6.6	248-250, 252-254, 256-258, 260-262, 264-270 NORMANBY ROAD SOUTH MELBOURNE, 203-205, 207-211, 215-217 NORMANBY ROAD SOUTHBANK
LOCATION/ADDRESS:	248-250, 252-254, 256-258, 260-262, 264-270 NORMANBY ROAD SOUTH MELBOURNE, 203-205, 207-211, 215-217 NORMANBY ROAD SOUTHBANK
RESPONSIBLE MANAGER:	GEORGE BORG, MANAGER CITY DEVELOPMENT
AUTHOR:	SIMON GUTTERIDGE, PRINCIPAL PLANNER FBURA
TRIM FILE NO.:	MINRA0003/2015
ATTACHMENTS:	1. Locality Map 2. Site 01 - Plans 3. Site 02 - Plans 4. Site 03 - Plans 5. Site 05 - Plans 6. Site 06 - Plans 7. Original plans summary 8. Site 01 - Draft conditions 9. Site 02 - Draft conditions 10. Site 03 - Draft conditions 11. Site 05 - Draft conditions 12. Site 06 - Draft conditions
WARD:	Emerald Hill
TRIGGER FOR DETERMINATION BY COMMITTEE:	Residential use in Fishermans Bend
APPLICATION NO:	264-270 Normanby Road, South Melbourne (Site 01) DELWP ref: 15/35822, Council ref: MINRA 0003/2015 256-258 & 260-262 Normanby Road, South Melbourne (Site 02) DELWP ref: 15/35806, Council ref: MINRA 0004/2015 248-250 & 252-254 Normanby Road South Melbourne (Site 03) DELWP ref: 15/35878, Council ref: MINRA 0005/2015 207-211 & 215-217 Normanby Road, Southbank (Site 05) DELWP ref: 15/35840, Council ref: MINRA 0007 /2015 203-205 Normanby Road, Southbank (Site 06) DELWP ref: 15/35831, Council ref: MINRA 0008/2015
APPLICANT:	SJB Planning Pty Ltd

EXISTING USE:	Commercial
ABUTTING USES:	Commercial, warehouse and industrial
ZONING:	Capital City Zone (CCZ1) Abuts Road Zone Category 1 (RDZ1) (Normanby Road)
OVERLAYS:	Parking Overlay (PO1) Development Contributions Plan Overlay (DCPO2)
STATUTORY TIME REMAINING FOR DECISION AS AT DAY OF COUNCIL	20 May 2016

PROPOSAL

Demolish the existing buildings, construct five multi-level mixed use buildings and construct and carry out works, and use land for accommodation in the Capital City Zone. Alter access to a road in a Road Zone, Category 1.

1. EXECUTIVE SUMMARY

1.1 This report is to consider five applications for five separately owned sites on the easterly and westerly sides of Normanby Road, South Melbourne and Southbank.

1.2 The applications are part of a group of six applications for six separate and individually owned sites along Normanby Road which were lodged with the Department of Environment, Land, Water and Planning (DELWP) on 28 June 2015 and referred to Council on 31 July 2015. All six applications were designed by the same firm of architects (Hayball Architects) in an attempt to optimise development opportunities for each owner.

1.3 All six applications each originally proposed a 40 level tower.

1.4 In late 2015 in response to Council and DELWP requests for further information and concerns with the designs, the owners of five of the applications undertook to review their proposals and provide additional information, particularly with regard to cumulative wind and traffic impacts and variations in building forms and heights.

1.5 The sixth site at 240-246 Normanby Road (Cnr. Montague Street) was considered by Council's Statutory Planning Committee at its meeting of 16 February 2016. The Committee resolved to advise the Minister for Planning it did not support the application because of concerns about building height, tower setbacks, tower separation, inequitable development, streetscape and amenity impacts, and overdevelopment.

1.6 It is proposed to demolish the existing buildings and construct a multi-level mixed use building on each of the five sites. The five buildings would all comprise a podium with a mix of retail and/or commercial tenancies, car, motorbike and bicycle parking and building services and dwellings, and a tower comprising dwellings and communal amenities.

1.7 The five buildings would now have maximum heights of 40, 39, 39, 40 and 40 levels.

1.8 Through block links are proposed along the west side of Site 01, and between Sites 02 and 03, and Sites 05 and 06.

1.9 The application sites are located in the Montague precinct of the Fishermans Bend Urban Renewal Area (FBURA).

1.10 The Minister for Planning is the Responsible Authority for the application pursuant to Section 2.0 of the schedule to Clause 61.01 of the Port Phillip Planning Scheme as the proposal is for development with a building height of 4 storeys or greater, and use and development of 60 or more dwellings.

1.11 The Minister has provided Council with the opportunity to consider and provide advice on the application, which can be used by the Minister and his department in their assessment of the proposal.

1.12 Council's advice is provided on an informal basis as the Capital City Zone (CCZ1) exempts most applications from notice and review.

1.13 The subject site is in a mandatory 40 storey maximum height area pursuant to interim mandatory height limits introduced in April 2015 for two years while a review of the FBURA is carried out.

1.14 The proposal was internally referred and officers raised concerns including regarding building heights including a lack of variety in tower heights, tower setbacks, tower separation, cumulative wind and traffic impacts, and a number of minor matters.

1.15 The amended plans and reports seek to address Council and DELWP concerns.

1.16 It is considered that the amended plans are an improvement with regard to tower form and separation (except between 248-254 Normanby Road and the previously considered 240-246 Normanby Road proposal), but that tower street setbacks and heights, and cumulative wind and traffic impacts of the five sites, and adjacent and nearby sites remain of concern.

1.17 In particular, the deletion of one level from two of the towers and the overall 1.9m or 1.24% variation to the heights of the five towers compared to the original plans is considered to be insufficient to overcome earlier concerns about a lack of variety in tower heights. More substantial changes to the heights of the towers are considered necessary.

1.18 Similarly, it is considered that the reduced setbacks of the 248-254, 256-262 and 264-270 Normanby Road towers from Normanby Road and Munro Street (particularly in conjunction with maximum or near maximum heights) is not justifiable and will present unreasonable building mass and bulk to both streets. It is considered that ideally, tower setbacks from Normanby Road and Munro Street should achieve the recommended minimum of 10.0m, and if a variation was to be supported, it should be only minor, in the order of 1.0m to 2.0m, in conjunction with recessive tower forms.

1.19 The intensity of development proposed for the three sites south-west of Montague Street at 248-254, 256-262 and 264-270 Normanby Road, together with the previously considered tower proposal for 240-246 Normanby Road, and a mooted proposal for 272-280 Normanby Road is also of concern.

1.20 Officers believe that if 248-254, 256-262 and 264-270 Normanby Road were to be approved generally as proposed, the land at 240-246 Normanby Road would not be suitable for a substantial tower development.

1.21 The layout and design of the two sites to the north-east of Montague Street at 203-205 and 207-217 Normanby Road is considered to be generally satisfactory, subject to No. 203-205 being setback further from Normanby Road, and greater variety in tower heights and a number of detail revisions to address waste management, wind impacts, laneway access and construction and other matters.

1.22 The applications proposal to provide one or two affordable housing dwellings in each of the towers is admirable and is supported. However, in the overall context of the Fishermans Bend Urban Renewal Area and the intensity of the proposals, it is considered that the number of affordable dwellings should be increased.

1.23 The applications do not propose to provide any community infrastructure. The three sites south-west of Montague Street at 248-254, 256-262 and 264-270 Normanby Road are in an appropriate location for community facilities and should be required to make provision for this for the future.

1.24 A number of other design, operational and amenity concerns with the five proposals could be addressed by conditions.

1.25 It is recommended that the Statutory Planning Committee resolve that a letter be sent to the Department of Environment, Land, Water and Planning advising that the Council does not support the applications in their current form based on the matters set out in Sections 7 and 9 of this report.

That the Statutory Planning Committee advise the Department of Environment, Land, Water and Planning that in the event that the Minister determines to grant a permit for the applications, any permits issued should incorporate the recommended conditions.

KEY ISSUES

- Tower heights including degree of variation in height.
- Tower setbacks from street and side boundaries.
- Tower separation between neighbouring properties (Sites 01, 02 and 03 [and 04]).
- Justification for towers seeking the maximum allowable height.
- Cumulative wind and traffic impacts.

2. RELEVANT BACKGROUND

2.1 There are no previous relevant permit applications recorded for Site 01, 02, and 03.

There are a number of minor permit applications recorded for Site 05 (Car showroom 1991, Signs 1993, Car sales 2002, Sign 2011, Signs 2016) and Site 06 (Office renovations, and Car sales 1994), none of which are material to the current applications.

2.2 The applications were lodged with the Department of Environment, Land, Water and Planning (DELWP) on 28 July 2015, and received by Council 31 July 2015.

2.3 The applications are part of a group of six applications for six separate and individually owned sites along Normanby Road which were lodged with the Department of Environment, Land, Water and Planning (DELWP) on 28 June 2015 and referred to Council on 31 July 2015.

All six applications were designed by the same firm of architects (Hayball Architects) in an attempt to optimise development opportunities for each owner.

2.4 The applicants designated the properties Sites 01 to 06 as follows:

- Site 01 - 264-270 Normanby Road, South Melbourne
- Site 02 - 256-258 & 260-262 Normanby Road, South Melbourne
- Site 03 - 248-250 & 252-254 Normanby Road South Melbourne
- Site 04 - 240 - 246 Normanby Road, South Melbourne (not part of this report)
- Site 05 - 207-211 & 215-217 Normanby Road, Southbank
- Site 06 - 203-205 Normanby Road, Southbank

For consistency and brevity, these designations will be used in this report.

2.5 In late 2015 in response to Council and DELWP requests for further information and concerns with the designs, the owners of five of the applications undertook to review their proposals and provide additional information, particularly with regard to cumulative wind and traffic impacts and variations in building forms and heights.

2.6 The sixth site at 240-246 Normanby Road (Cnr. Montague Street) was considered by Council's Statutory Planning Committee at its meeting of 16 February 2016. The Committee resolved to advise the Minister for Planning it did not support the application because of concerns about building height, tower setbacks, tower separation, inequitable development, streetscape and amenity impacts, and overdevelopment.

2.7 This report relates to the amended plans.

3. PROPOSAL

3.1 The amended plans propose to:

- Demolish the existing buildings on the five sites.
- Construct a multi-level mixed use building on each of the five sites. Each building would comprise a podium with a mix of retail and/or commercial tenancies, car, motorbike and bicycle parking and building services and dwellings, and a tower comprising dwellings and communal amenities.
- Use the land for accommodation (including a dwelling).
- Alter access to a Road Zone Category 1 (i.e. remove existing vehicle crossings onto Normanby Road).

3.2 The five buildings would have maximum heights as follows:

- Site 01: 40 levels.
- Site 02: 39 levels.
- Site 03: 39 levels.
- Site 05: 40 levels.
- Site 06: 40 levels.

3.3 Through block links are proposed along the west side of Site 01, and between Sites 02 and 03, and Sites 05 and 06.

3.4 More particularly, the proposals comprises:

3.4.1 Site 01 - 264-270 Normanby Road, South Melbourne

Basement

A fire tank, rain tank and associated service areas, stairs, 42 residential stores, and lifts and lobby to access the levels above.

Level 1 (Ground floor level)

Five retail tenancies (574m²) facing Normanby Road, Munro Street and the east side through-block link, podium office lobby off Normanby Road, shared podium office and tower dwelling lobby off Munro Street, bicycle parking building services, vehicle access off Munro Street.

