

Clause 58: Apartment Developments

Address: 95 St Kilda Road, St Kilda

CLAUSE 58.01 - URBAN CONTEXT REPORT AND DESIGN RESPONSE

Operation

The provisions of this clause contain:

- Objectives. An objective describes the desired outcome to be achieved in the completed development.
- Standards. A standard contains the requirements to meet the objective. A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.
- Decision guidelines. The decision guidelines set out the matters that the responsible authority must consider before deciding if an application meets the objectives.

Requirements

A development:

- Must meet all of the objectives of this clause.
- Should meet all of the standards of this clause.

If a zone or a schedule to a zone, or a schedule to an overlay specifies a requirement different from a requirement of a standard set out in Clause 58 (excluding Clause 58.04-1), the requirement in Clause 58 applies.

For Clause 58.04-1 (Building setback):

- If a zone or a schedule to a zone specifies a building setback requirement different from a requirement set out in Clause 58.04-1, the building setback requirement in the zone or a schedule to the zone applies.
- If the land is included in an overlay and a schedule to the overlay specifies a building setback requirement different from the requirement set out Clause 58.04-1 or a requirement set out in the zone or a schedule to the zone, the requirement for building setback in the overlay applies.

TITLE & OBJECTIVE	URBAN CONTEXT REPORT	COMMENTS
<p>CLAUSE 58.01-1 Application requirements</p> <p>An application must be accompanied by:</p> <ul style="list-style-type: none"> An urban context report. A design response. 	Submitted and satisfactory.	
<p>CLAUSE 58.01-2</p>		

<p>Urban context report</p> <p>The urban context report may use a site plan, photographs or other techniques.</p>	<p>Submitted and satisfactory.</p>	
<p>CLAUSE 58.01-3</p> <p>Design response</p> <ul style="list-style-type: none"> • The design response must explain how the proposed design: <ul style="list-style-type: none"> – Responds to any relevant planning provision that applies to the land. – Meets the objectives of Clause 58. – Responds to any relevant housing, urban design and landscape plan, strategy or policy set out in this scheme. – Derives from and responds to the urban context report. • The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. • If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement. 	<p>Submitted and satisfactory detail provided.</p>	

CLAUSE 58.02 - URBAN CONTEXT		
TITLE & OBJECTIVE	COMPLIANCE WITH STANDARD?	ASSESSMENT
<p>CLAUSE 58.02-1</p> <p>Urban context objectives</p> <ul style="list-style-type: none"> • To ensure that the design responds to the existing urban context or contributes to the preferred future development of the area. • To ensure that development responds to the features of the site and the surrounding area. <p>Standard D1</p> <ul style="list-style-type: none"> • The design response must be appropriate to the urban context and the site. • The proposed design must respect the existing or preferred urban context and respond to the features of the site. 	<p>✓ Standard met</p>	<p>The site is located within a Mixed-Use Zone and is adjoined to the north and south by higher density residential buildings. Local policy and the DDO also envisages higher density in this area. The development is considered to respond to the Urban Context of the area. As discussed in the report, the height will be lowered by 2 levels to provide a better policy response and a better response to the lower rise properties to the west.</p>

<p>CLAUSE 58.02-2</p> <p>Residential policy objectives</p> <ul style="list-style-type: none"> To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework. To support higher density residential development where development can take advantage of public and community infrastructure and services. <p>Standard D2</p> <ul style="list-style-type: none"> An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the Municipal Planning Strategy and the Planning Policy Framework. 	<p>✓ Standard met</p>	<p>The site is identified for moderate housing growth and higher density residential development in various state and local policies.</p>
<p>CLAUSE 58.02-3</p> <p>Dwelling diversity objective</p> <ul style="list-style-type: none"> To encourage a range of dwelling sizes and types in developments of ten or more dwellings. <p>Standard D3</p> <ul style="list-style-type: none"> Developments of ten or more dwellings should provide a range of dwelling sizes and types, including dwellings with a different number of bedrooms. 	<p>✓ Standard met</p>	<p>The development proposes 10x 1 bedroom dwellings, 29x 2 bedroom dwellings and 39x 3 bedroom dwellings. This is an adequate mix of dwelling sizes. The deletion of two levels will result in a modified dwelling diversity of (10x 1 bedroom dwellings, 25x 2 bedroom dwellings and 33x 3 bedroom dwellings) which is still considered to be an adequate mix.</p>
<p>CLAUSE 58.02-4</p> <p>Infrastructure objectives</p> <ul style="list-style-type: none"> To ensure development is provided with appropriate utility services and infrastructure. To ensure development does not unreasonably overload the capacity of utility services and infrastructure. <p>Standard D4</p> <ul style="list-style-type: none"> Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available. Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads. In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure. 	<p>✓ Standard met</p>	<p>The development has provisions for appropriate services and will not unreasonable overload services and utilities.</p>
<p>CLAUSE 58.02-5</p> <p>Integration with the street objective</p>	<p>✓ Standard met</p>	<p>The site is provided with only one street frontage so it is appropriate to allow vehicle access from this frontage. The access is to</p>

