area of 1,134 square metres at ground floor level, including 720 square metres which will be open to the sky.

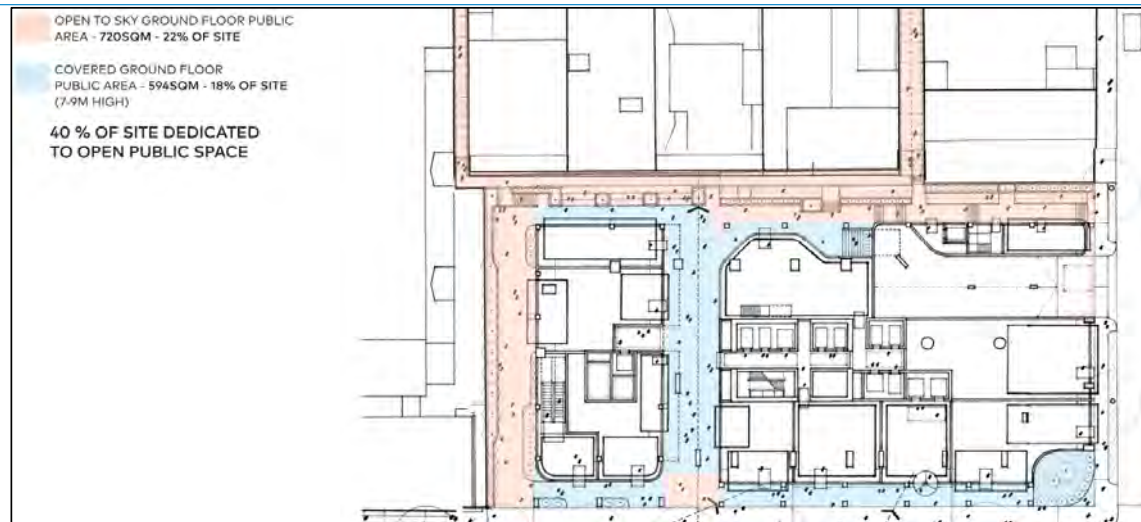


Figure 11 – Layout of publicly accessible connections within the site (Source: Applicant dated June 2025)

Design outcome	Design requirements
<p>A pedestrian network that:</p> <ul style="list-style-type: none"> • Reduces walking distances. • Completes existing connections and laneways. • Retains and improves existing connections. • Provides partial connections which can be completed when adjacent site development occurs. 	<p>Where a development could deliver part of a pedestrian connection that is able to reduce the average urban block length to less than 100 metres, but does not extend the full depth of the block, the development should include a connection that can be completed when a connection is provided through an adjoining site.</p> <p>Where a development has the potential to achieve a through-block connection by extending an existing or proposed connection on an adjoining site, the development should provide for the completion of the through-block connection.</p> <p>Development should retain and improve the quality of existing pedestrian connections.</p>

Assessment:

The proposed pedestrian connections are provided wholly within the subject land, and do not rely on neighbouring sites to complete their connection to the street.

Design outcome	Design requirements
<p>Pedestrian connections that are:</p> <ul style="list-style-type: none"> • High quality. • Safe and attractive. • Accessible by people of all abilities. • Easily identified and legible. • Designed to enable stationary activities. 	<p>Pedestrian connections that reduce (or when completed will reduce) an average urban block length to less than 100 metres should be:</p> <ul style="list-style-type: none"> • Open 24 hours a day. • Open to the sky, an arcade or a through-building connection. <p>Pedestrian connections should be:</p> <ul style="list-style-type: none"> • Direct, attractive, well-lit and provide a line of sight from one end to the other.

- Safe and free of entrapment spaces and areas with limited passive surveillance.
- Publicly accessible at ground level and appropriately secured by legal agreement.
- Lined by active frontages.

Laneways should be:

- At least six metres wide.
- Laneways may be less than six metres wide where, either:
 - The laneway is the same width or wider than an existing laneway that it continues.
 - The laneway does not provide for vehicle access.

Arcades should:

- Adopt vertical proportions with a height greater than the width.
- Be a minimum of two storeys in height.
- Incorporate high quality exterior grade materials and finishes to all surfaces including paving, walls, ceiling and lighting.
- Have highly legible entries including any doors or gates.

Assessment:

Generally, the layout of the pedestrian connections provides a direct and visually appealing space for public use. The design of the building interface to the connections generally manages the changes in levels within the ground plane by providing low steps and ramps with generous dimensions, which minimises the potential disconnect between the building and the ground plane. This also improves sight lines and accessibility. The submitted landscape plan indicates the link will be improved through integrated planter boxes and tree plantings throughout.

Active frontages are provided to the majority of the connections, providing a high level of passive surveillance and activity. The connections will be available 24 hours per day, and this will be secured through a recommended permit condition requiring a Section 173 Agreement for this outcome.

However, there is concern with the north-eastern connection to Anthony Street, which utilises the existing 1.83 metre wide drainage and sewerage easement situated between the blank walls of neighbouring buildings and to be accessed internally via a narrow, steep staircase. It is noted that this easement (E1 on CP161945Q) does not confer any rights of carriageway to others. There is concern with the lack of passive surveillance to this space and the potential for entrapment due to its long, narrow dimensions and lack of any active frontages. There is also no significant need for a pedestrian connection in this location, noting the layout of the existing pedestrian network as well as the classification of Anthony Street as a class 2 lane under Clause 15.01-1L-01 (CBD Lanes). The site is located on a block which is not identified as having an average length of more than 100 metres on Map 1 to the Appendix of the *Central Melbourne Design Guide*. The layout of this space is an existing condition constrained by neighbouring development and, given the safety and entrapment risks, it is not considered appropriate to convert it to a publicly accessible space. A recommended condition will require the redesign of this space to restrict access to the public.

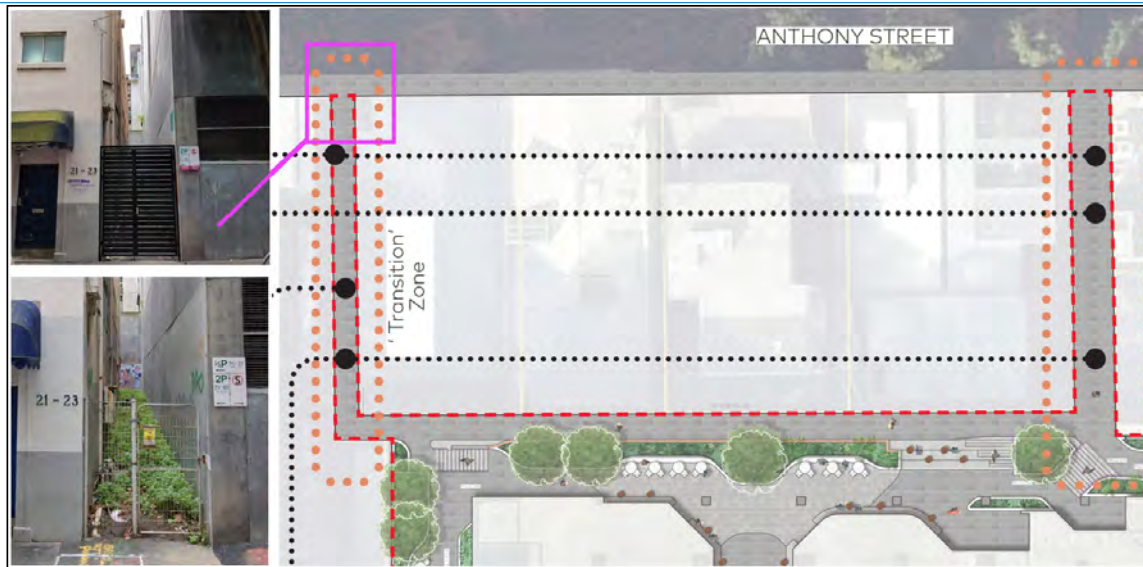


Figure 12 – Northern easement and proposed connection to Anthony Street (Source: Application, dated June 2025, bottom photo from Google, dated May 2022, showing previous gate and top photo Planning Officer, dated November 2025, showing current conditions)

Finally, it is noted that the second connection to Anthony Street further south is affected by a different easement (E2) which provides carriageway rights to neighbouring properties, has a greater width of 3.05 metres and features windows of neighbouring buildings which provide a level of passive surveillance. The development also provides a more legible integration with this space through wider pathways and stairs, which establish a clearer line of sight for pedestrians. Therefore, the use of this space as a pedestrian connection is considered acceptable.

Site Layout

Site Layout refers to the arrangement of buildings and spaces, including the position of entries, building services and circulation cores and how these elements respond to and reinforce the character of streets and laneways.

Design outcome	Design requirements
<p>Site layout that:</p> <ul style="list-style-type: none"> Reinforces the valued characteristics of streets and laneways. Delivers a well-defined public realm. 	<p>Building should be aligned to the street at ground level unless they provide for a plaza.</p> <p>Development should avoid narrow publicly accessible alcoves and recesses that lack a clear public purpose.</p> <p>Development should avoid entrapment areas and areas with limited passive surveillance.</p> <p>Development should cater for anticipated pedestrian volumes.</p>

Assessment:

The proposed building is appropriately oriented to each street and will contribute to an active and visually interesting public realm. With the exception of one of the connections to Anthony Street discussed above, the building interfaces to the street and the proposed pedestrian connections do not include any enclosed spaces or entrapment areas and have dimensions which will comfortably accommodate pedestrian traffic.

Design outcome	Design requirements
<p>Plazas that:</p> <ul style="list-style-type: none"> • Are accessible to people of all abilities. • Are safe and attractive. • Deliver opportunities for stationary activity. • Alleviate pedestrian congestion. 	<p>Plazas should:</p> <ul style="list-style-type: none"> • Be open to the sky. • Be accessible to people of all abilities. • Provide opportunities for stationary activity. • Be lined with active frontages. • Incorporate soft and hard landscaping elements. • Have access to sunlight. <p>Development should retain at least 50 per cent of any existing publicly accessible private plaza where:</p> <ul style="list-style-type: none"> • It is oriented to a main street or street. • It helps reduce pedestrian congestion. • A high quality space with opportunities for stationary activity can be achieved. <p>Where a plaza contributes to the significance of a heritage place, retention of more than 50 per cent of the plaza may be required to conserve the heritage values of the place.</p>

Assessment:

There are no existing plazas on the site and there are no plazas associated with the development.

Design outcome	Design requirements
<p>Vehicle entries that:</p> <ul style="list-style-type: none"> • Do not create traffic conflict. • Do not undermine the attractiveness or safety of the pedestrian experience. 	<p>Vehicle access and loading bays:</p> <ul style="list-style-type: none"> • Should not be located on main streets. • Should not be constructed on a traffic conflict frontage or in a lane leading off a traffic conflict frontage shown on Map 2. • In the Retail Core Area – Schedule 2 to the Capital City Zone must not be constructed on a traffic conflict frontage shown on Map 2, or in a lane leading off a traffic conflict frontage. <p>The location and width of car park entries should minimise the impacts on the pedestrian network.</p>

Assessment:

The proposal includes one vehicle access point to A’Beckett Street, which is not a traffic conflict frontage as identified by Map 2 to DDO1. The width of the access point is 7.3 metres, which reduces the existing crossover in this location and would reduce impacts on pedestrian movement along A’Beckett Street.

Design outcome	Design requirements
<p>Colonnades that:</p> <ul style="list-style-type: none"> • Are safe and attractive. 	<p>Colonnades should:</p>

<ul style="list-style-type: none"> • Are accessible to people of all abilities. 	<ul style="list-style-type: none"> • Adopt vertical proportions with a height greater than the width. • Incorporate high quality design detail to all publicly visible planes and surfaces. • Provide ground level spaces that are accessible to people of all abilities. • Have a clear public purpose. • Be well-lit and provide clear lines of sight from one end to another. • Be safe and free of entrapment spaces and areas with limited passive surveillance.
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Assessment:

The proposed colonnades along Queen Street have vertical proportions which are greater than their width and are of a high architectural quality which will positively contribute to the public realm. Their design is integrated into the overall architectural expression of the street wall as well as the building entries and retail tenancies around the building edge at ground level. They will provide clear lines of sight complementing the adjoining footpaths and do not include any entrapment spaces. The colonnades terminate in a splayed double-height landscaped feature and informal seating area at the south-western corner of the site, which provides an attractive space for pedestrians as well as a defined design element to a key junction of the development. These are located within the property boundary.



Figure 13 – Colonnades and corner splay viewed along Queen Street (Source: Applicant, dated June 2025)

Building Mass

Building mass relates to the three-dimensional form of a building including its scale, height, proportions and composition.

Design outcome	Design requirements
Building mass that:	Development should adopt a diversity of forms, typologies and architectural language, within a

<ul style="list-style-type: none"> • Distinguishes between different buildings where a development comprises multiple buildings. • Respects the height, scale and proportions of adjoining heritage places or buildings within a Special Character Area. • Reinforces the fine grain and visual interest of streetscapes. • Maintains a diverse and interesting skyline through the design of roof profiles. 	<p>cohesive design framework, on a large site where a development comprises multiple buildings.</p>
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Assessment:

The height, scale and proportions of each building achieve an appropriate built form response to the site and its context, having regard to existing and emerging built form in the area. The proposal is of a comparable scale to its context and will make a visually engaging contribution to the diversity of the skyline, having regard to the desired transition in scale between the Queen Victoria Market precinct and the Hoddle Grid.