Levels 2 - 5 (Podium)

Twenty commercial tenancies (2,044m²), bicycle, car and motorcycle parking, stores, building services.

Level 6

Communal podium rooftop outdoor amenities and landscaped open space, communal lounges, gym, games room, library, spa and sauna.

Levels 7 - 40 (Tower)

238 dwellings.

Roof top

Lift overrun and screened roof plant area.

3.4.2 Site 02 - 256-258 & 260-262 Normanby Road, South Melbourne

Basement

A fire tank, rain tank and associated service areas, stairs, 105 residential stores, and lifts and lobby to access the levels above.

Level 1 (Ground floor level)

Four retail tenancies (326m²) facing Normanby Road, Munro Street and the west side through-block link, 2 x SoHo dwellings facing Munro Street, office and dwelling lobby off Normanby Road, podium dwelling lobby off Munro Street, bicycle parking building services, vehicle access off Normanby Road.

Levels 2 - 7 (Podium)

Fourteen commercial tenancies (1,728m²), bicycle, car and motorcycle parking, stores, building services, 16 dwellings (inc. upper level of 2 SoHo dwellings).

Level 8

Communal podium rooftop outdoor amenities and landscaped open space, communal lounges, gym, and games room, four dwellings.

Levels 9 - 39 (Tower)

206 dwellings.

Roof top

Lift overrun and screened roof plant area.

3.4.3 Site 03 - 248-250 & 252-254 Normanby Road South Melbourne

Basement

A fire tank, rain tank and associated service areas, stairs, 239 residential stores, and lifts and lobby to access the levels above.

Level 1 (Ground floor level)

Four retail tenancies (456m²) facing Normanby Road, Munro Street and the west side through-block link, 2 x SoHo dwellings facing Munro Street, office and dwelling lobby off Normanby Road, podium dwelling lobby off west side through block link, bicycle parking building services, vehicle access off Munro Street.

Levels 2 - 7 (Podium)

Thirty four commercial tenancies (2,425m²), bicycle, car and motorcycle parking, stores, building services, upper level of 2 SoHo dwellings.

Level 8

Communal podium rooftop outdoor amenities and landscaped open space, communal lounges (one with kitchen), and gym, three dwellings.

Levels 9 - 39 (Tower)

234 dwellings.

Roof top

Lift overrun and screened roof plant area.

3.4.4 Site 04 – 240-246 Normanby Road (Cnr. Montague Street), South Melbourne

This proposal was considered by Council's Statutory Planning Committee at its meeting of 16 February 2016.

3.4.5 Site 05 - 207-211 & 215-217 Normanby Road, Southbank

Site 05 comprises a principal podium and tower building, plus a through block link, and a separate five level office building at the south-east rear corner facing Woodgate Street (and abutting the east side boundary).

Building 1 (tower)

Basement

A fire tank, rain tank and associated service areas, stairs, residential stores, and lifts and lobby to access the levels above.

Level 1 (Ground floor level)

Seven retail tenancies (718m²) facing Normanby Road, Woodgate Street and the west side through-block link, 2 x SoHo dwellings facing Woodgate Street, northern dwelling lobby off Normanby Road, southern dwelling lobby off east side through block line (twin core building), bicycle parking, building services, vehicle access off Woodgate Street.

Levels 2 - 6 (Podium)

Car and motorcycle parking, stores, building services, 29 dwellings (inc. upper level of 2 SoHo dwellings).

Level 8

Communal podium rooftop outdoor amenities and landscaped open space, communal lounges, dining room w/kitchen, library, gym, and games room.

Levels 9 - 39 (Tower)

383 dwellings.

Roof top

Lift overrun and screened roof plant area.

Building 2 (Office)

Levels 1 to 5

Five commercial tenancies (one per floor) (1,043m²)

Roof top

Communal outdoor terrace.

3.4.6 Site 06 - 203-205 Normanby Road, Southbank

Basement

A fire tank, rain tank and associated service areas, stairs, residential stores, and lifts and lobby to access the levels above.

Level 1 (Ground floor level)

One retail tenancy (75m²) facing Normanby Road, one commercial tenancy facing Woodgate Street, dwelling lobby off Normanby Road, office dwelling off Woodgate Street, bicycle parking building services, vehicle access off Woodgate Street.

Levels 2 - 5 (Podium)

Four commercial tenancies (438m²), bicycle, car and motorcycle parking, stores, building services, 8 dwellings.

Level 6

Communal podium rooftop outdoor amenities and landscaped open space, communal lounges including kitchen, and gym, four dwellings.

Levels 7 - 40 (Tower)

238 dwellings.

Roof top

Lift overrun and screened roof plant area.

3.5 A table summary of the original plans is at Attachment 06.

A table summary of the amended plans **(plus the original plans for Site 04 for reference)** is as follows:

	Site 01: 264-270 Normanby Road, South Melbourne	**Site 02: 256-258, 260-262 Normanby Road, South Melbourne**	**Site 03: 248-250, 252-254 Normanby Road South Melbourne**	**Site 04 – 240-246 Normanby Road (Cnr. Montague)**	**Site 05: 207-211, 215-217 Normanby Road, Southbank**	**Site 06: 203-205 Normanby Road, Southbank**
Podium height	Normanby Rd 5 levels/21.7m Munro St 5 levels/21.7m	Normanby Rd 7 levels/25.5m Munro St 7 levels/ 24.6m	Normanby Rd 5 levels/21.9m Munro St 5 levels/21.5m	**4 levels, 15.48m**	Normanby Rd 5 levels, 20.7m Woodgate St - 6 levels 21.4m	Normanby Rd 5 levels 20.94m Woodgate St - 5 levels 21.08m

Tower height	40 levels 128.45m (rooftop) 135.55m (top of roof plant / screen)	39 levels 119.45m (rooftop) 129.28m (top of roof plant / screen)	39 levels 122.1m (rooftop) 129.2m (top of roof plant) / screen	**40 levels 130.24m (rooftop) 127.34m (top of roof top / screen)**	40 levels 124.725m (rooftop) 131.83m (top of roof plant / screen)	40 levels 124.6m (rooftop) 131.7m (top of roof plant / screen)
Podium street setbacks	Normanby Rd min. 0.0m Munro St min. 0.0m	Normanby Rd min. 0.0m Munro St min. 0.0m	Normanby Rd min. 0.0m Munro St min. 0.0m	**Normanby Rd min. 0.0m** **Montague St min. 0.0m** **Munro St min. 0.0m**	Normanby Rd min. 0.0m Woodgate St min. 2.97m (min. 0.0m for office pavillion)	Normanby Rd - 0.0m Woodgate St - 0.6m
Podium side setbacks	East - 0.0m West - 3.94m	East - min.4.5m @ ground, min. 3.0m above West - 0.0m	East - 0.0m West – min. 4.5m @ ground, min 2.58m above.	**West - 0.0m**	East min.12.2m (min. 0.0m for office pavillion) West - 0.0m	East - 0.0m West - 3.94m
Tower street setbacks	Normanby Rd min. 6.9m Munro St min. 7.4m	Normanby Rd min. 5.0m Munro St min. 6.0m	Normanby Rd min. 6.81m Munro St min. 5.0m	**Normanby Rd min 5.9m.** **Munro St 6.6m** **Montague 5.4m**	Normanby Rd min. 8.0m Woodgate St min. 7.79m	Normanby Rd min. 6.0m Woodgate St min. 6.275m
Tower side setbacks	East min.8.6m West min.8.0m	East min.9.0m West min.9.4m	East min. 9.6m West min.9.0m	**East min 7.4m** **West min6.4m**	East min.19.1m West min.7.2m	East - 0.0m West - 5.81m
Tower separation	East min.18.0m West - N/A	East min.18.0m West min. 18.0m	East min.15.4m West min. 18.0m	**East - N/A** **West min. 15.4m**	East min. 24.91m West - N/A	East - nil West min. 24.91m
Commercial / retail (m^2)	2,618m^2 (inc. 574m^2 retail)	2,054m^2 (inc. 326m^2 retail)	2,881m^2 (inc. 456m^2 retail)	**905m^2 (inc. 323m^2 retail)**	1,761m^2 (inc. 718m^2 retail)	505m^2 (inc. 67m^2 retail)
No. dwellings	238 (68 x 1BR, 144 x 2BR, 26 x 3BR)	244 (2 x SoHo, 128 x 1BR, 238 x 2BR)	236 (2 x SoHo, 66 x 1BR, 135 x 2BR, 33 x 3BR)	**216 (59 x 1BR, 134 x 2BR, 23 x 3BR)**	412 (2 x SoHo, 68 x 1BR, 300 x 2BR, 42 x 3BR)	238 (62 x 1BR, 152 x 2BR, 24 x 3BR)
Affordable housing	1 x 1BR dwelling	1 x 1BR dwelling	1 x 1BR dwelling	**1 x 1BR dwelling**	2 x 1BR dwellings	1 x 1BR dwelling
Car spaces	107 (11 comm' 96 dwellings - 0.4/ dwelling)	130 (8 comm', 122 dwellings - 0.5/ dwelling)	115 (2 comm', 113 dwellings – 0.47/ dwelling)	**77 (1 comm', 76 dwellings 0.35/ dwelling)**	203 (16 comm, 187 dwellings - 0.45/ dwelling)	66 (0.27/ dwelling)
M'cycle spaces	1 space	1 space	1 space	**4 spaces**	1 space	1 space
Bicycle spaces	211 (0.88/ dwelling)	295 (1.0 / dwelling + 51 retail + visitor)	171 (0.72/ dwelling)	**250 (1.0+/ dwelling)**	124 (0.3/ dwelling)	105 (0.44/ dwelling)

Stores (3m³)	238 (1.0/ dwelling)	271 (1.0+/ dwelling)	240 (1.0+/ dwelling)	**216 (1.0/ dwelling)**	421 (1.0+/ dwelling)	235 (0.98/ dwelling)

3.6 All five proposals are for a mid-rise podium with a rectangular, elliptical or ovoid shaped tower above. Towers 01, 02 and 03 feature variations in finished top treatment surrounding building plant and equipment to provide differentiation in appearance and some variance in building height.

3.7 Materials and finishes vary between the five towers, but derive from a general pallet of plain and textured precast concrete with various finishes and colours, steel and aluminium framed clear, bronze, and grey tinted glazing, powder coated aluminium cladding in various colours, powder coated aluminium and steel blades and louvers in various colours, stainless steel mullions and finned blades, and powder coated perforated aluminium cladding.

4. SUBJECT SITE AND SURROUNDS

4.1 The subject sites and the surrounding properties are located within the Montague Precinct of the FBURA which is located to the southwest of Melbourne's CBD, and between the suburbs of Southbank, South Melbourne and Port Melbourne to the east, south and west respectively.

4.2 The sites and the immediate surrounding area are well serviced by both public transport and the road network. Located within proximity of the site are bus services, tram routes (within 200m-300m) and a bicycle path connecting Port Melbourne with the CBD. Vehicle access to the Westgate Freeway is located approximately 500m from the site via Montague Street.

4.3 The South Melbourne Activity Centre is located approximately 350m to the southeast of the site, providing a wide range of employment, shopping opportunities and community services.