<ul style="list-style-type: none"> To integrate the layout of development with the street. To support development that activates street frontage. <p>Standard D5</p> <ul style="list-style-type: none"> Developments should be oriented to front existing and proposed streets. Along street frontage, development should: <ul style="list-style-type: none"> Incorporate pedestrian entries, windows, balconies or other active spaces. Limit blank walls. Limit high front fencing, unless consistent with the existing urban context. Provide low and visually permeable front fences, where proposed. Conceal car parking and internal waste collection areas from the street. Development next to existing public open space should be designed to complement the open space and facilitate passive surveillance. 		<p>south which is an appropriate location based on the urban context. VicRoads as the managing road authority support the access location.</p> <p>Appropriate pedestrian links are provided along the remainder of the street frontage. No fencing is provided. A food and drinks premises is provided at the corner of the site which activates the frontage.</p>
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<p style="text-align: center;">CLAUSE 58.03 - SITE LAYOUT</p>		
<p>TITLE & OBJECTIVE</p>	<p>COMPLIANCE</p>	<p>ASSESSMENT</p>
<p>CLAUSE 58.03-1 Energy efficiency objectives</p> <ul style="list-style-type: none"> To achieve and protect energy efficient dwellings and buildings. To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy. To ensure dwellings achieve adequate thermal efficiency <p>Standard D6 Buildings should be:</p> <ul style="list-style-type: none"> Oriented to make appropriate use of solar energy. Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced. Living areas and private open space should be located on the north side of the development, if practicable. Developments should be designed so that solar access to north-facing windows is optimised. 	<p>✓ Standard met subject to conditions</p>	<p>The development is required to meet a variety of ESD and WSUD requirements, which the applicant has provided a Sustainability Management Plan (SMP) to address. Policies at Clause 15.01-2L-02 (ESD) and 19.03-3L (WSUD) apply to the application, as well as ESD requirements listed in the DDO schedule. Council's Sustainable Design Advisor provided assessment of the development and confirmed that it could meet its BESS and WSUD requirements, subject to conditions requiring updated documentation. These matters have been outlined in the referral section of this report and can be required as a permit condition. It is noted that none of the dwellings proposed are exclusively south facing which is a positive outcome.</p> <p>It is noted that the development does not overshadowing any solar energy facilities (the closest being on the roof of 101 St Kilda Road to the south) and</p>

<ul style="list-style-type: none"> Dwellings located in a climate zone identified in Table D1 should not exceed the maximum NatHERS annual cooling load specified in the following table. 		<p>the SMP confirms that the relevant NatHers ratings is not exceeded.</p>
<p>CLAUSE 58.03-2 Communal open space objective</p> <ul style="list-style-type: none"> To provide communal open space that meets the recreation and amenity needs of residents. To ensure that communal open space is accessible, practical, attractive, easily maintained. To ensure that communal open space is integrated with the layout of the development and enhances resident amenity. <p>Standard D7</p> <ul style="list-style-type: none"> A development of 10 or more dwellings should provide a minimum area of communal outdoor open space of 30 square metres. If a development contains 13 or more dwellings, the development should also provide an additional minimum area of communal open space of 2.5 square metres per dwelling or 220 square metres, whichever is the lesser. This additional area may be indoors or outdoors and may consist of multiple separate areas of communal open space. Each area of communal open space should be: <ul style="list-style-type: none"> Accessible to all residents. A useable size, shape and dimension. Capable of efficient management. Located to: <ul style="list-style-type: none"> Provide passive surveillance opportunities, where appropriate. Provide outlook for as many dwellings as practicable. Avoid overlooking into habitable rooms and private open space of new dwellings. Minimise noise impacts to new and existing dwellings. Any area of communal outdoor open space should be landscaped and include canopy cover and trees. 	<p>✓ Standard met</p>	<p>The development is required to provide 195m² of communal open space. Over levels 1 and 2, 436m² of communal open space is provided both indoors and outdoors.</p> <p>The space is usable and centrally located within the development. It is noted that an additional 181m² of communal open space is located on level 16.</p>
<p>CLAUSE 58.03-3 Solar access to communal outdoor open space objective</p> <ul style="list-style-type: none"> To allow solar access into communal outdoor open space. 	<p>✓ Standard met</p>	<p>The communal open space on level 16 receives excellent sunlight access due to its rooftop location.</p>

<p>Standard D8</p> <ul style="list-style-type: none"> The communal outdoor open space should be located on the north side of a building, if appropriate. At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June. 		
<p>CLAUSE 58.03-4 Safety objective</p> <ul style="list-style-type: none"> To ensure the layout of development provides for the safety and security of residents and property. <p>Standard D9</p> <ul style="list-style-type: none"> Entrances to dwellings should not be obscured or isolated from the street and internal accessways. Planting which creates unsafe spaces along streets and accessways should be avoided. Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways. Private spaces within developments should be protected from inappropriate use as public thoroughfares. 	<p>✓ Standard met</p>	<p>The residential entrance is visible from the street and has a high level of surveillance while being secured from public access areas.</p>
<p>CLAUSE 58.03-5 Landscaping objectives</p> <ul style="list-style-type: none"> To provide landscaping that supports the existing or preferred urban context of the area and reduces the visual impact of buildings on the streetscape. To preserve existing canopy cover and support the provision of new canopy cover. To ensure landscaping is climate responsive, supports biodiversity, wellbeing and amenity and reduces urban heat. <p>Standard D10</p> <ul style="list-style-type: none"> Development should retain existing trees and canopy cover Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made. Development should: <ul style="list-style-type: none"> Provide the canopy cover and deep soil areas specified in Table D2. Existing trees can be used to meet the canopy cover requirements of Table D2. Provide canopy cover through canopy trees that are: <ul style="list-style-type: none"> Located in an area of deep soil specified in 	<p>✓ Standard met</p>	<p>A deep soil area has not been provided given that the basement fully occupies the site. It is acceptable to not provide the deep soil area because:</p> <ul style="list-style-type: none"> the restrictive site size would limit development if a deep soil area was provided the significant canopy planting in the road reserve provides vegetation for the immediate vicinity and public realm. the site does not currently have any vegetation the development provides additional landscaping including vertical landscaped elements. <p>A landscaping plan will be required as a condition of permit which will detail the landscaping provided.</p>