The appropriateness of the building mass is detailed further in the assessment against DDO10.

Design outcome	Design requirements
<p>Street walls that:</p> <ul style="list-style-type: none"> • Adopt a variety of street wall heights to reinforce the traditional fine grain, vertical rhythm and visual interest of streetscapes. • Provide aesthetic interest to the public realm. • Frame comfortable and attractive streets. 	<p>Street wall heights should be lower along laneways and streets less than 10 metres wide.</p> <p>Buildings with a street frontage greater than 25 metres in length should be broken into smaller vertical sections, with a range of parapet height and rebates of sufficient depth to provide modulation in the street façade.</p> <p>Development should reinforce the ground floor and street wall as the dominant component within the Special Character Area through visually recessive upper level built form.</p> <p>Street wall heights, upper level setbacks and buildings separation should respond to the scale of adjacent heritage buildings.</p> <p>Transition in height, scale or prominence to a heritage place should avoid relying solely on surface treatments or decorative effects.</p>

Assessment:

The proposal adopts varied street wall heights to each street with setbacks provided from both the northern and eastern boundaries. Each street wall is articulated with legible horizontal datums that define the uses within the building and respond to adjacent buildings, particularly the significant heritage building to the north. The street walls are also broken up with vertical elements, rebates and ‘crowns’; comparably lighter weight building elements which provide a recessive cap to the podium. The appropriateness of the street wall response is detailed further in the assessment against DDO10.

Building Program

Building program relates to the position and configuration of internal spaces to a building. This is a key urban design consideration due to the direct relationship of internal areas to the public realm.

Design outcome	Design requirements
<p>A building program that:</p> <ul style="list-style-type: none"> • Delivers safe and high-quality interfaces between the public and private realm. • Maximises activation of the public realm. • Can accommodate a range of tenancy sizes, including smaller tenancies in the lower level of the building. • Allows for adaptation to other uses over time. • Delivers internal common areas or podium-rooftop spaces that maximise passive surveillance and interaction with the public realm. • Promotes a strong physical and visual relationship between any uses provided as part of a public benefit under the provisions of Schedule 1 to the Capital City Zone within the building, and the street. 	<p>Development should provide active uses to address the public realm.</p> <p>Development should:</p> <ul style="list-style-type: none"> • Maximise the number of pedestrian building entries. • Avoid long expanses of frontage without building entry. <p>Large floorplate tenancies should be sleeved with smaller tenancies at ground level at a boundary to a street, laneway or pedestrian connection.</p> <p>Floor to ceiling heights should be a minimum of:</p> <ul style="list-style-type: none"> • 4.0 metres at ground level. • 3.8 metres for levels two and three. • 3.5 metres above level three and up to 20 metres. <p>Development should be designed so that any areas containing uses provided as part of a public benefit under the provisions of Schedule 1 to the Capital City Zone, are located in the lower levels of a building so that they have a direct visual and physical connection to the public realm.</p> <p>Development should be designed so that any areas containing new uses provided as part of a public benefit under the provisions of Schedule 1 to the Capital City Zone internal to a building co-located with adjacent public space or pedestrian connections.</p> <p>Ground floor tenancies should be configured so that they do not rely upon queuing within the public realm, except where this occurs on a pedestrian only laneway where this is the established character.</p>

Assessment:

The development is appropriately configured to address the public realm and provides a high level of activation to each street and internal connections. Direct entry points are provided for the retail tenancies to each street, and integrated into the colonnade design along Queen Street which will minimise potential for queuing within the public realm. Opportunities for landscaping and informal seating have been incorporated to the street edge and pedestrian areas, and stairs and ramps have been meaningfully integrated into the pedestrian experience. Car parking and services are suitably concealed at basement level.

The floor to ceiling heights of the podium are generally compliant with the preferred minimum requirements, with a minor variation at level two (mezzanine) which is approximately 3.3 metres falling short of the 3.8 metres required. This is considered acceptable noting level 3 is provided with a floor to ceiling height of approximately 5.3 metres, exceeding the 3.5 metres sought. The levels above level 3 up to 20 metres in height also have floor to ceiling heights of 3.5 metres.

On balance, the proposal achieves the design outcomes for this requirement.

Design outcome	Design requirements
<p>Building services that:</p> <ul style="list-style-type: none"> • Minimise impacts on the public realm. • Maximise the quality and activation of the public realm. • Do not dominate the pedestrian experience and are designed as an integrated design element. • Provide waste collection facilities as an integrated part of the building design. 	<p>Ground floor building services, including waste, loading and parking access:</p> <ul style="list-style-type: none"> • Should be minimised. • Must occupy less than 40 per cent of the ground floor area of the site area. <p>Internal waste collection areas should be sleeved.</p> <p>Services, loading and waste areas should be located away from streets and public spaces, or within basements or upper levels.</p> <p>Service cabinets should be located internally with loading, waste or parking areas where possible.</p> <p>Undercroft spaces for waste or loading should not adversely impact safety and continuity of the public realm.</p> <p>Access doors to any waste, parking or loading area should:</p> <ul style="list-style-type: none"> • Be positioned no more than 500 millimetres from the street edge. • Be designed as an integrated element of the building. <p>Rooftop plant, services and antennae should be integrated into the overall building form.</p>

Assessment:

The proposal results in a total of 238 square metres, or 13%, dedicated to building services of the total 3,218 square metre ground floor area, which is less than the mandatory maximum of 40%.

The location and layout of building services are designed to minimise their impact on the public realm and are suitably integrated into the building as they present to each street. Rooftop plant structures are appropriately setback and integrated into the primary built form.

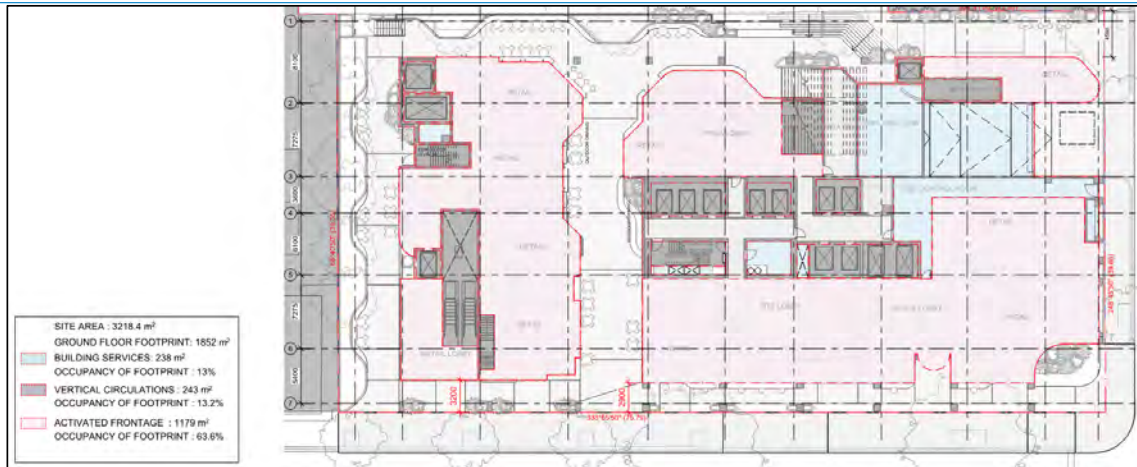


Figure 14 – Ground floor layout illustrating extent of building services (Source: Applicant, dated September 2025)

Design outcome	Design requirements
<p>Car parking that:</p> <ul style="list-style-type: none"> Minimises the impact of car parking on the public realm. 	<p>In the Central City area shown in Map 1 to Schedule 1 to the Design and Development Overlay, all car parking must be located in a basement unless it is part of a development that removes existing open to sky at grade car parking.</p> <p>Car park ramps should be capable of removal for future adaptation.</p> <p>Avoid car parking entries on small sites, where they impact on the activation and safety of the public realm.</p> <p>Above ground car parking:</p> <ul style="list-style-type: none"> Must be located on the first floor or above. Must be sleeved to streets. Should have a floor to ceiling height of at least 3.2 metres.

Assessment:

Car parking is provided at basement level, complying with the mandatory requirement. The design of the basement ramps is generally capable of future adaptation.

Public Interfaces

Public interfaces relate to the boundary between a building and the public realm in main streets, streets, laneways and open spaces.

Design outcome	Design requirements
<p>Public interfaces that:</p> <ul style="list-style-type: none"> Contribute to the use, activity, safety and interest of the public realm. 	<p>The following ground level frontage requirements should be met for development in General Development Areas and laneways in Special Character Areas, and must be met for development in streets in Special Character Areas:</p>

<ul style="list-style-type: none"> • Provide continuity of ground floor activity along streets and laneways. • Allow unobstructed views through openings into the ground floor of buildings. 	<ul style="list-style-type: none"> • At least 80 per cent of the combined length of the ground level interfaces of a building to streets and laneways are an entry or window. This measurement excludes: <ul style="list-style-type: none"> - Stall-rises to a height of 700 mm. - Pilasters. - Window and door frames. • Windows that have clear glazing without stickers or paint that obscures views. <p>The ground level frontage requirements do not apply to the development of a building in a heritage overlay or heritage graded building. Development of a building in a heritage overlay or a heritage graded building should not reduce compliance with the public interface design outcomes.</p> <p>Security grills or mesh should:</p> <ul style="list-style-type: none"> • Be transparent. • Not block views into tenancies at night. • Be mounted internally to the shop windows. <p>Avoid tinted, opaque or high reflectivity glass which obscures views between the public realm and building interior.</p> <p>In flood prone areas or on sloping sites, a direct connection should be established at grade to usable space within ground level tenancies, with level transitions contained within the building envelope.</p> <p>In flood prone areas, transitions in floor levels should not rely on external stairs, ramps or platforms lifts which disconnect interior spaces from the public realm.</p>
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Assessment:

The proposal provides approximately 65.6 metres of the 68.8 metre (95%) wide ground level building interface to Queen Street as an entry or window, excluding window and door frames, stall-risers and pilasters. A total of 18.43 metres of the 32.33 metre (57%) wide ground level interface to A'Beckett Street is provided as an entry or window, excluding window and door frames, stall-risers and pilasters. This equates to a total of 84.03 metres, or 83.1%, of the combined 101.13 metre ground level street interface of the building to each street. This complies with the design requirement.

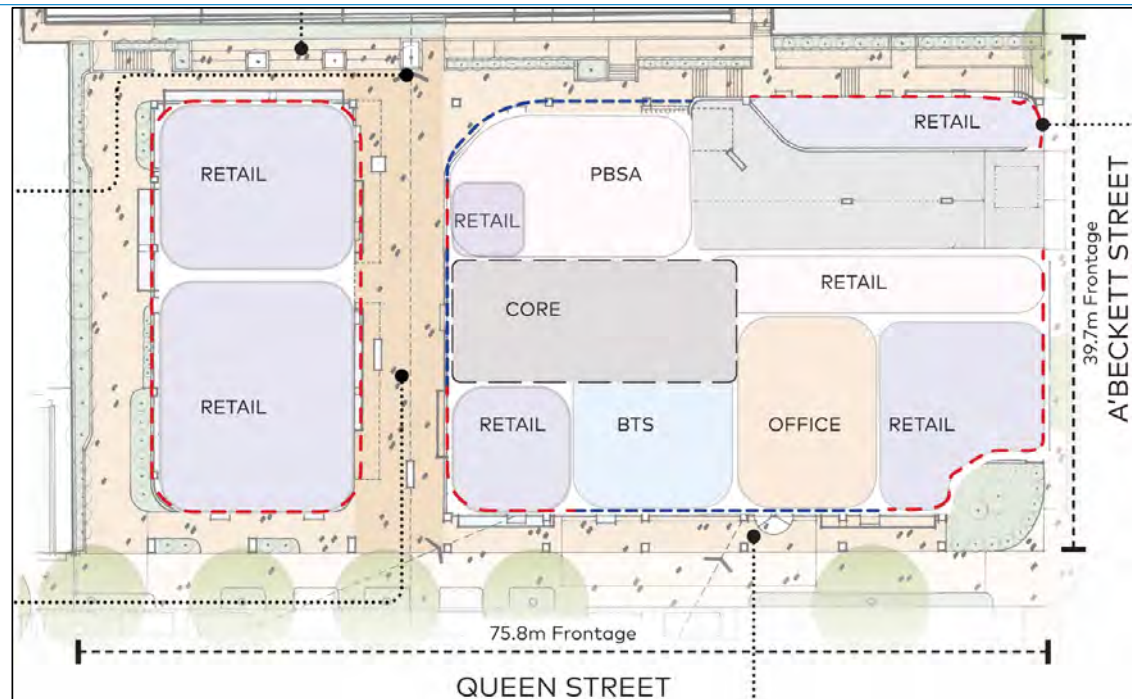


Figure 15 – Layout of active uses at ground level (Source: Applicant, dated June 2025)

Design outcome	Design requirements
<p>Façade projections and balconies that:</p> <ul style="list-style-type: none"> Do not adversely impact the levels of daylight or views to the sky from a street or laneway. Do not obstruct the service functions of a street or laneway through adequate clearance heights. Add activity to the public realm. Form part of a cohesive architectural response to the public realm. 	<p>Upper level projections and canopies should allow for the growth of existing and planned street trees.</p> <p>Upper level projections such as Juliet balconies, adjustable screens or windows, cornices or other architectural features may project into streets or laneways:</p> <ul style="list-style-type: none"> On main streets up to 600 mm. On streets and laneways up to 300 mm. <p>On main streets, balconies associated with an active commercial use may project up to 1.6 metres from the façade or 800 mm from the back of kerb.</p> <p>Balcony projections should be at least 5 metres above any public space measured from ground level.</p> <p>Development should not include enclosed balconies or habitable floor space projecting over the public realm.</p> <p>Ensure that public realm projections (excluding canopies) at the upper levels do not extend the full width of a building frontage.</p>

Assessment:

The proposal does not include any elements which project over adjoining streets.