4.4 The subject sites comprise separate parcels of land as follows:

4.4.1 Sites 01 (264-270 Normanby Road, South Melbourne), 02 (256-258 & 260-262 Normanby Road, South Melbourne), and 03 (248-250 & 252-254 Normanby Road South Melbourne) are three adjoining properties on the north-west side of Normanby Road, south of Montague Street.

4.4.2 Sites 05 (207-211 & 215-217 Normanby Road, Southbank), and 06 (203-205 Normanby Road, Southbank) are two adjoining sites on the south-east side of Normanby Road, north of Montague Street.

4.5 For context, Site 04 (240 - 246 Normanby Road, South Melbourne) which Council has previously considered is located on the south-west corner of Normanby Road and Montague Street and adjoins Site 03.

4.6 All five sites are generally flat with no discernible slope in any direction. Survey particulars show only minor falls in the order of 0.02m from front to rear / side to side.

4.7 Site particulars are as follows:

- Site 01 (264-270 Normanby Road, South Melbourne)

The site is rectangular with a frontage width to Normanby Road (and Munro Street) of 40.24m, a depth of 50.29m, and an overall area of 2,024m^2.

The land is developed with a contemporary single storey glass façade and tilt-slab concrete office and warehouse building with at- grade car parking along its north-west side, accessed via crossings off Normanby Road and Munro Street.

A planning permit has been granted by the Minister for Planning for land to the north-east as follows:

- **60-82 Johnson Street, South Melbourne:** Demolition of existing buildings; construction of four 21, 27, and 51 level residential towers (1332 dwellings) above a shared podium; and use of the land for dwellings, a supermarket and home occupation.

  Permit granted 20 May 2015 by Minister. Not commenced. Property and permit have been sold.

There is a current planning permit application for the land opposite across Normanby Road to the south-east as follows:

- **245-247, 249-251 Normanby Road, South Melbourne:** Demolish the existing buildings, construct a mixed use, 40 level building containing ground floor level retail and commercial tenancies, 500 dwellings plus resident communal spaces, and car and bicycle parking, construct and carry out works, and use the land for Accommodation in the Capital City Zone. Alter access to a Road Zone Category 1 (i.e. remove two vehicle crossings on Normanby Rd).

  The Minister for Planning is the responsible authority for this application.

  The application is currently in the process of submitting further information.

- Site 02 - 256-258 & 260-262 Normanby Road, South Melbourne

  The site is rectangular and has a frontage width to Normanby Road (and Munro Street) of 20.12m, a depth of 50.29m, and an overall area of 1,012m^2.

  The land is developed with a contemporary single storey glass façade and tilt-slab concrete commercial/industrial building with at- grade front forecourt car parking accessed via a crossing off Normanby Road.

- Site 03 - 248-250 & 252-254 Normanby Road South Melbourne

  The site is rectangular and has a frontage width to Normanby Road (and Munro Street) of 20.12m, a depth of 50.29m, and an overall area of 1,012m^2.

  The land is developed with a contemporary single storey glass façade and tilt-slab concrete commercial/industrial building with at- grade front forecourt car parking accessed via a crossing off Normanby Road.

- Site 05 - 207-211 & 215-217 Normanby Road, Southbank

  The site is rectangular and has a frontage width to Normanby Road (and Woodgate Street) of 60.36m, a maximum depth of 62.06m, and an overall area of 3715m^2 approx.

The land is developed with a two-storey concrete and glass commercial building with at-grade front forecourt car parking accessed via two crossings off Normanby Road.

A planning permit has been granted by the Minister for the land on the opposite side of Normanby Road to the north-west as follows:

- **228-232 Normanby Road (Cnr Montague Street), Southbank:** Demolish existing buildings, construct two 39 and 44 level towers with a six level podium comprising 525 dwellings, 243 car, and 332 bicycle spaces. Permit granted 20 May 2015 by Minister. Not commenced.

- Site 06 - 203-205 Normanby Road, Southbank

  The site is rectangular and has a frontage width to Normanby Road (and Woodgate Street) of 20.12m, a maximum depth of 60.85m, and an overall area of 1,220m^2.

  The land is developed with a single storey concrete and glass commercial building with at-grade front forecourt car parking accessed via a crossing off Normanby Road.

  A planning permit has been granted by the Minister for the adjacent site to the east as follows:

  - **199-201 Normanby Road, Southbank:** Demolish the existing building and construct a 40 level building comprising a ground floor commercial tenancy (326m^2), 262 dwellings, and associated car, motorbike and bicycle parking. Approved 01-Sep-2014 by Minister. Not commenced.

  There is a current planning permit application for the land diagonally opposite across Normanby Road to the north as follows:

  - **202-214 Normanby Road, Southbank:** Demolish existing buildings and construct a 40 level building comprising 284 apartments, ground floor retail and two office tenancies and associated car, motorbike and bicycle parking.

    The Minister for Planning is the responsible authority for this application.

    The applicants have lodged an application for review at the Tribunal for failure to determine the application within 60 statutory days. Tribunal hearings have been listed for May, June and July, 2016.

    This application will be separately reported to the Statutory Planning Committee.

4.8 Surrounding land in all directions is mostly developed for one or two-storey commercial / industrial buildings, used for offices, car sales and repairs, light industry, warehousing and the like.

Exceptions to this include a four storey warehouse (with two-storeys of apartments on the roof) at the south-east corner of Normanby Road and Montague Street, and a five-storey former wool store at 179 Normanby Road to the north-east of the subject sites. Both of these buildings are heritage graded.

4.9 Normanby Road and Montague Street are both main roads and carry high volumes of car and truck traffic, especially during the morning and evening.

Normanby Road features mature canopy trees on both sides (albeit with some gaps).

4.10 The City to Port Melbourne light rail line runs along an embankment on the south-east side of Woodgate Street at the rear of Sites 05 and 06. There is a tram stop on the south-east side of Montague Street.

5. PERMIT TRIGGERS

The following zone and overlay controls apply to the site, with planning permission required as described.

Planning Scheme Provision	Planning Permit requirement
Clause 37.04 **Capital City Zone (CCZ1)**	Pursuant to Section 2 of the Table of uses at Clause 37.04-1 of the CCZ1 and Clause 1 of the Schedule to the CCZ1, a planning permit is required to use land for use not in Section 1 or 3 of the Schedule to the zone, including Accommodation if it does not meet the threshold distance from industrial and/or warehouse uses referred to in the Table to Clause 52.10. The sites abut or are close to warehouse and industrial uses and thus requires a permit under this clause. Pursuant to Clause 37.04-4 of the CCZ1 and Clause 3.0 of the Schedule to the CCZ1, a permit is required to construct a building or construct or carry out works in the Capital City Zone. Pursuant to Clause 37.04-4 of the CCZ1, and Clause 4.0 of Schedule 1 to the CCZ1, a permit and prior approval for the redevelopment of the site are required to demolish or remove a building or works. An application to • Use land (other than for a nightclub, a tavern, a brothel or an adult sex bookshop); • Construct a building or construct or carry out works; • Demolish or remove a building or works; or • Erect or construct or carry out works for an advertising sign; is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act. Pursuant to Clause 6.0 of Schedule 1 to the CCZ1: Before a sensitive use (residential use, child care centre, pre-school centre, primary school, education centre or informal outdoor recreation) commences or before the construction or carrying out of buildings and works in association with a sensitive use commences, the developer must obtain either; • A certificate of environmental audit issued for the land in accordance with Part IXD of the Environment Protection Act 1970, or • A statement in accordance with Part IXD of the Environment Protection Act 1970 by an accredited auditor approved under that Act that the environmental conditions of the land are suitable for the sensitive use. A planning permit is required under this clause for all five applications.

Clause 45.06 **Development Contributions Plan Overlay (DCPO2)**	Pursuant to Schedule 2 to the DCPO, a permit may be granted to subdivide land, construct a building or construct or carry out works before a precinct wide development contributions plan has been prepared to the satisfaction of the responsible authority if any of the following apply: • A site specific development contributions plan has been prepared by the developer to the satisfaction of the Minister for Planning; • An agreement under Section 173 of the Planning and Environment Act 1987 has been entered into with the responsible authority that makes provision for development contributions. • The permit contains a condition requiring an agreement under Section 173 of the Planning and Environment Act 1987 that makes provision for development contributions to be entered into before the commencement of development. • The permit allows for the construction of a building or construction or carrying out works for; - Additions or alterations to a single dwelling or development ancillary to use of land for a single dwelling. - A single dwelling on a lot - An existing use of land provided the gross floor of the existing use is not increased by more than 1000 square metres. - A sign. • The permit only allows the consolidation of land or boundary realignment. A permit condition is required under this clause for all five applications.
Clause 45.09 **Parking Overlay (PO1)**	Uses including Dwelling, Office, and Retail premises are listed in Schedule 1 to the Parking Overlay. The proposed parking provision for the dwellings, office and/or retail premises do not exceed the measures set out in the Overlay. A permit is not required under this clause.
Clause 52.10 **Uses with Adverse Amenity Potential**	The threshold distances from industrial and/or warehouse uses referred to in the table to Clause 52.10 are required to be met. A permit is required under this clause.
Clause 52.06 **Car Parking**	Car parking should meet the design requirements of Clause 52.06-8. A permit may be granted to vary any dimension or requirement of Clause 52.06-8 (Design standards for car parking). A permit is required under this clause.
Clause 52.07 **Loading and Unloading Of Vehicles**	A permit is required to waive or vary the loading bay requirements associated with buildings and works for the sale of goods. A permit is not required under this clause, although loading bay dimensions do need to be confirmed.
Clause 52.29 **Land Adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road**	A permit is required to: • Create or alter access to: • A road in a Road Zone, Category 1. • Land in a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road. A permit is required under this clause.

Clause 52.34 **Bicycle Facilities**	A new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities have been provided on the land pursuant to Clause 52.34-1. A planning permit is required to vary, reduce or waive any bicycle facilities requirement of Clause 52.34-3 and Clause 52.34-4. A permit is not required under this clause, although visitor/staff parking does need to be delineated.
Clause 52.36 **Integrated Public Transport Planning**	An application for a development including 60 or more dwellings is required to be referred to Public Transport Victoria.

6. PLANNING SCHEME PROVISIONS

6.1 State Planning Policy Frameworks (SPPF)

The SPPF contains a number of clauses that are relevant to the applications including:

Clause 11 Settlement, including;

- Clause 11.02 Urban Growth
- Clause 11.04 Metropolitan Melbourne

Clause 15 Built Environment and Heritage, including;

- Clause 15.01-1 Urban Design
- Clause 15.02-1 Energy and resource efficiency

Clause 17 Economic Development

Clause 18 Transport

6.2 Local Planning Policy Framework (LPPF)

The Municipal Strategic Statement (MSS) contains a number of clauses that are relevant to these applications as follows:

Clause 21.03 Ecologically Sustainable Development, including;

- Clause 21.03-1 Environmentally Sustainable Land Use and Development
- Clause 21.03-2 Sustainable Transport

Clause 21.04 Land use

Clause 21.05 Built Form, including;

- Clause 21.05-2 Urban Structure and Character
- Clause 21.05-3 Urban Design and the Public Realm
- Clause 21.05-4 Physical Infrastructure

Clause 21.06 Neighbourhoods, including;

- Clause 21.06-8 Fisherman's Bend Urban Renewal Area

The following clauses of the LPPF are also relevant:

Clause 22.06 Urban Design Policy for Non - Residential Development and Multi - Unit Residential Development

Clause 22.12 Stormwater Management (Water Sensitive Urban Design)

7. REFERRALS

7.1 External referrals

Council is not required to externally refer Department applications.