<p>Table D3. Where deep soil cannot be provided trees should be provided in planters specified in Table D3.</p> <ul style="list-style-type: none"> - Consistent with the canopy diameter and height at maturity specified in Table D4. - Located in communal outdoor open space or common areas or street frontages. <ul style="list-style-type: none"> • Comprise smaller trees, shrubs and ground cover, including flowering native species. Include landscaping, such as climbing plants or smaller plants in planters, in the street frontage and in outdoor areas, including communal outdoor open space. • Shade outdoor areas exposed to summer sun through landscaping or shade structures and use paving and surface materials that lower surface temperatures and reduce heat absorption. • Be supported by irrigation systems which utilise alternative water sources such as rainwater, stormwater and recycled water. • Protect any predominant landscape features of the area. • Take into account the soil type and drainage patterns of the site. • Provide a safe, attractive and functional environment for residents. • Specify landscape themes, vegetation (location and species), irrigation systems, paving and lighting. <p>Table D2 Canopy cover and deep soil requirements</p> <table border="1"> <thead> <tr> <th>Site area</th> <th>Canopy cover</th> <th>Deep soil</th> </tr> </thead> <tbody> <tr> <td>1000 square metres</td> <td>5% of site area Include at least 1 Type A tree</td> <td>5% of site area or 12 square metres whichever is the greater</td> </tr> <tr> <td>1001 - 1500 square metres</td> <td>50 square metres plus 20% of site area above 1,000 square metres Include at least 1 Type B tree</td> <td>7.5% of site area</td> </tr> <tr> <td>1501 - 2500 square metres</td> <td>150 square metres plus 20% of site area above 1,500 square metres Include at least 2 Type B trees or 1 Type C tree</td> <td>10% of site area</td> </tr> <tr> <td>2500 square metres or more</td> <td>350 square metres plus 20% of site area above 2,500 square metres Include at least 2 Type B trees or 1 Type C tree</td> <td>15% of site area</td> </tr> </tbody> </table> <p>Table D3 Soil requirements for trees</p> <table border="1"> <thead> <tr> <th rowspan="2">Tree type</th> <th>Tree in deep soil</th> <th>Tree in planter</th> <th rowspan="2">Depth of planter soil</th> </tr> <tr> <th>Area of deep soil</th> <th>Volume of planter soil</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>12 square metres (min. plan dimension 2.5 metres)</td> <td>12 cubic metres (min. plan dimension of 2.5 metres)</td> <td>0.8 metre</td> </tr> <tr> <td>B</td> <td>49 square metres (min. plan dimension 4.5 metres)</td> <td>28 cubic metres (min. plan dimension of 4.5 metres)</td> <td>1 metre</td> </tr> <tr> <td>C</td> <td>121 square metres (min. plan dimension 6.5 metres)</td> <td>64 cubic metres (min. plan dimension of 6.5 metres)</td> <td>1.5 metre</td> </tr> </tbody> </table> <p><i>Note: Where multiple trees share the same section of soil the total required amount of soil can be reduced by 5% for every additional tree, up to a maximum reduction of 25%.</i></p> <p>Table D4 Tree type</p> <table border="1"> <thead> <tr> <th>Tree type</th> <th>Minimum canopy diameter at maturity</th> <th>Minimum height at maturity</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>4 metres</td> <td>6 metres</td> </tr> <tr> <td>B</td> <td>8 metres</td> <td>8 metres</td> </tr> <tr> <td>C</td> <td>12 metres</td> <td>12 metres</td> </tr> </tbody> </table>	Site area	Canopy cover	Deep soil	1000 square metres	5% of site area Include at least 1 Type A tree	5% of site area or 12 square metres whichever is the greater	1001 - 1500 square metres	50 square metres plus 20% of site area above 1,000 square metres Include at least 1 Type B tree	7.5% of site area	1501 - 2500 square metres	150 square metres plus 20% of site area above 1,500 square metres Include at least 2 Type B trees or 1 Type C tree	10% of site area	2500 square metres or more	350 square metres plus 20% of site area above 2,500 square metres Include at least 2 Type B trees or 1 Type C tree	15% of site area	Tree type	Tree in deep soil	Tree in planter	Depth of planter soil	Area of deep soil	Volume of planter soil	A	12 square metres (min. plan dimension 2.5 metres)	12 cubic metres (min. plan dimension of 2.5 metres)	0.8 metre	B	49 square metres (min. plan dimension 4.5 metres)	28 cubic metres (min. plan dimension of 4.5 metres)	1 metre	C	121 square metres (min. plan dimension 6.5 metres)	64 cubic metres (min. plan dimension of 6.5 metres)	1.5 metre	Tree type	Minimum canopy diameter at maturity	Minimum height at maturity	A	4 metres	6 metres	B	8 metres	8 metres	C	12 metres	12 metres	
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<p>CLAUSE 58.03-6</p> <p>Access objective</p> <ul style="list-style-type: none"> To ensure that vehicle crossovers are designed and located to provide safe access for pedestrians, cyclists and other vehicles. To ensure the vehicle crossovers are designed and located to minimise visual impact. <p>Standard D11</p> <ul style="list-style-type: none"> Vehicle crossovers should be minimised Car parking entries should be consolidated, minimised in size, integrated with the façade and where practicable located at the side or rear of the building The location of crossovers should maximise pedestrian safety and the retention of on-street car parking spaces and street trees. Developments must provide for access for service, emergency and delivery vehicles. 	<p>✓ Standard met</p>	<p>Access is proposed off a double lane access way, along the southern boundary from St Kilda Road.</p> <p>This is acceptable given that the site only has one street frontage and all vehicle access is consolidated.</p> <p>The development provides for a loading area at ground floor which also be used for waste and emergency vehicles.</p>
<p>CLAUSE 58.03-7</p> <p>Parking location objectives</p> <ul style="list-style-type: none"> To provide convenient parking for resident and visitor vehicles. To protect residents from vehicular noise within developments. <p>Standard D12</p> <p>Car parking facilities should:</p> <ul style="list-style-type: none"> Be reasonably close and convenient to dwellings. Be secure. Be well ventilated if enclosed. 	<p>✓ Standard met</p>	<p>Residents are provided with direct access via a central lift and stairwell.</p>
<p>CLAUSE 58.03-8</p> <p>Integrated water and stormwater management objectives</p> <ul style="list-style-type: none"> To encourage the use of alternative water sources such as rainwater, stormwater and recycled water. To facilitate stormwater collection, utilisation and infiltration within the development. To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site. <p>Standard D13</p> <ul style="list-style-type: none"> Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use. Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority. <p>The stormwater management system should be:</p>	<p>✓ Standard met subject to conditions</p>	<p>The development is required to meet a variety of ESD and WSUD requirements, which the applicant has provided a Sustainability Management Plan (SMP) to address. Policies at Clause 15.01-2L-02 (ESD) and 19.03-3L (WSUD) apply to the application, as well as ESD requirements listed in the DDO schedule. Council's Sustainable Design Advisor provided assessment of the development and confirmed that it could meet its BESS and WSUD requirements, subject to conditions requiring updated documentation. These matters have been outlined in the referral section of this report and can be required as a permit condition. It is noted that none of the dwellings proposed are exclusively south facing which is a positive outcome.</p>