Design outcome	Design requirements
<p>Weather protection that:</p> <ul style="list-style-type: none"> • Delivers pedestrian comfort in the public realm and protection from rain, wind and summer sun. • Uses canopies that are functional, of high quality design and contribute to the human scale of the street. 	<p>Development should include continuous weather protection along main streets except where a heritage place warrants an alternative approach.</p> <ul style="list-style-type: none"> • Weather protection canopies should: • Be between 3.5 metres and 5 metres above ground measured to the underside of the soffit. • Provide for exposure to winter sun and shelter from summer sun. • Not enclose more than one third of the width of a laneway. • Display a high design standard including material selection in the appearance of the soffit and fascia.

Assessment:

The proposal does not include weather protection canopies to either street, but will provide weather protection and shelter via the pedestrian spaces and colonnades provided along Queen Street. This is considered an acceptable response in this context, having regard to the slope of the land along the A'Beckett Street frontage and the building layout in this location, which includes the vehicle access point to the basement parking and loading area. The lack of weather protection to A'Beckett Street will also be balanced by the publicly accessible spaces that are accessed directly from the street, which will offer further opportunities for refuge and shelter.

Design Detail

Design detail refers to the resolution of a contextually responsive building exterior that contributes to the quality of the public realm through its architectural expression, materials and finishes.

Design outcome	Design requirements
<p>Exterior design that:</p> <ul style="list-style-type: none"> • Establishes a positive relationship between the appearance of new development and the valued characteristics of its context. • Is visually interesting when viewed up close and from a distance. • Responds to the distance at which the building is viewed and experienced from the public realm in the selection, scale and quality of design elements. • Incorporates sufficient design detail in the lower levels of a building to deliver a visually rich and engaging pedestrian experience. 	<p>Facades should provide for depth and a balance of light and shadow on the street wall and upper levels through the use of balconies, integrated shading, rebates or expression of structural elements.</p> <p>Street wall facades should avoid a predominately glazed appearance.</p> <p>Street wall facades should establish a balance of transparency and solidity.</p> <p>Facades should avoid the use of surfaces which cause unacceptable glare to the public realm.</p> <p>Materials should be durable, robust and low maintenance in the higher parts of a building.</p> <p>Blank walls that are visible from the public realm should be designed as an integrated component of the building composition.</p>

- Delivers high quality design on all visible sides of a building including rooftops, where visible from the public realm.
- At the ground level interface, provides visual connection between the public real and interior spaces.

Materials should be natural, tactile and visually interesting at the lower levels near the public interface to reinforce a human scale.

Ground level interfaces including shopfronts should provide thickness, depth and articulation and avoid long expanses of floor to ceiling glazing.

Materials and finishes such as painted concrete or ventilation louvres should be avoided at the lower levels where they undermine the visually rich, tactile quality of streets and laneways.

Service cabinets should not visually dominate street frontages and should use high quality materials.

Assessment:

The development incorporates a cohesive and high quality material palette which incorporates a variety of brick, metal cladding and concrete finishes. The colours and materials are responsive to the existing context and references notable built form in the surrounding area such as the Melbourne Terrace apartments and the Queen Victoria Market. The architectural response is supported and the integration between the podium and tower forms provides a high-quality, contextual design response.

A condition requiring the endorsement of a façade strategy is included in the recommendation, which will also address a recommendation from City Design relating to the variation in depth on the northern podium. Standard conditions will also require the endorsement and implementation of a Reflective Glare Assessment, which will ensure the building materials are designed to comply with *Practice Note PPN96: Glare and reflectivity*.

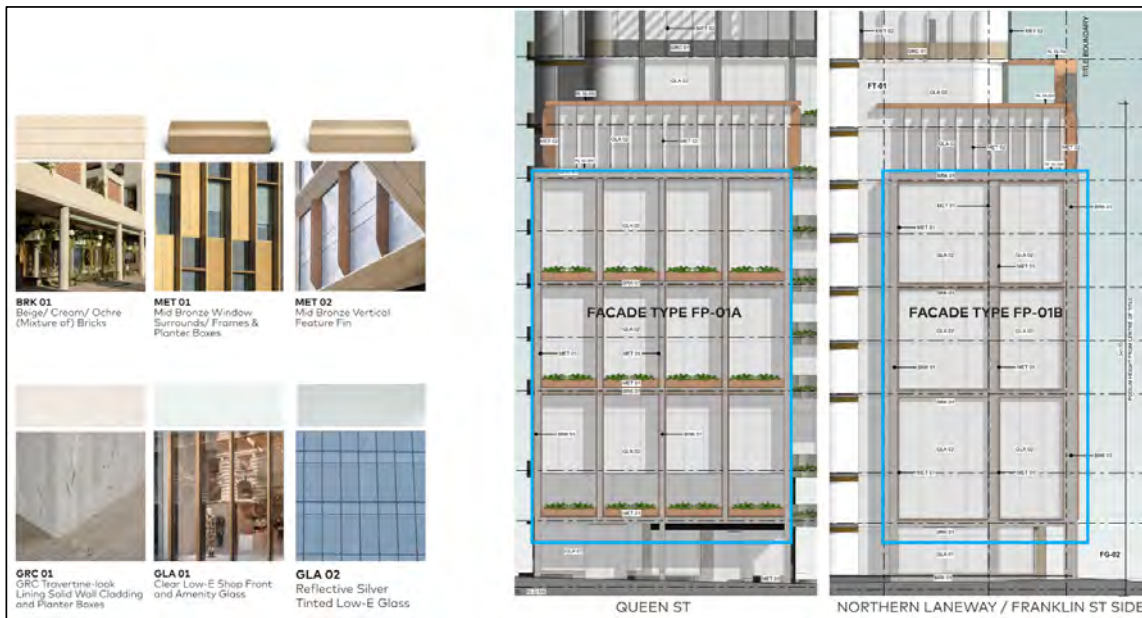


Figure 16 – Extract of indicative material schedule (Source: Applicant dated June 2025)

9.3.3. Design and Development Overlay - Schedule 10

The objectives of DDO10 aim to ensure the built form response for new developments is of a high quality and respects the built form outcomes sought for the Central City, having specific regard to elements such as any potential wind impacts and overshadowing. The proposed development achieves the relevant design objectives and built form outcomes, as outlined within this section below.

Built Form Requirements

Specific built form requirements, and associated built form outcomes, are contained in Table 3 of DDO10. Pursuant to Clause 2.3 of DDO10, the operation of these built form requirements is as follows:

Buildings and works:

- *must meet the Design Objectives in this schedule;*
- *must satisfy the Built Form Outcomes specified for each relevant Design Element in Table 3 to this schedule;*
- *should meet the Preferred Requirement specified for each relevant Design Element in Table 3 to this Schedule.*

An application to vary the Preferred Requirement for any Design Element specified in Table 3 to this schedule must document how the development will achieve the relevant Design Objectives and Built Form Outcomes.

An application which does not meet the Preferred Requirement, must be considered under the Modified Requirement for each relevant Design Element.

A permit must not be granted or amended (unless the amendment does not increase the extent of non-compliance) for buildings and works that do not meet the Modified Requirement for any relevant Design Element specified in Table 3 to this schedule

The requirements of Table 3 are detailed below:

Street Wall Height requirement		
Preferred Requirement (Figure 3)	Modified Requirement (Figure 3)	Built Form Outcomes
Up to 20 metres	The street wall height must be no greater than: <ul style="list-style-type: none"> • 40 metres; or • 80 metres where it: <ul style="list-style-type: none"> ○ Defines a street corner where at least one street is a main street and the 80 metre high street wall should not extend more than 25 metres along each street frontage, and / or ○ Fronts a public space including any 	Street wall height is scaled to ensure: <ul style="list-style-type: none"> • A human scale. • An appropriate level of street enclosure having regard to the width of the street with lower street wall heights to narrower streets. • Consistency with the prevalent parapet height of adjoining buildings. • Height that respects the scale of adjoining heritage places.

	<p>road reserve wider than 80 metres.</p>	<ul style="list-style-type: none"> • Adequate opportunity for daylight, sunlight and sky views in the street. • Definition of main street corners and/or public space where there are no significant impacts on the amenity of public spaces. • Maintenance of the prevailing street wall height and vertical rhythm on the street.
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Assessment: The proposal complies with the modified requirement.

The proposed street wall heights range from 33.5 to 39.7 metres, exceeding the preferred requirement of 20 metres but within the modified requirement of 40 metres.

The site is located on a main street intersection, which lends support for a higher street wall response that will define the corner of Queen Street and A'Beckett Street without unacceptable impacts on the amenity of the public realm. The height of the street walls would not contribute to an unreasonable sense of enclosure in either Queen Street (approx. 30 metres wide) or A'Beckett Street (approx. 20 metres wide). The scale of the street wall will not contribute to unreasonable wind or shadowing impacts on the public realm, and will allow adequate sky views due to the corner position of the site as well as the setbacks provided from the northern (6 metres) and eastern (4.5 metres) boundaries.

The design of the street wall provides a human scaled response to each street through its horizontal proportions which reference nearby built form, and vertical expression which both articulate the built form and delineate the street edge through the layout of the upper levels corresponding to the colonnades meeting the ground level. This is emphasised through the sculpted, double height feature splay at the south-western corner of the site where Queen Street and A'Beckett Street meet.

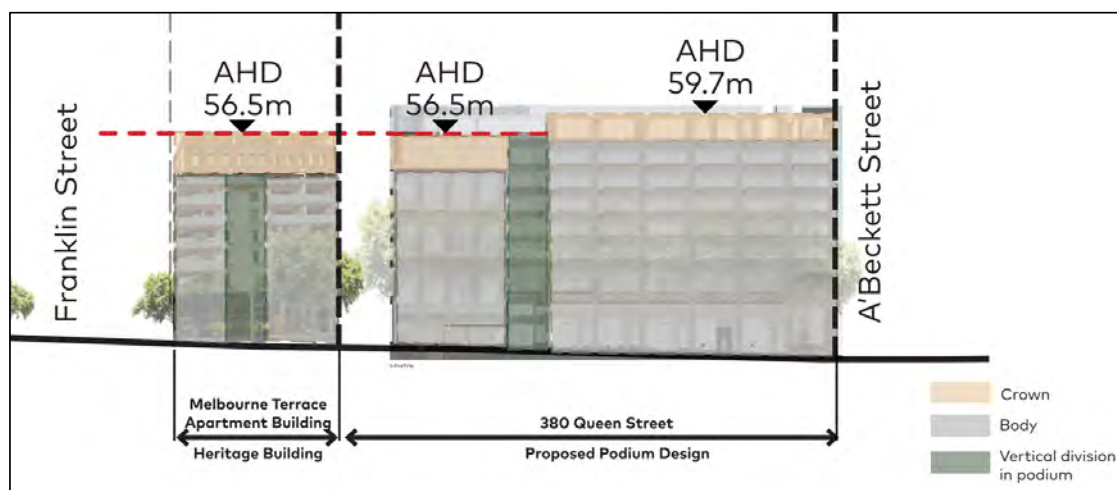


Figure 17 – Street wall design response to Queen Street (Source: Applicant dated June 2025)

Importantly, the datum of the street walls has had regard to the scale of adjoining built form, particularly that of the neighbouring Melbourne Terrace building to the north which is a significant graded heritage building. The datum of the northern section of the street wall to Queen Street is

lowered to directly correspond with the height of Melbourne Terrace which, together with the 6 metre setback provided to the northern boundary, will provide a respectful built form response to this significant building.

While the street wall will be considerably taller than the neighbouring building to the east on A'Beckett Street, it will be commensurate in height with the directly adjacent building on the western side of Queen Street and A'Beckett Street. This is an appropriate response which acknowledges the varied heights in the immediate area and defines the corner location of the site. The 4.5 metre setback to the eastern boundary and subsequent absence of any of blank, sheer walls along the eastern façade also assist this interface.