7.2 Internal referrals

The applications were internally referred for comment. A summary of responses is as follows:

Traffic Engineers

The original proposals generally meet the relevant car parking layout provisions and dimensions, do not exceed the car parking provision target rates for Fishermans Bend, and have ground level floor to ceiling heights of 3.0m or more which enable possible future conversion

General concerns were:

- Cumulative traffic impacts of the five proposals, existing approvals and possible future development of other sites along Normanby Road and nearby have not been taken into account.
- Lack of car share facilities within the developments.
- The location of bicycle parking in upper levels (esp. Site 06), the lack of delineation of visitor bicycle parking spaces, and the absence of change facilities etc. for staff.
- The provision of individual crossings to each development rather than reducing the number of street crossings by sharing (although shared car park and loading access via each of the individual crossings was welcomed).
- Car stacker heights need to meet requirements set out in Design Standard 4.
- Pedestrian sightline triangles of 2.5m x 2.0m recommended at each entry point.

Site-specific comments included:

Site 01: Through block link is welcomed; Structural column intrudes into swept path for an 8.8m Medium Rigid Vehicle (MRV) using the loading bay; A minimum height clearance of 2.1m needs to be provided to all ramps and parking areas.

Site 02: Through block link is welcomed; Loading bay and associated accessway can accommodate an MRV; Use of vehicle crossover and entry from Normanby Road is not supported – access should be via Munro Street or new laneway (though block link);

Site 03: Through block link is welcomed; Inadequate space for an MRV using the loading bay to perform a 3 point turn to exit in a forward direction.

Site 05: Traffic access/egress at the junction of Woodgate Street and Montague Street may need to be Left-in, Left-out in the future.

Site 06: Car spaces opposite the lifts are undersized; Structural columns intrude into turning areas; swept path diagrams needed to confirm accessibility between floors via side by side ramps and at ends of aisles; additional information required to confirm ramp grades including transition ramps; loading bay projects into access aisle; loading bay and associated access should have 4.5m height clearance to accommodate an MRV and operational height of waste collection vehicles.

General requirements / recommendations were:

- Redundant vehicles crossings must be removed and kerb and channel and footpath reinstated to Council's specification / satisfaction.
- New crossings must be constructed to Council's standard construction drawing specifications / and/or requirements of VicRoads (as applicable).
- Vehicle crossings off Woodgate Street should be a maximum width of 6.0m.

Sustainable Design

The extent of glazing to apartments with no external shading is a concern in relation to occupant comfort. External shading to the north, east and west facing glazing should be considered. The Sustainability Management Plan (SMP) should confirm the type of glazing to be used.

Design needs more work to ensure it can achieve 4-Star Green Star rating.

Recycling and waste storage facilities listed in the SMP should be clearly shown on the plans.

Tapware for the commercial/ retail space should have a minimum WELS rating of 5 stars.

The SMP should set out the key objectives and targets of the waste minimisation plan for the commercial tenancies.

The hot water system for the building needs to be confirmed (noting the SMP nominates a natural gas fired hot water system, but the appended Sustainable Design Assessment nominates an electric system).

The SMP should specify the number of secure bicycle parking spaces to be provided for the residential and the non-residential uses. Provision of one secure bicycle parking space per dwelling is highly encouraged.

The SMP should include a response to the water management requirements of Objectives 7.1 and 7.2 of the FBSFP including water for toilet flushing to be provided from on-site stormwater collection, and developments to be third pipe ready for future connection to a precinct-wide alternative water supply. The STORM report advice that the tank would only be connected to toilets for 60 bedrooms/occupants is far short of the full occupancy of the development.

The SMP should specify how the goal of appliances within one star of the best available for energy efficiency would be achieved.

Waste management

The waste management plans specify 4 waste and 4 recycle collections a week for each tower, which equates to 40 collections / heavy vehicle movements in this area a week, which will impact on the local amenity.

Waste and recycling compaction units should be provided to reduce the number of collections needed.

Urban design

Recommend not accepting the proposed plazas as open space contribution. These are small and incidental, parts of laneways or entries and do not provide significant, strategically located open space assets to the wider community.

Ensure canopies are set back min 1.0m from kerb to allow for trees to grow.

CoPP roads must be detailed to CoPP / CoM Capital City standards. Asphalt roads with bluestone kerbs. Footpaths Asphalt or sawn bluestone. Crossovers to match adjacent paving. The intention is to carry the character of the central Melbourne across the river to FBURA. Council encourages the ground level CBD character and materials be continued through laneways and entry spaces. This appears to be generally the case in the plans.

It is difficult to read the ground plane legend. However, in general concrete paving is not supported on streets, as crossovers or in lanes.

Could podium level open spaces of adjacent buildings be connected to create larger usable open space and shared facilities?

<u>Heights and form</u>

Form and design of the development shows little imagination.

A variation in height across the sites is desirable however it is understood that every owner wishes to maximise their yield. The concern is that this outcome will lead to a very uniform and uninteresting skyline.

Some sites could consider squatter lower buildings with a similar yield to adjoining sites.

Suggest an alternative design outcome at 240-246 Normanby Road as this is a prominent corner (with Montague Street).

Design of Sites 01 and 03 are very similar.

<u>Affordable housing</u>

The proposed affordable housing component while commendable could be more generous.

Seven dwellings out of a possible 1,578 only represents 0.4% of the dwelling stock.

Keen to see a much more generous contribution eg Council has proposed 20% social and affordable housing across the Precinct.

<u>Mix of uses</u>

Generally support the mix of uses ie some commercial and residential development.

Sites close to Montague Street could support an increase in commercial floor space (not just at ground level).

Question the useability of some of the small commercial spaces.

Active frontages

Applications propose active frontages and uses to most street frontages and the through block links.

Some car parking is not sleeved; it is unclear how this will be treated.

Interface between podiums

Integration of the podiums would offer a major benefit in the development of the sites.

Separation distances

Separation distances are more generous than the minimum of 5m set out in the SFP, but do not meet the desired outcome of 10 metres.

Need to demonstrate why these separation distances are adequate, especially given the sites are being master planned. Why is 10m to the boundary not achieved?

Housing Development Officer (Affordable housing)

(Comments for original six-tower proposal)

Council policy is to seek 20% of projected housing (8000 dwellings) in the FBURA to be affordable, with not less than 30% of affordable dwellings (2400 dwellings) to be provided as community housing owned and managed by registered Housing Associations or Providers.

The developer is voluntarily proposing to provide 7 community housing units for older single women to the Port Phillip Housing Trust, within a 1,578 apartment development over 6 towers (0.44% of the total apartments in the proposed development).

Housing need

The developer has identified older single women as the target group for the units. This group has also been identified as a priority in a number of studies and Council's strategy, *In Our Backyard- Growing Affordable Housing in Port Phillip.* The targeting of older single women will make a positive contribution to addressing local housing need.

The study, *Fishermans Bend Urban Renewal Area: Options for Delivery of Affordable Housing*, June 2013 (Judith Stubbs & Associates) concluded that only 1.3% of new housing in the Fishermans Bend Urban Renewal Area (FBURA) is projected to be affordable to all households.

Without government intervention and delivery mechanisms, it is projected that the private housing market will exclude:

- All very low and low income renters and purchasers, comprising small households with singles and couples and family households with children.
- All moderate income renting and purchasing family households.
- Two thirds of small moderate income purchasing households.
- One third of small moderate renting households.
- Low income wage earners / key workers (Judith Stubbs & Associates 2013). This will create a labour supply problem for local businesses and industry through unstable access to a reliable workforce, as lower income components of their workforce will be forced to commute from outer areas of Greater Melbourne. This already applies to existing areas of Port Phillip.

Type of affordable housing

Contributions of affordable housing should comprise housing that is perpetually affordable, so that it provides an ongoing social benefit, rather than, say, a 'windfall gain' that only benefits the initial purchaser if the sale price was discounted.

The key types of perpetually affordable housing comprise either:

- Community housing -perpetually affordable rental housing owned and managed by a community housing organisation, or
- Community Land Trust (CLT) units - perpetually affordable home ownership, where the land is owned by a CLT and the dwelling is sold to a purchaser, and future resales are limited in capital gain by a resale formula.

The community housing should be subject to a Section 173 Agreement between the developer and Port Phillip Housing Association (PPHA) as Trustee of the Port Phillip Housing Trust, specifying the apartments are to house low-income older single women.

Number of units

The voluntary contribution is a positive outcome, and the applicant is congratulated for the proposal. However, in terms of the size of the development, it will not make a significant contribution to the supply of affordable housing required at FBURA to avoid social homogeneity and exclusion of most low income and many moderate income household types.

A contribution of 1% of apartments in the form of community housing would result in the provision of 15 community housing units in the six towers (Two each in Sites 01, 02, 03, 04, and 06 and four in Site 05).

This could be a negotiated aspect of the development approval process.

Size and layout of apartments

The units proposed for contribution vary in size from 50m^2 to 52 m^2 with balconies of 5, 6, 7, 8 and 9m^2.

The apartment sizes would accord with Council's submission of July 2015 to the State Government's Better Apartments discussion paper, which recommended one bedroom apartments have a net internal floor area of 50 m^2 and an 8m^2 balcony, however a number of the proposed balconies would not.

A balcony of 8m^2, with a minimum width of 2m to adequately allow for use of outdoor furniture, circulation around furniture, and the outdoor drying of clothes.

An adequately sized balcony of 8m^2, with a minimum width of 2m to adequately allow for use of outdoor furniture, circulation around furniture, and the outdoor drying of clothes is particularly important for community housing, as low incomes and low car ownership levels means that occupants tend to spend longer periods in their housing and are less able to access other amenities / open space.

The layout of the affordable dwellings should be reviewed to better provide for circulation space and 6m^3 of storage within the apartments and in caged storage in communal or car parking areas.

Car parking and bicycle storage

Empirical car parking rates for social (public and community) housing are 0.19 car spaces per dwelling for single bed units for younger persons, and 0.25 car spaces per dwelling for older person dwellings. The proposed provision of one or two affordable dwellings per development would thus not generate a car parking demand (the provision of four dwellings in Tower 05 would generate a car parking demand of one space).

One bicycle parking space should be allocated to each community-housing unit.

Fire Safety Officer

A proposed hydraulic design is imperative with the extensive size of these buildings. The design must show 'town water mains' pressures and flow rates. The height of these buildings will require high volume water pumps and tanks to substantiate the frictional losses within the fire systems. Minimum tank size 30,000L - however to be hydraulically calculated for use.

Street hydrants or fire plugs should be provided if not already in location. Commercial areas as such require fire hydrants 90m max. apart and at intersecting corners. These hydrants must be the 'dual head' type.

Separate metering for water services and fire services to buildings (or group of buildings).

… building height greater than 25m requires only a standard pumper type brigade appliance because it is assumed buildings greater than 25m height will be sprinkler protected. Access roads or lanes should have a minimum width of 3.5m and 4.2m clearance with no overhead obstructions.

The relevant building surveyor for the site/s will need to fine tune fire services including, but not limited to proximity of automatic fire sprinkler booster connections, proximity of fire hydrant booster connections, and whether each building will have a separate fire indicator panel (FIP) or a series of sub/mimic panels? (Separate panels are recommended for the design, size and nature of these buildings).