<ul style="list-style-type: none"> Designed to meet the current best practice performance objectives for stormwater quality as contained in the <i>Urban Stormwater - Best Practice Environmental Management Guidelines</i> (Victorian Stormwater Committee, 1999). Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas. 		<p>It is noted that the development does not overshadowing any solar energy facilities (the closest being on the roof of 101 St Kilda Road to the south) and the SMP confirms that the relevant NatHers ratings is not exceeded.</p>
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<p style="text-align: center;">CLAUSE 58.04 - AMENITY IMPACTS</p>		
<p>TITLE & OBJECTIVE</p>	<p>COMPLIANCE</p>	<p>ASSESSMENT</p>
<p>CLAUSE 58.04-1 Building setback objectives</p> <ul style="list-style-type: none"> To ensure the setback of a building from a boundary appropriately responds to the existing urban context or contributes to the preferred future development of the area. To allow adequate daylight into new dwellings. To limit views into habitable room windows and private open space of new and existing dwellings. To provide a reasonable outlook from new dwellings. To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents. <p>Standard D14</p> <ul style="list-style-type: none"> The built form of the development must respect the existing or preferred urban context and respond to the features of the site. Buildings should be set back from side and rear boundaries, and other buildings within the site to: <ul style="list-style-type: none"> Ensure adequate daylight into new habitable room windows. Avoid direct views into habitable room windows and private open space of new and existing dwellings. Developments should avoid relying on screening to reduce views. Provide an outlook from dwellings that creates a reasonable visual connection to the external environment. Ensure the dwellings are designed to meet the objectives of Clause 58. 	<p>✓ Standard met</p>	<p>The DDO36 provides guidance on appropriate setbacks. It is considered that these setbacks are met and there is adequate daylight provision and outlook for the new dwellings. Overlooking is also managed. This is discussed in more detail in the report.</p> <p>As discussed in the report, the height will be lowered by 2 levels to provide a better policy response and a better response to the lower rise properties to the west.</p>
<p>CLAUSE 58.04-2 Internal views objective</p> <p>To limit views into the private open space and habitable</p>	<p>✓ Standard met subject to conditions</p>	<p>The floor plates are generally duplicated throughout the building meaning the private open space areas are stacked on top of each other, limiting views. This is except for the southern most bedroom of dwelling 104 on levels 1 and 2. This is</p>