Figure 18 – Street wall design response to A'Beckett Street (Source: Applicant dated June 2025)

Building setbacks above the street wall requirement		
Preferred Requirement (Figure 3)	Modified Requirement (Figure 3)	Built Form Outcomes
Above the street wall, towers and additions should be setback 10 metres from the title boundary.	Above the street wall, towers must be setback a minimum of 5 metres from the title boundary.	<p>Tower and additions are setback to ensure:</p> <ul style="list-style-type: none"> • Large buildings do not visually dominate the street or public space. • The prevalent street wall scale is maintained. • Overshadowing and wind impacts are mitigated. • The tower or addition includes a distinctly different form or architectural expression.

Assessment: The proposal complies with the modified requirement.

The irregular slipped tower floorplate results in staggered setbacks to each street, with setbacks ranging from 5 to 15.3 metres from Queen Street and 5 to 23 metres to A'Beckett Street. The tower street setbacks therefore partially encroach on the preferred requirement of 10 metres to each street, while complying with the minimum of 5 metres under the modified requirement.

The built form outcomes are met by the proposal. The slender, articulated tower form with staggered setbacks results in sections of the tower which exceed the preferred setback requirement. This

mitigates the sections of the tower that do not meet the preferred requirement, and ensures that the overall tower will not visually dominate the public realm.

The setbacks are effective in establishing a clear visual separation between the tower and the podium and street wall below, which ensures the setbacks do not impact on the built form scale at the street edge. The proposed setbacks also do not give rise to any unreasonable shadow or wind impacts. The architectural language of the tower is distinguished from that of the podium below, with glazing and metal cladding contrasting with the lighter, ornate masonry finishes at the lower levels.

Building setbacks from side and rear boundaries (or from the centre line of an adjoining laneway) and tower separation requirement

Preferred Requirement (Figure 3)	Modified Requirement (Figure 3)	Built Form Outcomes
<p>Above the street wall or 40 metres (where there is no street wall) towers and additions should be setback a minimum of 5 metres or 6% of the total building height, whichever is greater.</p>	<p>Towers exceeding 80 metres in total height:</p> <ul style="list-style-type: none"> Above the street wall or 40 metres (where there is no street wall), towers and additions must be setback a minimum of 5 metres and must meet the design element requirements for tower floorplate. 	<p>Tower and additions are designed and spaced to ensure:</p> <ul style="list-style-type: none"> Sun penetration and mitigation of wind impacts at street level. Provision of reasonable sunlight, daylight, privacy and outlook from habitable rooms, for both existing and potential development on adjoining sites. Buildings do not appear as a continuous wall at street level or from nearby vantage points and maintain open sky views between them. Buildings do not visually dominate heritage places and streetscapes, nor significant view lines.

Assessment: The proposal complies with the modified requirement.

The proposed 220.4 metre tower requires side setbacks of 13.2 metres (being 6% of the building height) under the preferred requirement.

The tower is proposed to be set back 6 to 25.5 metres from the northern boundary and 9.6 to 18.1 metres from the eastern boundary. It meets the requirements for tower floorplate as discussed below. The modified requirement is therefore met.

It is noted that the integrated roof plant structures comply with the exemptions under the building height definition of DDO10. The 3 metre parapet wall meets the definition of a high non-habitable architectural feature, and all building services above the roof are set back at least 3 metres from the building facades.

Similar to the street wall setback requirement discussed above, the built form outcomes for side setbacks and tower separation are considered to be met primarily due to the varied setbacks

provided around the tower. The irregular setbacks ensure there would be adequate sunlight penetration at street level, as well as reasonable and equitable access to daylight, privacy and outlook having regard to both existing and potential development on adjoining properties. The setbacks will provide clear open sky views and articulation to avoid the potential impression of a continuous wall of towers.

Importantly, the setbacks of the tower from both Queen Street and the northern boundary provide a respectful separation and transition to the significant heritage building to the north.

Tower floorplate requirement		
Preferred Requirement (Figure 3)	Modified Requirement (Figure 3)	Built Form Outcomes
The tower floorplate is determined by the preferred requirement for building setbacks from side and rear boundaries and tower separation within a site, and the modified requirement for building setback(s) above the street wall.	The tower floorplates above the street wall for a tower above 80 metres in height may be adjusted in terms of location and/or shape but must not: <ul style="list-style-type: none"> • Result in an increase in the floorplate area; • be situated less than 5 metres from a side or rear boundary (or from the centre line of an adjoining laneway); • be less than 5 metres to a street boundary; • be less than 10 metres to an adjoining tower on the site. 	The adjusted floorplate is designed and spaced to: <ul style="list-style-type: none"> • Reduce impact on existing and potential neighbours in terms of privacy, outlook, and daylight and sunlight access. • Minimise visual bulk. • Reduce impact on public spaces, including overshadowing and wind effects and reduced visual dominance. • Buildings do not visually dominate heritage places and streetscapes, nor significant view lines. • Buildings do not appear as a continuous wall at street level or from nearby vantage points and maintain open sky views between them.

Assessment: The proposal complies with the modified requirement.

The preferred requirement results in a maximum tower floorplate area of 1,250 square metres, as illustrated in the image below. The proposal seeks to meet the modified requirement by maintaining the maximum floorplate area while providing varied setbacks to each interface, including setbacks which do not meet the preferred requirement from side boundaries (i.e. less than 13.2 metres) but maintain the mandatory minimum 5 metre setback to boundaries.

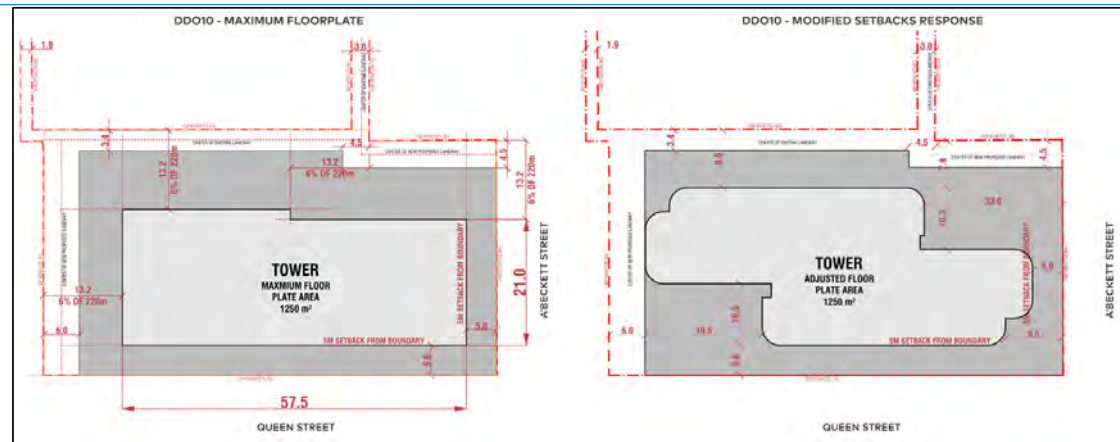


Figure 19 – Tower setbacks and floorplate analysis (Source: Applicant dated June 2025)

The built form outcomes are met as the proposed tower floorplate will reduce potential bulk and amenity impacts (i.e. shadowing, wind) on the public realm, by providing a staggered and visually interesting form to each street. The reduced tower footprint at the northern interface ensures the building will not visually dominate the neighbouring significant heritage building, and would not unreasonably impact on the amenity of the south-facing terraces to the dwellings within that building.

The setbacks provided to the tower floorplate would not unreasonably impact on adjoining land in their present form, or if they were to be developed in a similar fashion in future. The setbacks provided are commensurate to the scale of the site and the proposed development, having regard to the equitable development of neighbouring land.

Wind Effects

Clause 2.3 and 2.5 of the DDO10 requires the consideration of wind impacts to publicly accessible areas surrounding the proposed building.

The proposal is supported by an Environmental Wind Conditions Study prepared by MEL Consultants which includes wind tunnel testing analysis. The report and wind tunnel testing has demonstrated the proposal is generally capable of satisfying the relevant comfortable wind speed criteria for publicly accessible areas around the building (3m/s for sitting, 4m/s for standing and 5m/s for walking), with no need for wind mitigation design methods to achieve this.

It is noted that the Wind Report and wind tunnel testing analysis includes some development plans which have been superseded, and does not include testing zones at all building entrances or within the pedestrian space and seating areas provided in the open air link along the northern boundary.

A recommended permit condition will require the submission of an updated Wind Report which will resolve these matters and ensure compliance with the DDO10 wind controls.

Overshadowing

Tables 1 and 2 of DDO10 list public places which are protected by either mandatory or discretionary shadowing requirements.

The site is in proximity to the 'Flagstaff Gardens and proposed new public open space within Queen Victoria Market', which is identified in Table 2 as a space where no additional shadowing should occur between 11:00am and 2:00pm on June 22. The applicant has prepared shadow diagrams of the proposal which confirm that due to the location of the site, the proposal would not result in shadow impacts to any of these spaces at those times.

It is noted that the site is not located within the mandatory shadowing controls under the proposed DDO8 of Planning Scheme Amendment C415melb Sunlight to Public Open Spaces (formerly C278), which is a 'seriously entertained' planning scheme amendment.



Figure 20 – Shadow diagrams on 22 June at 11:00am and 12:00pm (Source: Applicant, June 2025)

9.4. Compliance with Clause 16.01-1L (Student Housing)

Clause 16.01-1L (Student housing) provides guidance for the development of land for student housing, with the objective of providing affordable, safe, healthy, well designed and managed student housing in locations with good access to public transport, services and tertiary education facilities.

An assessment of the proposal against the relevant strategies and policy guidelines of this clause is provided below:

9.4.1. Student rooms layout

- The proposal includes a variety of unit types ranging from 16-163 square metres as single studio rooms, two-bedroom, three-bedroom or six-bedroom clusters. The student room typologies and layouts are generally considered to be liveable, functional and would comfortably accommodate the needs of students.
- Each student room is provided with access to a bed from its side, a study area with a desk and a bookshelf, robe / drawer units with storage space for personal items, desk space for a computer and TV and a separate table or bench for meals.
- Each studio student room has an individual bathroom. The two and three-bedroom cluster rooms include a shared bathroom, while the six-bedroom clusters have individual bathrooms in each bedroom.
- Private kitchen facilities within each room and cluster are accompanied by adequate space for a microwave, stove top cooker, fridge, clear bench space and sink, in addition to storage for food and utensils.
- Each student bedroom will have direct access to daylight via an external wall open to the sky.
- No rooms will be unreasonably overlooked by another room within the development. The placement of windows, the location of living rooms and the use of screening measures minimises potential cross-views between bedrooms around the building.
- Rooms would be designed to limit excessive noise disruption from outside the building, as outlined within the submitted Acoustic Report. A recommended condition of permit will require the endorsement and implementation of this report.

- One of the 3-bedroom cluster types S-3B includes two beds located in the same room shared with the kitchen and dining area, separated by retractable privacy curtains. There is also a two-bedroom cluster type S-2A which does not provide any windows to its shared living space, which will provide poor amenity for future occupants. See figure 20 below. These are not considered to be acceptable arrangements for the amenity of future occupants within a new building. A recommended condition will require all beds to be located in individual rooms, and all living spaces to be provided with access to daylight.

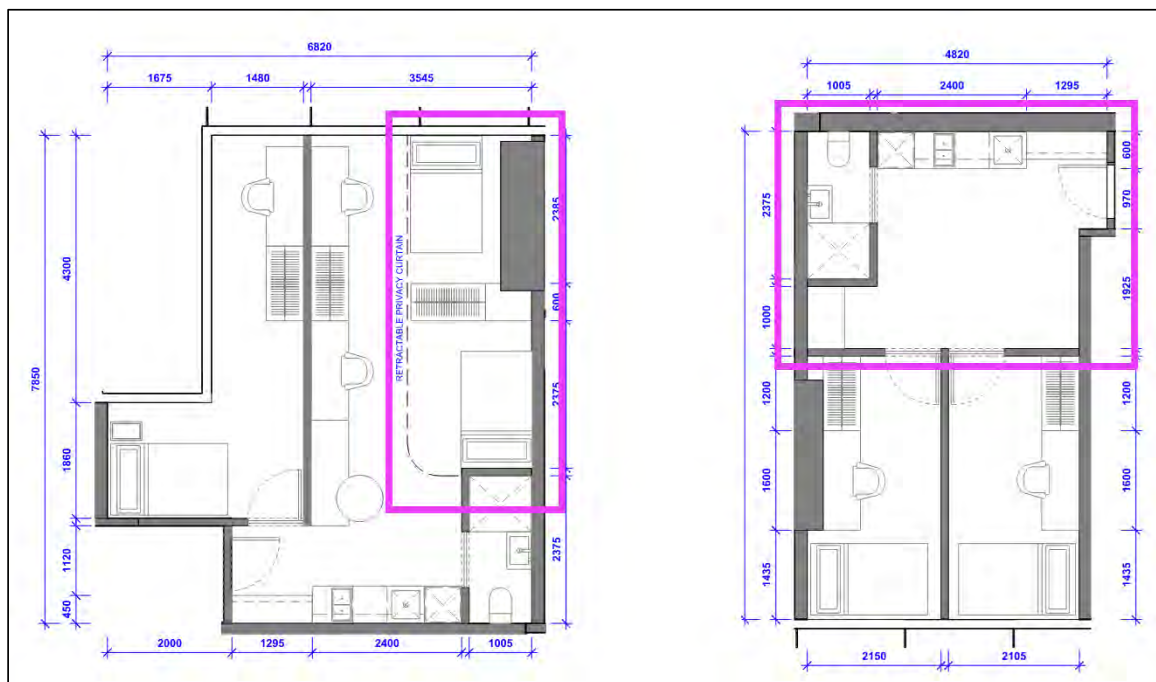


Figure 21 – Student unit S-3B with retractable privacy curtains and S-2A with no living room windows (Source: Applicant, September 2025)

9.4.2. Shared facilities

- A communal lounge and study area is located on the mezzanine level along with staff offices and meeting rooms.
- A communal area is located on level 7 which includes an external terrace on the south-west corner of the podium facing A'Beckett Street. Internally a laundry area, gym, cinema, music room, VR room and breakout (study) space are provided.
- Shared recreational, cooking and dining areas are provided at level 8 integrated with an external terrace area on top of the south-east corner of the podium facing A'Beckett Street, providing adequate access to daylight and ventilation. Toilets are also provided at this level along with a games lounge, video game room and a media lounge.
- Adequate waste management facilities are provided for the building, subject to the endorsement of the Waste Management Plan.
- Corridors, stairways and other shared spaces are designed to be safe, accessible and provided with good dimensions of at least 1.6 metres wide. Opportunities for incidental student interaction are facilitated through lounge and study spaces across the building.