Community Infrastructure and Service Planning Officer

Location

The four sites south-west of Montague Street are within a preferred area for 'mixed use development/provision of community infrastructure' in Council's draft *Fishermans Bend Community Infrastructure Plan*. The proximity of the four sites to the townhouse development under construction at 220 Ingles Street makes them a suitable location to deliver community services for the wider community. Additionally, the proposed Johnson St. road closure park (identified in the FBURA Strategic Framework Plan 2015) to the south-west of the subject site, would create a suitable place for co-locating community infrastructure and open space in the area. (The two sites to the north-east of Montague Street are not in a preferred location for community infrastructure).

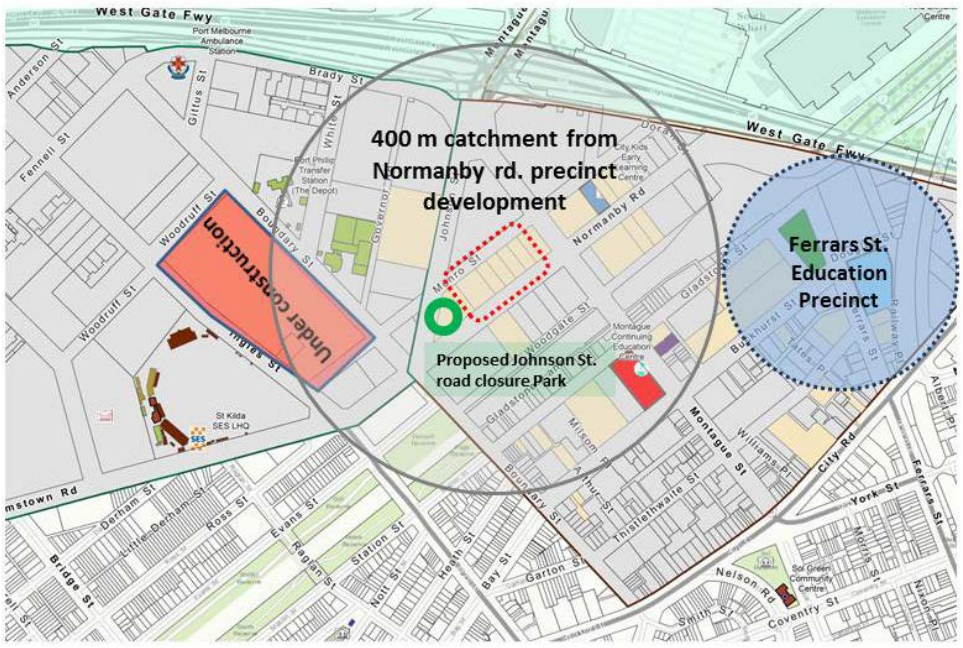

Fig. 1: The subject site and the opportunities in surrounding areas

Community service needs assessment

The draft estimated community service needs of the Fishermans Bend Urban Renewal Area, some of which could be delivered from the subject site, are:

TIME	SERVICE TYPE	BUILDING REQUIREMENTS	AREA (m2/ha)
2016-2021	No service is needed.	N/A	-
2022-2026	Small multipurpose room; 6-49 ppl	1 meeting space, 1 storage space	150m2/0.015ha
	Medium multipurpose room; 50-99 ppl	1 meeting space, 1 storage space	200m2/0.02ha
	Community office and consulting room; 1-5 ppl	1 meeting space, 1 storage space	50m2/0.005ha
	Art Studio	3 arts studios, 1 kitchen, 3 storage spaces	400m2/0.04ha
2027-2031	Two Small multipurpose room	1 meeting space, 1 storage space	150m2/0.015ha (for each room)
	Medium multipurpose room; 50-99 ppl	1 meeting space, 1 storage space	200m2/0.02ha
	Large multipurpose room; 100+ ppl	1 meeting space, 1 storage space	250m2/0.025ha
2032-2036	4 yo kindergarten	2 childrens rooms, 1 office, 1 kitchen, 2 storage spaces	800m2/0.08ha
	Small multipurpose room; ; 6-49 ppl	1 meeting space, 1 storage space	150m2/0.015ha
	Medium multipurpose room; 50-99 ppl	1 meeting space, 1 storage space	200m2/0.02ha

	Community office and consulting room; 1-5 ppl	1 meeting space, 1 storage space	50m2/0.005ha
	Art Studio	3 arts studios, 1 kitchen, 3 storage spaces	400m2/0.04ha

There is an opportunity for the four sites to incorporate a 'small neighbourhood hub' accommodating retail and commercial uses along with community and health services.

It is recommended that the development incorporates:

- Creation of a focal point in the vicinity of the proposed park at the partial road closure of Johnson Street to maximise co-location opportunities of public open space and community infrastructure,
- Activating the proposed new laneways by providing community services as art exhibitions/ galleries along with retail spaces,
- Optimise activation along Normanby Road as a proposed Principal Pedestrian Network and Secondary Cycling Corridor.
- Provide varying size rooms for community services that maximises flexibility to cover a wide range of uses,
- Allocate separate entrance for the 'hub' at the ground floor to be accessible from the public realm.

8. PUBLIC NOTIFICATION/OBJECTIONS

8.1 Notice of the application was not required to be given because an application to demolish or remove a building or works, construct a building or carry out works, or use land (other than for a nightclub, tavern, brothel or adult sex bookshop) in the Capital City Zone is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and review rights of Section 82(1) of the Act.

9. OFFICER'S ASSESSMENT

9.1 Local Policy State and Local Policy

The application is required to be assessed pursuant to State and Local Policy including:

- Clause 9 Plan Melbourne.
- Clause 15.01-2 Urban Design Principles of the State Planning Policy Framework (SPPF).

  Clause 15.01-2 sets out objectives and policy for high quality urban design and architecture. The objective of the Policy is to achieve high quality urban design and architecture to:

  - Create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.

  Clause 15.01-2 also requires consideration be given to the Design Guidelines for Higher Density Residential Development (*Department of Sustainability and* Environment, 2004).

- The Fishermans Bend Strategic Framework Plan April, 2015, including the Design Guidance provisions (which is an incorporated document to the Planning Scheme).

9.2 **Fishermans Bend Strategic Framework Plan April 2015**

The Fishermans Bend Strategic Framework Plan (FBSFP) was released by the State Government, and approved by the Minister on 28 July, 2014.

The Plan is an incorporated document in the Port Phillip and City of Melbourne Planning Schemes pursuant to the Schedule to Clause 81.01.

The Plan was amended on 17 April, 2015.

The Plan sets out the strategic objectives for the long term redevelopment of the Fishermans Bend precinct for mostly medium and high density mixed use development with up to 40,000 new jobs and 80,000 residents by 2050. The Plan is structured around four key elements being 'Street network', 'Sustainable transport', 'Open space', and 'A series of places'.

The FBSFP includes design guidance for new buildings, including preferred heights and setbacks, and direction regarding managing amenity impacts, achieving high quality architecture, and providing for community facilities and infrastructure.

The proposal would be generally consistent with the following ambitions of the FBSFP:

- It would provide a mix of commercial uses and dwellings.
- The site is proximate to existing fixed rail public transport to the southeast.
- The proposal would achieve visual interest and direct surveillance of adjoining streets and public places.
- The ground floor and podium levels propose activate edges with the abutting streets that would achieve continuous, well defined street spaces and direct contact between pedestrians and adjoining uses.
- The proposal demonstrates how its building design has allowed for the long-term evolution of retail and commercial / office uses at lower levels.

9.3 **Heights**

<u>Podium</u>

Objective 3.1 seeks:

> *To ensure street frontages of new developments are of a low scale, generally up to 20 metres or not more than 5 storeys. This is the recognised height to which pedestrians relate without losing eye contact and experiencing visual dominance.*

Some variation in height between four and six levels to avoid a constant five storey height is encouraged.

Podium heights for Sites 01, 03 and 06 are proposed to be five storeys and would vary between 20.94m and 21.9m in height.

Site 02 is proposed to be seven storeys and 24.6 to 25.5m high, and Site 05 is proposed to be five storeys and 20.7m high facing Normanby Road, and six storeys and 21.4m facing Woodgate Street.

The proposed five and six storey podiums would be consistent with the podium heights advocated in the FBSFP.

The seven storey podiums for Site 02 would be acceptable because the top three levels would step back, so the street wall would be only four levels which would be consistent with the Guidelines.

Tower

The applications as originally lodged all proposed 40 storey towers, varying slightly in height between 120.24m and 132.9m (i.e. a variation of 12.5m) to roof top level, and 127.34m to 134.42m (a variation of 7.08m or 5.26%) to the top of the roof plant / finished top.

The 40 storey height of the towers would be consistent with the 2 year interim 40 storey maximum height limit applicable to the land and new applications lodged since 17 April, 2015.

Officers raised concerns about the justification for all five towers being at the maximum allowable height for the sites, and the adverse urban design outcome of all towers being so similar in height.

The amended plans deleted one level from two of the towers (and added a level to one other) and increased the height range from 119.45m to 135.55m (a variation of 16.1m) to roof top level and 126.55m to 135.55m (a variation of 9.0m or 6.6%) to the top of the roof plant / finished top.

A summary of the original and amended plans heights is as follows:

Tower heights	**Site 01: 264-270 Normanby Road, South Melbourne**	**Site 02: 256-258, 260-262 Normanby Road, South Melbourne**	**Site 03: 248-250, 252-254 Normanby Road South Melbourne**	**Site 04 – 240-246 Normanby Road South Melbourne**	**Site 05: 207-211, 215-217 Normanby Road, Southbank**	**Site 06: 203-205 Normanby Road, Southbank**
Original plans	40 levels 127.32m (rooftop) 134.42m (top of roof plant / screen)	40 levels 121.32m (rooftop) 128.82m (top of roof plant / screen)	40 levels 122.24m (rooftop) 128.34m (top of roof plant) / screen	40 levels 120.24m (rooftop) 127.34m (top of roof plant / screen)	40 levels 124.05m (rooftop) 127.34m (top of roof plant / screen)	40 levels 132.9m (rooftop) 127.34m (top of roof plant / screen)
Amended plans	40 levels 128.45m (rooftop) 135.55m (top of roof plant / screen)	39 levels 119.45m (rooftop) 126.55m (top of roof plant / screen)	39 levels 122.1m (rooftop) 129.2m (top of roof plant) / screen	N/A	41 levels 124.725m (rooftop) 131.83m (top of roof plant / screen)	40 levels 124.6m (rooftop) 131.7m (top of roof plant / screen)

The additional 1.9m / 1.24% variation in maximum height of the five towers (to finished top) would be little different than the original plans, and would still result in a repetitious skyline. The scheme would benefit from greater height variation.

9.4 **Street setbacks**

Podium

Podiums are generally proposed to be constructed to street boundaries, except for minor rebates for architectural treatment of facades, terraces etc. This would be consistent with the FBSFP Design Guidance which envisages podiums typically constructed to all boundaries to achieve a hard edged street wall.