<p>room windows of dwellings within a development.</p> <p>Standard D15</p> <p>Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the private open space of a lower-level dwelling directly below and within the same development.</p>		<p>provided with a balcony to a semi enclosed communal open space. This will result in a poor amenity from noise, lack of solar access and reduced privacy. It is recommended to open this balcony to the west side of the building and close it off to the internal void area.</p>																		
<p>CLAUSE 58.04-3</p> <p>Noise impacts objectives</p> <ul style="list-style-type: none"> To contain noise sources in developments that may affect existing dwellings. To protect residents from external and internal noise sources. <p>Standard D16</p> <ul style="list-style-type: none"> Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings. The layout of new dwellings and buildings should minimise noise transmission within the site. Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings. New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources. Buildings within a noise influence area specified in Table D5 should be designed and constructed to achieve the following noise levels: <ul style="list-style-type: none"> Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am. Not greater than 40dB(A) for living areas, assessed as an LAeq,16h from 6am to 10pm <p>Table D5 Noise influence area</p> <table border="1" data-bbox="288 1413 798 1653"> <thead> <tr> <th>Noise source</th> <th>Noise influence area</th> </tr> </thead> <tbody> <tr> <td colspan="2">Zone interface</td> </tr> <tr> <td>Industry</td> <td>300 metres from the Industrial 1, 2 and 3 zone boundary</td> </tr> <tr> <td colspan="2">Roads</td> </tr> <tr> <td>Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume</td> <td>300 metres from the nearest trafficable lane</td> </tr> <tr> <td colspan="2">Railways</td> </tr> <tr> <td>Railway servicing passengers in Victoria</td> <td>80 metres from the centre of the nearest track</td> </tr> <tr> <td>Railway servicing freight outside Metropolitan Melbourne</td> <td>80 metres from the centre of the nearest track</td> </tr> <tr> <td>Railway servicing freight in Metropolitan Melbourne</td> <td>135 metres from the centre of the nearest track</td> </tr> </tbody> </table> <p><i>Note: The noise influence area should be measured from the closest part of the building to the noise source.</i></p> <ul style="list-style-type: none"> Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements. Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed. 	Noise source	Noise influence area	Zone interface		Industry	300 metres from the Industrial 1, 2 and 3 zone boundary	Roads		Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume	300 metres from the nearest trafficable lane	Railways		Railway servicing passengers in Victoria	80 metres from the centre of the nearest track	Railway servicing freight outside Metropolitan Melbourne	80 metres from the centre of the nearest track	Railway servicing freight in Metropolitan Melbourne	135 metres from the centre of the nearest track	<p>✓ Standard met subject to conditions</p>	<p>Internal noise sources are contained to the lift well which is separated from the dwellings. Mechanical services are located on the mezzanine level. The submitted acoustic report has listed recommendations that will form part of the development once the detail of the mechanical area is finalised.</p> <p>The development is proposed adjacent to St Kilda Road which carries over 40'000 daily on average – this triggers an acoustic assessment. The submitted acoustic report recommends double glazing specifications to limit noise impacts. The acoustic report recommendations will be required as a condition of permit.</p>
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<p>Clause 58.04-4</p> <p>Wind impacts objective</p> <ul style="list-style-type: none"> To ensure the built form, design and layout of development does not generate unacceptable wind impacts within the site or on surrounding land. <p>Standard D32</p> <ul style="list-style-type: none"> Development of five or more storeys, excluding a basement should: <ul style="list-style-type: none"> not cause unsafe wind conditions specified in Table D6 in public land, publicly accessible areas on private land, private open space and communal open space; and achieve comfortable wind conditions specified in Table D6 in public land and publicly accessible areas on private land <p>within a distance of half the greatest length of the building, or half the total height of the building measured outwards on the horizontal plane from the ground floor building façade, whichever is greater.</p> <ul style="list-style-type: none"> Trees and landscaping should not be used to mitigate wind impacts. This does not apply to sitting areas, where trees and landscaping may be used to supplement fixed wind mitigation elements. Wind mitigation elements, such as awnings and screens should be located within the site boundary, unless consistent with the existing urban context or preferred future development of the area. 	<p>✓ Standard met</p>	<p>The submitted wind assessment demonstrates that wind conditions in publicly accessible areas will be acceptable. It is noted that the canopy over St Kilda Road assists in a better wind condition. It is noted that no private open space areas adjoin the property however the applicant has provided additional wind assessments for the rear adjoining properties which demonstrates that the wind conditions will not be worsened there.</p>
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<p align="center">CLAUSE 58.05 - ON-SITE AMENITY AND FACILITIES</p>		
<p>TITLE & OBJECTIVE</p>	<p>COMPLIANCE</p>	<p>ASSESSMENT</p>
<p>CLAUSE 58.05-1</p> <p>Accessibility objective</p> <ul style="list-style-type: none"> To ensure the design of dwellings meets the needs of people with limited mobility. <p>Standard D17</p> <ul style="list-style-type: none"> At least 50 per cent of dwellings should have: <ul style="list-style-type: none"> A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom. A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area. A main bedroom with access to an adaptable bathroom. At least 50 per cent of dwellings should have: 	<p>✓ Standard met</p>	<p>Apartment types 102, 104, 105, 304, 305, 502, 503, 504, 1501 & 1502 demonstrate compliance with the accessibility standards. This equates to 44 dwellings (56% of dwellings). The deletion of 2 levels, 10 dwellings, does not reduce compliance with this standard.</p>