9.4.3. Communal areas

- A total of 2,393 square metres (2.66 square metres per student) of communal areas is proposed, which falls short of the total 3,375 square metres (3.75 square metres per student) encouraged by the policy.

- The proposed development includes a total of 1,730 square metres (1.92 square metres per student) of internal communal spaces throughout the building, which exceeds the 1,125 square metres encouraged by the policy (1.25 square metres per student). This is provided via the various shared facilities and spaces described above.
- The proposal includes a total of 663 square metres (0.74 square metres per student) of communal outdoor open space via the external terraces on level 7 and 8, which will be improved with landscaping and recreational facilities for students. This falls short of the total of 2,250 square metres (2.5 square metres per student) encouraged by the policy.
- The proposal exceeds the requirement for internal communal spaces, but falls short of the requirements for outdoor communal space. It also falls short of the overall requirement for communal space of 3.75 square metres per student, providing a total of 2.66 square metres per student. To ensure adequate communal facilities are provided for students occupying the building, a recommended condition will require the communal outdoor space be increased to at least 1 square metre per student, and the overall communal space requirement to be at least 3.5 square metres per student.
- While still falling short of the policy requirement, this improved outcome is considered to provide an appropriate balance having regard to the context of the site as well as the recreational needs of students. It is noted that these ratios are generally consistent with those provided in the recently approved Tower 3 within the adjacent Queen Victoria Market precinct (PA2302581-1 & TPMR-2023-21/A). It is also noted that the site is located near public open space at Flagstaff Gardens approximately 300 metres to the west, as well as the future public open space area in the adjacent Queen Victoria Market precinct, which will be conveniently accessible to future occupants.
- Where communal outdoor space is provided, it has an appropriate interface with the most substantial internal common area. The layout of the common areas is open plan, providing adequate passive natural surveillance, natural daylight access and ventilation, which will enhance the functionality and safety of these spaces for students.
- While the total student numbers may be affected by recommended conditions detailed above, this would result in a reduced number of students and therefore would not result in any further non-compliance with the policy requirements for communal areas.

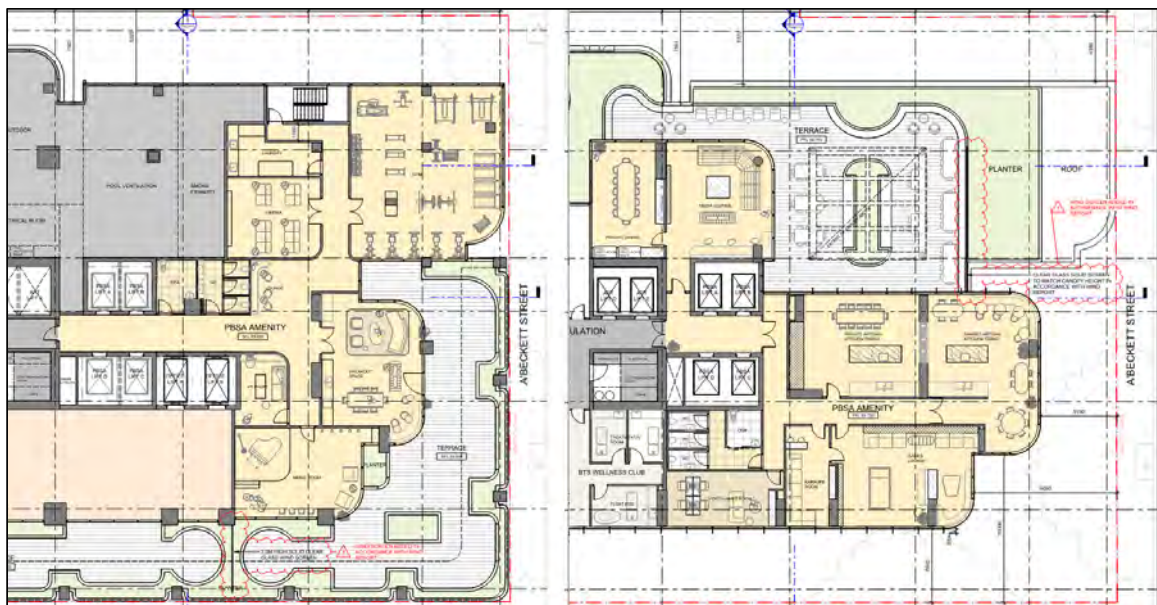


Figure 22 – Communal open space areas on levels 7 and 8 (Source: Applicant, September 2025)

9.4.4. Transport

- The proposal is located within the central city and within walking distance to the City North precinct; identified as a knowledge precinct with tertiary education facilities located throughout, and excellent access to public transport. The subject site is located approximately 500 metres north-west of the RMIT Melbourne campus, 1 km south-west of the University of Melbourne campus, and is within convenient walking distance of multiple tram routes running along Elizabeth Street, William Street and Victoria Street.
- The proposal does not provide the one bicycle space per bed as encouraged by the student housing policy however, it does provide a total of 354 spaces which will be available to building occupants. It is noted that the total number of spaces was supported by Council's Transport Engineers. A recommended condition requiring an Operational Management Plan for the student housing will also include a provision for bicycle share facilities, to ensure students have adequate and convenient access to on-site bicycle parking.
- The location of bicycle parking at the basement level provides convenient internal access and external access from each street and the pedestrian connections within the site, noting the primary access lobby for the student housing is located internally along the eastern boundary of the site.
- The proposal provides zero on site car spaces for the student housing component. This is supported by this policy as well as broader transport policy directives discouraging private vehicle use in favour of sustainable modes of transport.
- Loading and waste collection arrangements are adequately provided for at basement level one and are capable of being managed by permit conditions for a Waste Management Plan and a Loading Management Plan.

Overall, the proposal complies with the objectives, strategies and guidelines of Clause 16.01-1L.

Conditions will be included on any permit being granted requiring the endorsement of the submitted Operational Management Plan for the building, as well as a Section 173 Agreement giving effect to the Management Plan and ensuring the land used for student accommodation is for bona fide students only.

9.5. Compliance with Clause 58 (Apartment Developments)

The proposal has been generally designed to comply with Clause 58 – Better Apartment Design Standards. Where a Clause 58 Standard is not met, an assessment is provided below:

9.5.1. Clause 58.02-3 Dwelling Diversity

The proposed development provides for a total of 693 dwellings, comprising 264 studio apartments (38%), 363 one-bedroom apartments (53%) and 66 two-bedroom apartments (9%).

The majority of apartments are either studio or one bedroom dwellings, with a smaller percentage of two bedroom dwellings and no three bedroom dwellings. While the apartment typologies provided include a range of sizes and types, it is considered that a proposal of this scale should include three bedroom dwellings to cater for larger households. A condition will be included in the recommendation to this effect.

Subject to this condition, the proposal is considered to adequately respond to the demand for housing in the central city, and will contribute to the variety of typologies available to different households.

9.5.2. Clause 58.03-5 Landscaping

Standard D10 requires 482.7 square metres (15%) for deep soil planting and 493.6 square metres of canopy cover, including the provision of at least 2 Type B trees or 1 Type C tree. The proposal includes a total of 868 square metres of deep soil planting area through deep soil planters, and 462 square metres of canopy cover with 2 Type B trees.

A variation is sought in relation to the 31.6 square metre shortfall of canopy coverage. This is considered acceptable for the following reasons:

- The shortfall of canopy coverage is relatively minor having regard to the landscape character of the area and does not prevent the development from achieving increased canopy cover as sought by this clause.
- The proposal provides several tree plantings along the publicly accessible areas and communal terraces. The spaces include integrated landscaping which enhances and improves legibility within both the public spaces and internal amenities for building occupants.
- The street edges to Queen Street and A'Beckett Street will incorporate planter boxes, contributing additional greening to the public realm.
- The proposal achieves a Green Factor score of 0.59, exceeding the minimum score of 0.55, which further demonstrates adequate landscaping can be incorporated throughout the building.

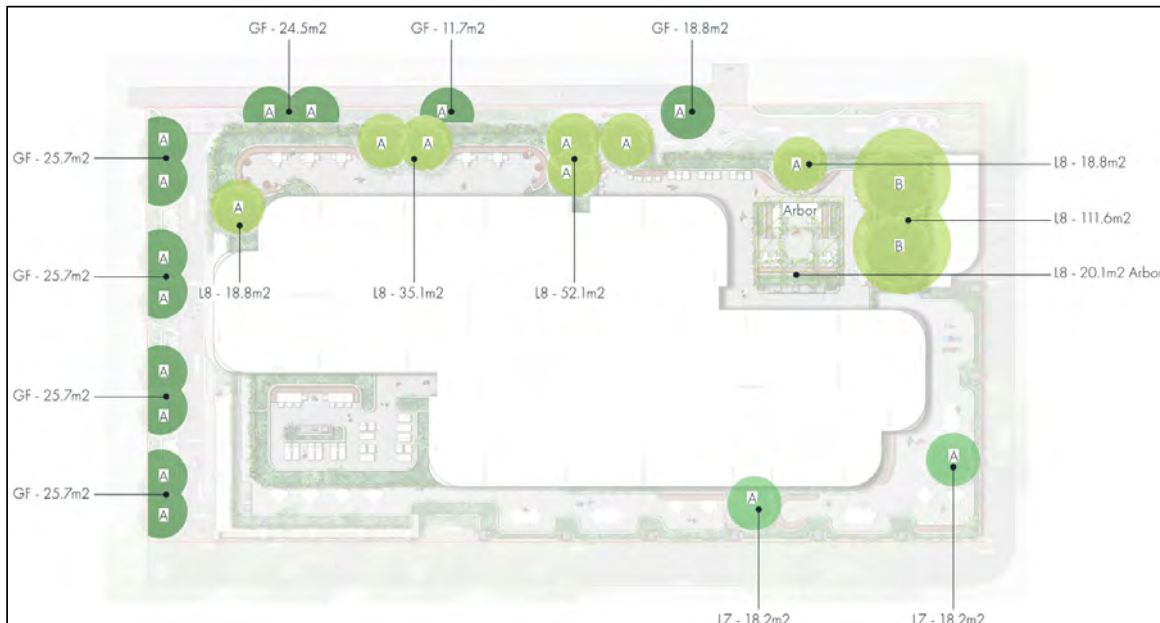


Figure 23 – Extract from Landscape Concept Plan showing proposed planting in response to Standard D10 (Source: Applicant, June 2025)

9.5.3. Clause 58.05-1 Accessibility

The application material provides different percentages for the total number of dwellings designed to comply with Standard D18. However, a review of the individual apartment types which are confirmed to be designed to comply with Standard D18 is 231 or 33.33% of the total 693 apartments.

A condition is included in the recommendation to ensure at least 50% of dwellings are designed to comply with Standard D18. It is anticipated that this could be achieved by modifying studio apartment type A01.1, which accounts for 198 or 28.57% of the total apartments, to include a bathroom that meets the design requirements of Table D7.