Tower

Objective 3.5 of the FBSFP Design Guidance seeks:

> *To set back high or tower buildings above the lower frontage or podium to avoid visual dominance of the street space and lessen adverse shadowing and wind effects.*

Guideline 1 of the same Objective states that:

> *For buildings over 40 metres high, the preferred setback of towers is 10 metres from the street … the street setback may reduce to a minimum of 5 metres, with appropriate justification.*

The tower setbacks proposed above the podium would not comply with, and seek reductions from the preferred setbacks as follows:

	Site 01: 264-270 Normanby Road, South Melbourne	**Site 02: 256-258, 260-262 Normanby Road, South Melbourne**	**Site 03: 248-250, 252-254 Normanby Road South Melbourne**	**Site 04 – 240-246 Normanby Road South Melbourne**	**Site 05: 207-211, 215-217 Normanby Road, Southbank**	**Site 06: 203-205 Normanby Road, Southbank**
Tower street setbacks	Normanby Rd min. 6.9m Munro St min. 7.4m	Normanby Rd min. 5.0m Munro St min. 6.0m	Normanby Rd min. 6.81m Munro St min. 5.0m	Normanby Rd min 5.9m. Munro St 6.6m Montague 5.4m	Normanby Rd min. 8.0m Woodgate St min. 7.79m	Normanby Rd min. 6.0m Woodgate St min. 6.75m

Sites 01, 02 and 03

Site 02 facing Normanby Road and Site 03 facing Munro Street seek the minimum 5.0m setback, whilst setbacks of between 6.0m and 8.0m are sought for the other frontages.

The applicants contend the reduced setbacks to Towers 01, 02 and 03 would be satisfactory because the elliptical tower shapes would result in most of the building curving away from, and setting back further from the street.

Officers agree that the curved walls would ameliorate some of the effects of the towers, but that it would be insufficient to avoid visual dominance of Normanby Road, having regard to the multiple towers proposed on the subject sites, and adjacent and nearby sites, and the maximum or near maximum heights, and reductions in side setbacks / tower separation also being sought.

Taking all of these factors into account, it is considered that ideally, tower setbacks from Normanby Road and Munro Street should achieve the recommended minimum of 10.0m, and if a variation was to be supported, it should only be minor, in the order of 1.0m to 2.0m, in conjunction with receding curved tower forms.

Sites 05 and 06

As for Sites 01, 02 and 03, it is considered that ideally, tower setbacks from Normanby Road and Woodgate Street should achieve the recommended minimum of 10.0m, and if a variation was to be supported, it should only be minor.

It is considered that the Tower 05 street setbacks of 8.0m from Normanby Road and 7.79m setbacks from Woodgate Street could be supported because:

- The front setback variation would be relatively minor; and
- The rear setback to Woodgate Street would face a tram depot and would be distant from the nearest other development site (on Gladstone Street).

The Tower 06 front setback of 6.0m from Normanby Road is not supported. The front setback of this tower should be at least 7.5m to match the front setback of the approved (not yet constructed) tower on the adjacent site at 199-201 Normanby Road. A slightly greater setback of 8.0m or more would be better because it would break up the mass of Tower 06 and 199-201 Normanby Road when constructed.

The Tower 06 rear setback of 6.75m could be supported because, as for Tower 05, it would face a tram depot and would be distant from the nearest other development site.

These matters could be provided for by conditions of any approvals that might issue.

9.5 Tower Separation

Officers raised concerns about the minimum tower separation distances between Sites 01, 02, 03 and 04 of the original plans.

The separation between the towers of Sites 05 and 06 would exceed the minimum 20.0m recommended in the Fishermans Bend Strategic Framework Plan Design Guidance for buildings of 40.0m height or greater in both the original and the amended plans and would be satisfactory.

The amended plans increased the minimum separation distance between the site 01, 02, 03 and 04 towers by changing tower architecture, shapes and orientations as follows:

	Original plans	**Amended plans**
Site 01 and Site 02	Min. 16.0m - max 31.3m.	Min. 18.0m - max 35.0m approx.
Site 02 and Site 03	Min. 17.4m - max 33.3m.	Min. 18.0m - max 26m. approx.
Site 03 and Site 04	Min. 13.6m - max 25.1m.	Min. 15.4m - max 22m. approx.
Site 05 and Site 06	Min. 24.9m - max 32.0m. approx	Min. 24.91m - max 32.9m.

Whilst the minimum tower separations would still be less than the 20.0m recommended in the Fishermans Bend Strategic Framework Plan Design Guidance for buildings of 40.0m height or greater, it is considered that the separation between Towers 01 and 02, and 02 and 03 would be satisfactory because:

- The variations would be relatively minor;

- The variations would apply to only part of the towers;
- The reduced separations would be balanced in part by the tower elements with separations of more than 20.0m.

The 15.4m minimum separation between Towers 03 and 04 is not supported. Officers previously recommended a tower proposal on Site 04 not be supported because of concerns about building height and reduced setbacks from all boundaries, Officers doubt that a substantial tower can be reasonably achieved on Site 04.

9.6 Façade Treatment / Detailing

Podiums

The podium façades of the five buildings would be satisfactorily articulated and detailed, and varied sufficiently to provide differentiation between the five sites.

Council's Urban Designers have recommended that canopies over the abutting footpaths be setback a minimum of 1.0m from street kerbs to allow for trees to grow.

Any canopy over Woodgate Street should have a minimum underside height of 6.0m to ensure satisfactory clearance for removal trucks, waste collection and emergency vehicles.

Towers

The five towers employ different fenestration methods, patterns and materials to achieve individual façades for each tower.

9.7 Transport and parking

9.7.1 Car Parking

The subject site is within the Parking Overlay pursuant to Clause 45.09 of the Planning Scheme. The Parking Overlay specifies maximum rather than minimum parking rates as follows:

REQUIREMENT	COMPLIANCE
Car parking provision	
Dwelling: Maximum 1 space per dwelling Site 01 - 238 dwellings - 96 spaces 0.4/dwelling Site 02 - 244 dwellings - 122 spaces 0.5/dwelling Site 03 - 236 dwellings - 113 spaces 0.47/dwelling Site 05 - 412 dwellings - 187 spaces 0.45/dwelling Site 06 - 238 dwellings - 66 spaces 0.27/dwelling **Total: 1368 dwellings – 484 spaces 0.375/dwelling**	**Achieved:** The gross number of resident spaces proposed would not exceed the maximum number of spaces specified

Retail premises (other than Supermarket) / Office: Maximum 1 space per 100m² of gross floor area Site 01 - 2,618m² - 11 spaces = 1/238m² Site 02 - 2,054m² - 8 spaces = 1/256m² Site 03 - 2,881m² - 2 spaces = 1/1,440m² Site 05 - 1,761m² - 16 spaces = 1/110m² Site 06 - 505m² - 0 spaces = 0/505m² **Total: 9,819m² - 37 spaces = 1/265m²**	**Achieved:** The gross number of staff spaces proposed would not exceed the maximum number of spaces specified

The gross number of resident and employee spaces provided would not exceed the Planning Scheme maximums.

9.7.2 Motorcycle Parking

The Parking Overlay requires one motor-cycle parking space for every 100 car parking spaces. Sites 01, 02, 03 and 06 thus require one motorcycle parking space each, and site 05 requires two. One motorcycle parking space is proposed in each building. Site 05 should provide two spaces.

The applicants traffic consultants have argued a variation should be allowed for Site 05, as in their opinion the space would be most likely used by visitors.

Officers disagree and believe motorcycle and scooter use should be encouraged as an alterative to car use.

A requirement for Site 05 to provide two motorcycle parking spaces could be provided for by a condition of any permit that may issue.

9.7.3 Design standards for car parking

As per internal referral comments set out at Section 7.2 of this report, the car park designs would be satisfactory subject to conditions for:

- Car stacker heights to meet the requirements set out in Design Standard 4;
- Car spaces to achieve minimum dimensions;
- Pedestrian sightline triangles of 2.5m x 2.0m at each entry point;
- Provision of a minimum height clearance of 2.1m above all ramps and car parking areas;
- Redundant vehicles crossings must be removed and kerb and channel and footpath reinstated to Council's specification / satisfaction.
- New crossings must be constructed to Council's standard construction drawing specifications / and/or requirements of VicRoads (as applicable).
- Vehicle crossings off Woodgate Street to be a maximum width of 6.0m.
- Swept paths for cars and delivery / collection trucks to confirm clearance from structural columns;
- Swept paths to show an delivery / collection trucks using the loading bay can perform a 3-point turn to exit in a forward direction;

- Plans to confirm ramp grades including transition ramps.
- Swept path diagrams to confirm accessibility between floors via side by side ramps and at ends of aisles;
- Site 06 loading bay modified to not project into access aisle;

These matters could be provided for by conditions of any permits that may issue.

9.7.4 **Cumulative traffic impacts**

Council's traffic engineers raised concerns about the cumulative traffic impact of the five original proposals and other approvals and potential approvals along Normanby Road and nearby. Typical traffic generation rates for residential use are generally assumed as 2 to 4 daily trips per dwelling (i.e. 1 to 2 return trips per day) or 0.2 to 0.4 trips per hours during peak AM / PM periods (approximately as 10% of daily trips).

If similar daily and peak hour trip generation rates are adopted per car space (note different unit measure), the total of 643 spaces provided by the original six applications is estimated to generate approximately 1,286 to 2,572 trips per day or 128 to 257 trips during the peak hour.

This compares to the consultant's empirical rate of 0.14 trips per car space during the peak hour which will clearly result in a lower trip generation.

In response to Council and Department concerns, the applicants revised the plans to reduce the number of car parking spaces / traffic movements generated, and engaged traffic consultants to prepare a cumulative traffic assessment of the five current sites. The report as submitted also took into account the site at 240-248 Normanby Road which was initially part of the current group, plus a seventh site at 272-280 Normanby Road (known as Site 00) to the west which is undergoing a design process, prior to a formal application being lodged.

Officer assessment is that the five amended plan proposals would collectively generate approximately 1,042 to 2,084 traffic movements per day, including approximately 104 to 208 movements during peak hours. This increased traffic would be distributed as follows:

- **Normanby Road:** 260 to 520 new traffic movements per day, including 26 to 52 during peak hours.
- **Munro Street:** 444 to 888 new traffic movements per day, including 44 to 88 during peak hours.
- **Woodgate Street:** 538 to 1,076 new traffic movements per day, including 53 to 107 during peak hours.

The applicants' traffic consultants have predicted a lower traffic generation figure of 128 vehicle movements at peak hours.

Council's traffic engineers reviewed the consultant report and raised concerns with:

- The report making little reference to the Fisherman Bend Strategic Framework Plan (SFP) or the wider Montague precinct, and a tendency for the report to generally provide broad statements in support of the developments with limited assessment of traffic impacts on the road network.
- A lack of modelling or detailed assessment for arterial / local intersections including the Montague St / Woodgate St intersection.
- No details of whether the SIDRA modelling has taken into consideration future traffic growth, noting that key intersections are already operating at or close to capacity.
- The study did not look at cumulative impacts of currently approved and other potential future developments to provide a better understanding of existing and forecast traffic conditions which would better inform VicRoads and Council on necessary changes to the road network / intersection operating conditions as the area is gradually redeveloped.
- The study incorrectly refers to Normanby Rd & Montague St as local rather than arterial roads.
- The SIDRA modelling looks at intersection performance in isolation. A wider route / network assessment using alternative traffic micro-simulation packages (e.g. VISSIM) would be appropriate.
- The reports trip generation case study data from 2012 is relatively old and is without afternoon / evening statistics.
- The car parking assessment should include a comparison of parking provision rates of each development i.e. ratio of number of car spaces divided by number of dwellings.

Officers note that the existing street network is already heavily congested during the morning and evening peaks, particularly along Montague Street leading to and from the elevated west gate freeway

Officers note that the subject sites are within 200m of the Montague Street light rail stop, the #235 City to Fishermans Bend bus runs along Normanby Road past three of the sites and there are other bus services nearby, and there are also four car share pods nearby.