<p>– At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table D7.</p> <p>Table D7 Bathroom design</p> <table border="1"> <thead> <tr> <th></th> <th>Design option A</th> <th>Design option B</th> </tr> </thead> <tbody> <tr> <td>Door opening</td> <td>A clear 850mm wide door opening.</td> <td>A clear 820mm wide door opening located opposite the shower.</td> </tr> <tr> <td>Door design</td> <td>Either: <ul style="list-style-type: none"> • A slide door, or • A door that opens outwards, or • A door that opens inwards that is clear of the circulation area and has readily removable hinges. </td> <td>Either: <ul style="list-style-type: none"> • A slide door, or • A door that opens outwards, or • A door that opens inwards and has readily removable hinges. </td> </tr> <tr> <td>Circulation area</td> <td>A clear circulation area that is: <ul style="list-style-type: none"> • A minimum area of 1.2 metres by 1.2 metres. • Located in front of the shower and the toilet. • Clear of the toilet, basin and the door swing. The circulation area for the toilet and shower can overlap. </td> <td>A clear circulation area that is: <ul style="list-style-type: none"> • A minimum width of 1 metre. • The full length of the bathroom and a minimum length of 2.7 metres. Clear of the toilet and basin. The circulation area can include a shower area. </td> </tr> <tr> <td>Path to circulation area</td> <td>A clear path with a minimum width of 900mm from the door opening to the circulation area.</td> <td>Not applicable.</td> </tr> <tr> <td>Shower</td> <td>A hobless (step-free) shower.</td> <td>A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.</td> </tr> <tr> <td>Toilet</td> <td>A toilet located in the corner of the room.</td> <td>A toilet located closest to the door opening and clear of the circulation area.</td> </tr> </tbody> </table>		Design option A	Design option B	Door opening	A clear 850mm wide door opening.	A clear 820mm wide door opening located opposite the shower.	Door design	Either: <ul style="list-style-type: none"> • A slide door, or • A door that opens outwards, or • A door that opens inwards that is clear of the circulation area and has readily removable hinges. 	Either: <ul style="list-style-type: none"> • A slide door, or • A door that opens outwards, or • A door that opens inwards and has readily removable hinges. 	Circulation area	A clear circulation area that is: <ul style="list-style-type: none"> • A minimum area of 1.2 metres by 1.2 metres. • Located in front of the shower and the toilet. • Clear of the toilet, basin and the door swing. The circulation area for the toilet and shower can overlap.	A clear circulation area that is: <ul style="list-style-type: none"> • A minimum width of 1 metre. • The full length of the bathroom and a minimum length of 2.7 metres. Clear of the toilet and basin. The circulation area can include a shower area.	Path to circulation area	A clear path with a minimum width of 900mm from the door opening to the circulation area.	Not applicable.	Shower	A hobless (step-free) shower.	A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.	Toilet	A toilet located in the corner of the room.	A toilet located closest to the door opening and clear of the circulation area.		
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<p>CLAUSE 58.05-2</p> <p>58.05-2 Building entry and circulation objectives</p> <ul style="list-style-type: none"> • To provide each dwelling and building with its own sense of identity. • To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents. • To ensure internal communal areas provide adequate access to daylight and natural ventilation. <p>Standard D18</p> <p>Entries to dwellings and buildings should:</p> <ul style="list-style-type: none"> • Be visible and easily identifiable. • Provide shelter, a sense of personal address and a transitional space around the entry. <p>The layout and design of buildings should:</p> <ul style="list-style-type: none"> • Clearly distinguish entrances to residential and non-residential areas. • Provide windows to building entrances and lift areas. Provide visible, safe and attractive stairs from the entry level to encourage use by residents. • Provide common areas and corridors that: <ul style="list-style-type: none"> - Include at least one source of natural light and natural ventilation. - Avoid obstruction from building services. - Maintain clear sight lines. 	<p>✓ Standard met</p>	<p>The building is provided with a secured residential entry, which is visible from the street. The office and commercial entry is separate, through the food and drink premises.</p> <p>All common areas throughout the building are open to the east side, providing light and natural ventilation.</p>																					
<p>CLAUSE 58.05-3</p> <p>Private open space objective</p> <p>To provide adequate private open space for the reasonable recreation and service needs of residents.</p> <p>Standard D19</p>	<p>✓ Standard met</p>	<p>All dwellings meet the required dimensions and in most cases exceed the requirements generously.</p>																					

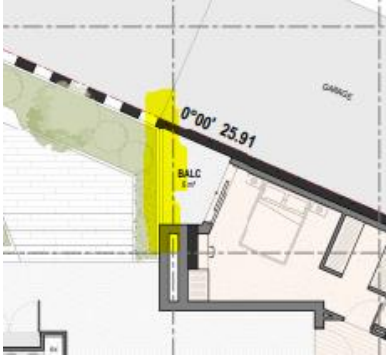
<p>A dwelling should have private open space consisting of at least one of the following:</p> <ul style="list-style-type: none"> • An area of 25 square metres, with a minimum dimension of 3 metres and convenient access from a living room. • A balcony with at least the area and dimensions specified in Table D8 and convenient access from a living room. • An area on a podium or other similar base of at least 15 square metres, with a minimum dimension of 3 metres and convenient access from a living room, or • An area on a roof of 10 square metres with a minimum dimension of 2 metres and convenient access from a living room. <p>If a cooling or heating unit is located on a balcony, the minimum balcony area specified in Table D8 should be increased by at least 1.5 square metres.</p> <p>If the finished floor level of a dwelling is 40 metres or more above ground level, the requirements of Table D8 do not apply if at least the area specified in Table D9 is provided as living area or bedroom area in addition to the minimum area specified in Table D11 or Table D12 in Standard D25.</p> <p>Table D8 Balcony size</p> <table border="1"> <thead> <tr> <th>Dwelling type</th> <th>Minimum area</th> <th>Minimum dimension</th> </tr> </thead> <tbody> <tr> <td>Studio or 1 bedroom dwelling</td> <td>8 square metres</td> <td>1.8 metres</td> </tr> <tr> <td>2 bedroom dwelling</td> <td>8 square metres</td> <td>2 metres</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th>Dwelling type</th> <th>Minimum area</th> <th>Minimum dimension</th> </tr> </thead> <tbody> <tr> <td>3 or more bedroom dwelling</td> <td>12 square metres</td> <td>2.4 metres</td> </tr> </tbody> </table> <p>Table D9 Additional living area or bedroom area</p> <table border="1"> <thead> <tr> <th>Dwelling type</th> <th>Additional area</th> </tr> </thead> <tbody> <tr> <td>Studio or 1 bedroom dwelling</td> <td>8 square metres</td> </tr> <tr> <td>2 bedroom dwelling</td> <td>8 square metres</td> </tr> <tr> <td>3 or more bedroom dwelling</td> <td>12 square metres</td> </tr> </tbody> </table>	Dwelling type	Minimum area	Minimum dimension	Studio or 1 bedroom dwelling	8 square metres	1.8 metres	2 bedroom dwelling	8 square metres	2 metres	Dwelling type	Minimum area	Minimum dimension	3 or more bedroom dwelling	12 square metres	2.4 metres	Dwelling type	Additional area	Studio or 1 bedroom dwelling	8 square metres	2 bedroom dwelling	8 square metres	3 or more bedroom dwelling	12 square metres		
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<p>CLAUSE 58.05-4</p> <p>Storage objective</p> <p>To provide adequate storage facilities for each dwelling.</p> <p>Standard D20</p> <ul style="list-style-type: none"> • Each dwelling should have convenient access to useable and secure storage space. • The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table D10. <p>Table D10 Storage</p> <table border="1"> <thead> <tr> <th>Dwelling type</th> <th>Total minimum storage volume</th> <th>Minimum storage volume within the dwelling</th> </tr> </thead> <tbody> <tr> <td>Studio</td> <td>8 cubic metres</td> <td>5 cubic metres</td> </tr> <tr> <td>1 bedroom dwelling</td> <td>10 cubic metres</td> <td>6 cubic metres</td> </tr> <tr> <td>2 bedroom dwelling</td> <td>14 cubic metres</td> <td>9 cubic metres</td> </tr> <tr> <td>3 or more bedroom dwelling</td> <td>18 cubic metres</td> <td>12 cubic metres</td> </tr> </tbody> </table>	Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling	Studio	8 cubic metres	5 cubic metres	1 bedroom dwelling	10 cubic metres	6 cubic metres	2 bedroom dwelling	14 cubic metres	9 cubic metres	3 or more bedroom dwelling	18 cubic metres	12 cubic metres	<p>✓ Standard met</p>	<p>All dwellings are provided with adequate storage facilities in excess of the minimum requirements. Some dwellings are provided external storage cages located on the ground floor.</p>								
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CLAUSE 58.06 - DETAILED DESIGN