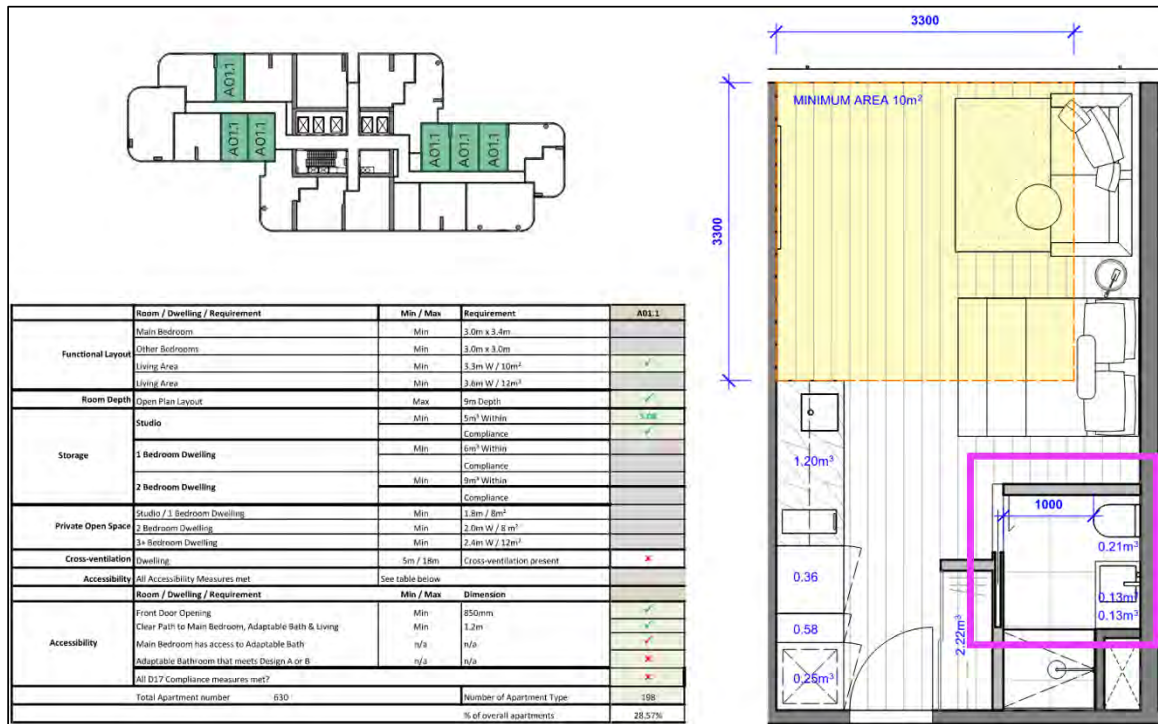


Figure 24 – Extract of Apartment type A01.1 (Source: Applicant, September 2025)

9.5.4. Clause 58.05-3 Private Open Space

The proposed apartments are not provided with private open space areas.

Standard D20 allows for this outcome if the finished floor level of the dwelling is more than 40 metres from ground level, and if the area required for a balcony is provided as additional area associated with a living area or bedroom.

The apartments are all above 40 metres from ground level, and the one bedroom and two bedroom apartments are provided with the required balcony area as additional space within their living areas, in accordance with the standard. However, the studio apartments are not provided with the additional area internally.

A variation to Standard D20 for the studio apartments is considered acceptable for the following reasons:

- The lack of private open space will not unreasonably affect the amenity of the dwellings or the recreation and service needs of future residents.
- Residents will have access to extensive communal spaces at levels 8, 29 and 63, including outdoor areas within the podium terraces on level 8 which exceed the requirements of Clause 58.03-2 (Communal open space).
- The site is located approximately 300 metres to the east of Flagstaff Gardens, which is a significant public open space area that will be conveniently accessible to future residents. It is also noted that land currently used for car parking within Queen Victoria Market precinct approximately 100 metres to the north-west is within the Public Park and Recreation Zone, which is the location of a future public open space area under the *Queen Victoria Market Precinct Framework Plan 2017*. When delivered, this space will also support the recreational needs of future residents.

9.5.5. Clause 58.07-1 Functional layout

The proposal generally provides living areas and bedroom sizes which comply with the requirements of Standard D26, with the exception of studio apartment type A04.1 which does not provide the required internal living room dimensions and widths specified in Table D12. The variation is associated with a section of the kitchen bench / sink area which encroaches into the 10 square metre area required for the living area.

A variation is considered acceptable for the following reasons:

- The proposed variations are relatively minor, in the order of approximately 300 mm deep and 0.15 square metres in area.
- The shape, layout and integration with the remainder of the apartment area will achieve a functional space overall.
- The layout of the apartments otherwise satisfies the internal amenity standards of Clause 58 such as room depth, windows and natural ventilation.

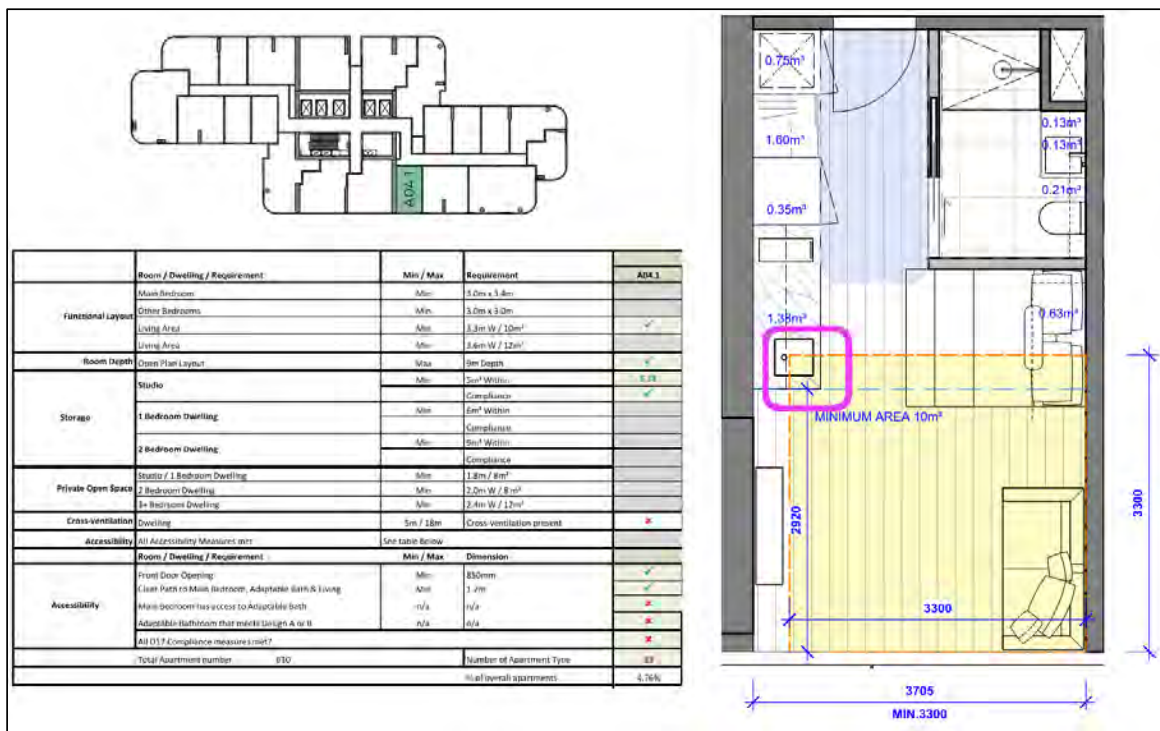


Figure 25 – Extract of Apartment type A04.1 with variation highlighted (Source: Applicant, September 2025)

9.6. Environmentally Sustainable Design

The proposal achieves an appropriate response when assessed against Clause 15.01-2L-01, Clause 19.03-3L and Clause 53.18 through the submission of a Sustainability Management Plan, inclusive of Water Sensitive Urban Design assessment, outlining sustainable design measures to be implemented within the development. The application was also accompanied by a Green Factor tool assessment, with the scorecard achieving 0.59 (above the minimum of 0.55).

The officer recommendation includes a condition requiring an amended Sustainability Management Plan as recommended by Council’s ESD Officer, as noted at Section 8.2 of this report.

9.7. Car parking and access, bicycle facilities and waste

9.6.1 Car parking and access

As outlined in Section 6 of this report, the proposal provides a total of 154 car spaces, which is less than the maximum of 853 spaces under the PO1 and therefore there is no permit required.

Council's Transport Engineers had no objection to the proposal on grounds of parking supply and design, traffic volume, waste collection and loading arrangements, subject to conditions as discussed in Section 8.2 of this report.

9.6.2 Bicycle facilities

As set out under Section 6 of this report, the proposal provides a total of 386 bicycle spaces which requires a reduction to the statutory requirement of 443 spaces. The reduction is considered acceptable in this instance and will adequately meet the demand of building occupants and visitors in this location. The provision of bicycle parking on the land has been reviewed and found to be acceptable by Council's Transport Engineers, subject to a condition ensuring their design meets relevant standards. End of trip facilities are also provided as required by Clause 52.34.

9.6.3 Waste and loading

A Waste Management Plan for the proposed development has been reviewed by Council's Waste and Recycling team as discussed in Section 8.2 of this report. Outstanding matters are capable of being addressed through permit conditions requiring an amended Waste Management Plan.

9.8. Conclusion

For the reasons discussed in this report, it is considered that the proposal generally achieves an acceptable outcome having regard to the relevant provisions of the Melbourne Planning Scheme.

Subject to the resolution of the proposed public benefits which support the proposed Floor Area Uplift sought by development, the application is considered to warrant support.

10. Recommendation

That the Future Melbourne Committee resolves to advise the Department of Transport and Planning that the Melbourne City Council does not object to the application subject to the resolution of the key outstanding matters below.

11. Key outstanding matters

11.1. Public benefits

The proposed public benefits supporting the Floor Area Uplift above 18:1 (28.62:1) are not supported and must be revised before a permit can be granted. A revised public benefit proposal should resolve the following key deficiencies in the current proposal:

- A reduced reliance on the provision of 'office' as a strategically justified use.
- Include affordable housing as a meaningful component of the public benefits.
- Thoroughly demonstrate and evaluate any proposed 'laneway credit'.

12. Conditions

The following conditions are recommended to be included on any permit issued, once the key outstanding matters have been resolved:

Amended Plans

1. Prior to the commencement of the development, including demolition and site preparation works, an electronic set of plans drawn to scale and an updated development summary, must be submitted to

the Responsible Authority in consultation with Melbourne City Council, generally in accordance with the plans prepared by Cox Architecture dated 29 September 2025 but amended to show:

- a) The northern section of easement E1 generally between Anthony Street and the eastern boundary of the main part of the land to be closed to public access, and the reconfiguration of internal publicly accessible spaces to minimise safety and entrapment risks to comply with the relevant design requirements for pedestrian connections at Clause 2.4 of Schedule 1 to the Design and Development Overlay.
- b) The communal spaces associated with the student housing modified as follows:
 - i. The amount of communal outdoor space to be at least 1 square metre per student, over a maximum of two parcels with a minimum internal dimension of 3 metres; and
 - ii. The overall amount of communal space to be at least 3.5 square metres per student.
- c) The layout of student units modified to:
 - i. Provide that all beds are located in individual rooms with no reliance on 'retractable privacy curtains' for separation from other beds and/or shared areas; and
 - ii. Provide all living spaces with direct access to daylight.
- d) A revised apartment mix which provides an increased number of three-bedroom dwellings.
- e) At least 50% of apartments are designed in accordance with the requirements of Standard D18 of Clause 58.05-1 (Accessibility), with any necessary modifications to internal layouts.
- f) A notation that all bicycle spaces are to be design in accordance with the relevant Australian Standards.
- g) Any changes, technical information or plan notations (or otherwise) required as a result of any other condition in this permit which is to be satisfied concurrently with the endorsement of plans.

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

Endorsed Plans

2. At all times what the permit allows must be carried out in accordance with the requirements of any document endorsed under this permit to the satisfaction of the Responsible Authority.
3. The development as shown on the endorsed plans must not be altered or modified unless with the prior written consent of the Responsible Authority.

Completion of Development

4. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

Retention of Architect

5. Except with the written consent of the Responsible Authority, Cox Architecture must be retained to provide architectural oversight during construction and completion of the detailed design as shown in the endorsed plans and schedule of materials and finishes to the satisfaction of the Responsible Authority.

Façade Strategy

6. Concurrent with the endorsement of plans pursuant to Condition 1, a Façade Strategy and Materials and Finishes must be submitted to and be approved by the Responsible Authority in consultation with Melbourne City Council. All materials, finishes and colours must be in conformity with the approved Façade Strategy to the satisfaction of the Responsible Authority in consultation with Melbourne City Council. The Façade Strategy must be generally in accordance with the development plans and must detail:

- a) A concise description by the architect of the building design concept and how the façade works to achieve this.
- b) Elevation details (generally at a scale of 1:50) illustrating typical lower level details, balcony niches, entries, lobbies and doors, utilities and structural columns, as well as typical tower details, key junctures and any special features which are important to the building's presentation.
- c) Street level elevations (generally at a scale of 1:20) for all public interfaces. All proposed materials at the street wall level should be robust and of high quality.
- d) Cross sections or another method of demonstrating the façade systems, including fixing details indicating junctions between materials and significant changes in form and/or material.
- e) Information about how the façade will be accessed and maintained and cleaned, including any planting if proposed.
- f) Example prototypes and/or precedents that demonstrate the intended design outcome as indicated on plans and perspective images, to produce a high quality built outcome in accordance with the design concept.
- g) A schedule of colours, materials and finishes, including the colour, type and quality of materials showing their application and appearance. Materials and finishes must be of a high quality, contextually appropriate, durable and fit for purpose. This can be demonstrated in coloured elevations or renders from key viewpoints, to show the materials and finishes linking them to a physical sample board with coding.
- h) A greater variation in depth and tactility on the central form / northern podium to reinforce the variation in the distinct parts of the lower form.