It is unclear if the existing public transport network has sufficient capacity to accommodate the additional demand generated by these developments.

A comprehensive road and public transport plan for Fishermans Bend is currently being prepared by the State Government as part of the Fishermans Bend refresh program, and is expected to be released for comment circa Q3 or Q4 2016.

Officers are concerned that:

- The proposal, and other permit applications and approved permits for sites along Normanby Road and nearby will generate additional traffic movements onto the existing road network which is already close to or at capacity.
- The vehicle access to Site 02 off Normanby Road is not desirable or consistent with Objective 6.1 of the SFP which specifies preferred vehicle access via secondary streets or lanes.
- The section of Woodgate Street east of Montague Street is a dead end street with a single point of entry/exit.
- Right-turn access to / from Woodgate St is constrained by vehicle queuing and safe gaps in traffic flows along Montague Street given its proximity to the nearby signalised Normanby St / Montague St intersection.
- During peak hours, traffic to and from the Westgate Freeway can congest Munro Street, Woodgate Street and Montague Street making vehicle access difficult / impractical.
- The Montague Street bridge, adjacent to the Woodgate Street / Montague Street intersection is a conflict point and an impediment to service vehicles including waste collection, removalist and emergency vehicles entering or leaving Woodgate Street.

  It is considered that the application documentation provides a limited assessment associated with the five proposals and existing approved developments, but does not take into consideration other possible future development applications along Normanby Road and nearby.

  It is considered that in the absence of a wider strategic precinct assessment on these issues, and the lack of a comprehensive public transport plan for Fishermans Bend, the five proposals would be both an overdevelopment and premature.

9.7.5 Pedestrian connectivity

Through block links are proposed along the west side of Site 01, and between Sites 02 and 03, and Sites 05 and 06.

The links along the west site of Site 01 and between Sites 02 and 03 would be glass covered at first floor level for weather protection and wind mitigation, but open at both ends.

The link between Sites 05 and 06 would be glass covered at first floor level for weather protection and wind mitigation, and would include sliding glass doors at both ends (setback from both street frontages).

Canopies over these links are proposed at first floor level. These should be set higher, preferably at least at third floor level to achieve a much more open feel to the spaces below, as well as space for landscaping to incorporate trees.

The links would provide mid-block pedestrian and bicycle access, which would enhance connectivity in the neighbourhood.

The links would not constitute public open space and would not vest in

Council. The links should remain in private ownership, but need to be:

- Constructed to Council's design and technical standards including being surfaced in sawn bluestone;
- Accessible to the general public at all times; and
- Maintained by the owners.

These matters could be provided for by conditions of any approvals that may issue for the proposals.

9.8 Loading

One loading bay is proposed at ground floor level within each of the buildings.

The loading bays are not dimensioned except for a notation that they would have a head clearance of 4.0m. All loading bays should have minimum dimensions of 7.6 m length, 3.6 m width, and 4.0 m height, although it would be desirable to have 4.5m clearance to allow for satisfactory access/egress (including turning on site) for a 8.8m Medium Rigid Vehicle (such as a Council waste collection vehicle).

Officer assessment is that accessibility to and from the loading bays would be marginal to poor, with most of the designs having insufficient area for a truck or large van to turn on site. Vehicles using the loading bays should be able to enter and exit in a forward direction. This should be confirmed by swept path diagrams.

These matters could be provided for by a condition of any approvals that may issue for the proposal.

9.9 Bicycle facilities

Clause 52.34-1 of the Planning Scheme requires bicycle parking and facilities as follows:

Use, and Bicycle parking rate	No. dwellings / floor area	No. of spaces / facilities required	No. of spaces proposed
Dwellings (in developments of four or more storeys) must provide: - 1 employee/resident bicycle space/5 dwellings; - 1 visitor bicycle space / 10 dwellings	Site 01 - 238 dwellings	70 (47 resident / 23 visitor)	211
	Site 02 - 244 dwellings	72 (48 resident / 24 visitor)	295
	Site 03 - 236 dwellings	70 (47 resident / 23 visitor)	171
	Site 05 - 412 dwellings	123 (82 resident / 41 visitor)	124
	Site 06 - 238 dwellings	70 (47 resident / 23 visitor)	105
	Total: 1,368 dwellings	**409 (273 resident / 136 visitor)**	**906**

Office requires: - 1 employee/resident space per 300m² of net floor area if the floor area exceeds 1000m². - 1 visitor/shopper space per 1,000m² of net floor area if the floor area exceeds 1,000m².	Site 01 - 2,044m² Site 02 - 1,728m² Site 03 - 2,425m² Site 05 - 1,043m² Site 06 - 438m² **Total: 7,681m²**	8 (6 employee / 2 visitor) 6 (5 employee / 1 visitor) 10 (8 employee / 2 visitor) 4 (3 employee / 1 visitor) N/A **28** **(22 employee / 6 visitor)**	Not specified
Shop requires: - 1 employee/resident space 600m² leasable floor area if leasable floor area exceeds 1,000m². - 1 visitor/shopper space 500m² leasable floor area if leasable floor area exceeds 1,000m².	Site 01 - 574m² Site 02 - 326m² Site 03 - 456m² Site 05 - 718m² Site 06 - 67m² **Total: 2,141m²**	N/A N/A N/A N/A N/A **N/A**	N/a
Totals		437	906

All five proposals would provide a gross number of bicycle parking spaces in excess of the Planning Scheme minimum requirements.

Bicycle parking for Site 03 and 05 is proposed at ground floor level, and for Sites 01 and 02 at ground and first floor level. Bicycle parking for Site 06 is proposed at ground, first, second, third and fourth floor levels.

Sites 01, 02, 03 and 05 would accord with Objective 6.4 Guidelines 2 and 3 which encourages resident bicycle parking spaces to be located at basement, ground or first floor level, and visitor parking to be provided at ground level with dedicated access to the street.

Access to the Site 06 second, third and fourth floor level bicycle parking would be via elevator and would not comply. A redesign to provide all bicycle parking at ground and first floor level would provide a more

The plans do not distinguish between resident, visitor and staff bicycle parking.

These matters could be provided for by conditions of any approvals that may issue for the proposals.

9.10 **Stores**

A minimum of one store per dwelling is proposed for the buildings on Sites 01, 02, 03, and 05; Site 06 falls short by 3 stores. At least one store should be provided for each dwelling.

Stores are proposed to comprise a 3m³ storage cage, whereas 6m³ is recommended.

Given recent reports of theft problems with wire cages, all stores should feature solid walls /doors / floors / roofs for security.

These matters could be provided for by conditions of any approvals than may issue for the proposals.

9.11 Open Space

No public open space is proposed on any of the five sites. This is appropriate given the relatively small size of the sites and because the FBSFP Design Guidance encourages buildings to be constructed to the boundary and not provide landscaped areas.

Open space for the proposals would be best provided by an 8% cash contribution in accordance with the Planning Scheme, which could then be used to purchase or develop parkland in the neighbourhood.

9.12 Sustainable design

A Sustainability Management Plan (SMP) was submitted with each of the applications.

Council and DELWP raised concerns about stormwater management and Water Sensitive Urban Design (WSUD) matters, natural ventilation and daylight access and solar performance of the new buildings. The Department encouraged the applicants to improve the performance of the building design including committing to achieving a 5-Star rating under the Green Star - Multi Unit Residential rating tool.

The applicants responded with additional details of water management, natural ventilation, daylight and solar performance measures and a commitment to achieving a 5-Star rating under the Green Star - Multi Unit Residential rating tool.

It is considered that the additional detail and commitments would be satisfactory and revised SMPs should be required to be prepared incorporating these measures, and the revised SMPs should be endorsed as part of any approvals that may issue for the proposals.

This could be provided for by conditions of any approvals that may issue for the proposals.

9.13 Waste Management

Waste management for all five sites is proposed as follows:

- Waste and recyclables stores and an area for hard rubbish are proposed at ground floor level within each building, hidden from external view.
- Residents and commercial tenants will sort their waste and dispose of garbage and recyclables via chutes and/or directly into 1,100 litre bins.
- Waste shall be collected at the on-site loading bay by a private waste collection service.
- The Owners Corporation will be responsible for maintaining the waste store and associated infrastructure including grease traps in a clean and hygienic condition.
- Waste and recyclable collections are proposed to be:
  - Four times weekly for residential and commercial bins for Sites 01, 02, 03 and 05 (i.e. minimum 8 collections for each building and 32 in total); and

- Four times weekly for residential bins and twice weekly for commercial bins for Site 06 (i.e. minimum 6 collections)

- Hard rubbish and any other specialised collections are to be on an as required basis.
- Food premises are to arrange cooking oil collection by a recycler as required.

Council's Waste Management Co-ordinator has raised concerns with the number of heavy vehicle collections that would be generated per week, and has recommended that waste and recycling compaction units should be provided to reduce the number of collections needed.

Officers concur generally because of the existing high traffic levels in the area, and especially with regard to Sites 05 and 06, where waste vehicle access is via Woodgate Street off Montague Street, where heavy vehicle access and egress is restricted by the 3.0m low clearance at the Montague Street bridge.

This could be provided for by a condition of any approvals that may issue for the proposals.

9.14 Development contributions

The construction proposed as part of the permit application triggers a requirement for a development contribution.

It is recommended that any approval include a condition that development contributions must be provided via a S173 Agreement. The development contributions condition should require an owner to enter into an agreement before the development starts, with 10% of development contributions payable at the issue of the building permit, and 90% prior to the issue of a Statement of Compliance (for subdivision).

9.15 Community facilities

No community infrastructure is proposed within the five sites.

Council's Community Infrastructure and Service Planner has advised that Sites 01, 02 and 03 (and Sites 00 and 04) south-west of Montague Street are within a preferred area for the provision of community infrastructure in Council's draft *Fishermans Bend Community Infrastructure Plan*, and Sites 05 and 06 to the north-east of Montague Street are not.

Council's draft infrastructure plan estimates that there is no immediate need for community infrastructure in Fishermans Bend, but as the area develops and the population increases, there will an increasing demand from approximately 2022 onwards, with initial demand being as follows.

TIME	SERVICE TYPE	BUILDING REQUIREMENTS	AREA (m^2/ha)
2022-2026	Small multipurpose room; 6-49 ppl	1 meeting space, 1 storage space	150m^2/0.015ha
	Medium multipurpose room; 50-99 ppl	1 meeting space, 1 storage space	200m^2/0.02ha
	Community office and consulting room; 1-5 ppl	1 meeting space, 1 storage space	50m^2/0.005ha
	Art Studio	3 arts studios, 1 kitchen, 3 storage spaces	400m^2/0.04ha

Council's Community Infrastructure and Service Planner recommends that the sites south-west of Montague Street provide a mix of community infrastructure so as to create a 'small neighbourhood hub' accommodating retail and commercial uses along with community and health services.

This could be provided for by a permit condition requiring the owners / developers to enter into a Section 173 Agreement to provide community infrastructure in the future at a time to be determined by Council based on identified need in the Fishermans Bend Urban Renewal Area. This would allow commercial tenancies in the building to be used for other purposes until the population /needs threshold for community infrastructure was reached.

9.16 **Affordable housing**

Council's strategic outcomes and principles for affordable housing seek at least 20% of housing to be affordable, and no less than 30% of those affordable dwellings to be provided as community housing owned and managed by registered Housing Associations or Providers.