TITLE & OBJECTIVE	COMPLIANCE	ASSESSMENT
<p>CLAUSE 58.06-1 Common property objectives</p> <ul style="list-style-type: none"> To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. To avoid future management difficulties in areas of common ownership. <p>Standard D21</p> <ul style="list-style-type: none"> Developments should clearly delineate public, communal and private areas. Common property, where provided, should be functional and capable of efficient management. 	<p>✓ Standard met</p>	<p>Common property areas within the development are clearly delineated for future subdivision applications.</p>
<p>CLAUSE 58.06-2 Site services objectives</p> <ul style="list-style-type: none"> To ensure that site services are accessible and can be installed and maintained. To ensure that site services and facilities are visually integrated into the building design or landscape. <p>Standard D22</p> <ul style="list-style-type: none"> Development should provide adequate space (including easements where required) for site services to be installed and maintained efficiently and economically. Meters and utility services should be designed as an integrated component of the building or landscape. Mailboxes and other site facilities should be adequate in size, durable, water-protected, located for convenient access and integrated into the overall design of the development. 	<p>✓ Standard met</p>	<p>Provisions for services has been made at the ground floor and on the mezzanine level.</p>
<p>CLAUSE 58.06-3 Waste and recycling objectives</p> <ul style="list-style-type: none"> To ensure dwellings are designed to encourage waste recycling. To ensure that waste and recycling facilities are accessible, adequate and attractive. To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm. <p>Standard D23</p> <p>Developments should include dedicated areas for:</p> <ul style="list-style-type: none"> Waste and recycling enclosures which are: 	<p>✓ Standard met</p>	<p>A bin room has been provided on the ground floor with access to the loading areas. Rubbish chutes have been provided with access to all levels – which is a convenient arrangement. A waste management plan has been provided – this will be endorsed as a condition of permit.</p>

<ul style="list-style-type: none"> - Adequate in size, durable, waterproof and blend in with the development. - Adequately ventilated. - Located and designed for convenient access by residents and made easily accessible to people with limited mobility. <ul style="list-style-type: none"> • Adequate facilities for bin washing. These areas should be adequately ventilated. • Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate. • Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing. • Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing. • Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate. <p>Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and:</p> <ul style="list-style-type: none"> • Be designed to meet the better practice design options specified in <i>Waste Management and Recycling in Multi-unit Developments (Sustainability Victoria, 2019)</i>. • Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements. 		
<p>CLAUSE 58.06-4</p> <p>External walls and materials objective</p> <ul style="list-style-type: none"> • To ensure external walls use materials appropriate to the existing urban context or preferred future development of the area. • To ensure external walls endure and retain their attractiveness. <p>Standard D24</p> <ul style="list-style-type: none"> • External walls should be finished with materials that: <ul style="list-style-type: none"> - Do not easily deteriorate or stain. - Weather well over time. - Are resilient to the wear and tear from their intended use. • External wall design should facilitate safe and convenient access for maintenance. 	<p>✓ Standard met subject to conditions</p>	<p>Council's Urban Designer is generally supportive of the façade strategy and selected materials, noting the variation in lower levels and upper levels, as well as combination of glazing as a positive outcome. Concern was raised about the lightweight cement sheeting, and the applicant has confirmed that this will be replaced by prefabricated cement panelling. The replacement of the lightweight cement sheeting with a more durable material will be required as a condition of permit. More detail is provided in the report.</p>