The façade strategy must be to the satisfaction of the responsible authority and when approved will endorsed to form part of the permit. The façade strategy must not be altered or amended without the written consent of the Responsible Authority.

Reflected Glare

7. Prior to the commencement of the development, including demolition and site preparation works, a Reflected Glare Assessment of external building materials and finishes, utilising an appropriate methodology prepared by a suitably qualified person, must be prepared and submitted to the satisfaction of the Responsible Authority.
8. External building materials and finishes must not result in hazardous or uncomfortable glare to pedestrians, public transport operators and commuters, motorists, aircraft, or occupants of surrounding buildings and public spaces, to the satisfaction of the Responsible Authority.
9. Specular light reflectance from external materials and finishes must be less than 15% to the satisfaction of and unless otherwise approved by the Responsible Authority.

Sustainable Management Plan

10. Concurrent with the endorsement of plans pursuant to Condition 1, an amended Sustainable Management Plan (SMP) prepared by a suitably qualified person must be submitted to and approved by the Responsible Authority in consultation with Melbourne City Council. When approved, the amended SMP report will be endorsed and form part of this permit. The amended SMP report must be generally in accordance with the SMP report prepared by Stantec dated 6 June 2025, but modified to include or show:
 - a) Any changes as required by Condition 1 of this Permit.
 - b) Provide evidence that the development has been registered with the Green Building Council of Australia for a 5 Star Green Star Buildings rating.

- c) Provide daylight modelling to demonstrate the development can achieve high levels of daylight to at least 40% of the regularly occupied areas for non-residential spaces and 60% of combined living and bedroom areas.
- d) Assumptions used for daylight modelling Visual Light Transmittance values provided and shown on plans.
- e) The pre-screening climate change checklist.
- f) Project specific climate change risk and adaptation assessment.
- g) Provide a consolidated site plan that shows the areas of all compliant materials and provides calculations that show 75% of the total site area features materials that reduce the urban heat island effect
- h) Further detail and evidence that the development can achieve the minimum requirements (buildings up front carbon emissions are 20% less than those of a reference building). Modelling or calculations via the Upfront Emissions Calculator to be provided as adequate evidence.
- i) Alternative pathway of J1V5 energy modelling to align to the reference building pathway in Green Star. Modelling to be provided that demonstrates a 20% improvement between proposed design and reference building.
- j) Provide a Zero Carbon Action Plan for the building indicating how and when the project intends to operate as fossil fuel free, indicating 100% of the building's electricity will come from renewable sources and 100% of the building's energy comes from renewables. An alternative pathway exists via registration to state that the development is committing to being 100% electric.
- k) Provide evidence via the Movement and Place calculator that the project is meeting the minimum requirements for bicycle parking spaces and associated change facilities, electric vehicle parking spaces and related infrastructure, a reduction in car parking and prioritising walking.
- l) Provide a report that indicates how the minimum expectations for the credit will be met by the design response including the building was not built on, or significantly impacted, a site with a high ecological value.
- m) Provide further detail of the Green Factor tool assessment that shows the full scorecard including the 'Specified Green Infrastructure Elements' and a Green Factor Plan to locate and show where these inputs exist.
- n) 20 kL rainwater tank shown on plans with a note to indicate re-use for toilets, landscape and wash down.
- o) Proprietary Product used in conjunction with RWT to achieve water quality outcomes to be notated on plans and a signed 5 year maintenance contract provided.

The Responsible Authority in consultation with Melbourne City Council may consent in writing to vary any of these requirements.

Once approved, the SMP will be endorsed and will form part of this permit. The performance outcomes specified in the SMP must be achieved in the completed development. The SMP must not be altered or amended without the written consent of the Responsible Authority and Melbourne City Council.

Implementation of Sustainable Management Plan Report

11. Prior to the occupation of the development, a report from the author of the endorsed SMP, or similarly qualified persons or companies, outlining how the performance outcomes specified in the amended SMP have been implemented must be submitted to the Responsible Authority and Melbourne City Council. The report must be to the satisfaction of the Responsible Authority and Melbourne City Council and must confirm and provide sufficient evidence that all measures specified in the approved SMP have been implemented in accordance with the relevant approved plans.

12. Within 24 months from the date of occupancy evidence of a certified 5 Star Green Star Buildings rating should be provided to the satisfaction of the Responsible Authority and Melbourne City Council.

Landscape Plan

13. Concurrent with the endorsement of plans pursuant to Condition 1, an amended Landscape Plan prepared by a suitably qualified landscape architect must be submitted and approved by the Responsible Authority in consultation with Melbourne City Council. The Landscape Plan must be generally in accordance with the Landscape Plan prepared by Tract Consultants dated 6 June 2025 and must be updated to show:
- a) Any changes as required by Condition 1 of this permit.
 - b) Details of proposed green infrastructure and planters (including volume of planter soil / media and depths) and mulch specifications.
 - c) Annotated cross-sectional details for green infrastructure and planters including materials, waterproofing, drainage, dimensions, support structures and tree anchors.
 - d) Irrigation systems demonstrating use of alternative water sources such as rainwater, stormwater and recycled water.
 - e) Planting schedule of proposed vegetation, including common and scientific names, height / width specs, amounts, pot size and location of plants.
 - f) Details to accord with the approved Green Factor tool scorecard.

Once approved, the Landscape Plan will be endorsed and will form part of this permit.

14. Concurrent with the endorsement of plans pursuant to Conditions 1 and 13, a Green Infrastructure Landscape Package and Landscape Maintenance Plan in connection with the proposed development must be submitted to and be approved by the Responsible Authority. The landscape package should include but not limited to, detailed planter sections including soil volumes, diverse schedule of species including indicative planting locations with specific consideration given to tree species / placement / soil volume requirements and specified lightweight growing media.

The Landscape Maintenance Plan should provide comprehensive details of proposed maintenance regimes with provision for maintenance beyond the fifty-two week period following Practical Completion. Except with the prior written consent of the Responsible Authority the approved landscaping must be implemented prior to the occupation of the development. The landscaped areas must be maintained to the satisfaction of the Responsible Authority.

Waste Management

15. Concurrent with the endorsement of plans under Condition 1, an amended WMP prepared by a suitably qualified person, must be approved and endorsed by Melbourne City Council – Waste and Recycling. The amended WMP must be generally in accordance with the WMP prepared by Leigh Design dated 1 October 2025, but modified to include or show:
- a) Any changes as required by Condition 1 of this Permit.
 - b) A sequence diagram showing the waste vehicle passing under the roller door demonstrating there is adequate clearance as the vehicle passes under the door.

Once approved, the WMP will be endorsed and will form part of this permit. At all times waste management and collection must be carried out in accordance with the requirements of the approved and endorsed WMP to the satisfaction of Melbourne City Council – Waste and Recycling. Waste storage and collection arrangements must not be altered without prior consent of Melbourne City Council – Waste and Recycling.

16. 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 Melbourne City Council – Waste and Recycling.

Parking Management Plan

17. Concurrent with the endorsement of plans under Condition 1, a Parking Management Plan must be prepared and submitted to and approved by the Responsible Authority in consultation with Melbourne City Council.

The plan must include details such as signs, line markings and other traffic management (i.e. mirrors, etc) measures to be developed to manage the internal operation of the car park and mitigate potential vehicle conflict.

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

Sustainable Transport Plan

18. Prior to the occupation of the development, a Sustainable Transport Plan (STP) for the student housing must be submitted to the satisfaction of and be endorsed by the Responsible Authority in consultation with Melbourne City Council. The STP must:

- a) Describe the location in the context of alternative modes of transport and objectives for the STP.
- b) Outline STP measures for the building including:
 - i. Employee welcome packs to include public transport information.
 - ii. Other incentives for employees (i.e. provision of public transport discounts if available).
 - iii. Cycle parking and facilities available.
 - iv. Management, monitoring and review.

Once approved, the STP will be endorsed to form part of the permit to ensure the STP continues to be implemented by the owners / management of the site to the satisfaction of the Responsible Authority. The STP must not be altered without prior consent of the Responsible Authority in consultation with Melbourne City Council.

Loading Management Plan

19. Prior to the commencement of the development, including demolition and site preparation works, a Loading Management Plan must be submitted to and approved by the Responsible Authority in consultation with Melbourne City Council. The Loading Management Plan must specify how the access / egress of loading vehicles is to be managed and ensuring that:

- a) The delivery needs of the uses within the development are accommodated.
- b) Any potential conflicts between vehicles and other users are satisfactorily addressed.
- c) There are no obstructions in the path of the vehicles (kerbs, walls, etc.) and appropriate height clearances are provided for all required vehicles / manoeuvres.
- d) A Loading Dock Manager, Building Manager or similar person is nominated, with the following responsibilities:
 - i. Present on site when deliveries are undertaken.
 - ii. Act as a spotter for any reversing movements into the loading bay.
 - iii. Act as informal traffic controller to discourage pedestrian movements when vehicles reverse.
 - iv. Ensure conflicts do not occur between loading / other vehicles.
 - v. Ensure that space used for vehicle manoeuvring is kept clear of other vehicles / obstructions at all times.

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

Road Safety Audit

20. Concurrent with the endorsement of plans under Condition 1, a formal and independent Road Safety Audit must be undertaken and approved by the Melbourne City Council. The Road Safety Audit must include an assessment of:
- Internal layout.
 - Access arrangements.
 - Loading arrangements.
 - Pedestrian and bicycle access and movements within the site and in the public realm.
 - Potential conflicts between vehicles / pedestrians / cyclists, having regard to the existing access arrangements for other properties.
 - Road safety issues affecting all road users.

The findings of the Audit must be incorporated into the design at the developer's expense to the satisfaction of Melbourne City Council.

Noise

21. Concurrent with the endorsement of plans under Condition 1, the Acoustic Report prepared by Acoustic Logic dated 6 June 2025 must be amended to reflect the changes as required by Condition 1 and must be submitted and approved by the Responsible Authority. When provided to the satisfaction of the Responsible Authority, the Acoustic Report will be endorsed to form part of this permit.
22. Prior to the occupation of the development, the provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority. The report must not be altered or amended without the written consent of the Responsible Authority.

Wind

23. Concurrent with the endorsement of plans under Condition 1, the Environmental Wind Conditions Study report prepared by MEL Consultants dated 18 August 2025 must be amended to reflect the amended plans required by Condition 1, include wind tunnel testing zones at all building entrances and publicly accessible spaces, and must be submitted and approved by the Responsible Authority.
- When provided to the satisfaction of the Responsible Authority, the report will be endorsed to form part of this permit. The recommendations of the report must be implemented at no cost to the Responsible Authority and must not include reliance on street trees.
24. Prior to the occupation of the development, the provisions, recommendations and requirements of the endorsed Environmental Wind Conditions Study report must be implemented and complied with to the satisfaction of the Responsible Authority. The report must not be altered or amended without the written consent of the Responsible Authority.

3D Model

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

Operational Management Plan – Student Housing

26. Prior to the occupation of the development, an Operational Management Plan for the student housing must be submitted to and approved by Melbourne City Council. When approved, the plan will be endorsed and will then form part of the permit. The Operational Management Plan must establish a set of 'house rules' for the use, to be followed thereafter to the satisfaction of Melbourne City Council. The Operational Management Plan must ensure that a suitably qualified full time manager with responsibility to oversee students is either on-site during general business hours or contactable off-site after hours by both professionally trained staff and residents. The Operational

Management Plan must also detail the maintenance, cleaning, garbage storage and collection, supervision and security of the site, and include provision for bicycle share arrangements for students utilising the bicycle parking provided within the site.

Legal Agreement - Student Housing

27. Prior to the occupation of the development, the owner of the land must enter into an agreement with Melbourne City Council pursuant to Section 173 of the *Planning and Environment Act 1987*. The agreement must provide the following:
- a) The accommodation provided on the subject land is to be used for the exclusive accommodation of students enrolled full time at a secondary or tertiary level educational institution and to be vacated within six months of completion of full time or part time studies.
 - b) The building to operate at all times in accordance with the endorsed Operational Management Plan as required by this permit to the satisfaction of Melbourne City Council.
 - c) Any on-site facilities, including bicycle parking spaces and communal space, approved under this permit must at all times be managed in accordance with this permit to the satisfaction of Melbourne City Council. The on-site facilities are only permitted to be used by the occupants / employees of the student housing, in accordance with the endorsed plans, and such facilities must not be subdivided, leased or sold separate from the facility for any reason without the prior written consent of Melbourne City Council.
 - d) The requirements contained in the agreement shall form part of any lease of the premises which the owner of the land under this permit may enter into with another party.

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

Legal Agreement – Temporary Works

28. Prior to the commencement of the development, including demolition and site preparation works, 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 that the owner must construct temporary works on the land to the satisfaction of Melbourne City Council in the following scenarios:
- a) If the land remains vacant for six months after completion of the demolition;
 - b) Demolition or construction activity ceases for a period of six months; or
 - c) Construction activity ceases for an aggregate of six months after commencement of the construction.