Council's affordable housing strategy estimates that by 2031, an additional 3,700 affordable housing dwellings including 1,100 social housing dwellings will be needed to avoid social homogeneity and exclusion of most low income and many moderate income household types within the FBURA.

The five applications propose to:

- Provide one affordable housing dwelling in each of Sites 01, 02, 03 and 06, and two affordable housing dwellings in Site 05;
- Target the dwellings towards older single women;
- Hand the dwellings over to the Port Phillip Housing Trust upon registration of the plan of subdivision.

The six dwellings would equate to between 0.40% (Site 02) and 0.48% (Site 05) of the total number of dwellings in each of the buildings.

Council's Housing Development Officer advised the target group is a priority target group in Council's Affordable Housing Strategy and thus the six dwellings would make a positive contribution to addressing local housing need.

While the provision of the six dwellings is welcomed, officers are concerned that in terms of the 1368 dwellings proposed in the five developments, the overall number would fall short of Council's targets.

An increase in the rate of provision to 1% would double the number of affordable dwellings to 12, and a further increase to 2% would double this again to four dwellings in each of Sites 01, 02, 03 and 06, and eight dwellings in Site 05 for a total of 24 dwellings overall.

A 1 or 2% provision is considered reasonable in the context of each tower seeking the maximum or near maximum height allowed for each site together with reductions in tower setbacks.

Council's Housing Development Officer advised that the 50m^2 + floor area of the proposed dwellings would be satisfactory, but expressed concern with outdoor balconies having less than 8.0m^2 area (with a minimum width of 2.0m), and storage areas being less than 6m^3. These matters are particularly important for community housing, as low incomes and low car ownership levels means that tenants tend to spend longer periods in their housing and are less able to access other amenities / open space.

These matters and the number of affordable housing dwellings could be addressed by conditions of any approval that may issue for the proposal.

9.17 **Wind impacts**

The initial environmental wind assessments provided with the applications did not consider the cumulative wind effects of the five buildings and other proposed and approved towers nearby.

Revised environmental wind assessments were prepared which considered both the individual wind characteristics of each site, and the cumulative wind impacts if the developments at Sites 00, 01, 02, 03, 04, 05, 06 and 199-201, and 245-251 Normanby Road were all constructed. It is noted that the cumulative wind assessment did not take into account the approved 39 and 44 level towers at 228-232 Normanby Road (n-w cnr. Montague Street), Southbank.

The wind assessments concluded:

Site 01: The proposal would satisfy the wind conditions for standing and walking at ground level surrounding the site, except for the entry to the Normanby Road commercial tenancies, and the Normanby Road and Munro Street ends of the through-block link and lobby entry off the through block link.

Most of the podium areas would exceed the walking criterion.

A wider canopy over the side laneway (and a corresponding canopy on any development on the site to the south), plus recessing the lobby entry at ground level and wind control measures (eg: pergola) at podium level would be needed to meet the wind criteria.

Site 02: The proposal would satisfy the wind conditions for standing and walking at ground level surrounding the site, except for the main lobby entry off the side laneway.

Most of the podium areas would exceed the walking criterion.

Recessing the lobby entry at ground level and landscaping at podium level would be needed to meet the wind criteria.

Site 03: The proposal would satisfy the wind conditions for standing and walking at ground level surrounding the site, except for the Normanby Road and Munro Street ends of the through-block link and the south-east corner open space area facing Normanby Road.

Most of the podium areas would exceed the walking criterion.

Canopies at ground level and landscaping at podium level would be needed to meet the wind criteria.

Site 05: Wind conditions along the Normanby Road footpath, at both ends and along the through-block link, and along Woodgate Street would exceed the recommended walking criteria wind conditions.

Some of the podium areas would exceed the walking criterion.

The addition of a 4m high tree with 2m windscreens beneath at the north-west Normanby Road corner, and a canopy over the side mid-block link, and projecting 1.0m over Woodgate Street at ground level and wind control measures (eg: pergola) at podium level would be needed to meet the wind criteria.

Site 06: The proposal would satisfy the wind conditions for standing and walking at ground level surrounding the site, except for the north-west corner of the Normanby Road frontage and Munro Street ends of the through-block link and the south-east corner open space area facing Normanby Road.

Some podium areas would exceed the recommended walking criterion.

Porous windscreens at ground level and porous windscreens and landscaping at podium level would be needed to meet the wind criteria.

All sites: The proposals would not generate significantly worse wind conditions than existing for the pedestrian areas across the street.

The amended plans already incorporate some of the recommended wind control measures.

The report's conclusions regards wind conditions for pedestrian areas opposite the subject sites are general and unconvincing.

A condition of any approvals should require the proposals to incorporate all of the recommendations of the revised wind reports, and for a further wind report to be prepared to confirm that the proposals would satisfy the relevant standing and walking wind criteria abutting each site and for pedestrian areas opposite.

9.18 **Environmental Audit**

An environmental audit has not been undertaken for the land. Pursuant to Clause 6 of the Schedule to the Capital City Zone:

Before a sensitive use (residential use, child care centre, pre-school centre, primary school, education centre or informal outdoor recreation) commences or before the construction or carrying out of buildings and works in association with a sensitive use commences, the developer must obtain either;

- *A certificate of environmental audit issued for the land in accordance with Part IXD of the Environment Protection Act 1970, or*
- *A statement in accordance with Part IXD of the Environment Protection Act 1970 by an accredited auditor approved under that Act that the environmental conditions of the land are suitable for the sensitive use.*

This could be provided for by a condition of any approval that may issue for the proposal.

10. COVENANTS

10.1 A review of the Titles for the sites indicates they are not encumbered by a restrictive covenant or Section 173 Agreement or a building envelope, but that a number are subject to easements as follows:

- Site 01 (264-270 Normanby Road, South Melbourne)

  Volume 09665 Folio 771 - Plan of Consolidation 161637C

  The land is encumbered by a 0.1m wide party wall easement along the majority of its eastern side, and by a 2.25m to 3.2m wide carriageway and drainage easement along its western side, both in favour of the adjoining properties.
- Site 02 - 256-258 & 260-262 Normanby Road, South Melbourne

  Volume 09666 Folio 725 - Plan of Consolidation 161765S

  The land is encumbered by a 0.1m wide party wall easement along most of both sides, in favour of the adjoining properties.
- Site 03 - 248-250 & 252-254 Normanby Road South Melbourne

  Volume 09665 Folio 770 - Plan of Consolidation 161636E.

  The land is encumbered by a 0.1m wide party wall easement along the majority of its western side, in favour of the adjoining property.
- Site 05 - 207-211 & 215-217 Normanby Road, Southbank

  Volume 09433 Folio 995 - Crown Allotment 38, Section 84, City of South Melbourne, Parish of Melbourne

  Volume 09433 Folio 996 - Crown Allotment 39, Section 84, City of South Melbourne, Parish of Melbourne

  Volume 09433 Folio 997 - Crown Allotment 40, Section 84, City of South Melbourne, Parish of Melbourne

  Volume 09560 Folio 729 - Crown Allotment 41, Section 84, City of South Melbourne, Parish of Melbourne

  Volume 09435 Folio 001 - Crown Allotment 42, Section 84, City of South Melbourne, Parish of Melbourne

  Volume 09433 Folio 999 - Crown Allotment 43, Section 84, City of South Melbourne, Parish of Melbourne

  Part of the site is encumbered by party wall easements in favour of the subject site.
- Site 06 - 203-205 Normanby Road, Southbank

  Volume 09433 Folio 993 – Crown Allotment 36, Section 84, City of South Melbourne, Parish of Melbourne

  Volume 09630 Folio 211 – Crown Allotment 37, Section 84, City of South Melbourne, Parish of Melbourne

  The land is encumbered by a 0.08m wide party wall easement along the majority of both sides, in favour of the adjoining properties.

11. OFFICER DIRECT OR INDIRECT INTEREST

No officers involved in the preparation of this report have any direct or indirect interest in the matter.

12. OPTIONS

12.1 Provide comments to the Department of Environment, Land, Water and Planning as recommended.

12.2 Provide changed or additional comments to the Department to those recommended.

12.3 Refuse to provide comments to the Department.

13. CONCLUSION

13.1 The property owners approach to jointly plan their sites using the same architects and consultants makes strategic sense and is applauded.

13.2 The provision of one or two affordable housing dwellings within each of the towers is also considered a positive initiative.

13.3 The five applicants working with Council and the Department to amend their plans and provide additional information to address initial concerns including regarding building heights and setbacks and cumulative wind and traffic impacts is also welcomed.

13.4 The amended plans are an improvement with regard to tower form and separation (except between Site 03 and the previously considered Site 04 proposal), but tower setbacks from street and heights, and cumulative wind and traffic impacts of the five sites and adjacent and nearby sites remain of concern.

13.5 In particular, the deletion of one level from two of the towers and the overall 1.9m or 1.24% variation to the heights of the five towers compared to the original plans is considered to be insufficient to overcome earlier concerns about a lack of variety in tower heights. More substantial changes to the heights of the towers are considered necessary.

13.6 Similarly, it is considered that the reduced setbacks of the Site 01, 02 and 03 towers from Normanby Road and Munro Street (particularly in conjunction with maximum or near maximum heights) is not justifiable and will present unreasonable building mass and bulk to both streets. It is considered that ideally, tower 01, 02 and 03 setbacks from Normanby Road and Munro Street should achieve the recommended minimum of 10.0m, and if a variation was to be supported, it should be only minor, in the order of 1.0m to 2.0m, in conjunction with recessive tower forms.

13.7 The intensity of development proposed for Sites 01, 02 and 03 south-west of Montague Street, together with the previously considered tower proposal for Site 04 at the corner of Normanby Road and Montague Street, and a mooted proposal for 272-280 Normanby Road is also of concern.

13.8 Officers believe that if Sites 01, 02 and 03 were to be approved generally as proposed, Site 04 at 240-246 Normanby Road would become unsuitable for a substantial tower development.

13.9 The layout and design of Sites 05 and 06 to the north-east of Montague Street at 203-205 and 207-217 Normanby Road is considered to be generally satisfactory, subject to No. 203-205 being setback further from Normanby Road, and greater variety in tower heights and a number of detail revisions to address waste management, wind impacts, laneway access and construction and other matters.

13.10 The applications proposal to provide affordable housing dwellings in each of the towers is admirable and is supported. However, in the overall context of the Fishermans Bend Urban Renewal Area and the intensity of the proposals, it is considered that the number of affordable dwellings should be increased.

13.11 The applications do not propose to provide any community infrastructure. Sites 01, 02 and 03 south-west of Montague Street are in an appropriate location for community facilities and should be required to make future provision for this.

13.12 A number of other design, operational and amenity concerns with the five proposals could be addressed by conditions.

13.13 It is recommended that the Statutory Planning Committee resolve that a letter be sent to the Department of Environment, Land, Water and Planning advising that the Council does not support the applications in their current form based on the matters set out in Sections 7 and 9 of this report.

That the Statutory Planning Committee advise the Department of Environment, Land, Water and Planning that in the event that the Minister determines to grant a permit for the applications, any permits issued should incorporate the recommended conditions.

14. RECOMMENDATION

That the Statutory Planning Committee resolve:

14.1 That a letter be sent to the Department of Environment, La*nd, Water and Planning advising that the Council does not support the applications in their current form based on the matters set out in Sections 7 and 9 of this report.*

14.2 In the event that the Minister determines to grant a permit for the applications, any permits issued should incorporate the recommended conditions.