CLAUSE 58.07 - INTERNAL AMENITY																							
TITLE & OBJECTIVE	COMPLIANCE	ASSESSMENT																					
<p>CLAUSE 58.07-1 Functional layout objective</p> <p>To ensure dwellings provide functional areas that meet the needs of residents.</p> <p>Standard D25</p> <p>Bedrooms should:</p> <ul style="list-style-type: none"> • Meet the minimum internal room dimensions and area specified in Table D11. • Provide an area in addition to the minimum internal room dimensions and area to accommodate a wardrobe. <p>Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table D12.</p> <p>Table D11 Bedroom dimensions</p> <table border="1"> <thead> <tr> <th>Bedroom type</th> <th>Minimum width</th> <th>Minimum depth</th> <th>Minimum area</th> </tr> </thead> <tbody> <tr> <td>Main bedroom</td> <td>3 metres</td> <td>3.4 metres</td> <td>10.2 sqm</td> </tr> <tr> <td>All other bedrooms</td> <td>3 metres</td> <td>3 metres</td> <td>9 sqm</td> </tr> </tbody> </table> <p>Table D12 Living area dimensions</p> <table border="1"> <thead> <tr> <th>Dwelling type</th> <th>Minimum width</th> <th>Minimum area</th> </tr> </thead> <tbody> <tr> <td>Studio and 1 bedroom dwelling</td> <td>3.3 metres</td> <td>10 sqm</td> </tr> <tr> <td>2 or more bedroom dwelling</td> <td>3.6 metres</td> <td>12 sqm</td> </tr> </tbody> </table>	Bedroom type	Minimum width	Minimum depth	Minimum area	Main bedroom	3 metres	3.4 metres	10.2 sqm	All other bedrooms	3 metres	3 metres	9 sqm	Dwelling type	Minimum width	Minimum area	Studio and 1 bedroom dwelling	3.3 metres	10 sqm	2 or more bedroom dwelling	3.6 metres	12 sqm	<p>✓ Standard met</p>	<p>As demonstrated in the attached table, all bedrooms and living rooms are provided with the minimum dimensions and areas. It is noted that in many case, additional space is provided in both bedrooms and living rooms, beyond the minimum requirements.</p>
Bedroom type	Minimum width	Minimum depth	Minimum area																				
Main bedroom	3 metres	3.4 metres	10.2 sqm																				
All other bedrooms	3 metres	3 metres	9 sqm																				
Dwelling type	Minimum width	Minimum area																					
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2 or more bedroom dwelling	3.6 metres	12 sqm																					
<p>CLAUSE 58.07-2 Room depth objective</p> <p>To allow adequate daylight into single aspect habitable rooms.</p> <p>Standard D26</p> <ul style="list-style-type: none"> • Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height. • The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met: <ul style="list-style-type: none"> - The room combines the living area, dining area and kitchen. - The kitchen is located furthest from the window. - The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen. • The room depth should be measured from the external surface of the habitable room window to the rear wall of the room. 	<p>✓ Standard met</p>	<p>All dwellings are provided with a 2.7 metre high ceiling. The room depth is not exceeded for any dwelling.</p>																					

<p>CLAUSE 58.07-3 Window objective</p> <p>To allow adequate daylight into new habitable room windows.</p> <p>Standard D27</p> <ul style="list-style-type: none"> Habitable rooms should have a window in an external wall of the building. A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky. The secondary area should be: <ul style="list-style-type: none"> A minimum width of 1.2 metres. A maximum depth of 1.5 times the width, measured from the external surface of the window. 	<p>✓ Standard met subject to conditions</p>	<p>All windows are on an external wall and provide excellent solar access, except for the southern most bedroom of dwelling 104 on levels 1 and 2. This is provided with a balcony to a semi enclosed communal open space. This will result in a poor amenity from noise, lack of solar access and reduced privacy. It is recommended to open this balcony to the west side of the building and close it off to the internal void area.</p> 
<p>CLAUSE 58.07-4 Natural ventilation objectives</p> <ul style="list-style-type: none"> To encourage natural ventilation of dwellings. To allow occupants to effectively manage natural ventilation of dwellings. <p>Standard D28</p> <ul style="list-style-type: none"> The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate. At least 40 per cent of dwellings should provide effective cross ventilation that has: <ul style="list-style-type: none"> A maximum breeze path through the dwelling of 18 metres. A minimum breeze path through the dwelling of 5 metres. Ventilation openings with approximately the same area. The breeze path is measured between the ventilation openings on different orientations of the dwelling. 	<p>✓ Standard met</p>	<p>As demonstrated in the attached table and the detailed dwelling diagrams, 71 of the dwellings have a dual aspect and can provide adequate breeze path. This accounts for 91% of the dwellings. The deletion of 2 levels, 10 dwellings, does not reduce compliance with this standard.</p>

Detailed Clause 58 assessment:

Dwelling	Quant.	D17	POS	Storage	Main Bed	Bed 2	Bed 3	Living	Natural Ventilation
101	2		YES	YES	YES	X	X	YES	YES
102	2	YES	YES	YES	YES	X	X	YES	
103	2		YES	YES	YES	YES	X	YES	YES
104	2	YES	YES	YES	YES	YES	X	YES	YES
105	2	YES	YES	YES	YES	YES	X	YES	YES
301	2		YES	YES	YES	X	X	YES	YES
302	2	YES	YES	YES	YES	X	X	YES	
303	2		YES	YES	YES	X	X	YES	YES
304	2	YES	YES	YES	YES	YES	YES	YES	YES
305	2	YES	YES	YES	YES	YES	X	YES	
306	2		YES	YES	YES	YES	YES	YES	YES
501	10		YES	YES	YES	YES	X	YES	YES
502	10	YES	YES	YES	YES	YES	YES	YES	YES
503	10	YES	YES	YES	YES	YES	YES	YES	YES
504	10	YES	YES	YES	YES	YES	X	YES	YES
505	10		YES	YES	YES	YES	YES	YES	YES
1501	1	YES	YES	YES	YES	YES	YES	YES	YES
1502	1	YES	YES	YES	YES	YES	YES	YES	YES
1503	1		YES	YES	YES	YES	YES	YES	YES
1601	1		YES	YES	YES	YES	X	YES	YES
1602	1		YES	YES	YES	YES	YES	YES	
1603	1		YES	YES	YES	YES	YES	YES	YES