Prior to the commencement of construction of the temporary works, details of the temporary works must be submitted to and be approved by the Melbourne City Council, to its satisfaction.

Temporary works may include:

- a) The construction of temporary buildings for a retail or commercial use. Such structures shall include the provision of an active street frontage; or
- b) Landscaping of the site for the purpose of public recreation and open space.

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

Legal Agreement – Publicly Accessible Areas

29. Prior to the occupation of the development, the owner of the land must enter into an agreement with Melbourne City Council pursuant to Section 173 of the *Planning and Environment Act 1987* and have it recorded on title. The agreement must provide the following:
- c) Provide access to all publicly accessible areas 24 hours a day, 7 days a week, unless otherwise agreed in writing by Melbourne City Council.
 - d) The owner must, at its cost, maintain the area in accordance with any endorsed Landscape Plan to the satisfaction of the Melbourne City Council.

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

Legal Agreement – Public Benefits

30. Prior to the commencement of the development, including demolition bulk excavation and site preparation works, or as may otherwise be agreed with the Responsible Authority, the owner of the land must enter into an agreement with the Responsible Authority in consultation with Melbourne City Council pursuant to Section 173 of the *Planning and Environment Act 1987*.

This agreement must provide for public benefits which are commensurate to the Floor Area Uplift above 18:1 and must address the key outstanding matters outlined at Section 11.1 of this report, be strategically justified, appropriately valued and calculated, and supported by the proposed receiving agency to the satisfaction of the Responsible Authority, Melbourne City Council and any other receiving agency.

The public benefits must incorporate a meaningful component of affordable housing to the satisfaction of the Responsible Authority in consultation with Melbourne City Council.

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

Existing Legal Agreements

31. Prior to the occupation of the development, and following the demolition of the existing car park on the site, registered Agreements L929335J and AC278000J must be ended and removed from all titles affected by the Agreement to the satisfaction of the Responsible Authority.

Land Survey

32. Prior to occupation of the development, the pedestrian links must be named in accordance with the *Geographic Place Names Act 1998* to provide appropriate street addressing for the retail tenancies. Any proposed road name must comply with the Naming Rules for Places in Victoria, Statutory Requirements for Naming Roads, Features and Localities 2016.

Construction Management and Tree Protection

33. Prior to the commencement of the development, including demolition and site preparation works, a detailed demolition and construction management plan must be submitted to and be approved by the Melbourne City Council – Site Services. This demolition and construction management plan must be prepared in accordance with the City of Melbourne's Code of Practice for Building, Construction and Works and is to address 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) Include an Arboricultural Impact Assessment (AIA) and Tree Protection Plan (TPP). It may be required to stage these documents to cover the demolition, excavation, construction or civil works. The AIA-TPP must collectively identify all impacts to public trees, be in accordance with AS 4970-2025 (*Protection of trees on development sites*), AS4373-2007 (*Pruning of Amenity Trees*), and be authored by a qualified consulting arborist (min. AQF Level 5), including, but not limited to:
 - i. A public tree protection plan drawn to scale including approved building design, construction zones, site access, machinery, equipment, temporary structures and dimensioned tree protection zones required to enable demolition, excavation, and construction, where these works are to impact public trees.

- ii. City of Melbourne asset numbers for the public trees to be impacted.
 - iii. A written assessment of all public trees located adjoining property, detailing the general condition and specific data of each public tree, and any construction impact the proposal will have on the trees, presented concisely with the assistance of tables and photos.
 - iv. Reference finalised Construction and Traffic Management Plan, including designs, details, and dimensions of any public protection gantries, scaffold, loading zones and machinery locations.
 - v. Site specific details of the temporary tree protection fencing or hoarding to be used to isolate public trees from the demolition and construction activities. These must be shown on the protection plan. Details of any other tree protection measures considered necessary and appropriate to the works.
 - vi. Specific details of any design modifications or construction methodologies to be used within the Tree Protection Zone of any public trees. These must be provided for any utility connections or civil engineering works.
 - vii. Any pruning required to public trees must include detailed specifications with reference to marked images.
 - viii. A supervision schedule for the Project Arborist, interim reporting periods and final completion report (necessary for bond release).
34. All works, including demolition, within the Tree Protection Zone of public trees must be undertaken in accordance with the endorsed Tree Protection Plan and supervised by a suitably qualified Arborist where identified in the report, except with the further written consent of the Melbourne City Council.
35. Following the approval of the TPP, a bond equivalent for the combined environmental and amenity values of public trees that may be affected by the development will be held against the TPP for the duration of construction activities. The bond amount will be calculated by council and provided to the applicant / developer / owner of the site. Should any tree be adversely impacted on, Melbourne City Council will be compensated for any loss of amenity, ecological services or amelioration works incurred.

Public Tree Removal / Pruning

36. No public tree adjacent to the site can be removed or pruned in any way without the written approval of Melbourne City Council.

Contamination

37. Prior to the commencement of the development, including demolition or preliminary site works, a Preliminary Risk Screen Assessment (PRSA) of the subject land must be conducted by a suitably qualified environmental auditor. The PRSA statement and report must be submitted to the responsible authority in accordance with section 205 of the *Environment Protection Act 2017* and respond to the matters contained in Part 8.3, Division 2 of the *Environment Protection Act 2017* to the satisfaction of the responsible authority.
38. If the PRSA requires an Environmental Audit be undertaken or if an Environmental Audit is otherwise undertaken, then prior to the development starting, not including any development that is required to undertake the Environmental Audit, an Environmental Audit of the site must be carried out by a suitably qualified environmental auditor. On completion of the Environmental Audit, an Environmental Audit Statement (EAS) and report must be submitted to the responsible authority in accordance with section 210 of the *Environment Protection Act 2017* responding to the matters contained in Part 8.3, Division 3 of the *Environment Protection Act 2017* to the satisfaction of the responsible authority. The EAS must either:
- a) State the subject land is suitable for the use and development allowed by this permit.
 - b) State the subject land is suitable for the use and development allowed by this permit if the recommendations contained within the EAS are complied with.

39. Prior to the occupation of the development, all the recommendations of the EAS must be complied with to the satisfaction of the responsible authority for the full duration of any buildings and works on the land in accordance with the development hereby approved, and written confirmation of compliance must be provided to the responsible authority by a suitably qualified environmental auditor in accordance with any requirements in the EAS.
40. Prior to the occupation of the development, if any of the conditions of the EAS require significant ongoing maintenance and/or monitoring, to the satisfaction of the responsible authority, the owner of the land must enter into an agreement with the Melbourne City Council under section 173 of the *Planning and Environment Act 1987*. The agreement must be to the effect that all conditions of the EAS issued in respect of the land will be complied with. The owner of the land must pay all of the Melbourne City Council's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.

City Infrastructure

Drainage of projections

41. 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 – City Infrastructure.

Drainage system upgrade

42. Prior to the commencement of the development, including demolition and bulk excavation, a stormwater drainage system, incorporating integrated water management design principles, must be submitted to and approved by the Melbourne City Council – City Infrastructure. This system must be constructed prior to the occupation of the development and provision made to connect this system to the Melbourne City Council's underground stormwater drainage system. Where necessary, the Melbourne City Council's drainage network must be upgraded to accept the discharge from the site in accordance with plans and specifications first approved by Melbourne City Council – City Infrastructure.

Groundwater management

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

Demolish and construct access

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

Roads

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

Footpaths

46. Prior to the occupation of the development, the footpaths adjoining the site along Queen Street and A'Beckett Street must be reconstructed in sawn bluestone together with associated works including the renewal of kerb and channel with new sawn 300 mm wide bluestone kerb and new 250 mm wide bluestone gutterstone, provision of street furniture and modification of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by Melbourne City Council – City Infrastructure.

Street levels not to be altered

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

Existing street lighting not altered without approval

48. 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 – City Infrastructure.

Existing street furniture

49. Existing street furniture must not be removed or relocated without first obtaining the written approval of Melbourne City Council – City Infrastructure.

Street furniture

50. Prior to the occupation of the development, all street furniture such as street litter bins, recycling bins, seats and bicycle rails must be supplied and installed on the Queen Street and A'Beckett Street footpaths outside the proposed building to plans and specifications first approved by Melbourne City Council – City Infrastructure.

Public lighting

51. Prior to the commencement of the development, excluding preliminary site works and demolition, or as may otherwise be agreed with Melbourne City Council, a lighting plan must be prepared to the satisfaction of Melbourne City Council. The lighting plan should be generally consistent with Council's Lighting Strategy, and include the provision of public lighting in Queen Street and A'Beckett Street.
52. Prior to the occupation of the development, the lighting works must be undertaken in accordance with plans and specifications first approved by Melbourne City Council – City Infrastructure.

Building appurtenances and services

53. 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 and Melbourne City Council or as otherwise exempt under the Melbourne Planning Scheme.

No reticulated gas connection

54. Any new dwellings allowed by this permit must not be connected to a reticulated gas service (within the meaning of Clause 53.03 of the Melbourne Planning Scheme). This condition continues to have force and effect after the development authorised by this permit has been completed.

Development time limit

55. This permit will expire if one or more of the following circumstances apply:
- The development is not started within three years of the date of this permit.
 - 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 permit if a request is made in writing within 12 months after the permit expires and the development started lawfully before the permit expired.

NOTES**Building Approval Required**

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

Other Approvals May be Required

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

City Infrastructure

All necessary approvals and permits are to be first obtained from the Melbourne City Council and the works performed to the satisfaction of Melbourne City Council – City Infrastructure.

All projections over the street alignment must conform to Building Regulations 2018, Part 6, Sections 98 to 110 as appropriate. Reference can be made to the Melbourne City Council's Road Encroachment Operational Guidelines with respect to projections impacting on street trees and clearances from face / back of kerb.

The publicly accessible areas must remain the responsibility of the landowner(s) in perpetuity. Melbourne City Council is unlikely to agree to the internal roads being made public.

Transport

Melbourne City Council will not change on-street parking restrictions to accommodate the servicing, delivery and parking needs of this development, as the restrictions are designed to cater for other competing demands and access requirements. However, new parking restrictions may be introduced in the surrounding streets at the discretion of Melbourne City Council. As per Council's policy, new developments in this area that increase the density of residential development are not entitled to resident parking permits. Therefore, the residents of this development will not be eligible to receive parking permits and will not be exempt from any on-street parking restrictions.

Urban Forest and Ecology

A tree protection bond can be provided as a bank guarantee or by EFT. A bank guarantee must be:

1. Issued to City of Melbourne, ABN: 55 370 219 287
2. From a recognised Australian bank
3. Unconditional (i.e., no end date)
4. Executed (i.e., signed and dated with the bank stamp).

If the bond is to be lodged as an EFT, Council's bank details will be provided on request.

An acceptable bank guarantee is to be supplied to Council House 2, to a representative from Council's Urban Forest and Ecology Team. Please email trees@melbourne.vic.gov.au to arrange a suitable time for the bank guarantee to be received. A receipt will be provided at this time.

Any pruning works identified and approved in the Tree Protection Plan will only be undertaken once the Tree Protection Bond is lodged, all permits issued, and works are ready to commence.

On completion of the works, the tree bond will only be released when evidence is provided of Project Arborist supervision throughout the works and a final completion report confirms that the public trees have not been affected by the works.

Approval for any tree removal is subject to the Tree Policy 2021, Melbourne City Council's Delegations Policy and requirements for public notification, and a briefing paper to Councillors. All options for tree retention must be explored and exhausted to the satisfaction of a Melbourne City Council Arborist before public tree removal, or significant pruning, is approved.

All costs in connection with the removal and replacement of public trees, including any payment for the amenity and ecological services value of a tree to be removed, must be met by the applicant / developer / owner of the site. Costs will be provided and must be agreed to before Melbourne City Council removes the subject tree/s.

All new or replacement tree plots must maximise available soil volume and rooting area, with either enlarged pit dimensions, relocating, or providing protection of underground services or the use of structural soils.

Road naming

The names to any Roads or public areas shown on plans are indicative and have not been formally determined as a part of this application. Any naming process will need to occur in accordance with the relevant naming conditions within this permit.

How to contact us

Online:

melbourne.vic.gov.au

In person:

Melbourne Town Hall - Administration Building
120 Swanston Street, Melbourne
Business hours, Monday to Friday
(Public holidays excluded)

Telephone:

03 9658 9658
Business hours, Monday to Friday
(Public holidays excluded)

Fax:

03 9654 4854

In writing:

City of Melbourne
GPO Box 1603
Melbourne VIC 3001
Australia



Interpreter services

We cater for people of all backgrounds
Please call 03 9280 0726

03 9280 0717 廣東話
03 9280 0719 Bahasa Indonesia
03 9280 0720 Italiano
03 9280 0721 普通话
03 9280 0722 Soomaali
03 9280 0723 Español
03 9280 0725 Việt Ngữ
03 9280 0726 عربي
03 9280 0726 한국어
03 9280 0726 हिंदी
03 9280 0726 All other languages

National Relay Service:

If you are deaf, hearing impaired or speech-impaired,
call us via the National Relay Service: Teletypewriter (TTY)
users phone 1300 555 727 then ask for 03 9658 9658
9am to 5pm, Monday to Friday (Public holidays excluded)

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